

City of Stockton

Stockton Planning Commission

Meeting Agenda - Final Planning Commission

Waqar Rizvi, Chair (District 2)
Rajan Nathaniel, Vice-Chair (District 1)
Greg Thompson, Commissioner (At-Large)
Terry Hull, Commissioner (District 3)
Anne N. Mallett, Commissioner (District 4)
Gurneel Boparai, Commissioner (District 5)
Brenda Jones, Commissioner (District 6)

Thursday, September 28, 2023

5:30 PM

Council Chamber, City Hall, 425 N. El Dorado Street, Stockton CA

- 1. CALL TO ORDER/ROLL CALL
- 2. PLEDGE TO FLAG
- 3. ADOPTION OF CONSENT CALENDAR
- 4. PUBLIC COMMENT*
- 5. PUBLIC HEARINGS/ENVIRONMENTAL ASSESSMENTS
- 5.1 23-0896

 REQUEST FOR A COMMISSION USE PERMIT AND DESIGN REVIEW TO ALLOW THE ESTABLISHMENT OF A CONVENIENCE STORE WITH OFF-SALE OF BEER AND WINE, GENERAL MERCHANDISE, FUELING STATION, TWO QUICK-SERVE DRIVE-THROUGH RESTAURANTS, AND A CAR WASH FACILITY, AT 461 FRENCH CAMP ROAD (P22-0534) (APN 168-190-100)

Recommended Action: RECOMMENDATION

Staff recommends that the Planning Commission adopt a resolution approving a Commission Use Permit and Design Review to allow a new convenience store with off-sale of beer and wine, general merchandise, fueling station, two (2) quick-serve drive-through restaurants, and a car wash facility, at 461 French Camp Road, based on the findings and subject to the conditions of approval shown in the proposed resolution.

Department: Community Development

<u>Attachments:</u> Attachment A - Aerial Photo and Location Map

Attachment B - Site Plan, Floor Plan, and Elevations

Attachment C - Calls for Service

Proposed Resolution - Recommending Approval

Exhibit 1

- 6. NEW BUSINESS*
- 7. UNFINISHED BUSINESS
- 8. REPORTS/COMMUNICATIONS/INFORMATIONAL ITEMS
- 8.1 23-0792 PLANNING COMMISSION INFORMATIONAL PLANNING SESSION ON PROPOSED INDUSTRIAL WAREHOUSE DEVELOPMENT STANDARDS

RECOMMENDATION

It is recommended that the Planning Commission receive a presentation and provide feedback on potential industrial warehouse development standards to be considered for inclusion in a new industrial warehouse

ordinance.

Department: Community Development

Attachments: Attachment A - Planning Commission Study Session Report and Presentation

Attachment B - California Attorney General Approved Agreement

Attachment C - Outreach and Comment Summary.pdf

Attachment D - Draft Zoning Standards.pdf

- 9. COMMISSIONERS COMMENTS
- 10. ADJOURNMENT

CERTIFICATE OF POSTING

I declare, under penalty of perjury, that I am employed by the City of Stockton and that I caused this agenda to be posted in the City Hall notice case on September 21, 2023, in compliance with the Brown Act.

Eliza R. Garza, CMC City Clerk

By:				
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	Dei	nutv		

A. The meeting will be conducted in accordance with Rosenberg's Rules of Order.

B. Each person wishing to address the Planning Commission is encouraged to fill out a speaker card located at the podium. Each speaker will then be called forward to the podium to speak in the order in which their speaker card was received. Speakers are encouraged but not required to provide their name and address when speaking before the Commission.

The City of Stockton invites public comments in multiple forms. You provide your comments by using one of these methods:

- 1. e-Comment follow the e-comment link on the City's agenda page stockton.granicusideas.com/meetings
- 2. Email you may email your comments to city.clerk@stocktonca.gov
- 3. Voicemail you can leave a voice message by dialing (209) 937-8459.
- 4. In-Person Comments a) Speakers must submit "request to speak cards" to the Clerk prior to the Public Comment portion of the agenda. No speaker cards will be accepted after the close of Public Comment. Please redirect any inquiries to City. Clerk@stocktonca.gov. b) Address only issues over which the meeting body has jurisdiction. c) Each speaker will be limited to one 2-minute comment opportunity. Donating time is not authorized. d) Your time will be displayed on the speaker podium for convenience.
- *All written and voicemail public comments received by the Clerk's Office 90 minutes prior to the meeting start time will be forwarded to the meeting body members as correspondence and attached the minutes. All comments received after that time will be forwarded as correspondence the following business day.

C. All questions from members of the audience to the Planning Commission and/or city staff members shall be directed to the Chairperson of the Planning Commission.

All questions from Planning Commission members to staff shall be addressed directly to staff from the member asking the question.

No personal comments and/or exchanges will be permitted between members of the audience and individual staff or Commission members. Rather, direction shall be given to staff to follow-up on any issues brought before the Commission. This rule applies to communications outside of the public hearing process.

D. Information presented to the Commission shall only pertain directly to the item under consideration. Character assassinations, personal feuds, irrelevant data or repetitions of matters already presented shall not be permitted.

E. All rules of Decorum pursuant to Council Policy 4.07- Rules for Conduct of City Council Meetings apply equally to this Commission.

Agendas, staff reports and minutes can be viewed on the City of Stockton web

site http://www.stocktongov.com/government/oMeetings/boardComMeetings.html

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS:

State legislation requires disclosure of campaign contributions of \$250 or more, made to any Planning Commissioner, by any person who actively supports or opposes any application pending before the Planning Commission, and such person has a financial interest in the decision. Active support or opposition includes lobbying a Commissioner and/or testifying for or against such an application. Any person having made a \$250 or larger contribution within the preceding 12 months must disclose that fact during the public hearing or on said application.

The official City Planning Commission policy is that applications pending before this Commission should not be discussed with the Commission members outside of a public hearing. If any representations are made privately, they must be identified and placed in the public record at the time of the hearing.

If you challenge the proposed action in court, you may be limited to raising only those issues you or someone else

raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission, at, or prior to, the public hearing.

NOTE: All proceedings before this meeting body are conducted in English. The City of Stockton does not furnish language interpreters and, if one is needed, it shall be the responsibility of the person needing one.

In accordance with the Americans With Disabilities Act and California Law, it is the policy of the City of Stockton to offer its public programs, services and meetings in a manner that is readily accessible to everyone, including those with disabilities. If you are a person with a disability and require a copy of a public hearing notice, or an agenda and/or agenda packet in an appropriate alternative format; or if you require other accommodation, please contact the Office of the City Clerk located at 425 North El Dorado Street, Stockton, California 95202 during normal business hours or by calling (209) 937-8458, at least 5 days in advance of the hearing/meeting. Advance notification within this guideline will enable the City/Agency to make reasonable arrangements to ensure accessibility.

CONSENT ITEMS: Information concerning the consent items has been forwarded to the Planning Commission prior to the meeting. Unless a Commissioner or member of the audience has questions concerning a particular item and asks that it be removed from the Consent Calendar, the items are approved at one time by a roll call vote. Anyone wishing to speak on a consent item or public hearing item, please complete a "Request to Speak Card" and submit it to the Recording Secretary prior to the meeting.



City of Stockton

Legislation Text

File #: 23-0896, Version: 1

REQUEST FOR A COMMISSION USE PERMIT AND DESIGN REVIEW TO ALLOW THE ESTABLISHMENT OF A CONVENIENCE STORE WITH OFF-SALE OF BEER AND WINE, GENERAL MERCHANDISE, FUELING STATION, TWO QUICK-SERVE DRIVE-THROUGH RESTAURANTS, AND A CAR WASH FACILITY, AT 461 FRENCH CAMP ROAD (P22-0534) (APN 168-190-100)

RECOMMENDATION

Staff recommends that the Planning Commission adopt a resolution approving a Commission Use Permit and Design Review to allow a new convenience store with off-sale of beer and wine, general merchandise, fueling station, two (2) quick-serve drive-through restaurants, and a car wash facility, at 461 French Camp Road, based on the findings and subject to the conditions of approval shown in the proposed resolution.

<u>Summary</u>

The applicant, Mike Boparai, is proposing to develop a new convenience store with off-sale of beer and wine, fueling station, two (2) quick-serve drive-through restaurants, and a car wash facility on a 3.23-acre site at the above-noted location, which is currently undeveloped, and herein known as the "Project."

On September 14, Planning Commission approved a motion to continue consideration of the Project to the regularly scheduled Planning Commission meeting date of September 28, 2023, due to a lack of a quorum of the Planning Commission to take any action. No substantive revisions to the Project or this report and associated attachments were made.

The Project will consist of the construction of 4,450 square foot (SF) convenience store, 4,200 SF fueling canopy with eight (8) fueling stations and 16 parking stalls under an overhead canopy, two (2) 2,500 SF quick-serve drive-through restaurants, and a 3,336 SF car wash facility. The site will also have off-street parking spaces, and on-site landscaping and site improvements.

In accordance with Stockton Municipal Code (SMC) §16.20.020, Table 2-2, "Allowable Land Uses and Permit Requirements," a Commission Use Permit is required for a convenience store which is defined as: "Easy access retail stores selling a combination of alcohol, gasoline, and a range of merchandise to provide a variety of items primarily for the motoring public."

Convenience stores are required to comply with the alcoholic beverage sales (off-sale, SMC §16.80.040) and for Problem Uses (SMC §16.80.270). The off-sale establishment complies with all location restrictions under SMC §16.80.040, and all findings required under §16.168.050, "Problem Uses" can be made.

Staff has determined this project is in compliance with the SMC and recommends the Planning

Commission approve the requested Commission Use Permit and Design Review.

DISCUSSION

Background

The proposed Project is located at the northwest corner of French Camp Road and Interstate 5 and is undeveloped. This site is zoned CL (Commercial, Large-Scale) and is bounded to the:

- North by undeveloped lands zoned CL.
- South by undeveloped lands within the County of San Joaquin.
- East by Interstate 5.
- West by undeveloped lands zoned CL.

Present Situation

In order for the applicant to construct and operate the proposed Convenience Store with off-sale beer and wine, the Planning Commission must consider approving a Commission Use Permit for the alcohol use and Design Review for the building.

The subject business is proposed to operate at 461 French Camp Road, which is a Commercial, Large Scale (CL)-zoned parcel (Attachment A - Aerial Photo and Location Map). The Project will be located within an undeveloped area adjacent to Interstate 5.

SMC §16.120.020(A)(2) requires Design Review for all new commercial development throughout the City. Design Review requests are evaluated for conformance with the Citywide Design Guidelines. For this project, Citywide Design Guidelines §4.02.060 (Special Commercial Use - Drive-Through Businesses) provides criteria for the achievement of quality development, compatibility with surrounding uses, functional site arrangement, safe / convenient parking and circulation, and architectural character.

The Project will consist of 4,450 square foot (SF) convenience store, 4,200 SF fueling canopy with eight (8) fueling stations and 16 parking stalls under an overhead canopy, two (2) 2,500 SF quick-serve drive-through restaurants, and a 3,336 SF car wash facility. The site will also have off-street parking spaces, and on-site landscaping and site improvements. (Attachment B - Site Plan, Floor Plan and Elevations).

In accordance with SMC §16.80.320, the Project complies with all applicable Development Code standards for fueling stations and drive-through restaurants, including the number of driveways and off-street parking spaces, queuing space, landscaping requirements, and minimum separations from pump islands to structures, property lines, and other pump islands. Typically, car washes require the approval of an Administrative Use Permit per SMC 16.20.020. However, because the site is located within 1,000 feet of Interstate 5, per SMC 16.20.020(F)(1), they are considered a "Freeway and Highway Oriented Use" and permitted by right.

Convenience stores with off-sale beer and wine sales are allowed in the CL (Commercial, Large-

Scale) zoning districts, subject to securing a Commission Use Permit per SMC §16.20.020, Table 2-2. SMC §16.80.040 defines Alcoholic Beverage Sales Activity, which includes convenience stores, as businesses having less than 20 percent of their gross floor area devoted to the sale, display, and/or storage of alcohol. The applicant has advised staff that the convenience store will not have more than 20 percent of its gross floor area devoted to the sale, display, and/or storage of alcohol, thereby avoiding classification as a "liquor store." The proposed hours of operation for the convenience store and gasoline sales will be 24 hours per day, seven (7) days a week. The sale of alcoholic beverages will comply with Alcoholic Beverage Control (ABC) regulations and only be offered between 6:00 a.m. to 2:00 a.m., seven days a week. While the City has the authority to regulate and permit the use, the sale of alcohol is regulated by ABC.

Staff Analysis

When evaluating applications for new alcoholic beverage sales establishments, the proposed Commission Use Permit must be evaluated against the location restrictions identified in SMC §16.80.040 as referenced below.

Location Requirements

SMC §16.80.040(D)(2)(a)

Per SMC §16.80.040(D)(2)(a), new alcoholic beverage sales activities or establishments shall not be located within 500 feet of a public or private kindergarten through grade 12 academic school, nursery school, preschool, daycare facility, public park, playground, recreational area or youth facility. Staff thoroughly researched and evaluated the surrounding area in relation to the proposed site and concluded the proposed location is in compliance with this section. All of the land within 500' of the proposed use is vacant and undeveloped or is Interstate 5. The subject use complies with the noted minimum required separation.

Crime Reporting District - SMC §16.80.040(D)(2)(d)(ii)(A)

Per SMC §16.80.040(D)(2)(d)(i)(a), the establishment shall not be in a crime reporting district, where the average number of crimes in that district exceeds the average number of crimes for all reporting districts citywide by more than 20 percent.

The subject site is located within Crime Report District 0441. Data provided by the Stockton Police Department (PD) from August 23, 2020, to August 23, 2022, shows the citywide average for all reporting districts is 2,894 calls for service. At 447 calls for service, crime reporting district 0441 is below the city-wide average number of crimes at approximately 15 percent. Stockton PD also provided data for site-specific calls for service that shows a total of one (1) call for service between August 23, 2020, and August 23, 2022, that is likely due to the site being currently vacant. This call was related to "malicious mischief" and was addressed by Stockton PD (Attachment C - Calls for Service). The subject use complies with the separation requirements for off-sale alcohol establishments.

Existing Off-sale Licenses - SMC §16.80.040(D)(2)(ii)(B)

The establishment shall not be located in an area within 500 feet of an existing off-sale alcoholic

beverage establishment or any location that will lead to the grouping of more than four (4) off-sale alcoholic beverage establishments within a 1,000-foot radius. Based on ABC records, there are no existing off-sale ABC licenses 1,000 feet of the Project. The subject use complies with the separation requirements for off-sale alcohol establishments.

Required Findings

To approve the Commission Use Permit, the Planning Commission must make all findings under SMC §16.168.050(A) (General Findings), §16.168.050(B) (Problem Uses), and §16.168.050(C) (Alcoholic Beverages). As indicated in the staff report's Proposed Resolution, the subject use is allowed in the CL zone with an approved Commission Use Permit and complies with applicable provisions of the Development Code. When considering the Commission Use Permit to allow off-sale of beer and wine, the Commission action is guided by the following criteria:

Use Permit: General Findings, Problem Uses and Alcoholic Beverages

General Findings.

There are seven required General Findings in SMC §16.168.050(A). They require (1) compliance with all applicable provisions in the SMC; (2) maintaining the integrity and character of the applicable zoning district; (3) consistency with applicable General Plan objectives and policies; (f) physical suitability of the site for the proposed use; (5) not endangering or jeopardizing the public health, safety, peace, or general welfare of the public; (6) compatibility with surrounding uses; and, (7) consistency with the California Environmental Quality Act (CEQA).

Staff recommends that all required General Findings can be made to support the project, as evidenced in the attached resolution. The use is allowed in the CL zoning district, it will provide for additional neighborhood-service retail and convenience services to the local neighborhood; it is consistent with the goals, objectives and policies in the General Plan; the site is physically suitable for the development; the use will be subject to the conditions of approval requiring security upgrades to the site; the retail use of the store is compatible with other land uses on-site and in the vicinity; and, the project is Categorically Exempt from CEQA.

Problem Uses.

In addition to the General Findings, SMC §16.168.050(B) contains the following three specific Findings for Problem Uses; (1) the proposed use is not likely to interfere with the comfortable enjoyment of life or property in the area; (2) the proposed use will not increase or encourage the deterioration or blight of the area; and, (3) the proposed use will not be contrary to any program of neighborhood conservation, improvement, or redevelopment, either residential or nonresidential.

As it pertains to problem uses, staff recommends that: (1) the proposed use will provide an opportunity for nearby residents to purchase convenience items and will not interfere with the comfortable enjoyment of life or property in the area; (2) the proposed convenience store will

develop a vacant site; and, (3) the use is going on a vacant site and will provide additional services to the neighborhood.

Alcoholic Beverages.

In addition to the General Findings and Problem Use Findings, the following findings shall be made for all uses which incorporate "alcoholic beverage sales activity" as defined in SMC §16.80.040. SMC §16.168.050(C) contains the four (4) specific Findings for Alcoholic Beverages. The Findings address the project's potential to result in nuisance activities on and in proximity to the subject. The completion of a training course in Licensee Education on Alcohol and Drugs, compliance with all provisions of local, state and federal laws, rules, and regulations and required criteria for a Public Convenience or Necessity Finding, if required.

As conditioned: (1) the convenience store will endeavor to limit potential nuisance and criminal activity, littering, graffiti, and excessive loitering and the Applicant has agreed to comply with all conditions of approval; and, (2) will complete the approved course for responsible beverages sales; and, (3) will comply will all provisions of local, state and federal laws, regulations, rules, policies or orders enforced by the City of Stockton and ABC. This location does not require a Public Convenience and Necessity determination as there are only two (2) existing license within the census tract.

The establishment of this convenience store will allow for development of a vacant site, and its operation will contribute to the enjoyment of the neighborhood by providing convenient access to fuel and other merchandise for residents nearby.

<u>Design Review</u>

On July 26, 2023, the City's Architectural Review Committee (ARC) reviewed the proposed Project site plan, elevations, and colors, and found them to be substantially in compliance with the applicable provisions in the City's Design Review Guidelines (Attachment B - Site Plan, Floor Plan and Elevations). Following the ARC's review of the plans, the Director has provided ARC-supported findings in the Resolution and recommends approval by the Planning Commission.

Public Comments

Notice for this item was published in the Record on September 4, 2023, and a notice has been sent to all property owners within a 300-foot radius of 461 French Camp Road on September 1, 2023. On September 14, 2023, due to lack of a quorum, the Planning Commission approved a motion to continue the Project consideration to the regularly scheduled Planning Commission meeting date of September 28, 2023. An additional public hearing notice and mailed noticing of the September 28th meeting was not required because the Planning Commission's action to continue this item informed the public. Staff has not received any comment from the public on this project.

Environmental Clearance

The proposed project is Categorically Exempt from CEQA under CEQA Guidelines, in accordance with the provisions of §15332 (In-Fill Development Projects) as the Project is: a) consistent with the

applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations; (b) The proposed development occurs within City limits on a project site of no more than five (5) acres substantially surrounded by urban uses; (c) The project site has no value as habitat for endangered, rare, or threatened species; (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and, (e) The site can be adequately served by all required utilities and public services.

Attachment A - Aerial Photo and Location Map Attachment B - Site Plan, Floor Plan and Elevations

Attachment C - Calls for Service

This staff report was prepared by Nicole D. Moore, Contract Planner. She may be contacted at Nicole.Moore.CTR@stocktonca.gov.

Aerial Photo

August 10, 2023

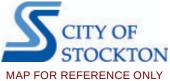


Property Information

Owner

 Property ID
 16819010-78975

 Location
 461 FRENCH CAMP RD
 BOPARAI, MALKIT



NOT A LEGAL DOCUMENT

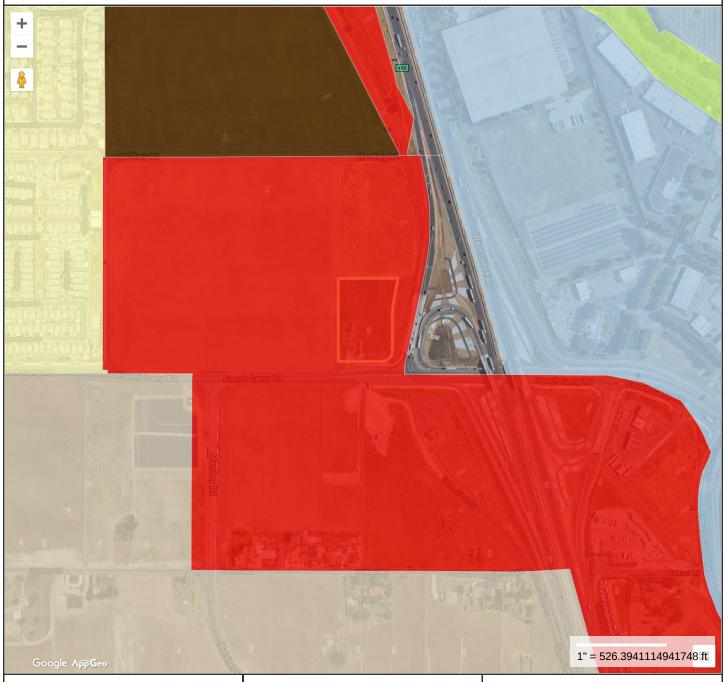
City of Stockton, CA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 05/03/2023 Data updated 05/01/2023

Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.

General Plan Map

August 10, 2023



Property Information

Location Owner

Property ID 16819010-78975 461 FRENCH CAMP RD BOPARAI, MALKIT



NOT A LEGAL DOCUMENT

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Geometry updated 05/03/2023 Data updated 05/01/2023

Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.

Map Theme Legends

ATTACHMENT A

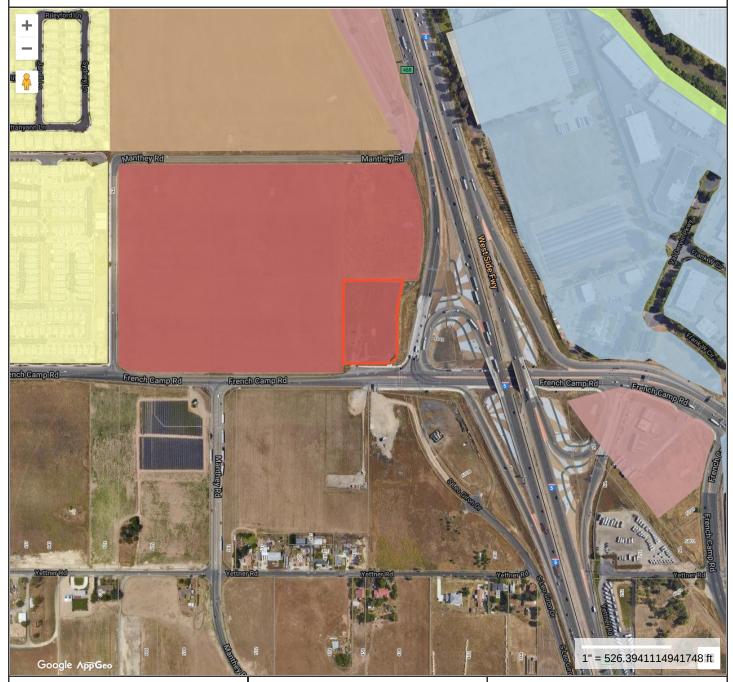
General Plan Map



City of Stockton GIS data

Zoning Map

August 10, 2023



Property Information

Owner

 Property ID
 16819010-78975

 Location
 461 FRENCH CAMP RD
 BOPARAI, MALKIT



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Geometry updated 05/03/2023 Data updated 05/01/2023

Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.

Map Theme Legends

ATTACHMENT A

Zoning



City of Stockton, CA Zoning Data

FRENCH CAMP DEVELORENT

461 FRENCH CAMP ROAD FRENCH CAMP, CALIFORNIA 95206

YUBA CITY, CA



K12 Architects, Inc 3090 Fite Circle, #104 Sacramento, CA 95827 PH:(916) 455-6500 FAX:(916) 455-8100

GENERAL NOTES	CONSULTANTS	PROJECT DATA	DRAWING INDEX	
Scope: Provide all items, articles, materials and operations including labor, materials, equipment and incidentals necessary for a complete job.	<u>CIVIL:</u>	ASSESSOR'S PARCEL NUMBER(S): 168-019-10	ARCHITECTURAL	CONTRACTOR:
 Materials and equipment shall be installed, applied, or erected in accordance with manufactures recommendations or requirements, unless the drawings exceed those requirements or recommendations. By executing the contract, the General Contractor affirms he has visited the site and is familiar with the 	DILLON & MURPHY ENGINEERING 847 N. Cluff Ave, Suite A-2	GENERAL PLAN DESIGNATION: ZONING: COMMERCIAL CL	AOOI PROJECT COVER SHEET A1O1 OVERALL SITE PLAN A1O2 TRASH ENCLOSURE DETAILS A1O3 AUTO TURN SITE PLAN	
3. By executing the contract, the General Contractor affirms he has visited the site and is ramiliar with the conditions under which the work is to be performed.4. Responsible supervision shall be at the site during all phases of construction.	Lodi, ca 95240 P: (209) 334-6613	PROJECT SITE AREA (GROSS): (±3.23 ACRES) ±139,027 S.F.	A104 TRUCK TURN SITE PLAN A201 C STORE FLOOR PLAN A202 QSR FLOOR PLAN A203 CAR WASH FLOOR PLAN	
 Contractor to verify all conditions and dimensions at the site. All inconsistencies shall be brought to the attention of the Architect before proceeding with the work. 	Contact: Joe Murphy STRUCTURAL:	BUILDING DATA: CBC TYPE OF	A301 C STORE EXTERIOR ELEVATIONS A302 C STORE EXTERIOR ELEVATIONS A303 QSR EXTERIOR ELEVATIONS	
6. Conform to the current edition of all adopted building codes and ordinances.		STRUCTURE CBC TYPE OF OCCUP. CONST. AREA	A304 QSR EXTERIOR ELEVATIONS A305 CAR WASH EXTERIOR ELEVATIONS A306 CAR WASH EXTERIOR ELEVATIONS	
7. DO NOT SCALE DRAWINGS, VERIFY AT SITE.		RETAIL FACILITY BUILDING AREA(S):	A307 VACUUM CANOPY ELEVATIONS A308 VACUUM CANOPY ELEVATIONS	PROJECT:
8. Details not specifically shown shall be similar to adjacent details.		CONVENIENCE STORE M V B 4,400S.F.	A901 FUEL CANOPY PLAN A902 FUEL CANOPY REFLECTED CEILING PLAN	F'RENCH
9. The Contractor shall coordinate the work of all trades and verify all dimensions.		CAR WASH TUNNEL B II B 3,336 S.F.	A903 FUEL CANOPY ELEVATIONS	Caimp
10. No structural work shall be cut, notched or otherwise penetrated, unless approved in writing by the Architect in advance, unless detailed on the drawings.	MECHANICAL, PLUMBING & ELECTRICAL:	FUELING CANOPY M II B 4,200 S.F.	LANDSCAPE LP-1 SOUTH PART OF SITE LANDSCAPE PLAN LP-2 NORHT PART OF SITE LANDSCAPE PLAN	DEVELOPMENT
11. The Contractor shall be responsible for the safety of the building and the occupants during construction, and shall provide adequate protection. Shoring and bridging shall be adequate for the construction. The Contractor shall comply with applicable safety requirements and codes.		QSR M II B 2,500 S.F. QSR M II B 2,500 S.F.	<u>CIVIL</u>	
12. Contractor shall provide debris box and keep premises clean daily.		FLOOR TO AREA RATIO:	C1 SITE GRADING PLAN C2 UTILITIES EXTENSION EXHIBIT C3 TRUCK TURNS	
13. Provide construction dust barriers as required by governing authority.		TOTAL AREA OF SITE: 139,027 S.F.		
14. Provide adequate blocking for all fixtures.	LANDSCAPING:	TOTAL AREA OF BLDGS: (W/O CANOPY) (9%) 12,736 S.F. TOTAL AREA OF BLDGS: (W/CANOPY) (12%) 16,936 S.F.		
15. Prior to excavation, determine and verify location of utility services in all areas to be excavated.	Perry Design	LANDSCAPING DATA:		
16. Contractor shall comply with all pertinent laws, codes, regulations, C.B.C., governing agencies and manufactures specifications, unless greater requirements are indicated, and/or are necessary for the safety of the project.	Landscape Architecture Irrigation Design 6281 Bluestone Lane	TOTAL AREA OF LANDSCAPING: 35,294.16 S.F. PERCENTAGE OF SITE LANDSCAPED: 25.40 %		PARCEL # 16819010
17. The owner shall pay for all standard permits required for the construction documents.	Placerville, CA 95667	PARKING DATA:		461 FRENCH CAMP ROAD
18. The General Contractor shall provide owner with a construction schedule prior to starting the work, and shall provide a qualified superintendent throughout the work.	P: (530) 823-2621 Contact: Carol Perry Brown	BUILDING AREA PARKING RATIO REQ'D. CONVENIENCE STORE 4,400 SF (1:150gross) = 30		FRENCH CAMP, CA 95206
19. Unless stated otherwise in the scope of work summary, the General Contractor shall install all other procedures, testing and materials.		QSR 01 2,500 SF (1:200 gross) = 13 QSR 02 2,500 SF (1:200 gross) = 13 CAR WASH FULL SERVICE: 3/WASH LANE = 6		DEVELOPER:
20. Local jurisdiction business licenses are/may be required for all Contractors and Subcontractors providing work on the building or site.		TOTAL REQ'D PARKING = 62		MIKE BOPARAI 6900 DANBERG WAY
21. The General Contractor shall provide barricades and safety signs per O.S.H.A. requirements, and provide testing of the petroleum system and controls (including a systems Petrotite test), and of all new and modified air, water and electrical systems.		PARKING PROVIDED REGULAR SPACES = 99		ELK GROVE CA. 95757
22. Construction activities shall be limited to the following hours of operations (failure to comply with following hours of operations would result in withholding of inspection):		ACCESSIBLE SPACES = 5 FUELING POSITIONS = 16		REVISIONS:
6:00 a.m. to 7:00 p.m. Monday thru Friday 9:00 a.m. to 6:00 p.m. Saturday No construction on Sunday		TOTAL 104 + 16 FUELING POSITIONS CLEAN AIR PARKING = 18		
23. Mitigate impacts that could be triggered from construction. The Contractor will shield unwanted glare from machines or temporary use of equipment.		ELECTRIC VEHICLE CHARGERS = 13 AIR/WATER STATION = 1		
24. The prime Contractor awarded the construction work will be required to have State Hazardous Substance Removal Certification in addition to their State Contractor's license.				
25. Any excavated material that is of a suspicious nature will be stockpiled on-site; samples will be taken by the consultant and tested for the presence of contaminants. Any excavated material that does not meet the				
requirements of the responsible regulatory agencies will be hauled off-site to an approved landfill. Any material that meets the requirements of the regulatory agencies will be placed back in the work area and/or disposed off-site to a normal disposal/recycling facility.	SCOPE OF WORK		VICINITY MAP	PROFESSIONAL SEALS:
26. Any stockpiled material will be placed on plastic sheeting and covered with plastic sheeting to prevent spreading and mixing of the material.	THE FRENCH CAMP DEVELOPMENT CONSITS OF AN 8-MPD ELING FACILITY WOTH A CONVENIENCE STORE, 2- QUICK SERVE RESTAURANTS WITH DRIVE-THRUS, AND AN EXPRESS CAR WASH WITH SELF-SERVE VACUUMS. IT WILL HAVE ELECTRIC VEHICLE CHARGERS AND		volution Electronics O	WAGENT
27. Utility companies responsible for the relocation of facilities as part of the construction work in accordance with franchise agreements with the local jurisdiction will be required to provide their own monitoring program for the presence of hazardous materials during construction in accordance with all regulatory agencies.	SOLAR PANELS.		(Computer Repair) Henry Long Blvd GRO-WELL Brands Elementary School American Honda Motor	Nov., 2021 RENEWAL
28. If necessary, a technical report will be prepared by the local jurisdiction approved environmental consultant documenting conditions witnessed during the excavation work and any other tasks performed.			Weston Ranch William Long Park Venny Long Blvd CLGI Homes - Cornerstone	DATE CO. B.

29. Particularly loud noises shall not occur before 8:00 a.m. on weekdays and not at all on weekends. The Assistant local jurisdiction Manager upon a determination that unusually loud construction activities are significantly impacting the neighbors may modify the hours of construction. Failure to comply with the

above-described hours of operation may result in withholding inspections and possible construction

30. Sidewalks, parking lots and other paved areas must be swept regularly to prevent the accumulation of litter and debris. If pressure washed, debris must be trapped and collected to prevent entry into the storm drain

31. Landscaping shall be properly maintained and shall be designed with efficient irrigation practices to reduce runoff, promote surface filtration and minimize the use of fertilizers and pesticides, which can contribute to

32. All new building, canopy and site signage requires separate sign permits. Contact the planning department

33. Provide a continuous 6" high, 6" wide concrete curbing shall be provided around all planter areas within or

CODES

THESE DRAWINGS HAVE BEEN PREPARED USING: THE 2022 CALIFORNIA BUILDING CODE, CALIFORNIA FIRE CODE, CALIFORNIA ELECTRICAL CODE, CALIFORNIA MECHANICAL CODE, CALIFORNIA PLUMBING

CODE, CALIFORNIA ENERGY CODE, AND CALIFORNIA GREEN BUILDING STANDARDS CODE(S). ALL

WORK SHALL COMPLY WITH CURRENT ACCESSIBILITY REQUIREMENTS.

prohibitions, subject to the review and approval of the Engineer.

system. No cleaning agent may be discharged to the storm drain.

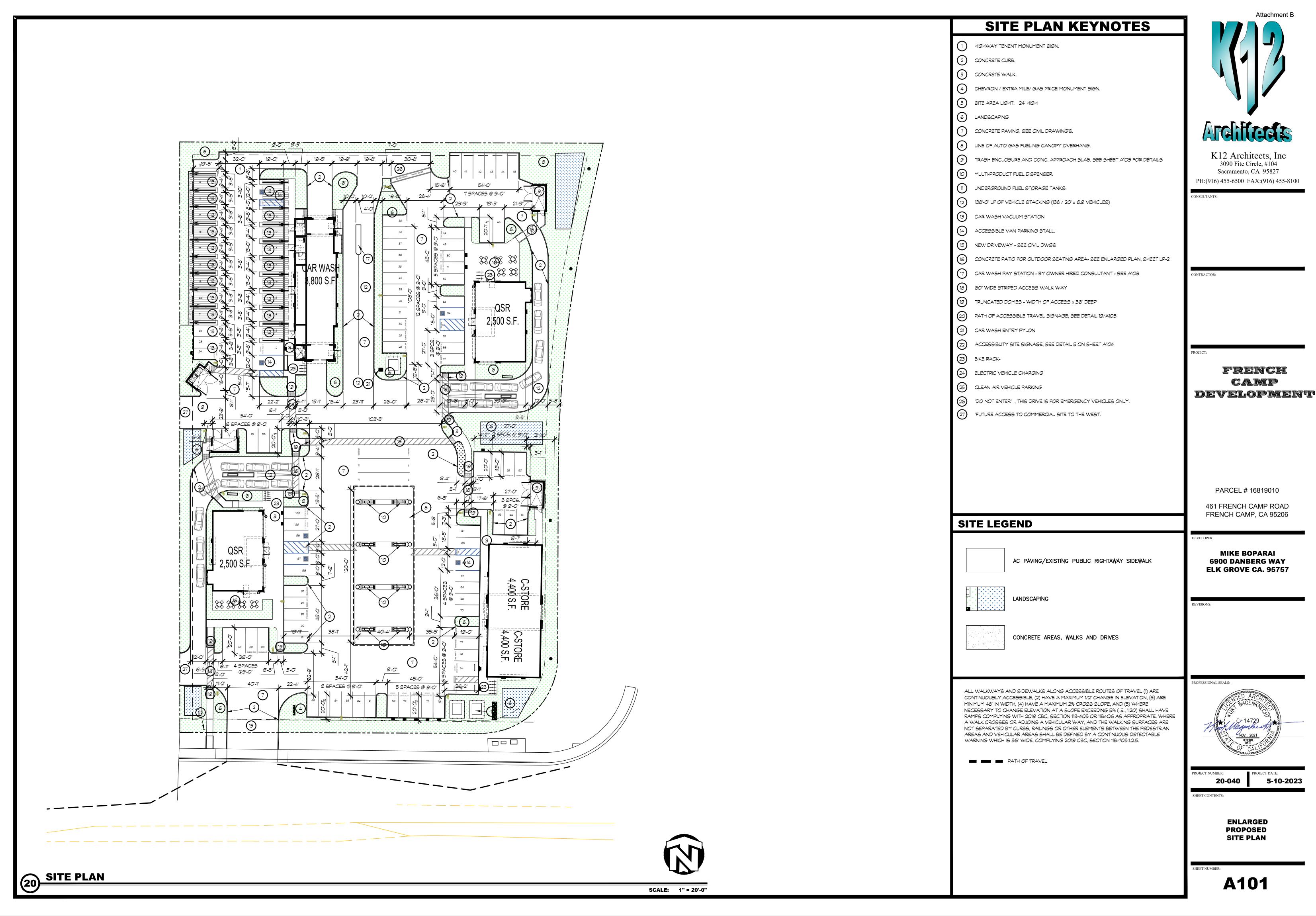
runoff pollution. Dead and dying plants shall be replaced.

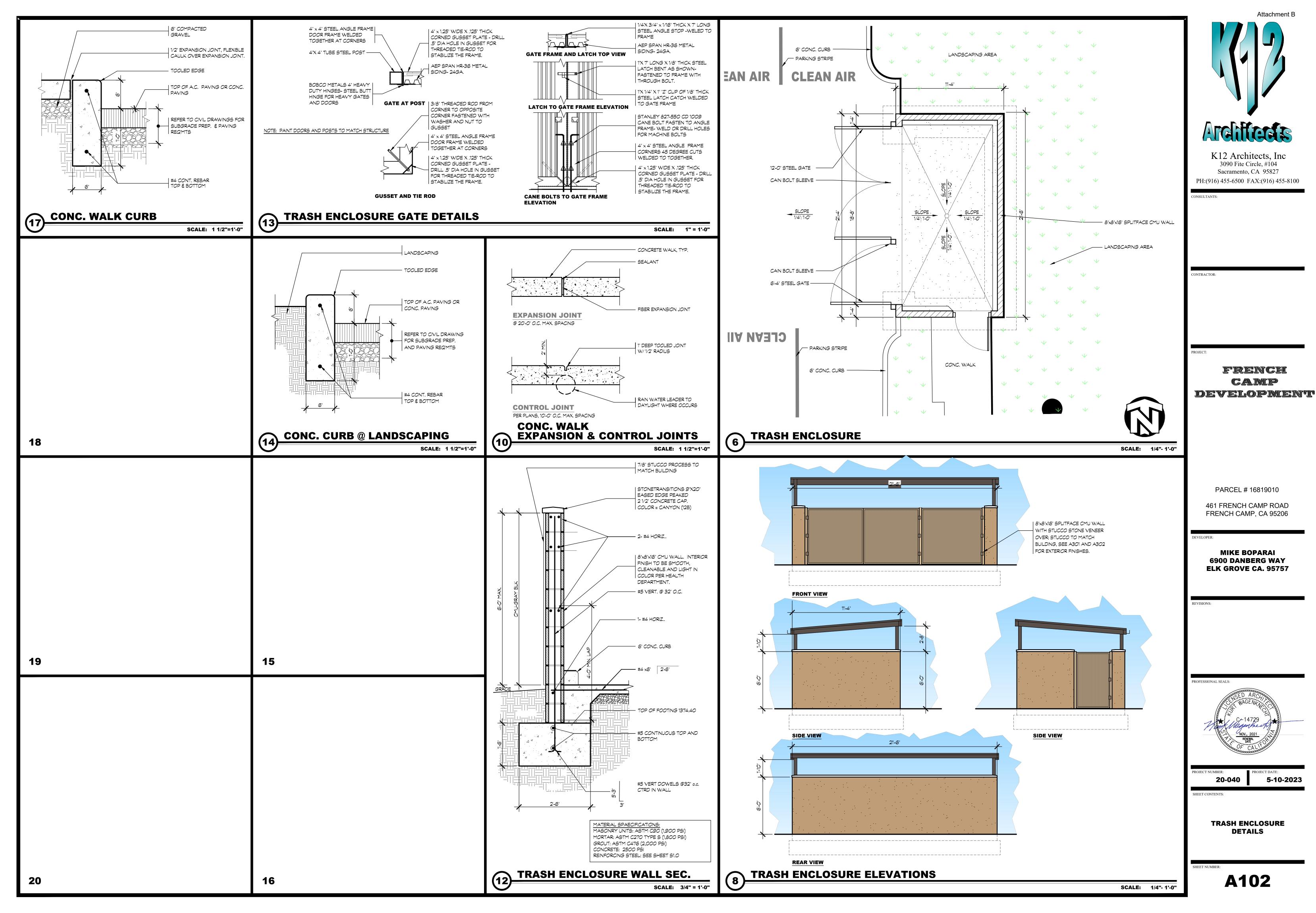
for submittal requirements.

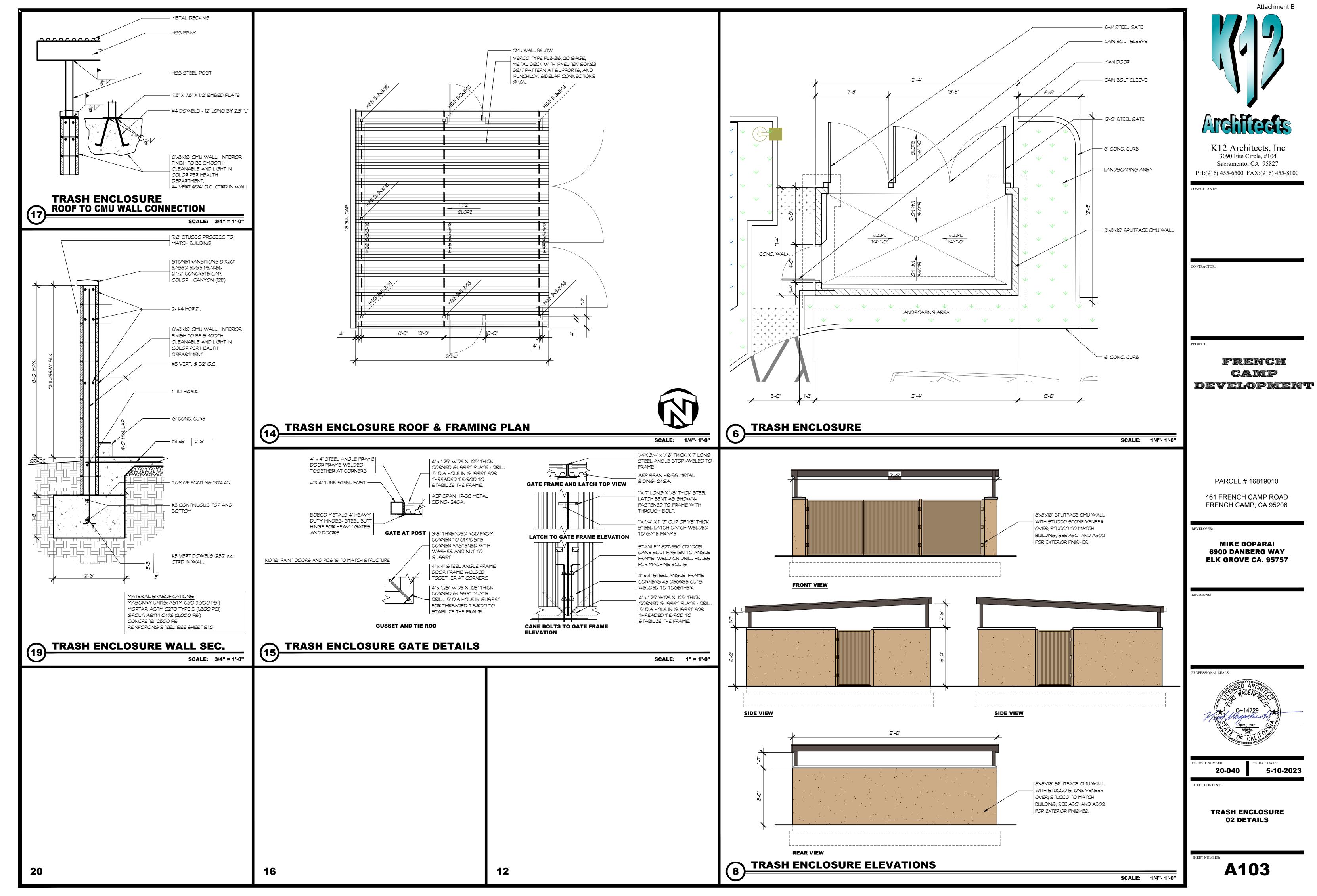
adjacent to the parking lot and driveways.

