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1       **WHEREAS**, in conjunction herewith, the applicant has also submitted Specific Plan  
2 Amendment No. 2019-0002 to change the boundary of the Rialto Airport Specific Plan to  
3 include the Site, and to change the pre-zoning designation of the Site from Single-Family  
4 Residential (R-1A) to Planned Industrial Development (I-PID) within the Rialto Airport Specific  
5 Plan (“SPA No. 2019-0002”); and

6       **WHEREAS**, in conjunction herewith, the applicant proposes to develop a 382,018  
7 square foot warehouse building on the Site, and the Project and SPA No. 2019-0002 are  
8 necessary to facilitate said development; and

9       **WHEREAS**, pursuant to Government Code Sections 65350-65362, the Project requires  
10 the approval of an amendment to the General Plan, and the applicant has agreed to apply for  
11 General Plan Amendment No. 2018-0001 (“GPA No. 2018-0001”); and

12       **WHEREAS**, pursuant to Government Code Sections 65350-65362, the City Council is  
13 authorized to amend the General Plan within the City; and

14       **WHEREAS**, pursuant to Government Code Sections 65350-65362, the Planning  
15 Commission shall hold a public hearing for a proposed amendment to the General Plan and  
16 forward a recommendation to the City Council for action; and

17       **WHEREAS**, on April 10, 2019, the Planning Commission of the City of Rialto  
18 conducted a duly noticed public hearing, as required by law, on GPA No. 2018-0001 and SPA  
19 No. 2019-0002, continued the public hearing to an undetermined date, requested that the  
20 Planning Division conduct a neighborhood meeting to discuss the Project, and requested that the  
21 Planning Division expand the notification radius for the neighborhood meeting to all property  
22 owners within 600 feet of the Site; and

23       **WHEREAS**, the City mailed notices to all property owners within 600 feet of the Site  
24 informing them of a neighborhood meeting to discuss the Project scheduled for April 29, 2019;  
25 and

26       **WHEREAS**, on April 29, 2019, the Planning Division conducted a neighborhood  
27 meeting to discuss the Project at the Frances E. Brooks Conference Center located at 214 N.  
28 Palm Avenue, Rialto, California; and

1       **WHEREAS**, the City mailed public hearing notices to all property owners within 600  
2 feet of the Site, and published the public hearing notice in the San Bernardino Sun newspaper as  
3 required by State law, for a subsequent public hearing to be held on May 8, 2019 for GPA No.  
4 2018-0001 and SPA No. 2019-0002; and

5       **WHEREAS**, on May 8, 2019, the Planning Commission of the City of Rialto conducted  
6 a duly noticed public hearing, as required by law, on GPA No. 2018-0001 and SPA No. 2019-  
7 0002, took testimony, at which time it received input from staff, the city attorney, and the  
8 Applicant; heard public testimony; discussed the proposed GPA No. 2018-0001 and SPA No.  
9 2019-0002; and closed the public hearing; and

10       **WHEREAS**, on May 8, 2019, the Planning Commission voted 3-3 (1 absence), resulting  
11 in no decision regarding a formal recommendation on GPA No. 2018-0001 and SPA No. 2019-  
12 0002 to the City Council; and

13       **WHEREAS**, on June 11, 2019, the City Council conducted a public hearing, as required  
14 by law, on GPA No. 2018-0001 and SPA No. 2019-0002, took testimony, at which time it  
15 received input from staff, the city attorney, and the Applicant; heard public testimony, discussed  
16 GPA No. 2018-0001 and SPA No. 2019-0002; and closed the public hearing; and

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

18       **NOW, THEREFORE**, the City Council hereby finds, determines, and resolves as follows:

19       **SECTION 1.** The City Council hereby specifically finds that all of the facts set forth in the  
20 recitals above of this Resolution are true and correct and incorporated herein.

