

1 WHEREAS, pursuant to Section 18.78.060E and Section 18.78.060F of the Rialto
2 Municipal Code, the Planning Commission shall hold a public hearing for a proposed
3 amendment to an adopted specific plan and forward a recommendation to the City Council for
4 action; and

5 WHEREAS, on May 29, 2019, the Planning Commission of the City of Rialto conducted
6 a duly noticed public hearing, as required by law, on SPA No. 2017-0001 and the Subdivision,
7 took testimony, at which time it received input from staff, the city attorney, and the Applicant;
8 heard public testimony; discussed the proposed SPA No. 2017-0001 and the Subdivision; and
9 closed the public hearing; and

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

11 NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of
12 Rialto as follows:

13 SECTION 1. The Planning Commission hereby specifically finds that all of the facts set
14 forth in the recitals above of this Resolution are true and correct and incorporated herein.

15 SECTION 2. Based on substantial evidence presented to the Planning Commission during
16 the public hearing conducted with regard to SPA No. 2017-0001, including written staff reports,
17 verbal testimony, project plans, other documents, and the conditions of approval stated herein, the
18 Planning Commission hereby determines that SPA No. 2017-0001 satisfies the requirements of
19 Government Code Sections 65358 and 65453 and Section 18.78.060I of the Rialto Municipal Code
20 pertaining to the findings which must be made precedent to amending a Specific Plan. The findings
21 are as follows:

- 22 1. That the proposed Specific Plan Amendment is consistent with the goals and
23 policies of the General Plan and its purposes, standards and land use guidelines; and

24 *This finding is supported by the following facts:*

25 The Site currently has a General Plan land use designation of Residential 21 and a zoning
26 designation of Support-Commercial (S-C) within the Central Area Specific Plan. The
27 current land use designation and zoning designation are not consistent with one another.
28 The Residential 21 land use designation allows for the development of residential projects
with a density ranging from 12.1 dwelling units per acre to 21.0 dwelling units per acre.

1 Meanwhile, the Support Commercial (S-C) zone does not permit residential uses under any
2 circumstances and only permits the development and establishment of commercial retail and
3 service uses.

4 The applicant proposes to change the zoning designation of the site to Multi-Family
5 Residential (MFR) within the Central Area Specific Plan. The proposed Multi-Family
6 Residential (MFR) zone is consistent with the Residential 21 land use designation as it
7 allows for the development of residential projects up to 21.0 dwelling units per acre.
8 Ultimately, the Project will serve to fix an inconsistency between the General Plan and the
9 zoning designation of the Site.

10 Additionally, the Project is consistent with Goal 2-19 of the Land Use Element of the
11 General Plan, which encourages neighborhood preservation, stabilization, and property
12 maintenance. The change in the zoning designation from S-C to MFR will provide
13 consistency with the General Plan and the surrounding zoning designations. The Project is
14 also consistent with Goal 2-21 of the Land Use Element of the General Plan, which requires
15 high-quality planned residential developments in Rialto. The Project will facilitate the
16 Subdivision, which has been designed to ensure that no lots are fronting onto Willow
17 Avenue or Bonnie View Drive, both collector streets, and that landscaped parkways and a
18 decorative masonry wall will surround the outer perimeter of the Subdivision.

- 19 2. That the proposed Specific Plan Amendment will help achieve a balanced
20 community of all races, age groups, income levels and ways of life; and

21 *This finding is supported by the following facts:*

22 The Project will facilitate the Development, which will provide new housing available to all
23 races, age groups, and ways of life. The Development will offer four (4) separate floors
24 plans, each at separate price levels, to provide availability to a wide-range of income levels.

- 25 3. That the proposed Specific Plan Amendment results in development of desirable
26 character, which will be compatible with existing and proposed development in the
27 surrounding neighborhood; and

28 *This finding is supported by the following facts:*

The Project will facilitate the development of a high-quality private single-family
residential neighborhood. The exterior of the neighborhood will consist of parkway
landscaping (trees, shrubs, and groundcover), a decorative masonry wall, and single-
family structures with three (3) separate elevation styles (Spanish Colonial, Spanish Santa
Barbara, and Italianate) and architectural features characteristic of each elevation style.
The proposed Development will establish a neighborhood with a detached single-family
character compatible with existing and proposed development in the surrounding area.
Specifically, the properties immediately adjacent to the south of the Site have the same
zoning designation, as proposed by the applicant, and contain existing detached single-
family structures, while the property to the north of Site is planned for a high-density

1 residential apartment complex. The completion of the Development will provide a buffer
2 between the existing single-family dwellings to the south and the planned apartment
complex to the north.

