Agenda Item No. _____

CITY OF YUCAIPA
AGENDA REPORT

TO: Honorable Mayor and City Council

FROM: Fermin Preciado, Director of Development Services / City Engineer
Benjamin J. Matlock, Deputy Director of Community Development / City Planner
Madeline Jordan, Associate Planner

FOR: City Council Meeting of September 25, 2023

SUBJECT: City of Yucaipa (Case No. 22-165/DCA/ORD): Consideration of Ordinance No. No. 429, proposing amendments to streamline the review process initially developed as part of Ordinance No. 344, which amended Chapter 4 (Land Use Modifications) of Division 5 (Overlay Districts) of Volume II (Development Code) of the Yucaipa Municipal Code establishing mobilehome park conversion standards, to comply with the City's Housing Element

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RECOMMENDATION:

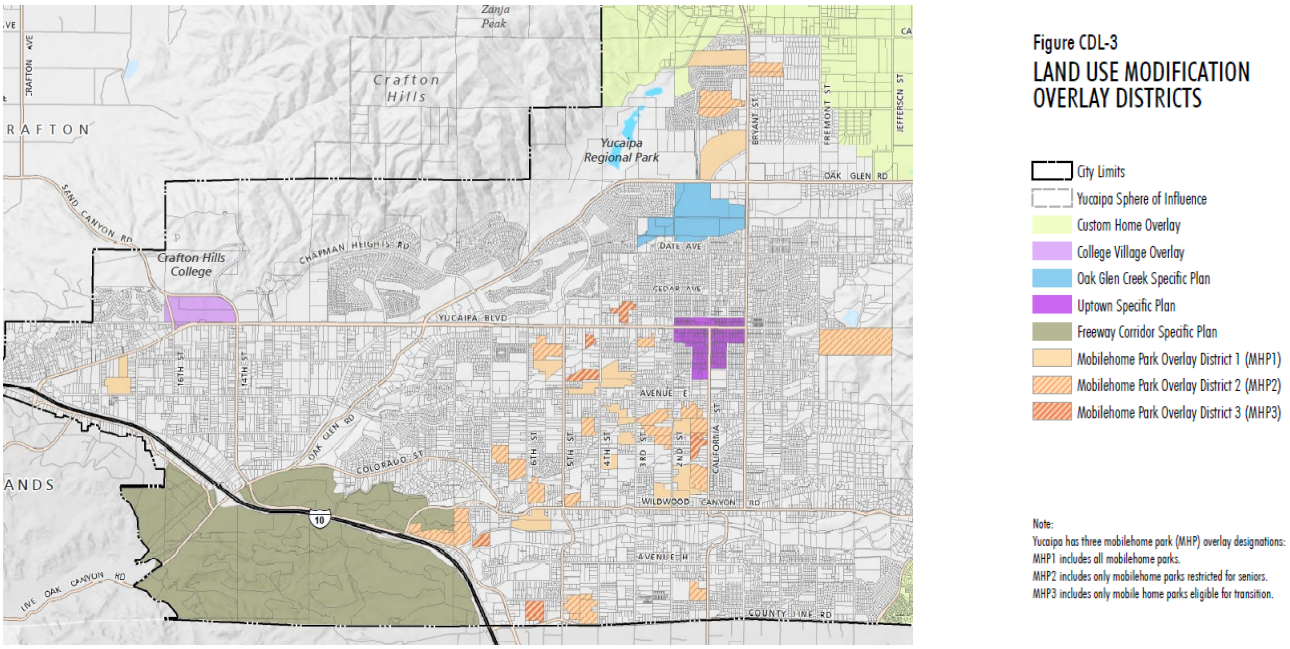
That the City Council conduct a Public Hearing, and consider the Planning Commission's recommendation to:

1. Approve first reading, by title only, as read by staff, of Ordinance No. 429 amending Division 4 of the Yucaipa Development Code to streamline the review process initially developed as part of Ordinance No. 344, to achieve compliance with Program #8 of the City's Housing Element; and

2. Find that the Ordinance is exempt from Environmental Review as an Addendum to the 2016 Yucaipa General Plan Environmental Impact Report that had been prepared for the 6th Cycle Housing Element Update (2021-2029) in accordance with Section 15164 of the CEQA Guidelines, and identified that the conditions outlined in Section 15162 of the Guidelines that call for preparation of a subsequent or supplemental EIR were *not* met; further the adoption of the Ordinance is consistent with Program #8 identified in the Housing Element, and would not result in impacts not originally analyzed in the Addendum to the 2016 General Plan EIR.

