RESOLUTION NO. 21-XX

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, THE CITY COUNCIL OF THE CITY OF RIALTO DOES HEREBY FIND, DETERMINE, AND RESOLVE AS FOLLOWS:

Section 1: The use of 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 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 be repaired, or expanded in size to provide increased storage area, restroom facilities and market area in accordance with the following requirements:

1. The maximum amount of total building area for the neighborhood convenience market shall not exceed two thousand three hundred (2300) square feet.

1	2.	Any alternation or expansion of the existing s	structure shall conf	form to all the requirements
2		of the Uniform Building Code applicable at t	he time of propose	d modifications. In the
3		event that any or all portions of the structure	are damaged by fir	re or other causes, the
4		damaged portion of the existing structure may	y be repaired or re	constructed in accordance
5		with Uniform Building Code Requirements.		
6	3.	Addition improvements to include, but not lin	mited to expansion	of paved parking area, and
7		installation of landscaping shall be installed a	at the time of build	ing alteration or expansion
8		as required by the Rialto Municipal Code.		
9				
10				
11	PAS	SSED APPROVED AND ADOPTED this	day of	, 1982.
12				
13				
14				, Mayor
15				, May or
16				
17	ATTEST:			
18				
19				
20	BARBARA	McGEE, City Clerk		
21				
22				
23	APPROVE	D AS TO FORM:		
24				
25				
26	ERIC VAIL	L, City Attorney		
27				
28				

1	STATE OF CALIFORNIA) COUNTY OF SAN BERNARDINO) ss
2	CITY OF RIALTO
3	
4	I, Barbara McGee, City Clerk of the City of Rialto, do hereby certify that the foregoing
5	Resolution No was duly passed and adopted at a regular meeting of the City Council of the City of
6	Rialto held on the day of, 2002.
7	Upon motion of Council Member, seconded by Council Member,
8	the foregoing Resolution No was duly passed and adopted.
9	Vote on the motion:
10	AYES:
11	NOES:
12	ABSENT:
13	
14	IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of
15	Rialto this day of, 1982.
16	
17	BARBARA MCGEE, CITY CLERK
18	DARDARA WEGLL, CITT CLERK
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	