

**RESOLUTION NO. 2024-**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIALTO, CALIFORNIA ADOPTING A MITIGATED NEGATIVE DECLARATION (ENVIRONMENTAL ASSESSMENT REVIEW NO. 2023-0058) FOR A PROJECT CONSISTING OF THE DEVELOPMENT OF A 118,000 SQUARE FOOT INDUSTRIAL WAREHOUSE BUILDING INCLUSIVE OF 7,000 SQUARE FEET OF OFFICE AREA WITH ASSOCIATED PAVING, LANDSCAPING, AND LIGHTING ON 5.63 ACRES (APN: 0258-171-57 & 0258-171-31) LOCATED ON THE WEST SIDE OF WILLOW AVENUE APPROXIMATELY 1,300 FEET SOUTH OF SANTA ANA AVENUE WITHIN THE HEAVY INDUSTRIAL (H-IND) ZONE OF THE AGUA MANSA INDUSTRIAL CORRIDOR SPECIFIC PLAN.

WHEREAS, the applicant, Scannell Properties, proposes to redevelop an under-developed industrial site comprised of 5.63 gross acres of land (APN: 0258-171-57 & 0258-171-31) located on the west side of Willow Avenue approximately 1,300 feet south of Santa Ana Avenue within the Heavy Industrial (H-IND) zone (“Site”) with a 118,000 square foot industrial warehouse building and associated paving, landscaping, fencing, lighting, and drainage improvements (“Project”); and

WHEREAS, the Project will consist of 7,000 square feet of office space and 111,000 square feet of warehouse space, sixteen (16) dock-high loading doors and one (1) grade level roll-up, which will be located on the south side of the building, concrete screen walls, 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. 2022-0036 (“CDP”), in accordance with Chapter 18.66 (Conditional Development Permits) of the Rialto Municipal Code and Chapter 18.112 (Indoor Storage Facilities) of the Rialto Municipal Code; and

WHEREAS, pursuant to Chapter 18.65 (Precise Plan of Design) of the Rialto Municipal Code, the Project additionally requires a Precise Plan of Design, and the applicant has agreed to apply for Precise Plan of Design No. 2022-0060 (“PPD”); and

1 WHEREAS, pursuant to the provisions of the California Environmental Quality Act,  
2 Public Resources Code Sections 21000 et. seq. (" CEQA"), the State's CEQA Guidelines,  
3 California Code of Regulations, Title 14, Section 15000 et. seq., and Government Code Section  
4 65962.5(f) (Hazardous Waste and Substances Statement), the City reviewed an Initial Study  
5 (Environmental Assessment Review No. 2022-0058) prepared by Kimley-Horn and determined  
6 that there is no substantial evidence that the approval of the Project would result in a significant  
7 adverse effect on the environment, provided appropriate mitigation measures are imposed on the  
8 Project; thus, a Mitigated Negative Declaration was prepared and notice thereof was given in the  
9 manner required by law; and

10 WHEREAS, a Notice of Completion for the Mitigated Negative Declaration was  
11 distributed to the State Clearinghouse on May 3, 2024 (SCH#: 2024050083); and

12 WHEREAS, a Notice of Intent to adopt the Mitigated Negative Declaration for the Project  
13 was published in the San Bernardino Sun newspaper, and mailed to all property owners within  
14 1,000 feet of the Project Site, and a thirty (30) day public comment period was held from May 3,  
15 2024 to June 2, 2024; and

16 WHEREAS, one (1) comment letter from Department of Toxic Substances Control  
17 (DTSC) was received during the public comment period and all the provided recommendations  
18 have been incorporated into the project proposal; and

19 WHEREAS, the City mailed public hearing notices for the proposed Project to all property  
20 owners within 1,000 feet of the project site, and published the public hearing notice in the San  
21 Bernardino Sun newspaper as required by State law; and

22 WHEREAS, on October 2, 2024, the Planning Commission of the City of Rialto conducted  
23 a duly noticed public hearing, as required by law, on the Mitigated Negative Declaration, the CDP,  
24 and the PPD, took testimony, at which time it received input from staff, the city attorney, and the  
25 Applicant; heard public testimony; discussed the proposed Mitigated Negative Declaration, CDP,  
26 and PPD; and closed the public hearing; and

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

3           SECTION 1: The Planning Commission hereby finds all of the above recitals to be true  
4 and correct.

5           SECTION 2: The Planning Commission has independently reviewed and considered the  
6 proposed Mitigated Negative Declaration (Environmental Assessment Review No. 2022-0058)  
7 attached hereto as Exhibit “A”, and finds that the Mitigated Negative Declaration was prepared in  
8 the manner required by law, and there is no substantial evidence, provided appropriate mitigation  
9 measures are imposed, that the Project would result in a significant adverse effect upon the  
10 environment.

11           SECTION 3: The Initial Study (Environmental Assessment Review No. 2022-0058)  
12 prepared for the project identified that the Site did not have suitable habitat for any threatened or  
13 endangered species, and therefore the proposed Project will have no individual or cumulative  
14 adverse impacts upon resources, as defined in Section 711. 2 of the State Fish and Game Code.

15           SECTION 4: The attached proposed Initial Study and Mitigated Negative Declaration,  
16 Exhibit “A” hereto, finds that there are no impacts or less than significant impacts to aesthetics,  
17 agriculture and forestry resources, energy, greenhouse gas emissions, hydrology/water quality,  
18 land use/planning, mineral resources, population/housing, public services, recreation, traffic and  
19 transportation, utilities and service systems, and wildfire.

20           SECTION 5: With the imposition of mitigation measures that address potential impacts  
21 upon air quality, biological resources, cultural resources, geology and soils, hazards/hazardous  
22 materials, tribal cultural resources, and mandatory findings of significance in the community, and  
23 as set forth in the Mitigation Monitoring & Reporting Program, Exhibit “B” hereto, which is  
24 attached hereto and incorporated herein by this reference, the proposed Project’s potential  
25 significant impacts will be reduced below a level of significance.

26           SECTION 6: For the foregoing reasons and based on the information and findings included  
27 in the Initial Study and Mitigated Negative Declaration, technical reports, Mitigation Monitoring  
28 and Reporting Program, Staff Report, public testimony, and all other documents and evidence in

1 the administrative record of proceedings, the Planning Commission has determined that the  
2 Project, as conditioned and mitigated, will not have a significant adverse impact on the  
3 environment and also finds that the preparation of the Initial Study and Mitigated Negative  
4 Declaration attached hereto complies with CEQA. Therefore, the Planning Commission hereby  
5 certifies the Initial Study, Mitigated Negative Declaration, and Mitigation Monitoring and  
6 Reporting Program, making certain environmental findings to allow the Project.

7 SECTION 7: 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 PASSED, APPROVED AND ADOPTED this  2nd  day of  October, 2024 .

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JERRY GUTIERREZ, CHAIR  
CITY OF RIALTO PLANNING COMMISSION

1 STATE OF CALIFORNIA )  
2 COUNTY OF SAN BERNARDINO ) ss  
3 CITY OF RIALTO )  
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5 I, Kimberly Dame, Administrative Analyst 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 \_\_\_\_nd day of \_\_\_\_, 2024.

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 \_\_\_\_nd day of \_\_\_\_, 2024.

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KIMBERLY DAME, ADMINISTRATIVE ANALYST

Exhibit "A"

Mitigated Negative Declaration

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Exhibit "B"

Mitigation Monitoring & Reporting Program

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