

ORDINANCE NO. 1688

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY
OF RIALTO, CALIFORNIA, AMENDING CHAPTER 18.104
AND RELATED SECTIONS OF THE RIALTO MUNICIPAL
CODE RELATED TO OUTDOOR STORAGE USES**

WHEREAS, Chapter 18.104 of the Rialto Municipal Code establishes requirements for the outdoor storage of goods, materials, machines, vehicles, trailers, and other equipment; and

WHEREAS, the City Council desires to amend the Rialto Municipal Code to modify and clarify development standards for outdoor storage uses; and

WHEREAS, the City Council desires to promote economic vitality and sustainability of businesses within the community, while still protecting the general health, safety, and welfare of the public, by regulating outdoor storage uses; and

WHEREAS, on August 30, 2023, the Planning Commission held a public hearing on Zoning Code Amendment (ZCA) No. 23-001, an amendment to Title 18 of the Rialto Municipal Code to modify and clarify development standards for outdoor storage uses, where it heard testimony and discussed the Ordinance and recommended to the City Council approval.

WHEREAS, Upon the effective date of this ordinance, Interim Urgency Ordinance No. 1678 shall terminate and shall be superseded by this ordinance.

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

Section 1. The above recitals set forth above are all true and correct and incorporated herein.

Section 2. The adoption of the proposed Ordinance is exempt from the California Environmental Quality Act (CEQA). Pursuant to Section 15378 of the California Environmental Quality Act, a 'Project' means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. A project does not include changes to development standards that will not result

1 in direct or indirect physical changes in the environment. The Planning Division will file a Notice
2 of Exemption with the Clerk of the Board of San Bernardino County in accordance with CEQA
3 upon adoption of the Ordinance.

4 **Section 3.** Chapter 18.104 [Outdoor Storage Uses] of the Rialto Municipal Code is
5 hereby amended to read as follows with italicized and bolded text representing additions and
6 stricken text representing deletions:

8 **Chapter 18.104 – Outdoor Storage Uses**

9 **18.104.010 - Purpose**

10 This section establishes requirements for the outdoor storage of goods, materials (except
11 temporary storage of construction materials associated with an active building permit), machines,
12 vehicles, trailers, and other equipment. The purpose of these regulations is to provide adequate
13 and convenient areas for outdoor storage and display of materials, merchandise, and equipment in
14 industrial zones. The intent of these regulations is to minimize visual impacts to adjacent
15 properties and public rights-of-way and to protect public health, safety and welfare due to the over
16 development of these storage intensive facilities within the City of Rialto by controlling the
17 number, size, and location of these facilities.

18 **18.104.015 - Definitions**

19 A. The following words and phrases shall, for the purposes of this chapter, have the meanings
20 respectively ascribed to them by this section, as follows:

- 21 1. “*Outdoor storage use*” means establishments that engage primarily in the outdoor
22 storage of goods, materials (except temporary storage of construction materials
23 associated with an active building permit), machines, vehicles, trailers, and other
24 equipment.
- 25 2. “*Truck yard*” is a type of outdoor storage use whereby an outdoor lot, lot area, or parcel
26 of land used, is designed and maintained primarily for the purpose of storing, parking,
27 dispatching, or keeping motor trucks, tractors, bobtails, and associated equipment
28

1 together with or without facilities necessary to service, dispatch, store or maintain
2 aforementioned vehicles, their cargos and crews.

3 **18.104.020 - Applicability**

4 The requirements of this chapter shall apply to the establishment or modification of all outdoor
5 storage in zoning districts in which the use is permitted, pursuant to Section 18.66.030. This
6 chapter shall not apply to existing uses or pending applications as of the effective date of the
7 ordinance codified in this chapter. The continuation of existing outdoor storage uses shall be
8 subject to the regulations and guidelines of Chapter 18.60, Non-conforming Uses of the Rialto
9 Municipal Code.

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11 **18.104.025 - Locational Provisions**

12 A. Subject to the limitations of this chapter, outdoor storage uses, including truck yards, may
13 be established, subject to Planning Commission approval of a conditional development
14 permit, within the following zones, consistent with Section 18.66.030:

- 15 1. Light Industrial (M-1) zone
- 16 2. General Manufacturing (M-2) zone
- 17 3. General Manufacturing (I-GM) zone of the Rialto Airport Specific Plan
- 18 4. Medium Industrial (M-IND) zone of the Agua Mansa Specific Plan
- 19 5. Heavy Industrial (H-IND) zone of the Agua Mansa Specific Plan

20 B. Truck yards shall not be located adjacent to or across a street or intersection from
21 residentially zoned or used land, public and private schools, public parks and open space
22 intended for public park and recreational use.

