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WHEREAS, approximately 101.7 acres of land (APN's: 0264-191-02, -04, -13, & -14 and 0264-201-08, -25, -27, -28, -29, -30, & -31) generally located east of Eucalyptus Avenue, south of the SR-210 Freeway, west of Meridian Avenue, and north of Walnut Avenue ("Site") is currently zoned a mix of Single-Family Residential (R-1A) and Commercial Manufacturing (C-M); and

WHEREAS, Section 18.78.070B of the Rialto Municipal Code requires that the zoning of the Site be brought into conformance with the specific plan land uses; and

WHEREAS, in accordance with Section 18.06.030 and Section 18.78.070B of the Rialto Municipal Code, the City of Rialto initiated Zone Change No. 2022-0001 (“ZC No. 2022-0001”) to change the zoning designation of the entire Site to Pepper Avenue Specific Plan; and

-1-

1 WHEREAS, pursuant to Section 18.06.030, the City Council is authorized to adopt a zone  
2 change within the City; and

3 WHEREAS, pursuant to Section 18.06.030(C) of the Rialto Municipal Code, the Planning  
4 Commission shall hold a public hearing for a proposed zone change and forward a  
5 recommendation to the City Council for action; and

6 WHEREAS, on September 28, 2022, the Planning Commission of the City of Rialto  
7 conducted a duly noticed public hearing, as required by law, on ZC No. 2022-0001, took testimony,  
8 at which time it received input from staff, the city attorney, and the applicant; heard public  
9 testimony; discussed ZC No. 2022-0001; and closed the public hearing directed staff to bring the  
10 item back to the next Planning Commission meeting for further discussion; and

11 WHEREAS, on October 26, 2022, the Planning Commission of the City of Rialto; had a  
12 further discussion on ZC No. 2022-0001;

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

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

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

18 SECTION 2. Based on substantial evidence presented to the Planning Commission during  
19 the public hearing conducted with regard to ZC No. 2022-0001, including written staff reports, verbal  
20 testimony, project plans, other documents, and the conditions of approval stated herein, the Planning  
21 Commission hereby determines that ZC No. 2022-0001 satisfies the requirements of Section  
22 18.06.030 of the Rialto Municipal Code pertaining to the findings which must be made precedent to  
23 adopting a zone change. The findings are as follows:

- 24
- 25 1. That the proposed zone change is consistent with the General Plan of the City of  
26 Rialto; and

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

1 In conjunction with the ZC No. 2022-0001, the City of Rialto initiated GPA No. 2022-0003  
2 to change the land use designation of the Site from a mix of Residential 6 and Business Park  
3 to Specific Plan with a Specific Plan Overlay. The Specific Plan with a Specific Plan Overlay  
4 designation, combined with the Pepper Avenue Specific Plan zone, will activate the Pepper  
5 Avenue Specific Plan, as it was previously approved by City Council on December 12, 2017.  
6 Additionally, ZC No. 2022-0001 and the accompanying GPA No. 2022-0003 will bring  
7 consistency and conformity between all plans and designations associated with the Pepper  
8 Avenue Specific Plan.

9 2. That the proposed zone change will not adversely affect the surrounding properties.

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

11 ZC No. 2022-0001 is necessary to bring the zoning of the Site into conformity with the Pepper  
12 Avenue Specific Plan, which was previously approved for the Site by the City Council on  
13 December 12, 2017. Additionally, ZC No. 2022-0001 will “activate” the Pepper Avenue  
14 Specific Plan, which will facilitate the orderly development of the Site to its highest and best  
15 use. The alternative would be to allow the Site to develop without the Pepper Avenue Specific  
16 Plan in a piece meal fashion in a non-cohesive manner under the current zoning designations.

17 The primary objective of the Pepper Avenue Specific Plan and the associated Zone Change is  
18 to create an eastern gateway into the City of Rialto that offers new retail opportunities and  
19 promotes the identity of the Pepper Avenue neighborhood. ZC No. 2022-0001 will not be  
20 detrimental to the public safety, health and general welfare and is compatible with the overall  
21 goals and objectives of the Pepper Avenue Specific Plan and the General Plan.

22 SECTION 3. The City Council of the City of Rialto Certified an Environmental Impact  
23 Report for the Pepper Avenue Specific Plan (SCH #2016021047) on December 12, 2017 (Resolution  
24 No. 7258). The Specific Plan and the associated General Plan Amendment were thoroughly analyzed  
25 in the Environmental Impact Report for the Pepper Avenue Specific Plan and there are no changes or  
26 impacts not previously analyzed. No further environmental review is required for GPA No. 2022-  
27 0003 pursuant to the California Environmental Quality Act (CEQA).

28 SECTION 4. The Planning Commission hereby recommends that the City Council approve  
ZC No. 2022-0001 to change the zoning designation of the Site to Pepper Avenue Specific Plan.

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

PASSED, APPROVED AND ADOPTED this 26th day of October, 2022.

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JERRY GUTIERREZ, CHAIR  
CITY OF RIALTO PLANNING COMMISSION

STATE OF CALIFORNIA )  
COUNTY OF SAN BERNARDINO ) ss  
CITY OF RIALTO )

I, Kimberly Dame, Administrative Analyst of the City of Rialto, do hereby certify that the foregoing Resolution No. \_\_\_\_ was duly passed and adopted at a regular meeting of the Planning Commission of the City of Rialto held on the \_\_\_\_th day of \_\_\_\_, 2022.

Upon motion of Planning Commissioner\_\_\_\_\_, seconded by Planning Commissioner\_\_\_\_\_, the foregoing Resolution No. \_\_\_\_ was duly passed and adopted.

Vote on the motion:

AYES:

NOES:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of Rialto this \_\_\_\_th day of \_\_\_\_, 2022.

\_\_\_\_\_  
KIMBERLY DAME, ADMINISTRATIVE ANALYST