



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

Thursday, July 8, 2021

COMMISSIONERS PRESENT

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

STAFF PRESENT

Heidi Duron, Planning Director, LUSD
Jason Searles, Deputy County Counsel
Anthony DeLuca, Senior Planner, LUSD
Aron Liang, Senior Planner, LUSD
Tom Nieves, Contract Planner, LUSD
Lupe Biggs, Administrative Assistant, LUSD

Absent: Tom Haughey, Commissioner, Fourth District

The Planning Commission meeting of July 8, 2021, was called to order at 9:02 a.m. by Chair Weldy. Commissioner Gongora led the Invocation and Deputy County Counsel Jason Searles led the Pledge of Allegiance.

Present at the meeting was Planning Director Heidi Duron, Deputy County Counsel Jason Searles, Senior Planner Anthony DeLuca, Senior Planner Aron Liang, Contract Planner Tom Nieves, Administrative Assistant Lupe Biggs and Applicants Gia DeBartolo, Maria Sosa, Tim Griffin and Chuck Crew.

Participating remotely were Applicants Anika Larson and Herve Pare.

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 and Commissioner Gongora were present at the meeting. Commissioner Stoffel participated remotely.

1. a. APPROVAL OF MINUTES-JUNE 3, 2021

Commissioner Stoffel made a motion to approve the minutes for June 3, 2021. Vice Chair Allard seconded the motion. The motion passed with a 4-0 vote.

b. ADVANCE SCHEDULE

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

c. DIRECTOR'S REPORT

Heidi Duron, Planning Director, reminded the Commissioners that the July 22, 2021, meeting will be a full day and proposed the workshop to begin at 2:00 p.m. that day. She also announced that on June 22, 2021, the Second Cycle for General Plan Amendments was presented to the Board of Supervisors and the Cycle was adopted.

d. COMMISSIONER COMMENTS

There were no comments.

PLANNING COMMISSION MEETING MINUTES

July 8, 2021

PAGE 2 OF 9

2. PUBLIC HEARING

APPLICANT: Better Place Forests
COMMUNITY: Lake Arrowhead / 2nd Supervisorial District
PROJECT NO: PROJ-2020-00211
LOCATION: 1235 Highway 189
STAFF: Anthony DeLuca, Senior Planner
PROPOSAL: A Conditional Use Permit to establish a conservation memorial forest for the purposes of resting cremated remains, to include a 1,800 square foot visitors center and a 600 square foot maintenance shed, on approximately 51.39 acres.
CEQA RECOMMENDATION: Notice of Exemption
EST. TIME: 60 minutes

STAFF PRESENTATION:

Anthony DeLuca, 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:

1. **FIND** that the Project is exempt from CEQA pursuant to Sections 15303(c) and 15061(b)(3) of the CEQA Guidelines;
2. **ADOPT** the Findings as contained in the staff report (EXHIBIT C);
3. **APPROVE** the Conditional Use Permit to establish a conservation memorial forest for the purposes of resting cremated remains mixed with native soil at the base of a memorial tree, to include a 1,800 square foot visitors center with restrooms, and on-site improvements to include a driveway, parking area, 600 square foot maintenance shed and a system of trails to provide access to the individual scattering areas (trees) on approximately 51.39 acres, subject to the Conditions of Approval (Exhibit D); and
4. **DIRECT** Staff to file the Notice of Exemption.

COMMISSION COMMENTS:

Vice Chair Allard asked for clarification regarding the use of the ashes and whether the roadway will be graded. Mr. DeLuca explained the landowner will allow people to scatter ashes on site and the roadway will be asphalted along with the parking.

APPLICANT COMMENTS:

Gia DeBartolo, Applicant, presented a PowerPoint to the Planning Commission, which is on file with the Land Use Services Department

Vice Chair Allard asked about Forest Management, whether thinning the forest is part of their management. Ms. DeBartolo replied yes and detailed some of the information that is provided in the staff report.

Commissioner Gongora inquired about capacity of the site regarding traffic and noise impact. Ms. DeBartolo described their inventory and thinning process. She also stated that public

PLANNING COMMISSION MEETING MINUTES

July 8, 2021
PAGE 3 OF 9

visitation is by appointment only in order to limit traffic and noted they are less dense compared to a traditional cemetery.

PUBLIC COMMENTS:

There were no comments.

ADDITIONAL COMMENTS:

There were no comments.

COMMISSION ACTION:

Commissioner Gongora made a motion to approve staff's recommendation. Commissioner Stoffel seconded the motion. The motion passed with a 4-0 vote.