23 *C. Existing truck yards that do not meet criteria listed in "B" above may be granted a one*
24 *(1) expansion to increase the existing site in size for outdoor storage with approval of a*
25 *Conditional Development Permit (CDP) or amended CDP with proper screening and all*
26 *other requirements incorporated.*

27 **18.104.030 - Development Standards.**

28 A. Site and Architectural Design Standards

1. All outdoor storage uses, including truck yards, and associated buildings shall comply with all applicable provisions of Chapter 18.61 (Design Guidelines) of the Rialto Municipal Code. All buildings and structures shall incorporate enhanced architectural treatments on all sides visible from public view. Enhanced architectural treatments include combinations of accent building materials, windows/spandrel glass, reveals, metal eyebrow accents, cornices, etc.
2. Underground stormwater chambers shall be provided to avoid the need for aboveground stormwater basins. As an alternative, aboveground basins may be permitted if the depth of the basin does not require fencing and the basin can be planted with shrubs and groundcover so as to appear as part of the landscaped area on the site.

B. Parking and Access Standards

1. Parking shall be provided for the primary use associated with an outdoor storage use in accordance with Chapter 18.58 (Off-Street Parking) of the Rialto Municipal Code or an applicable Specific Plan.
2. All passenger vehicle parking lots, drive-aisles, and truck parking areas or truck courts, and outdoor storage areas shall be paved with asphalt or concrete; no areas shall remain unfinished and all areas of a developed site shall be finished with a permanent surface or permanent landscaping materials and irrigation.
3. Sufficient space, including additional overflow areas, shall be provided to accommodate all maneuvering, queuing, stacking, loading, unloading, and parking of vehicles on-site and to avoid queuing, stacking, loading, unloading, and parking of vehicles off-site on adjacent streets.
4. Signage for directional guidance to vehicles entering and exiting the facility shall be provided on-site.
5. ***Fire access lanes of a minimum twenty-six feet (26') in width shall be required along the interior perimeter of any required decorative block screening wall adjacent to a public right-of-way. Additional fire access lanes shall be provided as required by the Fire Department. This required fire access lane may be used to meet the line-of-sight clearance set back requirement above.***

1 C. Screening Standards

- 2 1. All stored items, including trucks and trailers within truck parking areas and courts,
3 shall be completely screened from public view, including oblique views, by a
4 combination of buildings and/or solid screen walls of either decorative concrete
5 masonry block or decorative concrete tilt-up walls. Decorative masonry block means
6 tan slumpstone block, tan split-face block, or precision block with a stucco, plaster, or
7 cultured stone finish. Decorative concrete tilt-up wall means concrete with a
8 combination of paint and raised patterns, reveals, and/or trim lines.
- 9 2. Screen walls shall not be located within any required front yard or street side yard
10 building or landscape setback area.
- 11 3. All stored items, including trucks and trailers within truck parking areas, shall not
12 exceed eight (8) feet in height unless a taller wall up to fourteen (14) feet is provided to
13 effectively screen along street frontages. The minimum height of screen walls shall be
14 eight (8) feet and the maximum height shall be fourteen (14) feet.
- 15 4. Solid walls surrounding outdoor storage uses that either at grade or are above the grade
16 of an adjacent street shall incorporate a berm/slope along the entire length of the wall
17 that ensures that no more than eight (8) feet of the wall is visible from public view.
18 The maximum slope shall not exceed a 4:1 ratio.
- 19 5. A combination of eight (8) foot tall fencing and a five (5) foot wide landscaping planter
20 may be provided in lieu of solid screening walls along the side and rear property lines
21 in areas where the site is not visible to the public. A combination of trees and shrubs
22 shall be provided to ensure adequate screening.
- 23 6. Access gates and doors may be constructed of open wrought iron if a perforated metal
24 screen or other durable material is incorporated into the design that obscures views
25 through the gate.
- 26 7. Anti-graffiti coating or equivalent measure to prevent graffiti shall be provided for all
27 solid screen walls.
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- 1 8. *A line-of-sight analysis clearly demonstrating that all registered vehicles proposed to*
2 *be located in the storage area(s) are screened from view from all adjacent public*
3 *rights-of-way at all times shall be required with all proposals and/or applications.*
4 *For the purpose of the line-of-sight analysis, the assumed height of the vehicles to be*
5 *stored shall be fourteen feet and six inches (14'6"). To meet this requirement,*
6 *storage areas shall be set back from required screening walls to provide the required*
7 *line-of-sight clearance for screening. Storage areas which have been set back to*
8 *provide the required line-of-sight clearance for screening shall be identified on the*
9 *site plan and shall be marked and maintained at all times in a manner consistent*
10 *with the site plan.*

