

Warehouse Ordinance Outreach Summary

Below summarizes the feedback and suggestions received by various groups from late August through October 2023. The points summarize numerous comment letters and meetings held with City staff in the creation of the proposed warehouse ordinance.

Meetings Conducted (alphabetic order)

- Attorney General's Representative Meetings: 8/30, 9/13, 9/21, 10/5
- Environmental Advisor Meetings: 9/11, 9/14, 9/18, 9/21, 9/26, 10/11
- Industrial Advisor Meeting: 9/6, 9/20, 10/5
- Meeting with group of concerned residents: 9/18
- Meeting Climate Specialist: 10/3,
- Meeting with Municipalities with Warehouse Ordinance or Considerations: 9/28, 9/29
- Planning Commission Ad-Hoc Committee Meeting: 8/30, 9/7, 9/14, 9/21 (9/21 Release of Ad-Hoc Notes)
- Planning Commission Study Sessions: 8/10, 8/24, 9/28, 10/12
- Release of Ad-Hoc Meeting Notes: 9/21
- Release of Working Draft standards to Public and Groups: 9/15, 10/12, and 10/19

#	Comment or Issue Raised	City Response
Attorney General's Representative Meeting		
1.	EV fleets and monitor could be difficult to implement and enforce. Suggest looking at truck routes (existing and new) to move away from sensitive receptors and project review to ensure truck routes stay away from these receptors before approval of the project's design.	Staff is open to adding project specific reviews that prohibit new Truck routes from being located next to sensitive receptors like schools and homes.
2.	Does not want City staff to limit their review of options to just the MOA or past examples given to the City.	City staff are investigating and exploring options. The City is updating its climate action plan in 2024 and did indicate to the AG representative that a general plan amendment would likely take this effort into summer or fall of 2024.
3.	The AG representative wondering if the City would be open to General Plan amendments to reroute trucks and explore ways to buffer land uses.	Staff indicated a General Plan amendment would take time and can only be done four times a year with the city already engaging in possible amendments for the city and private

#	Comment or Issue Raised	City Response
		projects. The industrial areas in the general plan were carefully selected, reviewed per CEQA, and adopted so staff would not be comfortable making changes per the MOA that would alter or impact on the land use adopted in the general plan.
4.	The AG office is open for an extension should measures need further discussion.	Staff will discuss if needed.
5.	The AG office prefers a 1,000ft buffer, rather than 300' required and Tier 2 standards be considered for new construction.	City staff are investigating.
6.	The AG's office sent clarification measures to the City on 10/9/23.	While some measure included alternative language, most of the suggestions seem to indicate the AG's office preference the original measures included in the MOA and additional items add for clarify and enhanced features (i.e., trees). Staff will continue to work with the AG's office for Option B adjustments and propose the MOA in the original form.
Environmental Advisor Meetings		
7.	Would like the city to enforce CARB standards directly instead of the Air District which is tasked with implementing state and CARB standards. Staff reaching out to Air District and state staff on the matter.	City staff are investigating; however, discussion with air district and climate specialist indicate that the state is still working on standards and process to update new standards. This complicates the task of applying new standards as they are still being worked on.
8.	Does not oppose development but feels the region needs projects that improve air quality for residents.	Staff will continue to work on improving environmental and health conditions.
9.	Understands staff shortages but would like the City to looking more monitoring and enforcement procedures to ensure facilities stay current with best practices.	City staff are investigating. City exploring more information on the city's website as continual monitor of existing operations would be costly and time consuming as is not a typical practice of most cities.
10.	Encourages staff to reach out to residents. Especially in the south Stockton areas.	Staff have met with some residents and will continue to reach out for this and other city efforts (development code and housing efforts). This includes the rezones in 2022 to remove industrial uses from south and east Stockton areas.
Industry Advisors Meetings		

#	Comment or Issue Raised	City Response
11.	Concerns with added costs of implementing standards that could make development projects infeasible. Will put Stockton at a competitive disadvantage with surrounding cities that are supportive of industrial and logistic uses as job generators and key components to the economic market.	Staff exploring feasibility through use of an outside consultant. This includes review of direct project cost impacts and a comparative analysis of how those cost impacts compare with surrounding areas. Study should be complete by October 2023.
12.	Does not oppose energy efficiency or climate reduction methods but prefers a well thought out approach.	No response yet. Coordinating with other departments on status of the City's Climate Action Plan Update.
13.	Significant concerns with requirement to regulate electric vehicle fleet mixes on industrial operators and EV reporting and compliance. Regulation should remain at the state level (Clean Air Resources Board (CARB)), since they enter into agreements with heavy and medium duty vehicle manufacturers regarding vehicle production availability to open market deadlines. Further adequate vehicle charging facilities are still not readily available through the state to support EV heavy duty and medium duty vehicles.	City Staff discussing with the AG and Sierra Club, since requirement came from the settlement agreements for Mariposa Industrial Project.
14.	Concerns with costs of compliance with CalGreen Tier two building code requirements and are not a requirement in most cities in the state for Industrial development.	City staff investigating, requesting industrial to share cost analysis is available. Not much data on how many cities have Tier 1 or Tier or the quantitative amounts for cost or benefits.
15.	Concerns with Solar requirements to construct solar infrastructure, and encouraging the City to join the East Bay Energy Collective (EBEC), so industry can purchase clean energy from Collective to provide for base power operations	City Staff have been going the EBEC and will consider it an option.
16.	Concerns with what can occur in the 300' buffer area. Recommending the City of Fontana ordinance model restricts diesel trucks in the area.	Staff Investigating City of Fontana Ordinance and other sources. Examples given by the DOJ representative are the basis for the

