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COMMUNITY DEVELOPMENT DEPARTMENT

345 North El Dorado Street • Stockton, CA 95202-1997 • (209) 937-8266 • Fax (209) 937-8893

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October 29, 2020

Stocklandia  
Attn: Veronica Martinez  
2107 West Lane  
Stockton, CA 95205

RE: Temporary Activity Permit #P20-0824 (2107 West Lane; APN# 117-090-11)

To Whom it May Concern:

This letter provides the City of Stockton's approval of a Temporary Activity Permit at 2107 West Lane for the following two activities:

1. A Grand Opening Event to be held on October 31; and
2. Day-to-Day Operations for Stocklandia- "food truck park" use.

This approval is based on the following findings and conditions of approval specific to the Grand Opening event and the Day-to-Day Operations, as outlined below.

**Grand Opening Event**

The Grand Opening event for Stocklandia is scheduled for October 31<sup>st</sup> from the hours of 11:00 am to 7:00 pm, where a maximum of eight (8) food trucks will be parking on the subject property, and public vehicular traffic is being prohibited from accessing and parking on-site.

**Findings**

1. The proposed Grand Opening Event (temporary activity) would be consistent with the general land uses, objectives, policies, and programs of the General Plan and any applicable specific plan, precise road plan, or master development plan. (SMC §16.164.050(A))

Evidence: The proposed use of a podcast studio is allowed in the IG (Industrial General) Zoning District, per Stockton Municipal Code (SMC) §16.164.010(B).

Food trucks are allowed accessory to the primary use per SMC §16.80.020(B)(4) (Accessory Uses and Structures; Nonresidential; Motorized Food Wagons). SMC §16.80.020(B)(4)(i)

allows (1) Motorized Food Wagon as incidental use to private nonresidential property. The proposed "food truck park use" will have more than 1 food wagon on-site which does not meet the development use standards. If a proposed use of land, in this case "food truck park use," is not specifically listed in Table 2-2 (Allowed Land Uses and Permit Requirements), the use is not allowed. However, the SMC §16.08(E) enables the Director to make a Determination that the use may be allowed as a permitted or conditional use.

In making this determination, the Director shall first find that, a) The characteristics of, and activities associated with, the proposed use are equivalent to those of one or more of the uses listed in the zoning district as allowable, and will not involve a greater level of activity, population density, traffic generation, parking, dust, noise, or intensity than the uses listed in the zoning district; b) The proposed use will meet the purpose/intent of the zoning district that is applied to the site; and (c) The proposed use will be consistent with the goals, objectives, and policies of the General Plan and any applicable master development or specific plan.

In light of the information provided to the City, Staff's review of the proposed use, and SMC §16.08(E), the Director has determined a "food truck park" can be permitted as a temporary activity, and therefore allowed with a Temporary Activity Permit. Per SMC §16.164(Temporary Activity Permits), a temporary activity permit allows for short-term activities that might not meet the normal development or use standards of the applicable zoning district, but may otherwise be acceptable because of their temporary nature. The Director is the Review Authority for temporary activity permits and may review and approve, conditionally approve, or disapprove a temporary activity permit, subject to the appeal provisions of Chapter 16.100 in the SMC.

2. Finding: The establishment, maintenance, or operation of the proposed temporary activity at the location proposed and within the time period(s) identified would 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 neighborhood of the proposed activity. (SMC §16.164.050(B))

Evidence: Stocklandia's Grand Opening Event is scheduled for one-day, October 31, 2020, highlighting eight (8) local food trucks, showcasing the vibrant food scene in the City of Stockton and celebrating a new business. This is a single-day event and will not endanger, jeopardize, or otherwise constitute a hazard because it is subject to the life/safety conditions listed below in the Conditions of Approval.

3. Finding: The proposed site would be adequate in terms of location, shape, and size to accommodate the temporary activity. (SMC §16.164.050(C))

Evidence: For the Grand Opening Event, Stocklandia has provided a separate parcel for patrons to park for the duration of the event with appropriate personnel to guide and monitor the site. The event site will not be impacted by vehicular traffic as it will only be used for parking of the eight (8) food trucks.

