

1 **RESOLUTION NO. 2026-XX**

2 A RESOLUTION OF THE PLANNING COMMISSION OF THE
3 CITY OF RIALTO, CALIFORNIA APPROVING CONDITIONAL
4 DEVELOPMENT PERMIT NO. 2023-0024 ALLOWING THE
5 DEVELOPMENT AND OPERATION OF A 23,112 SQUARE-
6 FOOT INDUSTRIAL WAREHOUSE BUILDING ON
7 APPROXIMATELY 1.41 ACRES OF LAND (APN: 0254-091-13)
8 LOCATED AT THE SOUTHWEST CORNER OF VALLEY
9 BOULEVARD AND LILAC AVENUE WITHIN THE
10 INDUSTRIAL PARK (I-P) LAND USE DISTRICT OF THE
11 GATEWAY SPECIFIC PLAN.

12 WHEREAS, the applicant, Magellan Value Partners, proposes to develop and operate a
13 23,112 square foot industrial warehouse building (“Project”) on 1.41 acres of land (APNs: 0254-
14 091-13) located at the southwest corner of Valley Boulevard and Lilac Avenue within the
15 Industrial Park (I-P) land use district of the Gateway Specific Plan (“Site”); and

16 WHEREAS, the Project will consist of a concrete tilt-up building including 2,250 square
17 feet of office space, 20,862 square feet of warehouse space, two (2) dock doors, one (1) grade level
18 roll-up door, with a truck court area located in the southwest corner of the site, twenty-three (23)
19 passenger vehicle parking spaces, an abundant amount of landscaping, and full pedestrian and
20 vehicle access; and

21 WHEREAS, Pursuant to Section 18.112.040A of the Rialto Municipal Code, the Project
22 requires a Conditional Development Permit, and the applicant has agreed to apply for Conditional
23 Development Permit No. 2023-0024 (“CDP No. 2023-0024”); and

24 WHEREAS, in conjunction with the Project, the applicant has applied for Precise Plan of
25 Design No. 2023-0032 (“PPD No. 2023-0032”) to facilitate the development of a 23,112 square
26 foot industrial warehouse building with associated paving, landscaping, fencing, lighting, and
27 drainage improvements on the Site; and

28 WHEREAS, on May 6, 2026, the Planning Commission of the City of Rialto conducted a
duly noticed public hearing, as required by law, on CDP 2023-0024 and PPD No. 2023-0032, took
testimony, at which time it received input from staff, the city attorney, and the applicant; heard
public testimony; discussed the proposed CDP 2023-0024 and PPD No. 2023-0032; and closed
the public hearing; and

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

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

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

6 SECTION 2. Based on substantial evidence presented to the Planning Commission during
7 the public hearing conducted with regard to CDP No. 2023-0024, including written staff reports,
8 verbal testimony, site plans, other documents, and the conditions of approval stated herein, the
9 Planning Commission hereby determines that CDP No. 2023-0024 satisfies the requirements of
10 Section 18.66.020 of the Rialto Municipal Code pertaining to the findings which must be made
11 precedent to granting a conditional development permit, which findings are as follows:

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

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

16 The Site is relatively flat and covered entirely by natural grasses and shrubs and has a
17 chain-link fence along the property boundary. The Project will develop the highest and
18 best use for the Site, in accordance with the Industrial Park (I-P) zoning district and will
19 provide the installation of missing street improvements such as curb, gutter, and sidewalks.
Additionally, the Project will provide employment opportunities within the City and reduce
blight by implementing a use on vacant, unimproved land.

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

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

23 The development of an industrial warehouse building on the Site is consistent with the
24 Industrial Park (I-P) zoning designation, which conditionally permits the development and
25 operation of industrial warehouse buildings. To the west of the project site is a vacant
26 parcel of land. To the south of the project site is an existing 1,800 square foot upholstery
27 shop occupied by R&E Upholstery. To the east of the project site, across Lilac Avenue, is
28 an existing restaurant and hotel development. To the north of the project site, across Valley
Boulevard, is a Colton Joint-Unified School site (Joe Baca Middle School). The zoning
designation of the Site and the properties to the east and west is I-P. The project is not
expected to negatively impact any surrounding uses with the successful implementation of

1 measures such as landscape buffering, aesthetic building enhancements, and other traffic
2 related measures.

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

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

7 The Site contains 1.41 acres, is fairly level and adjacent to two (2) public streets, which will
8 be able to accommodate the proposed use. The Project will have one (1) point of access via
9 Valley Boulevard to provide access for passenger vehicles only. The Project will have one
10 (1) point of access via Lilac Avenue. The driveway on Lilac Avenue will provide full access
11 for trucks. In addition, the building will have twenty-three (23) parking spaces, which meets
12 the minimum amount required by Chapter 18.58 (Off-Street Parking) of the Rialto Municipal
13 Code.

