

RESOLUTION NO. 2021-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIALTO, CALIFORNIA APPROVING CONDITIONAL DEVELOPMENT PERMIT NO. 2021-0001 ALLOWING THE DEVELOPMENT AND OPERATION OF A 40,164 SQUARE FOOT TWO-STORY CLIMATE-CONTROLLED INDOOR SELF-STORAGE FACILITY ON 0.76 GROSS ACRES OF LAND (APN: 0131-031-58) LOCATED ON THE EAST SIDE OF RIVERSIDE AVENUE APPROXIMATELY 725 FEET SOUTH OF RIALTO AVENUE WITHIN THE SUPPORT COMMERCIAL (S-C) ZONE OF THE CENTRAL AREA SPECIFIC PLAN.

WHEREAS, the applicant, SREF 2020, LLC, proposes to develop and operate a 40,164 square foot two-story climate-controlled indoor self-storage facility (“Project”) on 0.76 gross acres of land (APN: 0131-031-58) located on the east side of Riverside Avenue approximately 725 feet south of Rialto Avenue within the Support Commercial (S-C) zone of the Central Area Specific Plan (“Site”); and

WHEREAS, Pursuant to Section 18.66.030X of the Rialto Municipal Code, the development and operation of a self-storage facility, such as the Project, within the S-C zone requires a Conditional Development Permit, and the applicant has agreed to apply for Conditional Development Permit No. 2021-0001 (“CDP No. 2021-0001”); and

WHEREAS, in conjunction with the Project, the applicant submitted Precise Plan of Design No. 2021-0001 (“PPD No. 2021-0001”) to facilitate the development of a 40,164 square foot two-story climate-controlled indoor self-storage facility and related improvements on the Site; and

WHEREAS, on June 30, 2021, the Planning Commission of the City of Rialto conducted a duly noticed public hearing, as required by law, on CDP No. 2021-0001 and PPD No. 2021-0001, took testimony, at which time it received input from staff, the city attorney, and the applicant; heard public testimony; discussed the proposed CDP No. 2021-0001 and PPD No. 2021-0001; and closed the public hearing; and

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

1 NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Rialto as
2 follows:

3 SECTION 1. The Planning Commission hereby specifically finds that all of the facts set forth
4 in the recitals above of this Resolution are true and correct and incorporated herein.

5 SECTION 2. Based on substantial evidence presented to the Planning Commission during
6 the public hearing conducted on June 30, 2021, with regard to CDP No. 2021-0001, including written
7 staff reports, verbal testimony, site plans, other documents, and the conditions of approval stated
8 herein, the Planning Commission hereby determines that CDP No. 2021-0001 satisfies the
9 requirements of Section 18.66.020 of the Rialto Municipal Code pertaining to the findings which must
10 be made precedent to granting a conditional development permit, which findings are as follows:

- 11 1. The proposed use is deemed essential or desirable to provide a service or facility
12 which will contribute to the convenience or general well-being of the neighborhood
13 or community; and

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

15 The Project will provide a benefit to the community and neighborhood by providing
16 residents and visitors additional options for renting self-storage units, including various
17 sizes not found in the existing self-storage facility to the east and the unique feature of
18 climate-controlled storage.

- 19 2. The proposed use will not be detrimental or injurious to health, safety, or general
20 welfare of persons residing or working in the vicinity; and

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

22 To the north of the project site, across the BNSF/Metrolink railroad, is a 10,000 square foot
23 commercial building occupied by J&J Auto Fabrics, and to the east is an existing self-
24 storage facility occupied by Extra Space Storage. To the south is the office structure and
25 auto-parking lot for the existing Extra Space Storage self-storage facility, and to the west,
26 across Riverside Avenue, is a commercial center consisting of three (3) buildings totaling
27 approximately 16,040 square feet in size. The Project will be operated in conjunction with
28 the existing self-storage facility to the east and south of the Site. The zoning of the project
site and the properties to the south and west is Support Commercial (S-C) within the
Central Area Specific Plan. The zoning designation of the property located to the north is
Core Commercial (C-C) within the Central Area Specific Plan, and the zoning designation
of the property to the east is Urban Services (U-S) within the Central Area Specific Plan.
The proposed operation is consistent with the S-C zone and the surrounding land uses. The
Site is surrounded on all sides by existing commercial developments, including an existing
self-storage facility, which the Project will operate in conjunction with. The Project is not

1 expected to negatively impact any uses with the successful implementation of the
2 Conditions of Approval contained herein.

