

ORDINANCE NO. 1486

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, APPROVING GENERAL PLAN AMENDMENT NO. 36 TO CHANGE THE LAND USE DESIGNATION FROM MEDIUM DENSITY RESIDENTIAL TO LIGHT INDUSTRIAL FOR AN INDUSTRIAL PROJECT LOCATED ON A 164 ACRE SITE ON THE EAST AND WEST SIDES OF CACTUS AVENUE NORTH OF EL RIVINO ROAD AND SOUTH OF JURUPA AVENUE COMMONLY REFERRED TO AS "RIALTO COMMERCE CENTER".

WHEREAS, the City of Rialto adopted a General Plan Update in December 2010;

WHEREAS, Section 65358 of the California Government Code allows a city to amend any mandatory element of its General Plan up to four times in any one calendar year; and

WHEREAS, at an advertised public hearing on April 14, 2010, the Planning Commission considered General Plan Amendment No. 36 and adopted a Resolution recommending that the City Council approve the proposed amendment.

NOW THEREFORE, the City Council does hereby ordain as follows:

SECTION 1. The following findings are made for the proposed amendment:

1. The proposed amendment is consistent with the goals and policies of the General Plan and its purposes, standards and land use guidelines. The Land Use Element of the Rialto General Plan 2010 guides the development, maintenance and improvement of land for the next 30 years. Page 2-4 of the General Plan states that the community desires to "retain the long established land use patterns" in the City. To that end, the General Plan 2010 Land Use Map designates the subject site as Light Industrial. The designation allows light industrial activity such as processing, packaging, machinery repair, fabrication, distribution, warehousing and storage, research and development and other similar low impact uses with a maximum Floor Area Ratio F.A.R. of 1.0. Warehousing, trucking and transportation related heavy manufacturing and any use involving outdoor activities is specifically prohibited. All outdoor storage must be screened from view. Goal 2.22 of the Rialto General Plan is to "promote commercial and/or industrial development that is well designed, people oriented, environmentally sustainable, sensitive to the needs of the visitor or resident and functionally efficient for its purpose". The design of the proposed building is subject to approval from the Development Review Committee (DRC). The DRC will ensure that the project design:

- ✓ Incorporates varied planes and textures and a variety of window and door treatments on buildings;
- ✓ Uses architecture to disaggregate massive buildings into smaller parts with greater human scale;
- ✓ Incorporates landscaping to define and emphasize entrances along the front of a building and facing the parking area;
- ✓ Requires outdoor storage areas to be screened from public view; and
- ✓ Requires full architectural treatment on all facades visible from the public right of way.

Since the proposed project will maintain the established industrial land use pattern in the area and will achieve the design standards specified in the General Plan, it is consistent with the goals and policies of the General Plan and its purposes, standards and land use guidelines; and

2. Public necessity, convenience, general welfare, or good zoning practice will be achieved as a result of the proposed amendment. The northeast portion of the site is contiguous to the Agua Mansa Industrial Corridor Specific Plan, which is the city's industrial core. The Agua Mansa Specific Plan was adopted in 1986 to facilitate the logical planned development of 4,465 acres to attract industry and stimulate employment. Community Development Block Grant (CDBG) funds contributed from the counties of San Bernardino and Riverside and the cities of Colton and Rialto jointly funded the studies in the project area. Since the proposed project is adjacent to land with a Medium Industrial (M-IND) zoning designation, it is a continuation of the existing industrial land use pattern established by the Agua Mansa Specific Plan in 1986.

In addition, the developer must comply with strict architectural design guidelines as specified in the City's design guidelines and in the Managing Land Use Supply chapter of the General Plan. These design standards will be required as a condition of approval through Precise Plan of Design process.

The project ensures good zoning practice because the proposed zoning designation is consistent with the established land use pattern in the area and through design standards will be compatible with other non-industrial land uses in the area.

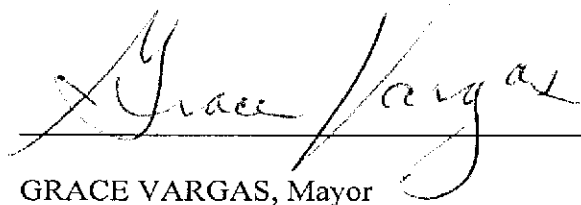
SECTION 2. That the proposed project has been reviewed in accordance with the California Environmental Quality Act (CEQA). After reviewing the environmental information application form submitted by the applicant, it was determined that this project could have potentially significant impacts. Based on this determination, an Environmental Impact Report (07-42) has been prepared. The Environmental Impact Report (EIR) has been certified together with the adoption of a Statement of Overriding Considerations as set forth in Ordinance No. _____.

1 **SECTION 3.** That the 2010 Land Use Map of the Rialto General Plan is hereby changed from:
2 Medium Density Residential to Light Industrial for the real property described as: A 164 acre site generally
3 located on the east and west sides of Cactus Avenue north of El Rivino Road and south of Jurupa Avenue in
4 the City of Rialto, County of San Bernardino, California. The site consists of the following eight assessor
5 parcels:

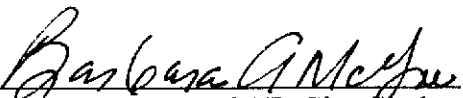
- 6 •0260-011-21;
7 •0260-021-09;
8 •0260-021-15;
9 •0259-181-20;
10 •0259-181-26;
11 •0259-181-27;
12 •0259-181-28; and
13 •0259-181-34.

14 **SECTION 4.** The City Clerk shall certify adoption of this Ordinance and cause the same to be
15 published once in a local newspaper and the same shall be in force and effect thirty (30) days after
16 passage and adoption.

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20 PASSED, APPROVED AND ADOPTED this ^{26th}~~12th~~ day of April, 2011.

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GRACE VARGAS, Mayor

1 ATTEST:

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5 BARBARA A. McGEE, City Clerk
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8 APPROVED AS TO FORM:

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12 JIMMY L. GUTIERREZ, City Attorney
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1 **STATE OF CALIFORNIA**)
2 **COUNTY OF SAN BERNARDINO**)ss
3 **CITY OF RIALTO**)

4 I, Barbara A. McGee, City Clerk of the City of Rialto, do hereby certify that the foregoing
5 Ordinance No. 1486 was duly passed and adopted at a regular meeting of the City Council of the
6 City of Rialto held on the 26th day of April, 2011.
7

8 Upon motion of Councilmember Baca Jr., seconded by Councilmember Scott, the foregoing
9 Ordinance No. 1486 was duly passed and adopted.
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11 Vote on the Motion:

12 AYES: Mayor Vargas, Council Members: Baca Jr., Robertson, Scott and Palmer
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14 NOES: None
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16 ABSTAIN: None
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18 ABSENT: None
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20 IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of
21 Rialto, this 7th day of June, 2011.
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23 
24 BARBARA A. MCGEE, CITY CLERK
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