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

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

17 The Site will have adequate access to all utilities and services required through main water,
18 electric, sewer, and other utility lines that will be hooked up to the Site.

- 19 5. The proposed use will be arranged, designed, constructed, and maintained so as it will
20 not be injurious to property or improvements in the vicinity or otherwise be
21 inharmonious with the General Plan and its objectives, the I-P zone, or any zoning
22 ordinances, and

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

24 As previously stated, the use is consistent with the Industrial Park (I-P) zoning designation.
25 The building will be oriented such that none of the dock doors will front or face the public
26 right-of-way, the building will have twenty-three (23) parking spaces, and the building will
27 have a floor area ratio (FAR) of 37.6 percent, all of which comply with the General Plan,
28 the I-P zoning district, Chapter 18.112 (Indoor Storage Facilities) of the Rialto Municipal
Code, and the City's Design Guidelines. Thirty-four (34) foot deep landscape setbacks are
provided along both Valley Boulevard and Lilac Avenue street frontages. Landscaping
will be abundantly incorporated into the Site, as the landscape coverage for the project is
23 percent, which exceeds the minimum required amount of 10.0 percent.

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 as a whole.

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

2 The Project's effects will be minimized through the implementation of the Conditions of
3 Approval contained herein, and through the implementation of Conditions of Approval
4 imposed by the Planning Commission on the Precise Plan of Design, such as extensive
5 landscaping, solid screen walls, decorative paving, and enhanced architectural features.
6 The development of a high-quality industrial development will provide additional
7 employment opportunities for residents and visitors to the City. The Project will also serve
8 to develop a piece of land, which has remained undeveloped. The Project is consistent
9 with the Industrial Park (I-P) zoning district and the surrounding industrial uses. The
10 project is not expected to negatively impact any surrounding uses with the successful
11 implementation of measures such as landscape buffering, aesthetic building enhancements,
12 and other traffic related measures. Therefore, any potential adverse effects are outweighed
13 by the benefits conferred upon the community and neighborhood as a whole.

14 SECTION 3. Based on the foregoing and substantial evidence presented to the Planning
15 Commission during the public hearing conducted with regard to CDP No. 2023-0024 and PPD No.
16 2023-0032, including written staff reports, verbal testimony, site plans, other documents, and the
17 conditions of approval stated herein, the Project is categorically exempt from the requirements of the
18 California Environmental Quality Act (CEQA), pursuant to Section 15332, In-Fill Development
19 Projects. The Project is consistent with the Rialto General Plan and the I-P zoning designation of the
20 Gateway Specific Plan, the Project occurs on a site less than 5.0 acres in size that is substantially
21 surrounded by development, the Project site has no value as habitat for threatened or endangered
22 species, the project will not result in any significant effects relating to traffic, noise, air quality, or
23 water quality, and the Project site can be adequately served by all required utilities and public services.
24 The Planning Commission directs the Planning Division to file the necessary documentation with the
25 Clerk of the Board of Supervisors for San Bernardino County.

26 SECTION 4. Based on the foregoing and substantial evidence presented to the Planning
27 Commission during the public hearing conducted with regard to CDP No. 2023-0024 and PPD No.
28 2023-0032, including written staff reports, verbal testimony, site plans, other documents, and the
29 conditions of approval stated herein, approval of CDP No. 2023-0024 is granted to Miros Enterprises,
30 LLC, in accordance with the plans and application on file with the Planning Division, subject to the
31 following conditions:

- 1 1. The approval is granted allowing the development and operation of a 23,112 square-foot
2 industrial warehouse building on approximately 1.41 acres of land (APN: 0254-091-13)
3 located at the southwest corner of Valley Boulevard and Lilac Avenue, as shown on the
4 plans attached as Exhibit A and as approved by the Planning Commission. If the
5 Conditions of Approval specified herein are not satisfied or otherwise completed, the
6 project shall be subject to revocation.
- 7 2. City inspectors shall have access to the site to reasonably inspect the site during normal
8 working hours to assure compliance with these conditions and other codes.
- 9 3. The applicant shall indemnify, protect, defend, and hold harmless, the City of Rialto,
10 and/or any of its officials, officers, employees, agents, departments, agencies, and
11 instrumentalities thereof (collectively, the “City Parties”), from any and all claims,
12 demands, law suits, writs of mandamus, and other actions and proceedings (whether
13 legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative
14 dispute resolutions procedures (including, but not limited to arbitrations, mediations,
15 and other such procedures), (collectively “Actions”), brought against the City, and/or
16 any of its officials, officers, employees, agents, departments, agencies, and
17 instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or
18 annul, the any action of, or any permit or approval issued by, the City and/or any of its
19 officials, officers, employees, agents, departments, agencies, and instrumentalities
20 thereof (including actions approved by the voters of the City), for or concerning the
21 Project (collectively, the “Entitlements”), whether such Actions are brought under the
22 California Environmental Quality Act, the Planning and Zoning Law, the Subdivision
23 Map Act, Code of Civil Procedure Chapter 1085 or 1094.5, the California Public
24 Records Act, or any other state, federal, or local statute, law, ordinance, rule, regulation,
25 or any decision of a court of competent jurisdiction. This condition to indemnify,
26 protect, defend, and hold the City harmless shall include, but not be limited to (i)
27 damages, fees and/or costs awarded against the City, if any, and (ii) cost of suit,
28 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. 2023-0024.
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.

