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A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIALTO, CALIFORNIA, APPROVING CONDITIONAL DEVELOPMENT PERMIT NO. 25-0004 ALLOWING THE INSTALLATION OF ELECTRONIC MESSAGE BOARD SIGNAGE ON AN EXISTING BUILDING LOCATED AT 1817 NORTH RIVERSIDE AVENUE (APN: 0127-041-43).

WHEREAS, the applicant, Dental Care of Rialto, proposes to install two (2) LED (light-emitting diode) wall signs onto existing building located at 1817 North Riverside Avenue (“Site”) (“Development”); and (APN: 0127-041-43)

WHEREAS, one (1) LED sign, 64 square feet in area, will be installed on the south building elevation and one (1) LED sign, 30 square feet in area, will be installed on the north building elevation (“Project”); and

WHEREAS, pursuant to Section 18.102.040(D)(2) of the Rialto Municipal Code, whenever the application of this chapter is uncertain due to ambiguity of its provisions, the question shall be referred to the planning commission and the planning commission shall then authorize sign requirements which best fulfill the intent of this chapter the installation of an electronic message board, such as the Project, within the C-1 zone is an “other use subject to a conditional development permit”, and the applicant has agreed to apply for a conditional development permit, and the applicant has agreed to apply for Conditional Development Permit No. 25-0004 (“CDP”); and

WHEREAS, on December 3, 2025, the Planning Commission of the City of Rialto conducted a duly noticed public hearing, as required by law, on the CDP, took testimony, at which time it received input from staff, the city attorney, and the applicant; heard public testimony; discussed the proposed CDP; and closed the public hearing; and

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

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

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

1        SECTION 2. Based on substantial evidence presented to the Planning Commission during  
2 the public hearing conducted with regard to the CDP, including written staff reports, verbal testimony,  
3 site plans, other documents, and the conditions of approval stated herein, the Planning Commission  
4 hereby determines that the CDP satisfies the requirements of Section 18.66.020 of the Rialto  
5 Municipal Code pertaining to the findings which must be made precedent to granting a conditional  
6 development permit, which findings are as follows:

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

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

10           The Site is located along the Riverside Avenue corridor which is a major arterial through  
11           the city. The Project will provide a benefit to the community and neighborhood by serving  
12           as additional advertisement for the Site, thereby supporting the growth and success of the  
13           on-site business.

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

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

17           The Site is bound on the west by Riverside Avenue. The zoning of the project site and the  
18           properties to the north and west is Neighborhood Commercial (C-1). The zoning of the  
19           property to the west is Multi-Family Residential (R-3), and the zoning of the property to  
20           the south is Administrative-Professional (A-P). The nearest residential land use is located  
21           over 300 feet to the east of the Project. No signage is proposed to face easterly and  
22           therefore no negative impacts are anticipated as a result of the proposed Project, if all  
23           Conditions of Approval are strictly followed.

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

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

28           The Site is 0.96 acres in size adjacent to Riverside Avenue which is partially developed with  
an existing dental office building. The Site has been developed in compliance with the  
required development standards of the A-P zone is compatible with the surrounding land uses  
and the Site will be able to accommodate the installation of the Project.

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

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

3 The Site is partially developed with an existing dental office building and therefore has  
4 adequate access to all utilities and will be required to connect through main water, electric,  
5 sewer, and other utility lines hook up for the Site.

- 6 5. The proposed use will be arranged, designed, constructed, and maintained so as it will  
7 not be injurious to property or improvements in the vicinity or otherwise be  
8 inharmonious with the General Plan and its objectives, the Administrative-  
9 Professional zone, and

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

11 As previously stated, the Site has been developed in compliance with the required  
12 development standards of the A-P zone of the Rialto municipal code. A condition of approval  
13 has been added to the resolution requiring that the intensity of light from the electronic  
14 message board shall be reduced at night, so as not to disrupt adjacent properties. In addition,  
15 a condition of approval has been added to the resolution stating that the electronic message  
16 board shall be limited to static display only so as not to distract drivers. If all Conditions of  
17 Approval contained within CDP No. 25-0004 are satisfied, the Project should not negatively  
18 impact the neighboring land uses.

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

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

23 The Conditions of Approval contained herein will minimize the Project's impacts such as  
24 reduced intensity of light from the electronic message board at night and limiting that the  
25 electronic message board to static display. The granting of CDP25-0004, allowing the  
26 installation of the Project on the Site, will serve to provide additional advertisement for the  
27 Site thereby supporting the growth and success of the new development. Therefore, any  
28 potential adverse effects are outweighed by the benefits conferred upon the community and  
neighborhood as a whole.

