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A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIALTO, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE APPROVING ZONE CHANGE NO. 2022-0001 TO CHANGE THE ZONING DESIGNATION OF APPROXIMATELY 101.7 ACRES OF LAND (APNS: 0264-191-02, -04, -13, & -14 AND 0264-201-08, -25, -27, -28, -29, -30, & -31) GENERALLY LOCATED EAST OF EUCALYPTUS AVENUE, SOUTH OF THE SR-210 FREEWAY, WEST OF MERIDIAN AVENUE, AND NORTH OF WALNUT AVENUE FROM A MIX OF SINGLE-FAMILY RESIDENTIAL (R-1A) AND COMMERCIAL MANUFACTURING (C-M) TO PEPPER AVENUE SPECIFIC PLAN.

WHEREAS, approximately 101.7 acres of land (APN's: 0264-191-02, -04, -13, & -14 and 0264-201-08, -25, -27, -28, -29, -30, & -31) generally located east of Eucalyptus Avenue, south of the SR-210 Freeway, west of Meridian Avenue, and north of Walnut Avenue ("Site") is currently zoned a mix of Single-Family Residential (R-1A) and Commercial Manufacturing (C-M); and

WHEREAS, on December 12, 2017, the City Council adopted Resolution Nos. 7258 and 7259 approving the Pepper Avenue Specific Plan and an Environmental Impact Report (Environmental Assessment Review No. 2017-0072) for the Site; and

WHEREAS, Section 18.78.070B of the Rialto Municipal Code requires that the zoning of the Site be brought into conformance with the specific plan land uses; and

WHEREAS, the Site's current R-1A and C-M zoning designations are not consistent with the Pepper Avenue Specific Plan; and

WHEREAS, in accordance with Section 18.06.030 and Section 18.78.070B of the Rialto Municipal Code, the City of Rialto initiated Zone Change No. 2022-0001 (“ZC No. 2022-0001”) to change the zoning designation of the entire Site to Pepper Avenue Specific Plan; and

WHEREAS, ZC No. 2022-0001 will bring the zoning of the Site into conformity with the Pepper Avenue Specific Plan, as required by Section 18.78.070B of the Rialto Municipal Code; and

1 WHEREAS, pursuant to Section 18.06.030, the City Council is authorized to adopt a zone
2 change within the City; and

3 WHEREAS, pursuant to Section 18.06.030(C) of the Rialto Municipal Code, the Planning
4 Commission shall hold a public hearing for a proposed zone change and forward a
5 recommendation to the City Council for action; and

6 WHEREAS, on October 26, 2022, the Planning Commission of the City of Rialto
7 conducted a duly noticed public hearing, as required by law, on ZC No. 2022-0001, took testimony,
8 at which time it received input from staff, the city attorney, and the applicant; heard public
9 testimony; discussed ZC No. 2022-0001; and closed the public hearing; and

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

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

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

15 SECTION 2. Based on substantial evidence presented to the Planning Commission during
16 the public hearing conducted with regard to ZC No. 2022-0001, including written staff reports, verbal
17 testimony, project plans, other documents, and the conditions of approval stated herein, the Planning
18 Commission hereby determines that ZC No. 2022-0001 satisfies the requirements of Section
19 18.06.030 of the Rialto Municipal Code pertaining to the findings which must be made precedent to
20 adopting a zone change. The findings are as follows:

- 21
22 1. That the proposed zone change is consistent with the General Plan of the City of
23 Rialto; and

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

25 In conjunction with the ZC No. 2022-0001, the City of Rialto initiated GPA No. 2022-0003
26 to change the land use designation of the Site from a mix of Residential 6 and Business Park
27 to Specific Plan with a Specific Plan Overlay. The Specific Plan with a Specific Plan Overlay
28 designation, combined with the Pepper Avenue Specific Plan zone, will activate the Pepper
Avenue Specific Plan, as it was previously approved by City Council on December 12, 2017.
Additionally, ZC No. 2022-0001 and the accompanying GPA No. 2022-0003 will bring

consistency and conformity between all plans and designations associated with the Pepper Avenue Specific Plan.

2. That the proposed zone change will not adversely affect the surrounding properties.

This finding is supported by the following facts:

ZC No. 2022-0001 is necessary to bring the zoning of the Site into conformity with the Pepper Avenue Specific Plan, which was previously approved for the Site by the City Council on December 12, 2017. Additionally, ZC No. 2022-0001 will “activate” the Pepper Avenue Specific Plan, which will facilitate the orderly development of the Site to its highest and best use. The alternative would be to allow the Site to develop without the Pepper Avenue Specific Plan in a piece meal fashion in a non-cohesive manner under the current zoning designations.

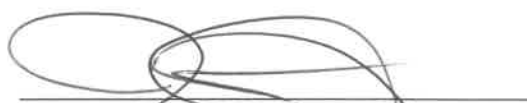
The primary objective of the Pepper Avenue Specific Plan and the associated Zone Change is to create an eastern gateway into the City of Rialto that offers new retail opportunities and promotes the identity of the Pepper Avenue neighborhood. ZC No. 2022-0001 will not be detrimental to the public safety, health and general welfare and is compatible with the overall goals and objectives of the Pepper Avenue Specific Plan and the General Plan.

SECTION 3. The City Council of the City of Rialto Certified an Environmental Impact Report for the Pepper Avenue Specific Plan (SCH #2016021047) on December 12, 2017 (Resolution No. 7258). The Specific Plan and the associated General Plan Amendment were thoroughly analyzed in the Environmental Impact Report for the Pepper Avenue Specific Plan and there are no changes or impacts not previously analyzed. No further environmental review is required for GPA No. 2022-0003 pursuant to the California Environmental Quality Act (CEQA).

SECTION 4. The Planning Commission hereby recommends that the City Council approve ZC No. 2022-0001 to change the zoning designation of the Site to Pepper Avenue Specific Plan.

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 26th day of October, 2022.



JERRY GUTIERREZ, CHAIR
CITY OF RIALTO PLANNING COMMISSION

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

5 I, Kimberly Dame, Administrative Analyst of the City of Rialto, do hereby certify that the
6 foregoing Resolution No. **2022-65** was duly passed and adopted at a regular meeting of the Planning
7 Commission of the City of Rialto held on the 26th day of September 2022.

8 Upon motion of Commissioner Dale Estvander, second by Commissioner Artist Gilbert
9 foregoing Resolution No. **2022-65** was duly passed and adopted.

10
11 Vote on the motion:

12 AYES: 5 (Gutierrez, Estvander, Gonzlaez, Gilbert)

13 NOES: 0

14 ABSTENTION: (Peukert)

15 ABSENT: 0

16 IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of
17 Rialto this 26th day of October 2022.

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Kimberly Dame
Administrative Analyst