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October 16, 2025

MEMO TO: Stanislaus County Planning Commission

FROM: Department of Planning and Community Development

SUBJECT: GENERAL PLAN AMENDMENT, REZONE, AND ORDINANCE AMENDMENT APPLICATION NO. PLN2025-0053 – SIXTH CYCLE HOUSING ELEMENT IMPLEMENTATION

RECOMMENDATION

Based on the discussion below and on the whole of the record provided, staff is requesting that the Planning Commission provide a recommendation of approval of General Plan Amendment, Rezone, and Ordinance Amendment Application No. PLN2025-0053 – *Sixth Cycle Housing Element Implementation* to the Board of Supervisors. If the Planning Commission decides to provide a recommendation of approval, Exhibit A, provides an overview of all of the findings required for project approval.

PROJECT DESCRIPTION

This project includes a variety of land use amendments proposed in order to implement various actions incorporated into Stanislaus County's (County) draft sixth cycle Housing Element. The project proposes text amendments to the County's General Plan Land Use Element's Commercial land use designation, rezoning of 139 parcels to allow for high-density residential development, amendments to the community plan designation in Denair to ensure consistency with the proposed rezones, adoption of objective design standards to be applied to new multi-family developments, and adoption of a variety of zoning ordinance amendments proposed in the County's draft sixth cycle Housing Element, including adoption of a new Mixed Use zoning district. A detailed analysis of each of these proposed land use amendments is provided in the *Discussion* section of this memo.

BACKGROUND

The County is undertaking the process of updating its Housing Element to comply with the sixth cycle requirements, as set forth in California Planning and Zoning Laws. The sixth cycle update covers an eight-year planning period that spans from 2023-2031. The purpose of the Housing Element is to: reassess housing needs of existing and future residents based on the most current data available; propose specific goals, objectives, policies, and programs in a Housing Plan to meet those needs; and comply with the requirements of state law. The proposed 2023-2031 Housing Element includes goals, policies, objectives and programs to further housing opportunities for households in the unincorporated areas of Stanislaus County. No development project is proposed as part of the Housing Element Update; however, rezone and ordinance amendments will allow expanded by-right development opportunities.

The Housing Element, which is one of the state-mandated elements of the General Plan, is unique in that it is the only General Plan element that is reviewed and certified by the California Department of Housing and Community Development (HCD) and must be updated on a cycle

specified by the State of California. The Housing Element must ultimately be certified by HCD and found to be in substantial compliance with state law. This sixth cycle update had an adoption deadline of December 31, 2023 which was effectively extended to April 30, 2024. As the County did not meet this deadline, the rezone program included as part of the Housing Element implementation must be adopted before the Housing Element is considered to be in substantial compliance with housing element law and certified by HCD. Stanislaus County's ability to qualify for certain state grant funding is contingent on HCD finding the County in substantial compliance with housing element law.

State law requires that every housing element include an inventory of land suitable and available for residential development to meet the jurisdiction's share of the regional housing need called the Regional Housing Needs Allocation (RHNA). For the sixth cycle update, the State of California identified the need for the Stanislaus Council of Governments (StanCOG) to establish a methodology for allocation of 34,344 units to the 10 local jurisdictions. HCD divides the total number of units required to be accommodated in the eight-year planning period into income categories based on the Area Median Income (AMI) of a metropolitan area. StanCOG adopted a final RHNA Plan on August 17, 2022, which is reflected in Table 1 below.

TABLE 1: STANISLAUS COUNTY RHNA ALLOCATION, BY INCOME LEVEL, AS SET BY STANCOG FOR THE SIXTH CYCLE HOUSING ELEMENT

	Lower Income Units				Higher Income Units		
Jurisdiction	**Very Low (less than 50% of AMI)**	**Low (51% - 80% of AMI)**	**Very Low + Low**	**% of Total RHNA**	**Moderate (81% - 120% of AMI)**	**Above Moderate (Above 120% of AMI)**	**Total RHNA**
Ceres	706	489	1,195	35.6%	661	1,505	3,361
Hughson	284	196	480	54.5%	122	279	881
Modesto	2,807	1,943	4,750	42.2%	1,981	4,517	11,248
Newman	197	136	333	31.8%	218	497	1,048
Oakdale	414	286	700	42.0%	294	671	1,665
Patterson	1,046	724	1,770	47.6%	593	1,353	3,716
Riverbank	970	672	1,642	45.7%	594	1,355	3,591
Turlock	1,305	903	2,208	38.1%	1,096	2,498	5,802
Waterford	107	74	181	32.5%	115	261	557
Unincorporated County	574	398	972	39.3%	458	1,045	2,475
Total	**8,410**	**5,821**	**14,231**	**41.4%**	**6,132**	**13,981**	**34,344**

The County's RHNA for the sixth cycle includes a total of 2,475 units, made up of 574 extremely/very low-income, 398 low-income, 458 moderate-income, and 1,045 above moderate-income units. Based on residential densities allowed under current zoning, the sites identified in the inventory can accommodate 944 residential units, which includes 87 moderate-income and 493 above-moderate income units on vacant sites and 135 moderate-income and 225 above-moderate income sites on underutilized sites. In addition, the County was able to apply 252 units from planned and approved housing projects and 184 units of anticipated accessory dwelling unit (ADU) production, all in the above-moderate income category. The vacant and underutilized sites, planned and approved units, and anticipated ADUs exceed the County's RHNA for above-moderate units by 109; leaving an unmet RHNA of 972 lower-income units and 236 moderate-income units (see Table 2 below).

TABLE 2: STANISLAUS COUNTY RHNA ALLOCATION, BY INCOME LEVEL (NO REZONE SITES)

	Lower Income	Moderate Income	Above Moderate Income	Total
RHNA Allocation	972	458	1045	2475
Planned and Approved Units	0	0	252	252
ADUs Anticipated	0	0	184	184
Total Units on Vacant Sites	0	87	493	580
Total Units on Underutilized sites	0	135	225	360
Remaining RHNA	**972**	**236**	**-109**	**1099**

As illustrated in Table 2, the County does not have sufficient land already zoned appropriately to meet its share of its lower- and moderate-income RHNA and as such, to address this requirement, the County has identified specific parcels to rezone to meet the shortfall. The draft sixth cycle Housing Element's Housing Plan commits the County to rezoning the sites (under Action 3-1g) to address the shortfall. In developing the draft sixth cycle Housing Element sites inventory, the County analyzed parcels throughout the unincorporated area for their capacity for development, based on development trends, site criteria, and assumptions allowed by state law to estimate a sites' potential for development of affordable housing. Sites to be counted towards the County's lower income RHNA requires that a parcel be mostly vacant and between ½ acre and 10 acres in size and have access to connect to public water and sewer services.

The draft sixth cycle Housing Element identified 48 sites (rezone sites), totaling 88.37 acres, to be rezoned. The sites are located in unincorporated County neighborhoods, pockets and islands within the Local Area Formation Commission (LAFCO) sphere of influence of a city, and in established unincorporated communities (located outside a city sphere of influence) to allow the County to meet its remaining allocation for lower- and moderate-income units. The sites are proposed to be rezoned from Single-Family Residential (R-1), Rural Residential (R-A), General Commercial (C-2), and Planned Development (P-D) zoning designations to Multiple-family Residential (R-3) and Mixed Use (M-U) to allow for high-density residential development with a maximum density of 25 dwelling units per acre.

As discussed later in this memo, an additional 91 parcels, totaling 58.25 acres, are also being proposed to be rezoned for a total of 139 parcels, totaling 146.62 acres, to be rezoned.

The County's Draft 2023-2031 Housing Element is being considering under a separate project GPA PN2022-0045 – Sixth Cycle Housing Element Update, schedule to be considered by the Planning Commission on October 16, 2025. The County's Draft 2023-2031 Housing Element may be viewed at the following link: https://www.stancounty.com/planning/pl/housing-element.shtm

DISCUSSION

This section provides an overview of the core areas (General Plan Amendments, Ordinance Amendments, Objective Design Standards, and Rezones) being addressed by the proposed project:

General Plan Amendments (GPAs)

An amendment to the Commercial land use designation of the Land Use Element of the County's General Plan to incorporate the proposed new Mixed Use District (M-U) as a compatible zoning district and to remove the words "in limited situations" in regard to residential development is proposed as part of this project to ensure consistency between the General Plan land use and zoning designations (see Exhibit C – *Draft Amendment to Chapter I – Land Use Element – Commercial Designation*).

Out of the total 139 rezone parcels, 101 parcels are also proposed to have their General Plan land use designations amended to Medium High-Density Residential (from Low-Density Residential, Commercial, and Planned Development). Additionally, this request also includes an amendment to the Community Plan designation of the sites proposed to be rezoned in the community of Denair from Low-Density Residential to Medium-High Density Residential. These amendments are proposed in order to ensure consistency between the General Plan land use, community plan, and zoning designations.

Ordinance Amendments (OAs)

In addition to the rezone program, discussed below, there are programs and actions proposed throughout the draft sixth cycle Housing Element which requires zoning ordinance amendments to allow for increased residential densities, for flexibility in the siting of a variety of housing types, for streamlining the permitting of housing, for cohesive terminology, and to meet current state law requirements. The project proposes amendments to the following Stanislaus County Zoning Ordinance Chapters (see Exhibit E – *Draft Zoning Ordinance Amendments*):

- 21.12 - Definitions – Added a new definition of "dwelling", "agricultural employee housing", "mixed use", "single-room occupancy housing" and made a few minor edits to existing definitions for clarity purposes and to be consistent with state law.

- 21.20 - General Agriculture District (A-2) – Clarified allowances for accessory and junior accessory dwellings, and updated permitted uses for family day care homes and farmworker housing to comply with state law requirements.

- 21.24 - Rural Residential District (R-A) and 21.28 Single-Family Residential District (R-1) - Updated permitted uses to comply with state law requirements for family day care homes, specified lot width requirements shall meet subdivision ordinance standards, added section regarding HOME Act provisions (Senate Bill [SB] 9), and increased lot coverage limit in the R-1 to 50 percent.

- 21.32 - Medium Density Residential District (R-2) – Added two-family dwellings to the permitted uses up to 14 units per acre, updated permitted uses to comply with state law

requirements for family day care homes, specified lot width requirements shall meet subdivision ordinance standards, and increased lot coverage limits to 60 percent.

- 21.36 - Multiple-Family Residential District (R-3) – Cleaned up terminology of permitted uses, added single room occupancy housing as a permitted use subject to a staff approval permit, decreased minimum lot size from six-thousand square feet to four-thousand square feet, specified lot width requirements shall meet subdivision ordinance standards, added objective design standards, and added rezone site requirements including a prohibition on new single-family dwellings and a requirement that new development allow for minimum density of 20 dwelling units per acre.

- 21.44 - Historical Site District (H-S) – Added mobile homes as a permitted use, subject to historical design and mobile home standards as required by state law.

- 21.52 - Neighborhood Commercial District (C-1) – Cleaned up terminology of permitted residential uses, added emergency shelters up to 20 beds as a permitted by-right use, as required by state law, subject to issuance of a staff approval permit.

- 21.48 - Highway Frontage District (H-1), 21.56 - General Commercial District (C-2), and 21.60 - Industrial District (M) – Clarified allowances for emergency shelters subject to issuance of a staff approval permit and increased the number of beds permitted by-right from 10 to 20, as required by state law.

- 21.72 - Mobile Homes – Modified existing ordinance for clarity purposes and to specify historical district standards.

- 21.74 - Accessory Dwellings and 21.82 - Density Bonus for Affordable Housing – Modified existing ordinances to be consistent with state law.

- 21.76 - Off-Street Parking – Modified residential parking standards to be consistent with state law, allowed for parking in the setback under specific circumstances for non-residential uses, amended the parking standards for churches, lodges, and places of public assembly and for manufacturing or assembly plants to be consistent with the City of Modesto standards.

- 21.100 - Staff Approval Permits – Modified to include permit standards for farmworker housing in the A-2, single room occupancy housing developments, emergency shelters, temporary housing permits while building a new home, and for developments subject to density bonus permissions.

- Addition of a new Chapter 21.58 Mixed Use District (M-U) – Created a new zoning district for rezone sites which combines the C-2 and the R-3 zoning districts.

Objective Design Standards (ODS)

Recent state housing legislation prohibits subjective design reviews of housing projects and instead limits reviews to ODS. ODS are defined in Government Code Sections 65913.4 and 66300(a)(7) as standards that:

> "[…]involve no personal or subjective judgement by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official before submittal."

ODS are proposed to ensure housing development is of a high-quality design and is intended to streamline the process by making the requirements that apply to residential projects more predictable and easier to interpret.

The rezone sites included in this project will permit up to 25 units per acre, by-right. Accordingly, individual projects may not be conditioned on a case-by-case basis and must instead have uniformly-applied ODS. The ODS were developed with the goal of ensuring that any development resulting from the County's rezone program will make a positive impact in existing communities. Adoption of the draft ODS (see Exhibit D – *Objective Design Standards*) will implement Action 3-7F of the draft sixth cycle Housing Element Housing Plan:

> **Action 3-7f:** Develop objective design standards for housing development that will help the County meet RHNA obligations, including, but not limited to, multi-family housing, ADUs [accessory dwelling units], SROs [single-room occupancy units], duplexes, and triplexes, while providing a streamlined permitting process.

The proposed ODS include requirements for building orientation, frontages, entrances, building material, landscaping, lighting, and more. The document also includes a review checklist to assist developers and staff ensure requirements are met during the permit process.

The ODS is proposed to be adopted and implemented as a standalone document applicable to development in the Multiple-family Residential (R-3) and Mixed Use (M-U) zoning districts. A requirement that new development meets the proposed ODS have been incorporated into the R-3 and M-U zoning ordinances; however, the document could be utilized by the County for other projects such as affordable housing developments or planned developments.

Rezone Program

As discussed in the *Background* section of this memo, the County's draft sixth cycle Housing Element includes a proposed action to rezone 48 sites, 88.37 total acres, to fully meet the County's RHNA obligation. Table 3 reflects the location and unit capacity, by income level, of the 48 rezone sites:

TABLE 3: REZONE SITES INCLUDED IN SITES INVENTORY BY INCOME LEVEL

Neighborhood/ Community	Number of Parcels	Acreage	Lower Income	Moderate Income	Above Moderate Income	Total
Bret Harte	10	29.67	481	101	8	590
Denair	4	12.41	127	13	0	140
Empire	5	4.77	17	46	8	71
Keyes	3	4.45	58	18	2	78
North Ceres	4	7.97	97	18	1	116
Salida	3	1.48	0	18	3	21
South Ceres	1	4.18	76	7	0	83
West Modesto	18	23.44	248	107	15	370
Total	**48**	**88.37**	**1,104**	**328**	**37**	**1,469**

The proposed rezone program would accommodate development of 1,494 units, made up of 1,104 lower income units, 328 moderate income units, and 62 above moderate units.

All of the rezone sites are located in areas within existing urban development with access to sewer and water services, in proximity to commercial corridors, and have access to regular bus service which connects to transit centers. Where needed, all new development that occurs on the rezone sites will include installation of curb, gutter, and sidewalk.

An additional 91 sites, totaling 58.25 acres, and contiguous to the rezone sites listed above, have been added to the sites proposed to be rezoned to avoid spot zoning and allow for complete blocks with consistent zoning (see Exhibit B – *Maps of Proposed Rezone Sites* and *Exhibit F – Summary of Rezone Sites by Neighborhood/Community*.)

TABLE 4: ALL REZONE SITES (RHNA AND ADDED SITES)

	Number of Parcels	Acreage	RHNA Sites			Total Realistic Capacity	Maximum Density
			Lower Income	Moderate Income	Above Moderate Income		
RHNA Sites	48	88.37	1104	328	37	1469	2205
Additional Sites	91	58.25					1453
Total Sites	139	146.62					3658

In total 101 parcels are proposed to be rezoned to Multiple-Family Residential (R-3) (from R-1, R-A, P-D, and Highway Frontage [H-1]); the project also proposes an amendment to the zoning designations of 38 parcels from General Commercial (C-2) to Mixed Use (M-U). No realistic capacity has been identified for the additional rezone sites; however, the zoning changes will allow for development of up to 25 units per acre, which would equate to a maximum density of 1,453 additional residential units.

PROJECT OUTREACH AND REVIEW

Stanislaus County solicited input on the sites inventory, rezone program, and actions included in the draft sixth cycle Housing Element including the proposed ordinance amendments and objective design standards, from stakeholders and community members through interviews, surveys, a project-specific website, through an online survey, an online Geographical Information System (GIS) mapping exercise to assist in development of the sites inventory, and community events and public meetings. The County compiled a list of stakeholders, which included engineers, developers, community leaders, service providers for special needs populations, and other community organizations such as fair housing service providers who received invitations to participate in providing feedback and attend community meetings. Interested parties were also added to the list upon request and as comments or inquiries were received from the public.

The County submitted four official drafts of the sixth cycle Housing Element to HCD between November 2023 and September 2025, one for a 90-day review period and three for 60-day review periods; the drafts were released to the public for review six times between August 2023

and September 2025, once for a 30-day period and the other five times for a minimum of seven-days.

After receiving comments from HCD on the first draft, on February 14, 2024, the County conducted additional community outreach in the form of several one-on-one interviews with stakeholders representing the interests of special needs populations, including farmworkers and the unhoused. After receiving comments from HCD on the third draft, on April 4, 2025, the County conducted additional outreach efforts including presenting at community meetings held in the Rouse/Colorado and Parklawn neighborhoods, at West Modesto Collaborative, to the South Modesto Businesses United group, and set up informational booths with flyers at a farmers market held in the Airport neighborhood and at a community event held in the community of Grayson.

Community input received on the sites inventory generally indicated that new housing development should occur within and adjacent to existing urbanized areas, close to existing transit and services with pedestrian access, and with access to public sewer and water. Additionally, input received highlighted the need for more flexibility in the County's zoning ordinances to allow for the development of a variety of housing types.

A detailed summary of the public participation is provided in Appendix A of the draft sixth cycle Housing Element which can be viewed at the following link: https://www.stancounty.com/planning/pl/general-plan.shtm. Additionally, a chronological summary of the timing for circulation of each housing element draft, comments received, and edits made to address the comments is provided in the Planning Commission Staff Memo prepared for the sixth cycle Housing Element Update GPA PLN2022-0045 – *Sixth Cycle Housing Element Update*, which is also scheduled to be considered by the Planning Commission on October 16, 2025.

The property owners of the proposed rezone sites, which were included in the draft sixth cycle Housing Element sites inventory, were mailed a letter explaining the project with the first 30-day public review referral of the first draft and continued to be notified with the release of each draft and public hearing notice. The subject implementation project was circulated for public review for a 30-day period (from July 2, 2025 to August 1, 2025) concurrent with the fourth draft of the sixth cycle Housing Element. Property owners of all rezone sites and surrounding property owners two parcels and 300 feet in each direction were mailed a notice of the 30-day public review for the sixth cycle Housing Element implementation project and a public hearing notice for this project. Several inquiries about what the notices meant were fielded by County staff, both at the counter and over the phone. With the exception of requests to have property added to the rezone sites, no objections to the proposed rezones were received from property owners of the rezone sites or surrounding landowners.

A phone call was received from Nelson Gomez, President of the South Modesto Businesses United (SMBU) group on October 8, 2025, who inquired about various aspects of the sixth cycle Housing Element Implementation project on behalf of the SMBU. Mr. Gomez stated that the SMBU would like to see a provision included in the R-A and R-1 zoning ordinances that would allow for two ADUs in addition to a single-family dwelling. Staff explained that the R-A and R-1 zoning districts permit development of one single-family dwelling, one accessory dwelling, and one junior accessory dwelling. Additionally, duplexes are permitted on corner lots, created after January 1, 1979, and the project proposes to amend the R-A and R-1 ordinances to allow for home site splits which are permitted to be developed with two ADUs if all conditions included in

the ordinance and state law are met, including property owner occupancy and the availability of water and sewer. In response to staff Mr. Gomez expressed a desire for the County to adopt something more flexible like the City of Modesto's ordinance which allows for the development of two ADUs on low density residential parcels, regardless of property owner occupancy. Mr. Gomez also stated that the SMBU would like parcels along Glazier Avenue, north of West Hatch Road, west of Crows Landing Road, to be included in the rezone program. Staff explained that HCD requires property to be a minimum of a ½ acre and no more than 10 acres and to have mostly vacant land in order to be considered to be able to realistically accommodate lower income units, which is the minimum qualification for inclusion in the rezone program. The parcels along Glazier Avenue are too small and most are developed with residential uses, which do not meet the criteria for inclusion in the rezone program. Mr. Gomez also asked general questions about the ability to develop with residential uses on land that does not have public sewer and on land zoned General Agricultural (A-2). Staff explained that parcels with public water and private septic systems are required to be a minimum of 20,000 square-feet in size in order to develop, including A-2 zoned land; smaller parcel sizes may be approved dependent on approval from the Stanislaus County Department of Environmental Resources. Additionally, in response to Mr. Gomez inquiring if A-2 land was included in the rezone program, staff explained that no A-2 land was included; however, Action 3-2d in the Housing Plan allows the County to identify Measure E-impacted lands within a LAFCO-adopted Sphere of Influence or an adopted County community plan area for rezoning, and pursue approval from HCD to activate the exemption from County voter approval if it is determined that the County has a shortfall in sites available to meet the RHNA and there is no other land in the County already designated for urban use that can accommodate the County's legal fair share housing requirement.

Following the 30-day review for the sixth cycle Housing Element implementation project, additional edits were made to the proposed ordinance amendments to address internal consistency throughout the zoning ordinance and to fix minor technical errors. Minor edits were made to several definitions in Chapter 21.12 to ensure consistency in terminology throughout the zoning ordinance. Minor amendments were made in Chapter 21.20 to language identifying the allowance for accessory and junior accessory dwellings for clarity. Minor amendments were made in Chapters 21.24 and 21.28 to clean up references to other County code and to the new Home Act (SB-9) provisions. Edits proposed to Chapter 21.08 – *General Provisions* have been rescinded as it was determined that the proposed edits were more permissive than originally intended and not necessary for the implementation of the sixth cycle Housing Element.

General Plan Update Committee (GPUC)

Planning staff has presented the various drafts of the sixth cycle Housing Element to the County's GPUC for guidance and direction in development of programs. In September 2022 and August 2023 staff presented an overview of the draft sixth cycle Housing Element Sites Inventory and rezone program to the GPUC, and in September of 2024 staff presented the non-RNHA sites added to the rezone program and the proposed ordinance amendments and ODS.

Municipal Advisory Councils (MACs)

Presentations were made to three Municipal Advisory Councils (MACs) in September and October of 2023. The South Modesto MAC meeting was held on September 14, 2023, the Denair MAC meeting was held on October 3, 2023, and the Keyes MAC meeting was held on October 19, 2023. No Empire MAC meeting was held during the public comment period due to a lack of quorum. Early input collected from the MAC meetings indicated a need to ensure that

residential development occurs on sites that have access to water and sewer and in areas that are accessible to commercial corridors. Concerns about development impacts to traffic, flooding, emergency response times, and to bus service were also raised.

During the 30-day public review period for the subject implementation project, County staff presented to the MACs that had rezone sites in their district boundaries, asking for a vote. Staff presented to the South Modesto MAC on June 10, 2025, where the MAC voted to support the ordinance amendments and rezonings on a vote of 3-0. Staff presented the proposed rezone sites and ordinance amendments to the Salida MAC on June 24, 2025, where the MAC voted to support the ordinance amendments and rezonings on a vote of 4-0. Staff presented to the Empire MAC during their June 25, 2025 meeting, where the MAC asked that they be given additional time to consider the project. Staff then attended the July 23, 2025 Empire MAC meeting where the MAC voted to support the proposed zoning amendments and rezones on a vote of 3-0. Staff presented the rezones and ordinance amendments to the Keyes MAC on July 30, 2025, where the MAC voted against the proposed rezones in Keyes on a vote of 3-0, citing that the opposing vote was due to the fact that none of the property owners of the rezone sites were in attendance to express support of the rezones. While the property owners were not in attendance, they have been provided with notices of the rezoning and have not contacted the County with any concerns. Staff presented to the Denair MAC on August 5, 2025, where the MAC voted to support the recommended zoning amendments and rezones on a vote of 3-0, with one member abstaining citing a need for more information before they felt they were able to vote on the matter.

California Rural Legal Assistance (CRLA)

County staff coordinated with CRLA early on in the sixth cycle Housing Element update process. Several responses were received from CRLA throughout the public review process. CRLA's responses outlined deficiencies with the draft sixth cycle Housing Element sites inventory and site analysis, specifying that it failed to affirmatively further fair housing (AFFH). Generally, CRLA's comments raised concerns with the County's sites inventory having too many lower-income sites identified in lower resource areas, and recommended the County incorporate specific programs including an inclusionary housing program, a rent control ordinance, and additional investment in programs serving the unhoused and farmworkers.

County staff met with CRLA on March 1, 2024 and August 20, 2025, after which additional data on the County's sites inventory requested by CRLA was provided, and then on September 19, 2025 to discuss their concerns with the draft sixth cycle Housing Element. County staff walked through potential programs with CRLA and provided context for the sites included in the inventory, which were selected for proximity to services, infrastructure availability, and development capacity in compliance with state law. Due to a limited availability of services in high resource areas, as most development occurred on larger parcels with no public sewer availability, development of high-density housing in most of these areas is infeasible. The County tried to maximize high density residential development opportunities in high resource areas that have access to public water and sewer, such as the community of Denair.

Additional responses were received from CRLA after circulation of the fourth draft and the 30-day referral of the subject implementation project; their letters reiterated similar concerns described in their previous letters and focused on an objection to the sites inventory including too many lower income units in low resource areas. Several edits were made to the draft sixth cycle Housing Element to integrate suggested language edits to housing element actions

provided in CRLA's letter. Their response also raised concerns with the Addendum prepared for the project, stating that a Supplemental EIR should have been prepared instead (see Exhibit G – *Comments Received on the Fourth Draft of the Housing Element and on Implementation* and Exhibit H – *Comment Letter Received from CRLA, dated August 1, 2025, in Response to the 30-Day Project Referral of GPA, REZ, OA PLN2025-0053 – Sixth Cycle Housing Element Implementation*). A discussion on the reasoning for the type of environmental review prepared for the project is provided in the *Environmental Review* section of this memo.

The response letter from CRLA identified 10 sites in Denair that they recommended be added to the rezone program to allow for additional lower income units identified in the County's RHNA to be relocated from Bret Harte (South Modesto – Fairview Park) to Denair (see Exhibit I – *Map of Denair, CRLA Recommended Sites*). The County, working with its consultant, evaluated the potential for rezoning these suggested sites and each of them has been determined to be inadequate due to existing development; a lack of services such as schools, parks, or commercial businesses in the surrounding area; and/or due to their distances from services and transit. The Denair Community Plan states:

> "Suitable locations for Medium Density Residential (MDR) and Medium-High Density Residential (MHDR) housing is within the interior of communities, providing residents convenient access to public services, retail shopping and public transit opportunities."

In comparing the two areas the number of acres proposed to be rezoned in Bret Harte and Denair are fairly equivalent, with 24.37 total acres in Bret Harte and 21.49 total acres in Denair. The allocation of low-income units in both areas are based on HCD's requirements for parcel size and vacancy for allocating lower income units; however, low-income housing is not required to be built and either area could be developed with high density market rate housing.

In evaluating the potential for adding sites in Denair, the County identified that 25 above-moderate sites were erroneously included in the sites inventory for Denair. These have been removed revising the sites inventory in Denair to include 127 lower income and 13 moderate-income units. See Table 5 for a comparison between the two areas.

TABLE 5: REZONE SITE COMPARISON – BRET HARTE (SOUTH MODESTO – FAIRVIEW PARK) AND DENAIR

	Number of Parcels	Acreage	RHNA Sites			Total Realistic Capacity	Maximum Density
			Lower Income	Moderate Income	Above Moderate Income		
BRET HARTE (SM FP) RHNA Sites	5	24.37	445	41	0	486	609
BRET HARTE (SM FP) Additional Sites	0	0					
BRET HARTE (SM FP) Total	5	24.37					609
DENAIR RHNA Sites	4	12.41	127	13	0	140	310
DENAIR Additional Sites	19	9.08					227
DENAIR Total	23	21.49					537

Public Service Provider Responses

Responses were received from the Modesto Irrigation District (MID) on the first draft of the sixth cycle Housing Element and from the Oakdale Irrigation District (OID) on the second draft; both responses provided basic regulatory information about parcels that fall within their district for irrigation and electrical service.

An email was received from the Burbank Paradise Fire District after circulation of the fourth draft requesting a fiscal plan for how fire districts will be supported to meet projected service demands, a commitment to reevaluating property tax sharing agreements with fire districts serving rezoned communities, and asked that fire protection infrastructure, staffing, and Insurance Services Organization (ISO) ratings be provided to disadvantaged communities. Further the Burbank Paradise Fire District's letter stated that the rezoning of parcels to allow for higher density housing in unincorporated communities like Bret Harte, Crows Landing, Empire, and West Modesto must be matched with a corresponding increase in funding to the independent fire districts that protect these residents and without a mechanism to allocate a fair share of County-collected property and sales taxes to the fire districts serving these areas, this plan will significantly burden response times, staffing levels, and public safety (see Exhibit G – *Comments Received on the Fourth Draft of the Housing Element and on Implementation*). A follow up response from the Burbank Paradise Fire District requested that a 100-foot setback be maintained between all new residential development to reduce fire risk.

A response was also received from the Salida Fire Protection District which requested that the sixth cycle Housing Element address funding for essential fire and emergency response services for residential development within Salida's service area by requiring that new housing development projects within Salida join Salida's Community Facilities District (see Exhibit G – *Comments Received on the Fourth Draft of the Housing Element and on Implementation*). To address the Salida Fire Protection District's comments, edits were made to the proposed Mixed Use zoning district chapter requiring that any new development annex into their Community Finance District.

All proposed rezone sites are located within fire districts and any resulting development will be subject to the payment of adopted fire fees and fire codes which will be implemented at the time of development. County public facilities fees (PFF) are collected to provide for County public services; County PFF along with school and fire fees are collected prior to issuance of a building permit. The County on an on-going basis works with school districts, fire districts, and other special districts to provide information on potential for development in the County to assist districts in aligning their fees with demands for services.

California Department of Housing and Community Development (HCD)

Staff received comments from HCD regarding the proposed sites inventory after their review of the first draft, including a request that the County provide additional data to demonstrate development potential, update the realistic capacity, provide more detail on County-owned sites, expand the environmental constraints analysis, and submit the sites inventory in HCD's electronic format. The County made amendments to address HCD's comments, including the requested amendments to the sites inventory, before submitting their second draft. Comments received from HCD on subsequent drafts did not include any requests for the County to make any further amendments to the sites inventory.

After making edits to the County's proposed actions, including adding geographic targeting of racially concentrated areas of affluence (RCAAs) to diversify housing choice in high resource areas and additional anti-displacement actions as HCD during the fourth review period, HCD provided the County with a letter, on September 29, 2025, indicating that the revised draft element, including revisions, meets the state's statutory requirements. However, the County's sixth cycle housing element cannot be found in substantial compliance until the County has completed and submitted the necessary rezones to accommodate the RHNA. HCD's letter stated that the County's sixth cycle Housing Element will substantially comply with State Housing Element Law (Gov. Code, Section 65580 et seq) when rezoning is completed and the element is adopted, submitted to, and approved by HCD, in accordance with Government Code Section 65585 (see Exhibit J – *Comment Letter from the California Department of Housing and Community Development, dated September 29, 2025*).

GENERAL PLAN CONSISTENCY

Consistency with the goals, objectives, and policies of the various elements of the Stanislaus County General Plan must be evaluated when processing all discretionary project requests.

The Housing Element of the General Plan is one component of Stanislaus County's overall long-range planning strategy. The California Government Code requires that the General Plan contain an integrated, consistent set of goals and policies. The Housing Element is therefore affected by policies contained in other elements of the General Plan. State law also requires all parts of the General Plan to be internally consistent. County actions involving zoning and subdivision approval must also be consistent with the Housing Element.

General Plan amendments affect the entire County and any evaluation must give primary concern to the County as a whole; therefore, a fundamental question must be asked in each case: will this amendment, if adopted, generally improve the economic, physical and social well-being of the County in general? Additionally, the County in reviewing General Plan amendments shall consider how the levels of public and private service might be affected; as well as how the proposal would advance the long-term goals of the County. In each case, in order to take affirmative action regarding a General Plan Amendment application, it must be found that the General Plan Amendment will maintain a logical land use pattern without detriment to existing and planned land uses and that the County and other affected government agencies will be able to maintain levels of service consistent with the ability of the government agencies to provide a reasonable level of service. In the case of a proposed amendment to the Land Use diagrams of the General Plan's Land Use Element, an additional finding that the amendment is consistent with the goals and policies of the General Plan must also be made.

The draft sixth cycle Housing Element was reviewed for consistency with the County's General Plan and several amendments were identified as being required to ensure consistency and to meet State general plan regulations. Approval of this proposed project will satisfy various programs included in the sixth cycle Housing Element and would therefore be compatible with the Housing Element of the General Plan.

The Housing Element is most closely tied to the Land Use Element. The Land Use Element sets the framework for development of housing by laying out the land designations for residential development and indicating the type and density permitted by the County. Working within this framework, the Housing Element identifies priority goals, policies, and programs for the next eight years that directly address the needs of the County's existing and future

residents. As discussed in the *Environmental Review* section of this memo, development resulting from the proposed project would not exceed the buildout projections included in the County's General Plan. The rezone program included in the County's draft sixth cycle Housing Element proposes infill development. Goal Two, Policy Thirteen of the Land Use Element encourages development in unincorporated communities to prioritize infill development and to prevent leapfrog development. In order for the project to maintain consistency with the Land Use Element, the rezone sites with a Single-family Residential (R-1), Rural Residential (R-A) or Planned Development (P-D) zoning designation also require General Plan land use designation changes from Low Density Residential or Planned Development to Medium High-Density Residential. Rezone sites in Denair will also include an amendment to the community plan designations in order to maintain consistency with the Denair community plan. The proposed rezones in Keyes and Salida have a Community Plan designation of Medium High-Density Residential and Commercial, which is consistent with the proposed R-3 and M-U zoning. Additionally, the Commercial land use designation was identified as requiring an update to incorporate the proposed Mixed Use (M-U) zoning designation as a compatible zoning district. Both the proposed Medium High-Density Residential and Commercial General Plan designations allow for residential uses in a density of up to 25 units per acre.

Policy Twenty-Six and Twenty-Seven of the Land Use Element of the Stanislaus County General Plan requires city support of projects located within a city sphere of influence (SOI) and consultation with cities when a project is located within one mile of a city SOI and within the city's General Plan area. The proposed project was referred to all nine cities within the County. In addition, the County coordinated with the cities of Ceres and Modesto on development of the sites inventory. Both cities have indicated that they do not have an objection to the proposed rezone sites located within their SOIs. A referral response received from the City of Modesto indicated they had no comments on the project (see Exhibit G – *Comments Received on the Fourth Draft of the Housing Element and on Implementation*).

As required by the General Plan's Land Use Element SOI Policy, all discretionary projects within the SOI of a sanitary sewer district, domestic water district, or community services district, shall be forwarded to the district board for comment regarding the ability of the district to provide services. If the district serves an unincorporated community with a MAC, the proposal shall also be referred to the MAC for comment. Various rezone sites included in the project are proposed to be served by the Keyes and Denair community services districts (CSDs) and Salida Sanitary District. The Keyes and Denair CSDs and Salida Sanitary District were consulted in the development of the sites inventory and each district indicated that they had the capacity to serve the sites. Each site would be required to meet specific conditions, as determined to be necessary by each district in order to hook up to water and/or sewer services. The proposed rezone sites are also located within the boundary of the Denair, Empire, Keyes, Salida, and South Modesto MAC boundaries and, accordingly, have been presented to each MAC. A discussion on the input received from the MACs is included in the *Project Outreach and Review* section of this memo.

The Land Use Element includes a policy which states that an effective level of public service should be provided within unincorporated areas; Goal Four, Policy Twenty-Two requires that future growth not exceed the capabilities/capacity of the provider of services such as sewer, water, public safety, solid waste management, road systems, schools, health care facilities, etc. Further Goal Two, Policy Seven of the County's Safety Element requires that adequate fire and sheriff protection be provided.

In accordance with state law, the sixth cycle Housing Element update will trigger an update of the County's Disadvantaged Unincorporated Communities Report, development of environmental justice policies, and an update to the Safety Element. The update to the Safety Element will need to address climate adaptation and resiliency policies as required by Government Code Sections 65302 and 65302.10. These updates are in progress and will be processed following adoption of the County's sixth cycle Housing Element.

Planning staff believes the proposed actions proposed by this request are in compliance with the General Plan policies listed above.

ZONING ORDINANCE CONSISTENCY

To approve the rezones, the decision-making body must find that they are consistent with the General Plan. If the project is approved, the proposed zoning designation of Multiple-Family Residential (R-3) will be consistent with the proposed General Plan designation of Medium-High Density residential. Additionally, the proposed amendments to the Commercial Land Use designation will incorporate the proposed Mixed Use (M-U) zoning designation as a zoning district that is consistent with the Commercial General Plan designation. There are no development standards or conditions of approval for this project. Rezoned parcels will be required to meet the standards included in the applicable zoning district and zoning ordinances, including a requirement that any future development meet the ODS included in this project. Future development will be required to obtain building permits and to meet any other applicable standards and regulations in place at the time of development. With adoption of the proposed amendments, staff believes the proposed rezones are consistent with General Plan and that all the findings required to approve the project, as outlined in Exhibit A of this memo, can be made.

ENVIRONMENTAL REVIEW

An environmental impact report (EIR) was certified by the Board of Supervisors for the County's General Plan updated on August 23, 2016. An agency may prepare an addendum to a certified EIR pursuant to CEQA Guidelines Section 15164 which states, in pertinent part, that an addendum may be prepared "if some changes or additions are necessary but none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR have occurred." Section 15162 states that a subsequent EIR is required if any of the following conditions exist:

1. Substantial changes are proposed in the project which will require major revisions to the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:

a. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;

c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

In accordance with CEQA Guidelines Section 15163, a supplemental EIR would only be triggered if the conditions required preparation of a subsequent EIR and only minor additions or changes would be necessary to make the previous EIR adequately apply to the project in the changed situation.

The County's General Plan EIR can be viewed at the following link: https://www.stancounty.com/planning/pl/general-plan.shtm.

The County has prepared an Addendum for the project, pursuant to CEQA Guidelines, to evaluate whether any "new information of substantial importance" that may cause one or more effects to environmental resources exists or if the project's environmental impacts are covered by and within the scope of the General Plan EIR. The Addendum analyzes the changes and potential impacts related to the zoning and land use changes for the sixth cycle Housing Element rezone sites and additional rezone sites (collectively "Rezone Sites"), ODS, and Stanislaus County General Plan and Zoning Ordinance amendments. The Addendum compares the buildout of the proposed project with the buildout scenario presented in the General Plan EIR. In particular, and in line with Public Resources Code Section 21083.3, the Addendum assessed whether the proposed project would result in impacts not addressed or previously analyzed in the General Plan EIR. The General Plan EIR addressed the potential environmental effects of the planned buildout of unincorporated Stanislaus County through the 20-year period between 2015 to 2035. Actions and policies were incorporated into the General Plan EIR to reduce potential impacts from project development under the General Plan. The General Plan EIR concluded that implementation of the General Plan would result in the following cumulative significant and unavoidable impacts:

- Aesthetics – Create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area
- Air Quality – Construction-related emissions in excess of the Air District's thresholds of significance (individual and cumulative).
- Biological Resources – Interfere with the movement of any native resident or migratory fish or wildlife species or established native resident or migratory wildlife corridors, or the use of native wildlife nursery sites (individual and cumulative).
- Cultural Resources – Cause a substantial adverse change in the significance of a historical or archeological resource.

- Greenhouse Gas – Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.
- Hydrology and Water Quality – Impacts to groundwater supplies and groundwater recharge (individual and cumulative).
- Noise – Potential temporary or permanent ambient noise levels which exceed existing standards (individual and cumulative).
- Recreation – Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration could occur.
- Transportation – Result in transportation network changes that would prevent the efficient movement of goods within the county (less than significant individual; significant and unavoidable cumulative).
- Utilities and Service Systems – Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities; result in a determination by the wastewater treatment provider that serves or may serve the project that it does not have adequate capacity to serve the project's projected demand.

These cumulative impacts were based on development, including new businesses, expansion of existing businesses, and new residential uses, that could occur as a result of the planning horizon of the General Plan, which is 2035. Integrated into the General Plan are the population projections adopted by the Stanislaus Council of Governments' (StanCOG) 2014 Regional Transportation Plan/Sustainable Communities Strategy. StanCOG's regional growth forecast, predicted a population for the unincorporated area of 133,753 people in 2035, which represented an increase of approximately 23,517 people, or approximately 21 percent, from its 2010 population of 110,236.

Growth within the County has occurred at a slower rate than was anticipated in the General Plan EIR (even decreasing in that time). Based on California Department of Finance (DOF) data, the population for the unincorporated area was 108,544 reflecting a decrease in population by 1,692 people since 2010.

In total, the proposed project would allow for the development, based on maximum density, of 3,610 units on the rezone sites. Based on a 2024 average of 3.13 persons per household, the maximum number of residential units allowed by the proposed project could potentially increase the population by up to 11,299 residents which is below the projected buildout under the General Plan EIR of 25,209 new residents. The proposed project's associated population increase is expected to fall within the anticipated population increase identified in the 2016 General Plan.

Although the proposed project would result in a net increase of units and residents above what was analyzed under the General Plan EIR, this increase would still be within the remaining projected buildout under the General Plan EIR. Because the General Plan EIR analyzed impacts associated with full General Plan buildout, the project would not be expected to result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

Any projects resulting for the rezones or OAs will be required to comply with established development standards and ODS and will be subject to all applicable building and fire codes and payment of any applicable impact fees adopted by the County, school districts, and fire districts. Rezones are targeted to infill areas served by sewer and water where development

was already anticipated as part of the County's General Plan and future developments resulting from the proposed project would be consistent with the buildout anticipated by the General Plan.

Based on the evaluation provided in the Addendum, no new significant impacts would occur as a result of the proposed project, nor would there be a substantial increase in the severity of any previously identified significant environmental impacts. As such, the County has determined that an addendum is appropriate for this project. A Notice of Determination finding that the project will not result in measurable increase in environmental impacts over what was previously analyzed in the General Plan EIR has been prepared for this project (see Exhibit L – *Notice of Determination*).

****

Contact Person: Kristy Doud, Deputy Director of Planning Services, Department of Planning and Community Development, (209) 525-6330

Attachments:

Exhibit A – Findings and Actions Required for Project Approval

Exhibit B – Maps of Proposed Rezone Sites:

- B-1 – Bret Harte (South Modesto – Fairview Park)
- B-2 – Bret Harte (South Modesto – Crows Landing Road)
- B-3 – Denair
- B-4 – Empire
- B-5 – Keyes
- B-6 – North Ceres (Bystrom)
- B-7 – North Ceres (Hatch/Stonum)
- B-8 – Salida
- B-9 – South Ceres
- B-10 – West Modesto (Beverly/Waverly)
- B-11 – West Modesto (Spencer/Marshall)

Exhibit C – Draft Amendment to Chapter I – Land Use Element – Commercial Designation

Exhibit D – Objective Design Standards

Exhibit E – Draft Zoning Ordinance Amendments:

- Chapter 21.12 – Definitions
- Chapter 21.20 – General Agriculture (A-2)
- Chapter 21.24 – Rural Residential (R-A)
- Chapter 21.28 – Single-Family Residential District (R-1)
- Chapter 21.32 – Medium Density Residential District (R-2)
- Chapter 21.36 – Multiple-Family Residential District (R-3)
- Chapter 21.44 – Historical Site District (HS)
- Chapter 21.48 – Highway Frontage District (H-1)
- Chapter 21.52 – Neighborhood Commercial District (C-1)
- Chapter 21.56 – General Commercial District (C-2)
- Chapter 21.58 – Mixed Use District (M-U)
- Chapter 21.60 – Industrial District (M)
- Chapter 21.72 – Mobile Homes
- Chapter 21.74 – Accessory Dwellings
- Chapter 21.76 – Off-Street Parking
- Chapter 21.82 – Density Bonus for Affordable Housing
- Chapter 21.100 – Staff Approval Permits

Exhibit F – Summary of Rezone Sites by Neighborhood/Community

Exhibit G – Comments Received on the Fourth Draft of the Housing Element and on Implementation

Exhibit H – Comment Letter Received from CRLA, dated August 1, 2025, in Response to the 30-Day Project Referral of GPA, REZ, OA PLN2025-0053 – Sixth Cycle Housing Element Implementation

Exhibit I – Map of Denair, CRLA Recommended Sites

Exhibit J – Comment Letter from the California Department of Housing and Community Development, dated September 29, 2025

Exhibit K – Addendum to the County's Certified 2015 General Plan EIR, prepared by Rincon consulting, Inc.

Exhibit L – Notice of Determination

Exhibit M – Distribution List for 30-Day Public Review and Notice of Public Hearing

Findings and Actions Required for Project Approval

1. Find that:

    a. Stanislaus County prepared an Addendum to the certified Environmental Impact Report (EIR) for the County's General Plan (State Clearinghouse No. 2014042087) in compliance with California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) together with the State CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.);

    b. The project meets the requirements for preparation of an addendum to a certified EIR as laid out in CEQA Guidelines Section 15164 and does not involve any significant new information which would trigger any new or greater impacts to the environment necessitating development of a Subsequent or Supplemental EIR as required by CEQA Guidelines Sections 15162 and 15163;

    c. The Addendum has been prepared in compliance with CEQA, the State CEQA Guidelines, and the County's CEQA Guidelines and Procedures for the Implementation of CEQA.

2. Accept the Addendum to the certified EIR prepared for the County's General Plan and find that the Addendum reflects Stanislaus County's independent judgement and analysis.

3. Order the filing of a Notice of Determination with the Stanislaus County Clerk-Recorder's Office pursuant to Public Resources Code Section 21166.

4. Find and declare:

    a. The County of Stanislaus is required by California Government Code Sections 65580–65589.8 to adopt a Housing Element as part of its General Plan that adequately accommodates its share of the Regional Housing Needs Allocation (RHNA) across all income levels;

    b. The County's 2023-2031 Housing Element identifies a shortfall in available sites zoned for residential development at appropriate densities to meet the RHNA;

    c. To address this shortfall and comply with the requirements of California Government Code Sections 65583.2(h) and 65583.2(i), the County must rezone sites to allow residential development at minimum densities of 20 dwelling units per acre and permit multifamily housing by-right, with ministerial approval processes for qualifying projects that include at least 20 percent of units affordable to lower-income households;

    d. The County has identified 48 parcels in the unincorporated area that are suitable for rezoning based on criteria including proximity to infrastructure, transit access, and existing land use compatibility, and an additional 91 parcels to be rezoned to provide additional residential capacity but were not included in the Housing Element Sites Inventory;

e. The proposed rezoning implements the sixth cycle Housing Element Program 3-1g, is consistent with the goals, policies, and implementation programs of the County's General Plan and Housing Element, and supports the development of safe, decent, and affordable housing for current and future residents;

f. The subject parcels to be rezoned to accommodate the shortfall identified in the County's sixth cycle Housing Element and their current and proposed zoning and General Plan Land Use designations, as listed in Exhibit F – *Housing Element Rezone Sites*, are subject to the following standards (detailed in Housing Element Program 3-1g):

i. Permit owner-occupied and rental multifamily uses by-right for developments in which 20 percent or more of the units are affordable to lower-income households. "By-right" means approval without discretionary review;

ii. Permit the development of at least 16 units per site; and

iii. Establish a minimum density of 20 units per acre and a maximum density of at least 20 units per acre for all rezone sites to accommodate lower-income RHNA; and

iv. Ensure that either: a) at least 50 percent of the shortfall of low- and very low-income regional housing need can be accommodated on sites designated for exclusively residential uses; or b) if accommodating more than 50 percent of the low- and very low-income regional housing need on sites designated for mixed uses, all sites designated for mixed uses must allow 100 percent residential use and require that residential uses occupy at least 50 percent of the floor area in a mixed-use project.

5. Find, based on the discussion in this memo, and the whole of the record that:

a. The General Plan Amendment will maintain a logical land use pattern without detriment to existing and planned land uses.

b. The County and other affected governmental agencies will be able to maintain levels of service consistent with the ability of the governmental agencies to provide a reasonable level of service.

c. The amendment is consistent with the General Plan goals and policies.

6. Find that the project is consistent with the overall goals and policies of the Stanislaus County General Plan.

7. Approve General Plan Amendment, Rezone, and Ordinance Amendment Application No. PLN2025-0053 – Sixth Cycle Housing Element Implementation, including approval of the Stanislaus County Objective Design Standards.

8. Introduce, waive the reading, and adopt ordinances for the approved Rezone and Ordinance Amendment Application No. PLN2025-0053 – Sixth Cycle Housing Element Implementation.

REZONE SITES
BRET HARTE
(SOUTH MODESTO - FAIRVIEW PARK)

GPA REZ OA ODS
PLN2025-0053

AREA MAP

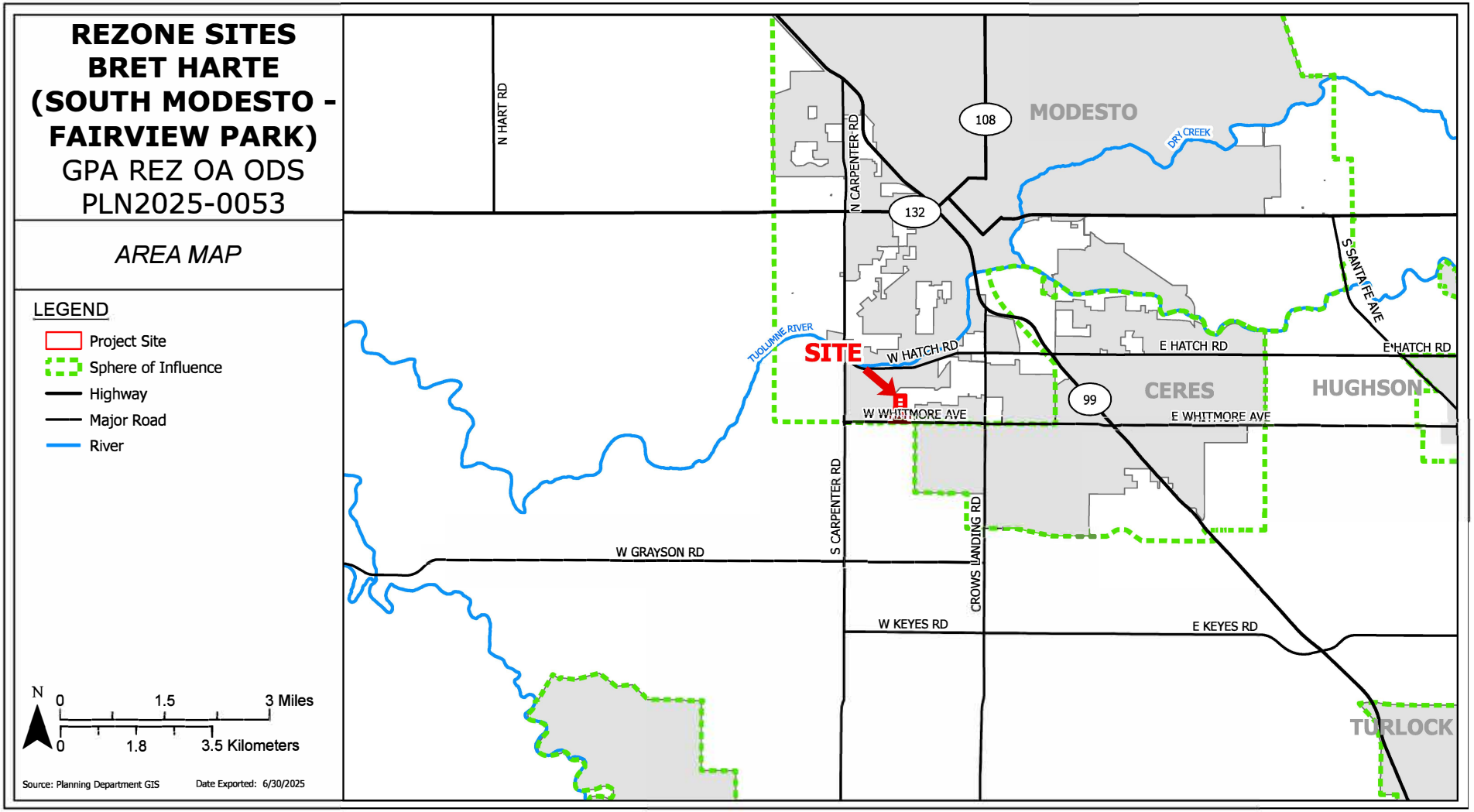
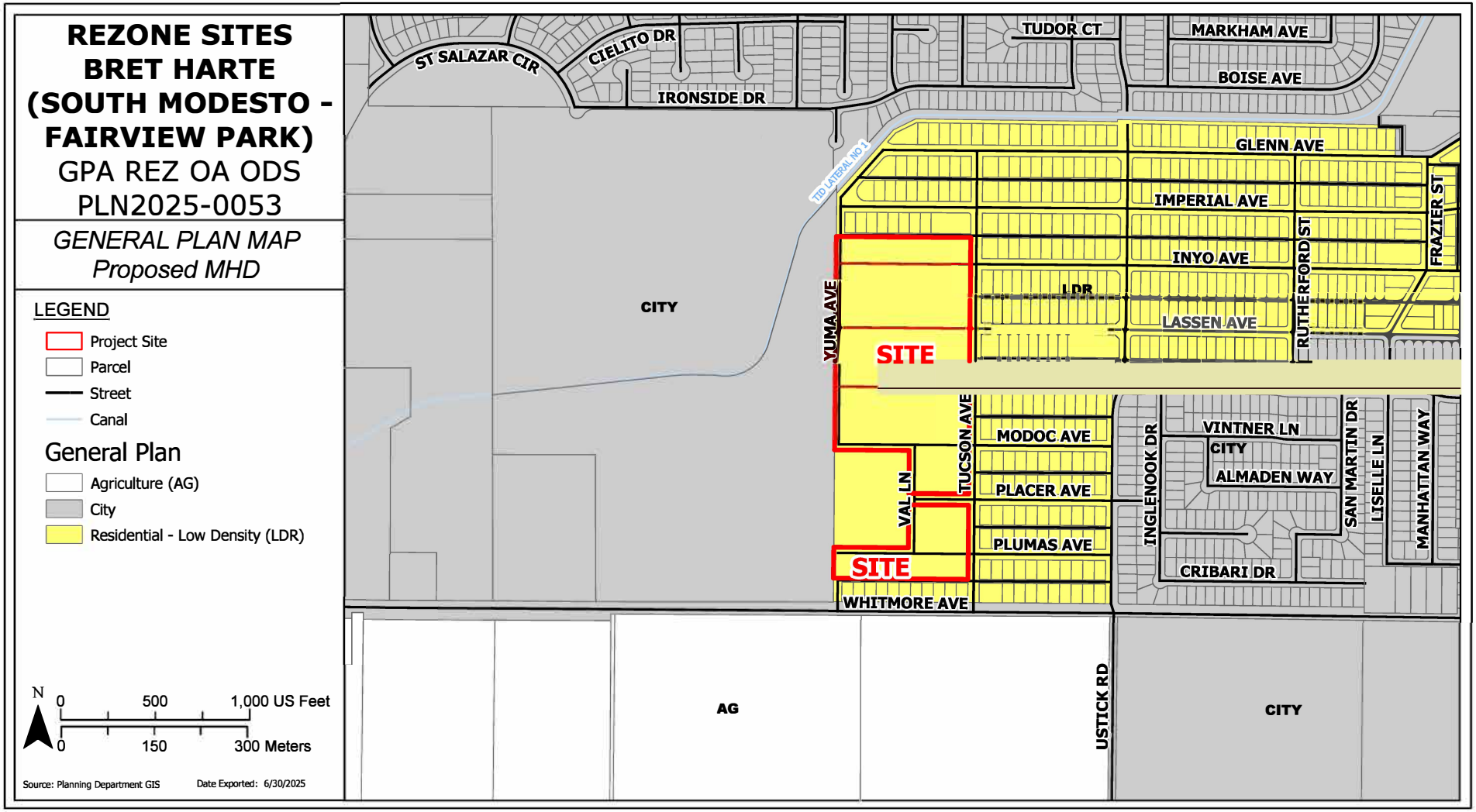


EXHIBIT B-1

REZONE SITES BRET HARTE (SOUTH MODESTO - FAIRVIEW PARK)

GPA REZ OA ODS
PLN2025-0053

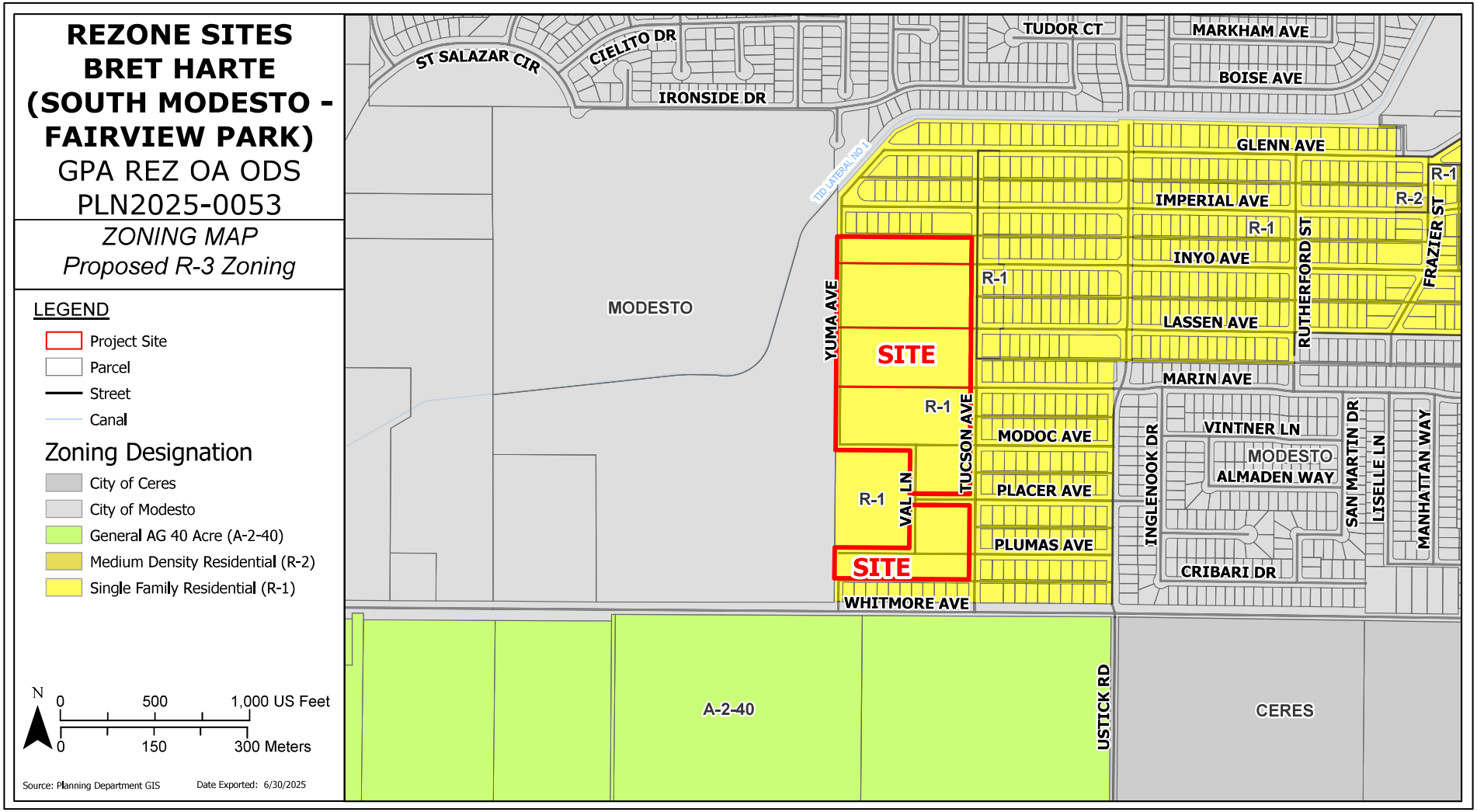
GENERAL PLAN MAP
Proposed MHD



REZONE SITES
BRET HARTE (SOUTH MODESTO - FAIRVIEW PARK)

GPA REZ OA ODS
PLN2025-0053

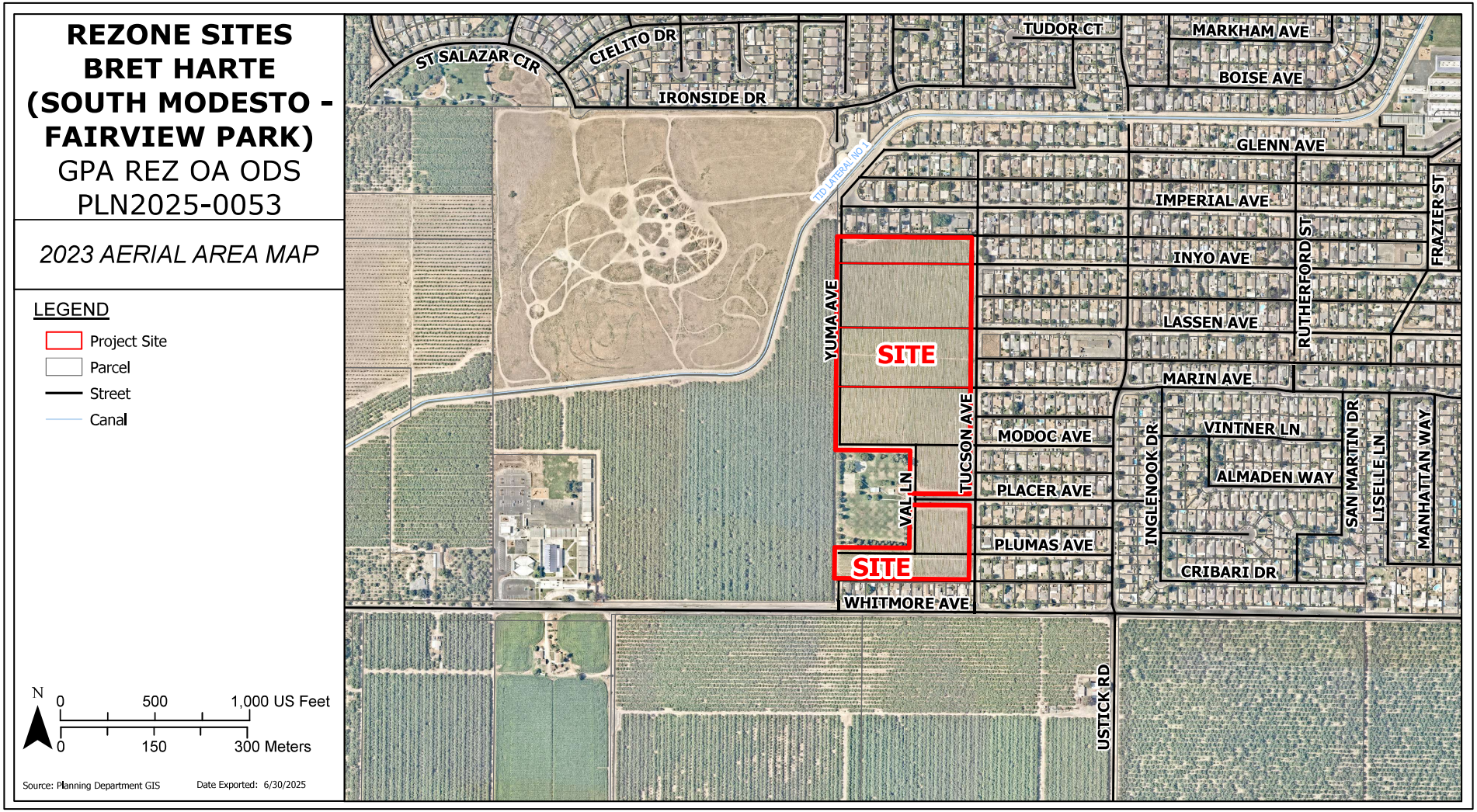
ZONING MAP
Proposed R-3 Zoning



REZONE SITES
BRET HARTE (SOUTH MODESTO - FAIRVIEW PARK)

GPA REZ OA ODS
PLN2025-0053

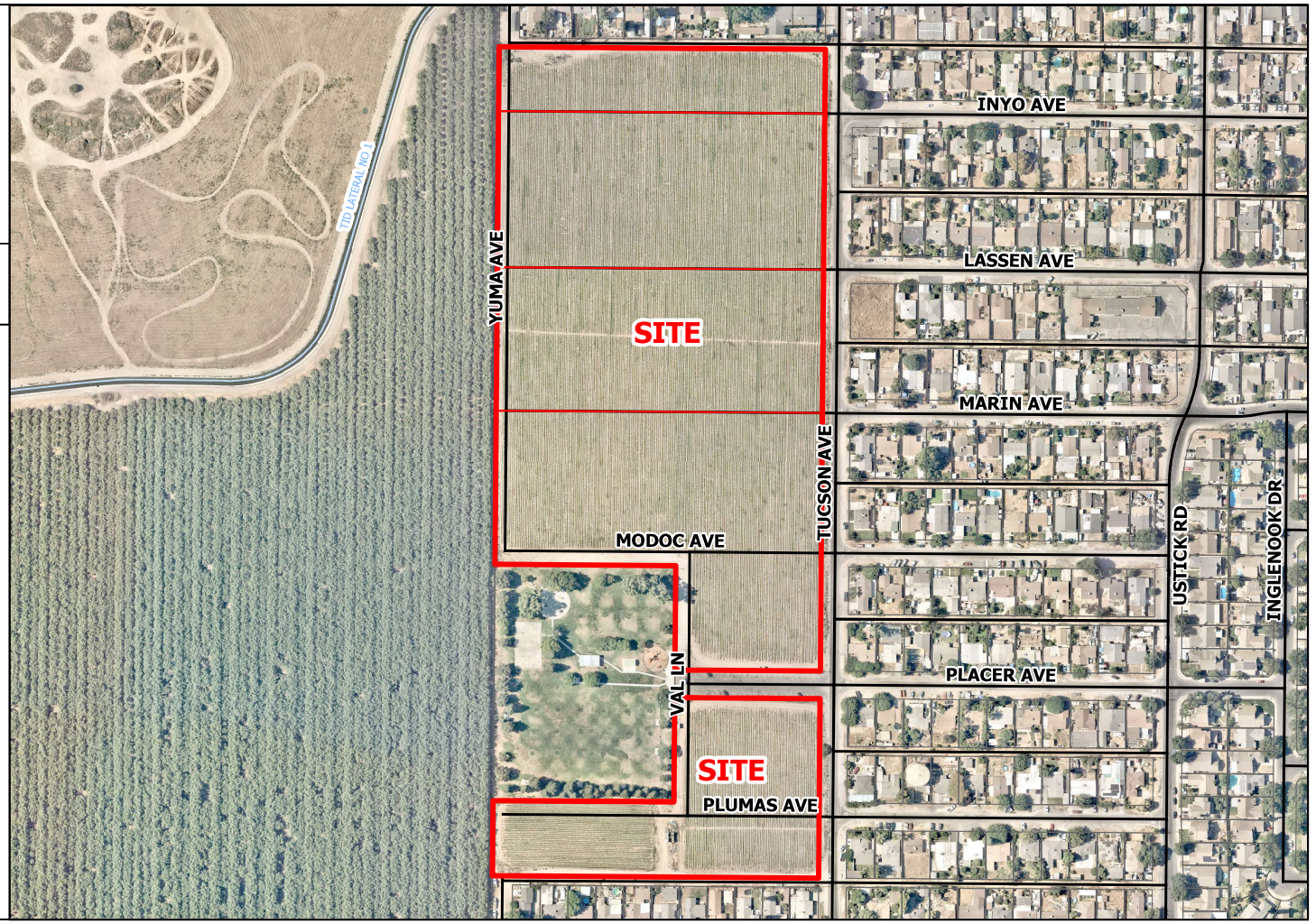
2023 AERIAL AREA MAP



REZONE SITES
BRET HARTE (SOUTH MODESTO - FAIRVIEW PARK)

GPA REZ OA ODS
PLN2025-0053

2023 AERIAL SITE MAP



LEGEND

- Project Site
- Parcel
- Street
- Canal

N

0 250 500 US Feet

0 70 140 Meters

Source: Planning Department GIS

Date Exported: 6/30/2025

REZONE SITES BRET HARTE (SOUTH MODESTO - FAIRVIEW PARK)

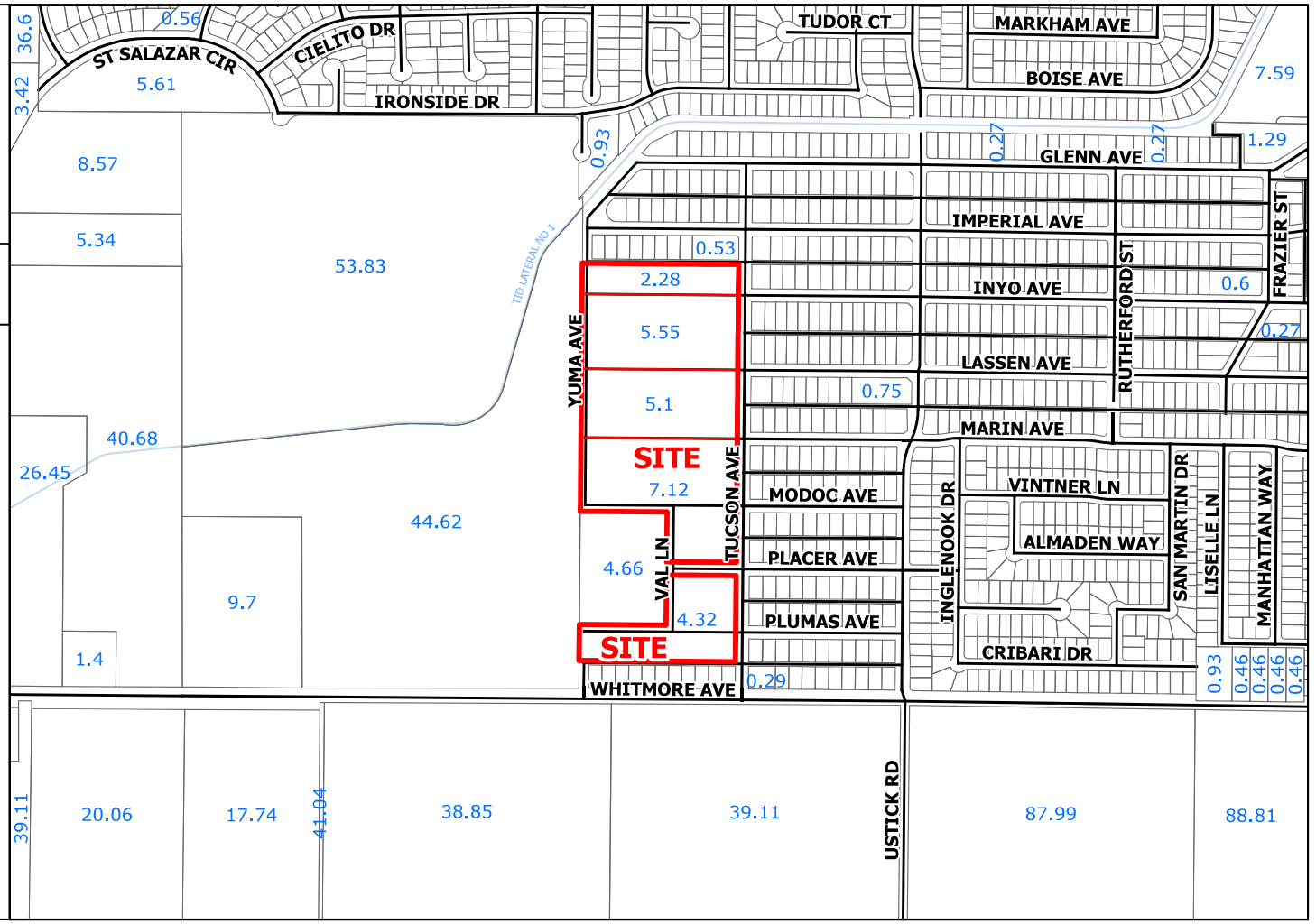
GPA REZ OA ODS

PLN2025-0053

ACREAGE MAP

LEGEND

- Project Site
- Parcel
- Acres
- Street
- Canal



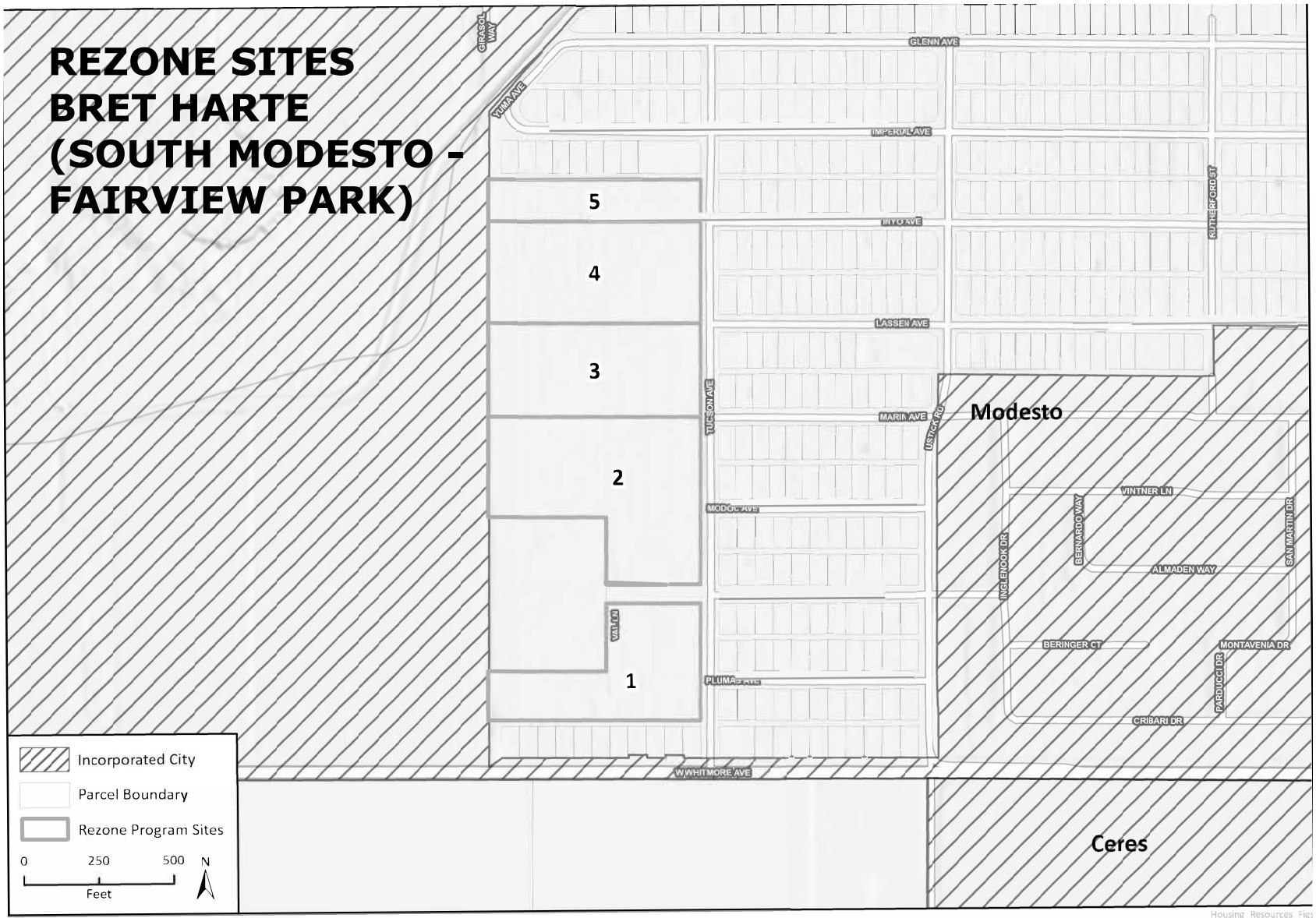
N

0 500 1,000 US Feet

0 150 300 Meters

Source: Planning Department GIS

Date Exported: 6/30/2025



Imagery provided by Esri and its licensors © 2025.
Additional data provided by Stanislaus County, 2025.

