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**WHEREAS**, in order to implement Housing Element Goal #2, Housing Program 2B, referred to as the Rezone Program, the City will need to rezone parcels to provide adequate sites to accommodate RHNA; and

**WHEREAS**, the City's Rezone Program includes a residential overlay in the Foothill Boulevard Specific Plan over approximately 159 acres and permitting residential development at a maximum density of thirty-five (35) dwelling units per acre; and

**WHEREAS**, on January 11, 2023, the Planning Commission of the City of Rialto conducted a duly noticed public hearing, as required by law; heard public testimony; discussed Specific Plan Amendment (SPA) No. 2022-0006; closed the public hearing; and

**WHEREAS**, the Planning Commission voted 5-0 to recommend the City Council approve the amendment to the Foothill Boulevard Specific Plan; and

**WHEREAS**, on February 14, 2023, the City Council of the City of Rialto conducted a duly noticed public hearing, as required by law; heard public testimony; discussed SPA No. 2022-0006; 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; heard public testimony; discussed SPA No. 2022-0006; 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.** In conjunction with the Project, the City has prepared an addendum to the previously adopted Mitigated Negative Declaration for the 2021-2029 (6<sup>th</sup> Cycle) General Plan Housing Element (“MND 6<sup>th</sup> Cycle Housing Element”) under the California Environmental Quality

1 Act (“CEQA”) because the proposed Specific Plan Amendment will not result in any change with  
2 respect to the circumstances or require major revisions to the previously approved MND 6<sup>th</sup> Cycle  
3 Housing Element.

4 **SECTION 3.** The City Council hereby amends the Foothill Boulevard Specific Plan to add  
5 the following section in the manner shown, with underlined text representing added language.

6 “18.111.020 – Intent and Purpose

7 ....

8 **E. Residential Overlay (RO)**

9 The Residential Overlay is intended to provide additional capacity for residential development  
10 along Foothill Boulevard on specified sites with the most development potential. The  
11 provisions of Rialto Municipal Code Chapter 18.116 – Residential Overlay, as those  
12 provisions and regulations may be amended from time to time, are made a part of this Specific  
13 Plan by reference with the same force and effect as if the provisions therein were specifically  
14 and fully set out herein. The residential overlay applies in the areas appearing on the zoning  
15 map on the following page.”

16 **SECTION 4.** The City Council hereby amends the Foothill Boulevard Specific Plan to apply  
17 the residential overlay zone to sites described in the Housing Element Sites Inventory and as depicted  
18 in Exhibit “A” attached hereto and incorporated herein and the map depicted in Exhibit “A” shall  
19 replace the zoning map of the Foothill Boulevard Specific Plan.  
20

21 **SECTION 5.** 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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PASSED, APPROVED AND ADOPTED this 25th day of July, 2023.

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DEBORAH ROBERTSON, MAYOR

**ATTEST:**

\_\_\_\_\_  
BARBARA MCGEE, CITY CLERK

**APPROVED AS TO FORM:**

\_\_\_\_\_  
ERIC S. VAIL, CITY ATTORNEY

1 State of California )  
2 County of San Bernardino )  
3 City of Rialto )  
4

5 I, Barbara McGee, City Clerk of the City of Rialto, do hereby certify that the foregoing  
6 Ordinance was introduced and first read on the \_\_\_\_ day of \_\_\_\_\_ 2023, and had its second  
7 reading at the regular meeting of the Rialto City Council on the \_\_\_\_ day of \_\_\_\_\_, 2023,  
8 and was passed by the following vote:  
9

10  
11 **AYES:**

12 **NOES:**

13 **ABSTAIN:**

14 **ABSENT:**  
15  
16

17 \_\_\_\_\_  
18 Barbara McGee, City Clerk  
19  
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Exhibit “A”

