

CITY OF



J.R. Allgower, Chair
Tony Hicks, Vice Chair
David Higginson, Commissioner
Donna Snodgrass, Commissioner
Lyle Vick, Commissioner
Richard Beck, Commissioner
Stacey Chester, Commissioner

AGENDA

Planning Commission

June 5, 2024

6:30 PM

**Yucaipa City Hall - City Council Chambers
34272 Yucaipa Blvd., Yucaipa, California**

Public Comment Via Mail or Email

Items must be submitted no later than three (3) business hours prior to the meeting at which the commenter seeks to provide comment. Public comment may be submitted via U.S. Mail to the City Clerk at 34272 Yucaipa Blvd., Yucaipa, CA 92399 or via email to publiccomment@yucaipa.gov. All mail and email correspondence will be archived, distributed to the Planning Commission, and retained as part of the public record; however, submissions will not be read out loud during the meeting. The subject line should specify "Public Comment-Planning Commission" and include the date of the meeting.

Written public comment submitted on non-agenda items and on specific agenda items will be made available to the public pursuant to the City of Yucaipa policy regarding the distribution of written public comments at City Council and Commission meetings, which may be accessed on the City's website at <https://yucaipa.gov/agendas-minutes/>. Individuals should be aware that comments provided, including personal information, may be disclosable pursuant to the California Public Records Act.

Live stream/recording of City Council meetings:

Members of the public may watch city council meetings live at: <https://yucaipa.gov/live>.

Possible Live Stream Disruptions:

While the City of Yucaipa strives for uninterrupted streaming, technical issues may occasionally occur. We ask for your understanding and patience should there be any disruptions during the live broadcast. We will work diligently to resolve any issues promptly, however, please be advised that the City Council meeting may continue in person while such issues are resolved. Every attempt will be made for the meeting to be recorded and made available for viewing after its conclusion.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

PUBLIC COMMENT

PUBLIC HEARINGS

The order of Business for the Public Hearing Shall Be:

- A. Open Public Hearing
- B. Disclosure of Ex Parte Communications
- C. Staff Presentation
- D. Applicant/Representative Presentation (if necessary)
- E. Public Comments
- F. Applicant Rebuttal (if necessary)
- G. Public Hearing Closed
- H. Commission Discussion

1. **SUBJECT:** FREEWAY CORRIDOR SPECIFIC PLAN UPDATE (CASE NO. 24-044/GPA/SPA) & PACIFIC OAKS COMMERCE CENTER (21-196/CUP/ARC/TPM): THE EXISTING FREEWAY CORRIDOR SPECIFIC PLAN (FCSP), ADOPTED IN NOVEMBER 2008, ALLOWS FOR DEVELOPMENT OF UP TO 2,447 RESIDENTIAL UNITS ON 424.7 ACRES AND UP TO 4,585,779 SQUARE FEET OF NONRESIDENTIAL USES ON 242.7 ACRES WITHIN THE 1,242-ACRE PLAN AREA. THE PROPOSED UPDATE TO THE FCSP (CASE NO. 24-044/GPA/SPA) WOULD RESULT IN A TOTAL OF 2,472 RESIDENTIAL UNITS AND 5,093,265 SQUARE FEET OF NONRESIDENTIAL USES. AS A RESULT, THE PROPOSED PROJECT WOULD RESULT IN AN INCREASE OF 25 RESIDENTIAL UNITS, 2,786,461 SQUARE FEET OF BUSINESS PARK (BP), AND A REDUCTION OF 2,278,976 SQUARE FEET OF REGIONAL COMMERCIAL (RC) COMPARED TO THE EXISTING FCSP. THE PROPOSED PROJECT ALSO INCLUDES DEVELOPMENT OF THE PACIFIC OAKS COMMERCE CENTER (21-196/CUP/ARC/TPM), WHICH CONSISTS OF THE DEVELOPMENT OF TWO (2) BUILDINGS WITH WAREHOUSE AND OFFICE SPACES, TOTALING 2,054,000 SQUARE FEET OF BUILDING SPACE, AS WELL AS TRUCK PARKING AND DOCKING BAYS, CONSISTENT WITH THE PROVISIONS INCLUDED IN THE FCSP UPDATE.

RECOMMENDATION:

That the Planning Commission conduct a public hearing, and pursuant to Sections 82.0101 and 83.020305 of the Yucaipa Development Code, provide a recommendation to the City Council regarding the Freeway Corridor Specific Plan (FCSP) and the Final Supplemental Environmental Impact Report (SEIR), as well as Case No. 21-196 for the Pacific Oaks Commerce Center.