- 3 4. That the proposed Specific Plan Amendment contributes to a balance of land uses
4 that will enable local residents to work and shop in the community in which they
live; and

5 *This finding is supported by the following facts:*

6
7 The site is surrounded by a mix of older residential and commercial uses. The most recent
8 residential development in the immediate area is the existing single-family tract adjacent to
9 the south of the Site, which was built in 1978. The Site is also in close proximity to
10 Riverside Avenue, a major arterial street dominated by a wide-range of existing commercial
11 uses. The Project will enable the development of the first residential project in the area in
over 40 years. As such, the Project will contribute toward balancing the land uses within the
Central Area Specific Plan by providing new places to live for those who may work within
the area, and those who may wish to work and shop in the area in the future.

- 12 5. That the proposed Specific Plan Amendment respects the environmental and
13 aesthetic assets of the community consistent with economic realities; and

14 *This finding is supported by the following facts:*

15 Blodgett Baylosis Environmental Planning prepared an Initial Study (Environmental
16 Assessment Review No. 2018-0099) to assess the potential environmental impacts of the
17 proposed project, in accordance with the requirements of the California Environmental
18 Quality Act (CEQA). Based on the findings and recommended mitigation within the
19 proposed Initial Study and Mitigated Negative Declaration and Mitigation Monitoring and
Reporting Program, staff determined that the project will not have an adverse impact on the
environment.

20 Additionally, the Development, enabled by the Project, will be required to meet or exceed
21 all aesthetic design guidelines required by the Central Area Specific Plan and City's Design
22 Guidelines during review of the Precise Plan of Design application. The Development will
23 provide consistency with the aesthetic quality of the single-family character of the properties
adjacent to the south of the Site, whereas a development within the Support Commercial (S-
C) zone would likely not.

- 24 6. That the proposed Specific Plan Amendment incorporates, where feasible, active
25 and passive energy conservation measures.

26 *This finding is supported by the following facts:*

27 The Development, enabled by the Project, is required to meet or exceed California
28 Building Code Title 24, Part 6 Energy Efficiency Standards. This will be achieved

1 through the implementation of features such as, but not limited to, energy efficient
2 windows, energy efficient heating and cooling systems, painting of all structures in light
3 off-white colors to reflect heat away, and structural accommodation of photovoltaic solar
4 electric systems.

5 SECTION 3. An Initial Study (Environmental Assessment Review No. 2018-0099) has
6 been prepared for SPA No. 2017-0001 in accordance with the California Environmental Quality Act
7 (CEQA) and it has been determined that any impacts will be reduced to a level of insignificance
8 through mitigation measures, and a Mitigated Negative Declaration has been prepared in
9 accordance with CEQA, along with a Mitigation Monitoring and Reporting Program. The Planning
10 Commission hereby recommends that the City Council adopt the Mitigated Negative Declaration,
11 along with the Mitigation Monitoring and Reporting Program, and direct the Planning Division to
12 file the necessary documentation with the Clerk of the Board of Supervisors for San Bernardino
13 County.

14 SECTION 4. The Planning Commission hereby recommends that the City Council
15 approve SPA No. 2017-0001 to change the zoning designation of the Site from Support
16 Commercial (S-C) within the Central Area Specific Plan to Multi-Family Residential (MFR) within
17 the Central Area Specific Plan, in accordance with the applications on file with the Planning
18 Division, subject to the following conditions:

- 19 1. SPA No. 2017-0001 is approved changing the zoning designation of approximately 4.54
20 gross acres of land (APNs: 0131-021-36, -37, -38, & -39) located at the southeast corner
21 of Willow Avenue and Bonnie View Drive, and described in the legal description
22 attached as Exhibit A, from Support Commercial (S-C) within the Central Area Specific
23 Plan to Multi-Family Residential (MFR) within the Central Area Specific Plan. If the
24 Conditions of Approval specified herein are not satisfied or otherwise completed, the
25 Project shall be subject to revocation.
- 26 2. Prior to the issuance of building or grading permits for the proposed development, a
27 Precise Plan of Design shall be approved by the City's Development Review Committee
28 (DRC).
3. City inspectors shall have access to the Site to reasonably inspect the Site during
normal working hours to assure compliance with these conditions and other codes.

