

1 **RESOLUTION NO. 2024-XX**

2 A RESOLUTION OF THE PLANNING COMMISSION OF THE  
3 CITY OF RIALTO, CALIFORNIA APPROVING PRECISE PLAN  
4 OF DESIGN NO. 2023-0036 ALLOWING THE CONSTRUCTION  
5 OF A 3,382 SQUARE FOOT BUILDING ADDITION TO AN  
6 EXISTING CHURCH LOCATED AT 222 E. EASTON STREET  
7 (APN: 0127-031-01) WITHIN THE SINGLE-FAMILY  
8 RESIDENTIAL (R-1A) ZONE.

9 WHEREAS, the applicant, Blessed John XXIII Catholic Community, Inc., proposes to  
10 construct a 3,382 square foot building addition to an existing church (“Project”) located at 222 E.  
11 Easton Street (APN: 0127-031-01) within the Single-Family Residential (R-1A) zone (“Site”); and

12 WHEREAS, Pursuant to Chapter 18.65 (Precise Plan of Design) of the Rialto Municipal  
13 Code, the Project requires a Precise Plan of Design, and the applicant has agreed to apply for Precise  
14 Plan of Design No. 2023-0036 (“PPD No. 2023-0036”); and

15 WHEREAS, the Project will consist of a 3,382 square foot building addition to an existing  
16 14,009 square foot church building, two (2) new landscape planters, and the reconfiguration of  
17 parking lot striping to provide better efficiency for on-site traffic circulation; and

18 WHEREAS, in conjunction with the Project, the applicant has applied for Conditional  
19 Development Permit No. 2023-0025, in accordance with Section 18.66.060 of the Rialto Municipal  
20 Code, to allow the construction of a 3,382 square foot building addition on the Site (“CDP No. 2023-  
21 0025”); 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 PPD No. 2023-0036 and CDP No. 2023-  
24 0025, took testimony, at which time it received input from staff, the city attorney, and the applicant;  
25 heard public testimony; discussed the proposed PPD No. 2023-0036 and CDP No. 2023-0025; and  
26 closed the public hearing; and

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

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

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

3           SECTION 2. Based on substantial evidence presented to the Planning Commission during  
4 the public hearing conducted with regard to PPD No. 2023-0036, including written staff reports,  
5 verbal testimony, site plans, other documents, and the conditions of approval stated herein, the  
6 Planning Commission hereby determines that PPD No. 2023-0036 satisfies the requirements of  
7 Section 18.65.020E of the Rialto Municipal Code pertaining to the findings which must be made  
8 precedent to granting a Precise Plan of Design. The findings are as follows:

- 9           1.       The proposed development is in compliance with all city ordinances and regulations,  
10                    unless in accordance with an approved variance; and

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

12           The Project, as conditioned herein, will comply with all City ordinances and regulations,  
13           including those within Chapter 18.61 (Design Guidelines) of the Rialto Municipal Code.  
14           The Site has a zoning designation of Single-Family Residential (R-1A). The R-1A zone  
15           allows for the expansion of church uses, as proposed by the Project. Additionally, the  
16           Project meets all of the required development standards of the R-1A zone including, but  
17           not limited to, required building setbacks, parking, landscaping, building height, etc.

- 18           2.       The site is physically suitable for the proposed development, and the proposed  
19                    development will be arranged, designed, constructed, and maintained so that it will  
20                    not be unreasonably detrimental or injurious to property, improvements, or the health,  
21                    safety or general welfare of the general public in the vicinity, or otherwise be  
22                    inharmonious with the city's general plan and its objectives, zoning ordinances or any  
23                    applicable specific plan and its objectives; and

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

25           The Site consists of an asymmetrical-shaped area of land approximately 4.03 acres in size  
26           and adjacent to three (3) public streets. The Site has adequate access to all utilities and  
27           services required through main water, electric, sewer, and other utility lines that are already  
28           hooked up to the Site as part of the proposed Project.

29           The Site is bound by an existing segment of Sycamore Avenue to the east, an existing  
30           segment of Easton Street to the south, and an existing segment of Highland Avenue on the  
31           west. To the north of the Site is the SR-210 Freeway, to the east and south are existing  
32           single-family residences, and to the west is an existing water reservoir tank facility. The  
33           Project is consistent with the underlying Single-Family Residential (R-1A) zone. The  
34           church on the Site has been in existence since 1963 and is compatible with the existing  
35           residential uses to the east and south of the Site. The church will continue to operate in the

1 same manner it historically has, with the exception that it will now provide greater capacity  
2 within the interior of the church building. In addition, the Project has been reviewed by  
3 the City staff for compliance with all health, safety, and design requirements to ensure the  
project will significantly enhance the infrastructure and aesthetics of the local community.

