

Resolution No.

STOCKTON PLANNING COMMISSION

RESOLUTION APPROVING A TENTATIVE MAP FOR THE BEAR CREEK FAMILY LIMITED PARTNERSHIP (KLEIN) LANDS, WHICH INCLUDE 985 LOTS PROPOSED FOR RESIDENTIAL DEVELOPMENT (A PORTION OF THE OVERALL BEAR CREEK SOUTH RESIDENTIAL PROJECT) AT 9532 NORTH WEST LANE (APNS 120-030-060, 120-020-310 and -320) (P23-0137)

The “Applicant(s)” 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). Together they are proposing three (3) Tentative Maps to subdivide 6 parcels (APNs 120-020-270; -300; -310; -320; 120-030-100; and -060), for a total combined acreage of 530.18-acres, into 2,241 residential parcels with parks, open space, and right-of-way lots, located at 9532 & 10122 North West Lane as well as 2525 East Morada Lane and known as “Bear Creek South”; and

The Project also includes other entitlements to annex the lands and surrounding area into the City of Stockton for the greater Project site which consists of 10 additional parcels (APNs 120-020-110; -120; -260; 120-030-070; -090; 122-010-004; -005; 124-010-001; -003; and -007); and

This resolution and conditions of approval are specific to the Klein lands which include APNs 120-030-060, 120-020-320, and 120-020-310 and anticipate development of up to 965 single-family lots, plus additional lots for park, open space, and rights-of-way; and

On March 20, 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:

1. The foregoing recitals are true and correct and incorporated by reference.
2. Based upon its review of the entire record herein, the Planning Commission makes the following findings:

SECTION I: TENTATIVE MAP, BEAR CREEK FAMILY LIMITED PARTNERSHIP

Per SMC Section 16.188.080(B)(2) the approval of a tentative map or tentative parcel map shall not be granted unless the Review Authority first determines that the intended development of the subdivision is consistent with the zoning regulations applicable to the property at the time of filing, in addition to all other findings required for tentative map or tentative parcel map approval by Section 16.188.060 (Findings and decision).

1. The proposed project is a residential project that has a mix of zoning including Residential, Low (RL), Public Facilities (PF), and Open Space (OS) zoning, and will comply with the Stockton Municipal Code development standards.

Per SMC Section 16.188.060(A), a tentative map or tentative parcel map may only be approved if the Review Authority makes the following findings:

1. Per SMC Section 16.188.060(A)(1), the proposed subdivision is consistent with the General Plan (Subdivision Map Act § 66473.5), and any applicable Specific Plan, Precise Road Plan, or Master Development Plan. The proposed residential use is consistent with the 2040 General Plan designation(s) of Low Density Residential, as well as Parks and Open Space.
2. Per SMC Section 16.188.060(A)(2), the supplemental findings can also be made which are a) the residential project will construct necessary sidewalk, curb, gutter, water, sewer, and street improvements; b) the map is not creating condominiums or is a condominium conversion; c) the proposed map will not be creating any exactions and any necessary dedications will comply with City standards; and d) the developer is not requesting a waiver of a parcel map, as outlined in SMC Section 16.192.020(A)(1).

Per SMC Section 16.188.060(B) the following findings for the tentative map can be made in the affirmative.

1. The proposed subdivision would be consistent with the General Plan designations of Low Density Residential, as well as Parks and Recreation since the proposed subdivision would divide the property into residential lots in accordance with the General Plan designation and zoning, and the proposed primary use is residential.
2. The site is physically suitable for the type of proposed density of the development as it is a vacant site proposed for residential use. With the implementation of the proposed Conditions of Approval, services will be available to the site.
3. The design of the subdivision is not likely to cause substantial environmental damage or injure fish or wildlife or their habitat as determined by the City's adopted 2040 General Plan Environmental Impact

Report (SCH# 2017052062) and documented in the Initial Study prepared for the Project.

The proposed Tentative Map complies with the California Environmental Quality Act (CEQA). Pursuant to Public Resources Codes Section 21083.3(b) and 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, attached 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.