#	Comment or Issue Raised	City Response
		Option B adjusted measures which include the DOJ's best practices.
Meeting with group of concerned residents		
17.	Many feel an ad-hoc committee of residents is still needed regardless of consensus on measures. A committee for the measures and any Climate Action Plan update.	Coordinating with other departments on status of the City's Climate Action Plan Update.
18.	Although the larger warehouse is not located near south Stockton homes in urbanized areas, some feel there will be indirect impacts (traffic, air quality) that need to be accommodated.	In 2022, staff rezoned various industrial properties in south Stockton to commercial to remove the potential for noxious uses. Staff is hoping to expand on this approach as part of the Development Code overhaul. In addition, in 2024 the City will begin the process of updating its climate action plan which will involve a revised emission report.
19.	Need for direct dialogue with Commissioners and Councilmembers on the issues impacting south Stockton communities.	Staff encouraged additional meeting with city departments and outreach and comments at the hearings.
20.	While inclusion of nonprofits and agency are encouraged, some residents feel these groups do not represent residents and owners within the community.	Staff encouraged additional meeting with city departments and outreach and comments at the hearings. In addition, staff have reached out to the Air District's AB617 committee representatives and the Transformative Climate Communities (TCC) representatives. In addition, the environmental advisors are comprised of community representatives and individuals familiar with the MOA and Mariposa Industrial Project measures.
21.	Members want staff to extend the MOA timeline first, and then discuss measures, outreach, and other efforts to help south Stockton.	Staff will discuss this at the study session and with the Attorney General's office.
Meeting with Climate Specialist		
22.	Many groups and cities are watching what happens with Stockton as this issue is something many are	Staff will continue to explore.

#	Comment or Issue Raised	City Response
	dealing with, and Fontana was the last example of what the State wanted.	
23.	The state is still working to outline how the new 2045 carbon neutral directive will be implemented. This includes new standards and direction to the regional bodies tasked with implementing them.	Staff will continue to explore.
24.	EV truck technology is present but still not commercially viable.	Staff will continue to explore.
Meeting with Municipalities with Warehouse Ordinance or Considerations		
25.	Many groups and cities are watching what happens with Stockton as this issue is something many are dealing with, and Fontana was the last example of what the State wanted. Many cities have received similar letters from environmental groups on similar mitigation measures for their projects.	Staff will continue to explore and coordinate with those cities on feasible best practices.
26.	Some of the cities do not have the same political environment or land available to large new warehouses.	No action.
Planning Commission Ad-Hoc Committee ¹		
27.	Release measures as soon as possible to allow time to review before adoption.	Draft zoning language released to public for review on Friday September 15, 2023. The September 28 th meeting will focus on draft language while the October 12 th meeting will focus on alternatives and final language for a proposed ordinance.
28.	Members didn't feel the City should exceed or expedite items that are the responsibility of the state to monitor and enforce.	Measures requiring monitoring or enforcement of measures that exceed current code enforcement and zoning practices removed. This includes measures that require enforcement of items not commercially available.

¹ Meeting Notes and Materials included in Exhibit 1 and on the CDD Zoning Update Website

#	Comment or Issue Raised	City Response
29.	Due to time constraints, the Committee directed staff to form a group of environmental/health advocates and industry advisors in addition to meeting with residents and the AG office.	Staff conducted several weekly meetings with each of these groups to solicit feedback and prepare draft language for continued discussion.
30.	Members requested staff investigate alternative measures for EV fleets and examples that allow alternative fuel options instead of just EV.	City staff are investigating.
31.	Requested feasibility analysis be conducted.	Study is currently underway.
32.	Requested all public feedback be considered in staff's discussion for the proposed zoning standards.	Staff will include a summary of all comments and letters received to indicate if the item is addressed or can be addressed.

Exhibit 1- Planning Commission Ad-Hoc Notes and Materials (release to public 9/21/23)

Present: Ad Hoc Committee Member Gurneel Boparai
Rajan Nathaniel
Terry Hull
Michael McDowell, City Staff
Stephanie Ocasio
Matt Diaz
Adriana Guerrero (taking notes)

Mike and Matt – Gave PPT presentation.

Stephanie - Ad Hoc Committee needs to identify stakeholder groups (advisors) and determine when they need to be present at Ad Hoc meetings.

Mike - Meeting with Attorney General this week.

- EV Fleet is a significant issue. Equipment may be difficult for Logistics Operators to find for purchase.
- Sierra Club can be a regular advisor; it is the Ad Hoc's choice.
- Setbacks of industrial projects (i.e.: air quality for South Stockton)
- Committee needs to determine involvement of advisors
- Recommends 2 measures are reviewed per meeting

Terry Hull - Too many advisors may take longer to get things done.

Gurneel - Voiced preference for order of meetings with advisors.

- As decisions are finalized, Ad Hoc should have meetings for advisors to give input
- Wants to get this done as quickly as possible.

Rajan - Ad Hoc should be very clear on what information is being requested of advisors.

- Staff can engage with advisors during regular business hours and bring info back to Ad Hoc.
- Possible AG litigation if deadline is not met.

Gurneel - Ad Hoc should have 2 workshops with advisors.

Mike - Needed clarification on "workshops."

Gurneel - At least 2 meetings with advisors. Does City Staff have capacity to meet and stay in contact with advisors?

Mike - Staff can communicate with interested parties, get feedback, and report back to Ad Hoc.

Gurneel - Different perspective but willing to move forward as long as advisor/community input is received.

Stephanie - Needs clarity.

Terry - Comments from the public will still be received.

Gurneel - Minutes should be made available to public.

ATTACHMENT C - Outreach Summary

Stephanie – No official minutes for Ad Hoc, just notes to ensure nothing is forgotten.

Rajan - Ok with City staff engaging with advisors.

Stephanie - Ad Hoc is leading and will advise City staff on direction of responses to measures along with public input. Would like concurrence on all decisions made.

Gurneel - Appreciates City staff getting input from the public.

Terry - There will be plenty of public comment on 9/28 Study Session.

Mike - “Public” is advisors/stakeholders.