- 3 3. The site for the proposed use is adequate in size, shape, topography, accessibility and
4 other physical characteristics to accommodate the proposed use in a manner
5 compatible with existing land uses; and

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

7 The Site contains 0.76 gross acres, is generally square-shaped, fairly level, and adjacent to
8 one (1) public street, which will be able to accommodate the proposed use. The Project will
9 have one (1) point of access – via Riverside Avenue. The driveway connected to Riverside
10 Avenue is an existing driveway that will serve as a shared driveway for both the new
11 development and the existing self-storage facility to the east and south. In addition, the
12 existing self-storage facility to the east and south and the new development combined will
13 have 10 parking spaces, which exceeds the amount required by Section 18.58.050I(11) of the
14 Rialto Municipal Code.

- 15 4. The site has adequate access to those utilities and other services required for the
16 proposed use; and

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

18 The Site will have adequate access to all utilities and services required through main water,
19 electricity, sewer, and other utility lines that will be connected/extended to the Site.

- 20 5. The proposed use will be arranged, designed, constructed, and maintained so as it will
21 not be injurious to property or improvements in the vicinity or otherwise be
22 inharmonious with the General Plan and its objectives, the Central Area Specific Plan,
23 or any zoning ordinances, and

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

25 As previously stated, the use is consistent with the S-C zone. All items stored at the Site will
26 be contained with the building, and the building will be oriented such that any loading and
27 unloading activities will occur on the south side of the building and not front or face the public
28 right-of-way. The Project will have access to ten (10) parking spaces, and the Project will
have a Floor Area Ratio (FAR) of 1.37, all of which comply with the General Plan, the S-C
zone, and the City's Design Guidelines. Additionally, landscaping will be abundantly
incorporated into the Site, as the landscape coverage for the project is 14.8 percent, which
exceeds the minimum required amount of 10.0 percent.

6. Any potential adverse effects upon the surrounding properties will be minimized to
every extent practical and any remaining adverse effects shall be outweighed by the
benefits conferred upon the community or neighborhood as a whole.

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

2 The Conditions of Approval contained herein will minimize the Project's impacts. The
3 granting of CDP No. 2021-0001, allowing the development and operation of a climate-
4 controlled indoor self-storage facility, will lead to the development of a piece of land that
5 has remained historically vacant. Furthermore, the Project will provide residents and
6 visitors an additional option for renting self-storage units for the purpose of storing
7 personal items, including the unique feature of climate-controlled storage. Therefore, any
8 potential adverse effects are outweighed by the benefits conferred upon the community and
9 neighborhood as a whole.

10 SECTION 3. The Project is categorically exempt from the requirements of the California
11 Environmental Quality Act (CEQA), pursuant to Section 15332, In-Fill Development Projects. The
12 Planning Commission directs the Planning Division to file the necessary documentation with the
13 Clerk of the Board of Supervisors for San Bernardino County.

14 SECTION 4. CDP No. 2021-0001 is granted to SREF 2020, LLC, in accordance with the
15 plans and application on file with the Planning Division, subject to the following conditions:

- 16 1. CDP No. 2021-0001 is approved allowing the development and operation of a 40,164
17 square foot two-story climate-controlled indoor self-storage facility on 0.76 gross acres of
18 land (APN: 0131-031-58) located on the east side of Riverside Avenue approximately 725
19 feet south of Rialto Avenue within the Support Commercial (S-C) zone of the Central
20 Area Specific Plan, as shown on the plans attached as Exhibit A, and as approved by the
21 Planning Commission. If the Conditions of Approval specified herein are not satisfied or
22 otherwise completed, the project shall be subject to revocation.
- 23 2. City inspectors shall have access to the site to reasonably inspect the site during normal
24 working hours to assure compliance with these conditions and other codes.
- 25 3. The applicant shall indemnify, protect, defend, and hold harmless, the City of Rialto,
26 and/or any of its officials, officers, employees, agents, departments, agencies, and
27 instrumentalities thereof (collectively, the "City Parties"), from any and all claims,
28 demands, law suits, writs of mandamus, and other actions and proceedings (whether
 legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative
 dispute resolutions procedures (including, but not limited to arbitrations, mediations,
 and other such procedures), (collectively "Actions"), brought against the City, and/or
 any of its officials, officers, employees, agents, departments, agencies, and
 instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or
 annul, the any action of, or any permit or approval issued by, the City and/or any of its
 officials, officers, employees, agents, departments, agencies, and instrumentalities
 thereof (including actions approved by the voters of the City), for or concerning the
 Project (collectively, the "Entitlements"), whether such Actions are brought under the

