

RESOLUTION NO. 2025-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIALTO, CALIFORNIA RECOMMENDING THAT THE CITY COUNCIL APPROVE TENTATIVE PARCEL MAP NO. 2023-0006 TO PROVIDE PUBLIC RIGHT-OF-WAY DEDICATIONS AND TO RESOLVE UNDERLYING PAST RECORDINGS AND INSTRUMENTS RELATED TO ONE (1) 38.89 GROSS ACRE PARCEL OF LAND (APN: 0239-192-23) LOCATED AT THE SOUTHWEST CORNER OF LOCUST AVENUE AND LOWELL STREET WITHIN THE GENERAL MANUFACTURING (I-GM) LAND USE DISTRICT OF THE RIALTO AIRPORT SPECIFIC PLAN.

WHEREAS, the applicant, IV5 Locust Gateway LLC, proposes to provide public right-of-way dedications and to resolve underlying past recordings and instruments ("Project") related to one (1) 38.89 gross acre parcel of land (APN: 0239-192-23) located at the southwest corner of Locust Avenue and Lowell Street within the General Manufacturing (I-GM) land use district of the Rialto Airport Specific Plan ("Site"); and

WHEREAS, the Project within the I-GM land use district requires the approval of a tentative parcel map, and the Applicant has agreed to apply for a Tentative Parcel Map No. 2023-0006, also referred to as Tentative Parcel Map No. 20809 ("TPM No. 20809"), in accordance with Government Code Sections 66473.5 and 66474; and

WHEREAS, in conjunction with the Project, the applicant has applied for Conditional Development Permit No. 2023-0032 ("CDP No. 2023-0032") to facilitate the development and operation of a 664,859 square foot industrial warehouse building on the Site; and

WHEREAS, in conjunction with the Project, the applicant has applied for Precise Plan of Design No. 2023-0041 ("PPD No. 2023-0041") to facilitate the development of a 664,859 square foot industrial warehouse building with associated paving, landscaping, fencing, lighting, and drainage improvements on the Site; and

WHEREAS, on December 17, 2025, the Planning Commission of the City of Rialto conducted a duly noticed public hearing, as required by law, on TPM No. 20809, CDP No. 2023-0032, and PPD No. 2023-0041, took testimony, at which time it received input from staff, the city

1 attorney, and the applicant; heard public testimony; discussed the proposed TPM No. 20809, CDP
2 No. 2023-0032, and PPD No. 2023-0041; and closed the public hearing; and

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

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

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

8 SECTION 2. Based upon the forgoing and substantial evidence presented to the Planning
9 Commission during the public hearing conducted with regard to TPM No. 20809, including, but not
10 limited to, written staff reports, verbal testimony, presentations by City staff, site plan, and other
11 supporting documents, and the conditions of approval stated herein, the Planning Commission hereby
12 determines that TPM No. 20809 satisfies the requirements of Government Code Sections 66473.5
13 and 66474 and Section 17.16.070 of the Rialto Municipal Code pertaining to the findings which must
14 be made precedent to approving a tentative map. The findings are as follows:

- 15 1. That the proposed Tentative Parcel Map is consistent with the General Plan of the City
16 of Rialto and the General Manufacturing (I-GM) land use district of the Rialto Airport
17 Specific Plan; and

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

19 The Site has a General Plan designation of General Industrial with a Specific Plan Overlay,
20 and a land use designation of General Industrial (I-GM) within the Rialto Airport Specific
21 Plan. The Project will provide the necessary public right-of-way dedication to facilitate the
22 development of a new industrial warehouse building on the Site, which is permitted within
23 the underlying General Plan and Specific Plan land use designations. Furthermore, the right-
24 of-way dedication will reduce the size of the parcel that makes up the Site from 38.89 gross
25 acres to 38.78 net acres. However, per Table 9 (Development Standards – Non-Residential
26 Designations) of the Rialto Airport Specific Plan, the required minimum parcel size within
27 the I-GM land use designation is 0.5 acres. The final parcel will greatly exceed the required
28 minimum size.

