

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
RIALTO, CALIFORNIA, APPROVING AN AMENDMENT TO
THE RIALTO AIRPORT SPECIFIC PLAN TO CHANGE THE
STANDARDS FOR MAXIMUM BUILDING HEIGHT IN CERTAIN
ZONES OF THE AIRPORT SPECIFIC PLAN AREA, AND
REPEALING ORDINANCE NO. 1394 TO ELIMINATE THE
REQUIREMENT OF PLANNING COMMISSION AND CITY
COUNCIL APPROVAL OF CONDITIONAL DEVELOPMENT
PERMITS FOR ALL USES IN CERTAIN ZONES OF THE
AIRPORT SPECIFIC PLAN AREA**

WHEREAS, the Rialto Airport Specific Plan was adopted by the City Council of the City of Rialto in November of 1997; and

WHEREAS, Table 9 (Development Standards Non-Residential Designations) in Section 5 (Development Regulations) of the Rialto Airport Specific Plan provides the Maximum Building Height standards for non-residential uses in the I-AR (Airport-Related Planned Industrial Development) and I-PID (Planned Industrial Development) zones within the Rialto Airport Specific Plan Area; and

WHEREAS, City Staff proposes amending Table 9 in Section 5 of the Rialto Airport Specific Plan to change the standards for Maximum Building Height in the I-AR and I-PID zones from a maximum of 35 feet to a maximum of 75 feet, based on more modernized industrial buildings using more advanced machinery, transport vehicles, and technologies; and

WHEREAS, the City Council, by prior Ordinance No. 1394 adopted in 2006, approved an amendment to Table 8 (Permitted Uses Non-Residential Designations) in Section 5 of the Rialto Airport Specific Plan to require conditional development permits for all uses in the I-AR and I-PID zones, and that such conditional development permits be approved by both the Planning Commission and City Council, for the purpose of retaining control over all development within the I-AR and I-PID zones in anticipation of the creation and adoption of the Renaissance Specific Plan; and

WHEREAS, City Staff believes that Planning Commission and City Council approval of conditional development permits for all uses in the I-AR and I-PID zones is no longer necessary, because the Renaissance Specific Plan has been adopted by the City; and

WHEREAS, City Staff proposes amending Table 8 in Section 5 of the Rialto Airport Specific Plan to re-designate certain uses in the I-AR and I-PID zones as Permitted uses and certain uses in the

1 I-AR and I-PID zones as Uses permitted by Conditional Development Permit, as those uses had
2 previously been designated under Table 8 in Section 5 of the Rialto Airport Specific Plan prior to the
3 adoption of Ordinance No. 1394; and

4 WHEREAS, on May 9, 2018, the Planning Commission of the City of Rialto conducted a
5 duly noticed public hearing, as required by law, on the proposed amendments of the Rialto Airport
6 Specific Plan, and took oral and written testimony from the public, staff, the city attorney, and the
7 applicant; discussed the Project; and closed the public hearing, after which it made findings and
8 recommended approval of the Ordinance amending the Rialto Airport Specific Plan (“Specific Plan
9 Amendment”); and

10 WHEREAS, on _____, 2018, the City Council of the City of Rialto considered the
11 approval of the Specific Plan Amendment.

12 NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF RIALTO FINDS AND
13 ORDAINS AS FOLLOWS:

14 **Section 1.** The above recitals are all true and correct and are hereby adopted as findings.

15 **Section 2.** Based on substantial evidence presented to the City Council during the public
16 hearing conducted with regard to the Specific Plan Amendment, including Planning Commission
17 Resolution No. 18-25, written staff reports, verbal testimony, site plans, other documents, and the
18 conditions of approval stated herein, the City Council hereby determines that the Specific Plan
19 Amendment satisfies the requirements of Section 18.78.060(I) of the Rialto Municipal Code pertaining
20 to the findings which must be made precedent to granting an amendment of a specific plan. The
21 findings are as follows:

- 22 1. The proposed amendment is consistent with the goal and policies of the general plan and
23 with its purposes; and

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

25 The Specific Plan Amendment will further Goal 2-21 of the Rialto General Plan by ensuring
26 high quality planned developments in the City, Goal 2-22 by promoting commercial and/or
27 industrial development that is well designed, people-oriented, environmentally sustainable,
28 sensitive to the needs of the visitor or resident, and functionally efficient for its purpose and
Goal 3-1 by strengthening and diversifying the economic base and employment opportunities,
and maintain a positive business climate. By not requiring conditional development permits
for all uses within the I-AR and I-PID zones or approval by both the Planning Commission
and City Council, the process for establishing a business will be greatly expedited and reduce

costs to both the City and the business. The increase in maximum height will also ensure that remaining buildable property in the City will attract new businesses and keep up with modern technological advances requiring buildings with higher heights.

