

City of Rialto



Regular Meeting - Final

Wednesday, August 6, 2025

REGULAR MEETING - 6:00 P.M.

City Council Chambers, 150 S. Palm Ave., Rialto, CA 92376

Planning Commission

Public Participation Procedures

THE PUBLIC WILL HAVE THE OPPORTUNITY TO SPEAK ON ANY ITEM USING THE PODIUM INSIDE THE COUNCIL CHAMBERS.

IF YOU ARE UNABLE TO ATTEND THE MEETING, YOU MAY PROVIDE COMMENTS ON ANY AGENDA ITEM USING ANY OF THE FOLLOWING METHODS:

- IN WRITING VIA MAIL TO: CITY OF RIALTO "ATTN: PLANNING COMMISSION C/O COMMUNITY DEVELOPMENT," 150 S PALM AVE, RIALTO, CA 92376
- IN WRITING VIA EMAIL TO PLANNING@RIALTOCA.GOV AT LEAST TWO (2) HOURS BEFORE THE MEETING.

YOU MAY CALL THE COMMUNITY DEVELOPMENT DEPARTMENT AT (909) 820-2505 DURING REGULAR BUSINESS HOURS OR SEND AN EMAIL TO PLANNING@RIALTOCA.GOV TO FIND OUT WHAT DECISIONS THE PLANNING COMMISSION MADE ON THE AGENDA ITEMS.

Call To Order

Pledge of Allegiance

Roll Call

Chair Jerry Gutierrez, Vice-Chair John Peukert, Artist Gilbert, Dale Estvander, Frank Gonzalez, Two (2) Vacancies

Oral Communications from the Audience on items not on the Agenda

Planning Commission Minutes

[PC-25-0443](#) Minutes from the June 18, 2025 Planning Commission meeting

Attachments: [PC MTG MINS 06.18.2025.docx](#)

Public Hearings

[PC-25-0522](#) **Conditional Development Permit No. 2025-0012:** Establishment of a single-price overstock/discount store (Dollar Tree) within an existing 12,212 square foot tenant space located at 1295 West Renaissance Pkwy (APN 0264-152-52) within the Town Center (TC) zone of the Renaissance Specific Plan.

Attachments: [Exhibit A - Location Map](#)
[Exhibit B - Site Plan](#)
[Exhibit C - Photo of Site](#)
[Exhibit D - CDP2025-0012 Resolution](#)

[PC-25-0523](#)

Conditional Development Permit No. 2024-0022: A request to allow the placement of a small recycling bin (Clothing Donation Bin) within an existing commercial shopping plaza located at the southwest corner of Foothill Boulevard and Acacia Avenue (APN: 0130-051-51) within the Foothill Mixed-Use Zone (FMUZ) land use district of the Foothill Central Specific Plan.

Attachments:

[Exhibit A - Location Map](#)

[Exhibit B - Site Plan & Elevation](#)

[Exhibit C - Draft Resolution for CDP No. 2024-0022](#)

Action Items

None.

Community Development Department Comments

Planning Commissioner Reports/Comments

Adjournment



City of Rialto

Legislation Text

File #: PC-25-0443, **Version:** 1, **Agenda #:**

Minutes from the June 18, 2025 Planning Commission meeting



CITY OF RIALTO
THE REGULAR MEETING MINUTES OF
PLANNING COMMISSION
June 18, 2025 - 6:00 p.m.

The regularly scheduled Planning Commission meeting of the City of Rialto was held in the City of Rialto City Council Chambers located at 150 South Palm Avenue, Rialto, California 92376, on June 18, 2025.

This meeting was called by the presiding officer of the City of Rialto Planning Commission in accordance with the provisions of **Government Code §54956** of the State of California.

o0o

CALL TO ORDER

Chair Jerry Gutierrez called the meeting to order at 6:00 p.m.

o0o

**PLEDGE OF
ALLEGIANCE**

Chair Gutierrez led the pledge of allegiance.

o0o

ROLL CALL

Roll Call was taken by Administrative Assistant, Heidy Gonzalez.

Present:

Chair Jerry Gutierrez
Vice-Chair John Peukert
Commissioner Dale Estvander
Commissioner Artist Gilbert
Commissioner Frank Gonzalez

Absent:

There are two vacancies.

Staff Present:

Assistant City Attorney, Robert Khuu
Interim Community Development Director, Christina Taylor
Community Development Manager, Paul Gonzales
Principal Planner, Daniel Casey
Administrative Assistant, Heidy Gonzalez

o0o

**ORAL
COMMUNICATION**

Chair Gutierrez asked if there were any oral communications from the public not on the agenda. Mrs. Gonzalez stated there were none.

o0o

**PLANNING
COMMISSION
MEETING MINUTES**

Chair Gutierrez announced that the first item on the agenda is Planning Commission Meeting Minutes.

Motion by Commissioner Dale Estvander, seconded by Commissioner Frank Gonzalez to move to approve June 4, 2025, Planning Commission meeting minutes.

All were in favor, *motion carried*, 5-0.

o0o

PUBLIC HEARINGS

Chair Gutierrez stated the next item on the agenda is Precise Plan of Design No. 2025-0002, Conditional Development Permit No. 2025-0002, and Environmental Assessment Review No. 2025-0001 (File PC-25-0421).

Community Development Manager Paul Gonzales advised that the applicant requested a continuance on the item; the date remains uncertain.

o0o

Chair Gutierrez opened the Public Hearing and made a motion to continue the item to a later date. Seconded by Vice-Chair Peukert.

o0o

Vote on the motion:

AYES: 5 (Gutierrez, Peukert, Estvander, Gilbert, Gonzalez)

NOES: 0

ABSTENTION: 0

ABSENT: 0

Motion passes.

o0o

PUBLIC HEARINGS

Chair Gutierrez stated the next item on the agenda is Tentative Parcel Map No. 2024-0003 (File PC-25-0342).

Principal Planner Daniel Casey made the presentation.

Tentative Parcel Map No. 2024-0003: A request to allow the subdivision of one (1) 13.22-acre parcel of land (APN: 1119-241-28) into two (2) new parcels of land – Parcel 1 (11.63 acres) and Parcel 2 (1.58 acres). The project site is located at the southwest corner of Alder Avenue and Sierra Lakes

Parkway within the Freeway Incubator (FI) land use district of the Renaissance Specific Plan. This project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15315 (Minor Land Divisions) of the State CEQA Guidelines.

o0o

Chair Gutierrez opened the Public Hearing.

The applicant's representative, Xochitl Ortega briefly introduced herself.

Commissioner Estvander made a motion to close the Public Hearing.
Seconded by Commissioner Gonzalez.

Chair Gutierrez closed the Public Hearing.

o0o

Commissioner Estvander made a motion to approve the Tentative Parcel Map No. 2024-0003. Seconded by Commissioner Artist Gilbert.

Vote on the motion:

AYES: 5 (Gutierrez, Peukert, Estvander, Gilbert, Gonzalez)

NOES: 0

ABSTENTION: 0

ABSENT: 0

Motion passes.

COMMUNITY
DEVELOPMENT
DIRECTOR
COMMENTS

Chair Gutierrez stated that the next item on the agenda is Community Development Director comments.

