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RESOLUTION NO. 2026-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIALTO, CALIFORNIA, APPROVING VARIANCE NO. 26-0001 TO REDUCE THE MINIMUM REQUIRED BUILDING SETBACK FROM 50 FEET TO 5.75 FEET, AS IT RELATES TO A PROPOSAL TO DEVELOP A 3,593 SQUARE FOOT AUTOMATED CAR WASH BUILDING ON 0.99 ACRES OF LAND (APN: 0127-251-19 AND A PORTION OF APN: 0127-251-12) LOCATED ON THE NORTH SIDE OF BASELINE ROAD APPROXIMATELY 250 FEET EAST OF RIVERSIDE AVENUE WITHIN THE COMMUNITY SHOPPING CENTER (C-1A) ZONE.

WHEREAS, the applicant, Quick Quack Car Wash Holdings, LLC, proposes to demolish an existing approximately 6,000 square foot bank building and develop and operate a new 3,593 square foot automated car wash building with eighteen (18) vacuum spaces ("Project") on 0.99 acres of land (APN: 0127-251-19 & Portions of APN's: 0127-251-12) located in the North Rialto Center on the north side of Baseline Road approximately 250 feet east of Riverside Avenue within the Community Shopping Center (C-1A) zone ("Site"); and

WHEREAS, Pursuant to Section 18.66.030Z of the Rialto Municipal Code, the Project requires a Conditional Development Permit, and the applicant has agreed to apply for Conditional Development Permit No. 26-0001 ("CDP No. 26-0001"); and

WHEREAS, in conjunction herewith, the applicant submitted Precise Plan of Design No. 26-0001 ("PPD No. 26-0001") to allow the development of a new 3,593 square foot automated car wash building with associated landscaping, paving, and lighting improvements on the Site; and

WHEREAS, Section 18.30.030C(1) of the Rialto Municipal Code requires a minimum building setback of 50 feet from any public street right-of-way line; and

WHEREAS, the Project proposes a 5.75-foot building setback from the ultimate public right-of-way along Baseline Road; and

1 WHEREAS, the proposed building setback along Baseline Road does not comply with
2 Section 18.30.030C(1) of the Rialto Municipal Code, thus requiring a reduction in the minimum
3 building setback in order to facilitate the Project; and

4 WHEREAS, pursuant to Section 18.64.030 of the Rialto Municipal Code, the Project
5 requires the approval of a Variance, and the applicant has applied for Variance No. 26-0001 (“VAR
6 No. 26-0001”) to reduce the minimum building setback required along Baseline Road from 50 feet
7 to 5.75 feet; and

8 WHEREAS, on August 5, 2026, the Planning Commission of the City of Rialto conducted
9 a duly noticed public hearing, as required by law, on VAR No. 26-0001, CDP No. 26-0001, and
10 PPD No. 26-0001, took testimony, at which time it received input from staff, the city attorney, and
11 the applicant; heard public testimony; discussed the VAR No. 26-0001, CDP No. 26-0001, and
12 PPD No. 26-0001; and closed the public hearing; and

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

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

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

18 SECTION 2. Based on the foregoing and substantial evidence presented to the Planning
19 Commission during the public hearing conducted with regard to VAR No. 26-0001, including written
20 staff reports, verbal testimony, site plan, other documents, and the conditions of approval stated
21 herein, the Planning Commission hereby determines that VAR No. 26-0001 satisfies the
22 requirements of the Section 18.64.020 of the Rialto Municipal Code pertaining to the findings which
23 must be made precedent to granting a variance. The findings are as follows:

- 24 1. There are exceptional circumstances or conditions applicable to the property involved,
25 or to the intended use of the property, that do not apply generally to the property or
26 class of use in the same vicinity or district.

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

28 The project site is within an existing shopping center that was constructed several decades
ago. The shopping center contains physical improvements, such as paving for drive-aisles

1 and parking rows, that are used by all properties and businesses within the existing
2 shopping center. Strict enforcement of the building setback would require major
3 modification to the shopping center layout, which would impact the businesses and
4 properties within the shopping center and possibly impose a parking deficiency on those
5 businesses and properties.

6 Additionally, the existing bank building on the project site that is proposed to be
7 demolished is setback closer to the ultimate right-of-way along Baseline Road than the
8 proposed car wash building.

- 9 2. This variance is necessary for the preservation and enjoyment of a substantial property
10 right of the applicant as possessed by other property owners in the same vicinity and
11 district.

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

13 Each development at the four (4) corners of the nearby intersection of Baseline Road and
14 Riverside Avenue were granted variances to encroach within the fifty (50) foot setback. Most
15 recently in July 2013, the Planning Commission approved Variance No. 700 allowing a five
16 (5) foot building setback for the Tacos Gavilan directly across Baseline Road. The project
17 site and the developments at the four (4) corners of the nearby intersection of Baseline Road
18 and Riverside Avenue are within the same C-1A zoning district.

