

STOCKTON PLANNING COMMISSION

RESOLUTION TO APPROVE A TENTATIVE SUBDIVISION MAP TO ESTABLISH A 224 LOT SUBDIVISION FOR THE DEVELOPMENT OF 211 LOTS FOR SINGLE-FAMILY RESIDENTIAL HOMES AND 13 COMMON AREA LOTS AT 4849 CAROLYN WESTON BOULEVARD (APNS 166-030-05 AND -33) (P21-0999)

The applicant TTLC Stockton Asano LLC (hereafter “Applicant”), is proposing the subdivision of a 44.2-acre parcels of land into 224 parcels consisting of 211 parcels for single family residential homes approximately 5,000 square feet to 11,776 square feet in size and 13 parcels for common areas including park, open space, drainage basin and bike path located 4849 Carolyn Weston Boulevard (APNs 166-030-05 and 166-030-33); and

The Project includes a Tentative Map (TM) and the finding of no further environmental review is required for the proposed amendments to Title 16 (Development Code) per the California Environmental Quality Act (CEQA) pursuant to 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning) of Title 14 of the California Code of Regulations (State CEQA Guidelines); and

On December 4, 2023, 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 December 14, 2023, the Planning Commission conducted a public hearing on the application, in compliance with SMC Chapter 16.88, 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:

1. The foregoing recitals are true and correct and incorporated by reference.
2. Based upon its review of the entire record herein, the Planning Commission makes the following findings:

SMC Charter 16.90 (Floodplain Management Findings)

Based on the effective 200-Year Floodplain Analysis Map, the project is located in an area of potential flooding in excess of three (3) feet from a storm event that has a 1-in-200 chance of occurring in any given year, from sources other than local drainage, in urban and urbanizing areas. Based on City Council action related to RD 17 a finding in accordance with SMC 16.90.020A(3) can be made: “The local flood management agency has made adequate progress (as defined in California Government Code Section 65007) on the construction of a flood

protection system that will result in flood protection equal to or greater than the urban level of flood protection in urban or urbanizing areas or the national Federal Emergency Management Agency standard of flood protection in non-urbanized areas for property located within a flood hazard zone, intended to be protected by the system.”

California Environmental Quality Act

California Environmental Quality Act (CEQA) State Guidelines section 15183 provides a streamlined environmental review of projects which are consistent with the development density established by existing zoning, community plan, or general plan for which an environmental impact report (EIR) has been certified. Additional environmental review is not required, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site.” An EIR was prepared and certified by the City Council as part of the Stockton General Plan (SCH# 2017052062).

The proposed project is consistent with the General Plan Environmental Impact Report (EIR). The EIR document provides a programmatic review of the potential impacts associated with the implementation of the General Plan. None of the potential changes being considered by the Commission relative to the tentative map subdivision and summarized herein 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.

Tentative Map

Per SMC Section 16.188.60(A), a tentative map or tentative parcel map may only be approved if the Review Authority makes the following findings:

1. The proposed single-family homes are consistent with the Low-Density Residential designation on the Envision Stockton 2040 General Plan Land Use Map. The maximum gross density is 6.1 units per acre; the project has a gross density of 4.8 dwelling units per acre. The subject development will also further the following General Plan policies for infill (Policy LU-6.2) and providing additional housing. In addition, the proposed project is consistent with the City’s Housing Element by providing moderate and above moderate single-family housing; and
2. The Project will install on-site and off-site improvements, including public streets, sidewalks, parks, curbs, gutters, sidewalk, landscaping, and street lighting. All proposed utilities (e.g., water, sewer, storm drainage) will be extended to the subject site from the existing subdivisions to the north and south, as well as comply with the City’s Standard Plans and Specifications. Since the proposed neighborhood park is approximately 0.46 acres less than the required 2.06 acres, a condition has been added that the applicant pay an-

lieu fee per SMC Section 16.72.060 (Dedications and exactions) or build the park prior to completion of the surrounding subdivision.

Per SMC Section 16.188.060(B) the following findings for the tentative map can be made in the affirmative.

