RESOLUTION NO. 2026-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIALTO, CALIFORNIA APPROVING CONDITIONAL DEVELOPMENT PERMIT NO. 2025-0001 ALLOWING THE DEVELOPMENT AND OPERATION OF A 7,022 SQUARE FOOT INDUSTRIAL WAREHOUSE BUILDING ON 0.46 ACRES OF LAND (APN: 0128-151-17) LOCATED ON THE WEST SIDE OF LARCH AVENUE APPROXIMATELY 150 FEET SOUTH OF RIALTO AVENUE WITHIN THE GENERAL MANUFACTURING (M-2) ZONE.

WHEREAS, the applicant, Miros Enterprises, LLC, proposes to develop and operate a 7,022 square foot industrial warehouse building ("Project") on 0.46 acres of land (APNs: 0128-151-17) located on the west side of Larch Avenue approximately 150 feet south of Rialto Avenue within the General Manufacturing (M-2) zone ("Site"); and

WHEREAS, the Project will consist of 500 square feet of office space, 6,522 square feet of warehouse space, one (1) grade level roll-up door, which will be located on the north side of the building, stucco finishes, a concrete block perimeter wall, an abundant amount of landscaping, and full pedestrian and vehicle access; and

WHEREAS, Pursuant to Section 18.112.040A of the Rialto Municipal Code, the Project requires a Conditional Development Permit, and the applicant has agreed to apply for Conditional Development Permit No. 2025-0001 ("CDP No. 2025-0001"); and

WHEREAS, in conjunction with the Project, the applicant has applied for Precise Plan of Design No. 2025-0001 ("PPD No. 2025-0001") to facilitate the development of a 7,022 square foot industrial warehouse center building with associated paving, landscaping, fencing, lighting, and drainage improvements on the Site; and

WHEREAS, on February 18, 2026, the Planning Commission of the City of Rialto conducted a duly noticed public hearing, as required by law, on CDP 2025-0001 and PPD No. 2025-0001, took testimony, at which time it received input from staff, the city attorney, and the applicant; heard public testimony; discussed the proposed CDP 2025-0001 and PPD No. 2025-0001; 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.

SECTION 2. Based on substantial evidence presented to the Planning Commission during the public hearing conducted with regard to CDP No. 2025-0001, including written staff reports, verbal testimony, site plans, other documents, and the conditions of approval stated herein, the Planning Commission hereby determines that CDP No. 2025-0001 satisfies the requirements of Section 18.66.020 of the Rialto Municipal Code pertaining to the findings which must be made precedent to granting a conditional development permit, which findings are as follows:

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

This finding is supported by the following facts:

The Site is relatively flat, expansive in size, and covered entirely by natural grasses and shrubs, except for an expanse of chain-link fence along the project frontage and an existing concrete driveway and curb in the public right-of-way. The Project will develop the highest and best use for the Site, in accordance with the General Manufacturing (M-2) zoning district. Additionally, the Project will provide employment opportunities within the City and reduce blight by implementing a use on vacant, unimproved land.

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

This finding is supported by the following facts:

The development of an industrial warehouse building on the Site is consistent with the General Manufacturing (M-2) zoning designation, which conditionally permits the development and operation of industrial warehouse buildings. To the north of the project site is an approximately 12,000 square foot multi-tenant industrial flex building, and to the east, across Larch Avenue, is an approximately 71,000 square foot industrial warehouse building occupied by Speedmaster, which is a performance auto parts manufacturer and distributor. To the south is an approximately 3.99-acre industrial site occupied by SSI Express, which is a specialized trucking company, and to the west is an approximately 22.87-acre industrial site occupied by State Pipe & Supply, Inc., which is a carbon steel pipe manufacturer and distributor. The zoning designation of the Site and the surrounding properties is M-2. The project is not expected to negatively impact any surrounding uses

with the successful implementation of measures such as landscape buffering, aesthetic building enhancements, and other traffic related measures.

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 0.46 acres, is fairly level and adjacent to one (1) public street, which will be able to accommodate the proposed use. The Project will have one (1) point of access via Larch Avenue. The driveway on Larch Avenue will provide full access for both trucks and passenger vehicles. In addition, the building will have nine (9) parking spaces, which equals the amount required by Chapter 18.58 (Off-Street Parking) of the Rialto Municipal Code.

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 M-2 zone, or any zoning ordinances, and

This finding is supported by the following facts:

As previously stated, the use is consistent with the General Manufacturing (M-2) zoning designation. The building will be oriented such that none of the dock doors will front or face the public right-of-way, the building will have nine (9) parking spaces, and the building will have a floor area ratio (FAR) of 35.1 percent, all of which comply with the General Plan, the M-2 zoning district, Chapter 18.112 (Indoor Storage Facilities) of the Rialto Municipal Code, and the City's Design Guidelines. A fifteen (15) foot deep landscaped setback will be provided along Larch Avenue. Landscaping will be abundantly incorporated into the Site, as the landscape coverage for the project is 17.3 percent, which exceeds the minimum required amount of 10.0 percent.