4. Finding: The proposed site would be adequately served by streets or highways having sufficient width and improvements to accommodate the kind and quantity of traffic that the

temporary activity would reasonably generate. (SMC §16.164.050(D))

Evidence: During the Grand Opening Event, the site will only be accessed for parking the eight (8) food trucks which can be accessed via West Lane on the east side of the parcel, and Berkeley Avenue on the West side of the parcel. An established fire lane will remain unobstructed through the site, allowing for adequate fire and life/safety protection.

5. Finding: Adequate temporary parking to accommodate vehicular traffic to be generated by the temporary activity would be available either on-site or at an alternate location(s) which is acceptable to the Director. (SMC §16.164.050(E))

Evidence: For the Grand Opening event, Stocklandia has obtained permission from the landowner for 1240 Klingler Road to provide temporary parking on the parcel. The parcel is approximately .13 acres and will provide perimeter parking with access from Klingler Road for the sole purposes of the Grand Opening Event. The temporary parking facility will be manned by an employee of Stocklandia and will have cones and signage for patrons indicating where to park. Patrons attending the event will walk down a mostly paved path, approximately 430' south along West Lane to the Grand Opening Event. No parking will occur at 2107 West Lane during the Grand Opening Event.

6. Finding: The design, location, size, and operating characteristics of the proposed temporary activity would be compatible with the existing and future land uses in the vicinity. (SMC §16.164.050(F))

Evidence: The proposed Grand Opening event will occur on a developed site in a predominantly industrial zoning district portion of the City where all parcels have an underlying zoning classification of Industrial Limited (IG) and a General Plan designation of Commercial.

7. Finding: Approved measures for removal of the temporary activity and site restoration have been required to ensure that no changes to the site would limit the range of possible future land uses otherwise allowed by this Development Code. (SMC §16.164.050(G))

Evidence: See Finding No. 5 above.

8. Finding: The proposed permit would be in compliance with the provisions of the California Environmental Quality Act (CEQA) and the City's CEQA Guidelines. (SMC §16.164.050(H))

Evidence: The project site concerns an existing private structure, involving negligible or no expansion of an existing or former use. Given these facts, the proposed temporary activities are Categorical Exempt pursuant to CEQA Guidelines §15301 (Existing Facilities).

### **Day-to-Day Operations**

The Day-to Day Operations of the Stocklandia "food truck park" will operate Monday through Saturday from 11:00am to 9:00 pm, and on Sundays from 11:00 am to 7:00 pm, where a maximum of five (5) food trucks will be parking on the subject property.

## Findings

1. Finding: The proposed temporary activity would be consistent with the general land uses, objectives, policies, and programs of the General Plan and any applicable specific plan, precise road plan, or master development plan. (SMC §16.164.050(A))

Evidence: The proposed use of a podcast studio is allowed in the IG (Industrial General) Zoning District, per Stockton Municipal Code (SMC) §16.164.010(B). Food trucks are allowed incidental to the primary use per SMC §16.80.020(B)(4) (Accessory Uses and Structures; Nonresidential; Motorized Food Wagons).

Food trucks are allowed incidental to the primary use per SMC §16.80.020(B)(4) (Accessory Uses and Structures; Nonresidential; Motorized Food Wagons). Standard practice allows one (1) food truck incidental to private property. The proposed temporary activity will utilize multiple food wagons and is not allowed as an incidental use.

The proposed temporary activity may be allowed under SMC §16.08(F)(Unlisted Uses of Land) under a Director's Determination as a permitted or conditional use.

2. Finding: The establishment, maintenance, or operation of the proposed temporary activity at the location proposed and within the time period(s) identified would 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 neighborhood of the proposed activity. (SMC §16.164.050(B))

Evidence: Stocklandia's Day-to-Day Operations will continually support the City of Stockton's local food-truck scene while operating a podcast business. The site has an existing solid iron fence, with existing slide gates, at both the West Lane frontage and Berkeley Avenue frontage that will remain open during business hours. The podcast use and food trucks are contained entirely within the site, and will not endanger, jeopardize, or otherwise constitute a hazard because it is subject to the life/safety conditions listed below in the Conditions of Approval.