1. The approval of the proposed subdivision would be consistent with the General Plan designation since the site is categorized as a Residential land use and the proposed use is residential.
2. The site is physically suitable for the type of proposed density of the development as it is a vacant site proposed for residential use. With the proposed Conditions of Approval, services will be available to the site.
3. The design of the subdivision is not likely to cause substantial environmental damage or injure fish or wildlife or their habitat as determined by the EIR Addendum prepared in support of the Project.
4. The design of the proposed development is not likely to cause serious public health or safety problems. The proposed uses are compatible with the adjacent residential uses to the north, south and east, surrounding the subject site and will not cause serious public health or safety problems. All on-site and off-site improvements to serve the development will be constructed as part of the Project, which provides a public benefit. Any potential health risks have been evaluated in the Initial Study and, as necessary, addressed in the CEQA Section 15183 exemption.
5. The design of the subdivision would not conflict with easements acquired by the public at large for access through, or use of, property within the proposed subdivision. There are no existing easements that have been acquired through, or use of, the property within the proposed subdivision of the parcel.
6. The discharge of sewage from the proposed subdivision into the regional sewer system would not result in the violation of existing requirements prescribed by the California Regional Water Quality Control Board as determined by the EIR 15183 Checklist prepared in support of the Project.
7. A preliminary soils report or geological hazard report indicating adverse soil or geological conditions will be required at the time of building permit submittal.
8. The proposed subdivision is consistent with all applicable sections of the Development Code, Municipal Code, the City's standard specifications and plans, and the Map Act.

Proposed Conditions of Approval

This approval and Conditions of Approval is for the Tentative Parcel Map included as Exhibit 1 and incorporated by this reference. Conditions of Approval are as follows:

1. The tentative parcel map approval is valid for 24 months after its effective date per SMC Section 16.188.100(B).
2. Comply with all applicable Federal, State, County, and City Codes, regulations and adopted standards and pay all applicable fees.
3. The property owners, developers, and/or successors-in-interest (ODS) shall be responsible for the City's legal and administrative costs associated with defending any legal challenge of the approval for this project or its related environmental document.
4. In order to minimize any adverse financial impact on the City of Stockton associated development and/or use of the subject site, the ODS agrees that it will not challenge, or protest and applicable fees associated with the development of the site, but if such fees are amended or modified, the ODS agree to pay such fees as they may be amended or modified from time to time.

Project Specific Conditions of Approval

5. Prior to the approval of any Final Map, future residential development is subject to obtaining a Design Review approval per SMC Section 16.120.020(A)(1)(a).
6. The ODS shall provide proof that the Williamson Act contract cancellation for the project site has been completed per SMC Section 16.236.030 prior to the approval of any Final Map or construction permit approval (whichever comes first).
7. Prior to the approval of Site Improvement Plans, receive approval of a historic structures demolition permit for all structures over 50 years old, consistent with Chapter 16.220.105 (cultural resources) Section of the SMC.
8. Prior to the approval of Site Improvement Plans, the following items shall be complied with as described in the Modified Initial Study/15183 Checklist, based on the Appendix E, Update Letter – Limited Scope Phase II Environmental Site Assessment (Exhibit 1):
 - a. Prior to commencement of construction activities associated with the proposed project, the project applicant shall conduct additional testing of soils at the location of the existing buildings, for total lead and OCP concentrations, excavate impacted soil (as shown in Plate 4) and disposed of offsite at an appropriate facility, to be coordinated with the San Joaquin County Community Development Resource Agency for review and approval.
9. Per SMC section 16.72.060, the ODS shall pay a park land dedication in-lieu fee based on the 0.46-acre deficiency in Quimby Park requirement prior to the approval of Site Improvement Plans for the subdivision. The ODS shall have the option of constructing all park improvements on Lot A1 and Lot A2 to the satisfaction of the City instead of paying the 0.46 in-lieu fee (i.e., turnkey). Construction of the park site shall be in accordance with current City Standard

Plans and Specifications, the Park Amenities and Design Standards, the City General Plan, and to the satisfaction of the City. All required park land (improved and unimproved) shall be dedicated to the City in fee title, free and clear of all liens, encumbrances, charges, and security interests of any nature whatsoever prior to the approval of Site Improvement Plans for the subdivision.