Housing_Resources_Figs
Sites Inventory - Additional Rezone

REZONE SITES
BRET HARTE (SOUTH MODESTO - CROWS LANDING ROAD)

GPA REZ OA ODS
PLN2025-0053

AREA MAP

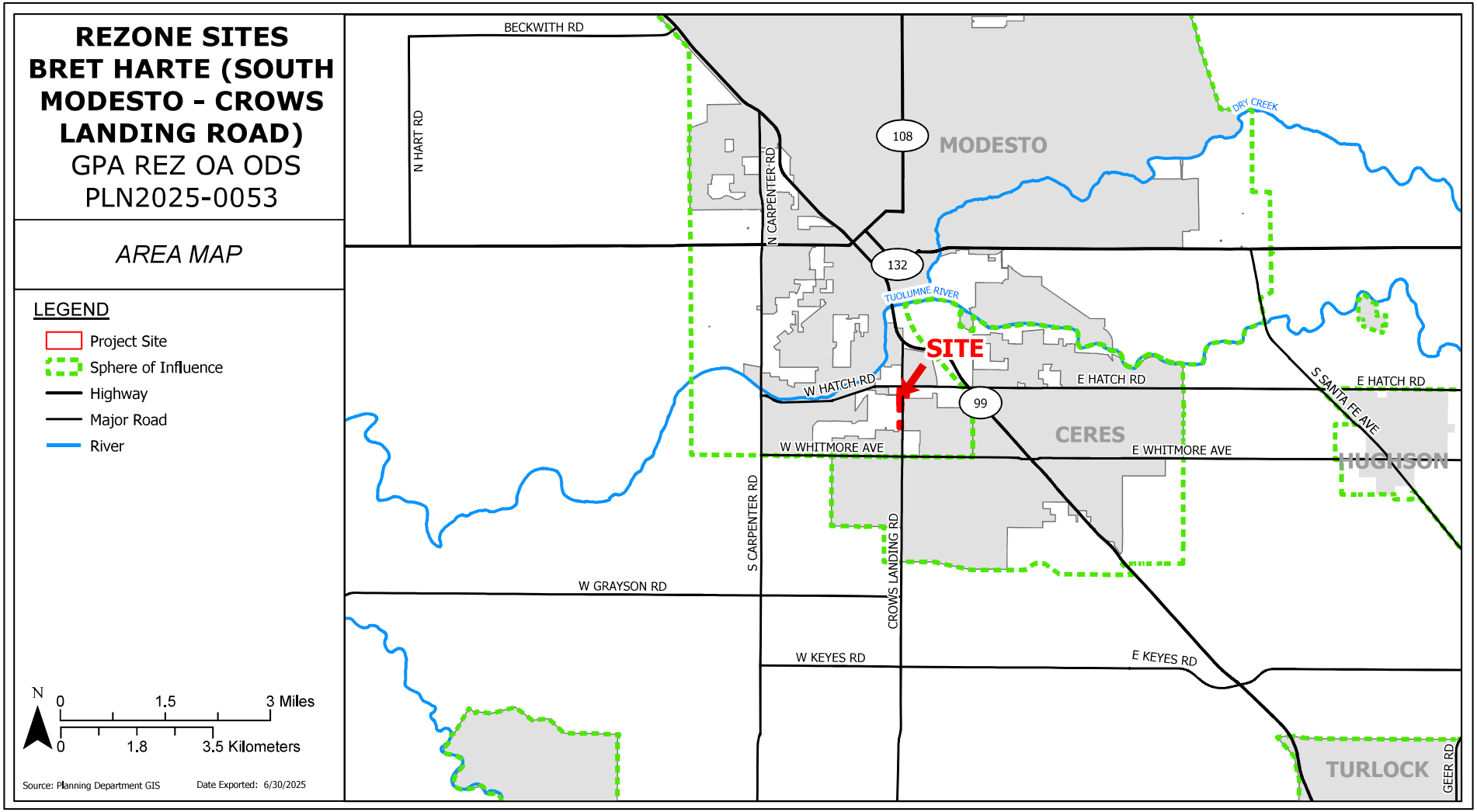
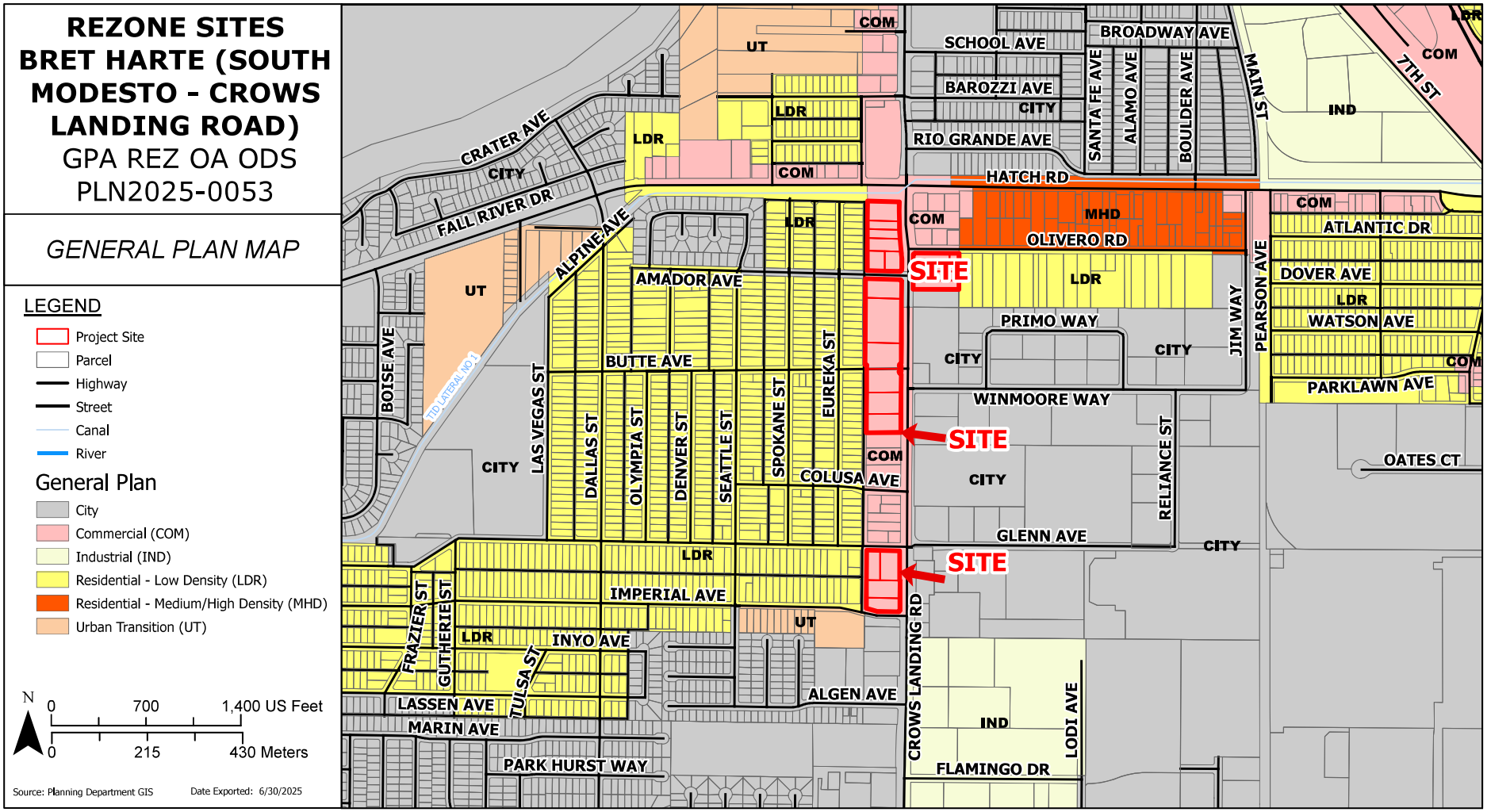


EXHIBIT B-2

REZONE SITES BRET HARTE (SOUTH MODESTO - CROWS LANDING ROAD)

GPA REZ OA ODS
PLN2025-0053

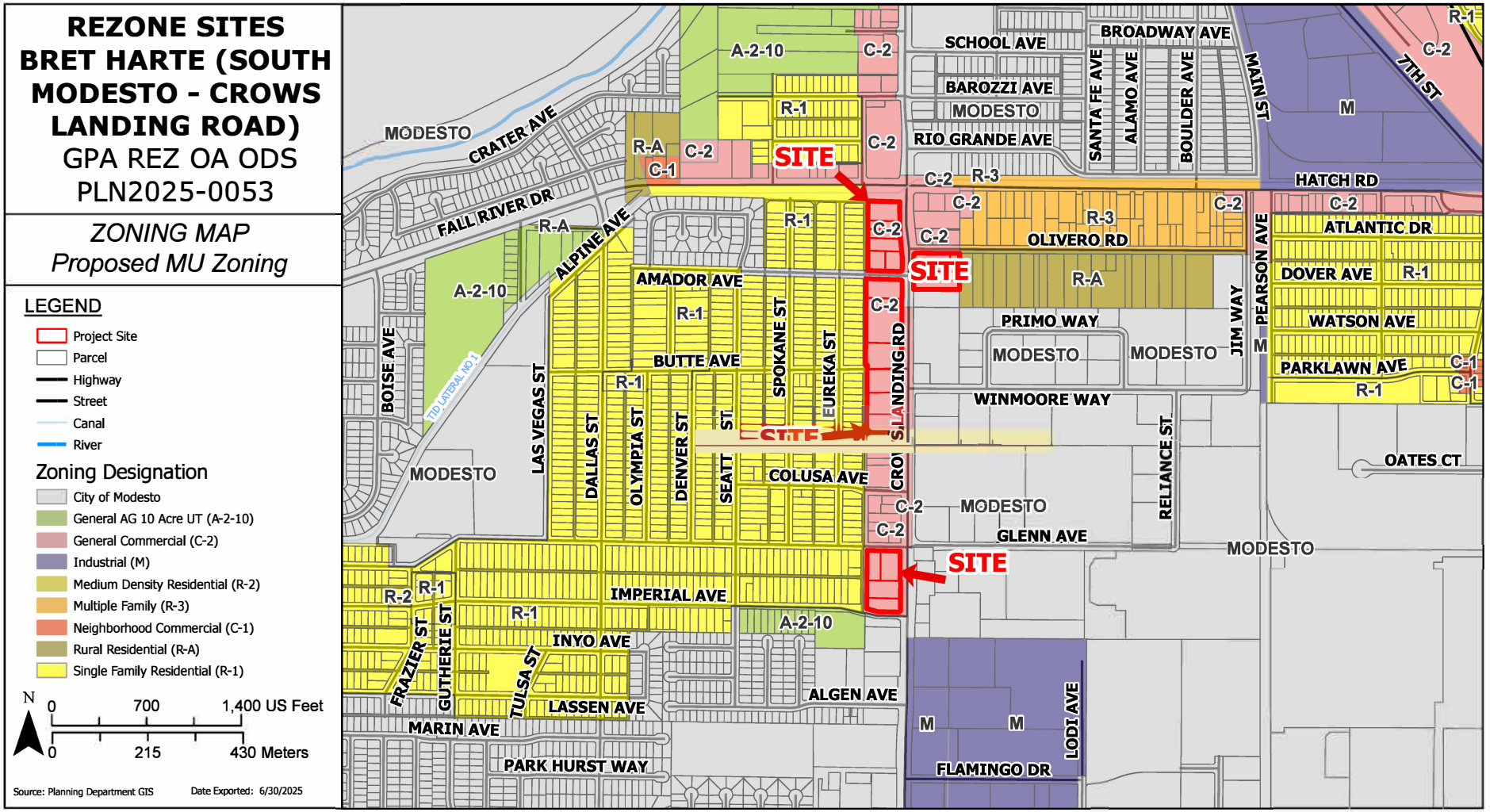
GENERAL PLAN MAP



REZONE SITES BRET HARTE (SOUTH MODESTO - CROWS LANDING ROAD)

GPA REZ OA ODS
PLN2025-0053

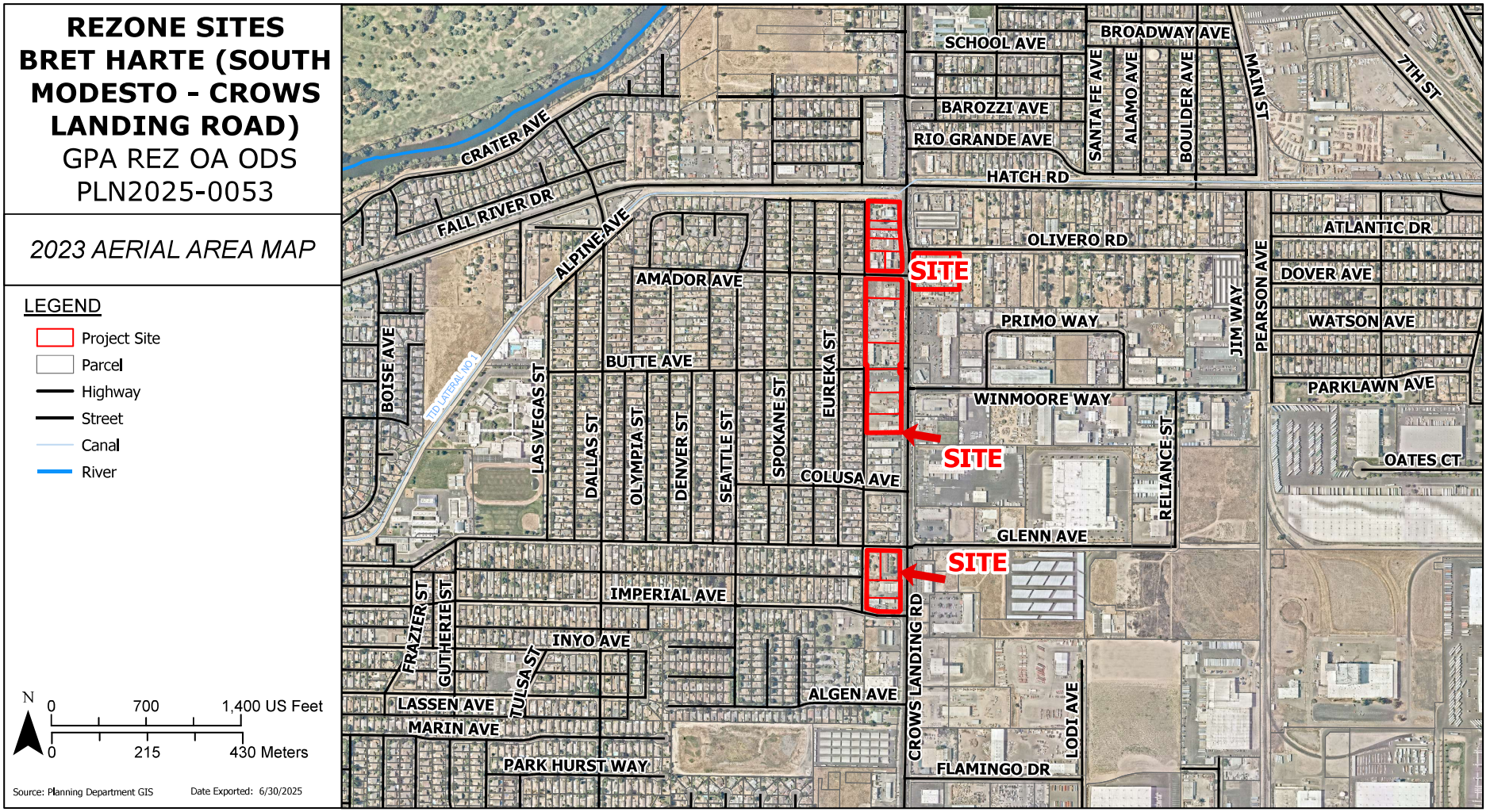
ZONING MAP
Proposed MU Zoning



REZONE SITES BRET HARTE (SOUTH MODESTO - CROWS LANDING ROAD)

GPA REZ OA ODS
PLN2025-0053

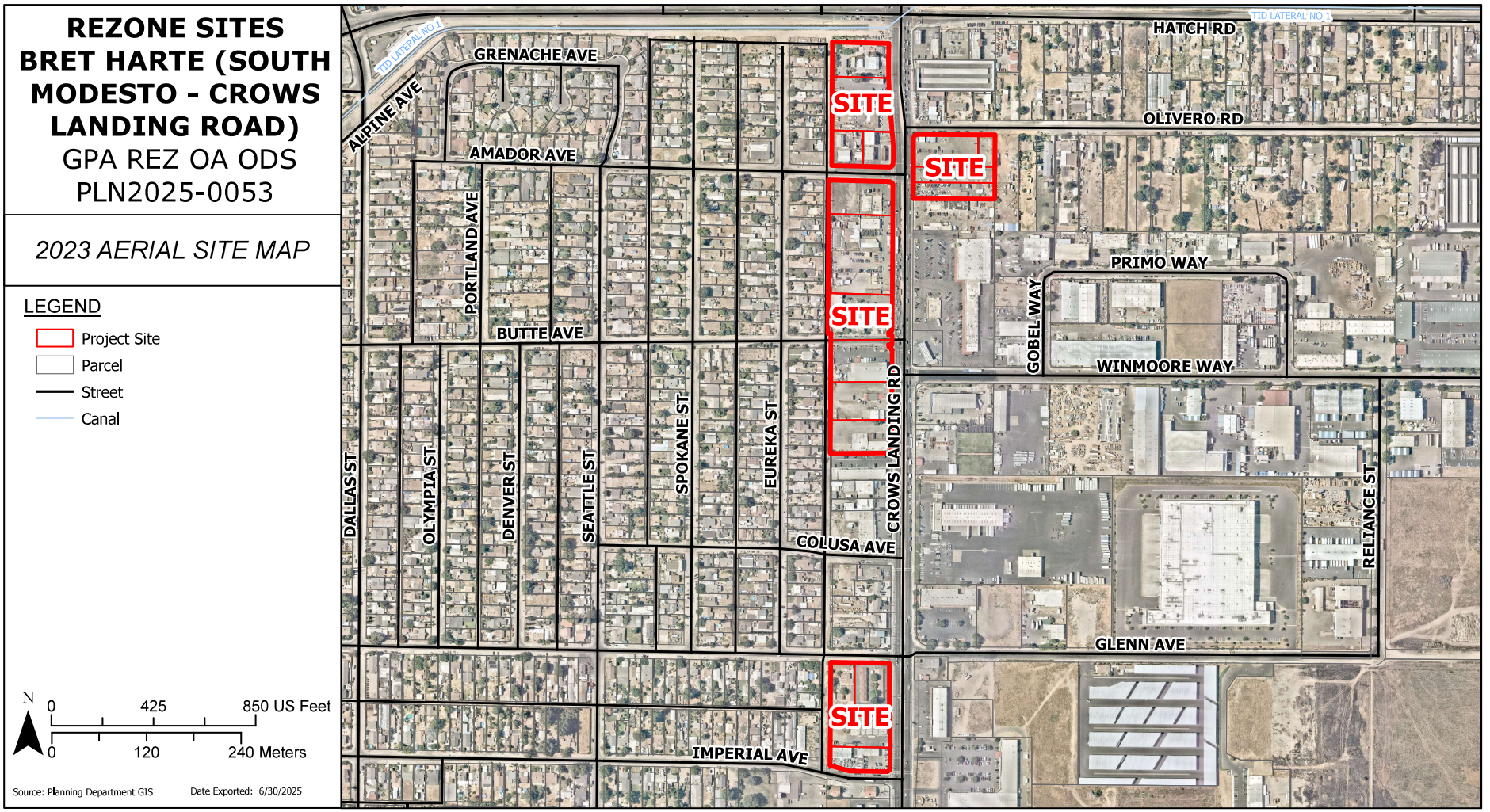
2023 AERIAL AREA MAP



REZONE SITES
BRET HARTE (SOUTH MODESTO - CROWS LANDING ROAD)

GPA REZ OA ODS
PLN2025-0053

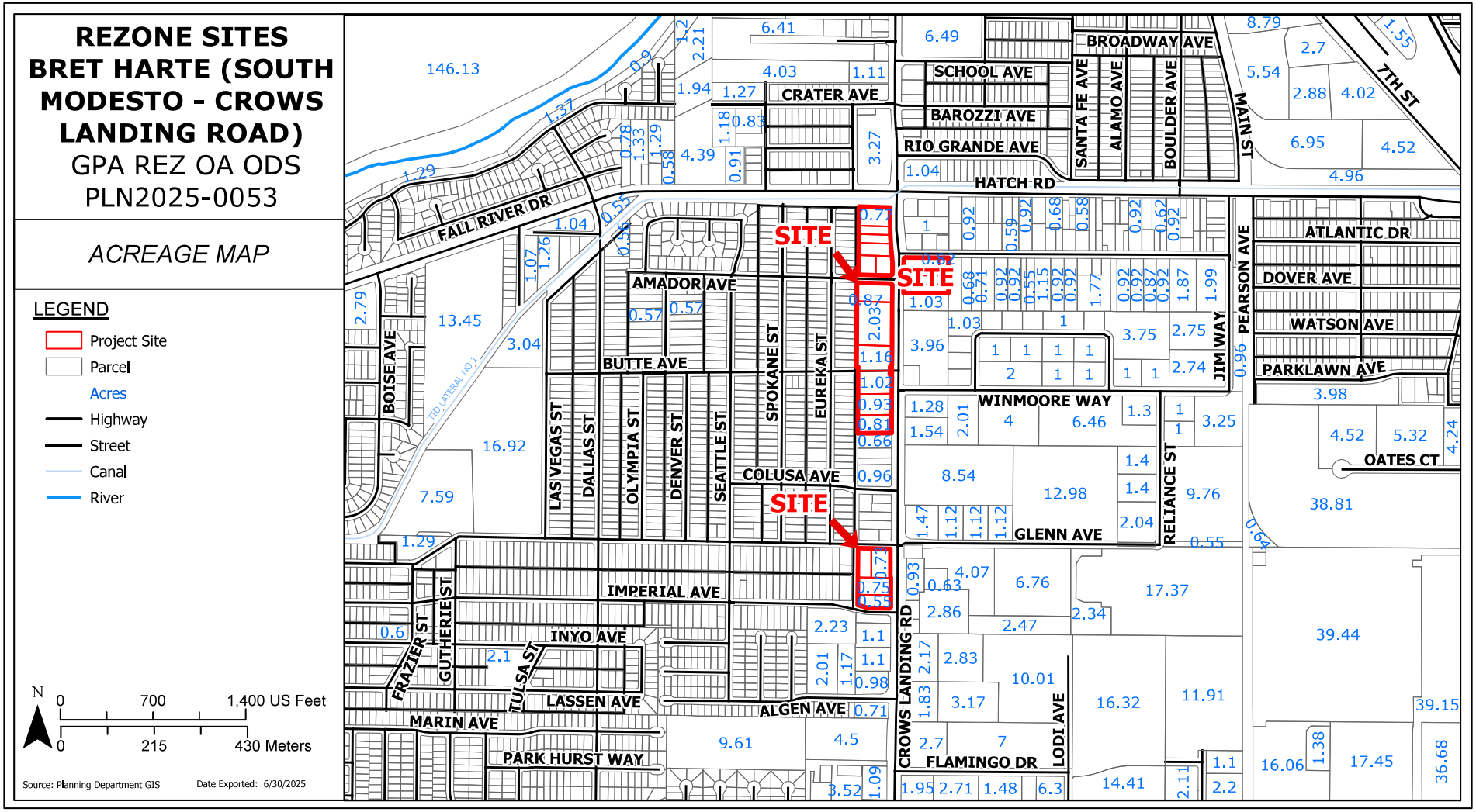
2023 AERIAL SITE MAP

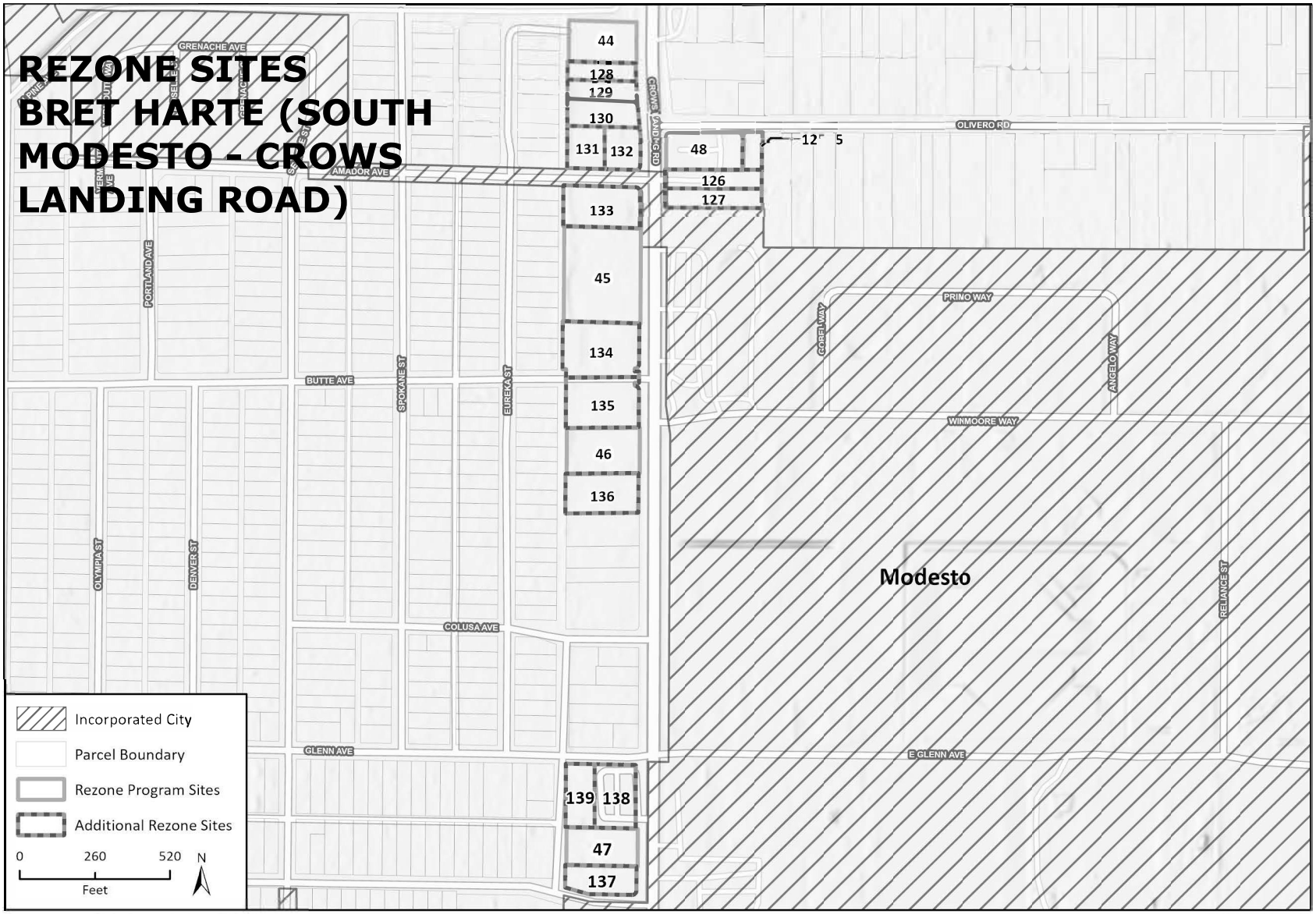


REZONE SITES
BRET HARTE (SOUTH MODESTO - CROWS LANDING ROAD)

GPA REZ OA ODS
PLN2025-0053

ACREAGE MAP





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Additional data provided by Stanislaus County, 2025.

REZONE SITES
DENAIR
GPA REZ OA ODS
PLN2025-0053

AREA MAP

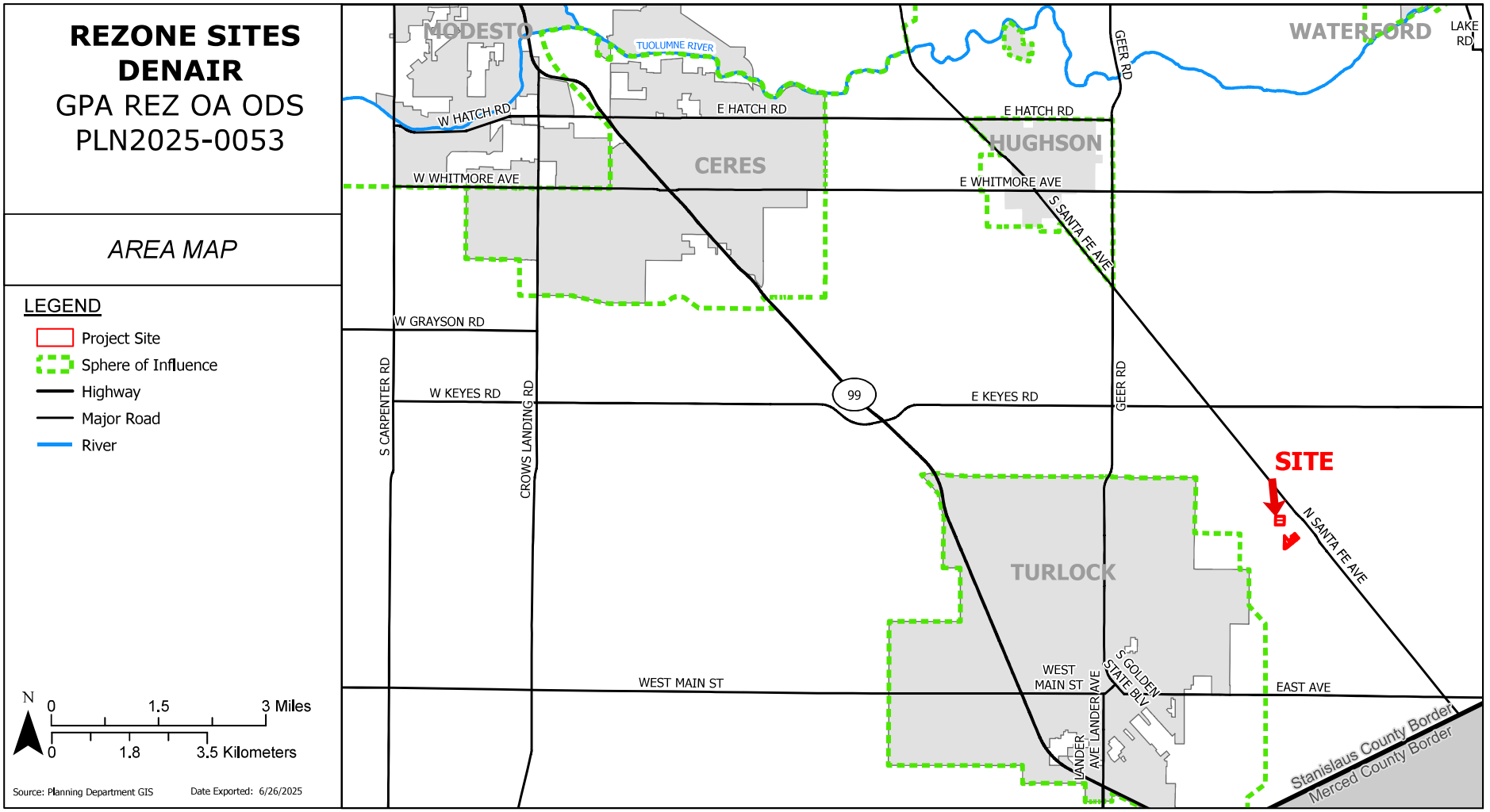
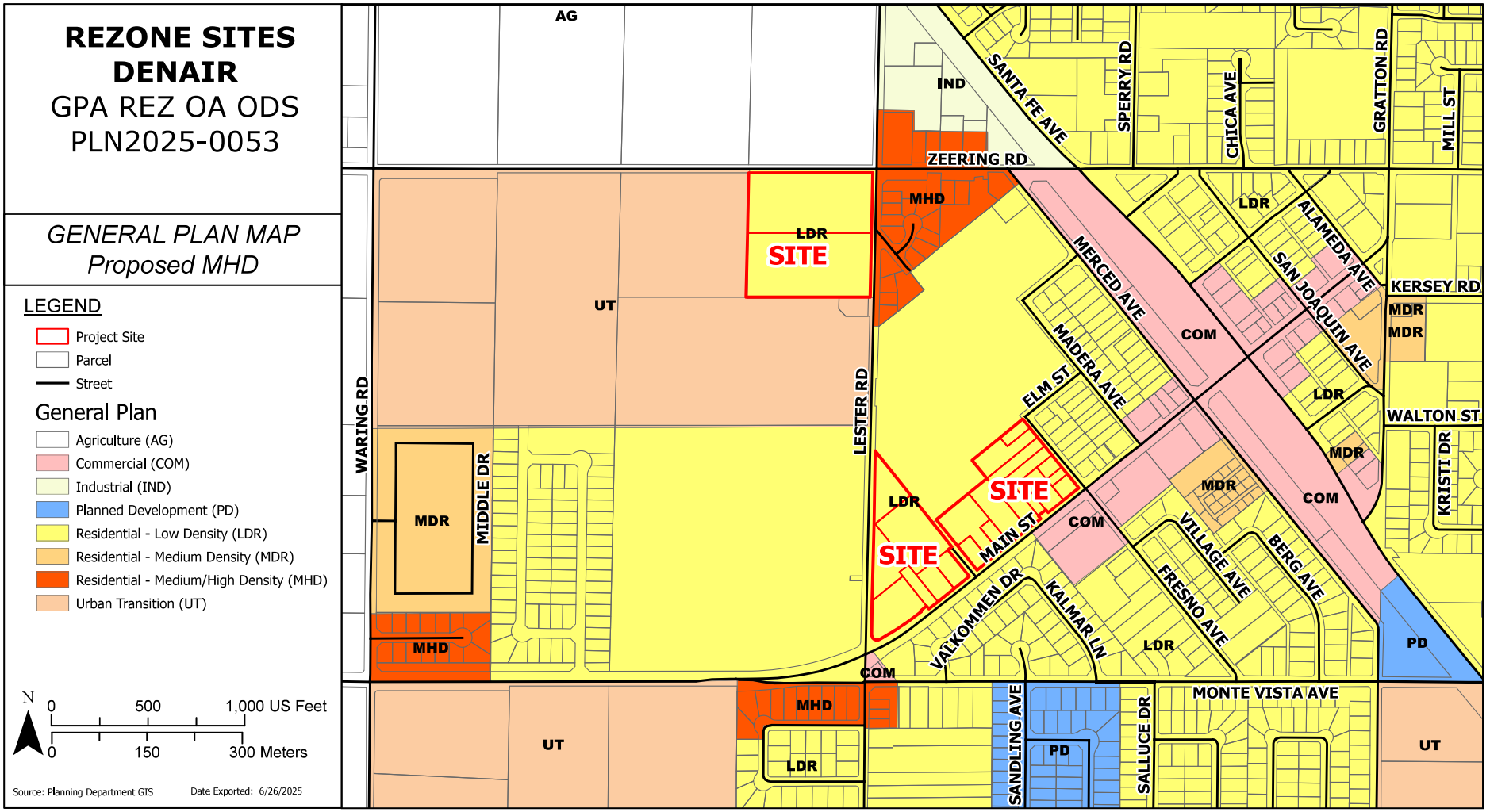


EXHIBIT B-3

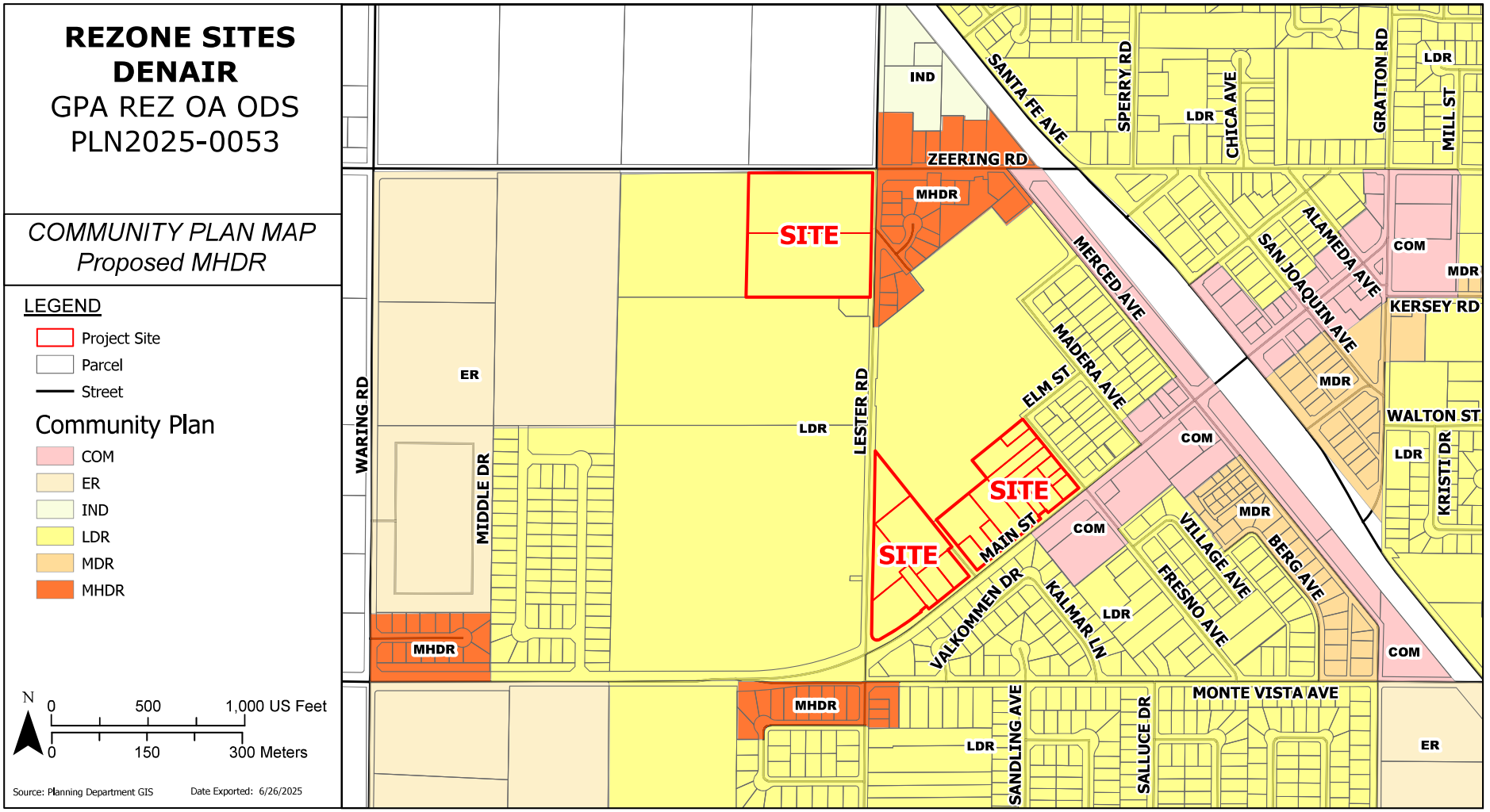
REZONE SITES
DENAIR
GPA REZ OA ODS
PLN2025-0053

GENERAL PLAN MAP
Proposed MHD



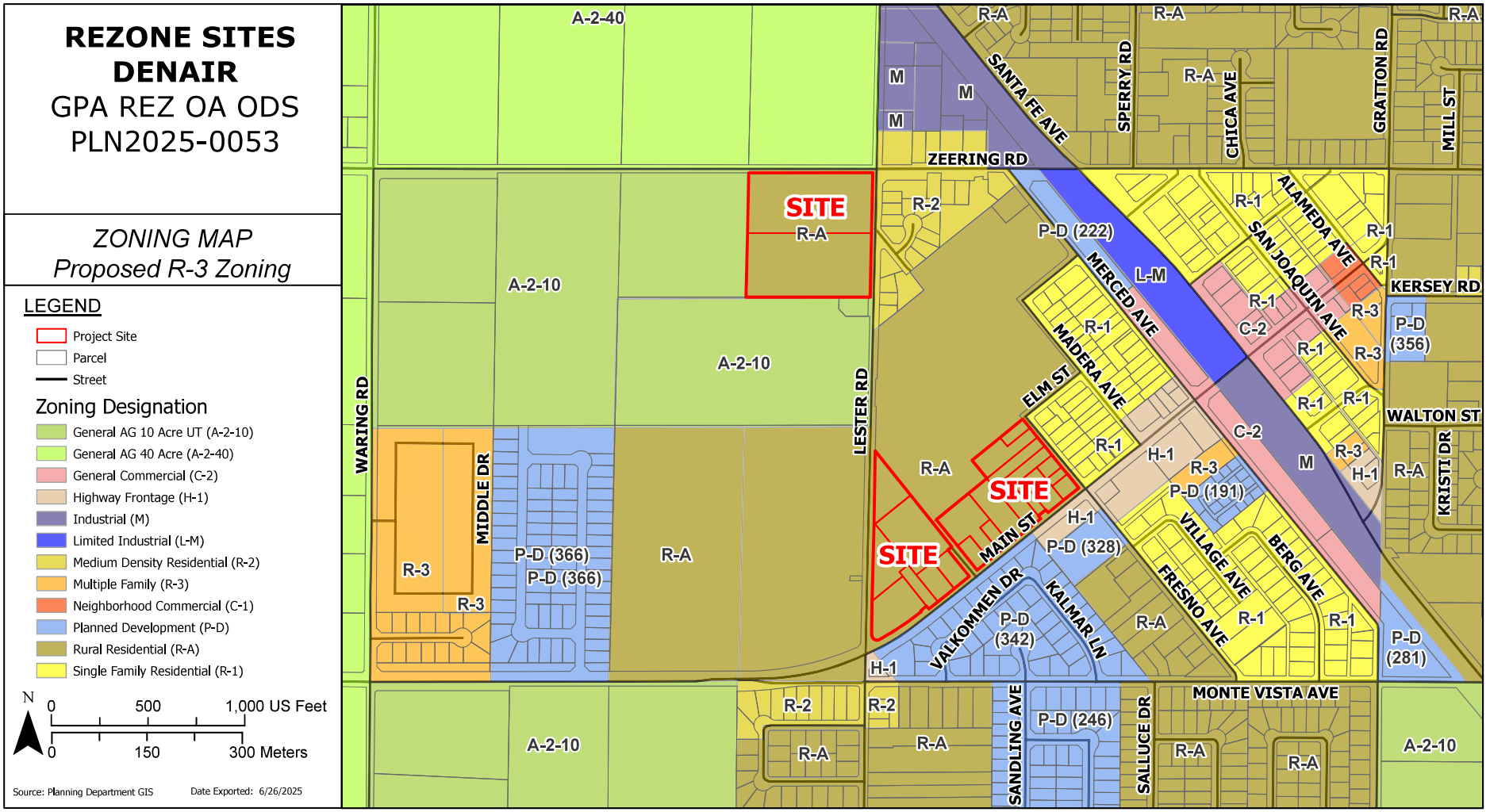
REZONE SITES
DENAIR
GPA REZ OA ODS
PLN2025-0053

COMMUNITY PLAN MAP
Proposed MHDR



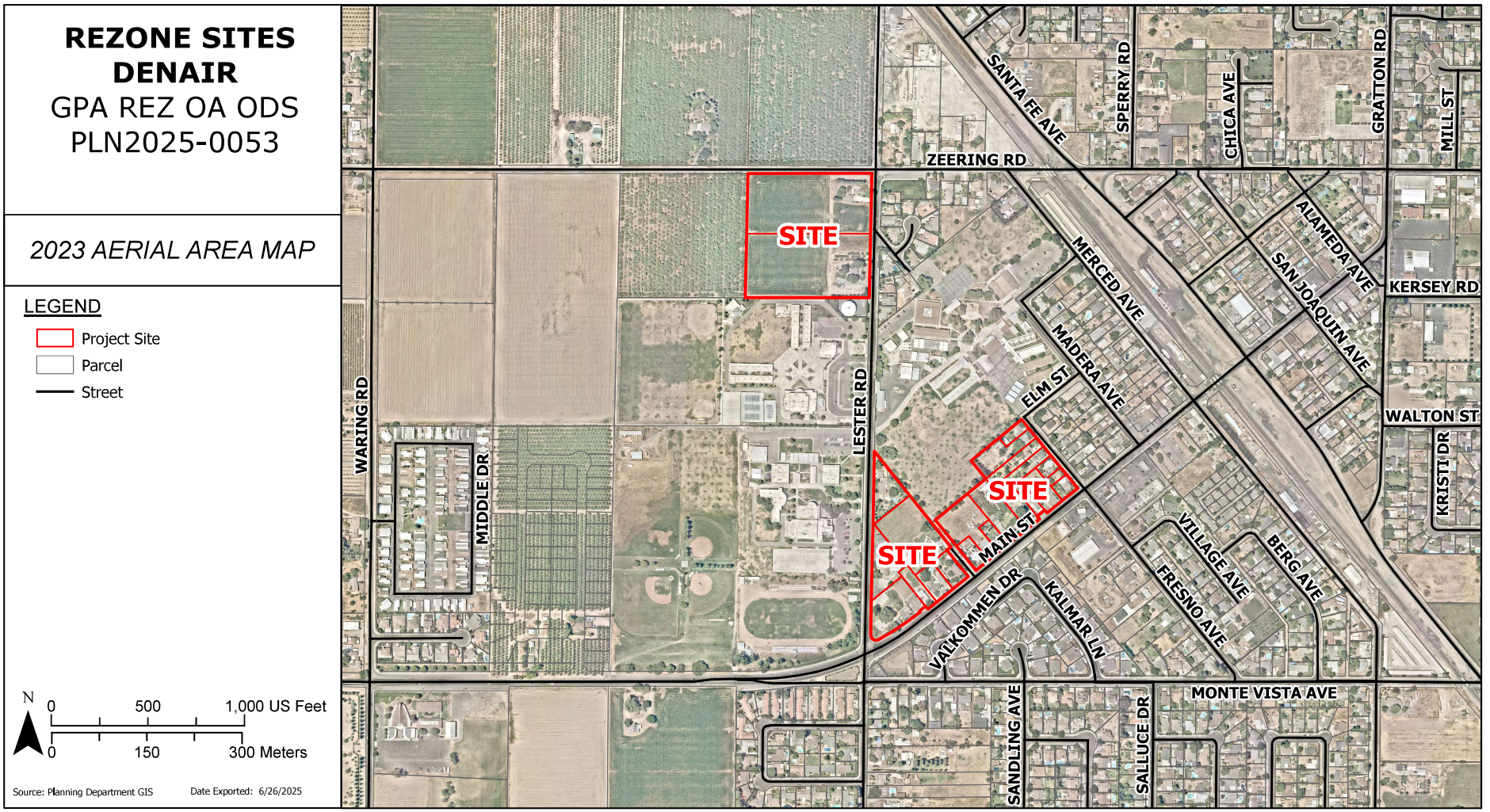
REZONE SITES
DENAIR
GPA REZ OA ODS
PLN2025-0053

ZONING MAP
Proposed R-3 Zoning



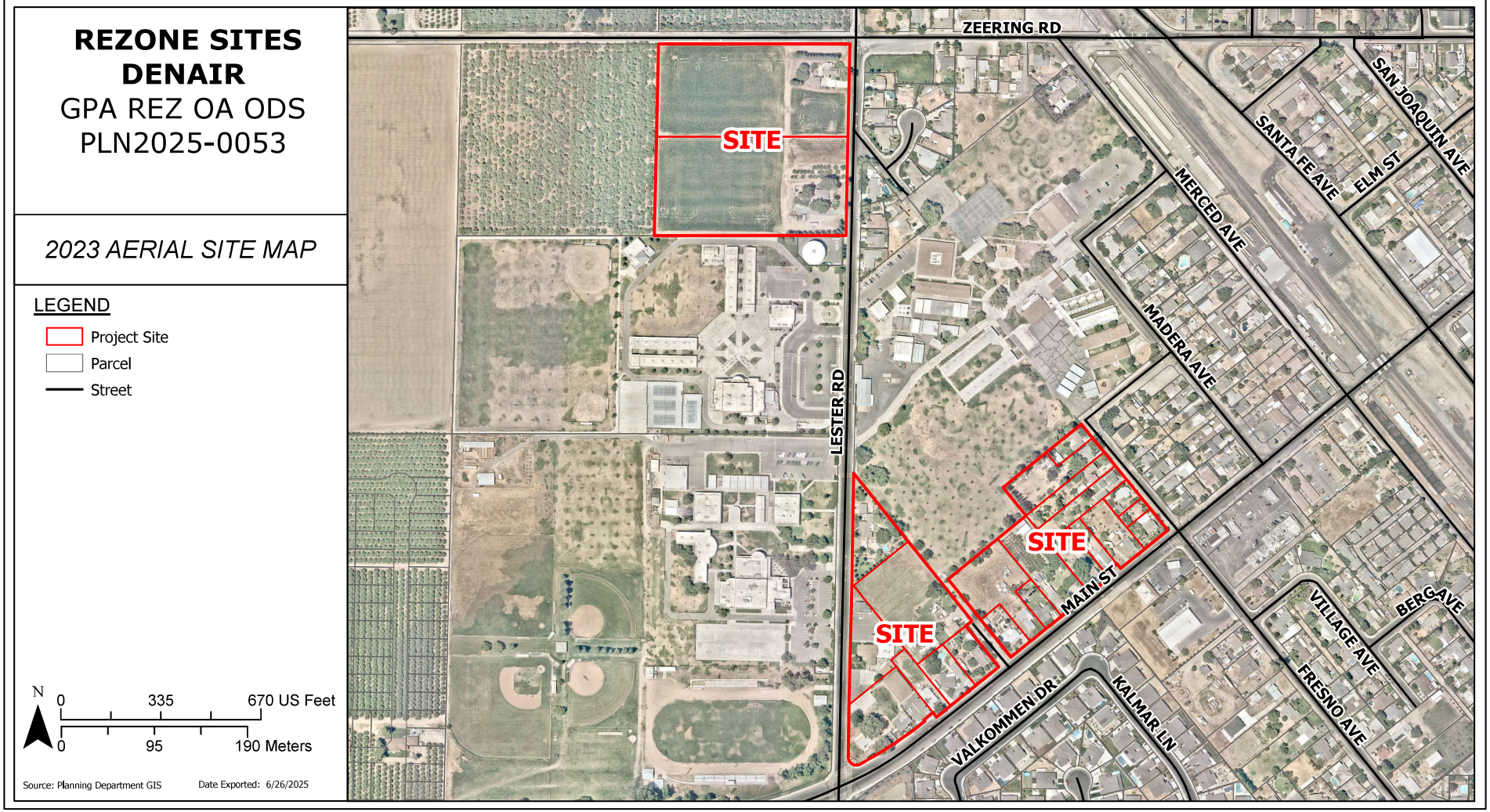
REZONE SITES
DENAIR
GPA REZ OA ODS
PLN2025-0053

2023 AERIAL AREA MAP



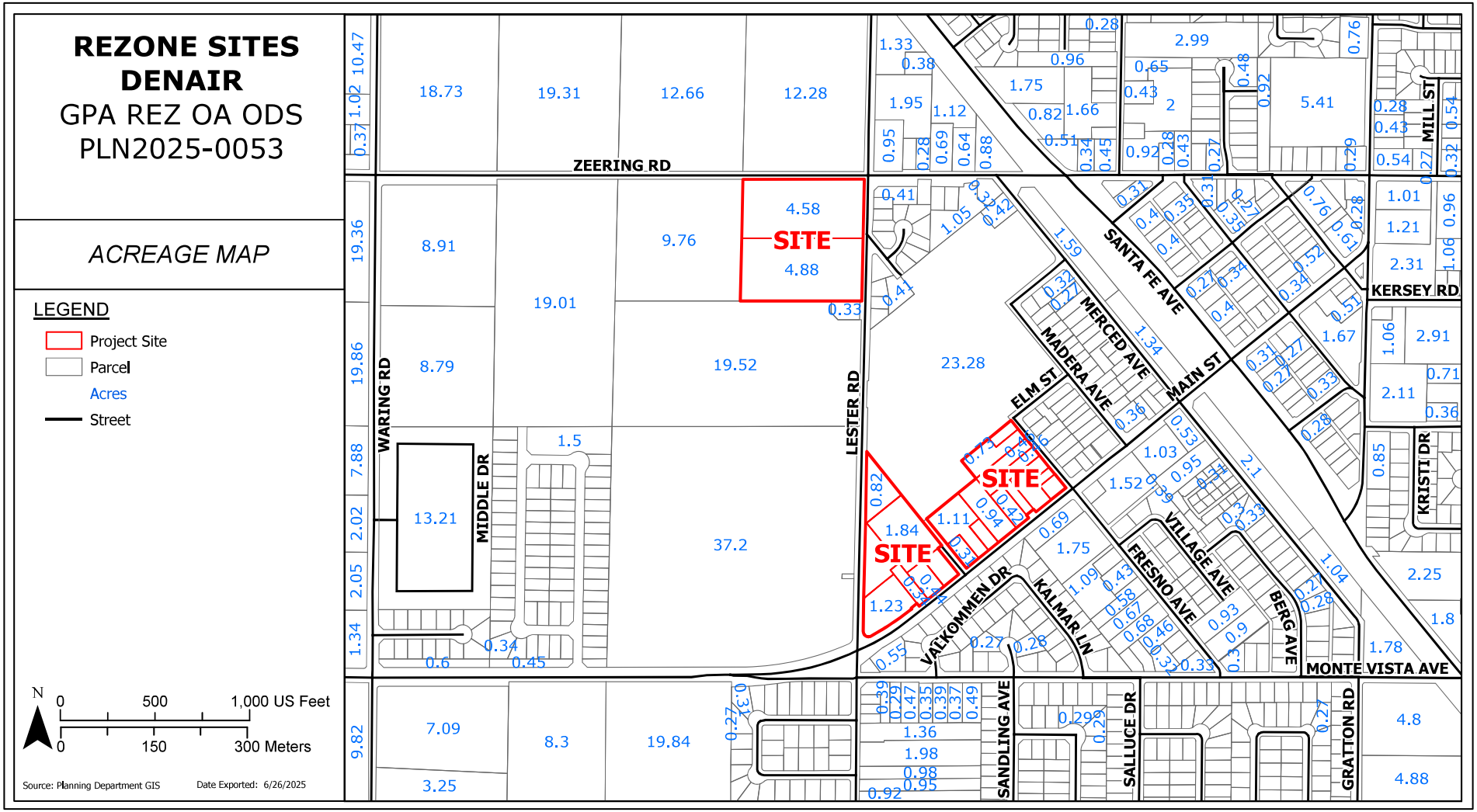
REZONE SITES
DENAIR
GPA REZ OA ODS
PLN2025-0053

2023 AERIAL SITE MAP



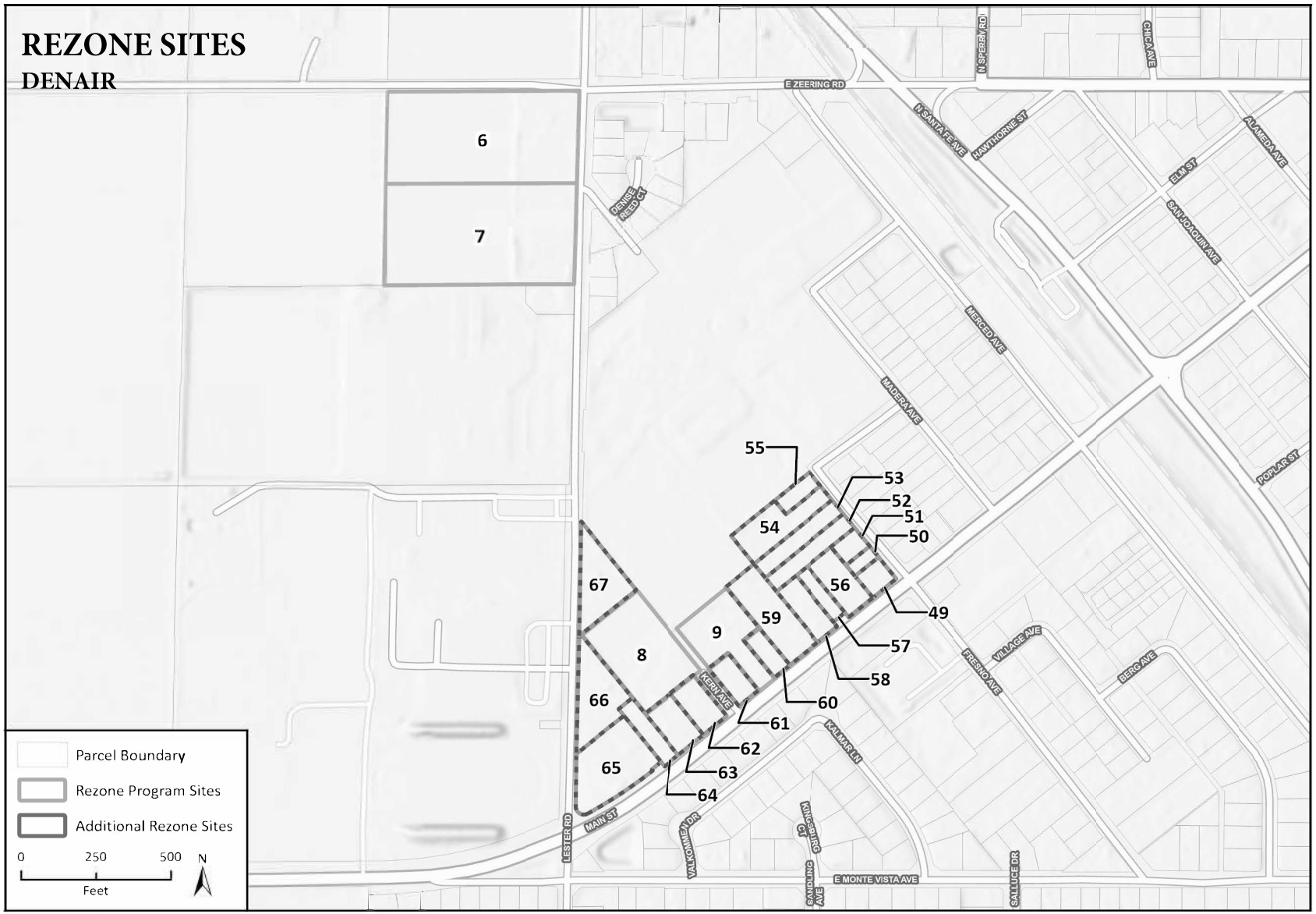
REZONE SITES
DENAIR
GPA REZ OA ODS
PLN2025-0053

ACREAGE MAP



REZONE SITES

DENAIR



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Additional data provided by Stanislaus County, 2025.

Housing_Resources_Figs
Sites Inventory - Additional Rezone

EMPIRE REZONES SITES

GPA REZ OA ODS
PLN2025-0053

AREA MAP

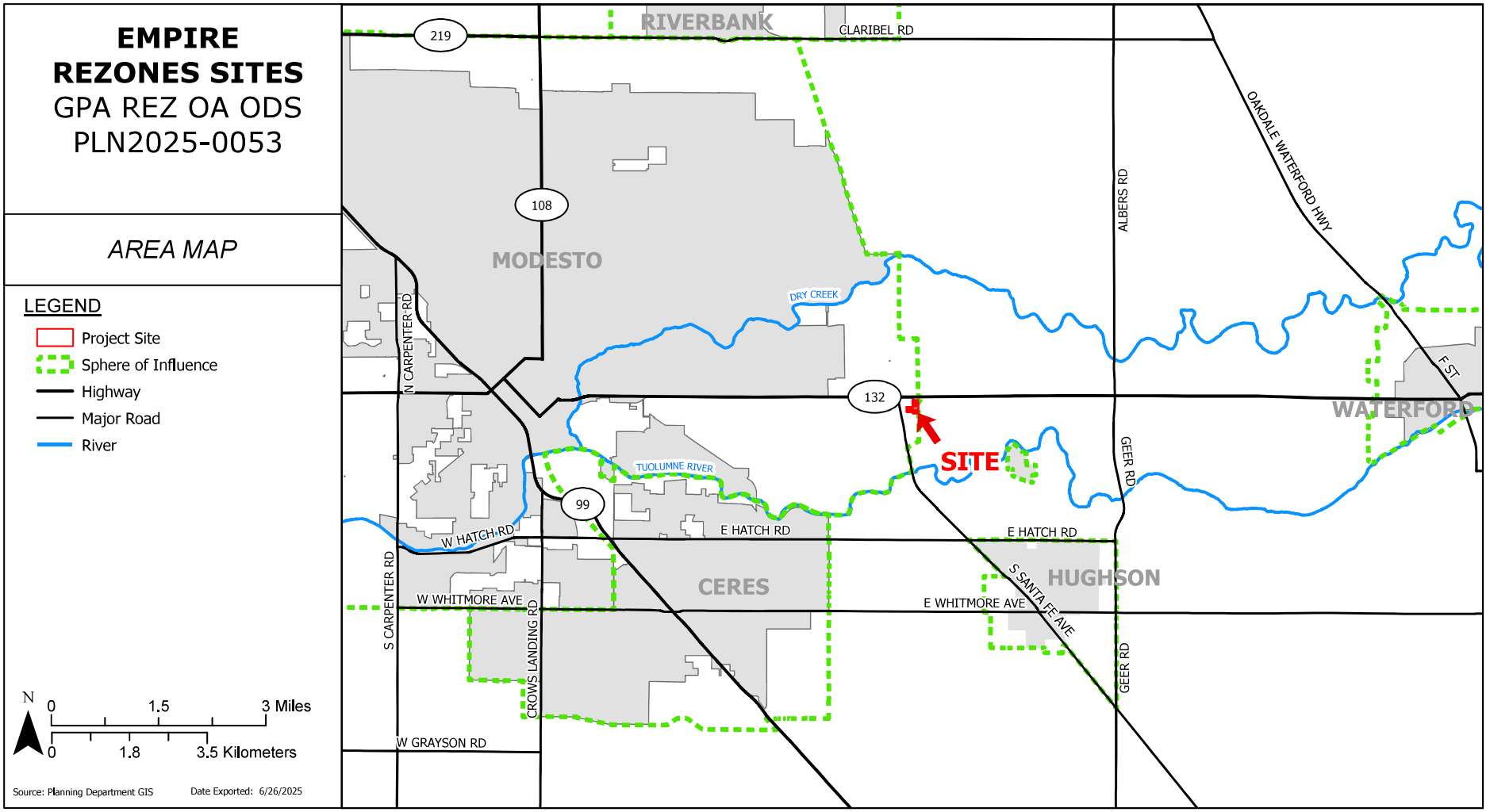
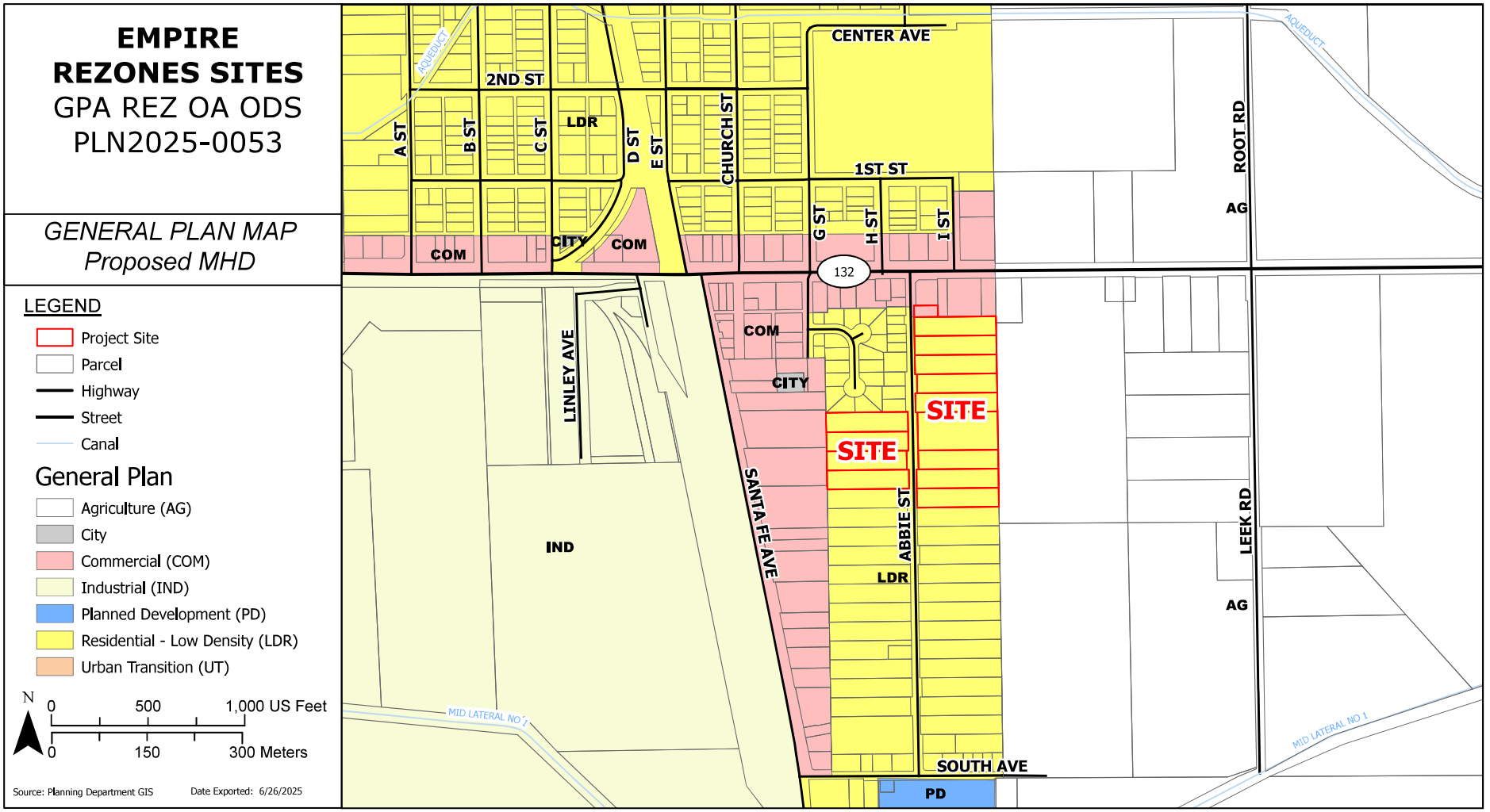


EXHIBIT B-4

EMPIRE REZONES SITES

GPA REZ OA ODS
PLN2025-0053

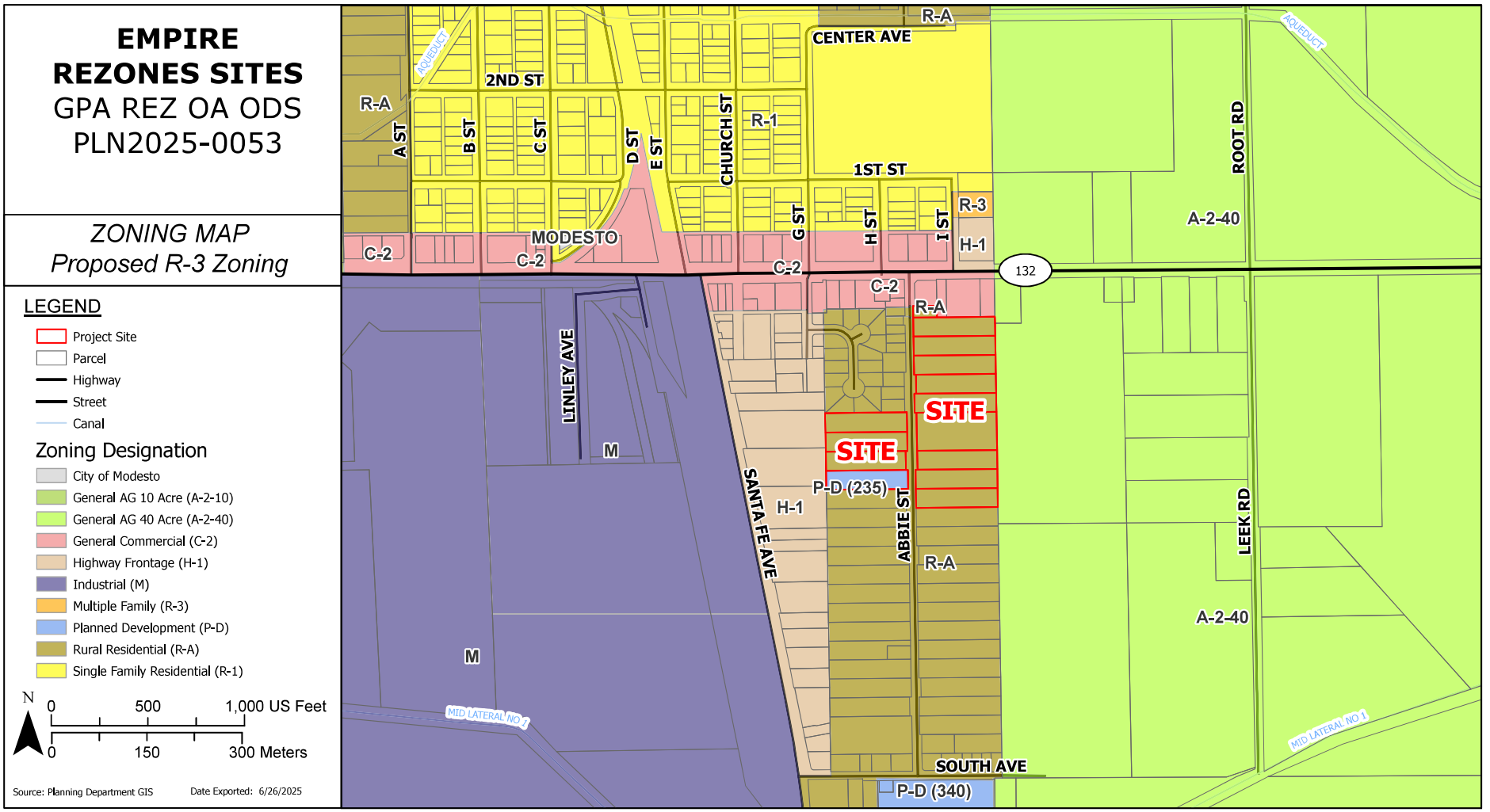
GENERAL PLAN MAP
Proposed MHD



EMPIRE REZONES SITES

GPA REZ OA ODS
PLN2025-0053

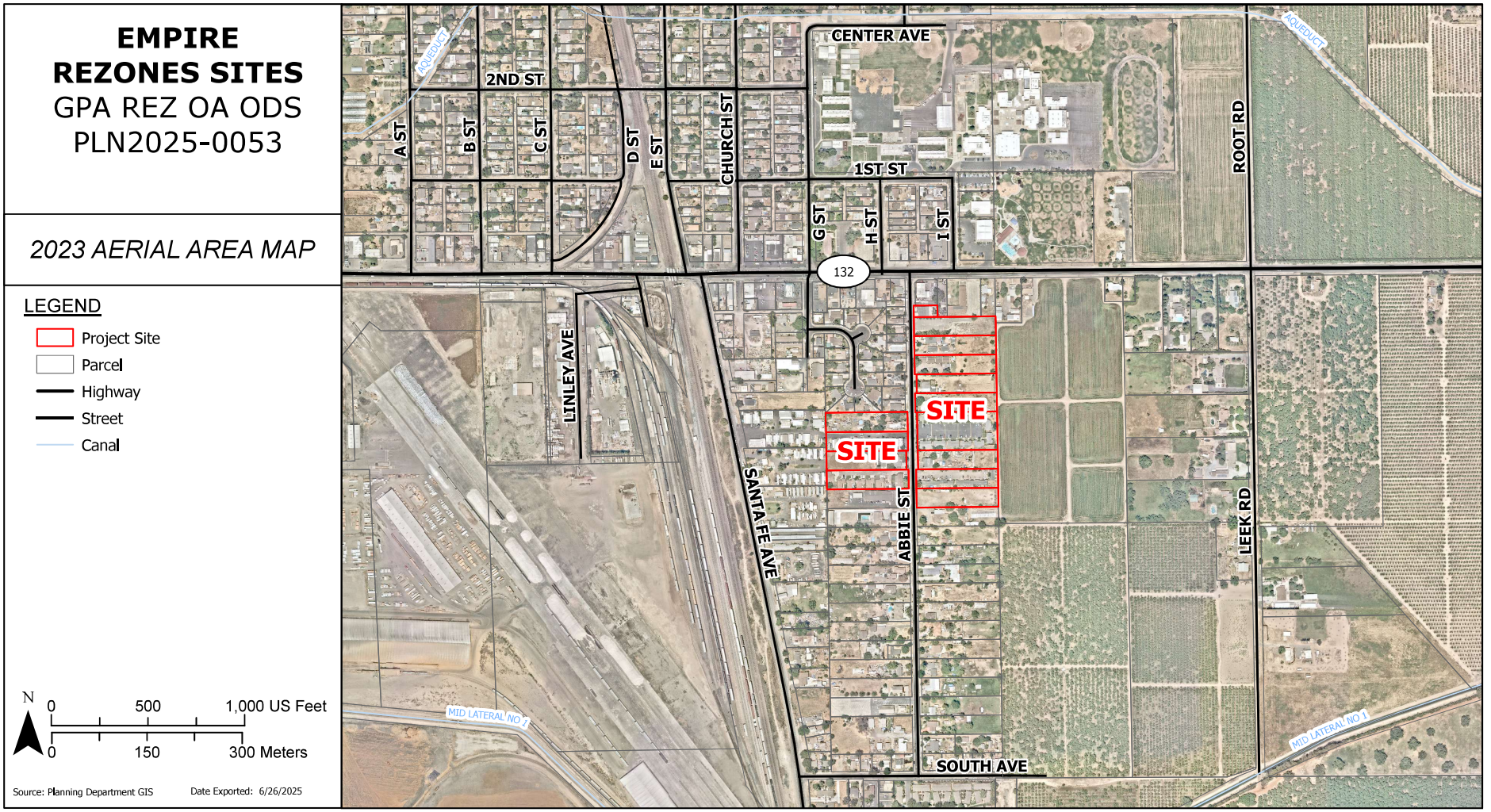
ZONING MAP
Proposed R-3 Zoning



EMPIRE REZONES SITES

GPA REZ OA ODS
PLN2025-0053

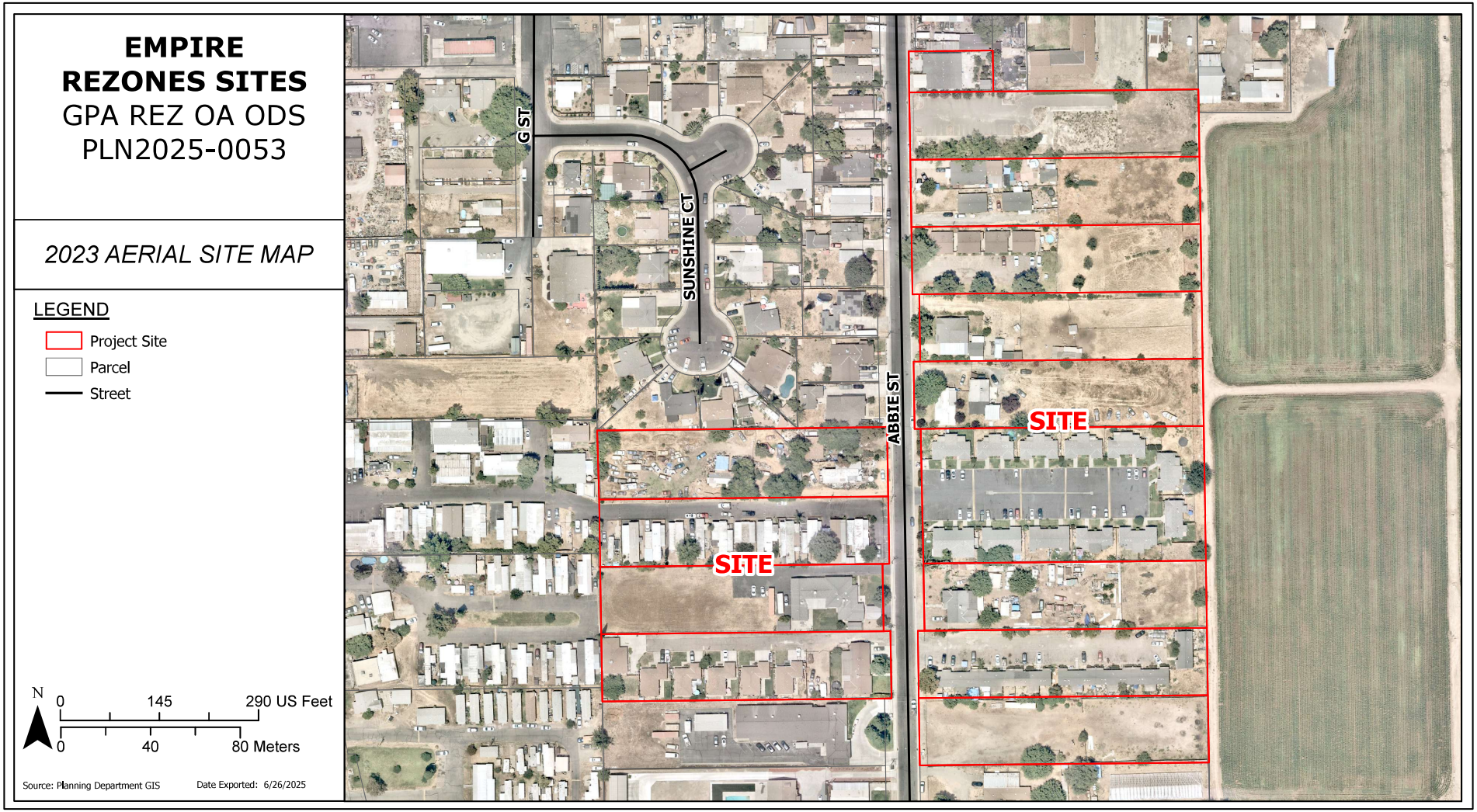
2023 AERIAL AREA MAP



EMPIRE REZONES SITES

GPA REZ OA ODS
PLN2025-0053

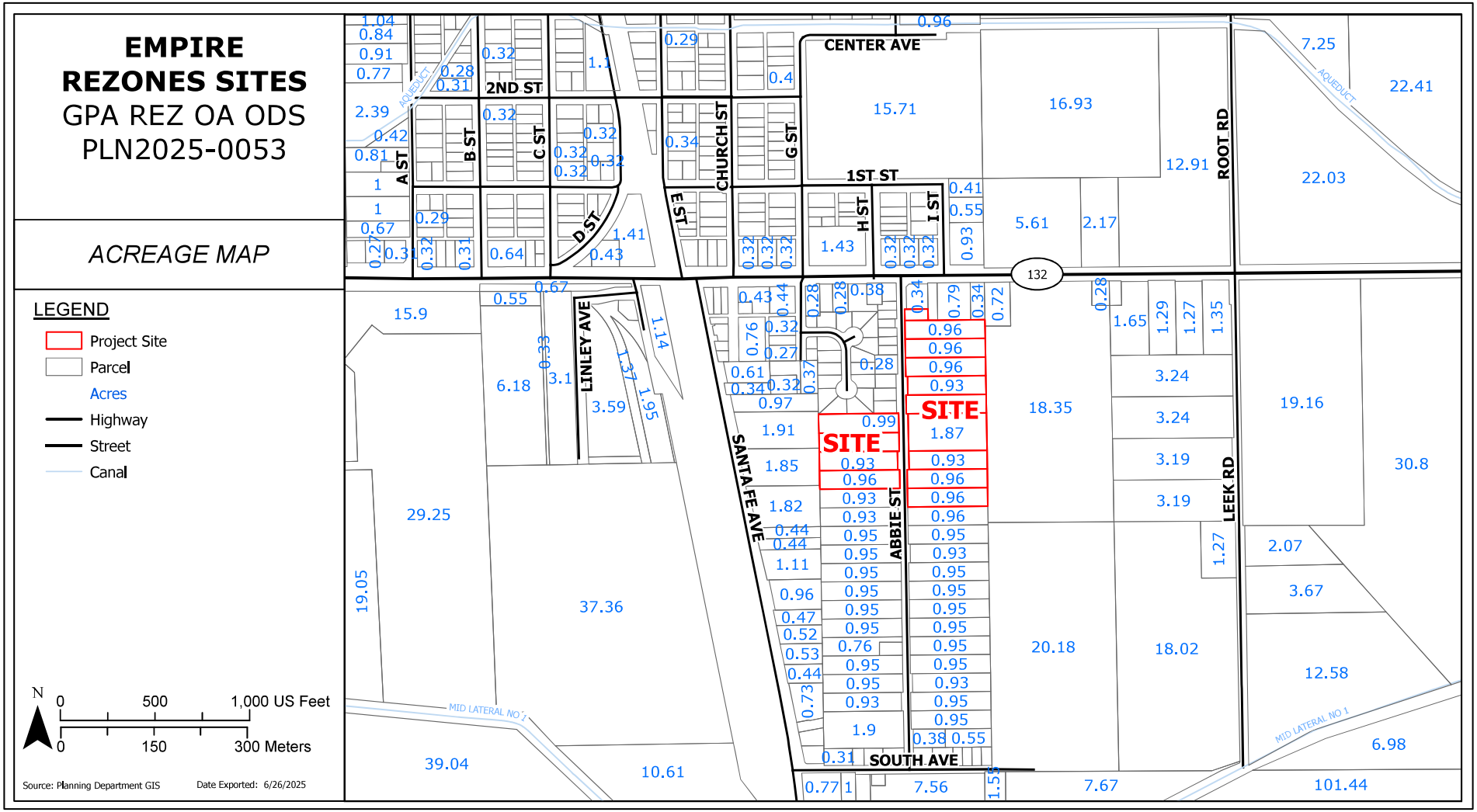
2023 AERIAL SITE MAP

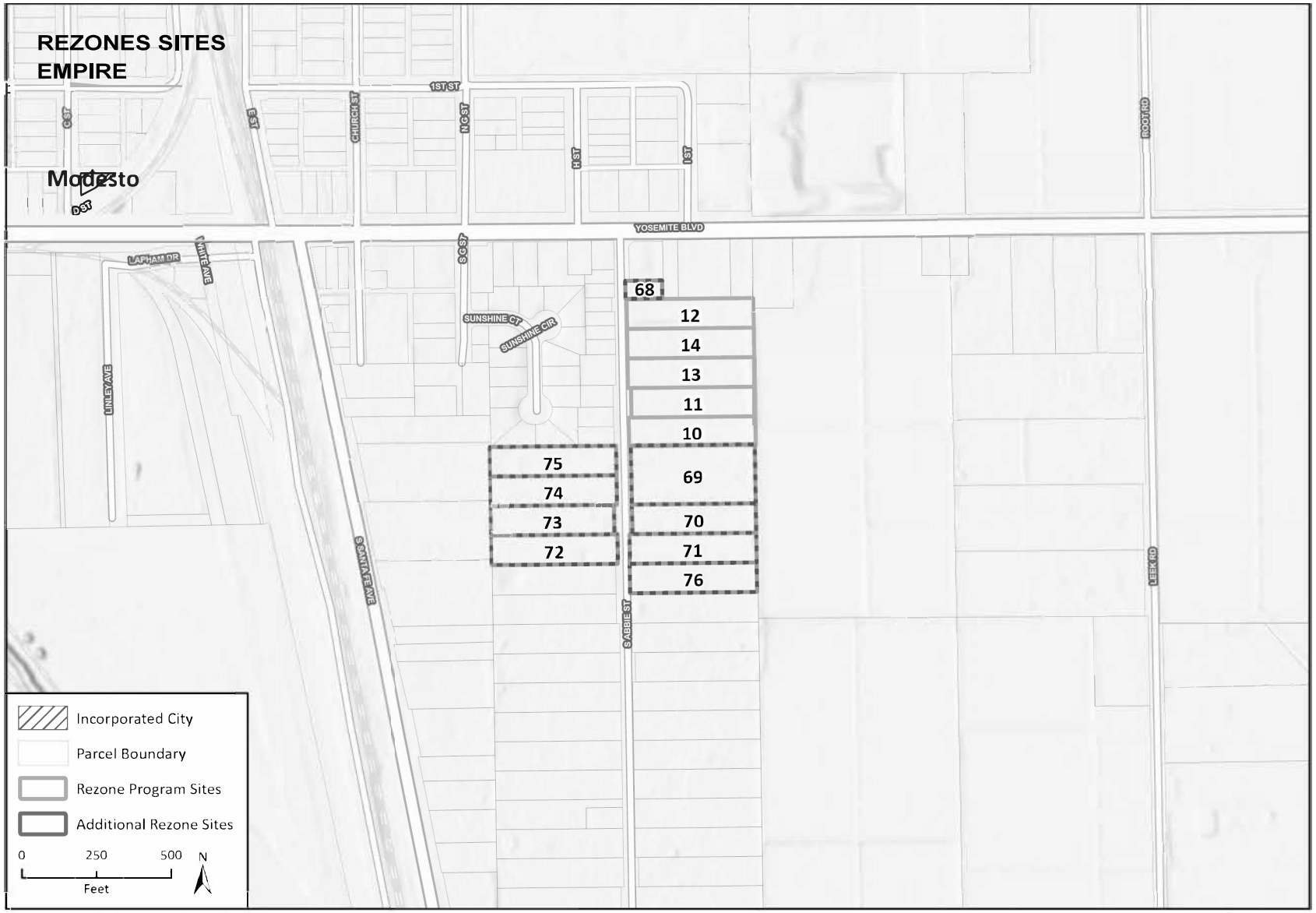


EMPIRE REZONES SITES

GPA REZ OA ODS
PLN2025-0053

ACREAGE MAP





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Additional data provided by Stanislaus County, 2025.