COMMISSION VOTE

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

3. PUBLIC HEARING

APPLICANT: Allan Henderson
COMMUNITY: Bloomington / 5th Supervisorial District
PROJECT NO: PROJ-2020-00001
LOCATION: 19792 El Rivino Road
STAFF: Aron Liang, Senior Planner
PROPOSAL: (1) Specific Plan Amendment to the Agua Mansa Industrial Corridor Specific Plan, to amend the land use designation from Single-Family Residential (AM/SP-SFR) to Medium Industrial (AM/SP-MED IND) on a 2.72-acre parcel; and (2) Conditional Use Permit to establish a contractors storage yard and construct a 4,900-square foot metal storage building at 19792 El Rivino Road.
CEQA RECOMMENDATION: Mitigated Negative Declaration
EST. TIME: 30 minutes

STAFF PRESENTATION:

Aron Liang, Senior Planner, presented the staff report to the Planning Commission, along with the staff report for Agenda Item #4, 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 A);
 2. **ADOPT** the Findings as contained in the staff report (EXHIBIT C);
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PLANNING COMMISSION MEETING MINUTES

July 8, 2021

PAGE 4 OF 9

3. **ADOPT** the Specific Plan Amendment to amend the zoning designation from Single-Family Residential (AM/SP-SFR) to Medium Industrial (AM/SP-MED IND) on a 2.72-acre parcel;
4. **APPROVE** the Conditional Use Permit to establish a contractors storage yard and construct a 4,900-square foot metal storage building, subject to the recommended Conditions of Approval (Exhibit B); and
5. **DIRECT** the Clerk or the Board to file the Notice of Determination.

COMMISSION COMMENTS

Commissioner Gongora asked about the number truck trips for the Project. Mr. Liang replied the traffic studies show a total of 26 trips. Commissioner Gongora then inquired about the zoning change and if the existing residential structure will be demolished. Mr. Liang explained the proposed changes and the structure will be converted into an office, caretaker facility. Commissioner Gongora asked if there were any street improvements planned. Mr. Liang stated street dedications and improvements plans will be submitted for plan check for both Projects, as well as the third parcel to the west.

Commissioner Stoffel asked for confirmation if there currently are plans for street improvements. Mr. Liang explained depending on approval, there will be follow-up requirements for improvements. Ms. Duron noted there is an existing condition, and it is based upon the approval. Chair Weldy and Mr. Liang added additional clarification regarding street improvements, and they discussed the site plan. Commissioner Stoffel asked if the street is currently wide enough for trucks to turn into. Mr. Liang and Mr. Duron together provided clarification that the site plan shows truck turning template and those movements can be made with the street improvement included for this Project.

Vice Chair Allard asked if batch plants are included for the American Asphalt portion of the Project. Mr. Liang replied it is not a batch plant, it will be a storage yard facility. Vice Chair Allard asked why there is a four-pallet stack limit and whether pallet repairs will be done inside or outside. He also asked for confirmation of staff's review of El Rivino Road and Agua Mansa. Mr. Liang explained the fire protection regulations for the Project and site compliance for the site plan. He continued to describe the traffic generation data and that a traffic impact study was completed at the intersection. Ms. Duron added there is nothing new being introduced that would impact traffic.

APPLICANT COMMENTS:

Maria Sosa, the Applicant, thanked the Commissioners for their time and consideration of the Project. Ms. Sosa described it is a family-owned business and will not have many pallets stored onsite.

Vice Chair Allard asked about where the pallet repairs will take place. Ms. Sosa stated they do minor repairs onsite and they send out pallets for additional repairs. Vice Chair Allard asked if the County has a noise ordinance and will the facility operate within the Development Code. Ms. Duron stated correct.

Commissioner Gongora stated he saw lumber on the sidewalks and asked if that area will be improved. Ms. Sosa explained and confirmed that portion is asphalt.

Tim Griffin, the representative for American Asphalt, provided some background company history and insight to the Project. He also introduced Chuck Crew, the contractor working with American Asphalt.

Vice Chair Allard asked what the fencing requirements for this storage yard are. Mr. Crew responded it is proposed block, six feet.

PLANNING COMMISSION MEETING MINUTES

July 8, 2021

PAGE 5 OF 9

Commissioner Gongora asked if Mr. Crew could describe the forthcoming improvements to El Rivino Road. Mr. Crew used the site plan to demonstrate where the improvements will take place. Commissioner Gongora then asked if they expect company capacity to grow. Mr. Crew replied that the location is at the limit for the usage. Ms. Duron stated if there were plans for expansion, they would be required to return for an evaluation of the permit. Commissioner Gongora and Mr. Crew discussed the existing metal building.