3. Finding: The proposed site would be adequate in terms of location, shape, and size to accommodate the temporary activity. (SMC §16.164.050(C))

Evidence: For the Day-to-Day Operation of Stocklandia, Staff determined that the site has adequate parking, sufficient circulation, and is appropriate for both the podcast studio and the "food truck park" on a temporary basis.

4. Finding: The proposed site would be adequately served by streets or highways having sufficient width and improvements to accommodate the kind and quantity of traffic that the temporary activity would reasonably generate. (SMC §16.164.050(D))

Evidence: The site is a through lot and accessed via West Lane on the east side of the parcel, and Berkeley Avenue on the West side of the parcel. During the Day-to-Day Operation of Stocklandia, the existing parking area will accommodate the kind and quality of traffic expected on-site.

5. Finding: Adequate temporary parking to accommodate vehicular traffic to be generated by the temporary activity would be available either on-site or at an alternate location(s) which is acceptable to the Director. (SMC §16.164.050(E))

Evidence: For the Day-to-Day Operation of the Stocklandia podcast business and “food truck park,” parking is available on-site. The existing site has fifteen (15) available parking stalls and, per the information below, has a required parking amount of thirteen (13) spaces; six (6) spaces for the building and seven (7) spaces allocated for the food trucks.

Per SMC §16.64 (Off-Street Parking), Broadcasting Studios are required to be parked at a ratio of 1 space for every 200 SF of indoor floor area, and Industry, Manufacturing and Processing Uses are required to be parked at a ratio of 1 space for every 500 SF. Staff has estimated that the office use for the podcast studio of 800 SF requires four (4) parking stalls while the warehouse portion of the building (1000 SF) requires two (2) additional parking stalls; for a total of six (6) stalls for the podcast building.

While food trucks vary in size, each food truck is estimated to be approximately 16' long by 8.5' wide, or approximately 136 SF each. Per SMC 16.64 (Off-Street Parking and Loading), fast food/take out shall be parked at 1 space for every 100 SF of gross floor area. Five (5) food trucks have a combined estimated square footage on 680 SF and requires 6.8 parking stalls. Per SMC §16.08.020 (Rules of Interpretation), Staff is required to round the fractional/decimal results to the next highest whole number when the fraction/decimal is 0.5 or more, and to the next lowest whole number when the fraction is less than 0.5. Therefore, the required amount of parking for the food trucks is seven (7) spaces.

6. Finding: The design, location, size, and operating characteristics of the proposed temporary activity would be compatible with the existing and future land uses in the vicinity. (SMC §16.164.050(F))

Evidence: However, the proposed Day-to-Day Operations of the “food truck park” will occur on a developed site that was previously utilized for a used car dealership, and is in a predominantly industrial portion of the City where all parcels have an underlying zoning classification of Industrial Limited (IG) and a General Plan designation of Commercial.

7. Finding: Approved measures for removal of the temporary activity and site restoration have been required to ensure that no changes to the site would limit the range of possible future land uses otherwise allowed by this Development Code. (SMC §16.164.050(G))

Evidence: See Finding No. 6 above.

8. Finding: The proposed permit would be in compliance with the provisions of the California Environmental Quality Act (CEQA) and the City’s CEQA Guidelines. (SMC §16.164.050(H))

Evidence: The project site concerns an existing private structure, involving negligible or no expansion of an existing or former use. Given these facts, the proposed temporary activities are Categorical Exempt pursuant to CEQA Guidelines §15301 (Existing Facilities).

## **CONDITIONS OF APPROVAL**

### **Standard Conditions – Grand Opening Event and Day-to-Day Operation**

1. This approval is for the plans and/or operation parameters identified in Exhibit A.
2. This approval is effective immediately, unless appealed in accordance with SMC §16.100 (Appeals).
3. Changes to this approval shall be considered in accordance with SMC Chapter 16.104 (Changes to an Approved Project).
4. Compliance with these conditions is mandatory. Failure to comply with these conditions is unlawful, constitutes a public nuisance, and is subject to the remedies and penalties identified in the Stockton Municipal Code, including but not limited to, monetary fines and revocation or modification of said approval(s).
5. Each site occupied by a temporary activity shall be completely free of all evidence of the activity within seven (7) days following the termination of the activity. Temporary activities that do not comply with this standard shall be subject to code enforcement action, in compliance with Chapter 16.224 (Enforcement).
6. In accordance with SMC §16.164.030(B)(11), this activity is similar in nature to other activities that are allowed with a Temporary Activity Permit, and this Temporary Activity Permit application has been reviewed by all applicable City departments prior to the commencement of the activity. This permit shall be effective for Grand Opening Event and for Day-to-Day Operations of the “food truck park” at Stocklandia for a time period of six (6) months, that shall expire on April 30, 2021.