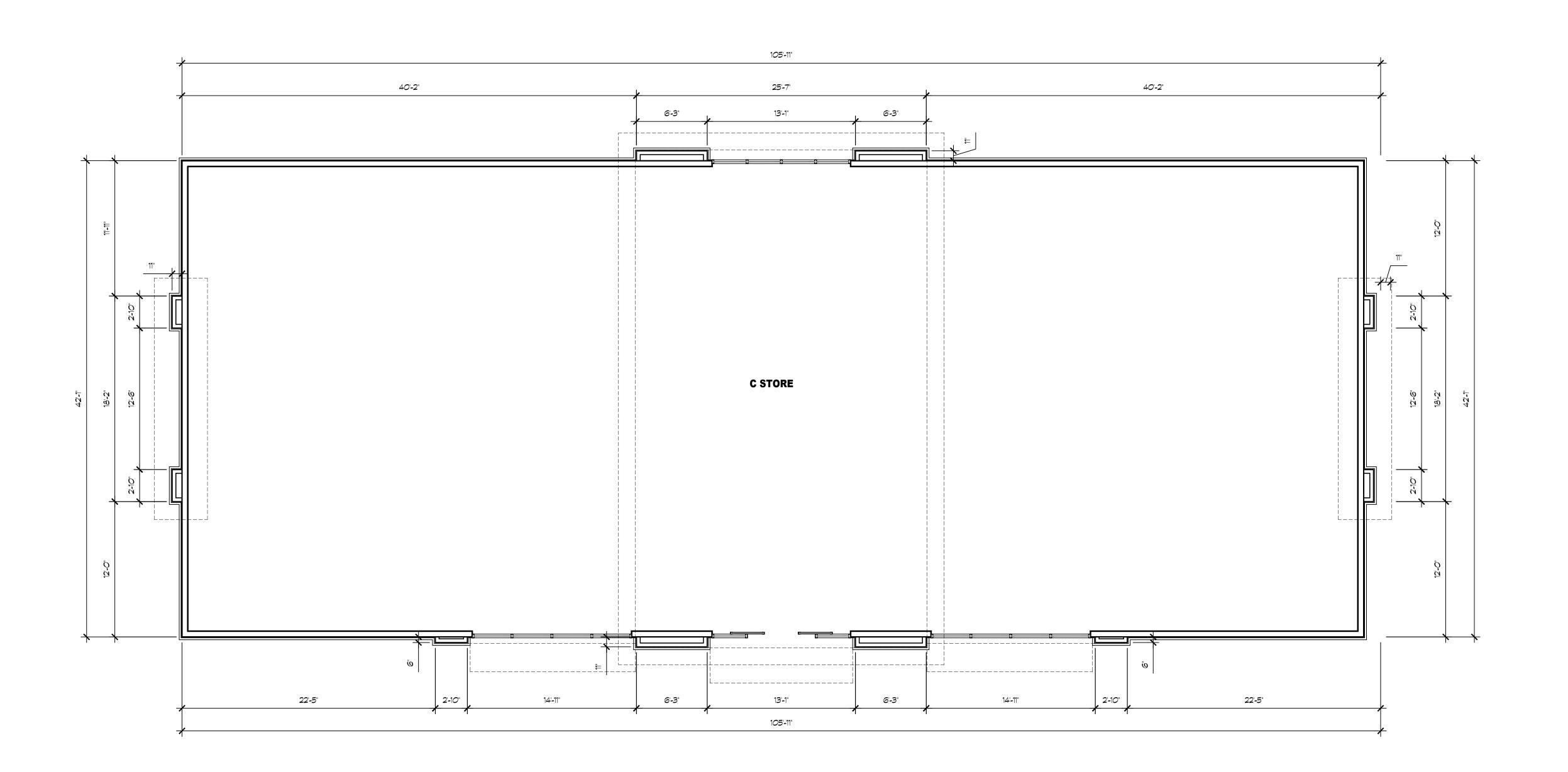
20-040 5-10-2023

COVER









Attachment B

K12 Architects, Inc 3090 Fite Circle, #104 Sacramento, CA 95827 PH:(916) 455-6500 FAX:(916) 455-8100

CONTRACTOR:

f'rench <u>Caimi</u> DEVELOPMENT

PARCEL # 16819010

461 FRENCH CAMP ROAD FRENCH CAMP, CA 95206

MIKE BOPARAI 6900 DANBERG WAY ELK GROVE CA. 95757

PROFESSIONAL SEALS:



20-040 00-00-0000

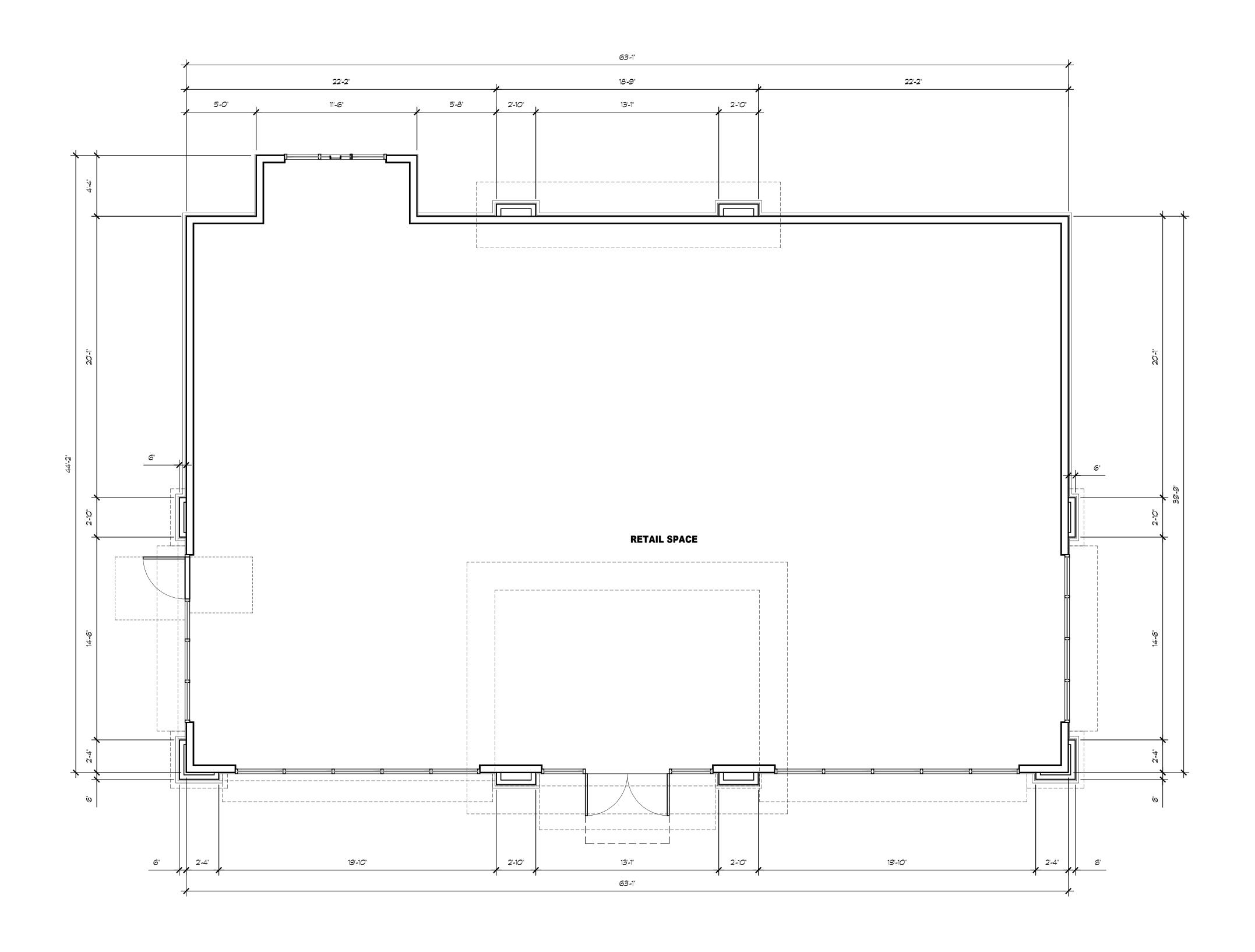
C-STORE

FLOOR PLAN

A201

20 FLOOR PLAN

SCALE: 3/16" = 1'-0"





K12 Architects, Inc 3090 Fite Circle, #104 Sacramento, CA 95827

PH:(916) 455-6500 FAX:(916) 455-8100

CONTRACTOR:

french CAIMP DEVELOPMENT

PARCEL # 16819010

461 FRENCH CAMP ROAD FRENCH CAMP, CA 95206

MIKE BOPARAI 6900 DANBERG WAY ELK GROVE CA. 95757

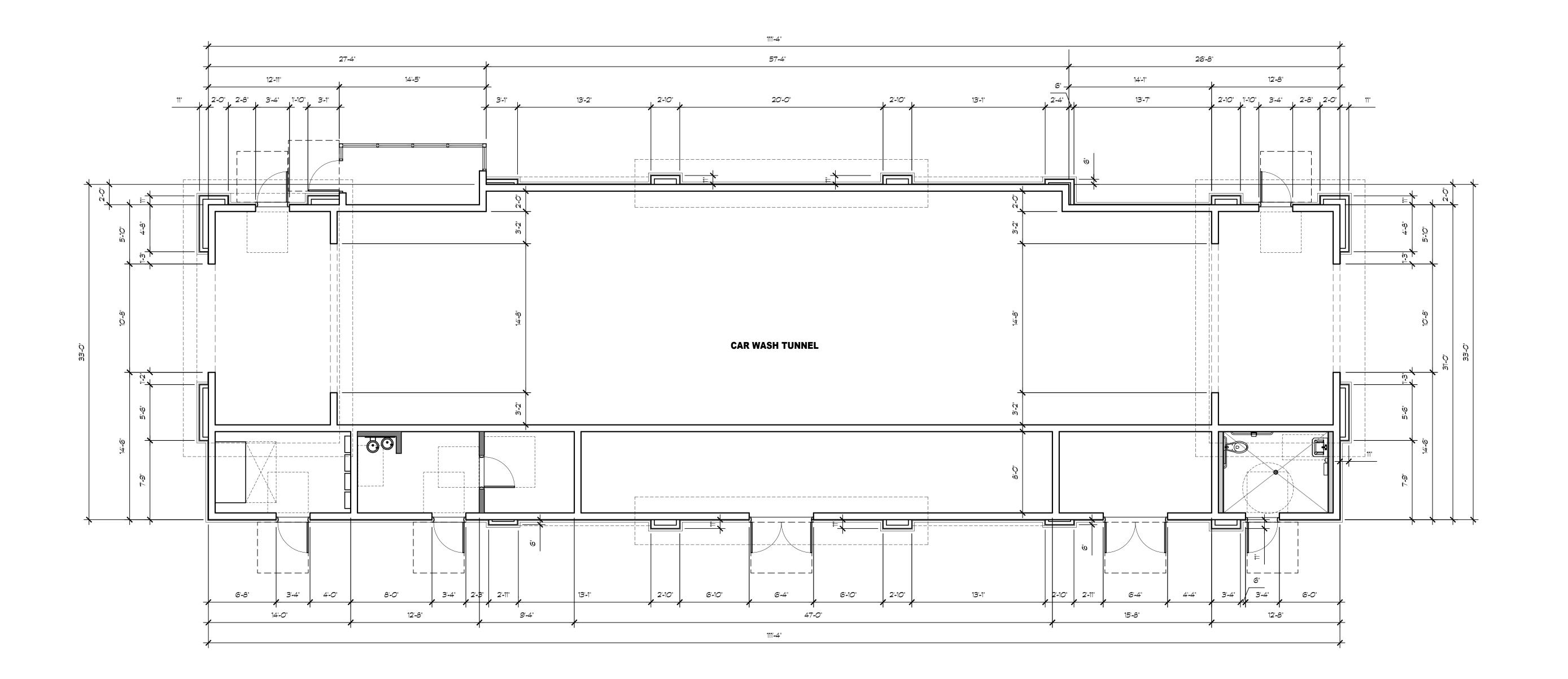
PROFESSIONAL SEALS:



20-040 00-00-0000

QSR FLOOR PLAN

SCALE: 1/4" = 1'-0"





K12 Architects, Inc 3090 Fite Circle, #104 Sacramento, CA 95827 PH:(916) 455-6500 FAX:(916) 455-8100

CONTRACTOR:

f'rench CAIMIP DEVELOPMENT

PARCEL # 16819010

461 FRENCH CAMP ROAD FRENCH CAMP, CA 95206

MIKE BOPARAI 6900 DANBERG WAY ELK GROVE CA. 95757

PROFESSIONAL SEALS:



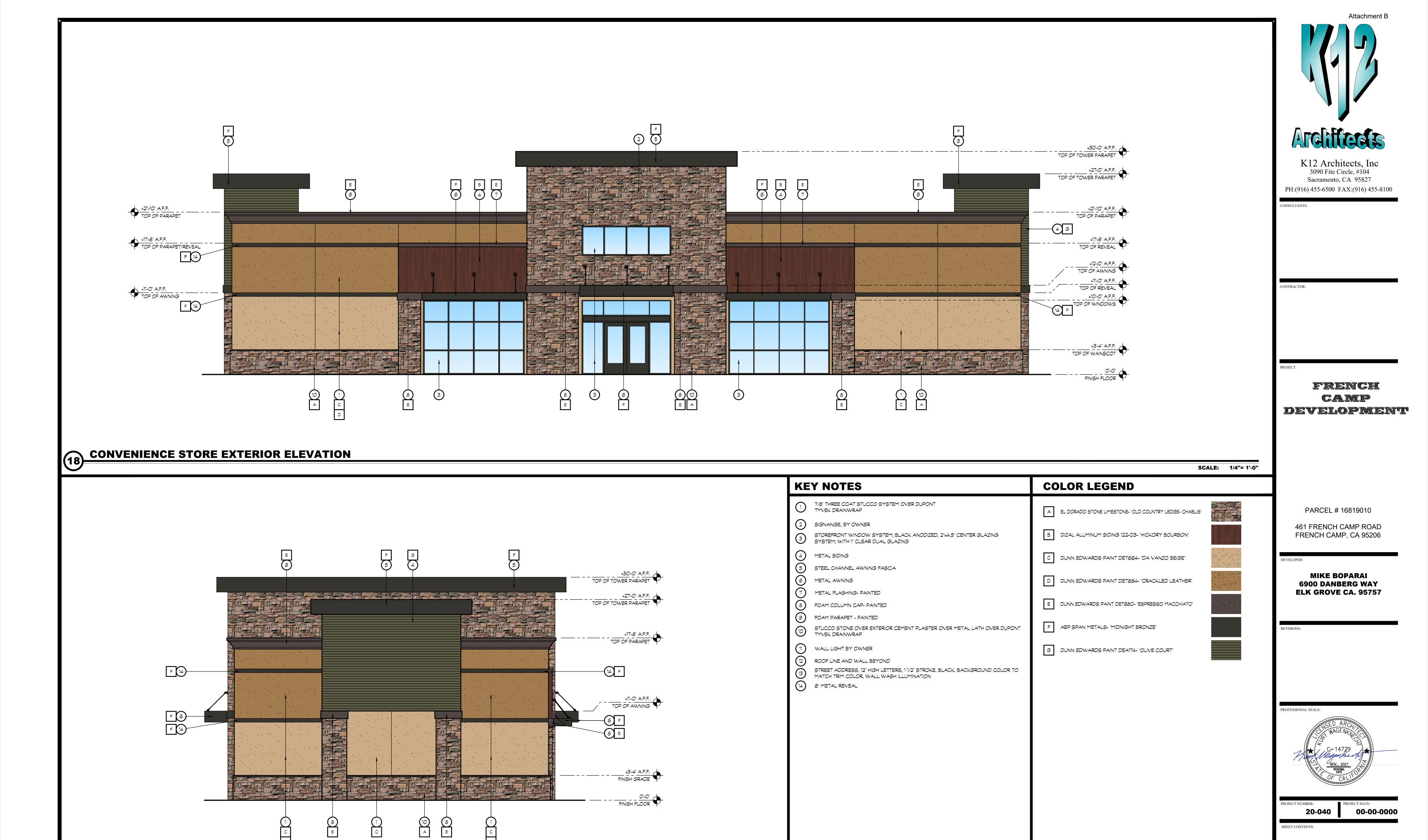
20-040 00-00-0000

SHEET CONTENTS:

CAR WASH FLOOR PLAN

A203

SCALE: 3/16" = 1'-0"



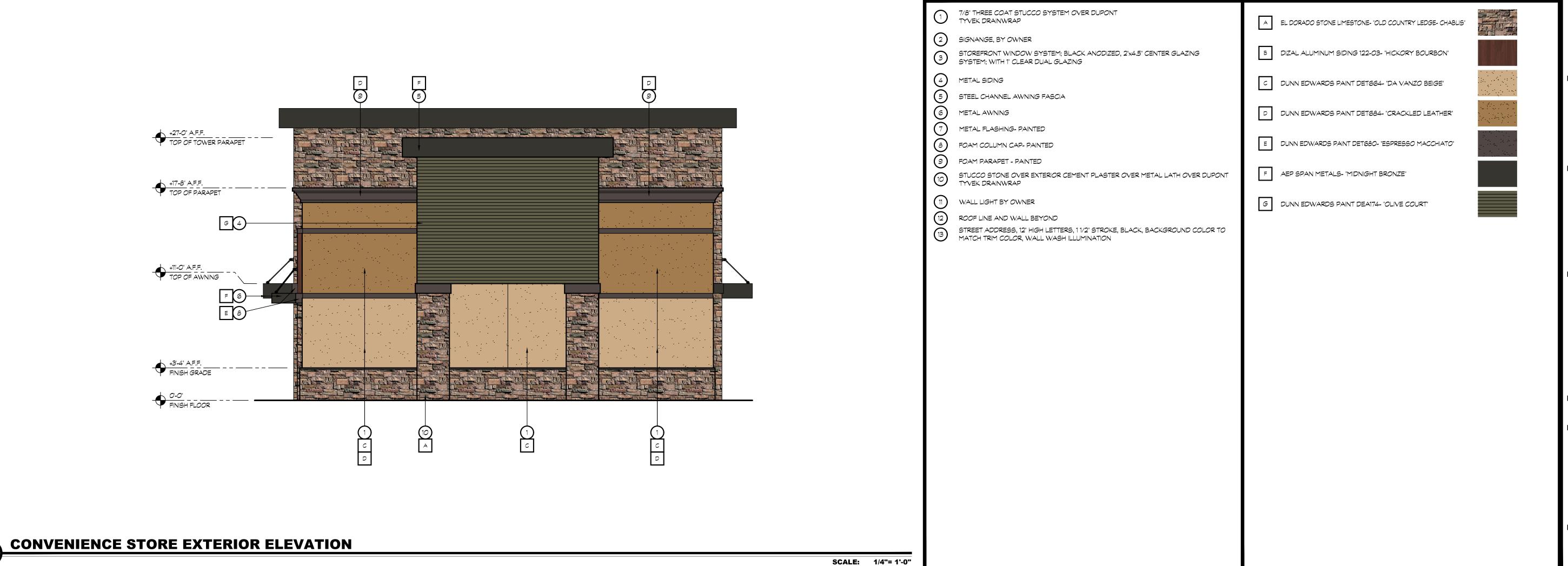
SCALE: 1/4"= 1'-0"

CONVENIENCE STORE EXTERIOR ELEVATION

23

CONVENIENCE STORE EXTERIOR ELEVATIONS







f'rench CAMP

PARCEL # 16819010

461 FRENCH CAMP ROAD FRENCH CAMP, CA 95206

MIKE BOPARAI 6900 DANBERG WAY ELK GROVE CA. 95757

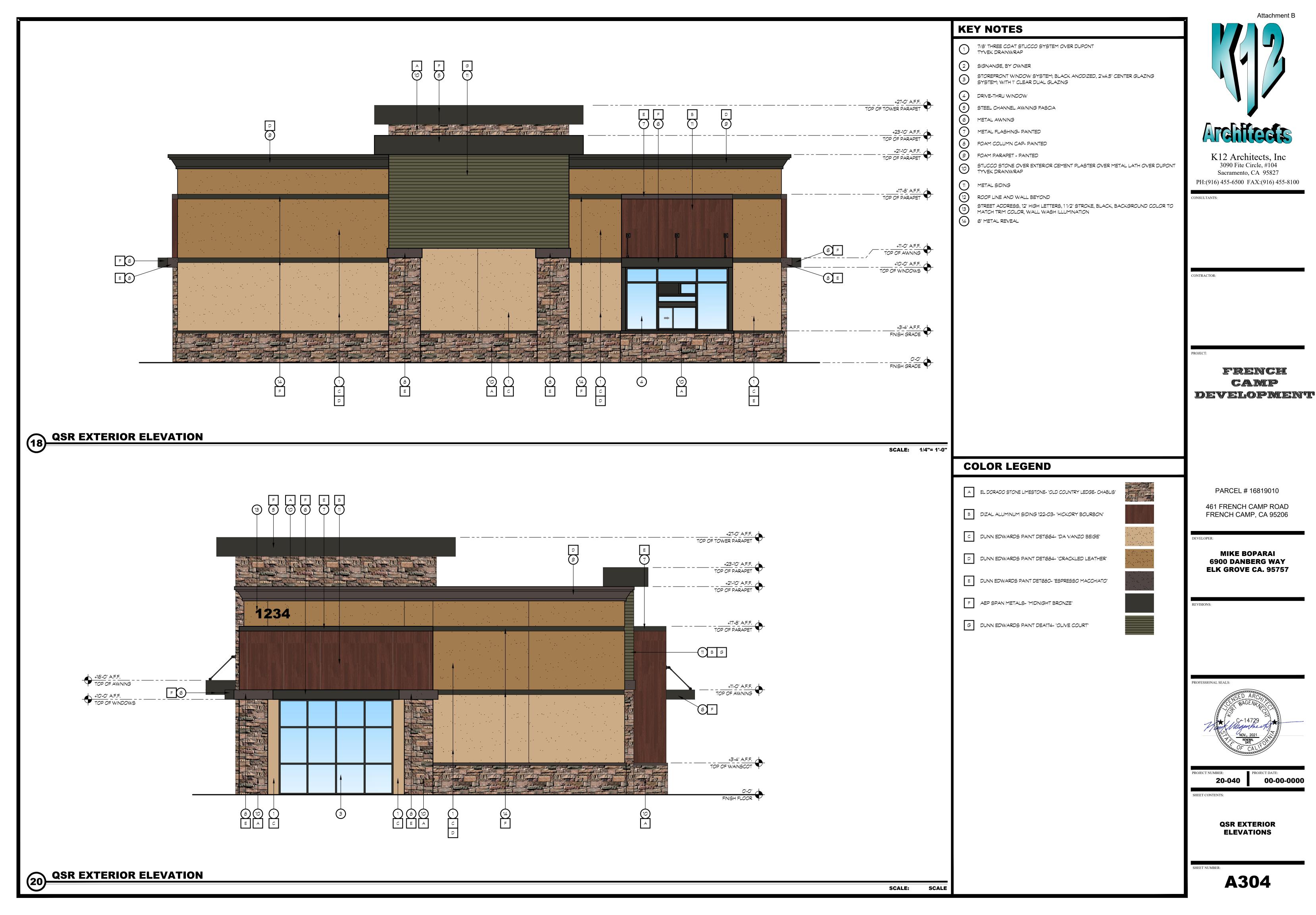
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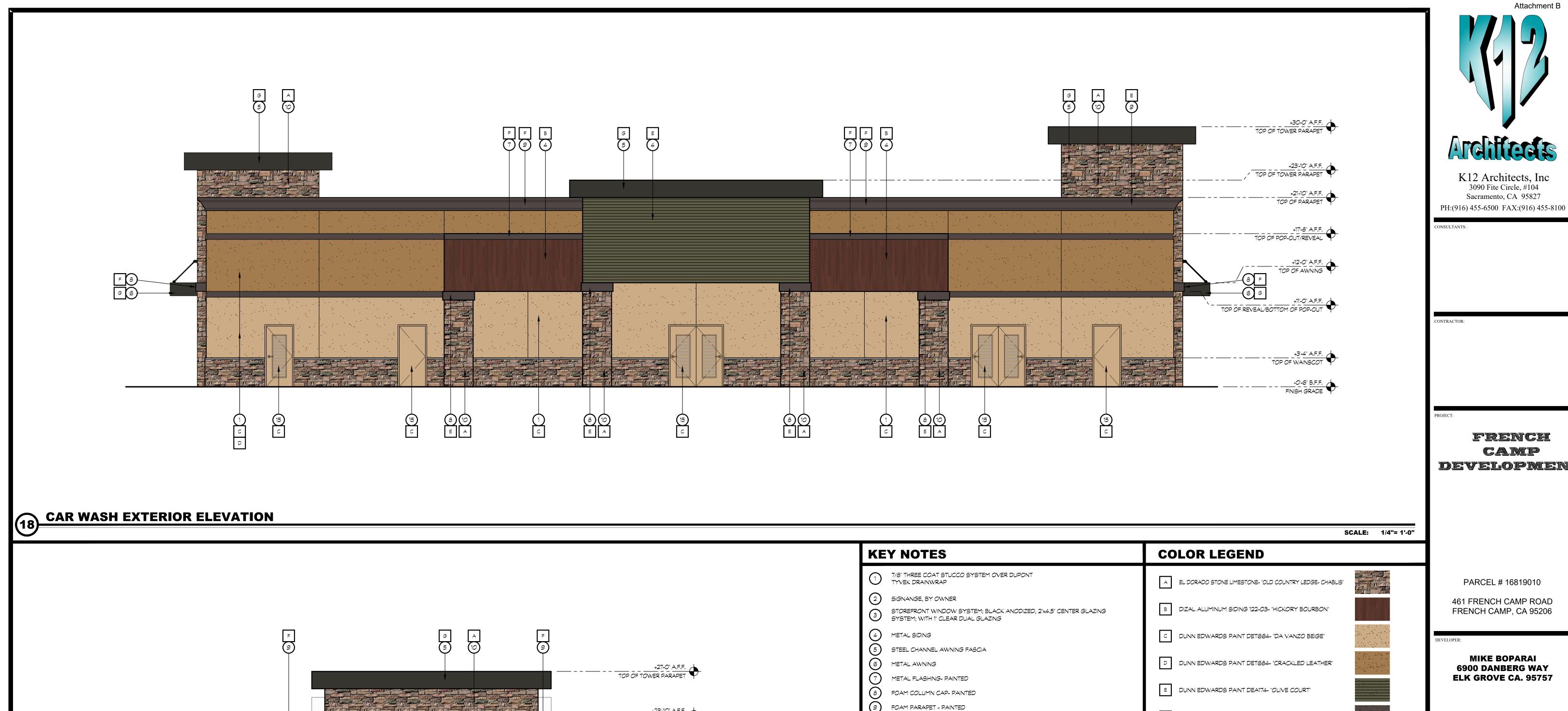
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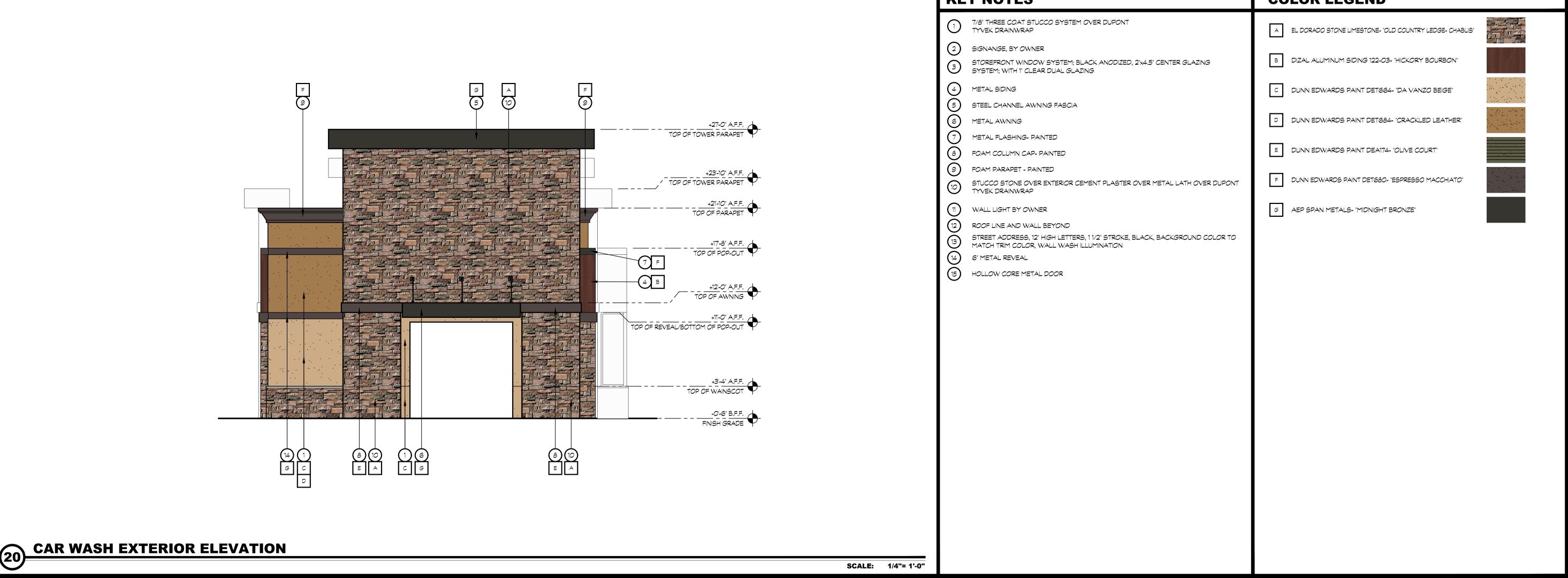
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CONVENIENCE STORE EXTERIOR **ELEVATIONS**











K12 Architects, Inc 3090 Fite Circle, #104 Sacramento, CA 95827

f'rench CAMP DEVELOPMENT

PARCEL # 16819010

461 FRENCH CAMP ROAD

MIKE BOPARAI 6900 DANBERG WAY ELK GROVE CA. 95757

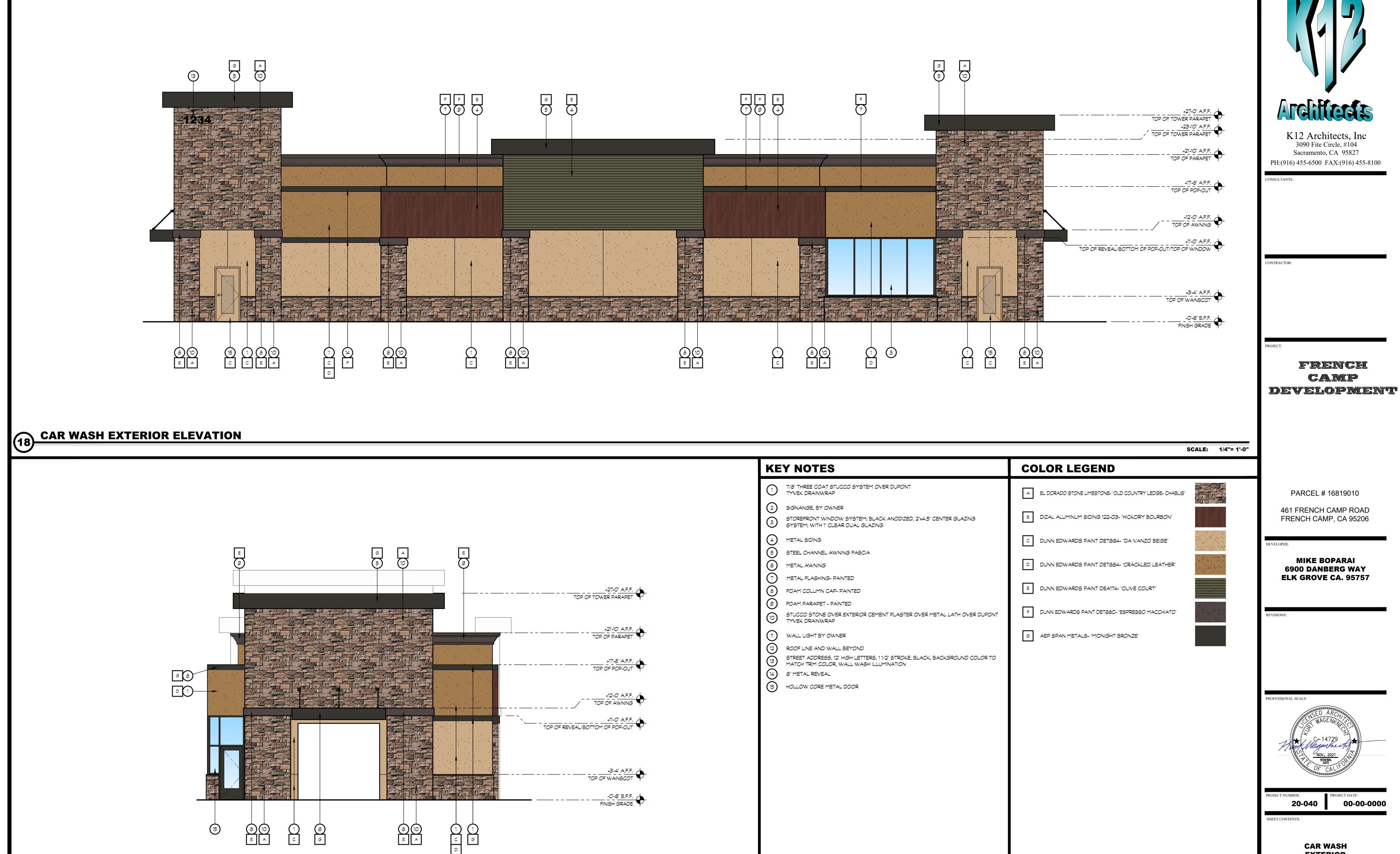
PROFESSIONAL SEALS:



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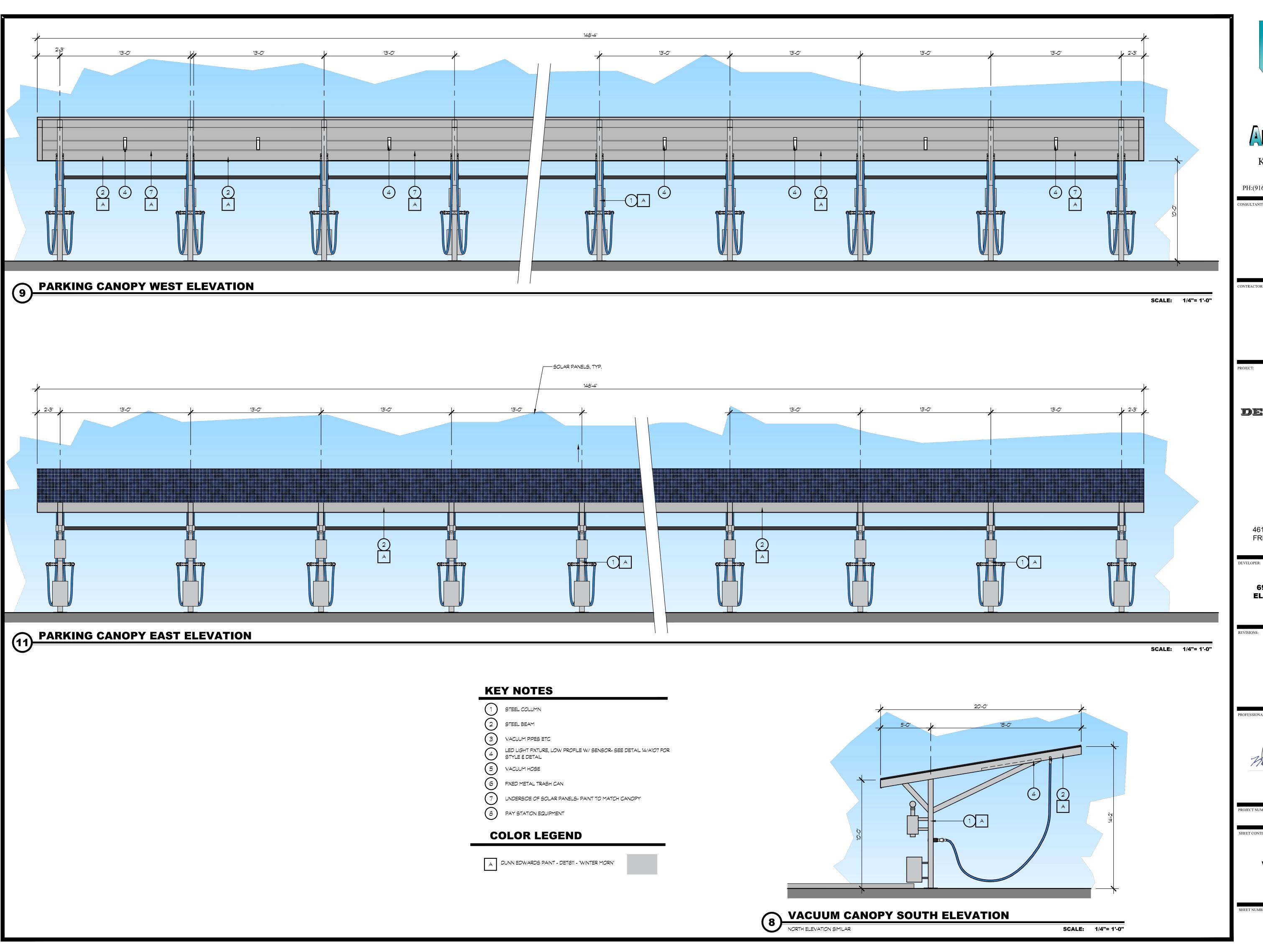
CAR WASH EXTERIOR ELEVATIONS



SCALE: 1/4"= 1'-0"

CAR WASH EXTERIOR ELEVATION

EXTERIOR ELEVATIONS



Attachment B

K12 Architects, Inc 3090 Fite Circle, #104 Sacramento, CA 95827 PH:(916) 455-6500 FAX:(916) 455-8100

CONTRACTOR:

french CAIVIP DEVELOPMENT

PARCEL # 16819010

461 FRENCH CAMP ROAD FRENCH CAMP, CA 95206

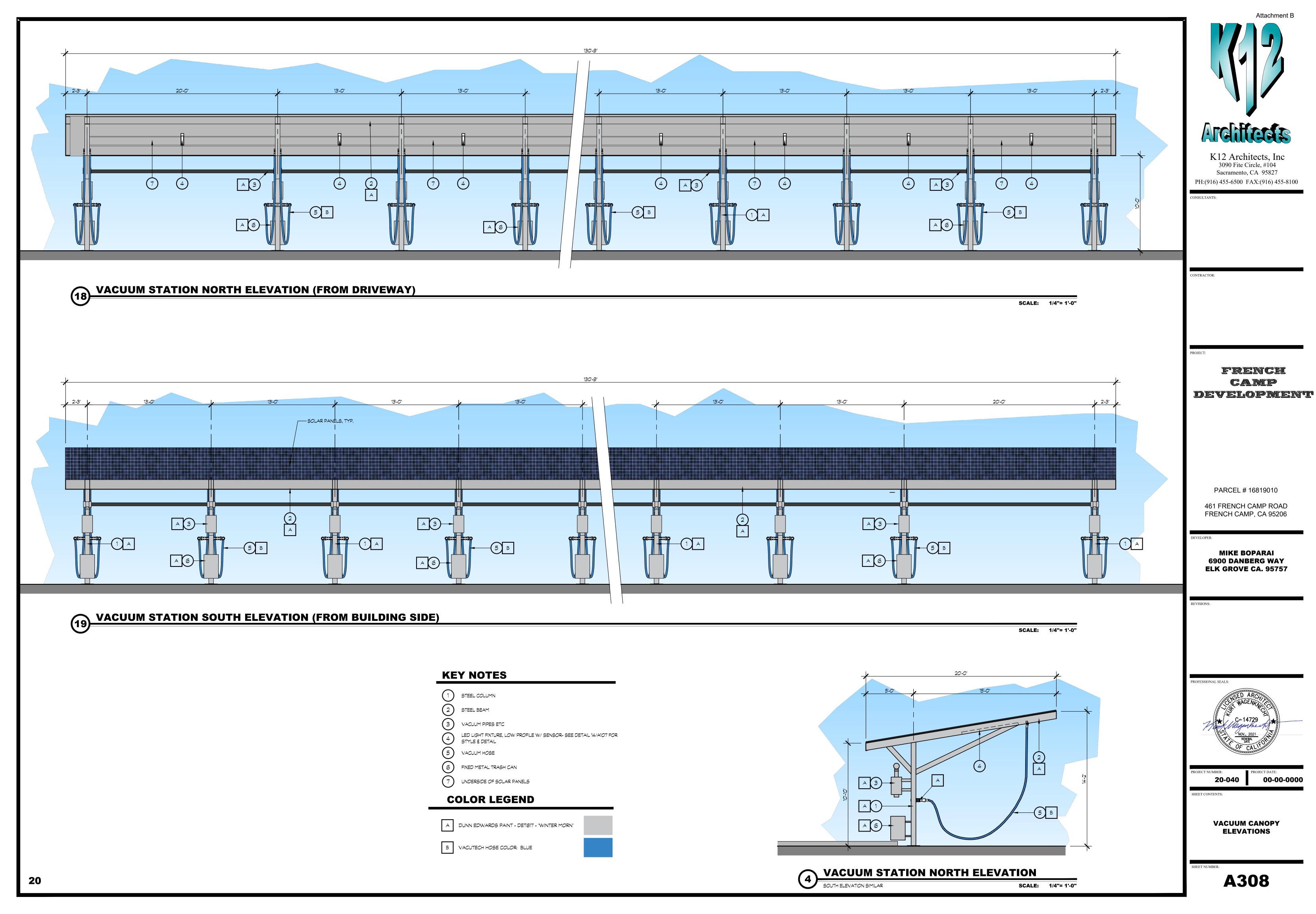
MIKE BOPARAI 6900 DANBERG WAY ELK GROVE CA. 95757

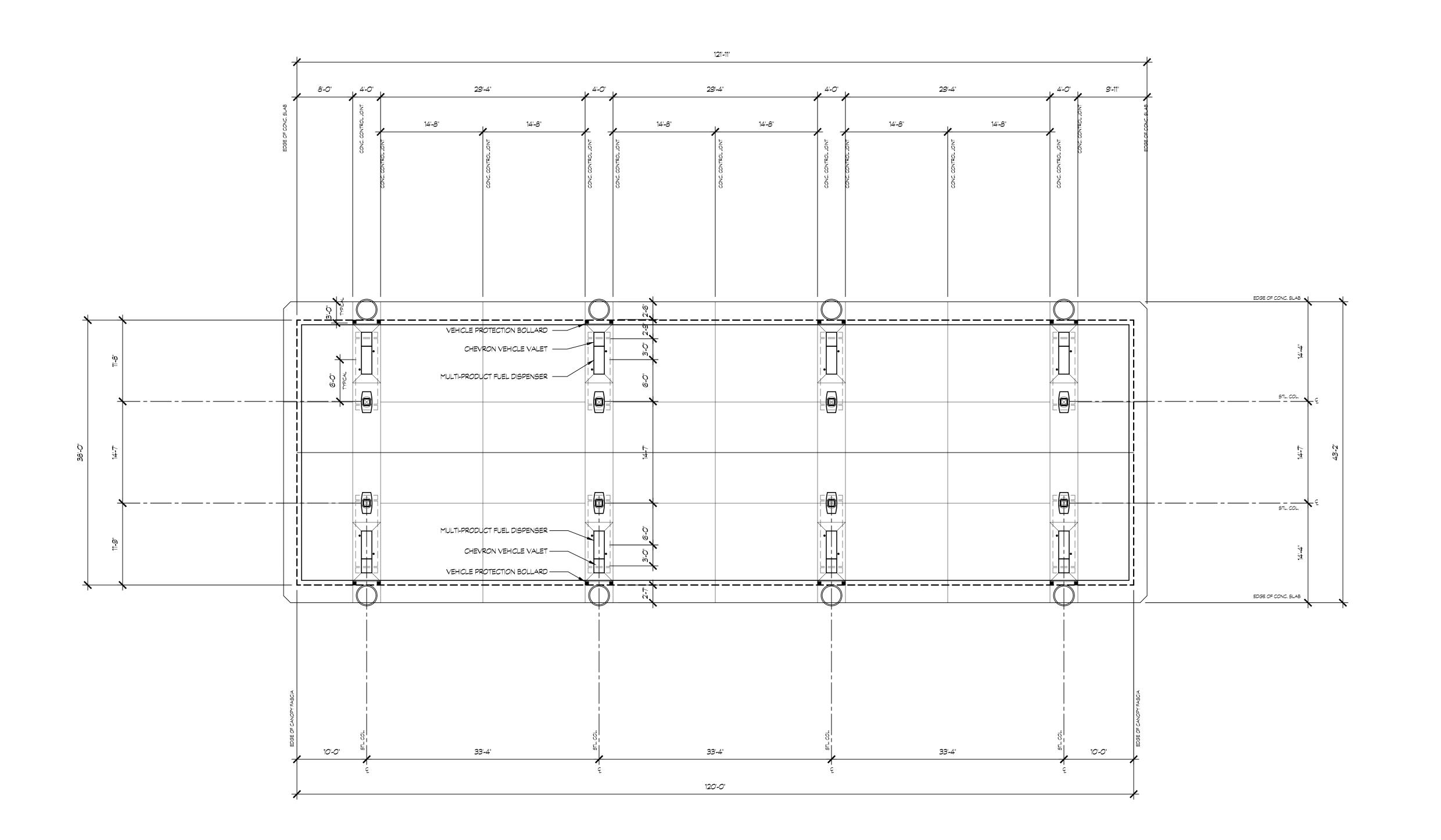
PROFESSIONAL SEALS:

20-040

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VACUUM CANOPY ELEVATIONS





Attachment B

K12 Architects, Inc 3090 Fite Circle, #104 Sacramento, CA 95827 PH:(916) 455-6500 FAX:(916) 455-8100

CONTRACTOR:

f'rench CAMP DEVELOPMENT

PARCEL # 16819010

461 FRENCH CAMP ROAD FRENCH CAMP, CA 95206

MIKE BOPARAI 6900 DANBERG WAY ELK GROVE CA. 95757

PROFESSIONAL SEALS:



20-040

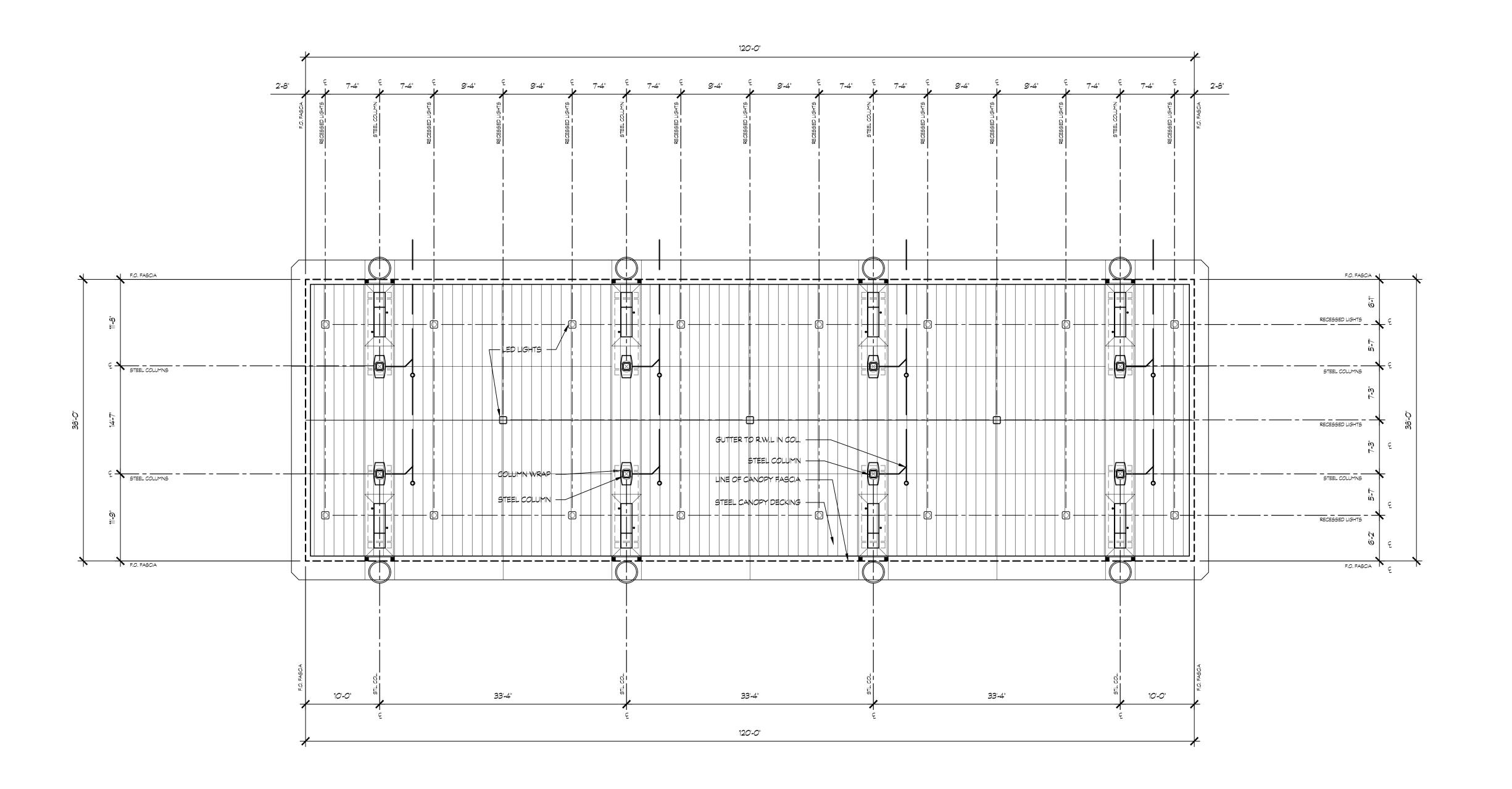
00-00-0000

AUTO FUELING CANOPY

FLOOR PLAN

A901

SCALE: 1/8" = 1'-0"



K12 Architects, Inc 3090 Fite Circle, #104 Sacramento, CA 95827 PH:(916) 455-6500 FAX:(916) 455-8100

CONTRACTOR:

french CAMP DEVELOPMENT

PARCEL # 16819010

461 FRENCH CAMP ROAD FRENCH CAMP, CA 95206

MIKE BOPARAI 6900 DANBERG WAY ELK GROVE CA. 95757

PROFESSIONAL SEALS:

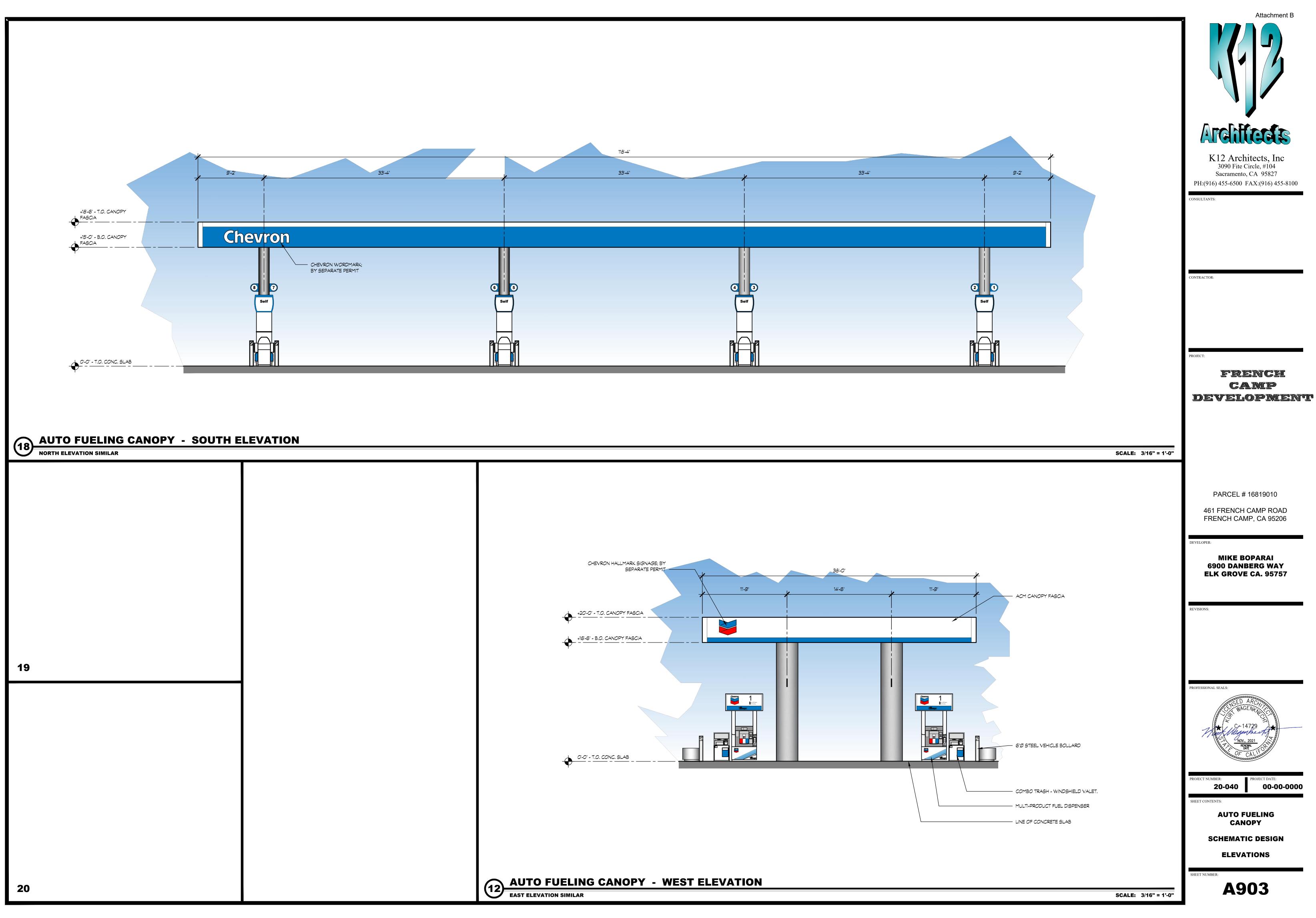


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FUELING CANOPY

REFLECTED CEILING

A902 SCALE: 1/8" = 1'-0"





NOTES:

- Landscape shall be designed per City of Stockton landscape design requirements and California MWELO.
- 2. No groundcover or shrubs are to be planted within 3' of any tree trunk.
- A landscape soils test shall be analyzed by a soils testing laboratory.
 Soils shall be amended per soil analysis report recommendations prior to Landscape Installation.
- 4. This project shall be irrigated by an automatic irrigation system consisting of subsurface drip for shrubs and groundcover, and deep watering bubblers for all trees all connected to a smart controller.
- 5. All planter areas shall receive a three-inch (3") mulch of red fir walk-on bark. All groundcover areas shall receive a two-inch (2") layer of bark mulch.

PLANT SC TREES	BOTANICAL / COMMON NAME	CON
	Arbutus x `Marina` / Arbutus Standard Low Water / WUCOLS	15 g.
	Cedrus deodara / Deodar Cedar Low Water / WUCOLS	24"b
	Cercis canadensis `Texensis` / Oklahoma Redbud Low Water / WUCOLS	15 g.
0	Fraxinus americana `Rosehill` / Rosehill Ash Medium Water / WUCOLS	15 g.
	Gınkgo biloba `Autumn Gold` TM / Maidenhair Tree Medium Water / WUCOLS	15 ga
	Lagerstroemia indica x fauriei `Natchez` / Natchez Crape Myrtle Low Water / WUCOLS	24"b
	Magnolia grandiflora `Samuel Sommer` TM / Southern Magnolia Medium Water / WUCOLS	15 gi
	Tilia cordata 'Greenspire' / Greenspire Littleleaf Linden Medium Water / WUCOLS	15 g.
SHRUBS	BOTANICAL / COMMON NAME	SIZE
	Agapanthus orientalis `BLUE` / Blue` Lily of the Nile Medium Water / WUCOLS	5 gal
	Callistemon viminalis `Little John` / Dwarf Bottlebrush Low Water / WUCOLS	5 ga
	Cotinus coggygria `Royal Purple` / Royal Purple Smoke Tree Low Water / WUCOLS	5 gal
	Dietes bicolor / Fortnight Lily Low Water / WUCOLS	5 ga
	Hemerocallis x `Stella de Oro` / Stella de Oro Daylily Medium Water / WUCOLS	5 ga
	Loropetalum chinense rubrum `Shang-hi` TM / Purple Diamond Fringe Flower Low Water / WUCOLS	5 ga
	Muhlenbergia capillaris `Pink Cloud` / Pink Muhly Low Water / WUCOLS	l gal
	Myrtus communis `Compacta` / Dwarf Myrtle Low Water / WUCOLS	5 ga
	Nandına domestica 'Compacta' / Dwarf Heavenly Bamboo Low Water / WUCOLS	5 ga
6	Osmanthus fragrans / Sweet Olive Low Water / WUCOLS	5 ga
	Pennisetum setaceum `Rubrum` / Purple Fountain Grass Low Water / WUCOLS	l gal
	Rhaphiolepis indica `Indian Princess` TM / Indian Princess Indian Hawthorne Medium Water / WUCOLS	5 ga
VINE/ESPALIER	BOTANICAL / COMMON NAME	SIZE
	Wisteria sinensis / Chinese Wisteria Medium Water / WUCOLS	5 ga
GROUND COVERS	BOTANICAL / COMMON NAME	CON
	Arctostaphylos uva-ursı `Massachusetts` / Massachusetts Manzanıta Medium Water / WUCOLS	l gal
	Delosperma cooperi 'John Proffitt' TM / Table Mountain Purple Ice Plant Low Water / WUCOLS	l gal
	Gazanıa x `Moonglow` / Moonglow Gazanıa Medium Water / WUCOLS	I gal
	Hypericum calycinum `Fiesta` / St. John`s Wort Low Water / WUCOLS	I gal
	Juniperus horizontalis `Blue Rug` / Blue Rug Juniper Low Water / WUCOLS	l gal
***************************************	Mahonia repens / Creeping Mahonia Low Water / WUCOLS	l gal
	Rosa Meidiland series `Red` / Red Meidiland Rose Medium Water / WUCOLS	l gal
BIOSWALE	BOTANICAL / COMMON NAME	CON
BIOSWALE	`BIO FIItration' Sod / By Delta Bluegrass-Phone (800-637-8873 Medium Water / WUCOLS	500

Attachment B

REVISIONS BY

CAROL PERRY BROWN

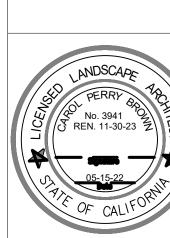
andscape Architecture
Irrigation Design

CID

530 823 2621 perrydesign@att.net RLA 3941 CID 002624

VMP ENT

FRENCH CAN DEVELOPMEN



PRELIMINARY PLANTING PLAN

Date May 13, 2022

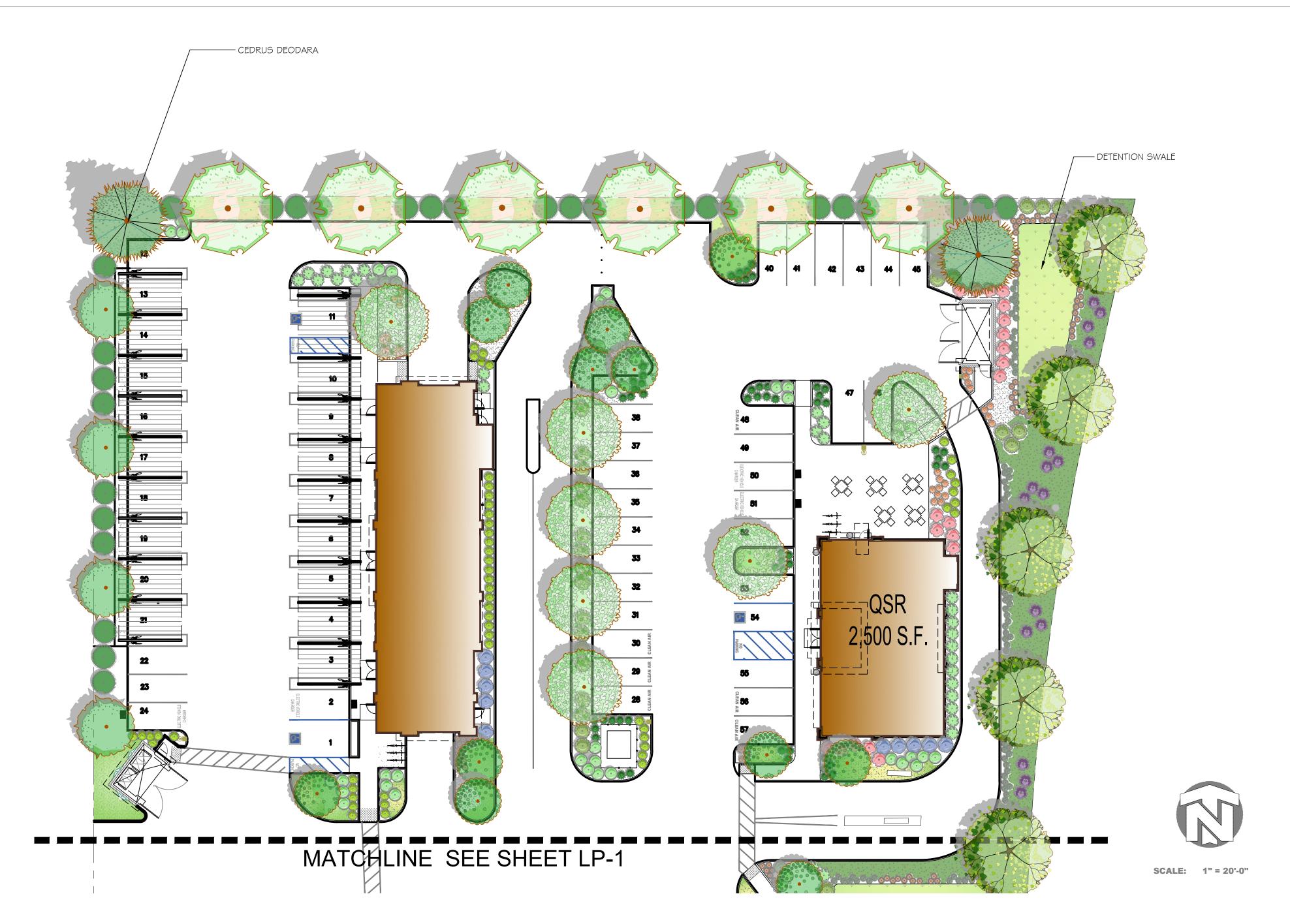
Scale 1" = 20'-0"

Drawn Carol B.

Job

Sheet

LP-1
Of Shee



	Califo	rnia Wateı	r Efficient Lar	dscape	Worksheet			
Reference Evapotranspiration (ET _o)		49.1	1 Project Type		Non-Residential		0.45	
Hydrozone # / Planting	Plant Factor	Irrigation	Irrigation	ETAF	Landscape	ETAF x	Estimated Total	
Description ^a	(PF)	Method ^b	Efficiency (IE)c	(PF/IE)	Area (Sq. Ft.)	Area	Water Use	
·			• • • • • • • • • • • • • • • • • • • •				(ETWU) ^d	
Regular Landscape A								
Bio Swale Grass Med	0.6	Overhead	0.75	0.80	3,028	2422	73743	
			0.75	0.00		0	0	
Med Tree,Shrub &GC	0.4	Drip	0.81	0.49	10,407	5139	156449	
Low Tree, Shrub &GC	0.25	Drip	0.81	0.31	12,177	3758	114411	
			0.75	0.00		0	0	
			0.75	0.00		0	0	
			0.75	0.00		0	0	
			0.75	0.00		0	0	
			0.75	0.00		0	0	
				Totals	25612	11320	344603	
Special Landscape A	reas							
				1		0	0	
				1		0	0	
				1		0	0	
				1		0	0	
				Totals	0	0	0	
					ETV	VU Total	344603	
		ľ	Maximum Allov	wed Wate	er Allowance (l	MAWA) ^e	350856	
ETAF Calculations								

ETAF Calculations	
Regular Landscape Are	eas
Total ETAF x Area	11320
Total Area	25612
Average ETAF	0.44

Average ETAF for Regular Landscape Areas must be 0.55 or below for residential areas, and 0.45 or below for non-residential areas.

All Landscape Areas	
Total ETAF x Area	11320
Total Area	25612
Average ETAF	0.4

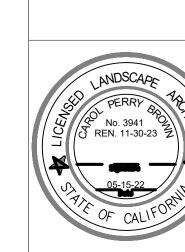
	Arbutus x `Marına` / Arbutus Standard Low Water / WUCOLS	15 gal
	Cedrus deodara / Deodar Cedar Low Water / WUCOLS	24"box
	Cercis canadensis `Texensis` / Oklahoma Redbud Low Water / WUCOLS	I5 gal
	Fraxinus americana `Rosehill` / Rosehill Ash Medium Water / WUCOLS	I5 gal
	Gınkgo biloba `Autumn Gold` TM / Maidenhair Tree Medium Water / WUCOLS	I5 gal
	Lagerstroemia indica x fauriei `Natchez` / Natchez Crape Myrtle Low Water / WUCOLS	24"box
	Magnolia grandiflora `Samuel Sommer` TM / Southern Magnolia Medium Water / WUCOLS	l 5 gal
	Tilia cordata 'Greenspire' / Greenspire Littleleaf Linden Medium Water / WUCOLS	I5 gal
SHRUBS	BOTANICAL / COMMON NAME	SIZE
G Addin.	Agapanthus orientalis `BLUE` / Blue` Lily of the Nile Medium Water / WUCOLS	5 gal
	Callistemon viminalis `Little John` / Dwarf Bottlebrush Low Water / WUCOLS	5 gal
	Cotinus coggygria `Royal Purple` / Royal Purple Smoke Tree Low Water / WUCOLS	5 gal
*	Dietes bicolor / Fortnight Lily Low Water / WUCOLS	5 gal
	Hemerocallis x `Stella de Oro` / Stella de Oro Daylily Medium Water / WUCOLS	5 gal
	Loropetalum chinense rubrum `Shang-hi` TM / Purple Diamond Fringe Flower Low Water / WUCOLS	5 gal
	Muhlenbergia capillaris `Pink Cloud` / Pink Muhly Low Water / WUCOLS	l gal
A STATE OF THE STA	Myrtus communis `Compacta` / Dwarf Myrtle Low Water / WUCOLS	5 gal
<u> </u>	Nandına domestica 'Compacta' / Dwarf Heavenly Bamboo Low Water / WUCOLS	5 gal
	Osmanthus fragrans / Sweet Olive Low Water / WUCOLS	5 gal
	Pennisetum setaceum `Rubrum` / Purple Fountain Grass Low Water / WUCOLS	l gal
	Rhaphiolepis indica `Indian Princess` TM / Indian Princess Indian Hawthorne Medium Water / WUCOLS	5 gal
VINE/ESPALIER	BOTANICAL / COMMON NAME	SIZE
<u> </u>	Wisteria sinensis / Chinese Wisteria Medium Water / WUCOLS	5 gal
GROUND COVERS	BOTANICAL / COMMON NAME	CONT
	Arctostaphylos uva-ursı `Massachusetts` / Massachusetts Manzanıta Medium Water / WUCOLS	l gal
	Delosperma cooperı 'John Proffitt' TM / Table Mountaın Purple Ice Plant Low Water / WUCOLS	l gal
	Gazanıa x `Moonglow` / Moonglow Gazanıa Medium Water / WUCOLS	l gal
	Hypericum calycinum `Fiesta` / St. John`s Wort Low Water / WUCOLS	I gal
, -98 , β , φω ^ω , χγ, - <u>ε</u> ιδ	Juniperus horizontalis `Blue Rug` / Blue Rug Juniper Low Water / WUCOLS	I gal
	Mahonia repens / Creeping Mahonia Low Water / WUCOLS	l gal
	Rosa Meidiland series `Red` / Red Meidiland Rose Medium Water / WUCOLS	l gal
BIOSWALE	BOTANICAL / COMMON NAME	CONT
- V V V	`Bio Filtration' Sod / By Delta Bluegrass-Phone (800-637-8873	1

PLANT SCHEDULE
TREES BOTANICAL / COMMON NAME

REVISIONS

Landscape Architecture Irrigation Design

530 823 2621 perrydesign@att.net RLA 3941 CID 002624

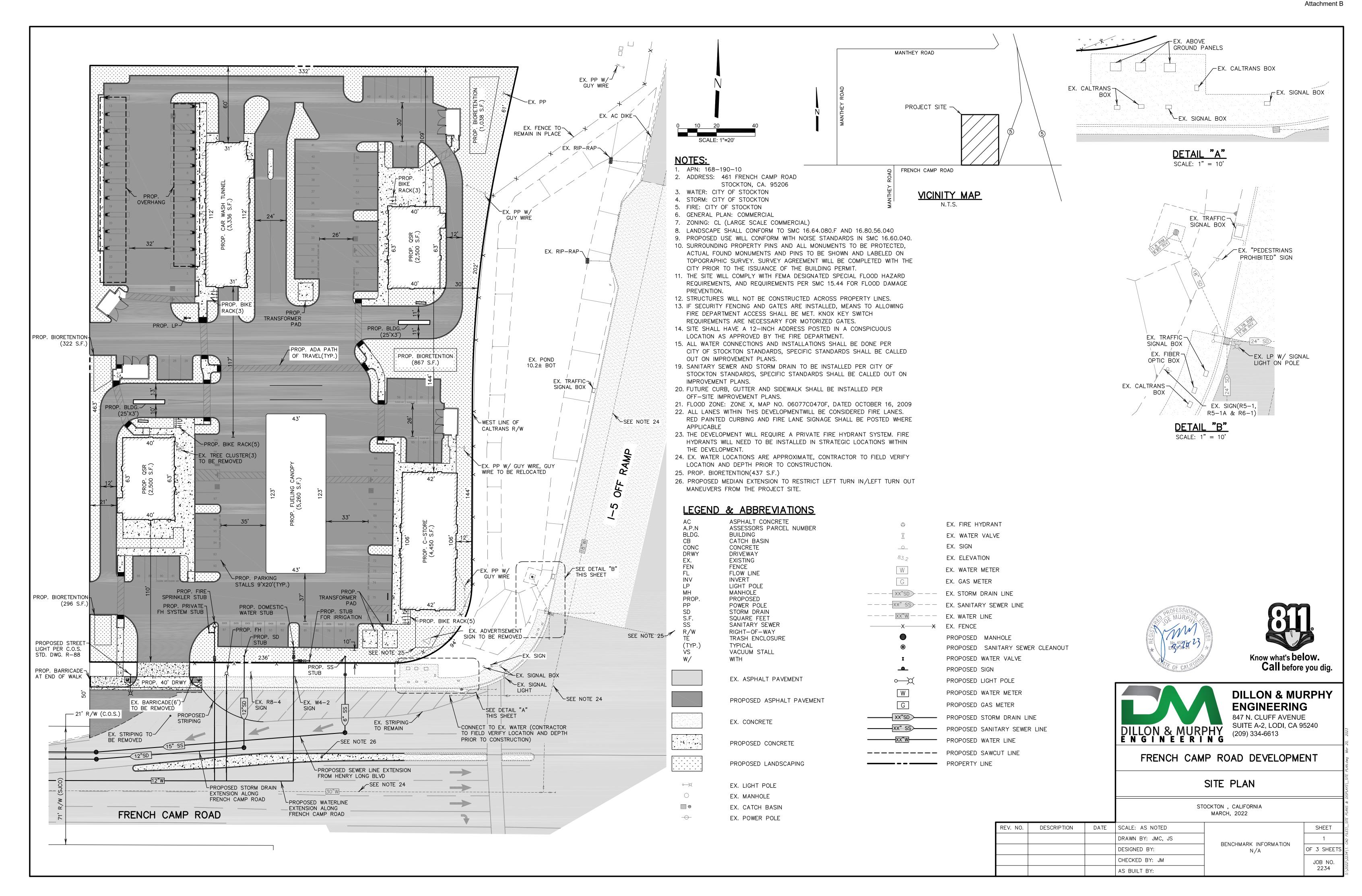


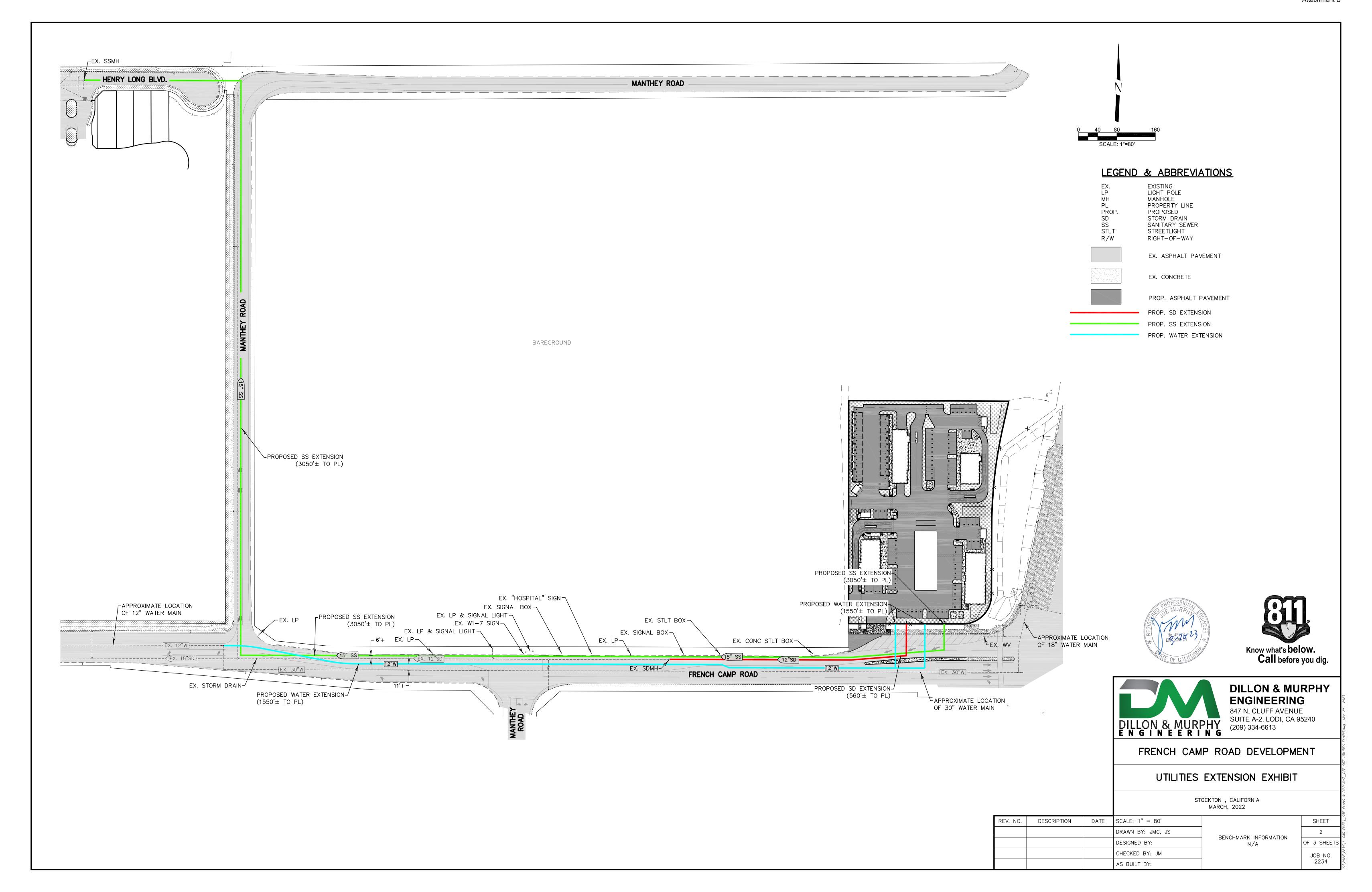
PRELIMINARY PLANTING PLAN

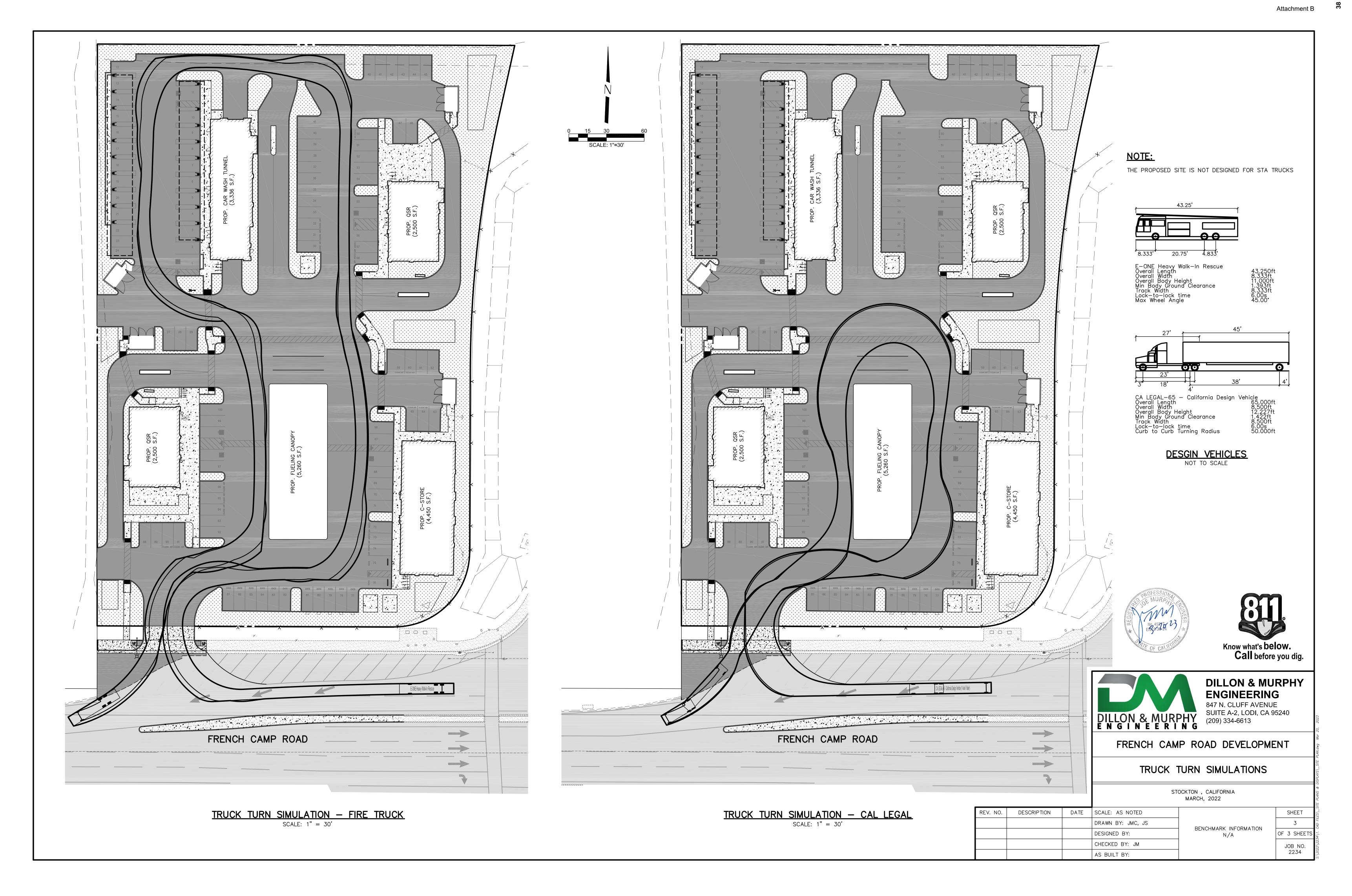
Date May 13, 2022 Drawn Carol B. Job

Sheet

LP-2







Calls for Service - 461 French Camp Rd. Date Range: 08/23/2020 - 08/23/2022

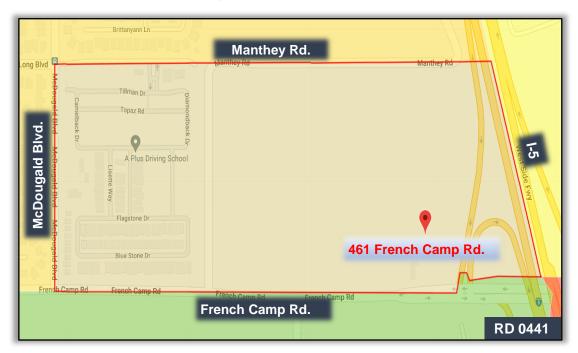
Call Type	Total
594	1

Calls for Service that Resulted in a Crime Report

Call Type	Description	Date	Report No
594	Malicious Mischief	9/22/2021	210033620

Data Source: Tiburon | Crystal Report. Query Filters: CAD/CFS, Location: 461 French Camp Rd., Date Range: 08/23/2020-08/23/2022

Calls for Service - RD 0441 Date Range: 08/23/2020 - 08/23/2022



Call Type	Total
10851	3
108510	1
10851R	1
12020	1
23152	1
243 246	3
246	1
2735	1
314	1
415	7
415C	11
415CW	4
415D	2

Call Type	Total
415HW	40
422	1
451	1
459A	2
459R	
480	1
481	12
484	12 3 5 2
487	5
502	2
505	20
502 505 5150	1
594	2

Call Type	Total
415E	11
415F	7
415H	1
901A	3 1 9 5
901F	1
903A	9
903D	5
905	1
911	1
912	7
913A	1
920	1
920P	7
928F	1
929	27 2 1
929A	2
930	1
933	28 4
933990	4
933PA	3
937	19
939	5
940	3 19 5 5
943	
945	16
949	24

	AI
Call Type	Total
601	6
715	15
901	23
953	15 23 1 1 1 2 3 5 1 1 2 2 2 3 3 3 6 1 1 1 2 2 1
955	1
955A	1
955C	2
955D	3
958	5
960	1
962	1
962X	2
965B	2
967	3
969B	3
970	6
970B	1
970C	3
990	1
C5 NARC OPEN	1
NARC	2
OPEN	1
OTHER	13 11 5
Т	11
TRU	5
WELCK	14
Grand Total:	447

Calls for Service that Resulted in a Report - RD 0441

Call Type	Total
10851	1
10851O	1
12020	1
23152	1
243 246	2
246	1
2735	1
415C	2
451	1
459A	1
459R	2
480	1
481	9 2
484	2
487	4

Call Type	Total
5150	1
594	2
901	14
901A	2
901F	1
903D	1
905	1
929	6
937	1
939	5
949	1
960	1
Т	1
TRU	3
Grand Total:	70

Data Source: Tiburon | Crystal Report. Query Filters: CAD/CFS, RD: 0441, Date Range: 08/23/2020-08/23/2022

Specific Crime Reports - RD 0441 Date Range: 08/23/2020 - 08/23/2022

Incident Type	Total
487 - GRAND THEFT	8
484 - THEFT	3
459A - BURGLARY AUTO	2
594 - MALICIOUS MISCHIEF	2
243 - BATTERY	1
23152 - DRUNK DRIVING	1
451 - ARSON	1
12020 - POSSESSION OF ILLEGAL WEAPON	1
459R - BURGLARY RESIDENTIAL	1
148 - RESISTING ARREST	1
10851 - STOLEN VEHICLE	1
243E1 - DV BATTERY FORMER/PRESENT OTHER	1
960 - TRESPASSING	1
246 - SHOOTING INTO OCCUPIED DWELLING	1
273 5 - DV INFLICT CORP INJ ON SPOUSE-CO HABIT	1
Grand Total:	26

Data Source: SAP Crystal Enterpise. Query Filters: ARS NIBRS, RD: 0441, Date Range: 08/23/2020-08/23/2022.
SPECIFIC INCIDENT TYPE ONLY: 10851, 12020, 12025, 136, 148, 1551, 166 4, 182, 187, 187A, 193, 196, 197, 207, 207A, 211, 211PS, 211R, 215, 220, 23152, 236, 236 1, 243, 243B, 243E1, 244, 245, 245R, 246, 246U, 247B, 25658, 261, 261 5, 272, 273, 273 5, 273 6, 278, 278 5, 281, 286, 288, 289, 290, 3056, 314, 337, 368, 415, 415F, 417, 422, 451, 457, 459A, 459B, 459R, 466, 470, 480, 481, 481B, 484, 484B, 484G, 487, 496, 498, 503, 529, 530, 537, 594, 597, 646, 647 6, 647A, 647B, 647F, 648, 653M, 910, 910A, 911A, 923, 928, 928A, 928B, 928C, 928F, 936W, 943, 956, 957, 957B, 958, 960, 970, L-S, NARC, SEARCH, TAGGER, TSTOP, WELCK

CFS by Reporting Districts (RDs) Date Range: 08/23/2020 - 08/23/2022

RDs Total CFS % of the Cit Average CF 0109 56206 1884% 0346 11210 376% 0105 10679 358% 0122 8926 299% 0164 8446 283% 0475 8380 281% 0264 8347 280% 0102 8299 278% 0251 8299 278% 0345 8177 274% 0300 94444 272%	
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0360 8144 273%	
0127 8087 271%	
0326 8012 268%	
0103 7725 259%	
0281 7433 249%	
0253 7370 247%	
0216 7257 243%	
0306 6885 231%	
0218 6711 225%	
0359 6616 222%	
0282 6595 221%	
0106 6529 219%	
0252 6429 215%	
0115 6394 214%	
0344 6333 212%	
0231 6241 209%	
0101 5972 200%	
0325 5708 191%	
0339 5676 190%	
0230 5525 185%	
0265 5515 185%	
0337 5452 183%	
0121 5365 180%	
0180 5361 180%	
0110 5171 173%	
0117 5011 168%	
0332 4923 165%	
0166 4867 163%	
0165 4764 160%	
0168 4655 156%	
0129 4597 154%	
0116 4499 151%	
0324 4481 150%	
0128 4457 149%	
0278 4453 149%	
0364 4359 146%	
0334 4135 139%	
0221 4116 138%	
0250 4115 138%	
0108 4110 138%	
0161 3951 132%	
0118 3950 132%	
0147 3919 131%	

		0/ of the City
RDs	Total CFS	% of the City
0264	2076	Average CFS
0361 0358	3876 3870	130% 130%
0338	3824	128%
0126	3792	127%
0437	3790	127%
0323	3783	127%
0323	3726	125%
0104	3715	124%
0132	3699	124%
0112	3698	124%
0439	3681	123%
0263	3675	123%
0171	3548	119%
0193	3416	114%
0335	3367	113%
0362	3364	113%
0107	3296	110%
0436	3266	109%
0436	3239	109%
0348	3223	108%
0425	3154	106%
0229	3086	103%
0229	3081	103%
0322 0338	3062 3061	103% 103%
0176 0311	3018 2947	101% 99%
0114	2945	99%
0471	2907	97%
0343	2874	96%
0343	2853	96%
0367	2810	94%
0223	2803	94%
0223	2802	94%
0314	2801	94%
0269	2754	92%
0365	2741	92%
0303	2667	89%
0211		
	2633	88%
0283 0150	2572 2568	86% 86%
0124	2559	
	2529 2529	86% 85%
0208 0172	2529	84%
	2494	84%
0327	_	
0249	2475	83% 83%
0125	2466 2465	83% 83%
0136	2465	82%
0175	2451	
0178 0131	2451 2447	82% 82%
0260	2446 2419	82%
0363	2419	81%

42

Crime Analysis Unit 3406

RDs Total CFS % of the Cit Average CF 0303 2381 80% 0347 2378 80% 0111 2374 80% 0163 2371 79% 0207 2350 79% 0123 2350 79% 0262 2345 79% 0276 2329 78% 0248 2298 77% 0189 2266 76% 0202 2183 73% 0366 2174 73% 0330 2153 72% 0185 2142 72% 0309 2114 71% 0210 2103 70% 0169 2051 69% 0333 2015 68% 0173 2011 67%	•
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0213 2003 67%	
0192 1990 67%	
0158 1985 67%	
0130 1963 07 % 0181 1950 65%	
0328 1944 65%	
0356 1939 65%	
0232 1937 65%	
0226 1932 65%	
0224 1932 65%	
0352 1924 64%	
0204 1914 64%	
0137 1912 64%	
0220 1899 64%	
0201 1867 63%	
0267 1863 62%	
0140 1845 62%	
0430 1842 62%	
0141 1839 62%	
0310 1809 61%	
0336 1787 60%	
0313 1690 57%	
0302 1676 56%	
0254 1674 56%	
0119 1671 56%	
0422 1660 56%	
0139 1660 56%	
0321 1654 55%	
0215 1646 55%	
0438 1628 55%	
0194 1606 54%	
0196 1602 54%	
0203 1583 53%	
0113 1573 53%	
0225 1549 52%	
0329 1526 51%	
0191 1524 51%	
0280 1517 51%	
0162 1502 50%	
0277 1471 49%	

		0/ of the City
RDs	Total CFS	% of the City
		Average CFS
0177	1460	49%
0190	1455	49%
0133	1450	49%
0342	1446	48%
0209	1433	48%
0160	1399	47%
0399	1384	46%
0156	1345	45%
0157	1310	44%
0130	1249	42%
0142	1236	41%
0331	1234	41%
0152	1226	41%
0138	1221	41%
0212	1214	41%
0275	1205	40%
0279	1187	40%
0340	1178	39%
0272	1133	38%
0120	1103	37%
0400	1067	36%
0186	1064	36%
0257	1014	34%
0524	990	33%
0312	969	32%
0470	961	32%
0308	948	32%
0258	901	30%
0349	898	30%
0188	886	30%
0255	848	28%
0244	831	28%
0449	812	27%
0357	775	26%
0159	771	26%
0179	770	26%
0135	756	25%
0256	718	24%
0286	718	24%
0170	713	24%
0274	632	21%
0419	624	21%
0429	610	20%
0427	601	20%
0472	591	20%
0273	553	19%
0206	532	18%
0369	526	18%
0134	517	17%
0305	490	16%
0441	447	15%
0247	434	15%
0222	407	14%
0228	363	12%
0187	360	12%
0259	345	12%
0149	341	11%
0148	323	11%

Crime Analysis Unit 3406 2

RDs	Total CFS	% of the City Average CFS
0304	296	10%
0301	294	10%
0423	284	10%
0154	259	9%
0443	255	9%
0195	239	8%
0368	184	6%
0182	181	6%
0476	154	5%
0217	148	5%
0153	95	3%

RDs	Total CFS	% of the City Average CFS
0455	86	3%
0214	62	2%
0444	48	2%
0145	41	1%
0184	29	1%
0420	29	1%
0432	15	1%
0428	15	1%
0431	2	0%
0433	2	0%
0268	1	0%

CFS 2894 Average:

Data Source: Tiburon | Crystal Report. Query Filters: CAD/CFS, Date Range: 08/23/2020 - 08/23/2022

**To calculate % of the City Average CFS:

**Total CFS/CFS Average (2894)

Crime Analysis Unit 3406

STOCKTON PLANNING COMMISSION

RESOLUTION APPROVING A COMMISSION USE PERMIT AND DESIGN REVIEW TO ALLOW THE ESTABLISHMENT OF A CONVENIENCE STORE WITH THE OFF-SALE OF BEER, WINE, AND GENERAL MERCHANDISE, A FUELING STATION, TWO QUICK-SERVE DRIVE-THROUGH RESTAURANTS, AND A CAR WASH FACILITY, AT 461 FRENCH CAMP ROAD (P22-0534) (APN 168-190-100)

On June 20, 2022, the applicant, Mike Boparai, submitted an application to the Community Development Department for Commission Use Permit and Design Review for planning application No. P22-0534, to develop a convenience store with off-sale of beer and wine, fueling station, two (2) quick-serve drive-through restaurants, and a car wash; and

On July 26, 2023, the Architectural Review Committee (ARC) recommended approval of the Project design to the Director. The Director confirmed the Architectural Review Committee's recommendation and made a recommendation to the Planning Commission for final approval of the Project's design; and

On September 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 September 28, 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:

- A. The foregoing recitals are true and correct and incorporated herein 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 Commercial, Large (CL) zoning districts, subject to approval of a Commission Use Permit by the Planning Commission and complies with all other applicable provisions of the Development Code, SMC Title 16 and the SMC. The proposed use is allowed with a Commission Use Permit in the Commercial, Large-Scale (CL) Zone. Per SMC section 16.20.020, Table 2-2, the use, as

proposed, will meet all applicable development standards in the Development Code. There are no applicable overlays or specific plans for this site.