2. The proposed amendment will help to achieve a balanced community of all races, age groups, income levels, and ways of life; and

This finding is supported by the following facts:

The Specific Plan Amendment will not alter the balanced community of residential, commercial and industrial development achieved by the current land use configuration within the Rialto Airport Specific Plan, as uses will be approved or conditionally approved as originally intended under the Rialto Airport Specific Plan, and the Amendment will affect only the I-AR and I-PID zones where only commercial and industrial uses are permitted.

3. The proposed amendment results in development of desirable character which will be compatible with existing and proposed development in the surrounding neighborhood; and

This finding is supported by the following facts:

The Specific Plan Amendment will attract new businesses whose buildings require higher heights, due to modern advances in buildings, transport vehicles, and machinery. Other businesses in the surrounding area within the General Plan or Renaissance Specific Plan have height limits of 75 feet already. Furthermore, the elimination of conditional development permits for all uses by both the planning commission and city council will allow uses that were previously approved or conditionally approved within the I-AR and I-PID zones to remain. Thus, the Amendment will not alter the existing character and compatibility with existing and proposed developments.

4. The proposed amendment contributes to a balance of land uses that will enable local residents to work and shop in the community in which they live; and

This finding is supported by the following facts:

The Specific Plan Amendment will not alter the balanced community of residential, commercial and industrial development achieved by the current land use configuration within the Rialto Airport Specific Plan, as uses will be approved or conditionally approved as originally intended under the Rialto Airport Specific Plan, and the Amendment will affect only the I-AR and I-PID zones where only commercial and industrial uses are permitted. By not requiring conditional development permits for all uses within the I-AR and I-PID zones or approval by both the Planning Commission and City Council, the process for establishing a business will be greatly expedited and reduce costs to both the City and the business. The increase in maximum height will also ensure that remaining buildable property in the City will attract new businesses and keep up with modern technological advances requiring buildings with higher heights.

5. The proposed amendment respects the environmental and aesthetic assets of the community consistent with the economic realities; and

This finding is supported by the following facts:

The Specific Plan Amendment will not adversely affect the environment or aesthetic assets of the community because all uses previously approved by right or by conditional development within the I-AR and I-PID zones prior to the adoption of Ordinance No. 1394 will remain. Furthermore, the maximum height increase will only allow the I-AR and I-PID zones to be in conformance with the surrounding areas of the General Plan and Renaissance Specific Plan, which already permit 75 height limits for industrial buildings.

6. The proposed amendment incorporates, where feasible, active and passive energy conservation measures.

This finding is supported by the following facts:

The Specific Plan Amendment will allow for the development of high-quality and well-designed uses that are environmentally sustainable and energy-conscious.

Section 3. The City Council hereby approves the recommended action of the Planning Commission and Table 9 (Development Standards Non-Residential Designations) in Section 5 (Development Regulations) of the Rialto Airport Specific Plan is hereby amended to increase the Maximum Building Height permitted in the I-AR and I-PID zones from 35 feet to 75 feet.

Section 4. Ordinance No. 1394 is hereby rescinded upon the adoption and effective date of this Ordinance.

Section 5. Table 8 (Permitted Uses Non-Residential Designations) in Section 5 of the Rialto Airport Specific Plan is hereby amended as set forth in Exhibit "A".

Section 6. If any provision of this Ordinance is held invalid, such invalidity shall not affect the remaining provisions of this Ordinance, which shall remain in effect absent the provision held to be invalid, and to this end, the provisions of this Ordinance are declared to be severable.

Section 7. The City Clerk shall certify to the adoption of this Ordinance, and cause the same to be published in the local newspaper, and the same shall take effect thirty (30) days after its date of adoption:

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2018.

DEBORAH ROBERTSON, Mayor

1 ATTEST:

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BARBARA McGEE, City Clerk

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APPROVED AS TO FORM

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FRED GALANTE, City Attorney

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1 STATE OF CALIFORNIA)
2 COUNTY OF SAN BERNARDINO) ss
3 CITY OF RIALTO)

4 I, Barbara McGee, City Clerk of the City of Rialto, do hereby certify that the foregoing
5 Ordinance No. _____ was duly passed and adopted at a regular meeting of the City Council of
6 the City of Rialto held on the _____ day of _____, 2018.

7 Upon motion of Councilmember _____, seconded by Councilmember
8 _____, the foregoing Ordinance No. _____ was duly passed and adopted.

9 Vote on the Motion:

10 AYES:

11 NOES:

12 ABSENT:

13 IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of
14 Rialto, this _____ day of _____, 2018.

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Barbara A. McGee, City Clerk
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