Gurneel - Agrees

Mike - Suggested Sierra Club as advisor

Terry - Contractor and industry should be involved to advise of feasibility.

Terry - Dates do not seem realistic.
- Equipment might not be available by deadlines

Mike - Sierra Club & Attorney General agreed that deadlines are not realistic with current Mariposa Road project.

Terry - New code should be more realistic.

Matt - Should focus on six (6) bigger items. Staff needs to determine how to follow up on standards put into place. Feasibility study being done.

Mike – Knows of two industrial industry parties available for City staff to bring in as advisors if needed.

Gurneel - Agrees with Hull. Demand for EV chargers and current ordinance is too heavy handed and manufacturers for chargers are backlogged.
- Hinderance and a loss of money
- There should be a Zoning designation for EV charging. Chargers should not be on warehouse properties.

Rajan - What other direction is needed from Ad Hoc?

Mike - Need to finalize length, frequency, and start times of meetings.

Rajan - Suggests 1 hour and extend to 1.5 hours as needed for difficult topics.

Terry - 5pm is challenging. Can make it but is not ideal. 1 hour is ok.

Mike - Suggests lunch hour.

Gurneel - Ok with lunch hour. Would like to keep under 1 hour.

Rajan - Ok with lunch hour

Mike - Thursdays?

Terry – Agreed to Thursdays

Mike - Time?

Terry – 1 pm

Rajan – Agreed to 1 pm

Gurneel – Agreed to 1 pm

All - Agreed to weekly Ad Hoc Meetings on Thursdays at 1pm from 9/7/23 – 9/28/23.

Matt - 8/10 PPT attached to Teams chat

- Will keep everyone updated
- Drafts will be posted to City website

PLANNING COMMISSION

Warehouse Ad-Hoc

Committee

Industrial Warehouse Standards

August 30, 2023

Today's Meeting

1. Project Schedule
2. Overview of Measures
 - Define what staff proposes to keep; and items to discuss with the ad-hoc group
3. Working Draft of Code
4. Measures Needing Discussion
5. Implementation and Alternatives
6. Ground Rules
7. Use of Advisors
8. Ad-Hoc Schedule

1) Project Schedule

- September
 - Ad-Hoc and Working Group Meetings
 - Ord. Working Draft Available to Public Mid-Sept
- 9/28- PC Study Session on Committee/group findings & Draft Ordinance
- 10/26- PC for Recommendation
- 12/5- CC Consideration for Adoption

2) MOA Overview

- 26 measures total
 - 19 measures proposed to carry over into Code
 - 5 measures for focusing Ad-Hoc discussions
 - Several of the 6 measures/items may be consolidated
 - 2 measures removed
- Discussion on size/definition applicability

3) Working Draft Code

- MOA measures converted to typical code outline.
- About 19 measures proposed to carry over.
- All were edited for codification, some of which were changed from their original thresholds.
- Organized into submittal requirements, development standards, construction, and ongoing activities.

4) Measures for Discussion

- There are five (5) measures and one (1) size qualifier to discuss.
- Some may get included into the Code, but others may have alternatives proposed if staff cannot find a reasonable compromise.
- Staff defines the issues and possible solutions that will likely require collaboration with stakeholder groups (advisors).

5) Implementation Table

#	Measure	Action	Intent	Area of Impact ¹	Exceeds Local Requirements?	Exceeds Federal Requirements?	Inclusion Into Code ² ?	Measure Feasibility	Alternative Measure (s) Proposed?	Does Alternative Measure Reduce Environmental Impacts?
CONSTRUCTION MITIGATION										
1	Dust Control Plan	Before beginning construction, submit a Dust Control Plan Meeting Regulation VIII requirements to SJVAPCD for review and approval.	Air Quality	Project Level Impact	No	No	Yes (SMC 16.80.380 C.3.A)	N/A	N/A	N/A
2	Construction Vehicles & Equipment	If available, construction equipment and vehicles must be electric, battery-powered, natural gas, or hybrid. If not, diesel equipment above 50 horsepower must meet the highest CARB Tier technology and be approved by CDD with proof of unavailability. Off-road equipment below 19 kW must be electric.	Air Quality	Cumulative Level Impact	Yes	Yes	Yes (SMC 16.80.380 C.3.A)	N/A	N/A	N/A
3	“Cool Roof” Materials	Qualifying facilities must use cool roofing materials that meet reflectance and emittance values specified in CAL Green Building Standards Code and the City's Green Building Standards. Verification is required in construction plans.	Energy Efficiency	Project Level Impact	Yes	Yes	Yes, with but may be consolidated with MOA 10. (SMC 16.80.380 C.2.A)	N/A	N/A	N/A
4	Temporary electrical hookups	Construction yards and their associated work areas will include temporary electrical hookups.	Energy Efficiency	Project Level Impact	Yes	Yes	Yes (SMC 16.80.380 C.3.C.iv)	N/A	N/A	N/A
5	Equipment Idling	The use of heavy construction equipment must follow a five-minute idling limit. Construction contractors must post signage throughout the construction site regarding the idling time limit and keep a log to document	Air Quality/Green House Gases	Cumulative Level Impact	Yes	Yes	Under Consideration (SMC 16.80.380 C.3.C.v)			

¹Project Level Impact involves project specific impacts that can be quantified, while Cumulative Level Impact involves regional impacts and solutions that cannot be easily quantified.

²Items listed as *Under Consideration* will be reviewed as part of a feasibility study and discussed with stakeholders. While all language from the original MOA has been modified to convert to objective zoning standards, “Yes with Modifications” specifically means measures where staff is keeping the intent of the measure but proposing changing a metric or item that is infeasible.

