

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

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

5 SECTION 2. Based on substantial evidence presented to the Planning Commission during
6 the public hearing conducted with regard to CDP No. 2017-0026, including written staff reports,
7 verbal testimony, site plans, other documents, and the conditions of approval stated herein, the
8 Planning Commission hereby determines that CDP No. 2017-0026 satisfies the requirements of
9 Section 18.66.020 of the Rialto Municipal Code pertaining to the findings which must be made
10 precedent to granting a conditional development permit. The findings are as follows:

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

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

15 The Project is anticipated to be a benefit to the community by providing improved
16 wireless service to residents and workers nearby in an area that is currently underserved.

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

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

20 The zoning of the Site and the surrounding properties are within the Heavy Industrial (H-
21 IND). The Project is consistent with the H-IND zone and there are no sensitive uses near
22 the project site, which include service stations, industrial warehouses and repair shops.
23 As such, the project does not negatively impact the surrounding area.

- 24 3. The site for the proposed use is adequate in size, shape, topography, accessibility
25 and 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 contains 45.39 acres of land, is fairly level, and is adjacent to a public street. The
project site will only occupy approximately 783 square feet of the overall site. The Site
will be adequate to provide full access to the facility equipment for maintenance or future
repairs.

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

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

5 The Site has adequate access to all utilities and services required through main water,
6 electric, sewer, and other utility lines that are hooked up to the Site.

- 7 5. The proposed use will be arranged, designed, constructed, and maintained so as it
8 will not be injurious to property or improvements in the vicinity or otherwise be
9 inharmonious with the General Plan and its objectives, the Agua Mansa Specific
10 Plan, or any zoning ordinances; and

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

12 The Project is consistent with the Heavy Industrial (H-IND) zone. The Project will be
13 contained within an approximately 783 square foot lease area. The lease area will be
14 fully enclosed by an eight (8) foot high block wall, which has been designed to screen
15 ground equipment. Additionally, a landscape planter will be installed fronting Slover and
16 Riverside Avenue along with two (2) new live pine trees.

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

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

21 No adverse effects are anticipated to occur with the Project. The Project complies with the
22 development requirements under Section 18.111.070B of the Rialto Municipal Code and has
23 been designed to include landscaping features to enhance the property. The Project will
24 serve to provide improved wireless service to residents and businesses nearby.

25 SECTION 3. Based on substantial evidence presented to the Planning Commission during
26 the public hearing conducted with regard to CDP No. 2017-0026, including written staff reports,
27 verbal testimony, site plans, other documents, and the conditions of approval stated herein, the
28 Planning Commission hereby determines that CDP No. 2017-0026 satisfies the requirements of
Section 18.111.070 of the Rialto Municipal Code pertaining to the findings which must be made
precedent to granting a conditional development permit for a wireless telecommunications facility.
The findings are as follows:

- 1 1. That the proposed facility will provide a benefit to the City by its ability to
2 provide additional communication capabilities, and;

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

4 The intent of the Project is to provide additional wireless communication services. The
5 Project will serve to provide improved wireless service and coverage to residents and
6 businesses nearby, as the area is currently underserved.

- 7 2. That the proposed facility will be a stealth facility and be aesthetically integrated
8 into the design and landscaping of its site and surrounding land uses, and;

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

10 The proposed facility has been designed to look like a pine tree, which is considered
11 stealth. The Project lease area will be fully enclosed by an eight (8) foot high block wall,
12 which has been designed to screen ground equipment. Additionally, a landscape planter
13 will be installed fronting Slover and Riverside Avenue along with two (2) new live pine
14 trees. The Project will also comply with the development requirements under Section
15 18.111.070B of the Rialto Municipal Code.

- 16 3. That the proposed facility has been evaluated in the context of the ultimate
17 anticipated network of facilities of both the applicant and other commercial
18 mobile service providers so as to reduce the number of facilities needed to
19 provide service to the City of Rialto, and;

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

21 The applicant analyzed numerous potential locations for the Project before settling on the
22 Site. Construction of a new wireless facility at the Site will allow the applicant to
23 provide the greatest coverage area according the coverage plot models provided to
24 Planning staff.