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 Planning Commission 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 a piece of land, which has remained undeveloped. The Project is consistent with the General Manufacturing (M-2) zoning district and the surrounding industrial uses. The project is not expected to negatively impact any surrounding uses with the successful implementation of measures such as landscape buffering, aesthetic building enhancements, and other traffic related measures. Therefore, any potential adverse effects are outweighed by the benefits conferred upon the community and neighborhood as a whole.

SECTION 3. Based on the foregoing and substantial evidence presented to the Planning Commission during the public hearing conducted with regard to CDP No. 2025-0001 and PPD No. 2025-0001, including written staff reports, verbal testimony, site plans, other documents, and the conditions of approval stated herein, the Project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Section 15332, In-Fill Development Projects. The Planning Commission directs the Planning Division to file the necessary documentation with the Clerk of the Board of Supervisors for San Bernardino County.

SECTION 4. Based on the foregoing and substantial evidence presented to the Planning Commission during the public hearing conducted with regard to CDP No. 2025-0001 and PPD No. 2025-0001, including written staff reports, verbal testimony, site plans, other documents, and the conditions of approval stated herein, approval of CDP No. 2025-0001 is granted to Miros Enterprises, LLC, 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 7,022 square foot industrial warehouse building on 0.46 acres of land (APN: 0128-151-17) on the west side of Larch Avenue approximately 150 feet south of Rialto Avenue, as shown on the plans attached as Exhibit A and as approved by the Planning Commission. 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 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. 2025-0001.

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 Project shall be limited to a maximum of 36 actual passenger car trips and 4 actual truck trips daily, in accordance with Exhibit 2: Trip Generation of the Traffic Impact Analysis Scoping Agreement prepared for the Project by K2 Traffic Engineering, Inc. and dated November 15, 2024, which is attached hereto as Exhibit B.

6. The applicant, landlord, and/or tenant(s) shall require all inbound truck traffic to access the site via Cedar Avenue, eastbound on Rialto Avenue to Larch Avenue, and then southbound on Larch Avenue to the project driveway connected to Larch Avenue. Inbound truck traffic shall not use Rialto Avenue east of Larch Avenue.

7. The applicant, landlord, operator(s) and/or tenant(s) shall require all outbound truck traffic to proceed northbound on Larch Avenue to Rialto Avenue, then westbound on Rialto Avenue to Cedar Avenue. Outbound truck traffic shall not use Rialto Avenue east of Larch Avenue.

8. The applicant, landlord, operator(s) and/or tenant(s) shall ensure that all inbound truck traffic that requires temporary queuing or staging do so on-site. Inbound truck traffic shall not queue or stage on any public street at any time. Activities on-site shall not operate in such a manner that would impact traffic lanes, cause back up (queuing or staging) of vehicles into the public-right-of-way, or create any unsafe conditions. Fire and Police access and 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.

9. The applicant, landlord, operator(s) and/or tenant(s) shall not park or store trucks or trailers within any public street or within any on-site drive-aisles or passenger vehicle parking areas at any time.

10. The landlord and/or tenant(s) shall not store any product, goods, materials, etc. outside of the building at any time without prior approval of a separate Conditional Development Permit in accordance with Chapter 18.104 (Outdoor Storage Uses) of the Rialto Municipal Code.

11. Approval of CDP No. 2025-0001 will not become effective until the applicant has signed a statement acknowledging awareness and acceptance of the required conditions of approval contained herein.

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 General Manufacturing (M-2) zoning district 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. 2025-0001 or PPD No. 2025-0001, 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. 2025-0001 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 are or have become offensive to neighboring property or the goals and objectives of the General Manufacturing (M-2) zoning district and/or the City's General Plan.

SECTION 5. The Chairman of the Planning Commission 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 18th day of February, 2026.

_____

MICHAEL E. STORY, CHAIR
CITY OF RIALTO PLANNING COMMISSION

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO) ss
CITY OF RIALTO)

I, Heidy Gonzalez, Administrative Assistant of the City of Rialto, do hereby certify that the foregoing Resolution No. ____ was duly passed and adopted at a regular meeting of the Planning Commission of the City of Rialto held on the ___th day of ____, 2026.

Upon motion of Planning Commissioner_____., seconded by Planning Commissioner ____, 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 __th day of ___, 2026.

_____

HEIDY GONZALEZ, ADMINISTRATIVE ASSISTANT

Exhibit “A”

Project Plans

Exhibit “B”

Table 2: Project Trip Generation Summary
From the Traffic Impact Analysis Scoping Agreement prepared for the Project by Urban Crossroads, Inc. – Dated March 11, 2021