Interim Community Development Director Christina Taylor welcomed the new Assistant City Attorney Robert Khuu.

Ms. Taylor advised that there would be no items for the next Planning Commission meeting scheduled for July 2, 2025, therefore the meeting would be canceled. Ms. Taylor also stated that City Hall would be closed on June 19th in observance of Juneteenth.

Ms. Taylor mentioned that the next Planning Commission meeting would be on July 16, 2025.

o0o

PLANNING
COMMISSIONER
COMMENTS

Chair Gutierrez stated the next item on the agenda is Planning Commissioner comments.

Commissioner Estvander stated that the Run Whatcha Brung Car Show was a successful event.

Chair Gutierrez mentioned that the paving and striping for the Casa Grande project is finally complete and thanked staff for working on this project.

All Commissioners welcomed Robert Khuu to the City.

o0o

ADJOURNMENT

Commissioner Estvander made a motion to adjourn the meeting. Seconded by Commissioner Gonzalez.

The Regular Planning Commission meeting on Wednesday, June 18, 2025, adjourned at 6:10 p.m.

o0o

Minutes prepared by Heidi Gonzalez
Administrative Assistant

Jerry Gutierrez
Chair, Planning Commission



City of Rialto

Legislation Text

File #: PC-25-0522, **Version:** 1, **Agenda #:**

For the Planning Commission Meeting of August 6, 2025

TO: Honorable Chairman and Planning Commissioners
APPROVAL: Christina Taylor, Interim Community Development Director
REVIEWED BY: Paul Gonzales, Community Development Manager
FROM: Brian Vazquez, Planning Technician

Conditional Development Permit No. 2025-0012: Establishment of a single-price overstock/discount store (Dollar Tree) within an existing 12,212 square foot tenant space located at 1295 West Renaissance Pkwy (APN 0264-152-52) within the Town Center (TC) zone of the Renaissance Specific Plan.

APPLICANT:

Dollar Tree, Inc., 500 Volvo Parkway, Chesapeake, VA 23320.

LOCATION:

The project site is located at 1295 W Renaissance Pkwy (APN: 0264-152-08) within the Renaissance Marketplace commercial center. The project site is zoned Town Center (T-C) within the Renaissance Specific Plan and has a General Plan Specific Plan Land Use designation (Refer to the attached Location Map (**Exhibit A**)).

BACKGROUND:

Surrounding Land Use and Zoning

Location	Existing Land Use	Zoning
Site	Commercial Building	Town Center (T-C) in Renaissance Specific Plan
North	Various Commercial Development	Town Center (T-C) in Renaissance Specific Plan
South	Renaissance Residential Neighborhood	Medium High Density Residential (MHDR) in Renaissance Specific Plan
East	Various Commercial	Town Center (T-C) in Renaissance Specific Plan

West	Commercial Businesses	Town Center (T-C) in Renaissance Specific Plan
------	-----------------------	--

General Plan Designations

Location	General Plan Designation
Site	Specific Plan with a Specific Plan Overlay (Renaissance SP)
North	Specific Plan with a Specific Plan Overlay (Renaissance SP)
South	Specific Plan with a Specific Plan Overlay (Renaissance SP)
East	Specific Plan with a Specific Plan Overlay (Renaissance SP)
West	Specific Plan with a Specific Plan Overlay (Renaissance SP)

Site Characteristics

The proposed Dollar Tree is located in an existing commercial space within the existing Renaissance Marketplace commercial center. The parcel is an irregularly shaped site on 5.06 acres in size, located at the southwest corner of West Renaissance Pkwy and North Ayala Drive.

Surrounding Area

The project site is surrounded by existing homes to the south by Medium High Density Residential (MHDR) and existing commercial businesses to the north, east and west in the Renaissance Specific Plan.

ANALYSIS/DISCUSSION:

Project Proposal

Dollar Tree, Inc., the applicant, proposes to operate a single-price overstock/discount store within a vacant 12,212 square-foot building within the Renaissance Marketplace commercial center (**Exhibits B and C**). Dollar Tree is a national chain of discount variety stores that sells items for \$1.00, \$3.00, and \$5.00 price points. The operation will consist of sales of food products, arts & crafts supplies, toys, fashion accessories, beauty products, cleaning products, kitchenware, glassware, disposables, home décor items, as well as party supplies and seasonal merchandise. Dollar Tree will have operating hours from 8:00 a.m. to 10:00 p.m. Monday through Sunday with varying holiday hours.

Entitlement Requirements

Per Section 18.66.030.Q of the Rialto Municipal Code, the establishment of a single-price overstock/discount store is subject to the approval of a Conditional Development Permit. The applicant complied with this requirement and filed a completed Conditional Development Permit (CDP2025-0012) application on May 13, 2025.

Nearby Similar Stores

Currently there are four (4) national chain single-price overstock/discount retail stores located within the City. The list below shows the names and locations of those stores, as well as the approximate distance from each to the proposed Dollar Tree:

Business Name	Business Address	Distance from Project Site (miles)
Dollar Tree	182 East Baseline Road	1.69
Dollar Tree	1205 West Foothill Boulevard	1.80
Dollar Tree	200 West Foothill Boulevard	2.25
Dollar Tree	677 South Riverside Avenue	3.40

Land Use Compatibility

Renaissance Marketplace accommodates various retail establishments. Other tenants include Burlington, 24-Hour Fitness, and Cinemark. National chain single-price overstock/discount stores are generally compatible with other retail uses and services typically found in commercial centers. As such, the Planning Division considers the Dollar Tree operation to be compatible with the area in which it will locate. With the approval of the Conditional Development Permit, Dollar Tree may be subject to a Planning Commission review within six (6) months from the date of approval to ensure compliance of all Conditions of Approval, and to ensure that the establishment has not become a nuisance. Thereafter, the establishment will be subject to annual review.

GENERAL PLAN CONSISTENCY:

The project is consistent with the following goals of the Economic Development Element of the Rialto General Plan:

Goal 3-1: Strengthen and diversify the economic base and employment opportunities and maintain a positive business climate.

ENVIRONMENTAL IMPACT:

The project is Exempt in accordance with the categorical exemption requirements of the California Environmental Act (CEQA) Section 15301, Class 1 (Existing Facilities (Environmental Assessment Review 2024-0005). The business will operate within an existing commercial building, thereby qualifying for a categorical exemption pursuant to Section 15301 Existing Facilities.

