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1 WHEREAS, as part of the Project, the applicant will submit a Precise Plan of Design  
2 application to allow the construction of sixty (60) single-family residences on the Site; and

3 WHEREAS, pursuant to the provisions of the California Environmental Quality Act,  
4 Public Resources Code Sections 21000 et. seq. (" CEQA"), the State's CEQA Guidelines,  
5 California Code of Regulations, Title 14, Section 15000 et. seq., and Government Code Section  
6 65962.5(f) (Hazardous Waste and Substances Statement), the City reviewed an Initial Study  
7 (Environmental Assessment Review No. 2019-0002) prepared by Lilburn Corporation and  
8 determined that there is no substantial evidence that the approval of the Project would result in a  
9 significant adverse effect on the environment, provided appropriate mitigation measures are  
10 imposed on the Project; thus, a Mitigated Negative Declaration was prepared and notice thereof  
11 was given in the manner required by law; and

12 WHEREAS, a Notice of Intent to adopt the Mitigated Negative Declaration for the  
13 Project was published in the San Bernardino Sun newspaper, and mailed to all property owners  
14 within 300 feet of the Project Site, and a twenty (20) day public comment period was held from  
15 June 20, 2019 to July 9, 2019; and

16 WHEREAS, one (1) comment letter was received from Mr. and Mrs. Renfro, which was  
17 submitted on July 9, 2019; and

18 WHEREAS, the common letter from Mr. and Mrs. Renfro expressed opposition to the  
19 requested general plan amendment and zone change, and more specifically opined that the  
20 project will create a significant amount of traffic, noise, and children attending local schools; and  
21 they requested the preparation of a traffic study while the local schools are in session; and

22 WHEREAS, on July 11, 2019, the applicant submitted a response letter to the Planning  
23 Division that noted that the traffic study prepared for the project was done while the local  
24 schools were in session and considered school traffic as part of its study, and that the study  
25 determined that the project will not create a significant impact related to traffic with the  
26 implementation of "fair-share" payments towards future roadway improvements; and

27 WHEREAS, the Noise Impact Study prepared for the project indicated that the project  
28 will not create any significant impact, as it relates to noise impacts, with the implementation of

1 the recommended mitigation measures including the installation of a six (6) foot high solid block  
2 wall around the perimeter of the Site; and

3 WHEREAS, the Planning Division engaged the Rialto Unified School District (RUSD)  
4 during the CEQA process, provided a copy of the Initial Study, the supporting technical studies,  
5 and the Notice of Intent, and at no point did the RUSD indicate to the Planning Division that the  
6 RUSD does not have the capacity to serve future students, but rather the RUSD will collect  
7 school fees from the applicant to provide for the educational services of students generated by  
8 the Project; and

9 WHEREAS, on July 23, 2019 the Planning Division mailed a copy of the response letter  
10 to Mr. and Mrs. Renfro; and

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

14 WHEREAS, on July 31, 2019, the Planning Commission of the City of Rialto conducted  
15 a duly noticed public hearing, as required by law, on the Mitigated Negative Declaration, GPA  
16 No. 2019-0001, ZC No. 2019-0001, and TTM No. 20237, took testimony, at which time it  
17 received input from staff, the city attorney, and the Applicant; heard public testimony; discussed  
18 the proposed Mitigated Negative Declaration, GPA No. 2019-0001, ZC No. 2019-0001, and  
19 TTM No. 20237; and closed the public hearing; and

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

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

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

25 SECTION 2: The Planning Commission has independently reviewed and considered the  
26 proposed Initial Study and Mitigated Negative Declaration (Environmental Assessment Review  
27 No. 2019-0002) attached hereto as Exhibit “B” and incorporated herein by this reference, the  
28 public comments upon it, and other evidence, and finds that the Mitigated Negative Declaration

1 was prepared in the manner required by law, and there is no substantial evidence in the record to  
2 support a fair argument that the Project would result in a significant adverse effect upon the  
3 environment, provided appropriate mitigation measures are imposed as recommended below.

4 SECTION 3: The Initial Study (Environmental Assessment Review No. 2019-0002)  
5 prepared for the project identified that the Site did not have suitable habitat for any threatened or  
6 endangered species, and therefore the proposed Project will have no individual or cumulative  
7 adverse impacts upon resources, as defined in Section 711. 2 of the State Fish and Game Code.

8 SECTION 4: The attached proposed Initial Study and Mitigated Negative Declaration  
9 finds that there are no impacts or less than significant impacts to aesthetics, agriculture and  
10 forestry resources, air quality, biological resources, greenhouse gas emissions, hazards and  
11 hazardous materials, hydrology/water quality, land use/planning, mineral resources,  
12 population/housing, public services, recreation, tribal cultural resources, and utilities and service  
13 systems.

14 SECTION 5: With the imposition of mitigation measures that address potential impacts  
15 upon cultural resources, geology and soils, noise, traffic and transportation, and mandatory  
16 findings of significance in the community, and as set forth in the Mitigation Monitoring &  
17 Reporting Program, Exhibit "C" hereto, which is attached hereto and incorporated herein by this  
18 reference, the proposed Project's potential significant impacts will be reduced below a level of  
19 significance.

20 SECTION 6: For the foregoing reasons and based on the information and findings  
21 included in the Initial Study and Mitigated Negative Declaration, technical reports, Mitigation  
22 Monitoring and Reporting Program, Staff Report, public testimony, and all other documents and  
23 evidence in the administrative record of proceedings, the Planning Commission has determined  
24 that the Project, as conditioned and mitigated, will not have a significant adverse impact on the  
25 environment and also finds that the preparation of the Initial Study and Mitigated Negative  
26 Declaration attached hereto complies with CEQA. Therefore, the Planning Commission  
27 recommends that the City Council certify the Initial Study, Mitigated Negative Declaration, and  
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1 Mitigation Monitoring and Reporting Program, making certain environmental findings to allow  
2 the Project.

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

5 PASSED, APPROVED AND ADOPTED this 31st day of July, 2019.

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JOHN PEUKERT, CHAIR  
9 CITY OF RIALTO PLANNING COMMISSION  
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3 STATE OF CALIFORNIA )  
4 COUNTY OF SAN BERNARDINO ) ss  
5 CITY OF RIALTO )  
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7 I, Adrianna Martinez, Administrative Assistant of the City of Rialto, do hereby certify that  
8 the foregoing Resolution No. \_\_\_\_ was duly passed and adopted at a regular meeting of the  
9 Planning Commission of the City of Rialto held on the \_\_\_\_th day of \_\_\_\_, 2019.

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

12 Vote on the motion:

13 AYES:

14 NOES:

15 ABSENT:

16 IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City  
17 of Rialto this \_\_\_\_th day of \_\_\_\_, 2019.  
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21 \_\_\_\_\_  
22 ADRIANNA MARTINEZ, ADMINISTRATIVE ASSISTANT  
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