4. The design of the subdivision would not conflict with easements acquired by the public at large for access through, or use of, property within the proposed subdivision. There are no existing easements that have been acquired through, or use of, the property within the proposed subdivision of the parcel.
5. The discharge of sewage from the proposed subdivision into the regional sewer system would not result in the violation of existing requirements prescribed by the California Regional Water Quality Control Board as documented in the City's adopted 2040 General Plan EIR. The City Municipal Utilities Department has reviewed the Project and voiced no concerns over serving the proposed residential units.
6. A preliminary soils report or geological hazard report indicating whether adverse soil or geological conditions are present within the proposed Project Area will be required at the time of building permit submittal.
7. The proposed subdivision is consistent with all applicable Sections of the Development Code, Municipal Code, the City's Standard Specifications and Plans, adopted by the City Council on September 27, 2016, and the Map Act.

SECTION II: CONDITIONS OF APPROVAL, BEAR CREEK FAMILY LIMITED PARTNERSHIP

1. The Project approvals shall become effective immediately following approval of the application and approval by the City Council for Rezoning of the site, as well as annexation approval from the Local Agency Formation Commission (LAFCo) into the City of Stockton.

2. This approval is for the Tentative Map (Exhibit 1), included and incorporated by this reference.

3. The Tentative Map approval is valid for the later of (a) 24 months after its effective date per SMC Section 16.188.100(B). At the end of 24 months, the approval

shall expire and become void unless: A parcel or final map, and any required bonds and improvement agreements, have been filed with the City Engineer in compliance with SMC 16.192 (Parcel Maps and Final Maps); an extension of time has been granted in compliance with subsection SMC 16.188.100(C); or (b) the term of any and all Project Approvals shall automatically be extended pursuant to the Development Agreement adopted for the Bear Creek South development project.

4. Comply with all applicable Federal, State, County, and City codes, regulations, and adopted standards and pay all applicable fees.

5. In order to minimize any adverse financial impact on the City of Stockton associated with development and/or use of the subject site, the property owners, developers, and/or successors-in-interest (ODS) agrees that once an applicable fee associated with the development of the site is adopted through the public review process, it will not challenge, or protest said fee, but if such fee is amended or modified through the public review process, the ODS agrees to pay such fee as it may be amended or modified from time to time, in accordance with Government Code Sections 66000 – 66025.

6. Establish Covenants, Conditions and Restrictions (CC&Rs) for the maintenance of landscaping, structures and fences on the private properties and review of architectural design for residential structures within the subdivision area. The CC&Rs shall be subject to review and approval by the City Attorney and the Community Development Director prior to the issuance of the first residential building permit. The owners, developers and/or successors-in-interest shall be responsible for recordation of the CC&Rs and payment of recording expenses. The City shall be declared to be a third-party beneficiary of the CC&Rs and shall be entitled, without obligation, to take appropriate legal action to enforce the CC&Rs.

7. Based on the effective 200-Year Floodplain Analysis Map, and the Technical Memorandum prepared by VVH Consulting Engineers dated July 9, 2024, portions of the project site have areas of potential flooding in excess of three (3) feet from a storm event that has a 1-in-200 chance of occurring in any given year, from sources other than local drainage, in urban and urbanizing areas. The finished floors of future structures shall be elevated to within three (3) feet of the 200-year base flood elevation providing an urban level of flood protection in accordance with SMC 16.90.020(A)2. All future construction will adhere to the City's established Criteria for Development in 200-Year Floodplains, for the issuance of building permits for new residential units in master planned communities.

8. The property owners, developers, and/or successors-in-interest (ODS) shall be responsible for the City's legal and administrative costs associated with defending any legal challenge of the approval for this project or its related CEQAI determination.

9. Prior to removal of any trees and/or subdivision grading within 20 feet of Woodbridge Irrigation District's (WID's) facilities, the Owners, Developers and/or

Successor's in Interest (ODS) shall obtain an encroachment permit from Woodbridge Irrigation District (WID). All fees associated with the permit fee shall be paid by the ODS.

Community Development Department - Planning Division

10. Future residential architecture shall apply for an Architectural Review application with the Community Development Department Planning Division. All architectural design shall be compatible with the Citywide Design Guidelines for new residential construction.

11. In accordance with SMC Chapter 16.130 Heritage Tree Permit, removal of Oak trees shall be avoided whenever feasible. ODS shall be responsible for replacement on site in accordance with the City Heritage Tree Permit Chapter, as approved by the Community Development Director.

12. The ODS shall annex into Community Facilities District 2018-03 for City service prior to recordation of any final map for residential subdivision lots.