PUBLIC NOTICE:

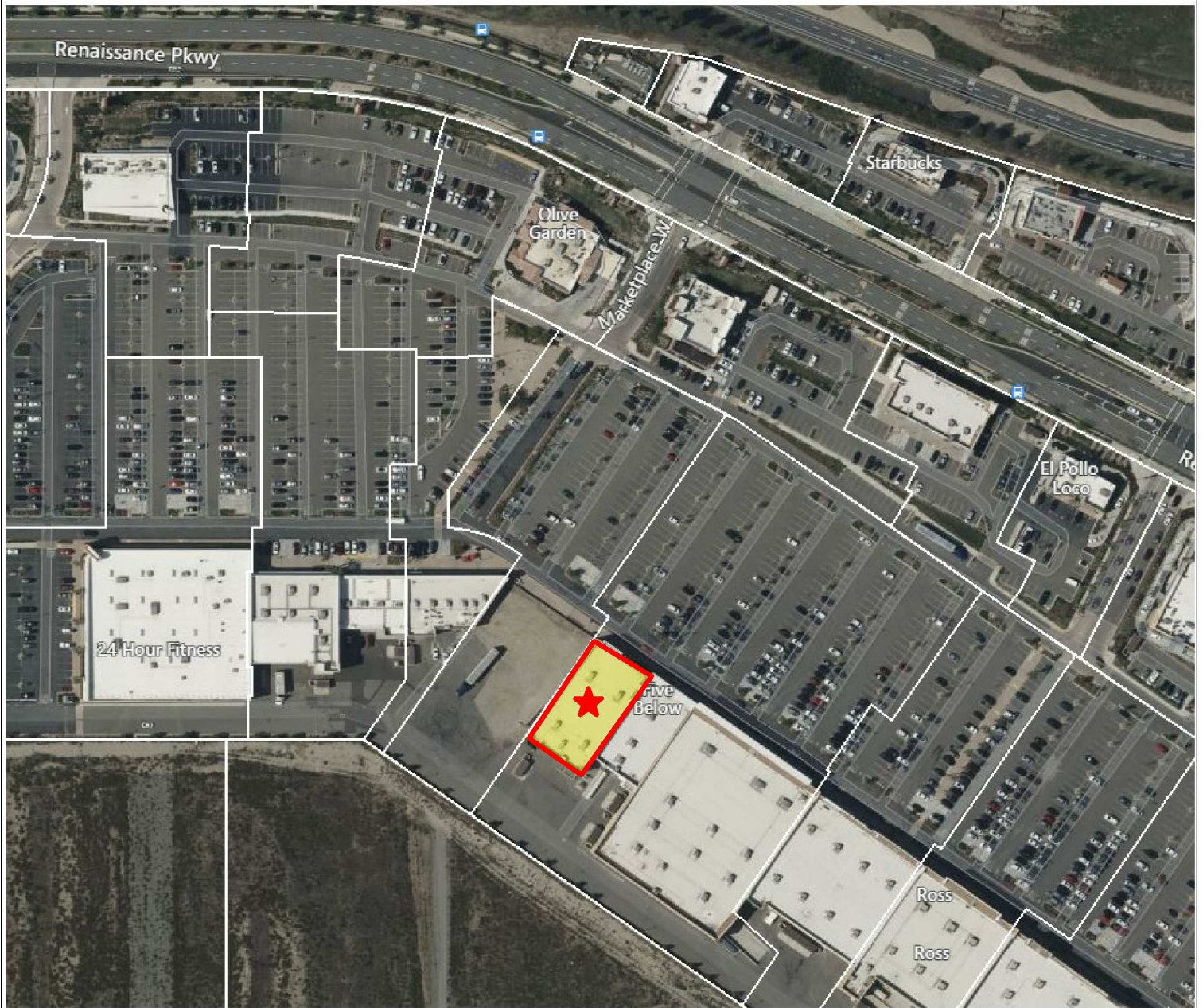
The City mailed public hearing notices for the proposed project to all property owners within 660 feet of the project site, posted public notes at the site and City Hall, and published the public hearing notice in the *San Bernardino Sun* newspaper as required by State law.

RECOMMENDATION:

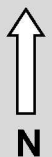
The Planning Division recommends that the Planning Commission:

1. Determine the project is Exempt in accordance with the categorical exemption requirements of the California Environmental Act (CEQA) Section 15301 Existing Facilities; and,

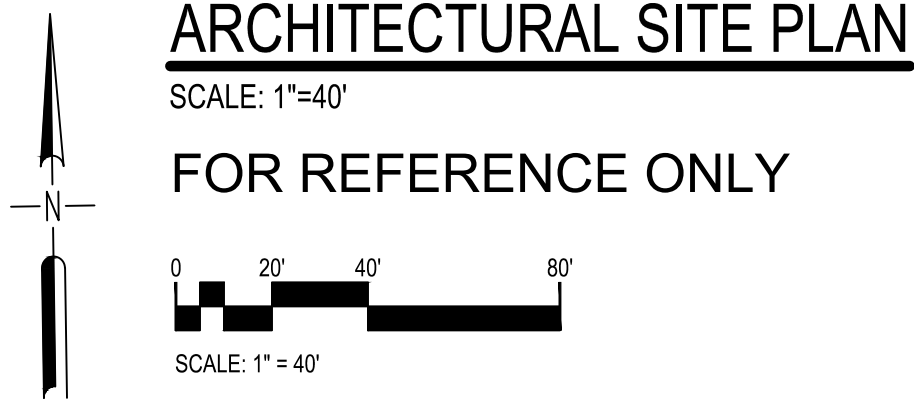
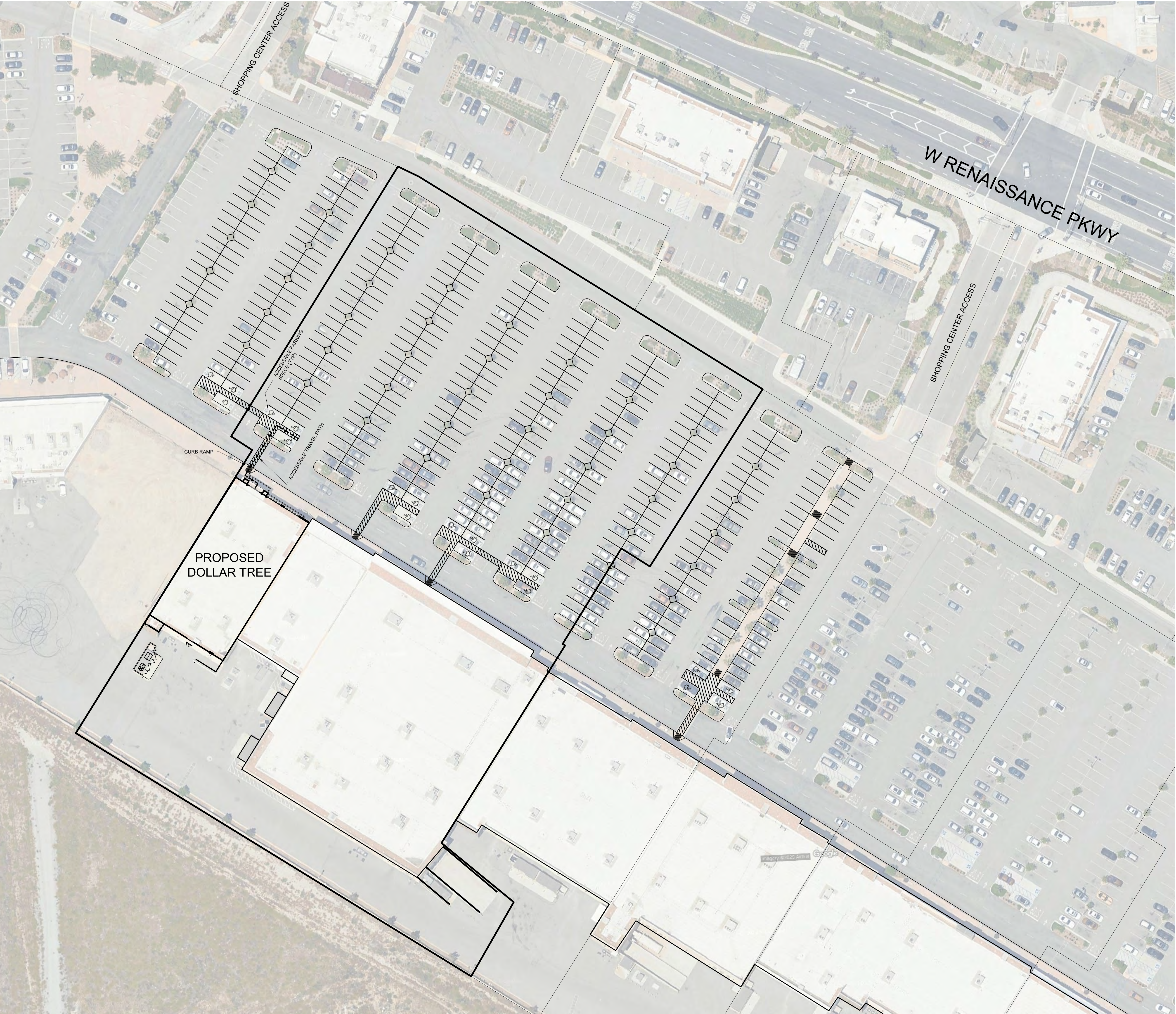
2. Adopt the attached Resolution (**Exhibit D**) to approve Conditional Development Permit No. 2025-0012, subject to the findings and conditions therein.