- 2. The proposed use, as conditioned, will maintain or strengthen the integrity and character of the neighborhood and zoning district in which it is to be located. The proposed convenience store, fueling station, restaurants, and car wash facility will occur within a new building that was reviewed by the ARC, determined to be in compliance with the applicable provisions of the Citywide Design Guidelines. Further, it will provide additional neighborhood-service retail and convenience services to the local neighborhood.
- 3. The proposed use will be consistent with the general land uses, objectives, policies, and programs of the General Plan and any applicable specific plan or master development plan:

Goal CH-3: Expand opportunities for local enterprise, entrepreneurship, and gainful employment.

Land Use-4.5, Commercial Area Aesthetics – The City shall require that new commercial development incorporate landscaping and good design in accordance with Citywide Design Guidelines. The City's ARC has reviewed and determined that the project's proposed elevations, renderings, and materials are substantially in compliance with applicable provisions of the Citywide Design Review Guidelines.

ED—1 To maintain a thriving business community that provides a sound tax base for the City, jobs for the local workforce, and commercial shopping opportunities for residents and visitors alike. The proposed development will create jobs and provide services to an underserved area of Stockton.

- 4. The subject site will be physically suitable for the type and density / intensity of the 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.). The proposed project and development site have been evaluated by all City Departments for consistency with the development standards in the Municipal Code will be provided with adequate services and accesses. The project site is flat and borders a developed public street and vacant lands for commercial property. As an infill development project, the proposed use will be served by the existing surrounding access and utilities, including sanitation, storm sewer, and water, located on French Camp Road. There are no known physical constraints to develop the site. For all these reasons, the proposed use is of an appropriate intensity and would be carried out on a suitable site.
- 5. The establishment, maintenance, or operation of the subject use, at the location proposed and for the time period(s) identified, is not expected to 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 subject use, because the use will be subject to conditions of approval that require a

security surveillance video system, installation of lighting around the premises, as well as additional conditions of approval relating to loitering and obeying all laws established by the City of Stockton and Alcoholic Beverage Control.

- 6. The design, location, size, and operating characteristics of the subject use are expected to be compatible with existing and future land uses on- site and in the vicinity of the subject property because the planned convenience store with the off-sale of beer and wine is classified as a retail use that is compatible with the Commercial General Plan designation on the subject site. The anticipated customer base, traffic patterns, noise levels, and general operational characteristics of the proposed convenience store with the off- sale of beer and wine are compatible with nearby commercial and industrial uses.
- 7. The proposed project is Categorically Exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines, in accordance with the provisions of section 15332 (In-Fill Development Projects) as the Project is: a) consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations; (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; (c) The project site has no value as habitat for endangered, rare or threatened species; (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and, (e) The site can be adequately served by all required utilities and public services.

<u>Problem Use Findings – Alcoholic Beverage Sales, Off-Sale</u>

- 8. The proposed use, as conditioned, is not likely to interfere with the comfortable enjoyment of life or property in the area. The proposed use will provide an opportunity for nearby residents to purchase convenience items and will not interfere with the comfortable enjoyment of life or property in the vicinity.
- 9. The proposed use, as conditioned, will not increase or encourage the deterioration or blight of the area. The proposed off-sale of beer and wine will be going into a new convenience store and fueling station, on an undeveloped site. The Owners, Developers, and/or Successors in Interest are required to conform to all Conditions of Approval related to the Project, which include conditions related to loitering, as well as all laws and regulations provided by Alcoholic Beverage Control.
- 10. The establishment of an additional use of this type in the area will not be contrary to any program of neighborhood conservation, improvement, or redevelopment, either residential or nonresidential. The use will be going into a vacant site which will provide services to the neighborhood. There are no neighborhood conservation programs, improvement programs, or redevelopment programs in the area that the Project would be subject to.

Alcoholic Beverages Findings

- 11. The proposed use will not result in repeat nuisance activity on or near the premises. Nuisance activity includes, but is not limited to: disturbing the peace, illegal drug activity, public drunkenness, drinking in public, harassment of passersby, gambling, prostitution, sale of stolen goods, public urination/defecation, theft, assaults, batteries, acts of vandalism, excessive littering, loitering, graffiti, illegal parking, excessive loud noise (especially in the late night or early morning hours), traffic violations, curfew violations, lewd conduct, or police detentions and arrests. As conditioned, the convenience store will endure to limit potential nuisance and criminal activity, littering, graffiti, and excessive loitering. The Applicant has agreed to comply with all conditions of approval.
- 12. The owners and all employees of the establishment will complete an approved course in Licensee Education on Alcohol and Drugs, or other "Responsible Beverage Sales" or any other California Department of Alcoholic Beverage Control Board (ABC) approved program within 60 days of hire for new employees. To satisfy this requirement, a certified program must meet the standards of the Alcohol Beverage Control Responsible Beverage Service Advisory Board, Service Advisory Board, or other certifying / licensing body designated by the State of California. As a condition of approval, the Applicant will complete the approved course for responsible beverages sales.
- 13. The proposed use will comply with all provisions of local, state, and federal laws, rules, regulations, policies, or orders, including, but not limited to, those promulgated and or enforced by the ABC, California Business and Professions Code sections 24200, 24200.6, and 25612.5, and any condition imposed on any valid permit(s) issued pursuant to applicable laws, regulations, or other authority. This includes compliance with annual city business license fees. The Applicant and proposed use will comply will all provisions of local, state, and federal laws, rules, regulations, policies, or orders enforced by the City of Stockton and ABC.

California Environmental Quality Act

- C. The proposed project is Categorically Exempt from CEQA, in accordance with the provisions of section 15332 (In-Fill Development Projects) as the project is: a) consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations; (b) The proposed development occurs within City limits on a project site of no more than five (5) acres substantially surrounded by urban uses; (c) The project site has no value as habitat for endangered, rare or threatened species; (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and, (e) The site can be adequately served by all required utilities and public services.
- D. Based on its review of the entire record herein, all supporting, referenced, and incorporated documents, and all comments received, the Planning Commission hereby approves the requested Commission Use Permit and Design Review, subject to the following conditions of approval.

Conditions of Approval: Standard

- This Commission Use Permit approval authorizes the operation of a Convenience Store with off-sale of beer and wine, Fueling Station and Car Wash in the site area and design identified in Exhibit 1, attached and incorporated by reference.
 - a. The Owners, Developers, and/or Successors in Interest 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 including but not limited to, monetary fines and revocation of this Permit.
 - c. This Commission 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.

Conditions of Approval: Project Specific

This Commission Use Permit incorporates the following conditions of approval.

- 2. This Commission Use Permit is limited to a Type 20 Alcoholic Beverage Control License, which limits sales to off-sale beer and wine.
- 3. A "complaint response community relations" program established and maintained by the establishment conducting the Alcoholic Beverage Sales Activity may be required. The program must include the following:
 - i. Posting at the entry of the establishment that provides the telephone number for the area commander of the local law enforcement substation to any requesting individual.
 - ii. Coordinating efforts with the Police Department to monitor community complaints about the establishment's activities.
 - iii. Having a representative of the establishment meet with neighbors, or the applicable neighborhood association on a regular basis and at their request to attempt to resolve any neighborhood complaints regarding the establishment.

- 4. Hours of operation for the alcoholic beverage sales activity are limited to the regulations set forth by the State of California ABC.
- 5. The following signs are required to be prominently posted in a readily visible manner on an interior wall or fixture, and not on windows, in English, Spanish, and any other predominant language of the patrons:
 - i. "California State Law prohibits the sale of alcoholic beverages to persons under 21 years of age."
 - ii. "No Loitering or Public Drinking" signs shall be posted on the exterior of the business.
 - iii. The business shall post E.A.S.Y. (Eliminate Alcohol Sales to Youth) materials that are visible from outside the business.
 - iv. The consumption or carrying of open containers of alcoholic beverages on the premises of the off-sale alcohol establishment is not permitted. Signs advising patrons of this prohibition shall be posted adjacent to the front door on the interior of the building.
- 6. The establishment shall be required to operate in a manner appropriate with mitigating alcohol-related problems that negatively impact those individuals living or working in the neighborhood, including, but not limited to: sales to minors, the congregation of individuals, violence on or near the premises, drunkenness, public urination, solicitation, drug-dealing, drug use, loud noise, and litter.
- 7. The establishment's operators or employees shall be required to discourage loiterers on or near the premises and to ask persons loitering longer than 15 minutes to leave the area and contact local law enforcement officials for enforcement of applicable trespassing and loitering laws if persons requested to leave fail to do so.
- 8. Prior to the initiation of alcoholic beverage sales activity, the most current technology for a video surveillance system with at least a seven (7) day continuous recording capability shall be in place. Video recordings shall be archived for at least 30 days. The video surveillance system shall cover the entire exterior of the premises, including the parking lot and the entrances to the building.
- Exterior vegetation shall not be planted or maintained if it could be used as a hiding place for persons on the premises. Exterior vegetation shall be planted and maintained in a manner that minimizes its use as a hiding place.
- 10. No more than 20 percent of windows or clear doors shall bear advertising of any sort and all advertising signage shall be placed and maintained in a manner that

- ensures that law enforcement personnel have a clear and unobstructed view of the interior of the premises, including the area in which the cash registers are maintained, from the exterior public sidewalk or entrance.
- 11. The owners and all employees of the alcoholic beverage sales establishment who are involved in the sale of alcoholic beverages shall complete an approved course in "Responsible Beverage Sales", or any other ABC approved course, within 60 days of hire for all employees hired. To satisfy this requirement, a certified program must meet the standards of the Alcohol Beverage Control Responsible Beverage Service Advisory Board, other certifying / licensing body Service Advisory Board, or other certifying / licensing body designated by the State of California.
- 12. Exterior areas of the premises and adjacent parking lots shall be provided with sufficient lighting in a manner that provides adequate illumination for alcoholic beverage sales establishment patrons while not spilling onto surrounding parcels and rights-of-way. A photometric study may be required to demonstrate compliance once the use is initiated.
- 13. The Commission Use Permit shall be valid for the duration of the use, but if the alcohol sales license is revoked by the State of California, is transferred off-site, or if the establishment does not sell alcohol for a period of 24 months or more, the use permit may be subject to revocation following a public hearing.
- 14. The proposed landscaping design must comply with the State Model Water Efficient Landscape Ordnance. A landscape design package from a California licensed landscape architect will be required as part of the building permit submittal.
- 15. If the Convenience Store will sell prepared food, approval will be required from the San Joaquin County Environmental Health Department prior to building permit issuance.
- 16. Building permits required from the City of Stockton Building and Life Safety Division for the proposed onsite improvements and the construction of each building.
- 17. The Owners, Developers and/or Successors shall be responsible for the establishment of reciprocal utility, access, and parking easements as necessary. The noted easements shall be shown on the parcel map as reserved easements or recorded as separate instruments prior to the recordation of the parcel map.
- 18. Off-site improvement plans shall be submitted to the City of Stockton Community Development Department Engineering Division for review and approval by the City Engineer. 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 designed in accordance with the City's most recently adopted water, storm, and sanitary collection system master plans and the City's Public Works design standards.

- 19. Any on-site wells and septic tanks must be abandoned and destroyed. Standard for abandonment and destruction shall be as required by San Joaquin County Department of Environmental Health.
- 20. A separate sewer lateral connection to the City sewer main is required for each building.
- 21. The project shall construct a 15-inch sanitary sewer main in Henry Long Boulevard.
- 22. The project shall construct a 12-inch water main in French Camp Road.
- 23. The project shall construct a 15-inch storm drain main in French Camp Road.
- 24. Provide a Stormwater Quality Control Plan at the time of building permit submittal.
- 25. Provide a Water Discharge I.D. number for the State approved Stormwater Pollution Prevention Plan prior to approval of a building permit.
- 26. Provide a City Standard Sand / Oil separator for the carwash.
- 27. Provide a City Standard Grease Interceptor if a restaurant is proposed.
- 28. The sanitary sewer line from the east end of Henry Long Boulevard to Manthey Road shall be upsized from 10 inches to 15 inches.

PASSED, APPROVED, and ADOPTED September 28, 2023	
--	--

	WAQAR RIZVI, CHAIR City of Stockton Planning Commission
ATTEST:	
MICHAEL MCDOWELL, SECRETARY City of Stockton Planning Commission	

FRENCH CAMP DEVELOPMENT

461 FRENCH CAMP ROAD FRENCH CAMP, CALIFORNIA 95206

EXHIBIT 1

K12 Architects, Inc PH:(916) 455-6500 FAX:(916) 455-8100

GENERAL NOTES	CONSULTANTS	PROJECT DATA	DRAWING INDEX	
Scope: Provide all items, articles, materials and operations including labor, materials, equipment and incidentals necessary for a complete job.	CIVIL:	ASSESSOR'S PARCEL NUMBER(S): 168-019-10	ARCHITECTURAL	_
Materials and equipment shall be installed, applied, or erected in accordance with manufactures recommendations or requirements, unless the drawings exceed those requirements or recommendations.	DILLON & MURPHY ENGINEERING	GENERAL PLAN DESIGNATION: COMMERCIAL	A001 PROJECT COVER SHEET A101 OVERALL SITE PLAN A102 TRASH ENCLOSURE DETAILS	CON
By executing the contract, the General Contractor affirms he has visited the site and is familiar with the conditions under which the work is to be performed.	847 N. Cluff Ave, Suite A-2 Lodi, ca 95240	ZONING: CL	A103 AUTO TURN SITE PLAN A104 TRUCK TURN SITE PLAN A201 C STORE FLOOR PLAN	
4. Responsible supervision shall be at the site during all phases of construction.	P: (209) 334-6613 Contact: Joe Murphy	PROJECT SITE AREA (GROSS): $(\pm 3.23 \text{ ACRES}) \pm 139,027 \text{ S.F.}$	A202 QSR FLOOR PLAN A203 CAR WASH FLOOR PLAN	
Contractor to verify all conditions and dimensions at the site. All inconsistencies shall be brought to the attention of the Architect before proceeding with the work.	STRUCTURAL:	BUILDING DATA: CBC TYPE OF	A301 C STORE EXTERIOR ELEVATIONS A302 C STORE EXTERIOR ELEVATIONS A303 QSR EXTERIOR ELEVATIONS	
6. Conform to the current edition of all adopted building codes and ordinances.		STRUCTURE OCCUP. CONST. AREA	A304 QSR EXTERIOR ELEVATIONS A305 CAR WASH EXTERIOR ELEVATIONS A306 CAR WASH EXTERIOR ELEVATIONS	-
7. DO NOT SCALE DRAWINGS, VERIFY AT SITE.		RETAIL FACILITY BUILDING AREA(S):	A307 VACUUM CANOPY ELEVATIONS A308 VACUUM CANOPY ELEVATIONS	PRO
8. Details not specifically shown shall be similar to adjacent details.		CONVENIENCE STORE M V B 4,400S.F.	A901 FUEL CANOPY PLAN A902 FUEL CANOPY REFLECTED CEILING PLAN	
9. The Contractor shall coordinate the work of all trades and verify all dimensions.		CAR WASH TUNNEL B II B 3,336 S.F.	A903 FUEL CANOPY ELEVATIONS	
10. No structural work shall be cut, notched or otherwise penetrated, unless approved in writing by the Architect in advance, unless detailed on the drawings.	MECHANICAL, PLUMBING & ELECTRICAL:	FUELING CANOPY M II B 4,200 S.F.	LANDSCAPE LP-1 SOUTH PART OF SITE LANDSCAPE PLAN LP-2 NORHT PART OF SITE LANDSCAPE PLAN	1
11. The Contractor shall be responsible for the safety of the building and the occupants during construction, and shall provide adequate protection. Shoring and bridging shall be adequate for the construction. The Contractor shall comply with applicable safety requirements and codes.		QSR M II B 2,500 S.F. QSR M II B 2,500 S.F.	CIVIL	
12. Contractor shall provide debris box and keep premises clean daily.		FLOOR TO AREA RATIO:	CI SITE GRADING PLAN C2 UTILITIES EXTENSION EXHIBIT C3 TRUCK TURNS	
13. Provide construction dust barriers as required by governing authority.		TOTAL AREA OF SITE: 139,027 S.F.		
14. Provide adequate blocking for all fixtures.	LANDSCAPING:	TOTAL AREA OF BLDGS: (W/O CANOPY) (9%) 12,736 S.F. TOTAL AREA OF BLDGS: (W/ CANOPY) (12%) 16,936 S.F.		
15. Prior to excavation, determine and verify location of utility services in all areas to be excavated.	Perry Design	LANDSCAPING DATA:		
16. Contractor shall comply with all pertinent laws, codes, regulations, C.B.C., governing agencies and manufactures specifications, unless greater requirements are indicated, and/or are necessary for the safety of the project.	Landscape Architecture Irrigation Design 6281 Bluestone Lane	TOTAL AREA OF LANDSCAPING: 35,294.16 S.F. PERCENTAGE OF SITE LANDSCAPED: 25.40 %		
17. The owner shall pay for all standard permits required for the construction documents.	Placerville, CA 95667 P: (530) 823-2621	PARKING DATA: BUILDING AREA PARKING RATIO REQ'D.		
18. The General Contractor shall provide owner with a construction schedule prior to starting the work, and shall provide a qualified superintendent throughout the work.	Contact: Carol Perry Brown	CONVENIENCE STORE 4,400 SF (1:150gross) = 30		
 Unless stated otherwise in the scope of work summary, the General Contractor shall install all other procedures, testing and materials. 		QSR 01 2,500 SF (1:200 gross) = 13 QSR 02 2,500 SF (1:200 gross) = 13		DEV
20. Local jurisdiction business licenses are/may be required for all Contractors and Subcontractors providing work on the building or site.		$\frac{\text{CAR WASH}}{\text{TOTAL REQ'D PARKING}} = \frac{6}{62}$		
21. The General Contractor shall provide barricades and safety signs per O.S.H.A. requirements, and provide testing of the petroleum system and controls (including a systems Petrotite test), and of all new and modified air, water and electrical systems.		PARKING PROVIDED REGULAR SPACES = 99		
22. Construction activities shall be limited to the following hours of operations (failure to comply with following hours of operations would result in withholding of inspection):		ACCESSIBLE SPACES = 5 FUELING POSITIONS = 16		_
6:00 a.m. to 7:00 p.m. Monday thru Friday 9:00 a.m. to 6:00 p.m. Saturday No construction on Sunday		TOTAL 104 + 16 FUELING POSITIONS CLEAN AIR PARKING = 18		REV
23. Mitigate impacts that could be triggered from construction. The Contractor will shield unwanted glare from machines or temporary use of equipment.		ELECTRIC VEHICLE CHARGERS = 13 AIR/WATER STATION = 1		
24. The prime Contractor awarded the construction work will be required to have State Hazardous Substance Removal Certification in addition to their State Contractor's license.				
25. Any excavated material that is of a suspicious nature will be stockpiled on-site; samples will be taken by the consultant and tested for the presence of contaminants. Any excavated material that does not meet the requirements of the responsible regulatory agencies will be hauled off-site to an approved landfill. Any	SCOPE OF WORK		VICINITY MAP	PRO

french CAIMP DEVELOPIMENT

PARCEL # 16819010

461 FRENCH CAMP ROAD FRENCH CAMP, CA 95206

MIKE BOPARAI 6900 DANBERG WAY ELK GROVE CA. 95757

PROFESSIONAL SEALS:

20-040

5-10-2023

COVER

A001

SCOPE OF WORK

THE FRENCH CAMP DEVELOPMENT CONSITS OF AN 8-MPD ELING FACILITY WOTH A CONVENIENCE STORE, 2- QUICK SERVE RESTAURANTS WITH DRIVE-THRUS, AND AN EXPRESS CAR WASH WITH SELF-SERVE VACUUMS. IT WILL HAVE ELECTRIC VEHICLE CHARGERS AND

CODES

THESE DRAWINGS HAVE BEEN PREPARED USING: THE 2022 CALIFORNIA BUILDING CODE, CALIFORNIA FIRE CODE, CALIFORNIA ELECTRICAL CODE, CALIFORNIA MECHANICAL CODE, CALIFORNIA PLUMBING CODE, CALIFORNIA ENERGY CODE, AND CALIFORNIA GREEN BUILDING STANDARDS CODE(S). ALL

VICINITY MAP

YUBA CITY, CA

WORK SHALL COMPLY WITH CURRENT ACCESSIBILITY REQUIREMENTS.

material that meets the requirements of the regulatory agencies will be placed back in the work area and/or

7. Utility companies responsible for the relocation of facilities as part of the construction work in accordance with franchise agreements with the local jurisdiction will be required to provide their own monitoring program for the presence of hazardous materials during construction in accordance with all regulatory agencies.

28. If necessary, a technical report will be prepared by the local jurisdiction approved environmental consultant

29. Particularly loud noises shall not occur before 8:00 a.m. on weekdays and not at all on weekends. The Assistant local jurisdiction Manager upon a determination that unusually loud construction activities are significantly impacting the neighbors may modify the hours of construction. Failure to comply with the

above-described hours of operation may result in withholding inspections and possible construction

30. Sidewalks, parking lots and other paved areas must be swept regularly to prevent the accumulation of litter and debris. If pressure washed, debris must be trapped and collected to prevent entry into the storm drain

1. Landscaping shall be properly maintained and shall be designed with efficient irrigation practices to reduce

runoff, promote surface filtration and minimize the use of fertilizers and pesticides, which can contribute to

32. All new building, canopy and site signage requires separate sign permits. Contact the planning department

33. Provide a continuous 6" high, 6" wide concrete curbing shall be provided around all planter areas within or

documenting conditions witnessed during the excavation work and any other tasks performed.

26. Any stockpiled material will be placed on plastic sheeting and covered with plastic sheeting to prevent

disposed off-site to a normal disposal/recycling facility.

prohibitions, subject to the review and approval of the Engineer.

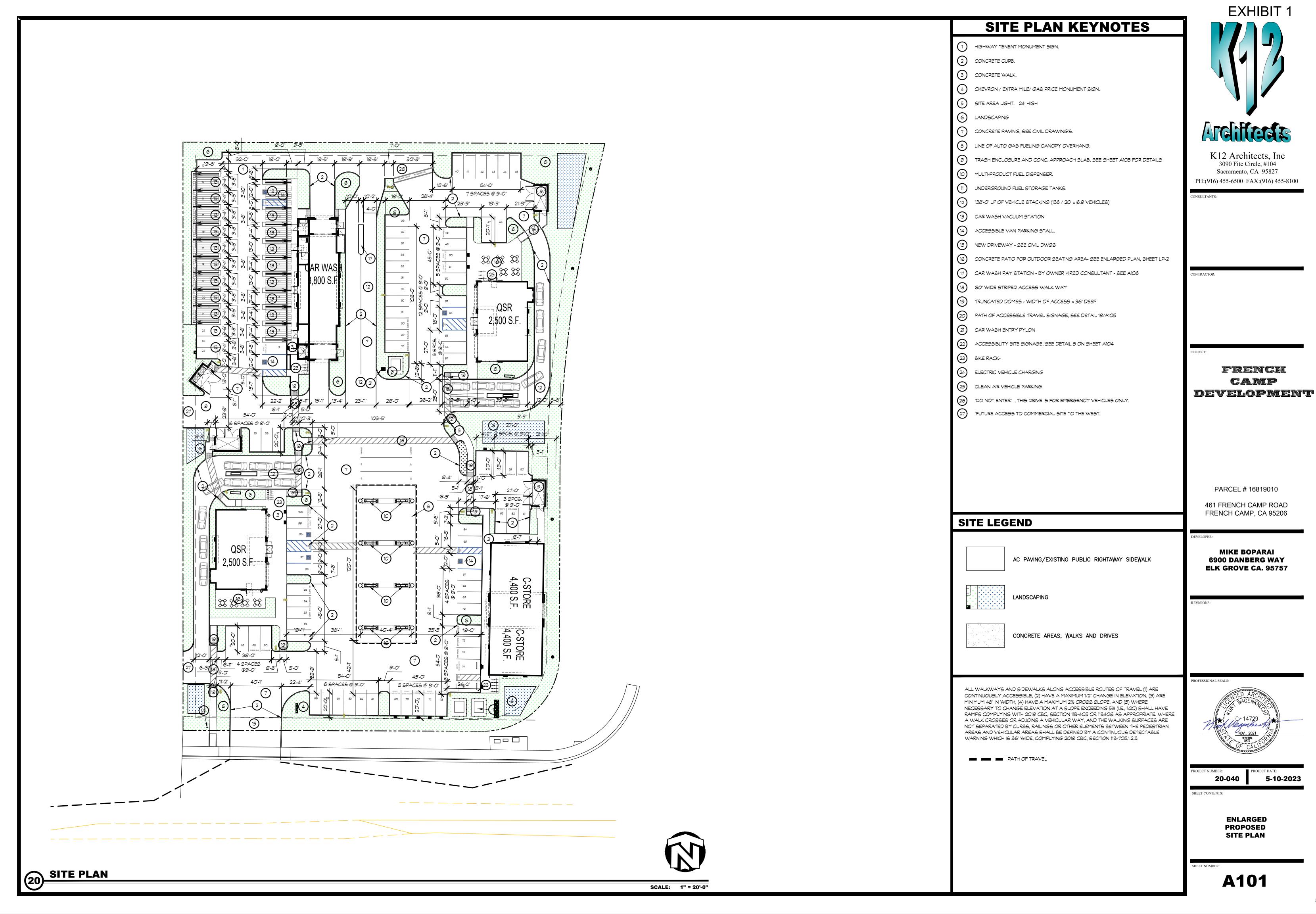
system. No cleaning agent may be discharged to the storm drain.

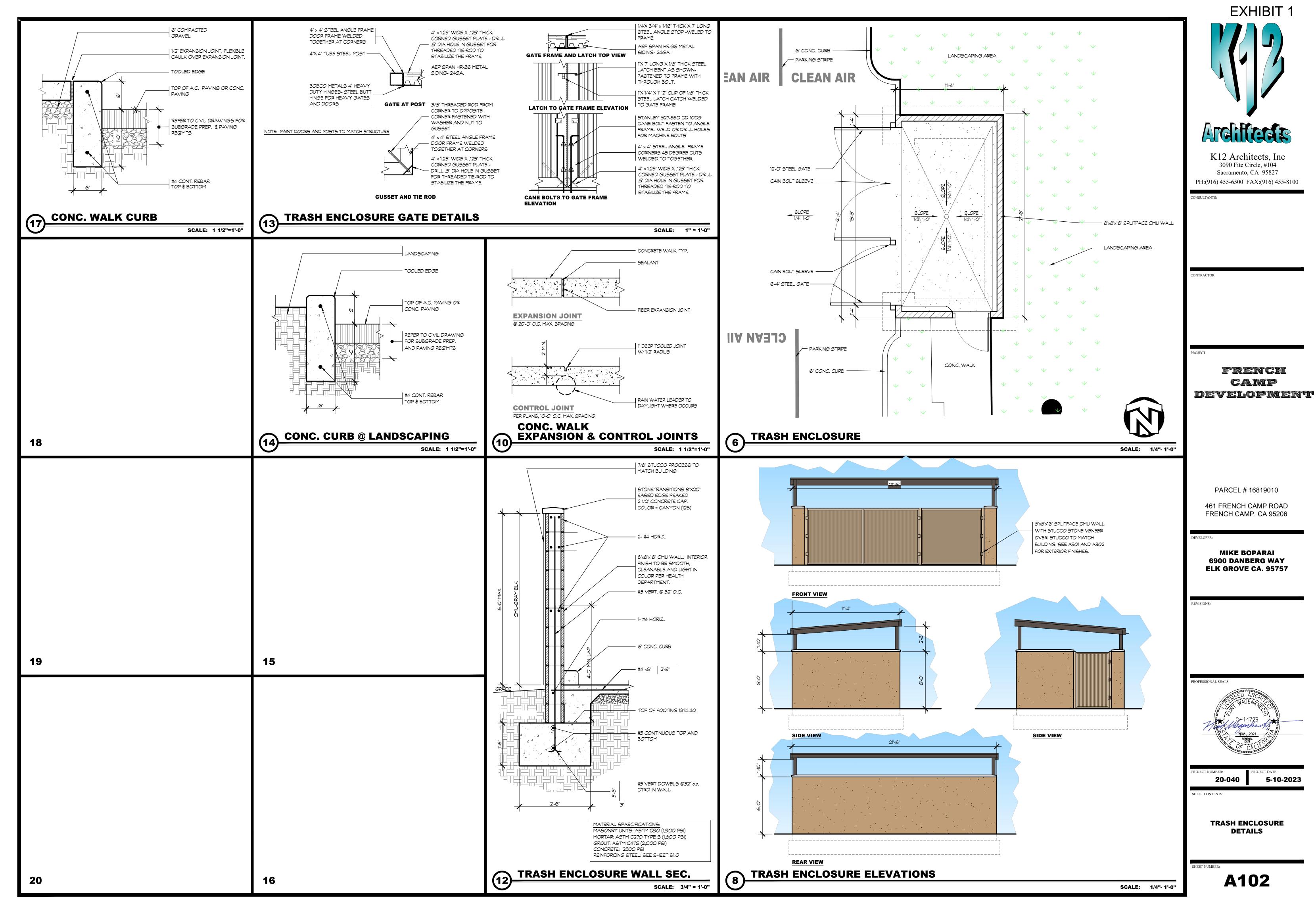
runoff pollution. Dead and dying plants shall be replaced.

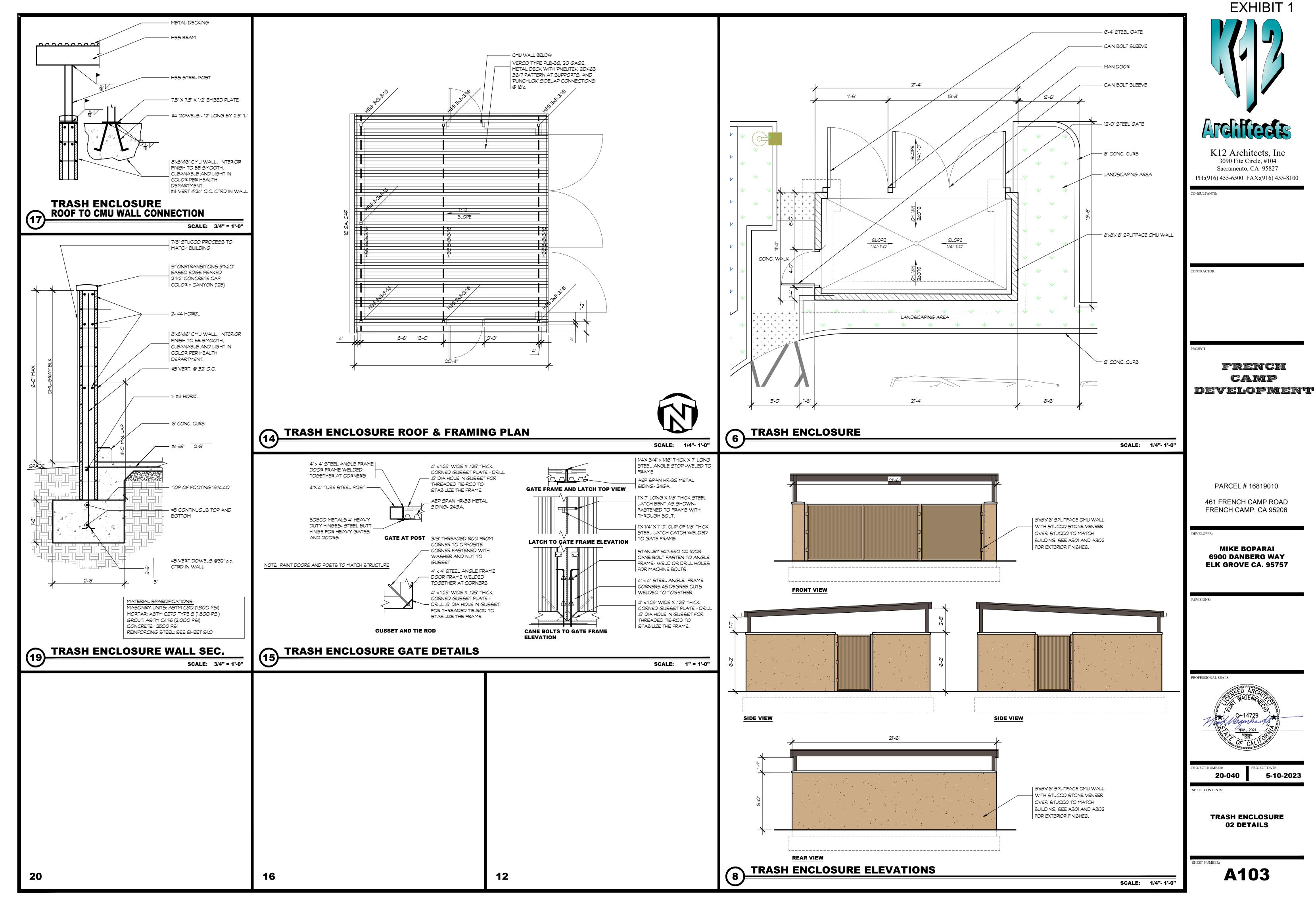
for submittal requirements.

adjacent to the parking lot and driveways.

spreading and mixing of the material.







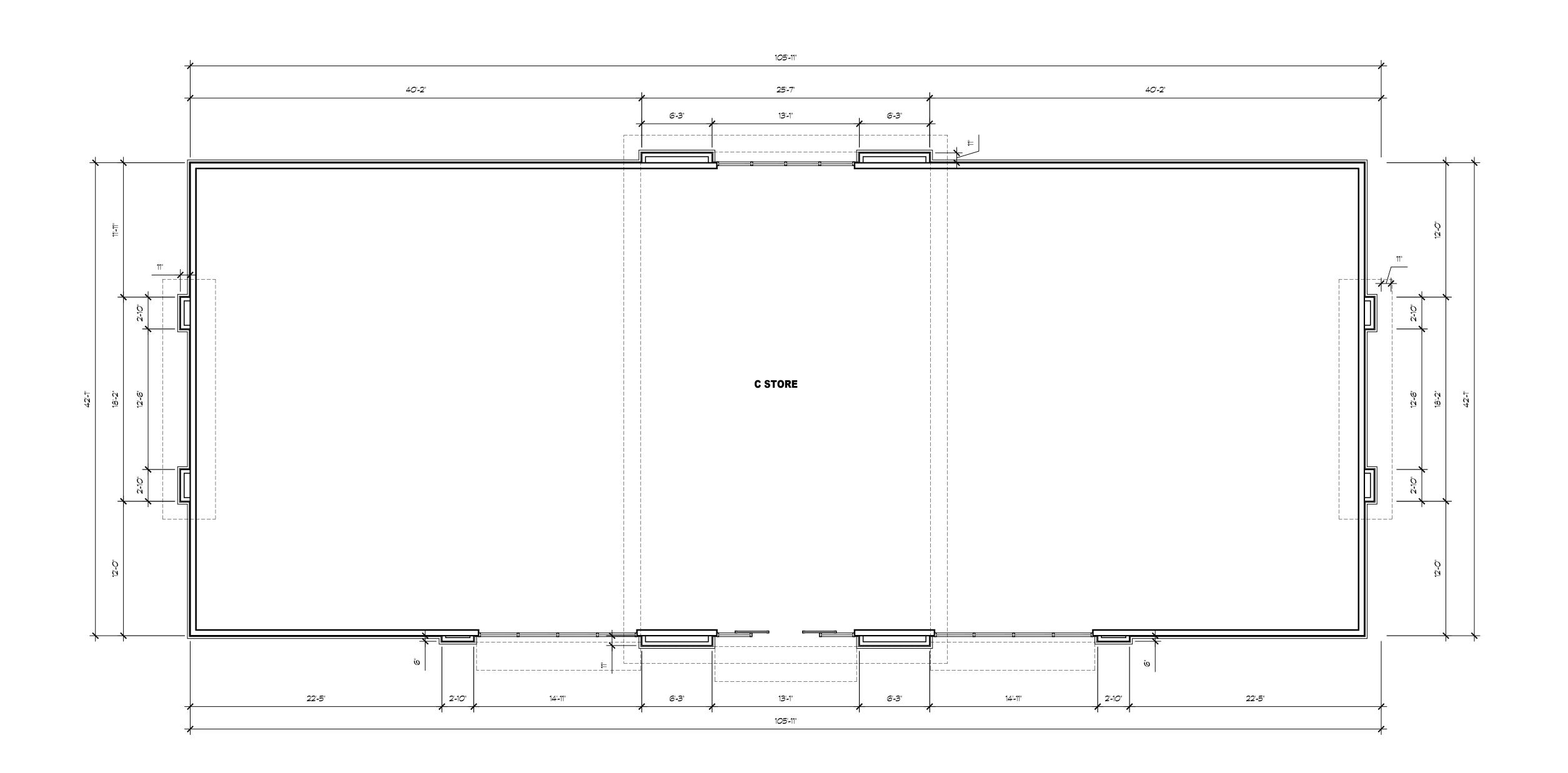


EXHIBIT 1

K12 Architects, Inc 3090 Fite Circle, #104 Sacramento, CA 95827 PH:(916) 455-6500 FAX:(916) 455-8100

CONTRACTOR:

f'rench CAIMP DEVELOPMENT

PARCEL # 16819010

461 FRENCH CAMP ROAD FRENCH CAMP, CA 95206

MIKE BOPARAI 6900 DANBERG WAY ELK GROVE CA. 95757

PROFESSIONAL SEALS:

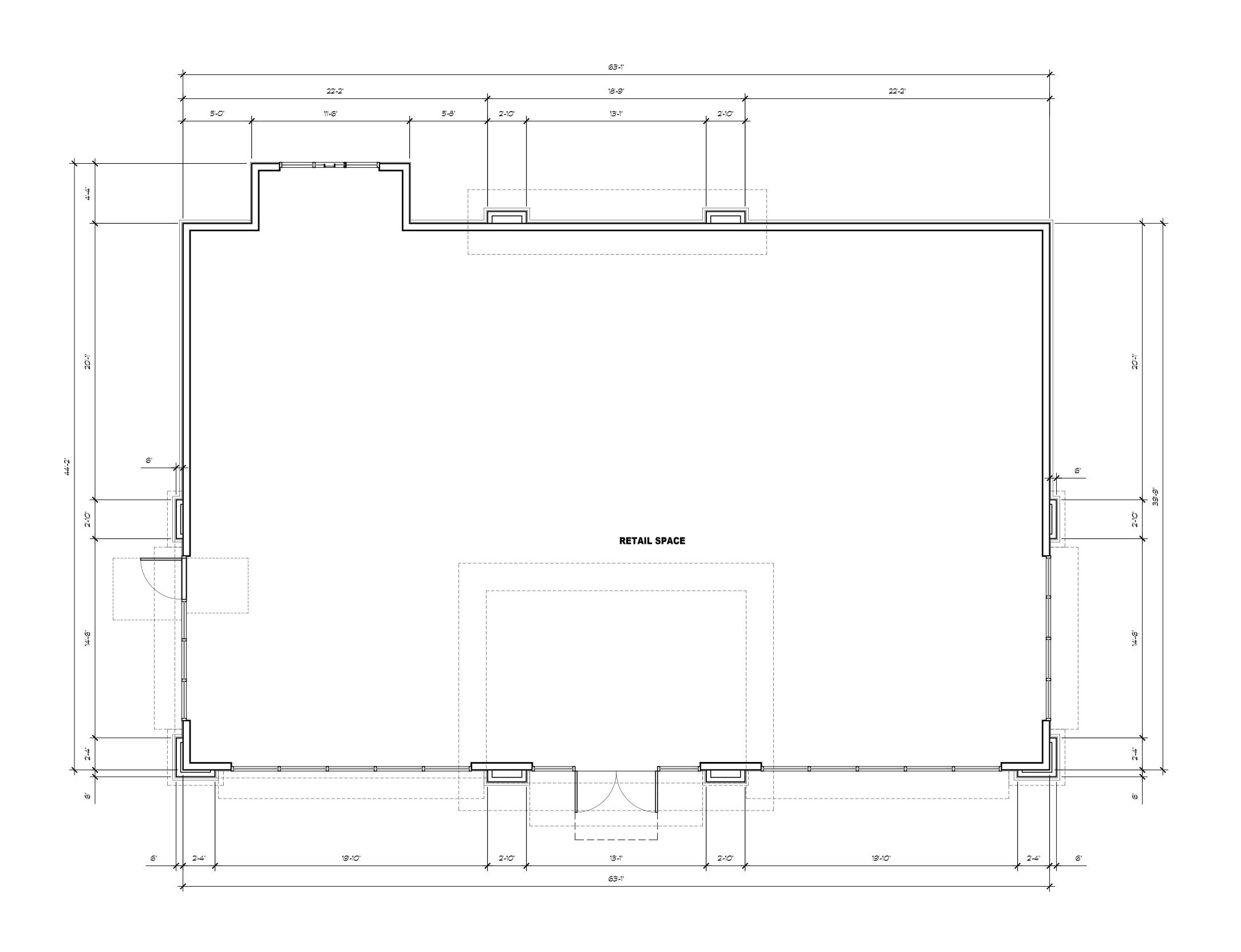


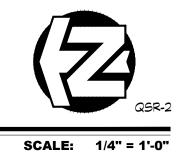
20-040 00-00-0000

C-STORE **FLOOR PLAN**

A201

SCALE: 3/16" = 1'-0"