13. The ODS shall comply with all of the Project Requirements identified in the 15183 Consistency Checklist, attached as Exhibit 2 and incorporated by this reference.

Community Development Department - Engineering Services Division

14. The ODS shall be responsible for 100% of the design and construction costs of on-site roadway and intersection improvements and roadway extensions, and public utilities identified on the tentative map. Improvements include but are not limited to all sewer, water, and storm drain lines, traffic signals, street lighting, street paving, curb, gutter, sidewalk, and landscaping. If any of the above said improvements are included in the calculations for the Public Facilities Fee (PFF) Program adopted by the City Council, and the owners, developers and/or successors in interest pays said fees at the established time of collection, the owners, developers and/or successors-in-interest may construct and request the fee credits for eligible infrastructure and/or reimbursement for said constructed improvement(s) as long as the improvement(s) is included in the calculation of the above referenced fee, the requested reimbursement is in accordance with adopted Guidelines for the above referenced fee, and the reimbursement requested does not exceed the cost identified for the said improvements(s) included in the calculation of the above referenced fee. All such fees, regulations and governing policies shall be those adopted and in place as of March 15, 2024, the date of the filing of the Preliminary Application. Any adjustment to the PFF fees shall be in accordance with Section 5.1 of the Development Agreement adopted for the Bear Creek South development project.

15. ODS shall pay proportionate share of multimodal transportation fee (Park and Ride) and also proportionate share for microsurfacing.

16. ODS shall be entitled to employ Large Lot Maps for the purpose of subdividing the project into parcels for the purpose of phasing, leasing, financing or sale

and the recording of such Large Lot Maps will not trigger any required subdivider obligation.

17. The ODS shall abandon any public utilities and public utility easements within the Project area not required for this development prior to or concurrent with the recordation of a final map.

18. The ODS shall relinquish access rights, except at approved openings, to the City of Stockton along Morada Lane and West Lane as a condition to recordation of applicable final parcel or subdivision map.

19. Project access along Morada Lane and West Lane shall be as shown on the approved tentative map or in substantial conformance thereto as approved on subsequent final map(s). Existing points of access shall remain unrestricted until such time as the West Lane improvements are constructed in conjunction with site development.

20. ODS shall design and construct a Bear Creek Trail within the 58-foot right of way that is part of the future public road that is adjacent to and parallel to Bear Creek. The Bear Creek Trail's northern edge shall start 20-feet from the toe of the south bank of Bear Creek for exclusive use of bicycles and pedestrians as shown on the approved tentative maps. ODS shall also design and construct the bike trail/path connections to the Bear Creek levee bike path crossing the Union Pacific Railroad (UPRR) right of way, as approved by the UPRR and the California Public Utilities Commission (CPUC), and the crossing connection with West Lane (pedestrian crossing at future signalized intersection at West Lane and project entrance). The improvements shall be completed by the ODS in conjunction with development abutting the Bear Creek trail. Developer, in collaboration with the City, shall execute, acknowledge and deliver to the City for recordation in the official Records of San Joaquin County, an irrevocable offer to dedicate to the City or City's designee a perpetual easement for trail purposes. The Trail Easement shall include access for pedestrian, bicycle and maintenance vehicles and the installation, maintenance and repair of utilities and temporary construction areas. Developer will be responsible for design, permit processing, and improvements. Prior to City's recordation of the irrevocable offer to dedicate the Trail Easement, Developer at its expense shall cause all recorded and unrecorded non-monetary liens, encumbrances, easements, leases, covenants, conditions, restrictions and other exceptions to or defects in title, excepting only the lien for current, non-delinquent property taxes, to be removed from title.

21. The ODS shall maintain a minimum 70' building structure setback from the toe of levee along Bear Creek.

22. The ODS shall offer to dedicate a 20' easement from toe of levee along Bear Creek to the San Joaquin County Flood Control Agency for the purpose of allowing access for levee inspection, maintenance, flood monitoring and protection.

23. Parks shall be constructed in accordance with Section 7.2.2 of the Development Agreement adopted for the Bear Creek South development project.

24. A decorative ornamental iron fence (or similar material to be approved by the City) shall be constructed on the central detention basin property, per City standards, separating project open space and park lands from the basin. The fence shall be maintained by MUD following acceptance of the public improvement. Limited visibility shall be maintained from the street, through the fence, to the basin area.