4 Upon completion of the Project, the Site will contain 210 parking spaces, forty-six (46)  
5 more parking spaces than required by Chapter 18.58 (Off-Street Parking) of the Rialto  
6 Municipal Code. In addition, the development will have lighting and accessible pathways  
leading to the public right-of-way.

- 7 3. The proposed development will not unreasonably interfere with the use or enjoyment  
8 of neighboring property rights or endanger the peace, health, safety or welfare of the  
9 general public; and

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

11 The Project's effects will be minimized through the implementation of the Conditions of  
12 Approval contained herein, such as extensive landscaping and enhanced architectural  
13 features. To the north of the Site is the SR-210 Freeway, to the east and south are existing  
14 single-family residences, and to the west is an existing water reservoir tank facility. The  
15 Project is consistent with the underlying Single-Family Residential (R-1A) zone. The Project  
16 is consistent with the underlying Single-Family Residential (R-1A) zone and the existing  
17 residential uses to the east and south of the Site. The church on the Site has been in existence  
18 since 1963 and is compatible with the existing residential uses to the east and south of the  
19 Site. The church will continue to operate in the same manner it historically has, with the  
20 exception that it will now provide greater capacity within the interior of the church building

- 21 4. The proposed development will not substantially interfere with the orderly or planned  
22 development of the City of Rialto.

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

24 The Project is consistent with the underlying Single-Family Residential (R-1A) zone and is a  
25 logical expansion to the existing church use. The design of the Project will ensure a  
26 continuation of the improvements, access, and enhanced aesthetics prevalent in the area. The  
27 City staff have reviewed the design of the Project to ensure compliance with all health, safety,  
28 and design requirements to ensure the Project will enhance the infrastructure and aesthetics  
of the local community.

29 SECTION 3. The Project is categorically exempt from the requirements of the California  
30 Environmental Quality Act (CEQA), pursuant to Section 15301, Existing Facilities. The Planning  
31 Commission directs the Planning Division to file the necessary documentation with the Clerk of the  
32 Board of Supervisors for San Bernardino County.

1            SECTION 4. PPD No. 2023-0036 is granted to Blessed John XXIII Catholic Community,  
2 Inc. in accordance with the plans and application on file with the Planning Division, subject to the  
3 following conditions:

- 4            1. The applicant is granted PPD No. 2023-0036 allowing the development of a 3,382 square  
5 foot building addition to an existing church located at 222 E. Easton Street (APN: 0127-  
6 031-01) within the Single-Family Residential (R-1A) zone, subject to the Conditions of  
7 Approval contained herein.
- 8            2. The approval of PPD No. 2023-0036 is granted for a one (1) year period from the date of  
9 approval. Approval of PPD No. 2023-0036 will not become effective until the applicant  
10 has signed a Statement of Acceptance acknowledging awareness and acceptance of the  
11 required Conditions of Approval contained herein. Any request for an extension shall be  
12 reviewed by the Community Development Director and shall be based on the progress  
13 that has taken place toward the development of the project.
- 14            3. The development associated with PPD No. 2023-0036 shall conform to the site plan, floor  
15 plan, and elevations attached hereto as Exhibit A, except as may be required to be  
16 modified based on the Conditions of Approval contained herein.
- 17            4. The development associated with PPD No. 2023-0036 shall comply with all Conditions  
18 of Approval contained within CDP No. 2023-0025.
- 19            5. The development associated with PPD No. 2023-00036 shall comply with all applicable  
20 sections of the Rialto Municipal Code and all other applicable State and local laws and  
21 ordinances.
- 22            6. City inspectors shall have access to the site to reasonably inspect the site during normal  
23 working hours to assure compliance with these conditions and other codes.
- 24            7. The applicant shall indemnify, protect, defend, and hold harmless, the City of Rialto,  
25 and/or any of its officials, officers, employees, agents, departments, agencies, and  
26 instrumentalities thereof (collectively, the “City Parties”), from any and all claims,  
27 demands, law suits, writs of mandamus, and other actions and proceedings (whether  
28 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

