

Resolution No.

STOCKTON PLANNING COMMISSION

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF STOCKTON
RECOMMENDING THAT THE CITY COUNCIL APPROVE AMENDMENTS TO TITLE
16 OF THE STOCKTON MUNICIPAL CODE TO ALLOW MINI-STORAGE USES IN
THE COMMERCIAL, DOWNTOWN ZONE AND APPROVE A COMMISSION USE
PERMIT FOR A MINI-STORAGE FACILITY LOCATED AT 530 E. MARKET STREET
(APN 149-130-18)**

The Applicant (530 East Market Investors, LLC) proposed amendments to revise Stockton Municipal Code (SMC) section 16.20.020, Table 2-2 (Allowable land uses and permit requirements) and section 16.80.200 (Mini-storage facilities) to allow mini-storage uses in the Commercial, Downtown (CD) zone in conformance with the development standards; and

The Applicant also proposed a Commission Use Permit application to establish a mini-storage facility in a Commercial, Downtown (CD) zoned parcel, located at 530 E. Market Street. Approval of the Commission Use Permit is contingent on the City adopting the proposed code amendments; and

A neighborhood meeting was held by the Applicant on July 27, 2022, with invites to the meeting sent to all property owners within a 300-foot radius of the subject property. In addition, the Applicant invited the Downtown Stockton Alliance and Reinvent South Stockton. One member of the public attended the meeting from the Downtown Stockton Alliance and was generally supportive of the Project; and

On October 13, 2022, the Planning Commission conducted a duly noticed public hearing to review the proposed amendments and use permit; now, therefore,

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

1. The Planning Commission is authorized by section 16.212.040 of the Stockton Municipal Code (SMC) to review and make recommendations to the Council for amendments to the provisions of Title 16 based on the following Mandatory Findings of Fact.

Development Code Amendments SMC Section 16.116.050

- A. The proposed amendment ensures and maintains internal consistency with general land uses, objectives, policies, programs, and actions of all elements of the General Plan on balance and would not create any inconsistencies with this Development Code.

Evidence: The proposed amendments to Title 16 (Development Code) are consistent with the General Plan and State Law. These changes will conditionally allow limited mini-storage facilities in conformance with development standards outlined in the SMC and are internally consistent with all policy and regulatory documents.

The proposed standards comply with the following General Plan policies for the downtown area:

- Action LU-2.1B- Amend the Development Code to provide flexibility for redevelopment of historic structures in the Downtown to meet the needs of modern users while maintaining the overall historic value.
- Policy LU-6.2- Prioritize development and redevelopment of vacant, underutilized, and blighted infill areas.
- Action CH-2.1C- Develop incentives to promote reuse of distressed areas, such as through rezoning, permit streamlining, density bonuses, and other appropriate tools.
- Action CH-2.1E- Investigate and implement programs that will incentivize landlords to maintain properties free of Municipal Code violations and criminal activity.
- Policy CH-2.2- Stimulate investment through partnerships with private property owners, neighborhood groups, health and housing advocates, nongovernmental organizations, and other community supporters.

- B. The proposed amendment will not endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or general welfare of persons residing or working in the City.

Evidence: These amendments will not result in physical impact or change to the land use intensities identified in the General Plan Environmental Impact Report (EIR). Amendments will allow discretionary review of projects that demonstrate consistency with the development standards of Title 16. Future proposals based on the amendments will be reviewed on a case-by-case basis for consistency with all Federal, State, and local requirements, in addition to the land use intensities identified in the General Plan EIR.

- C. The proposed amendment complies with the California Environmental Quality Act (CEQA) and the City's CEQA Guidelines.

Evidence: No further environmental review is required for the proposed Development Code amendments and the CUP per the California Environmental Quality Act (CEQA) pursuant to Section 15183 (Projects Consistent with a General Plan) and Section 15332 (In-fill Development

Projects) of Title 14 of the California Code of Regulations (State CEQA Guidelines). CEQA Section 15183 provides that projects which are consistent with the development density established by a Community Plan, General Plan, or Zoning for which an environmental impact report (EIR) has been certified while Section 15332 is a Class 32 categorical exemption for projects characterized as in-fill development.

The proposed code amendments allow the proposed personal storage to revitalize an existing building and are intended to compliment and attract other uses to support the Downtown Core area. Building revitalization and mixed uses are consistent with the General Plan policies to provide urban and intense uses in the downtown area and will not result in intensification beyond what was previously analyzed in the General Plan EIR. The revitalized building is located on a parcel of less than 5-acres and is completely surrounded by urban development. Since the proposed code amendments help implement General Plan policies and are intended to reuse an existing building surrounded by urban uses, no further environmental review is necessary pursuant to CEQA section 15183 and section 15332.