5) Alternatives

Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act

#	Topic/Action	Current Situation	Response
Proactive Planning: General Plans, Local Ordinances, and Good Neighbor Policies			
1	General plan policies can be incorporated into existing economic development, land use, circulation, or other related general plan elements.	The current General Plan (GP) was adopted and complies with SB1000.	Perhaps during the CAP or next
2	A separate environmental justice element.	We have a Community Health element that contains SB1000 items.	
3	Land use designation and zoning decisions should channel development into appropriate areas.	This was done per our GP adoption in 2018.	
4	Transition zones with lighter industrial and commercial land uses may also help minimize conflicts between residential and industrial uses.	We created a zoning overlay for urban areas with industrial and may expand that into a zone. That would not be used for our existing industrial areas on the <u>boarder</u> of the city.	
Community Engagement			
	Holding a series of community meetings at times and locations convenient to members of the affected community and incorporating suggestions into the project design.	Conducted for the GP and when discretionary projects like annexations occur.	
	Posting information in hard copy in public gathering spaces and on a website about the project. The information should include a complete, accurate project description, maps and drawings of the project design, and information about how the public can provide input and be involved in the project approval process. The information should be in a format that is easy to navigate and understand for <u>members of the affected</u>	We are <u>consider</u> how we notice and inform residents on housing and general projects.	

6) Ad-Hoc Schedule

1. ~~8/30- this meeting~~
2. 9/7- possible 2nd meeting
3. 9/13 - possible 2nd meeting
4. 9/18 or 9/21- possible 3rd meeting
5. 9/28- PC Study Session (no proposed Ad-Hoc)
6. More/other?

7) Ground Rules

- Meeting Times
- Information Sharing
- At least 3 more ad-hoc meetings
 - 1 per week ending PC meeting week 9/28
- Estimates an hour or more each
- Two discussion measures per meeting
- Materials will be sent to groups for review and comment separate from the discussion items
- Each meeting will have some time to discuss comments
- Roughly leaves 25-30 minutes for each discussion point.

8) Advisors

- Ad-Hoc group meets weekly
- Advisors called on as needed
- Working Draft release in mid-September
 - Will send to stakeholders and all individuals expressing interest in the effort. [CDD Warehouse Website](#)
- Effort could extend into 2024, requires consent of Sierra Club and A.G Office.

Present: Gurneel Boparai
 Rajan Nathaniel
 Terry Hull
 Michael McDowell
 Stephanie Ocasio
 Matt Diaz (taking notes)
 Adriana Guerrero

General

- ADC wanted the public drafts release asap to give people time to review
- Agreed with staffs approach to the advisors and reaching out to the general public
- Wanted staff to include all comments received, even if it is more policy based that may result in actions beyond the code writing.
- Staff indicated measure 20 and the applicability would be the next topic for discussion.
- Staff indicated that the 9/28 study session could extend into 10/12 for the city and stakeholders to feel comfortable in moving towards a 10/26 or 11/7 PC and 12/5 CC
- Staff informed the ADC that the city received grant money to update the climate action plan and that some may be more interested in that effort than the code.

Measure 20-

- Most seem agreeable to the program, but wanted to know if there were costs associated with its inclusion.
- ADC stated the city should not be responsible for monitoring the program and agreed with staff that enforcement of the program could be messy.
- The ADC indicated a preference to either amend the measure to remove enforcement/monitoring or look for an alternative if agreeable to the DOJ

Measure 14/17-

- Staff outlined the requirement for permit approval, the monitoring, and enforcement issues with requiring an all EV fleet with yearly monitoring.
- The ADC members indicated it was not the city's place to require and monitor/enforce forcing an industry standard that is not applied by the state and may result in a significant impact in the market.
- The ADC was interested in a feasibility analysis for how this impacts the market.
- One member of the ADC wanted staff to explore incentives and alternative fuels in addition to EV items.
- Staff indicated that the DOJ is meeting with staff to explore alternatives to these measures that would be more project based or involve analysis of truck movement.
- The ADC directed staff to explore more options and alternatives and examples of how other cities are dealing with similar measures or with requiring EV fleet mixes.
- Since the ADC did not support the measures, the members agreed with staff that an alternative measure(s) should be explored with the help of the DOJ.

(MOA#20) The tenant/operator of the qualifying facility(ies) shall enroll and participate the in SmartWay program for eligible businesses.

- Issue: Staff is unsure how to enforce the inclusion for all future tenants, if a compliant is filled about a facility not reporting data to the voluntary program.
- Solution (order of preference):
 1. Define needed only at issuance of permit.
 2. Remove programs (DOJ isn't worried)
 3. Alternative measure for monitoring.

(MOA#14) EV Fleet and (MOA#17) EV Monitoring

- Issue:
 - This measure exceeds the timeline of the state's implementation of carbon neutral by 2045.
 - The technology does not seem to be there for EV fleets.
 - Staff time to monitor and legally of enforcing these measures.
 - Impacts to the city's good movement and industrial sector.
- Solution (14/17):
 - Remove and find alternative (revised truck routes via DOJ recommendation)
 - Comply with CARB
 - Look into alternative fuel options.

Present: Gurneel Boparai
 Rajan Nathaniel
 Terry Hull
 Michael McDowell
 Stephanie Ocasio
 Matt Diaz
 Adriana Guerrero (taking notes)

Notes:

Mike

- Requested Ad-Hoc member's availability for Special meeting on 9/20 or 9/21.

All

- Yes, all are available.