Housing_Resources_Figs
Sites Inventory - Additional Rezone

REZONE SITES
KEYES
GPA REZ OA ODS
PLN2025-0053

AREA MAP

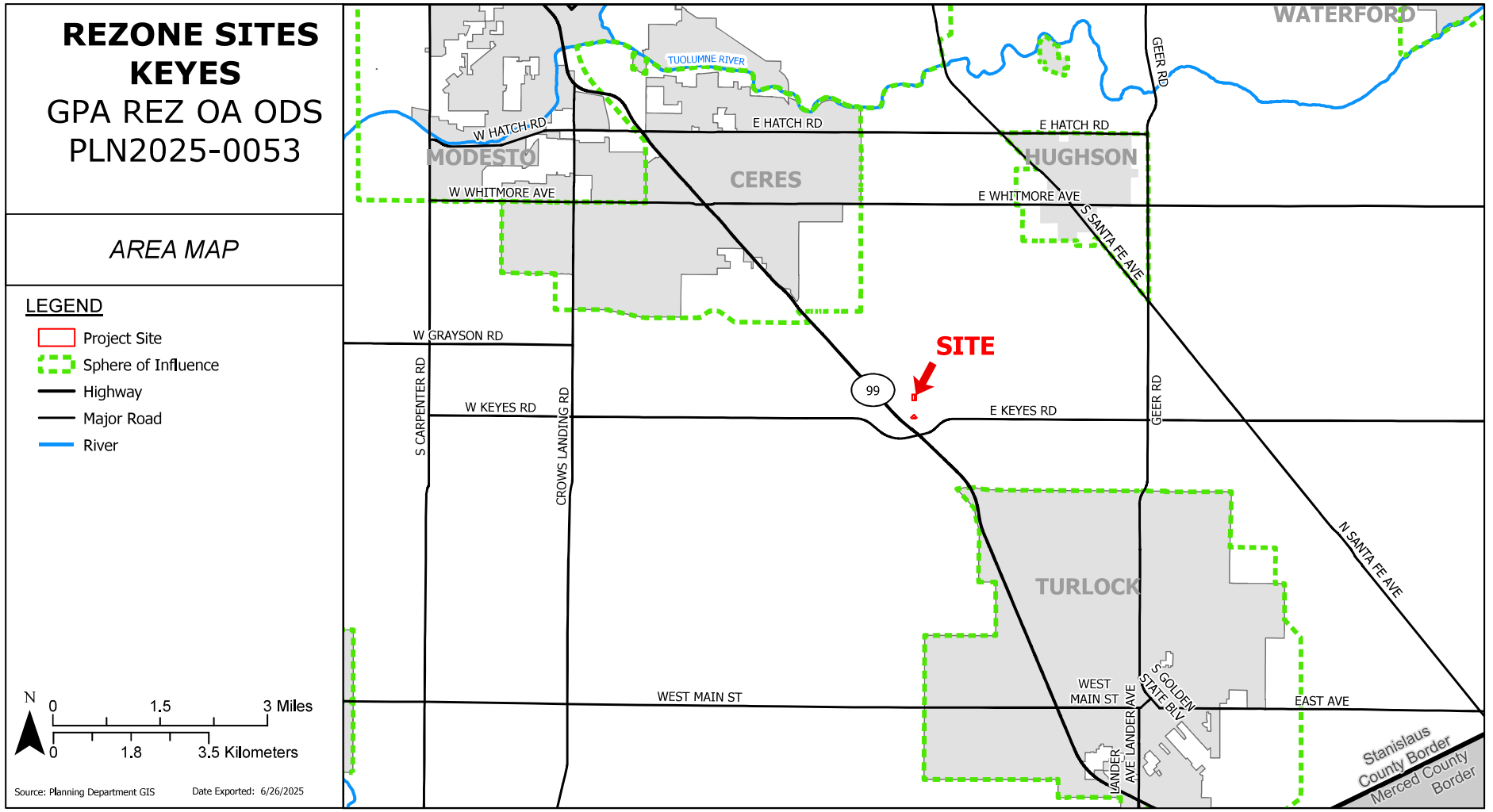
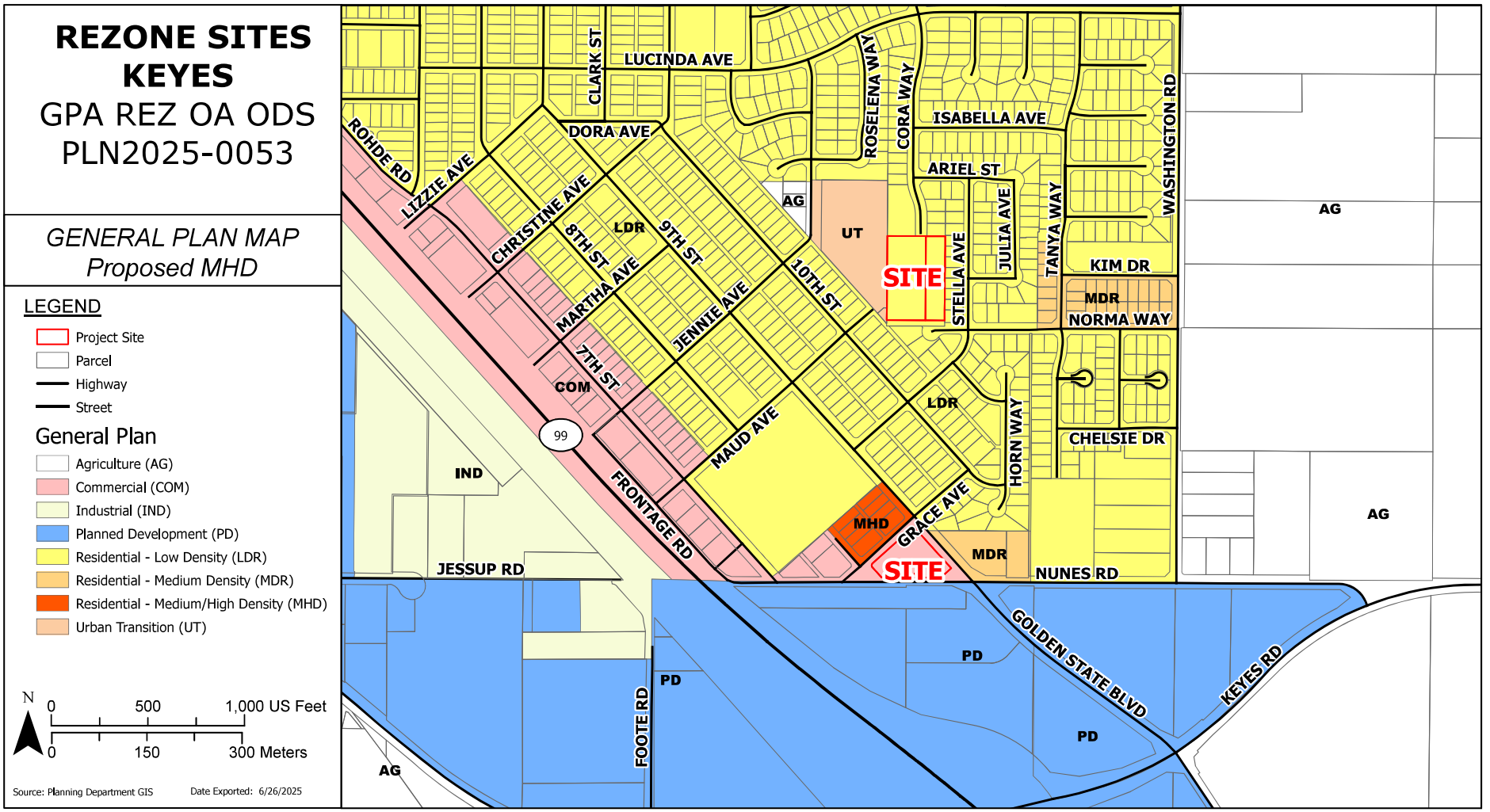


EXHIBIT B-5

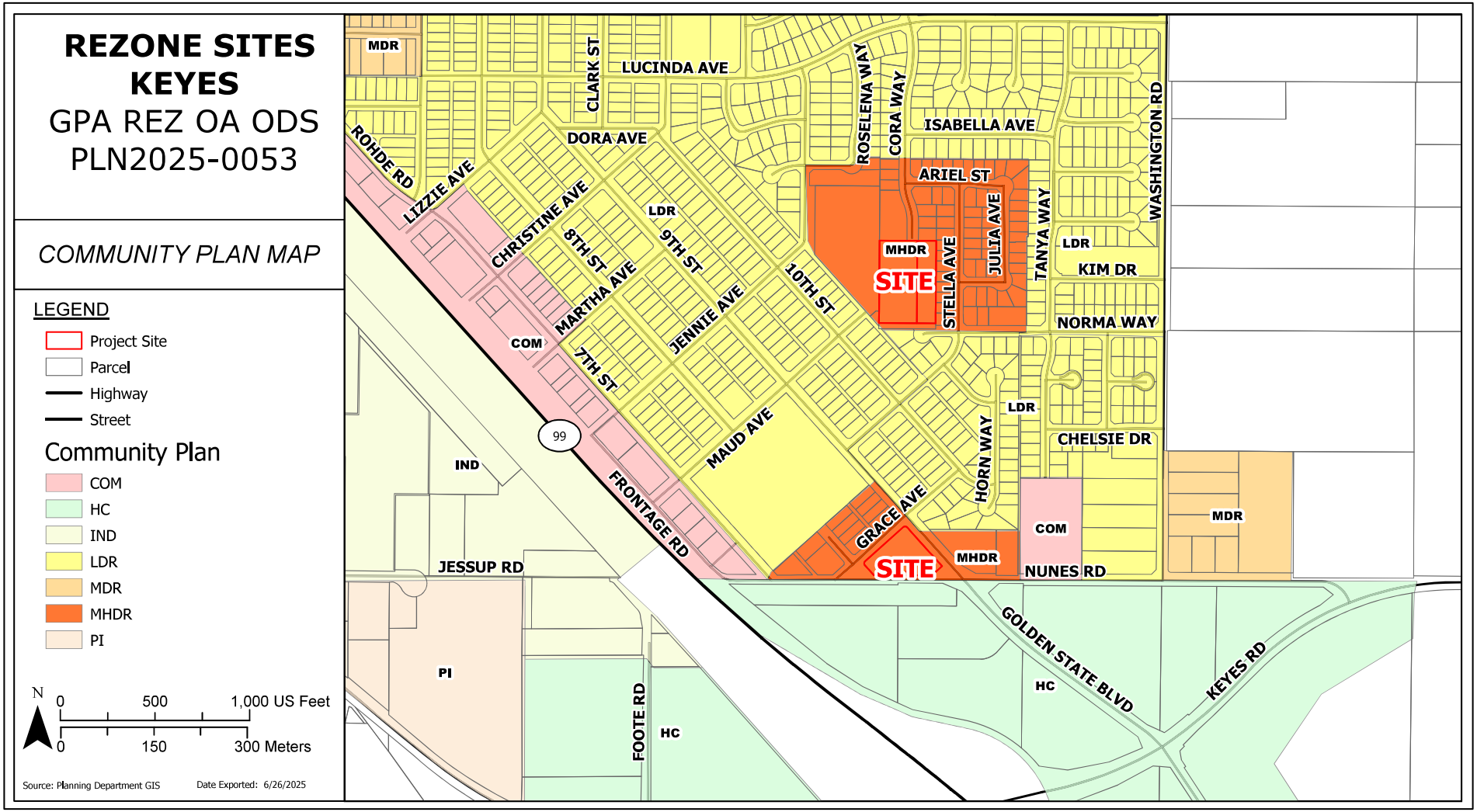
REZONE SITES
KEYES
GPA REZ OA ODS
PLN2025-0053

GENERAL PLAN MAP
Proposed MHD



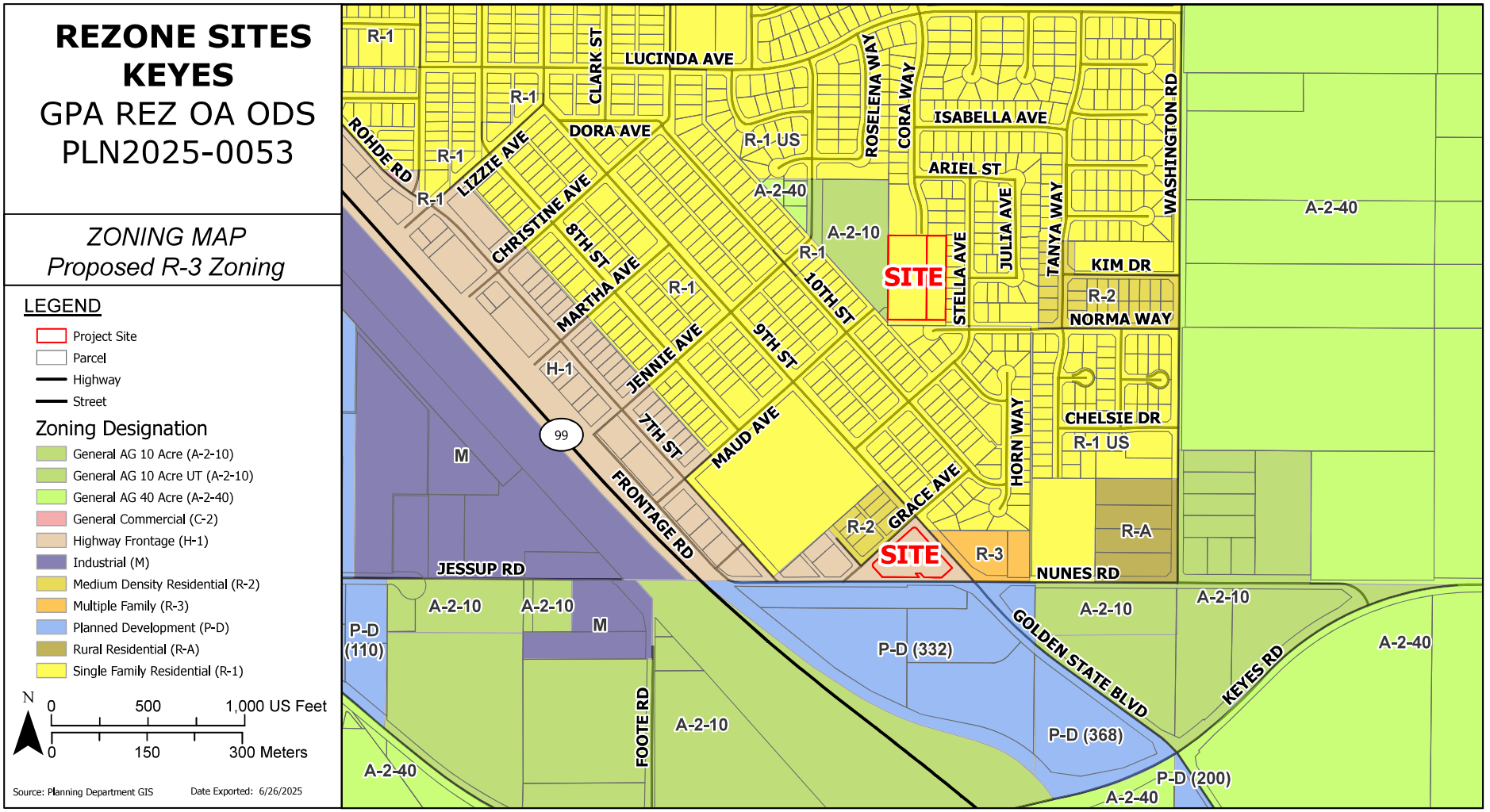
REZONE SITES
KEYES
GPA REZ OA ODS
PLN2025-0053

COMMUNITY PLAN MAP



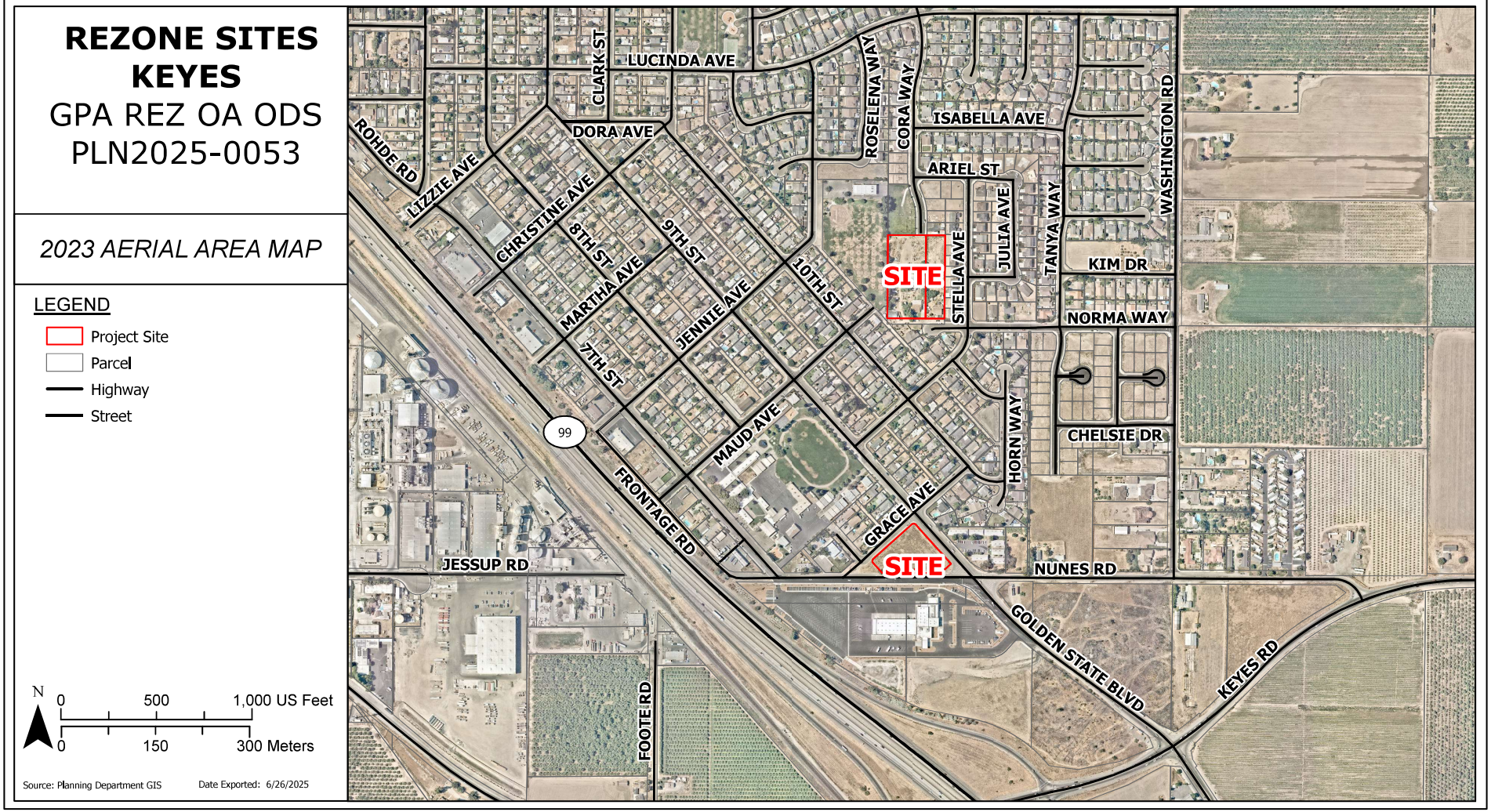
REZONE SITES
KEYES
GPA REZ OA ODS
PLN2025-0053

ZONING MAP
Proposed R-3 Zoning



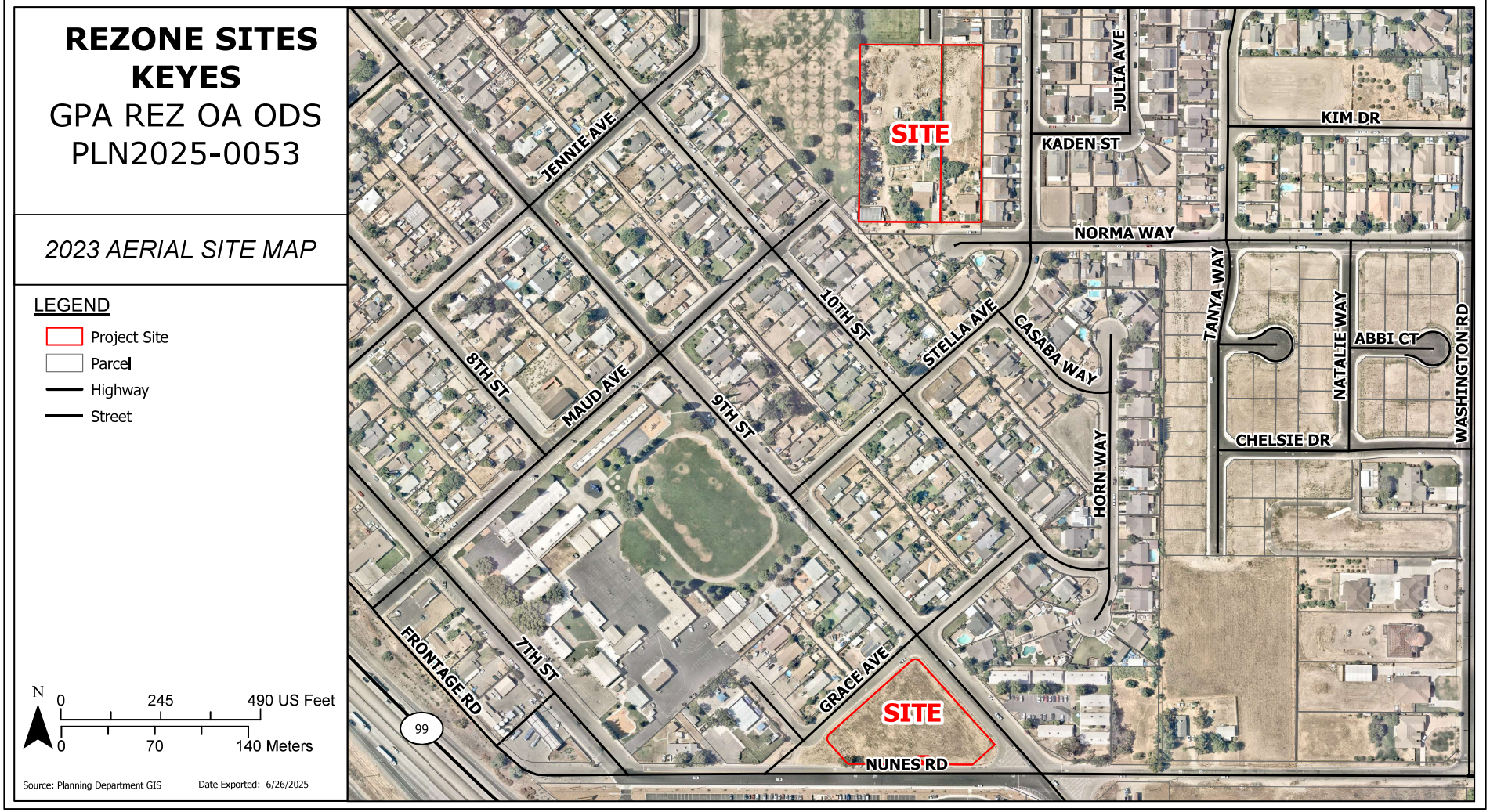
REZONE SITES
KEYES
GPA REZ OA ODS
PLN2025-0053

2023 AERIAL AREA MAP



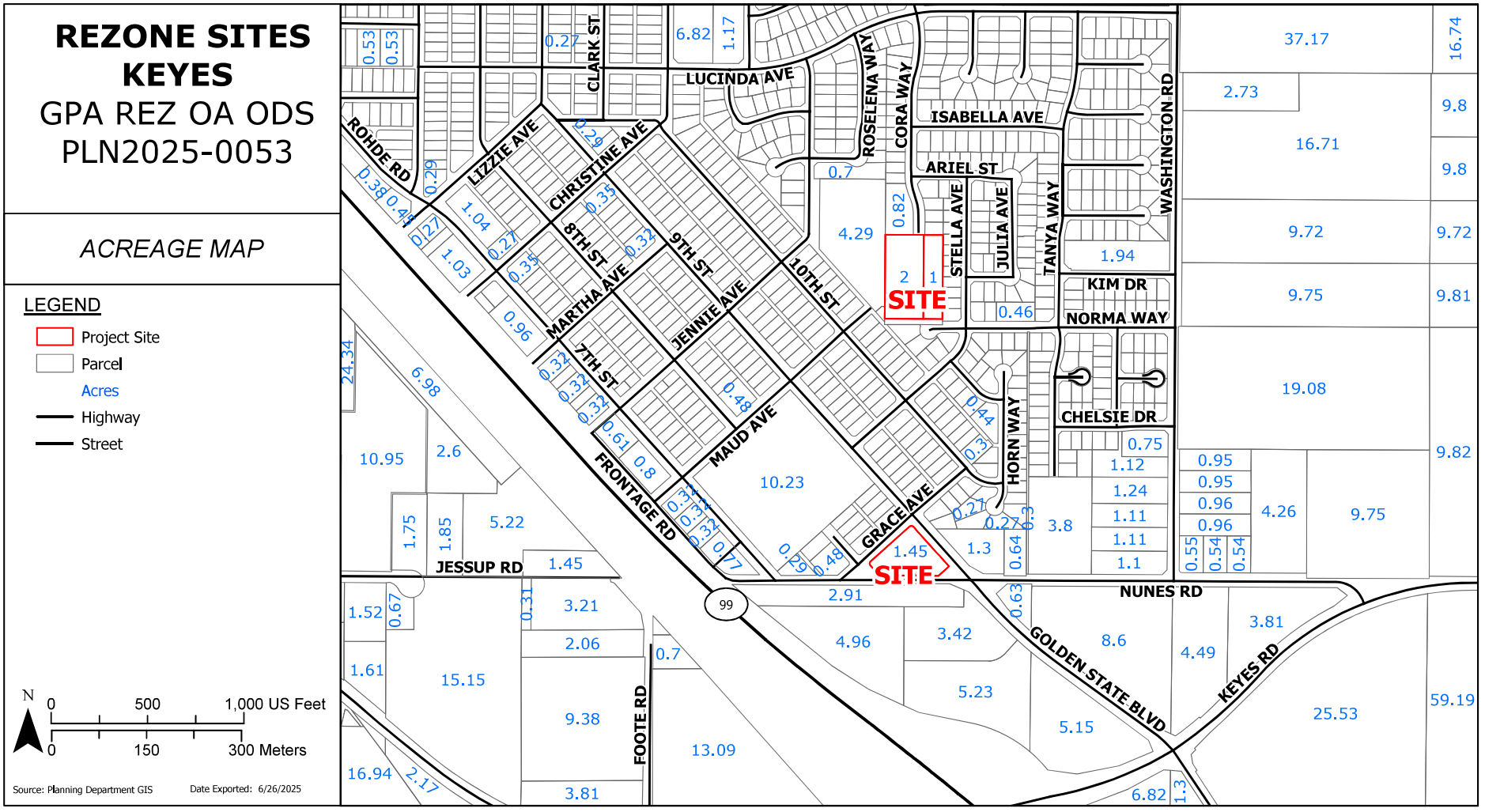
REZONE SITES
KEYES
GPA REZ OA ODS
PLN2025-0053

2023 AERIAL SITE MAP



REZONE SITES
KEYES
GPA REZ OA ODS
PLN2025-0053

ACREAGE MAP



REZONE SITES
KEYES



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REZONE SITES
NORTH CERES
(BYSTROM)

GPA REZ OA ODS
PLN2025-0053

AREA MAP

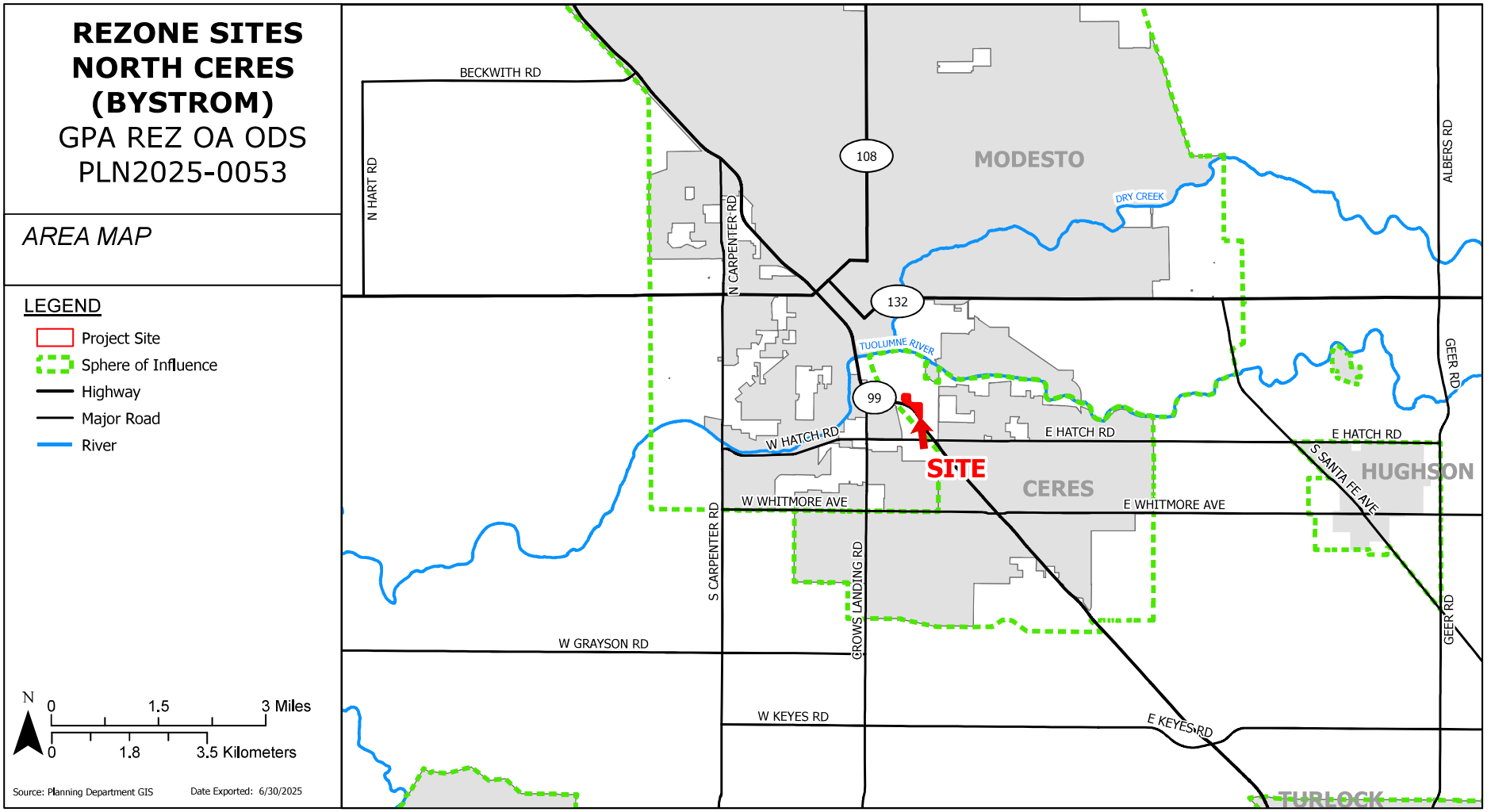
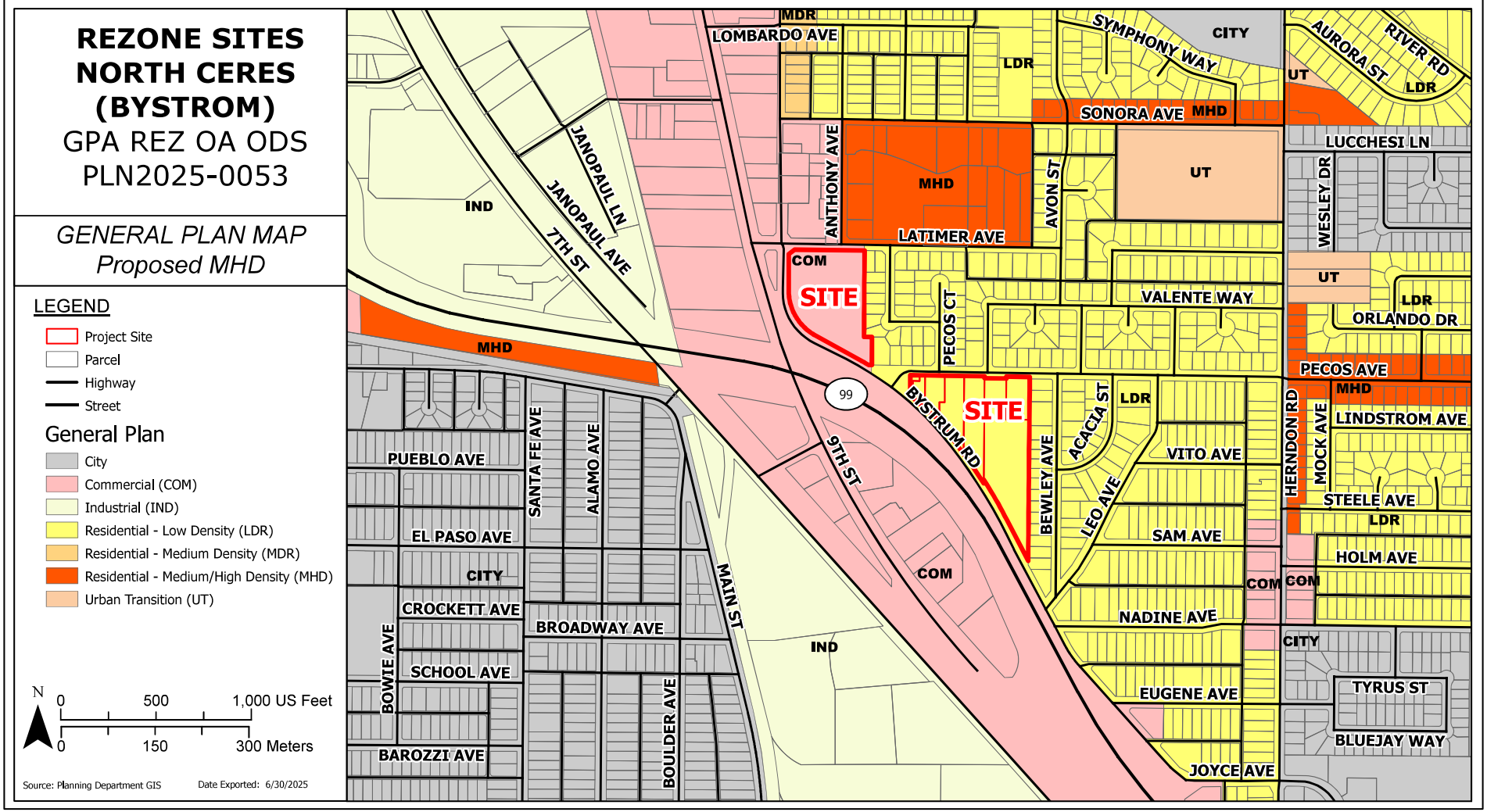


EXHIBIT B-6

REZONE SITES NORTH CERES (BYSTROM)

GPA REZ OA ODS
PLN2025-0053

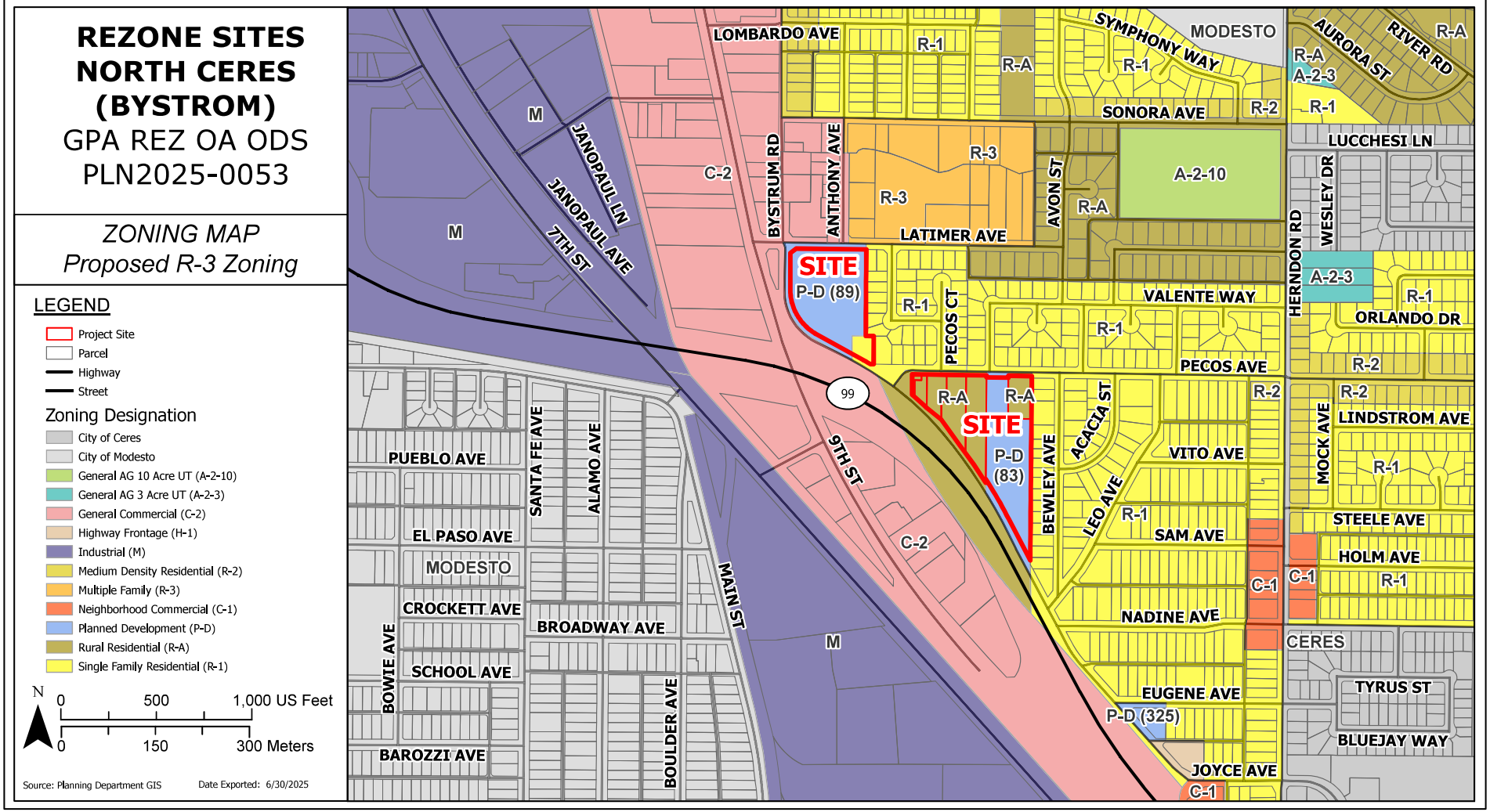
GENERAL PLAN MAP
Proposed MHD



REZONE SITES NORTH CERES (BYSTROM)

GPA REZ OA ODS
PLN2025-0053

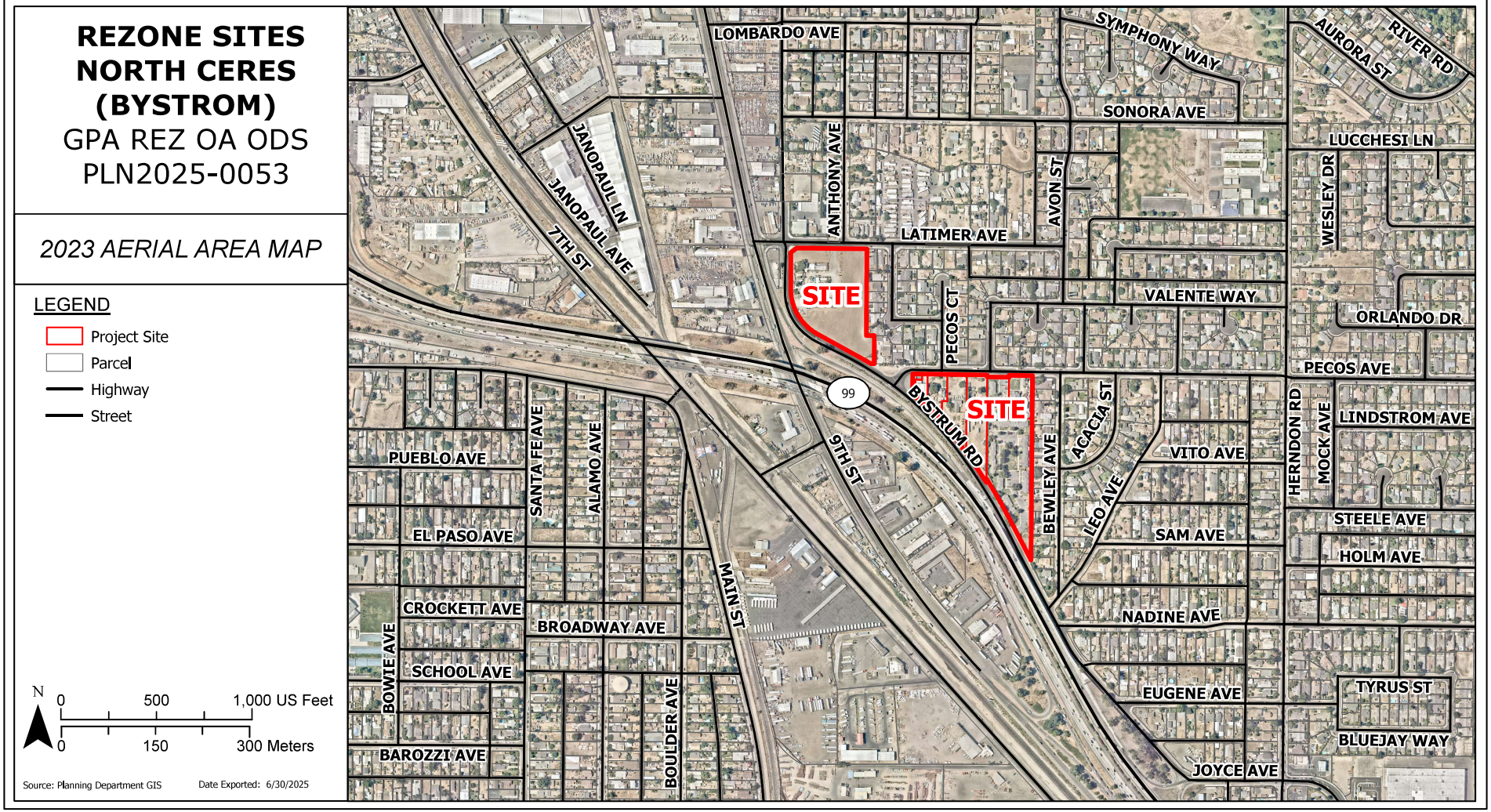
ZONING MAP
Proposed R-3 Zoning



REZONE SITES NORTH CERES (BYSTROM)

GPA REZ OA ODS
PLN2025-0053

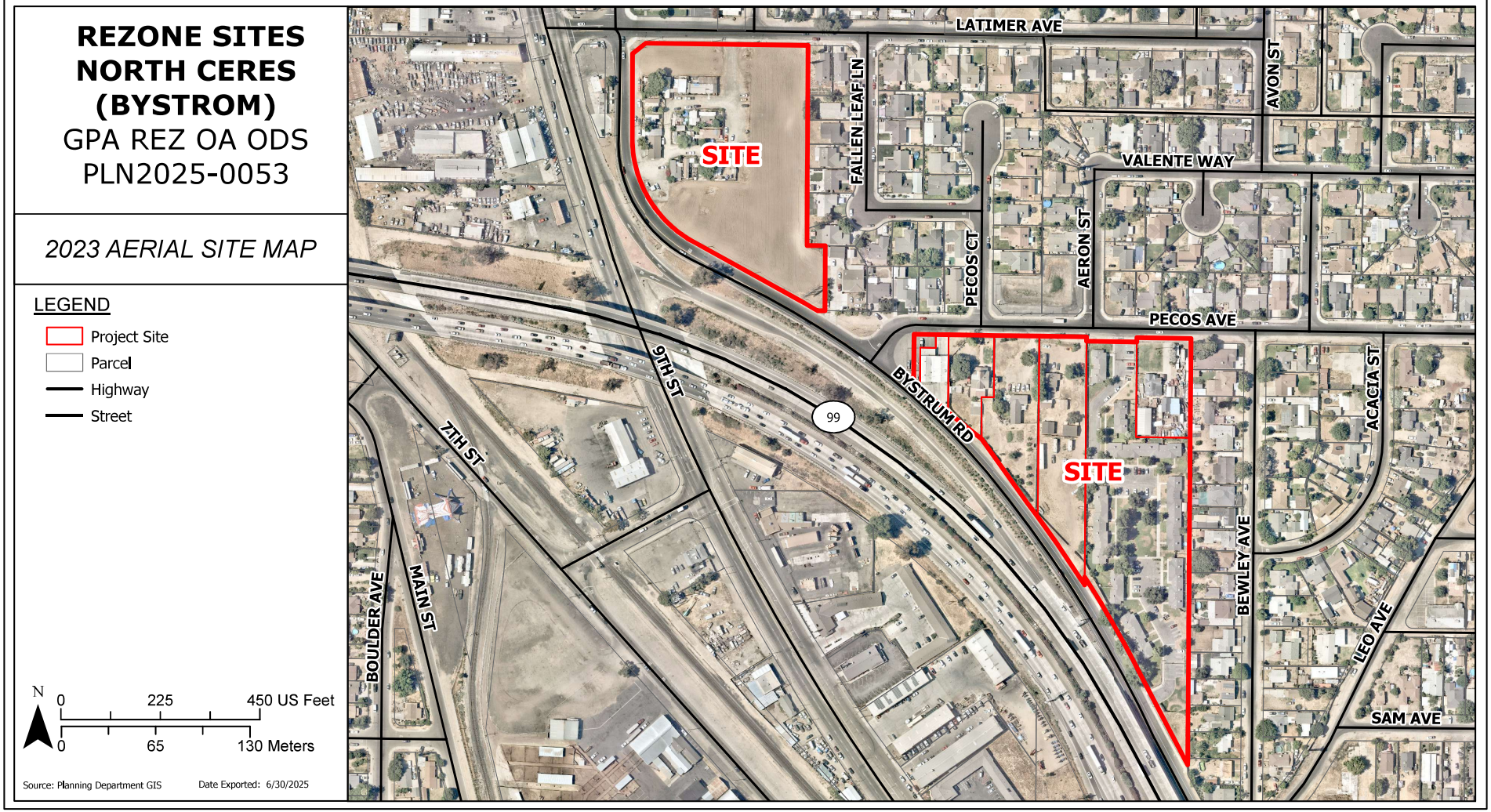
2023 AERIAL AREA MAP



REZONE SITES NORTH CERES (BYSTROM)

GPA REZ OA ODS
PLN2025-0053

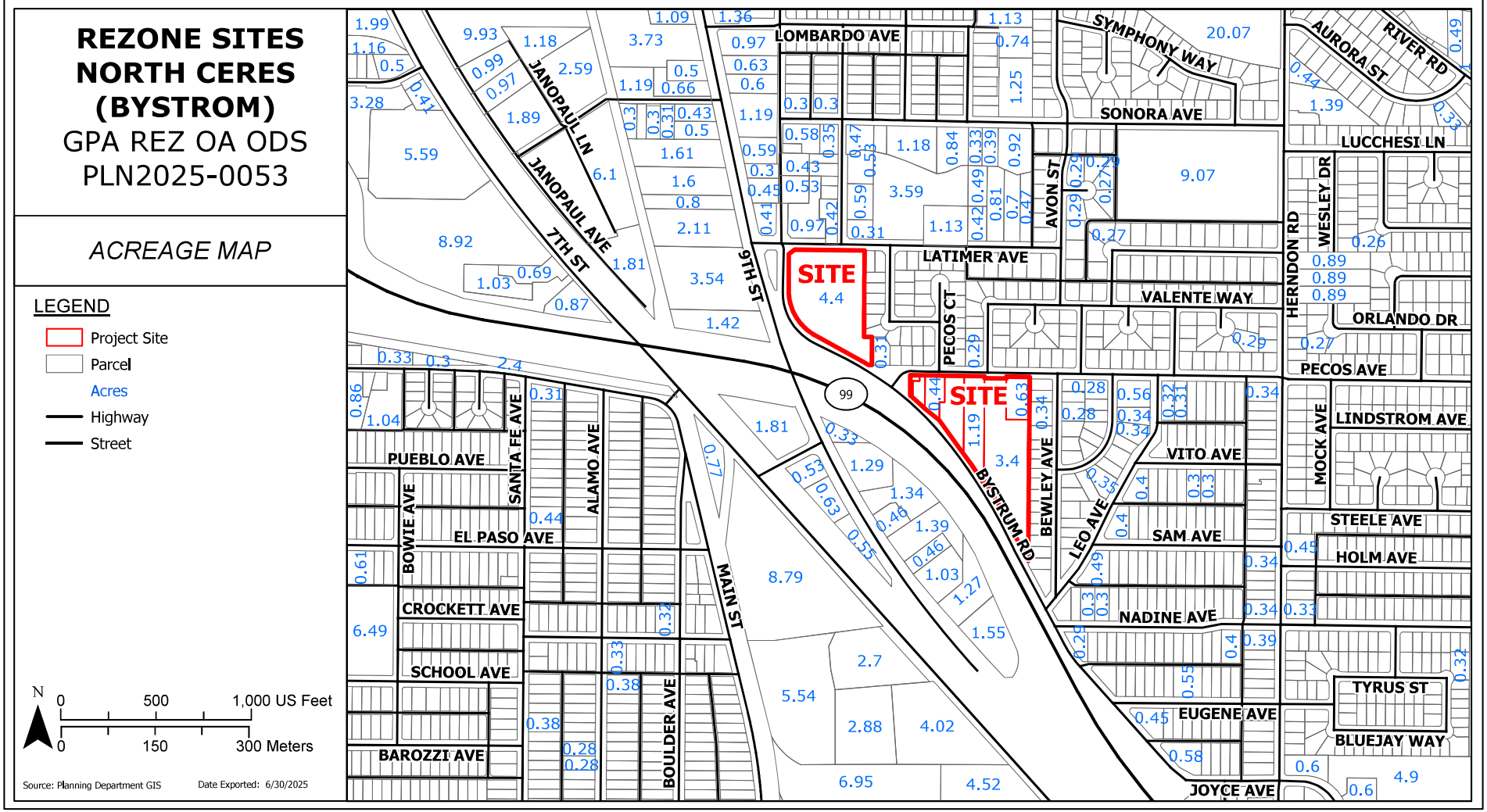
2023 AERIAL SITE MAP



REZONE SITES NORTH CERES (BYSTROM)

GPA REZ OA ODS
PLN2025-0053

ACREAGE MAP



REZONE SITES
NORTH CERES
(HATCH/STONUM)

GPA REZ OA ODS
PLN2025-0053

AREA MAP

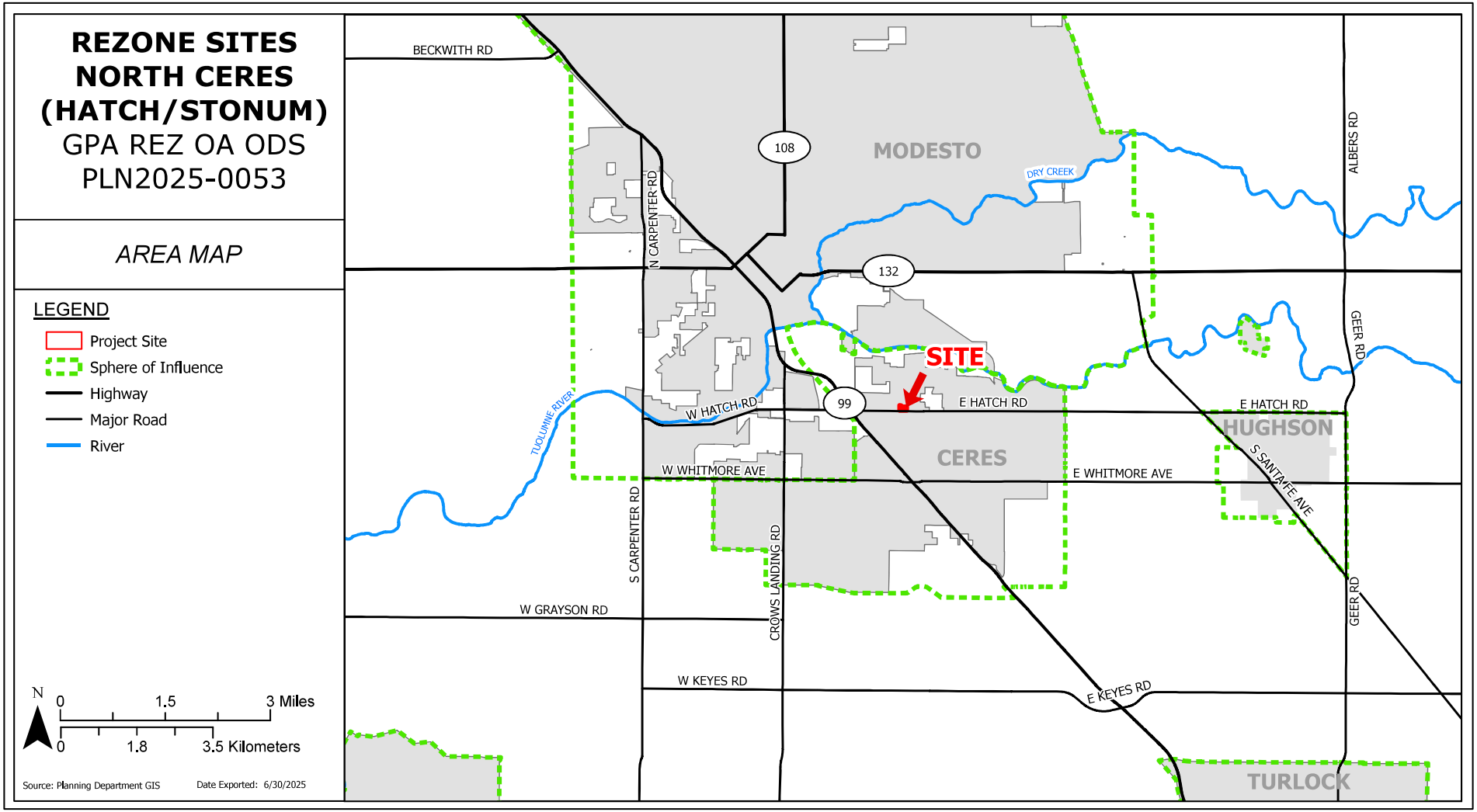


EXHIBIT B-7

REZONE SITES
NORTH CERES
(HATCH/STONUM)

GPA REZ OA ODS
PLN2025-0053

GENERAL PLAN MAP
Proposed MHD

LEGEND

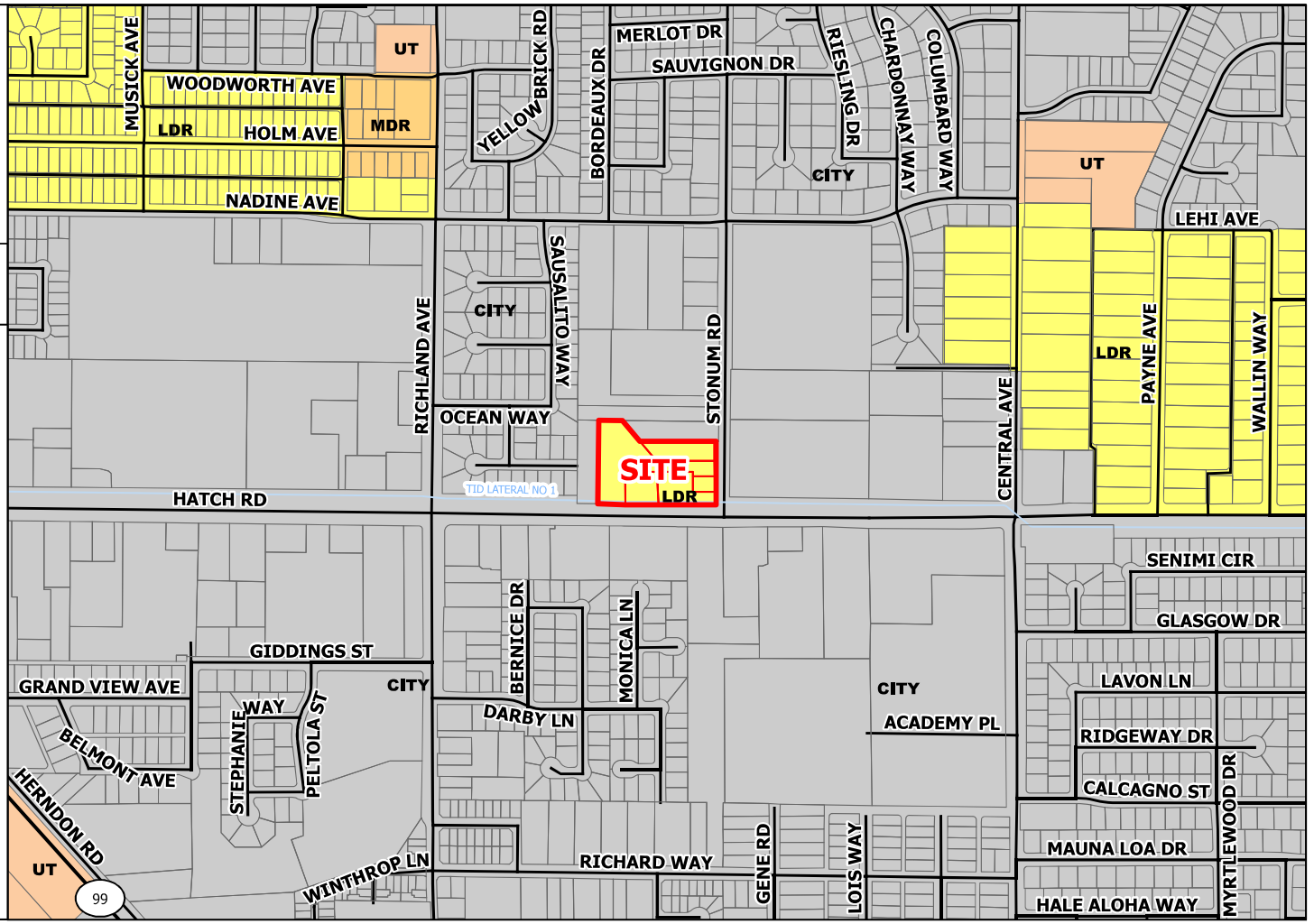
- Project Site
- Parcel
- Highway
- Street
- Canal

General Plan

- City
- Residential - Low Density (LDR)
- Residential - Medium Density (MDR)
- Urban Transition (UT)

N
0 500 1,000 US Feet
0 150 300 Meters

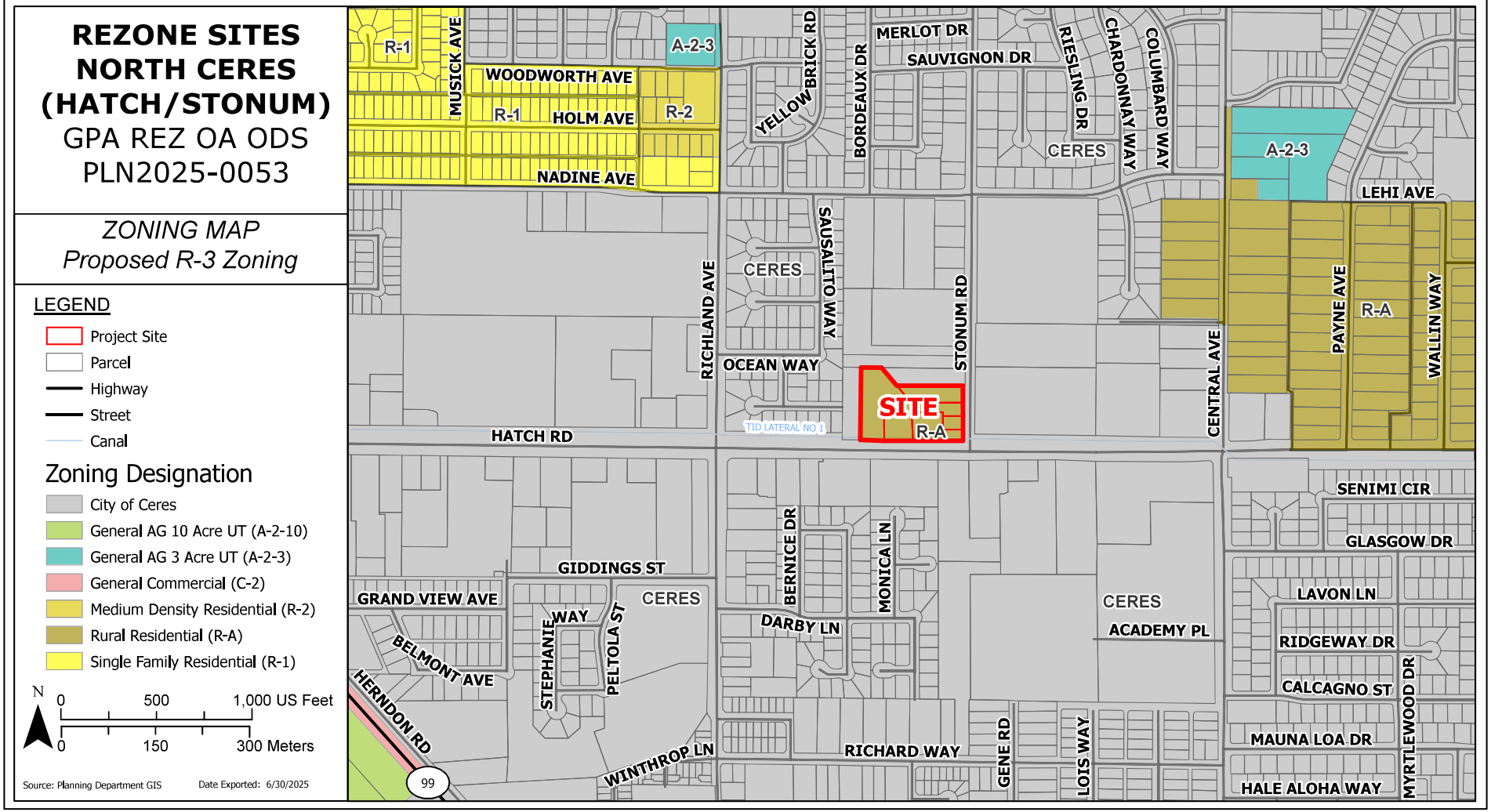
Source: Planning Department GIS Date Exported: 6/30/2025



REZONE SITES
NORTH CERES
(HATCH/STONUM)

GPA REZ OA ODS
PLN2025-0053

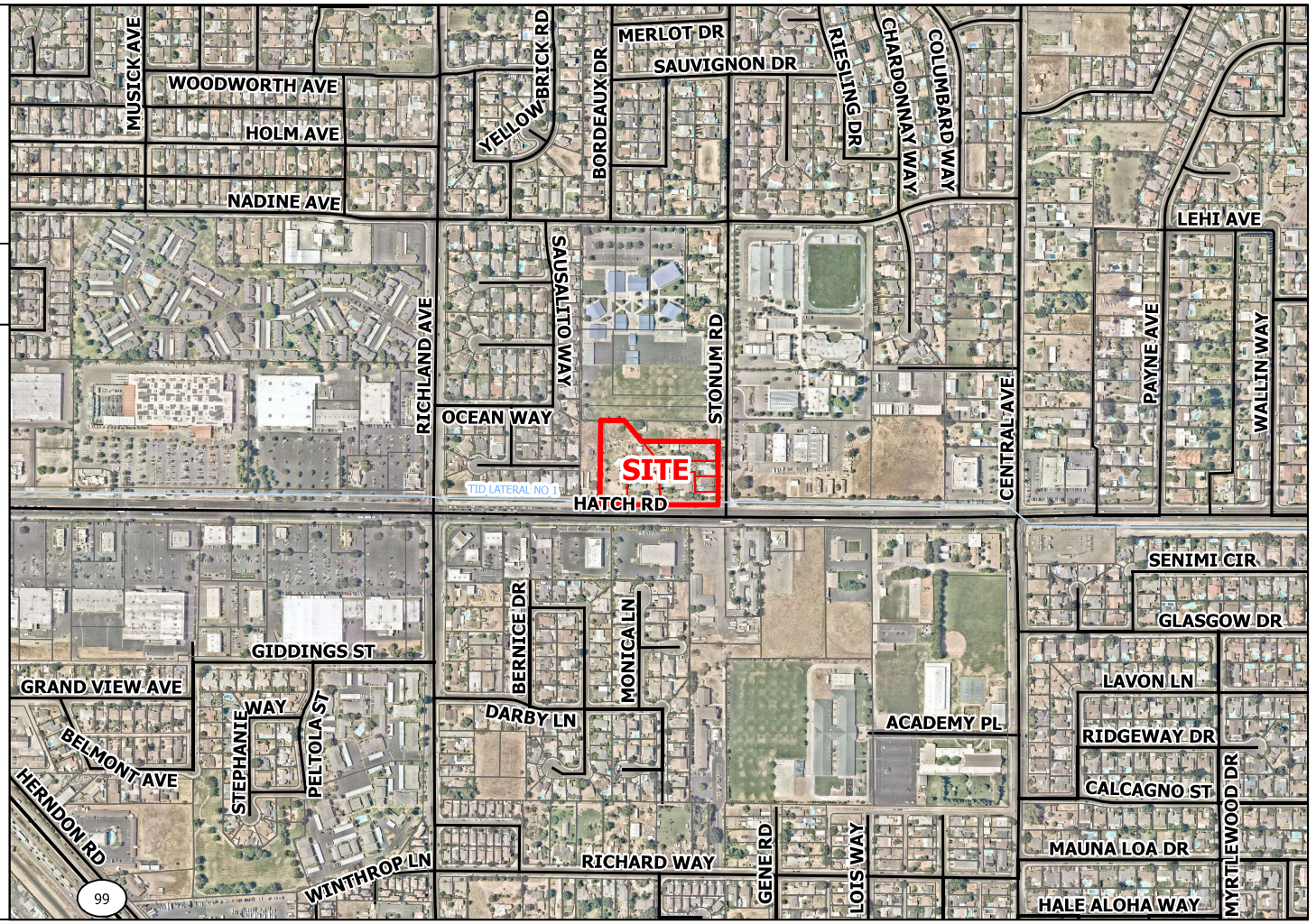
ZONING MAP
Proposed R-3 Zoning



REZONE SITES
NORTH CERES
(HATCH/STONUM)

GPA REZ OA ODS
PLN2025-0053

2023 AERIAL AREA MAP



LEGEND

- Project Site
- Parcel
- Highway
- Street
- Canal

N

0 500 1,000 US Feet

0 150 300 Meters

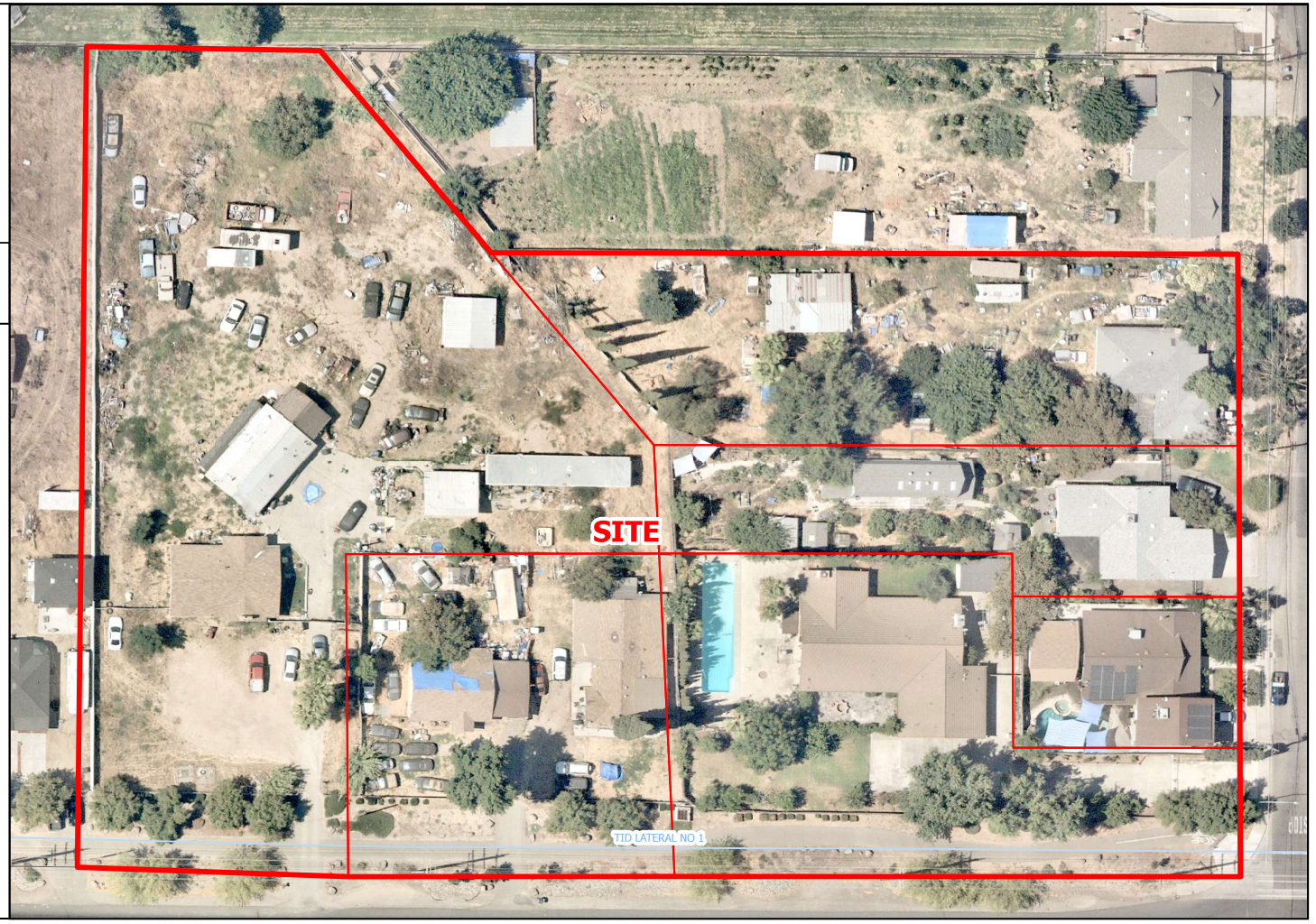
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Date Exported: 6/30/2025

REZONE SITES
NORTH CERES
(HATCH/STONUM)

GPA REZ OA ODS
PLN2025-0053

2023 AERIAL SITE MAP



LEGEND

- Project Site
- Parcel
- Canal

N

0 50 100 US Feet

0 15 30 Meters

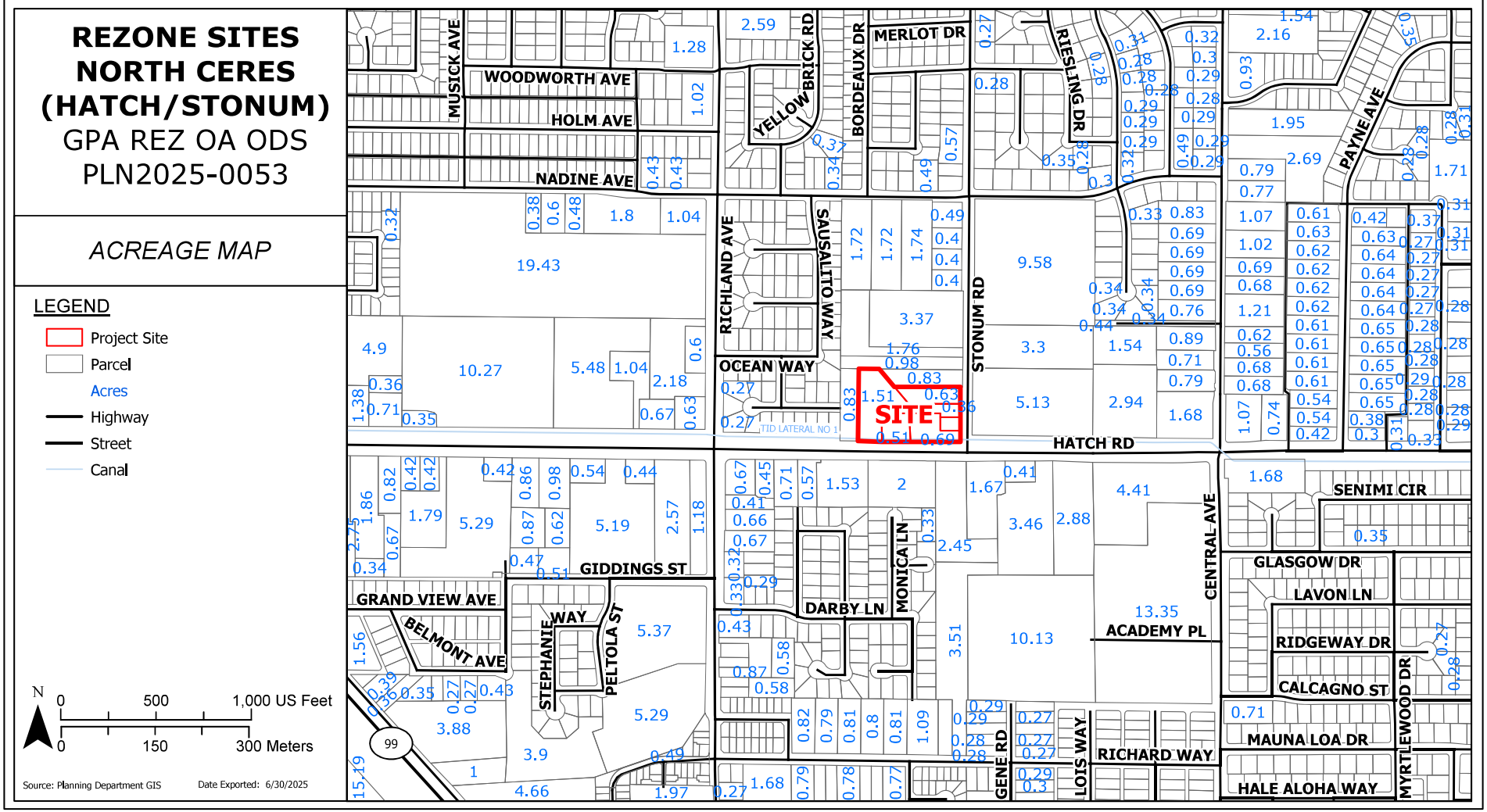
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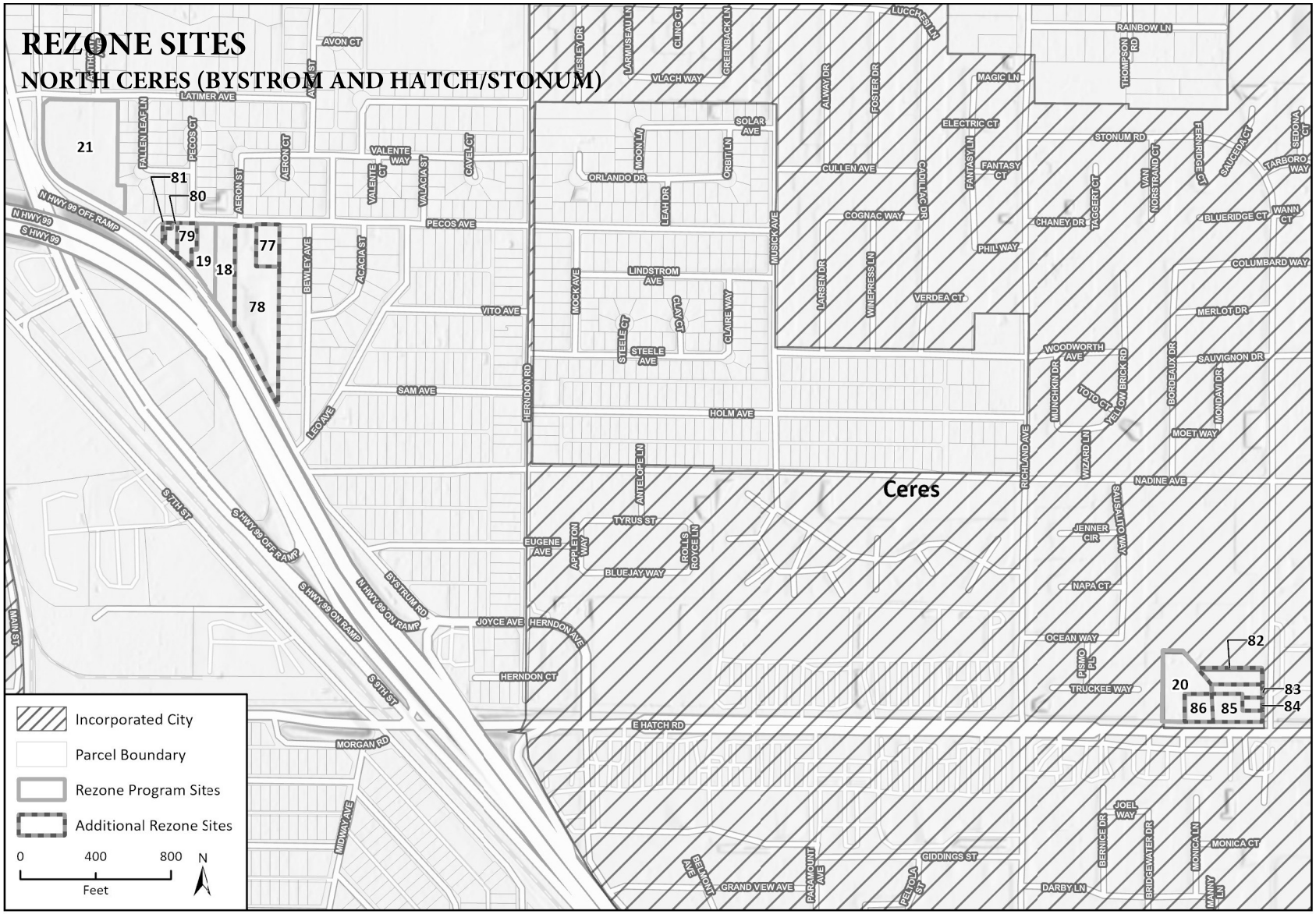
Date Exported: 6/30/2025

REZONE SITES
NORTH CERES
(HATCH/STONUM)

GPA REZ OA ODS
PLN2025-0053

ACREAGE MAP





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Housing_Resources_Figs
Sites Inventory - Additional Rezone

REZONE SITES
SALIDA
GPA REZ OA ODS
PLN2025-0053

AREA MAP

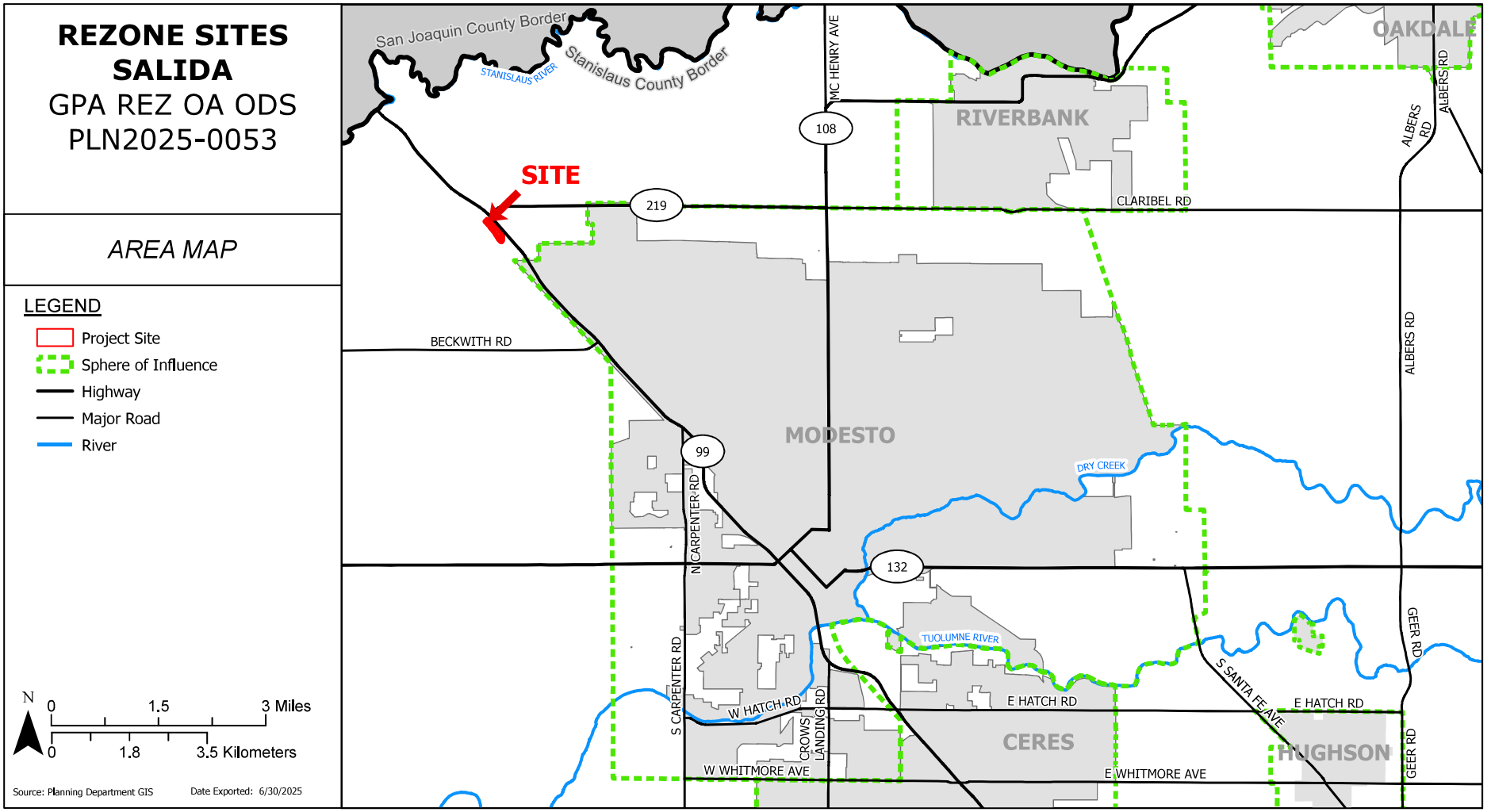
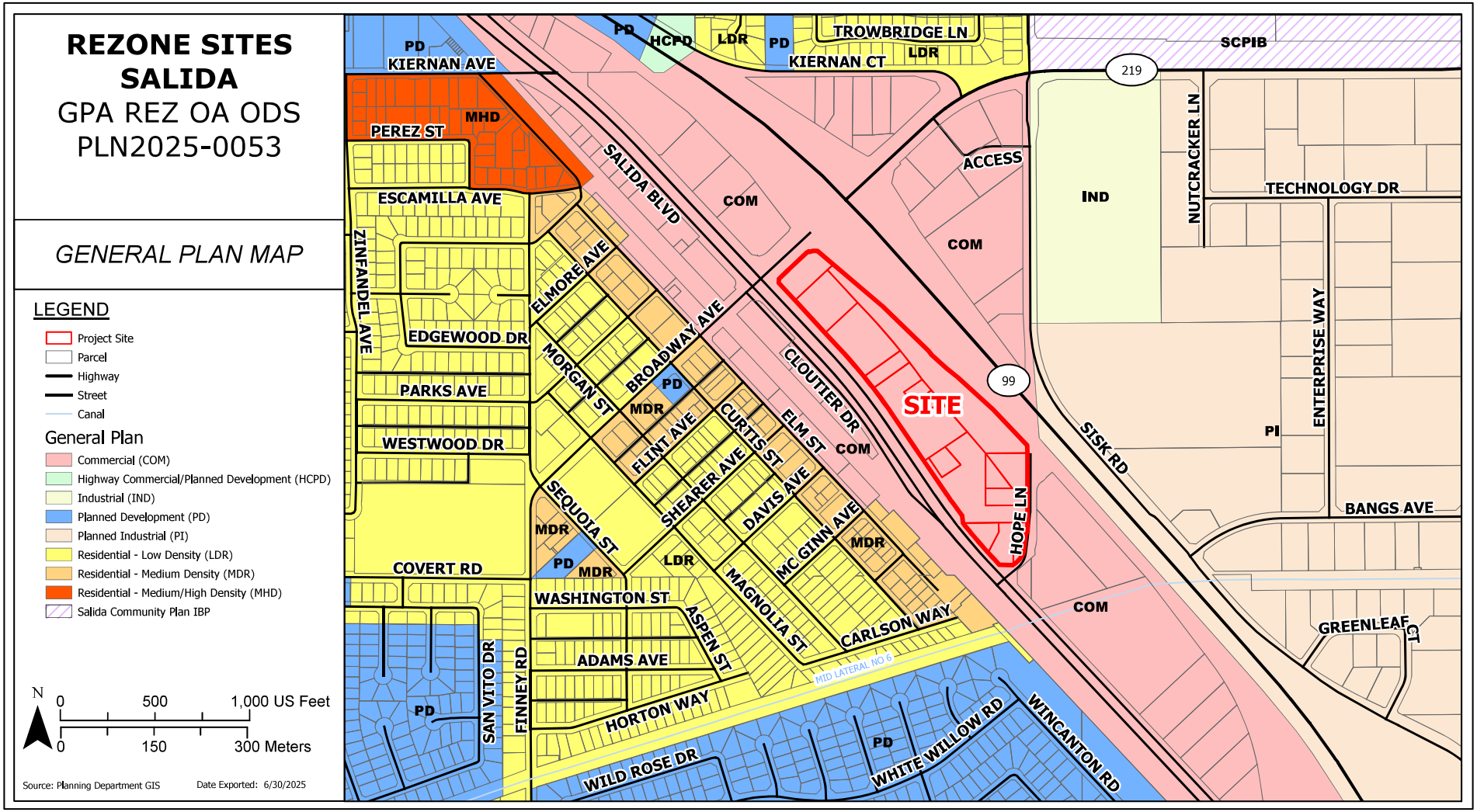


EXHIBIT B-8

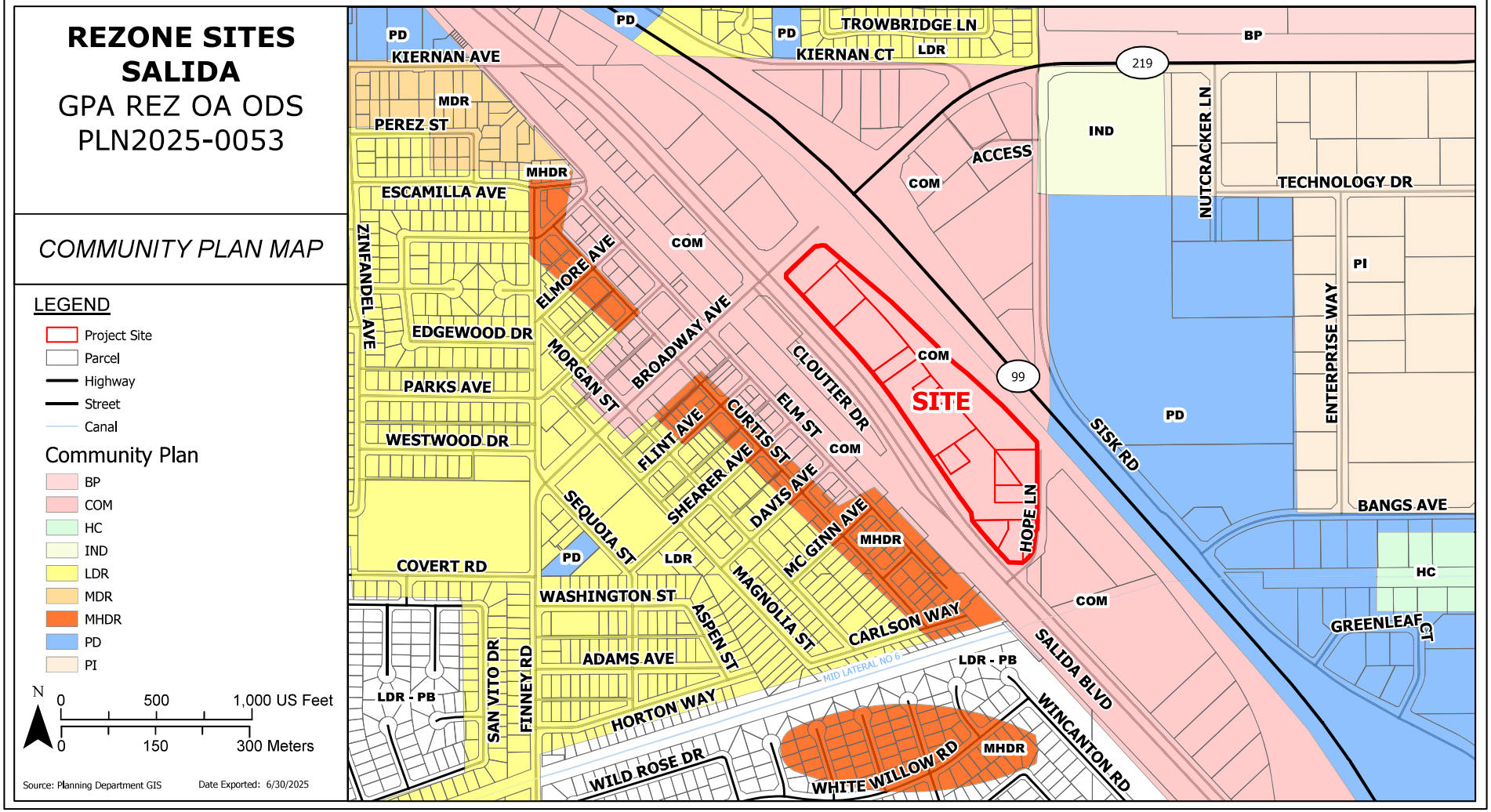
REZONE SITES
SALIDA
GPA REZ OA ODS
PLN2025-0053

GENERAL PLAN MAP



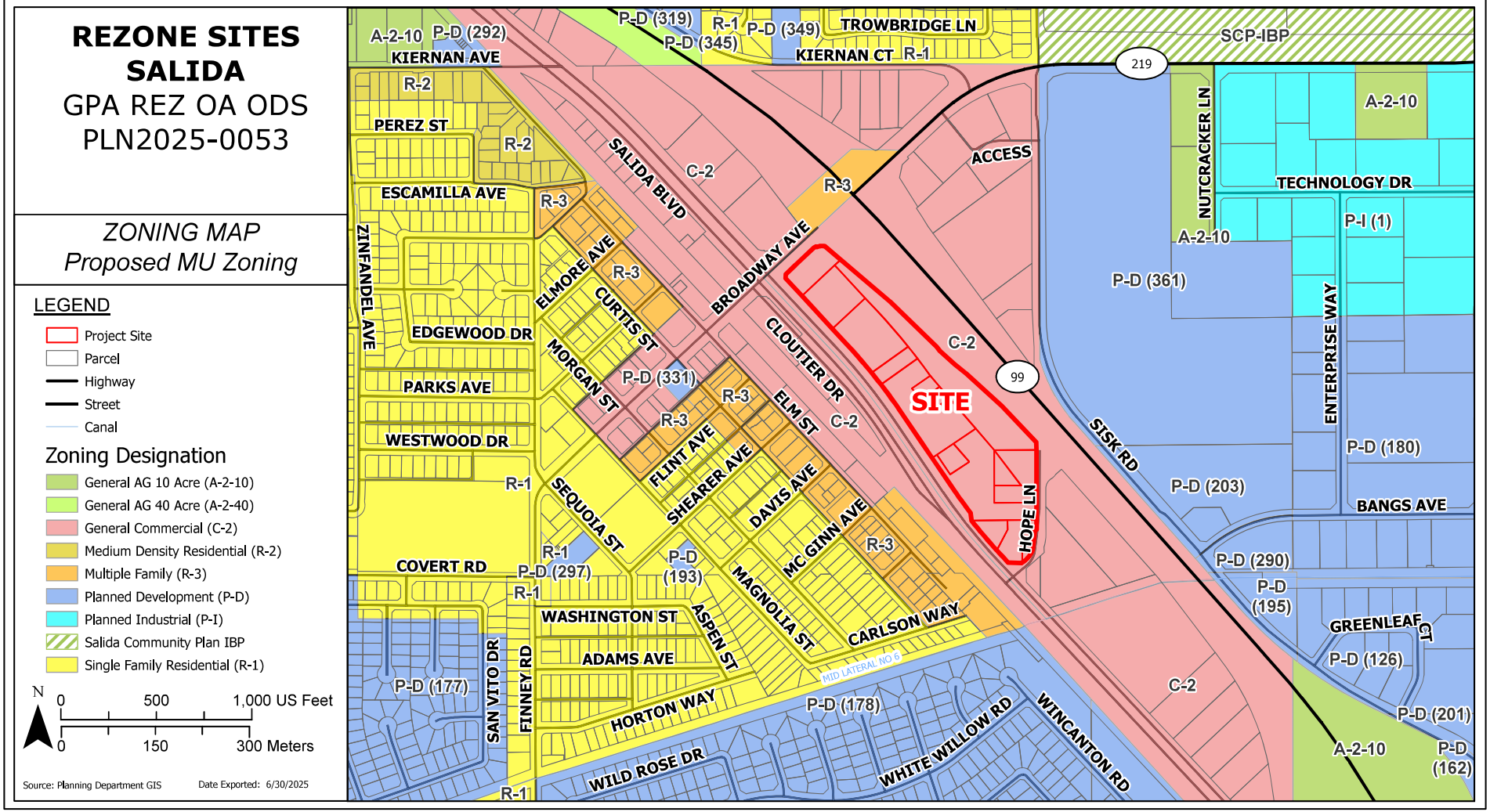
REZONE SITES
SALIDA
GPA REZ OA ODS
PLN2025-0053