19 Additionally, the existing bank building on the project site is setback approximately three (3)
20 feet from the ultimate right-of-way along Baseline Road and the applicant proposes a larger
21 setback of 5.75 feet from the ultimate right-of-way along Baseline Road.

- 22 3. The granting of this variance will not be materially detrimental to the public welfare
23 or injurious to the property or improvements in such vicinity and district in which the
24 property is located.

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

26 Granting this variance would facilitate the development of a car wash where nearby residents
27 and visitors can clean their vehicles in a convenient and easily accessible location. Armen
28 Hovanessian Transportation Consulting, Inc. prepared a Traffic Impact Study for the project
that concluded that the proposed car wash building location will not create any hazardous line-
of-sight conditions for vehicles exiting the North Rialto Center shopping center onto Baseline
Road.

4. The proposed use and development are consistent with the General Plan and
objectives of the zoning ordinance.

This finding is supported by the following facts:

1 Granting the variance will facilitate the demolition of the existing vacant bank building and
2 permit the development of a new car wash facility. This is in keeping with General Plan Land
3 Use Element Goal 2-22, which requires the City to “Promote commercial and/or industrial
4 development planned that is well designed, people-oriented, environmentally sustainable,
5 sensitive to the needs of the visitor or resident, and functionally efficient for its purpose” and
6 General Plan Economic Development Element Goal 3-1, which requires the City to
7 “Strengthen and diversify the economic base and employment opportunities and maintain a
8 positive business climate”. Other than the variance for the setback, the carwash conforms to
9 all other aspects of Chapter 18.30 (C-1A Community Shopping Center Zone) of the Rialto
10 Municipal Code.

11 SECTION 3. Based on the foregoing and substantial evidence presented to the Planning
12 Commission during the public hearing conducted with regard to VAR No. 26-0001, CDP No. 26-
13 0001, and PPD No. 26-0001, including written staff reports, verbal testimony, site plans, other
14 documents, and the conditions of approval stated herein, the Project is categorically exempt from the
15 requirements of the California Environmental Quality Act (CEQA), pursuant to Section 15303, New
16 Construction or Conversion of Small Structures. The project involves the construction of a 3,593
17 square foot automated car wash structure and accessory structures, thereby qualifying the project for
18 aforementioned exemption. The Planning Commission directs the Planning Division to file the
19 necessary documentation with the Clerk of the Board of Supervisors for San Bernardino County.

20 SECTION 4. Based on the foregoing and substantial evidence presented to the Planning
21 Commission during the public hearing conducted with regard to VAR26-0001, CDP No. 26-0001,
22 and PPD No. 26-0001, including written staff reports, verbal testimony, site plans, other documents,
23 and the conditions of approval stated herein, approval of VAR No. 26-0001 is granted to Quick Quack
24 Car Wash Holdings, LLC in accordance with the plans and application on file with the Planning
25 Division, subject to the following conditions:

- 26 1. Variance No. 26-0001 is approved to reduce the minimum building setback required along
27 Baseline Road from 50 feet to 5.75 feet, as shown on the plans attached as Exhibit A, and
28 as approved by the Planning Commission.
2. City inspectors shall have access to the site to reasonably inspect the site during normal
working hours to assure compliance with these conditions and other codes.

3. The applicant shall indemnify, protect, defend, and hold harmless, the City of Rialto, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof (collectively, the “City Parties”), from any and all claims, demands, law suits, writs of mandamus, and other actions and proceedings (whether 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 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 VAR No. 26-0001.
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. Approval of VAR No. 26-0001 will not be valid until such time that the Planning Commission of the City of Rialto has approved CDP No. 26-0001 and PPD No. 26-0001, which were prepared in conjunction with the Project.
6. The applicant shall comply with all conditions of approval contained in, CDP No. 26-0001 and PPD No. 26-0001, to the extent they are not in conflict with any condition of approval herein.

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 5th day of August, 2026.

MICHAEL STORY, CHAIR
CITY OF RIALTO PLANNING COMMISSION

1 STATE OF CALIFORNIA)
2 COUNTY OF SAN BERNARDINO) ss
3 CITY OF RIALTO)
4

5 I, Heidy Gonzalez, Administrative Assistant of the City of Rialto, do hereby certify that the
6 foregoing Resolution No. 26- ____ was duly passed and adopted at a regular meeting of the
7 Planning Commission of the City of Rialto held on the 5th day of August, 2026.

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 5th day of August, 2026.

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19 _____
20 HEIDY GONZALEZ, ADMINISTRATIVE ASSISTANT
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Exhibit A

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