1 Records Act, or any other state, federal, or local statute, law, ordinance, rule, regulation,  
2 or any decision of a court of competent jurisdiction. This condition to indemnify,  
3 protect, defend, and hold the City harmless shall include, but not be limited to (i)  
4 damages, fees and/or costs awarded against the City, if any, and (ii) cost of suit,  
5 attorneys' fees and other costs, liabilities and expenses incurred in connection with  
6 such proceeding whether incurred by applicant, Property owner, or the City and/or  
7 other parties initiating or bringing such proceeding (collectively, subparts (i) and (ii)  
8 are the "Damages"). Notwithstanding anything to the contrary contained herein, the  
9 Applicant shall not be liable to the City Parties under this indemnity to the extent the  
10 Damages incurred by any of the City Parties in such Action(s) are a result of the City  
11 Parties' fraud, intentional misconduct or gross negligence in connection with issuing  
12 the Entitlements. The applicant shall execute an agreement to indemnify, protect,  
13 defend, and hold the City harmless as stated herein within five (5) days of approval of  
14 PPD No. 2023-0036.

- 15 8. In accordance with the provisions of Government Code Section 66020(d)(1), the  
16 imposition of fees, dedications, reservations, or exactions for this Project, if any, are  
17 subject to protest by the applicant at the time of approval or conditional approval of the  
18 Project or within 90 days after the date of the imposition of the fees, dedications,  
19 reservations, or exactions imposed on the Project.
- 20 9. In order to provide enhanced building design in accordance with Chapter 18.61 (Design  
21 Guidelines) of the Rialto Municipal Code, the applicant shall route all drainage  
22 downspouts through the interior of the building. The internal downspouts shall be  
23 identified within the formal building plan check submittal prior to the issuance of building  
24 permits.
- 25 10. The applicant shall submit a formal Landscape Plan to the Planning Division for all new  
26 on-site landscape planters, prior to the issuance of building permits. The submittal shall  
27 include three (3) sets of planting and irrigation plans, a completed Landscape Plan Review  
28 application, and the applicable review fee.
11. All planting and irrigation shall be installed on-site in accordance with the approved  
landscape plans and permit prior to the issuance of a Certificate of Occupancy. The  
installation of the planting and irrigation shall be certified in writing by the landscape  
architect responsible for preparing the landscape plans prior to the issuance of a Certificate  
of Occupancy.
12. All non-glass doors shall be painted to match the color of the adjacent wall or have a  
pleasant contrast prior to the issuance of a Certificate of Occupancy.
13. The applicant shall comply with all conditions of approval for PPD No. 2023-0036 to the  
satisfaction of the City Engineer, prior to the issuance of a Certificate of Occupancy.

- 1 14. The applicant shall pay all applicable development impact fees in accordance with the  
2 current City of Rialto fee ordinance, prior to the issuance of any building permit related  
3 to the Project.
- 4 15. The applicant shall submit full architectural and structural plans with all mechanical,  
5 electrical, and plumbing plans, structural calculations, truss calculations and layout, rough  
6 grading plans approved by Engineering Services Department, Water Quality Management  
7 Plan, Erosion Control Plan, Stormwater Pollution Prevention Plan, and Title 24 Energy  
8 Calculations to the Building Division for plan check and review, prior to the issuance of  
9 building permits.
- 10 16. The applicant shall provide a Scope of Work on the title page of the architectural plan set.  
11 The Scope of Work shall call out all work to be permitted (ex. Main structure, perimeter  
12 walls, trash enclosure, etc.).
- 13 17. The applicant shall design the structures in accordance with the 2022 California Building  
14 Code, 2022 California Mechanical Code, 2022 California Plumbing Code, and the 2022  
15 California Electrical Code, 2022 Residential Code and the 2022 California Green  
16 Buildings Standards adopted by the State of California.
- 17 18. The applicant shall design the structure to withstand ultimate wind speed of 130 miles per  
18 hour, exposure C and seismic zone D.
- 19 19. The applicant shall obtain an Electrical Permit from the Building Division for any  
20 temporary electrical power required during construction. No temporary electrical power  
21 will be granted to a project unless one of the following items is in place and approved by  
22 the Building Division: (A) Installation of a construction trailer, or, (B) Security fencing  
23 around the area where the electrical power will be located.
- 24 20. The applicant shall install any required temporary construction trailer on private property.  
25 No trailers are allowed to be located within the public right-of-way. The trailer shall be  
26 removed prior to the issuance of a Certificate of Occupancy.
- 27 21. The applicant shall design and construct accessible paths of travel from the building's  
28 accessible entrances to the public right-of-way, accessible parking, and the trash  
enclosure. Paths of travel shall incorporate (but not limited to) exterior stairs, landings,  
walks and sidewalks, pedestrian ramps, curb ramps, warning curbs, detectable warning,  
signage, gates, lifts and walking surface materials, as necessary. The accessible route(s)  
of travel shall be the most practical direct route between accessible building entrances,  
site facilities, accessible parking, public sidewalks, and the accessible entrance(s) to the  
site, California Building Code, (CBC) Chapter 11, Sec, 11A and 11B.
22. Prior to issuance of a Building Permit all of the following must be in place on the Site: a  
portable toilet with hand wash station, all BMP's, fencing and signage on each adjacent  
street saying "If there is any dust or debris coming from this site please contact