- 25 4. That the proposed facility has been located and designed for co-location to the
26 maximum extent possible, and;

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

28 The proposed facility has been designed to a height of eighty feet which is adequate to
29 allow for co-location of additional wireless providers in the future.

- 30 5. That the proposed facility will comply with FCC regulations regarding
31 interference with the reception or transmission of other wireless service signals
32 within the City and surrounding community, and;

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

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2 The proposed facility is required to comply with all FCC regulations pursuant to the
3 Telecommunications Act of 1996. Additionally, during the Precise Plan of Design
4 review for the Project, the Rialto Fire Department and Rialto Police Department will
5 require documentation verifying that the facility will not interfere with any of their
6 frequencies.

- 6 6. That the proposed facility will operate in compliance with all other applicable
7 federal regulations for such facilities, including safety regulations, and;

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

8 A Condition of Approval of is contained herein requiring the applicant to obtain all
9 necessary approvals and operating permits from all Federal, State and local agencies prior to
10 the issuance of a Certificate of Occupancy. Furthermore, the proposed facility is required
11 to comply with all FCC regulations pursuant to the Telecommunications Act of 1996.

- 11 7. That the public need for the use of the facility has been documented to the
12 satisfaction of the Director of Development Services.

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

14 The applicant has provided documentation within their conditional development permit
15 application that displays an existing service coverage gap around the vicinity of the Site.
16 Documentation was also provided to show that the Project will eliminate this existing
17 service coverage gap. Evidence has been provided to the Director of Development
18 Services indicating that the Project will provide improved wireless service to the public
19 in an area that is currently underserved.

19 SECTION 4. Parallel Infrastructure is hereby granted CDP No. 2017-0026 to allow
20 the development of an eighty (80) foot tall multi-carrier mono-pole, and installation of eight (8)
21 feet high split-face block wall to enclosed equipment cabinets, twelve (12) AT&T panel antennas,
22 collocation for approximately twenty-four (24) panel antennas, twenty-four (24) remote radio units,
23 two (2) microwave antennas, and three (3) surge suppressor units at the Site located within the
24 Heavy Industrial (H-IND) zone of the Agua Mansa Specific Plan.

25 SECTION 5. The Project is categorically exempt from the requirements of the California
26 Environmental Quality Act (CEQA), pursuant to Section 15303, New Construction or Conversion
27 of Small Structures. Furthermore, the proposed Project (i) by virtue of its existing location, will not
28 impact a sensitive environmental resource of hazardous or critical concern; (ii) will not have a

1 cumulative impact on the environment through successive projects of the same type, in the same
2 place, over time; (iii) does not have any unusual circumstances that will have a significant effect on
3 the environment; (iv) does not impact a scenic highway; (v) is not located on a hazardous waste site;
4 and (vi) will not adversely impact a historical resource. Accordingly, none of the exceptions to
5 categorical exemptions set forth in the CEQA Guidelines, section 15300.2, apply to this proposed
6 Project. The Planning Commission directs the Planning Division to file the necessary
7 documentation with the Clerk of the Board of Supervisors for San Bernardino County.

