

1 **RESOLUTION NO. 25-XX**

2 A RESOLUTION OF THE PLANNING COMMISSION OF THE
3 CITY OF RIALTO, CALIFORNIA APPROVING CONDITIONAL
4 DEVELOPMENT PERMIT NO. 25-0001 TO ALLOW THE
5 OPERATION OF A MASSAGE PARLOR WITHIN AN
6 EXISTING 900 SQUARE-FOOT COMMERCIAL TENANT
7 SPACE LOCATED AT 2012 NORTH RIVERSIDE AVENUE,
8 SUITE F (APN: 0264-371-01-P-007), WITHIN IN THE
9 NEIGHBORHOOD COMMERCIAL (C-1) ZONE.

10 WHEREAS, the applicant, Tile Pan of Kung Fu Panda LLC (DBA King Spa), proposes to
11 operate a massage parlor (“Project”) within an existing 900 square-foot tenant space located at
12 2012 N. Riverside Avenue, Suite F (APN: 0264-371-01-P-007), in the existing shopping center
13 known as Rancho Verde Plaza at the northwest corner of Riverside Avenue and State Route 210
14 within the Neighborhood Commercial (C-1) zone (“Site”); and

15 WHEREAS, pursuant to Section 18.66.030(U) of the Rialto Municipal Code (RMC), the
16 establishment of a massage parlor, such as this project, within the C-1 zone requires a
17 Conditional Development Permit (CDP), and the applicant has applied for a conditional
18 development permit (“CDP No. 25-0001”); and

19 WHEREAS, on November 5, 2025, the Planning Commission of the City of Rialto
20 conducted a duly noticed public hearing, as required by law, on CDP No. 25-0001, took
21 testimony, at which time it received input from staff, the city attorney, and the applicant; heard
22 public testimony; discussed the proposed CDP No. 25-0001; and closed the public hearing; and

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

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

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

28 SECTION 2. Based on substantial evidence presented to the Planning Commission during
the public hearing conducted with regard to CDP No. 25-0001, including written staff reports,
verbal testimony, site plans, other documents, and the conditions of approval stated herein, the

1 Planning Commission hereby determines that CDP No. 25-0001 satisfies the requirements of
2 Section 18.66.020 of the Rialto Municipal Code pertaining to the findings which must be made
3 precedent to granting a conditional development permit. The findings are as follows:

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

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

8 The Project, as conditioned, will provide a benefit to the community and neighborhood
9 by providing residents and visitors with a safe and carefully monitored option for local
10 massage services.

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

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

14 The proposed massage parlor is consistent with the C-1 zone and the surrounding land
15 uses. The subject property and properties to the east accommodate various retail uses
16 intended to serve the immediate residential uses. Massage parlors are generally
17 compatible with other retail uses and services typically found in commercial centers,
18 including the types of businesses that are likely to exist within the center. To ensure the
19 health, safety, and general welfare of persons residing or working in the vicinity, the
20 proposed use has been conditioned to include security cameras, provide background
21 checks for employees,

22 The Project, as conditioned, will result in massage services that are properly monitored and

- 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;

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

27 The properties to the north of the project site are zoned Single-Family Residential (R-
28 1A); the property to the south is State Route 210; the properties to the west are within
unincorporated San Bernardino County; the properties to the east are zoned
Neighborhood Commercial (C-1). The site is an existing 900 square-foot vacant tenant
space within the Rancho Verde Plaza. The shopping center is approximately 9.31 acres
and is located in the northwest corner of Riverside Avenue and State Route 210. There is
shared a parking lot with approximately 446 parking spaces and with immediate
neighboring uses that include a restaurant and an insurance office. The subject site was
previously a medical spa, offering treatments such as microneedling and body sculpting.

1 The primary purpose of the C-1 zone is to allow for shopping centers designed to meet
2 neighborhood shopping needs. Other similar services, such as a barber shop and a beauty
3 parlor are permitted by-right within the zone. Under RMC, Section 18.28.020(E), other
4 uses are permitted which are subject to a Conditional Development Permit (CDP) per the
5 RMC, Chapter 18.66—a massage parlor is listed as a permitted use with a CDP, as such,
6 the site for the proposed use is adequate and the proposed use is compatible with existing
7 land uses.

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

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

11 The Project will have adequate access to all utilities and services required through main
12 water, electric, sewer, and other utility lines that will be hooked up to the Site. The Rancho
13 Verde Plaza was developed with all necessary utilizes and services in 1989.