A202

PROFESSIONAL SEALS:

EXHIBIT 1

K12 Architects, Inc 3090 Fite Circle, #104 Sacramento, CA 95827

PH:(916) 455-6500 FAX:(916) 455-8100

french

CAIMP

DEVELOPMENT

PARCEL # 16819010

461 FRENCH CAMP ROAD FRENCH CAMP, CA 95206

MIKE BOPARAI 6900 DANBERG WAY ELK GROVE CA. 95757

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QSR FLOOR PLAN

CONTRACTOR:

20 FLOOR PLAN

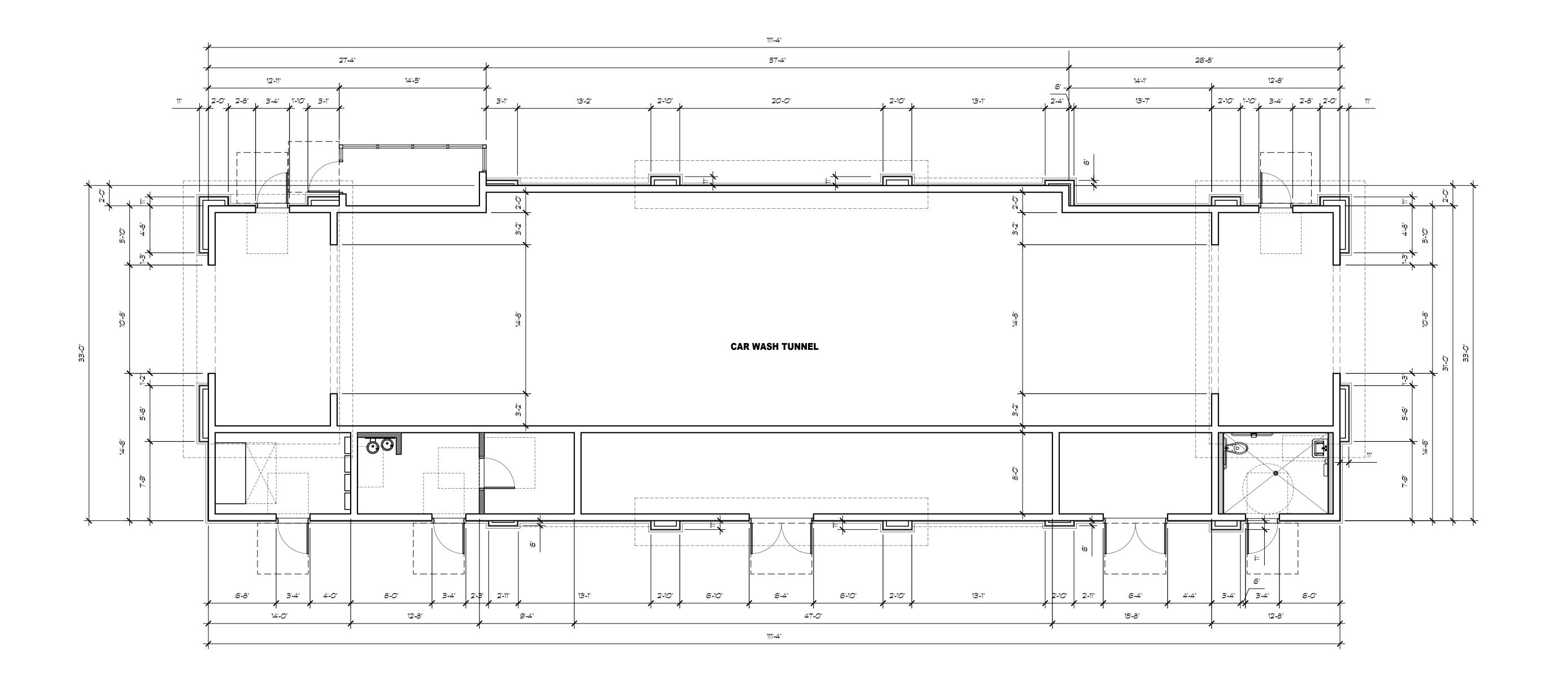


EXHIBIT 1

K12 Architects, Inc 3090 Fite Circle, #104 Sacramento, CA 95827 PH:(916) 455-6500 FAX:(916) 455-8100

CONSULTANTS:

CONTRACTOR:

FRENCH CAIVIP DEVELOPIVENT

PARCEL # 16819010

461 FRENCH CAMP ROAD FRENCH CAMP, CA 95206

DEVELO

MIKE BOPARAI 6900 DANBERG WAY ELK GROVE CA. 95757

REVISI

PROFESSIONAL SEALS:



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SHEET CONTENTS:

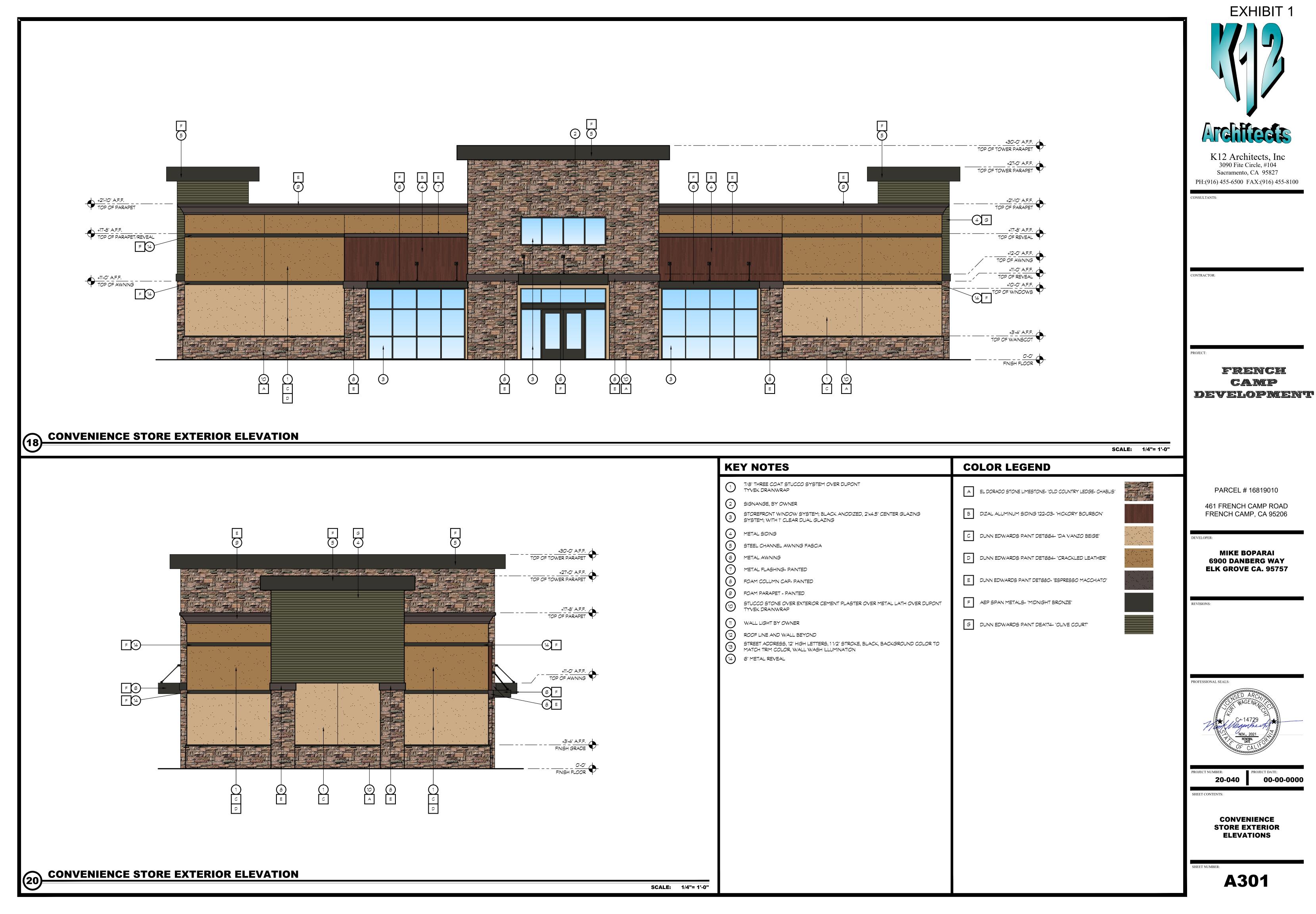
CAR WASH FLOOR PLAN

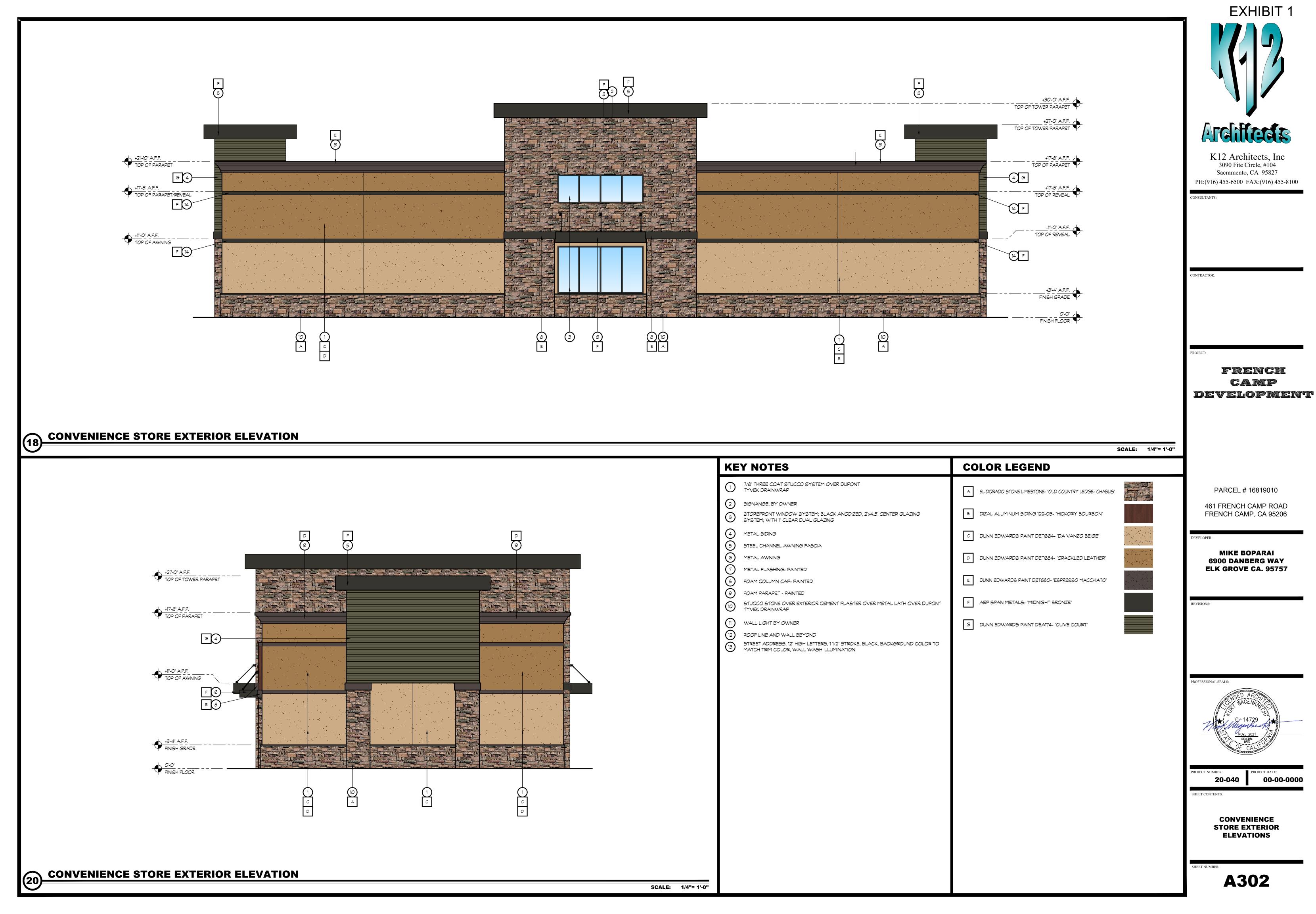
CHEET MAN (DED

A203

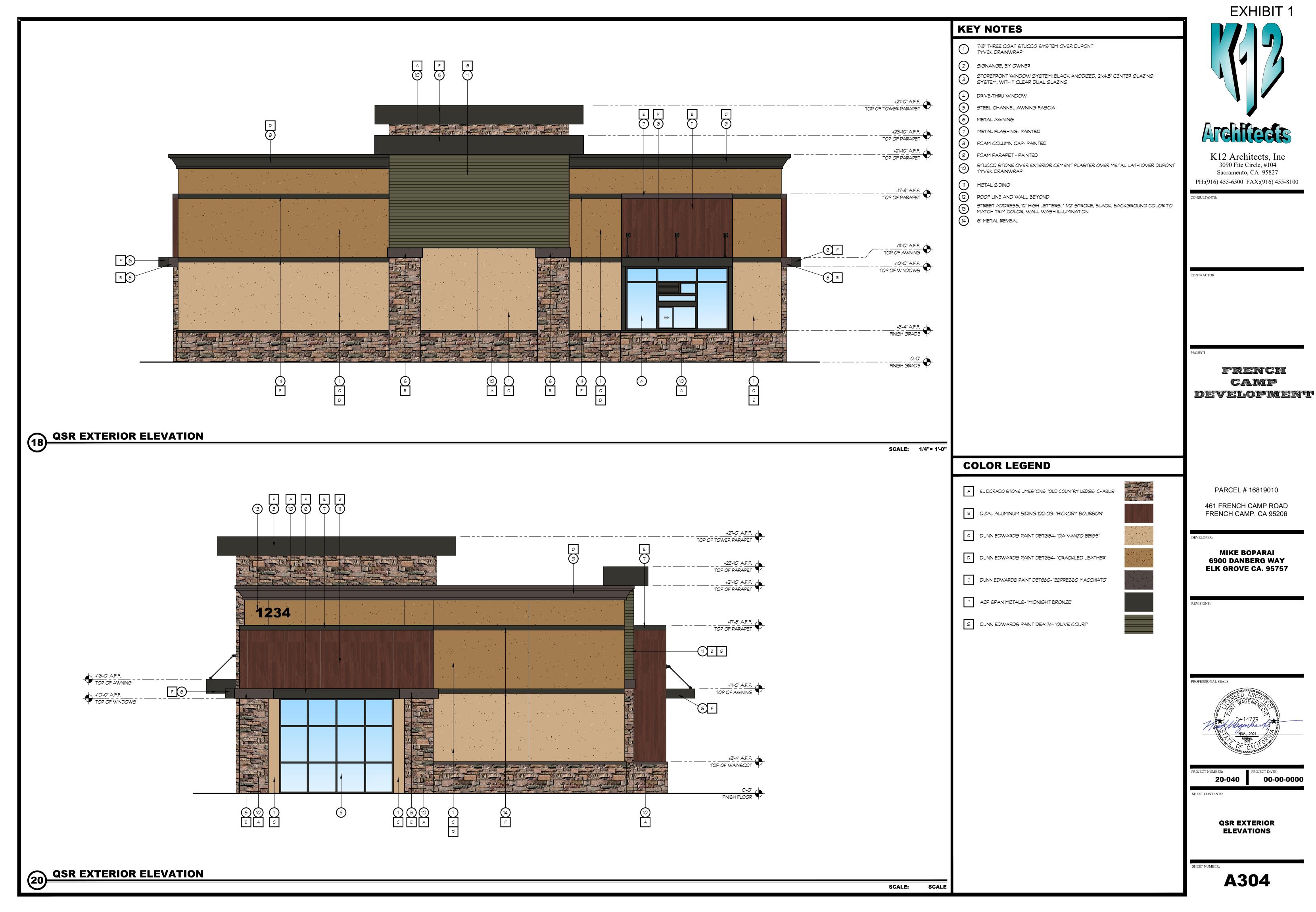
19 FLOOR PLAN

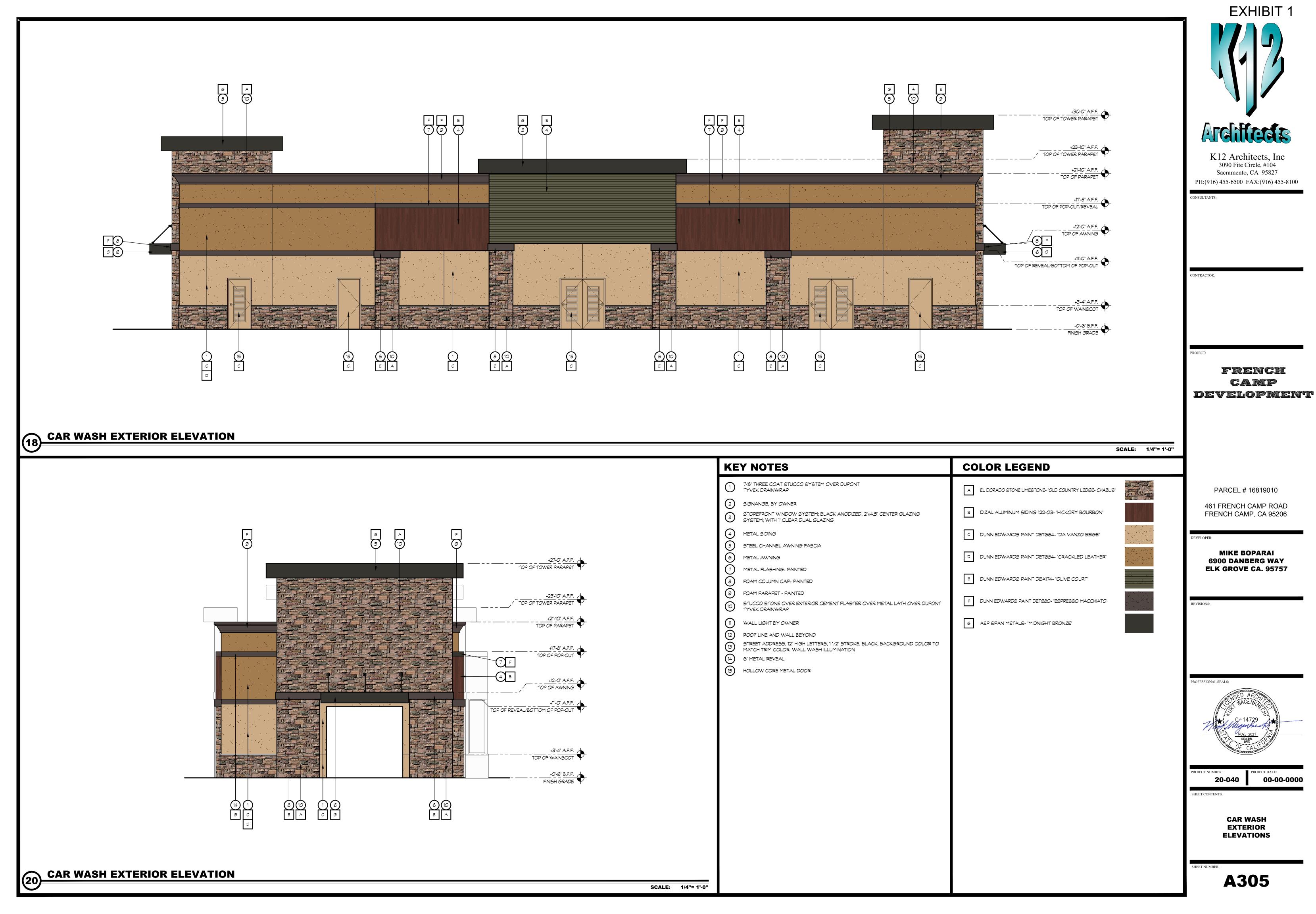
SCALE: 3/16" = 1'-0"











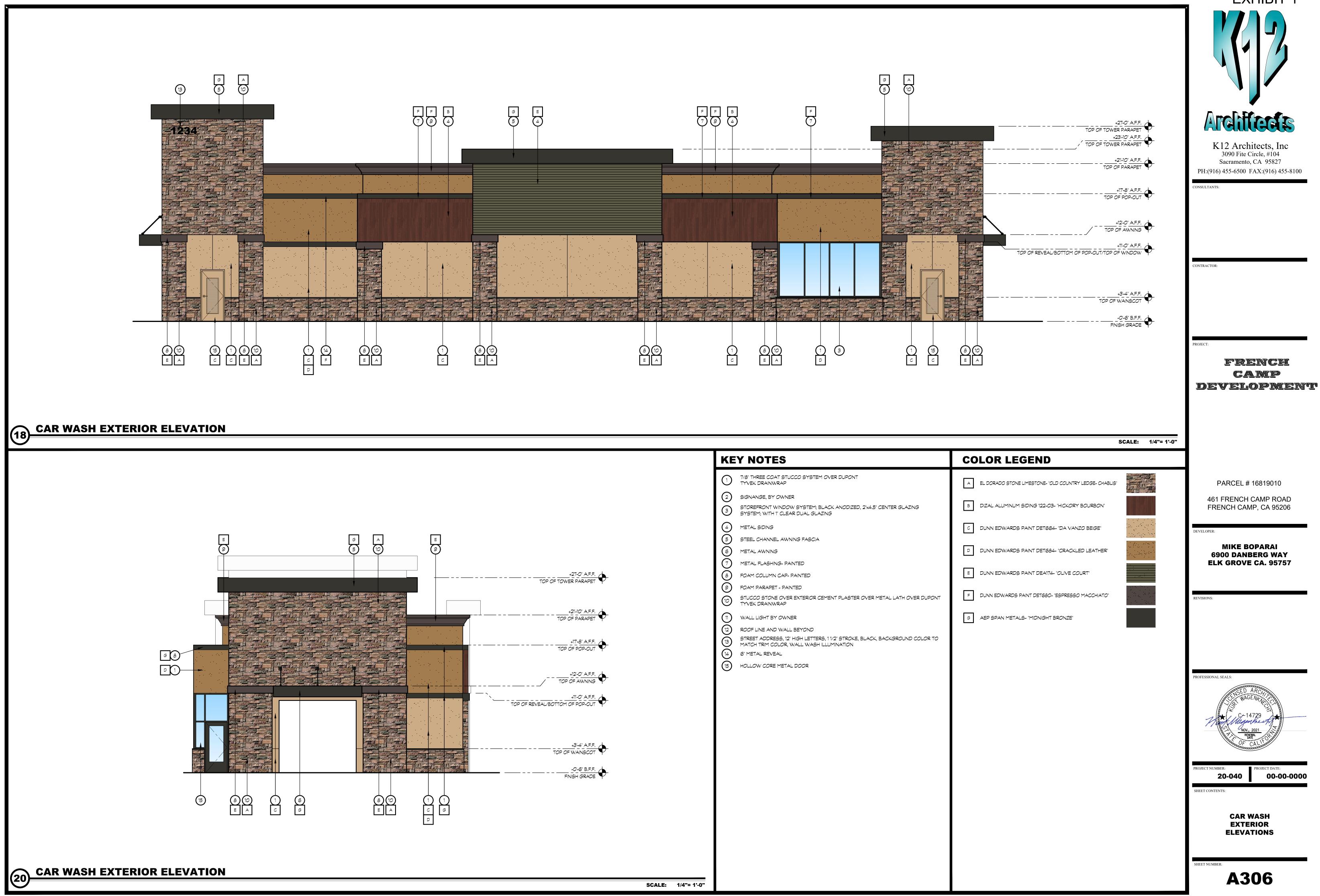


EXHIBIT 1

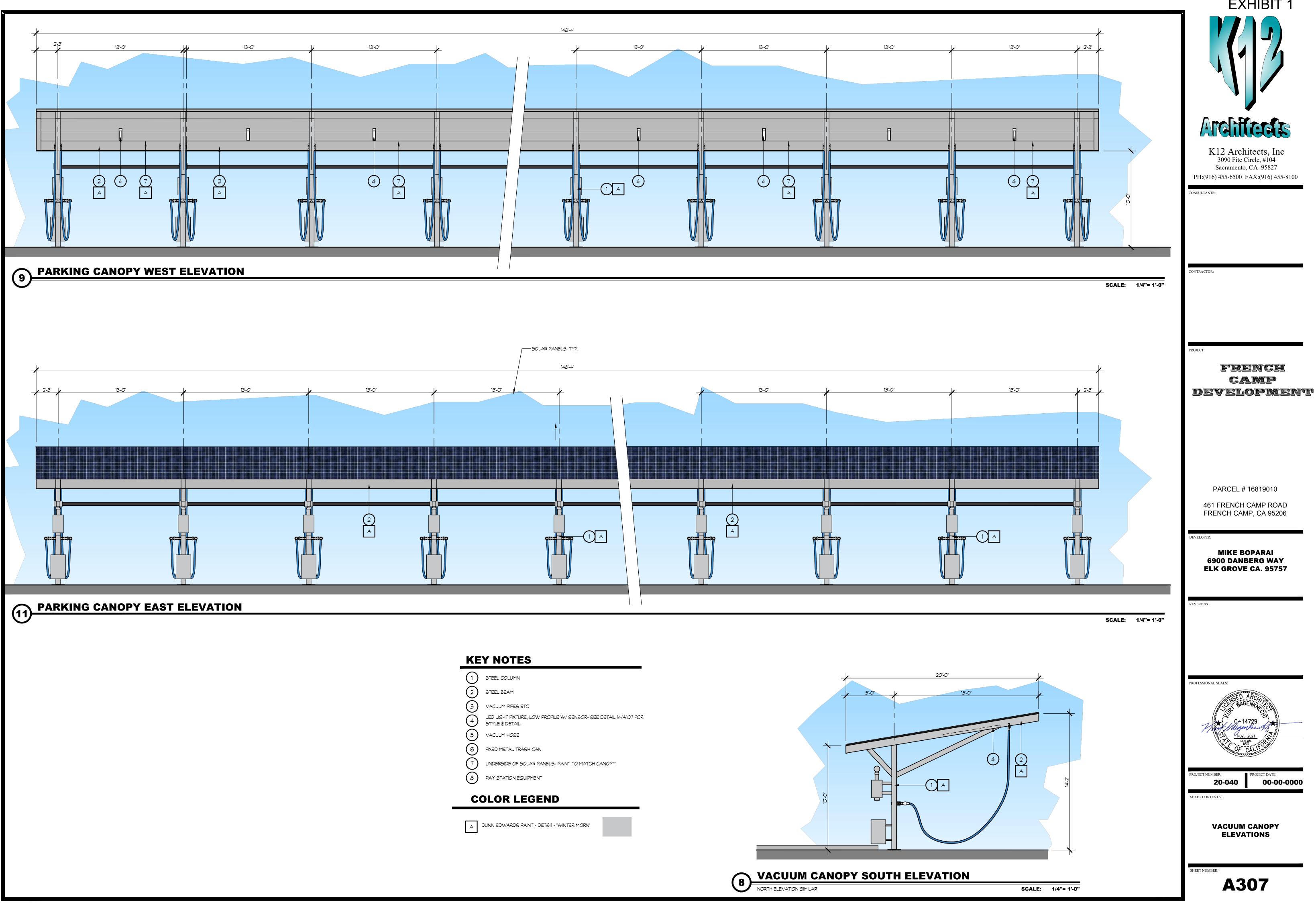


EXHIBIT 1

K12 Architects, Inc 3090 Fite Circle, #104 Sacramento, CA 95827

french CAIVIP

PARCEL # 16819010

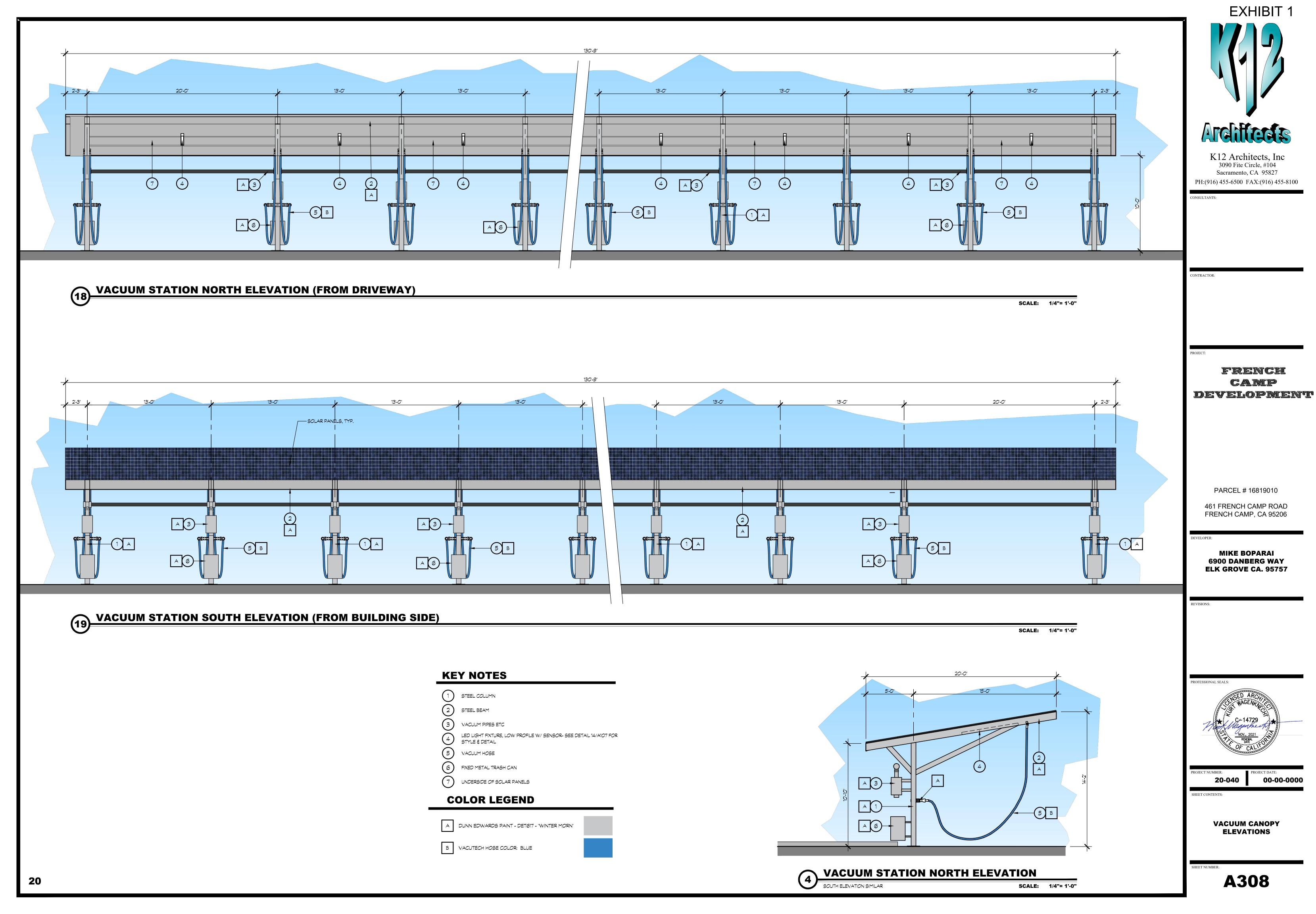
461 FRENCH CAMP ROAD FRENCH CAMP, CA 95206

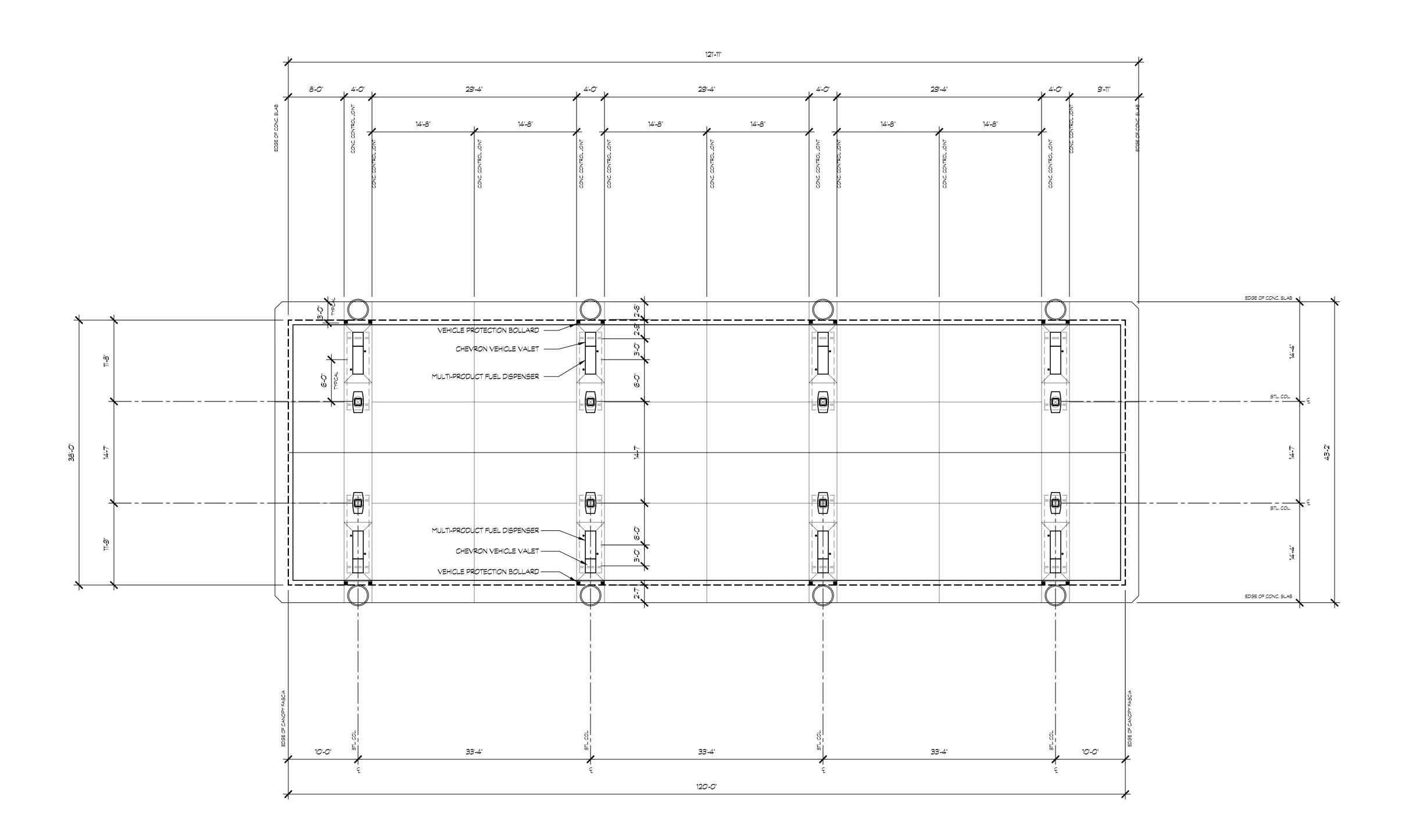
MIKE BOPARAI 6900 DANBERG WAY ELK GROVE CA. 95757

00-00-0000

VACUUM CANOPY ELEVATIONS

A307





K12 Architects, Inc 3090 Fite Circle, #104 Sacramento, CA 95827 PH:(916) 455-6500 FAX:(916) 455-8100

EXHIBIT 1

CONTRACTOR:

f'rench CAMP

DEVELOPMENT

PARCEL # 16819010

461 FRENCH CAMP ROAD FRENCH CAMP, CA 95206

MIKE BOPARAI 6900 DANBERG WAY ELK GROVE CA. 95757

PROFESSIONAL SEALS:



20-040

00-00-0000

AUTO FUELING CANOPY

FLOOR PLAN

A901 SCALE: 1/8" = 1'-0"

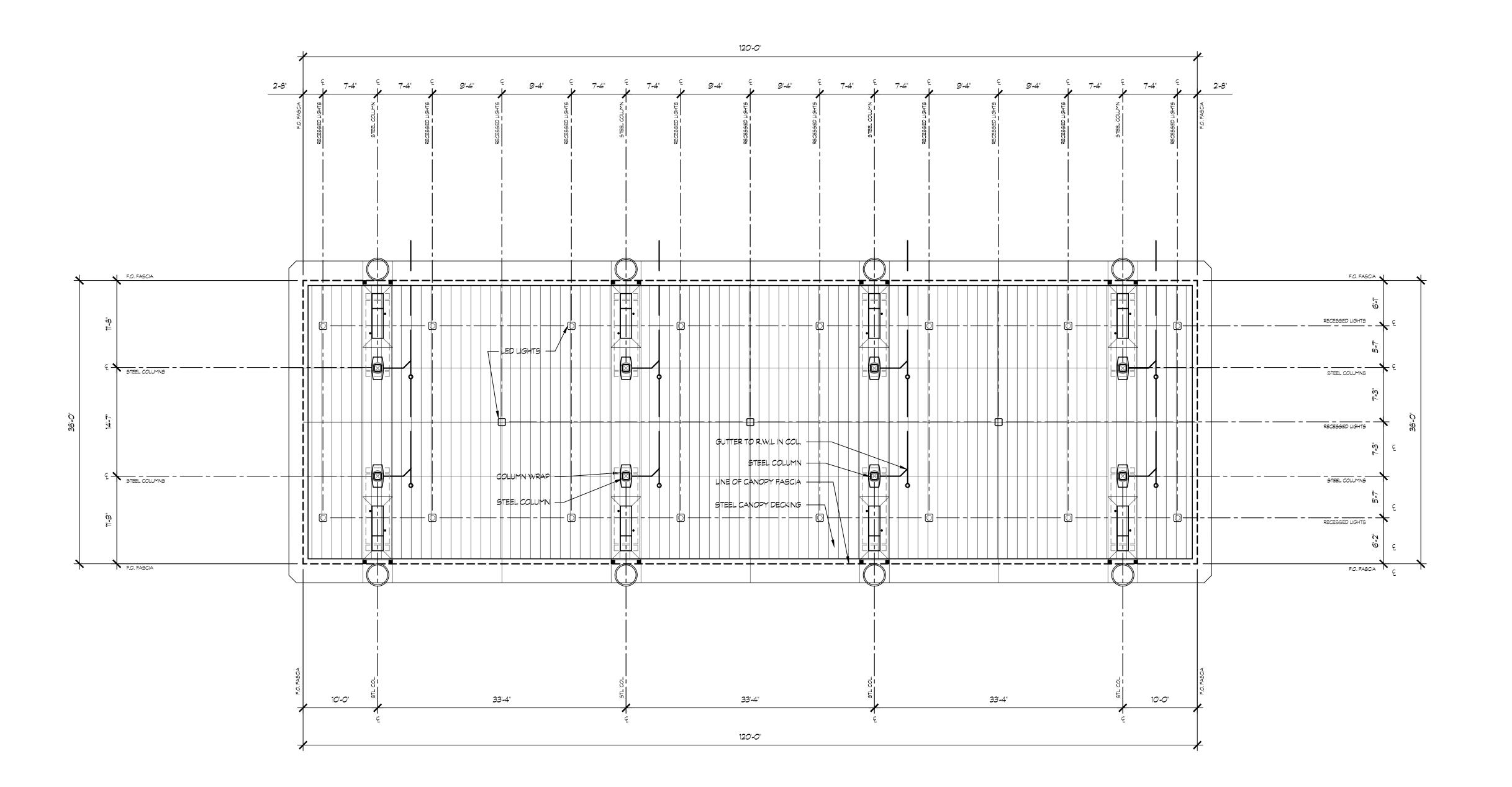


EXHIBIT 1

K12 Architects, Inc 3090 Fite Circle, #104 Sacramento, CA 95827 PH:(916) 455-6500 FAX:(916) 455-8100

CONTRACTOR:

french CAMP DEVELOPMENT

PARCEL # 16819010

461 FRENCH CAMP ROAD FRENCH CAMP, CA 95206

MIKE BOPARAI 6900 DANBERG WAY ELK GROVE CA. 95757

PROFESSIONAL SEALS:

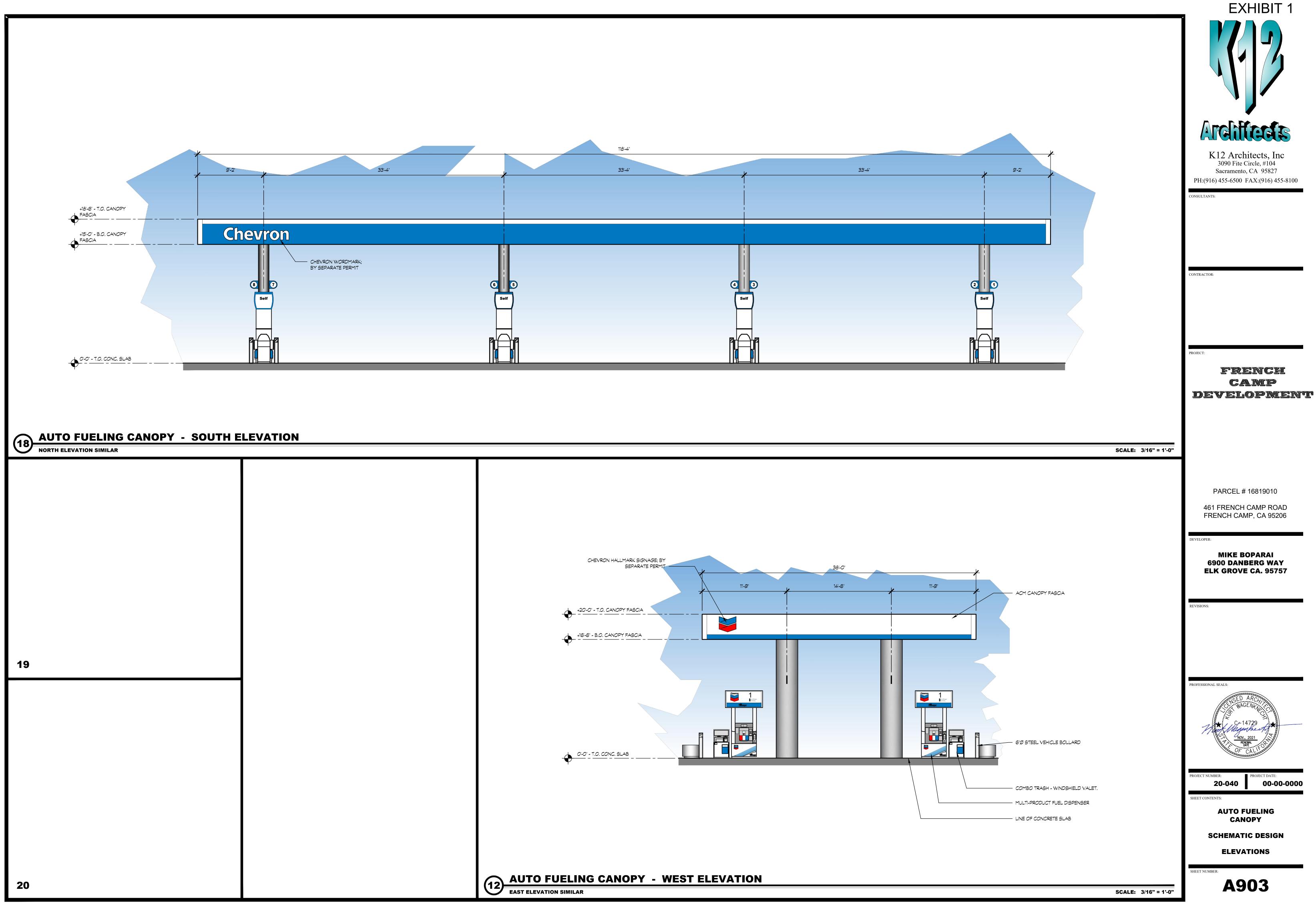


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FUELING CANOPY

REFLECTED CEILING

A902







NOTES:

- Landscape shall be designed per City of Stockton landscape design requirements and California MWELO.
- 2. No groundcover or shrubs are to be planted within 3' of any tree
- A landscape soils test shall be analyzed by a soils testing laboratory.
 Soils shall be amended per soil analysis report recommendations prior to Landscape Installation.
- 4. This project shall be irrigated by an automatic irrigation system consisting of subsurface drip for shrubs and groundcover, and deep watering bubblers for all trees all connected to a smart controller.
- 5. All planter areas shall receive a three-inch (3") mulch of red fir walk-on bark. All groundcover areas shall receive a two-inch (2") layer of bark mulch.