2. That the design and improvements of the proposed tentative parcel map are consistent
with the Subdivision Ordinance, the General Plan of the City of Rialto, and the
General Manufacturing (I-GM) land use district of the Rialto Airport Specific Plan.

This finding is supported by the following facts:

1 The Project will comply with all technical standards required by Subdivision Map Act, the
2 General Plan of the City of Rialto, and the I-GM land use designation of the Rialto Airport
3 Specific Plan. The final parcel will exceed the minimum lot dimensions as required by the
4 I-GM land use district of the Rialto Airport Specific Plan.

5 3. That the site is physically suitable for the type of proposed development; and

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

7 The Site is a relatively flat piece of land and development of the land should be easily
8 accommodated. The Applicant will be required to submit a grading plan and
9 geotechnical/soils report to the Public Works Department for review and approval prior to
10 issuance of any building permits.

11 4. That the site is physically suitable for the proposed density of the development; and

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

13 The Project will provide the necessary public right-of-way dedications reducing the size of
14 the parcel that makes up the Site from 38.89 gross acres to 38.78 net acres. Subsequently, the
15 applicant will construct a 664,859 square foot industrial warehouse building on the Site. Table
16 9 (Development Standards – Non-Residential Designations) of the Rialto Airport Specific
17 Plan does not have criteria restricting the maximum allowable Floor Area Ratio (FAR) or Lot
18 Coverage for a development in the I-GM land use district. However, the proposed
19 development does comply with all of the development standards of the I-GM land use district
20 that are contained within the Table 9 (Development Standards – Non-Residential
21 Designations) of the Rialto Airport Specific Plan and Chapter 18.112 (Indoor Storage Uses)
22 of the Rialto Municipal Code, including building setbacks, landscape setbacks, parking, etc.

23 5. That the design of the land division is not likely to cause substantial environmental
24 damage or substantially injure fish, wildlife, or their habitat; and

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

26 The Site is completely undeveloped and covered by natural grasses and shrubs. The
27 Environmental Impact Report (Environmental Assessment Review No. 2023-0051)
28 prepared for the project identified that the Site did not have suitable habitat for any
threatened or endangered species. Nevertheless, the Environmental Impact Report
prepared for the Project includes two (2) mitigation measures requiring pre-construction
surveys to ensure that burrowing owls and other nesting birds are not present on the Site.
Implementation of those two (2) mitigation measures will reduce any potential impacts on
biological resources to a less than significant level.

6. That the design of the land division is not likely to cause serious public health
problems; and

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

2 The Project is consistent with the General Plan and the General Manufacturing (I-GM) land
3 use district of the Rialto Airport Specific Plan. To the north of the project site, across
4 Lowell Street, are several existing industrial developments, and to the east, across Locust
5 Avenue, is approximately 4.75 acres of vacant land. To the south are several existing
6 industrial developments, and to the west is a concrete mix manufacturing facility operated
7 by Robertson's Ready Mix. The project is not expected to negatively impact any uses with
8 the successful implementation of mitigation measures. Measures, such as landscape
9 buffering and the installation of solid screen walls, will be implemented as a part of the
10 Project to prevent any negative impacts to the nearby land uses. Furthermore, construction
11 impacts on the site will be limited through the strict enforcement of the allowable
12 construction hours listed in Section 9.50.070 of the Rialto Municipal Code, as well as
13 enforcement of regular watering of the site to limit airborne dust and other particulate
14 matter. As a result, the Project is not likely to cause any public health problems.

- 15 7. That the design of the land division or proposed improvements will not conflict with
16 easements, acquired by the public at large, for access through or use of, property
17 within the proposed land division.

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

19 Seven (7) easements currently exist on the Site – one (1) for sewer and drainage purposes,
20 three (3) for public utility purposes, and three (3) for ingress, egress, and roadway purposes.
21 Upon completion of the Final Map and street dedication, all seven (7) easements will be
22 vacated. The easements are not needed to facilitate the development and operation of one (1)
23 664,859 square foot industrial warehouse development and the associated on-site and off-site
24 improvements on the Site.

