

RESOLUTION NO. 2401

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIALTO, STATE OF CALIFORNIA, GRANTING AN EXTENSION OF TIME FOR A NON-CONFORMING GROCERY STORE LOCATED AT 1612 W. MERRILL AVENUE TO BE IN EXISTENCE AND OPERATE WITHIN A RESIDENTIAL ZONE.

WHEREAS, prior to annexation into the City of Rialto in 1973, the existing grocery store located at 1612 West Merrill Avenue was legally erected in 1971 and full street improvements were installed to commercial standards along a 150 foot frontage of Merrill Avenue in compliance with all County requirements; and

WHEREAS, upon annexation into the City of Rialto the grocery store and surrounding property was zoned R-1A (Single Family Residential) subject to the provisions for nonconforming uses contained in Chapter 18.60 of the Rialto Municipal Code; and

WHEREAS, a petition has been submitted to the City signed by 153 neighboring residents requesting that the grocery store be allowed to continue operation as a commercial use; and

WHEREAS, the Rialto Planning Commission has determined that a rezoning of the subject property to C-1 (Neighborhood Commercial) would not be in keeping with the General Plan for the City of Rialto, but has recommended to the City Council that the grocery store be permitted to continue operation and expand its use to a limited extent;

NOW THEREFORE be it resolved by the City Council as follows:

SECTION 1. The use of the existing grocery store located at 1612 West Merrill Avenue will be allowed to remain in operation as a neighborhood convenience market for a period of forty (40) years from the effective date of this resolution, at which time it shall be completely removed, altered, or converted to a conforming building, structure and use.

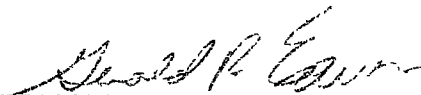
SECTION 2. Within the established forty (40) year period of use, the existing commercial structure containing 1080 square feet of building area may

	DATE	OPERATOR
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OCR/Index	9/1/95	CLY

1 be repaired, or expanded in size to provide increased storage are, restroom
2 facilities and market area in accordance with the following requirements:

- 3 1. The maximum amount of total building area for the neighborhood
4 convenience market shall not exceed two thousand three hundred
5 (2300) square feet.
6 2. Any alteration or expansion of the existing structure shall
7 conform to all requirements of the Uniform Building Code
8 applicable at the time of proposed modifications. In the
9 event that any or all portions of the structure are damaged
10 by fire or other causes, the damaged portion of the existing
11 structure may be repaired or reconstructed in accordance
12 with Uniform Building Code Requirements.
13 3. Additional improvements to include, but not limited to,
14 expansion of paved parking area, and installation of land-
15 scaping shall be installed at time of building alteration
16 or expansion as required by the Rialto Municipal Code.

17 PASSED, APPROVED and ADOPTED this 5th day of January, 1982.

18 
19 GERALD R. EAVES, MAYOR

20 ATTEST:

21 
22 JOSEPH H. SAMPSON, CITY CLERK

23 APPROVED AS TO FORM:

24 
25 ROBERT G. KOCH, JR., CITY ATTORNEY

26 STATE OF CALIFORNIA)
27 COUNTY OF SAN BERNARDINO) ss
28 CITY OF RIALTO)

29 I, JOSEPH H. SAMPSON, City Clerk of the City of Rialto, DO HEREBY CERTIFY
30 that the foregoing Resolution No. 2401 was duly passed and adopted at a
31 regular meeting of the City Council of the City of Rialto held on the 5th
32 day of January, 1982.

Upon motion of Councilmember Longville, seconded by Councilmember Sawyer, the foregoing was duly passed and adopted.

Vote on the Motion:

AYES: Mayor Eaves; Councilmen: Holland, Sawyer, Curtis & Longville
NOES: None
ABSENT: None

IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of
the City of Rialto this 6th day of January, 1982.

JOSEPH H. SAMPSON, CITY CLERK