- 14 5. The proposed use will be arranged, designed, constructed, and maintained so as it
15 will not be injurious to property or improvements in the vicinity or otherwise be
16 inharmonious with the General Plan and its objectives, zoning ordinances or any
17 applicable specific plan and its objectives; and,

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

19 The proposed massage parlor will be located within an existing vacant tenant space that will
20 be maintained in a manner that is consistent with the C-1 zone. The operation of a massage
21 parlor is consistent with the C-1 zone, as other similar services have been permitted in the
22 past. The most recent tenant of the subject property included a medical spa offering services
23 such as microneedling and body sculpting. If all Conditions of Approval contained within
24 CDP No. 25-0001 are satisfied, the Project should not negatively impact any of the
25 neighboring land uses.

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

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

This finding is supported by the following facts:

The Conditions of Approval contained herein will minimize the Project's impacts. The
granting of CDP No. 25-0001, allowing the operation of a massage parlor, will
potentially maintain a long-term tenant and prevent vacancy within the commercial
center. Furthermore, the use will provide residents and visitors an option for services,

1 such as facials and massages. CDP No. 25-0001 has been conditioned to include security
2 measures and monitoring. Therefore, any potential adverse effects are outweighed by the
benefits conferred upon the community and neighborhood.

3 SECTION 3. The project is Exempt in accordance with the categorical exemption
4 requirements of the California Environmental Quality Act (CEQA) Section 15301 Existing
5 Facilities. The project consists of the operation, repair, maintenance, permitting, leasing, licensing,
6 or minor alterations of existing public or private structures, facilities, mechanical equipment, or
7 topological features, involving negligible or no expansion of existing or former use. No further
8 environmental review is required for Conditional Development Permit No. 25-0001.
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10 SECTION 4. King Spa is hereby granted CDP No. 25-0001 to allow the operation of an
11 massage parlor within an existing 900 square-foot vacant tenant space located at 2012 N. Riverside
12 Avenue, Suite F (APN: 0264-371-01-P-007) in the existing shopping center at the northwest
13 corner of Riverside Avenue and State Route 210 within the Neighborhood Commercial (C-1)
14 zone. Further, CDP No. 25-0001 is granted to King Spa, in accordance with the plans and
15 application on file with the Planning Division and subject to the following conditions:

- 16 1. The approval is granted to allow the operation of a massage parlor within an existing
17 900 square-foot vacant tenant space in the commercial center known as Rancho Verde
18 Plaza and located at 2012 N. Riverside Avenue, Suite F. If the Conditions of Approval
19 specified herein are not satisfied or otherwise completed, the Project shall be subject to
revocation.
- 20 2. The Rialto Police Department and City inspectors/employees shall have access to the
21 site to assure compliance with these conditions and other codes.
- 22 3. The hours of operation shall be limited to hours between 10:00 a.m. and 9:00 p.m.,
23 daily.
- 24 4. All Massage Technician employees shall obtain a City of Rialto business license in
25 accordance with the Rialto Municipal Code, Chapter 5.24—Massage Parlors and
26 Massage Technicians.
- 27 5. All employees shall be subject to a background check in accordance with the Rialto
28 Municipal Code, Chapter 5.24—Massage Parlors and Massage Technicians.

- 1 6. A copy of the conditions of this grant shall be retained on the premises at all times and
2 produced upon request by the Police Department or any City inspector/employee.
- 3 7. No employee shall engage in any illegal activity.
- 4
- 5 8. Prior to the utilization of this grant, the applicant shall prepare a security plan which
6 shall be submitted to the Rialto Police Department for review and approval. A copy of
7 the security plan shall be approved by the Police Department and shall be included in the
8 approved plans.
- 9 9. Prior to the utilization of this grant, a camera surveillance system shall be installed to
10 monitor the interior hallways, entrance, exits and exterior areas, in front and around the
11 premises. All exterior cameras shall be accessible and connected to the Rialto Police
12 Department enforcement system through the FUSUS CORE. Recorded tapes/images
13 shall be maintained and retained for a minimum period of 30 days. The tapes/images
14 shall be furnished to the Rialto Police Department upon request.
- 15 10. Only the front entrance shall be used for patron access. All other doors shall be equipped
16 on the inside with an automatic locking device and shall be kept closed at all times other
17 than to permit temporary access for delivery of supplies and trash removal.
- 18 11. All exterior portions of the site shall be adequately illuminated in the evening so as to
19 make discernable the faces and clothing of persons utilizing the space. Lighting shall be
20 directed onto the site and no floodlighting shall be located as to be seen directly by
21 persons on adjacent properties.
- 22 12. Loitering is prohibited on or around the premises or area under the control of the
23 applicant. The applicant shall be responsible for ensuring persons are dissuaded from
24 loitering on or immediately around the subject premises.
- 25 13. The exterior windows and glass doors shall be maintained free of signs and other
26 materials in order to permit surveillance into the store by Police and private security.
- 27 14. The applicant shall defend, indemnify, and hold harmless the City of Rialto, its
28 agents, officers, or employees from any claims, damages, action, or proceeding
against the City or its agents, officers, or employees to attack, set aside, void, or annul
any approval of the City, its advisory agencies, appeal boards, or legislative body
concerning CDP No. 25-0001. The City will promptly notify the applicant of any
such claim, action, or proceeding against the City, and the parties will cooperate fully
in the defense.