COMMUNITY PLAN MAP



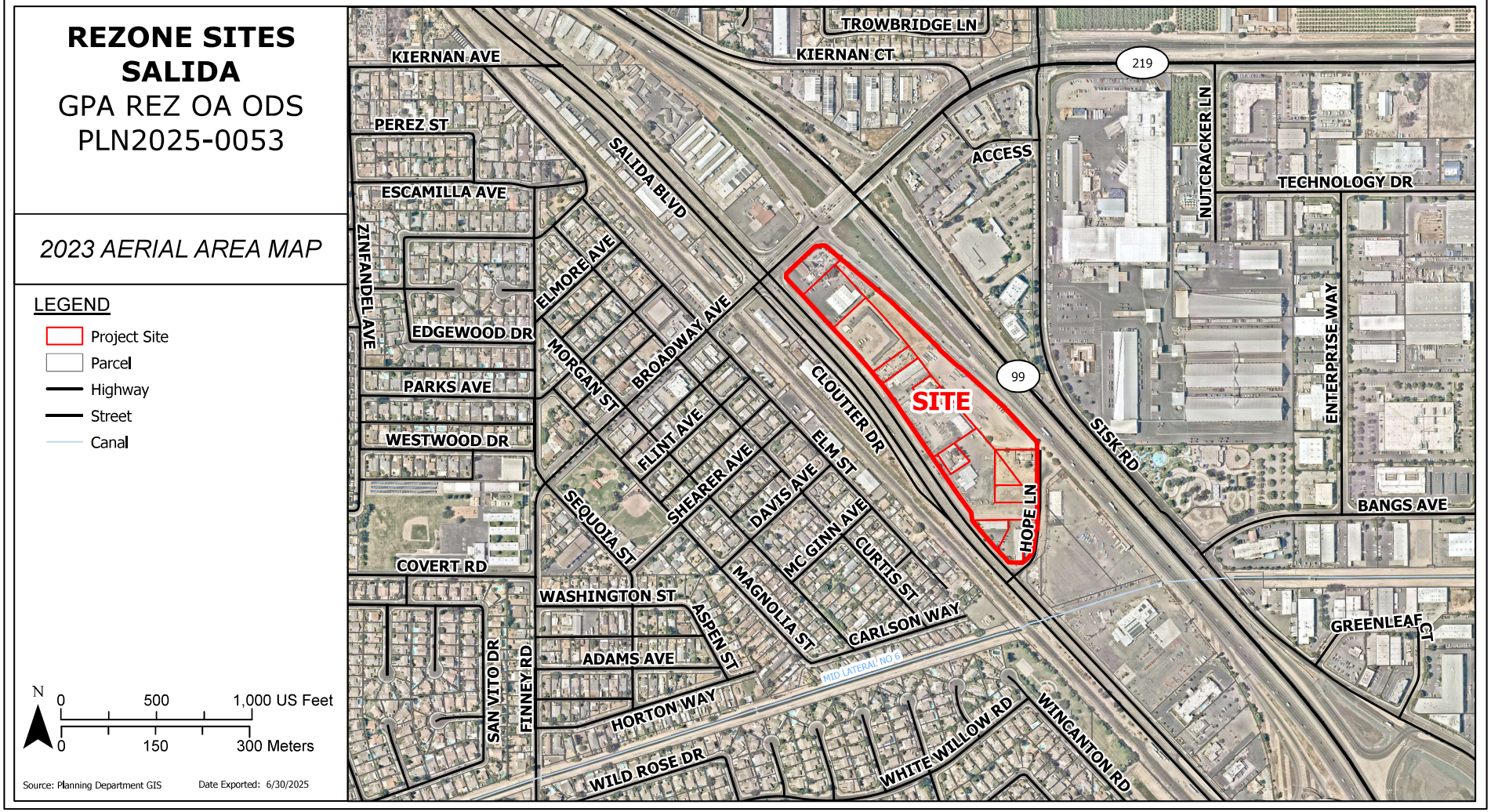
REZONE SITES
SALIDA
GPA REZ OA ODS
PLN2025-0053

ZONING MAP
Proposed MU Zoning



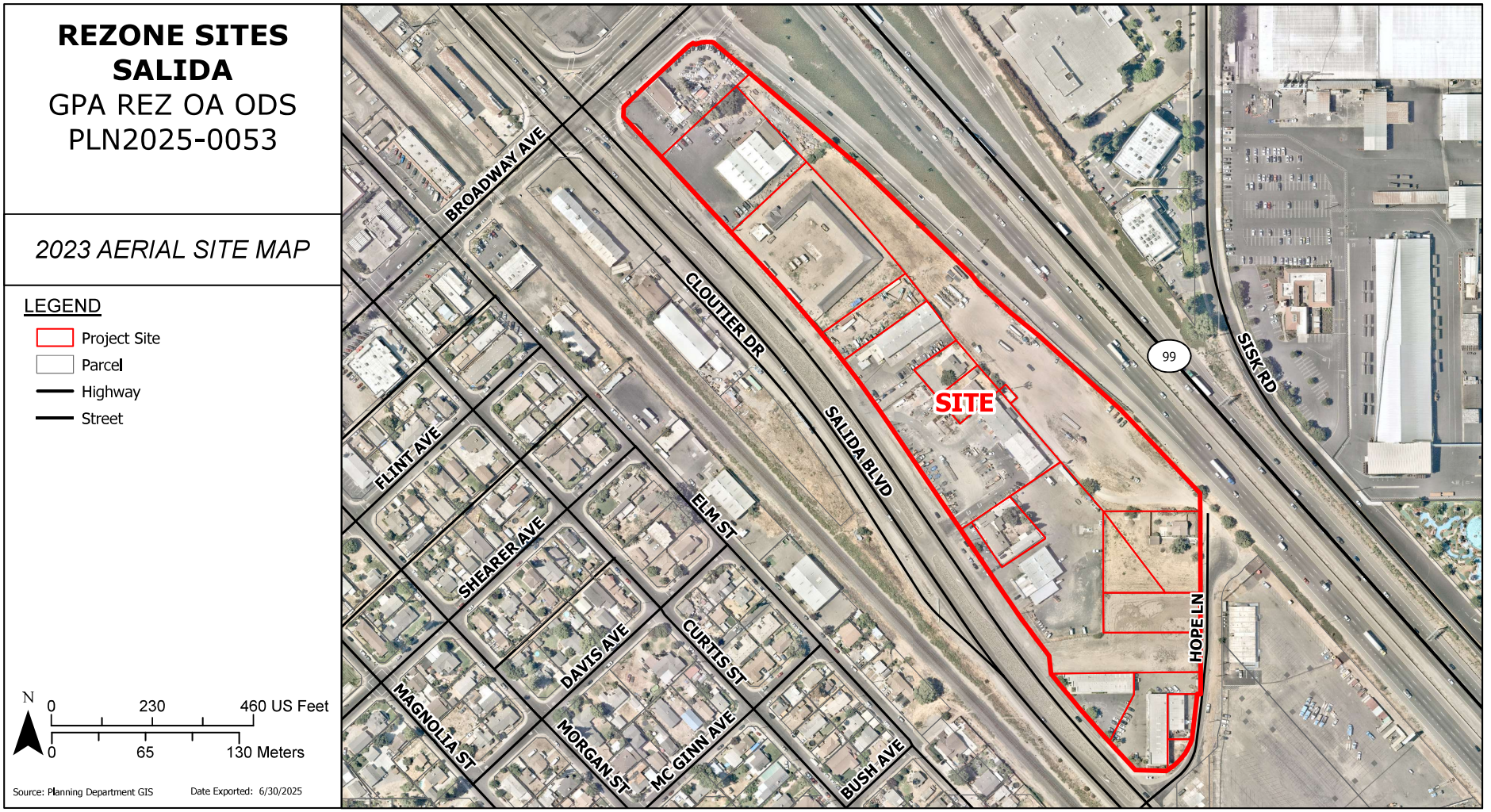
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SALIDA
GPA REZ OA ODS
PLN2025-0053

2023 AERIAL AREA MAP



REZONE SITES
SALIDA
GPA REZ OA ODS
PLN2025-0053

2023 AERIAL SITE MAP

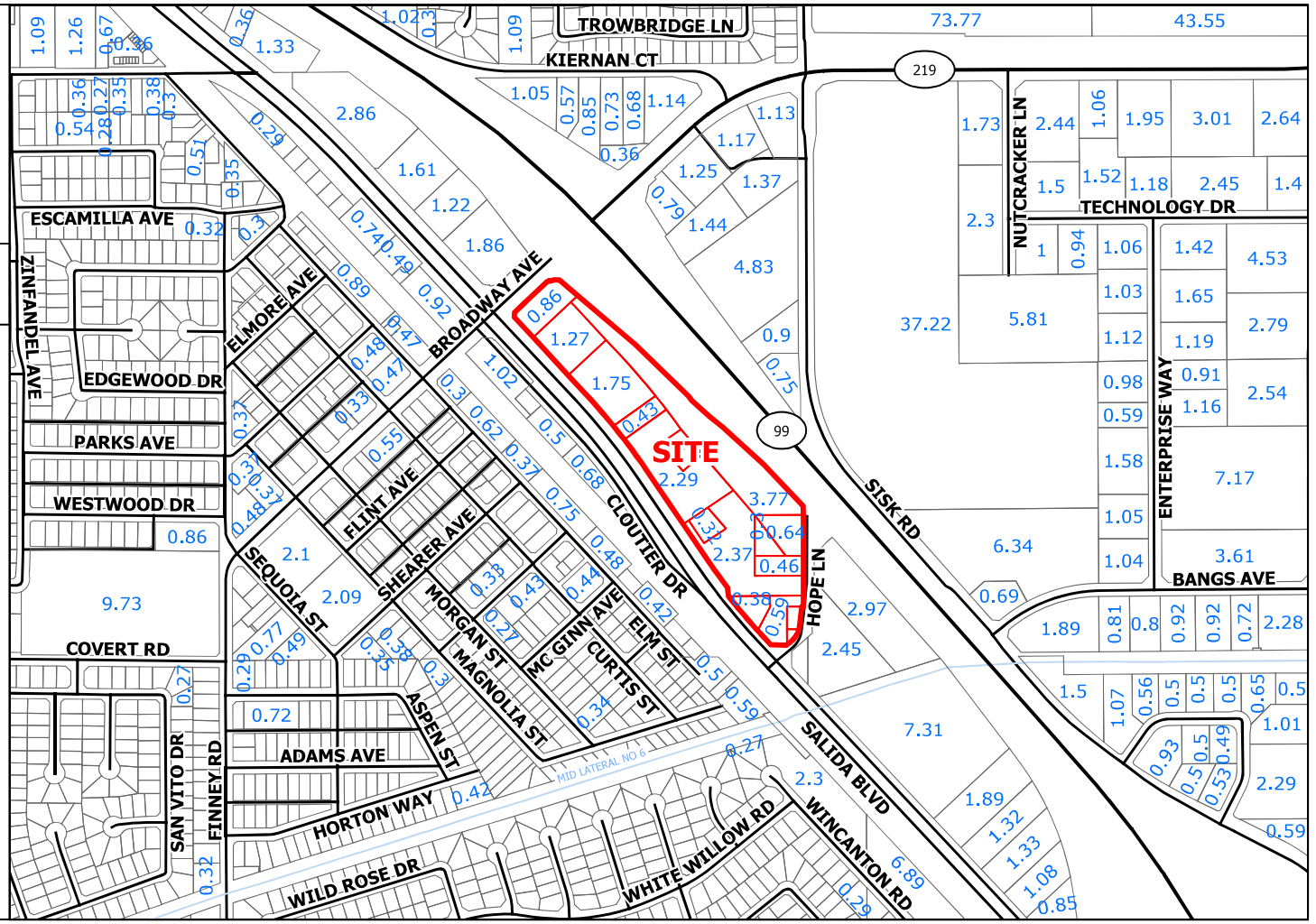


REZONE SITES
SALIDA
GPA REZ OA ODS
PLN2025-0053

ACREAGE MAP

LEGEND

- Project Site
- Parcel
- Acres
- Highway
- Street
- Canal



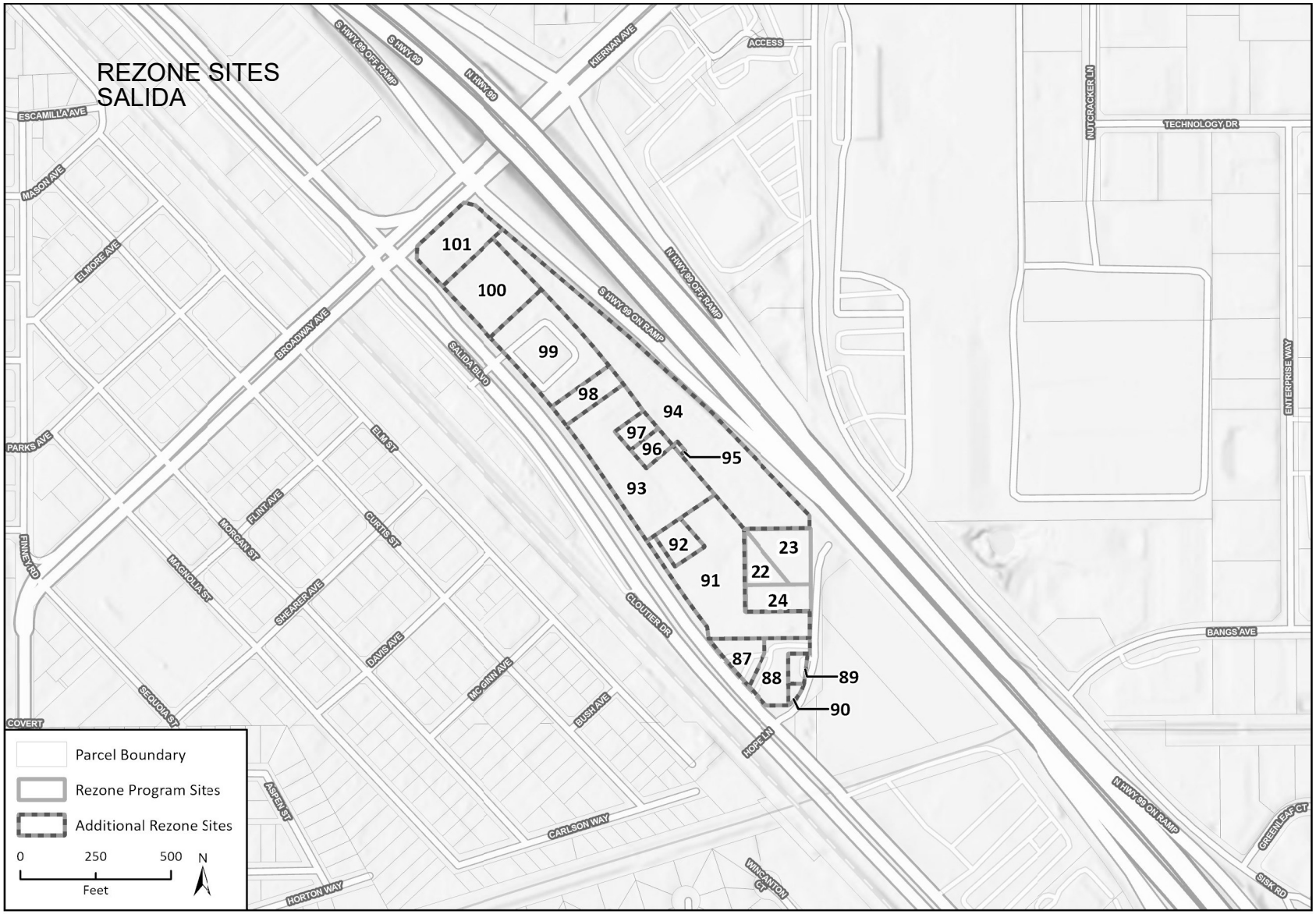
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0 500 1,000 US Feet

0 150 300 Meters

Source: Planning Department GIS

Date Exported: 6/30/2025



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Housing_Resources_Figs
Sites Inventory - Additional Rezone

REZONE SITES
SOUTH CERES
GPA REZ OA ODS
PLN2025-0053

AREA MAP

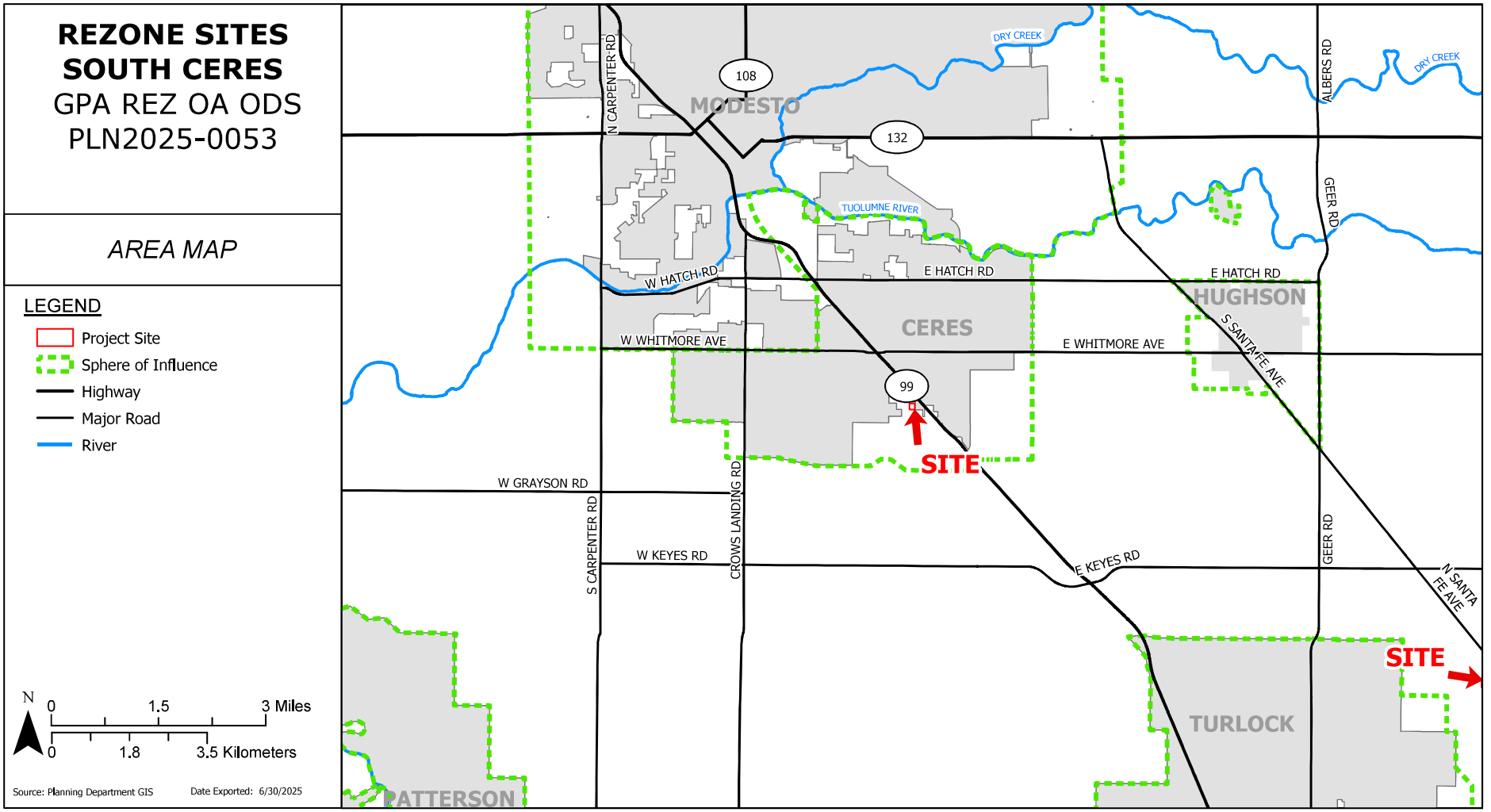
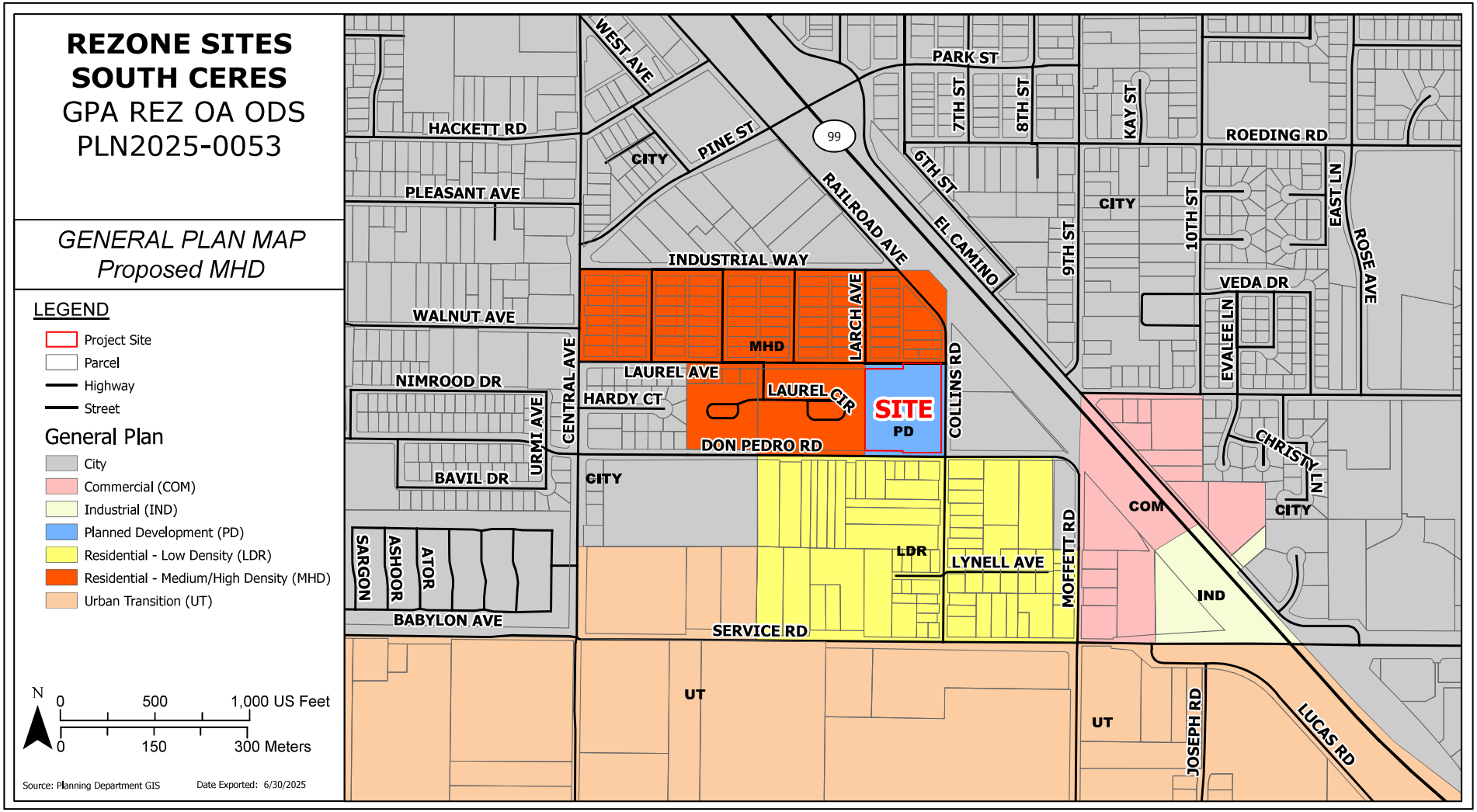


EXHIBIT B-9

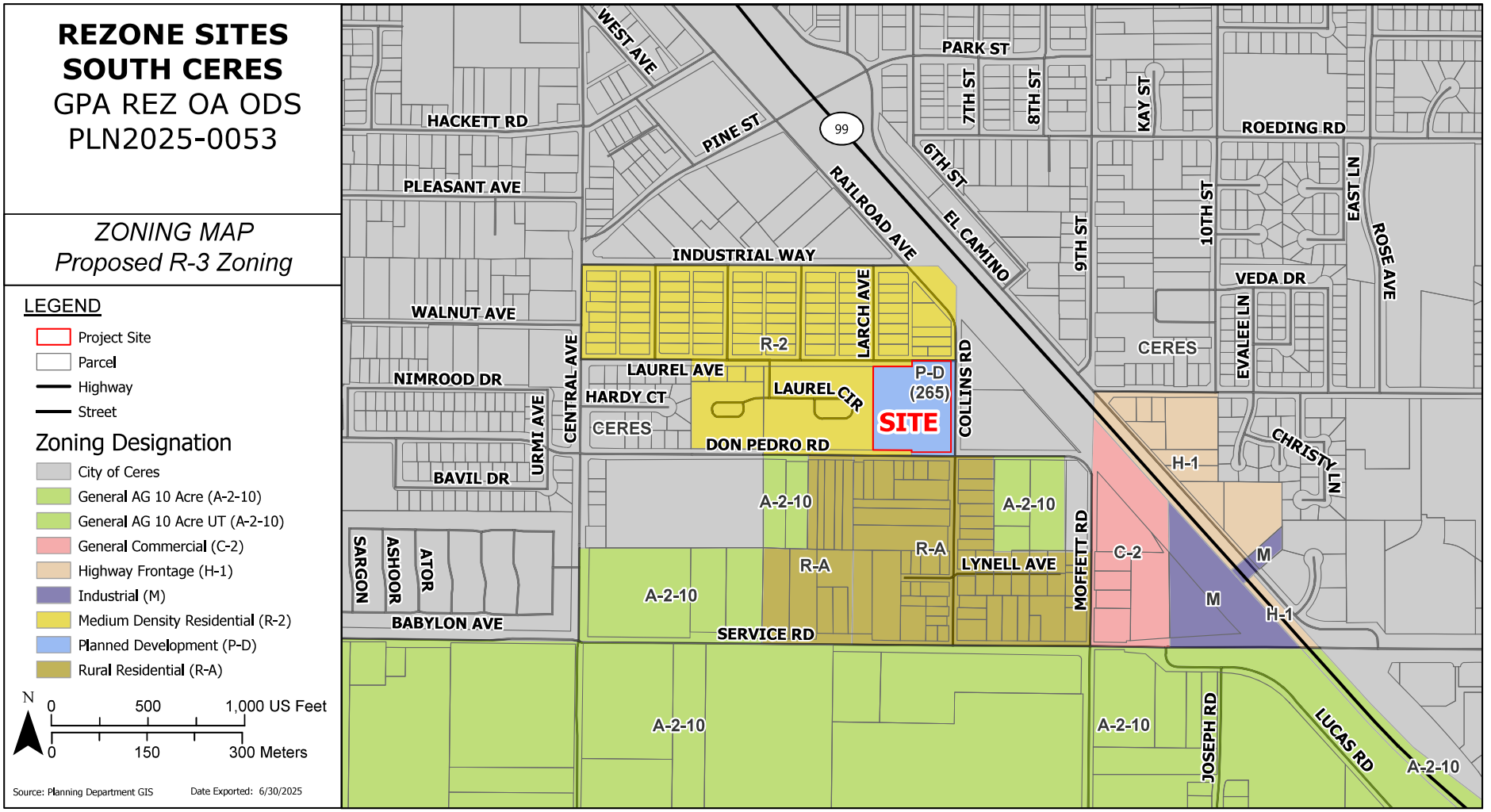
REZONE SITES
SOUTH CERES
GPA REZ OA ODS
PLN2025-0053

GENERAL PLAN MAP
Proposed MHD



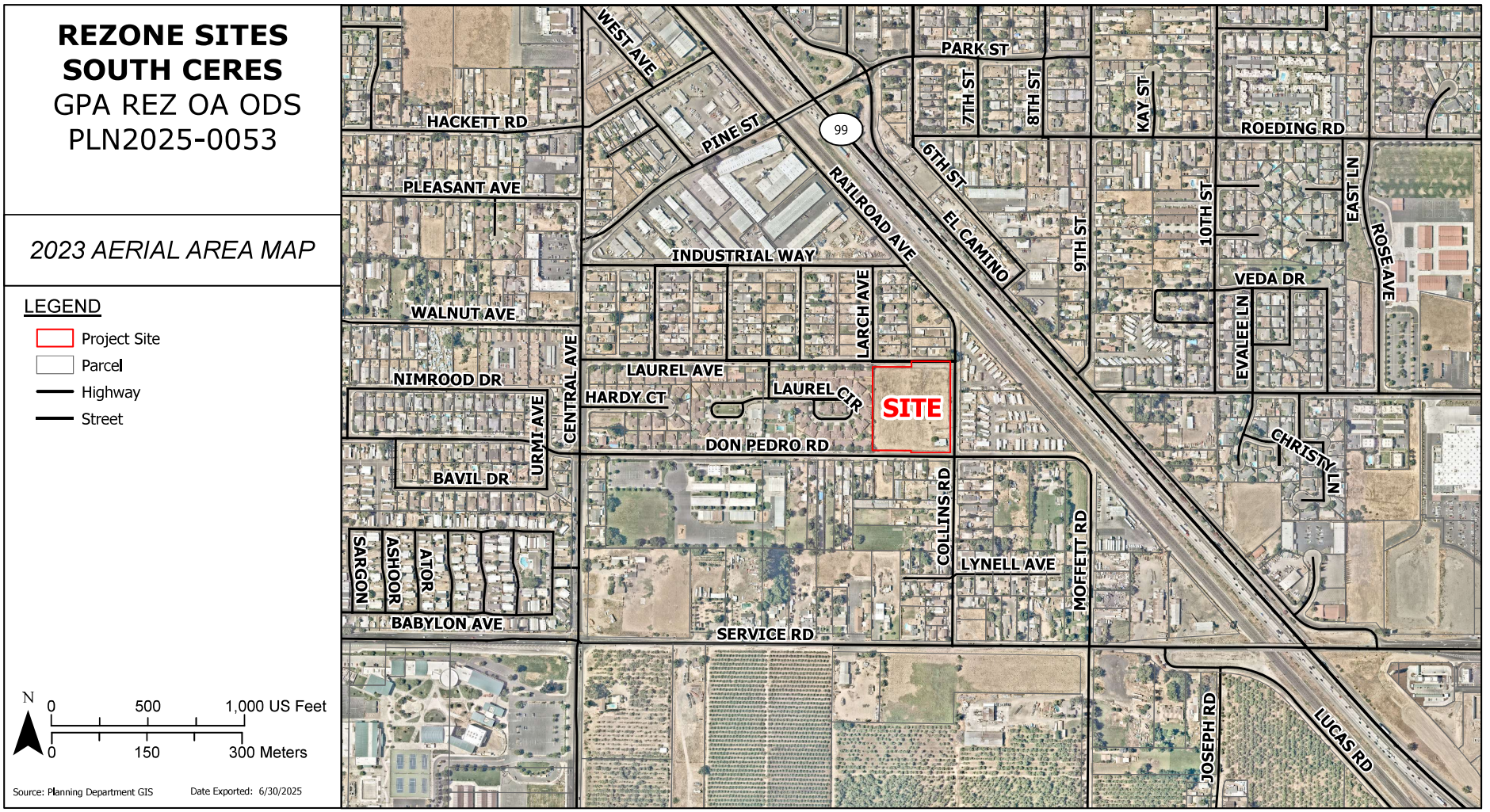
REZONE SITES
SOUTH CERES
GPA REZ OA ODS
PLN2025-0053

ZONING MAP
Proposed R-3 Zoning



REZONE SITES
SOUTH CERES
GPA REZ OA ODS
PLN2025-0053

2023 AERIAL AREA MAP



REZONE SITES
SOUTH CERES

GPA REZ OA ODS
PLN2025-0053

2023 AERIAL SITE MAP

LEGEND

- Project Site
- Parcel
- Street



N

0 65 130 US Feet

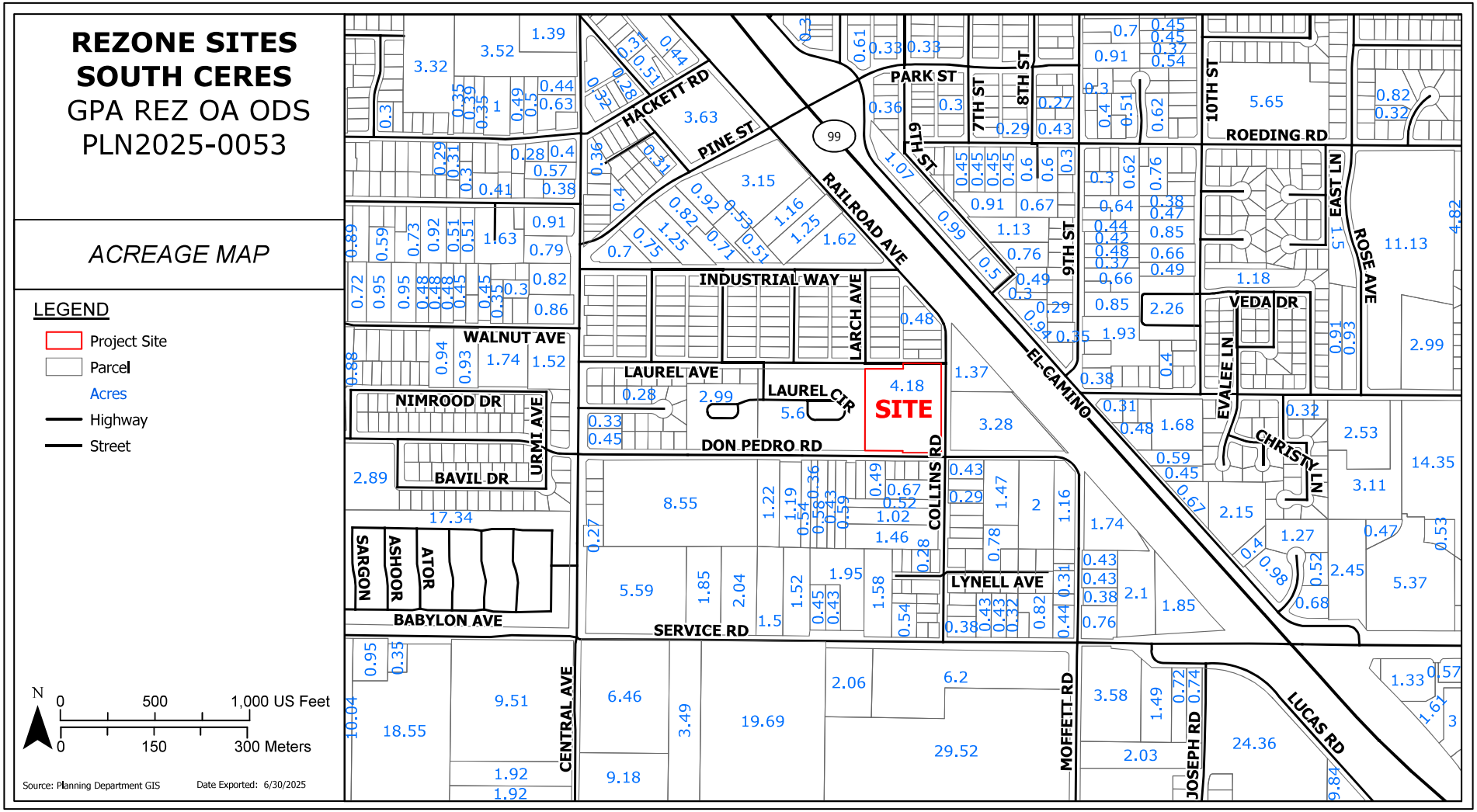
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Source: Planning Department GIS

Date Exported: 6/30/2025

REZONE SITES
SOUTH CERES
GPA REZ OA ODS
PLN2025-0053

ACREAGE MAP





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REZONE SITES WEST MODESTO (BEVERLY/ WAVERLY)

GPA REZ OA ODS
PLN2025-0053

AREA MAP

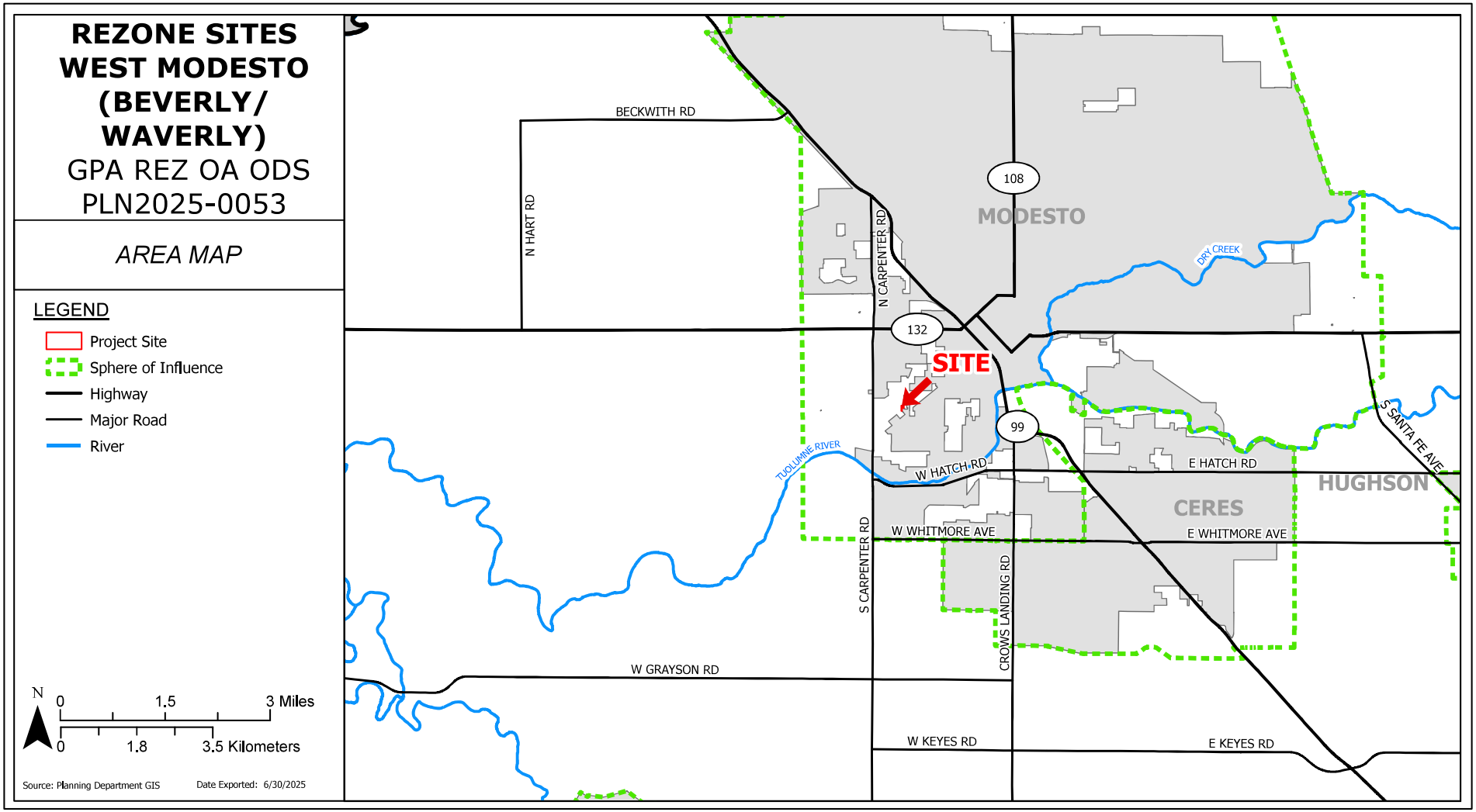
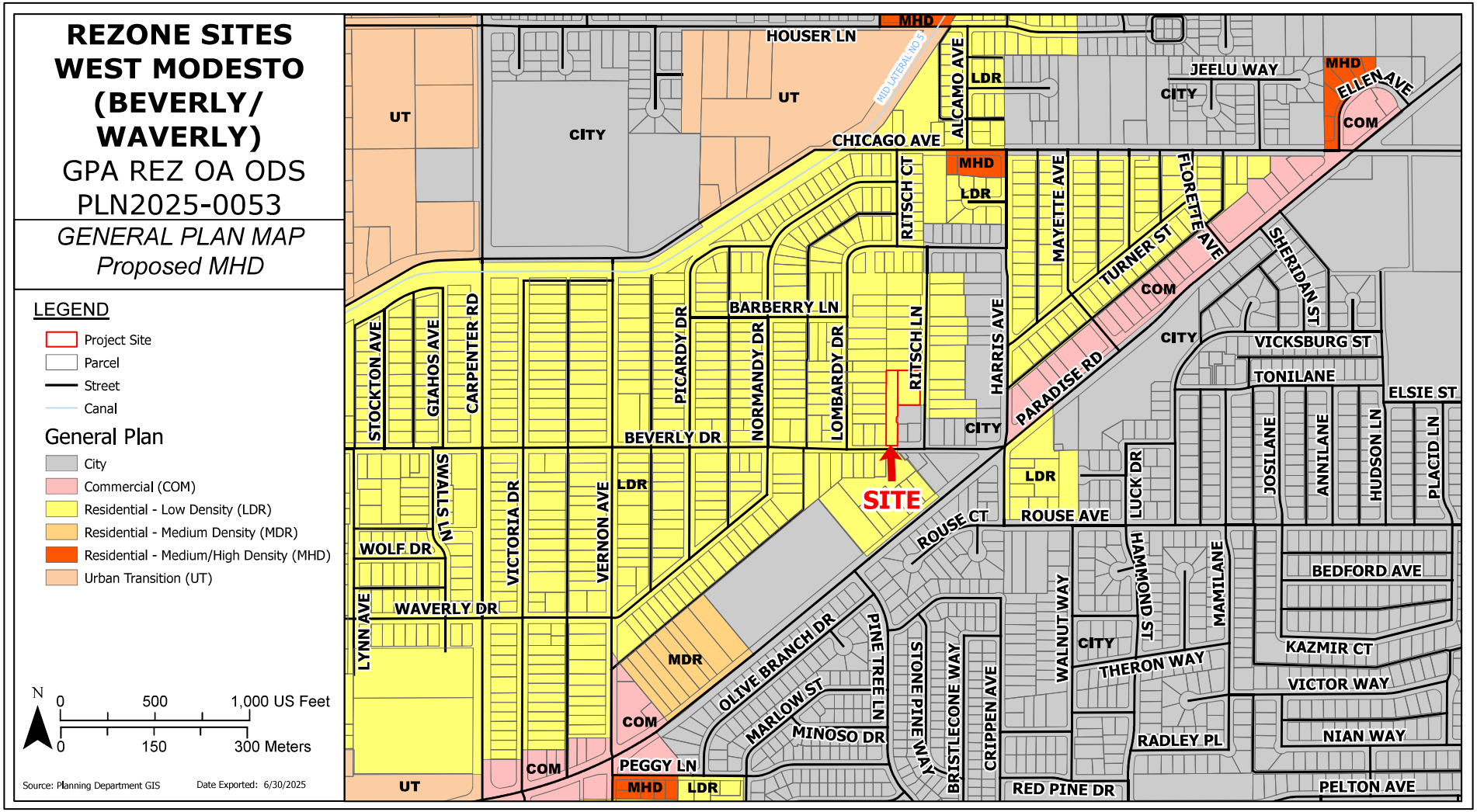


EXHIBIT B-10

REZONE SITES WEST MODESTO (BEVERLY/ WAVERLY)

GPA REZ OA ODS
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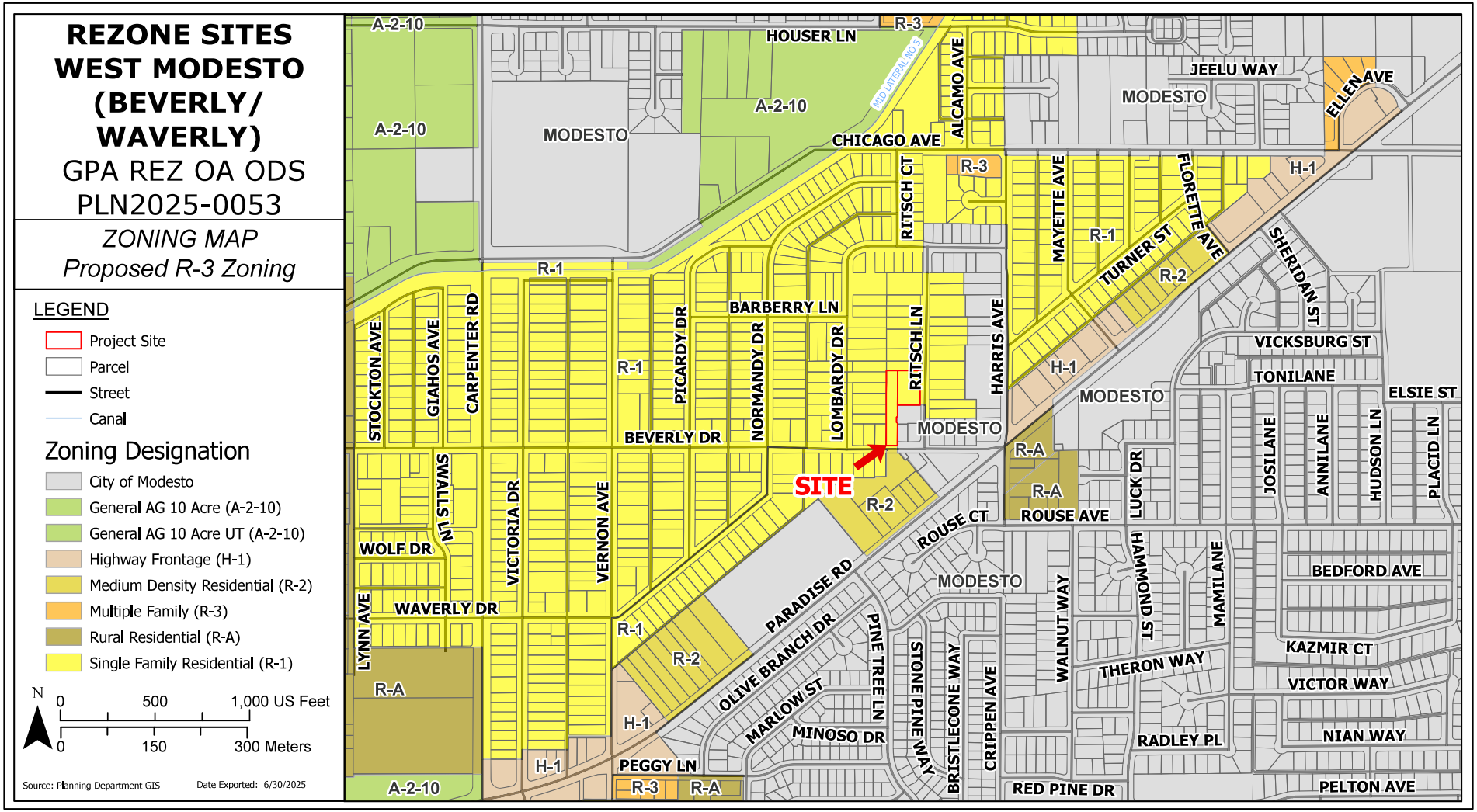
GENERAL PLAN MAP
Proposed MHD



REZONE SITES WEST MODESTO (BEVERLY/ WAVERLY)

GPA REZ OA ODS
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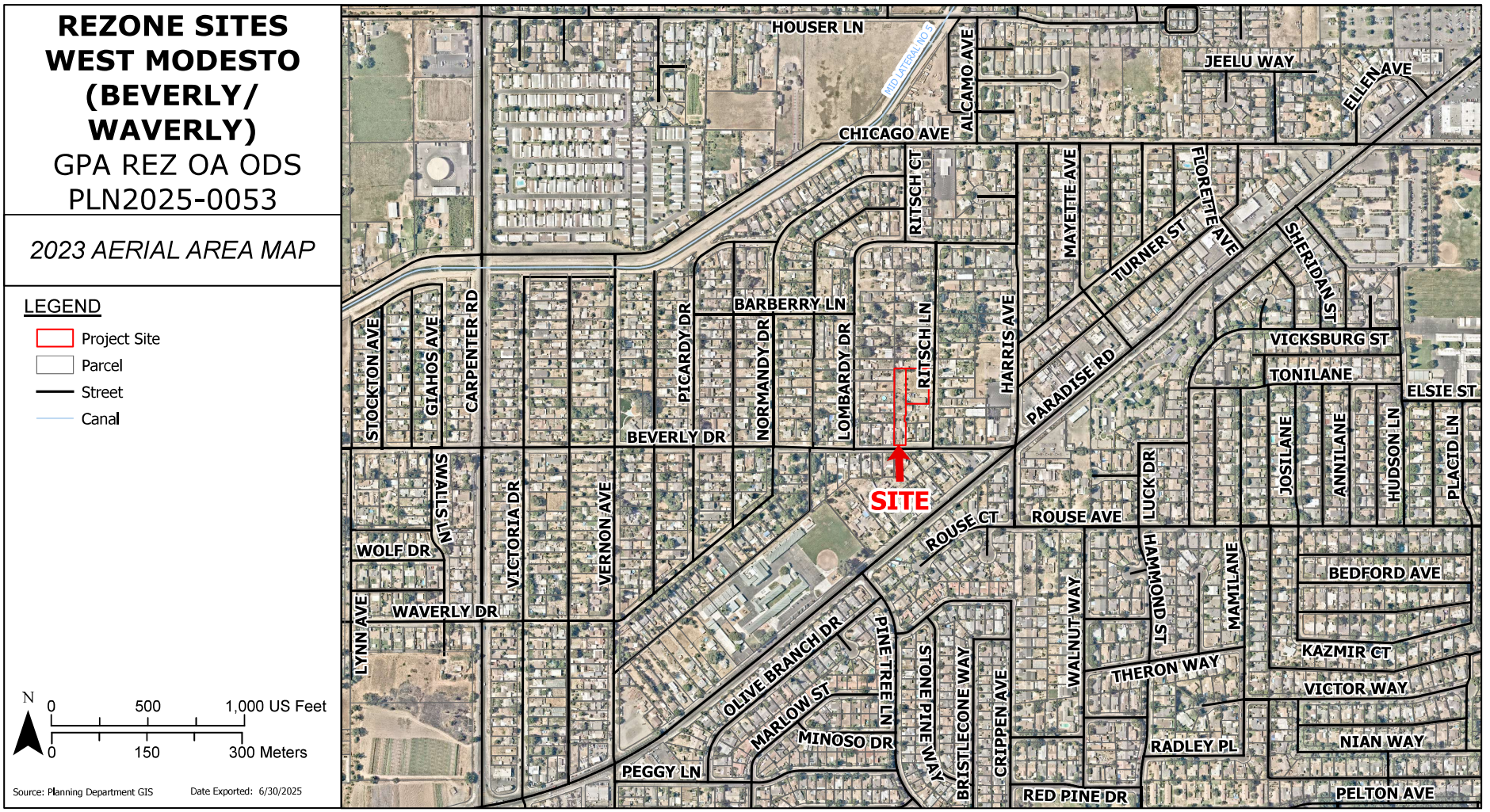
ZONING MAP
Proposed R-3 Zoning



REZONE SITES WEST MODESTO (BEVERLY/ WAVERLY)

GPA REZ OA ODS
PLN2025-0053

2023 AERIAL AREA MAP



REZONE SITES WEST MODESTO (BEVERLY/ WAVERLY)

GPA REZ OA ODS
PLN2025-0053

2023 AERIAL SITE MAP

LEGEND

- Project Site
- Parcel
- Street

N

0 55 110 US Feet

0 15 30 Meters

Source: Planning Department GIS

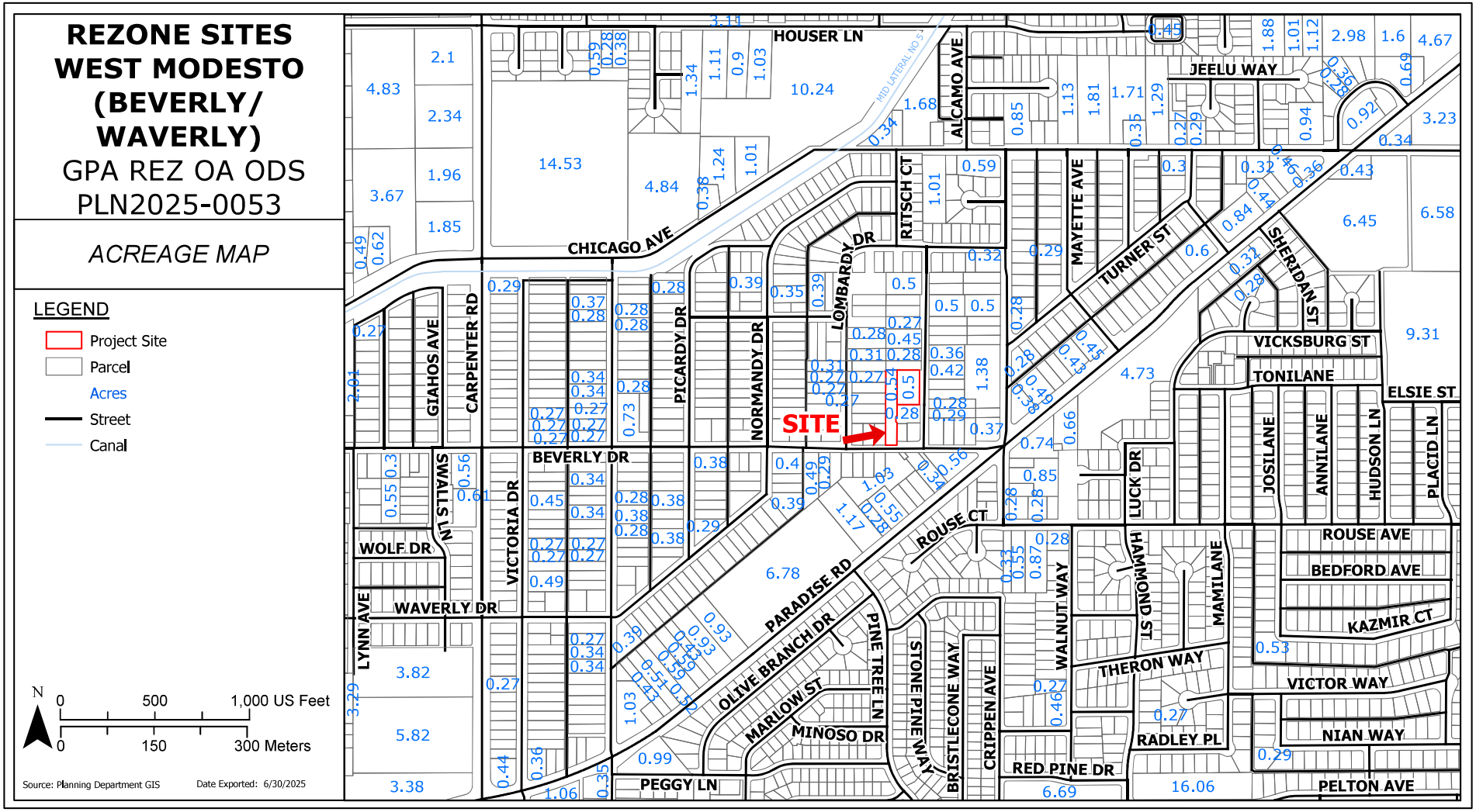
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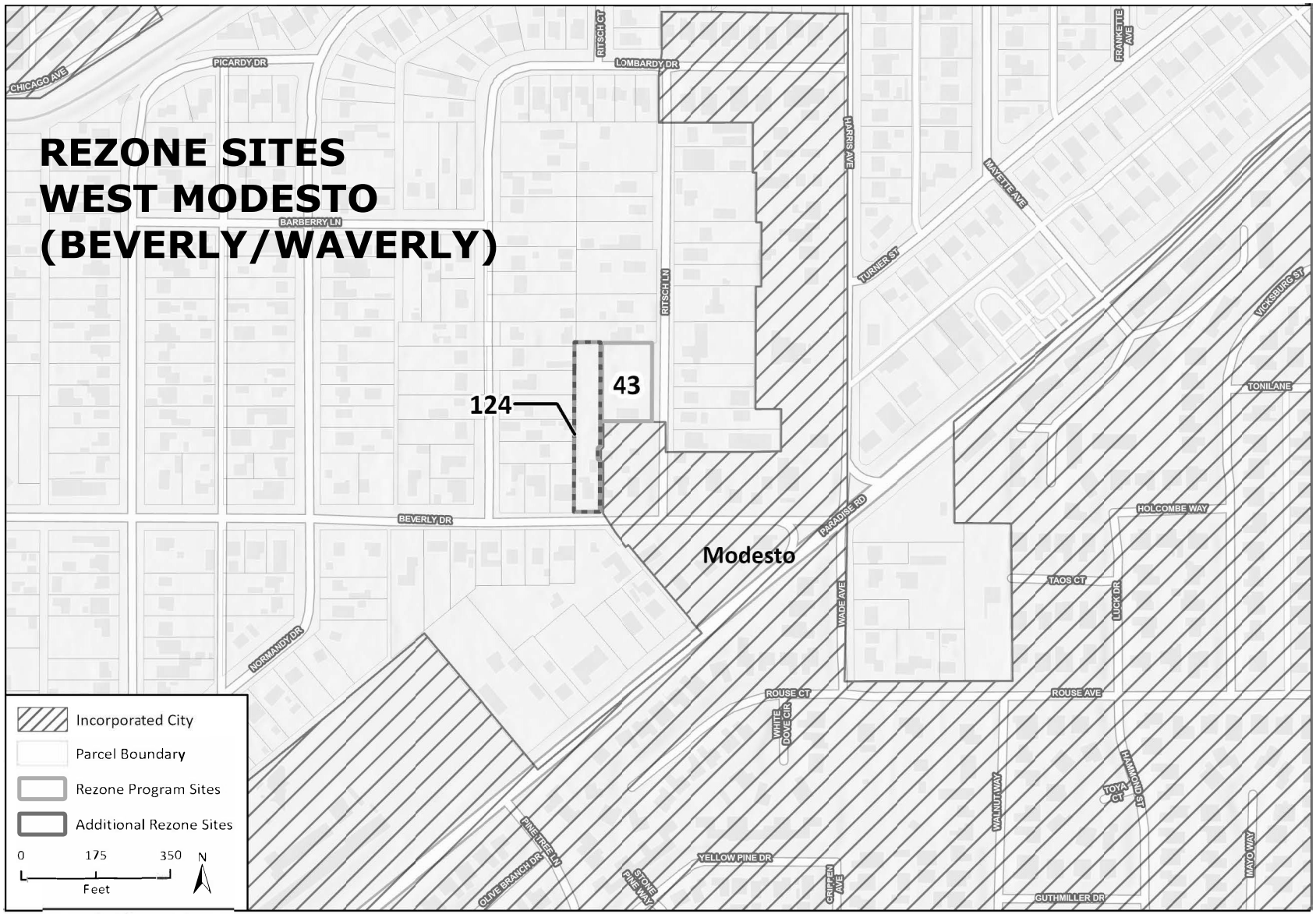


REZONE SITES WEST MODESTO (BEVERLY/ WAVERLY)

GPA REZ OA ODS
PLN2025-0053

ACREAGE MAP





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REZONE SITES WEST MODESTO (SPENCER/ MARSHALL)

GPA REZ OA ODS
PLN2025-0053

AREA MAP

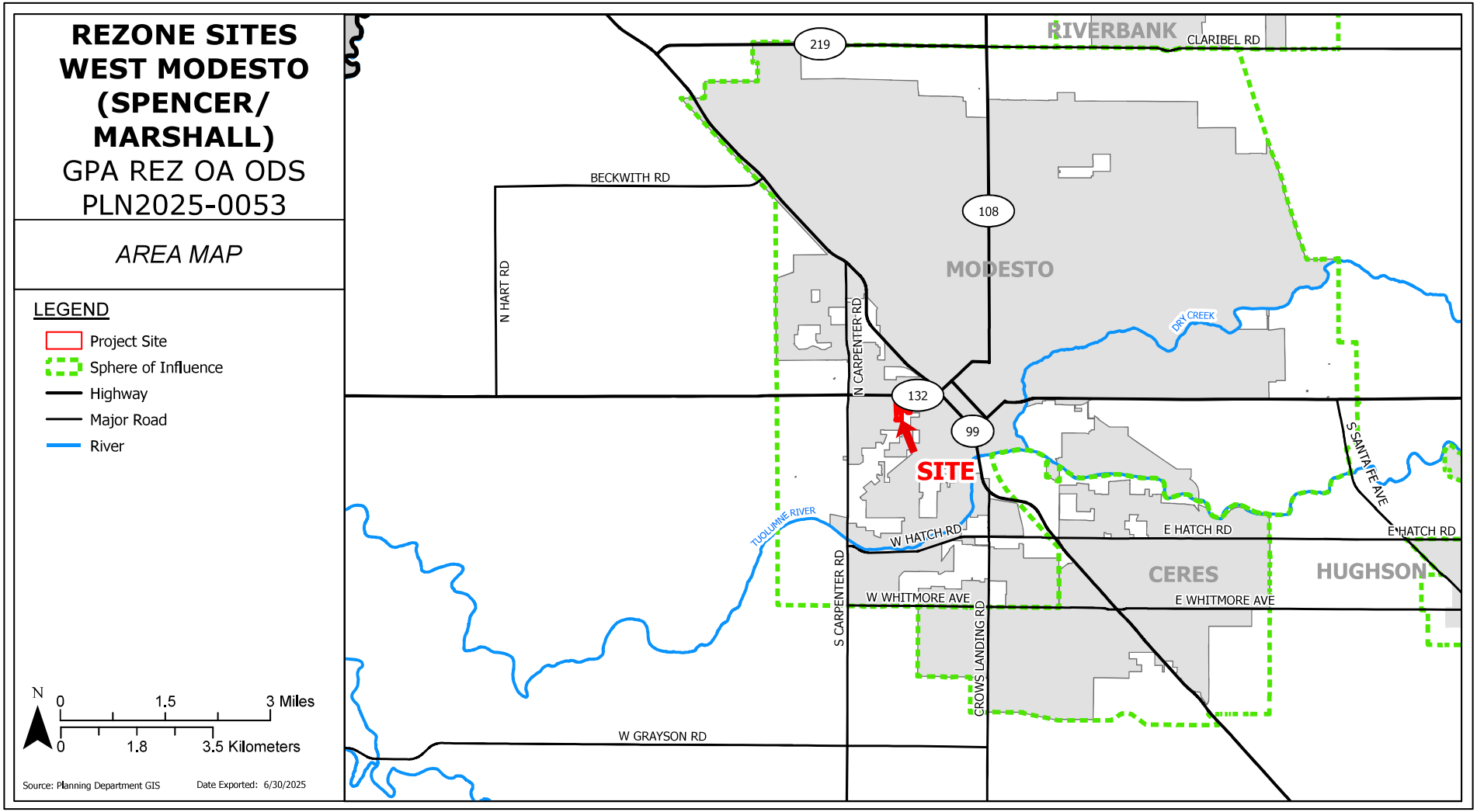
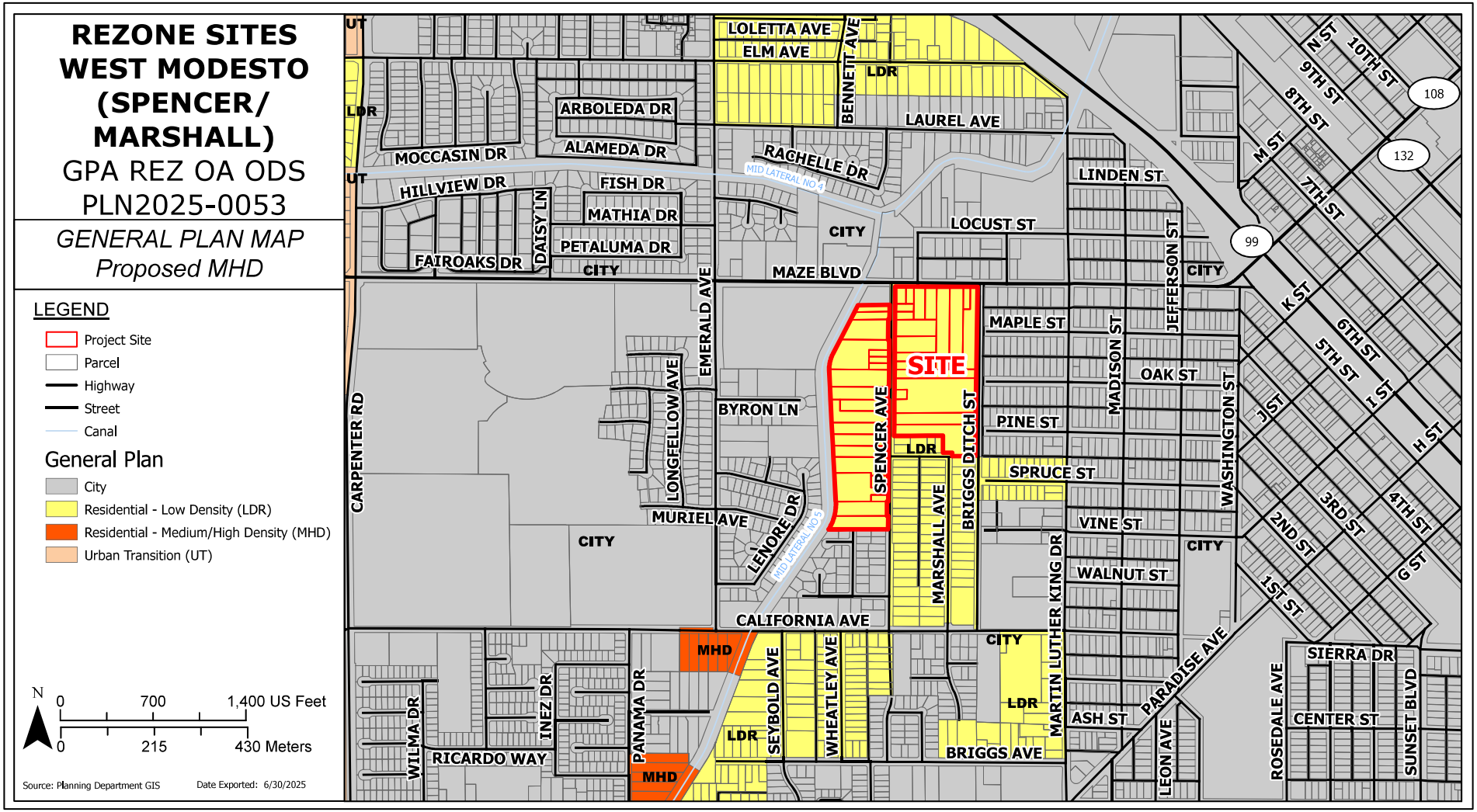


EXHIBIT B-11

REZONE SITES WEST MODESTO (SPENCER/ MARSHALL)

GPA REZ OA ODS PLN2025-0053

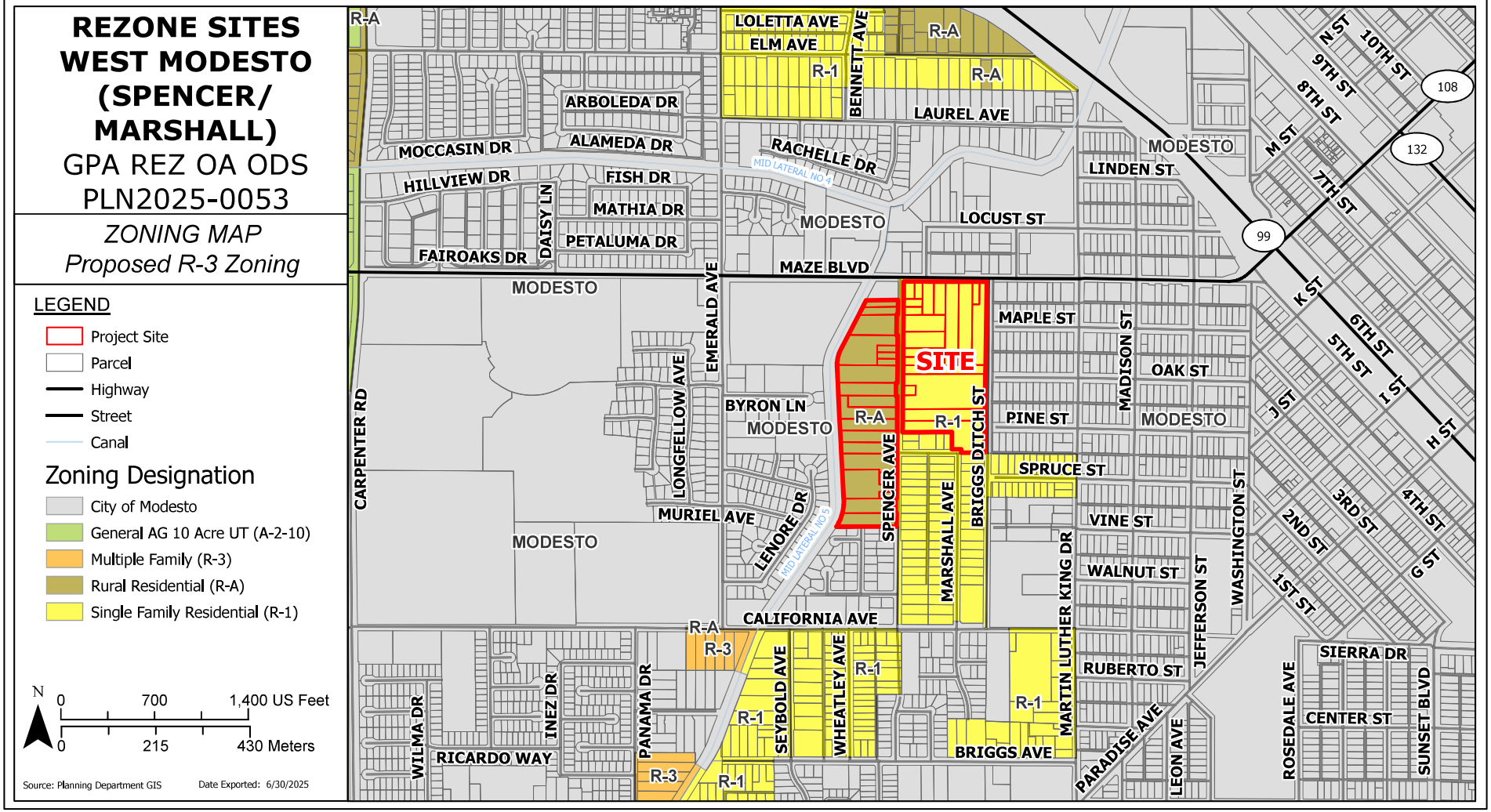
GENERAL PLAN MAP
Proposed MHD



REZONE SITES WEST MODESTO (SPENCER/ MARSHALL)

GPA REZ OA ODS
PLN2025-0053

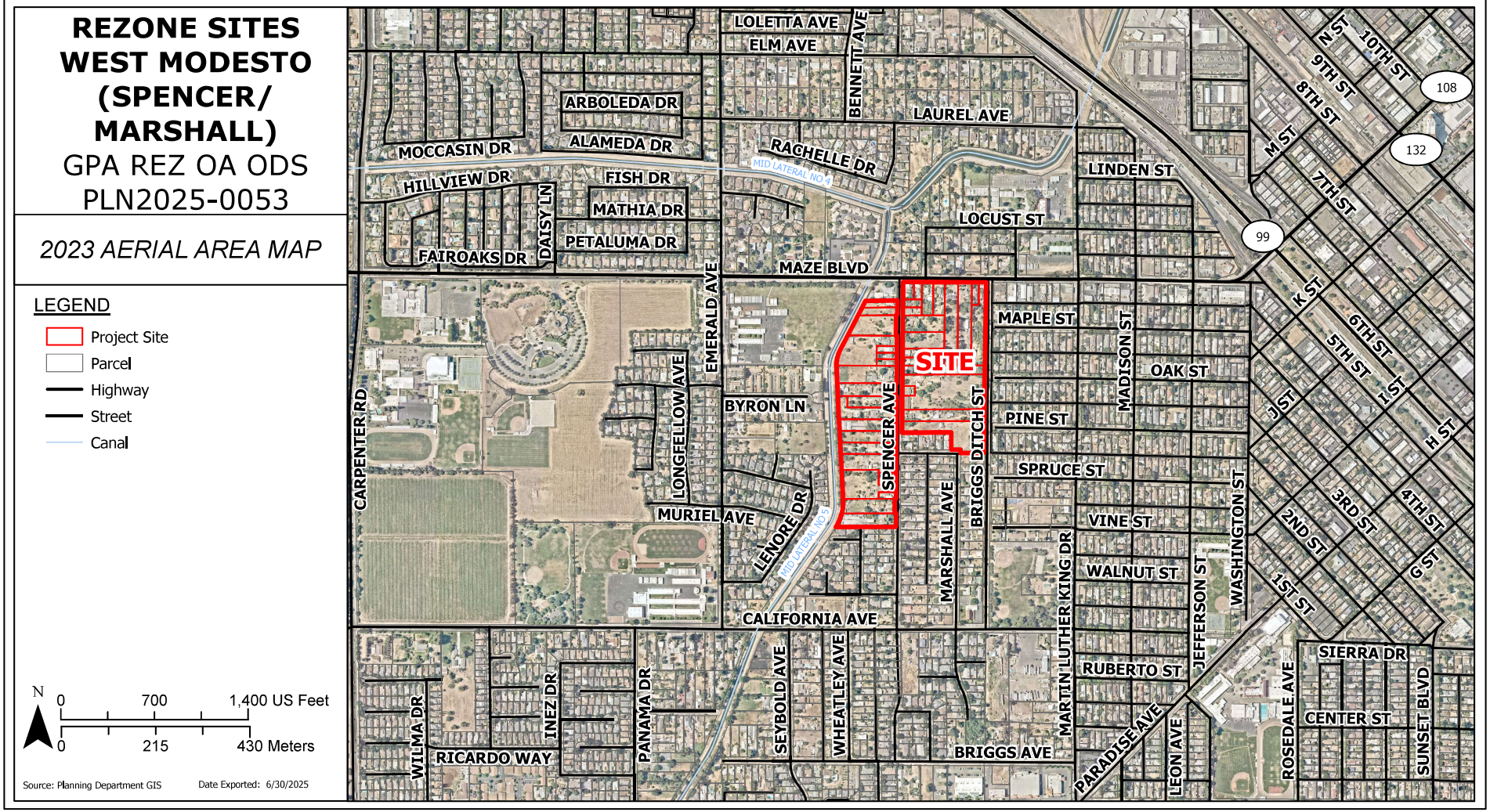
ZONING MAP
Proposed R-3 Zoning



REZONE SITES WEST MODESTO (SPENCER/ MARSHALL)

GPA REZ OA ODS
PLN2025-0053

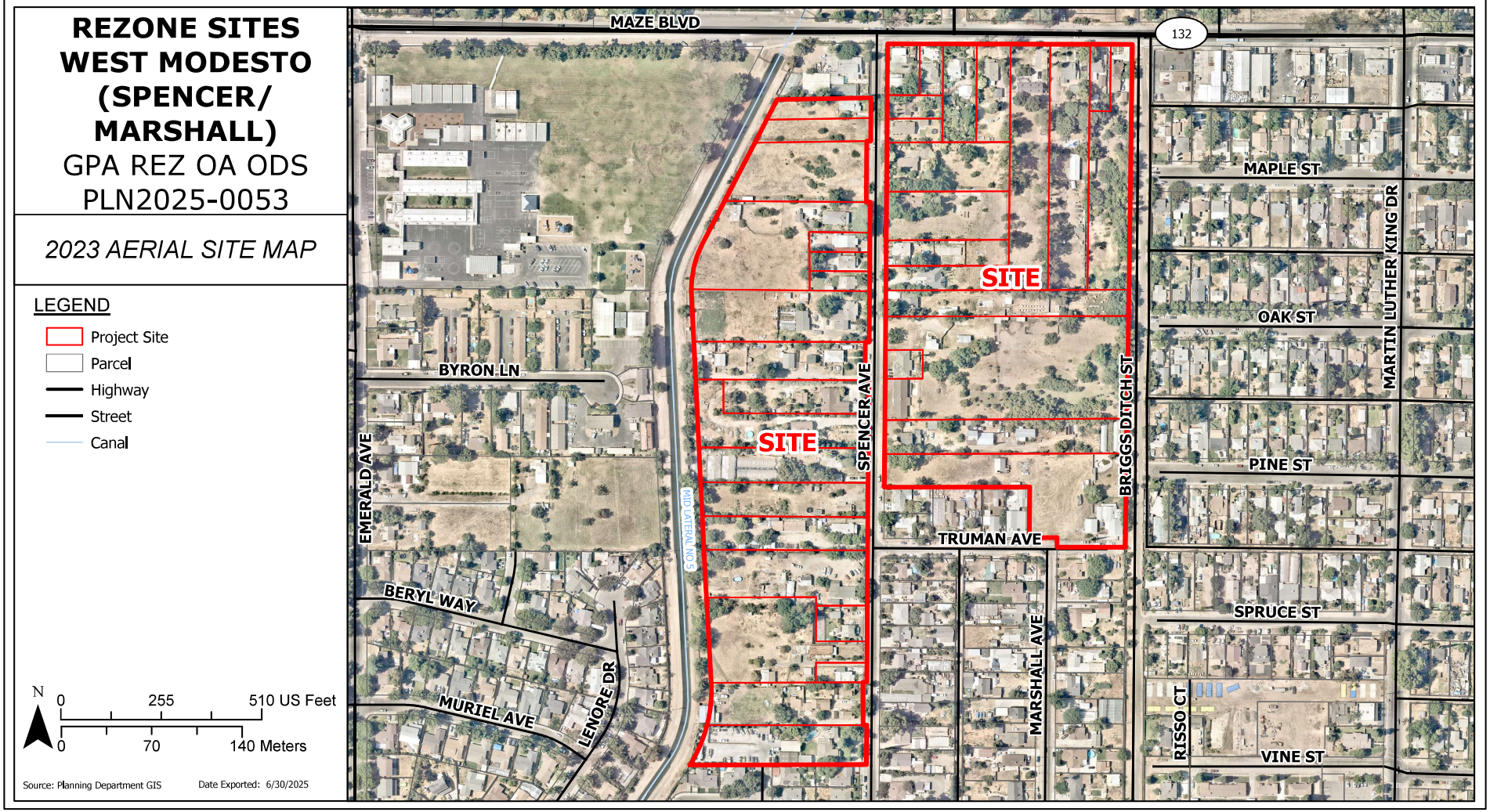
2023 AERIAL AREA MAP



REZONE SITES WEST MODESTO (SPENCER/ MARSHALL)

GPA REZ OA ODS
PLN2025-0053

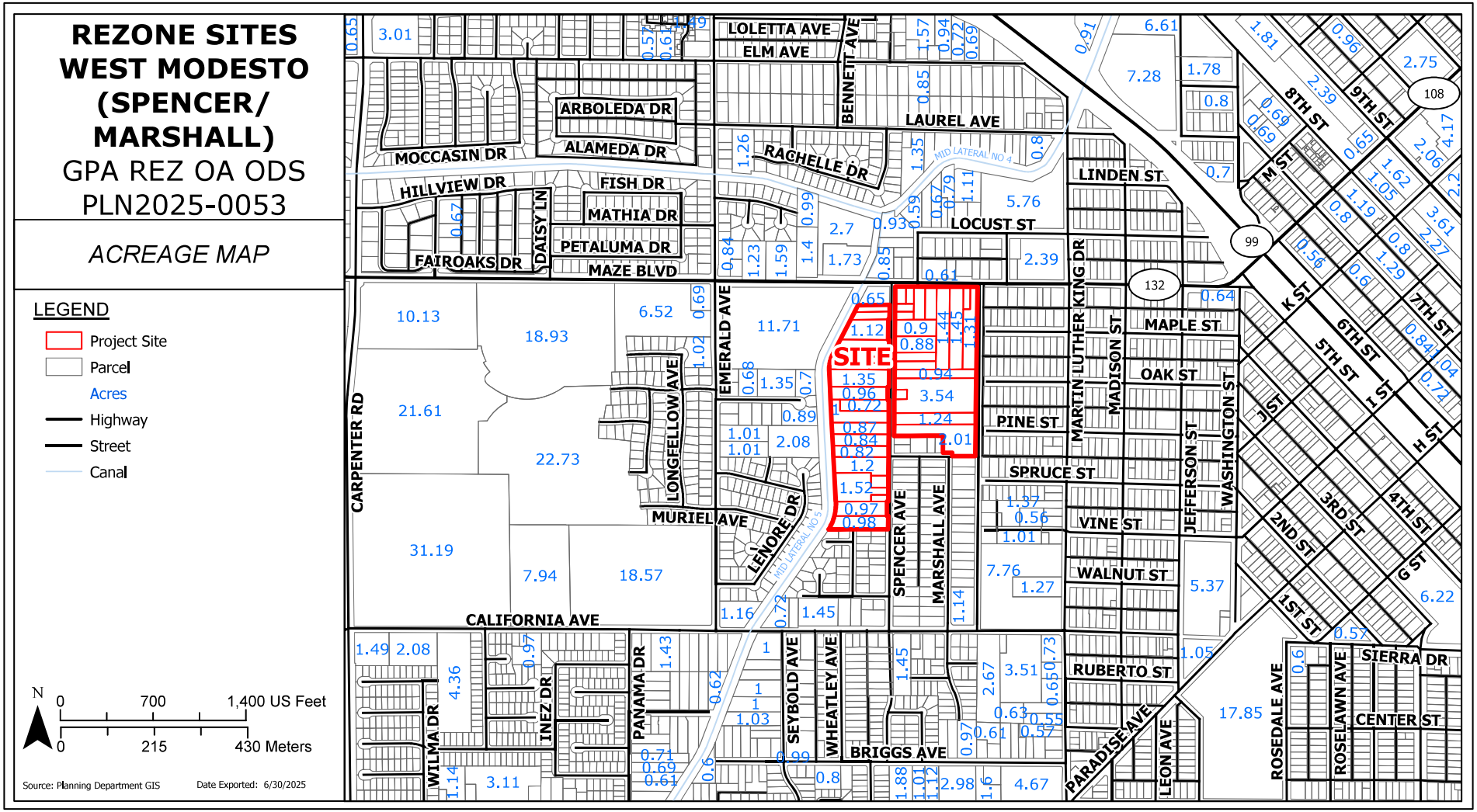
2023 AERIAL SITE MAP

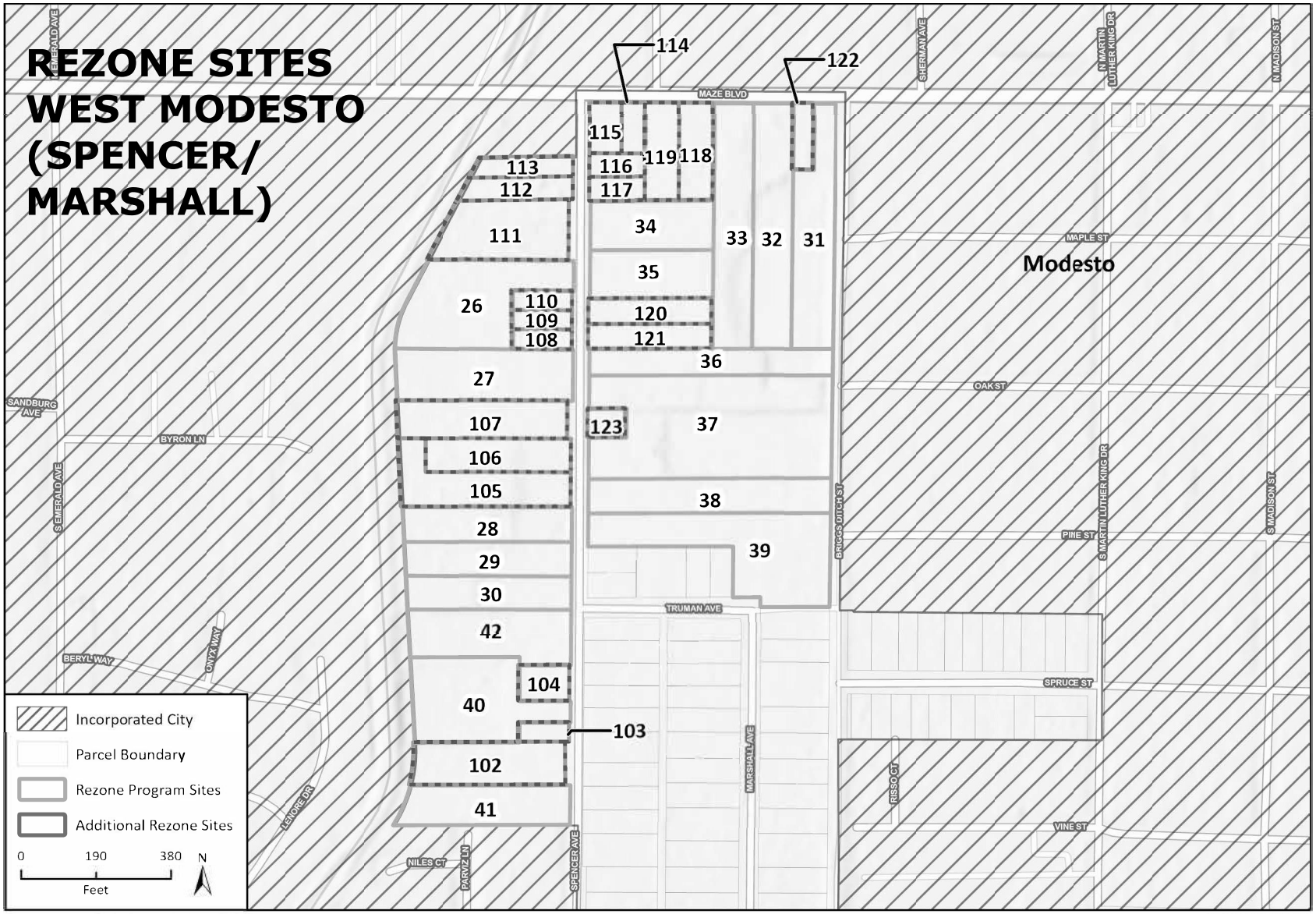


REZONE SITES WEST MODESTO (SPENCER/ MARSHALL)

GPA REZ OA ODS
PLN2025-0053

ACREAGE MAP





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PROPOSED EDITS TO CHAPTER I - LAND USE ELEMENT
(PAGE I-25)

*Added text is shown in bold font and deleted text is shown in strikeout font.

