



SAN BERNARDINO COUNTY
PLANNING COMMISSION MEETING MINUTES
County Government Center
Covington Chambers
385 N. Arrowhead Avenue, 1st Floor
San Bernardino, CA 92415

Thursday, July 22, 2021

COMMISSIONERS PRESENT

Jonathan Weldy, Chair, First District
Ray Allard, Vice Chair, Second District
Michael Stoffel, Commissioner, Third District
Tom Haughey, Commissioner, Fourth District
Kareem Gongora, Commissioner, Fifth District

STAFF PRESENT

Heidi Duron, Planning Director, LUSD
Jason Searles, Deputy County Counsel
Anthony DeLuca, Senior Planner, LUSD
Suzanne Peterson, Senior Planner, LUSD
Jerry Blum, General Plan Coordinator, LUSD
Lupe Biggs, Administrative Assistant, LUSD

The Planning Commission meeting of July 22, 2021, was called to order at 9:01 a.m. by Chair Weldy. Commissioner Haughey led the Invocation and Commissioner Stoffel led the Pledge of Allegiance.

Due to the guidance from the California Department of Public Health and the Governor's Executive Order for gathering restrictions, a limited number of staff was present at the meeting. Present at the meeting was Planning Director Heidi Duron, Deputy County Counsel Jason Searles, Senior Planner Anthony DeLuca, Administrative, Senior Planner Suzanne Peterson, General Plan Coordinator Jerry Blum, Assistant Lupe Biggs, Applicant Steven Foulkes, Scott Beard and Ed Bonadiman.

Participating remotely were consultants Cheryl Tubbs, Frank Amendola, Charlene So, Bill Lawson and Halley Grundy.

The meeting was conducted pursuant to the provisions of the Governor's Executive Order N-08-21 dated June 11, 2021, which suspends certain requirements of the Ralph M. Brown Act.

ROLL CALL

Chair Weldy, Vice Chair Allard, Commissioner Stoffel and Commissioner Haughey were present at the meeting. Commissioner Gongora participated remotely.

1. a. ADVANCE SCHEDULE

The advanced schedule was presented by Lupe Biggs, Administrative Assistant.

b. DIRECTOR'S REPORT

There were no comments.

c. COMMISSIONER COMMENTS

Vice Chair Ray Allard announced that he would be recusing himself from Item 3 on the agenda.

Chair Weldy stated he attended a site tour for an upcoming project by CalPortland.

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2. PUBLIC HEARING

APPLICANT: Bear Valley Unified School District
COMMUNITY: Sugarloaf / 3rd Supervisorial District
PROJECT NO: PROJ-2020-00189
LOCATION: Baldwin Lane and Maple Lane
STAFF: Anthony DeLuca, Senior Planner
PROPOSAL: A Conditional Use Permit to construct a three field multi use baseball/softball/soccer complex and a 1,000 square foot pre-fabricated restroom/snack bar and an 800-foot access road from 44500 Baldwin Lane on a 15-acre portion of a 172-acre site.
CEQA RECOMMENDATION: Mitigated Negative Declaration
EST. TIME: 60 minutes

STAFF PRESENTATION:

Anthony DeLuca, Senior Planner, presented the staff report and memo to the Planning Commission, which is on file with the Land Use Services Department.

RECOMMENDATION:

That the Planning Commission:

1. **ADOPT** the Mitigated Negative Declaration (EXHIBIT A)
2. **ADOPT** the Findings as contained in the staff report (EXHIBIT C);
3. **APPROVE** the Conditional Use Permit to construct a three field multi use baseball/softball/soccer complex, an approximate 1,000 square foot prefabricated restroom/snack bar and an 800-foot access road from Baldwin Lane on a 15-acre portion of a 172-acre site, subject to the Conditions of Approval (EXHIBIT D); and
4. **DIRECT** Staff to file the Notice of Determination.

APPLICANT COMMENTS:

Steven Foulkes, the Applicant, stated the acres were donated to the School District in 2018. He added the Project is an asset to the community. He continued to describe how the Project will benefit the community.

COMMISSION COMMENTS:

Vice Chair Allard stated this is a well thought out Project and asked what property was dedicated. Mr. DeLuca replied 230 acres total, and three parcels were donated. Vice Chair Allard discussed noise issues and buffers. Mr. Foulkes explained the location of the field and the School District's school bus garage that will not add additional noise.

Commissioner Haughey and Mr. Foulkes discussed the amount of acres that will have development.

Chair Weldy stated this is a great project and mentioned that revenue stream could be a challenge due to the proposed aquatic center. He also brought up the item of parking spaces. Mr. Foulkes explained their measures to address the overflow of parking.