10. Prior to recordation of any Final Map, the ODS, shall form a new zone of the Stockton Consolidated Landscape Maintenance District 96-02 that includes the entire subdivision. The entire subdivision may be considered for annexation to an existing zone of the Stockton Consolidated Landscape Maintenance District 96-02, provided the type, intensity and amount of improvements to be maintained are similar to improvements in the zone to which annexation is proposed. Formation/annexation shall result in an assessment being approved that shall be levied on all properties in the subdivision to ensure that all property owners pay their proportionate share of the costs of maintaining, in perpetuity, and if necessary, replacement at the end of the useful life of, improvements including but not limited to: publicly accessible common area landscaping, landscaping in the right-of-way, landscape medians, and all "improvements" serving or for the special benefit of this subdivision.
11. ODS shall make necessary right-of-way dedications along the frontage of the project site to ensure all public improvements, including but not limited to: sidewalks, wheelchair ramps, and the like, are within the public right of way.
12. The property owners, developers, and/or successors-in-interest shall submit subdivision master plans for water, storm, and sanitary sewer service. These plans shall show all on-site and off-site utilities necessary to provide water, storm, and sanitary sewer utility service. These plans shall be approved by the Deputy Municipal Utilities District Director of Engineering & Department Services prior to the submittal of any improvement plans.
13. This project must comply with the SMC Section 13.20.010, Storm Water Quality Control Criteria Plan and as outlined in the City's Phase 1 Storm Water NPDES permit issued by the California Water Quality Control Board, Central Valley Region (Order No. R5-2007-0173). The ODS must create a zone within the Stockton Consolidated Storm Drainage Maintenance Assessment District No. 2005-1, prior to the recordation of a Final Map, to provide funding for the operation, maintenance, and replacement costs of the storm water best management practices. In addition, the ODS shall be responsible for the costs of forming the Assessment District, including, but not limited to, the City-selected Assessment District Council, Engineer's Report, Proposition 218 vote, and noticing requirements.
14. ODS shall design and submit offsite improvement plans to the Community Development Department - Engineering Section for approval. Improvement Plans shall include but not be limited to traffic signal modifications, installation of roundabouts, traffic calming devices, curb, gutter, sidewalk, driveway access, wheelchair ramps, streetlight standards, and public utilities. A Neighborhood Traffic Management Plan shall be submitted with the improvement plans. Offsite

improvements shall be constructed per City Standards prior to the issuance of any building permits.

15. In accordance with SMC 16.90.020A(3), should the local flood management agency fail to make adequate progress on the construction of a flood protection system per California Government Code Section 65007, the Applicant shall indicate flood protection compliance prior to issuance of a building permit to construct any residential unit within the project site. This compliance is needed to ensure flood protection equal to or greater than the urban level of flood protection in urban or urbanizing areas or the national Federal Emergency Management Agency standard of flood protection in non-urbanized areas for property located within a flood hazard zone.
16. Fire hydrant locations, installation, and design shall be per COS Standards.
17. Residential street design shall be per COS Standards to include EVA's.
18. All single-family homes shall have automatic fire sprinklers designed and installed per NFPA 13-D Standards.
19. Minimum 1-inch water meters shall be installed at each single-family home to accommodate the domestic water and fire sprinkler demands.
20. Deferred submittals are required for the fire sprinkler plans (per model type).
21. The ODS shall be responsible (at no cost to the City) for all the improvements to the open space areas (greenbelt, open ended cul-de-sacs, 12' bike path and related landscape improvements, Carolyn Weston Right-of-Way areas and connecting lots (incl. lighting) to the existing PG&E greenbelt) all to the satisfaction of the City representative. This includes completion of the Class 1 bike pathway along the existing levee.
22. All off-site improvements proposed with the project shall require the preparation and submission of improvement plans to include but not limited to the installation of curb, gutter, sidewalk, street lighting, paving, and landscaping. The ODS shall provide proof of reclamation district approval for all improvement on, or adjacent to, the existing levees. Proof must be submitted prior to Site Improvement Plans.
23. All improvements adjacent to the San Joaquin River is subject to the agency having jurisdiction of this waterway along with any dedication requirements that are required for this development.
24. Prior to recordation of Final Subdivision Map, the ODS shall construct the Class 1 bike path along the San Joaquin River to connect the existing bike path north and south of this development.
25. Prior to recordation of Final Subdivision Map, the ODS shall extend the pedestrian path in Lot J to the existing bike/pedestrian path along the PG&E corridor.

26. Prior to recordation of Final Subdivision Map, the ODS shall annex the property into the existing Weston Ranch Landscape Maintenance District.
27. All off-site improvements proposed with the project shall require the preparation and submission of Improvement Plans and shall be subject to the review and approval of the Director.
28. The ODS shall install full frontage improvements on Carolyn Weston Boulevard, within the limits of the site, including, but not limited to, sidewalks, street lighting, and driveway installation. Said improvements shall be installed prior to occupancy of any buildings/structures on this site or prior to initiation of residential use. Further, all off-site improvements shall conform to City of Stockton Standard Plans and Specifications.
29. Per the Stockton Municipal Code Section 16.72, development on the site shall require site frontage improvements, including, but not limited to, the installation of curb, gutter, sidewalk, street lighting, paving, and landscaping.

PASSED, APPROVED, and ADOPTED December 14, 2023.

WAQAR RIZVI, CHAIR
City of Stockton Planning Commission

ATTEST:

MICHAEL McDOWELL, SECRETARY
City of Stockton Planning Commission