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WHEREAS, on March 8, 2022 the City Council adopted the 2021-2029 (6th Cycle) General Plan Housing Element; and

WHEREAS, the Rezone Program is comprised of Zoning Code Amendment No. 2022-0004, Specific Plan Amendment No. 2022-0006, Specific Plan Amendment No. 2022-0007, and Specific Plan Amendment No. 2022-0008, which collectively establish a residential overlay to accommodate housing (“Project”); and

-1-

1 Declaration for the 2021-2029 (6th Cycle) General Plan Housing Element (“MND 6th Cycle
2 Housing Element”), nor would the proposed Project cause a substantial increase in the severity of
3 any previously identified environmental impacts. The potential impacts associated with the
4 proposed Project would either be the same or less than those described in the MND 6th Cycle
5 Housing Element. In addition, there are no substantial changes to the circumstances under which
6 the proposed Project would be undertaken that would result in new or more severe environmental
7 impacts than previously addressed in the MND 6th Cycle Housing Element, nor has any new
8 information regarding the potential for new or more severe significant environmental impacts been
9 identified; and

10 **WHEREAS**, the City published the public hearing notice in the San Bernardino Sun
11 newspaper, mailed the notice to property owners, and posted in public places as required by State
12 law; and

13 **WHEREAS**, on January 11, 2023, the Planning Commission of the City of Rialto
14 conducted a duly noticed public hearing, as required by law, on the Addendum to the Mitigated
15 Negative Declaration for the 2021-2029 (6th Cycle) General Plan Housing Element
16 (Environmental Assessment Review No. 2022-0083), ZCA No. 2022-0004, SPA No. 2022-0006,
17 SPA No. 2022-0007, and SPA No. 2022-0008, heard testimony, at which time it received input
18 from staff and the city attorney; received public testimony; discussed the proposed Addendum to
19 the Mitigated Negative Declaration for the 2021-2029 (6th Cycle) General Plan Housing Element
20 (Environmental Assessment Review No. 2022-0083), ZCA No. 2022-0004, SPA No. 2022-0006,
21 SPA No. 2022-0007, and SPA No. 2022-0008; and closed the public hearing; and

22 **WHEREAS**, the Planning Commission voted 5-0 to recommend the City Council approve
23 the amendment to the proposed Addendum to the Mitigate Negative Declaration; and

24 **WHEREAS**, on February 14, 2023, the City Council of the City of Rialto conducted a
25 duly noticed public hearing, as required by law, on the Addendum to the Mitigated Negative
26 Declaration for the 2021-2029 (6th Cycle) General Plan Housing Element (Environmental
27 Assessment Review No. 2022-0083), ZCA No. 2022-0004, SPA No. 2022-0006, SPA No. 2022-
28 0007, and SPA No. 2022-0008, heard testimony, at which time it received input from staff and the

city attorney; received public testimony; discussed the proposed Addendum to the Mitigated Negative Declaration for the 2021-2029 (6th Cycle) General Plan Housing Element (Environmental Assessment Review No. 2022-0083), ZCA No. 2022-0004, SPA No. 2022-0006, SPA No. 2022-0007, and SPA No. 2022-0008; and closed the public hearing; and

WHEREAS, on July 25, 2023, the City Council of the City of Rialto conducted a duly noticed public hearing, as required by law, on the Addendum to the Mitigated Negative Declaration for the 2021-2029 (6th Cycle) General Plan Housing Element (Environmental Assessment Review No. 2022-0083), ZCA No. 2022-0004, SPA No. 2022-0006, SPA No. 2022-0007, and SPA No. 2022-0008, heard testimony, at which time it received input from staff and the city attorney; received public testimony; discussed the proposed Addendum to the Mitigated Negative Declaration for the 2021-2029 (6th Cycle) General Plan Housing Element (Environmental Assessment Review No. 2022-0083), ZCA No. 2022-0004, SPA No. 2022-0006, SPA No. 2022-0007, and SPA No. 2022-0008; and closed the public hearing; and

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

NOW, THEREFORE, the City Council of the City of Rialto, California, does hereby resolve as follows:

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

SECTION 2. The City of Rialto is the Lead Agency for the Project, as determined by CEQA. Based on the Addendum to the Mitigated Negative Declaration for the 2021-2029 (6th Cycle) General Plan Housing Element (Environmental Assessment Review No. 2022-0083), 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 certified Mitigated Negative Declaration.

1 2. The Project will not result in new significant environmental effects or substantial increases
2 in the severity of previously identified significant effects.

3
4 3. There is no new information of substantial importance, which was known or could have
5 been known with the exercise of reasonable diligence at the time the previous Mitigated
6 Negative Declaration was certified.

7
8 4. The Project will not have any significant effects that are not identified and discussed in the
9 previously certified Mitigated Negative Declaration, and there are no newly feasible, or
10 considerably different, mitigation measures or alternatives which would substantially
11 reduce one or more significant effects of the Project which the applicant declines to adopt.

12 **SECTION 3.** For the foregoing reasons and based on the information and findings
13 included in the Addendum to the Mitigated Negative Declaration, Mitigation Monitoring and
14 Reporting Program, Staff Report, public testimony, and all other documents and evidence in the
15 administrative record of proceedings, the City Council has determined that the Project, as
16 mitigated, will not have a significant adverse impact on the environment and also finds that the
17 preparation of the Addendum to the Mitigated Negative Declaration attached hereto complies with
18 CEQA. Therefore, the City Council hereby certifies the Addendum to the Mitigated Negative
19 Declaration and Mitigation Monitoring and Reporting Program, making certain environmental
20 findings to allow the Project.

21 **SECTION 4.** The Mayor shall sign the passage and adoption of this resolution and
22 thereupon the same shall take effect and be in force.

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24 **PASSED, APPROVED AND ADOPTED** this 25th day of July, 2023.

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28 DEBORAH ROBERTSON, MAYOR

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ATTEST:

BARBARA MCGEE, CITY CLERK

APPROVED AS TO FORM:

ERIC S. VAIL, 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 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 25th day of July, 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 _____ day of _____, 2023.

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19 _____
20 BARBARA MCGEE, CITY CLERK
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Exhibit “A”

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