



STOCKTON CITY COUNCIL

Public Hearing Cont.

ZONING CODE AMENDMENT:

Industrial Warehouse Standards

December 12, 2023
Agenda Item 16.2

Background

- On December 6, 2022, the City entered into a Memorandum of Agreement (MOA) with the CA Attorney General's Office (AG).
 - Settled on Mariposa Industrial Park mitigation measures
 - Staff to prepare and present a warehouse ordinance with development standards for the City Council's consideration by 12/31/23.



Purpose of Warehouse Ordinance

- Identify and apply all feasible mitigation measures to qualifying warehouse and distribution facility projects.
 - Facilities used for storage of farm products, furniture, household goods, or other commercial goods for distribution to wholesalers and/or retailers, including cold storage.
 - Buildings 100,000 square feet or larger



Agreement Obligations

- Staff to consider minimum conditions included in Exhibit A to the AG Agreement
- If Certain Conditions are not included, staff to explain:
 - 1) Why conditions are infeasible as defined by CEQA;
 - 2) What alternative conditions are proposed in lieu of any such omitted conditions;
 - 3) How such alternative conditions reduce environmental impacts



Preparation of Ordinance

- Staff Performed Research
- Initial PC Study Session held 8/10
- PC Ad-Hoc Committee formed on 8/24
 - Environmental and Community Advisors
 - Industrial Developer Advisors



City Objectives for Code

- Reduce potential environmental impacts
- Balance the need for high-quality and sustainable design with the project feasibility
- Streamline reviews
- Create consistency through objective design
- Minimize future legal challenges



Outreach/Communications

- Over 20 meetings and numerous communications from August to October:
 - Planning Commission Ad-Hoc Committee
 - Environmental and Industry Advisors
 - Meeting with Residents and Citizens
 - Attorney General's Office
 - Other City & County agencies
 - Environmental and Climate Professionals
 - PC Study Sessions held on 9/28, and 10/12



Ordinance Outline

- Added to 16.80 “Standards for Specific Land Uses”
- New Section 16.80.390
 - *Applicability*
 - *Development Standards*
 - *Site Design*
 - *Building Design*
 - *Construction Activity*
 - *On-Going*



Evaluation of Ordinance Options

- OPTION A - Original MOA Standards
- OPTION B - Adjusted MOA Standards
- OPTION C - Industry Recommended



Ordinance Option A

- 26 minimum standards included in the original Attorney General Agreement
- Language has been simplified from the original agreement to align with the City's zoning ordinance format.
- While these standards do not respond to, or resolve, potential feasibility issues raised by staff and the public they are the Attorney General's preferred standards.
- Complies with General Plan policies for environmental protection but not necessarily for policies on encouraging development or establishing jobs



Ordinance Option B - Adjusted Measures

1. MOA #2 Off-Road Construction Equipment
2. MOA #7 Paint Coating
3. MOA#10 Building Standards
4. MOA#11 Loading Docks
5. MOA #12 Landscaped buffer
6. MOA#13 Solar and Energy
7. MOA#14 Maintaining EV Fleet
8. MOA 17 EV Fleet and Monitoring
9. MOA #18 Transport refrigeration units (TRUs)
10. MOA#25 Development Agreement Monitoring
11. MOA#26 Neighborhood Meetings (Deleted)



Ordinance Option C - Industry

Mostly the same as Option B except for adjustments to 7 standards

- 1) MOA#2 Off-Road Construction Equipment
- 2) MOA #10 Building Standards
- 3) MOA#11 Loading docks
- 4) MOA #12 Landscaped buffer
- 5) MOA#13 Solar Energy System
- 6) MOA# 14 Maintain Electric Fleets
- 7) MOA #15 EV Charging facilities

Option B - Adjusted Measures

MOA #11 Building and Loading Dock Setbacks:

- *Building Setbacks:*
 - Option B - 2:1 ratio of building setback to building height.
 - Option C – Code Standard building setback equal to building height.
- *Loading Dock Setback:*
- Options B and C - 300-foot buffer shall separate all truck loading docks from sensitive receptors

MOA# 12 Landscaped Buffer:

- Option B - 40-foot landscaped buffer
- Option C – 20-foot landscaped buffer
- 10' soundwall unless noise analysis justifies taller



Option B - Adjusted Measures

MOA #13 Solar Power Systems:

Option B:

- Solar Panels at start of operations
- When available, utilization of clean energy sources in lieu of onsite energy production (potential sources Ava Community Energy)
- Meet Operational Base Power Needs

Option C:

- 1) installing solar panels on the subject building or building site
- 2) procuring 100% clean energy from AVA Community Energy
- 3) participating in California's Community Solar Program.
- Meet Operational Base Power Needs

Option B - Adjusted Measures

- **MOA# 7 Paint Coating:**

Volatile Organic Compound (VOC) limits per San Joaquin Valley Air Pollution Control District (SJVAPCD) or the current edition of the California Green Building Standards Code (CALGreen), whichever is most restrictive.