Project Location Map



FOR REFERENCE ONLY



ARCHITECTURAL SITE PLAN

SCALE: 1"=40'

FOR REFERENCE ONLY

APN: 026415252

date	project	designed	drawn	checked
4/24/25	23320-09	BNS	BNS	M.S.

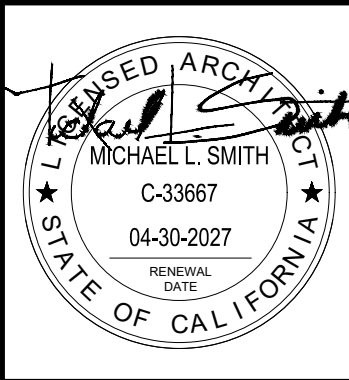
mark	date	by	description

date	project	designed	drawn	checked
4/24/25	23320-09	BNS	BNS	M.S.



RMM
ARCHITECTS
COLLABORATIVE INC.

1317 Executive Blvd, Suite 200
Chesapeake, VA 23320
(757) 622-2828 / fax (757) 622-6883



DOLLAR TREE
FORMER PARTY CITY, DEAL #51876 STORE #11066
1295 W RENAISSANCE PKWY, RIALTO, CA 92376
ARCHITECTURAL SITE PLAN

project
drawing

sheet



- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

WHEREAS, the applicant, Dollar Tree, Inc., proposes to operate a single-price overstock/discount store (“Project”) within an existing 12,212 square foot tenant space located at 1295 West Renaissance Parkway (APN 0264-152-52) in the existing Renaissance Marketplace shopping center at the southwest corner of West Renaissance Parkway and North Ayala Drive within the Town Center (T-C) land use district of the Renaissance Specific Plan (“Site”); and

12
13
14
15

17
18
19
20

21

23

25

27

1 verbal testimony, site plans, other documents, and the conditions of approval stated herein, the
2 Planning Commission hereby determines that CDP No. 2025-0012 satisfies the requirements of
3 Section 18.66.020 of the Rialto Municipal Code pertaining to the findings which must be made
4 precedent to granting a conditional development permit. The findings are as follows:

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

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

9 The Project will provide a benefit to the community and neighborhood by providing
10 residents and visitors additional options for purchasing everyday household goods at
11 affordable price points.

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

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

15 The properties south of Renaissance Marketplace are residential homes within the
16 Medium High Density Residential (MHDR) land use district. The properties to the north,
17 east & west of the site, are commercial businesses within the as Town Center (T-C) land
18 use district of the Renaissance Specific Plan.

19 The proposed Dollar Tree will not be detrimental or injurious to health, safety, or general
20 welfare of persons residing or working in the vicinity because it is consistent with the T-
21 C land use district and the surrounding land uses. Renaissance Marketplace
22 accommodates various retail and restaurant uses. Single-price overstock/discount stores
23 are generally compatible with other retail uses and services typically found in commercial
24 centers, including the types of businesses that are likely to exist within the center.

- 25 3. The site for the proposed use is adequate in size, shape, topography, accessibility,
26 and other physical characteristics to accommodate the proposed use in a manner
27 compatible with existing land uses; and

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

The proposed Dollar Tree is located in an existing commercial space within the existing
Renaissance Marketplace commercial center the commercial space was previously
occupied by Party City, another retail use similar to Dollar Tree. The Renaissance
Marketplace has ample parking and accessibility to accommodate another retail use

1 within the vacant commercial space located at the southwest corner of West Renaissance
2 Pkwy and North Ayala Drive.

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

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

6 The Project will have adequate access to all utilities and services required through main
7 water, electric, sewer, and other utility lines that will be hooked up to the Site, because it
8 will occupy an existing vacant building.

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

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

14 The proposed Dollar Tree will be located within an existing vacant building that will be
15 maintained in a manner that is consistent with the T-C land use district. The operation of a
16 single-price overstock/discount store is consistent with the T-C land use district. If all
17 Conditions of Approval contained within CDP No. 2025-0012 are satisfied, the Project
18 should not negatively impact any of the neighboring land uses.

19 Additionally, the proposed use is consistent with Goal 3-1 of the General Plan by
20 contributing to the strengthening of an economic base and employment opportunities.

- 21 6. Any potential adverse effects upon the surrounding properties will be minimized to
22 every extent practical and any remaining adverse effects shall be outweighed by the
23 benefits conferred upon the community or neighborhood.

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

25 The Conditions of Approval contained herein will minimize the Project's impacts. The
26 granting of CDP No. 2025-0012, allowing the operation of a single-price
27 overstock/discount store, will potentially maintain a long-term tenant and prevent
28 vacancy within the commercial center. Furthermore, the use will provide residents and
visitors an additional option for purchasing everyday household goods. Therefore, any
potential adverse effects are outweighed by the benefits conferred upon the community and
neighborhood.

29 SECTION 3. Dollar Tree, Inc., is hereby granted CDP No. 2025-0012 to allow the
operation of a single-price overstock/discount store within an existing 12,212 square foot

1 commercial building in the commercial center located at 1295 West Renaissance Parkway (APN
2 0264-152-52) in the existing shopping center at the southwest corner of West Renaissance
3 Parkway and North Ayala Drive within the Town Center (T-C) land use district of the
4 Renaissance Specific Plan

5 SECTION 4. The project is Exempt in accordance with the categorical exemption
6 requirements of the California Environmental Quality Act (CEQA) Section 15301 Existing
7 Facilities The project consists of the operation, repair, maintenance, permitting, leasing, licensing,
8 or minor alteration of existing public or private structures, facilities, mechanical equipment, or
9 topological features, involving negligible or no expansion of existing or former use. No further
10 environmental review is required for Conditional Development Permit No. 2025-0012.

