

RESOLUTION NO. 2025-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIALTO, CALIFORNIA APPROVING CONDITIONAL DEVELOPMENT PERMIT NO. 2024-0001 ALLOWING THE EXPANSION OF AN EXISTING TRUCK YARD OPERATION GENERALLY LOCATED AT THE NORTHEAST CORNER OF ALDER AVENUE AND STONEHURST DRIVE ONTO 2.5 ACRES OF LAND, ALSO KNOWN AS 2160 WEST STONEHURST DRIVE (APN: 1133-071-08, -09 & 10), WITHIN THE GENERAL MANUFACTURING (I-GM) DESIGNATION OF THE RIALTO AIRPORT SPECIFIC PLAN.

WHEREAS, the applicant, Batfish Holdings LLC and Robert and Dolores Riggio, proposes to develop 2.5 gross acres of land (APN: 1133-071-08, -09, & -10), also known as 2160 West Stonehurst Drive (“Site”) with paving, landscaping, fencing, lighting, and drainage improvements to facilitate the expansion of the existing truck yard operation (“Project”) at the northeast corner of Alder Avenue and Stonehurst Drive within the General Manufacturing (I-GM) designation of the Rialto Airport Specific Plan; and

WHEREAS, the Project will maintain the existing office building in its current location and will provide twenty-eight (28) passenger vehicle parking spaces, thirty-nine (39) trailer spaces, seven (7) bobtail tractor spaces and will incorporate a split-faced block wall at various heights along the Stonehurst Drive frontage to screen the trucks and trailers from public view; and

WHEREAS, pursuant to Section 18.104.025 of the Rialto Municipal Code, the Project requires a Conditional Development Permit, and the applicant has applied for Conditional Development Permit No. 2024-0001 (“CDP”); and

WHEREAS, in conjunction with the Project, the applicant has applied for Precise Plan of Design No. 2024-0002 (“PPD”) to facilitate the development of the truck yard expansion with the associated paving, landscaping, fencing, lighting, and drainage improvements on the Site; and

WHEREAS, the proposed project is categorically exempt for the requirements of California Environmental Quality Act (CEQA) (Environmental Assessment Review No. 2024-0004) as a Class 32 exemption analyzed in the staff report and attached studies; and

1 WHEREAS, on May 7, 2025, the Planning Commission of the City of Rialto opened a duly
2 noticed public hearing, as required by law, on the CDP and the PPD, heard public testimony and
3 continued the public hearing at the request of the applicant to the May 21, 2025 meeting; and

4 WHEREAS, on May 21, 2025, the Planning Commission of the City of Rialto again
5 continued the public hearing at the request of the applicant to the June 4, 2025 meeting to allow
6 additional time for internal operations discussions and to draft responses to public comments; and

7 WHEREAS, on June 4, 2025, the Planning Commission of the City of Rialto conducted a
8 duly noticed public hearing, as required by law, on the CDP and the PPD, took testimony, at which
9 time it received input from staff, the city attorney, and the applicant; heard public testimony;
10 discussed the proposed CDP and PPD; and closed the public hearing; and

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

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

16 SECTION 2. Based on substantial evidence presented to the Planning Commission during
17 the public hearing conducted with regard to the CDP, including written staff reports, verbal testimony,
18 site plans, other documents, and the conditions of approval stated herein, the Planning Commission
19 hereby determines that CDP satisfies the requirements of Section 18.66.020 of the Rialto Municipal
20 Code pertaining to the findings which must be made precedent to granting a conditional development
21 permit, which findings are as follows:

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

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

26 The Site is comprised of three (3) parcels of land approximately 2.5 gross acres in size.
27 The Project will enhance an under-developed property with site improvements in
28 accordance with the requirements of Chapter 18.104 and the General Industrial (GI) land
use designation. Additionally, the Project will install the needed off-site improvements
along Stonehurst Drive as well as strengthen the economic base and employment
opportunities within the City.

