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1 (v) Modify the levee improvements by Lytle Creek. The approved LCRSP included  
2 2,000 linear feet of levee improvements through the adjacent Cemex property, which is  
3 located between Neighborhood II and III. The levee is an embankment built to prevent the  
4 overflow of Lytle Creek. The levee improvements include three flow control inlet pipe and  
5 valve assemblies to allow high surface water flows into the South Pit. Since certification of  
6 the LCRSP EIR, the state and federal resource agencies have continued to monitor this area  
7 of Lytle Creek, and are examining the potential for the existing levee conditions within this  
8 area to remain. Thus, the proposed modification includes an option to end the levee  
9 improvements at the project boundaries so that it does include the adjacent Cemex property.  
10 The alignment of Lytle Creek would remain the same, and continue through the Cemex south  
11 mining pit (collectively, "Plan Amendment"); and

12 **WHEREAS**, as part of the Plan Amendment, the Applicant also proposes to create six (6) lots,  
13 one (1) remainder lot, and thirteen (13) lettered lots for public open space, utilities and infrastructure within  
14 the LCRSP, which requires a tentative tract map (TTM No. 20092"); and

15 **WHEREAS**, on December 13, 2017, the Planning Commission of the City of Rialto conducted  
16 a duly noticed public hearing, as required by law, on the approval of the Plan Amendment and TTM  
17 No. 20092, and took testimony, at which time it received input from staff, the city attorney, and the  
18 applicant; heard public testimony; discussed the Plan Amendment and TTM No. 20092; and closed the  
19 public hearing; and

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

21 **NOW THEREFORE**, based on existing evidence, facts and public input, the Planning  
22 Commission finds and resolves as follows:

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

25 SECTION 2. Based on substantial evidence presented to the Planning Commission during the  
26 public hearing conducted with regard to the Plan Amendment, including written staff reports, verbal  
27 testimony, project plans, other documents, and the conditions of approval stated herein, the Planning  
28 Commission hereby determines that the Plan Amendment satisfies the requirements of Government Code

1 Sections 65358 and 65453 and of Section 18.78.060 I of the Rialto Municipal Code pertaining to the  
2 findings which must be made precedent to amending a Specific Plan. The findings are as follows:

- 3 1. The proposed Plan Amendment is consistent with the goals and policies of the General  
4 Plan and its purposes, standards and land use guidelines.

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

6 An analysis of the consistency between the Lytle Creek Ranch Specific Plan and the goals and  
7 policies contained in the City of Rialto General Plan as required by Section 65454 of the California  
8 Government Code is included in Appendix A of the Specific Plan. Based on the analysis the Lytle  
9 Creek Ranch Specific Plan is consistent with the City of Rialto General Plan. The General Plan  
10 consistency analysis is included with this report as **EXHIBIT F**. The proposed Plan Amendment  
11 meet the goals and policies of the General Plan.

- 12 2. The proposed Plan Amendment will help achieve a balanced community of all races,  
13 age groups, income levels and ways of life.

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

15 The Plan Amendment will not alter the balanced community of residential, commercial and  
16 industrial development achieved by the current land use configuration within the LCRSP.

- 17 3. The proposed Plan Amendment results in development of desirable character, which  
18 will be compatible with existing and proposed development in the surrounding  
19 neighborhood.

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

21 The Plan Amendment will improve the safety and efficiency of vehicular and pedestrian traffic,  
22 as well as facilitate the development of residential units within the LCRSP, which will be  
23 compatible with surrounding uses and the neighborhood and provide economic vitality and high  
24 quality retail and commercial opportunities.

- 25 4. The proposed Plan Amendment contributes to a balance of land uses that will enable  
26 local residents to work and shop in the community in which they live.

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

28 The Plan Amendment will allow the development of the Project, which will expand retail and  
commercial opportunities for the community, increased employment opportunities, and provide  
additional alternatives for social and business-related gatherings.

5. The proposed Plan Amendment respects the environmental and aesthetic assets of the community consistent with economic realities.

*This finding is supported by the following facts:*

The Plan Amendment allow for more efficient and meaningful development of vacant and unimproved areas of land adjacent to Lytle Creek. The Plan Amendment respects the environmental and aesthetic assets of the community by following the design guidelines of the LCRSP.

6. The proposed Plan Amendment incorporates, where feasible, active and passive energy conservation measures.

*This finding is supported by the following facts:*

The Plan Amendment will allow for the development of a high-quality and well-designed residential units and open space that is environmentally sustainable and is energy-conscious.

**SECTION 3.** The net effect of the Specific Plan amendment shall increase developable area.

SECTION 4. An Addendum to the previously certified LCRSP EIR has been prepared (Environmental Assessment Review No. 2017-0053), and the proposed Plan Amendment will not result in any changes with respect to the circumstances or require major revisions to the previously approved LCRSP EIR. The Addendum is being concurrently reviewed and recommended for approval herewith.

SECTION 5. The Planning Commission hereby recommends that the City Council of the City of Rialto approve the Plan Amendment.

SECTION 6. The Chair 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 13<sup>th</sup> day of December, 2017.

JOHN PEUKERT, CHAIR  
CITY OF RIALTO PLANNING COMMISSION

1 STATE OF CALIFORNIA )  
2 COUNTY OF SAN BERNARDINO ) ss  
3 CITY OF RIALTO )  
4

5 I, Sheree Lewis, Administrative Assistant of the City of Rialto, do hereby certify that the  
6 foregoing Resolution No. 17-55 was duly passed and adopted at a regular meeting of the Planning  
7 Commission of the City of Rialto held on the 13<sup>th</sup> day of December, 2017.

8 Upon motion of Planning Commissioner Jerry Gutierrez seconded by Planning  
9 Commissioner Dale Estvander, the foregoing Resolution No. 17-55 was duly passed and adopted.  
10

11 Vote on the motion:

12 AYES: 7

13 NOES: 0

14 ABSENT: 0

15 IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of  
16 Rialto this 13<sup>th</sup> day of December, 2017.  
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21 SHEREE LEWIS, ADMINISTRATIVE ASSISTANT  
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