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PUBLIC COMMENTS:

Bengt Lowander submitted his comments through email, which is on file with the Land Use Services Department. Based on the comment, Mr. Foulkes clarified and explained the maintenance he and the School District are responsible for.

ADDITIONAL COMMENTS:

There were no comments.

COMMISSION ACTION:

Commissioner Haugey made a motion to approve staff's recommendation. Commissioner Gongora seconded the motion. The motion passed with a 5-0 vote.

COMMISSION VOTE

MOTION: Haughey
SECOND: Gongora
AYES: Weldy, Allard, Stoffel, Haughey and Gongora
NOES: None
RECUSED: None
ABSENT: None
ABSTAIN: None

3. PUBLIC HEARING

APPLICANT: Cedar Avenue Truck Storage/David Weiner
COMMUNITY: Bloomington / 5th Supervisorial District
PROJECT NO: PROJ-2020-00035
LOCATION: 10746 Cedar Avenue
STAFF: Anthony DeLuca, Senior Planner
PROPOSAL: Zoning Amendment from General Commercial (CG) to Service Commercial (CS) and a Conditional Use Permit, for a 260-truck and trailer storage yard with a 2,400 square foot modular office building, with an attached 4,800 square foot service bay building on 8.95 acres.
CEQA RECOMMENDATION: Mitigated Negative Declaration
EST. TIME: 180 minutes

STAFF PRESENTATION:

Anthony DeLuca, Senior Planner, presented the staff report and memos to the Planning Commission, which is on file with the Land Use Services Department.

RECOMMENDATION:

That the Planning Commission recommend that the Board of Supervisors:

1. **ADOPT** the Mitigated Negative Declaration (EXHIBIT B);
 2. **ADOPT** the Findings as contained in the staff report (EXHIBIT E);
 3. **ADOPT** the Zoning Amendment from General Commercial (CG) to Service Commercial (CS);
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4. **APPROVE** the Conditional Use Permit for a 260-truck and trailer storage yard with a 2,400 square foot modular office building, with an attached 4,800 square foot service bay building on 8.95 acres, subject to the recommended Conditions of Approval (EXHIBIT A);
5. **DIRECT** the Clerk or the Board to file the Notice of Determination.

COMMISSION COMMENTS

Chair Weldy discussed the additional comments that were received and wanted to confirm that those concerns would be or have been addressed. He also asked if the applicant had reviewed the comments and discussed the memo regarding changes to the Conditions of Approval. Chair Weldy reminded the audience that Vice Chair Allard had recused himself from this item. Mr. DeLuca detailed the changes and corrections. He continued to address and explain notice procedures for some of the additional comments received. Mr. Searles offered additional clarification. Ms. Duron announced the environmental consultants are available via phone.

APPLICANT COMMENTS:

Ed Bonadiman, Representative for the Applicant, explained some traffic specifications and provided an overview of benefits the Project provides. He noted the consultants Cheryl Tubbs and Frank Amendola were participating remotely.

Commissioner Haughey pointed out the number of conditions, comments and the length of the staff report.

Commissioner Gongora asked what the process is for not having a full Environmental Impact Report (EIR) and inquired about various environmental details. Ms. Duron explained the process is completed through the Initial Study and the Project has less than significant impact for an EIR. Commissioner Gongora further asked about specific greenhouse gas thresholds that would cause an environmental study. Ms. Duron stated the additional memo addresses those concerns and she added the applicant used screening tables to implement measures to reduce impacts. Mr. DeLuca stated the measurements were completed based on a worst-case scenario and listed many results. Commissioner Gongora summarized environmental concerns that stood out to him and then asked how the Vehicle Miles Traveled (VMT) impacts the community. Chair Weldy asked how trailers were taken into account with the VMT data. Ms. Tubbs invited the traffic consultant, Charlene So, to assist in answering the question. Ms. So explained they did not calculate any VMT. She also described how the Project is in a low VMT area and did not meet any screening criteria. Commissioner Gongora responded by listing trip data and asked how that does not result in a VMT assessment. Ms. So defined some of the County's requirements that justifies no VMT analysis. Commissioner Gongora then asked staff, the area is an Environmental Justice (EJ) Focus Area, how is a VMT assessment not needed. Ms. Duron explained the VMT assessment is separate from the EJ policies, and a Traffic Analysis was completed. She also mentioned there are mitigation measures for the Project, but they are not correlated issues with EJ policies. Commissioner Gongora summarized many environmental concerns he has with the Project, specifically no requirements for an EIR and VMT analysis. Mr. Bonadiman asked Commissioner Gongora if he had read their response letter to the school district's comments and Commissioner Gongora replied yes. Mr. Searles responded to Commissioner Gongora's comments by providing additional clarification for County policies and requirements that apply to the Project. Commissioner Gongora asked the Applicant what the community benefits will be. Mr. Bonadiman summarized a list of items.