25. Prior to recordation of any small lot Final Map, the ODS shall establish an entity approved by the City to provide funding for the maintenance of, and, if necessary, replacement at the end of the useful life of, improvements including but not limited to common area landscaping, publicly accessible open space and parks, bicycle/pedestrian trails and access lots, the Bear Creek Bike path including the Crossing protection at UPPR, landscaping in the right of way, street trees, soundwalls and/or back-up walls and/or walls separating public open space/parks and private property, any area set aside for wall maintenance access, and all "Improvements" serving or for the special benefit of this subdivision. If the ODS elects to provide maintenance for the Improvements through a maintenance assessment district, the ODS shall form a new zone of the Stockton Consolidated Landscape and Lighting Maintenance District 96-2 that includes the entire subdivision. The entire subdivision may be considered for annexation to an existing zone of the Stockton Consolidated Landscape Maintenance Assessment District provided the type, intensity and amount of the Improvements to be maintained are similar to Improvements in the zone to which annexation is proposed. Formation/annexation shall result in an assessment being approved that shall be levied on all properties in the subdivision to ensure that all property owners pay their proportional share of the costs of maintaining (including eventual replacement of at the end of their useful life) in perpetuity, the Improvements serving or for the special benefit of this subdivision.

26. ODS shall be responsible for the maintenance of all park/basin lots until such time as the maintenance entity has accepted the final improvements (as described above). Maintenance shall be for fire prevention and trash, debris and weed abatement and shall be to the satisfaction of the City Public Works Director or appointed representative.

27. All lots adjacent to parks and other public open space areas shall be separated from such areas by a 6' tall (min. ht.) masonry wall located on private property.

28. All public landscaped area plans and improvements shall comply with the requirements of the Stockton Municipal Code. Landscaping for areas along arterials with backup walls shall be installed within 180 calendar days of the installation of any adjacent masonry walls, unless otherwise Stated in the Stockton Municipal Code or as determined by the Community Development Director.

29. All walls shall be located on private property and a separate maintenance easement shall be recorded for such walls. Such easement shall be sufficient to allow for

regular maintenance (i.e. graffiti removal) and shall include the width of the support footing as it extends from both sides of the wall.

30. ODS shall plant street trees in accordance with Stockton Municipal Code Chapter 16.72.180 Street Trees. ODS shall provide automatic irrigation to each street tree either via overall front yard landscape irrigation or separate irrigation system for the newly planted street tree/s. Water for such irrigation shall be by private meter serving the respective home parcel upon which the tree/s was/were planted and remain the ODS responsibility until privately owned.

31. ODS shall be responsible for dedication and timely improvement of Parks and Open space in sequence with subdivision development, and shall be entitled to fee credits, all of which shall be as prescribed in the Development Agreement adopted for the Bear Creek South development project.

Municipal Utilities Department

32. The ODS shall comply with any and all requirements, and pay all associated fees, as required by the City's Storm Water Pollution Prevention Program as set forth in its NPDES Storm Water Permit, in effect upon the City Council's approval of the subject Tentative Map.

33. The ODS shall design and construct the central detention basin, pump station, and any necessary frontage improvements along the central detention basin parcel. The central detention basin parcel shall be dedicated to the City when the improvements are accepted.

34. ODS shall create a zone within the Stockton Consolidated Storm Drainage Maintenance Assessment District No. 2005-1, prior to the recordation of a Final Map, to provide funding for the operation, maintenance, and replacement costs of the storm water best management practices related to the central basin. In addition, the ODS shall be responsible for the costs of forming the Assessment District, including, but not limited to, the City-selected Assessment District Council, Engineer's Report, Proposition 218 vote, and noticing requirements.

35. The ODS shall submit subdivision master plans for water, storm and sanitary sewer service. These plans shall show all on-site and off-site utilities necessary to provide water, storm and sanitary sewer utility service. These plans shall be approved by the Deputy Municipal Utilities Department Director-Engineering and Department Services prior to the approval of any improvement plans.

36. The ODS shall construct a 16-inch water main extension from Nash Drive in the Cannery Park subdivision as per the 2021 City Water Master Plan and any approved amendments thereto. Please note fire service connections and residential connections are not allowed on pipes sizes 16 inches and larger; a parallel water service main must be constructed where these transmission mains are installed.