Mike

- Might not have a quorum for tonight's PC Meeting
- Will still have PC Meeting and continue items to Special Meeting

Mike

- Working with 4 Industry Representatives

Matt

- Some advisors are also consulting with other individuals on other committees
- Explained how he has been interacting with consultants
- Smart Way programs/EV - Sierra Club does not have confidence that Air District will enforce compliance to State standards
 - o Need to reach out to AG
- Has had group meetings with citizens that desire to be on Ad Hoc Committee
 - o Discussed direction of groups & why there are no other committees being formed
 - o Citizens want Ad-Hoc committee
 - o Shared info & process before code
 - o \$650,000 grant for Housing Action Plan
 - o Citizens may be at next meeting voicing their concerns

Gurneel

- Thinks current Ad Hoc Committee have already met guidelines set by City legal

Matt

- Citizens did not give specifics on concerns
- Meeting with Environmental Advisors today

Gurneel

- Appreciates staff engaging with public on behalf of Ad-Hoc Committee

Mike

- Targeting a 9/28 Study Session with PC

Matt

- Will be summarizing in notes from each advisory group in hopes to help study session on 9/28
- Solar Power Energy and Solar Systems
 - o No definition of base power makes it difficult

John

- Base Power can be defined in different ways

- Base Power will dictate what size solar system will be required
- There are different places where solar can be installed
 - o Roof top, car port, ground mount
 - o Ground mount system requires fire access roads
- How to deal with future changes to building
 - o Future occupants may have a different type of company (energy need)
- Batteries
 - o Backup battery system so generators do not have to be used
 - o Solar energy stored in batteries
 - o Too many batteries stored in building can cause hazardous occupancy
 - o Spec Shell buildings - Buildings that are constructed without tenant present a challenge as energy need is not defined yet

Gurneel

- Storing solar energy in batteries is very expensive
- Father is starting a solar farm
- Suggests considering zone or utility piece that companies can offload into

John

- Solar panels must be kept at 80% efficiency

Rajan

- What does Industry say about this measure?

Mike

- Industry is trying to define definition of base power.

Rajan

- Will need to know % of base power

Gurneel

- He understands base power to mean all in one system.
- Will need to know how much power is coming in and how much will need to be stored

Stephanie

- What was AG's perspective? How did this become a mitigation.

Mike

- AG & Sierra Club wanted to ensure less reliance on the grid
- Industry does not think measure is reasonable or feasible

Stephanie

- Confirmed intent was to reduce reliance on grid and the reduction of greenhouse gases

Terry

- Do any other cities have similar measures?

Gurneel

- Need to calculate how much solar power will be needed

Stephanie

- Base power may change depending on other factors
- How many solar panels will be enough?

Matt

- Will need to be reviewed at time of construction via building permit process
- Will standard be enough to cover future tenants?

Stephanie

- Concerns with monitoring

Matt

- Staff does not have the capacity to monitor

Matt

- Staff is not an expert
- Need to be easy to understand by applicants and by staff

Stephanie

- Can baseline be estimated from energy currently being used without solar?

Matt

- There are different ways to determine energy needed
- Anything Ad-Hoc Committee would like Staff to consider/explore?

Rajan

- Recommends looking into percentage/amount of power being generated by solar

Terry

- Recommends finding examples from other cities
- Do not reinvent the wheel

Matt

- AG provided case studies which were usually dictated by policy instead of standard

Gurneel

- Make sure we are calculating amount of energy from solar

Mike

- Community Solar Program with the State
 - o Not yet implemented
- East Bay Energy Collective is an offshoot of Community Solar Program
 - o Solar power will be provided for citizens that cannot pay their energy bills

Gurneel

- Confirmed this is Assembly Bill 2316

Mike

- Industry would like this to be included as an option in the standard

Stephanie

- How are reductions in greenhouse gases quantified?

Matt

- AG is not worried about quantifying if groups are okay with the measure
- AG has raised concerns of incentives & programs
- Might come up at 9/28 PC Meeting

Applicability

Matt

- Logistics is not only warehousing type. Trying to define “logistics” with AG.
- Average warehouse size is 600-700 k sq ft, on a 20-50 acre project site
- Staff is working on a map that identifies future use areas

Gurneel

- 100k sq ft is a lot lower than the average determined by Dept of Labor which is 670k sq ft

Matt

- Shared map of past entitlement improvements of the area
 - o Used to determine average of sq ft
 - o 700k sq ft will require around 38 acres

Stephanie

- Recommends a large square footage and use market info to support

Gurneel

- Can get that info from Dept of labor

Rajan

- Agrees with using larger sq ft along with market info

Gurneel

- Suggests threshold of 100k – 400k

Mike

- Different sq ft might need different measures, similar to Fontana Ordinance.
- Meant for logistics as in Cold storage and distribution with a lot of trucks

Matt

- Is group interested in that type of standard?

Gurneel

- Requests staff determine and come back to Ad-Hoc with info

Matt

- Next meeting will be discussing Measure 10 which is about energy efficiency of buildings

Mike

- Would like to have draft ordinance by 9/28 PC Study Session

Matt

- Committee will be receiving draft language of measure soon
- Will also be released to the public

Gurneel

- Staff is doing a great job & he appreciates the work

Matt

- Will email to all that are interested in measure and post on website

Gurneel

- Wants to be sure that final version is sent to the public

Meeting: PC Ad-Hoc Meeting
Date: 09/21/2023
Time: 1:00 – 2:00 pm
Attendance: Staff Ad Hoc Committee
 Stephanie Ocasio Gurneel Boparai
 Mike McDowell Rajan Nathaniel
 John Schweigerdt Terry Hull
 Matt Diaz
 Adriana Guerrero (note taker)

Notes:

Mike

- Continued item from 9/14 PC meeting will be continued again due to applicant not being available for 9/28 PC meeting.
- Staff is compiling meeting notes for Ad Hoc Committee meetings and will post on City website.
- Ad Hoc members will receive notice regarding Draft Warehouse Ordinance which includes AG measures and alternate language recommended by Ad Hoc and advisors.

Rajan

- Glad notes are being released to the public

Matt

- Shared draft language of Warehouse standards
- Currently receiving feedback on wording
- Would like to focus on issues or standards that need to be discussed
- Has received some feedback regarding landscape buffer
- Explained what will be discussed at 9/28 PC Meeting
- Questions? (none from Committee)

Matt

- Measure #10 states that all buildings must meet Tier 2 CalGreen standards

John

- Currently enforces statewide minimum/mandatory requirements of the CalGreen Code
- Levels of the CalGreen Code are Mandatory, then Tier 1, Tier 2
- Tier 2 will be enforced with new ordinance. This is 2 levels higher than current.