11 D. Landscape Standards

- 12 1. All outdoor storage uses shall incorporate a minimum fifteen (15) foot deep landscaped
13 setback along all street frontages with a combination of trees, shrubs, and groundcover.
14 Parking of motor vehicles is not permitted within the required setback area.
15 2. All outdoor storage uses shall provide a minimum ten (10) foot wide landscape planter
16 at the base of any buildings and screening walls that are visible from and face street
17 frontages. Planting within these planters shall consist of a combination of small to
18 medium scale trees, shrubs, and groundcover vegetation to soften the edge of the
19 building or screen wall.
20 3. Trees shall be planted every thirty (30) linear feet within all landscape planters on-site.
21 Two (2) rows of trees shall be provided within all landscape setbacks adjacent to public
22 streets. A minimum of fifty percent (50%) of the trees on-site shall consist of
23 evergreen broadleaf tree species to ensure year-round coverage.
24 4. Shrubs and groundcover vegetation shall be planted an average of three (3) feet on-
25 center or less, or as recommended for the species. Shrubs and groundcover vegetation
26 species shall be selected and plotted to ensure a layering of landscaping from shorter to
27 taller.

28 E. Security Standards

- 1 1. All outdoor storage uses shall be secured and incorporate security cameras that are
2 connected to the City's enforcement system to the satisfaction of the Police Chief.

2. All outdoor storage uses shall be illuminated entirely every night, from dusk until dawn, with a minimum of one (1.0) foot candle across the site. Light fixtures shall be arranged or shield so as not to spill light onto neighboring properties.

F. Operational Standards for Truck Yards

1. An Operations and Truck Route Plan shall be submitted for review and approval as part of the conditional development permit application. The plan shall describe the operational characteristics of the proposed use, including but not limited to, hours of operation, number of employees, types of items to be stored at the site, and the proposed truck routing to and from the facility to designated truck routes that avoids passing residential, educational, park and open space intended for public park and recreational use areas to the greatest extent feasible. The plan shall also include physical and operational measures for preventing truck queuing, stopping, and parking on public streets.
2. A Property Maintenance Program shall be submitted for review and approval as part of the conditional development permit application. The program shall provide for the regular maintenance of building structures, landscaping, and paved surfaces in good physical condition and appearance. The methods and maximum intervals for maintenance of each component shall be specified in the program.

18.104.035 - Performance Standards

- A. Outdoor storage is subject to all applicable fire, health, safety, and building regulations.
- B. Outdoor storage shall not impede the growth or maintenance of required landscaping.
- C. Storage is permitted in required side and rear yards. Storage is not permitted in required front or street side yards.
- D. Caretaking units shall be permitted, provided that the units do not rely on street parking.
- E. All areas of the establishment or facility shall be maintained in good repair, in a clean, neat and orderly condition.

1 F. New or modified truck yards shall route all vehicles associated with the use (trucks, vans,
2 passenger vehicles, etc.) on roadways that avoid passing residential, educational, park and
3 open space intended for public park and recreational use areas to the greatest extent
4 feasible.

5 G. The following measures shall be included as performance measures and standard
6 conditions of approval for all truck yards:

7 1. The queuing of trucks on streets or elsewhere outside of facility shall be prohibited.

8 *The site shall be designed to accommodate* all queuing, stacking, loading, unloading,
9 and parking shall occur ~~exclusively~~ **completely** on-site.

10 2. The operator of the outdoor storage use shall be responsible for implementing and
11 monitoring an Operations and Truck Route Plan during all operations, including, but
12 not limited to posting the plan and educating truck drivers on the approved routes.

13 3. Truck yard facilities shall not store any products, goods, materials, or containers
14 outside of any building on-site, except for trucks and trailers associated with the truck
15 yard facility, unless such storage is permitted through a conditional development
16 permit in accordance with this Chapter.