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

This finding is supported by the following facts:

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The expansion of an existing truck yard operation onto the Site is consistent with the I-GM zone and chapter 18.104.025C, which conditionally permits the one-time expansion of an existing truck yard. North of the project site, is Robertson's Ready Mix facility. To the south the project site, across Stonehurst Drive, is a 5-acre precast concrete manufacturing facility former occupied by Olson Precast Company and legal non-conforming residences. To the east of the project site is a Mobile Mini modular storage facility. To the west of the project site is the existing truck yard operation. The proposed expansion is consistent with these uses. As conditioned by this resolution and the resolution approving the PPD, the project is not expected to negatively impact any surrounding uses with the successful implementation of measures such as landscape buffering, the installation of solid screen walls and gates, shielded lighting fixtures, and other traffic related measures.

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

This finding is supported by the following facts:

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The Site is 2.5 gross acres in size adjacent to Stonehurst Drive, which will be able to accommodate the proposed use once the Project completes the required street improvements. The Project will include a central drive aisle connecting from the existing truck yard on the west extending to the east boundary of the site with two (2) exit only driveways onto Stonehurst Drive. The Project will have 39 passenger vehicle parking spaces including one (1) ADA accessible parking spaces, which exceeds the amount required by Chapter 18.58 (Off-Street Parking) of the Rialto Municipal Code.

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

This finding is supported by the following facts:

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The Site is currently under developed with an existing office building with some utility service connections. The Site has adequate access to utilities and will be required to connect through main water, electric, and other utility line hook up for the Site.

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

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

2 As previously stated, the proposed use is consistent with the General Manufacturing (I-GM)
3 zone. The proposed layout will include a central drive aisle connecting from the existing
4 truck yard on the west extending to the east boundary of the site to expand operation. The
5 proposed use will provide 39 passenger vehicle parking spaces, adequate screening, and a
6 floor area ratio (FAR) of 2 percent, and 25.3 percent on-site landscape coverage, all of
 which comply with the General Plan, the I-GM Zone, Chapter 18.104 (Outdoor Storage
 Uses) of the Rialto Municipal Code, and the City's Design Guidelines.

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

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, and through the implementation of Conditions of Approval
13 imposed by the Planning Commission on the Precise Plan of Design, such as landscape
14 buffering, solid screen walls and gates, and drainage improvements. The development of
15 the truck yard expansion will include the installation of missing street improvements on
16 Stonehurst Drive and well as strengthen employment opportunities for the City. The
17 Project is consistent with the General Manufacturing (I-GM) zone and is a logical addition
18 to the existing industrial developments along the Stonehurst Drive corridor. The project is
19 not expected to negatively impact any surrounding uses with the successful implementation
20 of measures such as landscape buffering, the installation of solid screen walls, and other
21 traffic related measures. Therefore, any potential adverse effects are outweighed by the
22 benefits conferred upon the community and neighborhood as a whole.

23 SECTION 3. The Planning Commission hereby specifically finds that the Project meets the
24 5 required criterion of Section 15332 in that a.) the project is consistent with the applicable general
25 plan designation and all applicable general plan policies as well as with applicable zoning designation
26 and regulations, b.) , the proposed development occurs within city limits on a project site of no more
27 than five acres substantially surrounded by urban uses, c.) the project site has no value as habitat for
28 endangered, rare or threatened species, d.) Approval of the project would not result in any significant
 effects relating to traffic, noise, air quality, or water quality, e.) The site can be adequately served by
 all required utilities and public services.

SECTION 4. The project is categorically exempt from the requirements of the California
 Environmental Quality Act (CEQA), pursuant to Section 15332, Infill Development Projects. The

1 Planning Commission directs the Planning Division to file the necessary documentation with the
2 Clerk of the Board of Supervisors for San Bernardino County.

