

1 g **RESOLUTION NO. XXXX**

2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
3 RIALTO, CALIFORNIA APPROVING CONDITIONAL
4 DEVELOPMENT PERMIT NO. 2022-0019 ALLOWING THE
5 DEVELOPMENT AND OPERATION OF ONE (1) 46,758
6 SQUARE FOOT INDUSTRIAL WAREHOUSE BUILDING AND
7 ONE (1) 73,210 SQUARE FOOT INDUSTRIAL WAREHOUSE
8 BUILDING ON APPROXIMATELY 6.02 OF LAND (APN'S:
9 0132-182-08, -09, & 0132-202-04) LOCATED AT THE
10 NORTHEAST CORNER OF VALLEY BOULEVARD AND
11 WILLOW AVENUE.

12 **WHEREAS**, the applicant, Investment Building Group, (“Applicant”) proposes to develop
13 and operate one (1) 46,758 square foot industrial warehouse building and one (1) 73,210 square foot
14 industrial warehouse building with associated paving, landscaping, fencing, lighting, and drainage
15 improvements (“Project”) on approximately 6.02 acres of land (APN’s: 0132-182-08, -09, & 0132-
16 202-04) located at the northeast corner of Valley Boulevard and Willow Avenue (“Site”); and

17 **WHEREAS**, the Project will consist of Building 1 composed of approximately 66,810
18 square feet of warehouse space, with a potential for 2 speculative tenants with a combined 2,400
19 square feet of mezzanine space, 4,000 square feet of office space, 10 dock doors and two (2) grade
20 level roll-up doors. Building 2 will be composed of approximately 43,558 square feet of
21 warehouse space, 1,200 square feet of mezzanine space, 2,000 square feet of office space, 5 dock
22 doors and one (1) grade level roll-up door; and

23 **WHEREAS**, Pursuant to Ordinance No. 1653, the Project requires a Conditional
24 Development Permit, and the applicant has agreed to apply for Conditional Development Permit
25 No. 2022-0019 (“CDP No. 2022-0019”); and

26 **WHEREAS**, in conjunction with the Project, the applicant has applied for General Plan
27 Amendment No. 2022-0001 to change the general plan land use designation of the Site from
28 General Commercial (GC) with a Specific Plan Overlay to Business Park (BP) with a Specific
Plan Overlay (“GPA No. 2022-0001”); and

WHEREAS, in conjunction with the Project, the applicant has applied for Specific Plan
Amendment No. 2022-0002 to change the specific plan zoning designation of the Site from

1 Freeway Commercial (F-C) within the Gateway Specific Plan to Industrial Park (I-P) within the
2 Gateway Specific Plan (“SPA No. 2022-0002”); and

3 **WHEREAS**, in conjunction with the Project, the applicant has applied for Precise Plan of
4 Design No. 2022-0031 to facilitate the development of one (1) 46,758 square foot industrial
5 warehouse building and one (1) 73,210 square foot industrial warehouse building with associated
6 paving, landscaping, fencing, lighting, and drainage improvements on the Site (“PPD No. 2022-
7 0031”); and

8 **WHEREAS**, on April 15, 2026, the Planning Commission of the City of Rialto conducted
9 a duly noticed public hearing, as required by law, on the Project, took testimony, at which time it
10 received input from staff, the city attorney, and the applicant; heard public testimony; discussed
11 the proposed Project; and closed the public hearing; and

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

14 **WHEREAS**, on June 9, 2026, the City Council conducted a duly noticed public hearing,
15 as required by law, on CDP No. 2022-0019, GPA No. 2022-0001, SPA No. 2022-0002, and PPD
16 No. 2022-0031, took testimony, at which time it received input from staff, the city attorney, and
17 the applicant; heard public testimony; discussed the proposed CDP No. 2022-0019, GPA No.
18 2022-0001, SPA No. 2022-0002, and PPD No. 2022-0031; and closed the public hearing; and