1 California Environmental Quality Act, the Planning and Zoning Law, the Subdivision
2 Map Act, Code of Civil Procedure Chapter 1085 or 1094.5, the California Public
3 Records Act, or any other state, federal, or local statute, law, ordinance, rule, regulation,
4 or any decision of a court of competent jurisdiction. This condition to indemnify,
5 protect, defend, and hold the City harmless shall include, but not limited to (i) damages,
6 fees and/or costs awarded against the City, if any, and (ii) cost of suit, attorneys' fees
7 and other costs, liabilities and expenses incurred in connection with such proceeding
8 whether incurred by applicant, Property owner, or the City and/or other parties
9 initiating or bringing such proceeding (collectively, subparts (i) and (ii) are the
10 "Damages"). Notwithstanding anything to the contrary contained herein, the Applicant
11 shall not be liable to the City Parties under this indemnity to the extent the Damages
12 incurred by any of the City Parties in such Action(s) are a result of the City Parties'
13 fraud, intentional misconduct or gross negligence in connection with issuing the
14 Entitlements. The applicant shall execute an agreement to indemnify, protect, defend,
15 and hold the City harmless as stated herein within five (5) days of approval of CDP No.
16 2021-0001.

- 17 4. In accordance with the provisions of Government Code Section 66020(d)(1), the
18 imposition of fees, dedications, reservations, or exactions for this Project, if any, are
19 subject to protest by the applicant at the time of approval or conditional approval of the
20 Project or within 90 days after the date of the imposition of the fees, dedications,
21 reservations, or exactions imposed on the Project.
- 22 5. The applicant, landlord, and/or operator of the climate-controlled indoor self-storage
23 facility shall prepare and be responsible for implementation of a Site Maintenance
24 Program for the purposes of ensuring that the area around the exterior of the self-storage
25 facility remains free from trash, debris, and other litter, and that the exterior façade of the
26 self-storage facility remains in good physical appearance. The Site Maintenance Program
27 shall be reviewed and approved by the Planning Division prior to the issuance of a
28 business license for the self-storage facility use. Upon notice by the City of any site
maintenance issues, the applicant, landlord, and/or operator shall implement corrective
measures within forty-eight (48) hours or as directed by the Director of Community
Development.
6. The applicant, landlord, and/or operator shall place and maintain an exterior trash
receptacle for employee and customer use near the entrance of the store.
7. Customer access to the self-storage facility is allowed only between the hours of 6:00 a.m.
and 10:00 p.m. seven (7) days a week for the purpose of unloading and loading stored
goods. No other uses shall be allowed within the facility.
8. The individual storage units within the climate-controlled indoor self-storage facility shall
not be rented or occupied for residential purposes at any time.
9. Outdoor display or storage of any kind is strictly prohibited.

10. Customer/visitor vehicles shall be always parked on-site, including for any auctions. Customer/visitor vehicles shall not park off-site within the public right-of-way, particularly the Riverside Avenue frontage, at any time. Additionally, the parking of customer/visitor vehicles shall not interfere with or encroach into any required fire access lane.
11. All signage shall comply with Chapter 18.102 (Regulation of Signs) of the Rialto Municipal Code.
12. The applicant, landlord, and/or operator shall install and maintain exterior security cameras on the Site that cover the entire extent of the Site, as approved by the Rialto Police Department. The security cameras shall be accessible to the Rialto Police Department via the internet through FUSUS hardware and application. The security cameras shall be installed and operational prior to the issuance of a business license for the self-storage facility.
13. The applicant, landlord, and/or operator shall install and maintain Knox boxes immediately adjacent to the exterior of the main entry and at least one (1) rear door to the self-storage facility to facilitate the entry of safety personnel. The Knox boxes shall be installed in such a manner as to resist vandalism, removal, or destruction by hand, and be fully recessed into the building. The Knox boxes shall be installed and equipped with the appropriate keys prior to the issuance of a business license for the self-storage facility.
14. The applicant and/or landlord shall provide and maintain an illuminated channel letter address prominently placed on the building to be visible from the front of the location, prior to the issuance of a business license for the self-storage facility. Specifications for the illuminated channel letters are as follows: The illuminated channel letters shall indicate the numerical address of the Site. The channel letters shall be at least twelve (12) inches tall and at least four (4) inches deep with a “white” color face.
15. The applicant and/or landlord shall prominently display and maintain the address on the building rooftop to be visible to aerial law enforcement or fire aircraft. Specifications to be followed for alphanumeric characters are as follows: Three (3) foot tall and six (6) inches thick alphanumeric characters. The alphanumeric characters shall be constructed in such a way that they are in stark contrast to the background to which they are attached (e.g. white numbers and letters on a black background), and resistant weathering that would cause a degradation of the contrast. The address shall be displayed on the building rooftop accordingly prior to the issuance of a business license for the self-storage facility.
16. The applicant shall provide and maintain an audible alarm within the building, including at the rear door, prior to the issuance of a business license for the self-storage facility. The building shall be alarmed in such a way as to emit a continuous audible notification until reset by responsible personnel (e.g., alarmed exit device/crash bar).
17. The operator of the climate-controlled indoor self-storage facility shall maintain a valid City of Rialto Business License at all times.