11 SECTION 5. CDP No. 2025-0012 is granted to Dollar Tree, Inc., in accordance with the
12 plans and application on file with the Planning Division, subject to the following conditions:
13

- 14 1. The approval is granted to allow the operation of a single-price overstock/discount store
15 within an existing 12,212 vacant tenant space in the Renaissance Marketplace
16 commercial center located at 1295 West Renaissance Parkway, as shown on the plans
17 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.
- 18 2. City inspectors shall have access to the site to reasonably inspect the site during
19 normal working hours to assure compliance with these conditions and other codes.
- 20 3. The applicant shall indemnify, protect, defend, and hold harmless, the City of Rialto,
21 and/or any of its officials, officers, employees, agents, departments, agencies, and
22 instrumentalities thereof (collectively, the "City Parties"), from any and all claims,
23 demands, law suits, writs of mandamus, and other actions and proceedings (whether
24 legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative
25 dispute resolutions procedures (including, but not limited to arbitrations, mediations,
26 and other such procedures), (collectively "Actions"), brought against the City, and/or
27 any of its officials, officers, employees, agents, departments, agencies, and
28 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,
2 regulation, or any decision of a court of competent jurisdiction. This condition to
3 indemnify, protect, defend, and hold the City harmless shall include, but not be
4 limited to (i) damages, fees and/or costs awarded against the City, if any, and (ii) cost
5 of suit, attorneys' fees and other costs, liabilities and expenses incurred in connection
6 with such proceeding whether incurred by applicant, Property owner, or the City
7 and/or other parties initiating or bringing such proceeding (collectively, subparts (i)
8 and (ii) are the "Damages"). Notwithstanding anything to the contrary contained
9 herein, the Applicant shall not be liable to the City Parties under this indemnity to the
10 extent the Damages incurred by any of the City Parties in such Action(s) are a result
11 of the City Parties' fraud, intentional misconduct or gross negligence in connection
12 with issuing the Entitlements. The applicant shall execute an agreement to
13 indemnify, protect, defend, and hold the City harmless as stated herein within five (5)
14 days of approval of CDP No. 2025-0012.

- 15 4. 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
18 the Project or within 90 days after the date of the imposition of the fees, dedications,
19 reservations, or exactions imposed on the Project.
- 20 5. Outdoor display or storage of any kind is prohibited.
- 21 6. All items for sale shall be displayed in a case, on a shelf, or on a rack in an orderly
22 fashion.
- 23 7. The applicant shall obtain a building permit for any wall, monument, and/or pylon
24 signage prior to the issuance of a Certificate of Occupancy (C of O).
- 25 8. All signage shall comply with Section 18.102 (Regulation of Signs) of the Rialto
26 Municipal Code and/or the Renaissance Specific Plan.
- 27 9. A City business license shall be required prior to issuance of a Certificate of Occupancy
28 or final permits.
10. Six (6) months after the date of approval, the Planning Commission may review the
approved single-price overstock/discount store to determine if the operator has complied
with all conditions of approval of the Conditional Development Permit. Thereafter, the
Planning Commission may review the approved facility on an annual basis.
11. The applicant shall obtain all necessary approvals and operating permits from all
Federal, State, and local agencies prior to the issuance of a Certificate of Occupancy.
12. 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

1 approval. If the applicant fails to commence the project within one year of said
2 effective date, this conditional development permit shall be null, and void and any
3 privileges granted hereunder shall terminate automatically. If the applicant or his or
4 her successor in interest commences the project within one year of the effective date
5 of approval, the privileges granted hereunder will continue inured to the property as
6 long as the property is used for the purpose for which the conditional development
7 permit was granted, and such use remains compatible with adjacent property uses.

8 13. If the applicant fails to comply with any of the Conditions of Approval placed upon
9 Conditional Development Permit No. 2025-0012, the Planning Commission may
10 initiate proceedings to revoke the Conditional Development Permit in accordance
11 with the provisions of sections 18.66.070 through 18.66.090, inclusive, of the Rialto
12 Municipal Code. Conditional Development Permit No. 2024-0002 shall be revoked,
13 suspended, or modified in accordance with Section 18.66.070 of the Zoning
14 Ordinance at the discretion of the Planning Commission if:

- 15 a) The use for which such approval was granted has ceased to exist, been
16 subsequently modified or have been suspended for six (6) months or more;
- 17 b) Any of the express conditions or terms of such permit are violated;
- 18 c) The use for which such approval was granted becomes or is found to be
19 objectionable or incompatible with the character of the City and its
20 environs due to noise, loitering, criminal activity, or other undesirable
21 characteristics including, but not strictly limited to uses which are or have
22 become offensive to neighboring property or the goals and objectives of
23 the Town Center (T-C) land use district, the Renaissance Specific Plan,
24 and the City's General Plan.

25 SECTION 6. The Chairman of the Planning Commission shall sign the passage and
26 adoption of this resolution and thereupon the same shall take effect and be in force.

27 PASSED, APPROVED AND ADOPTED this 6th day of August 2025.

28

JERRY GUTIERREZ, CHAIR
CITY OF RIALTO PLANNING COMMISSION



City of Rialto

Legislation Text

File #: PC-25-0523, **Version:** 1, **Agenda #:**

For the Planning Commission Meeting of August 6, 2025

TO: Honorable Chairman and Planning Commissioners
APPROVAL: Christina Taylor, Interim Community Development Director
REVIEWED BY: Paul Gonzales, Community Development Manager
FROM: Brian Vazquez, Planning Technician

Conditional Development Permit No. 2024-0022: A request to allow the placement of a small recycling bin (Clothing Donation Bin) within an existing commercial shopping plaza located at the southwest corner of Foothill Boulevard and Acacia Avenue (APN: 0130-051-51) within the Foothill Mixed-Use Zone (FMUZ) land use district of the Foothill Central Specific Plan.

APPLICANT:

TexGreen, Inc., 12335 McCann Drive Santa Fe Springs, CA 90670.

LOCATION:

The project consists of one (1) 2.04-acre parcel of land (APN: 0130-051-51) located at the southwest corner of Foothill Boulevard and Acacia Avenue (Refer to the attached Location Map (**Exhibit A**)).

BACKGROUND:

Surrounding Land Use and Zoning

Location	Existing Land Use	Zoning
Site	Commercial Businesses	Foothill Mixed-Use Zone (FMUZ) in Foothill Central Specific Plan
North	Commercial Businesses	Foothill Mixed-Use Zone (FMUZ) in Foothill Central Specific Plan
South	Single-Family Residences	Single Family Residential (R-1C)
East	Commercial Businesses	Foothill Mixed-Use Zone (FMUZ) in Foothill Central Specific Plan
West	Commercial Businesses	Foothill Mixed-Use Zone (FMUZ) in Foothill Central Specific Plan

General Plan Designations

Location	General Plan Designation
Site	Specific Plan with a Specific Plan Overlay (Foothill Central SP)
North	Specific Plan with a Specific Plan Overlay (Foothill Central SP)
South	Residential 6 (2.1 - 6.0 dwelling units per acre)
East	Specific Plan with a Specific Plan Overlay (Foothill Central SP)
West	Specific Plan with a Specific Plan Overlay (Foothill Central SP)

Site Characteristics

The project site is bound on the north by Foothill Boulevard and east by Acacia Avenue. The project site was previously developed for a commercial center with two commercial buildings, parking areas, landscaping, and street access. Current tenants include Black Friday Deals and Chucks Liquor.