BACKGROUND:

State Law requires that cities adopt a General Plan to guide future development, goals, and the long-range vision of a community. It is recommended that General Plan policy documents are updated every 10-20 years to reflect changes to circumstances such as the economy, community values, and the built environment. Further, on April 11, 2016, the City Council adopted Resolution No. 2016-08, adopting the updated 2016 General Plan. This update included General Plan Policy CDL-11 (Preservation and Reuse), Policy CDL-11.5 (Mobile Home Park Transition), and the establishment of Mobilehome Park 3 (MHP3) Overlay, which identified seven (7) substandard parks within the City eligible for transition to other land uses.



General Plan (2016) CDL-3. Land Use Modification Overlay Districts.

Shortly thereafter on August 8, 2016, City Council approved Ordinance No. 344, which was a Development Code Amendment to implement the objectives of the aforementioned General Plan polices, and specifically established provisions for the conversion of these mobilehome parks. Currently, Ordinance No. 344 establishes that a maximum residential density of 16 dwelling units/acre (du/ac) could be permitted as a part of a conversion application and expanded through a Development Opportunity Reserve[1] (DOR) request and City Council approval.

To streamline the mobilehome park conversion process and ensure greater success of the General Plan Policy, Program #8, "Mobile Home Conversion" was identified as a part of the City of Yucaipa's adopted 6th Cycle (2021-2029) Housing Element.

[1] Section 85.0403535 of the Development Code explains that in return for providing enhanced architecture and project design, an applicant may seek a greater residential density and/or commercial square footage than otherwise allowed under the regulations of the applicable land use district when formal land use permits, or other entitlements are submitted for discretionary review and action through the Development Opportunity Reserve.

Planning Commission Hearing:

The proposed Development Code Amendment was reviewed at the regular Planning Commission Meeting of September 6, 2023, and was recommended for approval as it is consistent with the General Plan Housing Element. During the hearing, staff confirmed that the proposed ordinance would not have implications on other existing mobilehome conversion standards and requirements established through Ordinance No. 344, including the preparation of a Relocation Impact Report (RIR) and Relocation Plan to mitigate any effects of displacement on existing tenants. Ordinance No. 429 simply clarifies that MHP3 sites that propose a mobilehome park conversion may achieve a residential yield of up to 24 dwelling units per acre (du/acre) and provides a streamlined process per the General Plan. The meeting minutes are attached for Council's reference.

DISCUSSION:

The 6th Cycle City of Yucaipa General Plan Housing Element was certified by the Department of Housing and Community Development (HCD) on October 21, 2022, and identified Program #8, "Mobile Home Conversion," to help streamline housing opportunities to meet the City's Regional Housing Needs Allocation (RHNA) identified for the 2021-2029 period. To comply with Program #8, Ordinance No. 429 would amend the Development Code to allow the currently permitted 24 du/ac through a Development Opportunity Reserve (DOR) as a "by-right" residential base density within the Mobilehome Park 3 (MHP3) Overlay. Instead of a Conditional Use Permit (CUP) application which requires discretionary review by the Planning Commission, a Land Use Compliance Review (LUCR) with Architectural Review would become the pertinent planning entitlement for the RM-24 conversion process and could be approved administratively by City staff. This ministerial component of the updated conversion process is required to comply with Program #8 identified in the Housing Element.

It should be noted that if a mobilehome conversion permit includes a DOR request for commercial or mixed-uses, City Council approval and the Memorandum of Understanding (MOU) between the City and the mobilehome conversion applicant would still be required.

Environmental Review

Pursuant to CEQA, and the City's local CEQA Guidelines, an Addendum to the 2016 Yucaipa General Plan Environmental Impact Report was prepared for the previously adopted 6th Cycle Housing Element Update (2021-2029). This Addendum was prepared pursuant to Section 15164 of the CEQA Guidelines. The analysis contained in the addendum demonstrates that the conditions described in Section 15162 of the Guidelines that call for preparation of a subsequent or supplemental EIR have not been met, and that the adoption of Ordinance No. 429 is consistent with Program #8 identified in the Housing Element, and would not result in impacts not originally analyzed in the Addendum to the 2016 General Plan EIR.

FISCAL IMPACT:

There is no direct fiscal impact associated with this City Council action.

CONCLUSION:

The required findings for approval of the Development Code Amendment have been made and are attached.

Attachments:

1. Findings for Development Code Amendment
2. Ordinance No. 429
3. Draft Planning Commission Minutes from September 6, 2023

Approved by: _____

ATTACHMENT 1

FINDINGS: DEVELOPMENT CODE AMENDMENT NO. 429

1. The proposed Development Code Amendment is consistent with the General Plan (City of Yucaipa's 6th Cycle Adopted Housing Element; 2021-2029) and its policies and objectives because its implementation will enhance the public's health, safety, and general welfare, and has been developed to meet the requirements of state law.

ATTACHMENT 2

ATTACHMENT 3