- **MOA# 10 Building Standards:**

Option B

- CALGreen State Building Standard requirements less than 400,000 square feet; or
- CALGreen Tier 1 Energy Efficient Standard 400,000 square feet or greater

Option C

- CalGreen State Building Standard requirements for all qualifying warehouses



Feasibility Analysis for Alternative Options B and C

- Feasibility Analysis prepared as Attachment H to address adjustments to the AG Agreement Standards (Ordinance Option A)
- Feasible, per CEQA Guidelines Section 15364 means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social and technological factors.
- Based on staff research and advisement from outside City hired consultants.



Planning Commission

- PC Hearing held on October 26, 2023
- Staff Presented Options A, B, and C.
- Written and oral public comments received.
- Approved a recommendation for City Council to Adopt Option C Ordinance.



Recommendation

Staff recommends that City Council that the City Council:

- 1) Find the proposed ordinance is exempt pursuant to the California Environmental Quality Act (CEQA) Section 15061(b)(3), and that no future environmental review is required for proposed code amendments pursuant to CEQA Section 15183 (Consistency with General Plan and Community Plan)

- 2) Adopt an Ordinance Amending Title 16 (Development Code) of the Stockton Municipal Code (SMC) Chapter 16.80 (Standards for Specific Land Uses) to add a new Section 16.80.390 (Logistic Warehouse), including a recommendation on one of the options below: a. Option A - Standards that reflect original Memorandum of Agreement (MOA) with the State of California Attorney General (AG); or b. Option B - Standards that reflect original MOA with suggested alternatives consistent with the MOA requirements; or c. Option C - Standards that reflect industry recommendations.



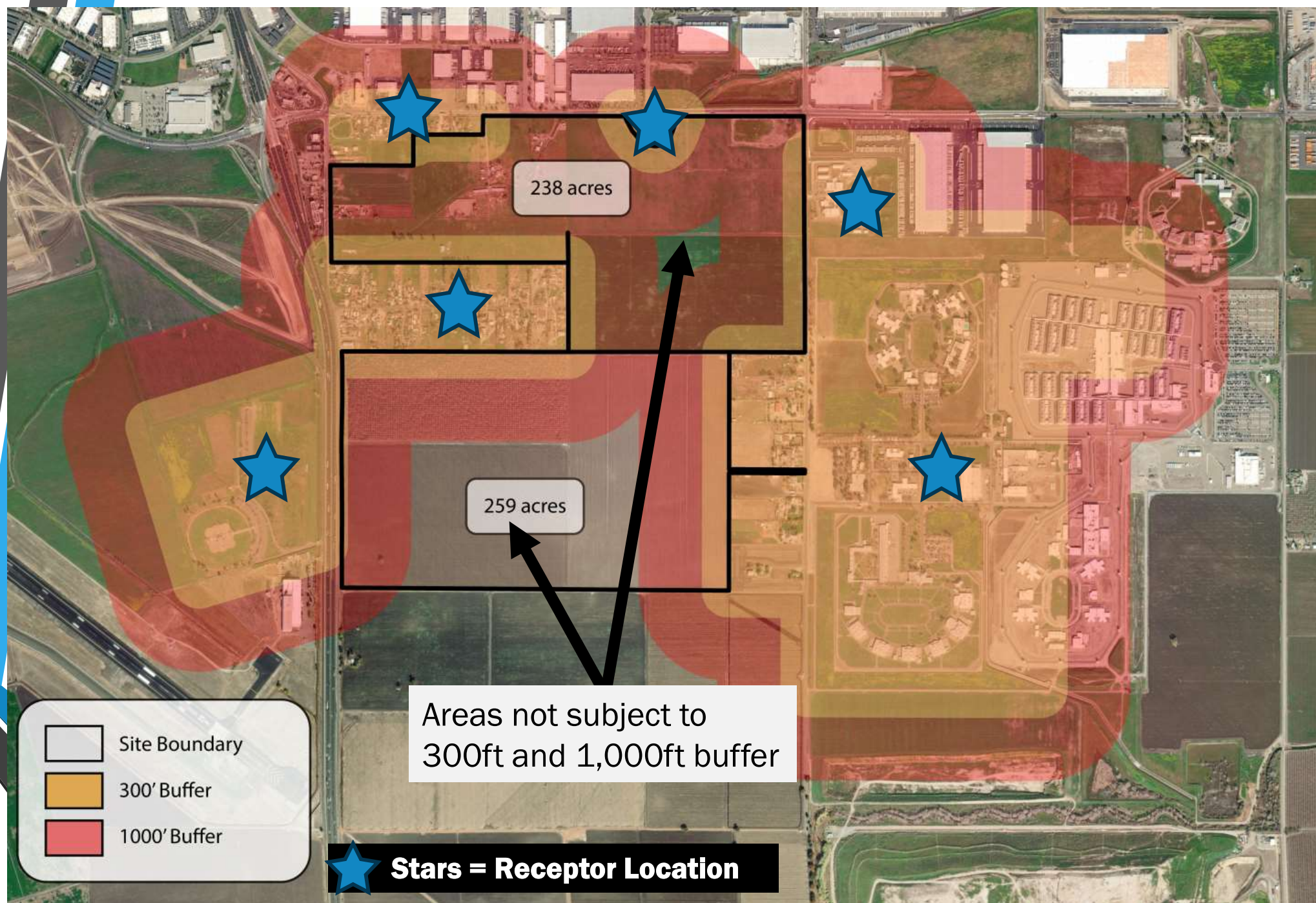
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Option B- Adjusted Measures