Surrounding Area

The properties to the north, across Foothill Boulevard, are commercial businesses zoned as Foothill Mixed-Use Zone (FMUZ) in the Foothill Central Specific Plan. The properties to the south are single-family homes zoned as Single-Family Residential (R-1C). The properties to the east, across Acacia Avenue, are commercial businesses zoned as Foothill Mixed-Use Zone (FMUZ) in the Foothill Central Specific Plan. The properties to the west are commercial business zoned as Foothill Mixed-Use Zone (FMUZ) in the Foothill Central Specific Plan.

ANALYSIS/DISCUSSION:

Project Proposal

TexGreen, Inc., the applicant, proposes to place a 4-foot by 4-foot small recycling bin for clothes within the parking lot of the project site specifically on the south side of Chuck's Liquor (**Exhibit B**). The applicant will empty, clean and maintain the bin at least five (5) times per week, and in case of urgent need will respond within 12 hours to address any issues.

Entitlement Requirements

Per Section 18.108.040. of the Rialto Municipal Code, the placement of a small recycling bin for the purpose of clothing donation requires submittal and Planning Commission approval of a Conditional Development Permit (CDP2024-0022).

Land Use Compatibility

The project is compatible with the Foothill Central Specific Plan, the surrounding uses, and Chapter 18.108 (Regulation of Recycling Facilities) of the Rialto Municipal Code. The project site currently contains retail uses, which are generally compatible with the proposed recycling bin. The project is anticipated to be a benefit to the community by creating a convenient location to donate clothing.

GENERAL PLAN CONSISTENCY:

The project is consistent with the following goal of the Land Use Element of the Rialto General Plan:

Goal 2-34: Achieve waste recycling levels that meet or exceed State mandates. Achieve maximum waste recycling in all sectors of the community: residential, commercial, industrial, institutional, and construction.

ENVIRONMENTAL IMPACT:

The project is Categorically Exempt from requirement of the California Environmental Act (CEQA) in accordance with CEQA Section 15311 Accessory Structures, which allows for the placement of accessory structures within existing commercial developed properties, such as the project.

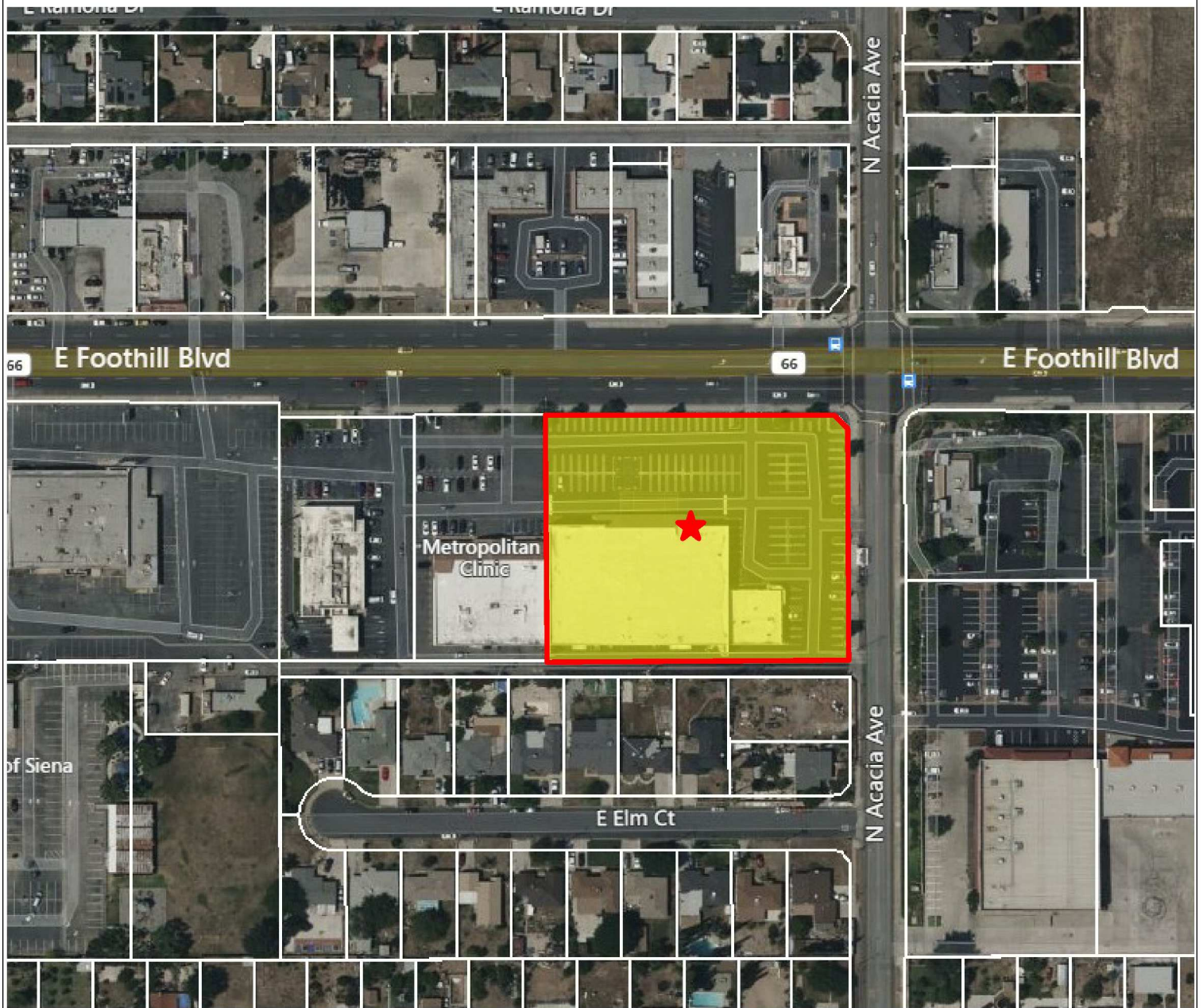
PUBLIC NOTICE:

The City mailed public hearing notices for the proposed project to all property owners within 660 feet of the project site, posted public notes at the site and City Hall, and published the public hearing notice in the *San Bernardino Sun* newspaper as required by State law.