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18. Approval of CDP No. 2021-0001 will not become effective until the applicant has signed a statement acknowledging awareness and acceptance of the required conditions of approval contained herein.
 19. Six (6) months after the date of approval, the Planning Commission will review the approved climate-controlled indoor self-storage facility to determine if the operator has complied with all conditions of approval of the Conditional Development Permit. Thereafter, the Planning Commission will review the approved facility on an annual basis.
 20. The privileges granted by the Planning Commission pursuant to approval of this Conditional Development Permit are valid for one (1) year from the effective date of approval. If the applicant fails to commence the project within one year of said effective date, this conditional development permit shall be null and void and any privileges granted hereunder shall terminate automatically. If the applicant or his or her successor in interest commence the project within one year of the effective date of approval, the privileges granted hereunder will continue inured to the property as long as the property is used for the purpose for which the conditional development permit was granted, and such use remains compatible with adjacent property uses.
 21. In the event, that self-storage facility operation on the Site is found to be objectionable or incompatible with the character of the City and its environs due to excessive noise, excessive traffic, loitering, criminal activity or other undesirable characteristics including, but not strictly limited to, uses which are or have become offensive to neighboring property or the goals and objectives of the Support Commercial (S-C) zone of the Central Area Specific Plan and the City's General Plan, the applicant and/or operator of the self-storage facility shall address the issues within forty-eight (48) hours of being notified by the City.
 22. If the applicant and/or operator of the self-storage facility fails to comply with any of the conditions of approval placed upon CDP No. 2021-0001 or PPD No. 2021-0001, the Planning Commission may initiate proceedings to revoke the conditional development permit in accordance with the provisions of Sections 18.66.070 through 18.66.090, inclusive, of the Rialto Municipal Code. Conditional Development Permit No. 2021-0001 may be revoked, suspended or modified in accordance with Section 18.66.070 of the Zoning Ordinance at the discretion of the Planning Commission if:
 - a) The use for which such approval was granted has ceased to exist, been subsequently modified, or has been suspended for six (6) months or more;
 - b) Any of the express conditions or terms of such permit are violated;
 - c) The use for which such approval was granted becomes or is found to be objectionable or incompatible with the character of the City and its environs due to excessive noise, excessive traffic, loitering, criminal activity or other undesirable characteristics including, but not strictly limited to uses which

1 are or have become offensive to neighboring property or the goals and
2 objectives of the Support Commercial (S-C) zone of the Central Area
3 Specific Plan, and the City's General Plan.

4 SECTION 5. The Chair of the Planning Commission shall sign the passage and adoption of
5 this resolution and thereupon the same shall take effect and be in force.

6 PASSED, APPROVED AND ADOPTED this 30th day of June, 2021.

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10 FRANK GONZALEZ, CHAIR
11 CITY OF RIALTO PLANNING COMMISSION
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4 STATE OF CALIFORNIA)
5 COUNTY OF SAN BERNARDINO) ss
6 CITY OF RIALTO)
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8 I, Adrianna Martinez, Administrative Assistant of the City of Rialto, do hereby certify that
9 the foregoing Resolution No. _____ was duly passed and adopted at a regular meeting of the Planning
10 Commission of the City of Rialto held on the ____th day of ____, 2021.

11 Upon motion of Planning Commissioner_____, seconded by Planning Commissioner
12 _____, the foregoing Resolution No. _____was duly passed and adopted.

13 Vote on the motion:

14 AYES:

15 NOES:

16 ABSENT:

17 IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of
18 Rialto this ____th day of ____, 2021.
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22 _____
23 ADRIANNA MARTINEZ, ADMINISTRATIVE ASSISTANT
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“Exhibit A”