- Complying with entire division in CalGreen code will result in override of other measures that require Tier 1.

Matt

- Staff prefers consistent standards for everything
- Environmental groups prefer Tier 2
- Industry prefers current standards
- Staff is looking for healthy medium between the two
- Questions? (none from Committee)

Gurneel

- Needs time to go through CalGreen standards
- How many fall into each tier in the AG's Best Practice Report?

Matt

- Difficult to lock down AG best practices. Looking to have analysis ready for future study sessions.
- Will review each measure.
- DOJ Best Practices recommend and prefer tier 2
- Doing a cost estimate and will have figures at a later meeting

Gurneel

- We need to get cleaned up and will review standards

Matt

- Will have an outline at a high level in the future
- Won't have estimate from consultants before 9/28 PC Meeting

Mike

- Asked John to share reference document that explains the differences between tiers

John

- Shared a summary chart from CalGreen. Applies to all buildings.
- 15 measures over minimums for Tier 1
- 25 measures over minimums for Tier 2

- Each tier is more restrictive.

Mike

- Regarding EV charging, what is currently mandatory under CalGreen?

John

- About 10% of stalls

Matt

- LEED certification is reviewed by private outside agency and will still need to comply to CalGreen

John

- Confirmed

Matt

- LEED standards will be reviewed but will not determine a Tier of CalGreen.

Rajan

- Cost analysis will be helpful

Matt

- General Assessment of Costs is available online
- Asked Ad Hoc members to share ideas
- Questions?

Terry

- Has Fontana code been reviewed by staff?

Matt

- Staff has been putting together a list of alternatives to Fontana code

Terry

- Fontana is the only code he's been able to find in the state

Matt

- Reviewer from AG Office recommends not using Fontana as an example
- Staff is looking for a healthy medium. AG prefers a larger buffer zone.

Terry

- Fontana is the only example

Matt

- Staff has compiled all examples from AG Office and is reviewing

Terry

- Fontana's code was just adopted in April 2022. Would like to see impacts to development since adoption.

Mike

- Current code is 20 feet. Agreement encourages staff consider a buffer of 1,000 ft.
- Per AG, no semi trucks can be located in the buffer.

Stephanie

- Is Staff parking (i.e. personal passenger vehicles) permissible in buffer?

Mike

- Yes

Matt

- Asked AG if Zero emissions trucks are ok to park in buffer but there is no way to regulate/monitor this
- Shared image of map that indicates areas that will accommodate new warehouses of that size
- Map shows industrial vacant lots that are 5.5 acres or more based on a calculation of 10 recent projects and lot coverage.
- Staff has paired standards provided by AG with Fontana and is using as a template
- Staff is not comfortable implementing as proposed

Terry

- Colton is smaller than Stockton

Matt

- Colton standards are more aggressive than others but Colton does not have the same makeup as Stockton.
- Would like to find out how standards in Colton evolved

Terry

- Fontana is closer to the size of Stockton

Matt

- Will most likely not have time to discuss alternatives at next PC Meeting. Staff to recommend discussing at a future meeting.

Mike

- Hopes PC will make determination at 9/28 meeting if discussions should continue

Matt

- If PC recommends continuation, should we have another Ad Hoc meeting?

Mike

- Deferred to Ad Hoc

Terry

- Will probably want to meet again

Gurneel

- Agrees to meeting again

Terry

- Might not be present at 9/28 PC Meeting

Mike

- Would like as many voters as possible to be present

Terry

- Will try and make it to meeting

Terry

- Can make it to the 10/26 meeting

Mike

- No action to be taken on 9/28 PC meeting but encouraged attendance for Ad Hoc members.

Matt

- Reviewed follow up items: staff will continue to review standards, Committee has no preference on Tiers without seeing financial figures, and Ad Hoc will meet again between 9/28 and 10/12 PC Meetings.

Terry

- Confirmed

Mike

- Ad Hoc will not meet next week as there's the PC Study Session that evening.

Matt

- Will need to schedule an additional meeting if item continued

Mike

- Will most likely be scheduled for 10/5

Gurneel

- Requested staff's notes on CalGreen be shared with committee.

Matt

- Information will be in Staff Report and PPT presented at PC meeting. Will try to have ready by 9/28 meeting.

Stephanie

- Everything shared during Ad Hoc meetings will be attached to the meeting notes

Matt

- Will be posting notes online

Gurneel

- Thanked staff for their hard work.

SECTION A5.601 CALGreen TIER 1 AND TIER 2

TABLE A5.601

NONRESIDENTIAL BUILDINGS: Green Building Standards Code Proposed Performance Approach

Note: This table is intended only as an aid in illustrating the nonresidential tier structure (Refer to Checklists A5.602, A5.602.1 and A5.602.2 for CALGreen verification guidelines for Mandatory Checklist, Tier 1 Checklist and Tier 2 Checklist.)