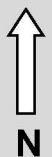
RECOMMENDATION:

The Planning Division recommends that the Planning Commission:

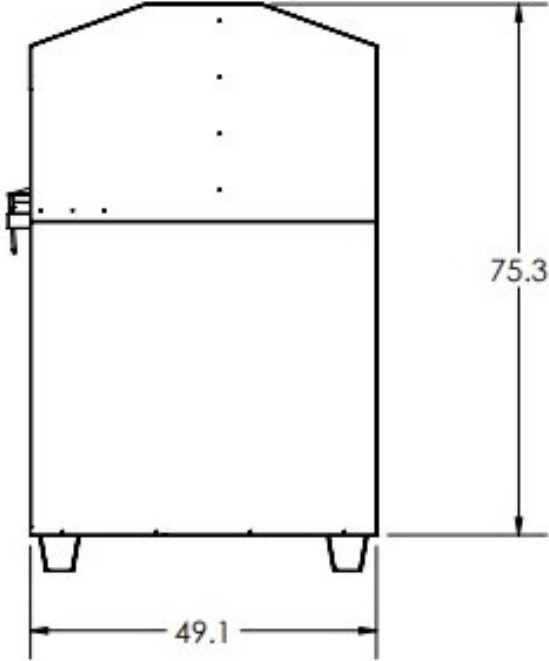
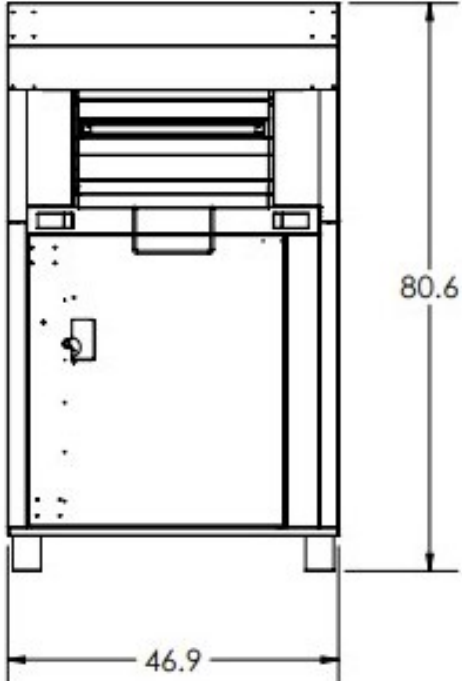
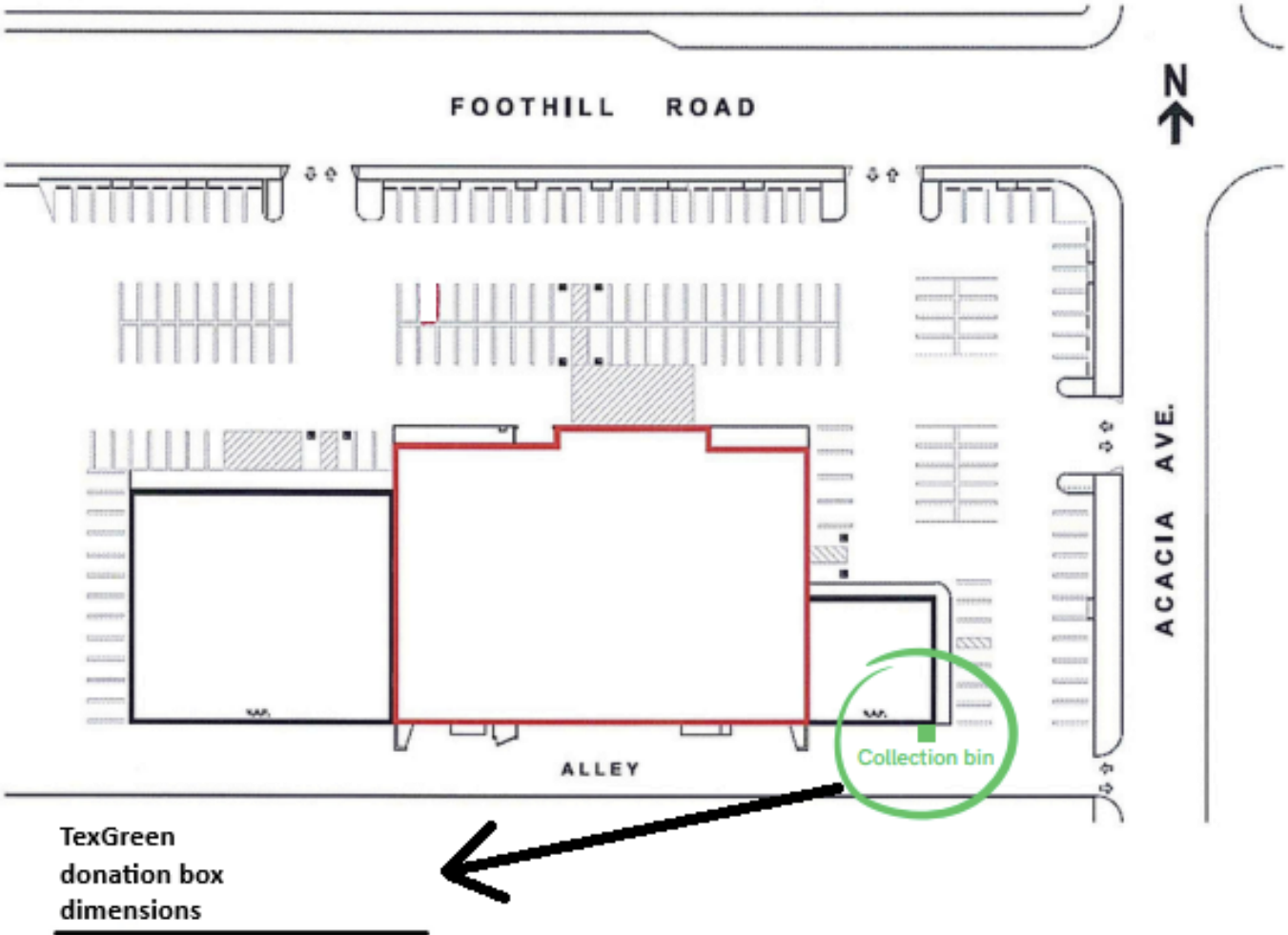
1. Determine that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15311, Accessory Structures, of the CEQA Guidelines and direct Staff to file the Notice of Exemption with County of San Bernardino; and,
2. Adopt the attached Resolution (**Exhibit C**) to approve Conditional Development Permit No. 2024-0022.



Project Location Map



Placement of clothing collection bin on 467 E Foothill Blvd



- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

WHEREAS, the applicant, TexGreen Inc., proposes to place a small recycling bin for clothing donation purposes within an existing commercial shopping plaza located at the southwest corner of Foothill Boulevard and Acacia Avenue (APN: 0130-051-51) within the Foothill Mixed-Use Zone (FMUZ) land use district of the Foothill Central Specific Plan; and

WHEREAS, pursuant to Section 18.108.030(B) of the Rialto Municipal Code, the placement of a small collection recycling facility for clothing donation purposes, such as the Project, within the FMUZ land use district requires a conditional development permit, and the applicant has applied for a conditional development permit (“CDP No. 2024-0022”); and

WHEREAS, on August 6, 2025, the Planning Commission of the City of Rialto conducted a duly noticed public hearing, as required by law, on CDP No. 2024-0022, took testimony, at which time it received input from staff, the city attorney, and the applicant; heard public testimony; discussed the proposed CDP No. 2024-0022; 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. 2024-0022, including written staff reports,

1 verbal testimony, site plans, other documents, and the conditions of approval stated herein, the
2 Planning Commission hereby determines that CDP No. 2024-0022 satisfies the requirements of
3 Section 18.108.030 of the Rialto Municipal Code pertaining to the findings which must be made
4 precedent to granting a conditional development permit. The findings are as follows:

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

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

9 The Project will provide a benefit to the community and neighborhood by providing
10 residents and visitors a convenient and accessible location for residents to properly
11 donate their clothing.