COMMERCIAL

Intent. The intent of this designation is to indicate areas best suited for various forms of light to heavy commercial uses, including retail, service, and wholesaling operations. This designation also allows for residential development ~~in limited situations or~~ when connected to both public sewer and water service. The County has one designation to correspond to the various commercial zoning districts. This designation is intended for lands which demonstrate a valid supportive relationship to other existing or projected urban development.

Zoning. C-1 (Neighborhood Commercial), C-2 (General Commercial), H-I (Highway Frontage Commercial), SCP-C-1 (Salida Community Plan, Neighborhood Commercial)**,** ~~and~~ SCP-C-2 (Salida Community Plan, General Commercial)**, and M-U (Mixed Use)** zones shall be considered consistent with this designation. P**-**D (Planned Development) zoning may also be appropriate provided the development does not exceed the established building intensity of this designation. The building intensity shall be determined by Zoning Ordinance development standards for setback, landscaping, height, parking and other requirements except that residential building intensity shall not exceed 25 units per net acre. In no case shall buildings exceed 75 feet in height, nor shall they cover so much of the lot that insufficient area remains for parking, landscaping, etc. In commercial zones which allow dwelling units, population density can range from zero to 85 persons per net acre.

Appropriate Locations. The Commercial designation is appropriate in areas already committed to commercial use. In unincorporated communities this designation is appropriate for Central Business Districts and other areas within the sanitary sewer or community services district in sufficient amount to serve the needs of the community. Areas adjacent to community services district may also be appropriate if the US (Urban Service) combining zone is utilized. This designation shall allow uses that are deemed compatible with adjacent development through the use of discretionary permits.



Stanislaus County Objective Design Standards

prepared by

County of Stanislaus
Planning and Community Development Department
1010 10th street, Suite 3400
Modesto, California 95354
Contact: Angela Freitas, Director

October 2025

EXHIBIT D

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Draft Objective Design Standards

1 Introduction

Purpose

Since 2017, the California legislature has enacted several housing and land use laws to help address the state's housing crisis. Key legislation – including Senate Bills (SB) 35, 167, 330, 423, and Assembly Bill (AB) 168 - aim to streamline the approval process for housing development projects as defined in §65589.5 (h)(2). These laws focus on increasing housing production by limiting discretionary review and requiring cities to rely on objective design standards.

- SB 35 (2017) as per Government Code section 65913.4, provides a streamlined, ministerial approval process for qualifying infill housing developments that meet minimum affordability requirements, are not located in environmentally sensitive areas, and use a skilled and trained workforce with prevailing wage (for larger projects).
- SB 167 (2017) as per Government Code section 65589.5, restricts a local agency's ability to deny or impose conditions on qualifying housing projects, including those for very low-, low-, or moderate-income households and emergency shelter, unless the local agency makes specific written findings based upon substantial evidence in the record.
- SB 330 (2019) as per Government Code section 65589.5, establishes a preliminary application process that allows developers to lock in applicable local ordinances, policies, and development fees at the time of submittal, and limits qualifying housing projects to a maximum of five public hearings if the applicable objective standards are met.
- SB 423 (2023) as per Government Code section 65913.4, extends SB 35 until January 1, 2036, and expands its applicability to certain hazard zones, including some high fire hazard severity zones. It prohibits local governments from requiring compliance with post-entitlement standards prior to approval and modifies labor standards for mixed-income projects.
- AB 168 (2020) as per Government Code sections 65400, 65913.4, and 65941.1, requires tribal consultation for housing development proposals seeking streamlined review under SB 35.

The legislation discussed above is intended to streamline the housing development approval processes in California. State law requires cities to approve certain eligible housing proposals through ministerial processes based on objective standards that "involve no personal or subjective judgement by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant and the public official prior to submittal." The County of Stanislaus Objective Design Standards (ODS) establish clear design criteria for new multi-family residential and mixed-use residential development within the county. These standards are intended to:

- Provide predictability in design outcomes;
- Ensure transparency in project review;
- Support streamlined approval processes in compliance with state law; and
- Align with the County's Housing Element and broader housing goals.

This document serves as a minimum baseline for design expectations. Organized as a checklist, the ODS will be used by applicants, designers, and County staff to review and approve qualifying projects. Projects must also comply with all applicable building codes, zoning regulations, and other planning documents.

Applicability

The ODS apply to multi-family dwelling residential and mixed-use developments located on the County's sixth cycle Housing Element rezone sites. Applicable projects include those located within the Multi-Family Residential District (R-3) and Mixed Use (M-U) zones, subject to the maximum height limits established in the applicable zoning regulations.

All applicable projects will be evaluated for compliance with the Objective Design Standards listed in Tables 2 through 8. Applicants are responsible for accurately completing the Objective Design Standards Checklist to demonstrate how the project meets each applicable standard. For each criterion, mark an "X" to indicate whether the project complies. If a specific standard does not apply to the project, mark an "X" in the "N/A" (Not Applicable) column.

Definitions

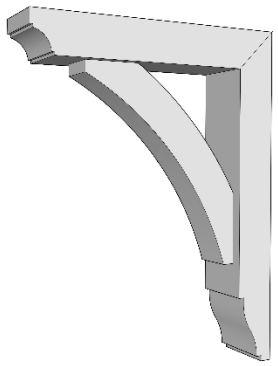
Alcove. A recessed space in a wall that is partially enclosed by vertical elements such as walls or pillars.

Architectural Feature. An exterior design element such as a soffit, column, wing wall, canopy, roof eave, balcony, bell tower, spires, clock tower, cupolas, turrets, and/or any other similar element that does not create an interior floor space.

Blank Wall. A wall surface lacking architectural features such windows, doors, balconies, artwork, landscaping, or accent materials. Solid or mechanical doors and glass with less than 80 percent transparency are considered blank walls.

Brackets. A projection from a vertical surface providing structural or visual support under cornices, balconies, windows, or any other overhanging portions of the building.

Figure 1 Bracket



Column. A vertical masonry support.

Complementary Architectural Style. Two structures are complementary in architectural style if they have the same roof form, utilize 75 percent of the same materials and colors (e.g., uses three out of four primary materials/ colors match), and exhibit similar massing and proportions.

Courtyard. An open space, usually enclosed by buildings or walls, intended for communal or outdoor use within a building or development.

Drive Aisle. A circulation route for vehicular traffic through a parking lot, site or property, and may connect to a driveway.

Duplex. A residential building comprised of two separate living units.

Façade Plane. A continuous stretch of a building's exterior wall along a single axis, regardless of variations in materials or window placement.

Fenestration. The arrangement, design, and placement of windows, doors, and other openings on a building's façade.

Fourplex. A residential building comprised of four separate living units.

Foot-candle. A unit of illumination equal to one lumen per square-foot; used to measure light intensity.

Gable roof. A roof with two sloping sides that meet at a central ridge, creating a triangular wall section (gable) at each end.

Grade. All related terms shall be defined according to the definition contained in the California Building Code, incorporated by reference and amended in Title 16 of the Stanislaus County Code of Ordinance.

Header. A structural element, typically a beam or lintel, placed horizontally above an opening such as a door or window.

Low-rise Multi-Family Dwelling Building. A two to three story building. The housing products include townhomes, duplex, triplex, fourplex, and courtyard. Low-rise multi-family dwelling buildings are permitted in the R-3, M-UP, and M-U zones.

Massing. The overall size, shape, and arrangement of a building or group of buildings.

Mid-rise Multi-Family Dwelling Building. A residential building of four to six stories. Four-story buildings may feature surface parking or wraparound parking structures; five- and six-story buildings typically include wood structure podium or wrap configurations. Permitted in the R-3 and M-U zones, subject to applicable height limits.

Mill Finish Aluminum. The natural, raw state of aluminum which has not been treated or coated.

Mixed Use. As defined in Section 21.12.418 of the Zoning Ordinance.

Open Space, Public. Publicly accessible spaces such as parks, squares, or plazas. Does not include open space areas limited to private residential use.

Orientation. The placement of a building on a site, including consideration of façade direction, window and roof alignment, and other architectural features to enhance appearance and function.

Ornamental Feature. A sculpture, fountain, relief, or any other decorative element that does not provide shelter, is non-structural, and is not a sign, and which serves to enhance visual interest.

Parapet. A low protective wall along the edge of a roof, balcony, or terrace.

Parkway. Land area between street curb and sidewalk.

Paseo. A pedestrian pathway or walkway extending from the street into the interior of a development. Paseos may be publicly accessible or restricted to private use.

Patio Area. A private, outdoor paved space attached to a residential unit, typically used for personal recreation or yard purposes.

Podium Configuration. A building design that incorporates two construction types: a concrete base (often used for parking or non-residential use) and a wood- framed residential structure above.

Recreational Amenities. Shared recreational features provided within a development, such as: picnic/barbeque areas, seated areas, shaded structures, passive water features (e.g. fountain), passive recreation areas and/or gardens, dog park, clubhouse, swimming pool either with or without a sauna and/or jacuzzi, tot lots or playgrounds, an exercise structure or complex (e.g., playground, gym), full or ½ scale sports courts for volleyball/tennis/pickleball/basketball/soccer, etc., and other recreational amenities subject to review and approval.

Sill. The horizontal bottom portion of a window or door frame.

Step back. A design technique in which upper floors are recessed horizontally or vertically from the building's lower levels to reduce bulk and improve scale compatibility as well as improve daylight, ventilation, and reduce wind loads.

Townhome. A multistory housing structure that is attached to one or more similar houses by shared walls but has its own individual entrance.

Triplex. A residential building comprised of three separate living units.

2 Standards by Building Type

Low-rise Buildings

Low-rise multi-family dwelling buildings are two or three stories. The housing products include townhomes, duplex, triplex, fourplex, and courtyard buildings. Low-rise multi-family dwelling buildings are permitted in the R-3 and M-U zones. A site design checklist detailing required development standards for low-rise multi-family dwelling buildings is included in Table 1.

Table 1 Low Rise Building Design Standards

Design Standards	Yes	No	N/A
A. **Lot Coverage.** The development shall comply with lot coverage as specified in Section 21.36.060 of the Zoning Ordinance.			
B. **Landscaping.** Setbacks facing public streets shall be landscaped with the exception of driveways and walkways leading from the street to the unit or group of units. Landscaping shall comply with Chapter 21.102 of the Zoning Ordinance and Model Water Efficient Landscaping requirements.			
C. **Primary Entry Features.** Primary entry to the building or units are protected with at least one of the following features: overhangs, recesses, porches, trellises, or other weather-protection features covering an area at least four feet in depth and four feet in width. Encroachments of these features into required setbacks must be consistent with the zoning code.			
D. **Low-Rise Massing Breaks.** All low-rise buildings longer than 150 feet shall have a vertical massing break of at least four feet across and at least 75 percent of the total height of the building façade.			

Mid-rise Buildings

Mid-rise multi-family dwelling buildings are four to six stories. Four-story buildings may feature surface parking or wraparound parking structures; five- and six-story buildings typically include wood structure podium or wrap configurations. Permitted in the R-3 and M-U zones, subject to applicable height limits. A site design checklist detailing required development standards for mid-rise multi-family dwelling buildings is included in Table 2.

Table 2 Mid-Rise Building Design Standards

Design Standards	Yes	No	N/A
A. **Mixed-Use Entries.** For mixed-use, ground-floor shops, or offices, each shall have individual entries along the adjacent drive aisle, or street.			
B. **Residential Ground Floor Elevation.** When the residential ground floor of a multi-family building is raised from the adjacent grade to provide a minimal level of visual separation from the street level and some privacy for the residents, the ground-floor shall be raised no higher than four feet above the public sidewalk grade.			

C. **Ground Floor Design Elements.** Each portion of the ground-floor elevation shall incorporate at least one of the following design elements. Multiple elements may be combined across the ground floor, but each portion must include at least one qualifying feature.

1. A continuous line of awnings or canopies over ground-floor storefronts.
2. For ground floor commercial uses, unobstructed transparent glass comprising at least 65 percent of the ground-floor elevation area. See Figure 2.
3. Use of a different exterior material than the upper floors, combined with one of the following:
   a. An overhang or recessed area of at least two feet, or
   b. A horizontal belt that is at least 12 inches wide and constructed of a different color or material.
4. A series of individual residential entrances that recess a minimum of three feet into the building façade.
5. A series of individual residential entrances that project a minimum of four feet from the building façade.

D. **Elevator Towers.** If an elevator is required pursuant to the California Building Code, any associated elevator towers shall utilize the same color, design detailing, and materials as the primary structure to ensure architectural consistency.

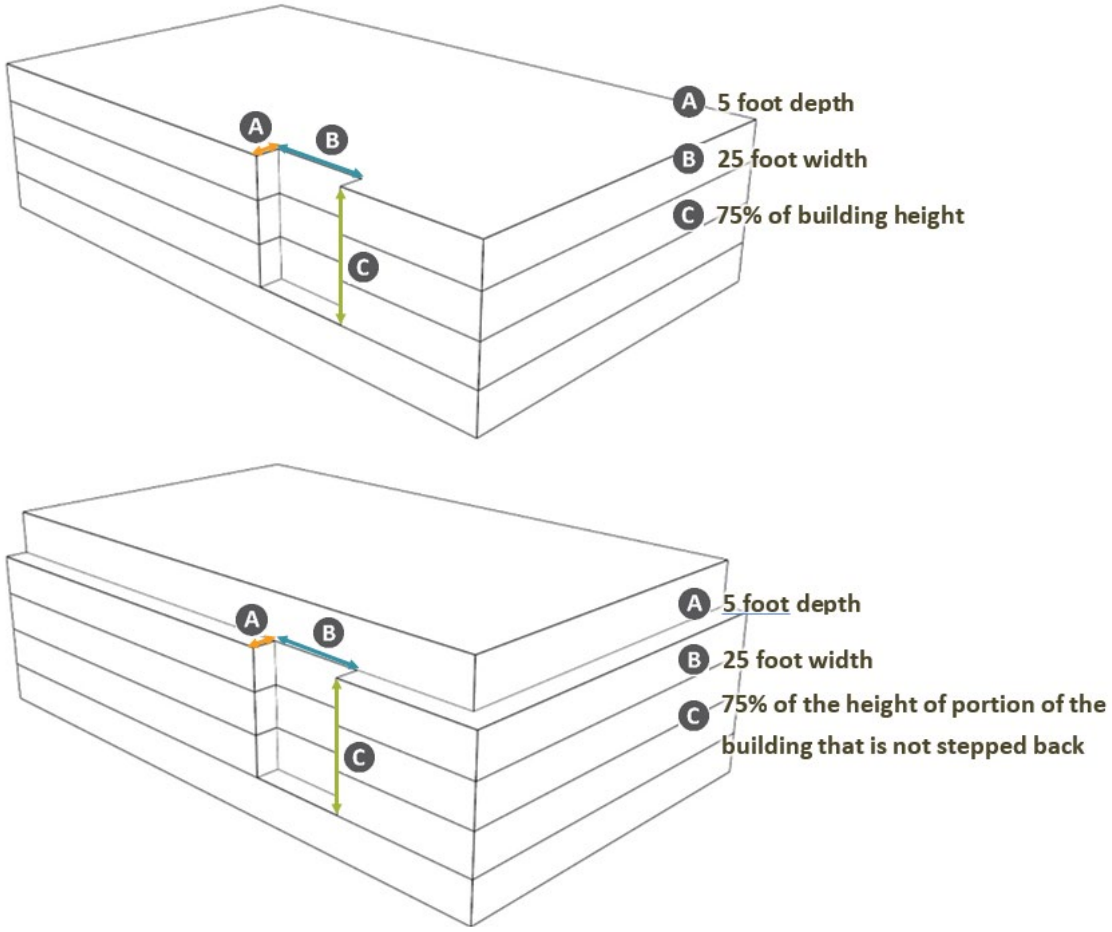
E. **Mid-Rise Massing Breaks.** Mid-rise Buildings (over three stories) shall include major massing breaks at least every 100 feet along any street frontage, public park, publicly accessible outdoor space (whether public or private), or designated open space. These breaks shall incorporate step-backs, building entries or similar architectural variations Each major massing break shall:

1. Be a minimum of five feet deep and 25 feet wide and
2. Extend at least 75 percent of the total building height.
3. Exception: If upper stories are stepped back by at least five feet, the massing break need only extend 75 percent of the height of the portion of the façade that is not stepped back. See Figure 3.

Figure 2 Midrise Buildings Commercial Ground Floor



Figure 3 Massing Breaks and Articulation Features



3 Building Orientation

Building Location and Orientation

Standards for building location and orientation are intended to promote cohesive, high quality residential development that supports walkability, activates the public realm and reinforces a sense of place. These standards help ensure buildings are thoughtfully sited in relation to streets, open spaces and adjacent uses. A site design checklist detailing required development standards for building orientation is included in Table 3.

Table 3 Building Location and Orientation

Design Standards	Yes	No	N/A
A. **Setbacks.** Setbacks shall comply with the requirements of the underlying zoning district and the regulations provided in Section 21.36.070 and 21.58.040 of the Zoning Ordinance.			
B. **Building Orientation.** Buildings shall be oriented toward public and private streets to define and activate the street edge. For corner lots, buildings shall be oriented toward the primary intersection and shall incorporate dual orientation, providing architectural articulation on both street frontages.			
C. **Primary Pedestrian Entry.** Each residential unit (or the single primary pedestrian entrance if shared) shall have a primary pedestrian entrance that faces a public or private street, a shared pedestrian walkway, or a common courtyard. Where individual entrances face a side property line, they shall include an alcove, recess, overhang, porch, trellis, or similar weather-protective architectural feature. Entrances or shall be designed to avoid directly facing doors or windows adjacent properties. See Section 5, Architectural Elements, for additional requirements related to entries and porches.			
D. **Building Orientation and Outdoor Space.** Multi-family dwelling buildings shall be arranged to frame and define outdoor spaces such as courtyards, pathways, paseos, and recreational areas. Building facades facing these spaces shall include windows to provide natural surveillance and visual connection. See Figure 4.			
E. **Building Orientation and Drive Aisles.** Where buildings incorporate enclosed parking on the ground floor, a minimum three-foot setback shall be provided from any adjacent drive aisle to enhance safety, visibility, and pedestrian comfort.			

Figure 4 Building Location and Orientation Windows Facing Pathway



4 Building Massing and Articulation

Massing Breaks and Articulation Features

Standards for building mass and articulation are intended to reduce the visual bulk of buildings and enhance architectural features, particularly along elevations that face public streets and shared open

spaces. A design standards checklist detailing required building massing and articulation is included in Table 4.

Table 4 Massing Breaks and Articulation

Design Standards	Yes	No	N/A
A. **Minor Massing Breaks.** In addition to major massing breaks buildings shall incorporate minor massing breaks at least every 50 feet along street frontages. Each minor break shall be a minimum of two feet deep, eight feet wide, and extend vertically at least 60 percent of the building's height.			
B. **Architectural Treatments.** Rear and side elevations visible from public streets or publicly accessible areas shall incorporate the same number and type of architectural treatments as the front elevation to ensure visual consistency.			
C. **Treated Blank Walls.** Blank walls greater than 15 feet in height and 20 feet in length that are visible from a public street, publicly accessible areas, or a pedestrian-oriented space (such as a park, common open space, or pedestrian pathway) are prohibited unless treated using one or more of the following methods: 1. A landscape planting bed at least five feet deep or a raised planter bed at least two feet high and three feet deep, with planting designed to obscure or screen at least 60 percent of the wall's surface within three years. 2. A vertical trellis in front of the wall with climbing vines or plant materials. 3. Special building detailing that adds visual interest, including a variety of surfaces such as mosaics, fountains, ornamental detailing, or highly textured surface materials such as natural stone.			
D. **Transitions.** Multi-story buildings shall incorporate architectural features to distinguish upper and lower stories, except where otherwise specified. Acceptable treatments must include one or more of the following: 1. A change in façade materials, combined with a change in plane of at least one inch in depth at the transition between the two materials 2. A horizontal design feature, such as a belt course 3. Brackets 4. Gable roof transitions 5. Columns 6. Variation in fenestration patterns or detailing.			
E. **Corner Lot Articulation.** Buildings located on corner lots shall provide an equal level of articulation on both street-facing elevations and include at least one of the following features: 1. Wrap–around porches, courtyards, or balconies; 2. Wrap–around window or enhanced window treatments such as trim surrounds, shutters, awnings, and/or bay windows; 3. A break in the roof plane of at least one foot on both street facing elevations (e.g. dormer, shed, or differently sloped roof segments; 4. A cropped building corner with a defined entry feature; 5. Other creative architectural elements consistent with the building's overall style, subject to approval by the Department of Planning & Community Development.			
F. **Drive Aisle Articulation.** Façades of buildings with four or more units that face internal drive aisles shall include at least two of the following treatments: 1. Massing offsets, including layered wall planes, recesses, or cantilevers of at least one foot in depth on upper stories. 2. Variation in garage door colors and designs. 3. Trellises or similar architectural elements. 4. Balconies.			
G. **Common Open Space Articulation.** Buildings facing common open space shall have a minimum separation from building to building of 20 feet at the narrowest point for two-story and three-story elevations, and 25 feet at the narrowest point for four-story and higher elevations.			

5 Architectural Elements

Architectural standards incorporate elements and details that provide individuality to each project, while also maintaining consistency in overall character. Design standard checklists for architectural elements are included in Table 5 through Table 13.

Roofs

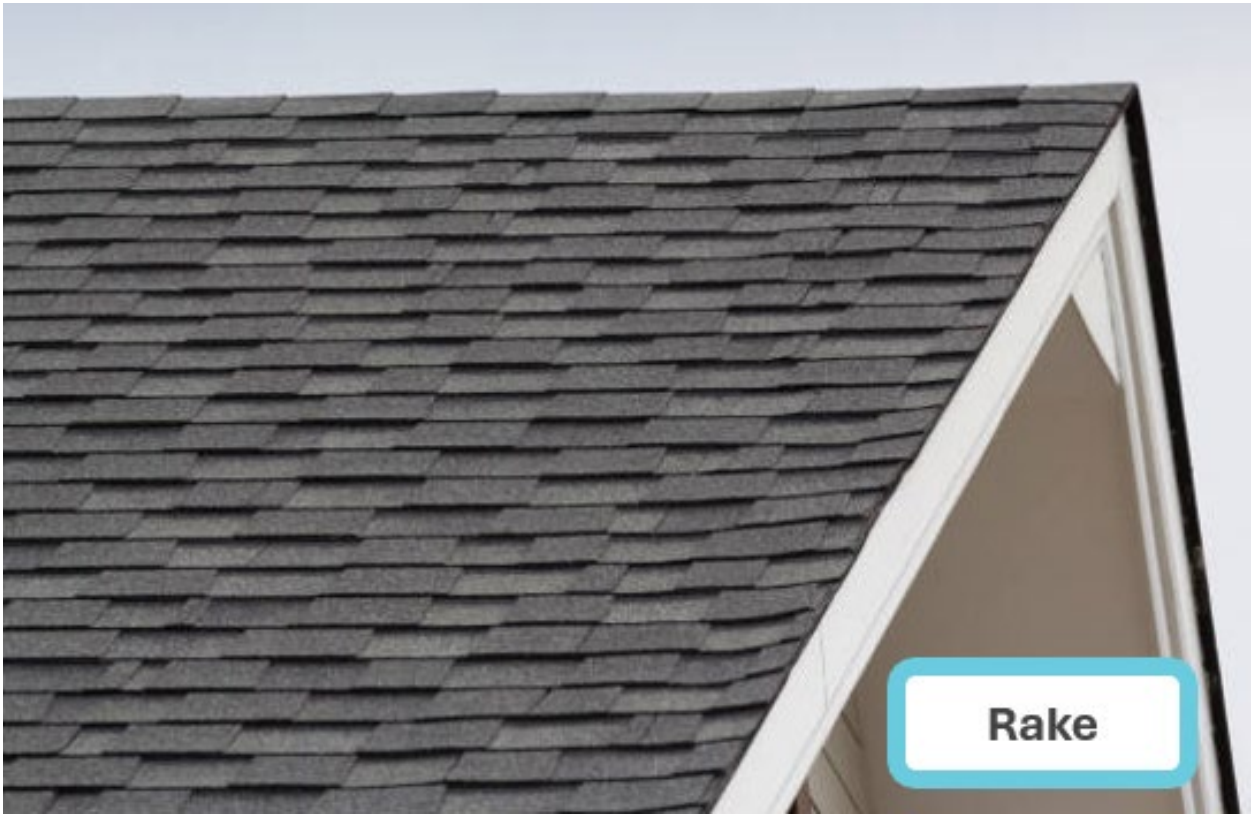
Table 5 Roofs

Design Standards	Yes	No	N/A
A. **Roof Forms.** Multi-family dwelling buildings shall be designed to create varying roof forms and break up the massing of the building by using at least one of the following techniques: 1. A change in parapet wall or roof height of at least one foot for a distance of at least 50 feet; 2. A change in roof pitch, form, or direction; 3. Inclusion of dormers, gables, parapets, chimneys, and/or varying cornices; 4. Varying roof height and/or form; 5. Clerestory windows above eye-level to admit light, fresh air, or both. `See Figure 5.			
B. **Pitched Roofs.** If a building has a pitched roof, an eave overhang of at least 18 inches is required. Rakes (the end of the roof where the sloped edges meet) shall project at least four inches or as otherwise required by the California Fire Code. See Figure 6			
C. **Roof Materials.** Roof materials shall have a matte finish to minimize glare.			

Figure 5 Varying Roof Heights and Pitch



Figure 6 Roof Rake



Entrance

Table 6 Entrance

Design Standards	Yes	No	N/A
A. **Distinguished Building Entrance.** Each unit or building entrance shall be easily identifiable and distinguishable from the street, drive aisle or common open space. Means of distinguishing an entrance include door color, door size and style, recessed entrance, step up entrance, and the incorporation of awnings, landscaping, and/or contrasting trim.			
B. **Entrance Features.** Exterior building entrance doors and entrance ways shall be protected with at least one of the following features: overhangs, recesses, porches, trellises, or other weather-protection features. The entrance shall have a depth or projection of at least four feet and a width of at least four feet.			

Porches

Table 7 Porches

Design Standards	Yes	No	N/A
A. **Porch Dimension and Style Requirements**. Porches, where provided, shall have a minimum depth of four feet, including posts or columns, and a width of four feet. Roof elements, eaves, supports, and railings of the porch shall be consistent with the architectural style.			
B. **Covered Porch Volume Separation.** Where provided, covered porches shall be required to break up volumes between lower and upper floors to create a visual and structural separation between the lower and upper floor.			

Patio Walls and Gates

Table 8 Patio Walls and Gates

Design Standards	Yes	No	N/A
A. **Low Wall Design.** Low walls and gates for patios, where provided, shall use similar or same colors, materials, and/or design elements used for the building architecture.			
B. **Patio Areas.** All patio areas and private open space shall measure a minimum of eight feet by five feet.			
C. **Covered porches.** Projects with a covered porch that extends from the building greater than four feet shall be supported by columns.			

Balconies

Table 9 Balconies

Design Standards	Yes	No	N/A
A. **Balcony Depth**. Where provided, a minimum depth of four feet is required for balconies (except for ornamental or Juliet balconies where the balcony is decorative and does not extend beyond the building's exterior wall). Scuppers or internal drains are required on all balconies for drainage.			
B. **Long balconies.** Long balconies that provide access to more than three units shall be prohibited.			

Fenestration

Table 10 Fenestration

Design Standards	Yes	No	N/A
A. **Trimming.** Windows and doors facing a public street, or a pedestrian-oriented space shall be trimmed, recessed, and/or incorporate enhancement details such as headers/sills, shutters, trellises, awnings, or pop-outs. When trimmed, the trim material shall be a minimum of three inches in width by three-quarter inches in depth when protruding from the wall. When recessed, the minimum depth shall be one-and-a-half inches from the adjacent wall surface. See Figure 7. Elevations with contemporary or modern design may have trims less than three inches wide, windows without trims, or be flush with the adjacent surface, provided that varied window sizes are used, and at least 30 percent of the residential portion of the façade consists of windows.			
B. **Treatment.** Windows on the upper floor(s) of a building shall be treated with the same or similar window treatments as those on the ground floor.			
C. **Reflective Glass.** Mirrored or highly reflective glass is prohibited.			

Figure 7 Fenestration Trim, Recessed, and Shutters

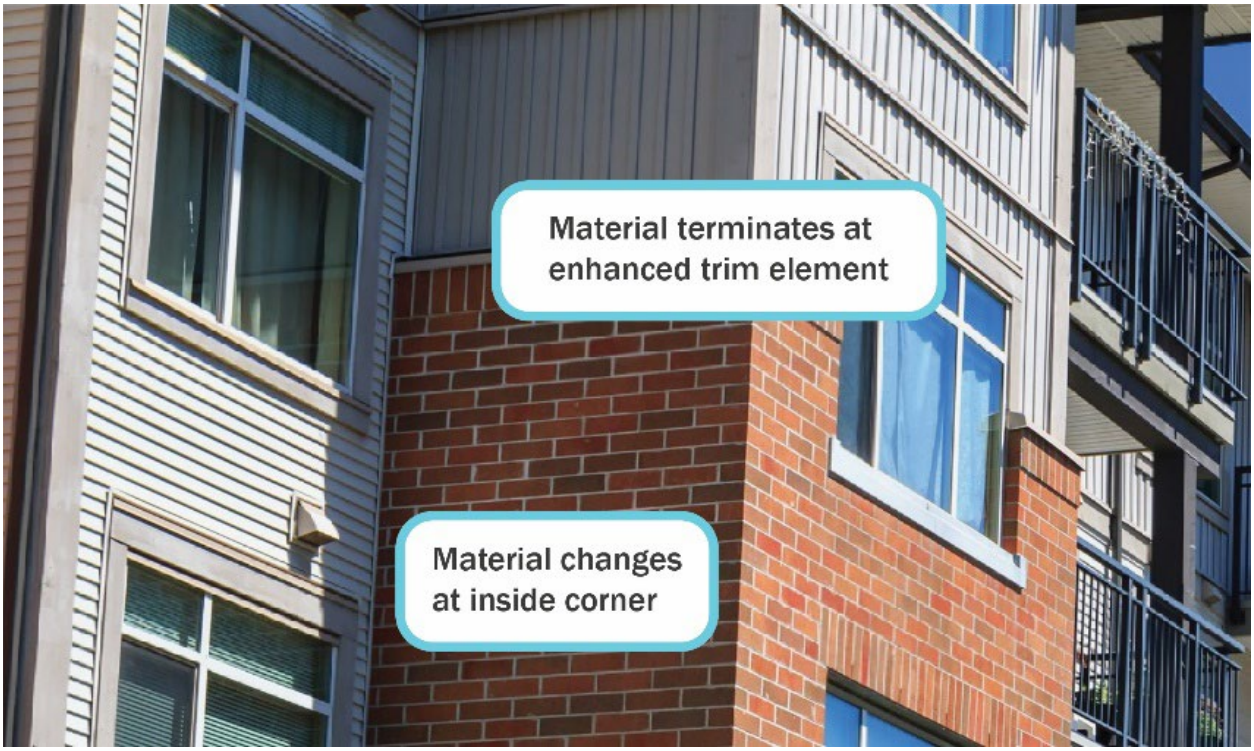


Colors and Materials

Table 11 Colors and Materials

Design Standards	Yes	No	N/A
A. **Colors and Materials.** Buildings shall incorporate a maximum of two main body colors, three accent colors, and three different materials, excluding windows, doors, trim, or signs. Exterior elevations shall include at least two colors and at least different materials (in addition to glazing, window trim, doors, railings, or signs) that can accentuate building masses. The main body color is the predominant color used on the face(s) of the building.			
B. **Deviations.** Accessory structures such as garages, carports, and enclosures for mechanical, utility, and service areas shall include no more than two deviations in material or color from the primary structure. Accessory structures not visible from the street or neighboring properties may deviate from this standard.			
C. **Reflective surfaces.** Reflective surfaces and materials such as mirrored glass and polished aluminum are prohibited.			
D. **Material and Color Changes.** Material and color changes shall occur at an inside corner, underside of a massing element, or wrapped to an appropriate termination point such as a roof break, half-column, bay window, or enhanced trim element. See Figure 8.			

Figure 8 Material and Color Changes



Accessory Structures

Table 12 Accessory Structures

Design Standards	Yes	No	N/A
A. **Accessory Structure Coordination.** Accessory Dwelling Units, carports, detached garages, and other accessory structures shall coordinate materials, patterns, and colors with the architectural style of the primary buildings.			

Solar Panels

Table 13 Solar Panels

Design Standards	Yes	No	N/A
A. **Solar Panel Frame Color Requirements.** Solar panel frames must be colored to complement the roof. Mill finish aluminum frames are prohibited.			
B. **Solar Support Equipment Painting.** Solar support equipment shall be painted to match the color of the building.			

6 Access and Circulation

Access and circulation standards provide a consistent element of safety and efficient circulation for pedestrians, vehicles, and cyclists. Access and circulation must meet the standards listed in Table 14 through Table 16.

Pedestrian Pathways

Table 14 Pedestrian Pathways

Design Standards	Yes	No	N/A
A. **Pedestrian Pathway Connectivity Standards.** Provide a pedestrian pathway from the building entrances to a sidewalk, parking areas, or courtyard leading to a sidewalk, or to a pathway network within the development site that connects to a public sidewalk.			
B. **Inter-Building Pedestrian Pathway Requirement.** For development sites with multiple buildings, pedestrian pathways connecting businesses, parking areas, and residential building entrances on the same site shall be provided.			
C. **Parking Lot Pedestrian Walkway Standards.** Surface parking lots shall be connected to all building entrances by means of internal pedestrian walkways. Parking lot pedestrian walkways shall be not less than six feet wide.			
D. **Perimeter Pedestrian Walkway Requirements.** Pedestrian walkways must be provided along the perimeter of all parking areas adjacent to buildings to create a buffer between parking areas and the buildings.			
E. **Pedestrian Walkway Lighting Standards.** Pedestrian walkway lighting mounted to building walls or freestanding poles shall not be placed higher than 12 feet above grade or the walkway surface. These lights shall be fully shielded or set back from the property line a minimum distance equal to the height of the light fixture to confine lighted area to within the property. In no case shall direct light rays trespass onto neighboring properties.			
F. **ADA Compliance.** Pedestrian pathways shall be designed to comply with the Americans with Disabilities Act (if required) and Title 24 of the California Code of Regulations.			
G. **Utility Equipment Placement Standards.** All utility equipment shall be located outside of the primary pedestrian path of travel. If utility equipment must encroach in the pedestrian path of travel, ensure a minimum paved clearance of three feet for ADA passage around equipment.			

Vehicular and Emergency Access

Table 15 Vehicular and Emergency Access

Design Standards	Yes	No	N/A
A. **Internal Roadway Connectivity.** Parking areas and garages within a development site shall be internally connected via a roadway network that leads to a public street.			
B. **Emergency Access and Compliance.** Site circulation shall be designed to facilitate emergency access and comply with the Fire Protection District standards and refuse service provider standards.			
C. **Driveway Pedestrian Connections.** Vehicular driveways with access to the public right of way shall have sidewalks or pedestrian connections on at least one side of the driveway.			

Off-Street Parking Areas

Table 16 Off-street Parking Areas

Design Standards	Yes	No	N/A
A. **Off-Street Parking Compliance.** Off-street parking areas and carports for multi-family dwelling development shall comply with the underlying zoning district and the regulations provided in Chapter 21.76 of the Zoning Ordinance.			
B. **Alley Access Utilization.** Where alley access is available, it shall be utilized for garage access. This configuration is intended to maximize landscaping at the street edge and promote building frontages that prioritize porches and pedestrian entrances over garage doors.			
C. **Garage Door Setback Requirements.** Garage doors shall be set back a minimum of three feet, and a maximum of five feet, from the edge of adjacent drive aisles. See Figure 9.			
D. **Drive Aisle Landscaping.** Landscaping shall be provided along drive aisles in between individual garage doors and/or drive aprons to soften the appearance of vehicle access areas and improve visual quality. See Figure 9.			
E. **Façade Design Elements for Attached Units.** For buildings with four or more attached dwelling units facing a drive aisle where garage doors are present, the building façade shall incorporate at least two of the following elements: 1. Garage door recess of at least one foot in depth from façade. 2. Trellis or roof overhang above garage door of at least one foot in depth. 3. Variety of at least two different garage door designs and colors. 4. Contrasting trim around the garage door, constructed of a different material, with minimum dimensions of three inches in depth and six inches in width. See Figure 9.			

Figure 9 Garage Door Design Features



7 Landscaping, Walls and Fences, Lighting

Landscaping, walls and fences, lighting, and visibility clearance areas must meet the standards listed in Table 17 through Table 20.

Visibility Clearance Areas

Visibility clearance standards are intended to maintain safe sightlines for drivers, pedestrians and cyclists at intersections, driveways and other key access points. Clear visibility areas help reduce conflicts and improve mobility and safety within developed areas.

Table 17 Visibility Clearance Areas

Design Standards	Yes	No	N/A
A. **Visibility Clearance Compliance.** A visibility clearance area shall comply with Section 21.08.060 H. of the Zoning Ordinance.			

Walls and Fencing

Consistency in walls and fencing provide enhanced privacy and safety, while still maintaining matching architectural styles. Walls and fencing must meet the following standards.

Table 18 Walls and Fencing

Design Standards	Yes	No	N/A
A. **Fence and Wall Material Standards.** Fence and wall materials, colors and detailing shall match the architectural style of buildings on the site. Permanent chain link fencing, razor wire, and barbed wire are prohibited.			
B. **Freestanding Wall Setback and Landscaping.** Freestanding solid walls of at least 30 inches in height, if included, shall be setback at least two feet from the sidewalk and incorporate low plantings or vines placed between the sidewalk and the fence or wall to soften the appearance of the wall and preserve the public parkway environment.			
C. **Solid Material Screening Requirements.** All fences and walls required for screening purposes shall be of solid material. Chain link fencing with inserts is prohibited. (This does not include temporary fencing used during construction)			

Lighting

Lighting standards provide a desirable level of illumination that increases safety and avoids light pollution. Lighting must meet the following standards.

Table 19 Lighting

Design Standards	Yes	No	N/A
A. **Shielded and Downward Lighting.** Lighting shall be shielded and directed downward, and the location of lights coordinated with any required landscape plan.			
B. **Low Wattage LED Lamps.** Exterior lamps shall be low wattage, LED, and except for outdoor holiday lights, shall not be colored.			
C. **Outdoor Lighting Installation.** Outdoor lighting shall be installed and maintained along all vehicular access ways and major walkways.			
D. **Bollard Lighting Requirements.** Bollard lighting may be used to light walkways and other landscape features but shall cast light downward.			
E. **Parking Lot Lighting Standards.** All parking lot lights shall be full-cutoff luminaires, as certified by the manufacturer, with the light source directed downward and away from adjacent residences.			
F. **Foot-Candle Limits.** Exterior and parking-lot lighting shall not exceed 0.1 foot-candle at adjacent residential property lines. Exterior and parking lot lighting shall not exceed 0.5 foot-candle at the adjacent rights-of-way or adjacent mixed-use or non-residential properties.			
G. **Decorative Streetlight Poles.** Streetlights shall use decorative lighting poles that use the same colors, materials, designs as other elements used in the community.			
H. **Minimized Lighting Impact.** Lighting shall be placed so as to minimize its impact on adjacent buildings and properties, especially residential uses. Any lighting source, including illuminated signs, shall be positioned so that light does not shine directly into residential windows.			
I. **Decorative Building-Mounted Lighting.** Building-mounted lighting shall be decorative in nature and be the same or similar to the building's design and architectural style.			

Landscape Elements

To achieve a cohesive appearance and compatibility of a new project with its surroundings, landscape elements must meet requirements of Chapter 21. 102 of the Zoning Ordinance as well as the following standards listed in Table 20.

Table 20 Landscape Elements

Design Standards	Yes	No	N/A
A. **Required Landscape Elements.** Proposed projects shall include at least three of the following landscape elements in the landscape plan: 1. Pedestrian-scaled lighting (bollards and/or landscape lighting) 2. Fountains 3. Decorative paving 4. Landmark tree (48-inch box minimum) 5. Seating opportunities such as raised planters and walls. 6. Shade structures such as free-standing trellises and canopies.			
B. **Landscape Plant Material Variety.** Landscaping provided in landscape buffers, setback areas, and parking areas shall contain a combination of low (3 – 24 inches), medium (2 – 5 feet) and tall (5 + feet) plant materials. For example, low planting may be used in the foreground, proceeding back to the tallest in the background. See Figure 10.			
C. **Garage Door Landscaping.** For townhouse or rowhouse type developments, trees and/or planting of at least six square feet shall be provided adjacent to garage doors facing alleys and motor court drives to soften the appearance of the building. Structures consisting of four or more garages that serve rowhouse or stack flat units, shall include a landscape area on each end of the building that is no less than three feet in depth and shall span the entire length of the side or rear of the building.			
D. **Building Base Landscaping.** A minimum of five-foot-wide landscaping shall be incorporated around the base of buildings (except for walkways and driveways) to soften the edge between parking, drive aisles, and sidewalks.			
E. **Highway Façade Landscape Buffers.** For building facades visible from highways or freeways, a landscape buffer shall be provided and include a row of evergreen trees at least 15-feet in height at maturity and continuous low plantings and/or architectural screening elements. Only evergreen trees, shrubs, or vines are permitted in the buffer; deciduous species, perennials, and ornamental grasses are not allowed. Trees shall be planted at a minimum rate of one tree per 25 feet of highway frontage, with spacing consistent with the mature size and spread of the selected species.			
F. **Yard and Open Space Requirements.** Projects shall provide required yard and open space consistent with Section 21.36.070, and 21.58.040 of the Zoning Ordinance.			
G. **Landscape Coverage Compliance.** Projects shall provide landscape coverage consistent with Chapter 21.102 Zoning Ordinance, dependent on the zoning designation of the site.			

Figure 10 Landscape Elements



8 Utility and Service Areas

Utility and service area standards are in place to minimize visual clutter and maintain efficient service areas.

Refuse and Recycling Material Storage Areas

Refuse and recycling material storage areas must meet the following standards listed in Table 21.

Table 21 Refuse and Recycling Material Storage Areas

Design Standards	Yes	No	N/A
A. **Shared Refuse Enclosure Requirements.** Refuse and recycling material containers shared by multiple dwelling units shall be enclosed and screened in accordance with Section 9.04.130 of the Zoning Ordinance. Sizing of the enclosures shall conform to the requirements of the County's Franchise Waste Hauler.			
B. **Stormwater Quality and Screening.** Refuse enclosures shall incorporate roof structures to help improve stormwater quality in accordance with the National Pollutant Discharge Elimination System (NPDES) requirements and to screen the enclosure from views from above.			
C. **Consistent Enclosure Finishes.** Refuse enclosures shall be finished using materials and colors that are consistent with the buildings architectural style. Enclosure gates shall be opaque.			
D. **Detached Enclosure Proximity and Odor Control.** Detached refuse enclosures located within 20 feet from doors or operable windows of adjacent structures shall be fully enclosed on three sides facing the adjacent structure and shall include deodorizer equipment to minimize odor impacts. Refuse enclosures shall not be any closer than 10 feet from any adjacent structure.			
E. **Individual Yard Container Screening.** Refuse and recycling material containers stored within individual yards shall be screened from street view and from view of adjacent residential portions of the project.			
F. **Loading Area and Refuse Facility Screening.** Loading areas and refuse storage facilities shall be as far as possible from residential units and shall be completely screened from view of adjacent residential portions of the project. The location and design of trash enclosures shall account for potential nuisances from odor.			

Loading and Service Areas

Loading and service areas must meet the following standards listed in Table 22.

Table 22 Loading and Service Areas

Design Standards	Yes	No	N/A
A. **Loading Dock Compliance.** Loading docks and service areas shall comply with the requirements of Section 21.52.040 C.2 of the Zoning Ordinance.			
B. **Required Loading Space.** One loading space is required in any parking lot with 15 or more spaces serving any nonresidential or mixed use.			

Mechanical and Utility Equipment

Mechanical and utility equipment must meet the following standards listed in Table 23.

Table 23 Mechanical and Utility Equipment

Design Standards	Yes	No	N/A
A. **Mechanical Device Painting and Screening.** Mechanical devices such as exhaust fans, vents, and pipes shall be painted to match or complement the adjacent surfaces. Mechanical equipment such as HVAC systems shall be screened from view with landscaping, walls, or a material that complements the building. The materials used for screening shall be painted to match the adjacent surfaces.			
B. **Utility Equipment Screening.** With the exception of photovoltaic and solar hot water systems, mechanical and utility equipment shall be screened from view to the extent permitted by the utility and/or service provider. This requirement applies to equipment located on the roof, on the side of a building, and on the ground. The method of screening shall be architecturally integrated with the building design or landscaping.			

C.	**Electrical Utility Equipment Placement.** All electrical utility equipment, electrical meters, and junction boxes shall be placed within a utility room. If a utility room is not feasible, then all utility equipment shall be purposefully designed as an integral part of the buildingdevelopment, placed adjacent to alleyways, within parking areas, or within rear or side yards, and screened from public view.			

Mailboxes

Mailboxes must meet the following standards listed in Table 24.

Table 24 Mailboxes

Design Standards	Yes	No	N/A
A. **USPS Mailbox Approval.** Mailboxes must be approved by the Postmaster.			
B. **Weather-Protected Cluster Mailboxes.** Cluster mailboxes serving 25 or more units shall be in an enclosure or under a shelter that provides weather protection. See Figure 11.			
C. **Convenient Parking for Mail Carriers.** Cluster mailbox enclosures shall be located to allow for convenient, short-term parking for the mail carriers.			
D. **Mailbox Enclosure Design.** Common mailbox enclosures shall be designed using the same materials and colors as the surrounding residential buildings.			
E. **Trash Receptacles in Mailbox Areas.** To maintain cleanliness and promote responsible waste disposal, all buildings must provide a trash receptacle in each mailbox area. The trash receptacle must be placed within 5 feet of the mailbox area and must be easily accessible and visible to all users of the mailbox area.			

Figure 11 Cluster Mailboxes



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**Added text is shown in bold and underline and deleted text is shown in strikeout.*

CHAPTER 21.12

DEFINITIONS

SECTIONS:

21.12.010 GENERALLY
21.12.020 AGRICULTURE
21.12.025 AGRICULTURAL PROCESSING
21.12.030 AGRICULTURAL SERVICE ESTABLISHMENT
21.12.035 AIRCRAFT
21.12.040 AIRPORT
21.12.042 AIRPORT, AGRICULTURAL SERVICE
21.12.044 AIRPORT, PRIVATE
21.12.046 AIRPORT, PUBLIC
21.12.048 AIRPORT, TEMPORARY AGRICULTURAL SERVICE
21.12.050 ALLEY
21.12.060 APARTMENT
21.12.070 AUTOMOBILE WRECKING
21.12.080 BOARDINGHOUSE
21.12.090 BUILDING
21.12.100 BUILDING, ACCESSORY
21.12.110 BUILDING, MAIN
21.12.120 BUSINESS OR COMMERCE
21.12.130 CAMPGROUND
21.12.140 CARNIVAL
21.12.145 CARPORT
21.12.150 CIRCUS
21.12.151 COMMERCIAL CANNABIS ACTIVITY
21.12.153 CONFINED ANIMAL FACILITY
21.12.155 DAY CARE CENTERS
21.12.160 DENSITY BONUS
21.12.170 DISTRICT
21.12.173 DWELLING
21.12.175 DWELLING, ACCESSORY
21.12.178 DWELLING, JUNIOR ACCESSORY
21.12.180 DWELLING, SINGLE-FAMILY
21.12.190 DWELLING, TWO-FAMILY (DUPLEX)
21.12.200 DWELLING, MULTIPLE
21.12.210 DWELLING, GROUP
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21.12.010 GENERALLY

For the purpose of this title, certain terms used in this title are defined as follows:

All the words used in the present tense shall include the future tense; all words in the plural number shall include the singular number, and all words in the singular number shall include the plural number, unless the natural construction of the wording indicates otherwise. The word "lot" includes the word "plot"; the word "building" includes the word "structure"; and the word "shall" is mandatory and not directory. The word "county" as used in this title means Stanislaus County, California; the words "board of supervisors" means the board of supervisors of the county; the words "planning commission" means the planning commission of the county; and the words "county boundary" means the boundary of the county and/or the boundary of any incorporated municipality within the county. The words "planning director" mean the director of planning and community development of the county. (Ord. CS 106, Sec. 1 (part), 1984).

21.12.020 AGRICULTURE

"Agriculture" means the tilling of the soil, the raising of crops, horticulture, viticulture, small livestock farming, dairying, aquaculture, or animal husbandry, including all uses customarily incidental thereto but not including slaughterhouses, fertilizer yards, bone yards or plants for the reduction of animal matter or any other industrial use which is similarly objectionable because of noise, odor, smoke, dust or fumes. (Ord. CS 1020, Sec. 1, 2007; Ord. CS 106, Sec. 1 (part), 1984).

21.12.025 AGRICULTURAL PROCESSING

"Agricultural processing" means the act of changing an agricultural product (fruits, nuts and vegetables but not including animals) from its natural state to a different form, such as grapes to wine, apples to juice or sauce, etc. Incidental activities such as packing, sizing, polishing, hulling and the like, shall not be considered to be agricultural processing for the purposes of Section 21.20.030 (H). (Ord. CS 424, Sec. 3, 1991).

21.12.030 AGRICULTURAL SERVICE ESTABLISHMENT

"Agricultural service establishment" means a business engaging in activities designed to aid production agriculture. Service does not include the provision of tangible goods except those sold directly to farmers and used specifically to aid in production of farm animals or crops. Nor does service include any business which has the primary function of manufacturing products. (Ord. CS 1020, Sec. 2, 2007; Ord. CS 106, Sec. 1 (part), 1984).

21.12.035 AIRCRAFT

"Aircraft" means any contrivance used or designed for navigation of, or flight in, the air (including helicopters and ultralights). (Ord. CS 106, Sec. 1 (part), 1984).

21.12.040 AIRPORT

"Airport" means any area of land or water, including areas elevated on a structure, which is used, or intended for use, for the landing and take-off of aircraft. "Airport" also includes appurtenant

areas which are used, or intended for use, for airport buildings or other airport facilities or rights-of-way, and all airport buildings and facilities located thereon. (Ord. CS 106, Sec. 1 (part), 1984).

21.12.042 AIRPORT, AGRICULTURAL SERVICE

"Agricultural service airport" means an airport which is primarily used by aircraft engaged in spraying, dusting, fertilizing and seeding of agricultural land or crops. (Ord. CS 106, Sec. 1 (part), 1984).

21.12.044 AIRPORT, PRIVATE

"Private airport" means a privately owned airport for the personal use of the tenant or owner of record not open to the general public and not used for any crop dusting operations. (Ord. CS 106, Sec. 1 (part), 1984).

21.12.046 AIRPORT, PUBLIC

"Public airport" means a publicly or privately owned airport open to the general public. (Ord. CS 106, Sec. 1 (part), 1984).

21.12.048 AIRPORT, TEMPORARY AGRICULTURAL SERVICE

"Temporary agricultural service airport" means an airport which is exclusively used by aircraft engaged in spraying, dusting, fertilizing and seeding of agricultural lands or crops, five or less days per year, having no permanent structures or appurtenances for aircraft and no fixed-based aircraft. (Ord. CS 106, Sec. 1 (part), 1984).

21.12.050 ALLEY

"Alley" means any public thoroughfare, not exceeding thirty feet in width for the use of pedestrians or vehicles which affords only a secondary means of access to abutting property. (Ord. CS 106, Sec. 1 (part), 1984).

21.12.060 APARTMENT

"Apartment" means a room or suite of two or more rooms which is designed for, intended for, or occupied by one family doing its cooking therein. (Ord. CS 106, Sec. 1 (part), 1984).

21.12.070 AUTOMOBILE WRECKING

See junkyards. (Ord. CS 106, Sec. 1 (part), 1984).

21.12.080 BOARDINGHOUSE

"Boardinghouse" means a dwelling, other than a hotel or a residential care home, wherein lodging and meals for five or more persons is provided for compensation. (Ord. CS 106, Sec. 1 (part), 1984).

21.12.090 BUILDING

"Building" means any structure having a roof supported by columns or by walls and intended for the shelter, housing or enclosure of any person, animal or chattel. When any portion thereof is completely separated from every other portion thereof by a masonry division or fire wall without

any window, door or any other opening therein, which wall extends from the ground to the upper surface of the roof at every point, then each such portion shall be deemed to be a separate building. (Ord. CS 106, Sec. 1 (part), 1984).

21.12.100 BUILDING, ACCESSORY

"Accessory building" means a subordinate building, the use of which is incidental to, and reasonably related to, a main building on the same lot or to the primary use of the property. Signs and fences are not to be considered as accessory buildings. A "detached" accessory building shall be one that does not have a common wall with the main building on the same lot. (Ord. CS 106, Sec. 1 (part), 1984).

21.12.110 BUILDING, MAIN

"Main building" means a building in which is conducted the principal use of the lot upon which it is situated. In any "R" district, any dwelling **~~unit~~, excluding an accessory dwelling unit or junior accessor dwelling unit,** shall be deemed to be a main building upon the lot upon which the same is situated. (Ord. CS 106, Sec. 1 (part), 1984).

21.12.120 BUSINESS OR COMMERCE

"Business or commerce" means the purchase, sale or other transaction involving the handling or disposition (other than is included in the term "industry" as defined in this chapter) of any article, substance or commodity for profit or livelihood, including, in addition, office buildings, offices, shops for the sale of personal services, garages, outdoor advertising signs and outdoor advertising structures, automobile camps, automobile courts, and recreational and amusement enterprises conducted for profit, but not including junkyards. (Ord. CS 106, Sec. 1 (part), 1984).

21.12.130 CAMPGROUND

"Campground" means land or premises used or intended to be used, let or rented for occupancy by campers traveling by automobiles or otherwise, or for temporary occupancy by or of trailers, recreational vehicles (RVs), or movable sleeping quarters of any kind. (Ord. CS 106, Sec. 1 (part), 1984).

21.12.140 CARNIVAL

"Carnival" means a traveling or itinerant commercial amusement enterprise consisting of sideshows, vaudeville, games, merry-go-rounds or other mechanical amusement devices temporarily located within the county. A carnival shall not be construed to include or mean a festival or amusement. (Ord. CS 106, Sec. 1 (part), 1984).

21.12.145 CARPORT

"Carport" means an accessible and usable covered space of not less than nine feet by nineteen feet that is open on at least two sides and can be used for the parking of automobiles off the street. The edge of the roof line shall be considered the vehicle opening for the purposes of determining setback. (Ord. CS 106, Sec. 1 (part), 1984).

21.12.150 CIRCUS

"Circus" means a traveling or itinerant commercial amusement enterprise utilizing an enclosure of any kind, but usually circular or rectangular, partially surrounded by seats, used for exhibitions

of horsemanship, acrobatic performances, acts of clowns, feats of animal training or the like, temporarily located within the county. (Ord. CS 106, Sec. 1 (part), 1984).

21.12.151 COMMERCIAL CANNABIS ACTIVITY

“Commercial Cannabis Activity” means the commercial cultivation, possession, manufacturing, processing, storing, laboratory testing, labeling, transporting, distribution, or sale of medicinal or non-medicinal cannabis or a medicinal or non-medicinal cannabis product. For the purposes of this Title, “commercial cannabis activity” does not include the activities defined in Section 11362.1 and Section 11362.2 of the California Health & Safety Code. All commercial cannabis activities shall be operated in compliance with all the requirements of Chapter 6.78 of the Stanislaus County Code. (Ord. CS 1205, Sec. 2, 2018).

21.12.153 CONFINED ANIMAL FACILITY

“Confined Animal Facility” means a confined animal facility as defined by state or federal statute and regulations adopted by the Regional Water Quality Control Board. (Ord. CS 861, Section 1, December 25, 2003).

21.12.155 DAY CARE CENTER

"Day care center" means a dwelling or building or structure in which persons not of the immediate family are provided with care for compensation for a portion of the day not exceeding twelve hours in any twenty-four-hour period. A day care center shall not include twenty-four-hour care and shelter. (Ord. CS 106, Sec. 1 (part), 1984). Any child day care facility other than a family day care home is a day care center, including infant centers, preschools, and extended day care facilities.

21.12.160 DENSITY BONUS

"Density bonus" means a **density increase over the otherwise maximum allowable gross residential density, or other incentives, concessions, waivers, or reductions of development standards of the applicable zoning district as per California Government Code Section 65915 et seq.** ~~density increase of at least twenty-five percent over the otherwise allowable residential density under the applicable zoning district, in accordance with Chapter 21.82 Density Bonus.~~ (Ord. CS 106, Sec. 1 (part), 1984).

21.12.170 DISTRICT

"District" means a portion of the unincorporated territory of the county within which certain uses of land, premises and buildings are permitted and certain other uses of land, premises and buildings are not permitted and within which certain yards and open spaces are required and certain building site areas are established and certain height limits are specified for buildings, all as set forth and specified in this title. (Ord. CS 106, Sec. 1 (part), 1984).

21.12.173 DWELLING

“Dwelling” means the use of a building, or portion thereof, exclusively for living space including permanent provisions for living, sleeping, eating, cooking and sanitation as defined by the California Building Code (Title 24).

21.12.175 DWELLING, ACCESSORY

"Accessory dwelling", ~~"ADU",~~ or "Accessory dwelling unit **(ADU)**" means a **dwelling** ~~building~~ which provides independent living **~~facilities~~ space** for one or more persons **and is located** on the same parcel on which one or more dwelling**s** ~~units~~ are located. An accessory dwelling ~~(ADU) shall include independent living, sleeping, eating, cooking, and bathing facilities and~~ may be detached from, within, or attached to a dwelling ~~unit~~. **An accessory dwelling shall be considered secondary and subordinate to a dwelling unit otherwise permitted on the parcel. An ADU as under Chapter 21.74 of this Title shall be limited in size and shall have a separate exterior entrance, cooking facilities that provide equal to or greater accommodations as an efficiency kitchen and shall include independent bathroom and bathing facilities and no shared interior access with the main building or other dwelling unit.**

21.12.178 DWELLING, JUNIOR ACCESSORY

"Junior accessory dwelling", ~~"JADU",~~ or "Junior accessory dwelling unit **(JADU)**" means an ~~accessory dwelling~~ (ADU) that is no more than 500 square feet in size and contained entirely within **or attached to** an existing dwelling unit, which includes **a separate exterior entrance and** cooking facilities that provide~~s~~ equal to or greater accommodations as an efficiency kitchen and may include independent bathroom and bathing facilities, or may share bathroom facilities with **the attached** ~~a~~ dwelling unit. (Ord. CS 1290, 2021). **For purpose of use, a JADU shall be considered a type of ADU as regulated under Chapter 21.74.**

21.12.180 DWELLING, SINGLE-FAMILY

"Single-family dwelling" means a detached **dwelling~~unit~~**~~building~~ designed for and occupied exclusively by one family. Single-~~F~~**f**amily ~~D~~**d**welling shall include a dwelling that is utilized for the purposes of providing transitional housing or supportive housing as defined in this chapter. (Ord. CS 1169, Sec. 3, 2015; Ord. CS 106, Sec. 1 (part), 1984).

21.12.190 DWELLING, TWO-FAMILY (DUPLEX)

"Two-family dwelling (duplex)" means a detached **dwelling~~unit~~**~~building~~ designed for and occupied exclusively by two families living independently of each other. Two-**f~~F~~**amily **d~~D~~**welling (~~D~~**d**uplex) shall include a dwelling that is utilized for the purposes of providing transitional housing or supportive housing as defined in this chapter. (Ord. CS 1169, Sec. 4, 2015; Ord. CS 106, Sec. 1 (part), 1984).

21.12.200 DWELLING, MULTI~~PLE~~-FAMILY

"Multi-family dwelling" ~~"Multiple dwelling"~~ means a **dwelling~~unit~~**~~building or portionthereof used and~~ designed **for and occupied exclusively by** ~~as a residence for~~ three or more families living independently of each other**, and doing their own cooking in the building**. Multi**~~ple~~**-family dwelling shall include a dwelling that is utilized for the purposes of providing transitional housing or supportive housing as defined in this chapter. (Ord. CS 1169, Sec. 5, 2015; Ord. CS 106, Sec. 1 (part), 1984).

21.12.210 DWELLING~~,~~ GROUP

"Group dwelling**" or "Dwelling group**" means a group of two or more detached or semidetached **dwellings** ~~single-family, two-family or multiple dwellings~~ occupying a parcel of land in one ownership. (Ord. CS 106, Sec. 1 (part), 1984).

21.12.211 DWELLING UNIT

"Dwelling unit", as the term is used independent of "accessory", "junior accessory", "single-family, "two-family (duplex)", "multi-family", or "group", means a single living space, attached or detached, designed for occupancy by one family. The maximum number of dwelling units per acre shall be based on a net acre calculation unless gross acre is specified.

21.12.212 EFFICIENCY KITCHEN

"Efficiency kitchen" means a cooking facility which includes all of the following: a sink with a maximum waste line diameter of 1.5 inches; a cooking facility with appliances that do not require electrical service greater than 120 volts, or natural or propane gas; and a food preparation counter and storage cabinets. (Ord. CS 1290, 2021).

21.12.215 EMERGENCY SHELTER

"Emergency shelter" means housing with ~~minimal~~ supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay. This definition is established pursuant to the provisions of California Health and Safety Code Section 50801(e) **and shall include other interim interventions as per Government Code Section 65583. This also includes "Low barrier Navigation Center" which is a housing-first, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing. "Low barrier" means best practices to reduce barriers to entry, including allowing partners, pets, storage of personal items, and privacy such as partitions around beds in a dormitory setting or in larger rooms containing more than two (2) beds, or private rooms**~~.~~ This does not include temporary emergency shelters whose purpose is to intermittently house individuals who have lost their housing due to a community-wide disaster as defined in Section 8680 of the California Government Code (the California Disaster Assistance Act). (Ord. CS 1169, Sec. 6, 2015).

21.12.218 EMPLOYEE HOUSING, AGRICULTURAL

"Agricultural employee housing" means employee housing for agricultural workers, as defined by California Labor Code Section 1140.4, consisting of beds in group quarters or dwelling units on a parcel~~one lot~~. For the purposes of this definition, agricultural employees may be employed full time or on a seasonal basis, as set forth in California Health and Safety Code Section 17000-17062.5.

21.12.220 FAMILY

"Family" means one or more persons occupying a premises and living as a single~~, nonprofit housekeeping~~ unit, as distinguished from a group occupying a hotel, club, fraternity or sorority house. (Ord. CS 106 Sec. 1 (part), 1984).

21.12.225 FAMILY DAY CARE HOME

“Family day care home” means a home that regularly provides care, protection, and supervision for 14 or fewer children **under 18 years of age**, in the provider’s own home, for periods of less than 24 hours per day, while the parents or guardians are away, and is either a large family day care home or a small family day care home **as defined in California Health and Safety Code Sections 1597.30 to 1597.622. The use of a dwelling unit as a small or large family daycare home is considered accessory to the residential use of property.**

~~A. “Large family day care home” means a home that provides family day care for 7 to 14 children, inclusive, including children under the age of 10 years who reside at the home, as set forth in California Health and Safety Code Section 1597.465 and as defined in regulations.~~

~~B. “Small family day care home” means a home that provides family day care for eight or fewer children, including children under the age of 10 years who reside at the home, as set forth in California Health and Safety Code Section 1597.44 and as defined in regulations.~~

~~21.12.230 FARM LABOR CAMP~~

~~"Farm labor camp" means any living quarters, dwelling, boardinghouse, tent, bunkhouse, camper, mobile home or other housing accommodation, maintained by an employer for five or more employees in connection with any agricultural work or place where agricultural work is being performed. (Ord. CS 106 Sec. 1 (part), 1984).~~

21.12.240 GARAGE

"Garage" means an accessible and usable covered space of not less than nine feet by nineteen feet for the parking of automobiles off the street. (Ord. CS 106 Sec. 1 (part), 1984).

21.12.250 GARAGE, PUBLIC

"Public garage" means any premises used for the storage or care of self-propelled vehicles or where any such vehicles are equipped for operation or repair, or kept for remuneration, hire or sale. (Ord. CS 106 Sec. 1 (part), 1984).

21.12.260 GARAGE SALES, YARD SALES, MOVING SALES, PATIO SALES AND SIMILAR USES

"Garage sales, yard sales, moving sales, patio sales and similar uses" means the retail sales of used or secondhand goods or merchandise in connection with a lawfully existing dwelling unit on property within any zoning district, provided that:

A. No such sale shall be conducted upon the same premises for more than three consecutive days nor on more than two separate occasions within any one calendar year;
B. No such sale shall result in the use of more than two unlighted signs not exceeding three square feet each in area. The signs to be displayed only on private property with the consent of the owner thereof and only during such times as the garage sale is actually being conducted. The definition includes similar sales commonly referred to as patio sales, yard sales, etc. (Ord CS 106 Sec. 1 (part), 1984).

21.12.280 HEIGHT OF BUILDING

"Height of building" means the vertical distance from the grade to the highest point of the coping of a flat roof or to the deck line of a mansard roof or the average height of the highest gable of a pitch or hip roof. (Ord. CS 106 Sec. 1 (part), 1984).

21.12.290 HOME OCCUPATION

"Home occupation" means a use conducted in a dwelling unit or accessory building which is clearly incidental and subordinate to the use of the dwelling for residential purposes. Such use shall not be considered to be incidental and subordinate unless all of the criteria outlined in Chapter 21.94 are met. (Ord. CS 106 Sec. 1 (part), 1984).

21.12.300 INDUSTRY

"Industry" means the manufacture, fabrication, reduction or destruction of any article, substance or commodity or any other treatment thereof in such a manner as to change the form or character thereof. (Ord. CS 106 Sec. 1 (part), 1984).

21.12.305 JUNK

"Junk" means and includes, but is not limited to, surplus materials, secondhand material, any damaged, discarded, obsolete, salvaged, scrapped, worn-out, wrecked or dismantled object, thing or material composed in whole or part of asphalt, brick, carbon, cement, plastic or other synthetic substance, fibre, glass, metal, paper, plaster, plaster of paris, rubber, wool, terra cotta, cotton, cloth, canvas, organic material or other substance requiring reconditioning or rebuilding in order to be used for its original purpose. (Ord. CS 471 (part), 1991).

21.12.310 JUNKYARD

"Junkyard" means the use of more than two hundred square feet of the area of any parcel, lot, or contiguous lots or parcels for the storage or keeping of junk or for the dismantling or wrecking of automobiles or other vehicles or machinery. (Ord. CS 471 (part), 1991; Ord CS 106 Sec. 1 (part), 1984).

21.12.320 KENNEL

"Kennel" means a place where five or more dogs or cats over four months of age are kept for commercial or noncommercial purposes. (Ord. CS 106 Sec. 1 (part), 1984).

21.12.325 LIVING SPACE

"Living space" means the heated or cooled (conditioned) space within a building utilized for living, sleeping, eating, cooking, or bathing. Square footage of a living space shall be measured from the outside surface of exterior walls and shall not include unconditioned space such as a garage, basement, attic, or utility closet. (Ord. CS 1290, 2021).

21.12.330 LOT

"Lot" means land occupied or to be occupied by a building and its accessory buildings, or by a dwelling group and its accessory buildings, together with such open spaces as are required under the provisions of this title, having not less than the minimum area required by this title for a building site in the district in which the lot is situated, and having the principal frontage on a street. (Ord. CS 106 Sec. 1 (part), 1984).

21.12.340 LOT, CORNER

"Corner lot" means a lot situated at the intersection of two or more streets, or bounded on two or more adjacent sides by street lines. (Ord. CS 106 Sec. 1 (part), 1984).

21.12.350 LOT, INTERIOR

"Interior lot" means a lot other than a corner lot. (Ord. CS 106 Sec. 1 (part), 1984).

21.12.360 LOT AREA

"Lot area" means the total horizontal area included within lot lines. The area shall be the net acreage unless otherwise specified. (Ord. CS 106 Sec. 1 (part), 1984).

21.12.370 LOT DEPTH

"Lot depth" means the average distance from the street line of the lot to its rear line measured in the general direction of the side lines of the lot. (Ord. CS 106 Sec. 1 (part), 1984).

21.12.380 LOT FRONTAGE

"Lot frontage" means that portion of a lot abutting a public street. (Ord. CS 106 Sec. 1 (part), 1984).

21.12.390 LOT LINES

"Lot lines" means the lines bounding a lot as defined in this chapter. (Ord. CS 106 Sec. 1 (part), 1984).

21.12.400 LOT WIDTH

"Lot width" means the distance between the side lines of a lot measured at the building set-back line. (Ord. CS 106 Sec. 1 (part), 1984).

21.12.410 LOT LINE, REAR

"Rear lot line" means that line of a lot which is generally opposite the lot line along the frontage of the lot. In cases in which this definition is not applicable, the planning commission shall designate the rear lot line. (Ord. CS 106 Sec. 1 (part), 1984).

21.12.418 MIXED USE

"Mixed Use" means a development that combines two or more land uses – such as residential, commercial, office, institutional, or recreational - on the same parcel. The uses may be located within the same building in a vertical arrangement or in separate buildings, consistent with the standards established by this title.

21.12.420 MOBILE HOME PARK

"Mobile home park" means a lot or parcel of land which is used exclusively for the parking thereon of ten or more mobile homes for a rental charge, or for rent or lease of mobile homes, and for appurtenant facilities for the exclusive use of the occupants such as laundry, restrooms, recreation and storage facilities, and mobile home or office facility for the owner or manager. For mobile home parks of twenty-five spaces or more, there may be maintained a dwelling **unit** for the owner or manager.

This definition is for zoning purposes only and shall not be construed to affect the definition of mobile home parks in the State Mobile Home Parks Act (Health and Safety Code, Section 18200, et seq.) or to affect enforcement of the provisions of the Act. (Ord. CS 106 Sec. 1 (part), 1984).

21.12.430 MOBILE HOME (MANUFACTURED HOUSING)

"Mobile home" means a structure that meets the definition of a manufactured home as defined by Section 18007 the California Health and Safety Code. (Ord. CS 1290, 2021; Ord. CS 106 Sec. 1 (part), 1984).

21.12.435 MONUMENT

"Monument" means anything constructed, erected, shaped or placed in remembrance of a person or event; excluding anything which draws attention, whether intended or not intended, to a commercial enterprise. (Ord. 449 Sec. 2, 1991).

21.12.440 MOTEL

"Motel" means a building or buildings containing guest rooms or apartments with automobile storage space serving such rooms or apartments provided in connection therewith, which group designed, intended or used primarily for the accommodation of automobile travelers; including groups designed as auto cabins, motor lodges, and by similar designations. (Ord. CS 106 Sec. 1 (part), 1984).

21.12.450 NONCONFORMING USE

"Nonconforming use" means a building or land occupied by a use that does not conform to the regulations for the district in which it is situated. (Ord. CS 106 Sec. 1 (part), 1984).

21.12.460 OUTDOOR ADVERTISING SIGN

"Outdoor advertising sign" means any card, cloth, paper, metal, painted glass, wooden, plaster, stone, or other sign of any kind or character whatsoever, placed for outdoor advertising purposes on the ground or on any tree, wall, bush, rock, post, fence, building, structure or thing whatsoever. The term "placed" as used in the definitions of "outdoor advertising structure" shall include erecting, constructing, posting, painting, printing, tacking, nailing, gluing, sticking, carving, or otherwise fastening, affixing, or making visible in any manner whatsoever. (Ord. CS 106 Sec. 1 (part), 1984).

21.12.470 OUTDOOR ADVERTISING STRUCTURE

"Outdoor advertising structure" means any structure of any kind or character erected or maintained for outdoor advertising purposes, upon which any outdoor advertising sign may be placed, including outdoor advertising statuary. (Ord. CS 106 Sec. 1 (part), 1984).

21.12.475 PARCEL

“Parcel” means any lot or portion of land which has been legally separated from another parcel or portion of land in accordance with the California Subdivision Map Act. (Ord. CS 1290, 2021).

21.12.480 PARKING SPACE

"Parking space" means an accessory and usable space on a building site with access for the parking of automobiles that shall be of a size at least as large as required in the county improvement specifications as adopted by the board of supervisors from time to time. (Ord. CS 106 Sec. 1 (part), 1984).

21.12.490 PLANNED STREET LINE

"Planned street line" means the street line of any street, road or highway at its ultimate width as defined or delineated within the circulation element of the county general plan. (Ord. CS 106 Sec. 1 (part), 1984).

21.12.495 PRODUCTION AGRICULTURE

“Production Agriculture” means agriculture for the purpose of producing any and all plant and animal commodities for commercial purposes. (Ord. CS 1020 Sec. 3, 2007).

21.12.500 RACING HOMER PIGEONS

"Racing homer pigeons" means a pigeon trained to return home from a distance and which is identified by a nonremovable seamless leg band issued by a nationally recognized racing home pigeon association. (Ord. CS 106 Sec. 1 (part), 1984).

21.12.505 RECREATIONAL VEHICLE

“Recreational Vehicle” means any vehicle as defined by Section 18010 of the California Health and Safety Code. The use of a recreational vehicles for human habitation shall not be permitted in any zoning district**, except as allowed for temporary use in accordance with Section 21.100.050(I)**. (Ord. CS 1290, 2021).

21.12.510 RESIDENTIAL CARE HOME

"Residential care home" means a dwelling or building, or structure in which seven or more persons not of the immediate family are provided with food, shelter and care for compensation, but not including hospitals, clinics or similar institutions devoted primarily to diagnosis and treatment of disease or injury. (Ord. CS 106 (part) Sec. 1 (part), 1984).

21.12.515 RETAIL BUSINESS

“Retail Business” means an establishment engaged in selling goods to the ultimate consumer. The allowed area of a retail store shall include both the interior space within the structure and any outdoor area use to display or store goods for sale. (Ord. CS 896, Sec.1, 2004).

21.12.520 ROOMING-HOUSE

"Rooming-house" means a dwelling, building or structure (other than a residential care home) occupied by five or more persons who have agreed to pay a specific rent for a specific space as distinguished from guests subject to innkeepers liability. (Ord. CS 106 Sec. 1 (part), 1984).

21.12.525 SINGLE-ROOM OCCUPANCY HOUSING

"Single-room occupancy housing" or “SRO housing” means a building that includes multiple single-rooms used exclusively for living space, which include independent or

shared cooking and bathing facilities. Each SRO unit shall have a maximum occupancy of two persons. SRO housing may be utilized as a rooming-house, residential care home, transitional shelter, or permanent supportive housing.

21.12.530 SMALL LIVESTOCK FARMING

“Small livestock farming” means the raising or keeping of more than a combined total of twelve chicken hens, turkeys or twelve pigeons (other than defined in Section 21.12.500) or twelve similar fowl or twelve rabbits or twelve similar animals, or four permanent standard beehives. “Small livestock farming” as used in this title shall not allow for the keeping, in any quantity, of roosters, quacking duck, geese, guinea fowl, peafowl, worms (except for personal use), or any other small domestic animal determined by the Planning Director to have the potential to cause a nuisance. The keeping of animals in quantities less than described above is permitted in any district. (Ord. CS 106 Sec. 1 (part), 1984,Ord. CS 1202 Section 1, effective November 16, 2017).

21.12.535 SMALL WIND ENERGY SYSTEM

"Small wind energy system" means a wind energy conversion system consisting of a wind turbine, a tower, and associated control or conversion electronics, which has a rated capacity that does not exceed the allowable rated capacity under the Emerging Renewables Fund of the Renewables Investment Plan administered by the California Energy Commission and which will be used primarily to reduce onsite consumption of utility power. "Tower height", as it pertains to such systems, means the height above grade of the fixed portion of the tower, excluding the wind turbine. (Ord CS 798, Section 2, effective July 4, 2002)

21.12.540 STABLE, PRIVATE

"Private stable" means an accessory building or space where horses are kept for the private use of the owner and guests. (Ord. CS 106 Sec. 1 (part), 1984).

21.12.550 STABLE, PUBLIC

"Public stable" means a building other than a private stable for the commercial rental, training, or boarding of horses. (Ord. CS 106 Sec. 1 (part), 1984).

21.12.560 STREET

"Street" means a public or private thoroughfare which affords the principal means of access to abutting property including avenue, place, way, drive, lane, boulevard, highway, road and any other thoroughfare except an alley as defined in this chapter. (Ord. CS 106 Sec. 1 (part), 1984).

21.12.570 STREET LINE

"Street line" means the boundary between a parcel and the abutting street. (Ord. CS 106 Sec. 1 (part), 1984).

21.12.580 STRUCTURAL ALTERATIONS

"Structural alterations" means any change in the supporting member of a building, such as bearing walls, columns, beams, or girders. (Ord. CS 106 Sec. 1 (part), 1984).

21.12.590 STRUCTURE

"Structure" means anything constructed or erected, the use of which required location on the ground or attachment to something having location on the ground; including, but not limited to, buildings, fences, walls, and free-standing signs. (Ord. CS 106 Sec. 1 (part), 1984).

21.12.595 SUPPORTIVE HOUSING

“Supportive Housing” means housing with no limit on length of stay that is occupied by the target population, as defined in California Government Code Section 65582(g), and that is linked to on- or off-site services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. This definition is established pursuant to the provisions of California Health and Safety Code Section 50675.14(b)(2) and California Government Code Section 65582(f). (Ord. CS 1169 Sec. 7, 2015)

21.12.600 SURFACE MINING

"Surface mining" means processes for the commercial removal of minerals from the surface of the earth. (Ord. CS 106 Sec. 1 (part), 1984).

21.12.602 SWIMMING POOLS

“Swimming pool” or “pool” means any structure intended for swimming or recreational bathing that contains water over 18 inches deep. “Swimming pool” includes in-ground and above-ground structures and includes, but is not limited to, hot tubs, spas, portable spas, and non-portable wading pools. (Ord. CS 778, Section 2, 2001).

21.12.605 TASTING ROOM

"Tasting room" means a facility in which agricultural products grown or processed on the premises may be tasted and sold. A restaurant, where complete meals are served and consumed, shall not be considered to be a tasting room. (Ord. CS 424, Sec. 4, 1991).

21.12.608 TRANSITIONAL HOUSING

"Transitional housing" and "transitional housing development" means buildings configured as rental housing developments, but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months from the beginning of assistance. This definition is established pursuant to the provisions of California Health and Safety Code Section 50675.2(h) and California Government Code Section 65582(h). (Ord. CS 1169, Sec. 8, 2015).

21.12.610 USE

"Use" means the purpose for which land or a building is designed, arranged, or intended or for which it is or may be occupied or maintained. (Ord. CS 106 Sec. 1 (part), 1984).

21.12.620 USE, ACCESSORY

"Accessory use" means a use incidental and accessory to the principal use of a lot or a building located on the same lot as the accessory use. Any agricultural use in any R-A district shall be

deemed to be an accessory use to the use of the property for residential purposes. (Ord. CS 106 Sec. 1 (part), 1984).

21.12.625 VEHICLE STORAGE YARD

"Vehicle storage yard" means any location consisting of parcel(s) or lot(s) where three or more vehicles (as defined by Section 670 CVC), or vessels (as defined by Section 651 of the Harbors and Navigation Code), or combinations of both, which are disabled, under repair or restoration, and/or vehicles or vessels which are not currently registered with the State Department of Motor Vehicles are stored. For purposes of this section, a vessel and a trailer designed to carry a vessel that are used together as one unit shall count as one vehicle or one vessel." (Ord. CS 759, 2001; Ord. CS 471 (part), 1991)

21.12.627 WHOLESALE AND DISTRIBUTION

"Wholesale and Distribution" means establishments engaged in selling merchandise to retailers; to commercial, industrial, farm, or professional business users; or to other wholesalers; or acting as agents or brokers in buying merchandise for selling merchandise to such persons or companies. Includes such establishments as: agents, merchandise or commodity brokers, commission merchants, assemblers, merchant wholesalers stores primarily selling electrical, plumbing, heating and air conditioning and equipment. (Ord. CS 896, Sec. 2 (part), 2004)

21.12.628 WHOLESALE RETAIL STORES

"Wholesale Retail Stores" means stores that emphasize the packing and sale of products in large quantities or volumes, some at discounted prices, where products are typically displayed in their original shipping containers. Sites and buildings are usually large and industrial in character. Patrons may be required to pay membership fees. (Ord. CS 896, Sect 2 (part), 2004)

21.12.630 YARD

"Yard" means an open space other than a court on the same lot with a building, which open space is unoccupied and unobstructed from the ground upward. In measuring a yard, as provided in this title, the line of a building shall be deemed to mean a line parallel to the nearest lot line drawn through the point of a building or the point of a dwelling group nearest to such lot line, exclusive of the respective architectural features enumerated in Chapter 21.08 as not to be considered in measuring yard dimensions or being permitted to extend into any front, side, or rear yard, respectively, and the measurement shall be taken from the line of the building to the nearest lot line; provided, however, that if any official plan line has been established for the street on which the lot faces or if any future width line is specified therefor by the provisions of this title, then the measurement shall be taken from the official plan line or the future width line to the nearest line of the building. (Ord. CS 106 Sec. 1 (part), 1984).

21.12.640 YARD, FRONT

"Front yard" means a yard extending across the front of the lot between the inner side yard lines and lying between the front line of the lot and the nearest line of the building. (Ord. CS 106 Sec. 1 (part), 1984).

21.12.650 YARD, REAR

"Rear yard" means a yard extending across the full width of the lot and lying between the rear line of the lot and the nearest line of the building. (Ord. CS 106 Sec. 1 (part), 1984).

21.12.660 YARD, SIDE

"Side yard" means a yard between the side line of the lot and the nearest line of the building and extending from the front line of the lot to the rear yard. (Ord. CS 106 Sec. 1 (part), 1984).