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PUBLIC COMMENTS:

Naseem Farooqi, resident of Rialto, did not register a position on the Project, stated he is speaking on behalf of the West Valley Water District and will be reading a letter sent to staff yesterday from the General Manager and CEO.

Owen Chang, resident of Colton, did not register a position on the Project, stated he is representing Colton Joint Unified School District. He referenced previous letters sent to staff regarding their concerns for the Project. Mr. Chang described some environmental long-term issues for residents and pointed out it will cause an increase of truck traffic in the area.

John Paterson, resident of Bloomington, spoke in opposition of the Project, stated the city does not need another parking yard. He mentioned the Project was highly opposed by residents. Mr. Peterson continued to describe how the Project could be a burden to the residents and described his experience with traffic in the area during an emergency.

Dave Jayne, resident of Bloomington, spoke in opposition of the Project, listed his concerns and what he has experienced with traffic in the area. He described how the community is against the Project. Mr. Jayne stated he has a horse trail behind the Project site and discussed drainage issues near the trail. He stated Bloomington needs to be cleaned up and needs jobs.

Pamela Geil, resident of Bloomington, spoke in opposition of the Project, stated there are many other truck facilities in the area. She also mentioned the Bloomington Municipal Advisory Council (MAC) opposed this project. Ms. Geil described current drainage issues in the area.

Anna Gonzales, resident of Rialto, spoke in opposition of the Project, stated she is representing the Center for Community Action & Environmental Justice (CCA EJ). She stated they echo the community's stance on the Project. Ms. Gonzales stated she was under the impression the land was donated for commercial development. She also noted the community is demanding an EIR to look into health and environmental impacts.

Daniella Lozano, resident of Bloomington, spoke in opposition of the Project, stated she is representing CCA EJ. She explained there is no space for this Project and that the community was not meant for truck warehouses. She shared that the community was not notified of the Project. Ms. Lozano discussed traffic concerns on Cedar Avenue. She asked that the Planning Commission to take the letters and comments into consideration.

Gabriela Mendez, spoke in opposition of the Project, stated she is representing CCA EJ. She asked for an explanation of why the notices were sent to residents within 300 feet of the Project. She stated majority of the community speaks Spanish and wants to know how residents were notified. Ms. Mendez asked why the community can't have the benefits, but without the Project. She also requested the Project needs an EIR. Ms. Mendez stated the area should be preserved.

Roxanne Bazo, resident of Bloomington, spoke in opposition of the Project, she shared her personal experiences with traffic and noise issues. She stated the community park is difficult to get to. Ms. Bazo listed various issues she found with the Project.

Gary Grossich, resident of Bloomington, spoke in opposition of the Project, stated he is Bloomington MAC Vice Chair. He explained there are many issues with this Project. He described various traffic studies regarding trucks. He stated the Project will not provide jobs or revenue. He declared the Project fails to meet Senate Bill (SB) 1000. Mr. Grossich asked the Planning Commission to deny it.

Marven Norman, resident of Jurupa Valley, spoke in opposition of the Project, stated he is representing CCA EJ. He wondered why an EIR was not completed. He explained how all warehouses build parking lots for their trucks. He stated trucking facilities need to be placed properly within the County and that project notification requirements are lax.

Jane Hunt-Ruble, resident of Muscoy, did not register her position on the Project, stated her community has a symbiotic relationship with Bloomington. She shared that they have a similar problem in Muscoy. She continued stating that the County has approved so many truck stops in her neighborhood and it is creating bad air quality.

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Janet Bernade, spoke in opposition of the Project, stated she is representing CCAEJ and that she reviews projects for the Riverside and San Bernardino areas. She described her request for more environmental studies on the Project. Ms. Bernade claimed the community members are not properly notified.

Ericka Banuelos, resident of Fontana, spoke in opposition of the Project, agrees with most of the comments regarding the Project. She suggested that maybe another Project can be considered. She stated that South Fontana has been wiped out by warehouse development and has created bad air quality. Ms. Banuelos described her experiences with traffic in the area.

Margret Razzo, resident of Bloomington, spoke in opposition of the Project, shared that people still ride their horses in the streets. She claimed that there is already pollution in the area and that negatively is impacting the air quality.