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

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

15 The properties to the south of the Site consist of existing single-family residential homes
16 within the Single Family Residential (R-1C) zone. The properties to the north, east &
17 west of the Site consist of existing commercial developments within the Foothill Mixed-
18 Use Zone (FMUZ) land use district of the Foothill Central Specific Plan.

19 The proposed small recycling bin is consistent with the FMUZ land use district, Chapter
20 18.108 (Regulation of Recycling Facilities) of the Rialto Municipal Code, and the
21 surrounding land uses. A small recycling bin for clothing donation purposes is generally
22 compatible with the other retail uses and services found on the Site.

- 23 3. The site for the proposed use is adequate in size, shape, topography, accessibility,
24 and other physical characteristics to accommodate the proposed use in a manner
25 compatible with existing land uses; and

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

27 The Site is developed with two (2) commercial buildings, parking areas, landscaping, and
28 street access to Foothill Boulevard and Acacia Avenue. The proposed small recycling
bin is proposed to be located in an open paved area of the Site that will not disrupt or
obstruct any vehicular access areas, pedestrian access areas, or landscaped areas.

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

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

2 The Site has adequate access to all utilities and services required through main water,
3 electric, sewer, and other utility lines that are already hooked up to the Site. The small
4 recycling bin itself will not require any utilities.

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

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

10 The proposed small recycling bin will be located within an existing shopping plaza that will
11 be maintained in a manner that is consistent with the FMUZ land use district. The operation
12 of a small recycling bin is consistent with the FMUZ zone. If all Conditions of Approval
13 contained within CDP No. 2024-0022 are satisfied, the Project should not negatively impact
14 any of the neighboring land uses.

15 Additionally, the proposed use is consistent with Goal 3-1 of the General Plan by
16 contributing to the strengthening of an economic base and employment opportunities.

- 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.

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

21 The Conditions of Approval contained herein will minimize the Project's impacts. The
22 granting of CDP No. 2024-0022, allowing the placement of a small recycling bin, will
23 provide residents and visitors an additional option for recycling un-used articles of
24 clothing. Therefore, any potential adverse effects are outweighed by the benefits conferred
25 upon the community and neighborhood.

26 SECTION 3. The project is Exempt in accordance with the categorical exemption
27 requirements of the California Environmental Quality Act (CEQA) Section 15311 Accessory
28 Structures. The project consists of the placement of a small recycling bin for clothing donation
purposes within an existing commercial development. No further environmental review is required
for Conditional Development Permit No. 2024-0022.

1 SECTION 4. CDP No. 2024-0022 is granted to TexGreen, Inc., in accordance with the
2 plans and application on file with the Planning Division, subject to the following conditions:

- 3 1. The approval is granted to allow the placement of a small recycling bin for clothing
4 donation purposes within an existing commercial shopping plaza located at the
5 southwest corner of Foothill Boulevard and Acacia Avenue (APN: 0130-051-51), as
6 shown on the plans attached hereto as “Exhibit A”, and as approved by the Planning
7 Commission. If the Conditions of Approval specified herein are not satisfied or
8 otherwise completed, the Project shall be subject to revocation.
- 9 2. City inspectors shall have access to the site to reasonably inspect the site during
10 normal working hours to assure compliance with these conditions and other codes.
- 11 3. The applicant shall indemnify, protect, defend, and hold harmless, the City of Rialto,
12 and/or any of its officials, officers, employees, agents, departments, agencies, and
13 instrumentalities thereof (collectively, the “City Parties”), from any and all claims,
14 demands, law suits, writs of mandamus, and other actions and proceedings (whether
15 legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative
16 dispute resolutions procedures (including, but not limited to arbitrations, mediations,
17 and other such procedures), (collectively “Actions”), brought against the City, and/or
18 any of its officials, officers, employees, agents, departments, agencies, and
19 instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or
20 annul, the any action of, or any permit or approval issued by, the City and/or any of
21 its officials, officers, employees, agents, departments, agencies, and instrumentalities
22 thereof (including actions approved by the voters of the City), for or concerning the
23 Project (collectively, the “Entitlements”), whether such Actions are brought under the
24 California Environmental Quality Act, the Planning and Zoning Law, the Subdivision
25 Map Act, Code of Civil Procedure Chapter 1085 or 1094.5, the California Public
26 Records Act, or any other state, federal, or local statute, law, ordinance, rule,
27 regulation, or any decision of a court of competent jurisdiction. This condition to
28 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. 2024-0022.
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 applicant shall keep the exterior of the bin and the immediate surrounding area clear of any debris, trash, clothing items, etc. at all times. Clothing articles may not be allowed to be left outside of the bin or overflowing out of the bin at any time.
6. The applicant shall provide the phone number for bin maintenance services on the exterior face of the bin at all times. The phone number placement on the exterior face of the bin shall be in the form of vinyl numbering with a minimum height of four (4) inches.
7. The applicant shall install security cameras on the Site that cover the area of the bin, to the satisfaction of the Rialto Police Department, prior to issuance of a business license.
8. The applicant shall obtain and maintain a valid City business license at all times.
9. Six (6) months after the date of approval, the Planning Commission may review the approved small recycling bin to determine if the applicant has complied with all conditions of approval of the Conditional Development Permit. Thereafter, the Planning Commission may review the approved small recycling bin on an annual basis.
10. The applicant shall obtain all necessary approvals and operating permits from all Federal, State, and local agencies prior to the issuance of a Certificate of Occupancy.
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, this conditional development permit shall be null, and void and any privileges granted hereunder shall terminate automatically. If the applicant or his or her successor in interest commences 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. 2024-0022, 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. 2024-0022 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:

- 1 a) The use for which such approval was granted has ceased to exist, been
2 subsequently modified or have been suspended for six (6) months or more;
- 3 b) Any of the express conditions or terms of such permit are violated;
- 4 c) The use for which such approval was granted becomes or is found to be
5 objectionable or incompatible with the character of the City and its
6 environs due to noise, loitering, criminal activity, or other undesirable
7 characteristics including, but not strictly limited to uses which are or have
8 become offensive to neighboring property or the goals and objectives of
the Foothill Mixed-Use Zone (FMUZ), the Foothill Central Specific Plan,
and the City's General Plan.

9 SECTION 5. The Chairman of the Planning Commission shall sign the passage and
10 adoption of this resolution and thereupon the same shall take effect and be in force.

11 PASSED, APPROVED AND ADOPTED this 6th day of August, 2025.

12
13
14
15 _____
JERRY GUTIERREZ, CHAIR
16 CITY OF RIALTO PLANNING COMMISSION
17
18
19
20
21
22
23
24
25
26
27
28