24 SECTION 3. The Project is categorically exempt from the requirements of the California  
25 Environmental Quality Act (CEQA) pursuant to Section 15301, Existing Facilities. No new  
26 construction or physical alterations are proposed as a part of the Project. The Planning Commission  
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1 directs the Planning Division to file the necessary documentation with the Clerk of the Board of  
2 Supervisors for San Bernardino County.

3       SECTION 4. CDP No. 25-0004 is granted to Dental Care of Rialto, in accordance with the  
4 plans and application on file with the Planning Division, subject to the following conditions:

- 5       1. The approval is granted allowing the installation of an electronic message board wall  
6 sign onto an existing building located at 1817 North Riverside Avenue, as shown on the  
7 plans attached as Exhibit A and as approved by the Planning Commission. If the  
8 Conditions of Approval specified herein are not satisfied or otherwise completed, the  
project shall be subject to revocation.
- 9       2. City inspectors shall have access to the site to reasonably inspect the site during  
10 normal working hours to assure compliance with these conditions and other codes.
- 11       3. The applicant shall indemnify, protect, defend, and hold harmless, the City of Rialto,  
12 and/or any of its officials, officers, employees, agents, departments, agencies, and  
13 instrumentalities thereof (collectively, the "City Parties"), from any and all claims,  
14 demands, law suits, writs of mandamus, and other actions and proceedings (whether  
15 legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative  
16 dispute resolutions procedures (including, but not limited to arbitrations, mediations,  
17 and other such procedures), (collectively "Actions"), brought against the City, and/or  
18 any of its officials, officers, employees, agents, departments, agencies, and  
19 instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or  
20 annul, the any action of, or any permit or approval issued by, the City and/or any of  
21 its officials, officers, employees, agents, departments, agencies, and instrumentalities  
22 thereof (including actions approved by the voters of the City), for or concerning the  
23 Project (collectively, the "Entitlements"), whether such Actions are brought under  
24 the California Environmental Quality Act, the Planning and Zoning Law, the  
25 Subdivision Map Act, Code of Civil Procedure Chapter 1085 or 1094.5, the  
26 California Public Records Act, or any other state, federal, or local statute, law,  
27 ordinance, rule, regulation, or any decision of a court of competent jurisdiction. This  
28 condition to indemnify, protect, defend, and hold the City harmless shall include, but  
not be 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. 25-0004.

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 privileges granted by the Planning Commission pursuant to approval of this Conditional Development Permit are valid for one (1) year from the effective date of approval. If the applicant fails to commence the project within one (1) year of said effective date, this conditional development permit shall be null and void and any privileges granted hereunder shall terminate automatically. If the applicant or his or her successor in interest commence the project within one year of the effective date of approval, the privileges granted hereunder will continue inured to the property as long as the property is used for the purpose for which the conditional development permit was granted, and such use remains compatible with adjacent property uses.
6. Approval of CDP No. 25-0004 will not become effective until the applicant has signed a statement acknowledging awareness and acceptance of the required conditions of approval contained herein.
7. The electronic message board shall be limited to on-site advertisement only. Off-site advertisement is strictly prohibited.
8. The intensity of light from the electronic message board shall be reduced at night, so as not to disrupt adjacent properties.
9. The electronic message board shall be limited to static display only so as not to distract drivers.
10. If the applicant fails to comply with any of the conditions of approval placed upon CDP No. 25-0004, 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. Conditional Development Permit No. 25-0004 may be revoked, suspended or modified in accordance with Section 18.66.070 of the Zoning Ordinance at the discretion of the Planning Commission if:
  - a) The use for which such approval was granted has ceased to exist, been subsequently modified, or has been suspended for six (6) months or more;
  - b) Any of the express conditions or terms of such permit are violated;
  - c) The use for which such approval was granted becomes or 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

1 are or have become offensive to neighboring property or the goals and  
2 objectives of the A-P zone, and/or the City's General Plan.

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

5 PASSED, APPROVED AND ADOPTED this 3rd day of December, 2025.  
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9 MICHAEL E. STORY, CHAIR  
10 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. \_\_\_\_ was duly passed and adopted at a regular meeting of the Planning  
7 Commission of the City of Rialto held on the \_\_\_\_ day of \_\_\_\_, 2025.

8 Upon motion of Planning Commissioner\_\_\_\_\_, seconded by Planning Commissioner  
9 \_\_\_\_\_, the foregoing Resolution No. \_\_\_\_ was duly passed and adopted.

10 Vote on the motion:

11 AYES:

12 NOES:

13 ABSENT:

14 IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of  
15 Rialto this \_\_ day of \_\_\_\_, 2025.

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20 HEIDY GONZALEZ, ADMINISTRATIVE ASSISTANT  
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Exhibit "A"

Project Plans

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