21       **SECTION 2.** Based on substantial evidence presented to the City Council during the  
22 public hearing conducted with regard to GPA No. 2018-0001, including written staff reports, verbal  
23 testimony, project plans, other documents, and the conditions of approval stated herein, the City  
24 Council hereby determines that GPA No. 2018-0001 satisfies the requirements of Government  
25 Code Sections 65358 pertaining to the findings which must be made precedent to amending a  
26 General Plan. The findings are as follows:

- 27           1.       That the proposed General Plan Amendment is in the public interest.  
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1        *This finding is supported by the following facts:*

2        The Project is are consistent with the surrounding area. Specifically, the properties  
3 immediately adjacent to the west of the project site have the same land use and zoning  
4 designations, as proposed by the applicant, and contain existing industrial developments.  
5 Additionally, the vacant land immediately adjacent to the south of the project site contains a  
6 similar industrial zoning designation within the Renaissance Specific Plan, and will likely  
7 develop into a similar warehouse development in the future. Maple Avenue and the  
8 required 25 foot landscape setback along the entire frontage will serve to provide a buffer  
9 between the project site and the existing single-family residences to the west. Meanwhile, a  
10 proposed landscape slope and an employee parking lot will provide a 90 foot buffer between  
the proposed warehouse building and the rear yards of the existing single-family residences  
to the north. The 120,000 square foot warehouse under construction to the west of the  
project site maintains a similar configuration whereby it is adjacent to the rear of existing  
single-family residences to the north.

11        The Project will facilitate the development of a 382,018 square foot warehouse building.  
12 The proposed development will likely provide approximately 150 to 200 jobs with a  
13 warehouse tenant. Furthermore, the proposed development will contribute to an increase in  
14 revenues collected in form of permit fees, development impact fees, utility tax, business  
15 license tax, and property tax. In addition, the Site is currently vacant unimproved land, with  
16 the exception of one (1) single-family residence and a few accessory structures, and the  
development of a warehouse building will reduce existing blight and adverse effects of an  
empty, vacant lot surrounded by urban uses.

17        **SECTION 3.** An Initial Study (Environmental Assessment Review No. 2018-0081) has  
18 been prepared for GPA No. 2018-0001 in accordance with the California Environmental Quality  
19 Act (CEQA) and it has been determined that any impacts will be reduced to a level of insignificance  
20 through mitigation measures, and a Mitigated Negative Declaration has been prepared in  
21 accordance with CEQA, along with a Mitigation Monitoring and Reporting Program. The City  
22 Council has approved Resolution No. [REDACTED] concurrently herewith adopting the Mitigated Negative  
23 Declaration, along with the Mitigation Monitoring and Reporting Program, and directing the  
24 Planning Division to file the necessary documentation with the Clerk of the Board of Supervisors  
25 for San Bernardino County.

26        **SECTION 4.** The City Council hereby approves GPA No. 2018-0001 to change the land  
27 use designation of the Site from Residential 6 to Light Industrial with a Specific Plan Overlay, in  
28

1 accordance with the applications on file with the Planning Division, subject to the following  
2 conditions:

- 3  
4 1. GPA No. 2018-0001 is approved changing the land use designation of approximately  
5 16.55 gross acres of land (APNs: 133-101-04, 1133-221-02, 1133-221-06 & 1133-221-  
6 07) located on the west side of Maple Avenue approximately 660 feet north of Casmalia  
7 Street, and described in the legal description attached as Exhibit A, from Residential 6 to  
8 Light Industrial with a Specific Plan Overlay. If the Conditions of Approval specified  
9 herein are not satisfied or otherwise completed, the Project shall be subject to  
10 revocation.
- 11 2. City inspectors shall have access to the Site to reasonably inspect the Site during  
12 normal working hours to assure compliance with these conditions and other codes.
- 13 3. The applicant shall defend, indemnify and hold harmless the City of Rialto, its agents,  
14 officers, or employees from any claims, damages, action, or proceeding against the  
15 City or its agents, officers, or employees to attack, set aside, void, or annul any  
16 approval of the City, its advisory agencies, appeal boards, or legislative body  
17 concerning GPA No. 2018-0001. The City will promptly notify the applicant of any  
18 such claim, action, or proceeding against the City, and applicant will cooperate fully  
19 in the defense.
- 20 4. In accordance with the provisions of Government Code Section 66020(d)(1), the  
21 imposition of fees, dedications, reservations, or exactions for this Project, if any, are  
22 subject to protest by the applicant at the time of approval or conditional approval of  
23 the Project or within 90 days after the date of the imposition of the fees, dedications,  
24 reservations, or exactions imposed on the Project.
- 25 5. The applicant shall comply with all conditions of approval contained in SPA No. 2019-  
26 0002, to the extent they are not in conflict with any condition of approval herein.
- 27 6. The applicant shall construct the full width of Maple Avenue from the terminus of  
28 Maple Avenue at the south end of the Site up to, and including, the full intersection of  
Maple Avenue and Bohnert Avenue, as required by the City Engineer, prior to the  
issuance of a Certificate of Occupancy.
7. The applicant shall inform any buyer or tenant(s) that no trucks shall enter or exit the  
Site via Maple Avenue at all times. Additionally, the applicant shall install signage  
within the truck court indicating that the southerly gate is for emergency vehicles only  
and that all truck must exit from the northerly gate onto Vineyard Avenue, prior to the  
issuance of a Certificate of Occupancy.
8. The applicant shall implement measures to reduce light and glare impacts from any new  
street lights installed on Maple Avenue and for any wall lights or light poles on the north