- 25 8. That the discharge of waste from the proposed subdivision into an existing community
26 sewer system would not result in violation of existing requirements prescribed by a
27 California regional water quality control board pursuant to Division 7 (commencing
28 with 13000) of the Water Code.

29 The industrial warehouse building proposed by the Applicant will be required to connect to
30 the City sewer system via the Conditions of Approval for PPD No. 2023-0041. Rialto Water
31 Services has reviewed the Project and determined a sewer main on Lowell Street that leads to
32 a sewer main on Locust Avenue is available for connection. Additionally, the City of Rialto
33 Public Works Department will review and approve sewer improvement plans for the industrial
34 warehouse building prior to issuance of a building permit.

35 SECTION 3. An Environmental Impact Report (Environmental Assessment Review No.
36 2023-0051) has been prepared for the proposed Project in accordance with the California
37 Environmental Quality Act (CEQA) and it has been determined that the Project will create

1 unavoidable significant impacts to greenhouse gas emissions. On December 17, 2025, by Resolution
2 No. _____, the Planning Commission recommended that the City Council certify the above-
3 reference Environmental Impact Report, make certain findings, and adopt a Statement of Overriding
4 Considerations and a Mitigation Monitoring and Reporting Plan, which Resolution No. _____
5 together with the above-referenced Environmental Impact Report are incorporated herein by
6 reference. The Planning Commission further finds that TPM No. 20809 is within the scope of the
7 above-referenced Environmental Impact Report. Accordingly, the Planning Commission has
8 forwarded, or is forwarding, a recommendation to the City Council to adopt the above-referenced
9 Environmental Impact Report prepared for the Project.

10 SECTION 4. Based upon the forgoing and substantial evidence presented to the Planning
11 Commission during the public hearing conducted with regard to TPM No. 20809, including, but not
12 limited to, written staff reports, verbal testimony, presentations by City staff, site plan, and other
13 supporting documents, and the conditions of approval stated herein, the Planning Commission hereby
14 recommends that the City Council approve TPM No. 20809, subject to the following conditions:

- 15 1. TPM No. 20809 is approved allowing the dedication of public right-of-way and the
16 resolution of underlying past recordings and instruments on the legal description related
17 to one (1) 38.89 gross acre (38.78 net acre) parcel of land (APN: 0239-192-23) located
18 at the southwest corner of Locust Avenue and Lowell Street within the General
19 Manufacturing (I-GM) land use district of the Rialto Airport Specific Plan – for the
20 purpose of developing one (1) 664,859 square foot industrial warehouse building, as
21 shown on the tentative parcel map attached as Exhibit A, and as approved by the City
22 Council.
- 23 2. City inspectors shall have access to the Site to reasonably inspect the Site during normal
24 working hours to assure compliance with these conditions and other codes.
- 25 3. The applicant shall indemnify, protect, defend, and hold harmless, the City of Rialto,
26 and/or any of its officials, officers, employees, agents, departments, agencies, and
27 instrumentalities thereof (collectively, the “City Parties”), from any and all claims,
28 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

1 officials, officers, employees, agents, departments, agencies, and instrumentalities
2 thereof (including actions approved by the voters of the City), for or concerning the
3 Project (collectively, the "Entitlements"), whether such Actions are brought under the
4 California Environmental Quality Act, the Planning and Zoning Law, the Subdivision
5 Map Act, Code of Civil Procedure Chapter 1085 or 1094.5, the California Public
6 Records Act, or any other state, federal, or local statute, law, ordinance, rule, regulation,
7 or any decision of a court of competent jurisdiction. This condition to indemnify,
8 protect, defend, and hold the City harmless shall include, but not be limited to (i)
9 damages, fees and/or costs awarded against the City, if any, and (ii) cost of suit,
10 attorneys' fees and other costs, liabilities and expenses incurred in connection with
11 such proceeding whether incurred by applicant, Property owner, or the City and/or
12 other parties initiating or bringing such proceeding (collectively, subparts (i) and (ii)
13 are the "Damages"). Notwithstanding anything to the contrary contained herein, the
14 Applicant shall not be liable to the City Parties under this indemnity to the extent the
15 Damages incurred by any of the City Parties in such Action(s) are a result of the City
16 Parties' fraud, intentional misconduct or gross negligence in connection with issuing
17 the Entitlements. The applicant shall execute an agreement to indemnify, protect,
18 defend, and hold the City harmless as stated herein within five (5) days of approval of
19 TPM No. 20809.