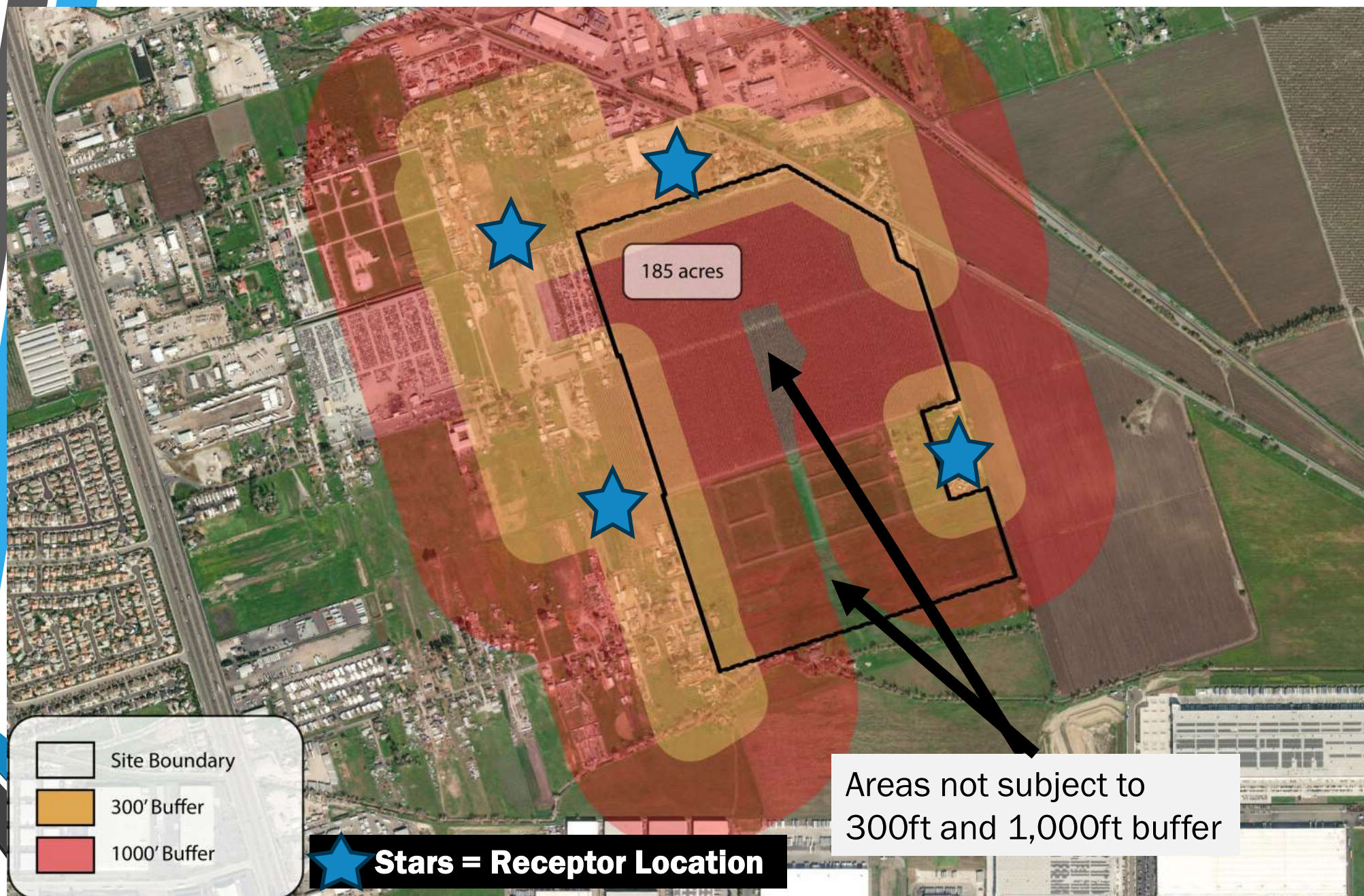
Setbacks and Landscaping (MOA #11/12)