CHAPTER 21.20

GENERAL AGRICULTURE DISTRICT (A-2)

SECTIONS:

21.20.010	**PURPOSE**
21.20.020	**PERMITTED USES**
21.20.030	**USES REQUIRING USE PERMIT**
21.20.040	**USES REQUIRING BOARD OF SUPERVISORS APPROVAL**
21.20.045	**USES ON LANDS SUBJECT TO WILLIAMSON ACT CONTRACTS**
21.20.050	**DIVISION OF LAND**
21.20.060	**SITE AREA**
21.20.070	**YARDS**
21.20.080	**HEIGHT LIMITS**

21.20.010 PURPOSE

It is the intent of these district regulations to support and enhance agriculture as the predominant land use in the unincorporated areas of the county. These district regulations are also intended to protect open-space lands pursuant to Government Code Section 65910. The procedures contained in this chapter are specifically established to ensure that all land uses are compatible with agriculture and open space, including natural resources management, outdoor recreation and enjoyment of scenic beauty. (Ord. CS 106 Section 2 (part), 1984).

21.20.020 PERMITTED USES

Uses permitted in the A-2 districts:

A. All agricultural uses not requiring a staff approval or a use permit pursuant to Sections 21.20.030 and 21.20.040; provided, however, that within areas designated on the land use element of the general plan as urban transition the maintenance of animals shall be limited to the provision of Chapter 21.24 (R-A rural residential zoning regulations) unless approval of additional animals is first obtained from the director of planning and community development;

B. Single-family dwelling(s) and accessory dwellings on parcels meeting the following criteria (Ord. CS 1290, 2021):

1. Parcels less than 20 acres in size and zoned A-2-3, -5, -10, or -20 - One-single family dwelling is permitted on all parcels that meet or exceed the minimum building site area requirements of this chapter.

a. **One a**~~A~~ccessory dwelling **unit**~~s~~ **and one junior accessory dwelling unit, both** as regulated by Chapter 21.74. (Ord. CS 1290, 2021).

2. Parcels less than 20 acres in size and zoned A-2-40, or -160 - One-single family dwelling is permitted with approval of a Staff Approval Permit in accordance with Section 21.100.050(C) of the Zoning Ordinance.

    a. **One a**~~A~~ccessory dwelling **unit**~~s~~ **and one junior accessory dwelling unit, both** as regulated by Chapter 21.74. (Ord. CS 1290, 2021).

3. Parcels of 20 acres or more in size - Two-single family dwellings**, and one junior accessory dwelling as regulated by Chapter 21.74,** may be constructed on a parcel, regardless of the minimum parcel size zoning requirement. The second dwelling shall be placed to take maximum advantage of existing facilities including utilities and driveways. New driveways may be authorized by the County Public Works Department when it can be shown public safety will not be degraded, now or in the future, based on both existing traffic conditions and future traffic projected in the County General Plan.

    a. Any parcel created with a 'no build' restriction shall meet the criteria specified in Section 21.20.050 prior to the construction of any dwelling. Any parcel enrolled in the Williamson Act, and not subject to a 'no build' restriction, shall be in agricultural use prior to the construction of any dwelling. (Ord. CS 1020, Sec. 4, 2007; Ord. CS 741, 2000).

    b. **One a**ccessory dwelling~~s~~, as regulated by Chapter 21.74, may be permitted in lieu of the permitted second single-family dwelling. (Ord. CS 1290, 2021).

C. A mobile home in lieu of any permitted single-family dwelling as regulated by Chapter 21.72. (Ord. CS 1290, 2021).

D. Buildings, appurtenances, and uses such as custom contract harvesting or land preparation where the buildings, appurtenances, or uses are incidental and accessory to the use of the subject property for farming purposes.

E. Home occupations as regulated by Chapter 21.94.

F. Racing homer pigeons as regulated in Chapter 21.92.

G. Garage sales.

H. Temporary agricultural service airports.

I. Detached accessory buildings, the uses of which are incidental to, and reasonably related to, a main building on the same lot or to the primary use of the property as determined by the director of planning and community development.

J. One identification or informational sign not more than twelve square feet in area nor more than six feet in height may be permitted in the front yard or side yard adjacent to each street frontage of a property which contains a lawful agricultural use, or commercial, or industrial nonconforming use in lieu of any other freestanding sign which may be permitted, provided that:
    1. It does not bear any advertising message,

2. It is nonflashing, nonmoving and nonanimated,

3. It is located wholly on private property on the premises to which it pertains,

4. A plot plan and elevation of the sign is approved by the planning and community development director prior to request for building and electrical permits and installation;

K. Lagoons or ponds for the storage of animal wastes, except when a use permit is required under Section 21.20.030 ~~F~~**of this Chapter**. Such lagoons or ponds shall be located a minimum of fifty feet from any property line and three hundred feet from any dwelling on an adjacent property. Other standards may be imposed by other county or state agencies.

L. Christmas tree sales lots and Halloween pumpkin sales lots provided they meet the required setbacks and provide at least ten accessible and useable off-street parking spaces in addition to one space per employee on a maximum shift. Such lots shall be limited to two double-faced signs not to exceed twelve square feet on each face. No off-site signs shall be permitted. Such Halloween pumpkin sales lots may not be established prior to October 1 of any year and shall be removed and the property returned to its previous condition prior to November 15; Christmas tree sales lots may not be established prior to November 15 of any year and shall be removed and the property returned to its previous condition prior to January 1.

M. Fireworks stands provided they meet all required setbacks and provide at least five accessible and usable off-street parking spaces in addition to one space per employee on a maximum shift. Such stands shall meet all the requirements of the department of fire safety and shall be erected and removed within the time period prescribed by that department.

N. Produce stands as defined and regulated in Chapter 21.90.

O. ~~Small f~~**F**amily day care homes ~~for eight or fewer persons~~.

P. **Agricultural employee housing with thirty-six or fewer beds or twelve or fewer dwelling units for agricultural workers employed on a full-time basis with approval of a permit in accordance with Chapter 21.100.**
~~Large family day care homes for seven through fourteen. persons when the following criteria are met:~~

~~1. One off-street parking space shall be provided for each employee plus two spaces;~~

~~2. The two additional parking spaces shall be located so that vehicles will head-in and head-out and not use the public road for maneuvering, loading, or unloading;~~

~~3. There shall be no other day care facilities for more than eight persons within three hundred feet of the exterior boundary of the property.~~

(Ord. CS 861, Section 2, 2003; Ord. CS 591 Section 1, 1995; Ord. CS 350 Sections 1 (part), 2, 1989; Ord. CS 349 Section 1, 1989; Ord. CS 142 Section 1, 1985; Ord. CS 141 Section 1, 1985; Ord. CS 106 Section 2 (part), 1984).

Q. Cultivation of hemp as defined and regulated in Chapter 6.85. (Ord. CS 1293, 2021).

21.20.030 USES REQUIRING USE PERMIT

Uses permitted in the A-2 districts subject to first securing a use permit in each case:

A. TIER ONE. The uses listed below are closely related to agriculture and are necessary for a healthy agricultural economy. Tier One uses may be allowed when the planning commission finds that, in addition to the findings required under Section 21.96.050, the use as proposed will not be substantially detrimental to or in conflict with agricultural use of other property in the vicinity.

1. Stationary installations such as alfalfa and feed dehydrators; commercial viners; fuel alcohol stills designed to serve a localized area; nut hulling, shelling, and drying; agricultural experiment stations; warehouses for storage of grain and other farm produce; weighing, loading and grading stations; wholesale nurseries and landscape contractors when conducted in conjunction with a wholesale nursery; agricultural backhoe services; sale of firewood; and similar agricultural facilities;

2. ~~Farm labor camps and a~~**A**gricultural service airports;

3. ~~**Permanent**~~ **Agricultural employee** housing **consisting of more than 36 beds or twelve dwelling units or other housing accommodations** for **agricultural workers**~~persons~~ employed on a full-time basis~~ in connection with the agricultural use of the property or other property owned or leased by the same owner~~. ~~The parcel(s) shall be large enough in terms of acreage, crops, production, number of animals, to clearly support and justify the establishment of an additional dwelling(s) for a full-time employee. Applicants will be required to substantiate that the employee is, in fact, a full-time employee.~~ Permits granted for employee housing shall require that new ~~residences~~ **dwellings or housing accommodations** be placed in close proximity to existing dwelling**s** to minimize the disruption of agricultural land and to take maximum advantage of existing facilities, including utilities and driveways;

4. Produce markets as defined and regulated in Chapter 21.90. (Ord. CS 591 Section 2, 1995)

B. TIER TWO. The uses listed below are agriculture-related commercial and industrial uses that may be allowed when the planning commission or board of supervisors finds that, in addition to the findings required under Section 21.96.050:

1. The establishment as proposed will not be substantially detrimental to or in conflict with agricultural use of other property in the vicinity; and

2. The establishment as proposed will not create a concentration of commercial and industrial uses in the vicinity; and

3. It is necessary and desirable for such establishment to be located within the agricultural area as opposed to areas zoned for commercial or industrial usage.

a. Agricultural service establishments primarily engaging in the provision of agricultural services to farmers, including contract harvesting when not allowed under Section 21.20.020D. Such establishments shall be designed to serve the immediately surrounding area as opposed to having a widespread service area.

b. Agricultural processing plants and facilities, such as wineries, dehydrators, canneries, and similar agriculture-related industrial uses, provided:

i. The plant or facility is operated in conjunction with, or as a part of, a bona fide agricultural production operation;

ii. At least fifty percent of the produce to be processed is grown on the premises or on property located in Stanislaus County in the same ownership or lease; and

iii. The number of full-time, year-round employees involved in the processing shall not exceed ten, and the number of part-time, seasonal employees shall not exceed twenty.

c. In conjunction with an agricultural processing plant or facility, incidental retail sales, tasting rooms and/or facilities for on-site consumption of agricultural produce processed on the premises, provided:

i. The primary purpose is to promote sales of the agricultural product(s) produced and processed on the premises;

ii. The use is subordinate to the production of such product and the use of such agricultural processing facility; and

iii. The number of full-time, year-round employees involved in the operation shall not exceed ten, and the number of part-time, seasonal employees shall not exceed twenty.

iv. However, the total number of full-time, year-round employees allowed under Subsections b(iii) and c(iii) shall not exceed ten, and the total number of part-time, seasonal employees shall not exceed twenty.

d. Soil reclamation, or the process of cleaning or decontaminating soil that has been contaminated by gasoline or other toxic materials.

e. Commercial or municipal composting, processing and/or spreading of whey, treated sludge or biosolids (including Class A and Class B), or other organic matter when the matter to be composted, processed and/or spread is not generated on site and the composting, processing and/or spreading is not part of a routine farming practice. Composting operations with less than 1,000 cubic yards or 300 tons of active composting material on site at any given time shall be considered an agricultural use and shall be exempt from this provision. (This provision is intended to apply to operations whose primary function is the composting, processing and/or spreading of organic matter; it is not intended to apply to composting and/or the use of fertilizers

and other soil amendments or feed additives in conjunction with agricultural production.)

C. TIER THREE. The uses listed below are not directly related to agriculture but may be necessary to serve the A-2 District or may be difficult to locate in an urban area. Some of these uses can be people-intensive and, as a result, have the potential to adversely impact agriculture; these people-intensive uses are generally required to be located within LAFCO-approved spheres of influence of cities or community services districts and sanitary districts serving unincorporated communities. Tier Three uses may be allowed when the planning commission finds that, in addition to the findings required under Section 21.96.050:

1. The use as proposed will not be substantially detrimental to or in conflict with agricultural use of other property in the vicinity, and

2. The parcel on which such use is requested is not located in one of the County's "most productive agricultural areas," as that term is used in the Agricultural Element of the General Plan; or the character of the use that is requested is such that the land may reasonably be returned to agricultural use in the future.

   In determining "most productive agricultural areas," factors to be considered include but are not limited to soil types and potential for agricultural production; the availability of irrigation water; ownership and parcelization patterns; uniqueness and flexibility of use; the existence of Williamson Act contracts; existing uses and their contributions to the agricultural sector of the economy. "Most productive agricultural areas" does not include any land within LAFCO-approved spheres of influence of cities or community services districts and sanitary districts serving unincorporated communities.

   a. Public stables, including boarding and training, and kennels,
   b. Bridle paths, riding academies, roping arenas and similar facilities for the training, exercising or exhibiting of horses, dogs or other animals,
   c. Recreational camps without housing for permanent residents and dude or guest ranches,
   d. Cemeteries,
   e. Schools offering general academic instruction equivalent to the standards prescribed by the State Board of Education,
   f. Churches,
   g. The raising or keeping for commercial or noncommercial purposes of fur-bearing animals, zoo-type animals, exotic birds, fish or wildlife regulated by the California Department of Fish and Game or dangerous animals as described in Chapter 7.28 of this code,
   h. Off-road vehicle parks, motorcycles, bicycle, go-cart and automobile race tracks; rifle ranges; trap and skeet ranges,
   i. Public buildings, parks or other facilities operated by political subdivisions,
   j. Facilities for public utilities and communication towers,
   k. Sanitary landfills,
   l. Circuses, carnivals, outdoor festivals, rallies, revivals, concerts, open-air churches, and similar uses provided that they do not last for more than seven days,

m. Day care centers when accessory to a school offering general academic instruction equivalent to the standards prescribed by the State Board of Education,
n. Gun clubs and hunting clubs.
o. Golf courses (excluding miniature golf), golf driving ranges and practice putting greens, athletic fields and facilities (when operated by a non-profit organization or club), and related facilities (including, but not limited to, clubhouses, pro-shop, and food and drink facilities).
p. Commercial excavation of earth, minerals, building materials or removal of oil or gas, together with the necessary apparatus and appurtenances incidental thereto.
q. Corn mazes, hay mazes, and similar seasonal activities when determined by the Planning Director to be similar in nature and when they do not qualify for the exception in Section 21.100.050(E). (Ord. CS 890, Section 1, 2004)
r. Weddings, and similar events, provided they are not located on Williamson Act Contracted land. (CS 1181 Section 3, 2016).

D. Notwithstanding any other provision of this title relating to the use of property zoned A-2, a factory for processing rabbits shall be allowed after issuance of a use permit subject to the following limitations:

1. The property proposed for use shall contain a minimum of ten acres;

2. There shall be no more than five employees involved in the processing operation;

3. The proposed facility shall satisfy all of the applicable regulations enacted by the California State Department of Food and Agriculture relating to processing of rabbits;

4. There shall not be retail sales at the property;

5. The processor shall submit a plan for disposing of the animal waste;

6. Such other limitations or conditions as may be imposed by the planning commission or board of supervisors. (Ord. CS 501 Section 1, 1992; Ord. CS 424 Section 1, 1991; Ord. CS 305 Section 1, 1988; Ord CS 294 Section 1, 1988; Ord. CS 260 Section 1, 1987; Ord. CS 141 Section 3 (part), 1985; Ord. CS 106 Section 2 (part), 1984).

E. Repealed December 18, 2007 (Ord. CS 1020 Sec. 6, 2007).

F. New confined animal facility and expansions of existing confined animal facility requiring a new or modified permit, waiver, order, or waste discharge requirements from the Regional Water Quality Control Board, where the issuance of such permit, waiver, order or waste discharge requirements requires compliance with the California Environmental Quality Act. Lagoons or ponds for the storage of animal wastes shall be located a minimum of fifty feet from any property line and three hundred feet from any dwelling on an adjacent property. (CS Ord. 861, Sec. 3, effective December 25, 2003)

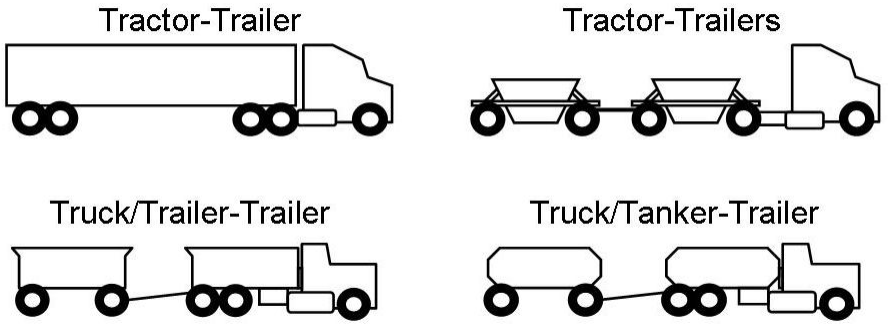
G. Parking of tractor-trailer combinations may be allowed when the Planning Commission finds that, in addition to the findings required under Section 21.96.050:

1. The establishment as proposed will not be substantially detrimental to or in conflict with agricultural use of other property in the vicinity;

2. The establishment as proposed will not create a concentration of commercial and industrial uses in the vicinity; and

3. All the following criteria are met:

   a) For the purpose of this ordinance, a tractor-trailer combination shall include a tractor-trailer, truck/trailer-trailer, or truck/tanker-trailer combination with a minimum of five (5) axles and capable of hauling a combined gross vehicle weight (GVW) of 80,000 pounds. The following illustrates the type of permitted combinations:



   b) At least one of the combinations shall be registered to the property owner and the property owner shall live on the parcel.

   c) The total number of tractors, truck/trailers and truck/tankers shall not exceed twelve (12) and the total number of trailers shall not exceed two (2) per tractor, truck/trailer, or truck/tanker. For the purpose of this ordinance, a set of double trailers shall be equivalent to one trailer.

   d) The parcel on which parking will occur is one acre or more in size, the total area of the parcel used for the parking operation does not exceed 1.5 acres in size, and the area used for parking, including employee parking, shall not exceed fifty percent of the entire parcel.

   e) No off-loading of trailers shall occur on-site.

   f) All tractors, truck/trailers, truck/tankers and trailers parking on-site shall be in full operable condition for at least six consecutive months of every year.

   g) One on-site office, accessory to the parking operation, not to exceed 1,200 square feet in size, may be maintained within an on-site dwelling or within an accessory structure provided all applicable building permits are obtained and public facility fees paid, if applicable.

   h) Access to the site shall be available without violation of any state, county, or city roadway weight restrictions, and a driveway approach acceptable to the Department of Public Works is provided.

   i) Parking areas, including employee parking, and driveways shall be adequately graveled to reduce dust emissions and all parking areas shall be located outside any required front yard or corner lot side yard and

delineated through fencing or vegetative landscaping to distinguish the authorized parking area.

j) On-site maintenance shall be limited to oil and tire changes, light and windshield wiper replacements, and checking fluids.

k) No signs advertising parking shall be placed on the property.

l) On-site storage and use of related equipment may be considered by the Planning Commission as part of the application consideration.

This subsection is intended to allow for the parking of tractor-trailer, truck/trailer-trailer, and truck/tanker-trailer combinations used to transport goods and materials and requiring a California commercial A license for operation on a public roadway. This subsection is not intended to allow the parking of commercial vehicles used for the transportation of people or pick-up trucks, tow trucks, delivery trucks, box trucks, fleet vehicles or other similar vehicles. Trucks used solely for permitted agricultural operations on site are exempt from this provision. (Ord. CS 1117 Section 1, 2012)

H. Commercial cannabis cultivation or nursery activities and distribution activities (limited to permitted commercial cannabis product grown on-site) subject to Section 21.08.020(D) of this Title, may be allowed when conducted within a greenhouse or accessory agricultural storage building as permitted by Title 6 of the County Code. (Ord. CS 1205, Sec. 3, 2018).

21.20.040 USES REQUIRING BOARD OF SUPERVISORS APPROVAL

Public and private airports are permitted subject to board of supervisor's approval when the following procedure is followed:

A. Application shall be made in writing on a form prescribed by the planning commission and shall be accompanied by a filing fee in such amount as may be fixed from time to time by order of the board of supervisors as well as a plot plan and other pertinent data as may be deemed necessary by the planning director.

B. In order to obtain an airport permit, the applicant must introduce evidence in support of this application sufficient to enable the planning commission and the board of supervisors to find that the establishment of the airport is consistent with the general plan, consistent with any adopted county policies and will not, under the circumstances of the particular case, be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood of the use and that it will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the county.

C. The application shall be referred to the Airport Land Use Commission for review prior to approval by the planning commission and board of supervisors.

D. A public hearing shall be held by the planning commission. Notice of hearing shall be given as required by Section 21.96.040. The planning commission shall make a report of its findings and recommendation to the board of supervisors.

E. Upon receipt of the report from the planning commission a public hearing shall be held by the board of supervisors. Notice of the hearing shall be given as required by Section 21.96.040. At the conclusion of any hearing held by the board of supervisors, the board

may approve the airport permit if the findings listed in Section 21.20.040B can be established. (Ord. CS 106 Section 2 (part), 1984).

21.20.045 USES ON LANDS SUBJECT TO WILLIAMSON ACT CONTRACTS

A. As required by Government Code Section 51238.1, the Planning Commission and/or Board of Supervisors shall find that uses requiring use permits that are approved on lands under California Land Conservation Contracts (Williamson Act Contracts) shall be consistent with all of the following principles of compatibility:

1. The use will not significantly compromise the long-term productive agricultural capability of the subject contracted parcel or parcels or on other contracted lands in the A-2 zoning district.

2. The use will not significantly displace or impair current or reasonably foreseeable agricultural operations on the subject contracted parcel or parcels or on other contracted lands in the A-2 zoning district. Uses that significantly displace agricultural operations on the subject contracted parcel or parcels may be deemed compatible if they relate directly to the production of commercial agricultural products on the subject contracted parcel or parcels or neighboring lands, including activities such as harvesting, processing, or shipping.
3. The use will not result in the significant removal of adjacent contracted land from agricultural or open-space use.

B. Unless the Planning Commission and/or the Board of Supervisors makes a finding to the contrary, the following uses are hereby determined to be consistent with the principles of compatibility and may be approved on contracted land:

1. The erection, construction, alteration, or maintenance of gas, electric, water, communication facilities,

2. ~~Farm labor camps and farm~~**Agricultural** employee housing, and

3. All Tier One uses requiring use permits listed in Section 21.20.030 A.

C. The following uses are hereby determined to be inconsistent with the principles of compatibility and shall not be approved on contracted land:

1. Churches,
2. Schools, and
3. Day care centers when accessory to a school offering general academic instruction equivalent to the standards prescribed by the State Board of Education.

D. Mineral extraction on contracted land may be approved consistent with Government Code Section 51238.2.

E. Uses on nonprime contracted land may be approved consistent with subdivision (c) of Government Code Section 51238.1.

F. All other uses requiring use permits on contracted lands, except those specified in Subsections B, C, D and E of this Section, shall be evaluated on a case-by-case basis by the Planning Commission and/or Board of Supervisors to determine whether they are consistent with the principles of compatibility set forth in Government Code Section 51238.1.

21.20.050 DIVISION OF LAND

All divisions of land on property zoned A-2 (General Agriculture) shall conform to the minimum parcel designation exhibited on the county's sectional district maps. The subdivision of agricultural land consisting of unirrigated farmland, unirrigated grazing land, or land enrolled under the Williamson Act, into parcels of less than 160-acres in size shall be allowed provided a “no build” restriction on the construction of any residential development on newly created parcel(s) is observed until one or both of the following criteria is met.

A. 90% or more of the parcel shall be in production agriculture use with its own on-site irrigation infrastructure and water rights to independently irrigate. For land which is not irrigated by surface water, on-site irrigation infrastructure may include a self-contained drip or sprinkler irrigation system. Shared off-site infrastructure for drip or sprinkler irrigation systems, such as well pumps and filters, may be allowed provided recorded long-term maintenance agreements and irrevocable access easements to the infrastructure are in place.

B. Use of the parcel includes a confined animal facility (such as a commercial dairy, cattle feedlot, or poultry operation) or a commercial aquaculture operation. (Ord. CS 1020 Sec. 7, 2007; Ord. CS 344 Section 4, 1989; Ord. CS 106 Section 2 (part), 1984).

21.20.060 SITE AREA

The minimum allowable area for creation of a parcel shall be either three, five, ten, twenty, forty, or one hundred sixty acres as designated on the sectional district map following the zone symbol. Minimum parcel size may be determined by including internal area occupied by irrigation canals, laterals and other facilities and area up to the centerline of public roads, railroads, transmission lines, aqueducts or irrigation laterals which are located at a parcel's boundary. The following shall be exempt as to the minimum parcel size requirements provided the parcels are consistent with the subdivision ordinance and all other applicable county regulations:

A. Parcels created or used for public utility or communication purposes.

B. Repealed December 18, 2007 (CS 1020 Sec. 8, 2007; prior code CS 741, effective November 24, 2000)

C. Repealed December 18, 2007 (CS 1020 Sec. 9, 2007).

D. Parcels created and used pursuant to Sections 21.20.030 and 21.20.040, or where there exists a nonresidential legal nonconforming use, approved by the planning commission based upon findings that such parcel exhibits size, location and orientation characteristics which are supportive of the use without detriment to other agricultural usage in the vicinity.

E. Parcels created by a lot line adjustment between two or more adjacent parcels, where the

land taken from one parcel is added to an adjacent parcel, and where a greater number of parcels than originally existed is not thereby created, where the integrity and purpose of Section 21.20.010 is maintained, where one of the parcels is already below the minimum lot area of the zone in which it is located, where a greater number of nonconforming parcels, in terms of parcel size and permitted dwelling(s), is not thereby created and the following criteria can be met:

1. Parcels greater than 10-acres in size shall not be adjusted to a size smaller than 10-acres, unless the adjustment is needed to address a building site area or correct for a physical improvement which is found to encroach upon a property line. In no case shall a parcel enrolled in the Williamson Act be reduced to a size smaller than 10-acres; and

2. Parcels less than 10-acres in size may be adjusted to a larger size, 10 acres or greater in size if enrolled in the Williamson Act, or reduced, if not enrolled in the Williamson Act, as needed to address a building site area or correct for a physical improvement which is found to encroach upon a property line. (Ord. CS 1020 Section 10, 2007; Ord. CS 501 Section 2, 1992; Ord. CS 344 Section 5, 1989; Ord. CS 333 Section 1, 1989; Ord. CS 142 Section 2, 1985; Ord. CS 106 Section 2 (part), 1984).

21.20.070 YARDS

Yards required in A-2 districts:

A. Front yards:

1. Not less than seventy feet from the existing centerline of the street, nor less than fifteen feet from the planned street line on a major street or expressway, whichever is the greater. The vehicle opening of any building shall be no closer than twenty feet to the property line toward which the opening faces.

2. Not less than forty-five feet from the existing centerline of the street on a collector street sixty feet wide, nor less than fifteen feet from the planned street line where a specific plan has been adopted. The vehicle opening of any building shall be no closer than twenty feet to the property line toward which the opening faces.

3. Not less than forty feet from the existing centerline of the street on a minor street (fifty feet wide), nor less than fifteen feet from the planned street line where a specific plan has been adopted. The vehicle opening of any building shall be no closer than twenty feet to the property line toward which the opening faces.

B. Side yards, interior lot line and rear yards: Five feet.

C Side yards, corner lot: The main building and accessory building or garages not having direct access to the street may be five feet closer to the planned street line than at the front yard. (Ord. CS 106 Section 2 (part), 1984).

21.20.080 HEIGHT LIMITS

No fence, hedge or screen planting, in excess of three feet in height, shall be constructed or permitted to grow within any required front yard or side yard of a corner lot unless the director determines that visibility will not be obstructed. (Ord. CS 106 Section 2 (part), 1984).

CHAPTER 21.24

RURAL RESIDENTIAL DISTRICT (R-A)

SECTIONS:

21.24.010 APPLICABILITY
21.24.020 PERMITTED USES
21.24.030 USES REQUIRING USE PERMIT
21.24.040 HEIGHT LIMITS
21.24.050 LOT WIDTH
21.24.060 BUILDING SITE AREA
21.24.070 BUILDING SITE COVERAGE
21.24.080 YARDS
21.24.090 OFF-STREET PARKING
21.24.100 HOME ACT

21.24.010 APPLICABILITY

The regulations set forth in this chapter shall apply in all R-A districts and shall be subject to the provisions of Chapter 21.08 **unless otherwise specified in this Chapter**. (Ord. CS 106, Sec. 3 (part), 1984).

21.24.020 PERMITTED USES

Uses permitted in R-A districts:

A. One single-family dwelling on any one parcel;

B. Small livestock farming, on parcels of one acre or more, but excluding hogs;

C. On parcels containing one acre or more, there may be maintained two horses or two cows (termed "large animals"), or four sheep or four goats (termed "small animals"), or a combination of one large animal and two small animals. The maximum number of large animals per parcel shall not exceed two per acre, or the maximum number of small animals per parcel shall not exceed four per acre. In the case where large and small animals are kept in combination, the total number of animals per parcel shall not exceed three per acre;

D. Home occupations as regulated by Chapter 21.94;

E. Accessory uses normally incidental to a single-family dwelling or light farming, but this shall not be construed as permitting any commercial use;

F. One sign, not over six square feet in area and unlighted pertaining only to the sale, lease or rental of the property on which the sign is located;

G. On parcels containing more than two acres, the storage of petroleum products for use on the premises by farm equipment, as governed by law and ordinances;

21.24.020 Permitted uses

H. Racing homer pigeons as regulated in Chapter 21.92;

I. Garage sales;

J. A mobile home in lieu of any permitted single-family dwelling as regulated by Chapter 21.72 (Ord. CS 1290, 2021);

K. Crop farming;

L. When there is a recorded subdivision map, there may be maintained one advertising sign of not more than two hundred square feet in area illuminated but nonflashing and nonanimated, and one temporary sales office, for a period of two years immediately following the recording date of the subdivision map; however, the time for maintaining such sign and temporary sales office may be extended for an additional two-year period provided a use permit is first secured. Such sign and office shall be subject to all yard requirements and located within the boundaries of the subdivision;

M. ~~Small f~~**F**amily day care homes**~~. for eight or fewer persons;~~**

N. ~~Large family day care homes for seven through fourteen persons when the following criteria are met:~~

~~1. One off-street parking space shall be provided for each employee plus two spaces;~~

~~2. The two additional parking spaces shall be located so that vehicles will head-in and head-out and not use the pubic road for maneuvering, loading, or unloading;~~

~~3. There shall be no other day care facilities for more than eight persons within three hundred feet of the exterior boundary of the property.~~

O. Detached accessory buildings, the use of which are incidental to, and reasonably related to, a main building on the same lot or to the primary use of the property as determined by the **planning** director~~ of planning and community development~~.

P. Duplexes on corner lots of subdivisions created after January 1, 1979; provided, that each unit fronts on a separate street and that, in the opinion of the **planning** director~~ of planning and community development~~, each **dwelling** unit has the appearance of a single-family residence. Applicants may be required to submit building elevations or other proof that the duplex will meet this requirement;

Q. Accessory Dwellings as regulated by Chapter 21.74 (Ord. CS 1290, 2021);

R. Christmas tree sales lots provided they meet the required setbacks and provide at least ten accessible and usable off-street parking spaces in addition to one space per employee on a maximum shift. Such lots shall be limited to two double-faced signs not to exceed twelve square feet each. No off-site parking shall be permitted. Such lots may not be established prior to November 15 of any year and shall be removed and the property returned to its original condition prior to January 1st;

S. Fireworks stands provided they meet all required setbacks and provide at least five accessible and usable off-street parking spaces in addition to one space per employee on a

maximum shift. Such stands shall meet all requirements of the department of fire safety and shall be erected and removed within the time period prescribed by that department;

T. Wayside stands for the display, sale or offering for sale of fresh agricultural produce grown on the same property or on property which is in the same ownership or lease as that on which the stands are located. Such stands shall provide at least five accessible and usable off-street parking spaces in addition to one space per employee on a maximum shift. Such stands shall be open for a period not to exceed ninety days in any one calendar year and shall be limited to two double-faced signs not to exceed twelve square feet each. No off-site signs shall be permitted. (Ord. CS 350, Secs. 1 (part), 3, 1989; Ord. CS 349, Sec. 2, 1989; Ord. CS 141, Sec. 2, 1985; Ord. CS 106, Sec. 3 (part), 1984).

21.24.030 USES REQUIRING USE PERMIT

Uses permitted subject to first securing a use permit in each case:

A. Residential care homes; provided, that the use is demonstrated to be properly located without detriment to or in conflict with the agricultural or residential usage of the vicinity and will not, under the circumstances of the particular case, be detrimental to the health, safety and general welfare of persons residing or working within the use vicinity;

B. Boarding stables, bridle paths, and private riding clubs when the parcel under one ownership contains ten acres or more; however, these uses do not include the conducting of rodeos;

C. Country clubs, golf courses (excluding miniature golf courses), boat launching and rental facilities, summer camps, and picnic grounds where the parcel of land in one ownership exceeds ten acres, and public parks operated by public agencies;

D. Agricultural uses specified in Sections 21.20.030 and 21.20.040, (A-2 general agriculture district) except airports of any kind; provided that the property is designated on the land use element of the general plan as **estate**~~rural~~ residential and that the planning commission finds that the proposed usage is consistent with such designation and the character of the surrounding area;

E. Churches (excluding tent and open-air churches), schools offering general academic instruction equivalent to the standards prescribed by the State Board of Education, hospitals, public buildings, facilities for public utilities, and community antenna television systems with an antenna not exceeding one hundred fifty feet in height;

F. Drilling for, or removal of, gas, oil, or commercial removal of minerals, earth or other natural materials;

G. Repe**a**~~l~~led on January 26, 2021 (Ord. CS 1290, 2021).

H. Mobile home parks; provided that all units are connected to public sanitary sewer and public water system and that the density does not exceed the maximum allowable in this district; and

I. Family day care **homes**~~centers~~ for more than **fourteen**~~twelve~~ persons~~ or for seven through twelve persons where the criteria listed in Section 21.24.020(N) are not met~~.

21.24.040 HEIGHT LIMITS

Height limits in R-A districts:

A. Maximum of thirty-five feet for all buildings;

B. No fence, hedge or screen planting shall be constructed or permitted to grow in excess of eight feet in height within any required side or rear yard, nor in excess of three feet within any required front yard or side yard of a corner lot except fences within the side and rear yard which enclose electrical substations which may be constructed to the height required by law or unless the **planning** director determines that visibility will not be obstructed.

21.24.050 LOT WIDTH

Minimum Llot width requirements in R-A districts**, for the creation of new parcels, shall be as specified in Title 20, Subdivision Ordinance, of the County Code.**

A. ~~The minimum lot width shall be sixty-five feet;~~

B. ~~The minimum lot depth shall be eighty feet. (Ord. CS 106, Sec. 3 (part), 1984).~~

21.24.060 BUILDING SITE AREA

Building site area requirements in R-A districts:

A. No new building site shall be approved without prior approval of sanitary and water facilities by the county health department;

B. For areas designated as **low density** residential on the land use element of the general plan, the minimum building site areas shall be as follows:

1. Sites serviced by public sewer and water facilities, eight thousand square feet,

2. Sites serviced by public water and septic tank facilities or private well and public sewer facilities, twenty thousand square feet,

3. Sites serviced by private well and septic tank facilities, one acre;

C. For areas designated as estate residential on the land use element of the general plan, the minimum building site areas shall be three acres. Minimum building site areas may be determined by including internal area occupied by irrigation canals, laterals and other facilities and area up to the centerline of public roads and irrigation facilities which are located at a boundary of a parcel. (Ord. CS 344, Sec. 6, 1989; Ord. CS 106, Sec. 3 (part), 1984).

D. For parcels located wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau, the minimum building site area shall be as specified in Section 21.24.100 of this Chapter.

21.24.70 ~~BUILDING SITE~~LOT COVERAGE

Lot coverage permitted in R-A districts:

~~Percentage of building site coverage permitted in R-A districts:~~ For aggregate building~~s~~ coverage, maximum of forty percent of lot area **except as allowed in Section 21.24.100 of this Chapter**. (Ord. CS 106, Sec. 3 (part), 1984).

21.24.080 YARDS

Yards and open space required in R-A districts:

A. Front yard.

1. Not less than seventy feet from the existing centerline of the street, nor less than fifteen feet from the planned street line on a major street or expressway, whichever is the greater. The vehicle opening of any building shall be no closer than twenty feet to the property line toward which the opening faces;

2. Not less than forty-five feet from the existing centerline of the street on a collector street (sixty feet wide) nor less than fifteen feet from the planned street line where a specific plan has been adopted. The vehicle opening of any building shall be no closer than twenty feet to the property line toward which the opening faces;

3. Not less than forty feet from the existing centerline of the street on a minor street (fifty feet wide), nor less than fifteen feet from the planned street line where a specific plan has been adopted. The vehicle opening of any building shall be no closer than twenty feet to the property line toward which the opening faces;

B. Side Yard. Interior lot line and rear yard. Five feet;

C. Side Yard. Corner lot. The main building, and garages or accessory building not having direct vehicular access to the street, may be located five feet closer to the planned street line than at the front yard;

D. Buildings for Keeping Livestock or Poultry. Not less than fifty feet from any public street, measured from edge of pavement, nor less than forty feet from any adjacent property. (Ord. CS 663 §40, 1998; Ord. CS 106 §3, 1984; Ord. CS 1202, Sec. 3, effective November 16, 2017).

21.24.090 OFF-STREET PARKING

See Chapter 21.76 for all parking requirements. (Ord. CS 106, Sec. 3 (part), 1984).

21.24.100 HOME ACT

In accordance with the California Housing Opportunity and More Efficiency (HOME) Act, the following standards shall be applicable to parcels located wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau:

A. Parcel Splits. Parcels may be split provided the following standards are met:

1. Building Site Area. The minimum building site area for parcels served with public sewer and water shall be 1,200 square-feet for the purpose of the creation of new parcels in accordance with the HOME Act. Building site area standards for parcels not served by water and sewer shall be subject to the

building site area standards set forth in Section 21.24.060:

2. **A parcel may be split into no more than two parcels;**

3. **Each resulting parcel shall be approximately equal in size and no smaller than forty percent of the original parcel being split;**

4. **The original parcel being split shall not have been created as a result of the provisions of the HOME Act;**

5. **The original parcel being split shall not be adjacent to a parcel previously split by the same property owner; and**

6. **All resulting parcels shall have approved access as defined by Title 20, Subdivision Ordinance, of the County Code.**

B. Exceptions. the creation of a parcel under this Section shall not be permitted if one of the following applies:

1. **The county building official makes a written finding, based upon a preponderance of the evidence, that the proposed housing development project would have a specific, adverse impact, as defined and determined in Section 65589.5(2)(d) of California Government Code, upon public health and safety for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact;**

2. **The parcel is located within a High- or Very-High Fire Hazard Severity zone; or**

3. **The parcel is located within the Federal Emergency Management Act adopted floodway.**

C. Other Development Standards. Except where otherwise allowed by California Government Code Sections 65852.21 and 66411.7, the provisions of County Code shall be applicable to any development on a parcel split in accordance with the HOME Act.

CHAPTER 21.28

SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1)

SECTIONS:

21.28.010 APPLICABILITY
21.28.020 PERMITTED USES
21.28.030 USES REQUIRING USE PERMIT
21.28.040 HEIGHT LIMIT
21.28.045 LOT WIDTH
21.28.050 BUILDING SITE AREA
21.28.060 LOT COVERAGE
21.28.070 YARDS
21.28.080 OFF-STREET PARKING
21.28.090 HOME ACT

21.28.010 APPLICABILITY

The regulations set forth in this chapter shall apply in all R-1 districts and shall be subject to the provisions of Chapter 21.08**, unless otherwise specified in this Chapter**. (Ord. CS 106, Sec. 4 (part), 1984).

21.28.020 PERMITTED USES

Uses permitted in R-1 districts:

A. One single-family dwelling on any one parcel;

B. Accessory uses and buildings normally incidental to single-family residences. This is not to be construed as permitting any commercial use;

C. One sign, not over six square feet in area, and pertaining to only the sale, lease or rental of the property upon which the sign is to be located;

D. Home occupations, as regulated by Chapter 21.94;

E. Crop farming;

F. Where there is a recorded subdivision map, there may be maintained one advertising sign of not more than two hundred square feet in area illuminated but nonflashing and nonamimated, and one temporary sales office, for a period of two years immediately following the recording date of the subdivision map, however, the time for maintaining the sign and temporary sales office may be extended for an additional two-year period provided a use permit is first secured. The sign and office shall be subject to all yard requirements and located within the boundary of the subdivision;

G. Racing homer pigeons as regulated in Chapter 21.92;

H. Garage sales;

I. A mobile home in lieu of any permitted single-family dwelling as regulated by Chapter 21.72 (Ord. CS 1290, 2021);

21.28.020 Permitted uses

J. ~~Small f~~**F**amily day care homes ~~**for eight or fewer persons**~~;

K. ~~Large family day care homes for seven through fourteen persons. when the following criteria are met:~~

~~1. One off-street parking space shall be provided for each employee plus two spaces,~~

~~2. The two additional parking spaces shall be located so that vehicles will head-in and head-out and not use the public road for maneuvering, loading or unloading,~~

~~3. There shall be no other day care facilities for more than eight persons within three hundred feet of the exterior boundary of the property.~~

L. Duplexes on corner lots of subdivisions created after January 1, 1979; provided, that each unit fronts on a separate street and that, in the opinion of the **planning** ~~director of planning and community development~~, each unit has the appearance of a single-family residence. Applicants may be required to submit building elevations or other proof that the duplex will meet this requirement;

M. Accessory Dwellings as regulated by Chapter 21.74. (Ord. CS 1290, 2021).

21.28.030 USES REQUIRING USE PERMIT

Uses permitted, subject to first securing a use permit in each case:

A. Churches (excluding tent and open-air churches), schools offering general academic instruction equivalent to the standards prescribed by the State Board of Education, hospitals, public buildings, facilities for public utilities, and community antenna systems with an antenna not exceeding one hundred fifty feet in height;

B. Mobile home parks; provided that all units are connected to a public sanitary sewer and public water system and that the density does not exceed the maximum allowable in this district;

C. Family day care **homes**~~centers~~ for more than **fourteen**~~twelve~~ persons or for seven to twelve persons ~~where the criteria listed in Section 21.28.020K are not met. (Ord. CS 106, Sec. 4 (part), 1984).~~

21.28.040 HEIGHT LIMIT

Height limit in R-1 districts:

A. For dwellings, maximum thirty-five feet;

B. For detached accessory buildings, maximum twenty feet;

C. No fence, hedge, or screen planting shall be constructed or permitted to grow in excess of eight feet in height within any required side or rear yard, nor in excess of three feet within any required front yard, or side yard of a corner lot, except fences within the side and rear yard which enclose electrical substations which may be constructed to the height required by law or unless the director determines that visibility will not be obstructed. (Ord. CS 106, Sec. 4 (part), 1984).

21.28.045 LOT WIDTH

Minimum lot width requirements in R-1 districts, for the creation of new parcels, shall be as specified in Title 20, Subdivision Ordinance, of the County Code.

21.28.050 BUILDING SITE AREA

Building site area required in R-1 districts:

A. Sites serviced by public sewer and water facilities, five thousand square feet;

B. Sites serviced by public water and septic tank facilities or private well and public sewer facilities, twenty thousand square feet;

C. Sites serviced by private well and septic tank facilities, one acre. (Ord. CS 106, Sec. 4 (part), 1984).

D. For parcels located wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau, the minimum building site area shall be as specified in Section 21.28.090 of this Chapter.

21.28.060 LOT COVERAGE

~~Percentage of l~~**L**ot coverage permitted in R-1 districts:

A. For aggregate building coverage, maximum **of fifty**~~forty~~ percent of lot area **except as allowed in Section 21.28.090 of this Chapter**. (Ord. CS 106, Sec. 4 (part), 1984).

21.28.070 YARDS

Yards required in R-1 districts:

A. Front yard.

1. Not less than seventy feet from the existing centerline of the street, nor less than fifteen feet from the planned street line on a major street or expressway, whichever is the greater. The vehicle opening of any building shall be no closer than twenty feet to the property line toward which the opening faces,

2. Not less than forty-five feet from the existing centerline of the street on a collector street (sixty feet wide), nor less than fifteen feet from the planned street line where a specific plan has been adopted. The vehicle opening of any building shall be no closer than twenty feet to the property line toward which the opening faces,

3. Not less than forty feet from the existing centerline of the street on a minor street (fifty feet wide) nor less than fifteen feet from the planned street line where a specific plan has been adopted. The vehicle opening of any building shall be no closer than twenty feet to the property line toward which the opening faces;

B. Side Yard, Interior Lot Line and Rear Yard. Five feet;

C. Side Yard, Corner Lots. The main building and garages or accessory buildings not having direct vehicular access to the street may be located five feet closer to the planned street line than at the front yard. (Ord. CS 106 Sec. 4 (part), 1984).

21.28.080 OFF-STREET PARKING

See Chapter 21.76 for **all off-street** parking requirements ~~for all uses in all districts~~. (Ord. CS 106, Sec. 4 (part), 1984).

21.28.090 HOME ACT

In accordance with the California Housing Opportunity and More Efficiency (HOME) Act, the following standards shall be applicable to parcels located wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau:

A. Parcel Splits. Parcels may be split provided the following standards are met:

a. Building Site Area. The minimum building site area for parcels served with public sewer and water shall be 1,200 square-feet for the purpose of the creation of new parcels in accordance with the HOME Act. Building site area standards for parcels not served by water and sewer shall be subject to the building site area standards set forth in Chapter 21.28.050;

b. A parcel may be split into no more than two parcels;

3. Each resulting parcel shall be approximately equal in size and no smaller than forty percent of the original parcel being split;

4. The original parcel being split shall not have been created as a result of the provisions of the HOME Act;

5. The original parcel being split shall not be adjacent to a parcel previously split by the same property owner; and

6. All resulting parcels shall have approved access as defined by Title 20, Subdivision Ordinance, of of the County Code.

B. Exceptions. the creation of a parcel under this Section shall not be permitted if one of the following applies:

1. **The county building official makes a written finding, based upon a preponderance of the evidence, that the proposed housing development project would have a specific, adverse impact, as defined and determined in Section 65589.5(2)(d) of California Government Code, upon public health and safety for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact;**

2. **The parcel is located within a High- or Very-High Fire Hazard Severity zone; or**

3. **The parcel is located within the Federal Emergency Management Act adopted floodway.**

C. Other Development Standards. Except where otherwise allowed by California Government Code Sections 65852.21 and 66411.7, the provisions of County Code shall be applicable to any development on a parcel split in accordance with the HOME Act.

CHAPTER 21.32

MEDIUM DENSITY RESIDENTIAL DISTRICT (R-2)

SECTIONS:

21.32.010 APPLICABILITY
21.32.020 PERMITTED USES
21.32.030 USES REQUIRING USE PERMIT
21.32.040 HEIGHT LIMITS
21.32.045 LOT WIDTH
21.32.050 SITE AREA
21.32.060 LOT COVERAGE
21.32.070 YARDS
21.32.080 OFF-STREET PARKING

21.32.010 APPLICABILITY

The regulations set forth in this chapter shall apply in all R-2 districts and shall be subject to the provisions of Chapter 21.08. (Ord. CS 106, Sec. 5 (part), 1984).

21.32.020 PERMITTED USES

Uses permitted in R-2 districts:

A. **Any combination of single-family or two-family dwellings up to fourteen dwelling units per net acre of land when connected to public sewer and water systems;** ~~One single-family dwelling on any one parcel; or~~

B. ~~Two dwelling units on one parcel;~~

C. Accessory uses and buildings normally incidental to single-family or two-family **dwellings**~~residences~~. This is not to be construed as permitting any commercial use;

D. One sign, not over six square feet in area, and pertaining only to the sale, lease or rental of the property upon which the sign is to be located;

E. Home occupations, as regulated in Chapter 21.94;

F. Crop farming;

G. Racing homer pigeons as regulated in Chapter 21.92;

H. Garage sales;

I. Where there is a recorded subdivision map, there may be maintained one advertising sign of not more than two hundred square feet in area, illuminated but nonflashing and nonanimated, and one temporary sales office, for a period of two years immediately following the recording date of the subdivision map; however, the time for maintaining the sign and temporary sales office may be extended for an additional two-year period provided a use permit is first secured. The sign and office shall be subject to all yard requirements

and located within the boundary of the subdivision;

J. A mobile home in lieu of any permitted single-family dwelling as regulated by Chapter 21.72 (Ord. CS 1290, 2021);

K. Small **and large** family day care homes**.** ~~for eight or fewer persons;~~

L. ~~Large family day care homes for seven through fourteen persons when the following criteria are met:~~

~~1. One off-street parking space shall be provided for each employee plus two spaces;~~

~~2. The two additional parking spaces shall be located so that vehicles will head-in and head-out and not use the public road for maneuvering, loading or unloading;~~

~~3. There shall be no other day care facilities for more than fourteen persons within three hundred feet of the exterior boundary of the property;~~

M. Accessory Dwellings as regulated by Chapter 21.74. (Ord. CS 1290, 2021).

21.32.030 USES REQUIRING USE PERMIT

Uses permitted subject to first securing a use permit in each case:

A. ~~Dwelling groups, including single-family dwellings, duplexes, triplexes and fourplexes, or combination thereof;~~ **Multi-family dwellings with up to four dwelling units per building,** provided, that all units are connected to a public sanitary sewer and public water system, and that there are not more than fourteen dwelling units per net acre of land;

B. Churches, (excluding tent and open-air churches), schools offering academic instruction equivalent to the standards prescribed by the State Board of Education, hospitals, public buildings, facilities for public utilities and community antenna systems with an antenna not exceeding one hundred fifty in height;

C. Mobile home parks; provided that all units are connected to a public sanitary sewer and public water system and that the density does not exceed the maximum allowable in this district;

D. Family day care centers for more than **fourteen**~~twelve~~ persons~~ or for seven to twelve persons where the criteria listed in Sec. 21.32.020L are not met~~. (Ord. CS 106, Sec. 5 (part), 1984).

21.32.040 HEIGHT LIMITS

Height limits in R-2 districts:

A. For dwellings, maximum thirty-five feet;

B. For detached accessory buildings, maximum twenty feet;

C. No fence, hedge or screen planting shall be constructed or permitted to grow in excess of eight feet in height within any required side or rear yard, nor in excess of three feet within

any required front yard or side yard of a corner lot except fences within the side and rear yard which enclose electrical substations which may be constructed to the height required by law or unless the director determines that visibility will not be obstructed.

21.32.045 LOT WIDTH

Minimum lot width requirements in R-2 districts, for the creation of new parcels, shall be as specified in Title 20, Subdivision Ordinance, of the County Code.

21.32.050 BUILDING SITE AREA

Building site area required in R-2 districts:

A. Sites serviced by public sewer and water facilities, six thousand square feet;

B. Sites serviced by public water and septic tank facilities or private well and public sewer facilities, twenty thousand square feet;

C. Sites serviced by private well and septic tank facilities, one acre. (Ord. CS 106, Sec. 5 (part), 1984).

21.32.060 LOT COVERAGE

~~Percentage of l~~**L**ot coverage permitted in R-2 districts~~,~~**:**

A. F~~f~~or aggregate building coverage, maximum **sixty**~~fifty~~ percent of lot area. (Ord. CS 106, Sec. 5 (part), 1984).

21.32.070 YARDS

Yards required in R-2 districts:

A. Front Yard.

1. Not less than seventy feet from the existing centerline of the street, nor less than fifteen feet from the planned street line on a major street or expressway, whichever is the greater. The vehicle opening of any building shall be no closer than twenty feet to the property line toward which the opening faces.

2. Not less than forty-five feet from the existing centerline of the street on a collector street (sixty feet wide), nor less than fifteen feet from the planned street line where a specific plan has been adopted. The vehicle opening of any building shall be no closer than twenty feet to the property line toward which the opening faces,

3. Not less than forty feet from the existing centerline of the street, on a minor street (fifty feet wide), nor less than fifteen feet from the planned street line where a specific plan has been adopted. The vehicle opening of any building shall be no closer than twenty feet to the property line toward which the opening faces;

21.32.070 Yards

B. Side Yard, Interior Lot Line and Rear Yard. Five feet;

C. Side Yard, Corner Lot. The main building and garage or accessory building not having direct vehicular access to the street may be located five feet closer to the planned street line than at the front yard;

D. Distance Between Buildings in a Dwelling Group. Minimum ten feet side to side; twenty feet front to side or rear to rear; and forty feet front to rear;

E. Side Yard Providing Access to Single Row of Dwellings and Interior Court Providing Access to Double Row of Dwellings. Twenty feet. (Ord. CS 106, Sec. 5 (part), 1984).

21.32.080 OFF-STREET PARKING

See Chapter 21.76 for **all** off-street parking requirements ~~for all uses in all districts~~. (Ord. CS 106, Sec. 5 (part), 1984).

CHAPTER 21.36

MULTI~~PLE~~-FAMILY RESIDENTIAL DISTRICT (R-3)

SECTIONS:

21.36.010 APPLICABILITY
21.36.020 PERMITTED USES
21.36.030 USES REQUIRING USE PERMIT
21.36.040 HEIGHT LIMITS
21.36.050 SITE AREA AND LOT WIDTH
21.36.060 LOT COVERAGE
21.36.070 YARDS
21.36.080 OFF-STREET PARKING
~~DENSITY~~OBJECTIVE DESIGN STANDARDS
REZONE SITES

21.36.010 APPLICABILITY

The regulations set forth in this chapter shall apply to all R-3 districts and shall be subject to the provisions of Chapter 21.08. (Ord. CS 106, Sec. 6 (part), 1984).

21.36.020 PERMITTED USES

Except as otherwise restricted by Section 21.36.100, the following u~~U~~ses **are** permitted in the R-3 districts:

A. **Any combination of single-family, two-family, or multi-family dwellings up to twenty-five dwelling units per net acre of land when connected to public sewer and water systems;** ~~Single-family dwelling on any one parcel; or~~

B. ~~Two dwelling units on any parcel;~~

C. Accessory uses and buildings normally incidental to residential use;

D. ~~One apartment house, dwelling group, dormitory, fraternity house,~~

E. **R**~~r~~ooming**house,** ~~or~~ boarding**-**house ~~or sorority house~~, hospital, ~~orphanage, or~~ residential care home**, and similar uses as determined by the planning director**; provided, that public sanitary sewer and water systems are connected thereto;

F. Day care centers**, small and large family day care homes,** and schools offering general academic instruction equivalent to the standards prescribed by the State Board of Education, and seminaries;

G. Club houses, community centers, fraternal lodges, public and quasi-public buildings, public parks and social halls and similar uses as determined by the ~~director of~~ planning **director** ~~and community development~~;

H. Crop farming;

I. Racing homer pigeons as regulated in Chapter 21.92;

J. Garage sales;

K. Where there is a recorded subdivision map, there may be maintained one advertising sign of not more than two hundred square feet in area, illuminated but nonflashing and nonanimated, and one temporary sales office for a period of two years immediately following the recording date of the subdivision map; however, the time for maintaining the sign and temporary sales office may be extended for an additional two-year period provided a use permit is first secured. Such sign and offices shall be subject to all yard requirements and located within the boundary of the subdivision;

L. A mobile home in lieu of a permitted single-family dwelling as regulated by Chapter 21.72 (Ord. CS 1290, 2021);

M. Home occupations as regulated by Chapter 21.94. (Ord. CS 350, Sec. 1 (part), 1989; Ord. CS 106, Sec. 6 (part), 1984.)

N. Accessory Dwellings as regulated by Chapter 21.74. (Ord. CS 1290, 2021).

O. **Single-Room Occupancy Housing with approval of a permit in accordance with Chapter 21.100.**

21.36.030 USES REQUIRING USE PERMIT

Uses permitted, subject to first securing a use permit in each case:

A. Mobile home parks provided, that all units are connected to a public sanitary sewer and public water system;

B. Facilities for public utilities;

C. Churches (excluding tent and open-air churches). (Ord. CS 106, Sec. 6 (part), 1984).

21.36.040 HEIGHT LIMITS

Height limit in R-3 districts:

A. Maximum of forty-five feet for main buildings;

B. Maximum height of detached garages and accessory buildings, fifteen feet;

C. No fence, hedge, or screen planting shall be constructed or permitted to grow in excess of eight feet in height within any required side or rear yard, nor in excess of three feet within any required front yard, or side yard of a corner lot except fences within the side and rear yard which enclose electrical substations which may be constructed to the height required by law or unless the **planning** director determines that visibility will not be obstructed. (Ord. CS 106, Sec. 6 (part), 1984).

21.36.050 SITE AREA AND LOT WIDTH

Building site area and lot width required in R-3 districts:

A. Sites serviced by public sewer and water facilities, **four**~~six~~ thousand square feet;

B. Sites serviced by public water and septic tank facilities or private well and public sewer facilities, twenty thousand square feet;

C. Sites serviced by private well and septic tank facilities, one acre;

D. Minimum lot width **requirements in R-3 districts for the creation of new parcels, shall be as specified in Title 20, Subdivision Ordinance, of the County Code.** ~~, sixty-five feet~~. (Ord. CS 106, Sec. 6 (part), 1984).

21.36.060 LOT COVERAGE

Percentage of lot coverage, for aggregate buildings, maximum **seventy**~~sixty~~ percent. (Ord. CS 106, Sec. 6 (part), 1984).

21.36.070 YARDS

Yards required in R-3 districts:

A. Front yard.

1. Not less than seventy feet from the existing centerline of the street, nor less than fifteen feet from the planned street line on a major street or expressway, whichever is the greater. The vehicle opening of any building shall be no closer than twenty feet to the property line toward which the opening faces;

2. Not less than forty-five feet from the existing centerline of the street on a collector street (sixty feet wide), nor less the fifteen feet from the planned street line where a specific plan has been adopted. The vehicle opening of any building shall be no closer than twenty feet to the property line toward which the opening faces;

3. Not less than forty feet from the existing centerline of the street on a minor street (fifty feet wide), nor less than fifteen feet from the planned street line where a specific plan has been adopted. The vehicle opening of any building shall be no closer than twenty feet to the property line toward which the opening faces;

B. Side Yard, Interior Lot Line and Rear Yard. Five feet;

C. Side Yard, Corner Lot. The main building and garage or accessory buildings not having direct vehicular access to the street may be located five feet closer to the planned right-of-way line than at the front yard;

D. Distance Between Buildings in a Building Group. Minimum ten feet side to side; twenty feet front to side or rear to rear and forty feet front to rear;

E. Side Yard Providing Access to Single Row of Dwellings and Interior Court Providing Access to Double Row of Dwellings. Twenty feet. (Ord. CS 106, Sec. 6 (part), 1984).

21.36.080 OFF-STREET PARKING

See Chapter 21.76 for **all** off-street parking requirements ~~for all uses in all districts~~. (Ord. CS 106, Sec. 6 (part), 1984).

21.36.090 ~~DENSITY~~ OBJECTIVE DESIGN STANDARDS

~~Two dwelling units are permitted on the first six thousand square feet of a lot with one additional unit permitted for each additional fifteen hundred square feet of the lot to a maximum density of twenty-five units per net acre. (Ord. CS 106, Sec. 6 (part), 1984).~~ **Construction of new buildings**

shall be subject to any applicable objective design standards adopted by the County at the time of building permit issuance.

21.36.100 REZONE SITES

For parcels rezoned to R-3 effective [insert date], the following standards shall apply to any development of the site:

A. **Parcels shall be developed ~~in a manner to allow for~~ at a minimum density of 20 dwelling units per acre;**

B. **Development of single-family dwellings, other than the replacement of existing legally established single-family dwellings, shall be prohibited; and**

C. **No variance to the standards required by this section shall be granted by the County and no parcel shall be rezoned unless the resulting zone will provide for an equal or greater minimum density.**

21.36.110 ACCESS EASEMENTS AND RIGHT OF WAY DEDICATION

Prior to building permit issuance for development on any parcel that adjoins a vacant or underdeveloped parcel that is zoned or designated for residential development, the following easement or dedication standards shall have been meet to the satisfaction of the directors of Planning and Public Works:

A. **Where an adjoining parcel is five net acres or less in size, a 50-foot-wide right of way dedication for the purpose of connecting the adjoining parcel to a public right of way shall be provided. A part width dedication may be accepted if the remainder of the dedication could be obtained under this same section from an adjoining parcel.**

B. **Where an adjoining parcel is less than five net acres in size, a 30-foot-wide access easement for the purpose of connecting the adjoining parcel to a public right of way shall be provided. A part width easement may be accepted if the reminder of the easement could be obtained under this same Section from an adjoining parcel.**

No easement or dedication shall be required if the directors of Planning and Public Works determine that vehicle circulation allowing for maximum development of all adjoining parcels may be obtained by an alternative means of access.

CHAPTER 21.44

HISTORICAL SITE DISTRICT (HS)

SECTIONS:

21.44.010 PURPOSE
21.44.020 PERMITTED USES
21.44.030 PROHIBITED USES
21.44.040 USES REQUIRING HISTORICAL SITE PERMIT
21.44.050 EXEMPTIONS FROM BUILDING CODE REQUIREMENTS
21.44.060 DEMOLITION
21.44.070 SITE AREA
21.44.080 MOBILE HOME STANDARDS

21.44.010 PURPOSE

It is the intent of these district regulations to support and enhance the character of historical areas within the county. These district regulations also recognize historical structures as a finite resource which is a product of another time and worthy of special consideration. When new additions, alterations, or rehabilitation projects are proposed to existing structures and are approved by the historical site subcommittee of the county planning commission or planning staff, these district regulations shall enable the building official to grant exemptions from building code requirements when in his opinion such maintenance of the historical character of such buildings or structures and the granting of the exemptions will not create or allow any condition which is immediately hazardous to life or property. The existing unique character of these areas is considered a scenic and economic asset and has significant value to the general welfare. The review provided for by this chapter is intended to ensure that any development in the subject areas will not be unsightly, undesirable, or obnoxious to the extent that such development will impair the quality of the area. The following regulations shall apply in HS districts and shall be subject to the provisions of Chapter 21.08. (Ord. CS 106, Sec. 8 (part), 1984).

21.44.020 PERMITTED USES

Uses permitted in HS districts:

A. One sign, unlighted, not over four square feet in area, and pertaining only to the sale, lease or rental of the property upon which the sign is located;

B. Home occupations as regulated in Chapter 21.94;

C. Crop farming and pasturing, but excluding small animal farming, hog farming, and feed lots;

D. Garage sales;

E. One single-family dwelling, additions to already existing buildings requiring a building permit, and accessory uses and buildings normally incidental to single-family dwellings. The new dwelling or addition shall adhere to the guidelines for new construction and rehabilitation of older buildings within the adopted community plan for each historic

community. Evidence of its conformance may be required. (Ord. CS 1142, Sec. 1, 2014; Ord. CS 106, Sec. 8 (part), 1984).

1. A mobile home in lieu of any permitted single-family dwelling as regulated by Section 21.44.080 of this Chapter and by Chapter 21.72;

F. Small **and large** family day care homes ~~for eight or fewer persons~~;

G. **Repealed on XXX date.** ~~Large family day care homes for seven through fourteen persons when the following criteria are met:~~

~~1. One off-street parking space shall be provided for each employee plus two spaces;~~

~~2. The two additional parking spaces shall be located so that vehicles will head-in and head-out and not use the public road for maneuvering, loading or unloading;~~

~~3. There shall be no other day care facilities for more than eight persons within three hundred feet of the exterior boundary of the property.~~

21.44.030 PROHIBITED USES

Uses prohibited in HS districts:

A. **Repealed on XXX date.** ~~Mobile homes;~~

B. **Mobile home parks,** ~~Replacement of or addition to any existing mobile home shall be prohibited,~~ except that mobile homes located within any mobile home park existing **prior to (insert date)**~~on the effective date of the ordinance codified in this chapter~~ may be replaced. (Ord. CS 106, Sec. 8 (part), 1984).

21.44.040 USES REQUIRING HISTORICAL SITE PERMIT

Uses permitted subject to first securing an historical site permit in each case:

A. Land uses not listed in Sections 21.44.020 or 21.44.030 may be permitted subject to first obtaining approval in each case. This approval shall be requested on forms provided by the department of planning and community development staff and shall require a fee equal to that required for use permit approval. Following receipt of a properly completed application, an advertised public hearing shall be held at a location within the historical site district by a five-person subcommittee of the county planning commission. Any approval shall be subject to a finding that the use will not be detrimental to the unique historical character of the community or to the residents of the community. Any approval shall have prescribed conditions as to the architecture of proposed construction, the area of building site, yards required, height limitation permitted, automobile standing space, signs which may be displayed, driveway and parking area improvements, provision for sewage and storm water disposal, domestic water supply, street widening and improvement to be required and shall be consistent with all guidelines established by the community plan. (Ord. CS 106, Sec. 8 (part), 1984).

B. Additional single-family dwellings provided the Historical General Plan density requirements are maintained. (Ord CS 1142, Sec 2, 2014)

21.44.050 EXEMPTIONS FROM BUILDING CODE REQUIREMENTS

Repairs, alterations and additions necessary for the preservation, restoration, rehabilitation or continued use of a building or structure may be made without conformance to all of the requirements of the building code, when authorized by the building official, provided:

A. Any unsafe or substandard conditions will be corrected in accordance with approved plans;

B. The restored building or structure will be less hazardous, based on life and fire risk, than the existing building. (Ord. CS 106, Sec. 8 (part), 1984).

21.44.060 DEMOLITION

No building or structure, or portion thereof, shall be removed, relocated, demolished or structurally altered without prior approval of the director of planning and community development in the form of a staff approval permit. (Ord. CS 106, Sec. 8 (part), 1984).

21.44.070 SITE AREA

The minimum allowable area for creation of a parcel within Knights Ferry shall be determined based on the location of the subject parcel as follows:

A. Sites bordered to the south by the Stanislaus River, 250-feet west of Sonora Road (to the west), 250-feet north of Valentine Street (to the north), and 250-feet east of Lynde Street (to the east), sites serviced by public water and septic tank facilities, twenty thousand square feet. Sites serviced by private well and septic tank facilities, one acre.

B. Sites within any historical zoned land and outside of the area described above, the minimum building site area shall be five (5) acres.

The minimum allowable area for creation of a parcel within La Grange shall be twenty thousand square feet for sites serviced by public water and septic tank facilities; and one acre for sites serviced by private well and septic tank facilities. (Ord. CS 1142, Sec 3, 2014)

21.44.080 MOBILE HOME STANDARDS

Any mobile home installed after [insert date] shall meet the following standards:

The exterior features of the ~~manufactured~~mobile home shall meet all applicable historical standards adopted by the County for the community in which it is located. Exterior features shall incorporate features reflecting the physical character of the surrounding historical area~~,~~ includeing, but not ~~be~~ limited to, height and scale, spacing of buildings, cladding, roof, eaves, windows and doors (materials and direction of openings), porches and steps, and color.

A. Mobile home shall have been constructed within ten years of the date the building permit application for the placement of the mobile home was submitted.

B. Mobile home shall be attached to a permanent foundation system approved by the County's ~~s~~ Chief Building Official.

CHAPTER 21.48

HIGHWAY FRONTAGE DISTRICT (H-1)

SECTIONS:

21.48.010 APPLICABILITY
21.48.020 PERMITTED USES
~~**21.48.024 EMERGENCY SHELTERS**~~
21.48.030 USES REQUIRING USE PERMIT
21.48.040 DEVELOPMENT STANDARDS

21.48.010 APPLICABILITY

The regulations set forth in this chapter shall apply in all H-1 districts and shall be subject to the provisions of Chapter 21.08. (Ord. CS 106 Sec. 9 (part), 1984).

21.48.020 PERMITTED USES

The following uses are permitted subject to all provisions of this chapter including the development standards listed in Section 21.48.040:

A. Amusement arcade;
B. Art gallery;
C. Automobile agency;
D. Automobile repair (excluding body and paint) shop;
E. Bakery shop;
F. Billiard parlor;
G. Botanical garden;
H. Catering service;
I. Clinics (medical; small animal when entirely enclosed by a building);
J. Clubhouse;
K. Christmas tree sales lots which provide at least ten accessible and usable off-street parking spaces in addition to one space per employee on a maximum shift; are limited to two double-faced signs not to exceed twelve square feet each; and are not established prior to November15 of any year and are removed and properly returned to its original condition prior to January 1;
L. Church (excluding tent and open air churches);
M. Convention center;
N. Crop farming;
O. Dance studio;
P. Day care center;
Q. Emergency Shelters **with twenty or fewer beds when parcels are served by both public water and sewer and are located outside of the sphere of influence of a city and in an area served by public transit (at least six days a week), with approval of a permit in accordance with Chapter 21.100**, ~~in conformance with Section 21.48.024 of this Chapter~~;
R. Facilities for public utility;
S. Financial institution;
T. Fireworks stands which provide at least five accessible and usable off-street parking spaces in addition to one per employee on a maximum shift. Such stands shall meet all the requirements of the department of fire safety and shall be erected and removed within

the time period prescribed by that department;

U. Greenhouse;

V. Laboratory;

W. Lodge;

X. Mini-warehouse;

Z. Mobile home (when accessory to a permitted use which has substantial outside storage);

AA. Museum;

BB. Office (administrative, business and professional);

CC. Parking lot and garage;

DD. Personal service establishment;

EE. Public building and park;

FF. Radio and television studio;

GG. Restaurant without bar services;

HH. Retail and wholesale store when conducted entirely within a building and less than 65,000 square feet of building and sales area;

II. School (commercial, technical, trade, academic);

JJ. Service station;

KK. Single-family dwelling or one apartment if it is accessory to a permitted commercial use;

LL. Skating rink;

MM. Social hall;

NN. Theater, indoor;

OO. Other uses which the planning director may deem to be similar in character and purpose to those enumerated in this section. (Ord. CS 1169 Sec. 9, 2015; Ord. CS 896, Sec. 3, 2004; Ord. CS 106 Sec. 9 (part), 1984).

21.48.024 ~~EMERGENCY SHELTERS~~

~~Emergency Shelters are permitted when served by both public sewer and water and located in an area served by public transit (at least six days a week), outside of the Sphere of Influence of a city, subject to the following:~~

~~1. The operator shall obtain a non-discretionary permit subject to the staff approval permit application process described in Chapter 21.100 of this County Code. The following development standards shall be applied to the permit:~~

~~a. The maximum number of beds shall not exceed ten beds .~~

~~b. Outdoor activity and intake areas shall be screened from public view and from the view of adjacent properties.~~

~~c. On-site lighting shall be provided in all parking, pedestrian paths, and entry areas. Lights shall be shielded and reflected away from adjacent uses.~~

~~d. Off-street parking shall be provided at a rate of one (1) vehicle parking space per employee (by shift) plus one (1) additional vehicle parking space. Bicycle parking shall be provided at a rate of one space for every three beds.~~

~~e. A minimum of one (1) supervisory level staff member must be present on the site during hours of operation. Operator(s) must ensure that loitering does not occur on the property during non-shelter hours and must ensure that clients are not loitering, littering, or otherwise creating a nuisance to the neighborhood.~~

~~f. A security plan shall be submitted to the sheriff's department for review and approval prior to operation and shall be annually reviewed.~~

~~g. A security guard or security officer must be provided during the intake period. Security guards must be licensed through the State of California Department of Consumer Affairs Bureau of Security and Investigative Services.~~

~~h. The maximum length of stay shall be no longer than six (6) months, as established by the California Health and Safety Code for emergency shelters.~~

~~i. The shelter shall have set hours of operation and the hours shall be posted in a publicly visible and accessible location on a sign that is no larger than one (1) square foot.~~

~~j. Outdoor activity shall be allowed only during the hours of 8:00 a.m. to 10:00 p.m. The shelter shall comply with the County's Noise Ordinance.~~

~~k. If pets are permitted, a plan for their care must be reviewed and approved by the Department of Animal Services.~~

~~l. Outdoor trash receptacles shall be provided on-site and the property maintained free of litter and debris.~~

~~m. All other applicable local, State and federal laws, regulations and codes shall be met.~~

~~2. The non-discretionary permit shall be submitted to responsible departments for review and comment.~~

~~3. A maximum of ten beds may be permitted in the H-1 zoning district through this provision. After ten beds have been permitted, a Use Permit must be obtained, in conformance with Chapter 21.96 of this County Code. (Ord. CS-1169 Sec. 10, 2015).~~

21.48.030 USES REQUIRING USE PERMIT

Uses permitted subject to first securing a use permit in each case and subject to all provisions of this chapter, including the development standards listed in Section 21.48.040:

A. Ambulance and armored car service;
B. Apartment house when connected to public sewer and water systems;
C. Boarding and rooming house;
D. Body and paint shop;
E. Bowling alley;
F. Bus terminal;
G. Coin-operated car wash;
H. Dwelling group when connected to public sewer and water systems;
I. Driving range;
J. Drive-in theater;
K. Dry cleaning outlet;
L. Duplex;
M. Emergency Shelters **with more than twenty beds or** when not permitted under Section 21.48.**020**~~024~~ of this Chapter;
N. Golf course;
O. Hospital;
P. Hotel;
Q. Household appliance repair;
R. Laundromat;
S. Machine shop;
T. Miniature golf course;
U. Mobile home parks where connected to both public sewer and water systems;
V. Mortuary;
W. Motel;
X. Motorcycle shop;
Y. Nursery;
Z. On-sale liquor establishment;

AA. Plumbing and heating establishment;
BB. Restaurant with bar service;
CC. Retail and wholesale retail store 65,000 square feet or greater in building and sales area;
DD. Sheet metal shop;
EE. Skateboard park;
FF. Taxi terminal;
GG. Truck terminal;
HH. Warehouse;
II. Waterslide;
JJ. Other uses which the planning director may deem to be similar in character and purpose to those enumerated in this section. (Ord. CS 1169 Sec. 11, 2015; Ord. CS 896, Sec. 4 (part), 2004; Ord. CS 106 Sec. 9 (part), 1984; Ord. CS 344 Sec. 7, 1989).

21.48.040 DEVELOPMENT STANDARDS

The following development standards shall apply to all land and buildings in the H-1 zone:

A. Building Height Limit.

1. Maximum height of all buildings and advertising signs, thirty-five feet;
2. No fence or screen planting in excess of three feet in height shall be constructed or permitted to grow within any required front yard, or side yard of a corner lot unless the director determines that visibility will not be obstructed.

B. Building Site Area Required.

1. Sites serviced by public sewer and water facilities, six thousand square feet;
2. Sites serviced by public water and septic tank facilities, twenty thousand square feet;
3. Sites serviced by private well and septic tank facilities, one acre.

C. Yards Required.

1. Front Yard.

a. Not less than seventy feet from the existing centerline of the street nor less than fifteen feet from the planned street line on a major street or expressway, whichever is the greater. Loading docks shall be so located that trucks will head-in and head-out and not use the public street for maneuvering, loading or unloading. The vehicle opening of any building shall be no closer than twenty feet to the property line toward which the opening faces.

b. Not less than forty-five feet from the existing centerline of the street on a collector street (sixty feet wide) nor less than fifteen feet from the planned street line where a specific plan has been adopted. Loading docks shall be so located that trucks will head-in and head-out and not use the public highway for maneuvering, loading or unloading. The vehicle opening of any building shall be no closer than twenty feet to the property line toward which the opening faces.

c. Not less than forty feet from the existing centerline of the street on a minor street (fifty feet wide) nor less than fifteen feet from the planned street line

where a specific plan has been adopted. Loading docks shall be so located that trucks will head-in and head-out and not use the public highway for maneuvering, loading or unloading. The vehicle opening of any building shall be no closer than twenty feet to the property line toward which the opening faces.

2. Side Yard, Interior Lot Line and Rear Yard, Residential Uses. Five feet, except where the lot line abuts an alley, in which case there shall be no yard requirement.

3. Side Yard, Interior Lot Line and Rear Yard, Commercial Uses. None, except where the side or rear of the property abuts an R district in which case the minimum side or rear yard shall not be less than five feet.

4. Side Yard, Corner Lot. The main building and garages or accessory buildings not having direct access to the street may be located five feet closer to the planned street line than at the front yard.

D. Nuisances. No operations shall be conducted on any premises in such a manner as to cause an unreasonable amount of noise, odor, dust, smoke, vibration or electrical interference detectable off the site.

E. Screening. An eight-foot masonry wall shall be constructed along the property line adjacent to any residential or agricultural zone or any P-D zoning for residential use, except where a building abuts an alley, in which case no wall shall be required.

F. Landscaping. A landscaping plan indicating plant species, initial size, location and method of irrigation shall be approved by the planning director prior to issuance of any permit. Such required landscaping shall be installed within six months of project completion and shall be maintained by the applicant.

G. Signs.

1. Any sign program for any use shall be submitted to the planning director for approval prior to installation. Freestanding signs are prohibited except where the director determines them to be necessary to serve the traveling public where the use could not otherwise be identified.

2. One identification or informational sign not more than twelve square feet in area nor more than six feet in height may be permitted in the front yard or side yard adjacent to each street frontage of a property which contains a lawful agricultural, commercial, or industrial use in lieu of any other freestanding sign which may be permitted, provided that:

   a. It does not bear any advertising message;
   b. It is nonflashing, nonmoving, and nonanimated;
   c. It is located wholly on private property on the premises to which it pertains;
   d. A plot plan and elevation of the sign is approved by the planning and community development director prior to a request for building and electrical permits and installation.

H. Parking. See Chapter 21.76 for **all** off-street parking requirements ~~for all uses in all districts~~. (Ord. CS 106 Sec. 9 (part), 1984)

CHAPTER 21.52

NEIGHBORHOOD COMMERCIAL DISTRICT (C-1)

SECTIONS:

21.52.010 APPLICABILITY
21.52.020 PERMITTED USES
21.52.030 USES REQUIRING USE PERMIT
21.52.040 DEVELOPMENT STANDARDS

21.52.010 APPLICABILITY

The regulations set forth in this chapter shall apply in all C-1 districts and shall be subject to the provisions of Chapter 21.08. (Ord. CS 106 Sec. 10 (part), 1984).

21.52.020 PERMITTED USES

Uses permitted in C-1 districts:

A. **Any combination of single-family, two-family, or multi-family dwelling units up to twenty-five dwelling units per net acre of land** ~~Apartment houses, dwelling groups, two-family dwellings or duplexes~~ when connected to public sewer and water systems;

B. Churches (excluding tent and open air churches), clubhouses, residential care homes, convents, day care centers, facilities for public utilities, family day care homes, ~~fraternal organizations, orphanages,~~ public and quasi-public buildings, rooming**houses,** ~~and~~ boarding**-**houses, and social halls**, and similar uses as determined by the planning director; provided, that public sanitary sewer and water systems are connected thereto**;

C. Administrative offices, art galleries, botanical gardens, business and professional offices, clinics, laboratories, small animal hospitals, and small animal shelters when entirely within a building;

D. Amusement machines, bakery shops, billiard parlors, candy stores, coin-operated car washes, financial institutions, launderettes, mini-warehouses, music and dance schools, personal service establishments, real estate offices, restaurants (excluding drive-in, bar and outside service), retail stores, service stations (excluding major overhaul, paint shops and body work). Also other uses which the planning director may deem to be similar in character and purpose to those enumerated in this subsection;

E. Accessory buildings incidental and secondary to all permitted uses, including appurtenant outdoor advertising signs which are nonflashing and nonanimated;

F. One identification or informational sign not more than twelve square feet in area nor more than six feet in height may be permitted in the front yard or side yard adjacent to each street frontage in lieu of any other freestanding sign provided that:

1. It does not bear any advertising message,

2. It is nonflashing, nonmoving, and nonanimated,

3. It is located wholly on private property on the premises to which it pertains,

4. A plot plan and elevation of the sign is approved by the director of planning and community development prior to request for building and electrical permits and installation.

G. Mobile homes as allowed by the provisions of Chapter 21.72;

H. Crop farming;

I. Racing homer pigeons as regulated in Chapter 21.92;

J. Garage sales;

K. Single-family dwelling or one apartment if it is accessory to a permitted commercial use;

L. Christmas tree sales lots provided they meet the required setbacks and provide at least ten accessible and usable off-street parking spaces in addition to one space per employee on a maximum shift. Such lots shall be limited to two double-faced signs not to exceed twelve square feet each. No off-site signs shall be permitted. Such lots may not be established prior to November 15 of any year and shall be removed and the property returned to its original condition prior to January 1;

M. Fireworks stands provided they meet all required setbacks and provide at least five usable and accessible off-street parking spaces in addition to one space per employee on a maximum shift. Such stands shall meet all the requirements of the department of fire safety and shall be erected and removed within the time period prescribed by that department. (Ord. CS 106 Sec. 10 (part), 1984)

N. Retail and wholesale retail stores with a gross building/sales area less than 65,000 square feet. (Ord. CS 896, Sec. 5, 2004)

O. Emergency shelters with twenty or fewer beds when parcels are served by both public sewer and water and located outside the sphere of influence of a city and in an area served by public transit (at least six days a week), with approval of a permit in accordance with Chapter 21.100.

21.52.030 USES REQUIRING USE PERMIT

Uses permitted, subject to first securing a use permit in each case:

A. Mobile home parks; provided, that all **dwelling** units are connected to a public sanitary sewer and public water system. (Ord. CS 106 Sec. 10 (part), 1984).

B. Retail and wholesale retail stores with a gross building/sales area of 65,000 square feet or greater. (Ord. CS 896, Sec. 6, 2004)

C. <u>Emergency Shelters with more than twenty beds or when not permitted under Section 21.52.020 of this Chapter.</u>

21.52.040 DEVELOPMENT STANDARDS

A. Building Height Limit.

1. Maximum height of all buildings and advertising signs, thirty-five feet;

2. No fence or screen planting in excess of three feet in height shall be constructed or permitted to grow within any required front yard, or side yard of a corner lot unless the director determines that visibility will not be obstructed.

B. Building Site Area Required.

1. Sites serviced by public sewer and water facilities, six thousand square feet;

2. Sites serviced by public water and septic tank facilities or private well and public sewer facilities, twenty thousand square feet;

3. Sites serviced by private wells and septic tank facilities, one acre.

C. Yards Required.

1. Residential Uses.

a. Front Yard.

i. Not less than seventy feet from the existing centerline of the street, nor less than fifteen feet from the planned street line on a major street or expressway, whichever is the greater. The vehicle opening of any building shall be no closer than twenty feet to the property line toward which the opening faces;

ii. Not less than forty-five feet from the existing centerline of the street on a collector street (sixty feet wide) nor less than fifteen feet from the planned street line where a specific plan has been adopted. The vehicle opening of any building shall be no closer than twenty feet to the property line towards which the opening faces;

iii. Not less than forty feet from the existing centerline of the street on a minor street (fifty feet wide) nor less than fifteen feet from the planned street line where a specific plan has been adopted. The vehicle opening of any building shall be no closer than twenty feet to the property line toward which the opening faces.

b. Side Yard, Interior Lot Line and Rear Yard. Five feet, except where the lot line abuts an alley, in which case there shall be no yard requirement.

c. Side Yard, Corner Lot. The main building and garages not having direct

vehicular access to the street may be located five feet closer to the planned street line than at the front yard.

2. Commercial Uses.

a. Front Yard.

i. Not less than seventy feet from the existing centerline of the street nor less than fifteen feet from the planned street line on a major street or expressway, whichever is the greater. Loading docks shall be so located that trucks will head-in and head-out and not use the public street for maneuvering, loading or unloading. The vehicle opening of any building shall be no closer than twenty feet to the property line toward which the opening faces except where the property line abuts an alley of at least twenty feet in width, in which case, the vehicle opening may be five feet from the property line;

ii. Not less than forty-five feet from the existing centerline of the street on a collector street (sixty feet wide) nor less than fifteen feet from the planned street line where a specific plan has been adopted. Loading docks shall be so located that trucks will head-in and head-out and not use the public highway for maneuvering, loading or unloading. The vehicle opening of any building shall be no closer than twenty feet to the property line toward which the opening faces;

iii. Not less than forty feet from the existing centerline of the street on a minor street (fifty feet wide) nor less than fifteen feet from the planned street line where a specific plan has been adopted. Loading docks shall be so located that trucks will head-in and head-out and not use the public highway for maneuvering, loading or unloading. The vehicle opening of any building shall be no closer than twenty feet to the property line towards which the opening faces;

iv. At street intersections, fences shall be located with a minimum twenty-five-foot corner cutoff; measured along the lot lines from the point of right-of-way intersection.

b. Side Interior Lot Line or Rear Yard. None, except where the side or rear of the property abuts an R district, shall not be less than five feet.

c. Side Yard, Corner Lot. Structures not having direct vehicular access to the street may be located five feet closer to the planned street line than at the front yard.

D. Nuisances. No operation shall be conducted on any premises in such a manner as to cause an unreasonable amount of noise, odor, dust, smoke, vibration, or electrical interference detectable off the site.

E. Screening. An eight-foot masonry wall shall be constructed along the property line

adjacent to any residential or agricultural zone or any P-D zoning for residential use, except where a building abuts an alley in which case no wall shall be required.

F. Landscaping. A landscaping plan indicating plant species, initial size, location and method of irrigation shall be approved by the planning director prior to issuance of any permit. Such required landscaping shall be installed within six months of project completion and shall be maintained by the applicant.

G. Signs.

1. Any sign program for any use shall be submitted to the planning director for approval prior to installation. Freestanding signs are prohibited except where the director determines them to be necessary to serve the traveling public where the use could not otherwise be identified.

