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1 **WHEREAS**, a Notice of Intent to Adopt a Negative Declaration (NOI) for the draft 2021-
2 2029 Housing Element Update was posted with the City Clerk and San Bernardino County Clerk
3 and sent to responsible agencies on or about January 7, 2023;

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

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

10 **WHEREAS**, pursuant to Government Code Sections 65350-65362, on February 28, 2023,
11 the City Council of the City of Rialto conducted a duly noticed public hearing on GPA No. 2021-
12 0002; heard public testimony; discussed GPA No. 2021-0002; closed the public hearing and
13 adopted the IS/MND and approved the 2021-2029 Housing Element Update;

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

17 **WHEREAS**, pursuant to Government Code Sections 65350-65362, on May 31, 2023, the
18 Planning Commission of the City of Rialto conducted a duly noticed public hearing on GPA No.
19 2021-0002; heard public testimony; discussed GPA No. 2021-0002; closed the public hearing; and
20 forwarded a recommendation of ratification to the City Council for action; and

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

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

24 **SECTION 1.** The Planning Commission hereby specifically finds that foregoing recitals are
25 true and correct and are incorporated herein by reference.

26 **SECTION 2.** The Planning Commission finds as follows:

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

1 every eight years. The City's Housing Element was last updated in 2020 for the 2014-
2 2021 Four Year (Mid-Cycle) update, and an update is required for the planning period of
3 2021-2029. The City submitted a draft of its 2021-2029 Housing Element Update to State
4 HCD for review of substantial compliance with housing element laws, in accordance with
5 Government Code Section 65588(b) and (d). State HCD conditionally approved the City's
6 Housing Element via a letter dated February 28, 2023. The Planning Commission has
7 considered the approved Housing Element attached hereto as Exhibit "A."

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

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

13 **PASSED, APPROVED AND ADOPTED** this 31st day of May, 2023.

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16 _____
17 JOHN PEUKERT, VICE CHAIR
18 CITY OF RIALTO PLANNING COMMISSION
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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)
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17 IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of
18 Rialto this 31st day of May 2023.

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Kimberly Dame
Administrative Analyst