CATEGORY	ENVIRONMENTAL PERFORMANCE GOAL	TIER 1	TIER 2
All	Minimum Mandatory (See Mandatory Checklist)	Meet all of the provisions of Chapter 5 (See Tier 1 Checklist)	Meet all of the provisions of Chapter 5 (See Tier 2 Checklist)
DIVISION 5.1 Planning and Design	Designated Parking for Fuel Efficient Vehicles (Tier 1 and Tier 2 only)	Approx. 35% of total spaces	Approx. 50% of total spaces
	Electric Vehicle Charging	Approx. 30% of total spaces	Approx. 45% of total spaces
	Cool Roof to Reduce Heat Island Effect	Roof Slope < 2:12 SRI 75 Roof Slope > 2:12 SRI 16	Roof Slope < 2:12 SRI 82 Roof Slope > 2:12 SRI 27
		1 additional Elective from Division A5.1	3 additional Electives from Division A5.1
DIVISION 5.2 Energy Efficiency	Energy Performance ^{2a, 2b}	Outdoor lighting power 90% of Part 6 allowance	Outdoor lighting power 90% of Part 6 allowance
		If applicable, solar water-heating system with minimum solar savings fraction of 0.15	If applicable, solar water-heating system with minimum solar savings fraction of 0.15
		Warehouse door seals	Warehouse door seals
		Comply with day lighting requirements	Comply with day lighting requirements
		Exhaust heat recovery	Exhaust heat recovery
		Energy Budget 95% or 90% of Part 6 calculated value of allowance	Energy Budget 90% or 85% of Part 6 calculated value of allowance
DIVISION 5.3 Water Efficiency and Conservation	Indoor Water Use	12% Savings	20% Savings
		1 additional Elective from Division A5.3	3 additional Electives from Division A5.3
DIVISION 5.4 Material Conservation and Resource Efficiency³	Construction Waste Reduction	At least 65% reduction	At least 80% reduction
	Recycled Content	Utilize recycled content materials for 10% of total material cost	Utilize recycled content materials for 15% of total material cost
		1 additional Elective from Division A5.4	3 additional Electives from Division A5.4
DIVISION 5.5 Environmental Quality	Low-VOC Resilient Flooring	90% of flooring meets VOC limits	100% of flooring meets VOC limits ¹
	Low-VOC Thermal Insulation	Comply with VOC limits	Install no-added formaldehyde insulation and comply with VOC limits
		1 additional Elective from Division A5.5	3 additional Electives from Division A5.5
Additional Measures		1 additional Elective from any division	3 additional Electives from any division
Approximate Total Measures		15	25

1. Exception: Allowance may be permitted in Tier 2 for up to 5-percent specialty purpose flooring.

2. Solar water-heating system requirement for newly constructed restaurants as per A5.203.1.1.2.

Exceptions:

a. Buildings with a natural gas service water heater with a minimum of 95-percent thermal efficiency.

b. Buildings where greater than 75 percent of the total roof area has annual solar access that is less than 70 percent. Solar access is the ratio of solar insolation including shade to the solar insolation without shade. Shading from obstructions located on the roof or any other part of the building shall not be included in the determination of annual solar access.

3. Life cycle assessment compliant with Section A5.409.4 in this code may be substituted for prescriptive measures from Division A5.4.

If Division 5.3 and 5.4 were included.

Without Divisions 5.3 and 5.4 included. Difference of (6) total measures between Tier levels.

Summary of CALGreen Measures w/ Proposed Warehouse Ordinance

CALGreen Related Measures from MOA (Exhibit A):

MOA Reference:	Measure:
Pg. 5, Bullet #3	<u>Cool Roof</u> Owners, operators or tenants of qualifying facilities shall provide “cool roof” specifications in construction plans verifying that the proposed roof will utilize cool roofing materials with an aged reflectance and thermal emittance values that are equal to or greater than those specified in the current edition of the CALGreen Building Standards Code, Table A5.106.11.2.3 for Tier 1 and the City’s Green Building Standards within Chapter 15.72 of the Stockton Municipal Code.
Pg. 6, Bullet #5	<u>Advanced Energy Efficiency</u> Qualifying facilities shall be constructed in compliance with the most current edition of all adopted City building codes, including the adopted Green Building Standards Code. Prior to the issuance of building permits, the applicant/developer of the qualifying facility(ies) shall demonstrate (e.g., provide building plans) that the proposed buildings are designed and will be built to, at a minimum, meet the Tier 2 advanced energy efficiency requirements of the Nonresidential Voluntary Measures of the California Green Building Standards code, Divisions A5.1, A5.2 and A5.5, Energy Efficiency as outlined under Section A5.203.1.2.
Pg. 12, Bullet #1, Sub Bullet #1	<u>Passenger EV</u> Prior to issuance of occupancy permits, the applicant/developer shall demonstrate to the satisfaction of the City, that the proposed parking areas for employee passenger automobiles are designed and will be built to accommodate EV charging stations, at no cost to employees. At minimum, the parking areas and the number of EV charging stations for employee passenger automobiles shall equal the Tier 1 Nonresidential Voluntary Measures of the California Green Building Standards Code, Section A5.106.5.3.1.
Pg. 12, Bullet #1, Sub Bullet #2	<u>Fuel Efficient Vehicle Parking:</u> Prior to issuance of occupancy permits, the applicant/developer shall demonstrate to the satisfaction of the City, that the proposed parking areas for passenger automobiles are designed and will be built to provide parking for low-emitting, fuel-efficient, and carpool/van vehicles. At minimum, the number of preferential parking spaces for passenger automobiles shall equal the Tier 1 Nonresidential Voluntary Measures of the California Green Building Standards Code, Section A5.106.5.1.1.

Conflicting Measures:

- The “advanced energy efficiency” requirement above, specified for compliance with CALGreen Tier 2, would override the “cool roof” requirement that is specified for compliance at Tier 1. To meet compliance with Division A5.1, Tier 2, the aged solar reflectance and thermal emittance will exceed Tier 1 requirements nullifying the “cool roof” MOA measure.
- The “advanced energy efficiency” requirement above, specified for compliance with CALGreen Tier 2, would override the “passenger EV” requirement that is specified for compliance at Tier 1. To meet compliance with Division A5.1, Tier 2, the minimum number of EV stalls will exceed Tier 1 requirements by 15% nullifying the “passenger EV” MOA measure.
- The “advanced energy efficiency” requirement above, specified for compliance with CALGreen Tier 2, would override the “fuel efficient vehicle parking” requirement that is specified for compliance at Tier 1. To meet compliance with Division A5.1, Tier 2, the minimum number of stalls designated for fuel efficient

vehicles will exceed Tier 1 requirements by 15% nullifying the “fuel efficient vehicle parking” MOA measure.