- 20 4. In accordance with the provisions of Government Code Section 66020(d)(1), the
21 imposition of fees, dedications, reservations, or exactions for this Project, if any, are
22 subject to protest by the applicant at the time of approval or conditional approval of the
23 Project or within 90 days after the date of the imposition of the fees, dedications,
24 reservations, or exactions imposed on the Project.
- 25 5. The applicant shall complete and abide by all pre-construction mitigation measures
26 contained within the Mitigation Monitoring and Reporting Program associated with the
27 Environmental Impact Report (Environmental Assessment Review No. 2023-0051)
28 adopted for the Project, prior to the issuance of a grading permit.
6. The applicant shall complete and abide by all during-construction mitigation measures
contained within the Mitigation Monitoring and Reporting Program associated with the
Environmental Impact Report (Environmental Assessment Review No. 2023-0051)
adopted for the Project, prior to the issuance of a Certificate of Occupancy.
7. The applicant shall secure the services of a tribal cultural monitor to be present during
all ground disturbance activities associated with the construction of this project. The
tribal cultural monitor shall be approved by the Gabrieleño Band of Mission Indians-
Kizh Nation, and documentation of coordination between the applicant and the
Gabrieleño Band of Mission Indians-Kizh Nation on this matter shall be provided to
the Planning Division prior to the issuance of a grading permit.
8. The applicant shall submit a final parcel map (Parcel Map No. 20809), prepared by a
California registered Land Surveyor or qualified Civil Engineer, to the Public Works
Engineering Division for review and approval. A Title Report prepared for subdivision

1 guarantee for the subject property, the traverse closures for the existing parcel and all
2 lots created therefrom, and copies of record documents shall be submitted with the
3 Parcel Map to the Engineering Division as part of the review of the Map. The Parcel
4 Map shall be approved by the City Council prior to issuance of building permits, except
5 as allowed by the Subdivision Map Act. Prior to approval of the Parcel/Tract Map by
6 the City Council, provide a Preliminary Subdivision Report from a title company and
7 if applicable, provide evidence that Section 66436 of the Subdivision Map Act
8 regarding interfering with the rights of easement holders has been addressed.
9 Dedications to the public required by these conditions of approval shall be made via
10 separate instrument or Parcel Map, whichever occurs first.

11 9. In accordance with Government Code 66462, all required public improvements shall be
12 completed prior to the approval of Parcel Map No. 20809. Alternatively, the applicant
13 may enter into a Subdivision Improvement Agreement to secure the cost of all required
14 public improvements at the time of requesting the City Engineer's approval of Parcel Map
15 No. 20809. The applicant will be required to secure the Subdivision Improvement
16 Agreement pursuant to Government Code 66499 in amounts determined by the City
17 Engineer.

18 10. The applicant shall comply with all other applicable State and local ordinances.

19 11. Pursuant to Section 17.16.050A of the Rialto Municipal Code, approval of TPM No.
20 20809 is granted for a period of twenty-four (24) months from the effective date of this
21 resolution. Pursuant to Section 17.16.050C of the Rialto Municipal Code, an extension
22 of time for TPM No. 20809 may be granted by the Planning Commission for a period
23 or periods not to exceed a total of thirty-six (36) months. The period or periods of
24 extension shall be in addition to the original twenty-four (24) months. An application
25 shall be filed with the Planning Division for each extension together with the required
26 fee prior to the expiration date of TPM No. 20809.

27 SECTION 5. The Chair of the Planning Commission shall sign the passage and adoption of
28 this resolution and thereupon the same shall take effect and be in force.

PASSED, APPROVED AND ADOPTED this 17th day of December, 2025.

MICHAEL E. 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. ____ 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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19 _____
20 HEIDY GONZALEZ, ADMINISTRATIVE ASSISTANT
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