### **Project-Specific Conditions – Grand Opening Event**

#### **Current Planning Section**

7. The applicant shall review and understand the City Business License Regulations for motorized food wagons (trucks) under SMC §5.72 (Motorized Food Wagons), and shall verify that all food wagons (trucks) that operate on the project site, possess a City of Stockton Business License; further the applicant shall ensure that all food wagons (trucks) that operate on the project site are in compliance with the Business License Regulations and SMC §16.80.020(B)(4) (Accessory Uses and Structures).

#### **Neighborhood Services**

8. Applicant shall ensure that adequate lighting is provided on-site to ensure customer safety. Lighting shall be directed downwards and away from public streets and adjacent properties.
9. Applicant shall provide designated parking for the food wagon customers, in addition to the required parking for the Podcast use.
10. Applicant shall provide for safe vehicular circulation on the site, and ensure potential traffic

hazards at the site driveway access to and from West Lane are prevented.

Fire Department

11. Fire Department access onto and off the site shall be maintained via the center drive aisle as recorded on the site plan exhibit. Entrance and exits shall be maintained from West Lane and Berkeley Avenue.
12. Manually operated security gates shall be equipped with a locking system that can be accessible by the Fire Department. Chain and padlocks that can be cut with bolt cutters are allowed. Otherwise, if a case-hardened padlock is used, a Fire Department approved KNOX box shall be installed on the gate. A key for the padlock will need to be placed in the KNOX box, if installed. If the gate is changed to a motorized (electric) type, then a Fire Department approved KNOX key switch is required. An electrical permit would also be required for the motorized gate if one is installed.
13. All food trucks associated with Stocklandia will require a fire inspection to ensure and verify proper fire protection systems are installed for their cooking equipment. All food trucks associated with Stocklandia will require an Operational Fire Permit. Permit to be issued subject to completion of the fire inspection. Operational Fire Permits are required to be renewed annually.

**Project-Specific Conditions – Day to Day Operation**

Current Planning Section

14. The applicant shall review and understand the City Business License Regulations for motorized food wagons (trucks) under SMC §5.72 (Motorized Food Wagons), and shall verify that all food wagons (trucks) that operate on the project site, possess a City of Stockton Business License; further, the applicant shall ensure that all food wagons (trucks) that operate on the project site adhere to the Business License Regulations and SMC §16.80.020(B)(4) (Accessory Uses and Structures).

Neighborhood Services

15. Applicant shall ensure signs are posted at the food wagons indicating that loitering is not permitted, and customers may only remain on the lot for up to 15 minutes after receiving their food.
16. Applicant shall ensure that adequate lighting is provided on-site to ensure customer safety. Lighting shall be directed downwards and away from public streets and adjacent properties.
17. Applicant shall provide designated parking for the food wagon customers, in addition to the required parking for the Podcast use
18. Applicant shall provide for safe vehicular circulation on the site and ensure potential traffic hazards at the site driveway access to and from West Lane are prevented.
19. Require business licenses and a Mobile Food Vendor Permits for each food wagon

20. Require current San Joaquin County Environmental Health permits for each food wagon.
21. Require proof that wagons are stored at an approved commissary.
22. Provide an affidavit in a form approved by the City from the property owner (if other than self) permitting the vendor to locate on the site.

Engineering Section

23. Sliding gates at driveways intended for customer and employee access shall remain open at all times during posted business hours.
24. Applicant shall ensure that food wagons operating at the site do not interfere with site driveway access and on-site circulation that may result in a traffic hazard.