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

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

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

23 **SECTION 2.** Based upon the forgoing and substantial evidence presented to the City
24 Council during the public hearing conducted with regard to CDP No. 2022-0019, 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
27 determines that CDP No. 2022-0019 satisfies the requirements of Section 18.66.020 of the Rialto
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1 Municipal Code pertaining to the findings which must be made precedent to granting a conditional
2 development permit, which findings are as follows:

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

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

7 The Site is under-developed and includes an existing industrial building near the south
8 portion of the Site which has been used for storage with supporting office in the past but is
9 currently vacant. The Project will develop the highest and best use for the Site, in
10 accordance with the proposed Industrial Park (I-P) zone of the Gateway Specific Plan.
11 Additionally, the Project will provide employment opportunities within the City and reduce
12 blight by implementing a use on non-conforming, semi-improved land.

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

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

16 The development of an industrial warehouse building on the Site is consistent with the
17 proposed Industrial Park (I-P) zone, which conditionally permits the development and
18 operation of industrial warehouse buildings. To the north of the project site, is vacant land
19 with a wireless telecommunications facility, to the east is an existing self-storage facility
20 and Flood Control channel, to the west across Willow Avenue, is a 492,410 square foot
21 industrial building, and to the south across Valley Boulevard, is a vacant non-conforming
22 site. The proposed zoning designation of the Site and the zoning designation of the
23 properties to the west and south is I-P. The Project is consistent with the proposed I-P
24 zoning designation and the surrounding developments. The nearby area is predominantly
25 designated for and developed with industrial uses, and as a result, there are no sensitive
26 land uses adjacent to or across the street from the project site. The project is not expected
27 to negatively impact any uses with the successful implementation of measures such as
28 landscape buffering, the installation of solid screen walls, and aesthetic building
enhancements.

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 is approximately 6.02 acres in size, is fairly level, and adjacent to two (2) public
streets, which will be able to accommodate the proposed use. The Project will have four (4)
points of access – one (1) via Valley Boulevard and three (3) via Willow Avenue. All
proposed driveways measure thirty-two (32) feet wide. The Valley Boulevard driveway near

1 the southeast corner of the project site will provide right-in/right-out access for passenger
2 vehicles only. The southern Willow Avenue driveway will provide full-access for passenger
3 vehicles only while the northern and central Willow Avenue driveways will provide full-
4 access for both trucks and passenger vehicles. In addition, the building will have 111 parking
5 spaces, which exceeds the amount required by Chapter 18.58 (Off-Street Parking) of the
6 Rialto Municipal Code.

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

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

10 The Site is currently developed with an existing industrial building and has adequate access
11 to all utilities and services required through main water, electric, sewer, and other utility lines
12 that will be hooked up to the Site.

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

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

18 As previously stated, the proposed use is consistent with the proposed BP general plan land
19 use designation and proposed I-P zoning designation. The design of the Project includes solid
20 concrete screen walls such that none of the dock doors will be visible from the public right-
21 of-way, the building will have 111 parking spaces, and the Project will have a Floor Area
22 Ratio (FAR) of 45.8 percent, all of which comply with the proposed BP general plan land use
23 designation, the proposed I-P zone, the Gateway Specific Plan, and the City's Design
24 Guidelines. Additionally, a minimum twenty-five (25) foot wide landscaped setbacks will be
25 provided along the entire frontages of Valley Boulevard, and Willow Avenue. Landscaping
26 will be abundantly incorporated into the Site, as the landscape coverage for the project is 19.6
27 percent, which exceeds the minimum required amount of 10.0 percent.

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

This finding is supported by the following facts:

The Project's effects will be minimized through the implementation of the Conditions of
Approval contained herein, and through the implementation of Conditions of Approval
imposed by the City Council on the Precise Plan of Design, such as extensive landscaping,
solid screen walls, decorative paving, and enhanced architectural features. The
development of a high-quality industrial development will provide additional employment
opportunities for residents and visitors to the City. The Project will also serve to develop

1 a piece of land, which has remained non-conforming and under-developed. The Project is
2 consistent with the proposed I-P zoning designation and the surrounding land uses. The
3 nearby area is predominantly designated for and developed with industrial uses, and as a
4 result, there are no sensitive land uses adjacent to or across the street from the project site.
5 The project is not expected to negatively impact any uses with the successful
6 implementation of measures such as landscape buffering, the installation of solid screen
7 walls, and aesthetic building enhancements. Therefore, any potential adverse effects are
8 outweighed by the benefits conferred upon the community and neighborhood as a whole.

