

Resolution No.

STOCKTON PLANNING COMMISSION

RESOLUTION RECOMMENDING THAT THE CITY COUNCIL APPROVE AMENDMENTS TO MULTIPLE CHAPTERS OF TITLE 16 OF THE STOCKTON MUNICIPAL CODE FOR CONSISTENCY WITH THE GENERAL PLAN AND CHANGES TO STATE LAW

On December 4, 2018, the Stockton City Council adopted the Envision Stockton 2040 General Plan which was a comprehensive update of the 2035 General Plan. This plan outlines the City's vision for the next 20 years and amended the City's Goals, policies, and land use map to achieve that vision; and

California State Law and the Stockton Municipal Code requires the General Plan to be internally consistent with other visioning and regulatory documents, including zoning ordinances; and

To streamline projects that are consistent with City requirements, staff proposes revisions to the development code to update affordable housing and density bonus provisions, increase ministerial approvals, improve parking incentives and deviations, simplify housing typology, further update accessory dwelling unit (ADU) provisions, and non-substantive modifications. These amendments would incentivize and facilitate approval of affordable housing, which is a key component of the General Plan; and

In 2019 and 2020, the Governor of California signed a series of legislative changes that requires the City of Stockton to revise development standards pertaining to housing. These changes include density bonus law and ADUs; and

To be consistent with the adopted General Plan and changes to State Law, staff proposes to amend Title 16 (Development Code) of the City of Stockton Municipal Code a Title 16 to bring sections of the development standards into compliance;

On October 22, 2020, the Planning Commission conducted a duly noticed public hearing to amend Title 16 Chapters 16.12, 16.20, 16.24, 16.36, 16.40, 16.48, 16.60, 16.64, 16.72, 16.76, 16.80, 16.116, 16.120, 16.130, 16.152, 16.188, 16.196, and 16.240; and

After receiving testimony from City staff at the October 22, 2020 public hearing, the Planning Commission voted to recommend the City Council adopt the proposed code amendments, with the exception of Section 16.80.195 related to Cannabis Business Types, 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 for Development Code Amendments.

A. **Finding #1:** 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 are needed for consistency with State Law and to adhere to the General Plan policies, which encourage best practices for development review. These changes will amend land use standards by adding land use performance measures, housing density bonus streamlining, clerical errors, updated references (i.e. building code), and changes to development standards for parking. These amendments are internally consistent with all policy and supportive regulatory documents.

B. **Finding #2:** 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: The purpose of the proposed amendments is to comply with provisions of State Law and consistency with the General Plan. There is no substantial evidence in the record that the proposed amendments will result in significant impacts to the environment as identified in the General Plan Environmental Impact Report (EIR).

C. **Finding #3:** The proposed amendment complies with the California Environmental Quality Act (CEQA) and the City's CEQA Guidelines.

Evidence: The proposed development code text amendments are required to provide consistency with changes to the General Plan and State Law and have been considered as part of the General Plan Environmental Impact Report (EIR) (SCH No. 2017052062). These amendments will not result in physical impact or change to the land use intensities identified in the General Plan Environmental Impact Report (EIR). The EIR document provides a programmatic review of the potential impacts associated with implementation of the General Plan. None of the potential changes being considered will impact the analysis or conclusions of the General Plan EIR as the extent of the potential impacts and allowed density considered in the General Plan EIR. Future proposals based on the amendments would be

reviewed on a case-by-case basis for consistency with this review and the General Plan EIR.

D. Finding #4 (Development Code Amendments): The proposed amendment would be internally consistent with other applicable provisions of this Development Code.

Evidence: Many of the changes are required per changes to State Law or are needed to bring the development standards into compliance with the recently adopted General Plan policies. These changes will amend land use standards by adding land use performance measures, housing density bonus streamlining, clerical errors, updated references (i.e. building code), and changes to development standards for parking. These amendments are internally consistent with all policy and supportive regulatory documents.

2. The Planning Commission recommends that the City Council adopt an amendment to Title 16, Chapters 16.12, 16.20, 16.24, 16.36, 16.40, 16.48, 16.60, 16.64, 16.72, 16.76, 16.80, 16.116, 16.120, 16.130, 16.152, 16.188, 16.196, and 16.240, with the exception of Section 16.80.195, to allow amendments to the development code for General Plan and State Law consistency as set forth in Exhibit 1 Proposed Ordinance, attached hereto and incorporated by this reference.

PASSED, APPROVED and ADOPTED: October 22, 2020.

WAQAR RIZVI, CHAIR
CITY OF STOCKTON
PLANNING COMMISSION

ATTEST:

MICHAEL MCDOWELL, SECRETARY
CITY OF STOCKTON PLANNING COMMISSION