Building & Life Safety Division

25. If any permanent alterations are proposed to the building or the site, a building permit(s) will be required.

Fire Department

26. Fire Department access onto and off the site shall be maintained via the center drive aisle as recorded on the site plan exhibit. Entrance and exits shall be maintained from West Lane and Berkeley Avenue.
27. Manually operated security gates shall be equipped with a locking system that can be accessible by the Fire Department. Chain and padlocks that can be cut with bolt cutters are allowed. Otherwise, if a case-hardened padlock is used, a Fire Department approved KNOX box shall be installed on the gate. A key for the padlock will need to be placed in the KNOX box, if installed. If the gate is changed to a motorized (electric) type, then a Fire Department approved KNOX key switch is required. An electrical permit would also be required for the motorized gate if one is installed.
28. All food trucks associated with Stocklandia will require a fire inspection to ensure and verify proper fire protection systems are installed for their cooking equipment.
29. All food trucks associated with Stocklandia will require an Operational Fire Permit. Permit to be issued subject to completion of the fire inspection. Operational Fire Permits are required to be renewed annually.

Municipal Utilities Department

30. All commissary operations for the food trucks are to occur offsite at an approved commissary. Any food processing or cleaning wastewater discharged to the public sewer shall be through a City Standard Grease interceptor.
31. If vehicular washing or maintenance is proposed, a sand-oil separator will be required.



Public Works Department

32. To keep site exiting traffic safe during business operating hours, the applicant shall place Type 2 barricades in the West Lane parking lane area adjacent to the site, to create a temporary "No Parking Zone", starting at the site driveway access and extending 50' to the north. Public Works Traffic Engineering may be contacted at (209) 937-8237 for consultation.
33. East Ronald Avenue and Berkeley Avenue are considered residential streets. Trucks are required to utilize West Lane for egress and ingress to the site.

Administrative Services Department

34. Applicant is required to obtain a Commercial Rental Business License as the food trucks would be renting a space from Stocklandia. The current approved business license for the podcast studio makes no mention of the food trucks and therefore would be unable to claim income under that license.
35. The property owner is required to obtain a Commercial Rental Business License to claim income from Stocklandia on the subject parcel.

**Conclusion**

Acceptance of this Temporary Activity Permit includes acknowledgement by the applicant that future Municipal Code amendments pertaining to food trucks and/or food truck parks may result in development standards which may affect this use, location and/or operation. Issuance of this Temporary Activity Permit does not guarantee continued use and/or confer any rights beyond those included in the permit, including designation as a Legal Nonconforming or "Grandfathered" use.

This decision may be appealed to the Planning Commission in accordance with SMC §16.164.080(A) and Chapter §16.100 (Appeals). An appeal must be filed with the clerk within 10 days and accompanied by the requisite fee. If no appeal is filed within that time, the decision shall be final.

If you have any questions, contact me at [William.Crew@stocktonca.gov](mailto:William.Crew@stocktonca.gov) or (209) 937-8900.



