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RESOLUTION NO. 2024-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIALTO, CALIFORNIA ADOPTING A MITIGATED NEGATIVE DECLARATION (ENVIRONMENTAL ASSESSMENT REVIEW NO. 2022-0077) FOR A PROJECT CONSISTING OF THE CONSOLIDATION OF THREE (3) PARCELS OF LAND (APN'S: 0258-121-23, -33 & -34) INTO ONE (1) 9.95 NET ACRE PARCEL OF LAND AND THE DEVELOPMENT AND OPERATION OF A 219,000 SQUARE FOOT INDUSTRIAL WAREHOUSE BUILDING ON SAID PARCEL OF LAND.

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WHEREAS, the applicant, Riverside XC, LLC, proposes to consolidate three (3) parcels of land (APN's: 0258-121-23, -33 & -34) located on the west side of Riverside Avenue approximately 550 north of Jurupa Avenue within the Heavy Industrial (H-IND) land use district of the Agua Mansa Specific Plan ("Site") into one (1) 9.95 net acre parcel of land and develop and operate a 219,000 square foot industrial warehouse building on said parcel of land ("Project"); and

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WHEREAS, in conjunction with the Project, the applicant has submitted Tentative Parcel Map No. 2024-0002, also referred to as Tentative Parcel Map No. 20700 ("TPM No. 20700"), in accordance with the Subdivision Map Act (Government Code §§ 66410 et seq.), to consolidate the three (3) parcels of land within the Site into one (1) 9.95 net acre parcel of land; and

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WHEREAS, in conjunction with the Project, the applicant has applied for Conditional Development Permit No. 2022-0055 ("CDP No. 2022-0055") to facilitate the development and operation of a 219,000 square foot industrial warehouse building on the Site, and CDP No. 2022-0055 is necessary to facilitate the Project; and

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WHEREAS, in conjunction with the Project, the applicant has applied for Precise Plan of Design No. 2022-0077 ("PPD No. 2022-0077") to facilitate the development of a 219,000 square foot industrial warehouse building and associated paving, landscaping, fencing, lighting, and drainage improvements on the Site; and

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WHEREAS, pursuant to the provisions of the California Environmental Quality Act, Public Resources Code Sections 21000 et. seq. (" CEQA"), the State's CEQA Guidelines,

1 California Code of Regulations, Title 14, Section 15000 et. seq., and Government Code Section
2 65962.5(f) (Hazardous Waste and Substances Statement), the City reviewed an Initial Study
3 (Environmental Assessment Review No. 2022-0077) prepared by Phil Martin & Associates, Inc.
4 and determined that there is no substantial evidence that the approval of the Project would result
5 in a significant adverse effect on the environment, provided appropriate mitigation measures are
6 imposed on the Project; thus, a Mitigated Negative Declaration was prepared and notice thereof
7 was given in the manner required by law; and

8 WHEREAS, a Notice of Completion for the Mitigated Negative Declaration was
9 distributed to the State Clearinghouse on February 8, 2024 (SCH#: 2024020297); and

10 WHEREAS, a Notice of Intent to adopt the Mitigated Negative Declaration for the Project
11 was published in the San Bernardino Sun newspaper, and mailed to all property owners within
12 1,000 feet of the Project Site, and a thirty (30) day public comment period was held from February
13 12, 2024 to March 12, 2024; and

14 WHEREAS, The Planning Division did not receive any comment letters during the thirty
15 (30) day public comment period; and

16 WHEREAS, the City mailed public hearing notices for the proposed Project to all property
17 owners within 1,000 feet of the project site, and published the public hearing notice in the San
18 Bernardino Sun newspaper as required by State law; and

19 WHEREAS, on July 17, 2024, the Planning Commission of the City of Rialto conducted a
20 duly noticed public hearing, as required by law, on the Mitigated Negative Declaration, TPM No.
21 20700, CDP No. 2022-0055, and PPD No. 2022-0077, took testimony, at which time it received
22 input from staff, the city attorney, and the Applicant; heard public testimony; discussed the
23 proposed Mitigated Negative Declaration, TPM No. 20700, CDP No. 2022-0055, and PPD No.
24 2022-0077; and closed the public hearing; and

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

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

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1 SECTION 1: The Planning Commission hereby finds all of the above recitals to be true
2 and correct.

3 SECTION 2: The Planning Commission has independently reviewed and considered the
4 proposed Mitigated Negative Declaration (Environmental Assessment Review No. 2022-0077)
5 attached hereto as Exhibit “A” and incorporated herein by this reference, the public comments
6 upon it, and other evidence, and finds that the Mitigated Negative Declaration was prepared in the
7 manner required by law, and there is no substantial evidence, provided appropriate mitigation
8 measures are imposed, that the Project would result in a significant adverse effect upon the
9 environment.

10 SECTION 3: The Initial Study (Environmental Assessment Review No. 2022-0077)
11 prepared for the project identified that the Site did not have suitable habitat for any threatened or
12 endangered species, and therefore the proposed Project will have no individual or cumulative
13 adverse impacts upon resources, as defined in Section 711. 2 of the State Fish and Game Code.

14 SECTION 4: The attached proposed Initial Study and Mitigated Negative Declaration,
15 Exhibit “A” hereto, finds that there are no impacts or less than significant impacts to aesthetics,
16 agriculture and forestry resources, energy, geology/soils, greenhouse gas emissions, hazards and
17 hazardous materials, hydrology/water quality, land use/planning, mineral resources,
18 population/housing, public services, recreation, utilities and service systems, wildfire, and
19 mandatory findings of significance.

20 SECTION 5: With the imposition of mitigation measures that address potential impacts
21 upon air quality, biological resources, cultural resources, noise, traffic and transportation, and
22 tribal cultural resources, in the community, and as set forth in the Mitigation Monitoring &
23 Reporting Program, Exhibit “B” hereto, which is attached hereto and incorporated herein by this
24 reference, the proposed Project’s potential significant impacts will be reduced below a level of
25 significance.

26 SECTION 6: For the foregoing reasons and based on the information and findings included
27 in the Initial Study and Mitigated Negative Declaration, technical reports, Mitigation Monitoring
28 and Reporting Program, Staff Report, public testimony, and all other documents and evidence in

1 the administrative record of proceedings, the Planning Commission has determined that the
2 Project, as conditioned and mitigated, will not have a significant adverse impact on the
3 environment and also finds that the preparation of the Initial Study and Mitigated Negative
4 Declaration attached hereto complies with CEQA. Therefore, the Planning Commission hereby
5 certifies the Initial Study, Mitigated Negative Declaration, and Mitigation Monitoring and
6 Reporting Program, making certain environmental findings to allow the Project.

7 SECTION 7: The Chairman of the Planning Commission shall sign the passage and
8 adoption of this resolution and thereupon the same shall take effect and be in force.

9 PASSED, APPROVED AND ADOPTED this 17th day of July, 2024.

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13 JERRY GUTIERREZ, CHAIR
14 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. ____ was duly passed and adopted at a regular meeting of the Planning
7 Commission of the City of Rialto held on the ____th day of ____, 2024.

8 Upon motion of Planning Commissioner_____, seconded by Planning Commissioner
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 ____th day of ____, 2024.

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KIMBERLY DAME, ADMINISTRATIVE ANALYST

Exhibit "A"

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Exhibit "B"

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