17 4. Truck drivers shall not sleep or reside within any truck cab on-site overnight or for any
18 other extended duration of time.

19 5. Operators shall address any parking, traffic, noise, or safety issues within 48 hours of
20 being notified by the City that an issue exists.

21 6. Prior to the issuance of a ~~business compliance certificate~~ **Certificate of Occupancy (C**
22 **of O) and business license**, ~~any new~~ the tenant or operator of a truck yard facility shall:
23 1) submit an operational plan and trip generation analysis prepared by a licensed traffic
24 engineer for review and approval demonstrating the proposed operations and projected
25 traffic associated with the new tenant or operator is the same or less than the projected
26 traffic assumed in the approved entitlements for the facility; and 2) sign a statement
27 acknowledging acceptance of all operational conditions of approval associated with the
28 approved entitlements for the facility. If the proposed operations and trip generation
represent a significant change in operational characteristics or more than ten percent
increase in trip generation beyond what was entitled, a modification to the conditional
development permit shall be required prior to the start of operations.

7. The property owner and/or operator shall be responsible for implementing the approved property maintenance program and maintaining the property in good physical condition.
8. *All vehicles stored on the premises shall have a valid vehicle registration from the State of California or other similar government entity and shall be maintained in an operable condition at all times.*
9. *Fire hydrants shall be required to the satisfaction of the Fire Department.*
10. *Vehicles stored on the premises shall not themselves be used as storage containers to store materials in them. With prior 72 hour written notice to the property and/or business owner, any and all stored vehicles shall be open to inspection for the purpose of enforcing this provision.*
11. *To provide adequate space dimensions to accommodate the movement of large vehicles on the site, the minimum lot width of 200 feet and a minimum lot depth of 200 feet. Irregular or unusually shaped lots may require additional minimums to meet the intent of this regulation, as shall lots with unusual, irregular, or severe topographic features or changes.*
12. *Maintenance or vehicle repair is not permitted at the premises unless otherwise separately allowed and approved under a separate conditional use permit.*

18.104-040 – Exemptions.

A. Exempt Uses. The following uses shall be exempt from the provisions and requirements of this chapter:

1. Vehicle, boat, and recreational vehicle dealerships;
2. Temporary seasonal displays (e.g. Christmas tree lots, pumpkin patch lots, etc.); and,
3. Ancillary outdoor display by indoor retailers.

18.104.050 - Building, Grading, or Electrical Permits and Enforcement.


A building, grading or electrical permit shall not be issued for any outdoor storage or display use unless a conditional development permit and a precise plan of design are approved by the city. No outdoor storage use, including truck yards, shall be conducted on any site without the approval of all necessary entitlement applications, the issuance of all required permits, and the completion of all required site improvements.

Section 4. Upon the effective date of this ordinance, Interim Urgency Ordinance No. 1678 shall be repealed and superseded by this ordinance.

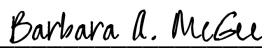
1 **Section 5.** If any provision of this Ordinance is held invalid, such invalidity shall not
2 affect the remaining provisions of this Ordinance, which shall remain in effect absent the provision
3 held to be invalid, and to this end, the provisions of this Ordinance are declared to be severable.

4 **Section 6.** The City Clerk shall certify to the adoption of this Ordinance and cause the
5 same to be published in the local newspaper, and the same shall take effect thirty (30) days after its
6 date of adoption.

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8 PASSED, APPROVED AND ADOPTED this 26th day of September, 2023.

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11 _____
12 DEBORAH ROBERTSON, Mayor

13 ATTEST:

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16 _____
17 BARBARA McGEE, City Clerk

18
19 APPROVED AS TO FORM

20
21 
22 _____
23 ERIC VAIL, City Attorney
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27
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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 foregoing
6 Ordinance No. 1688 was duly passed and adopted at a regular meeting of the City Council of the
7 City of Rialto held on the 26th day of September, 2023.

8 Upon motion of Councilmember Trujillo, seconded by Councilmember Baca, the
9 foregoing Ordinance No. 1688 was duly passed and adopted.

10 Vote on the Motion:

11 AYES: Mayor Robertson, Mayor Pro Tem Carrizales, Council Member Scott, Baca
12 and Trujillo

13 NOES: None

14 ABSENT: None

15 IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the
16 City of Rialto, this 27th day of September, 2023.

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Barbara A. McGee

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Barbara A. McGee, City Clerk

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