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1 evidence that the approval of the Project would result in a significant adverse effect on the
2 environment, provided appropriate mitigation measures are imposed on the Project; thus, a
3 Mitigated Negative Declaration was prepared and notice thereof was given in the manner required
4 by law; and

5 WHEREAS, a Notice of Intent to adopt the Mitigated Negative Declaration for the Project
6 was published in the San Bernardino Sun newspaper, and mailed to all property owners within 300
7 feet of the Project Site, and a twenty (20) day public comment period was held from November
8 25, 2018 to December 14, 2018; and

9 WHEREAS, one (1) comment letter was received from the South Coast Air Quality
10 Management District (SCAQMD), which was submitted on December 13, 2018; and

11 WHEREAS, the comment letter from SCAQMD requested clarification on the numbers
12 and types of heavy-duty construction vehicles to be used during construction of the Project; and

13 WHEREAS, December 19, 2018, the Planning Division, in coordination with Dudek, Inc.,
14 provided a response to SCAQMD, which clarified the types of the heavy duty construction vehicles
15 the applicant will use during construction and established a limit on the number of heavy duty
16 construction vehicles the applicant will use during construction; and

17 WHEREAS, the Planning Division did not receive any further comment from SCAQMD
18 upon providing the HRA; and

19 WHEREAS, the City mailed public hearing notices for the proposed Project to all property
20 owners within 300 feet of the project site, posted a copy of the public hearing notice on the Site,
21 and published the public hearing notice in the San Bernardino Sun newspaper as required by State
22 law; and

23 WHEREAS, on January 9, 2019, the Planning Commission of the City of Rialto conducted
24 a duly noticed public hearing, as required by law, on the Mitigated Negative Declaration, TPM
25 No. 19981, and CDP No. 2018-0031, took testimony, at which time it received input from staff,
26 the city attorney, and the Applicant; heard public testimony; discussed the proposed Mitigated
27 Negative Declaration, TPM No. 19981, and CDP No. 2018-0031; and closed the public hearing;
28 and

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

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

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

6 SECTION 2: The Initial Study and Mitigated Negative Declaration (Environmental
7 Assessment Review No. 2018-0084) prepared for the project concluded that even without
8 mitigation, the Project's impacts on aesthetics, agricultural and forestry resources, biological
9 resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials,
10 hydrology and water quality, land use and planning, mineral resources, population and housing,
11 public services, recreation, and utilities and service systems would be less than significant. The
12 Initial Study and Mitigated Negative Declaration (EAR No. 2018-0084) also identified that the
13 Site did not have suitable habitat for any threatened or endangered species, and therefore the
14 proposed Project will have no individual or cumulative adverse impacts upon resources, as defined
15 in Section 711. 2 of the State Fish and Game Code. The Initial Study and Mitigated Negative
16 Declaration (EAR No. 2018-0084) further concluded that, after incorporation of the recommended
17 mitigation measures, the Project's impacts on air quality, cultural resources, noise, transportation
18 and traffic, and tribal cultural resources would also be less than significant.

19 SECTION 3: The Planning Commission has independently reviewed and considered the
20 Initial Study proposed Mitigated Negative Declaration, related studies, the public comments upon
21 it, and other evidence and finds that the Mitigated Negative Declaration was prepared in the
22 manner required by law, and there is no substantial evidence supporting a fair argument that the
23 Project would result in a significant adverse effect upon the environment, provided appropriate
24 mitigation measures are imposed.

25 SECTION 4: With the imposition of mitigation measures that address potential impacts
26 upon biological resources and cultural resources in the community and as set forth in the Mitigation
27 Monitoring Program, Exhibit "B" hereto, which is attached hereto and incorporated herein by this
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reference, the proposed project's potential significant impacts will be reduced below a level of significance.

SECTION 5: For the foregoing reasons and based on the information and findings included in the Initial Study and Staff Report, the Planning Commission has determined that the Project, as conditioned and mitigated, will not have a significant adverse impact on the environment and also finds that the preparation of the Mitigated Negative Declaration attached hereto complies with CEQA. Therefore, the Planning Commission hereby adopts and certifies the Mitigated Negative Declaration, which is attached hereto as Exhibit “A” and incorporated herein by this reference, making certain environmental findings to allow the Project, as well as the Mitigation Monitoring and Reporting Program attached as Exhibit “B”.

SECTION 6: 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 9th day of January, 2019.

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, 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 ____, 2019.

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 ____, 2019.

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19 _____
20 ADRIANNA MARTINEZ, ADMINISTRATIVE ASSISTANT
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