- 1 15. Outdoor displays or storage of any kind is prohibited.
- 2
- 3 16. All items for sale shall be displayed in a case, on a shelf, or on a rack in an orderly
- 4 fashion.
- 5 17. The applicant shall obtain a building permit for any signage prior to the issuance of a
- 6 Certificate of Occupancy (C of O).
- 7 18. All signage shall comply with Section 18.102 (Regulation of Signs) of the Rialto
- 8 Municipal Code.
- 9 19. The applicant shall obtain a building permit for proposed tenant improvements.
- 10 20. A City business license shall be required prior to issuance of a Certificate of Occupancy
- 11 or final permits. The applicant shall be in compliance with Chapter 5.24—Massage
- 12 Parlors and Massage Technicians—of the Rialto Municipal Code.
- 13 21. Six (6) months after the date of approval, the Planning Commission may review the
- 14 approved massage parlor to determine if the operator has complied with all conditions of
- 15 approval of the Conditional Development Permit. Thereafter, the Planning Commission
- 16 may review the approved massage parlor on an annual basis.
- 17 22. The applicant shall obtain all necessary approvals and operating permits from all
- 18 Federal, State, and local agencies prior to the issuance of a Certificate of Occupancy.
- 19 23. The privileges granted by the Planning Commission pursuant to approval of this
- 20 Conditional Development Permit are valid for one (1) year from the effective date of
- 21 approval. If the applicant fails to commence the project within one year of said
- 22 effective date, this Conditional Development Permit shall be null and void, and any
- 23 privileges granted hereunder shall terminate automatically. If the applicant or his or
- 24 her successor in interest commences the project within one year of the effective date
- 25 of approval, the privileges granted hereunder will continue inured to the property as
- 26 long as the property is used for the purpose for which the Conditional Development
- 27 Permit was granted, and such use remains compatible with adjacent property uses.
- 28 24. The use granted under Conditional Development Permit No. 25-0001 is not transferable
- to a new operator. Any new operator shall apply for a Conditional Development Permit
- with the Planning Division.
25. If the applicant fails to comply with any of the Conditions of Approval placed upon
- Conditional Development Permit No. 25-0001, 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

1 Municipal Code. Conditional Development Permit No. 25-0001 shall be revoked,
2 suspended, or modified in accordance with Section 18.66.070 of the Zoning
Ordinance at the discretion of the Planning Commission if:

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

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

13 PASSED, APPROVED AND ADOPTED this 5th day of November 2025.

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17 MICHAEL STORY, CHAIR
18 CITY OF RIALTO PLANNING COMMISSION
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1 STATE OF CALIFORNIA)
2 COUNTY OF SAN BERNARDINO) ss
3 CITY OF RIALTO)
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5 I, Heidy Gonzalez, Administrative Assistant of the City of Rialto, do hereby certify
6 that the foregoing Resolution No. _____ was duly passed and adopted at a regular
7 meeting of the Planning Commission of the City of Rialto held on the 5th day of
8 November 2025.

9 Upon motion of Planning Commissioner _____, seconded by
10 Planning Commissioner _____, the foregoing Resolution No.
11 _____ was duly passed and adopted.

12 Vote on the motion:

13 AYES:

14 NOES:

15 ABSENT:

16 IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of
17 the City of Rialto this 5th day of November 2025.
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22 _____
23 HEIDY GONZALEZ, ADMINISTRATIVE ASSISTANT
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