Commissioner Stoffel asked if there were any issues with lighting for the neighbors. Mr. Crew stated the Dark Sky requirements have been met for the Project.

Maria Ruiz, property owner for the neighboring parcel of Sosa Pallets, stated she is in support of the rezoning. Ms. Duron provided clarification for the Commissioners that Ms. Ruiz wanted her property included in the zone change when the two projects were proposed.

PUBLIC COMMENTS:

Marven Norman, resident of Jurupa Valley, did not register a position for the Project, stated he is with the Center for Community Action and Environmental Justice. He stated the group is concerned with the zoning changes for Bloomington and that other developers may want to add more warehouses to the area, plus change the uses. Mr. Norman suggested having more community involvement regarding future project in their region. He asked for an understanding of how Senate Bill (SB) 330 does not apply. Mr. Norman also mentioned the current housing crisis and cost concerns for the families in the area.

Chair Weldy explained the recommendation is not for future uses and if the Applicant chooses to expand, then it will require re-noticing.

Gary Grossich, resident of Bloomington, with the Bloomington Municipal Advisory Council (MAC) and Colton Planning Commission, did not register a position for the Project. He stated the Bloomington MAC was unaware of this Project. He described that pallet yards are dangerous and shared some of the conditions the MAC required for a previous pallet project. Mr. Grossich stated he asked the County to open El Rivino Road because it is not a truck route. He asked also how up-zones are determined. Mr. Grossich suggested staff and developers should speak to the community.

Chair Weldy discussed the lines of communication for the Board of Supervisors and Bloomington MAC. Ms. Duron clarified the Project is in the Agua Mansa Specific Plan, and outside of Bloomington boundaries.

Mr. Searles clarified the Project site is not wholly located within a census designated place and so SB 330 does not apply.

Commissioner Gongora asked for confirmation this is not in the boundaries of Bloomington. Ms. Duron confirmed her previous statement and explained it is noted on the site map. Commissioner Gongora and Ms. Duron discussed any changes to the future uses or future expansions would require a new application and new review.

ADDITIONAL COMMENTS:

Vice Chair Allard discussed the environmental justice comments and concerns for the Project area. Ms. Duron confirmed any changes or expansion of use would require a new application. Mr. Liang stated there would be a six-foot block wall for American Asphalt and Sosa Pallets will install a block wall on the north end. He also described the proposed fire protection for the pallet yard.

Commissioner Gongora asked about the height requirements for the wall. Ms. Duron clarified the allowed height for the zoning can be up to eight feet.

COMMISSION ACTION:

Commissioner Stoffel made a motion to approve staff's recommendation. Vice Chair Allard seconded the motion. The motion passed with a 4-0 vote.

PLANNING COMMISSION MEETING MINUTES

July 8, 2021

PAGE 6 OF 9

COMMISSION VOTE

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

4. PUBLIC HEARING

APPLICANT: Maria Sosa
COMMUNITY: Bloomington / 5th Supervisorial District
PROJECT NO: PROJ-2020-00043
LOCATION: 19734 and 19744 El Rivino Road
STAFF: Aron Liang, Senior Planner
PROPOSAL: (1) Specific Plan Amendment to the Agua Mansa Industrial Corridor Specific Plan to amend the land use designation from Single-Family Residential (AM/SP-SFR) to Medium Industrial (AM/SP-MED IND) for: 19734 and 19744 El Rivino Road, on approximately 2.37 acres; and (2) Conditional Use Permit to establish a pallet yard for repair and storage with a 1,547-square foot caretaker quarters at 19744 El Rivino Road on a 1.5-acre parcel.
CEQA RECOMMENDATION: Mitigated Negative Declaration
EST. TIME: 30 minutes

STAFF PRESENTATION:

Aron Liang, Senior Planner, presented the staff report to the Planning Commission concurrently with Agenda Item #3, 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 A);
 2. **ADOPT** the Findings as contained in the staff report (EXHIBIT C);
 3. **ADOPT** the Specific Plan Amendment to amend the zoning designation from Single-Family Residential (AM/SP-SFR) to Medium Industrial (AM/SP-MED IND) on approximately 2.37 acres;
 4. **APPROVE** the Conditional Use Permit to establish a pallet yard for repair and storage with a 1,547-square foot caretaker quarters at 19744 El Rivino Road, subject to the recommended Conditions of Approval (Exhibit B); and
 5. **DIRECT** the Clerk or the Board to file the Notice of Determination.
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PLANNING COMMISSION MEETING MINUTES

July 8, 2021

PAGE 7 OF 9

COMMISSION COMMENTS:

Refer to item 3.

