## RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA APPROVING AN ADDENDUM TO THE 2010 FOOTHILL BOULEVARD SPECIFIC PLAN MITIGATED NEGATIVE DECLARATION (ENVIRONMENTAL ASSESSMENT REVIEW NO. 2022-0037) FOR A PROJECT INCLUDING OF THE DEVELOPMENT OF A 21-UNIT APARTMENT COMPLEX WITH 5 ACCESSORY DWELLING UNITS CONSISTING OF 8 TWO-STORY BUILDINGS AND ASSOCIATED PAVING, LANDSCAPING, LIGHTING AND DRAINAGE IMPROVEMENTS.

WHEREAS, the applicants, George Becerra and Fernando Acosta, propose to develop a 21-unit apartment complex with 5 Accessory Dwelling Units consisting of 8 two-story buildings and associated paving, landscaping, lighting and drainage improvements ("Project") on approximately 1.67 gross acres of land (APNs: 0130-013-02) located on the east side of Cactus Avenue approximately 360 feet south of Foothill Boulevard; and

WHEREAS, in conjunction with the Project, the applicant has submitted Specific Plan Amendment No. 2022-0001 ("SPA No. 2022-0001") to amend the Foothill Boulevard Specific Plan; and

WHEREAS, additionally, in conjunction with the Project, the applicant has submitted Precise Plan of Design No. 2022-0025 to develop a 21-unit apartment complex with 5 Accessory Dwelling Units consisting of 8 two-story buildings and associated paving, landscaping, lighting and drainage improvements on the Site ("PPD No. 2022-0025"); and

WHEREAS, pursuant to the provisions of California Environmental Quality Act (CEQA) Section 15164(a), Public Resources Code Sections 21000 et. seq. ("CEQA"), the State's CEQA Guidelines, California Code of Regulations, Title 14, Section 15000 et. seq., and Government Code Section 65962.5(f) (Hazardous Waste and Substances Statement), the City reviewed an Addendum to the 2010 Foothill Boulevard Specific Plan Mitigated Negative Declaration ("Environmental Assessment Review No. 2022-0037" and "EAR No. 2022-0037") prepared by Compass Consulting Enterprises, Inc., Exhibit "A" hereto, and determined that the proposed

Project would result in no new significant impacts that were not analyzed in the 2010 Foothill Boulevard Specific Plan Mitigated Negative Declaration ("2010 FBSP MND"), nor would the proposed Project cause a substantial increase in the severity of any previously identified environmental impacts. The potential impacts associated with proposed Project would either be the same or less than those described in the 2010 FBSP MND. In addition, there are no substantial changes to the circumstances under which the proposed Project would be undertaken that would result in new or more severe environmental impacts than previously addressed in the 2010 FBSP MND, nor has any new information regarding the potential for new or more severe significant environmental impacts been identified; and

WHEREAS, on June 13, 2023, the City Council conducted a duly noticed public hearing, as required by law, on the EAR No. 2022-0037, SPA No. 2022-0001 and PPD No. 2022-0025, took testimony, at which time it received input from staff, the city attorney, and the Applicant; heard public testimony; discussed the proposed EAR No. 2022-0037, SPA No. 2022-0001 and PPD No. 2022-0025; and closed the public hearing; and

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

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

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

SECTION 2: The City of Rialto is the Lead Agency for the Project, as determined by CEQA. Based on EAR No. 2022-0037 and the accompanying technical studies, it has been determined that:

- 1. There are no substantial changes to the Project or the circumstances under which the Project will be carried out that will require major revisions to the previously adopted MND.
- 2. The Project will not result in new significant environmental effects or substantial increases in the severity of previously identified significant effects.

1	3. T	There is no new information substantial importance, which was known or could have been
2	k	known with the exercise of reasonable diligence at the time the previous MND was
3	a	dopted.
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5	4. T	The Project will not have any significant effects that are not identified and discussed in the
6	p	previously adopted MND, and there are no newly feasible, or considerably different,
7	n	nitigation measures or alternatives which would substantially reduce one or more
8	S	ignificant effects of the Project which the applicant declines to adopt.
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10	<u>S</u>	SECTION 3: The City Council hereby adopts EAR No. 2022-0037, attached hereto as
11	Exhibit '	"A", prepared in accordance with CEQA for the Project.
12	<u>S</u>	SECTION 4: The Mayor shall sign the passage and adoption of this resolution and
13	thereupon the same shall take effect and be in force.	
14	P	PASSED, APPROVED AND ADOPTED this 13th day of June 2023.
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17		DEBORAH ROBERTSON, MAYOR
18		m.
19	ATTES	1:
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22	RAPRA	RA MCGEE, CITY CLERK
23	DAKDA	RA WCOLL, CITT CLLRR
24	APPRO	VED AS TO FORM:
25		TAD IN IN I VILLE
26		
27 28	ERIC S.	VAIL, CITY ATTORNEY
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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	Resolution No was duly passed and adopted at a regular meeting of the City Council		
7	of the City of Rialto held on the day of, 2023.		
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 of		
15	Rialto this, 2023.		
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20	BARBARA MCGEE, CITY CLERK		
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## Exhibit "A"