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WHEREAS, the applicant, Angelus Block Co., Inc., proposes to develop and operate a concrete block manufacturing facility (“Project”) on 32.48 gross acres of land (APNs: 0260-061-41, -42, & -67) located at the terminus of Fortuna Way approximately 525 feet east of Industrial Drive within the Heavy Industrial (H-IND) land use district of the Agua Mansa Specific Plan (“Site”); and

WHEREAS, the Project will consist of the construction of a 135,581 square foot manufacturing plant building, a 10,018 square foot administration building, a 21,360 square foot mechanic shop/storage building, a 21,534 square foot metal canopy structure, sixty-nine (69) parking spaces, paving, landscaping, lighting, fencing, and drainage improvements on the Site; and

WHEREAS, pursuant to Table 8 (Permitted Uses) of the Agua Mansa Specific Plan, the operation of a concrete block manufacturing facility on the Site is a use permitted by right; and

WHEREAS, the Project within the H-IND district requires the approval of a Precise Plan of Design, and the applicant has agreed to apply for Precise Plan of Design No. 2020-0011 (“PPD No. 2020-0011”), in accordance with Chapter 18.65 (Precise Plan of Design) of the Rialto Municipal Code; and

WHEREAS, pursuant to the provisions of the California Environmental Quality Act, Public Resources Code Sections 21000 et. seq. (" CEQA"), the State's CEQA Guidelines, California Code of Regulations, Title 14, Section 15000 et. seq., and Government Code Section

65962.5(f) (Hazardous Waste and Substances Statement), the City reviewed an Initial Study (Environmental Assessment Review No. 2019-0053) prepared by NV5, Inc. and determined that there is no substantial evidence that the approval of the Project would result in a significant adverse effect on the environment, provided appropriate mitigation measures are imposed on the Project; thus, a Mitigated Negative Declaration was prepared and notice thereof was given in the manner required by law; and

WHEREAS, a Notice of Intent to adopt the Mitigated Negative Declaration for the Project was published in the San Bernardino Sun newspaper, and mailed to all property owners within 300 feet of the Project Site, and a twenty (20) day public comment period was held from October 25, 2021 to November 13, 2021; and

WHEREAS, The Planning Division did not receive any public comment letters during the twenty (20) day public comment period; and

WHEREAS, the City mailed public hearing notices for the proposed Project to all property owners within 300 feet of the project site, and published the public hearing notice in the San Bernardino Sun newspaper as required by State law; and

WHEREAS, on November 24, 2021, the Planning Commission of the City of Rialto conducted a duly noticed public hearing, as required by law, on the Mitigated Negative Declaration and PPD No. 2020-0011, took testimony, at which time it received input from staff, the city attorney, and the Applicant; heard public testimony; discussed the proposed Mitigated Negative Declaration and PPD No. 2020-0011; and closed the public hearing; and

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

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

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

SECTION 2: The Planning Commission has independently reviewed and considered the proposed Mitigated Negative Declaration, the public comments upon it, and other evidence and finds that the Mitigated Negative Declaration was prepared in the manner required by law, and

1 there is no substantial evidence, provided appropriate mitigation measures are imposed, that the
2 Project would result in a significant adverse effect upon the environment.

3 SECTION 3: The Initial Study (Environmental Assessment Review No. 2020-0008)
4 prepared for the project identified that the Site does contain suitable habitat for the endangered
5 Delhi Sands Flower-Loving Fly (DSF), however, a Habitat Conservation Plan was established in
6 1999 whereby 30.5 acres of land to the west of the Site was set aside as “Conservation Area” to
7 facilitate the development of the Site and other lands identified in the Habitat Conservation Plan.
8 On August 27, 1999, the United States Fish and Wildlife Service issued a Federal Fish and Wildlife
9 Permit to the applicant permitting future development of the Site, and said permit is valid until
10 August 27, 2029, and therefore the proposed Project will have no individual or cumulative adverse
11 impacts upon resources, as defined in Section 711. 2 of the State Fish and Game Code.

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

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

23 SECTION 6: For the foregoing reasons and based on the information and findings included
24 in the Initial Study and Mitigated Negative Declaration, technical reports, Mitigation Monitoring
25 and Reporting Program, Staff Report, public testimony, and all other documents and evidence in
26 the administrative record of proceedings, the Planning Commission has determined that the
27 Project, as conditioned and mitigated, will not have a significant adverse impact on the
28 environment and also finds that the preparation of the Initial Study and Mitigated Negative

1 Declaration attached hereto complies with CEQA. Therefore, the Planning Commission hereby
2 certifies the Initial Study, Mitigated Negative Declaration, and Mitigation Monitoring and
3 Reporting Program, making certain environmental findings to allow the Project.

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

6 PASSED, APPROVED AND ADOPTED this 24th day of November, 2021.

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10 FRANK GONZALEZ, CHAIR
11 CITY OF RIALTO PLANNING COMMISSION
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1 STATE OF CALIFORNIA)
2 COUNTY OF SAN BERNARDINO) ss
3 CITY OF RIALTO)
4

5 I, Adrianna Martinez, Administrative Assistant of the City of Rialto, do hereby certify that
6 the 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 ____, 2021.

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 ____, 2021.

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19 _____
20 ADRIANNA MARTINEZ, ADMINISTRATIVE ASSISTANT
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Exhibit "A"

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Exhibit “B”

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