ADDITIONAL COMMENTS:

Ms. Duron clarified that the Notice of Hearing was made available in Spanish. She continued to confirm that the environmental information provided is within County requirements. Mr. DeLuca and Chair Weldy further addressed the notice radius procedures.

Mr. Bonadiman assured that his Applicant did everything correctly and reviewed some of the public comments.

Chair Weldy asked for clarification about whether the land was donated. Mr. Bonadiman stated this property is being confused with another parcel. Scott Beard, a Representative for the Applicant, clarified that the property was acquired from a Jewish federation and never donated.

Ms. Duron added the statements regarding the 572 truck trips, is actually the amount of in, and out bound trips together, which totals to 286 round trips per day.

Mr. Bonadiman announced the Applicant has reviewed and accepts the revised Conditions of Approval. He also described their efforts to notify the Cedar Mobile Home Park.

Chair Weldy clarified the Planning Commission's responsibility and process for their decision on this Project.

Commissioner Stoffel thanked everyone for giving their input and thanked staff for their work.

Commissioner Haughey acknowledged the public speakers and summarized traffic developments for Southern California.

Commissioner Gongora stated he understands the applicant's legality and listed some environmental data. He also gave his input on improvements for notifying the community and stated he doesn't think this Project is good for Bloomington at this time.

COMMISSION ACTION:

Commissioner Stoffel made a motion to approve staff's recommendation. Commissioner Haughey seconded the motion. The motion passed with a 3-1 vote.

COMMISSION VOTE

MOTION: Stoffel
SECOND: Haughey
AYES: Weldy, Stoffel and Haughey
NOES: Gongora
RECUSED: Allard
ABSENT: None
ABSTAIN: None

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4. PUBLIC HEARING

APPLICANT: County of San Bernardino – Land Use Services
COMMUNITY: Countywide
PROJECT NO: PROJ-2020-00043
LOCATION: Countywide
STAFF: Suzanne Peterson, Senior Planner
PROPOSAL: Development Code Amendment to update Chapter 83.03 (Affordable Housing Incentives – Density Bonus) to comply with updates to state law, to provide an additional density bonus option for properties zoned Multiple Residential (RM), and update density standards in Tables 82-9A, 82-9B, and 82-9C.
CEQA RECOMMENDATION: Notice of Exemption
EST. TIME: 30 minutes

STAFF PRESENTATION:

Suzanne Peterson, Senior Planner, presented the staff report to the Planning Commission, which is on file with the Land Use Services Department.

RECOMMENDATION:

That the Planning Commission take the following actions:

1. **DIRECT** staff to prepare an Ordinance amending Tables 82-9A, 82-9B, and 82-9C and Chapter 83.03 of Title 8 of the County Code as recommended in the staff report and as illustrated in Exhibit A as redline changes to the existing Development Code text.
2. **RECOMMEND** that the Board of Supervisors take the following action:
 - A. **FIND** that the Ordinance is exempt from CEQA pursuant to Sections 15061(b)(3) and 15308 of the CEQA Guidelines.
 - B. **ADOPT** the findings as contained in the staff report.
 - C. **ADOPT** the Ordinance amending Tables 82-9A, 82-9B, and 82-9C and Chapter 83.03 of Title 8 of the County Code related to residential density standards and affordable housing incentives.
 - D. **DIRECT** the Clerk of the Board to file a Notice of Exemption.

COMMISSION COMMENTS:

Vice Chair Allard and Ms. Peterson discussed and clarified some information regarding the Density Bonus and Reductions to Parking Requirements.

Chair Weldy and Ms. Peterson examined the various proposed density changes to residential zones and the proposed County density bonus. Halley Grundy, with Placeworks, provided additional clarification and reasoning behind the County proposed density bonus and the benefits it would provide in preparing the Housing Element.

The Planning Commission and staff discussed types of housing units.

APPLICANT COMMENTS:

There were no comments.

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PUBLIC COMMENTS:

Jane Hunt-Ruble, resident of Muscoy, did not register her position on the Project, listed many County Ordinances and Laws that affect her community. She also described a variety of parking issues in the area.

ADDITIONAL COMMENTS:

There were no comments.

COMMISSION ACTION:

Commissioner Haughey made a motion to approve staff's recommendation. Vice Chair Allard seconded the motion. The motion passed with a 5-0 vote.