- D. The proposed amendment would be internally consistent with other applicable provisions of this Development Code.

Evidence: The proposed mini-storage use is conditionally allowed in the CD zone with approval of a CUP. As conditioned, the proposed mini-storage facility will be in conformance with the development standards outlined in the SMC. Moreover, Site Plan Review and Design Review will take place upon application for a Building Permit. Future proposals based on the amendments will be reviewed on a case-by-case basis for consistency with all Federal, State, and local requirements, in addition to the land use intensities identified in the General Plan EIR.

2. Commission Use Permit SMC Section 16.168.050

- A. The proposed use is allowed within the subject zoning district with the approval of a use permit and complies with all other applicable provisions of this Development Code and the Municipal Code;

Evidence: The proposed mini-storage use is conditionally allowed in the CD zone with approval of a CUP. As conditioned, the proposed mini-storage facility will be in conformance with the development standards outlined in the SMC. Moreover, Site Plan Review and Design Review will take place upon application for a Building Permit.

- B. The proposed use would maintain or strengthen the integrity and character of the neighborhood and zoning district in which it is to be located;

Evidence: By requiring “stealth” of the facility to only within the existing

vacant building, requiring building upgrades and façade improvements consistent with active pedestrian-oriented Design Guidelines for the downtown, and preservation of street-facing ground floors for active pedestrian-oriented activities, the use will strengthen the CD zone through adaptive reuse of a long-vacant building.

- C. The proposed use would be consistent with the general land uses, objectives, policies, and programs of the General Plan and any applicable specific plan or master development plan;

Evidence: Staff has reviewed the proposed project and evaluated its consistency with applicable General Plan actions and policies. The General Plan Land Use Map designates the subject site as commercial. Additionally, the project is consistent with the following General Plan goals and policies:

- Action LU-2.1B- Amend the Development Code to provide flexibility for redevelopment of historic structures in the Downtown to meet the needs of modern users while maintaining the overall historic value.
- Policy LU-6.2- Prioritize development and redevelopment of vacant, underutilized, and blighted infill areas.
- Action CH-2.1C- Develop incentives to promote reuse of distressed areas, such as through rezoning, permit streamlining, density bonuses, and other appropriate tools.
- Action CH-2.1E- Investigate and implement programs that will incentivize landlords to maintain properties free of Municipal Code violations and criminal activity.
- Policy CH-2.2- Stimulate investment through partnerships with private property owners, neighborhood groups, health and housing advocates, nongovernmental organizations, and other community supporters.

- D. The subject site would be physically suitable for the type and density/intensity of use being proposed including the provision of services (e.g., sanitation and water), public access, and the absence of physical constraints (e.g., earth movement, flooding, etc.);

Evidence: The proposed project has been analyzed by all applicable departments, and it has been determined that existing streets and proposed public accessways are adequate to serve the project. Further, a Building Permit is required for the proposed min-storage facility and the project will be required to comply with all applicable Building Code standards. The site will have access to City utility services.

- E. The establishment, maintenance, or operation of the proposed use at the location proposed and for the time period(s) identified, if applicable, would

not endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, peace, or general welfare of persons residing or working in the neighborhood of the proposed use;

Evidence: The proposed land use will require the Applicant to adhere to all applicable Building and Fire codes. Construction of the proposed mini-storage facility will take place entirely inside of an existing structure. The project enhances the streetscapes of E. Market, N. California, and E. Washington Streets, which contributes positively to the pedestrian experience. Future construction permits on the site will be subject to regulations that outline operational and design constraints that promote public health, safety, and welfare.

- F. The design, location, size, and operating characteristics of the proposed use would be compatible with the existing and future land uses on-site and in the vicinity of the subject property; and

Evidence: The proposed mini-storage facility is located on a vacant parcel in a commercial zone near existing offices and commercial uses and raises no potential issues related to compatibility with the existing and future land uses on-site and in the vicinity of the subject property

- G. The proposed action would be in compliance with the provisions of the California Environmental Quality Act (CEQA) and the City's CEQA Guidelines.

Evidence: The project is categorically exempt from the CEQA, pursuant to CEQA Guidelines section 15332 (In-fill Development Projects) since the project consists of development within city limits on a parcel that is no more than five (5) acres in size and is substantially surrounded by urban uses.

3. The Planning Commission recommends:

The City Council adopt an Ordinance approving amendments to Title 16, sections 16.20.020 and 16.80.200 to allow amendments to the development code to allow mini-storage facilities in the CD zone as set forth in Exhibit 1, attached and incorporated by this reference; and

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PASSED, APPROVED and ADOPTED: October 13, 2022.

ATTEST:

STEPHANIE OCASIO, SECRETARY
CITY OF STOCKTON PLANNING COMMISSION