2. One identification or informational sign not more than twelve square feet in area nor more than six feet in height may be permitted in the front yard or side yard adjacent to each street frontage of a property which contains a lawful agricultural, commercial, or industrial use in lieu of any other freestanding sign which may be permitted, provided that:

a. It does not bear any advertising message;

b. It is nonflashing, nonmoving, and nonanimated;

c. It is located wholly on private property on the premises to which it pertains;

d. A plot plan and elevation of the sign is approved by the planning and community development director prior to request for building and electrical permits and installation.

H. Parking. See Chapter 21.76 for **all** off-street parking requirements ~~for all uses in all districts~~. (Ord. CS 106 Sec. 10 (part), 1984).

CHAPTER 21.56

GENERAL COMMERCIAL DISTRICT (C-2)

SECTIONS:

21.56.010 APPLICABILITY
21.56.020 PERMITTED USES
21.56.030 USES REQUIRING USE PERMIT
21.56.040 DEVELOPMENT STANDARDS

21.56.010 APPLICABILITY

The regulations set forth in this chapter shall apply in all C-2 districts and shall be subject to the provisions of Chapter 21.08. (Ord. CS 106 Sec. 11 (part), 1984).

21.56.020 PERMITTED USES

Uses permitted subject to the property development standards listed in Section 21.56.040:

A. Churches, day care centers, family day care homes, hospitals, schools offering general academic instruction equivalent to the standards prescribed by the State Board of Education, and seminaries;

B. Clubhouses, community centers, convention centers, fraternal lodges, public and quasi-public buildings, public parks and social halls;

C. Facilities for public utilities, administrative offices, art galleries, botanical gardens, business and professional offices, clinics, laboratories, bakery shops, billiard parlors, candy stores, financial institutions, music and dance schools, personal service establishments, real estate offices, restaurants, retail stores, and service stations;

D. Wholesale stores, mini-warehouses and storage within a building, except the storage of explosives;

E. Ambulance and armored car services; amusement machines; animal hospitals; auditoriums; automobile repair shops; automobile washing and cleaning establishments; body and paint shops; bottling plants; bowling alleys; building materials yards; bus and truck terminals; cabinet shops; cleaning and dyeing establishments; contractors yards; creameries; drive-in restaurants; express office; farm and garden supply; farm equipment sales and service; golf driving ranges; hatcheries; hotels; household appliance sales and service; laundries; machine shops; mail order establishments; miniature golf courses; mobile home sales; storage and service; mortuaries; motels; motorcycle shops; on-sale liquor establishments; outdoor advertising signs which are nonanimated and nonflashing; petroleum and oil storage; pet shops; plumbing and heating establishments; printing, publishing, book binding and paper sales; public garages and automobile sales; recreational vehicle sales and service; sheet metal shops; studios; theaters; tire, battery and automobile parts establishments; sign shops; used motor vehicles when all vehicles are operable without major body damage; used merchandise sales (excluding operable used motor vehicles) when conducted within a building or yard entirely enclosed by a solid fence at least six feet in height; and other uses which in the opinion of the director of planning and community development are similar in character and purpose to uses enumerated in this section.

F. One identification or informational sign not more than twelve square feet in area nor more than six feet in height may be permitted in the front yard or side yard adjacent to each street frontage in lieu of any other freestanding sign, provided that:

1. It does not bear any advertising message,

2. It is nonflashing, nonmoving, and nonanimated,

3. It is located wholly on private property on the premises to which it pertains,

4. A plot plan and elevation of the sign is approved by the director of planning and community development prior to request for building or electrical permit and installation;

G. Mobile homes as allowed by the provisions of Chapter 21.72;

H. Crop farming;

I. Ballrooms, commercial clubs, dance halls, drive-in theaters, night clubs, stadiums and tent or open-air churches. However, when located within two hundred feet of the boundary of any R district, a use permit shall first be secured in each case;

J. Single-family dwellings or one apartment if it is accessory to a permitted commercial use;

K. Christmas tree sales lots provided they meet the required setbacks and provide at least ten accessible and usable off-street parking spaces in addition to one space per employee on a maximum shift. Such lots shall be limited to two double-faced signs not to exceed twelve square feet each. No off-site signs shall be permitted. Such lots may not be established prior to November 15 of any year and shall be removed and the property returned to its original condition prior to January 1;

L. Fireworks stands provided they meet all required setbacks and provide at least five usable and accessible off-street parking spaces in addition to one space per employee on a maximum shift. Such stands shall meet all the requirements of the department of fire safety and shall be erected and removed within the time period prescribed by that department. (Ord. CS 106 Sec. 11 (part), 1984).

M. Emergency ~~S~~**s**helters with twenty or fewer beds~~,~~ when **parcels are** served by both public sewer and water and located **outside the sphere of influence of a city and** in an area served by public transit (at least six days a week)~~, outside of the Sphere of Influence of a city~~ **with approval of a permit in accordance with Chapter 21.100.**~~, subject to the following:~~

~~1. The operator shall obtain a non-discretionary permit subject to the staff approval permit application process described in Chapter 21.100 of this County Code. The following development standards shall be applied to the permit:~~

~~a. The maximum number of beds shall not exceed ten beds.~~

~~b. Outdoor activity and intake areas shall be screened from public view and from the view of adjacent properties.~~

~~c. On-site lighting shall be provided in all parking, pedestrian paths, and entry areas. Lights shall be shielded and reflected away from adjacent uses.~~

d. Off-street parking shall be provided at a rate of one vehicle parking space per employee (by shift) plus one (1) additional vehicle parking space. Bicycle parking shall be provided at a rate of one (1) space for every three (3) beds.

e. A minimum of one (1) supervisory level staff member must be present on the site during hours of operation. Operator(s) must ensure that loitering does not occur on the property during non-shelter hours and must ensure that clients are not loitering, littering, or otherwise creating a nuisance to the neighborhood.

f. A security plan shall be submitted to the sheriff's department for review and approval prior to operation and shall be annually reviewed.

g. A security guard or security officer must be provided during the intake period. Security guards must be licensed through the State of California Department of Consumer Affairs Bureau of Security and Investigative Services.

h. The maximum length of stay shall be no longer than six (6) months, as established by the California Health and Safety Code for emergency shelters.

i. The shelter shall have set hours of operation and the hours shall be posted in a publicly visible and accessible location on a sign that is no larger than one (1) square foot.

j. Outdoor activity shall be allowed only during the hours of 8:00 a.m. to 10:00 p.m. The shelter shall comply with the County's Noise Ordinance.

k. If pets are permitted, a plan for their care must be reviewed and approved by the Department of Animal Services.

l. Outdoor trash receptacles shall be provided on-site and the property maintained free of litter and debris.

m. All other applicable local, State and federal laws, regulations and codes shall be met.

2. The non-discretionary permit shall be submitted to responsible departments for review and comment.

3. A maximum of ten beds may be permitted in the C-2 zoning district through this provision. After ten beds have been permitted, a Use Permit must be obtained, in conformance with Chapter 21.96 of this County Code. (Ord. CS-1169 Sec. 12, 2015)

21.56.030 USES REQUIRING USE PERMITS

Uses permitted subject to first securing a use permit in each case:

A. Drilling for, or removal of, gas, oil or commercial removal of minerals, earth or other natural materials;

B. Assembly of typewriters, business machines, and similar mechanical equipment;

C. Compounding and packaging of cosmetics, pharmaceuticals and toiletries, but excluding soap manufacturing;

D. Manufacturing and assembly of jewelry, watches, clocks, precision instruments, appliances, musical instruments, bottles, and other glass products which are made from

previously prepared materials; electric and electronic instruments and equipment; electric motors, toys, television and radio equipment, electrical plating;

E. Manufacturing of leather goods, paper products, pens, pencils and artist supplies when such goods, products and supplies are made from previously prepared materials;

F. Manufacturing and assembling of professional and scientific instruments, photographic and optical equipment;

G. Mobile home parks where connected to both public sewer and water systems. (Ord. CS 106 Sec. 11 (part), 1984).

H. Retail and wholesale retail stores with a gross building and sales are of 65,00 square feet or greater. (Ord. CS 896 Sec. 8, 2004).

I. Emergency Shelters **with more than twenty beds or** ~~(~~when not permitted under Section 21.56.020~~(M)~~ of this Chapter~~)~~. (Ord. CS 1169 Sec. 13, 2016).

J. Commercial cannabis retail (storefront only), or testing activities, subject to Section 21.08.020(D) of this Title. (Ord. CS 1205, Sec. 5, 2018).

21.56.040 DEVELOPMENT STANDARDS

The following development standards shall apply to all land and buildings in the C-2 zone:

A. Height Limits.

1. Maximum height of building, seventy-five feet;
2. Maximum height of separate standing advertising structure, thirty-five feet;
3. Additional height may be granted for advertising signs, transmitting towers, storage towers and structures not used for human occupancy; provided that a use permit is first secured in each case;
4. No fence or screen planting in excess of three feet in height shall be constructed or permitted to grow within any required front yard, or side yard of a corner lot, unless the director determines that visibility will not be obstructed.

B. Building Site Area Required.

1. All parcels used for residential purposes shall have an area not less than the minimum set forth in the appropriate R district;

2. All nonresidential uses shall be on a parcel sufficient to provide for open spaces, appurtenant uses and off-street parking requirements as set forth in Chapters 21.08 and 21.76.

C. Yards Required.

1. Residential Uses and Uses Listed in Section 21.56.020 A and B.

a. Front Yard.

i. Not less than seventy feet from the existing centerline of the street,

nor less than fifteen feet from the planned street line on a major street or expressway, whichever is the greater. The vehicle opening of any building shall be no closer than twenty feet to the property line toward which the opening faces except where the property line abuts an alley of at least twenty feet in width, in which case, the vehicle opening may be five feet from the property line.

ii. Not less than forty-five feet from the existing centerline of the street on a collector (sixty feet wide) street, nor less than fifteen feet from the planned street line where a specific plan has been adopted. The vehicle opening of any building shall be no closer than twenty feet to the property line toward which the opening faces except where the property line abuts an alley of at least twenty feet in width, in which case, the vehicle opening may be five feet from the property line.

iii. Not less than forty feet from the existing centerline of the street on a minor street (fifty feet wide) nor less than fifteen feet from the planned street line where a specific plan has been adopted. The vehicle opening of any building shall be no closer than twenty feet to the property line toward which the opening faces except where the property line abuts an alley of at least twenty feet in width, in which case, the vehicle opening may be five feet from the property line.

b. Side Yard, Interior Lot Line and Rear Yard. Five feet, except where the lot line abuts an alley, in which case there shall be no yard requirement.

c. Side Yard, Corner Lot. The main building and garage or accessory building not having direct vehicular access to the street may be located five feet closer to the planned street line than at the front yard.

2. Commercial and Industrial Uses.

a. Front Yard.

i. Not less than seventy feet from the existing centerline of the street, nor less than fifteen feet from the planned street line on a major street or expressway, whichever is the greater. Loading docks shall be so located that trucks will head-in and head-out and not use the public street for maneuvering, loading, or unloading. The vehicle opening of any building shall be no closer than twenty feet to the property line toward which the opening faces except where the property line abuts an alley of at least twenty feet in width, in which case, the vehicle opening may be five feet from the property line.

ii. Not less than forty-five feet from the existing centerline of the street on a collector street (sixty feet wide) nor less than fifteen feet from the planned street line where a specific plan has been adopted. Loading docks shall be so located that trucks will head-in and head-out and not use the public highway for maneuvering, loading or unloading. The vehicle opening of any building shall be no closer than twenty feet to the property line toward which the opening faces

except where the property line abuts an alley of at least twenty feet in width, in which case, the vehicle opening may be five feet from the property line.

iii. Not less than forty feet from the existing centerline of the street on a minor street (fifty feet wide) nor less than fifteen feet from the planned street line where a specific plan has been adopted. Loading docks shall be so located that trucks will head-in and head-out and not use the public highway for maneuvering, loading or unloading. The vehicle opening of any building shall be no closer than twenty feet to the property line toward which the opening faces except where the property line abuts an alley of at least twenty feet in width, in which case, the vehicle opening may be five feet from the property line.

iv. At street intersections, fences shall be located with a minimum twenty-five-foot corner cutoff, measured along the lot lines from the point of right-of-way intersection.

b. Side Yard, Interior Lot Line or Rear Yard. None, except where the side or rear of the property abuts an R district, in which case the minimum side or rear yard shall not be less than five feet.

c. Side Yard, Corner Lot. Structures not having direct vehicular access to the street may be located five feet closer to the planned street line than the front yard.

D. Nuisance. No operation shall be conducted on any premises in such a manner as to cause an unreasonable amount of noise, odor, dust, smoke, vibration or electrical interference detectable off the site.

E. Screening. An eight-foot masonry wall shall be constructed along the property line adjacent to any residential or agricultural zone or any P-D zoning for residential use, except where a building abuts an alley in which case no wall shall be required.

F. Landscaping. A landscaping plan indicating plant species, initial size, location and method of irrigation shall be approved by the planning director prior to issuance of any permit. Such required landscaping shall be installed within six months of project completion and shall be maintained by the applicant.

G. Signs. Any sign program for any use shall be submitted to the planning director for approval prior to installation.

H. Parking. See Chapter 21.76 for **all** off-street parking requirements ~~for all uses in all districts~~. (Ord. CS 106 Sec. 11 (part), 1984).

CHAPTER 21.58

MIXED-USE DISTRICT (M-U)

SECTIONS:

21.58.010 PURPOSE AND INTENT
21.58.020 APPLICABILITY
21.58.030 PERMITTED USES
21.58.040 USES REQUIRING USE PERMITS
21.58.050 DEVELOPMENT STANDARDS

21.58.010 PURPOSE AND INTENT

The Mixed-Use (M-U) ~~zone~~ district is intended to promote and guide the development of multifamily residential infill in areas developed with commercial uses or adjoined by parcels developed with commercial uses.

The purpose of the M-U district regulations is to set standards promoting high quality developments that combine commercial and residential land uses within the same building in a vertical arrangement or in separate buildings.

21.58.020 APPLICABILITY

The regulations set forth in this chapter shall apply to all MU districts and shall be subject to the provisions of Chapter 21.08.

21.58.030 PERMITTED USES

A. All uses permitted in the C-2 ~~zoning~~ district, as listed in Section 21.56.020, subject to the standards established by this Chapter.

B. All uses permitted in the R-3 ~~zoning~~ district, as listed in Section 21.36.020, subject to the standards established by this Chapter.

21.58.040 USES REQUIRING USE PERMITS

Uses permitted subject to first securing a use permit in each case:

A. All uses permitted by use permit in Chapter 21.56, C-2 ~~zoning~~ district;

B. All uses permitted by use permit in Chapter 21.36, R-3 ~~zoning~~ district.

21.58.050 DEVELOPMENT STANDARDS

The following development standards shall apply to all land and buildings in the M-U district~~zone~~:

A. Height Limits.

1. Maximum height of building, seventy-five feet;

2. No fence or screen planting in excess of three feet in height shall be constructed or permitted to grow within any required front yard, or side yard of a corner lot, unless the director determines that visibility will not be obstructed.

B. Building Site Area, Lot Coverage, and Density.

1. No minimum building site area is required. The building site area shall be sufficient to meet all applicable development regulations set forth in this Chapter and any applicable development and design standards, including objective design standards adopted by the County.

2. No minimum lot coverage is required. The lot coverage shall be sufficient to meet all applicable development regulations set forth in this Chapter and any applicable development and design standards, including objective design standards adopted by the County.

3. Up to two dwelling units are permitted on the first four thousand square feet of a lot with one additional unit permitted for each additional fifteen hundred square feet of the lot to a maximum density of twenty-five units per net acre; provided that public sanitary sewer and water systems are connected thereto.

C. Yards Required.

1. Front Yard.

a. Not less than seventy feet from the existing centerline of the street, nor less than fifteen feet from the planned street line on a major street or expressway, whichever is the greater. Loading docks shall be so located that trucks will head-in and head-out and not use the public street for maneuvering, loading, or unloading. The vehicle opening of any building shall be no closer than twenty feet to the property line toward which the opening faces except where the property line abuts an alley of at least twenty feet in width, in which case, the vehicle opening may be five feet from the property line.

b. Not less than forty-five feet from the existing centerline of the street on a collector street (sixty feet wide) nor less than fifteen feet from the planned street line where a specific plan has been adopted. Loading docks shall be so located that trucks will head-in and head-out and not use the public highway for maneuvering, loading or unloading. The vehicle opening of any building shall be no closer than twenty feet to the property line toward which the opening faces except where the property line abuts an alley of at least twenty feet in width, in which case, the vehicle opening may be five feet from the property line.

c. Not less than forty feet from the existing centerline of the street on a minor street (fifty feet wide) nor less than fifteen feet from the planned street line where a specific plan has been adopted. Loading docks shall be so located that trucks will head-in and head-out and not use the public highway for maneuvering, loading or unloading. The vehicle opening of any building shall be no closer than twenty feet to the property line toward which the opening faces except where the property line abuts an alley of at least twenty feet in width, in which case, the vehicle opening may be five feet from the property line.

d. At street intersections, fences shall be located with a minimum twenty-five-foot corner cutoff, measured along the lot lines from the point of right-of-way intersection.

2. Side Yard, Interior Lot Line or Rear Yard. None, except where the side or rear of the property abuts an R district, in which case the minimum side or rear yard shall not be less than five feet.

3. Side Yard, Corner Lot. Structures not having direct vehicular access to the street may be located five feet closer to the planned street line than the front yard.

D. Nuisance. No operation shall be conducted on any premises in such a manner as to cause an unreasonable amount of noise, odor, dust, smoke, vibration or electrical interference detectable off the site.

E. Open Space and Landscaping.

1. A minimum of one (1) common outdoor gathering space shall be provided, including a minimum of 400 square feet of common outdoor gathering space for residential projects with more than ten dwelling units. For every additional five dwelling units on site, an additional 200 square foot common outdoor gathering space shall be provided.

Total planted area shall not be less than five percent of the lot area for existing buildings and ten percent for new construction. A landscaping plan in conformance with Chapter 21.102 indicating plant species, initial size, location and method of irrigation shall be approved by the planning director prior to issuance of any permit.

F. Signs. Any sign program for any use shall be submitted to the planning director for approval prior to installation.

G. Parking. See Chapter 21.76 for all off-street parking requirements.

H. Screening.

1. An eight-foot masonry wall shall be constructed along the property line adjacent to any residential or agricultural zone or any P-D zoning for

residential use, except where a building abuts an alley in which case no wall shall be required.

2. **If a multi-story building is built on a lot that borders an existing dwelling in a residential district, no windows, balconies, or other openings shall directly overlook the rear or side yards of the neighboring residential lot, and the project shall comply with the following provisions:**

   a. **There shall be no windows or the windows shall have a bottom sill located at least five (5) feet eight (8) inches from the finished floor of a second (or higher) story.**

   b. **No balconies shall face the R-1 zoned lot.**

   c. **The requirement of section (a) shall not apply to windows required by building code to be usable for accessible emergency access.**

      i. **Windows required for emergency access shall be frosted or otherwise altered to provide additional privacy, as approved by the director.**

I. **Objective Design Standards. Any development shall be subject to all applicable objective design standards adopted by the County.**

J. **City Standards. Within the adopted sphere of influence of any city, the city shall approve signage in accordance with Section 21.08.070 and city standards may be applied in lieu of County standards for landscaping and parking.**

K. **Fire District. Any development located within the Salida Fire Protection District shall be subject to annexation into the Districts Community Facilities District prior to issuance of a building permit.**

CHAPTER 21.60

INDUSTRIAL DISTRICT (M)

SECTIONS:

21.60.010 APPLICABILITY
21.60.020 PERMITTED USES
21.60.030 USES REQUIRING A USE PERMIT
21.60.040 HEIGHT LIMIT
21.60.050 YARDS
21.60.060 NUISANCES
21.60.070 SCREENING
21.60.080 OFF-STREET PARKING
21.60.090 LOT COVERAGE

21.60.010 APPLICABILITY

The regulations set forth in this chapter shall apply in all M districts and shall be subject to the provisions of Chapter 21.08. (Ord. CS 106 Sec. 12 (part), 1984).

21.60.020 PERMITTED USES

Uses permitted in M districts:

A. All retail and wholesale establishments, warehouses, service establishments, public and quasi-public buildings; junkyards, wrecking yards and auto dismantling yards; and all uses permitted in the C districts except dwelling units of any kind unless otherwise specifically permitted in this zone;

B. All industrial uses except those specified in Section 21.60.030;

C. Outdoor advertising signs which are nonflashing and nonanimated;

D. One mobile home when appurtenant and secondary to a permitted use with substantial outside storage subject to provisions of Chapter 21.72;

E. One identification or informational sign not more than twelve square feet in area nor more than six feet in height may be permitted in the front yard or side yard adjacent to each street frontage in lieu of any other freestanding sign, provided that:

1. It does not bear any advertising message,

2. It is nonflashing, nonmoving, and nonanimated,

3. It is located wholly on private property on the premises to which it pertains,

4. A plot plan and elevation of the sign is approved by the director of planning and community development prior to request for building or electrical permits and installation;

F. Crop farming;

G. Ballrooms, commercial clubs, dance halls, drive-in theaters, night clubs, stadiums and tent or open-air churches. However, when located within two hundred feet of the boundary of an R district, a use permit shall first be secured;

H. Single-family dwelling or one apartment if it is accessory to a permitted commercial or industrial use;

I. Christmas tree sales lots provided they meet the required setbacks and provide at least ten accessible and usable off-street parking spaces in addition to one space per employee on a maximum shift. Such lots shall be limited to two double-faced signs not to exceed twelve square feet each. No off-site signs shall be permitted. Such lots may not be established prior to November 15 of any year and shall be removed and the property returned to its original condition prior to January 1;

J. Fireworks stands provided they meet all required setbacks and provide at least five usable and accessible off-street parking spaces in addition to one space per employee on a maximum shift. Such stands shall meet all the requirements of the department of fire safety and shall be erected and removed within the time period prescribed by that department. (Ord. CS 106 Sec. 12 (part), 1984).

K. Adult businesses as allowed by the provisions of Chapter 21.68.

L. All retail stores and wholesale retail stores which have a building and sales area less than sixty-five thousand square feet or greater. (Ord. CS 896 Secs 9, 10, 2004; Ord. CS 607 Sec 3, 1995; Ord. CS 106 §12, 1984).

M. Emergency shelters with twenty or fewer beds, when parcels are served by both public sewer and water and located outside the sphere of influence of a city and in an area served by public transit (at least six days a week), with approval of a permit in accordance with Chapter 21.100.

21.60.030 USES REQUIRING A USE PERMIT

Uses permitted, subject to first securing a use permit in each case:

A. Distillation of bones, disposal, dumping, sanitary landfill; incineration or reduction of dead animals, garbage, offal, refuse or sewage; and fat rendering;

B. Manufacturing of acid, cement, compressed gases, fertilizer, fungicides, glue, gypsum, hides, insecticides, lime, paper pulp, pesticides, plaster of paris or poison gas;

C. Manufacture of explosives, or fireworks, and storage of explosives;

D. Feed lots, stockyards, slaughter of animals or poultry;

E. Refining of petroleum products, smelter of copper, iron, tin, zinc or other ores and metals;

F. Drilling for, or removal of gas, oil or commercial removal of minerals, earth or other materials;

G. Go-cart tracks, motor vehicle rides, race tracks, rifle ranges, skeet ranges, motorcycle tracks and motorcycle hill climbs. (Ord. CS 106 Sec. 12 (part), 1984).

H. All retail stores and wholesale retail stores with a gross building and/or sales area of sixty-five thousand square feet or greater. (Ord. CS 896 §11, 2004; Ord. CS 106 §12, 1984)

I. Emergency Shelters **with more than twenty beds or when not permitted under Section 21.60.020 of this Chapter.** (Ord. CS 1169, Sec 14, 2015)

J. Commercial cannabis retail (storefront or non-storefront), manufacturing (volatile or non-volatile), testing labs, distribution, and cultivation or nursery activities (mixed-light or indoor), subject to Section 21.08.020(D) of this Title. (Ord. CS 1205, Sec 6, 2018).

21.60.040 HEIGHT LIMIT

Height limit in M districts:

A. Building and appurtenant structures, seventy-five feet;

B. Fireproof structures (excluding advertising structures) not used for human occupancy, no height limit;

C. Separate standing advertising structures, thirty-five feet;

D. No fence or screen planting in excess of three feet in height shall be constructed or permitted to grow within any required front yard, or side yard of a corner lot, unless the director determines that visibility will not be obstructed;

E. Additional height may be granted for advertising signs, transmitting towers, storage towers, and structures not used for human occupancy, provided that a use permit is first secured in each case. (Ord. CS 106 Sec. 12 (part), 1984).

21.60.050 YARDS

Yards required in M districts:

A. Front Yard and Side Yards of Corner Lots.

1. Not less than seventy feet from the existing centerline of the street nor less than fifteen feet from the planned street line on a major street or expressway, whichever is the greater. Loading docks shall be so located that trucks will head-in and head-out and not use the public street for maneuvering, loading and unloading. The vehicle opening of any building shall be no closer than twenty feet to the property line toward which the opening faces;

2. Not less than forty-five feet from the existing centerline of the street on a collector street (sixty feet wide) nor less than fifteen feet from the planned street line where a specific plan has been adopted. Loading docks shall be so located that trucks will head-in and head-out and not use the public highway for maneuvering, loading or unloading. The vehicle opening of any building shall be no closer than twenty feet to the property line toward which the opening faces;

3. Not less than forty feet from the existing centerline of the street on a minor street (fifty feet wide) nor less than fifteen feet from the planned street line where a specific plan has been adopted. Loading docks shall be so located that trucks will head-in and head-out and not use the public highway for maneuvering, loading

and unloading. The vehicle opening of any building shall be no closer than twenty feet to the property line toward which the opening faces;

4. The side yards of corner lots may be five feet less than the required front yard for the main building.

B. Side Yard of Interior Lot and Rear Yard. To be governed by the Uniform Building Code for use or occupancy and type of construction. (Ord. CS 106 Sec. 12 (part), 1984).

21.60.060 NUISANCES

No operation shall be conducted on any premises in such a manner as to cause an unreasonable amount of noise, odor, dust, smoke, vibration, or electrical interference detectable off the site. (Ord. CS 106 Sec. 12 (part), 1984).

21.60.070 SCREENING

An eight-foot masonry wall shall be constructed along the property line adjacent to any residential or agricultural zone or any P-D zoning for residential use, except where a building abuts an alley in which case no wall shall be required. (Ord. CS 106 Sec. 12 (part), 1984).

21.60.080 OFF-STREET PARKING

See Chapter 21.76 for **all** off-street parking requirements ~~for all uses in all districts~~. (Ord. CS 106 Sec. 12 (part), 1984).

21.60.090 LOT COVERAGE

Percentage of lot coverage, total area of building, maximum seventy-five percent. (Ord. CS 106 Sec. 12 (part), 1984).

CHAPTER 21.72

MOBILE HOMES

SECTIONS:

21.72.010 APPLICABILITY
21.72.020 DISTRICT REGULATIONS
21.72.030 NONCONFORMING USES
21.72.040 EFFECT OF NONCOMPLIANCE
21.72.050 EXPIRATION OF PERMITS
21.72.060 REAPPLICATION WAITING PERIOD
21.72.070 MOBILE HOMES IN HISTORICAL SITE DISTRICT

21.72.010 APPLICABILITY

The regulations set forth in this chapter shall apply to the allowance of mobile homes used for residential purposes in all zoning districts. (Ord. CS 106, Sec. 14 (part), 1984).

21.72.020 DISTRICT REGULATIONS

A mobile home in lieu of any permitted single-family **or accessory** dwelling shall be permitted subject to the following (Ord. CS 1290, 2021):

A. In any zoning district, **except the HS district,** the mobile home shall meet the following eligibility and compatibility criteria (Ord. CS 1290, 2021):

1. Eligibility. A mobile home shall be eligible if it (Ord. CS 1290, 2021):

   a. Is to be occupied only for residential purposes. (Ord. CS 1290, 2021).
   b. Conforms to all of the residential use development standards for single family structures applicable to the particular zoning of the lot on which it is being placed. (Ord. CS 1290, 2021).
   c. Was constructed within twenty years of the date the building permit application placement of the mobile home was submitted. (Ord. CS 1290, 2021).
   d. Is attached to a permanent foundation system approved by the county's Chief Building Official. (Ord. CS 1290, 2021).
   e. Is placed on the county assessment roll. (Ord. CS 1290, 2021).

2. Compatibility. A mobile home shall be compatible if (Ord. CS 1290, 2021):

   a. It is covered with material commonly found in new conventionally built residential structures within three hundred feet of the lot on which the mobile home is being placed. (Ord. CS 1290, 2021).
   b. The exterior covering material extends to the ground. If a solid concrete or masonry perimeter foundation is used, the exterior covering material need not extend below the top of the foundation. Alternative skirting materials commonly found on conventionally built residential structures will be considered compatible. (Ord. CS 1290, 2021).
   c. The roofing material shall be similar to materials commonly found on

conventionally built residential structures within three hundred feet of the lot on which the mobile home is being placed. (Ord. CS 1290, 2021).

d. The roof of the mobile home shall have eave and gable overhangs as follows (Ord. CS 1290, 2021):

i. Not less than one foot measured from the vertical side of the mobile home; or (Ord. CS1290, 2021)

ii. Consistent to those of an existing dwelling located on the same lot. (Ord. CS 1290, 2021).

B. A mobile home approved prior to February 25, 2021 for the care of ill, infirm, or aged members of family may be converted to an accessory dwelling in accordance with Chapter 21.74 of this Title or maintained under a temporary permit subject to the following (Ord. CS 1290, 2021):

1. If converted to an accessory dwelling, a building permit shall be obtained and finaled and all applicable fees shall be paid to convert the temporary mobile home to a permanent status. (Ord. CS 1290, 2021).

a. **The mobile home to be converted shall not be required to meet the eligibility and compatibility criteria established under this Chapter; however, any replacement of the home shall comply with all applicable criteria.**

2. If maintained under a temporary permit, the permit shall be subject to a renewal every five years and the permit shall not be transferrable to a new property owner and/or family member. In order to renew the permit, the property owner shall attest to the continued need for the mobile home for the original purpose as the permit was issued. (Ord. CS 1290, 2021).

C. On property located in an A-2 zoning district to provide housing on the premises for persons employed on a full-time basis in connection with the agricultural use of the property or other property owned or leased by the same owner, where the type and amount of crops and/or animals are substantial enough to warrant such full-time employees and where the occupant of the principal residence works full-time on the property, subject to the following standards and conditions:

1. Approval of a~~n accessory~~**temporary** mobile home permit by the director of planning and community development. Application shall be made by completing forms provided by the department of planning and community development and payment of an application fee. Applicants may be required to substantiate that the employee is, in fact, a full-time employee. Watchmen shall not be considered full-time employees for purposes of this subsection. The property owner may renew the permit each year by the reaffirmation of the need to provide the housing and the payment of a renewal fee.

2. The mobile home shall be accessory to and located in reasonable relationship to the existing agricultural use of the property.

3. The mobile home shall not be rented or leased independent of the agricultural use to which it is accessory.

4. The mobile home shall be removed from the premises at any time the principal use

to which it is accessory is discontinued for a period of six months.

5. The installation of a new mobile home or any replacement of an existing mobile home shall comply with the eligibility and compatibility criteria established under this Chapter.

6. A mobile home approved under this Section may be converted to an accessory dwelling when permitted in accordance with Chapter 21.74 subject to all applicable building permit and public facilities fees.

a. **The mobile home to be converted shall not be required to meet the eligibility and compatibility criteria established under this Chapter; however, any replacement of the home shall comply with all applicable criteria.**

D. On property located in an H-1, C-2, P-D, LM or M zoning district, to provide housing on the premises, for a person employed as a watchman, only on properties with substantial outside storage areas, based on the amount and value of the stored materials, and where there are no other residences, or in any zoning district to provide housing for a watchman on the site of a school or facility of any public agency, subject to the following conditions:

1. Approval of an accessory mobile home permit by the director of planning and community development. Application shall be made by completing forms provided by the department of planning and community development and payment of an application fee. The property owner may renew the permit each year by the reaffirmation of the need to provide the housing and the payment of a renewal fee;

2. The mobile home shall not be rented or leased independent of the principal use to which it is accessory;

3. The mobile home shall be accessory to and located in reasonable relationship to the existing principal use of the property;

4. The mobile home shall be removed from the premises at any time the principal use to which it is accessory is discontinued for a period of six months.

5. The installation of a new mobile home or any replacement of the existing mobile home shall comply with the eligibility and compatibility criteria established under this Chapter.

E. On property located in an A-2, R-A, R-1, R-2, or R-3 zoning district for temporary residential purposes when constructing a dwelling on the same property**, as allowed under Chapter 21.100.** ~~subject to all requirements assigned by the County's Chief Building Official. Such mobile homes shall be removed from the site within ten days after the issuance of a final inspection by the county building inspector or occupancy of the dwelling, whichever occurs first. A financial guarantee will be required to be deposited with the county to assure removal.~~

F. On property located in an R-2, R-3, H-1, C-1 or C-2 zoning district following approval of a use permit for a mobile home park by the planning commission pursuant to Chapter 21.96. (Ord. CS 1290, 2021)

21.72.030 NONCONFORMING USES

Any mobile home which on October 19, 1973, had a valid zoning use permit, mobile home permit, or variance, shall become a valid nonconforming use under the provisions of Chapter 21.80. This section shall not be applicable to mobile homes for which such a permit had not been secured or for which a permit had expired prior to such date. (Ord. CS 106, Sec. 14 (part), 1984).

21.72.040 EFFECT OF NONCOMPLIANCE

Failure to comply with all applicable federal, state and county regulations with respect to transportation, location, and occupancy of the mobile home shall invalidate any approval obtained pursuant to this chapter. (Ord. CS 106, Sec. 14 (part), 1984).

21.72.050 EXPIRATION OF PERMITS

If the required site permits, installation permits, and any other required permits are not obtained within three months, any mobile home permit approved pursuant to this chapter shall automatically expire. (Ord. CS 106, Sec. 14 (part), 1984).

21.72.060 REAPPLICATION WAITING PERIOD

No application for a mobile home permit which has been denied wholly or in part by the director of planning and community development, or the planning commission or the board of supervisors on appeal, shall be resubmitted for a period of one year from the date the order of denial became final, except on grounds of new evidence or proof of changed conditions found to be valid by the planning commission or the board of supervisors, whichever issued the order of denial. (Ord. CS 106, Sec. 14 (part), 1984).

21.72.070 MOBILE HOMES IN HISTORICAL SITE DISTRICT

Mobile homes located in the Historical Site District shall comply with standards listed in Chapter 21.44.

CHAPTER 21.74

ACCESSORY DWELLINGS ~~(ADUs)~~

SECTIONS:

21.74.010 PURPOSE AND INTENT
21.74.020 APPLICABILITY
21.74.030 GENERAL STANDARDS~~PROVISIONS~~
21.74.040 DEVELOPMENT STANDARDS
21.74.050 RESTRICTIVE COVENANT~~RECORDATION~~

21.74.010 PURPOSE AND INTENT

The purpose of these regulations is to provide clearly stated land use regulations and development standards that allow for the development of accessory dwellings in compliance with applicable state regulations and local land use policy.

These regulations are intended to encourage the development of accessory dwellings providing for an expanded variety of housing opportunities for all income levels while retaining compatibility with surrounding uses and, when located within an agricultural zoning district, promoting the continued conservation of agricultural resources.

21.74.020 APPLICABILITY

The regulations set forth in this Chapter shall apply **to the permitting of accessory dwelling units and junior accessory dwelling units consistent with the requirements of State law. Accessory dwellings and junior accessory dwellings are permitted in all residential zones including the**~~in all~~ R-1 (Low Density Residential), R-2 (Medium-Density Residential), R-3 (~~High-Density~~ **Multi-Family** Residential), R-A (Rural Residential), **Mixed-Use (MU)**, and A-2 (General Agriculture) ~~zoning~~ districts. These regulations shall also apply in all Planned Development (P-D) zoning districts permitting residential uses.

A. When located within a local agency formation commission (LAFCO) adopted sphere of influence (SOI) of a city, accessory dwellings and junior accessory dwellings shall be permitted consistent with any applicable regulations of that city, provided said standards are consistent with State law.

21.74.030 GENERAL STANDARDS

The following general standards shall apply to accessory dwellings permitted by this Chapter:

A. Number of units**, subject to the exceptions listed below and to the applicable general and development standards of this Chapter, except as preempted by state law**.

1. The total number of accessory dwellings permitted per parcel with ~~any existing or proposed single family dwelling~~ **only single-family dwelling(s), existing or proposed, as permitted by the applicable zoning district,** shall be limited to the following:

a. One junior accessory dwelling ~~–~~when located within the space of **or attached to** a proposed or existing single-family dwelling ~~subject to all general and development standards of this Chapter~~; and

b. One detached or attached accessory dwelling ~~subject to all general and development standards of this Chapter~~.

2. The total number of accessory dwellings permitted per parcel with any existing **or proposed** two-family dwelling **(duplex)** ~~or multiple dwelling~~ **, as permitted by the applicable zoning district,** shall be limited to the following:

a. One junior accessory dwelling ~~–~~when located within the space of or attached to a proposed or existing duplex; and

~~One accessory dwelling within an existing two-family or multiple dwelling or up to 25 percent of the existing dwelling units, whichever is greatest, subject to all general and development standards of this Chapter and provided that the accessory dwelling(s) is located within the portions of the existing two-family or multiple dwelling that are not currently used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with state building standards for dwellings; and~~

b. Two detached accessory dwellings ~~subject to all general and development standards of this chapter~~.

3. **The total number of accessory dwellings permitted per parcel with any existing or proposed multi-family dwelling, as permitted by the applicable zoning district, shall be limited to the following:**

a. Attached accessory dwellings: Up to 25 percent of the existing or proposed number of dwelling units may be developed within an existing multi-family dwelling provided that any permitted accessory dwelling(s) is located within the portions of the multi-family dwelling that are not currently used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages; and

b. **Detached accessory dwellings:**

i. **Existing multi-family dwelling: One detached accessory dwelling per existing multi-family dwelling, up to a maximum of eight (8) per parcel; or**

ii. Proposed multi-family dwelling: Up to two detached accessory dwellings.

~~Exceptions.~~

~~c. Where a parcel has a combination of single-family, two-family or multiple dwellings, as permitted by the applicable zoning district, accessory dwellings shall be limited to the number permitted by Section 21.74.030(A)(2) of this Chapter.~~

~~d. Where a parcel contains more units than are permitted by the applicable zoning district, in conformance with Chapter 21.80 of this Title, the parcel shall be limited to Section 21.74.030(A)(1)(a).~~

4. Exceptions.

a. Where a parcel has a combination of single-family, two-family **(duplex)** or multi-**family~~ple~~** dwellings, as permitted by the applicable zoning district, accessory dwellings shall be limited to the number permitted by Section 21.74.030(A)(2) of this Chapter.

b. Where a parcel contains more units than are permitted by the applicable zoning district~~, in conformance with Chapter 21.80 of this Title,~~ the parcel shall be limited to Section 21.74.030(A)(1)(a).

c. In the A-2 zoning district. On parcels of 20 acres or more, one accessory dwelling unit is permitted in lieu of a second dwelling when there is only one single-family dwelling on the parcel. Where a parcel of any size is already developed with more dwellings than permitted by the zoning district, no accessory dwelling unit shall be permitted. Up to one junior accessory dwelling per parcel shall be permitted.

d. No accessory dwelling unit or junior accessory dwelling shall be permitted on any parcel that is developed with a dwelling or other use that is not in compliance with this this Title or Title 16 of the County Code.

B. Accessory dwellings shall meet the following criteria:

1. The maximum square footage of a new accessory dwelling shall not exceed 1,200 square feet of living space, or 500 square feet of living space for junior accessory dwellings, except for temporary mobile homes being converted to permanent status in accordance with Chapter 21.72 of this Title. Any replacement of the mobile home shall comply with the maximum square footage requirements of this Chapter at the time of replacement.

2. The accessory dwelling shall have a separate entrance and no shared living space, or connecting interior access, with the main dwelling. J**unior accessory dwelling units**~~ADUs~~ shall have a separate entrance from the main dwelling but may share living space and connecting interior access.

3. The accessory dwelling shall be constructed concurrent with or subsequent to the main dwelling.

C. Location. Detached accessory dwellings shall be placed to take maximum advantage of existing facilities including utilities and driveways. New driveways may be authorized in accordance with Section 21.74.030(F) of this Chapter.

1. In the A-2 zoning district, an accessory dwelling shall be located within one hundred and fifty feet of the main dwelling and shall not displace any area used for agricultural crop production. Any accessory dwelling unit not meeting these location standards may be permitted by staff approval permit when, in addition to the findings required under Section 21.100.030(A) of this Title, the Planning Director determines that the location of the accessory dwelling unit is by design

accessory to the main dwelling and will not interfere with the continued agricultural use of the parcel.

D. Mobile Homes. A mobile home may be utilized in lieu of a detached accessory dwelling, provided the mobile home meets the requirements of this Chapter and the Eligibility and Compatibility criteria included in Section 21.72.020 of this Title.

E. Water Supply and Wastewater Disposal. All accessory dwellings shall comply with all applicable local and state requirements for water supply and wastewater disposal, including, but not limited to, Section 21.08.050 requirements of this Title.

F. Access. Access to the accessory dwelling shall be in conformance with adopted County Fire Code and Public Works Standards and Specifications. Where access does not meet current standards, including street and alley access, access may be approved when the Fire Warden and the director of Public Works both find that public safety will not be negatively impacted.

G. Fire Hazard Severity Zones. Accessory dwellings located in Very High and High Fire Hazard Severity Zones, as designated by the most current California Department of Forestry and Fire Protections Fire Hazard Severity Zone Maps, shall meet current Fire Code Standards.

H. Williamson Act Contracted Lands. Accessory dwellings permitted under this Chapter shall be allowed on Williamson Act Contracted Lands provided the accessory dwelling does not interfere with the continued agricultural use of the parcel in accordance with Section 21.74.030(C)(1) of this Chapter.

21.74.040 DEVELOPMENT STANDARDS

Accessory **d**~~D~~wellings developed in accordance with this Chapter shall meet the development standards outlined in this Section, in addition to any other applicable development standards for Title 21. Where a conflict may arise, the provisions of this Section shall govern. The following development standards shall be met:

A. Height. Maximum height shall be the same as specified for dwellings in the applicable zoning district.

B. Setbacks. Accessory dwellings shall comply with the setback requirements of the applicable zoning district with the following exceptions:

1. A minimum setback of four feet from the side and rear lot lines shall be required for new construction.

2. No additional setbacks shall be required when an existing, legally established, garage or other existing residential accessory building is converted to an accessory dwelling in accordance with the provisions of this Section.

C. Parking. The following parking requirements shall apply to all accessory dwellings:

1. One off-street parking space shall be required for every accessory dwelling, except no off-street parking shall be required if any of the following apply:

a. An existing legally constructed accessory structure, including a garage or carport, is being converted into an accessory dwelling;

b. The accessory dwelling is located within a half mile from a public transit stop, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public;

c. The accessory dwelling is located in an area where on-street parking permits are required, but not offered to the occupant of the accessory dwelling; or

d. The accessory dwelling is located within one block of a designated car share/commuting pick up area; or

e. The unit is a junior accessory dwelling.

2. All required off-street parking facilities shall be developed in accordance with the standards of the county department of public works.

D. Density. An accessory dwelling that conforms to the requirements of this Chapter shall be deemed a residential accessory use and will not be considered to exceed the allowable density for the parcel as established by the Stanislaus County General Plan or this Title.

E. **Lot Coverage. Lot coverage limits shall not apply to the development of accessory dwellings.**

21.74.050 RESTRICTIVE COVENANT

Before obtaining a building permit for an accessory dwelling, the property owner shall sign, and provide the necessary recording fees, and the county shall file with the county recorder, a restrictive covenant acknowledging that:

A. **Except as otherwise preempted by State law, an accessory dwelling or junior accessory dwelling may not be sold or otherwise conveyed separately from the parcel on which it is located, or from any dwelling, on that parcel.** ~~Any accessory dwelling cannot be sold separately from or subdivided from the main dwelling.~~ Any future land division shall be subject to all applicable Stanislaus County subdivision requirements and regulations in effect at the time a land division is proposed and may include conversion of the accessory dwelling to a main dwelling **as permitted by the applicable zoning district**.

B. Any modification to the accessory dwelling shall comply with all applicable provisions of this Title for accessory dwellings, as such provisions may be amended from time to time.

C. The rental of the accessory dwelling **or junior accessory dwelling** shall be for a term longer than 30 days.

D. The limitations set by this Chapter shall be binding upon any assigns, successors in interest, personal representatives, estates, and heirs of the owner of any property which includes accessory dwellings or junior accessory dwellings.

CHAPTER 21.76

OFF-STREET PARKING

SECTIONS:

21.76.010 APPLICABILITY
21.76.020 BANKS AND FINANCIAL INSTITUTIONS
21.76.030 CHURCHES, LODGES AND PLACES OF PUBLIC ASSEMBLY
21.76.040 DWELLINGS AND OTHER RESIDENTIAL USE TYPES
21.76.045 EMERGENCY SHELTERS
21.76.050 GARAGES AND REPAIR SHOPS
21.76.060 HOSPITALS
21.76.070 MANUFACTURING OR ASSEMBLY PLANTS AND WHOLESALE WAREHOUSES
21.76.080 MOBILE HOME PARKS
21.76.090 MORTUARIES
21.76.100 MOTELS AND HOTELS
21.76.110 OFFICE BUILDINGS
21.76.120 RECREATIONAL USES
21.76.130 REST OR NURSING HOMES
21.76.140 RESTAURANTS AND BARS
21.76.150 RETAIL STORES AND SERVICE ESTABLISHMENTS
21.76.160 SCHOOLS
21.76.170 SHOPPING CENTERS AND FLEA MARKETS
21.76.180 THEATERS
21.76.190 VEHICLE SALES
21.76.200 COMBINED USES
21.76.210 USES NOT SPECIFIED
21.76.220 STANDARDS
21.76.230 LOCATION

21.76.010 APPLICABILITY

Off-street parking or vehicle storage space is required as set forth in this chapter. (Prior code Section 9-123 (part)).

21.76.020 BANKS AND FINANCIAL INSTITUTIONS

Banks and financial institutions require one space for every three hundred square feet of gross floor area. (Prior code Sec. 9-123(a)).

21.76.030 CHURCHES, LODGES AND PLACES OF PUBLIC ASSEMBLY

Churches, lodges and places of public assembly require one space for every **four**~~three~~ fixed seats, **or one space** for every **fifty square feet for** ~~three persons allowed under the maximum capacity established by the fire warden where there are~~ no**n-**fixed seats, in the main place of assembly. (Prior code Sec. 9-123(b)).

21.76.040 DWELLINGS AND OTHER RESIDENTIAL USE TYPES

Dwellings **and other residential use types** require:

A. Single-family, two spaces per dwelling;

B. Two-family **and multi-family, one space per studio or one-bedroom unit and**~~, one and one-half~~ **two** spaces per **two or more bedroom** unit;

C. ~~Multiple-family, one and one-half spaces per unit~~ **Single-room occupancy housing, one space per three units plus one space per every two employees on a maximum shift**;

D. Guestroom or rooming house, one space per room plus one space. (Prior code Sec. 9-123(c)).

21.76.045 EMERGENCY SHELTERS

Emergency shelters require one space for each employee on a maximum shift.

21.76.050 GARAGES AND REPAIR SHOPS

Garages and repair shops require one space for every three hundred square feet of gross floor area. Spaces inside a garage may be counted toward meeting the requirement. (Prior code Sec. 9-123(d)).

21.76.060 HOSPITALS

Hospitals require one and one-half spaces for each bed. (Prior code Sec. 9-123(e)).

21.76.070 MANUFACTURING OR ASSEMBLY PLANTS AND WHOLESALE WAREHOUSES

Manufacturing or assembly plants and wholesale warehouses require one space for each employee on a maximum shift plus three additional spaces, or, when the number of employees cannot be determined, one space for every ~~three~~**six** hundred square feet of gross floor area. (Prior code Sec. 9-123(f)).

21.76.080 MOBILE HOME PARKS

Mobile home parks require two spaces for each mobile home space plus one recreational vehicle parking space for every five mobile homes in parks where recreational vehicles or boats are allowed. These spaces can be constructed in tandem. (Prior code Sec. 9-123(g)).

21.76.090 MORTUARIES

Mortuaries require one space for every five seats, or one space for every thirty-five square feet in assembly rooms where seating is not fixed. (Prior code Sec. 9-123(h)).

21.76.100 MOTELS AND HOTELS

Motels and hotels require one space for each sleeping room or dwelling unit. (Prior code Sec. 9-123(i)).

21.76.110 OFFICE BUILDINGS

Office buildings require:

A. General business and professional offices, one space for every three hundred square feet of gross floor area;

B. Medical-dental offices and clinics, one space per doctor and each employee, plus one space per individual examining room or one space for every one hundred square feet of gross floor area where the number of examining rooms is unknown. (Prior code Sec. 9-123(j)).

21.76.120 RECREATIONAL USES

Recreational uses require:

A. Bowling alleys, five spaces per lane;

B. Amusement centers, twenty-five spaces per one thousand square feet of gross floor area;

C. Golf courses, ten spaces per hole plus one space per thirty-five square feet of public assembly areas and one space per two hundred fifty square feet gross floor area for related uses;

D. Stadiums, one space for every three seats. (Prior code Sec. 9-123(k)).

21.76.130 REST OR NURSING HOMES

Rest or nursing homes require one space for each employee on a maximum shift plus one space for every eight beds. (Prior code Sec. 9-123(1)).

21.76.140 RESTAURANTS AND BARS

Restaurants and bars require one space for every four seats or four persons allowed under the maximum capacity established by the fire warden where the seating capacity is not fixed. (Prior code Section 9-123(m)).

21.76.150 RETAIL STORES AND SERVICE ESTABLISHMENTS

Retail stores and service establishments require one space for each three hundred square feet of gross floor area. (Prior code Sec. 9-123(n)).

21.76.160 SCHOOLS

Schools require:

A. Elementary, two spaces for each classroom;

B. High schools and trade schools, one space for every five seats;

C. Colleges, one space for every three seats. (Prior code Sec. 9-123(o)).

21.76.170 SHOPPING CENTERS AND FLEA MARKETS

Shopping centers and flea markets require:

A. Neighborhood, six spaces per one thousand square feet of gross floor area;

B. Community and regional, eight spaces per one thousand square feet of gross floor area;

C. Flea markets, eight spaces per one thousand square feet of indoor or outdoor sales area. (Prior code Sec. 9-123(p)).

21.76.180 THEATERS

Theaters require one space for every three seats. (Prior code Sec. 9-123(q)).

21.76.190 VEHICLE SALES

Vehicle sales establishments require one space for each employee on a maximum shift, plus one customer parking space per every twenty vehicles for sale. (Prior code Sec. 9-123(r)).

21.76.200 COMBINED USES

The number of required spaces shall be determined by combining individual requirements for each use. (Prior code Sec. 9-123(s)).

21.76.210 USES NOT SPECIFIED

All other uses not set forth in this chapter shall be determined by the planning commission based on the intensity of use by motor vehicles. (Prior code Sec. 9-123(t)).

21.76.220 STANDARDS

All off-street parking facilities shall be done in accordance with the standards of the county department of public works. (Prior code Sec. 9-123(u)).

21.76.230 LOCATION

No required off-street parking spaces shall be located within the building setback area or any required yard space. (Prior code Sec. 9-123(v)).

A. **Non-residential uses. Parking may be located within the building setback area provided at least five feet of landscaping, free of vehicle overhang, is provided to separate parked cars from adjoining properties, sidewalks, or roadways and all applicable landscape standards set by this Title are met.**

CHAPTER 21.82

DENSITY BONUS FOR AFFORDABLE HOUSING

SECTIONS:

21.82.010	**INTENT AND PURPOSE**
21.82.020	**GENERAL PROVISIONS**
21.82.030	**AFFORDABILITY PROVISIONS**
21.82.040	**INCENTIVES OR CONCESSIONS**
21.82.050	**APPLICATION PROCEDURES**
21.82.060	**AFFORDABLE HOUSING AGREEMENT**
21.82.070	**COMMERCIAL DENSITY BONUS**
21.82.080	**REQUIRED REPLACEMENT OF AFFORDABLE UNITS**
21.82.090	**OBJECTIVE DESIGN STANDARDS**

21.82.010 INTENT AND PURPOSE

The intent of the density bonus program is to contribute significantly to the economic feasibility of affordable housing in proposed developments by offering incentives to developers consisting of density bonuses or other concessions of equal financial value, in compliance with California Government Code Sections 65915 - 65918.

21.82.020 GENERAL PROVISIONS

A housing development shall be eligible for a density bonus and other regulatory incentives that are provided by California Government Code Section 65915 when the applicant seeks and agrees to provide very-low, low or moderate income housing units, or units intended to serve special populations including seniors, transitional foster youth, disabled veterans, homeless persons, and lower income students in the threshold amounts specified in the California Government Code Section 65915 and for commercial developments as specified in California Government Code Section 65615.7.

A. **The granting of a density bonus, incentive or concession, pursuant to this Chapter, shall not be interpreted, in and of itself, to require a general plan amendment, development code amendment, zone change, other discretionary approval, or the waiver of a County provisions or ordinance unrelated to development standards.**

B. **For the purposes of this section, "total units" or "total dwelling units" do not include units added by a density bonus awarded pursuant to this Chapter or any local law granting a greater density bonus.**

C. Projects which meet the requirements of this Chapter shall qualify for a density bonus as described below:

1. Very Low and Low Income Housing and ~~Senior Citizen H~~**housing for special populations**. Upon written request to the County, an applicant for a housing development is eligible for one density bonus of twenty percent over the maximum residential density provided that the applicant agrees to construct the housing development in accordance with one of the following criteria:

a. Very Low-Income Households. **At least f**~~F~~ive percent of the total dwelling units, excluding any units permitted by the density bonus, are provided at affordable rent or ownership costs to very low income households; or

b. Low Income Households. **At least t**~~T~~en percent of the total dwelling units, excluding any units permitted by the density bonus, are provided at affordable rent or ownership costs to low-income households; or

c. Senior Citizen Housing Development. For senior citizen housing developments, **which include at least thirty-five dwelling units, as defined in Section 51.3 and Section 51.12 of the California Civil Code, or a mobile home park that limits residency based on age requirements for housing for older persons pursuant to Section 798.76 or 799.5 of the California Civil Code,** ~~conforming with Section 21.82.020(G) of this Chapter, the density bonus shall be twenty percent of the number of senior housing units provided~~; or

d. Foster Youth, Disabled Veterans, or Homeless Persons. When ten percent of the housing units are for foster youth, disabled veterans, or homeless persons, at the very low income level; or

e. Student Housing. When twenty percent of the housing units are for low income, full-time, college students at an accredited school and all of the criteria of Government Code Section 65915(b) are met.

2. Moderate Income Housing. Upon written request to the County, an applicant for a housing development is eligible for one density bonus of five percent over the maximum residential density if the applicant agrees to construct the housing development in accordance with all of the following criteria:

a. At least ten percent of the total dwelling units, excluding any units permitted by the density bonus, are provided at affordable ownership costs to moderate income households; and

b. The housing development is a common interest project as defined by Section 1351 of the California Civil Code; and

c. All of the dwelling units in the housing development are offered for sale to the public.

3. A density bonus where one-hundred percent of the density bonus dwelling units in the development, exclusive of a manager's unit or units, shall be affordable to very low income or low income households, except that up to twenty percent of the pre-density bonus dwelling units may be affordable to moderate income households (other than manager's units) the density

bonus shall be 80 percent of the number of units for lower income households; however no maximum density shall be imposed if either of the following apply:

a. If the housing development is located within one-half mile of a major transit stop; or

b. If the housing development is located in a very low vehicle travel area within a designated county.

F. Higher Density Bonus for Greater Contribution of Affordable Units: Upon written request to the County, an applicant for a housing development that is eligible for a density bonus based upon the contribution of affordable units, may receive a higher amount of density bonus if the percentage of very low, low, and moderate income housing units exceeds the base percentage established in ~~Section 21.82.020(A) or (B) of~~ this Chapter, **in accordance with California Government Code Section 65915** ~~as follows:~~

~~1. Very Low Income Units. For each one percent increase above five percent in affordable units for very low income households, the density bonus shall be increased by two and one-half percent up to a maximum of thirty five percent.~~

~~2. Low Income Units. For each one percent increase above ten percent in the affordable units for low income households, the density bonus shall be increased by one and one-half percent up to a maximum of thirty five percent.~~

~~3. Moderate Income Units. For each one percent increase above ten percent in affordable units offered for sale to moderate income households, the density bonus shall be increased by one percent up to maximum thirty five percent.~~

~~Table 1: Density Bonus Summary~~

~~Types Of Affordable Units Providing Eligibility For A Density Bonus~~	~~Minimum Percent~~	~~Bonus Granted~~	~~Bonus For Each 1% Increase In Affordable Units~~	~~Additional Percent Of Affordable Units Required For Maximum 35% Bonus~~
~~Very Low Income~~	~~5%~~	~~20%~~	~~2.5%~~	~~11%~~
~~Lower Income~~	~~10%~~	~~20%~~	~~1.5%~~	~~20%~~
~~Moderate Income~~	~~10%~~	~~5%~~	~~1%~~	~~40%~~
~~Senior Citizen Housing~~	~~Qualified Development~~	~~20% of the units~~	-	-

G. ~~Higher~~ Density Bonus for Land Donation. When an applicant for a tentative subdivision map, parcel map, or other residential development approval donates land to the county, in accordance with **California Government Code** Section **65915** ~~of the California Government Code,~~ the applicant shall be entitled to a ~~fifteen percent increase, and up to thirty five percent~~ density bonus increase when very low income units are accommodated on the donated land, above the otherwise maximum allowable residential density for the entire development.

H. Child Care Facilities. When an applicant proposes to construct a housing development which includes a child care facility **with** either of the following**, a density bonus in accordance with California Government Code Section 65915** may be granted~~, up to a maximum density bonus of thirty five percent:~~

1. An additional density bonus that is an amount of square feet of residential space that is equal to or greater than the amount of square feet in the child care facility; or

2. An additional concession or incentive that contributes significantly to the economic feasibility of the construction of the child care facility.

~~F. The highest possible density bonus is thirty five percent above the normally allowed density, regardless of which density bonus the developer chooses to apply to their project.~~

~~I. For the purposes of this section, "total units" or "total dwelling units" do not include units added by a density bonus awarded pursuant to this Chapter or any local law granting a greater density bonus.~~

~~J. Senior citizen housing is a housing development developed, substantially rehabilitated, or substantially renovated for senior citizens that has at least thirty-five dwelling units, as defined in Section 51.3 and Section 51.12 of the California Civil Code, or a mobile home park that limits residency based on age requirements for housing for older persons pursuant to Section 798.76 or 799.5 of the California Civil Code.~~

K. Requested Parking Reduction. In the event an application proposes a parking reduction for a housing development pursuant to California Government Code Section 65915, subdivision (p), a table showing parking required by the zoning regulations, parking proposed under Section 65915, subdivision (p), and reasonable documentation that the project is eligible for the requested parking reduction.

L. Condominium Conversion. If a density bonus or incentive is requested for a condominium conversion, reasonable documentation that all of the requirements included in California Government Code Section 65915.5 can be met.

M. Commercial Development Bonus. A housing development includes only the residential component of a mixed-use project. If a commercial development bonus is requested for the commercial development portion

of a project, the application shall meet the requirements laid out in Section 21.82.110.

N. "Housing development," as used in this section, means a development project for five or more residential units.

O. All density calculations resulting in fractional units shall be rounded up to the next whole number.

P. For the purposes of any provisions in this **Chapter**~~article~~, an applicant may elect to accept a lesser percentage of density bonus than that to which the housing development is eligible.

21.82.030 AFFORDABILITY PROVISIONS

A. Rental Units. An applicant shall ensure continued affordability of all very low and low income rental units that qualified the applicant for the award of the density bonus for 55 years or a longer period of time if required by the construction or mortgage financing assistance program, mortgage insurance program, or rental subsidy program. Rents for the low income density bonus units shall be set at an affordable rent as defined in Section 50053 of the California Health and Safety Code.

B. For Sale Units. An applicant shall ensure that, the initial occupant of all for sale units that qualified the applicant for the award of the density bonus are persons and families of very low, low, or moderate income, as required, and that the units are offered at an affordable housing cost, as that cost is defined in Section 50052.5 of the California Health and Safety Code.

1. The local government shall enforce an equity sharing agreement in conformance with the requirements set forth in Section 65915 of the California Government Code, unless it is in conflict with the requirements of another public funding source or law.

2. Where there is a direct financial contribution to a housing development pursuant to Section 65915 of the California Government Code through participation in cost of infrastructure, write-down of land costs, or subsidizing the cost of construction, the county shall assure continued availability for low and moderate-income units for 30 years.

C. An applicant shall be ineligible for a density bonus or any other incentives or concessions under this Chapter, in conformance with the requirements set forth in Section 65915 of the California Government Code, if the housing development is proposed on property which had previously been subject to an affordable housing covenant or was occupied by low income persons within the last five years.

21.82.040 INCENTIVES OR CONCESSIONS

A. Projects which meet the requirements of this Chapter may request concessions to development standards, in accordance with Section 65915 of the California Government Code**.**~~, as described below:~~

1. ~~One incentive or concession for projects that include at least ten percent of the total units for low income households, at least five percent for very low income households, or at least ten percent for persons and families of moderate income in a common interest development.~~

2. ~~Two incentives or concessions for projects that include at least twenty percent of the total units for low income households, at least ten percent for very low income households, or at least twenty percent for persons and families of moderate income in a common interest development.~~

3. ~~Three incentives or concessions for projects that include at least thirty percent of the total units for low income households, at least fifteen percent for very low income households, or at least thirty percent for persons and families of moderate income in a common interest development.~~

B. Waivers to Other Development Standards. Applicants granted a density bonus may, by written proposal, seek a waiver, modification or reduction of other development standards that would otherwise have the effect of physically precluding the construction of the housing development at the densities or with the concessions or incentives permitted pursuant to this Chapter.

1. In order to obtain a waiver or modification of development standards, the applicant shall show that the development standards will have the effect of precluding the construction of a housing development meeting the criteria of this Chapter, at the densities or with the concessions or incentives permitted by this Chapter.

2. A proposal for the waiver or reduction of development standards pursuant to this section shall neither reduce nor increase the number of incentives or concessions to which the applicant is entitled pursuant to 21.82.40(A) of this Chapter.

3. The County may deny a request for any waiver, modification or reduction of development.

C. In accordance with paragraph (d) of California Government Code Section 65915, the requested concession(s) shall be granted unless the Planning Director makes a written finding, based upon substantial evidence, of any of the following:

1. The concession or incentive is not required in order to provide for affordable housing costs or for rents for the targeted units.

2. The concession or incentive would have a specific adverse impact, as defined in of California Government Code Section 65589.5, upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households.

3. The concession or incentive would be contrary to state or federal law.

D. Amendment, Zone Change. The granting of a concession or incentive shall not be interpreted, in and of itself, to require a general plan amendment, zoning change, or other discretionary approval.

21.82.050 APPLICATION PROCEDURES

A. The application for a density bonus, incentive or concession shall be submitted with the first application for approval of a housing development and shall be processed concurrently with any other planning permit required for the housing development. If no other planning permit is required, then the application for a density bonus shall be submitted in accordance with Section 21.100 of the County Code. The application shall be submitted on a form and contain such information and support data as prescribed by the Planning Director. The application shall contain sufficient information to make the required determinations and findings defined in **California Government Code** Section 65915 ~~of the California Government Code~~.

B. The following findings must be made in order to approve an application for a density bonus:

1. The housing development is eligible for a density bonus in conformance with this Chapter and **California Government Code** Section 65915 ~~of the California Government Code~~, and is supported by a financing mechanism for all implementation and monitoring costs.

2. If the density bonus is based all or in part on dedication of land, the application must meet the qualifications and findings stated in **California Government Code** Section 65915(g) ~~of the California Government Code~~.

21.82.060 AFFORDABLE HOUSING AGREEMENT

A. Applications requesting a density bonus shall agree to enter into a density bonus housing agreement with the County. The terms of the draft agreement shall be reviewed and revised as appropriate by the Planning Director. A density bonus housing agreement shall be made a condition of the discretionary planning permits for all housing developments pursuant to this article and shall be recorded as a restriction on any parcels on which the affordable units or density bonus units will be constructed.

B. The density bonus housing agreement shall be recorded prior to recording of a final subdivision or parcel map, or, where the housing development does not include a map, prior to issuance of a building permit for any structure in the housing development. The density bonus housing agreement shall run with the land and bind future owners and successors in interest. (Ord. CS 1169, Sec 15, 2015).

21.82.070 COMMERCIAL DENSITY BONUS

A. The following definitions shall apply to commercial density bonus:

1. "Commercial development" means a development project for nonresidential uses.

2. **"Commercial development bonus" means a modification of development standards mutually agreed upon by the County and a commercial developer and provided to a commercial development eligible for such a bonus under Section 21.82.070(C) of this Chapter. Examples of a commercial development bonus include an increase in floor area ratio, increased building height, or reduced parking.**

3. **"Partnered housing agreement" means an agreement approved by the County between a commercial developer and a housing developer identifying how the commercial development will provide housing available at affordable ownership cost or affordable rent consistent with Section 21.82.070(C) of this Chapter. A partnered housing agreement may consist of the formation of a partnership, limited liability company, corporation, or other entity recognized by the State in which the commercial developer and the housing developer are each partners, members, shareholders, or other participants, or a contract between the commercial developer and the housing developer for the development of both the commercial development and the housing development.**

B. When an applicant proposes to construct a commercial development and has entered into a partnered housing agreement approved by the County, the County shall grant a commercial development bonus mutually agreed upon by the developer and the County. The commercial development bonus shall not include a reduction or waiver of fees imposed on the commercial development to provide for affordable housing.

C. The requirements for commercial development bonus are as follows:

1. **The housing development shall be located either:**

   a. **On the same parcel as the commercial development; or**

   b. **On a parcel within one-half mile of a major transit stop and located in close proximity to public amenities, including schools and employment centers.**

2. **At least thirty percent of the total units in the housing development shall be made available at affordable ownership cost or affordable rent for low-income households, or at least fifteen percent of the total units in the housing development shall be made available at affordable ownership cost or affordable rent for very low-income households.**

3. **The commercial developer must agree either to directly build the affordable units; donate a parcel consistent with subparagraph (C)(1) above for the affordable units; or make a cash payment to the housing developer for the affordable units.**

21.82.080 REQUIRED REPLACEMENT OF AFFORDABLE UNITS

A. Replacement housing shall be provided on the site of a housing development as required by California Government Code Section 65583.2(g)(3) which meets the following conditions:

1. **Rental housing is now located or was located on the site at any time in the five year period preceding the date of submittal of the density bonus application; and**

2. **The rental housing is or was during that five year period:**

   a. **Subject to a recorded covenant, ordinance, or law restricting rents to levels affordable to very-low- and lower-income households; or**

   b. **Subject to any form of public rent or price control; or**

   c. **Occupied by very-low- or lower-income households.**

21.82.090 OBJECTIVE DESIGN STANDARDS

Construction of new buildings permitted by this Chapter shall be subject to any applicable objective design standards adopted by the County at the time of building permit issuance.

CHAPTER 21.100

STAFF APPROVAL PERMITS

SECTIONS:

21.100.010 PURPOSE
21.100.020 APPLICATION
21.100.030 ISSUANCE OR DENIAL
21.100.040 REAPPLICATION--REQUIRED FOR BUILDING PERMIT
21.100.050 USES REQUIRING STAFF APPROVAL

21.100.010 PURPOSE

Staff approval permits, which are revocable, conditional, and valid for either a specified or an indefinite period of time, may be issued for any of the uses which, under the terms of this title, are permitted subject to first securing a staff approval permit. The procedure for securing staff approval permits shall be as provided in this chapter. A staff approval permit shall have the same effect as a use permit, except that it is granted by the director of planning and community development rather than by the planning commission. (Ord. CS 106, Sec. 17 (part), 1984).

21.100.020 APPLICATION

A. Application for a staff approval permit shall be made by the owner of the real property for which the permit is sought, or by the authorized agent of the owner.

B. The application shall be filed with the department of planning and community development, in writing, on a form prescribed by the planning commission and shall be signed by the owner or his authorized agent.

C. The application shall be accompanied by plans, including elevations and other pertinent data, to show in detail the proposed use or buildings.

D. A filing fee, in such amount as may be fixed from time to time by order or resolution of the board of supervisors, shall be paid at the time the application is filed. (Ord. CS 106, Sec. 17 (part), 1984).

21.100.030 ISSUANCE OR DENIAL

Action by the director of planning and community development:

A. In order to obtain a staff approval permit, the applicant must introduce evidence in support of his application sufficient to enable the planning director to find that the establishment, maintenance and operation of the proposed use or building applied for will not, under the circumstances of the particular case, be detrimental to the health, safety and general welfare of persons residing or working in the neighborhood of the use and that it will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the county.

21.100.030 Issuance or denial

B. The planning director may impose such conditions in connection with the staff approval permit as he deems necessary to secure the purpose of this title and may require a bond, undertaking or other assurance that such conditions are being or will be complied with.

C. If the planning director, after receiving and considering the evidence, and any proposed conditions, is unable to make the foregoing findings, the staff approval permit shall be denied. In cases where the staff approval permit is denied, the planning director shall state his reasons for the denial. (Ord. CS 106, Sec. 17 (part), 1984).

21.100.040 REAPPLICATION--REQUIRED FOR BUILDING PERMIT

A. No application for a staff approval permit which has been denied wholly or in part by the planning director or by the planning commission, or the board of supervisors on appeal, shall be resubmitted for a period of one year from the date the order of denial became final, except on grounds of new evidence or proof of changed conditions found to be valid by the planning director, planning commission or the board of supervisors, whichever issued the order of denial.

B. No building permit shall be issued in any case where a staff approval permit is required by the terms of this title unless and until the staff approval permit has been granted by the planning commission or board of supervisors and then only in accordance with the terms and conditions of the staff approval permit so granted. (Ord. CS 106, Sec. 17 (part), 1984).

21.100.050 USES REQUIRING STAFF APPROVAL

For the purpose of this chapter, the following shall be considered to be uses, the expansion, change or modification of which shall be subject to review and staff approval of the director of planning and community development, when the changes do not alter the present character of the uses. The approval may include conditions deemed necessary and reasonable to carry out the intent of this title. Any such decision may be appealed to the planning commission, in writing, within ten days of the decision.

A. Minor changes in legal nonconforming or other legal uses which, in the opinion of the director of planning and community development, do not change the nature of, or add new uses to, the legally established use and which do not expand the area of the building or use by more than twenty-five percent.

B. **Temporary use of a dwelling during construction. Subject to the applicable conditions of this section the following may be permitted: 1) an existing dwelling or mobile home may continue to be occupied during the construction of a new residence, the remodel of an existing dwelling, or the replacement of a dwelling or mobile home; or 2) when no dwelling or mobile home exists on the parcel, or where the existing dwelling cannot be reasonably occupied during the remodel, an alternative dwelling may be temporarily permitted during construction.** ~~r~~Replacing one dwelling or mobile home with another while continuing to live in the existing dwelling until completion or occupancy of the replacement. A financial guarantee shall be required equal to one dollar per square foot of the dwelling being replaced or one thousand dollars, whichever is greater. (Ord. CS 106, Sec. 17 (part),

~~1984).~~ **:**

1. The temporary use of the dwelling shall cease upon completion of the construction, within 60-days of the issuance of a Certificate of Occupancy, or the expiration of the building permit for the new construction or remodel.

2. An alternative dwelling may consist of a manufactured home set on a temporary foundation with all applicable building permits, or a recreational vehicle that is connected to on-site water and sewer hook-ups as approved by the County's Department of Environmental Resources.

3. The use of a recreational vehicle shall not exceed 90 days unless it is demonstrated to the planning director that good faith effort is being made to complete the construction and obtain occupancy. The 90-days shall start on the first day of use and include each successive date regardless of any movement of the vehicle off-site during the time period.

4. A financial guarantee shall be required to be submitted prior to issuance of the staff approval equal to one dollar per square foot of the dwelling being replaced, remodeled, or constructed, or one thousand dollars, whichever is greater.

5. An existing dwelling, excluding a manufactured home, that is allowed to remain for temporary use during construction may be converted to an alternative use as permitted by the zoning districted provided all applicable building permits for the conversion are obtained.

C. One single-family dwelling on a parcel legally created that is less than twenty acres is size and located in the A-2-40 or -160 (General Agriculture) zoning district.

The following findings must be made in addition to the findings required pursuant to Section 21.100.030:

1. The dwelling would be consistent with the County's General Plan;

2. The dwelling would not likely create a concentration of residential uses in the vicinity or induce other similarly situated parcels to become developed with single-family dwellings; and

3. The dwelling will not be substantially detrimental to or in conflict with agricultural use of other property in the vicinity. (Ord. CS 1020, Section 11, 2007; Ord. CS 741, 2000)

D. One "small wind energy system" shall be allowed on a legally created parcel of at least one acre in area located within the A-2 (General Agriculture) zoning district, providing the following criteria are met:

1. Tower heights of not more than 65 feet shall be allowed on parcels between one and five acres and tower heights of not more than 80 feet shall be allowed on parcels of five acres or more, provided that the application includes evidence that the proposed height does not exceed the height recommended by the

manufacturer or distributor of the system.

2. Setbacks for the system tower shall be no farther from the property line than the height of the system, provided that it also complies with any applicable fire setback requirements pursuant to Section 4290 of the Public Resources Code.

3. Decibel levels for the system shall not exceed the lesser of 60 decibels (dBA), existing maximum noise levels applied pursuant to the noise element of a general plan for the applicable zoning classification in a jurisdiction, as measured at the closest neighboring inhabited dwelling, except during short-term events such as utility outages and severe wind storms.

4. The system's turbine must have been approved by the California Energy Commission as qualifying under the Emerging Renewables Fund of the commission's Renewables Investment Plan or certified by a national program recognized and approved by the Energy Commission.

5. The application shall include standard drawings and an engineering analysis of the system's tower, showing compliance with the Uniform Building Code or the California Building Standards Code and certification by a professional mechanical, structural, or civil engineer licensed by this state. However, a wet stamp shall not be required, provided that the application demonstrates that the system is designed to meet the most stringent wind requirements (Uniform Building Code wind exposure D), the requirements for the worst seismic class (Seismic 4), and the weakest soil class, with a soil strength of not more than 1,000 pounds per square foot, or other relevant conditions normally required by a local agency.

6. The system shall comply with all applicable Federal Aviation Administration requirements, including Subpart B (commencing with Section 77.11) of Part 77 of Title 14 of the Code of Federal Regulations regarding installations close to airports, and the State Aeronautics Act (Part 1 (commencing with Section 21001) of Division 9 of the Public Utilities Code).In the event a small wind energy system is proposed to be sited in an agricultural area that may have aircraft operating at low altitudes, the local agency shall take reasonable steps, concurrent with other notices issued pursuant to this subdivision, to notify pest control aircraft pilots registered to operate in the county pursuant to Section 11921 of the Food and Agriculture Code.

7. The applicant shall provide information demonstrating that the system will be used primarily to reduce onsite consumption of electricity and, unless the applicant does not plan to connect the system to the electricity grid, that the electric utility service provider that serves the proposed site has been informed of the applicant's intent to install an interconnected customer-owned electricity generator.

Applicants must submit evidence in support of each of the above criteria. Small wind energy systems shall also comply with all requirements of Section 65892.13 of the California Government Code and any other additional and/or subsequent regulations pertaining to such systems as may be adopted by the State of California. (Ord. CS 798, Section 1, July 4, 2002)

E. Corn mazes, hay mazes and similar seasonal activities when accessory to an approved Produce Stand or Produce Market and not conducted in excess of three occasions, nor more than a combined total of 45 days, within any one calendar year and where the site is returned to its previous condition within 7 days of the ending of each activity. Said activities shall comply with the required setbacks and provide off-street parking as determined necessary by the Planning Director. Conditions of Approval shall be imposed as necessary to insure compliance with all applicable fire, building, and health codes.

A staff approval for said activities shall be obtained at least 30 days prior to operation and shall be subject to yearly renewal. The property owner shall be notified 6-months in advance if the permit will not be renewed. Any notice of non-renewal may be appealed subject to Section 21.112.020 of the County Code. Any approved activity not conducted for a period of one calendar year shall be deemed expired and a new staff approval required. (Ord. CS 890, Section 9, 2004; Ord. CS 894, Section 1, October 21, 2004)

F. Agricultural employee housing with thirty-six or fewer beds or twelve or fewer dwellings for full-time agricultural workers on property in the A-2 (General Agricultural) zoning district when it can be verified that all persons being housed are full-time agricultural workers. As applied to this use, the permit shall be treated as a ministerial permit to verify that the following criteria are being met:

1. All persons being housed shall be full-time agricultural works as attested to in an affidavit signed by the property owner;

2. All structures within which housing is provided shall have obtained the necessary building permits for occupancy;

3. Prior to issuance of a building permit for new housing or issuance of the staff approval permit for existing housing the property owner shall sign, and provide the necessary recording fees, and the county shall file with the county recorder, a restrictive covenant acknowledging that units shall be utilized solely for the housing of full-time agricultural workers and will be removed or demolished if no longer being utilized for the housing of full-time agricultural employees and unable to be used in accordance with A-2 zoning district; and

4. Agricultural employee housing with five or more dwellings shall obtain an employee housing permit from the Department of Environmental Resources prior to occupancy.

G. Single-Room Occupancy (SRO) Housing. The minimum development standards for SRO housing are as follows:

1. Room size. The net area of an SRO room may range from a minimum of 150 square feet to a maximum of 400 square feet;

2. Proximity to transit. SRO housing shall be located in an area served by public transit (at least six days a week);

3. On-site Management. A management plan shall be provided which specifies management policies, maintenance plans, rental procedures,

tenant rules, and security procedures;

4. Common Area. Each SRO housing development shall include a minimum of ten square feet per unit or 250 square feet, whichever is greater, of common space within a building. Dining rooms, meeting rooms, recreational rooms, or other similar areas may be considered common space. Common kitchen facilities, bathing facilities, and laundry facilities shall not be considered as common areas for purposes of meeting this standard;

a. Common kitchen facilities shall be available for residents within the development, if rooms are not provided with a private kitchen facility;

b. Common bathing facilities shall be available to residents within the development, if rooms are not provided with private bathing facilities. Where rooms are lacking private facilities common bathing shall be provided on each floor; and

c. Common laundry facilities shall be available to residents within the SRO housing development, if rooms are not provided with private laundry facilities, at a rate of not less than one washer and one dryer for the first ten rooms, with one additional washer and one additional dryer provided for every five additional rooms or fraction thereof. The requirement for common on-site laundry facilities may be waived where it can be shown that a laundry facility open to the public is located within one-eighth of a mile from the project site and is pedestrian accessible to the residents.

5. Storage for Residents. Private, secured storage space of not less than fifty cubic feet per resident shall be provided. Storage space may be provided in private closet(s) accessible from individual rooms and/or as individually locked areas accessible from a common area; and/or within a separate on-site storage structure. Where storage space is provided within a separate structure, such structure shall provide for separate, locking storage spaces for each resident and shall be of sufficient construction to protect stored items from weather;

6. Parking shall be provided as set forth in Chapter 21.76; and

7. Bicycle parking shall be provided at a rate of one space for every two residents.

H. Emergency shelters with twenty or fewer beds when parcels are served by both public water and sewer and are located outside of the sphere of influence of a city and in an area served by public transit (at least six days a week). As applied to this use, the permit shall be treated as a ministerial permit to verify that the following criteria are being met:

1. Outdoor activity and intake areas shall be screened from public view and from the view of adjacent properties:

a. Any outdoor intake area shall be at least ten percent the size of the total square footage of the shelter and must be located outside of the yard setback areas of the zoning district in which the shelter is located.

2. On-site lighting shall be provided in all parking, pedestrian paths, and entry areas. Lights shall be shielded and reflected away from adjacent uses;

3. Parking as required by Chapter 21.76;

4. Bicycle parking shall be provided at a rate of one space for every four beds;

5. A minimum of one supervisory level staff member must be present on the site during hours of operation. Operator(s) must ensure that loitering does not occur on the property during non-shelter hours and must ensure that clients are not loitering, littering, or otherwise creating a nuisance to the neighborhood;

6. A security plan shall be submitted to the sheriff's department for review and approval prior to operation and shall be subject to review annually;

7. A security guard or security officer shall be present during the intake period. Security guards must be licensed through the State of California Department of Consumer Affairs Bureau of Security and Investigative Services;

8. The maximum length of stay shall be no longer than six (6) months, as established by the California Health and Safety Code for emergency shelters;

9. The shelter shall have set hours of operation and the hours shall be posted in a publicly visible and accessible location on a sign that is no larger than one square foot;

10. Outdoor activity shall be allowed only during the hours of 8:00 a.m. to 10:00 p.m. The shelter shall comply with the County's Noise Ordinance;

11. If pets are permitted, a plan for their care must be reviewed and approved by the Stanislaus Animal Services Agency;

12. Outdoor trash receptacles shall be provided on-site and the property maintained free of litter and debris; and

13. All other applicable local, state and federal laws, regulations and codes shall be met.

I. Density bonuses and affordable housing projects subject to Chapter 21.82 when no other land use entitlement is required.

SUMMARY OF REZONE SITES BY NEIGHBORHOOD/COMMUNITY

Bret Harte (South Modesto – Fairview Park)

The Bret Harte neighborhood is located in the South Modesto area and is generally located north of Whitmore Avenue, south of West Hatch Road, west of Crows Landing Road, and east of South Carpenter Road. The neighborhood lies within the Local Agency Formation Commission (LAFCO) adopted sphere of influence (SOI) and is an island area with the City of Modesto and unincorporated areas intermixing in all directions. The area south of Whitmore Avenue and east of Ustick Road is City of Ceres and the area west of Ustick is within the City of Ceres LAFCO SOI. For purposes of the Housing Element rezone program, the Bret Hart neighborhood includes the Fairview Park area and the Crows Landing Road area.

Fairview park is located on the western boundary of the Bret Harte neighborhood, adjacent to the City of Modesto and surrounding Fairview Park, a park located in the unincorporated area. The area comprised predominantly of residential uses.

The project proposes to amend to the General Plan land use and zoning designations of five parcels, totaling 24.37 acres, from Low-Density Residential to Medium High-Density Residential and to amend the zoning designation from Single-Family Residential (R-1) to Multiple-Family Residential (R-3). The five sites were identified as having the realistic capacity to accommodate 445 lower-income units and 41 moderate income units, for a total of 486 units in the Stanislaus County's (County) sites inventory. Based on a maximum density of 25 units per acre the sites have a maximum density of 609 units. No additional parcels are proposed to be added to the rezones. The five parcels proposed to be rezoned (which are all included in the sites inventory) includes the following Assessor Parcel Numbers (APNs): 056-032-069, 056-033-049, 056-034-001, 056-035-001, and 056-036-036.