Other Conflicts:

MOA Reference:	Measure:
Pg. 6, Bullet #2	<u>VOC Limits</u> Architectural and industrial maintenance coatings (e.g., paints) applied on the qualifying facility(ies) shall be consistent with a VOC content of <10 g/L. Developer or tenant is not expected to exercise control over materials painted offsite by a third party.

- Section 5.504 of the CALGreen Code, specifically Table 5.504.4.3, already has requirements for VOC content limits for architectural paints and coatings as part of the mandatory measures. This measure exceeds any level provided for in the CALGreen Code.

CALGreen Tier 1/Tier 2 Comparison Table.

Attached is a summary table of the differences between Tier 1 and Tier 2. Note that the MOA does not require compliance with Divisions A5.3 or A5.4 for Tier level compliance, however the mandatory measures of Division 5.3 and 5.4 are still applicable.

Attachments:

CALGreen Tier 1 and Tier 2 Comparison Table
 Executed Memorandum of Agreement

SECTION A5.601 CALGreen TIER 1 AND TIER 2

TABLE A5.601

NONRESIDENTIAL BUILDINGS: Green Building Standards Code Proposed Performance Approach

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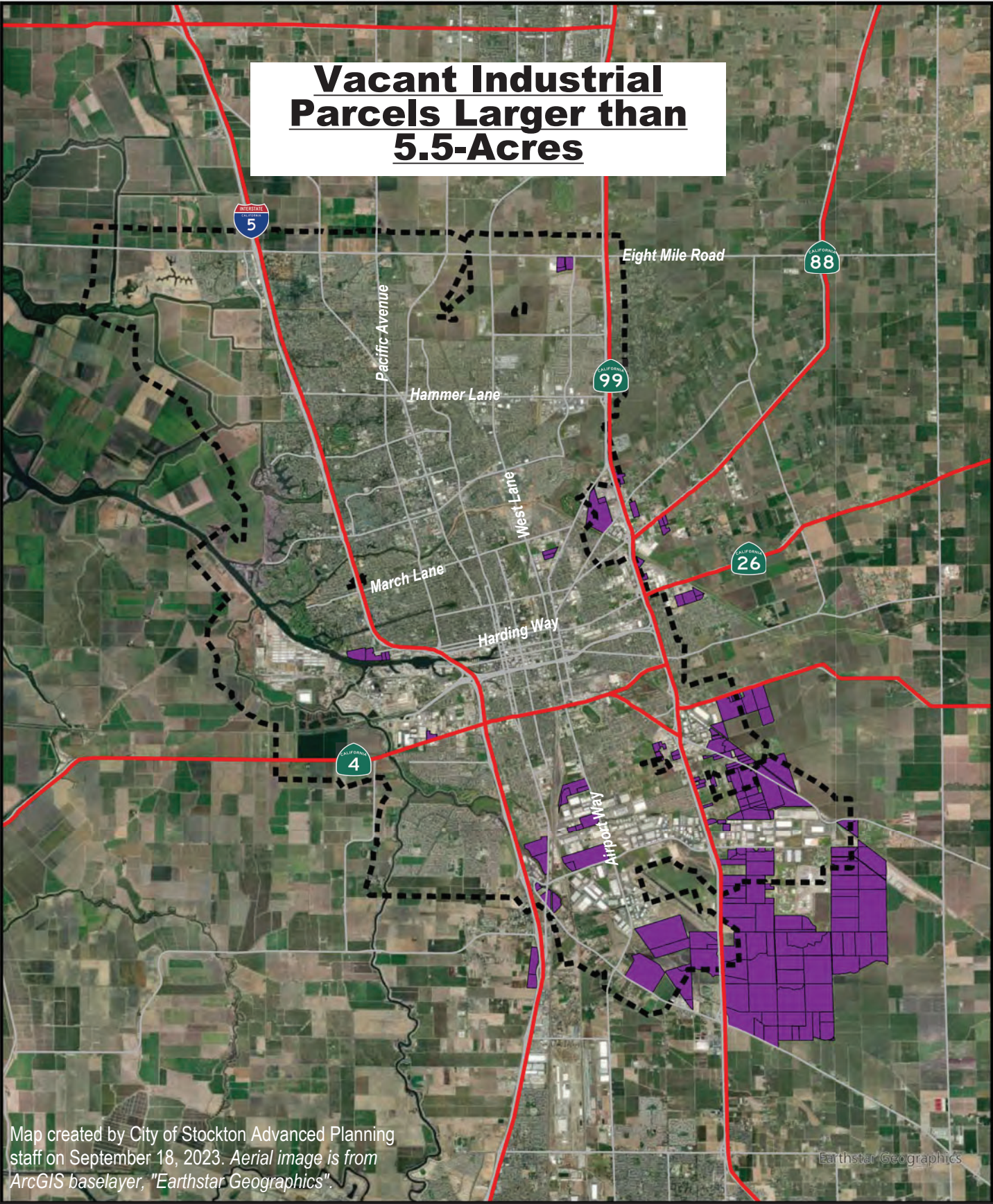
b. Buildings where greater than 75 percent of the total roof area has annual solar access that is less than 70 percent. Solar access is the ratio of solar insolation including shade to the solar insolation without shade. Shading from obstructions located on the roof or any other part of the building shall not be included in the determination of annual solar access.

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If Division 5.3 and 5.4 were included.

Without Divisions 5.3 and 5.4 included. Difference of (6) total measures between Tier levels.

Vacant Industrial Parcels Larger than 5.5-Acres



Legend



City Limits



Large Industrial Parcels

City of Stockton
Community Development Department
345 N. El Dorado Street

Map created by: Advanced Planning staff

Map created on: September 18, 2023



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