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A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, APPROVING SPECIFIC PLAN AMENDMENT NO. 2019-0002 TO CHANGE THE BOUNDARY OF THE RIALTO AIRPORT SPECIFIC PLAN TO INCLUDE APPROXIMATELY 16.55 GROSS ACRES OF LAND (APNS: 1133-201-04, 1133-221-02, 1133-221-06, & 1133-221-07) LOCATED ON THE WEST SIDE OF MAPLE AVENUE APPROXIMATELY 660 FEET NORTH OF CASMALIA STREET, AND CHANGE THE PRE-ZONING DESIGNATION OF SAID 16.55 GROSS ACRES OF LAND FROM SINGLE-FAMILY RESIDENTIAL (R-1A) TO PLANNED INDUSTRIAL DEVELOPMENT (I-PID) WITHIN THE RIALTO AIRPORT SPECIFIC PLAN.

WHEREAS, approximately 16.55 gross acres of land (APNs: 1133-101-04, 1133-221-02, 1133-221-06 & 1133-221-07) located on the west side of Maple Avenue approximately 660 feet north of Casmalia Street, described in the legal description attached as Exhibit A (“Site”), is currently within an unincorporated island within the jurisdiction of the County of San Bernardino, specifically known as North Rialto Island No. 4, and is located within the Sphere of Influence of the City of Rialto; and

WHEREAS, on May 18, 2016, the San Bernardino County Local Agency Formation Commission (LAFCO) adopted LAFCO Resolution No. 3222, which contained a condition of approval requiring the City of Rialto to annex five (5) unincorporated islands, including North Rialto Island No. 4, which includes the Site; and

WHEREAS, on November 22, 2016, the City Council adopted Resolution No. 7035 initiating the annexation process for the five (5) unincorporated islands, including North Rialto Island No. 4, which includes the Site, under Annexation No. 171; and

WHEREAS, the City of Rialto continues to process Annexation No. 171 as of the date of this Resolution; and

WHEREAS, pursuant to Section 18.02.080 any area annexed into the City of Rialto is automatically placed Single-Family Residential (R-1A) zone, unless the Planning Commission and City Council determine a separate pre-zoning designation as a part of the annexation procedure; and

1 **WHEREAS**, prior to the completion of Annexation No. 171, the applicant, Bridge
2 Development Partners, LLC, proposes to change the boundary of the Rialto Airport Specific Plan to
3 include the Site, and to change the pre-zoning designation from Single-Family Residential (R-1A)
4 to Planned Industrial Development (I-PID) within the Rialto Airport Specific Plan (“Project”); and

5 **WHEREAS**, in conjunction herewith, the applicant has also submitted General Plan
6 Amendment No. 2018-0001 to change the land use designation of the Site from Residential 6 to
7 Light Industrial with a Specific Plan Overlay (“GPA No. 2018-0001”); and

8 **WHEREAS**, in conjunction herewith, the applicant proposes to develop a 382,018
9 square foot warehouse building on the Site, and the Project and GPA No. 2018-0001 are
10 necessary to facilitate said development; and

11 **WHEREAS**, pursuant to Section 18.78.060 of the Rialto Municipal Code, the Project
12 requires the approval of an amendment to the Rialto Airport Specific Plan, and the applicant has
13 agreed to apply for Specific Plan Amendment No. 2019-0002 (“SPA No. 2019-0002”); and

14 **WHEREAS**, pursuant to Section 18.78.010 of the Rialto Municipal Code, the City
15 Council is authorized to adopt and implement specific plans with the City; and

16 **WHEREAS**, pursuant to Section 18.78.060E and Section 18.78.060F of the Rialto
17 Municipal Code, the Planning Commission shall hold a public hearing for a proposed
18 amendment to an adopted specific plan and forward a recommendation to the City Council for
19 action; and

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

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

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

4 **WHEREAS**, the City mailed public hearing notices to all property owners within 600
5 feet of the Site, and published the public hearing notice in the San Bernardino Sun newspaper as
6 required by State law, for a subsequent public hearing to be held on May 8, 2019 for SPA No.
7 2019-0002 and GPA No. 2018-0001; and

8 **WHEREAS**, on May 8, 2019, the Planning Commission of the City of Rialto conducted
9 a duly noticed public hearing, as required by law, on SPA No. 2019-0002 and GPA No. 2018-
10 0001, took testimony, at which time it received input from staff, the city attorney, and the
11 Applicant; heard public testimony; discussed the proposed SPA No. 2019-0002 and GPA No.
12 2018-0001; and closed the public hearing; and

13 **WHEREAS**, on May 8, 2019, the Planning Commission voted 3-3 (1 absence), resulting
14 in no decision regarding a formal recommendation on SPA No. 2019-0002 and GPA No. 2018-
15 0001 to the City Council; and