WILLIAM CREW, DIRECTOR  
COMMUNITY DEVELOPMENT DEPARTMENT

**ATTACHMENTS**

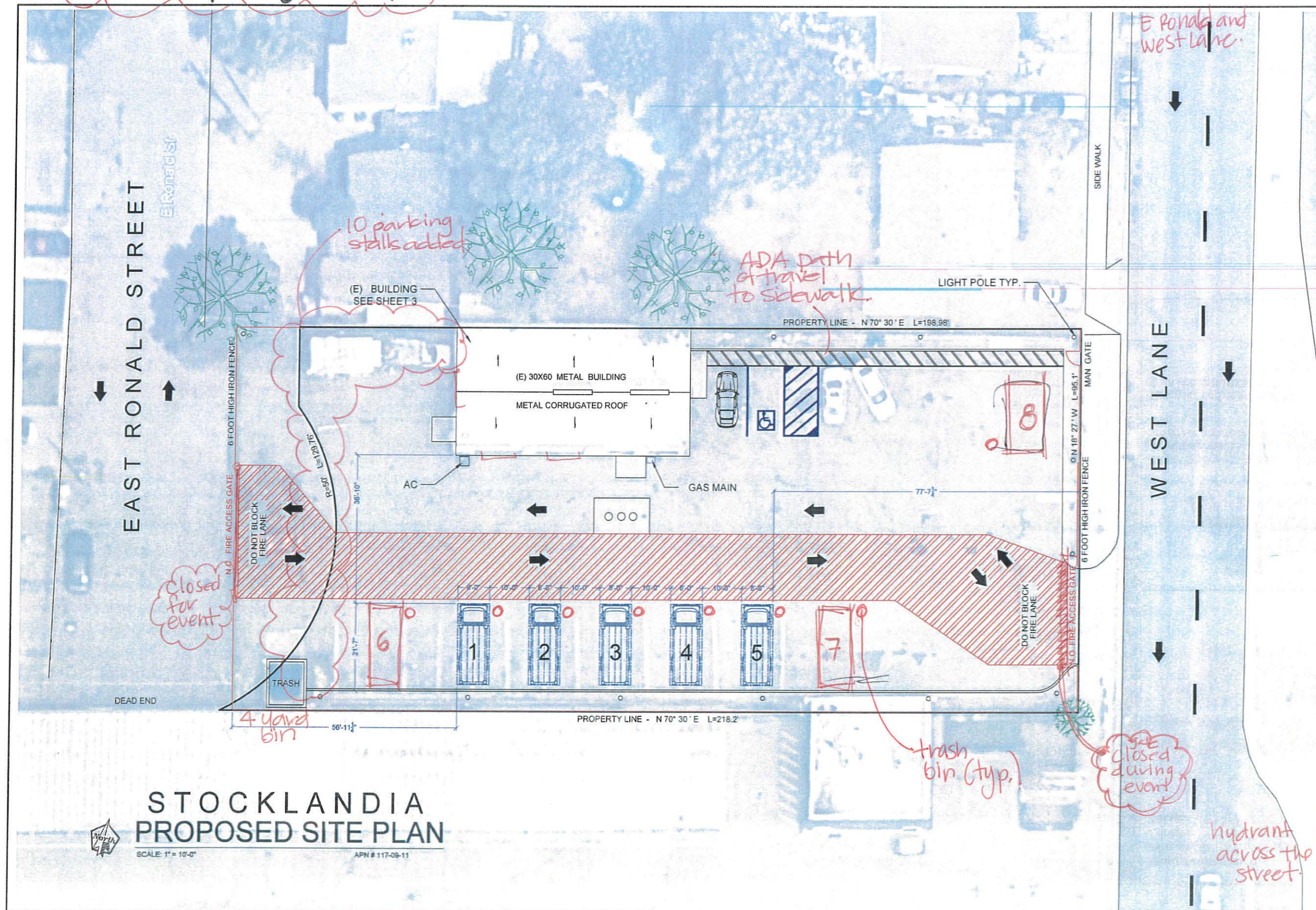
**Exhibit A – Site Plans**



10/26/2020

# Grand Opening Event.

EXHIBIT A  
Attachment A



SHEET  
2

SITE PLAN

STOCKLANDIA  
2107 WEST LANE  
STOCKTON, CA.  
Est. 2020

RC DRAFTING & DESIGN  
STOCKTON, CALIFORNIA 95219  
209-851-5419

-no onsite vehicular  
traffic during event.  
gates closed.

-no tables  
-no chairs  
-restrooms avail. to public



10/26/2020

# Grand Opening Event Temp. Parking Exhibit.

Off-Site Parking for Grand Opening

temporary  
perimeter  
parking



## Property Information

Property ID 11710006-63986  
Location 1240 KLINGER RD  
Owner

- all weather surface
- cones
- monitored by an employee of Stocklandia.



MAP FOR REFERENCE ONLY  
NOT A LEGAL DOCUMENT

City of Stockton, CA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 10/05/2020  
Data updated 10/05/2020



10/26/2020

City of Stockton, CA

# Grand Opening Event

Exhibit A  
Attachment A  
October 26, 2020

## Red. Path to 2107 West Lane. Stocklandia Grand Opening



### Property Information

Property ID 11710006-63986  
Location 1240 KLINGER RD  
Owner



MAP FOR REFERENCE ONLY  
NOT A LEGAL DOCUMENT

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Geometry updated 10/05/2020  
Data updated 10/05/2020

