

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

WHEREAS, the applicant, Sunrise Church, proposes to construct a 12,000 square foot accessory building for food distribution purposes at an existing church (“Project”) located at 2759 N. Ayala Drive (APN: 1133-361-01) within the Single-Family Residential (R-1A 10,000) zone (“Site”); and

12
13
14

15
16
17

18
19
20
21
22

23

24

25

26
27

1 SECTION 2. Based on substantial evidence presented to the Planning Commission during
2 the public hearing conducted with regard to CDP No. 2024-0011, including written staff reports,
3 verbal testimony, site plans, other documents, and the conditions of approval stated herein, the
4 Planning Commission hereby determines that CDP No. 2024-0011 satisfies the requirements of
5 Section 18.66.020 of the Rialto Municipal Code pertaining to the findings which must be made
6 precedent to granting a conditional development permit. The findings are as follows:

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

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

10 The applicant proposes to construct a 12,000 square foot accessory building at an existing
11 church. The accessory building will be used to distribute donated food items to the public
12 for free. The Project will provide food and essentials to those in need, including any
13 residents of Rialto. Feeding the community will contribute to its well-being.

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

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

17 The Site is bound by an existing segment of Riverside Avenue to the north and an existing
18 segment of Ayala Drive to the west. To the north, south, and west of the project site are
19 existing single-family residential neighborhoods, and to the east is Trapp Elementary
20 School. The Project is consistent with the underlying Single-Family Residential (R-1A
21 10,000) zone. The church on the Site has been in existence since 1992 and it is compatible
22 with the surrounding residential uses. Food distribution services, such as the Project, are
23 often part of a church's mission to serve community needs. The proposed building will be
24 setback over 100 feet away from the nearest residential uses, a screen wall will be provided
at the loading area, and all vehicle queuing will occur on-site to minimize any impacts and
maintain compatibility with the surrounding area. In addition, the Project has been
reviewed by the City staff for compliance with all health, safety, and design requirements
to ensure the project will significantly enhance the infrastructure and aesthetics of the local
community.

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

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

1 The Site consists of a trapezoidal-shaped area of land approximately 11.96 acres in size and
2 adjacent to two (2) public streets. The Site was previously developed into a church in 1992.
3 The Site will continue to be accessible from existing driveways connected to Riverside
4 Avenue and Ayala Drive. In addition, the development has existing lighting and accessible
5 pathways leading to the public right-of-way and ample parking.

- 6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
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:

The Site has adequate access to all utilities and services required through main water, electric, sewer, and other utility lines that are already hooked up to the Site.

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, or any zoning ordinances; and

This finding is supported by the following facts:

The Project is consistent with the underlying Single-Family Residential (R-1A 10,000) zone and the surrounding residential uses. The Project will feature a high-quality building exterior designed in compliance with the City's Design Guidelines. The proposed building will be setback over 100 feet away from the nearest residential uses, a screen wall will be provided at the loading area, and all vehicle queuing will occur on-site to minimize any impacts and maintain compatibility with the surrounding area.

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.

This finding is supported by the following facts:

The Project's effects will be minimized through the implementation of the Conditions of Approval contained herein, and through the implementation of Conditions of Approval imposed by the Planning Commission on the Precise Plan of Design, such as enhanced landscaping and enhanced architectural features. The Project will meet the development criteria of the Single-Family Residential (R-1A 10,000) zone and Chapter 18.61 (Design Guidelines) of the Rialto Municipal Code. The project is consistent with the Single-Family Residential (R-1A 10,000) zone and the surrounding uses. The proposed building will be setback over 100 feet away from the nearest residential uses, a screen wall will be provided at the loading area, and all vehicle queuing will occur on-site to minimize any impacts and maintain compatibility with the surrounding area. Therefore, any potential adverse effects are outweighed by the benefits conferred upon the community and neighborhood as a whole.