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

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

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

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

24 **SECTION 2.** Based on substantial evidence presented to the City Council during the
25 public hearing conducted with regard to SPA No. 2019-0002, including written staff reports, verbal
26 testimony, project plans, other documents, and the conditions of approval stated herein, the City
27 Council hereby determines that SPA No. 2019-0002 satisfies the requirements of Government Code
28

Sections 65358 and 65453 and Section 18.78.060I of the Rialto Municipal Code pertaining to the findings which must be made precedent to amending a Specific Plan. The findings are as follows:

1. That the proposed Specific Plan Amendment is consistent with the goals and policies of the General Plan and its purposes, standards and land use guidelines; and

This finding is supported by the following facts:

In conjunction with the Project, the applicant filed a General Plan Amendment application to change the land use designation of the Site from Residential 6 to Light Industrial with a Specific Plan Overlay. The Planned Industrial Development (I-PID) zone of the Rialto Airport Specific Plan is consistent with the Light Industrial land use designation of the General Plan.

Nevertheless, the Project is consistent with Goal 2-22 of the Land Use Element of the General Plan, which encourages the promotion of industrial development that is well designed, people-oriented, environmentally sustainable, sensitive to the needs of visitors or residents, and functionally efficient for its purpose. The incorporation of the Site into the Rialto Airport Specific Plan and the change in the pre-zoning designation of the Site from Single-Family Residential (R-1A) to Planned Industrial Development (I-PID) within the Rialto Airport Specific Plan is consistent with the surrounding area. Specifically, the properties immediately adjacent to the west of the project site have the same land use and zoning designations, as proposed by the applicant, and contain existing industrial developments. Additionally, the vacant land immediately adjacent to the south of the project site contains a similar industrial zoning designation within the Renaissance Specific Plan, and will likely develop into a similar warehouse development in the future. Maple Avenue and the required 25 foot landscape setback along the entire frontage will serve to provide a buffer between the project site and the existing single-family residences to the west. Meanwhile, a 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.

2. That the proposed Specific Plan Amendment will help 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 Project will facilitate the development of a 382,018 square foot warehouse building, which will provide new job opportunities available to all races, age groups, and ways of life. Furthermore, the proposed development will contribute to an increase in revenues collected in form of permit fees, development impact fees, utility tax, business license tax, and property tax. The increase in revenues will enable the City of Rialto to provide an increase in services to all residents living within the City.

- 1 3. That the proposed Specific Plan Amendment results in development of desirable
2 character, which will be compatible with existing and proposed development in the
3 surrounding neighborhood; and

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

5 The Project will facilitate the development of a new 382,018 square foot warehouse
6 building. The building's exterior design includes high quality features such as vertical
7 and horizontal wall plane articulation (in the form of projected masses and panel height
8 variations), panel reveals, steel canopies, vertical metal accents, and generous amounts of
9 glazing. The proposed development is compatible with existing and proposed
10 development in the surrounding area. Specifically, the properties immediately adjacent to
11 the west of the project site have the same land use and zoning designations, as proposed by
12 the applicant, and contain existing industrial developments and a 120,000 square foot
13 warehouse, which is currently under construction. Additionally, the vacant land
14 immediately adjacent to the south of the project site contains a similar industrial zoning
15 designation within the Renaissance Specific Plan, and will likely develop into a similar
16 warehouse development in the future. Maple Avenue and the required 25 foot landscape
17 setback along the entire frontage will serve to provide a buffer between the project site and
18 the existing single-family residences to the west. Meanwhile, a proposed landscape slope
19 and an employee parking lot will provide a 90 foot buffer between the proposed warehouse
20 building and the rear yards of the existing single-family residences to the north. The
21 120,000 square foot warehouse under construction to the west of the project site maintains a
22 similar configuration whereby it is adjacent to the rear of existing single-family residences
23 to the north.

- 24 4. That the proposed Specific Plan Amendment contributes to a balance of land uses
25 that will enable local residents to work and shop in the community in which they
26 live; and

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

28 Development to the west and south of the Site has been dominated by industrial
developments and uses, while development to the east and north of the Site largely consist
of single-family residential. Maple Avenue, which runs north and south along the eastern
edge of the Site serves to provide a buffer between the industrial developments, including
the development associated with the Project, and the single-family residences. Additionally,
the Project will result in the development of a 382,018 square foot warehouse on the Site,
which will provide job opportunities that enable local residents to work in the community in
which they live.

5. That the proposed Specific Plan Amendment respects the environmental and
aesthetic assets of the community consistent with economic realities; and

This finding is supported by the following facts:

1 Kimley-Horn and Associates, Inc. prepared an Initial Study (Environmental Assessment
2 Review No. 2018-0081) to assess the potential environmental impacts of the proposed
3 project, in accordance with the requirements of the California Environmental Quality Act
4 (CEQA). Based on the findings and recommended mitigation within the proposed Initial
5 Study and Mitigated Negative Declaration and Mitigation Monitoring and Reporting
6 Program, staff determined that the project will not have an adverse impact on the
7 environment.

