

Resolution No.

# STOCKTON PLANNING COMMISSION

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## **RESOLUTION RECOMMENDING THE CITY COUNCIL FIND NO FURTHER ENVIRONMENTAL REVIEW IS REQUIRED; AND ADOPT AN ORDINANCE AMENDING TITLE 16 OF THE STOCKTON MUNICIPAL CODE, SECTION 16.80.390 RELATED INDUSTRIAL WAREHOUSE STANDARDS**

On December 12, 2024, the Stockton City Council adopted a new industrial warehouse ordinance in compliance with separate settlement agreements between the City and the State Attorney General's Office (AG) and Sierra Club, in relation to a specific industrial project. During the adoption public hearing, in response to public comment, Council directed staff to explore six (6) additional modifications related to warehouse size and ordinance applicability and certain development standards via an ordinance amendment for their approval consideration no later than July 2024; and

In early 2024, Staff initiated the preparation of a potential amendment to existing warehouse ordinance by conducting research and gathering information on available standards and even hosted a Public Workshop on March 6, 2024, to solicit feedback from the public; and

On March 28, 2024, staff held an informational session with the Planning Commission to discuss and work through potential modifications to development standards as an amendment to the Industrial Warehouse Ordinance language. At the conclusion, Staff received direction from the Planning Commission, based on their consensus, for preparing ordinance that includes certain modifications to three of the six potential modifications under consideration, that related to warehouse size and ordinance applicability, and proposed code language to clarify EV truck types subject to required charging facilities. The three remaining modifications related to Setback, Solar, and EV Auto Charging Facilities were not supported for amendment; and

On May 9, 2024, the Planning Commission held a duly noticed public hearing, pursuant to Stockton Municipal Code (SMC) Section 16.116.040(D), to consider the proposed Amendments, at which all times all interested parties had the opportunity to be heard. At the conclusion of the meeting, the Commission expressed their preference for recommending the City Council adopt an Amendment to the Industrial Warehouse Ordinance; now, therefore,

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

1. Pursuant to SMC Section 16.116.050(B), the Planning Commission makes the following Mandatory Findings of Fact for the 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 General Plan policies to provide enhanced development measures to mitigate potential environmental impacts from future projects. 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 the General Plan policies to proactively mitigate potential impacts. The proposed amendments will not be detrimental to the public interest, health, safety, convenience, or welfare of the City as they will not result in a physical change in the environment. Future proposals will be reviewed for their compliance with all federal, state, and local standards.

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

Evidence: The proposed ordinance is exempt pursuant to the California Environmental Quality Act (CEQA) section 15061(b)(3), (Common Sense Exemption) and that no future environmental review is required for proposed code amendments pursuant to CEQA section 15183 (Consistency with General Plan and Community Plan).

*For Section 15061(b)(3) Exemption (General Rule "Common Sense")*

CEQA requires the analysis of agency approvals for discretionary actions that could lead to a direct or indirect physical change in the environment. The proposed Project involves discretionary amendments to the Stockton Municipal Code (SMC) but is exempt from CEQA review as it would not significantly impact the environment. The zoning code amendments would amend the City's zoning standards to add enhanced development standards to logistic warehouses. These amendments are consistent with General Plan policies to enhance project reviews, environmental protections, and balance changes to encourage a strong industrial and goods movement market. The amendment would not result in a physical change to the environment as future projects would be reviewed on a case-by-case basis for this consistency to Federal, State, General Plan, zoning, and developmental standards. The Project is exempt from CEQA because it would not significantly affect the environment.

*For Section 15183 (General Plan Consistency) Exemption*

The General Plan Environmental Impact Report (GPEIR) was prepared and certified by the City Council as part of the Envision Stockton 2040 General Plan process (SCH# 2017052062). The proposed code amendments would amend the City's zoning standards to add enhanced development standards to logistic warehouses. These amendments are consistent with General Plan policies to enhance project reviews, environmental protections, and balance changes to encourage a strong industrial and goods movement market. The amendment would not result in a physical change to the environment as future projects would be reviewed on a case-by-case basis for this consistency to Federal, State, General Plan, zoning, and developmental standards. No potential new impacts related to the Project have been identified that would necessitate further environmental review beyond the impacts and issues already disclosed and analyzed in the GPEIR. Therefore, no additional environmental review is required per CEQA Guidelines section 15183 (Consistency with General Plan or Community Plan).

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

Evidence: The proposed amendments are needed to implement General Plan policies to provide enhanced development measures to mitigate potential environmental impacts from future projects. These amendments are internally consistent with all policy and supportive regulatory documents. The proposed amendments will not be detrimental to the public interest, health, safety, convenience, or welfare of the City as they will not result in a physical change in the environment. Future proposals will be reviewed for their compliance with all federal, state, and local standards.

2. The Planning Commission hereby approves a Resolution recommending the City Council adopt an Ordinance amending Title 16 of the Stockton Development Code, Section 16.80.390 (Exhibit 1), based on the findings and evidence detailed above.

PASSED, APPROVED, and ADOPTED May 9, 2024.

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TERRY HULL, CHAIR  
City of Stockton Planning Commission

ATTEST:

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MICHAEL MCDOWELL, SECRETARY  
City of Stockton Planning Commission