8 SECTION 6. CDP No. 2017-0026 granted to Parallel Infrastructure, in accordance with the
9 plans and application on file with the Planning Division, subject to the following conditions:
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- 11 1. The approval granted to CDP No. 2017-0026, to allow the development of an eighty
12 (80) foot tall multi-carrier mono-pine, and installation of eight (8) feet high split-face
13 block wall to enclosed equipment cabinets, twelve (12) AT&T panel antennas,
14 collocation for approximately twenty-four (24) panel antennas, twenty-four (24) remote
15 radio units, two (2) microwave antennas, and three (3) surge suppressor units, located at
16 the Site on the northwest corner of Slover Avenue and Riverside Avenue within the
17 Heavy Industrial (H-IND) zone of the Agua Mansa Specific Plan, as shown on the
18 plans submitted to the Planning Division on July 11, 2017 and as approved by the
19 Planning Commission. If the Conditions of Approval specified herein are not satisfied
20 or otherwise completed, the project shall be subject to revocation.
- 21 2. Prior to the issuance of building or grading permits for the proposed development, the
22 City's Development Review Committee (DRC) shall approve a Precise Plan of Design.
23 In addition to complying with all the conditions of approval of the Precise Plan of
24 Design, the applicant shall also be required to comply with all the development
25 requirements under Section 18.111.040, to the extent such requirements are not already
26 contained in or in conflict with the Precise Plan of Design.
- 27 3. City inspectors shall have access to the site to inspect the site during normal working
28 hours to assure compliance with these conditions and other codes.
4. The applicant shall defend, indemnify and hold harmless the City of Rialto, its agents,
officers, or employees from any claims, damages, action, or proceeding against the
City or its agents, officers, or employees to attack, set aside, void, or annul any
approval of the City, its advisory agencies, appeal boards, or legislative body
concerning CDP No. 2017-0026. The City will promptly notify the applicant of any
such claim, action, or proceeding against the City and will cooperate fully in the
defense.

- 1 5. In accordance with the provisions of Government Code Section 66020(d)(1), the
2 imposition of fees, dedications, reservations, or exactions for this project, if any, are
3 subject to protest by the applicant at the time of approval or conditional approval of
4 the project or within 90 days after the date of the imposition of the fees, dedications,
5 reservations, or exactions imposed on the Project.
- 6 6. The proposed wireless communication facility shall not interfere with the public radio
7 communication systems of the City of Rialto or the Rialto Unified School District
8 including, but not limited to, the 800 MHZ radio system. If this facility is found to
9 interfere with the public safety radio system it shall immediately cease operations
10 until such time as the problem is resolved to the satisfaction of the City of Rialto and
11 the Rialto Unified School District.
- 12 7. The facility operator(s) and any additional or subsequent operators shall be
13 responsible for maintenance of the wireless telecommunication facility which
14 includes, but is not limited to, regular upkeep of the appearance the facility. If the
15 applicant fails to respond to a written request from the city to perform maintenance
16 work, the Planning Commission may initiate proceedings to revoke the conditional
17 development permit in accordance with the provisions of sections 18.66.070 through
18 18.66.090, inclusive, of the Rialto Municipal Code. Any maintenance and/or repair
19 to the wireless telecommunication facility shall occur during the hours of 8:00 a.m. to
20 6:00 p.m.
- 21 8. The applicant shall obtain all necessary approvals and operating permits from all
22 Federal, State and local agencies prior to the issuance of a Certificate of Occupancy.
23 Prior to the issuance of building permits, the applicant shall provide information to the
24 Building Division that a license for the proposed facility has been granted by the Federal
25 Communications Commission and further that the operation of the facility will not
26 interfere with television and radio reception. Specifically, the applicant shall submit a
27 report which shall be signed by a radio frequency engineer and prepared pursuant to
28 Federal Communications Commission, Office of Engineering & Technology, Bulletin
65 or any other applicable guidelines or regulations, stating the maximum (EMF/RF)
radiation to be emitted by the proposed facility and whether those emissions conform
to safety standards adopted by the Federal Communications Commission. The report
shall take into account all other facilities within 2,000 feet, both existing and known
future facilities, the cumulative effects of co-located facilities and existing nearby
buildings and structures, and shall be written in plain English. This report shall be
available to the public.
9. The proposed multi-carrier mono-pine shall incorporate sufficient fake pine branches to
properly screen any mounted antenna or equipment.
10. All new panels shall have pine needle socks installed prior to final sign-off of project.

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11. 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 year of said effective date, Conditional Development Permit No. 2017-0026 shall be invalid 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.

12. If the applicant fails to comply with any of the conditions of approval placed upon Conditional Development Permit No. 2017-0026 or any conditions placed upon the approval of the Precise Plan of Design required by Condition No. 2 above, 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.

SECTION 7. 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 30th day of May 2018.

JOHN PEUKERT, CHAIR
CITY OF RIALTO PLANNING COMMISSION