PLANT SO	BOTANICAL / COMMON NAME	CONT
	Arbutus x `Marına` / Arbutus Standard Low Water / WUCOLS	15 gal
The state of the s	Cedrus deodara / Deodar Cedar Low Water / WUCOLS	24"bo
	Cercis canadensis `Texensis` / Oklahoma Redbud Low Water / WUCOLS	15 gal
	Fraxinus americana `Rosehill` / Rosehill Ash Medium Water / WUCOLS	15 ga
	Gınkgo biloba `Autumn Gold` TM / Maidenhair Tree Medium Water / WUCOLS	15 ga
	Lagerstroemia indica x fauriei `Natchez` / Natchez Crape Myrtle Low Water / WUCOLS	24"bc
	Magnolia grandiflora `Samuel Sommer` TM / Southern Magnolia Medium Water / WUCOLS	15 ga
	Tilia cordata 'Greenspire' / Greenspire Littleleaf Linden Medium Water / WUCOLS	15 ga
SHRUBS	BOTANICAL / COMMON NAME Agapanthus orientalis `BLUE` / Blue` Lily of the Nile Medium Water / WUCOLS	SIZE 5 gal
	Callistemon viminalis `Little John` / Dwarf Bottlebrush Low Water / WUCOLS	5 gal
	Cotinus coggygria `Royal Purple` / Royal Purple Smoke Tree Low Water / WUCOLS	5 gal
*	Dietes bicolor / Fortnight Lily Low Water / WUCOLS	5 gal
(Hemerocallis x `Stella de Oro` / Stella de Oro Daylily Medium Water / WUCOLS	5 gal
0	Loropetalum chinense rubrum `Shang-hi` TM / Purple Diamond Fringe Flower Low Water / WUCOLS	5 gal
	Muhlenbergia capillaris `Pink Cloud` / Pink Muhly Low Water / WUCOLS	l gal
and the second	Myrtus communis `Compacta` / Dwarf Myrtle Low Water / WUCOLS	5 gal
0	Nandına domestica 'Compacta' / Dwarf Heavenly Bamboo Low Water / WUCOLS	5 gal
©	Osmanthus fragrans / Sweet Olive Low Water / WUCOLS	5 gal
	Pennisetum setaceum `Rubrum` / Purple Fountain Grass Low Water / WUCOLS	l gal
©	Rhaphiolepis indica `Indian Princess` TM / Indian Princess Indian Hawthorne Medium Water / WUCOLS	5 gal
VINE/ESPALIER	BOTANICAL / COMMON NAME	SIZE
~	Wisteria sinensis / Chinese Wisteria Medium Water / WUCOLS	5 gal
GROUND COVERS	BOTANICAL / COMMON NAME Arctostaphylos uva-ursi `Massachusetts` / Massachusetts Manzanita	CONT I gal
	Medium Water / WUCOLS Delosperma cooperi 'John Proffitt' TM / Table Mountain Purple Ice Plant Low Water / WUCOLS	l gal
	Gazania x `Moonglow` / Moonglow Gazania Medium Water / WUCOLS	l gal
	Hypericum calycinum `Fiesta` / St. John`s Wort Low Water / WUCOLS	l gal
	Juniperus horizontalis `Blue Rug` / Blue Rug Juniper Low Water / WUCOLS	l gal
	Mahonia repens / Creeping Mahonia Low Water / WUCOLS	l gal
***************************************	Rosa Meidiland series `Red` / Red Meidiland Rose Medium Water / WUCOLS	l gal
BIOSWALE	BOTANICAL / COMMON NAME	CONT
\(\psi\) \(\	`Bio Filtration' Sod / By Delta Bluegrass-Phone (800-637-8873 Medium Water / WUCOLS	sod

EXHIBIT 1

REVISIONS B

Landscape Architecture Irrigation Design

Irrigation Design

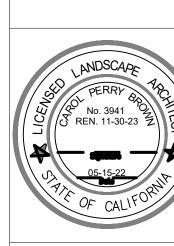
A CID

A CID

A CANON ASSOCIATION

530 823 2621
perrydesign@att.net
RLA 3941 CID 002624

FRENCH CAMP DEVELOPMENT 461 French Camp Road Stockton, CA.



PRELIMINARY PLANTING PLAN

Date May 13, 2022

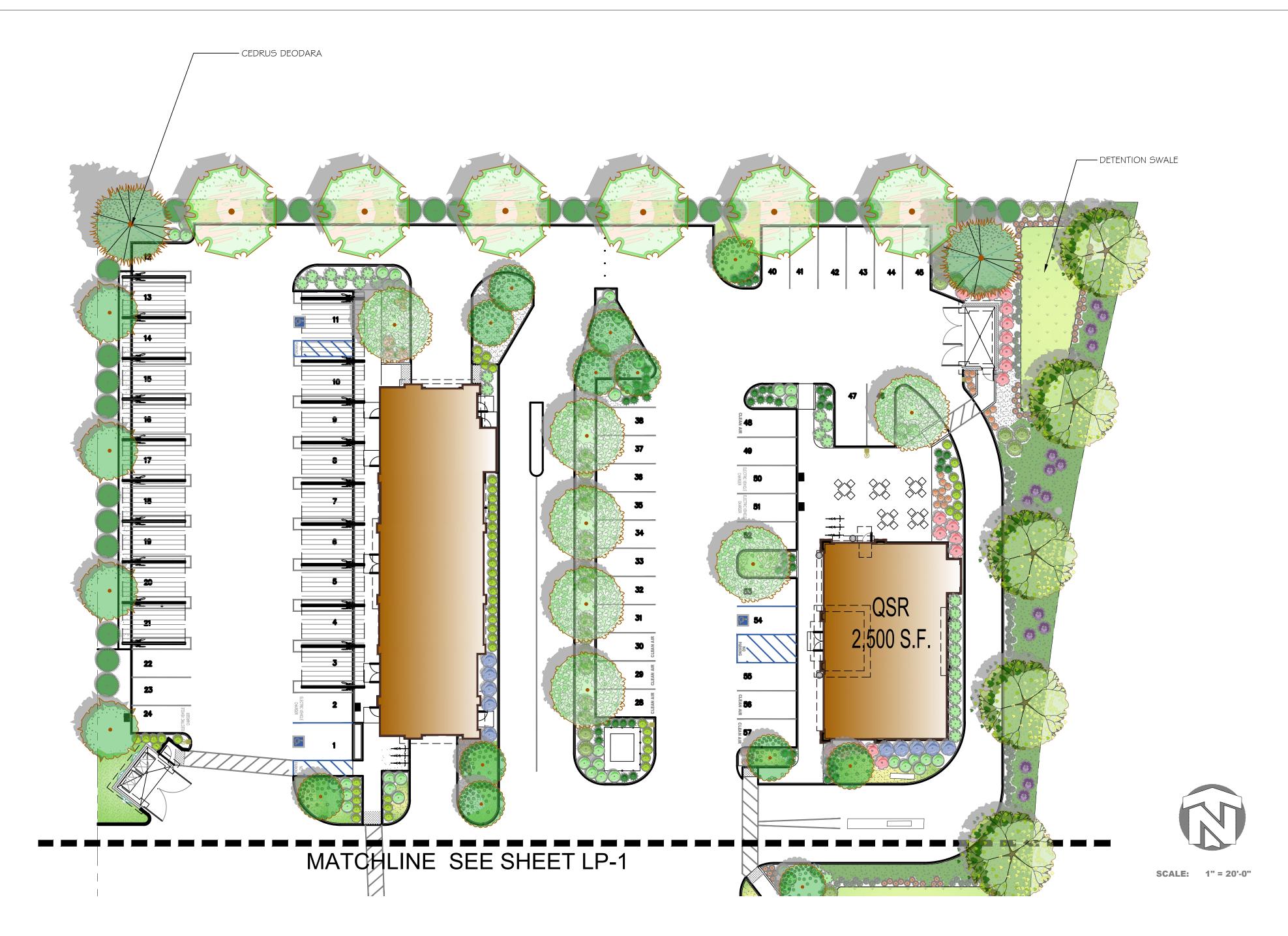
Scale 1" = 20'-0"

Drawn Carol B.

Job

Sheet

LP-1



Reference Evapotranspira		49.1	r Efficient Lar	ject Type		ential	0.45
Hydrozone # / Planting	Plant Factor		Irrigation	ETAF			Estimated Total
,	(PF)	•	"	(PF/IE)	Landscape Area (Sq. Ft.)	Area	Water Use
Description ^a		Method ^b	Efficiency (IE) ^c	(FF/IE)	Area (Sq. Ft.)	Alea	(ETWU) ^d
Regular Landscape A	ıreas			<u> </u>			I(ETVVO)
Bio Swale Grass Med		Overhead	0.75	0.80	3,028	2422	73743
			0.75	0.00		0	C
Med Tree,Shrub &GC	0.4	Drip	0.81	0.49	10,407	5139	156449
Low Tree, Shrub &GC	0.25	Drip	0.81	0.31	12,177	3758	114411
			0.75	0.00		0	0
			0.75	0.00		0	C
			0.75	0.00		0	C
			0.75	0.00		0	C
			0.75	0.00		0	0
				Totals	25612	11320	344603
Special Landscape A	reas						
				1		0	0
				1		0	0
				1		0	0
				1		0	0
				Totals	0	0	0
					ETV	VU Total	344603
		1	Maximum Allov	ved Wat	er Allowance (MAWA) ^e	350856
ETAF Calculations						_	
Regular Landscape Are	eas	_	Average ETAF	_			
Total ETAF x Area	11320		Landscape Ar				
T-4-1 A	05040	I	holow for rock	dantiala	" 0 1E	I	

below for residential areas, and 0.45

or below for non-residential areas.

