

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

2  
3  
4  
5  
6

8  
9  
10  
11  
12

13

14

15  
16  
17

18  
19  
20  
21

22

23

24

25

26

1 WHEREAS, pursuant to Government Code Sections 65350-65362, the Planning  
2 Commission shall hold a public hearing for a proposed amendment to the General Plan and  
3 forward a recommendation to the City Council for action; and

4 WHEREAS, on July 31, 2019, the Planning Commission of the City of Rialto conducted  
5 a duly noticed public hearing, as required by law, on GPA No. 2019-0001, ZC No. 2019-0001,  
6 and TTM No. 20237, took testimony, at which time it received input from staff, the city attorney,  
7 and the applicant; heard public testimony; discussed GPA No. 2019-0001, ZC No. 2019-0001,  
8 and TTM No. 20237; and closed the public hearing; and

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

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

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

14 SECTION 2. Based on substantial evidence presented to the Planning Commission during  
15 the public hearing conducted with regard to GPA No. 2019-0001, including written staff reports,  
16 verbal testimony, project plans, other documents, and the conditions of approval stated herein, the  
17 Planning Commission hereby determines that GPA No. 2019-0001 satisfies the requirements of  
18 Government Code Sections 65358 pertaining to the findings which must be made precedent to  
19 amending a General Plan. The findings are as follows:

- 20  
21 1. That the proposed General Plan Amendment is in the public interest.

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

23 The Site is surrounded on the north and east by existing single-family residential  
24 neighborhoods, and on the immediate south to a recently entitled single-family residential  
25 neighborhood (Wagon Wheel) that will soon begin construction. The density of the  
26 proposed development is similar to the densities of other single-family residential  
27 subdivisions in the nearby area, including: (i) the adjacent Wagon Wheel neighborhood,  
28 which is scheduled to begin construction soon, (ii) Pepper Ridge, which is located  
approximately 650 feet to the east of the project site, and (iii) California Knolls, which is  
located approximately 75 feet to the northwest of the project site, all of which are designated

1 Residential 12. The Project will facilitate the development of detached single-family  
2 residences in keeping with the character of the surrounding area.

3 The Project will facilitate the development of a neighborhood consisting of sixty (60)  
4 detached single-family residences. Any member of the public seeking to purchase a new  
5 home will be provided an opportunity to acquire a new high-quality residence within a high-  
6 quality, well-maintained, gated neighborhood. An increase in the number of owner  
7 occupied single-family residences will likely positively affect the median income of the City  
8 of Rialto, albeit insignificantly. Furthermore, the development of sixty (60) detached single-  
9 family residences will contribute to an increase in revenues collected in form of permit fees,  
10 development impact fees, sales tax, and property tax. In addition, the Site is mostly vacant  
11 unimproved land, with the exception of one (1) single-family residence and an abandoned  
12 poultry farm, and the general plan amendment and development of single-family residences  
13 will reduce existing blight and adverse effects of an empty, vacant lot, and an abandoned  
14 poultry farm surrounded by urban uses.

15 SECTION 3. An Initial Study (Environmental Assessment Review No. 2019-0002) has  
16 been prepared for GPA No. 2019-0001 in accordance with the California Environmental Quality  
17 Act (CEQA). Based on the findings and recommended mitigation with the Initial Study, staff  
18 determined that the project will not have an adverse impact on the environment, provided that  
19 mitigation measures are implemented, and a Mitigated Negative Declaration was prepared. The  
20 local newspaper published a copy of the Notice of Intent to adopt the Mitigated Negative  
21 Declaration for the project, and the City mailed the notice to all property owners within 300 feet of  
22 the project site for a public comment period held from June 20, 2019 to July 9, 2019. The Mitigated  
23 Negative Declaration was prepared in accordance with CEQA. The Planning Commission hereby  
24 recommends that the City Council adopt the Mitigated Negative Declaration and direct the Planning  
25 Division to file the necessary documentation with the Clerk of the Board of Supervisors for San  
26 Bernardino County.

27 SECTION 4. The Planning Commission hereby recommends that the City Council  
28 approve GPA No. 2019-0001 to change the land use designation of the Site to Residential 12, in  
accordance with the applications on file with the Planning Division, subject to the following  
conditions:

1. GPA No. 2019-0001 is approved changing the land use designation of approximately 8.74 net acres of land (APNs: 0131-131-13, -14, & -23) located on the east side of Acacia Avenue approximately 775 feet north of Randall Avenue, and described in the legal description attached as Exhibit A, to Residential 12. If the Conditions of Approval specified herein are not satisfied or otherwise completed, the Project shall be subject to revocation.
2. City inspectors shall have access to the Site to reasonably inspect the Site during normal working hours to assure compliance with these conditions and other codes.
3. The applicant shall defend, indemnify and hold harmless the City of Rialto, its agents, officers, or employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void, or annul any approval of the City, its advisory agencies, appeal boards, or legislative body concerning GPA No. 2019-0001. The City will promptly notify the applicant of any such claim, action, or proceeding against the City, and applicant will cooperate fully in the defense.
4. In accordance with the provisions of Government Code Section 66020(d)(1), the imposition of fees, dedications, reservations, or exactions for this Project, if any, are subject to protest by the applicant at the time of approval or conditional approval of the Project or within 90 days after the date of the imposition of the fees, dedications, reservations, or exactions imposed on the Project.
5. The applicant shall annex the Site within a Community Facilities District to offset operational costs to the City's General Fund associated with GPA No. 2019-0001, as determined by the Fiscal Impact Analysis prepared by Stanley R. Hoffman Associates, Inc., dated May 24, 2019, prior to the issuance of any building permits.
6. The applicant shall comply with all conditions of approval contained in ZC No. 2019-0001 and TTM No. 20237, to the extent they are not in conflict with any condition of approval herein.

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 31st day of July, 2019.

\_\_\_\_\_  
JOHN PEUKERT, CHAIR  
CITY OF RIALTO PLANNING COMMISSION

1  
2  
3  
4  
5 STATE OF CALIFORNIA )  
6 COUNTY OF SAN BERNARDINO ) ss  
7 CITY OF RIALTO )  
8

9 I, Adrianna Martinez, Administrative Assistant of the City of Rialto, do hereby certify that  
10 the foregoing Resolution No. \_\_\_\_ was duly passed and adopted at a regular meeting of the  
11 Planning Commission of the City of Rialto held on the \_\_\_\_th day of \_\_\_\_, 2019.

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

14 Vote on the motion:

15 AYES:

16 NOES:

17 ABSENT:

18 IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City  
19 of Rialto this \_\_\_\_th day of \_\_\_\_, 2019.  
20  
21  
22

23  
24 \_\_\_\_\_  
ADRIANNA MARTINEZ, ADMINISTRATIVE ASSISTANT  
25  
26  
27  
28