- 1 4. The applicant shall defend, indemnify and hold harmless the City of Rialto, its agents,
2 officers, or employees from any claims, damages, action, or proceeding against the
3 City or its agents, officers, or employees to attack, set aside, void, or annul any
4 approval of the City, its advisory agencies, appeal boards, or legislative body
5 concerning SPA No. 2017-0001. The City will promptly notify the applicant of any
6 such claim, action, or proceeding against the City, and applicant will cooperate fully
7 in the defense.
- 8 5. In accordance with the provisions of Government Code Section 66020(d)(1), the
9 imposition of fees, dedications, reservations, or exactions for this Project, if any, are
10 subject to protest by the applicant at the time of approval or conditional approval of
11 the Project or within 90 days after the date of the imposition of the fees, dedications,
12 reservations, or exactions imposed on the Project.
- 13 6. Approval of Specific Plan Amendment No. 2017-0001 is for the sole purpose of
14 facilitating the development of a single-family residential subdivision on the Site. The
15 development of the Site into any use other than single-family residential is not permitted
16 without the prior approval of an amendment to this Resolution by both the Planning
17 Commission and City Council.
- 18 7. The City shall prepare a Fiscal Impact Analysis report at the sole cost of the applicant.
19 The report shall analyze the Project's impact to the City's General Fund. The applicant
20 shall be required to mitigate any negative fiscal impacts identified in the report through
21 the formation of a Community Facilities District, payment of a Municipal Services Fee,
22 or other acceptable mitigation method.
- 23 8. The applicant shall comply with all conditions of approval contained in Tentative Tract
24 Map No. 2018-0007, to the extent they are not in conflict with any condition of approval
25 herein.

26 SECTION 5. The Chairman of the Planning Commission shall sign the passage and
27 adoption of this resolution and thereupon the same shall take effect and be in force.

28 PASSED, APPROVED AND ADOPTED this 29th day of May, 2019.



JOHN PEUKERT, 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, Adrianna Martinez, Administrative Assistant of the City of Rialto, do hereby certify that
6 the foregoing Resolution No. 19-28 was duly passed and adopted at a regular meeting of the
7 Planning Commission of the City of Rialto held on the 29th day of May, 2019.

8 Upon motion of Planning Commissioner Jerry Gutierrez, second by Commissioner Dale
9 Estvander the foregoing Resolution No. 19-28 was duly passed and adopted.

10

11 Vote on the motion:

12 AYES: 5

13 NOES: 0

14 ABSENT: Artist Gilbert, Frank Gonzalez

15 IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of
16 Rialto this 29th day of May, 2019.

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Adrianna Martinez, Administrative Assistant

LEGAL DESCRIPTION

SPECIFIC PLAN AMENDMENT

LEGAL DESCRIPTION:

PER PRELIMINARY REPORT PREPARED BY CHICAGO TITLE INSURANCE COMPANY,
ORDER NUMBER 00086243-996-SD1-RT4 DATED AUGUST 3, 2018.

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF RIALTO,
IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AND IS
DESCRIBED AS FOLLOWS:

PARCELS 6, 7, 8 AND 9 OF PARCEL MAP NO. 8173, IN THE CITY OF RIALTO,
COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER PLAT RECORDED
IN BOOK 88 PAGES 67 AND 68 OF MAPS, IN THE OFFICE OF THE COUNTY
RECORDER OF SAID COUNTY.

		LAND DEVELOPMENT CONSULTANTS	LAND PLANNERS	DATE: 11 27 18
			SURV-YO RS	DESIGNLD:
			CIVIL ENGINEERS	DRAFTED: S/
			1820 BROOK-HOLLOW DRIVE, SUITE 99 SANTA ANA, CALIFORNIA, 92705 (714) 557-7700 (714) 557-7707 FAX	CHGCYD:

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