8 Additionally, the proposed development, enabled by the Project, will be required to meet or
9 exceed all aesthetic design guidelines required by the Rialto Airport Specific Plan during
10 review of the Precise Plan of Design application. This includes the incorporation of
11 architectural features that provide relief and visual interest, such as vertical and horizontal
12 wall plan articulation (in the form of projected masses and panel height variations), panel
13 reveals, steel canopies, vertical metal accents, and generous amounts of glazing.

- 14 6. That the proposed Specific Plan Amendment incorporates, where feasible, active
15 and passive energy conservation measures.

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

17 The proposed development, enabled by the Project, is required to meet or exceed
18 California Building Code Title 24, Part 6 Energy Efficiency Standards. This will be
19 achieved through the implementation of features such as, but not limited to, energy
20 efficient windows, energy efficient heating and cooling systems, painting of all structures
21 in light off-white colors to reflect heat away, and structural accommodation of
22 photovoltaic solar electric systems.

23 **SECTION 3.** An Initial Study (Environmental Assessment Review No. 2018-0081) has
24 been prepared for SPA No. 2019-0002 in accordance with the California Environmental Quality Act
25 (CEQA) and it has been determined that any impacts will be reduced to a level of insignificance
26 through mitigation measures, and a Mitigated Negative Declaration has been prepared in
27 accordance with CEQA, along with a Mitigation Monitoring and Reporting Program. The City
28 Council has adopted Resolution No. [REDACTED] concurrently herewith, adopting the Mitigated Negative
Declaration, along with the Mitigation Monitoring and Reporting Program, and directed the
Planning Division to file the necessary documentation with the Clerk of the Board of Supervisors
for San Bernardino County.

1 **SECTION 4.** The City Council hereby approves SPA No. 2019-0002 to change the
2 boundary of the Rialto Airport Specific Plan to include the Site, and to change the pre-zoning
3 designation of the Site from Single-Family Residential (R-1A) to Planned Industrial Development
4 (I-PID) within the Rialto Airport Specific Plan, in accordance with the applications on file with the
5 Planning Division, subject to the following conditions:
6

- 7 1. SPA No. 2019-0001 is approved changing the boundary of the Rialto Airport Specific
8 Plan to include approximately 16.55 gross acres of land (APNs: 133-101-04, 1133-221-
9 02, 1133-221-06 & 1133-221-07) located on the west side of Maple Avenue
10 approximately 660 feet north of Casmalia Street, and described in the legal description
11 attached as Exhibit A, and changing the pre-zoning of said 16.55 gross acres of land
12 from Single-Family Residential (R-1A) to Planned Industrial Development (I-PID)
13 within the Rialto Airport Specific Plan. If the Conditions of Approval specified herein
14 are not satisfied or otherwise completed, the Project shall be subject to revocation.
- 15 2. City inspectors shall have access to the Site to reasonably inspect the Site during
16 normal working hours to assure compliance with these conditions and other codes.
- 17 3. The applicant shall defend, indemnify and hold harmless the City of Rialto, its agents,
18 officers, or employees from any claims, damages, action, or proceeding against the
19 City or its agents, officers, or employees to attack, set aside, void, or annul any
20 approval of the City, its advisory agencies, appeal boards, or legislative body
21 concerning SPA No. 2019-0002. The City will promptly notify the applicant of any
22 such claim, action, or proceeding against the City, and applicant will cooperate fully
23 in the defense.
- 24 4. In accordance with the provisions of Government Code Section 66020(d)(1), the
25 imposition of fees, dedications, reservations, or exactions for this Project, if any, are
26 subject to protest by the applicant at the time of approval or conditional approval of
27 the Project or within 90 days after the date of the imposition of the fees, dedications,
28 reservations, or exactions imposed on the Project.
5. The applicant shall comply with all conditions of approval contained in GPA No. 2018-
 0001, to the extent they are not in conflict with any condition of approval herein.
6. The applicant shall construct the full width of Maple Avenue from the terminus of
 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

1 within the truck court indicating that the southerly gate is for emergency vehicles only
2 and that all truck must exit from the northerly gate onto Vineyard Avenue, prior to the
issuance of a Certificate of Occupancy.

- 3 8. The applicant shall implement measures to reduce light and glare impacts from any new
4 street lights installed on Maple Avenue and for any wall lights or light poles on the north
5 or east sides of the building, prior to the issuance of a Certificate of Occupancy. Such
6 measures include, but are not limited to, the installation of shielding on the light fixtures,
focusing of light fixtures away from adjacent properties, and/or adjusting of the intensity
of light generated by the light fixtures.

7
8 **SECTION 5.** The Mayor shall sign the passage and adoption of this resolution and
9 thereupon the same shall take effect and be in force.

10 **PASSED, APPROVED AND ADOPTED** this 11th day of June, 2019.

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DEBORAH ROBERTSON, MAYOR

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ATTEST:

BARBARA MCGEE, CITY CLERK

APPROVED AS TO FORM:

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