Average ETAF

Total Area Average ETAF

All Landscape Areas
Total ETAF x Area

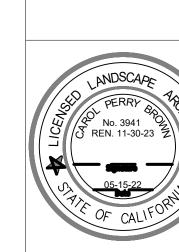
PLANT SC		
TREES	BOTANICAL / COMMON NAME	CONT
	Arbutus x `Marına` / Arbutus Standard Low Water / WUCOLS	l 5 gal
And the second s	Cedrus deodara / Deodar Cedar Low Water / WUCOLS	24"box
	Cercis canadensis `Texensis` / Oklahoma Redbud Low Water / WUCOLS	15 gal
0	Fraxinus americana `Rosehill` / Rosehill Ash Medium Water / WUCOLS	15 gal
	Gınkgo biloba `Autumn Gold` TM / Maidenhair Tree Medium Water / WUCOLS	15 gal
	Lagerstroemia indica x fauriei `Natchez` / Natchez Crape Myrtle Low Water / WUCOLS	24"box
	Magnolia grandiflora `Samuel Sommer` TM / Southern Magnolia Medium Water / WUCOLS	15 gal
	Tilia cordata 'Greenspire' / Greenspire Littleleaf Linden Medium Water / WUCOLS	15 gal
SHRUBS	BOTANICAL / COMMON NAME Agapanthus orientalis `BLUE` / Blue` Lily of the Nile	SIZE 5 gal
	Medium Water / WUCOLS Callistemon viminalis `Little John` / Dwarf Bottlebrush Low Water / WUCOLS	5 gal
	Cotinus coggygria `Royal Purple` / Royal Purple Smoke Tree Low Water / WUCOLS	5 gal
*	Dietes bicolor / Fortnight Lily Low Water / WUCOLS	5 gal
©	Hemerocallis x `Stella de Oro` / Stella de Oro Daylily Medium Water / WUCOLS	5 gal
	Loropetalum chinense rubrum `Shang-hi` TM / Purple Diamond Fringe Flower Low Water / WUCOLS	5 gal
	Muhlenbergia capillaris `Pink Cloud` / Pink Muhly Low Water / WUCOLS	l gal
	Myrtus communis `Compacta` / Dwarf Myrtle Low Water / WUCOLS	5 gal
•	Nandına domestica 'Compacta' / Dwarf Heavenly Bamboo Low Water / WUCOLS	5 gal
	Osmanthus fragrans / Sweet Olive Low Water / WUCOLS	5 gal
The state of the s	Pennisetum setaceum `Rubrum` / Purple Fountain Grass Low Water / WUCOLS	l gal
	Rhaphiolepis indica `Indian Princess` TM / Indian Princess Indian Hawthorne Medium Water / WUCOLS	5 gal
VINE/ESPALIER	BOTANICAL / COMMON NAME Wisteria sinensis / Chinese Wisteria	SIZE
~~~	Medium Water / WUCOLS	5 gal
GROUND COVERS	BOTANICAL / COMMON NAME  Arctostaphylos uva-ursi `Massachusetts` / Massachusetts Manzanita	CONT
	Medium Water / WUCOLS  Delosperma cooperi 'John Proffitt' TM / Table Mountain Purple Ice Plant Low Water / WUCOLS	gal     gal
	Gazania x `Moonglow` / Moonglow Gazania Medium Water / WUCOLS	l gal
	Hypericum calycinum `Fiesta` / St. John`s Wort Low Water / WUCOLS	l gal
	Juniperus horizontalis `Blue Rug` / Blue Rug Juniper Low Water / WUCOLS	l gal
	Mahonia repens / Creeping Mahonia Low Water / WUCOLS	l gal
	Rosa Meidiland series `Red` / Red Meidiland Rose Medium Water / WUCOLS	l gal
BIOSWALE ***	BOTANICAL / COMMON NAME  `Bio Filtration' Sod / By Delta Bluegrass-Phone (800-637-8873	CONT
*	Medium Water / WUCOLS	sod

**EXHIBIT 1** 

REVISIONS

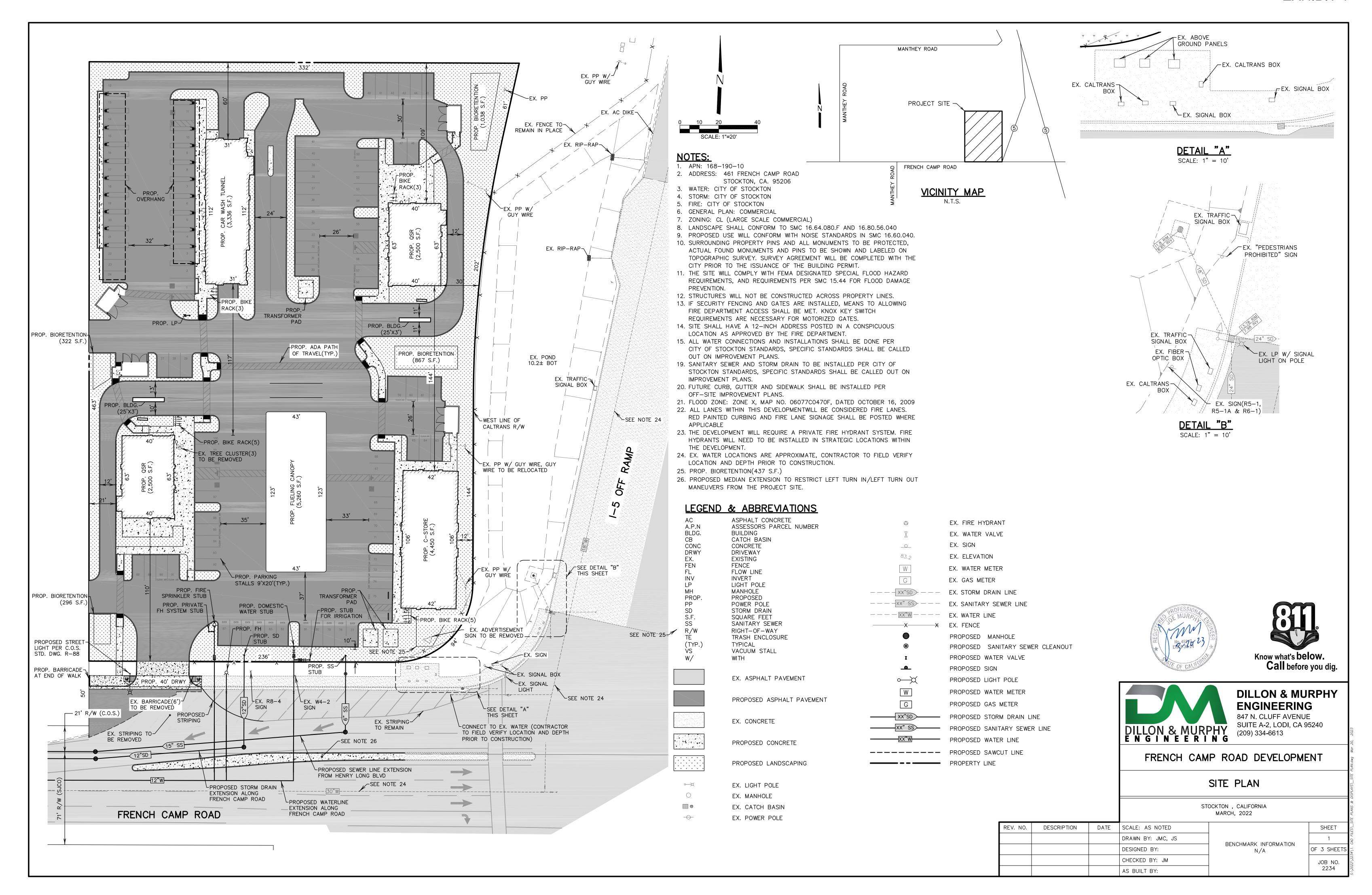
Landscape Architecture Irrigation Design

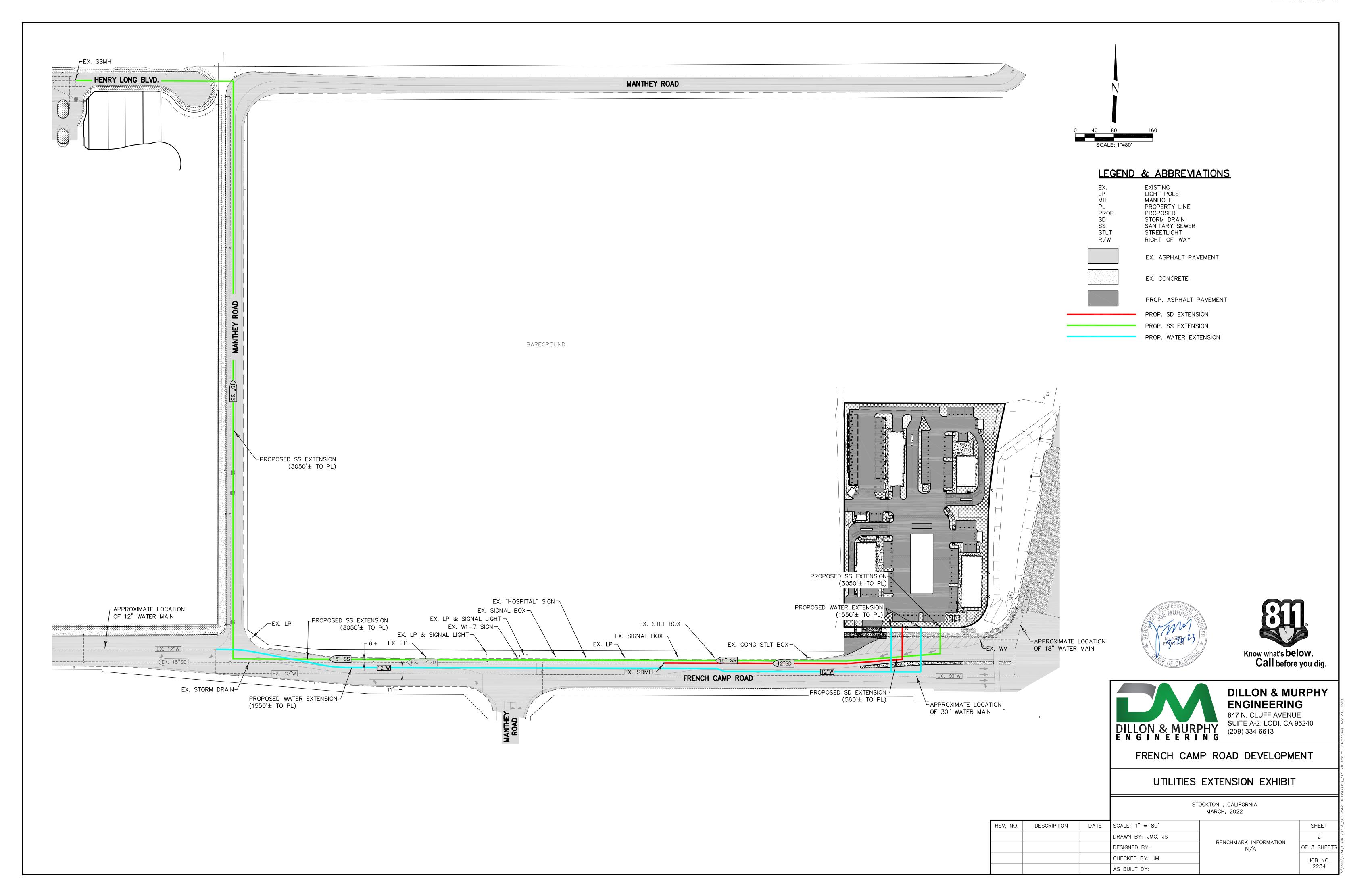
530 823 2621 perrydesign@att.net RLA 3941 CID 002624

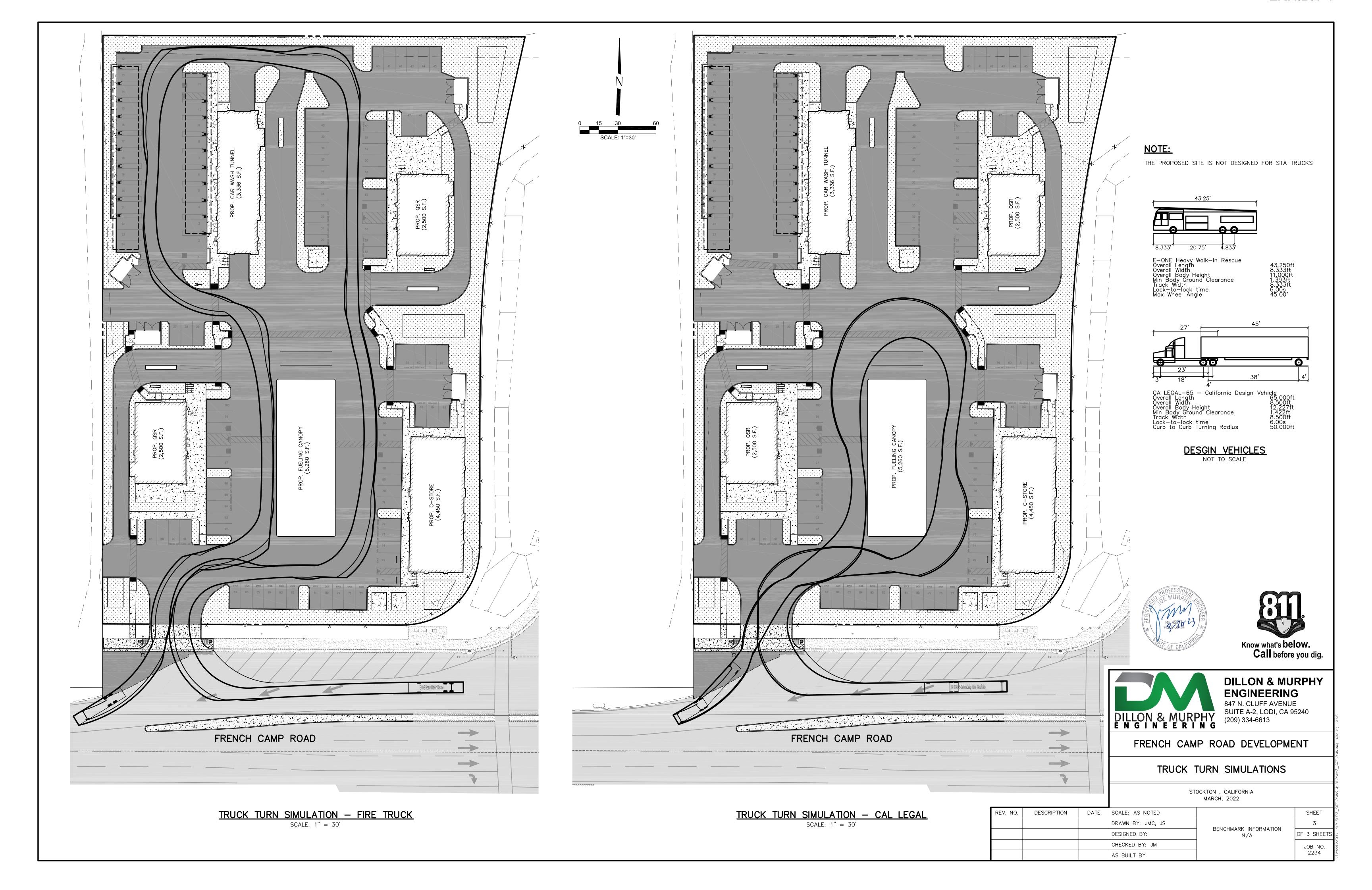


PRELIMINARY PLANTING PLAN

Date May 13, 2022 1" = 20'-0" Drawn Carol B. Job Sheet LP-2









### City of Stockton

### **Legislation Text**

File #: 23-0792, Version: 1

## PLANNING COMMISSION INFORMATIONAL PLANNING SESSION ON PROPOSED INDUSTRIAL WAREHOUSE DEVELOPMENT STANDARDS

### RECOMMENDATION

It is recommended that the Planning Commission receive a presentation and provide feedback on potential industrial warehouse development standards to be considered for inclusion in a new industrial warehouse ordinance.

### Summary

In 2022, the City Council approved two (2) agreements with the State of California Attorney General (AG) and the Sierra Club to promote responsible industrial development. Per the agreements, a new industrial warehouse ordinance must be presented to the Council for their consideration by December 31, 2023, including new zoning standards for qualifying warehouse development over 100,000 square feet. Since the City's current Development Code Overhaul may not meet the deadline, the proposed standards are being presented as a separate ordinance to be added to Title 16 of the Stockton Municipal Code.

On August 10, 2023, the Planning Commission held a planning study session to gather feedback on the drafting of a new industrial warehouse ordinance (Attachment A - August 10th Staff Report). Public comments generally included expressed concerns with air quality and environmental effects of industrial development on the south Stockton area, interest in construction job opportunities related to industrial development projects and concerns of the industrial industry regarding feasibility of implementing the standards. Following public comments and discussion, the Planning Commission directed staff to schedule an action item for an upcoming agenda, to consider formation of an Ad Hoc Committee of the Planning Commission to provide more timely review and feedback to staff on a draft warehouse ordinance. On August 24, 2023, the Commission approved the formation of a three-member Ad Hoc Committee, consisting of Vice Chair Nathaniel, and Commissioners Hull and Gurneel, with Chair Rizvi as an alternate member.

On August 30, 2023, staff met with the Ad Hoc Committee to determine how the Committee preferred to meet and receive information from staff, industry representatives, environmental, and community stakeholders. At the direction of the Ad-Hoc Committee, staff was directed to establish a small group of advisors made up of industrial developers and environmental/community representatives in accordance with the majority of communications received at the August 24th meeting. This essentially called for two (2) industrial development representatives, two (2) environmental representatives, and two (2) community advocate representatives. The Ad-Hoc Committee also directed staff to meet the advisors independent of the Ad Hoc Committee and report back to the Committee regarding discussions. The Committee began meeting on a weekly basis with staff, and then staff similarly began meeting weekly with the advisors to review potential standards for the proposed ordinance.

The purpose of the study session is to discuss the draft warehouse zoning standards, including feedback received from the Ad-Hoc Committee, appointed advisors, and citizens at-large. The report also addresses challenges and possible alternatives to mitigation measures suggested by the AG.

### DISCUSSION

### **Background**

On December 6, 2022, the City Council adopted Resolutions 2022-12-06-1602-01 to 03 Certifying an Environmental Impact Report, Adopting A Pre-Zoning Ordinance, Adopting A Development Agreement, Authorizing Annexation Requests for A Proposed Industrial Development, And Approving Related Settlement Documents for the Mariposa Industrial Project (P20-0805). To reduce environmental and social impacts, the City, Project Applicant, AG, and the Sierra Club collaborated in negotiating mitigation measures for the project as part of the Environmental Impact Report (EIR). These measures focus on the potential impacts of Air Quality, Greenhouse Gas Emissions, and Noise. The Mariposa Industrial Project's environmental mitigation measures are the basis of the AG and Sierra Club's request for an ordinance establishing new standards for future industrial logistics warehouses measuring 100,000+ square feet. As a part of Council Action on December 6, 2022, the City, via a Memorandum of Agreement (MOA - Attachment B) agreed to draft said ordinance and present it to the City Council for consideration by December 31, 2023.

On August 10, 2023, the Planning Commission held a planning session to gather feedback on a new industrial warehouse ordinance. The direction at that meeting was to form a three-member ad hoc committee made of selected Planning Commissioners. On August 24th, the Planning Commission appointed (Vice Chair Nathaniel and Commissioners Boparai and Hull to the Committee with Chair Rizvi as an alternate member.

### **Present Situation**

Since the initial August 10th Study Session, the following meetings/milestones have been conducted/met by staff:

- August 23- Attorney General's Representative Meeting
- August 24- Selection of Ad-Hoc Committee members at Planning Commission study session
- August 30 1st Ad-Hoc Committee Meeting
- September 6- Attorney General's Representative Meeting
- September 6 Industrial Advisors Meeting
- September 7- 2nd Ad-Hoc Committee Meeting
- September 11- 1st Environmental Advisors Meeting
- September 13- Attorney General's Representative Meeting
- September 14- 3rd Ad-Hoc Committee, and 2nd Environmental Advisors Meetings
- September 15- Release of Working Draft standards to Public and Groups
- September 18- 3rd Meeting with Environmental Advisors and group of four concerned residents.
- September 20 Industry Advisors Meeting
- September 21- 4th Ad-Hoc Committee, 3rd Environmental Advisors, and Attorney

General's Representative Meetings

- September 28- Planning Commission study session on status (Current Meeting)

Given the December 31, 2023 MOA deadline for presenting the proposed warehouse standards (i.e., an ordinance) for City Council consideration, staff has been working diligently to meet timelines while ensuring stakeholder and public participation. In addition to the August 10th and September 28th Planning Commission meetings, numerous meetings have been held to obtain feedback, input, and encourage an exchange of ideas in relation to the AG mitigation measures. These meetings are summarized in Attachment C.

The AG agreement outlined 26 measures as the basis for new zoning standards to serve as the foundation of a future ordinance. Based on direction received by the Planning Commission at the August 10th and August 24th meetings, staff conducted interviews and engaged in discussion on the measures. Based on the initial feedback received, a preliminary version of the proposed warehouse standards were shared with invested parties and made available on the City's website on September 15, 2023 (Attachment D).

The draft standards include the original 26 measures, either with modifications or without, while specific measures require further examination and possible alternatives. The analysis of these measures is discussed below.

### Measures Included:

Staff successfully converted 14 measures into objective zoning standards. While the language for all these measures were simplified for clarity, they retain the same requirement and/or process as the original measures proposed by the MOA.

### **Measures Included with Modifications:**

There are 4 measures where staff has maintained the intent of the MOA measure but modified a component of the measure based on initial analysis. These measures include the following.

MOA #7 Paint Coating: Based on industry feedback in attempting to implement this standard as part of the Mariposa Industrial construction plan review, staff has discovered the commercial viability for paint with a Volatile Organic Compound (VOC) rating of 10 grams/liter and below is not likely. This is due to the amount of manufacturing involved in creating a VOC rating that low, which is even lower than most stringent building code alternatives (i.e., California "CAL" Green Building Tier 1 and 2 Standards). Staff is proposing to use a more realistic metric or consolidate this measure with other measures relating to an overall building requirement mentioned in MOA#10 (i.e., CAL Green Tier 1 or 2).

MOA#11 Loading Docks: Staff have included the 300-foot buffer requirement but are looking into the practicality of a larger buffer. Considering the proposed standards apply to parcels that could accommodate a 100,000 square foot facility, staff anticipates that that most of these parcels are not large enough to facilitate a 1,000-foot buffer as recommended in the MOA. While staff is still exploring the design ramifications of a larger buffer, the current zoning language includes the 300-foot amount consistent with the MOA.

MOA #12 Landscaped buffer: Much like the buffer discussion, staff is reviewing the potential design implications of a proposed 2:1 versus 1:1 ratio of building height to landscaping. A 2:1 ratio with a

building height of 60-feet would result in a 120-foot landscape area within a 300-foot buffer or greater. Landscape buffers of this magnitude are often reserved for parks and green spaces, additional research is necessary for an increased height to landscape ratio. While additional research is being conducted by staff, the public release draft includes the 300-foot and 1:1 ratio requirement. Staff will continue to explore design implications of these on likely project sites and review examples and best practices from other cities.

MOA #18 Transport refrigeration units (TRUs): Staff is keeping the requirement for electric connectivity in place, but removing the requirement indicating a covenant would be needed for future uses. The recordation of covenant is not typical for zoning codes and would require formal removal to future applicants to explore adding more TRU services regardless of connectivity (i.e., zero emissions).

### **Measures Requiring Further Discussion:**

As indicated by staff during the August 10, 2023, study session, various measures have proven challenging to implement. Prior to the Ad-Hoc Committee and September outreach for feedback, staff identified 6 measures that required research and further discussion.

The following measures have been the focus of the Ad-Hoc review committee and community, environmental, and industry advisors. Those measures include:

### Size and Applicability:

MOA# 10 CAL Green Building (Tier 2) Standards

- Issue: This would significantly exceed state and local building requirements as current Tier 1 and 2 standards are encouraged but not enforced. Staff is exploring cost estimates for this increase and whether the increase would put the City at a competitive disadvantage in the region. Also, this measure conflicts with other MOA items that required Tier 1 or another metric for building review.
- Solution Explored: Staff is looking into the cost feasibility of Tier 1 and 2 compared to current requirements or private programs for energy efficient buildings (i.e., LEED certification). This cost feasibility will also explore a comparative analysis to show potential market impacts of increased costs due to the proposed standards.

### MOA #13 Solar Power/Battery Energy Storage Systems

- Issues:
  - No industry definition of "base power" to determine solar need and battery capacity.
  - Solar and batteries require a lot of space.
  - The internal storage of batteries can be dangerous as they are considered hazardous.
  - The energy consumption needed to serve a building and 100% EV fleet could be enormous.
- Solutions Explored:
  - Find a definition or metric to define "base power" and require only during new construction or significant alterations.
  - Battery Storage should be outside.
  - Find alternative measures via other regional or statewide examples.

### MOA #14 Electric Vehicles (EV) and MOA#17 EV Compliance Reporting:

- Issues:
  - The measures vastly exceed State and local requirements and are typically

implemented by the regional Air District who enforces the California Air Resources Board (CARB) actions.

- The technology and related infrastructure have not reached market viability to support EV fleets.
- Concerns about Staff time to monitor, and jurisdiction to enforce these measures.
- Impacts to the City's goods movement and industrial sector.
- Solutions Explored:
  - Remove and find alternative. This can include review of truck routes, prohibition of new routes and access points near sensitive receptors, and other items not already required per MOA #21.
  - Work with CARB to explore solutions to require and/or incentivize EV fleets.

### MOA#20 Smartway Program

- Issue: While Staff does not have issue with requiring participation in the data sharing program which is currently voluntary, there is uncertainty regarding the enforcement of said program for all future tenants (if a compliant is filled about a facility not reporting data to the voluntary program).
- Solution Explored (order of preference):
  - Require only at issuance of permit.
  - Remove program.
  - Alternative measure for monitoring responsibility (either City or outside group).

### Measures to be Removed:

The following two measures will not be carried over into new zoning standards as they are already required per State and local requirements. No alternatives are proposed as current zoning requirements fulfil the intent of the measures.

- MOA# 25 Projects with Development Agreements
- MOA# 26 Discretionary permits

### **Next Steps**

The following summarizes the subsequent actions staff intends to complete on the proposed Industrial Warehouse ordinance.

- Seek additional feedback from stakeholders, development community, and the public.
- Consider continuing this study session to the next Planning Commission meeting on October 12, 2023, focusing on additional feedback and possible alternatives for the proposed ordinance.
- Prepare a draft Industrial Warehouse ordinance for the Planning Commission's consideration tentatively at the October 26th or November 9th meetings. This timeline is necessary to provide staff with adequate time to present the item before the City Council in December.
- Present the Planning Commission's recommendation on the draft ordinance to the City Council for adoption consideration in December 2023.

This staff report was prepared by Matt Diaz, Advanced Planning Manager, (209) 937-8598 or via e-mail: <a href="mailto:matt.diaz@stocktonca.gov">mailto:matt.diaz@stocktonca.gov</a>>

Attachment A - Planning Commission Study Session Report and Presentation Attachment B - California Attorney General Approved Agreement

Attachment C - Outreach and Comment Summary

Attachment D - Draft Zoning Standards

### ..title

## PLANNING COMMISSION INFORMATIONAL PLANNING SESSION ON PROPOSED INDUSTRIAL WAREHOUSE DEVELOPMENT STANDARDS

### ..recommended action

### **RECOMMENDATION**

It is recommended that the Planning Commission receive a presentation and provide feedback on potential industrial warehouse development standards to be considered for inclusion in a new industrial warehouse ordinance.

### ..body

### Summary

On December 6, 2022, the City Council approved a Memorandum of Agreement with the State of California Attorney General (AG) (Attachment A - AG Agreement) and a Settlement Agreement with the Sierra Club (Attachment B - Sierra Club Agreement) as part of a private industrial development project approval (Mariposa Industrial Project P20-0805). An obligation of both Agreements is for City Staff to present to City Council for their consideration, a new industrial warehouse ordinance that sets minimum development standards that apply to qualifying industrial warehouse development totaling 100,000 square feet or larger in size, and is engaged in logistics use, which is defined as any warehouse or wholesaling and distribution land use which entails facilities to be used for the storage of farm products, furniture, household goods, or other commercial goods of any nature for distribution to wholesalers and/or retailers, including cold storage. The intended result of new development standards is to minimize the potential environmental impacts of qualifying industrial warehouse development.

Per the aforementioned Agreements, City staff must present proposed warehouse standards for the City Council's consideration for adoption prior to December 31, 2023, which was based on the tentative City's Development Code Overhaul project schedule. Since the Development Code Overhaul project may not achieve that deadline, the proposed warehouse standards are being presented in advance via a separate ordinance. If adopted, the ordinance would be codified under Title 16 of the Stockton Municipal Code (Development Code).

This informational planning session is to obtain feedback from the Planning Commission, development community, and interested stakeholders on industrial logistics warehouse development measures contained in the Agreement with the State Attorney General. For warehouse ordinance consideration, a summary of said development measures are provided as Exhibit A of the attached AG Agreement.

### DISCUSSION

### Background

As part of the Mariposa Industrial Project (P20-0805) and to minimize environmental and social impacts, the City, Project Applicant, AG, and the Sierra Club negotiated mitigation measures for the Project Environmental Impact Report (EIR). The negotiated mitigation and enforcement measures predominantly address potential impacts related to Air Quality, Greenhouse Gas Emissions, and Noise. In summary, the Mariposa Industrial Project measures addressed the following concerns:

- Compliance with State and local requirements and processes that apply to the project.
- Design of the facility (site and building) to minimize impacts on surrounding sensitive land uses including residences. Impacts to mitigate include light, noise, odor, water runoff, traffic, air quality, aesthetics, and greenhouse gases.
- Tenant requirements to transition their vehicle fleets to electric vehicles and provide for electric charging facilities, with provisions for incremental phasing.
- Mitigation of temporary impacts resulting from the construction of the facility. Examples include providing a location for food truck parking serving construction workers, requiring electric construction vehicles and equipment, providing ridesharing options for workers, and limiting the idling of on-site vehicles.

While these measures served as specific environmental mitigations for the Mariposa Industrial Project, they became the basis for the AG and Sierra Club's request for a new industrial warehouse ordinance to establish certain mitigation measures as development standards for future industrial logistics warehouse projects. The City entered into an Agreement with the AG and a separate Settlement Agreement with the Sierra Club to prepare an ordinance that would establish a set of development standards for future 100,000+ square feet industrial warehouse development engaged in logistics uses.

The full set of proposed measures are included as Exhibit A of the attached AG Agreement (Attachment A) which approved in conjunction with the Mariposa Industrial Project on December 6, 2022. Per the approved AG Agreement, City staff must present the proposed warehouse standards for City Council's consideration for adoption prior to December 31, 2023. Since the Development Code overhaul may not achieve that deadline, the proposed warehouse standards will be presented in advance via a separate ordinance.

#### Present Situation

While a draft of the proposed warehouse ordinance has yet to be prepared, City staff is seeking preliminary feedback from the Planning Commission, stakeholders, and development community on the AG requested industrial warehouse standards and how they may be practically applied to industrial logistics warehouse development. If certain measures from the AG Agreement are not included in the proposed warehouse ordinance, a justification needs be provided to explain 1) why such measure is infeasible to include; 2) what alternative measure is being proposed for inclusion in lieu of any omitted measure; and 3) how such alternative measure reduces potentially significant environmental impacts.

Based on City staff's review of the requested development measures, they could be incorporated into the Development Code as "Development Standards" that would apply to 1) Site Plan Design, 2) Building Design, and 3) Construction Permit Approval. This generally follows the organization of the existing Development Code and the new ordinance being prepared as part of the Development Code Overhaul. The following is a brief summary how the standards would be considered during the development review process.

### Applicability/Process:

Standards would apply to new industrial warehouse projects totaling 100,000 square feet and greater in size, that is engaged in logistics use, which is defined as any warehouse or wholesaling and distribution land use which entails facilities to be used for the storage of farm products, furniture, household goods, or other commercial goods of any nature for distribution to wholesalers and/or retailers, including cold storage.

Permit applications for industrial buildings would need to specify the intended use of the building for staff to determine if subject to warehouse standards. This may be problematic for proposed shell warehouse building plans that do not have an end user identified and may or may not qualify. In this case, the standards may be applied when tentative improvement plans are submitted by an end user.

 Standards would apply to ministerial application reviews (not subject to the California Environmental Quality Act (CEQA)) and discretionary application reviews (subject to compliance with (CEQA).

### **Development Standards:**

- Site Design Standards: These would include onsite and offsite design standards for landscaping, lighting, drive aisles, sound walls, building setbacks, parking, and site access that would be reviewed as part of a Site Plan Review process.
- Building Design Standards: These would include structure and building standards for building heights, location, materials, paint type, placement of loading docks, and energy efficiency measures (i.e. solar panels, roof materials) that would be reviewed during the Design Review process.
- Construction Permit Approval: These would apply to the site and building
  construction phase that would include grading and site improvements. While it is
  not uncommon to require measures during construction for dust control, water
  runoff, and construction vehicle/equipment use, the requested standards specify
  providing locations for food trucks, and construction worker rideshare programs
  that go beyond typical requirements that would require contractor
  monitoring/reporting.

### Ongoing Operations/Monitoring:

The AG Agreement requests standards that would be applied as part of ongoing building tenant operations. This includes on-site truck queuing and idling, designated on-site smoking locations, periodic parking area sweeping, and the provision of on-site food and catering truck service. Staff anticipates this section to be the most difficult to implement as the City's sole monitoring and enforcement arm is code enforcement that operates under a complaint/response driven basis. Building tenant reporting on compliance would need to be required, however, City staff has concerns with available resources to monitor and review the reports. It will be necessary to work with stakeholders, developers, and State agencies to strike a balance with ongoing monitoring and enforcement.

### **Preliminary Considerations:**

Relating specifically to Stockton, staff's initial observations and considerations of the requested development standards are as follows:

- Competitive disadvantage placed on Stockton versus other surrounding cities/counties not under these development standard requirements.
- State already regulates building development through the California Green Building Standards Code (mandatory and voluntary measures) which applies to all cities and counties equally. If the State desires voluntary measures to become mandatory, then this should be considered in the California legislature process.
- State and regional permitting agencies (i.e., Clean Air Resources Board, San Joaquin Valley Air Pollution Control District) currently regulate through programs that stipulate measures and timing for compliance. The proposed measures expand and accelerate the timing for development projects in Stockton rather than applying to all local planning agencies in California or greater Central Valley.
- Entitled Project areas (with prior Environmental approvals) would be subject to new development standards in the proposed ordinance.
- The minimum 100,000 square foot threshold for warehouse space captures small-scale operators that may distribute limited commercial goods or furniture and household goods. Observations are that warehouses 400,000 square feet and larger are generally being developed for logistics and wholesale distribution.

### **Next Steps**

The following summarizes the subsequent actions staff intends to take on the proposed Industrial Warehouse ordinance.

- Seek additional feedback from stakeholders and the development community.
- Prepare a draft Industrial Warehouse ordinance for the Planning Commission's consideration - tentatively in Fall 2023.
- Present the Planning Commission's recommendation on the draft ordinance to the City Council for adoption consideration in Winter 2023.

This staff report was prepared by Matt Diaz, Advanced Planning Manager, (209) 937-8598 or via e-mail: matt.diaz@stocktonca.gov

Attachment A – Approved Agreement with the California Attorney General Attachment B – Approved Settlement Agreement with Sierra Club

# PLANNING COMMISSION Informational Session

## **ZONING CODE AMENDMENT:**

Industrial Warehouse Standards

August 10, 2023 Item 8.1

# **Background and Request**

- On December 6, 2022, the City entered into a Memorandum of Agreement (MOA) with the CA Attorney General's Office (AG) to present new industrial warehouse standards for adoption consideration.
- Per the MOA, ordinance standards must be presented to City Council by 12/31/23.
- This study session is to explore the potential content, objectives, outreach, and potential issues that could arise in preparing/adopting new standards.

# **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**

- Parties involved in the Mariposa industrial project (AG and Sierra Club)
- The City's industry working group comprised of local developers and professionals.
- Future
  - Public Notices for hearing.
  - City routing review group.
  - Other industry professionals that have represented owners or builders in the region.

## **MOA MEASURES**

## Included as Attachment A

- Purpose/Process
- Submittal Requirements
- Site Design Standards
- Building Design Standard
- Construction Permit Approval
- On-Going
- Monitoring
- Enforcement

# **MOA Measure Summary**

- Identifying numerous State and local requirements, requests, processes, and submittal items
- Design of the facility (site and building) to minimize impacts on surrounding land uses and homes.
- Tenant requirements for electric vehicle and equipment charging.
- Measures to mitigate temporary impacts resulting from the construction of the facility.
- Monitoring and enforcement.

## **Current Development Process**

### PLANNING REVIEW/ENTITLEMENTS:

- Staff reviews "ministerial" and "discretionary" projects
- Discretionary projects can include workshops, committee reviews, and CEQA review
  - Project is Approved either by the Director, Planning Commission, or City Council
  - Ministerial Reviews are reviewed against standards, and not subject to CEQA.



### CONSTRUCTION

- Can include grading, improvement plans, building permits, final map completion, inspections, and occupancy review by City staff.
- May include separate outside agency approvals (i.e., Air District, ALUC)



### POST CONSTRUCTION/OPERATION

- Approval terms are typically complete.
- Business/Tenant occupies building space/site
- Enforcement typically occurs when a potential violation has been reported.

## **Proposed Code Outline**

- 1. Applicability/Purpose/Process
- 2. Development Standards
  - a. Site Design Reviews
  - b. Building Design Reviews
  - c. Construction Permit Reviews
- 3. On-Going Operations/Monitoring (not typical in a development code)

## 1. Applicability/Purpose/Process

- Applies to industrial warehouse projects 100k sqft or greater
- Applies to ministerial and discretionary
- Discretionary projects are still subject to CEQA
  - Continued to review on a case-by-case basis
  - Includes project-related mitigation that goes beyond proposed standards
  - No guarantee discretionary legal challenges will be avoided with new standards

## 2.a. Site Plan Standards

- Site plan review involves on/offsite improvements (parking, access, landscape)
- 300ft to 1,000ft buffer from sensitive receptors to loading docks
- 2:1 landscape ratio
- Sound Wall 14-18ft sound wall
- Trucks contained onsite, and all routes/parking are approved by the City

## 2.b. Building Design Standards

- Solar power and battery system to maintain 80% power for 20 years.
- Special paint coating (VOC < 10 g/L)</li>
- "Cool Roof" materials
- Operation equipment must be electric powered
- Compliance with SJVAPCD Rule 9510

## 2.c. Construction Activities

- Yard sweeping
- Prohibition of diesel generators
- Requires providing construction workers and rideshare information and onsite food trucks
- Equipment inventory for green fleet
- Temporary electric hookups
- If commercially available, construction equipment should be electric or hybrid.

# 3. Ongoing/Monitoring

- Lease agreements requiring sustainable practices.
- Riding sharing materials provided to employees.
- Electric operational equipment
- Restrictions preventing/discouraging future use of TRUs
- EV compliance reports
  - due every two years until 2027
  - Annual reports if not in compliance
  - After 100% clean fleet, reports every three years

## **Issues of Concern**

- Requirements that exceed industry standards or are not commercially available (paint, EV trucks, air emission standards, etc.)
- City Enforcement of state and regional standards and guidelines.
- Staff resources for monitoring and peer reviews.
- Proactive Enforcement for standard compliance.

## **Items for Consideration**

- The feasibility of development in Stockton.
- The City's competitive stance in the region.
- State already regulates development through the CAL Green Building standards.
- Regional Agencies already regulate/enforce measures (air, construction equipment, EV fleet conversions)
- The 100,000 sq.ft. Bldg. qualifier size limit may capture smaller scale projects (not logistics scale).
- Per MOA, any changes/removal of measures need justification and replacement.

# **Policy Discussion**

- How should the City balance environmental mitigation measures and economic development?
- Do you agree with the listed concerns over some of the measure's implications?
  - What are the potential consequences of these measures?
- Are the requested measures appropriate for inclusion in the Municipal Code?
  - Alternate Policy Document?
- Is there any additional research or outreach you would like staff to conduct as we prepare the draft standards for public review and adoption?

## **Next Steps**

- Feedback from stakeholders and the development community.
- Evaluate the feasibility of the measures.
- Possible PC in September or October 2023.
- Possible CC in November or December 2023.
- The effort could extend into 2024 if needed.

### MEMORANDUM OF AGREEMENT

This Memorandum of Agreement ("Agreement") is entered into by and between the City of Stockton ("City"), and Rob Bonta, Attorney General of California, on behalf of the People of the State of California ("Attorney General"), and it is dated and effective as of the date that the last Party signs ("Effective Date"). The City, and the Attorney General are referred to as the "Parties."

### RECITALS

WHEREAS areas of the City, including south Stockton, have disproportionately suffered from the environmental impacts of industrial land uses located nearby residences and other sensitive receptors such as schools, parks, and hospitals. According to CalEnviroScreen, a tool used to identify communities exposed to high levels of pollution, south Stockton's neighborhoods are exposed to pollution burdens in the top 10% of all communities in California, with some communities registering in the top 1%.

WHEREAS because of the extremely high levels of air pollution to which this environmental justice community is disproportionately exposed, the California Air Resources Board (CARB) has designated the area of south Stockton to the northwest of the Project as a top priority for reductions in emissions and improvements in air quality under AB 617. In 2021, CARB approved Stockton's Community Emissions Reduction Program (CERP) after an extensive public process. The CERP includes projected investments of over \$32 million in emission reduction incentives and a variety of other clean air projects in the south Stockton AB 617 community area and additional measures to reduce exposure to air pollution for sensitive receptors.

WHEREAS in recent years, the proliferation of e-commerce and rising consumer expectations of rapid shipping have contributed to a boom in warehouse development. California, with its ports, population centers, and transportation network, has found itself at the center of this trend.

WHEREAS in response to project applications consistent with this demand, the City has approved millions of square feet of warehouse and logistics space, substantial amounts of which have been or will be constructed in the south Stockton community.

WHEREAS the Attorney General has previously submitted letters to the City regarding concerns with significant environmental impacts being created by such warehouse and distribution facility projects, including the Sanchez Hoggan Annexation Project and the South Stockton Commerce Center Project.

WHEREAS the City seeks to minimize additional environmental impacts from new warehouse and distribution facility development sited in south Stockton and throughout the City.

WHEREAS the California Environmental Quality Act (CEQA), Public Resources Code section 21000 et seq. and California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000-15387, requires, amongst other things, that the City impose feasible mitigation measures on applicable projects to minimize any significant environmental impacts. The California Supreme Court has determined that CEQA requires a lead agency "to implement all mitigation measures unless those measures are truly infeasible." Sierra Club v. Cty. of Fresno (2018) 6 Cal.5th 502, 524–25 (citing City of San Diego v. Board of Trustees of California State University (2015) 61 Cal.4th 945, 967).

WHEREAS on August 24, 2021, the City released the Draft Environmental Impact Report (EIR) for the Mariposa Industrial Park Project. Public comments submitted on the Draft EIR, including comments from the Attorney General's Office and the Sierra Club, raised concerns that the project's

significant environmental impacts were not sufficiently disclosed, analyzed, and mitigated as required by CEQA.

WHEREAS on February 28, 2022, the City released the Final EIR for the Mariposa Industrial Park Project. In response, once again stakeholders, including the Attorney General's Office and the Sierra Club, raised concerns regarding the project, including the lack of feasible mitigation as required under CEQA.

WHEREAS the City, the Attorney General's Office, and the Sierra Club have been engaged in good-faith negotiations regarding additional feasible mitigation measures to reduce the potentially significant environmental impacts that the Mariposa Industrial Park Project may create.

WHEREAS as a result of those good-faith negotiations the City has proposed to require additional feasible mitigation measures on the Mariposa Industrial Park Project to further reduce the project's significant environmental impacts, as identified in the amended Mariposa Industrial Park Final Environmental Impact Report ("Revised Final EIR" State Clearinghouse No. 2020120283). The City Council intends to soon consider adopting: (1) a Resolution certifying that Revised Final EIR together with the adoption of CEQA Findings including a Statement of Overriding Considerations and adoption of a Mitigation Monitoring and Reporting Program ("MMRP"); (2) an Ordinance for the Pre-Zoning of APNs 179-220-10, -12, -13, -16, -17, -18, -19, and -24 (the "Property") to Industrial, Limited; (3) an Ordinance for a Development Agreement; and (4) a Resolution authorizing the filing of an annexation application with the San Joaquin Local Agency Formation Commission (collectively the "Project Approvals").

WHEREAS the City has embarked on a comprehensive update to Title 16 of the City's Municipal Code, known as the Development Code, that is intended to produce a user-friendly Development Code, serving as an effective tool to implement the General Plan, shape future growth, and help realize the community's vision of promoting investment in downtown Stockton and historically underserved areas, preserving and enhancing neighborhood character, and improving community health and safety. The City anticipates adopting and publishing a new updated Development Code in 2023.

WHEREAS the City seeks to establish an ordinance applicable to future warehouse and distribution facility development projects ("warehouse ordinance") in order to set minimum development standards to mitigate environmental impacts from those projects. Such a warehouse ordinance will also provide clarity to stakeholders, including developers and the general public, regarding the requirements needed to construct warehouse and distribution facilities in the City.

### **AGREEMENT**

Either as part of the aforementioned ongoing Development Code amendment process or as a separate, stand-alone process, City staff shall propose a warehouse ordinance to identify and apply all feasible mitigation measures to qualifying warehouse and distribution facility projects to minimize their potentially significant environmental impacts. The proposed warehouse ordinance shall be scheduled for consideration by the City Council before December 31, 2023.

The warehouse ordinance proposed to the City Council shall apply to qualifying facilities engaged in logistics use, which is defined as any warehouse or wholesaling and distribution land use which entails facilities to be used for the storage of farm products, furniture, household goods, or other commercial goods of any nature for distribution to wholesalers and/or retailers, including cold storage. Qualifying facilities do not include self-storage or mini-storage facilities offered for rent or lease to the

general public. Qualifying facilities shall include, at minimum, projects with a building or buildings totaling 100,000 square feet or larger.

In preparing and proposing the warehouse ordinance, City staff shall consider including at minimum the conditions included in Exhibit A. To the extent that the conditions included in Exhibit A are not included in the warehouse ordinance proposed for approval by City Council, City staff shall explain: (1) why such conditions are infeasible as defined under CEQA; (2) what alternative conditions are being proposed for inclusion in-lieu of any such omitted conditions; and (3) how such alternative conditions reduce potentially significant environmental impacts.

If the City enters into this Agreement and adopts the Project Approvals, including all of the Mariposa Industrial Project Enhanced Measures attached to the City's and Developer's separate settlement agreement with the Sierra Club, then the Attorney General shall not file any complaints, claims, grievances, special proceedings, legal challenges, or take any other actions against the City with any state, federal, or local agency or court challenging the City Council's adoption of the Project Approvals or the proposed annexation of the Property to the City of Stockton (the "AG Obligation").

### GENERAL TERMS AND CONDITIONS

- 1. Agreement Term. This Agreement shall remain in effect until the City implements and complies with the commitment pursuant to the agreed-on deadline set forth herein.
- 2. Default. The Parties agree and acknowledge that time is of the essence for City staff to propose and for the City Council to consider adopting a warehouse ordinance before the December 31, 2023, deadline set forth in this Agreement. The Parties stipulate that the Superior Court in and for San Joaquin County shall have jurisdiction over the Parties and this Agreement to enforce the provisions of the Agreement until performance in full of all terms of the Agreement. The Court shall have full authority to enforce the Agreement as if the Parties had entered the Agreement as a stipulated judgment pursuant to Code of Civil Procedure, section 664.6. Nothing in this Agreement prevents the Attorney General from seeking any and all remedies for non-compliance with the Agreement.
- 3. No Waiver. This Agreement does not in any way limit or waive the Attorney General's jurisdiction, capacity, authorization, obligation, right, or discretion to determine whether any City action or failure to act complies with CEQA or any other law except as expressly provided in the AG Obligation above.
- 4. Amendment. No addition to or modification of any term or provision of this Agreement will be effective unless set forth in writing and signed by an authorized representative of each of the Parties.
- 5. Signing Authority. By signing this Agreement, the persons executing the Agreement represent that they have the capacity and authority to execute the Agreement as the representative of their respective agency and to bind their respective agency to the terms of this Agreement.
- 6. Entire Agreement. This Agreement contains the entire agreement of the Parties with respect to the subject matter of this Agreement, and supersedes all prior negotiations, discussions, agreements, commitments, and understandings with respect thereto.
- 7. Applicable Law. This Agreement shall be governed by and construed in accordance with the laws of the State of California.
- 8. Joint Drafting. This Agreement has been jointly drafted, and the general rule that it be construed against the drafting party is not applicable.
- 9. Severability. If a court should find any term, covenant, or condition of this Agreement to be invalid or unenforceable, the remainder of the Agreement shall remain in full force and effect.

- 10. Representation by Counsel. Each of the Parties affirmatively represents that it has been represented throughout this matter by attorneys of its own choosing. Each Party has read this Agreement and has had the terms used herein and the consequences thereof explained by its attorneys of choice. This Agreement is freely and voluntarily executed and agreed to by each Party after having been apprised of all relevant information and data furnished by its attorneys of choice. Each Party in executing this Agreement does not rely upon any inducements, promises, or representations made by any other Party except as set forth herein.
- 11. Counterparts and Electronic Signatures. This Agreement may be executed with counterpart signatures, each of which shall be deemed an original. The Agreement will be binding upon the receipt of original, facsimile, or electronically communicated signatures.

DATED: December 19, 2022

DATED: December 11, 2022

ROB BONTA

Attorney General of California CHRISTIE VOSBURG

Supervising Deputy Attorney General

SCOTT LICHTIG

Deputy Attorney General

Attorneys for the People of the State of

California

CITY OF STOCKTON

HARRY BLACK City Manager

ATTEST:

CLERK OF THE CITY OF STOCKTON

APPROYED AS TO FORM AND CONTENT

Déput City Attorney

### **EXHIBIT A**

In preparing and proposing the warehouse ordinance, City staff shall consider including at minimum the following conditions on qualifying facilities. To the extent that the following conditions are not included in the warehouse ordinance proposed for approval by City Council, City staff shall explain: (1) why such conditions are infeasible as defined under CEQA; (2) what alternative conditions are being proposed for inclusion in-lieu of any such omitted conditions; and (3) how such alternative conditions reduce potentially significant environmental impacts:

### Construction Mitigation:

- San Joaquin Valley Air Pollution Control District (SJVAPCD) Regulation VIII Compliance:
   Construction plans and specifications shall include a Dust Control Plan incorporating the
   applicable requirements of Regulation VIII, which shall be submitted to the SJVAPCD for review
   and approval prior to beginning construction in accordance with the requirements of Regulation
   VIII.
- Construction Vehicles & Equipment:
  - O The use of electric-powered, battery-powered, natural gas, or hybrid construction equipment and vehicles are required during construction if commercially available. If substantial evidence is provided by the permittee or its contractor that such equipment is not commercially available, including a description of commercially reasonable efforts to secure such equipment, diesel-powered construction equipment greater than 50 horsepower meeting the highest rated California Air Resources Board (CARB) Tier technology available at the time of construction may be used. Prior to permit issuance, the construction contractor shall submit an equipment list confirming equipment used is compliant with the highest CARB Tier at the time of construction. Equipment proposed for use that does not meet the highest CARB Tier in effect at the time of construction, shall only be approved for use at the discretion of Stockton's Community Development Department (CDD) and shall require proof from the construction contractor that, despite reasonable best efforts to obtain the highest CARB Tier equipment, such equipment was unavailable.
  - All off-road equipment with a power rating below 19 kilowatts (e.g., plate compactors, pressure washers) used during construction of the qualifying facility(ies) shall be electric powered.
  - Subject to all other idling restrictions, off-road diesel-powered equipment shall not be left in the "on position" for more than 10 hours per day.
- Owners, operators or tenants of qualifying facilities shall provide "cool roof" specifications in construction plans verifying that the proposed roof will utilize cool roofing materials with an aged reflectance and thermal emittance values that are equal to or greater than those specified in the current edition of the CALGreen Building Standards Code, Table A5.106.11.2.3 for Tier 1 and the City's Green Building Standards within Chapter 15.72 of the Stockton Municipal Code.
- Temporary electrical hookup to the construction yard and associated work areas shall be required.
- The idling of heavy construction equipment for more than 5 minutes shall be prohibited. The owners, operators or tenants shall provide verification that construction specifications establish a

five-minute idling limit for all heavy-duty construction equipment utilized during construction of the proposed qualifying facility(ies). Signage shall be posted throughout the construction site regarding the idling time limit, and the construction contractor shall maintain a log for review. The log shall verify that construction equipment operators are advised of the idling time limit at the start of each construction day. Idling limits shall be noted in the construction specifications. The maintenance of logs documenting compliance shall be required.

- The construction contractors shall maintain on the construction site an inventory of construction equipment, maintenance records, and datasheets, including design specifications and emission control tier classifications.
- Architectural and industrial maintenance coatings (e.g., paints) applied on the qualifying facility(ies) shall be consistent with a VOC content of <10 g/L. Developer or tenant is not expected to exercise control over materials painted offsite by a third party.
- Qualifying facilities shall require the construction contractor to establish one or more locations
  for food or catering truck service to construction workers and to cooperate with food service
  providers to provide consistent food service.
- Qualifying facilities shall require the construction contractor to provide transit and ridesharing information for construction workers.

### Site Design:

- Qualifying facilities shall be constructed in compliance with the most current edition of all adopted City building codes, including the adopted Green Building Standards Code. Prior to the issuance of building permits, the applicant/developer of the qualifying facility(ies) shall demonstrate (e.g., provide building plans) that the proposed buildings are designed and will be built to, at a minimum, meet the Tier 2 advanced energy efficiency requirements of the Nonresidential Voluntary Measures of the California Green Building Standards code, Divisions A5.1, A5.2 and A5.5, Energy Efficiency as outlined under Section A5.203.1.2.
- Qualifying facilities and their associated loading docks must be located no closer than 300 feet from sensitive receptors, and the City staff should consider the public health and safety benefits of requiring a larger buffer, up to 1,000 ft. All such setbacks will be measured from the loading dock or any building edge, whichever is closer, to the property line of any nearby sensitive receptors using the straight-line method. The setbacks and buffers required in this ordinance shall prevail over any less-stringent standards in the City's Development Code. Sensitive receptor shall be defined as any residence including private homes, condominiums, apartments, and living quarters, schools, preschools, daycare centers, correctional facilities, parks/recreation facilities, in-home daycares, and health facilities such as hospitals, long term care facilities, retirement and nursing homes.
- Qualifying facilities must include an onsite landscaped buffer, measured from the property line of all adjacent sensitive receptors. The width of the buffer shall be proportionate to the height of the warehouse building with specified minimums as set forth below unless infeasible. Landscaping shall be installed at the periphery of the qualifying facility(ies) site along adjacent rights of way and the landscaping buffer area shall not include the right of way itself. Landscape buffers shall not be required on interior boundaries of the qualifying facility(ies).

- o The width of the buffer shall be set at a 2:1 ratio for all warehouses—for every 1 foot of building height, the buffer shall be 2 feet. The landscaping portion of this buffer shall not be less than 50% of this buffer, but may include areas to be used for bioswales, retention/detention areas and/or other stormwater and water quality management areas.
- The buffer area(s) shall include, at a minimum, a solid decorative wall(s) adjacent to sensitive receptors, natural ground landscaping, and solid screen buffering trees, as described below, unless there is an existing solid block wall. Onsite buffer areas shall not include deceleration lanes or right-turn lanes. To the extent allowed by other applicable City codes, policies and regulations the height of the decorative wall shall be at least 14 feet, except in buffer areas adjacent to sensitive receptors. For areas adjacent to sensitive receptors, the decorative wall shall be a minimum of 14 to 18 feet to the extent otherwise permitted by city codes, policies and regulations.
- Trees shall be used as part of the solid screen buffering treatment. Trees used for this purpose shall be evergreen, drought tolerant, and shall be spaced in two rows along the length of the buffer, with trees in each row offset, and each tree no greater than 15 feet on center. Spacing up to 20 feet may be allowed if wide canopy trees are used sufficient to create wall of vegetation that filters warehouse pollution. The property owner, tenant, operator, and any successors in interest shall maintain these trees for the duration of ownership, ensuring any unhealthy or dead trees are replaced with a similar tree as soon as possible.
- o All landscaping shall be drought tolerant, and to the extent feasible, species with low biogenic emissions. Palm trees shall not be utilized.
- All landscaping areas shall be properly irrigated for the life of the qualifying facility(ies) to allow for plants and trees to maintain growth with no undue pruning.

#### Operational Mitigation

- Solar Power/Battery Energy Storage Systems:
  - O The building permit application for qualifying facilities must demonstrate sufficient solar panels to provide power for the operation's base power use at the start of operations and as base power use demand increases. The application shall include analysis of plans to meet (a) projected power requirements at the start of operations and as base power demand increases corresponding to the implementation of the "clean fleet" requirements, and (b) generating capacity of the solar installation.
  - o The photovoltaic system(s) shall include a battery energy storage system to serve the qualifying facility(ies) in the event of a power outage to the extent required by the most current edition of the California Building Standards Code.
  - Stockton's Community Development Department (CDD) shall verify the size and scope
    of the solar project based upon the analysis of the projected power requirements and
    generating capacity as well as the available solar panel installation space.
  - o In the event sufficient space is not available on the subject lot to accommodate the needed number of solar panels to produce the operation's base or anticipated power use, the applicant of the qualifying facility(ies) shall demonstrate how all available space has

been maximized (e.g., roof, parking areas, etc.) for photovoltaic and battery energy storage system use. Areas which provide truck movement may be excluded from these calculations unless otherwise deemed acceptable by the supplied reports and applicable building standards.

- O The owners, operators or tenants, or qualified solar system contractor engaged by the developer or tenant, shall install the system when the City has approved building permits and the necessary equipment has arrived. The tenant/operator of the qualifying facility(ies) shall commence operation of the system only when it has received permission to operate from the utility. The photovoltaic system owner shall be responsible for maintaining the system(s) at not less than 80% of the rated power for 20 years. At the end of the 20-year period, the owners, operators or tenants shall install a new photovoltaic system meeting the capacity and operational requirements of this measure, or continue to maintain the existing system, for the life of the qualifying facility(ies).
- Electric Vehicles (EV): The following mitigation measures shall be implemented during all ongoing business operations and shall be included as part of contractual lease agreement language to ensure the tenants/operators of the qualifying facility(ies) are informed of all on-going operational responsibilities.
  - Heavy-Duty EV Trucks: The property owners, operators or tenants of the qualifying facility(ies) shall ensure that all heavy-duty trucks (Class 7 and 8) domiciled on site are model year 2014 or later from start of operations and shall expedite a transition to zero-emission vehicles, with the fleet fully zero-emission by December 31, 2025, or when commercially available for the intended application, whichever date is later.
  - Medium-Duty EV Vehicles: The property owners, operators or tenants of the qualifying facility(ies) shall utilize a "clean fleet" of vehicles/delivery vans/trucks (Class 2 through 6) as part of business operations as follows: For any vehicle (Class 2 through 6) domiciled on site, the following "clean fleet" requirements apply: (i) 33% of the fleet will be zero emission vehicles at start of operations, (ii) 65% of the fleet will be zero emission vehicles by December 31, 2023, (iii) 80% of the fleet will be zero emission vehicles by December 31, 2025, and (iv) 100% of the fleet will be zero emission vehicles by December 31, 2027.
  - o "Domiciled on site" shall mean the vehicle is either (i) parked or kept overnight at the qualifying facility(ies) more than 70% of the calendar year or (ii) dedicated to the qualifying facility(ies) site (defined as more than 70% of the truck routes during the calendar year that start at the qualifying facility(ies) site even if parked or kept elsewhere). The tenant/operator of the qualifying facility(ies) shall not be responsible to meet "clean fleet" requirements for vehicles used by common carriers operating under their own authority that provide delivery services to or from the qualifying facility(ies) site.
  - Zero-emission vehicles which require service can be temporarily replaced with alternate vehicles. Replacement vehicles shall be used for only the minimum time required for servicing fleet vehicles.

- A zero-emission vehicle shall ordinarily be considered commercially available if the vehicle is capable of serving the intended purpose and is included in California's Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project, https://californiahvip.org/or listed as available in the US on the Global Commercial Vehicle Drive to Zero inventory, https://globaldrivetozero.org/. The City shall be responsible for the final determination of commercial availability, based on all the facts and circumstances at the time the determination is made. In order for the City to make a determination that such vehicles are commercially unavailable, the operator must submit documentation from a minimum of three (3) EV dealers identified on the californiahvip.org website demonstrating the inability to obtain the required EVs or equipment needed within 6 months.
- O The tenant/operator of the qualifying facility(ies) shall utilize the zero emission vehicles/trucks required to meet the "clean fleet" requirements. Within 30 days of issuance of the final certificate of occupancy, the tenant/operator shall demonstrate to the satisfaction of CDD staff, that the applicable clean fleet requirements are being met. In the event that there is a disruption in the manufacturing of zero emission vehicles/trucks or that sufficient vehicles/trucks are not commercially available for the intended application, the "clean fleet requirements" may be adjusted as minimally as possible by the CDD to accommodate the manufacturing disruption or unavailability of commercially available vehicles/trucks.
- O The tenant/operator of the qualifying facility(ies) shall implement the proposed measures after CDD review and approval. Any extension of time granted to implement this condition shall be limited to the shortest period of time necessary to allow for 100% electrification under the clean fleet requirements. The CDD staff may seek the recommendation of the California Air Resources Board in determining whether there has been a manufacturing disruption or insufficient vehicles/trucks commercially available for the intended application.
- Within 12 months of failing to meet a "clean fleet" requirement, the tenant/operator of the qualifying facility(ies) shall implement a Voluntary Emissions Reduction Agreement (VERA) providing pound for pound mitigation of the criteria pollutant, toxic air contaminants, and GHG emissions quantified by the City through a process that develops, funds, and implements emission reduction projects, with the Air District serving a role of administrator of the emission reduction projects and verifier of the successful mitigation effort. The VERA shall prioritize projects in the area surrounding the new qualifying facility(ies). The tenant/operator shall continue to fund the VERA each year in an amount necessary to achieve pound for pound mitigation of emissions resulting from not meeting the clean fleet requirements until the owner/tenant/lessee fully complies.
- At all times during operation, and to the extent the applicable utility authorizes and has capacity to support, the tenant/operator of the qualifying facility(ies) shall be required to provide electric charging facilities on site sufficient to charge all electric trucks domiciled on the site, and such facilities shall be made available for all electric trucks that use the qualifying facility(ies).
- The tenant/operator of the qualifying facility(ies) shall require all forklifts, yard trucks, and other equipment used for on-site movement of trucks, trailers and warehoused goods, as well as landscaping maintenance equipment used on the site, to be electrically powered or zero-emission.

The tenant/operator shall provide on-site electrical charging facilities to adequately service such electric vehicles and equipment.

### • EV Compliance Reporting:

- The tenant/operator of the qualifying facility(ies) shall procure the zero emission vehicles/trucks required to meet the "clean fleet" requirements above. Within 30 days of issuance of the final certificate of occupancy, the tenant/operator shall submit a condition of approval compliance report outlining compliance with each clean fleet requirement applicable and including documentation demonstrating compliance with each requirement. The tenant/operator shall submit similar reports every two years thereafter until full compliance with the applicable clean fleet requirements is achieved. The City shall consider each report at a noticed public hearing and determine whether the tenant/operator has complied with the applicable clean fleet requirements. If the tenant/operator has not met each 100% clean fleet requirement by December 31, 2027, then the tenant/operator shall submit reports annually until the 100% clean fleet requirement is implemented. The City shall consider each subsequent report at a noticed public hearing and determine whether the Operator has complied with the clean fleet requirements, including any minimal adjustments to the requirements by the CDD to accommodate the manufacturing disruption or unavailability of commercially available vehicles/trucks, as described above. Notice of the above hearings shall be provided to all properties located within 1,000 feet of the qualifying facility(ies) site and through the ASK Stockton list serve.
- After the 100% clean fleet requirement has been implemented and confirmed by the CDD, the tenant/operator shall submit to the CDD an on-going compliance report every three years containing all necessary documentation to verify that the clean fleet requirements are being met. At the time it confirms that the 100% clean fleet requirement has been implemented, the CDD will establish the due date for the first on-going compliance report. Each subsequent on-going compliance report shall be due within 30 days of, but not later than, the three-year anniversary of the preceding due date. The on-going compliance reports and accompanying documentation shall be made available to the public upon request
- For qualifying facilities at which cold storage and associated transport refrigeration units (TRUs) are proposed or may be a future use, unless the owner of the facility records a covenant on the title of the underlying property ensuring that the property cannot be used to provide cold storage, a conduit shall be installed during construction of the building shell from the electrical room to 100% of the loading dock doors that have potential to serve the refrigerated space. If tenant improvement building permits are issued for any such cold storage space, electric plug-in units shall be installed at every dock door servicing the cold storage space to allow TRUs to plug in and truck operators with TRUs shall be required to utilize the electric plug-in units when at loading docks serving such refrigerated space.
- Prior to the issuance of the first building permit, the applicant/developer shall demonstrate compliance with the SJVAPCD Rule 9510 (Indirect Source Review) to reduce growth in both NOx and PM10 emissions, as required by SJVAPCD and City requirements.

- The tenant/operator of the qualifying facility(ies) shall enroll and participate the in SmartWay program for eligible businesses.
- Truck Routes and Ingress/Egress:
  - Entry gates into the loading dock/truck court area of the qualifying facility(ies) shall be sufficiently positioned to ensure all trucks and other vehicles are contained onsite and inside the property line. Queuing, or circling of vehicles, on public streets immediately pre- or post-entry to an industrial commerce facility is strictly prohibited unless queuing occurs in a deceleration lane or right turn lane exclusively serving the qualified facility(ies).
  - O Applicants shall submit to the CDD, and obtain approval of, all turning templates to verify truck turning movements at entrance and exit driveways and street intersection adjacent to industrial buildings prior to entitlement approval. Unless not physically possible, truck entries shall be located on collector streets (or streets of a higher commercial classification), and vehicle entries shall be designed to prevent truck access on streets that are not collector streets (or streets of a higher commercial classification), including, but not limited to, by limiting the width of vehicle entries.
  - Prior to issuance of certificate of occupancy, the tenant/operator of the qualifying facility(ies) shall establish and submit for approval to the CDD a truck routing plan to and from the State Highway System based on the City's latest Truck Route Map. The plan shall describe the operational characteristics of the use of the tenant/operator. including, but not limited to, hours of operations, types of items to be stored within the building, and proposed truck routing to and from the proposed facility(ies) to designated truck routes that avoids passing sensitive receptors, to the greatest extent possible. The plan shall include measures, such as signage and pavement markings, queuing analysis and enforcement, for preventing truck queuing, circling, stopping, and parking on public streets. The tenant/operator shall be responsible for enforcement of the plan. A revised plan shall be submitted to the CDD prior to a business license being issued by the City for any new tenant/operator of the property. The CDD shall have discretion to determine if changes to the plan are necessary including any additional measures to alleviate truck routing and parking issues that may arise during the life of the facility(ies). Signs and drive aisle pavement markings shall clearly identify the onsite circulation pattern to minimize unnecessary on-site vehicular travel.
  - The tenant/operator of the qualifying facility(ies) shall post signs, that may be required by the City, in prominent locations inside and outside of the building indicating that off-site parking for any employee, truck, or other operation related vehicle is strictly prohibited. City may require facility operator to post signs on surface or residential streets indicating that off-site truck parking is prohibited by City ordinance and/or the Truck Routing Plan.
  - o Signs shall be installed, as required by the City, at all qualifying facility(ies) truck exit driveways directing truck drivers to the truck route as indicated in the Truck Routing Plan and State Highway System.
  - O Upon commencement of operations, the tenant/operator of the qualifying facility(ies) shall be required to restrict truck idling onsite to a maximum of three minutes, subject to exceptions defined by CARB's commercial vehicle idling requirements. The facility must