3 SECTION 5. CDP No. 2024-0001 is granted to Batfish Holdings LLC and Robert and
4 Dolores Riggio, in accordance with the plans and application on file with the Planning Division,
5 subject to the following conditions:
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- 7 1. The approval is granted allowing the expansion of an existing 5-acre truck yard
8 operation generally located at the northeast corner of Alder Avenue and Stonehurst
9 Drive onto 2.5 acres of land, also known as 2160 West Stonehurst Drive (APN: 1133-
10 071-08, -09 & 10), as shown on the plans attached as Exhibit B to the Planning
11 Commission Staff Report and as approved by the Planning Commission. If the
12 Conditions of Approval specified herein are not satisfied complied with or otherwise
13 completed, this approval may be subject to revocation.
- 14 2. City inspectors shall have access to the site to reasonably inspect the site during
15 normal working hours to assure compliance with these conditions and other codes.
- 16 3. The applicant shall indemnify, protect, defend, and hold harmless, the City of Rialto,
17 and/or any of its officials, officers, employees, agents, departments, agencies, and
18 instrumentalities thereof (collectively, the “City Parties”), from any and all claims,
19 demands, law suits, writs of mandamus, and other actions and proceedings (whether
20 legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative
21 dispute resolutions procedures (including, but not limited to arbitrations, mediations,
22 and other such procedures), (collectively “Actions”), brought against the City, and/or
23 any of its officials, officers, employees, agents, departments, agencies, and
24 instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or
25 annul, the any action of, or any permit or approval issued by, the City and/or any of
26 its officials, officers, employees, agents, departments, agencies, and instrumentalities
27 thereof (including actions approved by the voters of the City), for or concerning the
28 Project (collectively, the “Entitlements”), whether such Actions are brought under
the California Environmental Quality Act, the Planning and Zoning Law, the
Subdivision Map Act, Code of Civil Procedure Chapter 1085 or 1094.5, the
California Public Records Act, or any other state, federal, or local statute, law,
ordinance, rule, regulation, or any decision of a court of competent jurisdiction. This
condition to indemnify, protect, defend, and hold the City harmless shall include, but
not be limited to (i) damages, fees and/or costs awarded against the City, if any, and
(ii) cost of suit, attorneys’ fees and other costs, liabilities and expenses incurred in
connection with such proceeding whether incurred by applicant, Property owner, or
the City and/or other parties initiating or bringing such proceeding (collectively,
subparts (i) and (ii) are the “Damages”). Notwithstanding anything to the contrary
contained herein, the Applicant shall not be liable to the City Parties under this
indemnity to the extent the Damages incurred by any of the City Parties in such
Action(s) are a result of the City Parties’ fraud, intentional misconduct or gross

negligence in connection with issuing the Entitlements. The applicant shall execute an agreement to indemnify, protect, defend, and hold the City harmless as stated herein within five (5) days of approval of CDP No. 2024-0001.

