

1 paving, landscaping, fencing, lighting, and drainage improvements on the Site (“PPD No. 2022-
2 0031”); and

3 **WHEREAS**, pursuant to Section 18.78.060 of the Rialto Municipal Code, the Project
4 requires the approval of an amendment to the Gateway Specific Plan, and the applicant has agreed
5 to apply for Specific Plan Amendment No. 2022-0002 (“SPA No. 2022-0002”); and

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

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

11 **WHEREAS**, on April 15, 2026, the Planning Commission of the City of Rialto conducted
12 a duly noticed public hearing, as required by law, on SPA No. 2022-0002, GPA No. 2022-0001,
13 CDP No. 2022-0019, and PPD No. 2022-0031, took testimony, at which time it received input
14 from staff, the city attorney, and the Applicant; heard public testimony; discussed the proposed
15 SPA No. 2022-0002, GPA No. 2022-0001, CDP No. 2022-0019, and PPD No. 2022-0031; and
16 closed the public hearing; and

17 **WHEREAS**, on April 15, 2026, the Planning Commission voted 6-0 (1 Absence) to
18 recommend approval of the Project to the City Council; and

19 **WHEREAS**, on June 9, 2026, the City Council of the City of Rialto conducted a duly
20 noticed public hearing, as required by law, on SPA No. 2022-0002, GPA No. 2022-0001, CDP
21 No. 2022-0019, and PPD No. 2022-0031, took testimony, at which time it received input from
22 staff, the city attorney, and the Applicant; heard public testimony; discussed the proposed SPA
23 No. 2022-0002, GPA No. 2022-0001, CDP No. 2022-0019, and PPD No. 2022-0031; and closed
24 the public hearing; and

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

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

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

1 **SECTION 2.** Based on substantial evidence presented to the City Council during the public
2 hearing conducted with regard to SPA No. 2022-0002, including written staff reports, verbal
3 testimony, project plans, other documents, and the conditions of approval stated herein, the City
4 Council hereby determines that SPA No. 2022-0002 satisfies the requirements of Government Code
5 Sections 65358 and 65453 and Section 18.78.060I of the Rialto Municipal Code pertaining to the
6 findings which must be made precedent to amending a Specific Plan. The findings are as follows:

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

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

10 The applicant proposes to change the specific plan zoning designation of the Site to Industrial
11 Park (I-P) within the Gateway Specific Plan. In conjunction with the Project, the applicant
12 proposes GPA No. 2022-0001 to change the general plan land use designation of the Site from
13 General Commercial with a Specific Plan Overlay to Business Park with a Specific Plan
14 Overlay. The proposed I-P zoning designation is consistent with the Business Park with a
15 Specific Plan Overlay land use designation, and both will serve to facilitate the Development.

16 Additionally, the Project is consistent with Goal 2-16 and Goal 2-22 of the Land Use Element
17 of the General Plan, which encourages improved architectural and design quality that is
18 sensitive to the needs of the visitor or resident. The change in the specific plan zoning
19 designation will facilitate a development of superior architectural quality. The Development
20 proposes to incorporate significant wall plane articulation and several other architectural
21 features including reveals, metal brow accents, and glazing. The development will also
22 include a solid concrete screen wall around the loading area to screen views and reduce noise
23 pollution from the Site.

24 Furthermore, the Project is consistent with Goal 3-1 of the Economic Development Element
25 of the General Plan, which encourages strengthening and diversification of the economic base
26 and employment opportunities, while maintaining a positive business climate. The change in
27 the Specific Plan land use designation of the Site from F-C to I-P will lead to the development
28 of an industrial building on land that has remained historically under-developed and without
any commercial uses under the current commercial zoning.

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

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

32 The Project will facilitate the development of one (1) 46,758 square foot industrial warehouse
33 building and one (1) 73,210 square foot industrial warehouse building, which will provide

1 new jobs across various wage and education levels available to all races, age groups, and ways
2 of life.

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

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

7 The Project will facilitate the development of two high-quality warehouse buildings. The
8 proposed development is consistent with existing warehouse developments to the northeast
9 and west of the Site and other recent warehouse developments within the Gateway Specific
10 Plan area.

11 The immediate area is predominantly designated for and developed with industrial uses,
12 and as a result, there are no sensitive land uses adjacent to or across the street from the Site.
13 The project is not expected to negatively impact any uses since measures, such as landscape
14 buffering and the installation of solid screen walls.

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

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

18 Limited development opportunities exist within the Gateway Specific Plan area. To the east
19 of the project site, is self-storage facility, and to the northeast, across a San Bernardino County
20 Flood Control flood channel, is an existing industrial warehouse building. To the south, across
21 Valley Boulevard, is a vacant non-conforming property, and to the west, across Willow
22 Avenue, is an approximately 131,000 square foot industrial building. The Site has remained
23 historically under-developed and without any commercial uses with the Freeway Commercial
24 (F-C) zoning designation. The likelihood that the Site will develop into a commercial use is
25 remote given the industrial character to the south and west of the Site. The most logical
26 specific plan zoning designation to facilitate the development of the Site is an industrial zone,
27 such as the Industrial Park (I-P) zoning designation. The I-P zoning designation will maintain
28 consistency with the surrounding area and provide job opportunities for those living in
existing residential areas within the City.

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

This finding is supported by the following facts:

Dudek, Inc. prepared an Initial Study (Environmental Assessment Review No. 2022-0033) in
accordance with the California Environmental Quality Act (CEQA). Based on the findings
and recommended mitigation with the Initial Study, staff determined that the project will not

1 have an adverse impact on the environment, provided that mitigation measures are
2 implemented, and a Mitigated Negative Declaration was prepared.

