

Resolution No.

STOCKTON PLANNING COMMISSION

RESOLUTION APPROVING A USE PERMIT TO ALLOW THE ESTABLISHMENT OF A PROPOSED SLAUGHTERHOUSE IN AN EXISTING WAREHOUSE BUILDING AT 2404 STAGECOACH ROAD (P20-0469)

On September 20, 1951, the applicant, Stockton Poultry, obtained a Use Permit (UP033-51) for a slaughterhouse operation at 302 South San Joaquin Street; and

Since that time, Stockton Poultry has established themselves as a valuable business in the City of Stockton, providing employment opportunities and revenue to the City; and

The applicant, Stockton Poultry, submitted an application to the Community Development Department for Commission Use Permit No. P20-0469 to allow the establishment and operation of a proposed slaughterhouse in an existing warehouse building at 2404 Stagecoach Road; and

On October 8, 2020, a 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 October 22, 2020, the Planning Commission conducted a public hearing on the application, in compliance with SMC Section 16.116.040(D), 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:

A. The foregoing recitals are true and correct and incorporated here in reference.

B. Based on its review of the entire record herein, the Planning Commission makes the following findings:

Use Permit: General Findings

1. The proposed use is allowed in the Industrial, General (IG), Port District (PT) and Public Facilities (PF) zoning districts, subject to approval of a Use Permit by the Planning Commission and complies with all other applicable provisions of the Development Code (Title 16) and the Stockton Municipal Code.

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

conditions of approval applied to the project would not interfere with the business's ability to maintain the integrity and character of the surrounding neighborhood, because the location is suited to industrial development and business will be in an existing industrial building.

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

Policy CH-3.1: Promote entrepreneurial development and small business expansion. The proposed use allows the continuance of a small business to viably continue operations, providing greater compatibility with the surrounding neighborhood.

Goal LU-4: Attract and retain companies that offer high-quality jobs with wages that are competitive with the region and state. Stockton Poultry currently runs a successful business within the City of Stockton. Retaining their business at a more appropriate location will continue to generate employment within the City and increase revenue for the City.

4. The proposed Use Permit does not result in any physical changes to the site, therefore 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.).

5. The establishment, maintenance and operations of Stockton Poultry is not expected to 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 because Stockton Poultry is required to operate in accordance to the County's Environmental Health Department regulations who monitors and regularly inspects its facilities. Further, this business has been existing within the Stockton City Limits and is already experienced and is in good standing with the City.

6. The design, location, size, and operating characteristics of the subject use will remain compatible with existing and future land uses on the site and in the vicinity of the subject property. Stockton Poultry will be going into an existing building in an existing industrial park, and the subject business does not result in any changes to the nature of the subject use (slaughterhouse), which is compatible with the industrial uses within the surrounding area.

C. The proposed project is Categorically Exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines section 15301 (Class 1, Existing Facilities) since it consists of the operation of commercial use within an existing building. The project is not subject to any of the exceptions to using a Categorical Exemption as enumerated in the CEQA Guidelines section 15300.2.

Conditions of Approval

D. Based on its review of the entire record herein, including the October 22, 2020 Planning Commission staff report, all supporting, referenced, and incorporated documents, and all comments received, the Planning Commission hereby approves the requested Amendment, subject to the following conditions of approval.

1. This Use Permit incorporates the following conditions of approval.

Standard

- a. The business operator shall comply with all applicable Federal State County and City codes regulations laws and other adopted standards and pay all applicable fees.
- b. Compliance with these Conditions of Approval is mandatory. Failure to comply with these Conditions of Approval is unlawful and may constitute a public nuisance subject to the remedies and penalties identified in the SMC § 16.168.070.
- c. This Use Permit shall be maintained on site and shall be immediately made available to City personnel upon inspection of the facility.
- d. Any future building signage shall be subject to approval by the Community Development Department.
- e. Separate building permits will be required for alterations to the site or building at the project location.

Project Specific

- f. All processing activities shall only occur inside the buildings.
- g. Waste, by-products, and any decomposable residue that result from the slaughtering of poultry shall be kept in a sealed container inside the building and be removed from the site within 48 hours.
- h. An odor neutralizing system shall be utilized, installed, and maintained inside the buildings. Any chemicals used to neutralize odors shall be non-toxic and shall not be noxious or offensive to persons residing or working in the vicinity.
- i. No loitering shall be allowed on the premises. The ODS shall discourage loitering on immediately abutting public rights-of-way and shall post "No Loitering" signs on the outside of the property.
- j. The proposed site plan does not indicate any modifications to existing fencing. While the location of the existing chain link fencing is per SMC

section 16.48.100 (vinyl coated chain linked fencing located at least 10 feet from the front and street side property lines shall be allowed in industrial zoning districts), barbed wire/razor wire is prohibited adjacent to public rights-of-way in industrial zoning districts. (SMC § 16.48.100(B)). If any repair/replacement of the existing fence is necessary in the future, it will require conformance to the SMC.

- k. The existing gates located at driveways accessed by delivery, shipping trucks, and employee vehicles shall remain open during all business hours.
- l. Rights-of-way shall not be used for loading/unloading activities or for queuing/maneuvering activities.
- m. The ODS shall construct new sidewalk, per the City Standard Specifications, along the entire site frontage of Stagecoach Road prior to initiation of the approved use.
- n. The building requires fire sprinklers and fire alarm system upgrades. The tenant may submit for deferred design packages to address the tenant improvement work to be done.

PASSED, APPROVED, and ADOPTED October 22, 2020.

WAQAR RIZVI, CHAIR
City of Stockton Planning Commission

ATTEST:

MICHAEL MCDOWELL, SECRETARY
City of Stockton Planning Commission