COMMISSION VOTE

MOTION: Haughey
SECOND: Allard
AYES: Weldy, Allard, Stoffel, Haughey and Gongora
NOES: None
RECUSED: None
ABSENT: None
ABSTAIN: None

5. PUBLIC HEARING

APPLICANT: County of San Bernardino – Land Use Services
COMMUNITY: Countywide
PROJECT NO: PMISC-2020-00010
LOCATION: Countywide
STAFF: Jerry Blum, Countywide Plan Coordinator
PROPOSAL: Provide a recap of zoning designations and overlays, review new processes, procedures and applications, demonstrate new system using examples.
CEQA RECOMMENDATION: The workshop is an informational meeting not subject to the California Environmental Quality Act (CEQA).
EST. TIME: 120 minutes

STAFF PRESENTATION:

Heidi Duron, Planning Director and Jerry Blum, Countywide Plan Coordinator, gave an informational presentation and memo, which is on file with the Land Use Services Department.

OVERVIEW

This is the second workshop of the Planning Commission to review and comment on the update of the Development Code and will cover the following topics:

- Review of issues brought up at Workshop #1 held on June 17, 2021 (Item #2)
 - Overview of Division 2 – Development Code Administration and General Processes
 - Overview of Division 3 – Development and Use Permit Applications
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COMMISSION COMMENTS:

Commissioner Stoffel asked for more information about the Development Review Committee. Mr. Blum explained their role in the Land Use Services Department. Commissioner Stoffel asked about a property he came upon in the desert area located in the Joshua Tree Park. Mr. Blum explained there are privately owned properties within National Parks. Ms. Duron stated it's more common in the mountain areas.

Chair Weldy referenced Item 3 on the agenda and Commissioner Gongora's environmental comments. He asked how the Environmental Justice Focus Areas (EJFA) and Senate Bill (SB) 1000 information applies to Item 3. Mr. Blum replied there is subjectivity to it and described the requirements for a health risk assessment. Chair Weldy summarized the concerns for the Bloomington area and asked for clarification regarding thresholds for those assessments. Mr. Blum and Mr. Searles continued to discuss how the County applies SB1000 in their Policy Plan. Chair Weldy reviewed the option of providing notices in Spanish. Mr. Blum stated staff has to use the dominant language in the EJFA's and stated they missed to add that information to the presentation. He also addressed some of the comments and questions received after the distribution of the Staff Report.

Commissioner Gongora noted there are many policies that regulate Land Use and stated he is trying to understand what the County and State's roles are.

Commissioner Haughey thanked Mr. Blum for a thorough report.

Vice Chair Allard stated that was a great report. He and Mr. Blum reviewed the City of Victorville sphere of influence zoning. Vice Chair Allard asked if all the County unincorporated areas in the valley are considered EJFA. Mr. Blum answered no and explained where a map of the EJFA's was located in the Countywide Plan. Vice Chair Allard revisited the topic of project notices. Mr. Blum reviewed the notice requirements for EJFAs. Vice Chair Allard asked if the cities had to notify the County unincorporated areas if there were plans next to a County EJFA. Mr. Blum replied SB1000 is a state law, and the cities will have to create their own provisions for noticing EJFA.

APPLICANT COMMENTS:

There were no comments.

PUBLIC COMMENTS:

Neil Nadler, resident of Lucerne Valley, spoke in favor of the Project, stated the draft information is a good start. He continued to state the item will continue to develop. He summarized some of the information that stood out to him. Mr. Nadler described some of his past experiences with developers.

Jane Hunt-Ruble, resident of Muscoy, did not register her position on the Project, stated she agrees with Mr. Nadler's comments. She shared that she enjoys these workshops. Ms. Hunt-Ruble referenced a habitat plan from 1994 and she described its information. She stated the County and City jurisdictions is a comment she's made before.

Pam Geil, resident of Bloomington, did not register her position on the Project, summarized the Environmental Justice information from the presentation and shared how it applies to the Bloomington project.

Marvin Norman, resident of Jurupa Valley, did not register his position on the Project, stated he is representing CCAEJ. He noted it is good to see EJFA and SB1000 elements in the workshop. Mr. Norman continued to share his work experience with County and City infrastructure.

ADDITIONAL COMMENTS:

There were no comments.

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COMMISSION ACTION:

As this item was a workshop presentation only, no action of the Commission was required.

6. PUBLIC COMMENTS:

Chair Weldy opened the Public Comments at 3:42 p.m. Having two requests to speak, Chair Weldy closed the Public Comments at 3:46 p.m.

7. ADJOURNMENT:

There being no further business, Commissioner Stoffel made a motion to adjourn the meeting. Commissioner Gongora seconded the motion. The meeting was adjourned at 3:47 p.m.



Chair Weldy **Date**
Chair Weldy, Planning Commission

 10/6/2021

Heidi Duron **Date**
Planning Director, Land Use Services Department

 10/7/2021

Lupe Biggs **Date**
Administrative Assistant, Land Use Services Department