

RESOLUTION NO. 2023-40

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIALTO, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL RATIFY ADOPTION OF GENERAL PLAN AMENDMENT NO. 2021-0002 - THE CITY OF RIALTO 2021-2029 (SIXTH CYCLE) GENERAL PLAN HOUSING ELEMENT UPDATE

WHEREAS, the General Plan is a long-range, comprehensive document that serves as a guide for the orderly development of the City of Rialto;

WHEREAS, the Housing Element is one of seven State-mandated General Plan elements and a component of the City of Rialto General Plan;

WHEREAS, California State Housing Element Law establishes the requirements for Housing Elements and California Government Code Section 65588 requires that local governments review and revise the Housing Element of their General Plans not less than once every eight years;

WHEREAS, the updated Housing Element must be adopted by City Council and certified by California State Department of Housing and Community Development (HCD), and the Planning Commission is required to make a recommendation regarding the Housing Element prior to City Council adoption;

WHEREAS, the City of Rialto has completed public engagement that included conducting two workshops, a web-based survey, pop-up activities, a special study session with the Planning Commission, and multiple presentations to City Council;

WHEREAS, the City of Rialto Planning Division has prepared an update of the City's General Plan Housing Element in accordance with Government Code Section 65588;

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), an Initial Study/Mitigated Negative Declaration (IS/MND) was prepared for the draft 2021-2029 Housing Update in compliance with CEQA and the local environmental review guidelines;

WHEREAS, the IS/MND was circulated for the required 30-day public review period from January 7, 2023 to February 7, 2023;

WHEREAS, a Notice of Intent to Adopt a Negative Declaration (NOI) for the draft 2021-2029 Housing Element Update was posted with the City Clerk and San Bernardino County Clerk and sent to responsible agencies on or about January 7, 2023;

WHEREAS, pursuant to Government Code Sections 65350-65362, on February 9, 2023, the Planning Commission of the City of Rialto conducted a duly noticed public hearing on GPA No. 2021-0002; heard public testimony; discussed GPA No. 2021-0002; closed the public hearing; and forwarded a recommendation of approval to the City Council for action;

WHEREAS, on February 28, 2023, HCD conditionally approved the City's Housing Element, finding the Housing Element substantially in compliance with state law;

WHEREAS, pursuant to Government Code Sections 65350-65362, on February 28, 2023, the City Council of the City of Rialto conducted a duly noticed public hearing on GPA No. 2021-0002; heard public testimony; discussed GPA No. 2021-0002; closed the public hearing and adopted the IS/MND and approved the 2021-2029 Housing Element Update;

WHEREAS, Inland Counties Legal Services submitted a letter asserting that there were substantial revisions to the Housing Element and that substantial revisions to the Housing Element must be heard by the Planning Commission for a recommendation of approval to the City Council;

WHEREAS, pursuant to Government Code Sections 65350-65362, on May 31, 2023, the Planning Commission of the City of Rialto conducted a duly noticed public hearing on GPA No. 2021-0002; heard public testimony; discussed GPA No. 2021-0002; closed the public hearing; and forwarded a recommendation of ratification to the City Council for action; 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 Planning Commission hereby specifically finds that foregoing recitals are true and correct and are incorporated herein by reference.

SECTION 2. The Planning Commission finds as follows:

A. Government Code Section 65588(b), a provision of the State housing element laws set forth in §65580 et seq., requires the City to update its Housing Element not less than once

every eight years. The City's Housing Element was last updated in 2020 for the 2014-2021 Four Year (Mid-Cycle) update, and an update is required for the planning period of 2021-2029. The City submitted a draft of its 2021-2029 Housing Element Update to State HCD for review of substantial compliance with housing element laws, in accordance with Government Code Section 65588(b) and (d). State HCD conditionally approved the City's Housing Element via a letter dated February 28, 2023. The Planning Commission has considered the approved Housing Element attached hereto as Exhibit "A."

SECTION 3. The Planning Commission hereby recommends that the City Council of the City of Rialto ratify adoption of the 2021-2029 Housing Element Update, General Plan Amendment No. 2021-0002.

SECTION 5. The Chairman of the Planning Commission shall sign this resolution evidencing the passage and adoption of this resolution.

PASSED, APPROVED AND ADOPTED this ______ day of ______ day of ______ day of ______ day of _______.

JOHN PEUKERT, VICE CHAIR CITY OF RIALTO PLANNING COMMISSION

1	STATE OF CALIFORNIA)
2	COUNTY OF SAN BERNARDINO) ss
3	CITY OF RIALTO)
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5	I, Kimberly Dame, Administrative Analyst of the City of Rialto, do hereby certify that the
6	foregoing Resolution No. 2023-40 was duly passed and adopted at a regular meeting of the Planning
7	Commission of the City of Rialto held on the 31st day of May 2023.
8	Upon motion of Commissioner Dale Estvander, second by Commissioner Frank Gonzalez,
9	foregoing Resolution No. 2023-40 was duly passed and adopted.
10	
11	Vote on the motion:
12	AYES: 4 (Peukert, Estvander, Gilbert, Gonzalez)
13	NOES: 0
14	ABSTENTION: 0
15	ABSENT: 1 (Gutierrez)
16	
17	IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of
18	Rialto this 31sty day of May 2023.
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20	
21	- Miles
22	Kimberly Dame Administrative Analyst
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