1 (superintendent number here) or the AQMD if the problem is not being resolved" or  
2 something similar to this.

- 3 23. The applicant shall provide temporary toilet facilities for the construction workers. The  
4 toilet facilities shall always be maintained in a sanitary condition. The construction toilet  
5 facilities of the non-sewer type shall conform to ANSI ZA.3.
- 6 24. The applicant shall underground all on site utilities to the new proposed structures, prior  
7 to the issuance of a Certificate of Occupancy, unless prior approval has been obtained by  
8 the utility company or the City.
- 9 25. Prior to issuance of Building Permits, site grading final and pad certifications shall be  
10 submitted to the Building Division and Engineering Division, which include elevation,  
11 orientation, and compaction. The certifications are required to be signed by the engineer  
12 of record.
- 13 26. The applicant shall provide proof of payment to the Rialto Unified School District for all  
14 required school fees, prior to the issuance of a building permit.
- 15 27. Site facilities such as parking open or covered, recreation facilities, and trash dumpster  
16 areas, and common use areas shall be accessible per the California Building Code, Chapter  
17 11.
- 18 28. The applicant shall place a copy of the Conditions of Approval herein on within the  
19 building plan check submittal set and include the PPD number on the right bottom corner  
20 cover page in 20 point bold, prior to the issuance of a building permit.
- 21 29. The applicant shall ensure that a minimum of 65% of all construction and demo debris  
22 shall be recycled using an approved City of Rialto recycling facility during construction.  
23 Copies of receipts for recycling shall be provided to the City Inspector and a copy shall  
24 be placed in the office of the construction site.
- 25 30. Prior to issuance of Building Permits, on site water service shall be installed and approved  
26 by the responsible agency. On site fire hydrants shall be approved by the Fire Department.  
27 No flammable materials will be allowed on the site until the fire hydrants are established  
28 and approved.
31. The applicant shall comply with all applicable requirements of the California Fire Code  
and Chapter 15.28 (Fire Code) of the Rialto Municipal Code.
32. The applicant shall provide an illuminated channel letter address prominently placed on  
the building to be visible to the front of the location and if applicable, visible from the  
main street to which they are located (e.g. commercial building facing the interior of the  
property would require two address signs if located adjacent to a roadway), prior to the  
issuance of a Certificate of Occupancy.

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33. The applicant shall install Knox boxes immediately adjacent to the main entrance to the building and at least one (1) rear entrance to facilitate the entry of safety personnel. The Knox boxes shall be installed in such a manner as to be alarmed, resist vandalism, removal, or destruction by hand, and be fully recessed into the building. The Knox boxes shall be equipped with the appropriate keys, for each required location, prior to the first day of business. The Knox-Box placement shall be shown on the formal building plan review submittal prior to the issuance of a building permit.

34. The applicant or General Contractor shall identify each contractor and subcontractor hired to work at the job site on a Contractor Sublist form and return it to the Business License Division with a Business License application and the Business License tax fee based on the Contractors tax rate for each contractor.

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 2nd day of October, 2024.

\_\_\_\_\_  
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 \_\_\_\_th 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 \_\_\_\_th day of \_\_\_\_, 2024.

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\_\_\_\_\_  
KIMBERLY DAME, ADMINISTRATIVE ANALYST

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Exhibit "A"  
Project Plans

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