3 Additionally, the development, enabled by the Project, will meet or exceed all aesthetic design
4 guidelines required by the Chapter 18.112 (Indoor Storage Uses) of the Rialto Municipal Code
5 and City's Design Guidelines through the incorporation of landscaping, significant wall plane
6 articulation on the building, and several other architectural features including reveals, metal
7 brow accents, and glazing.

8 6. That the proposed Specific Plan Amendment incorporates, where feasible, active and
9 passive energy conservation measures.

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

11 The development, enabled by the Project, is required to meet or exceed California Building
12 Code Title 24, Part 6 Energy Efficiency Standards. This will be achieved through the
13 implementation of features such as, but not limited to, energy efficient windows, energy
14 efficient heating and cooling systems, painting in light off-white colors to reflect heat away,
15 and structural accommodation of photovoltaic solar electric systems.

16 **SECTION 3.** An Initial Study (Environmental Assessment Review No. 2022-0033) has
17 been prepared for GPA No. 2022-0001, SPA No. 2022-0002, CDP No. 2022-0019, and PPD No.
18 2022-0031 in accordance with the California Environmental Quality Act (CEQA). Based on the
19 findings and recommended mitigation with the Initial Study, staff determined that the project will not
20 have an adverse impact on the environment, provided that mitigation measures are implemented, and
21 a Mitigated Negative Declaration was prepared. On June 9, 2026, the City Council adopted the Final
22 Mitigated Negative Declaration prepared for the Project.

23 **SECTION 4.** Based upon the foregoing and substantial evidence presented to the City
24 Council during the public hearing conducted with regard to SPA No. 2022-0002, including but not
25 limited to, written staff reports, verbal testimony, presentations by City staff, site plans, and other
26 supporting documents, and the conditions of approval stated herein, the City Council hereby approves
27 SPA No. 2022-0002, in accordance with the plans and application on file with the Planning Division,
28 subject to the following conditions:

1. SPA No. 2022-0002 is approved changing the specific plan zoning designation of
approximately 6.02 acres of land (APNs: 0132-182-08, -09, & 0132-202-04) located at

1 the northeast corner of Valley Boulevard and Willow Avenue, as described in the legal
2 description attached as Exhibit A, from Freeway Commercial (F-C) within the Gateway
3 Specific Plan to Industrial Park (I-P) within the Gateway Specific Plan.

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- 5 2. City inspectors shall have access to the Site to reasonably inspect the Site during normal
6 working hours to assure compliance with these conditions and other codes.
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- 8 3. The applicant shall indemnify, protect, defend, and hold harmless, the City of Rialto,
9 and/or any of its officials, officers, employees, agents, departments, agencies, and
10 instrumentalities thereof (collectively, the “City Parties”), from any and all claims,
11 demands, law suits, writs of mandamus, and other actions and proceedings (whether
12 legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative
13 dispute resolutions procedures (including, but not limited to arbitrations, mediations,
14 and other such procedures), (collectively “Actions”), brought against the City, and/or
15 any of its officials, officers, employees, agents, departments, agencies, and
16 instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or
17 annul, the any action of, or any permit or approval issued by, the City and/or any of its
18 officials, officers, employees, agents, departments, agencies, and instrumentalities
19 thereof (including actions approved by the voters of the City), for or concerning the
20 Project (collectively, the “Entitlements”), whether such Actions are brought under the
21 California Environmental Quality Act, the Planning and Zoning Law, the Subdivision
22 Map Act, Code of Civil Procedure Chapter 1085 or 1094.5, the California Public
23 Records Act, or any other state, federal, or local statute, law, ordinance, rule, regulation,
24 or any decision of a court of competent jurisdiction. This condition to indemnify,
25 protect, defend, and hold the City harmless shall include, but not be limited to (i)
26 damages, fees and/or costs awarded against the City, if any, and (ii) cost of suit,
27 attorneys’ fees and other costs, liabilities and expenses incurred in connection with
28 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
SPA No. 2022-0002.
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. Approval of SPA No. 2022-0002 will not be valid until such time that the City Council of
the City of Rialto has approved General Plan Amendment No. 2022-0001, which was
prepared in conjunction with the Project.

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6. The applicant shall comply with all conditions of approval contained in GPA No. 2022-0001, CDP No. 2022-0019, and PPD No. 2022-0031, to the extent they are not in conflict with any condition of approval herein.

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

PASSED, APPROVED AND ADOPTED this 9th day of June, 2026.

JOE BACA, MAYOR

1 **ATTEST:**

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5 BARBARA MCGEE, CITY CLERK

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7 **APPROVED AS TO FORM:**

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11 ERIC S. VAIL, CITY ATTORNEY

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1 STATE OF CALIFORNIA)
2 COUNTY OF SAN BERNARDINO) ss
3 CITY OF RIALTO)
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5 I, BARBARA MCGEE, City Clerk of the City of Rialto, do hereby certify that the foregoing
6 Resolution No. _____ was duly passed and adopted at a regular meeting of the City Council
7 of the City of Rialto held on the _____ day of _____, 2026.

8 Upon motion of Councilmember _____, seconded by Councilmember
9 _____, the foregoing Resolution No. _____ was duly passed and adopted.

10 Vote on the motion:
11 AYES:
12 NOES:
13 ABSENT:

14 IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of
15 Rialto this _____ day of _____, 2026.

19 _____
20 BARBARA MCGEE, CITY CLERK

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Exhibit A

Legal Description

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