Depending on the Planning Commission's review and recommendation, several potential motions can be made and are as follows:

Recommendation in support of the FCSP Update:

If the Planning Commission is in support of the FCSP, the following recommendation to the Council is provided:

- 1) Adopt Resolution No. 2024-06, approving the Freeway Corridor Specific Plan Update; certifying that the Final Subsequent Environmental Impact Report (SEIR) has been completed in

compliance with the California Environmental Quality Act (CEQA); accepting the mitigation measures identified in the Final SEIR; adopting Findings of Fact; and adopting a Statement of Overriding Considerations; and

- 2) Approve first reading, by title only, as read by staff, of Ordinance No. 448, an Ordinance of the City Council of the City of Yucaipa, California, amending Ordinance No. 343, amending of the official land use plan and zoning ordinance of the City of Yucaipa; and
- 3) Approve the Conditional Use Permit (Case No. 21-196), subject to the Conditions of Approval as contained in the Agenda Report, and if acceptable, approve the Architectural Design and preliminary landscaping, for the Pacific Oaks Commerce Center Project (POCC); and
- 4) Adopt the Findings as contained in the Agenda Report; and
- 5) Approve the Mitigation Monitoring and Reporting Program; and direct Staff to file a Notice of Determination.

Recommendation against the FCSP Update:

If the Planning Commission is not in support of the FCSP, the following recommendation to the Council is provided:

- 1) Direct Staff to prepare a Resolution to deny the approval of the Freeway Corridor Specific Plan Update; and
- 2) Direct Staff to prepare Findings for denial, based on the Planning Commission's consideration of the Project with respect to Section 83.020310 of the Yucaipa Development Code; and
- 3) Deny Conditional Use Permit (Case No. 21-196), as it is inconsistent with the land use designations of the existing Freeway Corridor Specific Plan; and
- 4) Determine that the Project is exempt from CEQA pursuant to Section 15270 of the CEQA Guidelines, which states that CEQA does not apply to projects which a public agency rejects or disapproves.

Alternatives:

The Planning Commission can make any additional recommendations to modify the FCSP Update that are deemed necessary to meet the Findings specified by Section 83.020310 of the Yucaipa Development Code, or that would better meet the Goals, Policies, and/or Objectives of the General Plan.

Draft Findings of Approval, as well as the Draft Resolution and Ordinance are provided for the Planning Commission's reference and review. Modifications can be made based on the deliberations of the item and will be presented for the City Council's final action.

2. SUBJECT: STARLING HEIGHTS SPECIFIC PLAN (CASE NO. 22-129/GPA/SP/TTM 20372): THE STARLING HEIGHTS SPECIFIC PLAN PROVIDES THE DEVELOPMENT STANDARDS FOR A 14.78-ACRE SITE FOR SINGLE FAMILY RESIDENTIAL DEVELOPMENT AND INCLUDES TENTATIVE TRACT MAP (TTM) 20372 TO FORMALLY CREATE A 127-UNIT RESIDENTIAL SUBDIVISION AND ASSOCIATED COMMUNITY FEATURES INCLUDING A RECREATION CENTER, ACTIVE PARK, DOG PARK, ENTRY MONUMENTS, AND DETENTION BASINS BASED ON THE SPECIFIC PLAN. A MINOR GENERAL PLAN AMENDMENT IS ALSO PROPOSED TO CHANGE THE LAND USE DESIGNATION OF THE SITE SHOWN ON GENERAL PLAN FIGURE CDL-2, LAND USE MAP, FROM RS-20M (SINGLE-RESIDENTIAL, 20,000 SQUARE FOOT MINIMUM) TO PD (PLANNED DEVELOPMENT), AND A MODIFICATION TO GENERAL PLAN FIGURE, CDL-3, LAND USE MODIFICATIONS, TO ADD THE STARLING HEIGHTS SPECIFIC PLAN LOCATED AT THE NE CORNER OF 12TH STREET AND AVENUE E; APNS: 0318-021-18, 19, -44 & -58.

RECOMMENDATION:

That the Planning Commission conduct a public hearing, and pursuant to Sections 82.0101 and 83.020305 of the Yucaipa Development Code, provide a recommendation to the City Council regarding the Starling Heights Specific Plan (SHSP) and the Mitigated Negative Declaration (MND), as well as the associated Tract Map (TTM 20372).

Depending on the Planning Commission's review and recommendation, several potential motions can be made and are as follows:

Recommendation in support of the SHSP Update:

If the Planning Commission is in support of the SHSP, the following recommendation to the Council is provided:

- 1) Adopt Resolution No. 2024-33, approving the Specific Plan for the proposed Starling Heights Specific Plan and the associated minor General Plan Amendment / Land Use District Change of a property from RS-20M Single Residential, 20,000 square foot minimum lot size) to the land use designation of PD (Planned Development); and
- 2) Approve first reading, by the title only, as read by staff, of Ordinance No. 449, amending Ordinance No. 343, amending the Official Land Use Plan and Zoning Ordinance as adopted by the City of Yucaipa; and
- 3) Approve the Tentative Tract Map No. 20372 (Case No. 22-129/TTM 20372), subject to the Conditions of Approval as contained in this Agenda Report; and
- 4) Adopt the Findings as contained in this Agenda Report; and
- 5) Adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, finding the mitigation measures and standard measures and procedures will reduce the potential level of environmental impact to less than significant; and
- 6) Direct staff to file a Notice of Determination; and,

7) Review, and if it is considered acceptable, approve the architectural design and conceptual landscaping for the proposed Project.