9 **SECTION 3.** An Initial Study (Environmental Assessment Review No. 2022-0033) has
10 been prepared for GPA No. 2022-0001, SPA No. 2022-0002, CDP No. 2022-0019, and PPD No.
11 2022-0031 in accordance with the California Environmental Quality Act (CEQA). Based on the
12 findings and recommended mitigation with the Initial Study, staff determined that the project will not
13 have an adverse impact on the environment, provided that mitigation measures are implemented, and
14 a Mitigated Negative Declaration was prepared. On June 9, 2026, the City Council adopted the Final
15 Mitigated Negative Declaration prepared for the Project.

16 **SECTION 4.** Based upon the forgoing and substantial evidence presented to the City Council
17 during the public hearing conducted with regard to CDP No. 2022-0019, including, but not limited
18 to, written staff reports, verbal testimony, presentations by City staff, site plans, and other supporting
19 documents, and the conditions of approval stated herein, the City Council hereby approves CDP No.
20 2022-0019, in accordance with the plans and application on file with the Planning Division, subject
21 to the following conditions:

- 22 1. The approval is granted allowing the development and operation of one (1) 46,758 square
23 foot industrial warehouse building, one (1) 73,210 square foot industrial warehouse
24 building on approximately 6.02 acres of land (APNs: 0132-182-08, -09, & 0132-202-04)
25 located at the northeast corner of Valley Boulevard and Willow Avenue, as shown on the
26 plans attached as Exhibit A and as approved by the City Council. If the Conditions of
27 Approval specified herein are not satisfied or otherwise completed, the project shall be
28 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

1 resolutions procedures (including, but not limited to arbitrations, mediations, and other
2 such procedures), (collectively “Actions”), brought against the City, and/or any of its
3 officials, officers, employees, agents, departments, agencies, and instrumentalities
4 thereof, that challenge, attack, or seek to modify, set aside, void, or annul, the any action
5 of, or any permit or approval issued by, the City and/or any of its officials, officers,
6 employees, agents, departments, agencies, and instrumentalities thereof (including actions
7 approved by the voters of the City), for or concerning the Project (collectively, the
8 “Entitlements”), whether such Actions are brought under the California Environmental
9 Quality Act, the Planning and Zoning Law, the Subdivision Map Act, Code of Civil
10 Procedure Chapter 1085 or 1094.5, the California Public Records Act, or any other state,
11 federal, or local statute, law, ordinance, rule, regulation, or any decision of a court of
12 competent jurisdiction. This condition to indemnify, protect, defend, and hold the City
13 harmless shall include, but not be limited to (i) damages, fees and/or costs awarded against
14 the City, if any, and (ii) cost of suit, attorneys’ fees and other costs, liabilities and expenses
15 incurred in connection with such proceeding whether incurred by applicant, Property
16 owner, or the City and/or other parties initiating or bringing such proceeding (collectively,
17 subparts (i) and (ii) are the “Damages”). Notwithstanding anything to the contrary
18 contained herein, the Applicant shall not be liable to the City Parties under this indemnity
19 to the extent the Damages incurred by any of the City Parties in such Action(s) are a result
20 of the City Parties’ fraud, intentional misconduct or gross negligence in connection with
21 issuing the Entitlements. The applicant shall execute an agreement to indemnify, protect,
22 defend, and hold the City harmless as stated herein within five (5) days of approval of
23 CDP No. 2022-00019.