37. The 16-inch water line, coming from the Cannery Park subdivision must be encased in a steel pipe under the railroad and completely across the area to be the future Tri Pointe lot referred to as Lot 665 on their Tentative Map.

38. The ODS shall provide a 16-foot all-weather access road around the central detention basin and to the storm pump station.

39. The ODS shall provide appropriately sized utilities and three-phase electrical power to the storm drain pump station.

40. The ODS shall construct minimum 8' tall soundwalls to enclose the perimeter of the City pumps and controls in the storm drain pump station.

41. ODS shall obtain an Encroachment Permit from the Central Valley Flood Protection Board (CVFPB), if required, for the 24-inch storm drain pipeline discharging into Bear Creek. If a CVFPB permit is required, a copy of the permit must be on file with the City of Stockton, Municipal Utilities Department prior to approval of the subdivision storm master plan.

42. All basin storm inlets shall be designed with a lockable enclosure to prevent small animals and children from entering the storm pipe.

43. ODS shall provide a 20-foot City Storm Drain Easement for the 24-inch storm drain discharge pipe that crosses Lot C.

44. Any on-site wells and septic tanks shall be abandoned and destroyed prior to recordation of any final map. Standard for abandonment and destruction shall be as required by San Joaquin County Department of Environmental Health.

Stockton Fire Department

45. All proposed single-family homes shall have automatic fire sprinkler systems installed per NFPA 13-D Standards.

46. All single-family homes shall have minimum 1-inch water meters to support demands for domestic and fire sprinkler usage.

47. Improvement plans shall be reviewed by the Fire Department to confirm road design and public fire hydrant placement.

48. Deferred submittals are required for fire sprinkler drawings for each model plan.

49. Fire inspections for the fire sprinkler systems are required for each production lot.

Public Works – Transportation Division

50. Turn radii at intersections (including traffic circles) must accommodate bus/fire vehicles.

51. Corners at intersections shall meet COS standard sight distances.

52. Tentative maps shall show all street right-of-way widths to accommodate City Standard street sections. Geometric design for horizontal curves and tangents shall be per City Standards. Any non-conforming design shall be identified prior to the submittal of the final map.

53. Conduct a queuing and traffic access analysis at proposed signalized intersections to determine appropriate intersection location and required turn pocket/lane length.

54. Design shall conform with all applicable City Standards. ODS shall justify any design exemption for City consideration.

55. Improvement shall include traffic calming features per the City's Neighborhood Traffic Management Program guidelines.

56. Installation of stop controls and traffic control devices shall conform with all applicable City Standards.

57. Dedicate required right of way along West Lane according to the current West Lane Specific Road Plan and the 2040 City General Plan to accommodate additional vehicle and City bicycle lanes. Include low-level landscape on median between Bear Creek and Morada Lane. All improvements shall be constructed to City Standards.

58. Dedicate required right of way along Morada Lane according to the 2040 City General Plan to accommodate additional vehicle and City bicycle lanes. This includes additional right-of-way as needed for turn lanes, deceleration lanes and acceleration lanes.

59. Submit off-site improvement plans for West Lane and Morada Lane, infrastructure (including terminal drainage), landscaping, and traffic elements as part of phase 1 development. Street B shall include (as a minimum) 12' lane for westbound traffic, with full roundabout improvement at Street L. ODS shall dedicate appropriate right-of-way to construct a roundabout to City Standards.

60. Street J shall include (as a minimum) 12' lane for northbound traffic.

61. ODS shall dedicate right-of-way for half a street ("K" Street) in accordance with the tentative maps by Bear Creek South.

62. ODS shall design and construct the signals at Morada/Caywood and Morada/Chesbough as deemed warranted by the Public Works Director.

63. ODS shall design and implement right-in right-out only at Morada/Fox Creek.

SECTION III PLANNING COMMISSION ACTION

Based on its review of the entire record herein, including the April 9, 2026, Planning Commission staff report, all supporting, referenced, and incorporated documents, and all comments received, the Planning Commission hereby approves the requested Tentative Map (Exhibit 1).

PASSED, APPROVED, and ADOPTED April 9, 2026.

TERRY HULL, CHAIR
City of Stockton Planning Commission

ATTEST:

MICHAEL MCDOWELL, SECRETARY
City of Stockton Planning Commission