1 SECTION 3. The Project is categorically exempt from the requirements of the California
2 Environmental Quality Act (CEQA), pursuant to Section 15303(e), New Construction or Conversion
3 of Small Structures. The Project proposes the construction of an accessory building for food
4 distribution purposes at an existing church, and, therefore, qualifies for this exemption. The Planning
5 Commission directs the Planning Division to file the necessary documentation with the Clerk of the
6 Board of Supervisors for San Bernardino County.

7 SECTION 4. CDP No. 2024-0011 is granted to Sunrise Church in accordance with the plans
8 and application on file with the Planning Division, subject to the following conditions:

- 9 1. The applicant is granted CDP No. 2024-0011 allowing the construction of a 12,000 square
10 foot accessory building for food distribution purposes at an existing church located at 2759
11 N. Ayala Drive (APN: 1133-361-01) within the Single-Family Residential (R-1A 10,000)
12 zone, as shown on the plans attached as Exhibit A and as approved by the Planning
13 Commission. If the Conditions of Approval specified herein are not satisfied or otherwise
14 completed, the project shall be subject to revocation.
- 15 2. City inspectors shall have access to the site to reasonably inspect the site during normal
16 working hours to assure compliance with these conditions and other codes.
- 17 3. The applicant shall indemnify, protect, defend, and hold harmless, the City of Rialto,
18 and/or any of its officials, officers, employees, agents, departments, agencies, and
19 instrumentalities thereof (collectively, the "City Parties"), from any and all claims,
20 demands, law suits, writs of mandamus, and other actions and proceedings (whether
21 legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative
22 dispute resolutions procedures (including, but not limited to arbitrations, mediations,
23 and other such procedures), (collectively "Actions"), brought against the City, and/or
24 any of its officials, officers, employees, agents, departments, agencies, and
25 instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or
26 annul, the any action of, or any permit or approval issued by, the City and/or any of its
27 officials, officers, employees, agents, departments, agencies, and instrumentalities
28 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

1 Applicant shall not be liable to the City Parties under this indemnity to the extent the
2 Damages incurred by any of the City Parties in such Action(s) are a result of the City
3 Parties' fraud, intentional misconduct or gross negligence in connection with issuing
4 the Entitlements. The applicant shall execute an agreement to indemnify, protect,
5 defend, and hold the City harmless as stated herein within five (5) days of approval of
6 CDP No. 2024-0011.

- 7 4. In accordance with the provisions of Government Code Section 66020(d)(1), the
8 imposition of fees, dedications, reservations, or exactions for this Project, if any, are
9 subject to protest by the applicant at the time of approval or conditional approval of the
10 Project or within 90 days after the date of the imposition of the fees, dedications,
11 reservations, or exactions imposed on the Project.
- 12 5. Approval of CDP No. 2024-0011 will not become effective until the applicant has signed
13 a statement acknowledging awareness and acceptance of the required conditions of
14 approval contained herein.
- 15 6. The applicant shall ensure that all inbound traffic that requires temporary queuing or
16 staging be done on-site. Inbound traffic shall not queue or stage on any public street at
17 any time. Activities on-site shall not operate in such a manner that would impact traffic
18 lanes, cause back up (queuing or staging) of vehicles into the public-right-of-way, or
19 create any unsafe conditions. Fire and Police access and passage around vehicles queuing
20 or staging on-site shall be provided at all times and activities shall not block access or
21 passage for disabled persons or emergency response vehicles.
- 22 7. In the event any operation on the Site is found to be objectionable or incompatible with
23 the character of the City and its environs due to excessive noise, excessive traffic,
24 loitering, or other undesirable characteristics including, but not strictly limited to, uses
25 which are or have become offensive to neighboring property or the goals and objectives
26 of the Single-Family Residential (R-1A 10,000) zone and/or the City's General Plan, the
27 applicant shall address the issues within forty-eight (48) hours of being notified by the
28 City.
8. If the applicant fails to comply with any of the conditions of approval placed upon CDP
No. 2024-0011 or PPD No. 2024-0018, 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. CDP No. 2024-0011 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;

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.

16
17
18
19 _____
20 HEIDY GONZALEZ, ADMINISTRATIVE ANALYST
21
22
23
24
25
26
27
28

Exhibit "A"

Project Plans

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28