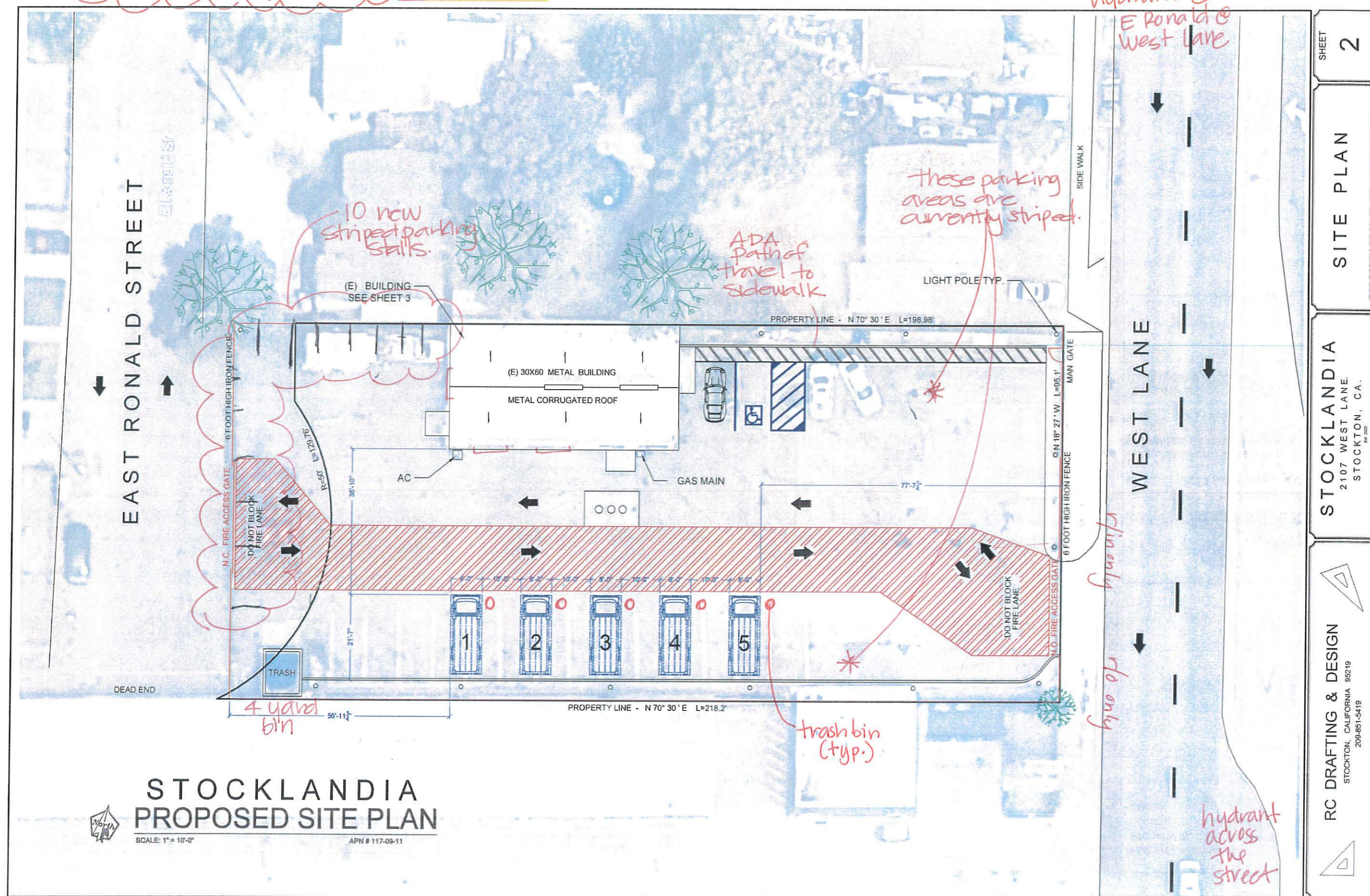
pedestrian path of travel for grand opening event on 10/31/2020

1" = 103 ft



10/26/2011

Day to day operation



SHEET

2

SITE PLAN

STOCKLANDIA  
2107 WEST LANE  
STOCKTON, CA.  
Est. 2000

RC DRAFTING & DESIGN  
STOCKTON, CALIFORNIA 95219  
209-851-5419

-no tables  
-no chairs  
-restrooms available to the public.