APPLICANT COMMENTS:

Refer to item 3.

PUBLIC COMMENTS:

Refer to item 3.

ADDITIONAL COMMENTS:

Refer to item 3.

COMMISSION ACTION:

Commissioner Gongora made a motion to approve staff's recommendation. Vice Chair Allard seconded the motion. The motion passed with a 4-0 vote.

COMMISSION VOTE

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

5. PUBLIC HEARING

APPLICANT: Apex Energy Solutions, LLC
COMMUNITY: Hinkley / 1st Supervisorial District
PROJECT NO: PROJ-2019-00041
LOCATION: East side of Harper Lake Road, approximately ¾ of a mile south of Santa Fe Avenue
STAFF: Tom Nieves, Contract Planner
PROPOSAL: Conditional Use Permit to construct and operate an 8-Megawatt photovoltaic (PV) community solar power generating facility with battery storage on approximately 40 acres.
CEQA RECOMMENDATION: Mitigated Negative Declaration
EST. TIME: 30 minutes

STAFF PRESENTATION:

Tom Nieves, Contract Planner, presented the staff report to the Planning Commission, which is on file with the Land Use Services Department.

RECOMMENDATION:

That the Planning Commission:

- A. **ADOPT** the Mitigated Negative Declaration (Exhibit A);
 - B. **ADOPT** the recommended Findings (Exhibit C);
-

PLANNING COMMISSION MEETING MINUTES

July 8, 2021
PAGE 8 OF 9

- C. **APPROVE** the Conditional Use Permit for the construction and operation of an 8-Megawatt community solar photovoltaic (PV) power generating facility with battery storage capabilities on approximately 40 acres, subject to the recommended Conditions of Approval (Exhibit D); and
- D. **DIRECT** staff to file the Notice of Determination.

COMMISSION COMMENTS:

Vice Chair Allard asked if there is currently water onsite. Mr. Nieves explained water is hauled in. Vice Chair Allard asked about landscape screening around the Project site if there are nearby residents. Chair Weldy pointed out there is no onsite water and if residents move in, they can screen their own property. Mr. Nieves explained improvements would need to take place to bring onsite water for landscape screening. Chair Weldy asked if the Project follows the Board of Supervisors direction for renewable energy. Ms. Duron clarified the Project is community oriented.

APPLICANT COMMENTS:

Anika Larson, Applicant, stated she was available for question. Commissioner Gongora ask if this site will be connected to any future uses. Ms. Larson replied it is a standalone Project. Vice Chair Allard asked what type of facility the Project will be connected to. Herve Pare, the Engineer for the Project, described the transmission lines.

PUBLIC COMMENTS:

There were no comments.

ADDITIONAL COMMENTS:

There were no comments.

COMMISSION ACTION:

Commissioner Gongora made a motion to approve staff's recommendation. Vice Chair Allard seconded the motion. The motion passed with a 4-0 vote.

COMMISSION VOTE

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

6. PUBLIC COMMENTS:

Chair Weldy opened the Public Comments at 10:57 a.m. Having one request to speak, Chair Weldy closed the Public Comments at 11:00 a.m.

Gary Grossich, resident of Bloomington, provided comments regarding the Cedar Truck Terminal Project, provided a letter from the Bloomington Municipal Advisory Council (MAC) opposing the Project. He also described a list of shared concerns by the Bloomington MAC and Colton Joint Unified School District (CJUSD).

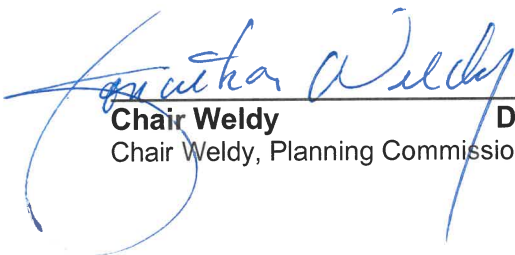
PLANNING COMMISSION MEETING MINUTES

July 8, 2021

PAGE 9 OF 9

7. ADJOURNMENT:


There being no further business, Commissioner Gongora made a motion to adjourn the meeting. Vice Chair Allard seconded the motion. The meeting was adjourned at 11:01 a.m.



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

 9/9/2021

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

 9.9.21

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