- 24 4. In accordance with the provisions of Government Code Section 66020(d)(1), the
25 imposition of fees, dedications, reservations, or exactions for this Project, if any, are
26 subject to protest by the applicant at the time of approval or conditional approval of the
27 Project or within 90 days after the date of the imposition of the fees, dedications,
28 reservations, or exactions imposed on the Project.
- 29 5. The tenants within the building shall always conduct operations consistent with the
30 environmental analysis contained within the Environmental Impact Report
31 (Environmental Assessment Review No. 2022-0033) adopted for the Project.
- 32 6. The property owner(s) and building tenants shall always abide by all operational
33 mitigation measures contained within the Mitigation Monitoring and Reporting Program
34 associated with the Environmental Impact Report (Environmental Assessment Review
35 No. 2022-0033) adopted for the Project.
- 36 7. The Project shall be limited to a maximum of 91 actual passenger car trips and 61 actual
37 truck trips daily, in accordance with the Trip Generation Summary of the Transportation
38 memorandum prepared for the Project by Dudek, Inc. and dated March 24, 2022, Revised
39 July 21, 2025, which is attached hereto as Exhibit B.
- 40 8. The applicant, landlord, and/or tenant(s) shall ensure that all inbound truck traffic that
41 requires temporary queuing or staging do so on-site. Inbound truck traffic shall not queue

1 or stage on any public street at any time. Activities on-site shall not operate in such a
2 manner that would impact traffic lanes, cause back up (queuing or staging) of vehicles
3 into the public-right-of-way, or create any unsafe conditions. Fire and Police access and
4 passage around trucks queuing or staging on-site shall be feasible at all times and activities
shall not block parking areas, access or passage for disabled persons or emergency
response vehicles.

- 5 9. The applicant, landlord, and/or tenant(s) shall only park or store trucks and trailers within
6 designated truck/trailer parking spaces adjacent to the dock doors. No trucks or trailers
7 shall be parked or stored within any drive-aisles or passenger vehicle parking areas outside
of the enclosed truck courts at any time.
- 8 10. The landlord and/or tenant(s) shall not store any product, goods, materials, etc. outside of
9 the building at any time, except for trucks, trailers, and vehicles associated with the
10 operation(s) conducted within the building, without prior approval of a separate
11 Conditional Development Permit in accordance with Chapter 18.104 (Outdoor Storage
Uses) of the Rialto Municipal Code.
- 12 11. At the discretion of the Rialto Police Department, the applicant shall install and maintain
13 exterior security cameras at the location that cover the entire Site. The exterior security
14 cameras shall be installed prior to the issuance of a Certificate of Occupancy. The security
15 cameras shall be accessible to the Rialto Police Department via the FususONE web
16 application, or successor application, at all times.
- 17 12. Approval of CDP No. 2022-0019 will not become effective until the applicant has signed
a statement acknowledging awareness and acceptance of the required conditions of
18 approval contained herein.
- 19 13. In the event, that any operation on the Site is found to be objectionable or incompatible
20 with the character of the City and its environs due to excessive noise, excessive traffic,
21 loitering, criminal activity or other undesirable characteristics including, but not strictly
22 limited to, uses which are or have become offensive to neighboring property or the goals
and objectives of the proposed Industrial Park (I-P) zoning district of the Gateway Specific
Plan and the City's General Plan, the applicant shall address the issues within forty-eight
(48) hours of being notified by the City.
- 23 14. If the applicant fails to comply with any of the conditions of approval placed upon CDP
24 No. 2022-0019, GPA No. 2022-0001, SPA No. 2022-0002, or PPD No. 2022-0031, the
25 City Council may initiate proceedings to revoke the conditional development permit in
26 accordance with the provisions of Sections 18.66.070 through 18.66.090, inclusive, of
the Rialto Municipal Code. CDP No. 2022-0019 may be revoked, suspended or
27 modified in accordance with Section 18.66.070 of the Zoning Ordinance at the
discretion of the City Council if:
- 28 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;

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- 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 are or have become offensive to neighboring property or the goals and objectives of the Industrial Park (I-P) zoning district of the Gateway Specific Plan and/or the City’s General Plan.

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

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

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

- Vote on the motion:
- AYES:
- NOES:
- ABSENT:

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

BARBARA MCGEE, CITY CLERK

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Exhibit A
Project Plans

End of Exhibit A

Exhibit B

Trip Generation Summary of the Transportation memorandum prepared for the Project by Dudek,
Inc. and dated March 24, 2022, Revised July 21, 2025

End of Exhibit B