Recommendation against the SHSP:

If the Planning Commission is not in support of the SHSP, the following recommendation to the Council is provided:

- 1) Direct Staff to prepare a Resolution to deny the approval of the Starling Heights Specific Plan; and
- 2) Direct Staff to prepare Findings for denial, based on the Planning Commission's consideration of the Project with respect to Section 83.020310 of the Yucaipa Development Code; and
- 3) Deny Tentative Tract Map 20372 (Case No. 22-129), as it is inconsistent with the land use designations of the existing Land Use District; and
- 4) Determine that the Project is exempt from CEQA pursuant to Section 15270 of the CEQA Guidelines, which states that CEQA does not apply to projects which a public agency rejects or disapproves.

Alternatives:

The Planning Commission can make any additional recommendations to modify the SHSP that are deemed necessary to meet the Findings specified by Section 83.020310 of the Yucaipa Development Code, or that would better meet the Goals, Policies, and/or Objectives of the General Plan.

Draft Findings of Approval, as well as the Draft Resolution and Ordinance are provided for the Planning Commission's reference and review. Modifications can be made based on the deliberations of the item and will be presented for the City Council's final action.

3. **SUBJECT:** CASE NO. 24-046/GPA: CITY OF YUCAIPA GENERAL PLAN SAFETY ELEMENT UPDATE.

RECOMMENDATION:

That the Planning Commission conduct a public hearing and provide a recommendation to the City Council to:

- 1) Adopt Resolution No. 2024-09, adopting the Safety Element Update to the General Plan; and
- 2) Determine that the update to the Safety Element is within the scope of the Environmental Impact Report (EIR) prepared pursuant to the provisions of Section 15168 of the California Environmental Quality Act of 1970 and the CEQA Guidelines, as amended, for the City's General Plan; and
- 3) Adopt the Findings as contained in the Agenda Report; and

- 4) Direct staff to file a Notice of Determination.

ANNOUNCEMENTS

ADJOURNMENT

Notice Regarding Americans with Disability Act

The City of Yucaipa complies with the Americans with Disabilities Act of 1990. If you need special assistance to participate in this meeting, please call the City Clerk's Department at (909) 797-2489, during normal business hours, at least 48-hours prior to the meeting. Notification 48 hours prior to the meeting will enable the city to make reasonable accommodations to ensure accessibility to this meeting.

CEQA STATEMENT:

Unless stated otherwise on the agenda, every item on the agenda is exempt from CEQA guidelines sections 15060(c), 15061(b)(3), 15273, 15378, 15301, 15323 and/or Public Resource Code Section 21065.

Pursuant to Government Code Section 54957.5, any disclosable public records related to an open session item on a regular meeting agenda and distributed by the City of Yucaipa to all or a majority of the City Council, less than 72 hours prior to that meeting, are available for public inspection at Yucaipa City Hall, 34272 Yucaipa Boulevard, Yucaipa, CA 92399, during normal business hours.

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS (Levine Act – Government Code section 84308)

Pursuant to Government Code section 84308, members of the City Council and Planning Commission are disqualified and not able to participate in any agenda item involving contracts (other than competitively bid contracts, labor contracts, or personal employment contracts with City employees), franchises, discretionary land use permits and other entitlements if the Councilmember or Planning Commissioner received more than \$250 in campaign contributions from the applicant or contractor, an agent of the applicant or contractor, or any financially interested participant who actively supports or opposes the City's decision on the agenda item since January 1, 2023. Any applicants, contractors or their agents who have made, campaign contributions totaling more than \$250 to a City Councilmember or Planning Commissioner member since January 1, 2023, are required to disclose that fact for the official record of the subject agenda item and any such City Councilmember or Planning Commissioner shall not make, participate in making, or in any way attempt to use their official position to influence the subject agenda item. Disclosures must include the amount of the campaign contribution and identify the recipient City Councilmember or Planning Commissioner and may be made either in writing to the City Clerk prior to the subject hearing or by verbal disclosure at the time of the hearing.

NOTICE REGARDING CHALLENGES TO DECISIONS

Pursuant to all applicable laws and regulations, including without limitation, California Government Code Section 65009 and/or California Public Resources Code Section 21177, if you wish to challenge in court any of the below decisions (regarding planning, zoning and/or environmental decisions), you may be limited to raising only those issues you or someone else raised at the public hearing(s) described in this notice/agenda, or in written correspondence delivered to the city at, or prior to, this public hearing.

NOTICE REGARDING APPEALS

Appeals of a final action by the planning commission must be filed with the city clerk no later than ten (10) calendar days after the day on which the final action was taken, along with the appropriate fee.

		AFFIDAVIT OF POSTING
State of California	}	
County of San Bernardino	} ss.	
City of Yucaipa	}	
<p>I, Ana V. Sauseda, City Clerk of the City of Yucaipa, California, do hereby declare that the foregoing agenda was posted on 05/30/2024, at least seventy-two (72) hours prior to the meeting per Government Code 54954.2, at the following locations:</p> <p style="text-align: center;">Yucaipa City Hall, 34272 Yucaipa Boulevard, Yucaipa, California City of Yucaipa website www.yucaipa.gov</p> <p style="text-align: right;">Ana V. Sauseda, MMC City Clerk</p>		