4. In accordance with the provisions of Government Code Section 66020(d)(1), the imposition of fees, dedications, reservations, or exactions for this Project, if any, are subject to protest by the applicant at the time of approval or conditional approval of the Project or within 90 days after the date of the imposition of the fees, dedications, reservations, or exactions imposed on the Project.
5. Prior to issuance of certificate of occupancy, the applicant and/or owner shall record a reciprocal access agreement between the existing truck yard site and the expansion site.
6. The new easterly driveway shall be limited to passenger vehicles and fire access only. In accordance with Chapter 18.104 (Outdoor Storage Uses), truck traffic at the easterly driveway is strictly prohibited to avoid passing by a non-conforming residential use until such time when the non-conforming use no longer exists.
7. The westerly driveway shall be utilized for ingress and egress and gate shall remain open during business hours. The proposed easterly driveway shall be restricted to Exit Only for passenger vehicles.
8. The applicant, landlord, and/or tenant(s) shall require all inbound truck traffic to access the site via the northbound Alder Avenue, and then eastbound on Stonehurst Drive to the truck yard entry gate. .
9. The applicant, landlord, and/or tenant(s) shall require all outbound truck traffic to exit the expansion site via the westerly driveway only and then proceed right-out onto westbound Stonehurst Drive to Alder Avenue. Outbound truck traffic shall not use Stonehurst Drive east of the site to avoid passing by a non-conforming residential use until such time when the non-conforming use no longer exists.
10. The applicant, landlord, and/or tenant(s) shall install signage prohibiting truck exiting from the easterly driveway on the inside of the gate and/or at least five (5) feet from the property line along Stonehurst Drive prior to the issuance of a Certificate of Occupancy.
11. The applicant, landlord, and/or tenant(s) shall ensure that outbound trucks exiting from the westerly driveway do not turn left onto eastbound Stonehurst Drive. Signage prohibiting the left-turn movement for trucks onto eastbound Stonehurst Drive shall be installed on the inside of the westerly driveway gate and/or at least five (5) feet from the property line along Stonehurst Drive prior to the issuance of a Certificate of Occupancy.
12. The Project shall be limited to a maximum of 33 peak hour trips, in accordance with Project Trip Generation of the Traffic Scoping Agreement prepared for the Project by TJW Engineering, which is attached as Exhibit E to the Planning Commission Staff Report.

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13. The applicant, landlord, operator(s) and/or tenant(s) shall ensure that all inbound truck traffic that requires temporary queuing or staging do so on-site. Inbound truck traffic shall not queue or stage on any public street at any time. Activities on-site shall not operate in such a manner that would impact traffic lanes, cause back up (queuing or staging) of vehicles into the public-right-of-way, or create any unsafe conditions. Fire and Police access and passage around trucks queuing or staging on-site shall be feasible at all times and activities shall not block parking areas, access or passage for disabled persons or emergency response vehicles.
14. The applicant, landlord, operator(s) and/or tenant(s) shall only park or store trucks and trailers within designated truck and trailer parking spaces within the truck court. No trucks or trailers shall be parked or stored on any public street or within any on-site drive aisles, passenger vehicle parking areas or fire lanes at any time.
15. Approval of this CDP No. 2024-0001 will not become effective until the applicant has signed a statement acknowledging awareness and acceptance of the required conditions of approval contained herein.
16. If the applicant fails to comply with any of the conditions of approval placed upon CDP No. 2024-0001 or PPD No. 2024-0002, 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. 2024-0001 may be revoked, suspended or modified in accordance with Section 18.66.070 of the Zoning Ordinance at the discretion of the Planning Commission if:
- a) The use for which such approval was granted has ceased to exist, been subsequently modified, or has been suspended for six (6) months or more;
 - b) Any of the express conditions or terms of such permit are violated;
 - c) In the event, that any operation on the Site is found to be objectionable or incompatible with the character of the City and its environs due to excessive noise, excessive traffic, loitering, criminal activity or other undesirable characteristics including, but not strictly limited to, uses which are or have become offensive to neighboring property or the goals and objectives of the General Manufacturing (I-GM) zoning district, applicable Specific Plan and/or the City's General Plan, the applicant shall address the issues within forty-eight (48) hours of being notified by the City.

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

PASSED, APPROVED AND ADOPTED this 4th day of June, 2025.

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 ____, 2025.

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 ____, 2025.

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20 KIMBERLY DAME, ADMINISTRATIVE ANALYST
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Exhibit “A”

Project Plans

[Insert Exhibit B from the Planning Commission Staff Report]

