

# **ADDENDUM TO AGENDA**

**Ordinance No. 1598, referenced in Agenda item Tab 1 for the Regular CITY COUNCIL/City of Rialto acting as Successor Agency to the Redevelopment Agency, RIALTO HOUSING AUTHORITY Meeting for:  
January 23, 2018 at 6:00 p.m.**

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## **PUBLIC HEARING**

## **TAB 1**

Request City Council to Conduct a Public Hearing to: (i) approve **Resolution No. 7277** to adopt the Addendum to the Lytle Creek Ranch Specific Plan (LCRSP) Environmental Impact Report (EAR 2017-0053); and (ii) introduce for first reading **Ordinance No. 1598** entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA TO APPROVE AN AMENDMENT TO THE LYTLE CREEK RANCH SPECIFIC PLAN AMENDMENT TO (A) ELIMINATE NEIGHBORHOOD 1; AND (B) MODIFY THE LAND USE CONFIGURATIONS OF NEIGHBORHOODS 11 AND 111, TEXTS, TABLES, AND CHARTS TO THE LYTLE CREEK RANCH SPECIFIC PLAN" (iii) and **Resolution No. 7278** to approve Tentative Tract Map No. 20092 (TTM 2017-0005) to create six (6) lots, one (1) remainder lot and thirteen (13) lettered lots for public open space, utilities and infrastructure on a 188-acre portion of Neighborhood II to facilitate a 672 lot residential subdivision.

**(ACTION)(POWERPOINT)**

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**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA TO APPROVE AN AMENDMENT TO THE LYTLE CREEK RANCH SPECIFIC PLAN AMENDMENT TO (A) ELIMINATE NEIGHBORHOOD I; AND (B) MODIFY THE LAND USE CONFIGURATIONS OF NEIGHBORHOODS II AND III, TEXTS, TABLES, AND CHARTS TO THE LYTLE CREEK RANCH SPECIFIC PLAN

**WHEREAS**, California Government Code Sections 65450 and 65450.1 authorize local jurisdictions to prepare, adopt and implement specific plans for territory covered by its General Plan; and

**WHEREAS**, the Lytle Creek Ranch Specific Plan (“LCRSP”) and Lytle Creek Ranch Specific Plan Environmental Impact Report and Recirculated Portions of the Environmental Impact Report (State Clearinghouse #2009061113) (“LCRSP EIR”) were adopted by the City Council on August 14, 2012; and

**WHEREAS**, the applicant, Lytle Development Company (“Applicant”), proposes to do the following:

- (i). Remove Neighborhood I from the Specific Plan, reducing the number of neighborhoods from four (4) to three (3), reducing the land area in the LCRSP by 417-acres;
- (ii) Remove the “active adult” designation from Neighborhood II, which will be built as traditional family units;
- (iii) Alter the layout of the land use plan for Neighborhood II in the eastern portion in the former El Rancho Verde Golf area, including replacement of the proposed golf course with open space, the removal of age restrictions on residential units, and changes to the distribution of residential units. However, the total number of residential units and acreage at build-out of Neighborhood II would remain the same;
- (iv) Alter Neighborhood III to reduce 2.2 acres from Planning Area 62 and increase the Open Space in Planning Area 28 by 2.2 acres. The acreage within Planning area 62 would change from 25.6 acres to 23.4 acres. The number of residential units at build out of Neighborhood III would not change.

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

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

23 SECTION 1. The City Council hereby specifically finds that all of the facts set forth in the recitals  
24 above of this Ordinance 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 City Council  
28 hereby determines that the Plan Amendment satisfies the requirements of Government Code Sections

1 65358 and 65453 and of Section 18.78.060 I of the Rialto Municipal Code pertaining to the findings  
2 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 G**. 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.

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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 be 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 Mayor shall sign the passage and adoption of this Ordinance and thereupon the same shall take effect and be in force.

PASSED, APPROVED AND ADOPTED this 23<sup>rd</sup> day of January 2018.

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DEBORAH ROBERTSON, MAYOR

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**ATTEST:**

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BARBARA MCGEE, CITY CLERK

**APPROVED AS TO FORM:**

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FRED GALANTE, CITY ATTORNEY

1 STATE OF CALIFORNIA )  
2 COUNTY OF SAN BERNARDINO ) ss  
3 CITY OF RIALTO )  
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5 I, BARBARA MCGEE, City Clerk of the City of Rialto, do hereby certify that the foregoing  
6 Ordinance No. \_\_\_\_\_ was duly passed and adopted at a regular meeting of the City Council of the City  
7 of Rialto held on the 23<sup>rd</sup> day of January, 2018.

8 Upon motion of Councilmember \_\_\_\_\_, seconded by Council member  
9 \_\_\_\_\_, the foregoing Ordinance 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 Rialto  
15 this 23<sup>rd</sup> day of January, 2018.

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BARBARA MCGEE, CITY CLERK