- post highly-visible signs identifying these idling restrictions at the site entry and at other on-site locations frequented by truck drivers and include these restrictions in employee training and guidance material.
- O Signs at the qualifying facility(ies) shall be installed, as required by the City, in public view with contact information for a local designated representative who works for the facility(ies) operator and who is designated to receive complaints about excessive dust, fumes, or odors, and truck and parking complaints for the site, as well as contact information for the San Joaquin Valley Air Pollution Control District's on-line complaint system and its complaint call-line: 1-800-281-7003. Any complaints made to the facility(ies) operator's designee shall be answered within 72 hours of receipt.

### • Workforce-Related Mitigation:

- Prior to issuance of occupancy permits, the applicant/developer shall demonstrate to the satisfaction of the City, that the proposed parking areas for employee passenger automobiles are designed and will be built to accommodate EV charging stations, at no cost to employees. At minimum, the parking areas and the number of EV charging stations for employee passenger automobiles shall equal the Tier 1 Nonresidential Voluntary Measures of the California Green Building Standards Code, Section A5.106.5.3.1.
- O Prior to issuance of occupancy permits, the applicant/developer shall demonstrate to the satisfaction of the City, that the proposed parking areas for passenger automobiles are designed and will be built to provide parking for low-emitting, fuel-efficient, and carpool/van vehicles. At minimum, the number of preferential parking spaces for passenger automobiles shall equal the Tier 1 Nonresidential Voluntary Measures of the California Green Building Standards Code, Section A5.106.5.1.1.
- The tenant/operator of the qualifying facility(ies) shall establish locations for food or catering truck service and cooperate with food service providers to provide consistent food service to operations employees.
- The tenant/operator of the qualifying facility(ies) shall provide employees transit route and schedule information on systems serving the qualifying facility(ies) area and coordinate ridesharing amongst employees.
- Designated Smoking Areas: The tenant/operator of the qualifying facility(ies) shall ensure that any outdoor areas allowing smoking are at least 25 feet from the nearest property line.
- Yard Sweeping: Owners, operators or tenants of the qualifying facility(ies) shall provide periodic yard and parking area sweeping to minimize dust generation
- Diesel Generators: Owners, operators or tenants of the qualifying facility(ies) shall prohibit the
  use of diesel generators, except in emergency situations (including when the utility delays a
  facility's new electrical service connection), in which case such generators shall have Best
  Available Control Technology (BACT) that meets CARB's Tier 4 emission standards.

### **Additional Mitigation**

- To the extent a qualifying facility seeks and secures a Development Agreement with/from the City, the applicant, or its successor in interest, and the City shall comply with Government Code section 65865.1 and Stockton Development Code section 16.128.110. The City shall schedule a public hearing at the Planning Commission, with notice to all affected parties, at least every 12 months after approval of the Development Agreement, to receive and discuss the annual report on the status of the qualifying facility(ies)'s compliance with the Development Agreement. At those same hearings, the City shall review all the qualifying facility(ies)'s mitigation measures and conditions of approval for compliance.
- Applicants seeking one or more discretionary permits for proposed qualifying facility(ies) shall
  engage in a community outreach effort to engage the existing community in determining issues of
  concern that can be addressed through site design and other means during the land use entitlement
  process. Suggested outreach efforts include but are not limited to, hosting community meetings,
  making presentations at advisory and community councils, and hosting job fairs.

## **Warehouse Ordinance Outreach Summary**

The below items summary the feedback and suggestions received by various groups from late August through September 2023. The points below summarize numerous comment letters and meetings held with City staff in the creation of the proposed warehouse ordinance. Directed staff to meet with all residents and groups who have expressed interest in this topic.

The meeting notes for the Planning Commission Ad-Hoc Committee will be posted online at Zoning Update - City of Stockton (stocktongov.com)

#	Comment or Issue Raised	City Response
Planning	Commission Ad-Hoc Committee	
1.	Release measures as soon as possible to allow time to review before adoption.	Draft zoning language released to public for review on Friday September 15, 2023. The September 28 th meeting will focus on draft language while the October 12 th meeting will focus on alternatives and final language for a proposed ordinance.
2.	Members didn't feel the City should exceed or expedite items that are the responsibility of the state to monitor and enforce.	Measures requiring monitoring or enforcement of measures that exceed current code enforcement and zoning practices removed. This includes measures that require enforcement of items not commercially available.
3.	Due to time constraints, the Committee directed staff to form a group of environmental/health advocates and industry advisors in addition to meeting with residents and the AG office.	Staff conducted several weekly meetings with each of these groups to solicit feedback and prepare draft language for continued discussion.
4.	Members requested staff investigate alternative measures for EV fleets and examples that allow alternative fuel options instead of just EV.	City staff are investigating.
5.	Requested feasibility analysis be conducted.	Study is currently underway.
6.	Requested all public feedback be considered in staff's discussion for the proposed zoning standards.	Staff will include a summary of all comments and letters received to indicate if the item is addressed or can be addressed.
Environm	nental Advisory Feedback	
7.	Would like the city to enforce CARB standards directly instead of the Air District which is tasked with implementing state and CARB standards. Staff reaching out to Air District and state staff on the matter.	City staff are investigating.

#	Comment or Issue Raised	City Response
8.	Does not oppose development but feels the region needs projects that improve air quality for residents.	Staff will continue to work on improving environmental and health conditions.
9.	Understands staff shortages but would like the City to looking more monitoring and enforcement procedures to ensure facilities stay current with best practices.	City staff are investigating.
10.	Encourages staff to reach out to residents. Especially in the south Stockton areas.	Staff have met with some residents and will continue to reach out for this and other city efforts (development code and housing efforts). This includes the rezones in 2022 to remove industrial uses from south and east Stockton areas.
Industry A	Advisory Feedback	
11.	Concerns with added costs of implement standards that could make development projects infeasible. Will put Stockton at a competitive disadvantage with surrounding cities that are supportive of industrial and logistic uses as job generators and key components to the economic market.	Staff exploring feasibility through use of an outside consultant. This includes review of direct project cost impacts and a comparative analysis of how those cost impacts compare with surrounding areas. Study should be complete by October 2023.
12.	Does not oppose energy efficiency or climate reduction methods but prefers a well thought out approach.	No response yet. Coordinating with other departments on status of the City's Climate Action Plan Update.
13.	Significant concerns with requirement to regulate electric vehicle fleet mixes on industrial operators and EV reporting and compliance. Regulation should remain at the state level (Clean Air Resources Board (CARB)), since they enter into agreements with heavy and medium duty vehicle manufacturers regarding vehicle production availability to open market deadlines. Further adequate vehicle charging facilities are still not readily available through the state to support EV heavy duty and medium duty vehicles.	City Staff discussing with the AG and Sierra Club, since requirement came from the settlement agreements for Mariposa Industrial Project.
14.	Concerns with costs of compliance with CalGreen Tier two building code requirements and are not a requirement in most cities in the state for Industrial development.	City staff investigating, requesting industrial to share cost analysis is available.

#	Comment or Issue Raised	City Response		
15.	Concerns with Solar requirements to construct solar	City Staff investigating if Stockton has investigated or initiated joining		
	infrastructure, and encouraging the City to join the East Bay	the EBEC.		
	Energy Collective (EBEC), so industry can purchase clean			
1.6	energy from Collective to provide for base power operations	Chaff have the third City of Factors Codings and although the con-		
16.	Concerns with what can occur in the 300' buffer area.	Staff Investigating City of Fontana Ordinance and other sources.		
	Recommending the City of Fontana ordinance model restricts diesel trucks in the area.			
Attorney	General's Office			
17.	EV fleets and monitor will be difficult to implement and	Staff is open to adding project specific reviews that prohibit new		
	enforce. Suggest looking at truck routes (existing and new)	Truck routs from being located next to sensitive receptors like		
	to move away from sensitive receptors and project review	schools and homes.		
	to ensure truck routes stay away from these receptors			
	before approval of the project's design.			
	actions approved on the projects accepting			
18.	Does not want City staff to limit their review of options to	City staff are investigating and exploring options. The City is updating		
	just the MOA or past examples given to the City.	its climate action plan in 2024 and did indicate to the AG		
		representative that a general plan amendment would likely take this		
		effort into summer or fall of 2024.		
19.	The AG representative wondering if the City would be open	Staff indicated a General Plan amendment would take time and can		
	to General Plan amendments to reroute trucks and explore	only be done four times a year with the city already engaging in		
	ways to buffer land uses.	possible amendments for the city and private projects. The industrial areas in the general plan were carefully selected, reviewed per		
		CEQA, and adopted so staff would not be comfortable making		
		changes per the MOA that would alter or impact on the land use		
		adopted in the general plan.		
20.	The AG office is open for an extension should measures	Staff will discuss if needed.		
	need further discussion.			
21.	The AG office prefers 1,000ft buffer, rather than 300'	City staff are investigating.		
	required and Tier 2 standards be considered for new			
	construction.			
Resident	Resident and Public Feedback			

#	Comment or Issue Raised	City Response
22.	Many feel an ad-hoc committee of residents is still needed regardless of consensus on measures. A committee for the measures and any Climate Action Plan update.	Coordinating with other departments on status of the City's Climate Action Plan Update.
23.	Although the larger warehouse is not located near south Stockton homes in urbanized areas, some feel there will be indirect impacts (traffic, air quality) that need to be accommodated.	In 2022, staff rezoned various industrial properties in south Stockton to commercial to remove the potential for noxious uses. Staff is hoping to expand on this approach as part of the Development Code overhaul. In addition, in 2024 the City will begin the process of updating its climate action plan which will involve a revised emission report.
24.	Need for direct dialogue with Commissioners and Councilmembers on the issues impacting south Stockton communities.	Staff encouraged additional meeting with city departments and outreach and comments at the hearings.
25.	While inclusion of nonprofits and agency are encouraged, some residents feel these groups do not represent residents and owners within the community.	Staff encouraged additional meeting with city departments and outreach and comments at the hearings. In addition, staff have reached out to the Air District's AB617 committee representatives and the Transformative Climate Communities (TCC) representatives. In addition, the environmental advisors are comprised of community representatives and individuals familiar with the MOA and Mariposa Industrial Project measures.
26.	Members want staff to extend the MOA timeline first, and then discuss measures, outreach, and other efforts to help south Stockton.	Staff will discuss this at the study session and with the Attorney General's office.

# The following table reflects the following:

- 1. First column Numbering assigned to MOA Measures
- 2. Second column MOA Measures
- 3. Third column Conversion of the MOA Measures into Ordinance format Development Standards
- 4. Fourth column Initial draft standards based on feedback from Planning Commission Ad Hoc Committee, Committee Advisors, Public Comment, and research performed
- 5. Fifth column City staff notes and references relating to initial draft standards contained in Column 4

1	2	3	4	5
Measure #	Current Measure Language – Exhibit A of Memorandum of Agreement (MOA) ¹	Memorandum of Agreement measures drafted into ordinance format development standards	Potential Adjustment to Standards Based on Feedback Received to-date (in ordinance format)	Notes/References Relating to Column 4
0.	MOA indicates a minimum applicable size of the facility to be 100,000 square feet.	These standards shall apply to logistic warehouses 100,000 square feet in size or greater.	Researching industry standards and practices.	Under Review
Constructi	ion Mitigation			
1.	San Joaquin Valley Air Pollution Control District (SJVAPCD) Regulation VIII Compliance: Construction plans and specifications shall include a Dust Control Plan incorporating the applicable requirements of Regulation VIII, which shall be submitted to the SJVAPCD for review and approval prior to beginning construction in accordance with the requirements of Regulation VIII.	Qualifying facilities shall comply with the San Joaquin Valley Air Pollution Control District (SJVAPCD) requirements prior to beginning construction.	Qualifying facilities shall comply with the San Joaquin Valley Air Pollution Control District (SJVAPCD) requirements prior to beginning construction.	Language shortened and simplified for clarity. No Change from MOA, development standard written in Ordinance format.
2.	Construction Vehicles & Equipment:  a) The use of electric-powered, battery-powered, natural gas, or hybrid construction equipment and vehicles are required during construction if commercially available. If substantial evidence is provided by the permittee or its contractor that such equipment is not	• All off-road construction equipment, with a power rating of less than 19 kilowatts (e.g., plate compactors, pressure washers, shall be electric-powered.	<ul> <li>All off-road construction equipment, with a power rating of less than 19 kilowatts (e.g., plate compactors, pressure washers, shall be electric-powered.</li> <li>The use of electric-powered, battery-powered, natural gas, or hybrid construction equipment and vehicles are required during construction if commercially available meeting the highest rated California Air</li> </ul>	Language shortened and simplified for clarity. No Change from MOA, development standard written in Ordinance format.

^{• 1} Measures highlighted in blue involve more discussion and possible alternatives.

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Measure #	Current Measure Language – Exhibit A of Memorandum of Agreement (MOA) ¹	Memorandum of Agreement measures drafted into ordinance format development standards	Potential Adjustment to Standards Based on Feedback Received to-date (in ordinance format)	Notes/References Relating to Column 4
	commercially available, including a description of commercially reasonable efforts to secure such equipment, diesel- powered construction equipment greater than 50 horsepower meeting the highest rated California Air Resources Board (CARB) Tier technology available at the time of construction may be used. Prior to permit issuance, the construction contractor shall submit an equipment list confirming equipment used is compliant with the highest CARB Tier at the time of construction. Equipment proposed for use that does not meet the highest CARB Tier in effect at the time of construction, shall only be approved for use at the discretion of Stockton's Community Development Department (CDD) and shall require proof from the construction contractor that, despite reasonable best efforts to obtain the highest CARB Tier equipment, such equipment was unavailable. b) All off-road equipment with a power rating below 19 kilowatts (e.g., plate compactors, pressure washers) used during construction of the qualifying facility(ies) shall be electric powered. c) Subject to all other idling restrictions, off- road diesel-powered equipment shall not be left in the "on position" for more than 10 hours per day.	<ul> <li>The use of electric-powered, battery-powered, natural gas, or hybrid construction equipment and vehicles are required during construction if commercially available meeting the highest rated California Air Resources Board (CARB) Tier technology available at the time of construction may be used.</li> <li>Subject to all other idling restrictions, off-road diesel-powered construction equipment shall not be left in the "on position" for more than 10 hours per day</li> </ul>	Resources Board (CARB) Tier technology available at the time of construction may be used.  Subject to all other idling restrictions, off-road diesel-powered construction equipment shall not be left in the "on position" for more than 10 hours per day	
3.	Owners, operators or tenants of qualifying facilities shall provide "cool roof" specifications in construction plans verifying that the proposed roof	All qualifying facilities shall be constructed using "cool roof" materials with an aged reflectance	Researching industry standards and practices. The measure may be consolidated by the overall building code standards mentioned in MOA#10.	Under Review but will keep in some form.

1	2	3	4	5
Measure #	Current Measure Language – Exhibit A of Memorandum of Agreement (MOA) ¹	Memorandum of Agreement measures drafted into ordinance format development standards	Potential Adjustment to Standards Based on Feedback Received to-date (in ordinance format)	Notes/References Relating to Column 4
	will utilize cool roofing materials with an aged reflectance and thermal emittance values that are equal to or greater than those specified in the current edition of the CAL Green Building Standards Code, Table A5.106.11.2.3 for Tier 1 and the City's Green Building Standards within Chapter 15.72 of the Stockton Municipal Code.	and thermal emittance values that are equal to or greater than those specified in the current edition of the California (CAL) Green Building Tier 1 Standards.		
4.	Temporary electrical hookup to the construction yard and associated work areas shall be required.	Temporary electrical hookups to all construction yards and associated work areas shall be required.	Temporary electrical hookups to all construction yards and associated work areas shall be required.	Language shortened and simplified for clarity. No Change from MOA, development standard written in Ordinance format.
5.	The idling of heavy construction equipment for more than 5 minutes shall be prohibited. The owners, operators or tenants shall provide verification that construction specifications establish a five-minute idling limit for all heavyduty construction equipment utilized during construction of the proposed qualifying facility(ies). Signage shall be posted throughout the construction site regarding the idling time limit, and the construction contractor shall maintain a log for review. The log shall verify that construction equipment operators are advised of the idling time limit at the start of each construction day. Idling limits shall be noted in the construction specifications. The maintenance of logs documenting compliance shall be required.	Temporary signage shall be posted throughout the construction site indicating truck idling lasting more than five (5) minutes is prohibited. The signs shall include all idling and restrictions in additional to contact information for the San Joaquin Valley Air Pollution Control District's for those interested in filing a complaint.	Temporary signage shall be posted throughout the construction site indicating truck idling lasting more than five (5) minutes is prohibited. The signs shall include all idling and restrictions in additional to contact information for the San Joaquin Valley Air Pollution Control District's for those interested in filing a complaint.	Language shortened and simplified for clarity. No Change from MOA, development standard written in Ordinance format.
6.	The construction contractors shall maintain on the construction site an inventory of construction equipment, maintenance records, and datasheets, including design specifications and emission control tier classifications.	The construction contractor(s) shall maintain on the construction site an inventory of construction equipment, maintenance records, and datasheets, including design specifications and emission control tier classifications.	The construction contractor(s) shall maintain on the construction site an inventory of construction equipment, maintenance records, and datasheets, including design specifications and emission control tier classifications.	Language shortened and simplified for clarity. No Change from MOA, development standard written in Ordinance format.

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Measure #	Current Measure Language – Exhibit A of Memorandum of Agreement (MOA) ¹	Memorandum of Agreement measures drafted into ordinance format development standards	Potential Adjustment to Standards Based on Feedback Received to-date (in ordinance format)	Notes/References Relating to Column 4
7.	Architectural and industrial maintenance coatings (e.g., paints) applied on the qualifying facility(ies) shall be consistent with a VOC content of <10 g/L. Developer or tenant is not expected to exercise control over materials painted offsite by a third party.	All architectural and industrial maintenance coatings (e.g., paints) applied on site shall be consistent with a VOC content of <10 g/L. Developer or tenant is not expected to exercise control over materials painted offsite by a third party.	All architectural and industrial maintenance coatings (e.g., paints) applied on site shall be consistent with Volatile Organic Compounds (VOC) content consistent with California Green Building code Tier 1 Standards.	VOC 10g/L or less has been found to be infeasible and difficult to implement. Parts may be superseded by overall building standard mentioned in MOA#10.
8.	Qualifying facilities shall require the construction contractor to establish one or more locations for food or catering truck service to construction workers and to cooperate with food service providers to provide consistent food service.	The facilities shall require the construction contractor to establish one or more locations for food or catering truck service to construction workers and to cooperate with food service providers to provide consistent food service.	The facilities shall require the construction contractor to establish one or more locations for food or catering truck service to construction workers and to cooperate with food service providers to provide consistent food service.	Language shortened and simplified for clarity. No Change from MOA, development standard written in Ordinance format.
9.	Qualifying facilities shall require the construction contractor to provide transit and ridesharing information for construction workers.	The facilities shall require the construction contractor to provide transit and ridesharing information for construction workers.	The facilities shall require the construction contractor to provide transit and ridesharing information for construction workers.	Language shortened and simplified for clarity. No Change from MOA, development standard written in Ordinance format.
Site Design	1			
10.	Qualifying facilities shall be constructed in compliance with the most current edition of all adopted City building codes, including the adopted Green Building Standards Code. Prior to the issuance of building permits, the applicant/developer of the qualifying facility(ies) shall demonstrate (e.g., provide building plans) that the proposed buildings are designed and will be built to, at a minimum, meet the Tier 2 advanced energy efficiency requirements of the Nonresidential Voluntary Measures of the California Green Building Standards code, Divisions A5.1, A5.2 and A5.5, Energy Efficiency as outlined under Section A5.203.1.2.	All buildings shall be constructed consistent with the California (CAL) Green Building Tier 2 Standards.	Researching industry standards and practices.	Under Review

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Measure #	Current Measure Language – Exhibit A of Memorandum of Agreement (MOA) ¹	Memorandum of Agreement measures drafted into ordinance format development standards	Potential Adjustment to Standards Based on Feedback Received to-date (in ordinance format)	Notes/References Relating to Column 4
11.	Qualifying facilities and their associated loading docks must be located no closer than 300 feet from sensitive receptors, and the City staff should consider the public health and safety benefits of requiring a larger buffer, up to 1,000 ft. All such setbacks will be measured from the loading dock or any building edge, whichever is closer to the property line of any nearby sensitive receptors using the straight-line method. The setbacks and buffers required in this ordinance shall prevail over any less-stringent standards in the City's Development Code. Sensitive receptor shall be defined as any residence including private homes, condominiums, apartments, and living quarters, schools, preschools, daycare centers, correctional facilities, parks/recreation facilities, in-home daycares, and health facilities such as hospitals, long term care facilities, retirement and nursing homes.	All loading docks shall be located no closer than 300 feet from all sensitive receptor groups. The distance shall be measured from the loading dock or any building edge, whichever is closer to the property line of any nearby sensitive receptor defined as any residence including private homes, condominiums, apartments, and living quarters, schools, preschools, daycare centers, in-home daycares, health facilities such as hospitals, long term care facilities, retirement and nursing homes, community centers, places of worship, parks (excluding trails), prisons, and dormitories.	All loading docks shall be located no closer than 300 feet from all sensitive receptor groups. The distance shall be measured from the loading dock, that is not assigned as a clean fuel or electric vehicle dock space, or any building edge, whichever is closer to the property line of any nearby sensitive receptor defined as any residence including private homes, condominiums, apartments, and living quarters, schools, preschools, daycare centers, in-home daycares, health facilities such as hospitals, long term care facilities, retirement and nursing homes, community centers, places of worship, parks (excluding trails), prisons, and dormitories.	Staff is continuing to research appropriate buffer sizing based on likely areas to support warehousing greater than 100,000 sq ft and what increased buffering size could mean for the development of those sites.
12.	Qualifying facilities must include an onsite landscape buffer, measured from the property line of all adjacent sensitive receptors. The width of the buffer shall be proportionate to the height of the warehouse building with specified minimums as set forth below unless infeasible. Landscaping shall be installed at the periphery of the qualifying facility(ies) site along adjacent rights of way and the landscaping buffer area shall not include the right of way itself. Landscape buffers shall not be required on interior boundaries of the qualifying facility(ies).  a) The width of the buffer shall be set at a 2:1 ratio for all warehouses—for every 1 foot of building height, the buffer shall be 2 feet. The landscaping portion of this buffer shall not be	• All landscaping adjacent to residential or institution zoning designations or uses shall install an onsite landscape buffer. The buffer shall extend the property line abutting those designations and uses and be sized at a 2:1 ratio for the closest warehouse building(s)—for everyone (1) foot of building height, the buffer shall be two (2) foot minimum, unless approved by the Director if the depth is infeasible. The	All landscaping adjacent to residential or institution zoning designations or uses shall install an onsite landscape buffer. The buffer shall extend the property line abutting those designations and uses and be sized at a 1:1 ratio for the closest warehouse building(s)—for everyone (1) foot of building height, the buffer shall be one (1) foot minimum, unless approved by the Director if the depth is infeasible. The buffer shall be landscaped not be less than 50 percent of the total buffer size with two rows of 15-gallon trees planted along the length of the entire buffer.  • The buffer landscape can include areas to be used for bioswales, retention/detention areas and/or other stormwater and water quality management areas in compliance with SMC Section 16.56 (Landscaping).	Language shortened and simplified for clarity. Staff is still researching the appropriate Landscaping Ratio (i.e., 1:1) and the potential impacts of those ratios on likely areas to support warehousing 100,000 sq ft and greater and what increased buffering size could mean for the development of those sites.

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Measure #	Current Measure Language – Exhibit A of Memorandum of Agreement (MOA) ¹	Memorandum of Agreement measures drafted into ordinance format development standards	Potential Adjustment to Standards Based on Feedback Received to-date (in ordinance format)	Notes/References Relating to Column 4
	less than 50% of this buffer, but may include areas to be used for bioswales, retention/detention areas and/or other stormwater and water quality management areas.  b) The buffer area(s) shall include, at a minimum, a solid decorative wall(s) adjacent to sensitive receptors, natural ground landscaping, and solid screen buffering trees, as described below, unless there is an existing solid block wall. Onsite buffer areas shall not include deceleration lanes or right-turn lanes. To the extent allowed by other applicable City codes, policies and regulations the height of the decorative wall shall be at least 14 feet, except in buffer areas adjacent to sensitive receptors. For areas adjacent to sensitive receptors, the decorative wall shall be a minimum of 14 to 18 feet to the extent otherwise permitted by city codes, policies and regulations. c) Trees shall be used as part of the solid screen buffering treatment. Trees used for this purpose shall be evergreen, drought tolerant, and shall be spaced in two rows along the length of the buffer, with trees in each row offset, and each tree no greater than 15 feet on center. Spacing up to 20 feet may be allowed if wide canopy trees are used sufficient to create wall of vegetation that filters warehouse pollution. The property owner, tenant, operator, and any successors in interest shall maintain these trees for the duration of ownership, ensuring any unhealthy or dead trees are replaced with a similar tree as soon as possible.	buffer shall be landscaped not be less than 50 percent of the total buffer size with two rows of 15-gallon trees planted along the length of the entire buffer.  • The buffer landscape can include areas to be used for bioswales, retention/detention areas and/or other stormwater and water quality management areas in compliance with SMC Section 16.56 (Landscaping).  • The buffer area shall include a minimum 14-foot solid decorative wall(s), or landscaped berm and wall, or landscaped berm and wall, or landscaped berm adjacent to sensitive receptors unless a noise analysis indicates an alternative height is needed for sound attenuation.  • All on and off-site landscaping shall comply with SMC Chapter 16.56 (Landscaping).  • All landscaping shall be drought tolerant and, to the extent feasible, comprised of species with low	<ul> <li>The buffer area shall include a minimum 10-foot solid decorative wall(s), or landscaped berm and wall, or landscaped berm adjacent to sensitive receptors unless a noise analysis indicates an alternative height is needed for sound attenuation.</li> <li>All on and off-site landscaping shall comply with SMC Chapter 16.56 (Landscaping).</li> <li>All landscaping shall be drought tolerant and, to the extent feasible, comprised of species with low biogenic emissions. Palm trees shall not be utilized.</li> <li>All landscaping areas shall be properly irrigated for the life of the facility to allow for plants and trees to maintain growth with no undue pruning.</li> <li>Tree maintenance shall comply with SMC Section 16.56 as a certified Landscape Architect must prepare the Preliminary and Final Landscape plan and certify the planting is water efficient at the time of construction permit approval.</li> </ul>	

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Measure #	Current Measure Language – Exhibit A of Memorandum of Agreement (MOA) ¹	Memorandum of Agreement measures drafted into ordinance format development standards	Potential Adjustment to Standards Based on Feedback Received to-date (in ordinance format)	Notes/References Relating to Column 4
	d) All landscaping shall be drought tolerant, and to the extent feasible, species with low biogenic emissions. Palm trees shall not be utilized.  e) All landscaping areas shall be properly irrigated for the life of the qualifying facility(ies) to allow for plants and trees to maintain growth with no undue pruning.	biogenic emissions. Palm trees shall not be utilized.  • All landscaping areas shall be properly irrigated for the life of the facility to allow for plants and trees to maintain growth with no undue pruning.  • Tree maintenance shall comply with SMC Section 16.56 as a certified Landscape Architect must prepare the Preliminary and Final Landscape plan and certify the planting is water efficient at the time of construction permit approval.		
■ Operation	al Mitigation			

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Measure #	Current Measure Language – Exhibit A of Memorandum of Agreement (MOA) ¹	Memorandum of Agreement measures drafted into ordinance format development standards	Potential Adjustment to Standards Based on Feedback Received to-date (in ordinance format)	Notes/References Relating to Column 4
13.	solar Power/Battery Energy Storage Systems:  a) The building permit application for qualifying facilities must demonstrate sufficient solar panels to provide power for the operation's base power use at the start of operations and as base power use demand increases. The application shall include analysis of plans to meet (a) projected power requirements at the start of operations and as base power demand increases corresponding to the implementation of the "clean fleet" requirements, and (b) generating capacity of the solar installation.  a) The photovoltaic system(s) shall include a battery energy storage system to serve the qualifying facility(ies) in the event of a power outage to the extent required by the most current edition of the California Building Standards Code.  b) Stockton's Community Development Department (CDD) shall verify the size and scope of the solar project based upon the analysis of the projected power requirements and generating capacity as well as the available solar panel installation space.  c) In the event sufficient space is not available on the subject lot to accommodate the needed number of solar panels to produce the operation's base or anticipated power use, the applicant of the qualifying facility(ies) shall demonstrate how all available space has been maximized (e.g., roof, parking areas, etc.)	<ul> <li>All buildings shall be constructed with Solar Power and Energy Systems large enough to accommodate the building and operation's base power use demand at the start of operation and as the base power demand increases to accommodate an electric fleet.</li> <li>The energy storage systems shall have enough battery capacity to serve the photovoltaic system in the event of a blackout.</li> <li>All facilities shall be designed to accommodate enough space for all solar panels and batteries.</li> <li>The solar system installation should be done by owners, operators, tenants, or a qualified solar system contractor. Operation should begin after receiving permission from the utility. The owner is responsible for maintaining the system at 80% of rated power for 20 years. After 20 years, install a new system or maintain the existing one for the life of the facility.</li> </ul>	Researching industry standards and practices. No industry standard or definition for "base power".	Under Review

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Measure #	Current Measure Language – Exhibit A of Memorandum of Agreement (MOA) ¹	Memorandum of Agreement measures drafted into ordinance format development standards	Potential Adjustment to Standards Based on Feedback Received to-date (in ordinance format)	Notes/References Relating to Column 4
	for photovoltaic and battery energy storage system use. Areas which provide truck movement may be excluded from these calculations unless otherwise deemed acceptable by the supplied reports and applicable building standards.  d) The owners, operators or tenants, or qualified solar system contractor engaged by the developer or tenant, shall install the system when the City has approved building permits and the necessary equipment has arrived. The tenant/operator of the qualifying facility(ies) shall commence operation of the system only when it has received permission to operate from the utility. The photovoltaic system owner shall be responsible for maintaining the system(s) at not less than 80% of the rated power for 20 years. At the end of the 20-year period, the owners, operators or tenants shall install a new photovoltaic system meeting the capacity and operational requirements of this measure, or continue to maintain the existing system, for the life of the qualifying facility(ies).	iormat development standards		

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Measure #	Current Measure Language – Exhibit A of Memorandum of Agreement (MOA) ¹	Memorandum of Agreement measures drafted into ordinance format development standards	Potential Adjustment to Standards Based on Feedback Received to-date (in ordinance format)	Notes/References Relating to Column 4
14.	Electric Vehicles (EV): The following mitigation measures shall be implemented during all on-going business operations and shall be included as part of contractual lease agreement language to ensure the tenants/operators of the qualifying facility(ies) are informed of all on-going operational responsibilities.  a) Heavy-Duty EV Trucks: The property owners, operators or tenants of the qualifying facility(ies) shall ensure that all heavy-duty trucks (Class 7 and 8) domiciled on site are model year 2014 or later from start of operations and shall expedite a transition to zero-emission vehicles, with the fleet fully zero-emission by December 31, 2025, or when commercially available for the intended application, whichever date is later. b) Medium-Duty EV Vehicles: The property owners, operators or tenants of the qualifying facility(ies) shall utilize a "clean fleet" of vehicles/delivery vans/trucks (Class 2 through 6) as part of business operations as follows: For any vehicle (Class 2 through 6) domiciled on site, the following "clean fleet" requirements apply: (i) 33% of the fleet will be zero emission vehicles by December 31, 2023, (iii) 80% of the fleet will be zero emission vehicles by December 31, 2025, and (iv) 100% of the fleet will be zero emission vehicles by December 31, 2025, and (iv) 100% of the fleet will be zero emission vehicles by December 31, 2027.	All applicable facilities shall maintain Electric Vehicle (EV) fleets in accordance with the following:  • Heavy-Duty Trucks: all heavy-duty trucks (Class 7 and 8) domiciled on site are model year 2014 or later from start of operations and shall expedite a transition to zero-emission vehicles, with the fleet fully zero-emission by December 31, 2025, or when commercially available for the intended application, whichever date is later.  • Medium-Duty Vehicles: vehicles/delivery vans/trucks (Class 2 through 6) on site shall apply: (i) 33% of the fleet will be zero emission vehicles at start of operations, (ii) 65% of the fleet will be zero emission vehicles by December 31, 2023, (iii) 80% of the fleet will be zero emission vehicles by December 31, 2025, and (iv) 100% of the fleet will be zero emission vehicles by December 31, 2025, and (iv) 100% of the fleet will be zero emission vehicles by December 31, 2027.	Researching existing requirements already in place under the California Air Resources Board should be codified by the City of Stockton's. Staff are still conducting research on industry standards and best practices.	Under Review

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1		Memorandum of Agreement	T	3
Measure	Current Measure Language – Exhibit A of Memorandum of Agreement	measures drafted into ordinance	Potential Adjustment to Standards Based on Feedback	Notes/References Relating to
#	(MOA) ¹	format development standards	Received to-date (in ordinance format)	Column 4
	c) "Domiciled on site" shall mean the	"Domiciled on site":		
	vehicle is either (i) parked or kept	applies to vehicles parked		
	overnight at the qualifying facility(ies)	or kept overnight at the		
	more than 70% of the calendar year or (ii)	qualifying facility(ies) more		
	dedicated to the qualifying facility(ies)	than 70% of the calendar		
	site (defined as more than 70% of the	year or dedicated to the		
	truck routes during the calendar year that	qualifying facility(ies) site		
	start at the qualifying facility(ies) site	(defined as more than 70%		
	even if parked or kept elsewhere). The	of the truck routes during		
	tenant/operator of the qualifying	the calendar year that start		
	facility(ies) shall not be responsible to	at the qualifying		
	meet "clean fleet" requirements for	facility(ies) site even if		
	vehicles used by common carriers	parked or kept elsewhere).		
	operating under their own authority that	The tenant/operator of the		
	provide delivery services to or from the qualifying facility(ies) site.	qualifying facility(ies) shall		
	d) Zero-emission vehicles which require	not be responsible to meet		
	service can be temporarily replaced with	"clean fleet" requirements		
	alternate vehicles. Replacement vehicles	for vehicles used by		
	shall be used for only the minimum time	common carriers operating under their own authority		
	required for servicing fleet vehicles.	that provide delivery		
	e) A zero-emission vehicle shall ordinarily	services to or from the		
	be considered commercially available if	qualifying facility(ies) site.		
	the vehicle is capable of serving the	<ul> <li>Zero emission vehicles that</li> </ul>		
	intended purpose and is included in	require maintenance can be		
	California's Hybrid and Zero-Emission	temporarily replaced with		
	Truck and Bus Voucher Incentive Project,	alternative vehicles.		
	https://californiahvip.org/ or listed as	• If an EV fleet is not		
	available in the US on the Global	commercially viable,		
	Commercial Vehicle Drive to Zero	documentation from a		
	inventory, https://globaldrivetozero.org/.	minimum of three (3) EV		
	The City shall be responsible for the final	dealers identified on the		
	determination of commercial availability,	californiahvip.org website		
	based on all the facts and circumstances at	must be submitted prior to		
	the time the determination is made. In	1		

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Measure	Current Measure Language – Exhibit A of Memorandum of Agreement	Memorandum of Agreement measures drafted into ordinance	Potential Adjustment to Standards Based on Feedback	Notes/References Relating to
#	$(MOA)^1$	format development standards	Received to-date (in ordinance format)	Column 4
	order for the City to make a determination	issuance of a building		
	that such vehicles are commercially	permit for the new building		
	unavailable, the operator must submit	demonstrating the inability		
	documentation from a minimum of three	to obtain the required EVs		
	(3) EV dealers identified on the	or equipment needed within		
	californiahvip.org website demonstrating	6 months.		
	the inability to obtain the required EVs, or	If a qualifying facility fails		
	equipment needed within 6 months.	to meet the "clean fleet"		
	f) The tenant/operator of the qualifying	requirement, the		
	facility(ies) shall utilize the zero emission	tenant/operator must		
	vehicles/trucks required to meet the "clean	implement a Voluntary		
	fleet" requirements. Within 30 days of issuance of the final certificate of	Emissions Reduction		
	occupancy, the tenant/operator shall	Agreement (VERA) that mitigates emissions through		
	demonstrate to the satisfaction of CDD	emission reduction projects.		
	staff that the applicable clean fleet	The Air District will verify		
	requirements are being met. In the event	the mitigation effort. The		
	that there is a disruption in the	the intigation erion. The tenant/operator must		
	manufacturing of zero emission	continue to fund the VERA		
	vehicles/trucks or that sufficient	until fully compliant with		
	vehicles/trucks are not commercially	the clean fleet		
	available for the intended application, the	requirements.		
	"clean fleet requirements" may be	1,		
	adjusted as minimally as possible by the			
	CDD to accommodate the manufacturing			
	disruption or unavailability of			
	commercially available vehicles/trucks.			
	g) The tenant/operator of the qualifying			
	facility(ies) shall implement the proposed			
	measures after CDD review and approval.			
	Any extension of time granted to			
	implement this condition shall be limited			
	to the shortest period of time necessary to			
	allow for 100% electrification under the			
	clean fleet requirements. The CDD staff			

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	may seek the recommendation of the California Air Resources Board in determining whether there has been a manufacturing disruption or insufficient vehicles/trucks commercially available for the intended application.  h) Within 12 months of failing to meet a "clean fleet" requirement, the tenant/operator of the qualifying facility(ies) shall implement a Voluntary Emissions Reduction Agreement (VERA) providing pound for pound mitigation of the criteria pollutant, toxic air contaminants, and GHG emissions quantified by the City through a process that develops, funds, and implements emission reduction projects, with the Air District serving a role of administrator of the emission reduction projects and verifier of the successful mitigation effort. The VERA shall prioritize projects in the area surrounding the new qualifying facility(ies). The tenant/operator shall continue to fund the VERA each year in an amount necessary to achieve pound for pound mitigation of emissions resulting from not meeting the clean fleet requirements until the owner/tenant/lessee fully complies.			
15.	At all times during operation, and to the extent the applicable utility authorizes and has capacity to support, the tenant/operator of the qualifying facility(ies) shall be required to provide electric charging facilities on site sufficient to charge all electric trucks domiciled on the site, and such	Electric charging facilities shall be provided onsite sufficient to charge all automobiles, and electric trucks domiciled on the site,	All onsite Electric charging facilities shall be provided onsite sufficient to charge all automobiles, and electric trucks domiciled on the site,	Language shortened and simplified for clarity. No Change from MOA, development standard written in Ordinance format.

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	facilities shall be made available for all electric trucks that use the qualifying facility(ies).			
16.	The tenant/operator of the qualifying facility(ies) shall require all forklifts, yard trucks, and other equipment used for on-site movement of trucks, trailers and warehoused goods, as well as landscaping maintenance equipment used on the site, to be electrically powered or zero-emission. The tenant/operator shall provide on-site electrical charging facilities to adequately service such electric vehicles and equipment.	All forklifts, yard trucks, and other equipment used for on-site movement of trucks, trailers and warehoused goods, as well as landscaping maintenance equipment used on the site, shall be electrically powered or zero-emission.	All forklifts, yard trucks, and other equipment used for on-site movement of trucks, trailers and warehoused goods, as well as landscaping maintenance equipment used on the site, shall be electrically powered or zero-emission.	Language shortened and simplified for clarity. No Change from MOA, development standard written in Ordinance format.
17.	EV Compliance Reporting:  a) The tenant/operator of the qualifying facility(ies) shall procure the zero emission vehicles/trucks required to meet the "clean fleet" requirements above. Within 30 days of issuance of the final certificate of occupancy, the tenant/operator shall submit a condition of approval compliance report outlining compliance with each clean fleet requirement applicable and including documentation demonstrating compliance with each requirement. The tenant/operator shall submit similar reports every two years thereafter until full compliance with the applicable clean fleet requirements is achieved. The City shall consider each report at a noticed public hearing and determine whether the tenant/operator has complied with the applicable clean fleet requirements. If the tenant/operator has not met each 100% clean fleet requirement by December 31, 2027, then the tenant/operator shall submit reports	All facilities shall maintain a zero emission vehicles/trucks required to meet the "clean fleet" requirements above.      Within 30 days of issuance of the final certificate of occupancy, the tenant/operator shall demonstrate to the satisfaction of CDD staff that the applicable clean fleet requirements are being met. Any extension of time granted to implement this condition shall be limited to the shortest period necessary to allow for 100% electrification under	Staff research industry standards and practices.	Under Review

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	annually until the 100% clean fleet requirement is implemented. The City shall consider each subsequent report at a noticed public hearing and determine whether the Operator has complied with the clean fleet requirements, including any minimal adjustments to the requirements by the CDD to accommodate the manufacturing disruption or unavailability of commercially available vehicles/trucks, as described above. Notice of the above hearings shall be provided to all properties located within 1,000 feet of the qualifying facility(ies) site and through the ASK Stockton list service.  b) After the 100% clean fleet requirement has been implemented and confirmed by the CDD, the tenant/operator shall submit to the CDD an on-going compliance report every three years containing all necessary documentation to verify that the clean fleet requirements are being met. At the time it confirms that the 100% clean fleet requirement has been implemented, the CDD will establish the due date for the first on-going compliance report. Each subsequent on-going compliance report shall be due within 30 days of, but not later than, the three-year anniversary of the preceding due date. The on-going compliance reports and accompanying documentation shall be made available to the public upon request.	the clean fleet requirements.  The tenant/operator shall submit similar reports every two years thereafter until full compliance with the applicable clean fleet requirements is achieved.  If the tenant/operator has not met each 100% clean fleet requirement by December 31, 2027, then the tenant/operator shall submit reports annually until the 100% clean fleet requirement is implemented.  After the 100% clean fleet requirement has been implemented, the tenant/operator shall submit to the CDD an on-going compliance report every three years containing all necessary documentation to verify that the clean fleet requirements are being met. Each subsequent on-going compliance report shall be due within 30 days of, but not later than, the three-year anniversary of the preceding due date.		

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18.	For qualifying facilities at which cold storage and associated transport refrigeration units (TRUs) are proposed or may be a future use, unless the owner of the facility records a covenant on the title of the underlying property ensuring that the property cannot be used to provide cold storage, a conduit shall be installed during construction of the building shell from the electrical room to 100% of the loading dock doors that have potential to serve the refrigerated space. If tenant improvement building permits are issued for any such cold storage space, electric plug-in units shall be installed at every dock door servicing the cold storage space to allow TRUs to plug in and truck operators with TRUs shall be required to utilize the electric plug-in units when at loading docks serving such refrigerated space.	Refrigeration Units: proposed cold storage and associated transport refrigerated units (TRUs) shall include electric plug-in units at loading docks serving such refrigerated space	Refrigeration Units: proposed cold storage and associated transport refrigerated units (TRUs) shall include electric plugin units at loading docks serving such refrigerated space	Language shortened and simplified for clarity and covenant requirement removed from MOA language shortened and standard written in Ordinance format.
19.	Prior to the issuance of the first building permit, the applicant/developer shall demonstrate compliance with the SJVAPCD Rule 9510 (Indirect Source Review) to reduce growth in both NOx and PM10 emissions, as required by SJVAPCD and City requirements.	Demonstration of compliance with the San Joaquin Valley Air Pollution Control District (SJVAPCD) Rule 9510 (Indirect Source Review) is required prior to obtaining any building permit for a qualifying facility.	Demonstration of compliance with the San Joaquin Valley Air Pollution Control District (SJVAPCD) Rule 9510 (Indirect Source Review) is required prior to obtaining any building permit for a qualifying facility.	Language shortened and simplified for clarity. May consolidate with MOA#1 as they both talk about SJCAPCD compliance.
20.	The tenant/operator of the qualifying facility(ies) shall enroll and participate the in SmartWay program for eligible businesses.	The tenant/operator of the qualifying facility(ies) shall enroll and participate the in SmartWay program. Proof of enrollment shall be given to the Community Development Department prior to issuance of a Building Permit for the facility.	Researching industry standards and practices.	Under Review

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21.	a) Entry gates into the loading dock/truck court area of the qualifying facility(ies) shall be sufficiently positioned to ensure all trucks and other vehicles are contained onsite and inside the property line. Queuing, or circling of vehicles, on public streets immediately pre- or post-entry to an industrial commerce facility is strictly prohibited unless queuing occurs in a deceleration lane or right turn lane exclusively serving the qualified facility(ies).  b) Applicants shall submit to the CDD, and obtain approval of, all turning templates to verify truck turning movements at entrance and exit driveways and street intersection adjacent to industrial buildings prior to entitlement approval. Unless not physically possible, truck entries shall be located on collector streets (or streets of a higher commercial classification), and vehicle entries shall be designed to prevent truck access on streets that are not collector streets (or streets (or streets of a higher commercial classification), including, but not limited to, by limiting the width of vehicle entries.  c) Prior to issuance of certificate of occupancy, the tenant/operator of the qualifying facility(ies) shall establish	<ul> <li>All truck turning movements at entrances, exits, and street intersections shall be located on local industrial, collector or arterial streets and all vehicle entries shall be designed to prevent truck access to local and back-up residential collector streets.</li> <li>All trucks and commercial vehicles serving the facility shall occur in compliance with the City of Stockton Truck Traffic Route Map in SMC 10.08.030 and Surface Transportation Assistance Act (STAA) Truck Route Map.</li> <li>Off-street loading shall comply with Section 16.64.110 Off-street loading space standards.</li> <li>Signs shall be posted inside and outside of the building and facility indicating all off-site parking is prohibited for adjacent street that do not permit parking.</li> <li>All truck driveway exits shall include signs directing truck drivers to the truck</li> </ul>	<ul> <li>All truck turning movements at entrances, exits, and street intersections shall be located on local industrial, collector or arterial streets and all vehicle entries shall be designed to prevent truck access to local and back-up residential collector streets.</li> <li>All trucks and commercial vehicles serving the facility shall occur in compliance with the City of Stockton Truck Traffic Route Map in SMC 10.08.030 and Surface Transportation Assistance Act (STAA) Truck Route Map.</li> <li>Off-street loading shall comply with Section 16.64.110 Off-street loading space standards.</li> <li>Signs shall be posted inside and outside of the building and facility indicating all off-site parking is prohibited for adjacent street that do not permit parking.</li> <li>All truck driveway exits shall include signs directing truck drivers to the truck routes identified in the City of Stockton Truck Traffic Route Map and State Highway System designations.</li> <li>Upon commencement of operations, the tenant/operator of the facility shall be required to restrict truck idling on site to a maximum of three (3) minutes, subject to exceptions defined by CARB's commercial vehicle idling requirements.</li> </ul>	Language shortened and simplified for clarity. No Change from MOA, development standard written in Ordinance format.

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	and submit for approval to the CDD a truck routing plan to and from the State Highway System based on the City's latest Truck Route Map. The plan shall describe the operational characteristics of the use of the tenant/operator, including, but not limited to, hours of operations, types of items to be stored within the building, and proposed truck routing to and from the proposed facility(ies) to designated truck routes that avoids passing sensitive receptors, to the greatest extent possible. The plan shall include measures, such as signage and pavement markings, queuing analysis and enforcement, for preventing truck queuing, circling, stopping, and parking on public streets. The tenant/operator shall be responsible for enforcement of the plan. A revised plan shall be submitted to the CDD prior to a business license being issued by the City for any new tenant/operator of the property. The CDD shall have discretion to determine if changes to the plan are necessary including any additional measures to alleviate truck routing and parking issues that may arise during the life of the facility(ies). Signs and drive aisle pavement markings shall clearly identify the onsite circulation pattern	routes identified in the City of Stockton Truck Traffic Route Map and State Highway System designations.  • Upon commencement of operations, the tenant/operator of the facility shall be required to restrict truck idling on site to a maximum of three (3) minutes, subject to exceptions defined by CARB's commercial vehicle idling requirements.		

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	to minimize unnecessary on-site vehicular travel.  d) The tenant/operator of the qualifying facility(ies) shall post signs, that may be required by the City, in prominent locations inside and outside of the building indicating that off-site parking for any employee, truck, or other operation related vehicle is strictly prohibited. The city may require facility operator to post signs on surface or residential streets indicating that off-site truck parking is prohibited by City ordinance and/or the Truck Routing Plan.  e) Signs shall be installed, as required by the City, at all qualifying facility(ies) truck exit driveways directing truck drivers to the truck route as indicated in the Truck Routing Plan and State Highway System.  f) Upon commencement of operations, the tenant/operator of the qualifying facility(ies) shall be required to restrict truck idling onsite to a maximum of three minutes, subject to exceptions defined by CARB's commercial vehicle idling requirements. The facility must post highly visible signs identifying these idling restrictions at the site entry and at other on-site locations frequented by truck drivers and include these			

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	restrictions in employee training and guidance material.  g) Signs at the qualifying facility(ies) shall be installed, as required by the City, in public view with contact information for a local designated representative who works for the facility(ies) operator and who is designated to receive complaints about excessive dust, fumes, or odors, and truck and parking complaints for the site, as well as contact information for the San Joaquin Valley Air Pollution Control District's on-line complaint system and its complaint call-line: 1-800-281-7003. Any complaints made to the facility(ies) operator's designee shall be answered within 72 hours of receipt.			

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22.	<ul> <li>Workforce Related Mitigation</li> <li>a) Prior to issuance of occupancy permits, the applicant/developer shall demonstrate to the satisfaction of the City, that the proposed parking areas for employee passenger automobiles are designed and will be built to accommodate EV charging stations, at no cost to employees. At minimum, the parking areas and the number of EV charging stations for employee passenger automobiles shall equal the Tier 1 Nonresidential Voluntary Measures of the California Green Building Standards Code, Section A5.106.5.3.1.</li> <li>b) Prior to issuance of occupancy permits, the applicant/developer shall demonstrate to the satisfaction of the City, that the proposed parking areas for passenger automobiles are designed and will be built to provide parking for low-emitting, fuel-efficient, and carpool/van vehicles. At minimum, the number of preferential parking spaces for passenger automobiles shall equal the Tier 1 Nonresidential Voluntary Measures of the California Green Building Standards Code, Section A5.106.5.1.1.</li> <li>c) The tenant/operator of the qualifying facility(ies) shall establish locations for food or catering truck service and cooperate with food service to operations employees.</li> <li>d) The tenant/operator of the qualifying facility(ies) shall provide employees transit route and schedule information on systems serving the qualifying facility(ies) area and coordinate ridesharing amongst employees.</li> </ul>	<ul> <li>Employers shall provide employees with transit route and schedule information on systems serving the facility area and coordinate ridesharing amongst employees.</li> <li>Employers shall provide on-site locations for food or catering truck service and cooperate with food service providers to accommodate food service to operations employees.</li> <li>All outdoor areas allowing smoking shall be located at least 25 feet from the nearest property line.</li> <li>All trucks, supportive vehicles and equipment shall be kept onsite in all loading, storage, and parking areas, and kept behind locked gates during nonbusiness hours.</li> <li>Truck queuing, idling, or circling of vehicles, onsite or on public streets adjacent to the facility is prohibited.</li> </ul>	<ul> <li>Employers shall provide employees with transit route and schedule information on systems serving the facility area and coordinate ridesharing amongst employees.</li> <li>Employers shall provide on-site locations for food or catering truck service and cooperate with food service providers to accommodate food service to operations employees.</li> <li>All outdoor areas allowing smoking shall be located at least 25 feet from the nearest property line.</li> <li>All trucks, supportive vehicles and equipment shall be kept onsite in all loading, storage, and parking areas, and kept behind locked gates during nonbusiness hours.</li> <li>Truck queuing, idling, or circling of vehicles, onsite or on public streets adjacent to the facility is prohibited.</li> </ul>	Language shortened and simplified for clarity. No Change from MOA, development standards written in Ordinance format. The standard may be superseded by overall building standard MOA#10.

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	e) Designated Smoking Areas: The tenant/operator of the qualifying facility(ies) shall ensure that any outdoor areas allowing smoking are at least 25 feet from the nearest property line.			
23.	Yard Sweeping: Owners, operators or tenants of the qualifying facility(ies) shall provide periodic yard and parking area sweeping to minimize dust generation.	Periodic yard and parking area sweeping shall be provided to minimize dust generation.	Periodic yard and parking area sweeping shall be provided to minimize dust generation.	Language shortened and simplified for clarity. No Change from MOA, development standards written in Ordinance format.

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24.	Diesel Generators: Owners, operators or tenants of the qualifying facility(ies) shall prohibit the use of diesel generators, except in emergency situations (including when the utility delays a facility's new electrical service connection), in which case such generators shall have Best Available Control Technology (BACT) that meets CARB's Tier 4 emission standards.	Diesel Generators are prohibited, except in emergency situations and during construction when establishing the facility's new electrical service connection. In those temporary cases, all generators shall have Best Available Control Technology (BACT) that meets CARB's Tier 4 emission standards	Diesel Generators are prohibited, except in emergency situations and during construction when establishing the facility's new electrical service connection. In those temporary cases, all generators shall have Best Available Control Technology (BACT) that meets CARB's Tier 4 emission standards	Language shortened and simplified for clarity. No Change from MOA, development standards written in Ordinance format.
Additional	Mitigation			
25.	To the extent a qualifying facility seeks and secures a Development Agreement with/from the City, the applicant, or its successor in interest, and the City shall comply with Government Code section 65865.1 and Stockton Development Code section 16.128.110. The City shall schedule a public hearing at the Planning Commission, with notice to all affected parties, at least every 12 months after approval of the Development Agreement, to receive and discuss the annual report on the status of the qualifying facility(ies)'s compliance with the Development Agreement. At those same hearings, the City shall review all the qualifying facility(ies)'s mitigation measures and conditions of approval for compliance.	Every development agreement, approved and executed in conjunction with the applicable warehouse, shall be subject to periodic review of the applicant's/contracting party's compliance with the agreement, by the Commission, during the full term of the agreement, as specified in the agreement, but in no case less frequently than once every 12 months as required per SMC 16.128.110 (Periodic Review). Appropriate fees to cover the City's cost(s) to conduct the periodic reviews in compliance with the Council's fee resolution shall be collected from the applicant/contracting party.	Staff proposes removal. Annual compliance reviews are already required by State Law and the Development Code.	Staff proposes removal. Annual compliance reviews are already required by State Law and the Development Code ordinance.

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26.	Applicants seeking one or more discretionary	A neighborhood meeting shall be	Staff proposes removal. Conflicts with ministerial reviews and	Staff proposes removal. Conflicts
	permits for proposed qualifying facility(ies) shall	required for any application	already required for approvals requiring public hearings and	with ministerial reviews and already
	engage in a community outreach effort to engage	requiring Council review. At the	annexations.	required for approvals requiring
	the existing community in determining issues of	discretion of the Director, a		public hearings and annexations.
	concern that can be addressed through site design	neighborhood meeting may be		
	and other means during the land use entitlement	required for other applications		
	process. Suggested outreach efforts inc lude but are	consistent with SMC section		
	not limited to, hosting community meetings,	16.88.025 (Neighborhood Meetings).		
	making presentations at advisory and community			
	councils, and hosting job fairs.			