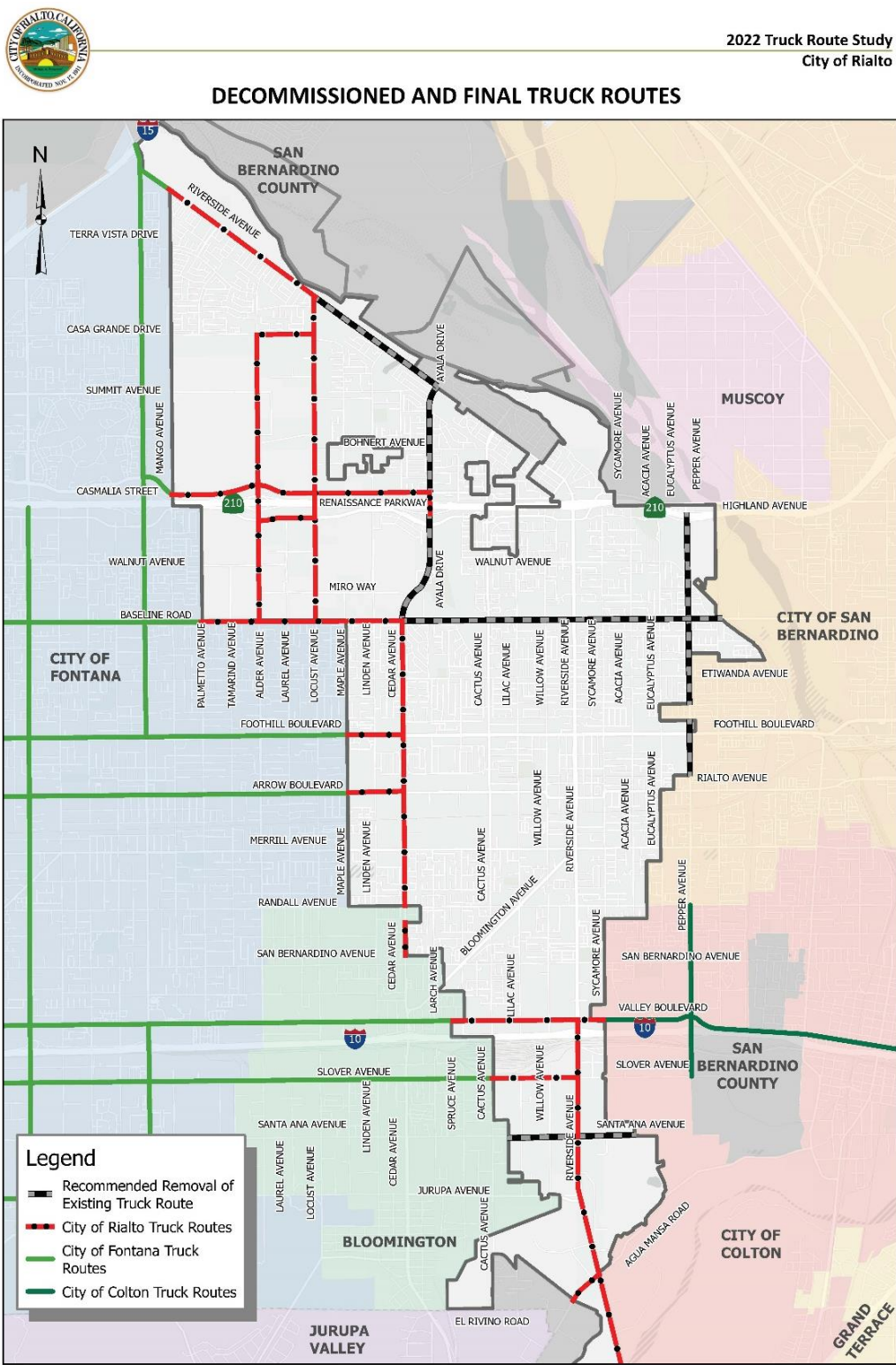
Exhibit “B”

Attachment B – Project Trip Generation
From the Traffic Impact Analysis Scoping Agreement prepared for the Project by TJW Engineering
– Dated June 14, 2024

[Insert Exhibit F from the Planning Commission Staff Report]

Exhibit “C”

Rialto General Plan Truck Route



2022 Truck Route Study
City of Rialto