1 or east sides of the building, prior to the issuance of a Certificate of Occupancy. Such  
2 measures include, but are not limited to, the installation of shielding on the light fixtures,  
3 focusing of light fixtures away from adjacent properties, and/or adjusting of the intensity  
4 of light generated by the light fixtures.

5 **SECTION 5.** The Mayor shall sign the passage and adoption of this resolution and  
6 thereupon the same shall take effect and be in force.  
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8 **PASSED, APPROVED AND ADOPTED** this 11th day of June, 2019.

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11 DEBORAH ROBERTSON, MAYOR  
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**ATTEST:**

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BARBARA MCGEE, CITY CLERK

**APPROVED AS TO FORM:**

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FRED GALANTE, CITY ATTORNEY

1 STATE OF CALIFORNIA )  
2 COUNTY OF SAN BERNARDINO ) ss  
3 CITY OF RIALTO )  
4

5 I, BARBARA MCGEE, City Clerk 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  
7 City Council of the City of Rialto held on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

8 Upon motion of Councilmember \_\_\_\_\_, seconded by Councilmember  
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  
15 of Rialto this \_\_\_\_\_ day of \_\_\_\_\_, 2019.  
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19 \_\_\_\_\_  
20 BARBARA MCGEE, CITY CLERK  
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Exhibit "A"

HUITT-ZOLIARS

HUITT-ZOLIARS, INC. • 2603 Main Street • Suite 400 • Irvine, CA 92614-4250 • 949.988.5815 phone • 949.988.5820 fax • huitt-zollars.com

R308255.01  
04-02-19

LEGAL DESCRIPTION  
GENERAL PLAN AMENDMENT AND SPECIFIC PLAN AMENDMENT

Parcel One:

The Northeast Quarter of the Northwest Quarter of the Southeast Quarter of Section 28, Township 1 North, Range 5 West, San Bernardino Base and Meridian, in the City of Rialto, County of San Bernardino, State of California, according to government survey.

Saving and excepting that portion lying within Tract No. 3279, as per plan recorded in Book 44 of Maps, Page 1, Records of said County.

Parcel Two:

The West 1/2 of the Southeast 1/4 of the Northwest 1/4 of the Southeast 1/4 of Section 28 of Township 1 North, Range 5 West, San Bernardino Base and Meridian, in the City of Rialto, County of San Bernardino, State of California, according to the government Township plat thereof.

Parcel Three:

The North 1/2 of the East 1/2 of the Southeast 1/4 of the Northwest 1/4 of the Southeast 1/4 of Section 28, Township 1 North, Range 5 West, San Bernardino Base and Meridian, in the City of Rialto, County of San Bernardino, State of California, according to government Township plat thereof.

Excepting therefrom the Easterly 10 feet of said land as conveyed to the City of Rialto, a municipal corporation by Deed No. 1343 recorded November 5, 1987 as Instrument No. 87-395753 of Official Records.

Parcel Four:

The South 1/2 of the East 1/2 of the Southeast 1/4 of the Northwest 1/4 of the Southeast 1/4 of Section 28, Township 1 North, Range 5 West, San Bernardino Base and Meridian, in the City of Rialto, County of San Bernardino, State of California, according to government Township plat thereof.

Excepting therefrom the Easterly 10 feet of said land as conveyed to the City of Rialto, a municipal corporation by Deed No. 1343 recorded November 5, 1987 as Instrument No. 87-395753 of Official Records.



r/R308255.01/02/02.10/ZoneChange/zk/dwm

LEGAL DESCRIPTION-CONTINUED  
GENERAL PLAN AMENDMENT  
AND SPECIFIC PLAN AMENDMENT  
PAGE 2

R308255.01  
04-02-19

This legal description is prepared for a General Plan Amendment and Specific Plan Amendment and is not intended for the conveyance of land.

*David W. Mackey*  
\_\_\_\_\_  
DAVID W. MACKEY, PLS 8912



r/R308255.01/02/02.10/ZoneChange/zk/dwm