

Resolution No.

STOCKTON PLANNING COMMISSION

RESOLUTION RECOMMENDING THE CITY COUNCIL ADOPT AN ORDINANCE FOR A DEVELOPMENT AGREEMENT FOR THE BEAR CREEK SOUTH PROJECT (P23-0137)

On May 25, 2023, the applicant, which consists of three (3) developers; Eight Mile Road Investors LLC (Arnaiz), Bear Creek Family Limited Partnership (Klein), and Tri-Pointe Homes Holdings, Inc. (Tri Pointe), submitted an application for a Development Agreement, amongst other items; and

On March 19, 2026, public notice for the subject application was published in the local newspaper in accordance with Stockton Municipal Code (SMC) Section 16.88.030; and

On April 9, 2026, the Planning Commission conducted a public hearing on the application, in compliance with SMC Chapter 16.88, at which point all persons wishing to be heard were provided such opportunity; now, therefore,

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF STOCKTON, AS FOLLOWS:

SECTION I. DEVELOPMENT AGREEMENT

The Planning Commission hereby recommends the City Council adopt an Ordinance for a Development Agreement, attached hereto as Exhibits 1 (Ordinance) and 1a (Development Agreement), per the Development Agreement Findings Pursuant to SMC Section 16.128.080, Development Agreements - Findings and Decision:

- A. The Development Agreement is in the best interests of the City, as it would facilitate the buildout of 2,241 residential lots within the City as well as dedicate the land, at no cost to the City, and fund the design and construction of the four (4) neighborhood parks and a park that surrounds the central stormwater detention basin in accordance with and subject to The Bear Creek South Parks Program (attached as Exhibit E of the Development Agreement), as well as provide for short-term job creation for development of the Bear Creek South Project. .
- B. The Development Agreement complies with the City Development Code and other applicable ordinances and regulations, particularly the regulations of Chapter 16.128 pertaining to development agreements.

The Development Agreement is consistent with the general land uses,

objectives, policies, and programs of the General Plan, any applicable specific plan or master development plan.

- C. The Development Agreement will not endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or general welfare in that projects constructed pursuant to it are required to comply with all health and safety regulations, zoning requirements, infrastructure provision, and General Plan policies.
- D. The Development Agreement complies with the conditions, requirements, restrictions, and terms of Section 16.128.060(B) (Preparation and Content - Proposed Development Agreement). It has been prepared according to SMC Section 16.128.060(B) and all parties have agreed to the specific terms of the Development Agreement.
- E. Pursuant to Public Resources Codes Section 21080.3(b) and California Environmental Quality Act (CEQA) Guidelines Section 15183, Projects which are consistent with the development density established by existing zoning or general plan policies for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site.

Under CEQA Guidelines Section 15183(b), for such projects, a public agency's examination of environmental effects shall be limited to effects that: (1) are peculiar to the project or the parcel on which the project would be located, (2) were not analyzed as significant effects in a prior EIR on the zoning action or general plan with which the project is consistent, (3) are potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR, and (4) are previously identified significant effects which, as a result of substantial new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR.

CEQA Guidelines Section 15183(c) specifies that impacts which are not peculiar to the project site, and which have been addressed as a significant effect in the prior EIR or can be substantially mitigated by applying uniformly applied development standards and policies shall not require preparation of an additional EIR on the basis of that impact.

Here, the proposed Project is consistent with the adopted Envision Stockton 2040 General Plan and its certified EIR (SCH# 2017052062), with City Council action taken on December 4, 2018. The Project is also consistent with the applicable general plan designation, density and all applicable general plan policies. Finally, an Initial Study/Section 15183 Consistency Checklist was prepared, included as Exhibit 2, and the Project would not

result in new or more severe significant impacts beyond those previously evaluated. In particular, the Section 15183 Consistency Checklist provides substantial evidence that the Project is consistent with the General Plan and the Project meets the requirements of the statutory exemption defined under Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183.

Based on specific examination of the Project and its site, the Section 15183 Consistency Checklist analysis demonstrates that the Project would not result in any significant impacts that: (1) were peculiar to the project or the project site; (2) were not identified as a significant effect in the General Plan EIR; or (3) were previously identified significant effects, and which as a result of substantial new information that was not known at the time that the General Plan EIR was certified, were determined to have a more severe adverse impact than discussed in the General Plan EIR. Further, the Section 15183 Consistency Checklist shows that any potential impacts of the Project or the site can and will be adequately addressed through uniformly applied development policies, standards, and existing legal and regulatory requirements (e.g., General Plan policies and actions, along with Federal, State, and local regulations), consistent with CEQA Guidelines Section 15183(c). Thus, the statutory exemption provided by Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183 applies here and no further environmental review under CEQA is required.

PASSED, APPROVED, and ADOPTED April 9, 2026.

TERRY HULL, CHAIR
City of Stockton Planning Commission

ATTEST:

MICHAEL McDOWELL, SECRETARY
City of Stockton Planning Commission