Setback/Buffer Example #1



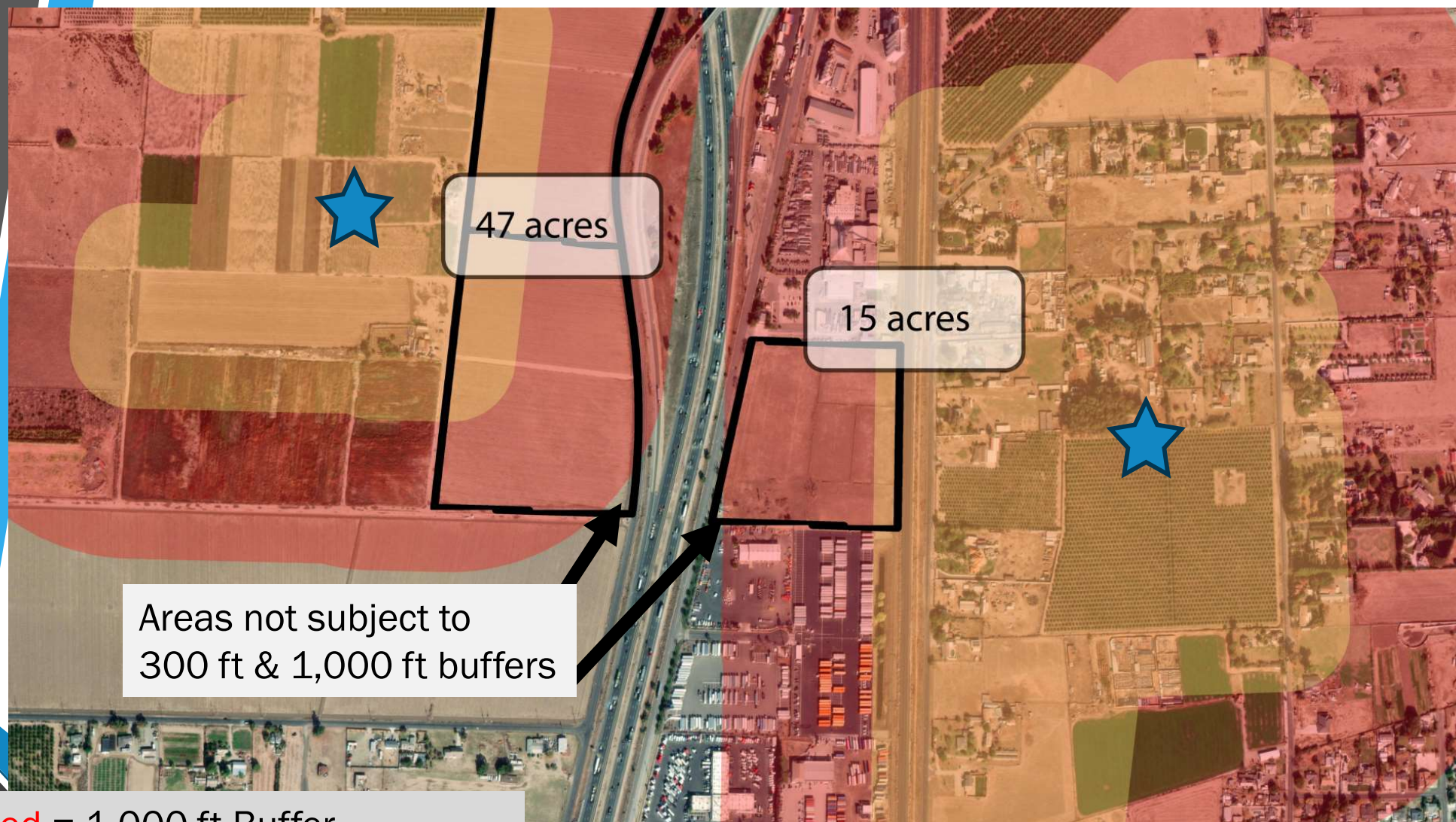
Setback/Buffer Example #2



Setback/Buffer Example #3

Red = 1,000 ft and Orange = 300 ft

Stars = Receptor location



Red = 1,000 ft Buffer

Orange = 300 ft Buffer

★ Stars = Receptor Location