- 1 5. The Project shall be limited to a maximum of 65 actual passenger car trips and 26 actual
2 truck trips daily, in accordance with Exhibit 2: Trip Generation of the Traffic Impact
3 Analysis Scoping Agreement prepared for the Project by LSA Associates, Inc. and dated
4 February 27, 2024, which is attached hereto as Exhibit B.
- 5 6. The applicant, landlord, and/or tenant(s) shall require all inbound truck traffic to access
6 the site via Riverside Avenue, westbound on Valley Boulevard to Lilac Avenue, and then
7 southbound on Lilac Avenue to the project driveway connected to Lilac Avenue. Inbound
8 truck traffic shall not use Valley Boulevard west of Lilac Avenue.
- 9 7. The applicant, landlord, operator(s) and/or tenant(s) shall require all outbound truck traffic
10 to proceed northbound on Lilac Avenue to Valley Boulevard, then eastbound on Valley
11 Boulevard to Riverside Avenue. Outbound truck traffic shall not use Valley Boulevard
12 west of Lilac Avenue.
- 13 8. The applicant, landlord, operator(s) and/or tenant(s) shall ensure that all inbound truck
14 traffic that requires temporary queuing or staging do so on-site. Inbound truck traffic shall
15 not queue or stage on any public street at any time. Activities on-site shall not operate in
16 such a manner that would impact traffic lanes, cause back up (queuing or staging) of
17 vehicles into the public-right-of-way, or create any unsafe conditions. Fire and Police
18 access and passage around trucks queuing or staging on-site shall be feasible at all times
19 and activities shall not block parking areas, access or passage for disabled persons or
20 emergency response vehicles.
- 21 9. The applicant, landlord, operator(s) and/or tenant(s) shall not park or store trucks or
22 trailers within any public street or within any on-site drive-aisles or passenger vehicle
23 parking areas at any time.
- 24 10. The landlord and/or tenant(s) shall not store any product, goods, materials, etc. outside of
25 the building at any time without prior approval of a separate Conditional Development
26 Permit in accordance with Chapter 18.104 (Outdoor Storage Uses) of the Rialto Municipal
27 Code.
- 28 11. Approval of CDP No. 2023-0024 will not become effective until the applicant has signed
a statement acknowledging awareness and acceptance of the required conditions of
approval contained herein.
12. 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 Industrial Park (I-P) zoning district and/or the City's General Plan,
the applicant shall address the issues within forty-eight (48) hours of being notified by the
City.

1 13. If the applicant fails to comply with any of the conditions of approval placed upon CDP
2 No. 2023-0024 or PPD No. 2023-0032, the Planning Commission may initiate
3 proceedings to revoke the conditional development permit in accordance with the
4 provisions of Sections 18.66.070 through 18.66.090, inclusive, of the Rialto Municipal
5 Code. Conditional Development Permit No. 2023-0024 may be revoked, suspended or
6 modified in accordance with Section 18.66.070 of the Zoning Ordinance at the
7 discretion of the Planning Commission if:

- 8 a) The use for which such approval was granted has ceased to exist, been
9 subsequently modified, or has been suspended for six (6) months or more;
- 10 b) Any of the express conditions or terms of such permit are violated;
- 11 c) The use for which such approval was granted becomes or is found to be
12 objectionable or incompatible with the character of the City and its environs
13 due to excessive noise, excessive traffic, loitering, criminal activity or other
14 undesirable characteristics including, but not strictly limited to uses which
15 are or have become offensive to neighboring property or the goals and
16 objectives of the Industrial Park (I-P) zoning district and/or the City's
17 General Plan.

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

20 PASSED, APPROVED AND ADOPTED this 6th day of May, 2026.

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22 MICHAEL E. STORY, CHAIR
23 CITY OF RIALTO PLANNING COMMISSION
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STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO) ss
CITY OF RIALTO)

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

Upon motion of Planning Commissioner_____, seconded by Planning Commissioner _____, the foregoing Resolution No. ____ was duly passed and adopted.

Vote on the motion:

AYES:

NOES:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of Rialto this ____th day of ____, 2026.

HEIDY GONZALEZ, ADMINISTRATIVE ASSISTANT

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Exhibit "A"
Project Plans

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Exhibit "B"

Table 2: Project Trip Generation Summary
From the Traffic Impact Analysis Scoping Agreement prepared for the Project by Urban
Crossroads, Inc. – Dated March 11, 2021