Table 1: Bret Harte (South Modesto – Fairview Park) Rezone Sites

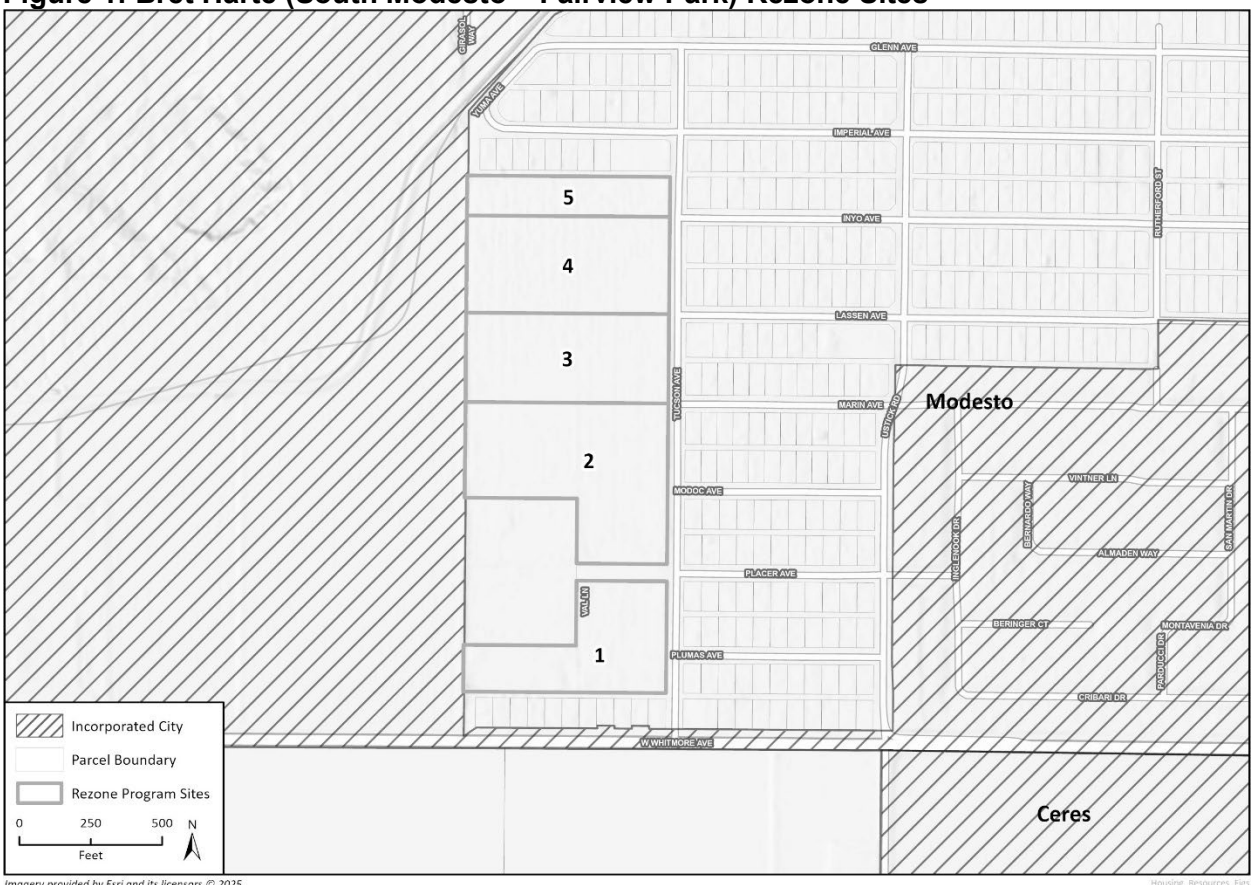
	Number of Parcels	Acreage	RHNA Sites			Total Realistic Capacity	Maximum Density	Current General Plan	Current Zoning	Proposed General Plan	Proposed Zoning
			Lower Income	Moderate Income	Above Moderate Income						
Bret Harte (South Modesto - Fairview Park)											
RHNA Sites	5	24.37	445	41	0	486	609	LDR	R-1	MHDR	R-3
Additional Sites	0	0						N/A	R-1	MHDR	R-3
Total	5	24.37					609				

Census Tract 2402, which encompasses the Bret Harte neighborhood, is a racially and ethnically concentrated area of poverty (R/ECAP), as well as a low resource area, with lower-income populations at-risk of displacement, and a pollution burden percentile of 79.6. The median income in this census tract is $34,617, with 89 percent of residents identifying as non-white, 66.8 percent of renter households that are cost-burdened, and 15.7 percent of households that are overcrowded.

The Fairview Park area has frequent public bus service along two routes which provide services between the Ceres and Modesto transit hubs (Routes 42 and 47) and a route which provide access from downtown Modesto to Patterson, Ceres, Westley, and Grayson (Route 40). Public

water and sewer service is provided by the City of Modesto, which is proposed to be upgraded by the City. The residential portions of the Bret Harte neighborhood partially lacks curb, gutter, and storm drainage improvements. Sidewalks and bike lanes were recently installed by the County with a mixture of local Measure L funds and Active Transportation Program (ATP) grant funds along Las Vegas Street, Glenn Avenue, and Butte Avenue. The American Resue Plan Act (ARPA) funding is proposed to fund additional curb, gutter, sidewalk, and storm drainage improvements in the northeastern area of the community. The Bret Harte Landscape and Lighting District covers the Bret Harte neighborhood and provides streetlights. Any development resulting from the rezoned sites will be required to connect to public water and sewer, annex into the lighting district, and install curb, gutter, sidewalk, and storm drainage improvements along the road frontage.

Figure 1: Bret Harte (South Modesto – Fairview Park) Rezone Sites



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Additional data provided by Stanislaus County, 2025.

Housing_Resources_Figs
Sites Inventory - Additional Rezone

Bret Harte (South Modesto - Crows Landing Road)

Crows Landing Road area is located along an existing commercial corridor located south of the Highway 99 and Crows Landing Road interchange and north of Whitmore Road. The area is a mix of both incorporated and unincorporated areas with residential uses located adjacent to the commercial corridor to the east and west.

The project proposes to amend the zoning designation of 20 parcels, totaling 13.96 acres, along Crows Landing Road, between Hatch Road and Imperial Avenue from General Commercial (C-2) to Mixed Use (M-U). The proposed M-U zoning district allows for high-density residential uses

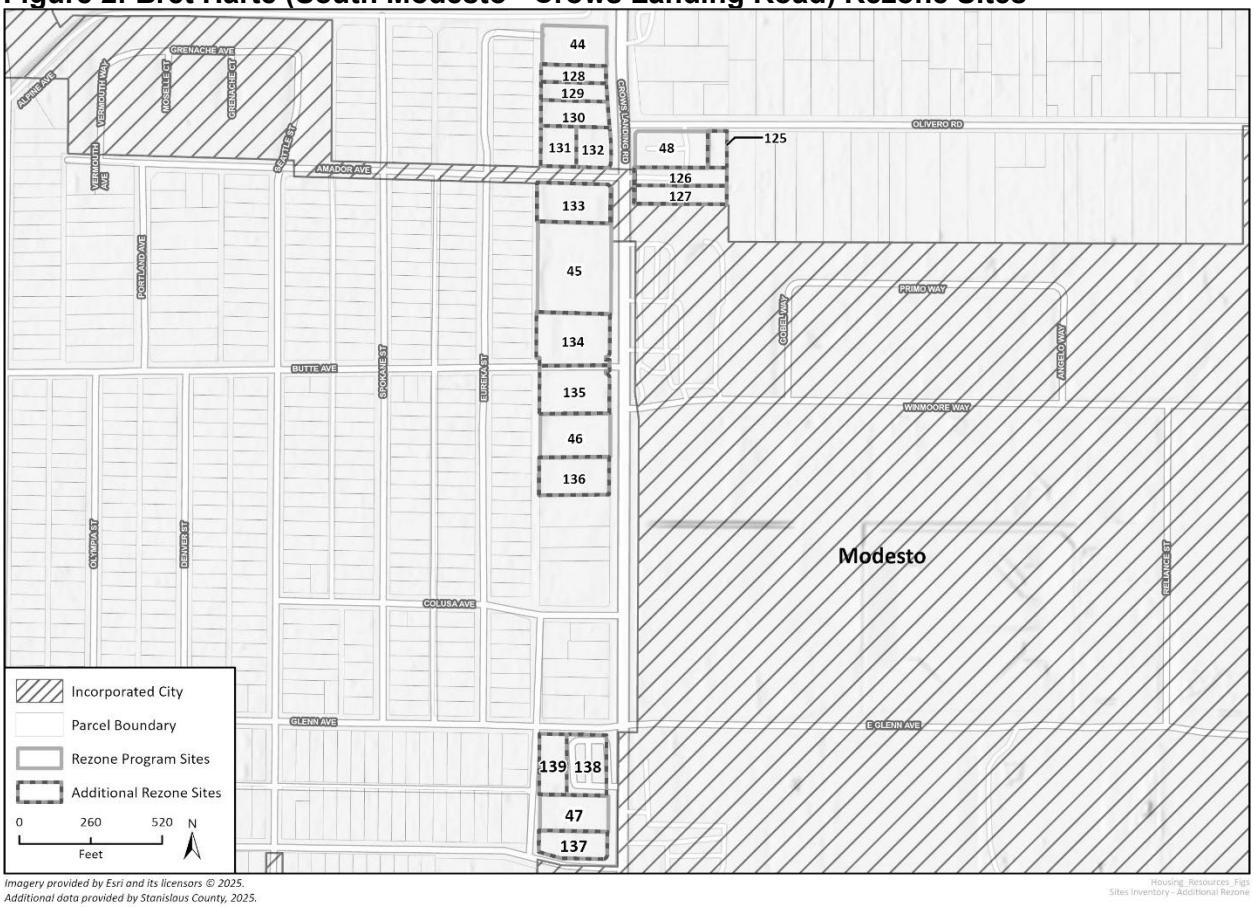
as well as a mixture of neighborhood commercial uses. All 20 sites have a general plan land use designation of Commercial, which will remain unchanged. However, the Commercial land use designation in the County's General Plan will be updated to include Mixed Use as a compatible zoning designation. Five of the sites, totaling 5.3 acres, were identified as having the realistic capacity to accommodate 36 lower-income units, 60 moderate income units, and eight above-moderate income units, for a total of 104 units included in the County's sites inventory. Fifteen additional sites, totaling 8.66 acres, have been added to allow for rezoning of a complete block of land and to prevent spot zoning. Based on a maximum density of 25 units per acre the sites have a maximum density of 348 units; with the sites inventory parcels having a maximum density of 132 units and the additional rezone sites having a maximum density of 216 units. The parcels proposed to be rezoned are identified by the following APNs: (included in the sites inventory) 056-011-028, 056-017-021, 056-018-002, 086-010-034, 056-048-052; (additional rezone sites) 056-011-023 to -027, 056-017-020, 056-017-023, 056-018-001, 056-018-026, 056-048-018 and -019, 056-048-053, and 086-010-033, 086-010-035 and -036.

Table 2: Bret Harte (South Modesto - Crows Landing Road) Rezone Sites

	Number of Parcels	Acreage	RHNA Sites			Total Realistic Capacity	Maximum Density	Current General Plan	Current Zoning	Proposed General Plan	Proposed Zoning
			Lower Income	Moderate Income	Above Moderate Income						
Bret Harte (South Modesto - Crows Landing Road)											
RHNA Sites	5	5.3	36	60	8	104	132	COM	C-2	COM	MU
Additional Sites	15	8.66					216	COM	C-2	COM	MU
Total	20	13.96					348				

StanRTA Route number 42 runs along the Crows Landing Road corridor, which provides service between the Ceres transit center, to the County offices on Hackett and Cornucopia Roads, along Crows Landing Road, through several South Modesto residential neighborhoods, to the downtown Modesto transit center. Route 42 also provides service along Crows Landing Road, which provides access from downtown Modesto to Ceres, Grayson, Westley, and Patterson (Route 40). Public water and sewer service is provided by the City of Modesto. The Crows Landing Corridor is improved with curb, gutter, streetlights, and sidewalk. The Bret Harte Landscape and Lighting District covers the rezone sites, which provides streetlights. Any development resulting from the rezoned sites will be required to maintain connection to public water and sewer, and improvements including streetlighting, curb, gutter, sidewalk, and storm drainage.

Figure 2: Bret Harte (South Modesto - Crows Landing Road) Rezone Sites



Denair

The Community of Denair is located east of the City of Turlock, south of Taylor Road, north of Tuolumne Road, and west of the Turlock Irrigation District's Main Canal; Santa Fe Avenue bisects the Community of Denair.

The project proposes to amend the general plan land use and Denair Community Plan designations of 23 parcels in Denair, totaling 21.49 total acres, from Low-Density Residential to Medium High-Density Residential and to amend the zoning designation from Rural Residential (R-A) to Multiple-Family Residential (R-3). Four of the sites, totaling 12.41 acres, were identified as having the realistic capacity to accommodate 127 lower-income units and 13 moderate-income units, for a total of 140 units included in the County's sites inventory. Nineteen additional sites, totaling 9.08 acres, have been added to allow for rezoning of a complete block of land and to prevent spot zoning. Based on a maximum density of 25 units per acre the sites have a maximum density of 537 units; with the sites inventory parcels having a maximum density of 310 units and the additional rezone sites having a maximum density of 227 units. The parcels proposed to be rezoned are identified by following APNs: (included in the sites inventory) 024-012-004 and -005, 024-033-002, 024-033-026; (additional rezone sites) 024-033-001, 024-033-006 to -009, 024-033-011 and -012, 024-033-015 to -022, 024-033-025, 024-033-029 and -030, and 024-033-032.

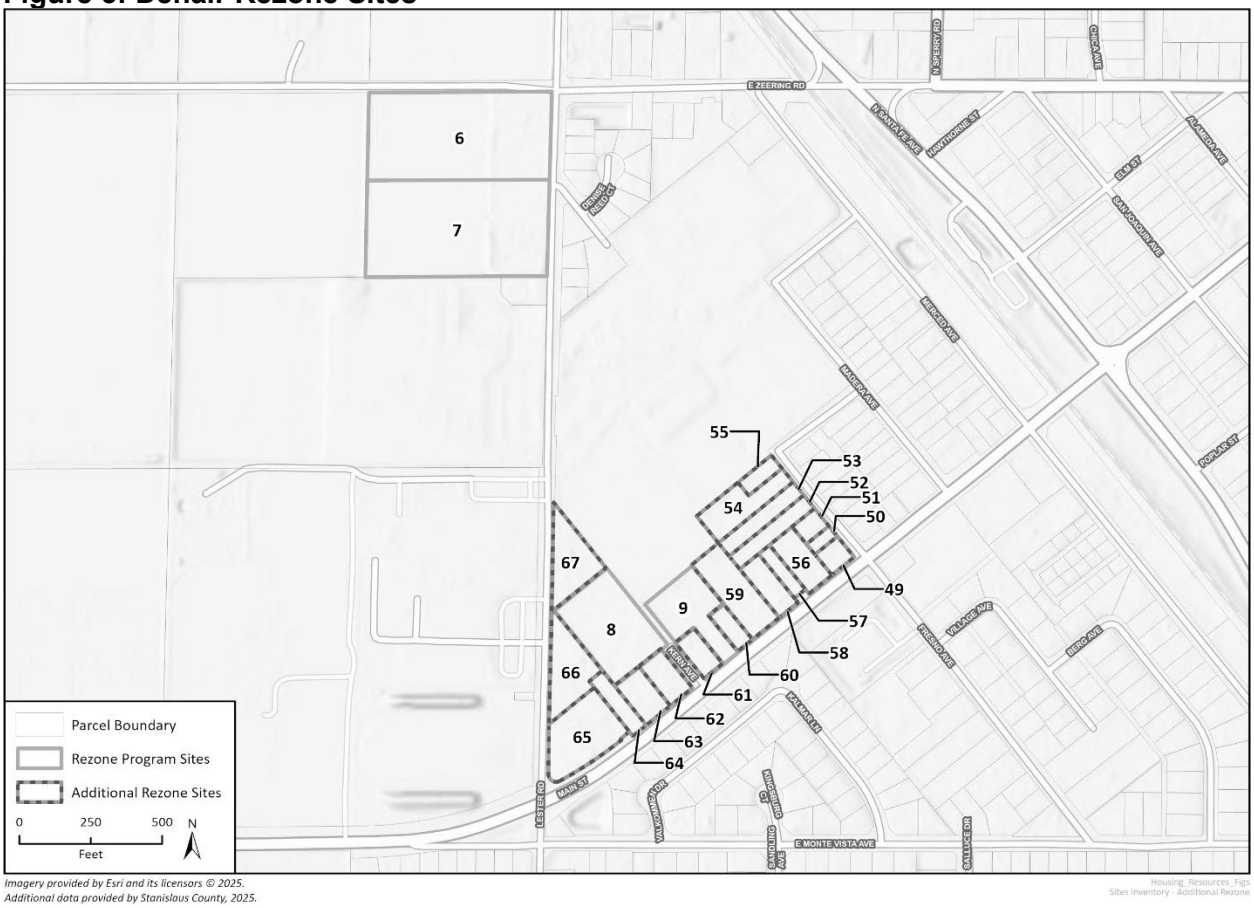
Table 3: Denair Rezone Sites

	Number of Parcels	Acreage	RHNA Sites			Total Realistic Capacity	Maximum Density	Current General Plan	Current Zoning	Proposed General Plan	Proposed Zoning
			Lower Income	Moderate Income	Above Moderate Income						
Denair											
RHNA Sites	4	12.41	127	13	0	140	310	LDR	R-A	MHDR	R-3
Additional Sites	19	9.08					227	LDR	R-A	MHDR	R-3
Total	23	21.49					537				

Census Tract 3604, which encompasses the Denair Community, is a high resource area, with a low risk of displacement, and a pollution burden percentile of 69.8. The median income in this census tract is $106,726, with 44 percent of residents identifying as non-white, 51.5 percent of renter households that are rent cost-burdened, and 3.5 percent of households that are overcrowded.

The Denair Community Services District, which provides public water and sewer and street lighting services to Denair, was established on October 3, 1961. The Denair Fire Protection Services District was established on October 3, 1961. The first Denair Community Plan was adopted by the Stanislaus County Board of Supervisors in 1987 and the Denair Municipal Advisory Council (MAC) was established in 1992. While newer portions of the community have been developed with curb, gutter, sidewalk and drainage improvements, much of the older portions of the community lacks these types of improvements. Any development resulting from the rezoned sites will be required to connect to public water and sewer, and install improvements including streetlighting, curb, gutter, sidewalk, and storm drainage. The County is in the process of applying for ATP grant funds, to be leveraged with Measure L funds, to install sidewalks in areas that were developed without them. The Burlington Northern Santa Fe Railroad runs through the center of the community, which includes an Amtrak station. The Community includes an elementary school, middle school, and high school as well as several community parks.

Figure 3: Denair Rezone Sites



Empire

The Empire neighborhood is located on the east side of the City of Modesto and the Beard Industrial Tract, south of Dry Creek, and north of the Tuolumne River, within the City of Modesto's SOI. Yosemite Boulevard (State Highway 132) is a commercial corridor running west to east through the center of the neighborhood, Santa Fe Avenue runs along the western edge of the community, and the Burlington Northern Santa Fe Railroad runs north to south through the neighborhood.

The project proposes to amend the general plan land use designation of 14 parcels in Empire, totaling 13.44 total acres, from Low-Density Residential to Medium High-Density Residential and to amend the zoning designation from Rural Residential (R-A) and Planned Development (P-D) to Multiple-Family Residential (R-3). Five of the sites, totaling 4.77 acres, were identified as having the realistic capacity to accommodate 17 lower-income units, 46 moderate-income units, and eight above-moderate income units, for a total of 71 units included in the County's sites inventory. Nine additional sites, totaling 8.67 acres, have been added to allow for rezoning of a complete block of land and to prevent spot zoning. Based on a maximum density of 25 units per acre the sites have a maximum density of 335 units; with the sites inventory parcels having a maximum density of 119 units and the additional rezone sites having a maximum density of 216 units. The parcels proposed to be rezoned are identified by following APNs: (included in the sites inventory) 133-017-002 to -006; (additional rezone sites) 133-017-011, 133-017-023 to -026, 133-017-033 and -034, 133-017-036, and 133-017-065.

Table 4: Empire Rezone Sites

	Number of Parcels	Acreage	RHNA Sites			Total Realistic Capacity	Maximum Density	Current General Plan	Current Zoning	Proposed General Plan	Proposed Zoning
			Lower Income	Moderate Income	Above Moderate Income						
Empire											
RHNA Sites	5	4.77	17	46	8	71	119	LDR	R-A	MHDR	R-3
Additional Sites	9	8.67					216	LDR	P-D; R-A	MHDR	R-3
Total	14	13.44					335				

Census Tract 2002, which encompasses the Empire neighborhood, is a low resource area, with lower-income households at-risk of displacement, and a pollution burden percentile of 89.3. The median income in this census tract is identified as $47,967, with 61 percent of residents identifying as non-white, 38.7 percent of renter households that are cost-burdened, and 4.2 percent of households that are overcrowded.

The Empire neighborhood includes Empire Elementary, Empire Community Park and Pool, Empire Head Start Center, Empire Library and Teel Middle School. Glick Middle School is located on the western edge of the community; and Johansen High School is located on the northwestern edge of the community, within the City of Modesto. The Empire Migrant Labor Camp, operated by the Stanislaus Regional Housing Authority, which is also utilized as a cold winter emergency shelter for homeless families, is located on the southern side of the community. Bus stops are located along the Yosemite Boulevard and along Santa Fe Avenue and South Abbie Road, which provide transportation from Empire to Riverbank (Route 24) and along Yosemite Boulevard, providing transportation from the Downtown Modesto Transit Center to the City of Waterford and town of Hickman (Route 50). The City of Modesto provides water and sewer service to the community. Portions of the Empire neighborhood have curb and gutter and intermittent sidewalk; the neighborhood is served by the Empire Lighting Districts. Portions of a stormwater improvements project were constructed in 2011 using redevelopment agency funds, but the project was never completed due to the dissolution of redevelopment agencies by the State of California. The County has allocated Building Community Infrastructure Funds (BCIF) to the Empire Storm Drain Trunk Line project, which will fund a portion of the costs for design and construction of a storm drain trunk which will provide a positive flow outfall capable of serving a storm drain system for the neighborhood.

Figure 4: Empire Rezone Sites



Keyes

The community of Keyes, is located south of the City of Ceres and north of the City of Turlock, along Highway 99. A mix of industrial, highway commercial, and truck related uses exist west of Highway 99, and along the southeastern edge of the community near Keyes Road and the Highway 99 interchange. The central core, northeast, and eastern portions of the community are predominately residential.

The project proposes to amend the general plan land use designation of three parcels in Keyes, totaling 4.45 total acres, from Low-Density Residential and General Commercial to Medium High-Density Residential and to amend the zoning designation from R-1 and Highway Frontage (H-1) to R-3. The community plan designation of the three sites is Medium-High Density Residential, which is consistent with the proposed R-3 zoning. The three sites were identified as having the realistic capacity to accommodate 58 lower-income units, 18 moderate-income units, and two above-moderate income units, for a total of 78 units included in the County's sites inventory. No parcels beyond what is included in the County's sites inventory were added to the rezone sites. Based on a maximum density of 25 units per acre the sites have a maximum density of 111 units. The sites proposed to be rezoned include the parcels identified by the following APNs: (all included in the sites inventory) 045-021-019 and -020, and 045-033-007.

Table 5: Keyes Rezone Sites

	Number of Parcels	Acreage	RHNA Sites			Total Realistic Capacity	Maximum Density	Current General Plan	Current Zoning	Proposed General Plan	Proposed Zoning
			Lower Income	Moderate Income	Above Moderate Income						
Keyes											
RHNA Sites	3	4.45	58	18	2	78	111	LDR; COM	R-1; H-1	MHDR	R-3
Additional Sites	0	0						N/A	N/A	MHDR	R-3
Total	3	4.45					111				

Census Tract 3002, which encompasses Keyes, is a high resource area, with a lower risk of displacement, and a pollution burden percentile of 78.7. The population is 75 percent non-white and has a median income of $56,579. Approximately 40.0 percent of renter households are cost burdened and 7.7 percent of households are overcrowded.

The Keyes Community Services District, which provides public water, sewer, and street lighting services to the community of Keyes, was established in 1955. The central core has curb, gutter, storm drainage, and intermittent sidewalk improvements; with the new residential areas to the northeast and east having full improvements. The community is served by the Keyes Fire Protection Services District which was established in 1960. The first Keyes Community Plan was adopted by the Stanislaus County Board of Supervisors in 1987 and the Keyes Municipal Advisory Council (MAC) was established in 1991. StanRTA provides bus service to the community of Keyes on Route 29T, which runs between downtown Modesto, through Keyes, to the City of Turlock. The Keyes Community School District includes a charter school elementary school, and middle school; the community also has multiple community parks.

Figure 5: Keyes Rezone Sites



North Ceres (Bystrom)

For purposes of the Housing Element, the Bystrom, Ceres-River Road, Hatch/Stonum, and Ceres/Herndon neighborhoods have been grouped into the “North Ceres” area. The North Ceres area is an unincorporated area located mostly south of the Tuolumne River and the City of Modesto, east of State Highway 99, north of E Hatch Road, and west of Central Avenue, within the SOI of the City of Ceres.

The Bystrom neighborhood is located south of the Tuolumne River, east of S. 9th Street, and west of Herndon Road. The S. 9th Street corridor, which is located on the western edge of the Bystrom neighborhood, is zoned General Commercial but is developed with uses that are more industrial in nature. The E Hatch Road corridor is developed with a variety of commercial uses.

The project proposes to amend General Plan land use designations of eight parcels, totaling 11.19 acres, in the Bystrom neighborhood from Low-Density Residential and Commercial to Medium High-Density Residential and to amend the zoning designation from R-A and P-D to R-3. Three sites were identified as having the realistic capacity to accommodate 77 lower-income units, 16 moderate-income units, and one above-moderate income units, for a total of 94 units included in the County’s sites inventory. Five additional sites, totaling 4.73 acres, have been added to allow for rezoning of a complete block of land and to prevent spot zoning. Based on a maximum density of 25 units per acre the sites have a maximum density of 279 units; with the sites inventory parcels having a maximum density of 161 units and the additional rezone sites

having a maximum density of 118 units. The parcels proposed to be rezoned are identified by following APNs: (included in the sites inventory) 038-017-041, 038-039-016, 038-039-031; (additional rezone sites) 038-039-012 and -013, 038-039-019 and -020, and 038-039-030.

Table 6: North Ceres (Bystrom) Rezone Sites

	Number of Parcels	Acreage	RHNA Sites			Total Realistic Capacity	Maximum Density	Current General Plan	Current Zoning	Proposed General Plan	Proposed Zoning
			Lower Income	Moderate Income	Above Moderate Income						
North Ceres (Bystrom)											
RHNA Sites	3	6.46	77	16	1	94	161	COM; LDR	P-D; R-A	MHDR	R-3
Additional Sites	5	4.73					118	LDR	P-D; R-A	MHDR	R-3
Total	8	11.19					279				

Census Tract 2302, which encompasses the Bystrom neighborhood, is an area of high segregation & poverty, with the very low-income population at-risk of displacement, and a pollution burden percentile of 88.5. The median income in this census tract is $36,102, with 84 percent of residents identifying as non-white, 72.6 of renter households that are cost-burdened, and 22.7 percent of households that are overcrowded.

Tuolumne Elementary School and Mancini Park are located on the eastern side of the Bystrom neighborhood. Several StanRTA bus routes serve the Bystrom neighborhood including the 29, which runs from the Ceres Walmart Transit Hub to the Modesto Transit Hub along 9th Street, the 29T, which extends Route 29 from Ceres to Keyes and then Turlock, and the 42 which is similar to the 29 but runs through South Modesto residential neighborhoods and stops at the County's Community Services Agency. Some of the North Ceres area receives water and sewer from the City of Modesto and others from the City of Ceres. Only portions of the neighborhood has public sewer and the majority of the neighborhood lacks stormwater, curb, gutter, and sidewalk improvements. However, the majority of the Bystrom neighborhood has public water and streetlights.

North Ceres (Hatch/Stonum)

The Hatch/Stonum neighborhood is located at the northwest corner of the E Hatch Road and Stonum Road intersection. The area is an island completely surrounded by the City of Ceres and located within the City of Ceres SOI. The neighborhood is made up of six residential parcels ranging from 0.16 to 4.26 acres in size.

The project proposes to amend the General Plan land use designation of six parcels, totaling 3.88 acres, from Low-Density Residential to Medium High-Density Residential and to amend the zoning designation from R-A to R-3. One rezone site in this neighborhood is identified in the County's sites inventory as having the realistic capacity to accommodate 20 lower-income units and two moderate-income units, totaling 22 units included in the County's sites inventory. Five additional sites, totaling 2.37 acres, has been added to allow for rezoning of a complete block of land and to prevent spot zoning. Based on a maximum density of 25 units per acre the sites have a maximum density of 96 units; with the sites inventory parcels having a maximum density of 37 units and the additional rezone sites having a maximum density of 59 units. The parcels proposed

to be rezoned are identified by following APNs: (included in the sites inventory) 039-025-019; (additional rezone sites) 039-025-015, 039-025-017 and -018, 039-025-030 and -031; South Ceres - 053-031-023.

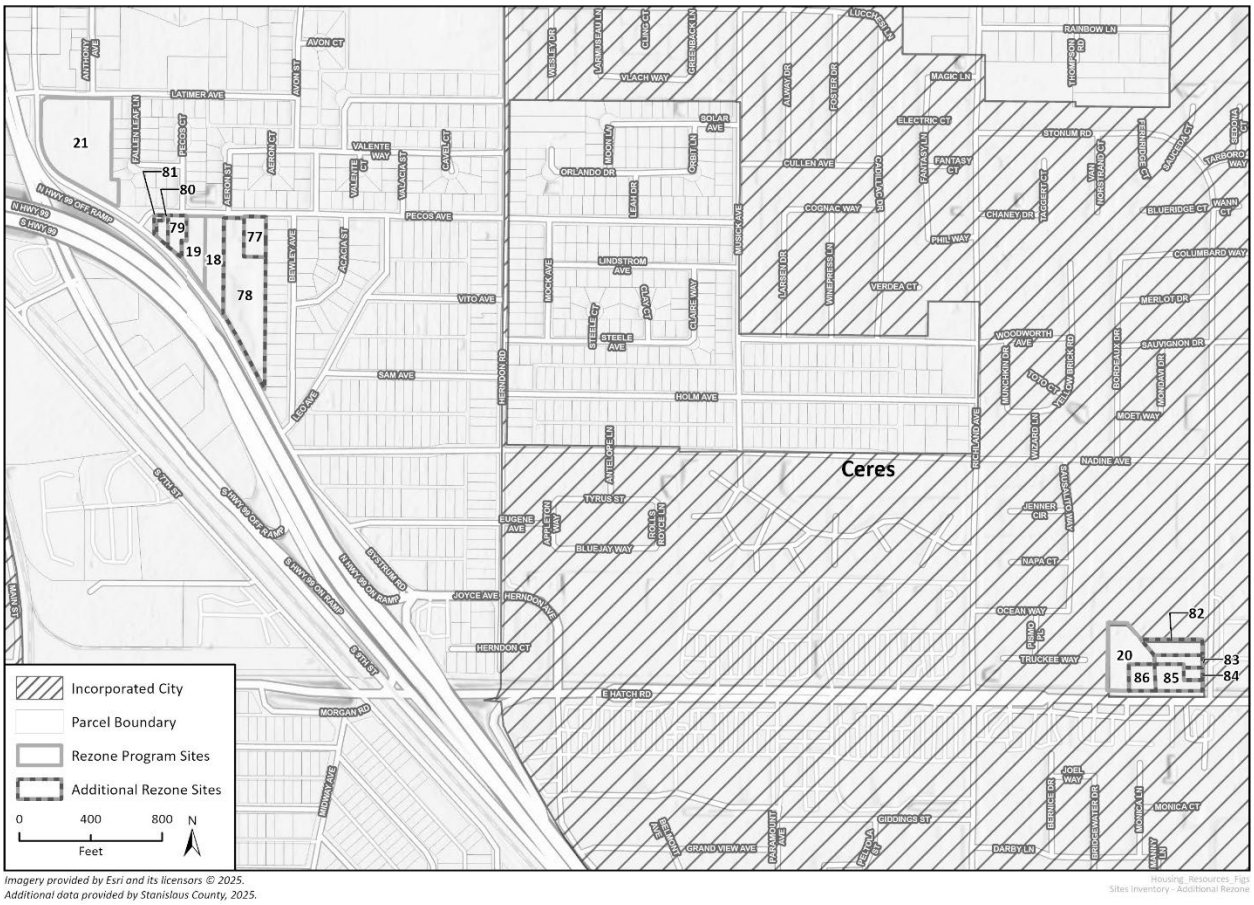
Table 7: North Ceres (Hatch/Stonum) Rezone Sites

	Number of Parcels	Acreage	RHNA Sites			Total Realistic Capacity	Maximum Density	Current General Plan	Current Zoning	Proposed General Plan	Proposed Zoning
			Lower Income	Moderate Income	Above Moderate Income						
North Ceres (Hatch/Stonum)											
RHNA Sites	1	1.51	20	2	0	22	37	LDR	R-A	MHDR	R-3
Additional Sites	5	2.37					59	N/A	N/A	MHDR	R-3
Total	6	3.88					96				

Census Tract 2702, which encompasses the Hatch/Stonum neighborhood, is a low resource area, with a lower risk of displacement, and a pollution burden percentile of 72.9 percent. The median income in this census tract is $55,607, with 84 percent of households identifying as non-white, 53.9 of renter households are cost-burdened, and 15.9 percent of households are overcrowded.

Adkison Elementary is located north and the Howard Training Center, a center for persons with disabilities, is located just east of the neighborhood, both within the City of Ceres limits. The neighborhood is served with water and sewer but lacks curb, gutter, sidewalk, and storm drain improvements.

Figure 6: North Ceres (Bystrom and Hatch/Stonum) Rezone Sites



Salida

The Community of Salida is located north of the City of Modesto, along Highway 99 and south of the Stanislaus River. The City of Ripon is located to the north, across the Stanislaus River.

The project proposes to amend the zoning designation of 18 parcels, totaling 16.24 acres, along Salida Boulevard, south of Broadway Avenue from General Commercial (C-2) to Mixed Use (M-U). The proposed M-U zoning district allows for high-density residential uses as well as a mixture of neighborhood commercial uses. All 18 sites have a General Plan land use designation of Commercial, which will remain unchanged. However, the Commercial land use designation in the County's General Plan will be updated to include Mixed Use as a compatible zoning designation. Three of the sites, totaling 1.48 acres, were identified as having the realistic capacity to accommodate 18 moderate income units and three above-moderate income units, for a total of 21 units included in the County's sites inventory. Fifteen additional sites, totaling 14.76 acres, have been added to allow for rezoning of a complete block of land and to prevent spot zoning. Based on a maximum density of 25 units per acre the sites have a maximum density of 406 units; with the sites inventory parcels having a maximum density of 37 units and the additional rezone sites having a maximum density of 369 units. The proposed rezone sites are identified by the following APNs: (included in the sites inventory) 135-041-010 to -012; (additional rezone sites) 135-041-004 and -005, 135-041-009, 135-041-013 to -016, 135-041-018 and -019, 135-041-024, 135-041-031 and -032, and 135-041-034 to -036.

Table 8: Salida Rezone Sites

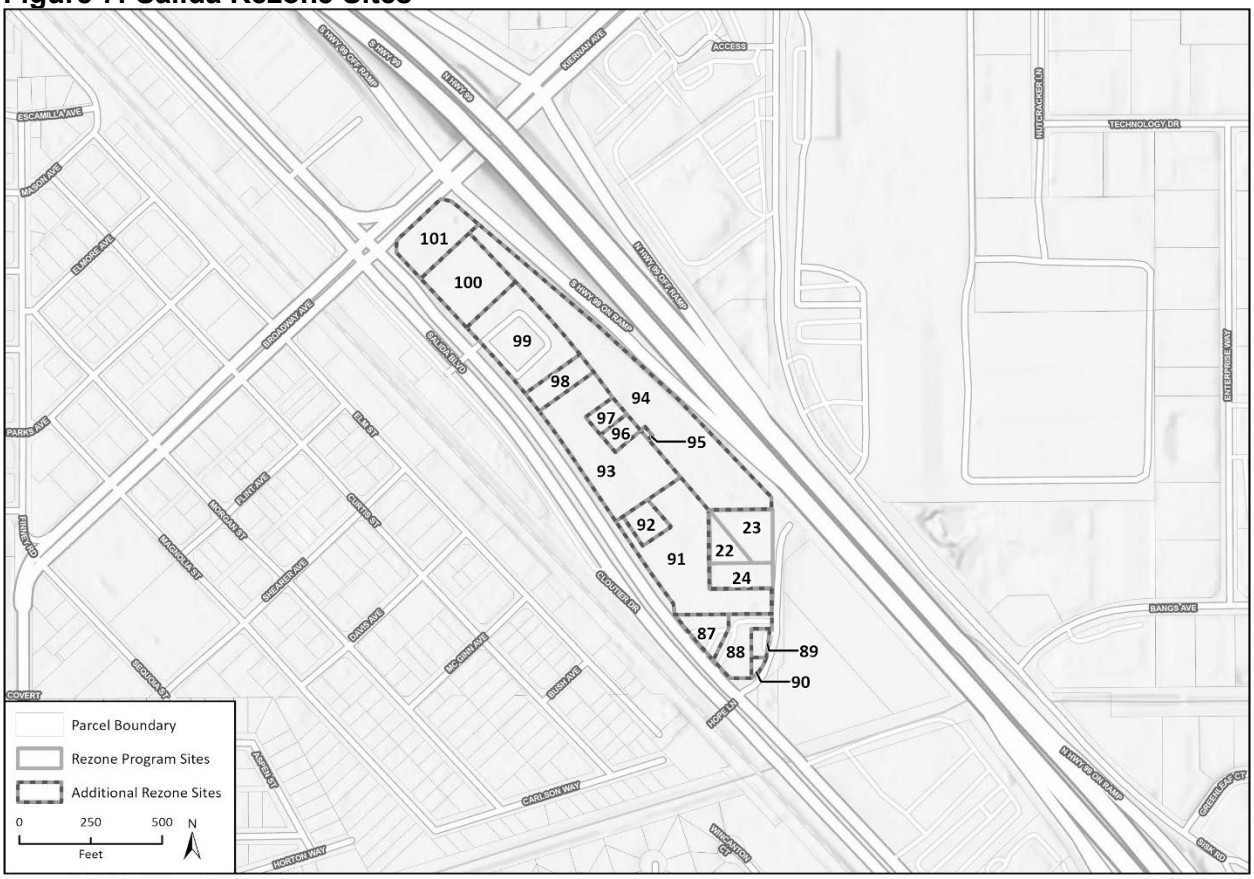
	Number of Parcels	Acreage	RHNA Sites			Total Realistic Capacity	Maximum Density	Current General Plan	Current Zoning	Proposed General Plan	Proposed Zoning
			Lower Income	Moderate Income	Above Moderate Income						
Salida											
RHNA Sites	3	1.48	0	18	3	21	37	COM	C-2	COM	MU
Additional Sites	15	14.76					369	COM	C-2	COM	MU
Total	18	16.24					406				

Census Tracts 501 and 510 encompass the Salida Community. These census tracts are moderate and high resource areas, with a lower risk of displacement, and pollution burden percentiles of 77.8. Median incomes are $62,253 and $95,036, with 33 and 73 percent of residents identifying as non-white, 26.5 and 54.3 percent of renter households that are cost-burdened, and 1.6 and 4.4 percent of households that are overcrowded.

The Salida Fire Protection District was established in 1955 and the Salida Sanitary District in 1957. The first Salida Community Plan was adopted by the Stanislaus County Board of Supervisors in 1987 and the Salida MAC was established in 1984. The Salida Unified School District includes four elementary schools and one middle school. Salida also includes two private TK-8 schools and Gregori Highschool, which is in the Modesto City School District. The Salida community also includes a number of community parks and a county library. StanRTA provides bus services via Route 48 between downtown Modesto and the community of Salida.

The Stanislaus County Board of Supervisors passed an ordinance on August 7, 2007, to implement the Salida Area Planning "Roadway Improvement, Economic Development and Salida Area Farmland Protection and Planning Initiative," also known as the "Salida Initiative," which amended the Salida Community Plan (SCP). The amended SCP provides land use planning and guidance for development of approximately 4,600 acres of land in the Salida area. The SCP encompasses the existing community of Salida, which was part of the previously approved SCP (Existing Plan Area), and an amendment area encompassing approximately 3,383 acres (Amendment Area). The SCP was adopted by the Board of Supervisors without environmental review, which was allowed at the time for initiatives. Environmental review is required for build out of the Amendment Area of the SCP. The parcels included in this project are located within the Existing Plan Area of the SCP. The Existing Plan Area is provided with public water by the City of Modesto and sewer services by the Salida Sanitary District. Residential developments in the community of Salida are improved with curb, gutter, sidewalks, storm drain, and street lights.

Figure 7: Salida Rezone Sites



South Ceres (Laurel/Central)

The Laurel/Central neighborhood is located east of Central Avenue, west of Highway 99, north of East Service Road, and south of Industrial Way in an unincorporated pocket on the southside of the City of Ceres. Residential uses surround the neighborhood to the west, east, and south and industrial development surrounds the neighborhood to the north along Highway 99.

The project proposes to amend the General Plan land use designation of one parcel, totaling 4.18 acres, from Planned Development to Medium High-Density Residential and to amend the zoning designation from P-D (265) to R-3. The parcel is identified as being able to realistically accommodate 76 lower-income units and seven moderate-income units, for a total of 83 units included in the County's sites inventory. No parcels beyond what is included in the County's sites inventory were added to the rezone sites. The parcel, which is included in sites inventory, is identified as APN 053-031-023.

Table 9: South Ceres (Laurel/Central) Rezone Sites

	Number of Parcels	Acreage	RHNA Sites			Total Realistic Capacity	Maximum Density	Current General Plan	Current Zoning	Proposed General Plan	Proposed Zoning
			Lower Income	Moderate Income	Above Moderate Income						
South Ceres (Laurel/Central)											
RHNA Sites	1	4.18	76	7	0	83	104	PD	P-D	MHDR	R-3
Additional Sites	0	0						N/A	N	MHDR	R-3
Total	1	4.18					104				

Census Tract 2503, which encompasses the Laurel/Central neighborhood, is a low resource area, with lower-income households at-risk of displacement, and a pollution burden percentile of 77.5. The median income in this census tract is identified as $49,810, with 68 percent of residents identifying as non-white, 49.8 percent of renter households that are cost-burdened, and 10.0 percent of households that are overcrowded.

Don Pedro Elementary School and Don Pedro Park are located west of the neighborhood, within the City of Ceres limits, and Central Valley Highschool and Ceres Adult School are located to the southwest of the neighborhood in the unincorporated area, on the south side of Service Road, in an unincorporated County area. The area is served by bus service via Route 42, which provides transportation between the Modesto transit center and the Ceres transit center. The neighborhood is served by the Laurel Landscape and Lighting District and portions of the neighborhood are lacking water, sewer, curb, gutter, sidewalk, and storm drainage improvements.

Figure 8: South Ceres (Laurel/Central) Rezone Sites



West Modesto (Beverly/Waverly)

For purpose of the Housing Element, the Elm/Emerald, Spencer/Marshall, Rouse/Colorado, California/Briggs, Robertson Road, Beverly/Waverly neighborhoods have been grouped into the "West Modesto" area. The West Modesto area is an unincorporated area located west of the City of Modesto, north of the Tuolumne River, south of Maze Boulevard, and east of Carpenter Road, within the City of Modesto SOI.

The Beverly/Waverly neighborhood is located mostly north of Paradise Road, east of Carpenter Road, and south of Chicago Road.

The project proposes to amend General Plan land use designations of two parcels, totaling 1.05 acres, in the Beverly/Waverly neighborhood from Low-Density Residential to Medium High-Density Residential and to amend the zoning designation from R-1 to R-3. One site was identified as having the realistic capacity to accommodate five moderate-income units and one above-moderate income units, for a total of six units included in the County's sites inventory. One additional site, totaling .55 acres, has been added to allow for rezoning of a complete block of land and to prevent spot zoning. Based on a maximum density of 25 units per acre the sites have a maximum density of 25 units; with the sites inventory parcels having a maximum density of 12 units and the additional rezone sites having a maximum density of 13 units. The parcels are identified as APNs 037-004-061 (included in the sites inventory) and 037-004-068 (additional rezone site).

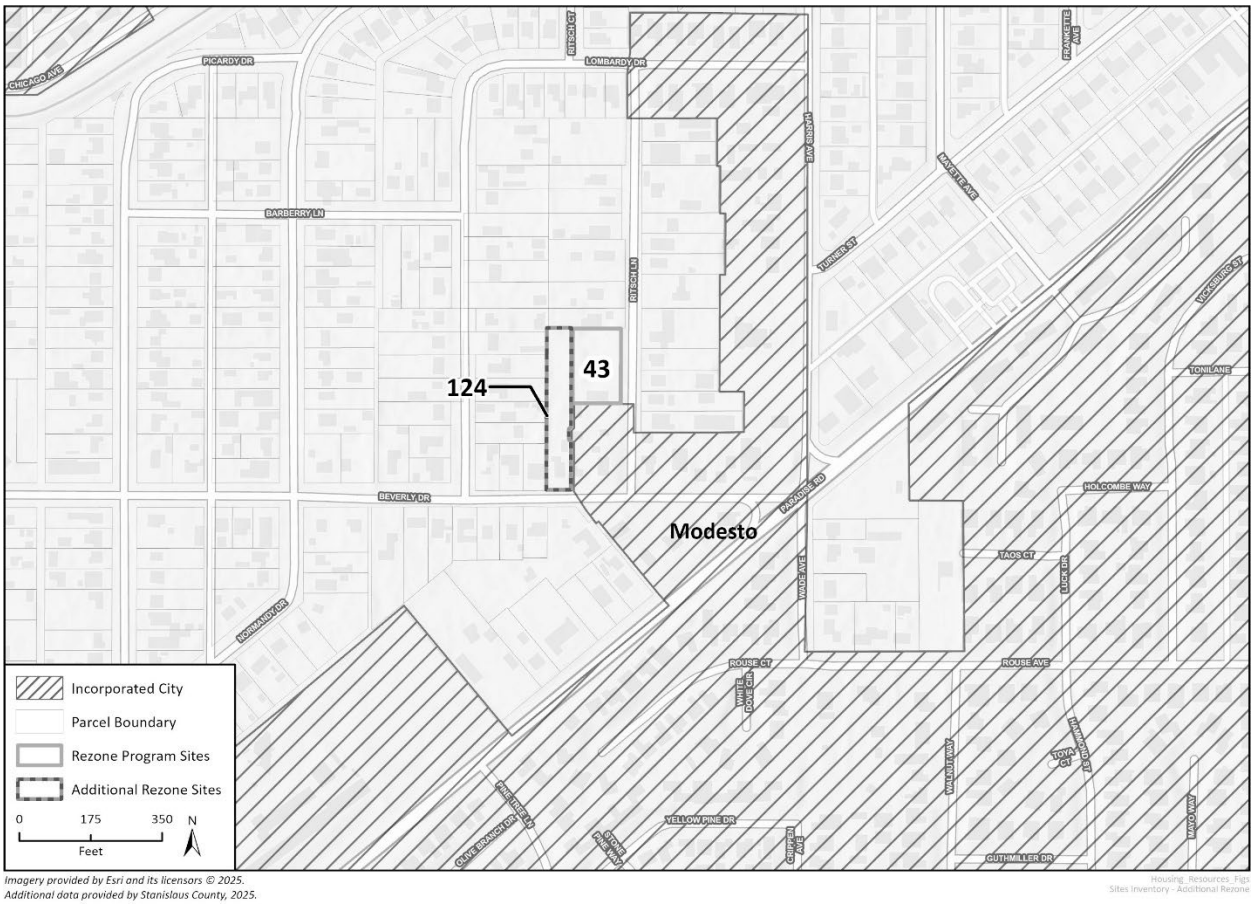
Table 10: West Modesto (Beverly/Waverly) Rezone Sites

	Number of Parcels	Acreage	RHNA Sites			Total Realistic Capacity	Maximum Density	Current General Plan	Current Zoning	Proposed General Plan	Proposed Zoning
			Lower Income	Moderate Income	Above Moderate Income						
West Modesto (Beverly/Waverly)											
RHNA Sites	1	0.5	0	5	1	6	12	LDR	R-1	MHDR	R-3
Additional Sites	1	0.55					13	LDR	R-1	MHDR	R-3
Total	2	1.05					25				

The eastern half of the Beverly/Waverly neighborhood is in Census Tract 1603, which is a low resource area. The population within this census tract consists of 84 percent of non-white residents with a median income of $55,461. Approximately 66.7 percent of renter households in the census tract are cost burdened and 18.8 percent of households are overcrowded. The pollution burden for the area is in the 67.7 percentile. The western half is in Census Tract 1500, which is a low resource area, with a lower risk of displacement, and pollution burden percentile of 92.9. The population of within this census tract consists of 68 percent non-white residents with a median income of $71,290. Approximately 52.5 percent of renter households in the West Modesto area are cost burdened and 12.2 percent of households are overcrowded.

The neighborhood includes the Burbank-Paradise Fire District station and Burbank-Paradise Park, where a local office for the Police Activities League is located, in the unincorporated area and the Burbank-Paradise Elementary School, which is located within Modesto's city limits. Several bus routes (Routes 21, 26, and 33) serve the West Modesto area providing service between Modesto transit center and Paradise Avenue, Carpenter Road, Kansas Avenue, Maze Boulevard, Modesto Junior College, Woodland Avenue, Blue Gum Avenue, Tully Avenue, and 9th Street. This area has public water and is included in the West Modesto Infrastructure Project area for planned sewer improvements. However, this neighborhood lacks curb, gutter, sidewalk, and storm drainage improvements.

Figure 9: West Modesto (Beverly/Waverly) Rezone Sites



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Additional data provided by Stanislaus County, 2025.

Housing_Resources_Figs
Sites Inventory - Additional Rezone

West Modesto (Spencer/Marshall)

The Spencer/Marshall neighborhood is located in the West Modesto area, south of Maze Boulevard, east of the Modesto Irrigation District Lateral No. 5, north of California Avenue, and west of South Martin Luther King Drive, within the SOI of the City of Modesto.

The project proposes to amend the General Plan land use designation of 39 parcels, totaling 32.37 acres, from Low Density Residential to Medium High Density Residential and to amend the zoning designation from R-1 and R-A to R-3. Seventeen sites, totaling 22.94 acres, were identified in the County's sites inventory as having the capacity to accommodate 248 lower-income units, 102 moderate-income units, and 14 above moderate-income units, for a total of 364 units included in the County's sites inventory. Twenty-two additional sites, totaling 9.43 acres, have been added to allow for rezoning of a complete block of land and to prevent spot zoning. Based on a maximum density of 25 units per acre the sites have a maximum density of 808 units; with the sites inventory parcels having a maximum density of 573 units and the additional rezone sites having a maximum density of 235 units. The rezone sites in the Spencer/Marshall neighborhood are identified by APNs: (included in the sites inventory) 030-004-005, 030-004-009, 030-004-013 to -015, 030-005-001, 030-005-003 and -004, 030-005-011 and -012, 030-005-015 and -016, 030-005-018, 030-005-026, 030-008-003, 030-008-006, 030-008-016; (additional rezone sites) 030-004-002 to -004, 030-004-006 to -008, 030-004-010, 030-004-014, 030-004-016 and -017, 030-005-002, 030-005-005 to -010, 030-005-013 and -014, 030-005-017, 030-008-004 and -005, and 030-008-015.

Table 11: West Modesto (Spencer/Marshall) Rezone Sites

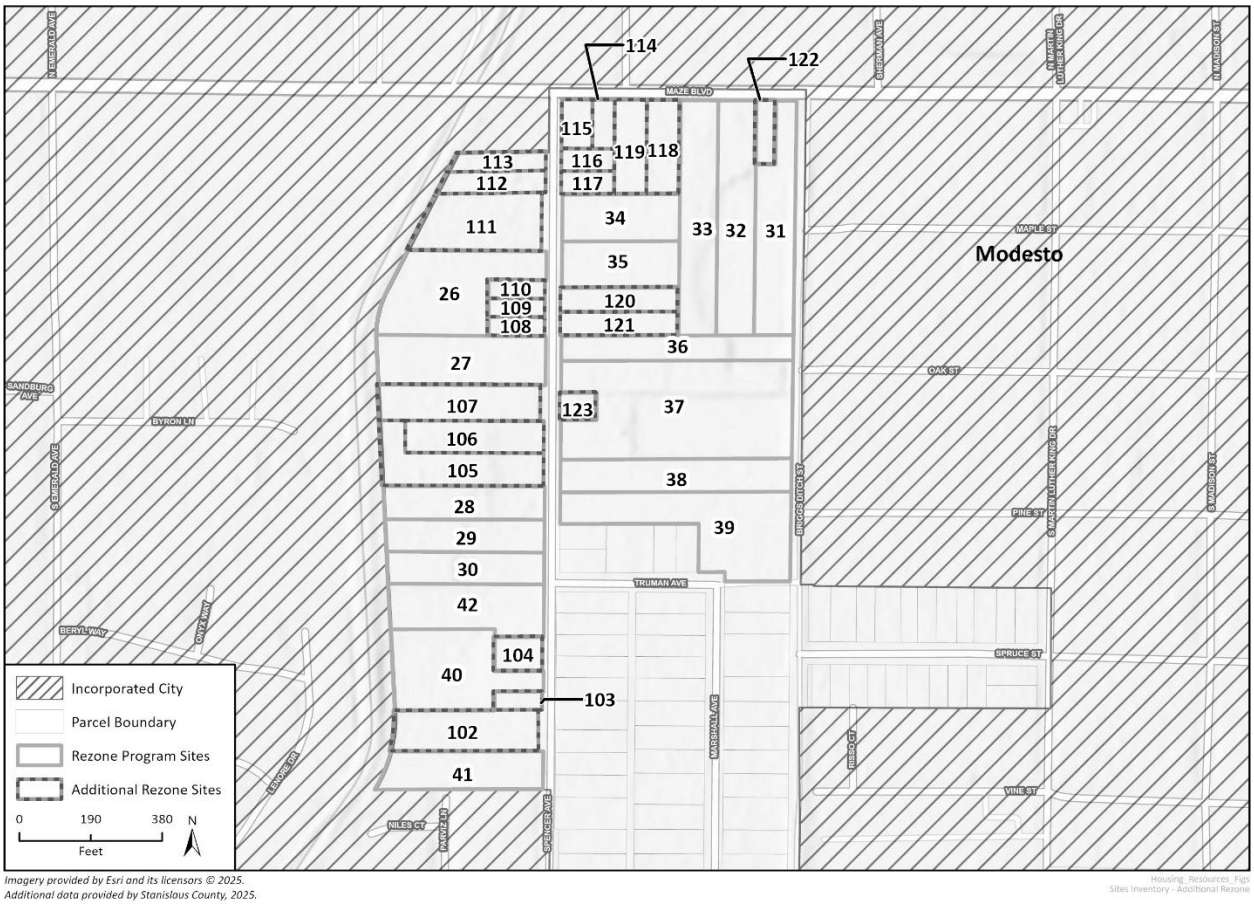
	Number of Parcels	Acreage	RHNA Sites			Total Realistic Capacity	Maximum Density	Current General Plan	Current Zoning	Proposed General Plan	Proposed Zoning
			Lower Income	Moderate Income	Above Moderate Income						
West Modesto (Spencer/Marshall)											
RHNA Sites	17	22.94	248	102	14	364	573	LDR	R-1;R-A	MHDR	R-3
Additional Sites	22	9.43					235	LDR	R-1;R-A	MHDR	R-3
Total	39	32.37					808				

Census Tract 1601, which encompasses the Spencer/Marshall neighborhood, as well as the east half of Beverly/Waverly neighborhood and the California/Briggs neighborhood is designated as a Census Tract of high segregation and poverty. The population within this census tract consists of 87 percent of non-white residents, with a median income of $48,563. Approximately 63.7 percent of renter households in this Census Tract are cost burdened and 19.7 percent of households are overcrowded. The pollution burden percentile for the census tract is 61.5.

The Dr. Martin Luther King Jr. Neighborhood Park, formerly named Mellis Park, which contains the West Modesto King Kennedy Neighborhood Community Center, is located on the southeast of the Spencer/Marshal neighborhood, in the City of Modesto city limits. The Helen White Trail runs north to south from Maze Boulevard to California Avenue along the east boundary of the neighborhood. Franklin Elementary and Preschool are located west of the neighborhood, within the City of Modesto city limits. Central Catholic Highschool, Mark Twain Junior Highschool, and Mark Twain Park are located just west of the neighborhood within the City of Modesto city limits. Several bus routes (Routes 21, 26, and 33) serve the West Modesto area providing service between Modesto transit center and Paradise Avenue, Carpenter Road, Kansas Avenue, Maze Boulevard, Modesto Junior College, Woodland Avenue, Blue Gum Avenue, Tully Avenue, and 9th Street.

The neighborhood has public water and is in the process of getting public sewer. Two of the five phases of the sewer project have been constructed utilizing Community Development Block Grant (CDBG) funding administered by the County as a federal entitlement entity. A State Water Board grant was awarded to the County in 2024 to finalize installation of the sewer project. Most of the neighborhood has streetlighting. The neighborhood does not currently have curb, gutter, sidewalk, or storm drain improvements.

Figure 10: West Modesto (Spencer/Marshall) Rezone Sites



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Additional data provided by Stanislaus County, 2025.

Housing_Resources_Figs
Sites Inventory - Additional Rezone

From: Kristin Doud
To: Perfecto Munoz
Subject: RE: 6th Cycle housing element implenentation
Date: Thursday, September 18, 2025 11:23:00 AM

I think you are thinking about the Environmental Justice Sub-Committee. That sub-committee is being retooled. I will let you know when we have it figured out.

From: Perfecto Munoz <ppmunoz63@westmodestocollaborative.com>
Sent: Thursday, September 18, 2025 11:17 AM
To: Kristin Doud <Doudk@stancounty.com>
Subject: 6th Cycle housing element implenentation

*** **WARNING:** This message originated from outside of **Stanislaus County. DO NOT** click links or open attachments unless you recognize the sender and know the content is safe ***

Hi Kristy in finally finish reading the 6th Cycle Housing Element Implementation document. You mention that I will be notified to participate on this housing committee. Let know if there will be any housing meetings in the near future.

Perfecto

Perfecto Munoz, MA, PhD, MPH
Chief Executive Officer
West Modesto Community Collaborative
601 Martin Luther King Dr
Modesto, California 95351
Ppmunoz63@westmodestocollaborative.com
209-522-6902 Main Office
510-502-2657 Cell

From:	Vanessa Castro
To:	Planning
Subject:	General Plan Amendment, Rezon, and Ord. Amendment No. PLN2025-0053 - Stanislaus County"s 6th Cycle Housing Element Implementation
Date:	Monday, September 29, 2025 4:11:21 PM
Attachments:	image001.png

*** **WARNING:** This message originated from outside of **Stanislaus County. DO NOT** click links or open attachments unless you recognize the sender and know the content is safe ***

To whom it may concern,

City of Modesto staff have reviewed the proposed changes to the Stanislaus County 6th Cycle Housing Element Update and has no comments at this time.

Best,

City of Modesto Logo

Vanessa Castro,
Senior Planner
Community & Economic Development,
Planning Division
Main: 209-577-5267
Direct: 209-577-5282
1010 10th St., Modesto, CA 95354

California Rural Legal Assistance, Inc.
Rural Roots, Justice for All

Stanislaus County
Planning and Community Development Department
1010 10th St. Suite 3400
Modesto, CA 95354

September 25, 2025

Submitted via electronic mail to: planning@stancounty.com

Re: Comments on the County of Stanislaus 6th Cycle Housing Element – Draft 4.5

Ms. Freitas & Ms. Doud:

California Rural Legal Assistance, Inc. ("CRLA") submits these comments on Stanislaus County's 4.5th Draft 6th Cycle Draft Housing Element (Draft 4.5). We acknowledge and appreciate the additions and improvements the County has made in Draft 4.5 and the County's openness to ongoing dialogue with CRLA regarding our concerns. We submit these comments to highlight the need for additional revisions. These revisions must be made in order for the County to achieve substantial compliance with all aspects of Housing Element law, including its duty to affirmatively further fair housing (AFFH), and other related laws and policies.[1]

I. To comply with its obligations under Fair Housing Law, the County must rezone any additional sites that are possible to rezone and have sufficient available infrastructure access in the County's high and highest resource areas.

Cal. Gov. Code section 8899.50 obligates the County to Affirmatively Further Fair Housing (AFFH). The duty to AFFH means that public entities must take *affirmative steps* to end segregation and create integrated communities of opportunity. The County must also comply with other fair housing laws including the federal Fair Housing Act, California's Fair Employment and Housing Act, and California Government Code section 65008. Among the County's duties under these laws is the duty to avoid taking actions or creating housing policies that result in a discriminatory or segregative effect.

As we have expressed in previous comments, the County's current Sites Inventory disproportionately sites a significant majority (81%) of its low- and very low-income housing in the County's Racially or Ethnically Concentrated Areas of Poverty (R/ECAPs) and areas of high segregation and poverty. **The concentration of low and very low-income housing units is**

[1] Cal. Gov. Code Sections 8899.50; 65583(c)(5),(10).

highest in the R/ECAP of Bret Harte, which alone received 45.7% of the County's total low and very low-income housing unit allocation in five heavily concentrated parcels on the outer edge of the neighborhood. At the same time, **most of the County's Racially Concentrated Areas of Affluence (RCAAs) and high and highest resource areas received no low- or very low-income allocation.** The overall impact of this distribution will be the exacerbation of the County's existing patterns of segregation. The current Sites Inventory thus violates the County's duty to affirmatively further fair housing, rendering the Housing Element noncompliant with state and federal fair housing law.

Additional Rezone Sites Analysis

Since we submitted our last comments, we have appreciated the County's willingness to meet with us to discuss possible changes and improvements to the Sites Inventory and share the data used to prepare it. Using the data the County provided, we have identified several sites in high resource areas of the County that we believe could be rezoned to accommodate a larger percentage of low and very low-income housing units. **In particular, we recommend rezoning certain sites in Denair and reallocating low-income units from Bret Harte to Denair to enable a better mix of housing types in both communities and provide a less segregative alternative to the County's current Sites Inventory.**

A. Bret Harte contains a disproportionate allocation of low and very low income sites that must be redistributed in order to affirmatively further fair housing.

In the Sites Inventory, five sites located in a single 24-acre block (Fairview Park) in the far western extremity of the community of Bret Harte have received an allocation of 45.6%, nearly half, of the total low- and very low-income units in the County.

Table 1: Sites in Bret Harte (Fairview Park)

Address	APN	Acres	VLI	LI	MI	AMI	Total
Tucson Ave & Plumas Ave	056-032-069	4.32	46	33	7	0	86
Tucson Ave & Modoc Ave	056-033-049	7.12	76	54	12	0	142
Lassen & Marin Ave	056-034-001	5.1	54	39	9	0	102
Lassen & Inyo Ave	056-035-001	5.55	60	42	9	0	111
Yuma & Tucson Ave	056-036-036	2.28	24	17	4	0	45
Total			260	185	41	0	**486**

Given Bret Harte's status as a R/ECAP area, an area of high segregation and poverty, and an area without adequate resources, this allocation of such a significant percentage of the

County's low and very low income units is a violation of the duty to affirmatively further fair housing. For this reason, we focused our analysis of potential rezone sites on finding a way to reduce the distribution of low and very low income units to this set of sites and reallocate the units to sites in high or highest resource areas and/or RCAAs.

B. Sites exist within the RCAA and high resource area of Denair that could be rezoned to accommodate additional very low-, low-, and moderate-income housing.

The next step in our analysis was to identify potential additional sites for that could be rezoned in RCAAs and high or highest resource areas to take on additional very low-, low-, and moderate-income housing unit allocations. To accomplish this, we took into account the following criteria, based on conversations with the County and factors identified and explained in the Housing Element:

- Resource level (TCAC designation, RCAA/R/ECAP status)
- Infrastructure availability (water and wastewater)
- Parcel size (over .5 acres, under 10 acres)
- Status of planned development. Based on information available in Draft 4.5,[2] we excluded the following planned and approved project sites from our proposed rezone list:
    - Elmwood Estates 024-055-060
    - Isaaco Estates 024-025-002, -014, -052, and -053
    - Hoffman Ranch Subdivision 024-012-027
    - Lazares Subdivision 024-012-009
- Parcel utilization. Rather than propose the rezoning of parcels that have already been allocated for multiple income levels, we included in this proposal only sites that are currently designated solely for above moderate income units. Within Denair, there are other sites that include both above moderate and moderate income units that may also be worth considering for rezone potential.

Based on these factors, we identified the sites in Table 2 as having the potential to be rezoned to allow very low, low, and moderate income housing in addition to above moderate income housing. All sites identified for possible rezoning were located in Denair, due primarily to constraints regarding water and/or wastewater infrastructure availability.

[2] Draft 4.5 at 5-4 (PDF 307).

Table 2: Additional Proposed Rezone Sites in Denair

Community	Address	APN	Acres	VLI	LI	MI	AMI	Total
Denair	3252 Story Rd	024-053-041	3.62	0	0	0	12	12
Denair	4109 Sperry Rd	024-015-010	1.67	0	0	0	4	4
Denair	4140 N Santa Fe Ave	024-015-028	1.76	0	0	0	5	5
Denair	4216 Sperry Rd	024-016-004	2.99	0	0	0	9	9
Denair	4308 Sperry Rd	024-016-009	1.69	0	0	0	5	5
Denair	4100 Sperry Rd	024-017-003	2	0	0	0	6	6
Denair	3640 Gratton Rd	024-024-016	2.1	0	0	0	6	6
Denair	0 Derr Rd	024-050-026	1.53	0	0	0	5	5
Denair	4141 Sperry Rd	024-014-007	0.96	0	0	0	2	2
Denair	3225 Story Rd	024-025-004	1.8	0	0	0	4	4

C. The Sites Inventory includes sites that utilize a replicable framework for including very low-, low-, moderate-, and above moderate-income units within the same parcel.

The next step in our analysis was to determine how the potential rezone sites, if rezoned, could then be more efficiently utilized to accommodate multiple income level units within each site. To accomplish this, we looked to the Sites Inventory for possible distribution schemes the County has already considered in other sites marked for rezoning. Table 2 highlights sites already proposed for rezoning that are intended to accommodate an allocation of very low, low, moderate, and/or above moderate-income units together within a single project.

Table 3: Model for Distribution of Units at Multiple Income Levels Units Within a Single Parcel

Community	Address	APN	Acres	VLI	LI	MI	AMI
Denair	3833 Lester Rd	024-012-004	4.52	24	17	4	12
Denair	3817 Lester Rd	024-012-005	4.94	27	18	4	13
Denair	3325 Kern St	024-033-002	1.84	16	10	3	0

D. Under the distribution framework used by the Sites shown in Table 3, sites in Denair can be rezoned to accommodate additional low and very low-income units, allowing for a more equitable distribution of sites to both Bret Harte and to Denair and yielding a less segregative alternative to the current Sites Inventory.

Based on the distributions of units used for the sites included in Table 3, rezoning the Denair sites in Table 2 to accommodate higher density housing units would make it possible to reallocate the units between Bret Harte and Denair in the manner described in Table 4 below.

Table 4: Proposed Reallocation of Units between Bret Harte and Denair

Bret Harte Sites (Proposed)

Address	APN	Acres	VLI	LI	MI	AMI	Total
Tucson Ave & Plumas Ave	056-032-069	4.32	20	14	5	10	49
Tucson Ave & Modoc Ave	056-033-049	7.12	32	22	8	16	78
Lassen & Marin Ave	056-034-001	5.1	23	16	6	11	56
Lassen & Inyo Ave	056-035-001	5.55	26	17	6	13	62
Yuma & Tucson Ave	056-036-036	2.28	10	7	2	5	24
Total			111	76	27	55	**269**

Denair Sites (Proposed)

Address	APN	Acres	VLI	LI	MI	AMI	Total
3252 Story Rd	024-053-041	3.62	35	25	7	0	67
4109 Sperry Rd	024-015-010	1.67	16	12	3	0	31
4140 N Santa Fe Ave	024-015-028	1.76	17	12	3	0	32
4216 Sperry Rd	024-016-004	2.99	29	21	6	0	56
4308 Sperry Rd	024-016-009	1.69	16	12	3	0	31
4100 Sperry Rd	024-017-003	2	19	14	4	0	37
3640 Gratton Rd	024-024-016	2.1	19	14	4	0	37
0 Derr Rd	024-050-026	1.53	13	8	3	0	24
4141 Sperry Rd	024-014-007	0.96	9	5	2	0	16
3225 Story Rd	024-025-004	1.8	17	12	3	0	32
Total			190	135	38	0	**363**

The reallocation of units detailed in Table 4 would improve upon the current Sites Inventory in three key respects:

- **This reallocation would allow for a higher overall capacity to accommodate housing units in the county**. The total number of above moderate-income units would reduce

from 58 currently allocated to Denair to 55 allocated to Bret Harte – as the Sites Inventory currently accommodates for a surplus of above-moderate income housing, this decrease of 3 above moderate-income units would not negatively impact the County's ability to meet the RHNA. Meanwhile, the total number of very low-, low-, and moderate-income units accommodated by the Sites Inventory would rise by 41, 26, and 52 units respectively.

- **This reallocation would reduce the levels of segregation in both Bret Harte and Denair by more equitably distributing units at each income level.** Denair, which is already high resource and much of which has the status of a RCAA, would receive a more significant number of very low-, low-, and moderate-income housing. Correspondingly, Bret Harte would receive a less concentrated allocation of very low- and low-income housing while receiving a better mix of all housing types.
- **In reducing the levels of segregation in R/ECAP and RCAA areas of the County, this distribution would be more compliant with statutory requirements under Fair Housing and Housing Element law, including the duty to affirmatively further fair housing.**

Under the duty to Affirmatively Further Fair Housing and related fair housing laws, the County must adopt the least segregative feasible version of the Sites Inventory. To the extent the proposed redistribution, or some version of it, provides a less segregative feasible unit allocation, the County must update its Sites Inventory accordingly.

We acknowledge that in order to adopt the proposed rezoning scheme, the County must conduct additional analysis of factors pertaining to these sites that may not have been included in the housing element or data provided to us. We affirm our commitment to continuing to work with the County to determine the feasibility of this less segregative alternative and look forward to continuing conversations to this end.

II. The Housing Plan must be further revised to ensure that it complies with Housing Element law and Affirmatively Furthers Fair Housing.

Under Housing Element law, the County is required to create a program setting strategies and actions, each beholden to their own implementation timeline, that will result in "beneficial impacts" within the planning period.[3] In order to affirmatively further fair housing, this program must reflect the most urgent identified fair housing issues (contributing factors) through

[3] Cal. Gov. Code section 68853(c)

strategies and actions including place-based community revitalization and protecting existing residents from displacement.[4]

We commend the County for making significant positive changes and additions to the Housing Plan in Draft 4.5 of the Housing Element. The new language and actions in Draft 4.5 are steps in the direction of ensuring that the Housing Element will effectively affirmatively further fair housing and support County residents facing the most severe housing insecurity and housing burdens. To ensure that beneficial impacts from these programs occur during the planning period, however, additional revisions are needed. We offer the following recommendations and edits to ensure that the Housing Plan will comply with Housing Element law and yield tangible benefits for residents in need.

A. Programs 2-1i. The County must commit to taking specific action to prioritize providing technical assistance to affordable housing developers interested in developing housing for extremely low-income households.

Housing Element law requires the County to assist in the development of adequate housing to meet the needs of extremely low, very low, low- and moderate-income households.[5]

Action 2-1i represents a positive step toward accomplishing this goal, but the following revisions are needed to ensure that specific disadvantaged communities will benefit from affordable housing development within the planning period.

> **Action 2-1i:** Provide technical assistance to prospective developers interested in developing housing for extremely low-income (ELI) households. Defer Public Facility Fees for housing developments providing ELI housing. ~~Advocate for providing prioritization in RFP scoring for~~ Develop and advocate for an update to RFP scoring criteria to prioritize technical assistance for affordable housing developments providing 50 percent or more ELI housing units.
>
> Hold at least two meetings for developers interested in affordable housing for ELI households to provide technical assistance. Hold meetings in and regarding neighborhoods with higher concentrations of ELI households (i.e., Rouse/Colorado, Bret Harte, and Airport). Defer the PFF fees for two housing developments providing 50 percent or more ELI units. Recommend a scoring preference for ELI priority to the Community Development Committee by 2026.

[4] Id. at (c)(10)(a)(iv), (v)
[5] Cal. Gov. Code section 65583(c)(2)(A)

B. Action 3-6k. The County must incorporate public input and feedback into its zoning ordinance assessment strategy to ensure that innovative and unconventional housing types in areas with high homelessness reflect local priorities and needs.

Action 3-6k, which commits the County to assessing its Zoning Ordinance to consider the possibility of making amendments to permit the development of housing such as tiny home villages and cottage housing in order to combat homelessness, has the potential to yield significant benefits for extremely low-income and unhoused individuals in the County. In order to ensure that this potential is realized, the County must commit to taking specific actions toward this goal and engaging with members of the public in heavily impacted communities to ensure that policy changes reflect community needs and priorities. We recommend the following revisions.

> **Action 3-6k:** Assess and amend the County's Zoning Ordinance~~, and amend as needed,~~ to permit the development of innovative or unconventional housing types, such as tiny home villages and cottage housing, to expand the County's ability to address the homelessness crisis in the unincorporated areas.
>
> - By July 2026, hold a first round of public meetings in communities with higher levels of homelessness (e.g., Empire, Keyes, West Modesto) to solicit input from residents on community-specific needs and preferences for developing innovative or unconventional housing types in their communities.
> - Assess the zoning ordinance to identify needed amendments by December 2026.
> - By April 2027, hold a second round of public meetings in the same communities to provide an update on the proposed zoning ordinance changes and seek community feedback prior to their presentation to the Planning Commission.
> - Present a recommendation to amend the County's Zoning Ordinance to the Planning Commission by July 2027, with particular focus in communities with higher levels of homelessness (e.g., Empire and Keyes).

C. Action 2-3b. The County must commit to additional community outreach to ensure that tenants in the County receive the benefits of fair housing protections during the planning period.

Draft 4.5 adds to Action 2-3b a commitment to providing tenant/landlord counseling services. This addition reflects the County's existing approach to addressing fair housing issues but does not expand or improve it. By focusing outreach on potential tenants and landlords or property managers, Action 2-3b fails to take steps to reach existing tenants that would benefit

from knowledge of their fair housing rights. We recommend the following revisions to this action to ensure that existing as well as prospective tenants are given the opportunity to learn about their legal rights on an ongoing basis throughout the planning period.

> **Action 2-3b:** Ensure potential and existing tenants and landlords or property managers are informed of the California Fair Employment and Housing Act (FEHA) prohibiting housing discrimination based on source of income (including housing choice vouchers). Provide tenant/landlord counseling services and conduct ongoing outreach to inform tenants of their fair housing rights.
>
> Require any County contracted fair housing providers to disseminate information about FEHA by December 2025. Provide tenant/landlord counseling services ~~annually~~, upon request. Work with fair housing providers and community partners to conduct outreach to tenants regarding their fair housing rights at least twice per year.

D. Action 5-3h. The County must commit to a place-based, community centered anti-displacement strategy to combat displacement risk in the County's most displacement-sensitive communities.

Housing Element law requires the County to develop strategies and actions to address identified fair housing issues, including place-based strategies and actions to protect existing residents from displacement. Although much of Stanislaus County is at a relatively low risk, several of the County's lowest resource and most highly segregated communities are considered sensitive for displacement risk, with the highest displacement risks in the communities of Bret Harte, Airport, Bystrom, and Rouse-Colorado.[6] Rouse-Colorado is the only community in the Northern San Joaquin Valley where more than one income group risks displacement.[7] Although the County has classified displacement as a low priority contributing factor,[8] the displacement experienced by residents of these specific communities is acute, indicating a strong need for place-based strategies to combat displacement risk that focuses on these communities.

The Anti-Displacement strategy included in Draft 4.5 is a strong step in the direction of meaningfully combatting the displacement risks experienced by County residents. However, it is insufficiently tailored to ensure that residents experiencing displacement risk will benefit from its actions during the planning period. We recommend the following revisions to ensure that this

[6] Draft 4.5 at 3-100 (PDF 184); 3-168 (PDF 252).
[7] Id. at 3-101 (PDF 185).
[8] Id. at 3-168.

action adequately supports residents at risk of displacement in compliance with Housing Element law.

> **Action 5-3h:** Prepare a comprehensive Anti-Displacement Strategy to address pressures of rising housing costs and income inequality in communities with higher displacement risk (i.e., Rouse/Colorado, Bret Harte, and Airport). The anti-displacement strategy ~~may~~ will include, but is not limited to the following:
>
> - An engagement strategy for fair housing service providers to improve upon and expand the dissemination of information on tenant protection and available fair housing resources.
> - An engagement strategy to build affordable housing developer capacity, including technical assistance on available sites, funding opportunities, and local fee waiver opportunities.
> - An evaluation of existing renter/tenant protections and anti-displacement measures that includes research on approaches by other jurisdictions to prevent displacement in vulnerable communities.
> - An engagement strategy to solicit community input and feedback regarding renter/tenant protections and anti-displacement measures in areas considered sensitive to displacement.
> - A feasibility assessment of a rental inspection and rental registry program aimed at protecting tenants in R/ECAP areas from evictions.
> - A funding strategy that inventories existing funding sources and potential funding sources that could be utilized to implement strategies.
>
> Conduct the following schedule of actions:
>
> - In 2026, conduct an evaluation of existing renter/tenant protections and anti-displacement measures and fair housing service programs, including funding sources being utilized.
> - In 2026, conduct a survey and evaluation of anti-displacement approaches used by other jurisdictions to prevent displacement in vulnerable communities, including but not limited to policies such as a tenant right to counsel, a thirty-day notice to vacate requirement, and rent stabilization.
> - By December 2026, solicit feedback via public meetings in all County CDPs considered "sensitive" to displacement risk (Rouse Colorado, Riverdale Park Tract,

Bret Harte, Bystrom, Airport, Empire, and Crows Landing) regarding existing and possible anti-displacement strategies.

- Provide the results of the evaluation, including feedback received from the public, and a specific proposal describing which Anti-Displacement measures the County should adopt to the General Plan Update Committee by April, 2027 and to the County Board of Supervisors by July, 2027.
- In 2026, prepare an engagement strategy for fair housing service providers. Implement the strategy into existing community development and housing efforts by April 2027.
- In 2026, prepare an engagement strategy to build affordable housing developer capacity. Implement the strategy by April 2007.
- In 2027, explore the feasibility of a rental inspection or registry program targeting R/ECAP areas.
- Present program options, including funding options, to the General Plan Update Committee (GPUC) by April, 2028 and to the Board of Supervisors by July 2028.

III. Conclusion

CRLA appreciates the opportunity to comment on the County's 4.5th Draft Housing Element, and we appreciate the time and energy County staff have devoted to improving the Housing Element. We are happy to answer any questions regarding the comments above. We look forward to continuing conversations and meetings with the County to discuss the Housing Element and to collaborating with the County to involve community residents in its implementation throughout the planning period.

Respectfully,

Nick Jensen

Unincorporated Community Justice Program Managing Attorney

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September 25, 2025

VIA EMAIL
Stanislaus County
Department of Planning and Community Development
1010 10th Street, Suite 3400
Modesto, CA 95354
planning@stancounty.com

Re: Salida Fire Protection District – Comment on Stanislaus County 6th Cycle Housing Element Update

Dear Stanislaus Planning Staff,

On behalf of the Salida Fire Protection District ("Salida"), this communication comments on the Stanislaus County ("County") 6th Cycle Housing Element Update.

Salida requests that the Housing Element address funding for essential fire and emergency response services for residential development within Salida's service area - specifically, the requirement that new housing development projects within Salida will, as a condition of approval, be required to join Salida's to enter into Salida's Community Facilities District ("CFD").

While the Housing Element Update provides details as to what agencies provide fire/emergency response services within the unincorporated County, it does not adequately address the financial impacts that new housing development will have on those services. In short, Salida requests that the Housing Element Update provide an analysis of how such services will be funded as the community develops. In Salida's case, a key element of offsetting the cost of new development is the payment of CFD taxes.

The Salida CFD

The Fire Protection District Act of 1987 and the Mello-Roos Community Facilities District Act authorize fire districts, like Salida, to enact a CFD to offset costs of services. (See, Health and Safety Code section 13912; Gov. Code section 53313). Mello-Roos CFDs provide a "method of financing certain public facilities and services, especially in developing areas and areas undergoing rehabilitation." (Gov. Code section 53311.5).

Consistent with that authority, 15 years ago on August 18, 2010, Salida's CFD was enacted by Salida Ordinance No. 2010-01. Since then, new development involving the issuance of building permits has been required to join the CFD and pay accompanying taxes. When forming the CFD, Salida retained governmental consulting experts Capitol Public Finance Group, which conducted a "nexus study" evidencing that the tax rates established by the CFD were legally supported as being congruent to the reasonably estimated costs on fire and emergency response services that new development imposes on the Salida community.

Purpose of the CFD

Salida is designated by the Stanislaus County Local Agency Formation Commission ("LAFCO") as the entity responsible for the provision of fire and emergency response services within its territorial boundaries. The CFD's taxes are vital to funding those fire protection and emergency response services within Salida.

The CFD taxes offset costs that new development imposes on fire protection resources and help enhance levels of emergency services as the Salida community develops. If new development fails to comply with funding mechanisms intended to offset the costs imposed on new development (*i.e.*, the need for more firefighters, fire apparatus, equipment, and fire stations), other taxpayers must effectively subsidize the new development, or levels of service are diluted.

Recent urban and wildland fires of historic proportions across California emphasize the need for local fire agency infrastructure (facilities, equipment, staffing, vehicles, and water systems) are adequate to address such fires and keep pace with new development. This is particularly true given the current need to pre-position first responders for faster response times, and to maintain the ability to combat simultaneous fires with multiple ignition points.

The County General Plan Requires Adequate Funding for Fire Services

"A general plan provides a 'charter for future development' and sets forth a city or county's fundamental policy decisions about such development." (*Friends of Lagoon Valley v. City of Vacaville* (2007) 154 Cal.App.4th 807, 815). "Virtually any local decision affecting land use and development depends upon consistency with the applicable general plan and its elements." (*Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 570).

As mentioned in prior communications from Salida to County Staff, the County General Plan requires cooperation and coordination with local fire agencies for the provision – and funding – of fire and emergency response services.

Because the County has a duty to implement its General Plan (including the Housing Element), it is axiomatic that such implementation should address the issue of *how* those essential services will be funded.

As such, Salida requests that the Housing Element Update include in its analysis that development projects will pay their fair share for fire/emergency response services by being conditioned on joining the Salida CFD and paying applicable CFD taxes.

David Schwarz



Deputy District Counsel
Salida Fire Protection District

California Rural Legal Assistance, Inc.
Rural Roots, Justice for All

Stanislaus County
Planning and Community Development Department
1010 10th St. Suite 3400
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July 23, 2025

Submitted via electronic mail to: planning@stancounty.com

Re: Comments on the County of Stanislaus 6th Cycle Housing Element – Fourth Draft

Ms. Freitas & Ms. Doud:

California Rural Legal Assistance, Inc. ("CRLA") submits these comments on Stanislaus County's Fourth Draft 6th Cycle Draft Housing Element (Fourth Draft). We acknowledge and appreciate the additions and improvements the County has made in the Fourth Draft, as well as the additional outreach conducted by the County that these improvements reflect. We submit these comments to highlight the need for additional revisions. These revisions must be made in order for the County to achieve substantial compliance with all aspects of Housing Element law, including its duty to affirmatively further fair housing (AFFH), and other related laws and policies.[1] In particular, the County must:

I. Update the Sites Inventory analysis to include a justification of the sites allocation for Bret Harte;
II. Comply with legal obligations under state and federal housing law, including the duty to affirmatively further fair housing;
III. Update the Assessment of Fair Housing with sufficient information and analysis about Racially or Ethnically Concentrated Areas of Poverty and Affluence (R/ECAPs and RCAAs) to substantially comply with Housing Element law;
IV. Augment the Constraints Analysis to include analysis of environmental burdens on the County's environmentally disadvantaged unincorporated communities, with corresponding adjustments to the Housing Plan;
V. Continue community engagement, in particular in lower-resourced areas;
VI. Incorporate comments from residents into the Housing Element;

[1] Cal. Gov. Code Sections 8899.50; 65583(c)(5),(10).

VII. Revise the Housing Plan to include specific commitments, discrete timelines, and appropriate metrics, as well as place-based strategies and geographically targeted programs to address specific community needs;
VIII. Update its SB 244 Analysis, its Climate Adaptation Plan, and comply with SB 1000.

I. The Sites Inventory analysis is inadequate to justify the County's allocation of lower income housing to Bret Harte, under California Government Code Section 65583.2.

California's Housing Element law requires each Housing Element to include an inventory of land suitable and available for residential development, including vacant sites and sites that have justifiable and demonstrated potential for redevelopment (Sites Inventory).[2] Additionally, the County must conduct a Sites Inventory analysis that informs the assumptions made in the Sites Inventory and the relationship of zoning and services to the sites, as well as demonstrate its ability to fulfill its share of regional housing needs.

In order to designate more than 10 acres for low-income housing on a site, the County is required to justify in its Sites Inventory analysis that development at a similar density on parcels of similar size has occurred in the jurisdiction or otherwise justify the feasibility of the use.[3]

Unfortunately, the County is noncompliant with the goal of California Government Code Section 65583.2(c)(2)(B) in the community of Bret Harte. Currently, the County proposes to use 5 sites that would provide 481 units of low-income housing.[4] While no individual site larger than 10 acres is proposed in Bret Harte, the 5 sites proposed are adjacent to each other and total 24.37 acres.[5] In essence, these proposed sites will have significant infrastructure and service needs similar to that of a single 24-acre site.

We are concerned about the County's proposal to site additional housing units in Bret Harte without justification, especially as this lower-resource community is already suffering under infrastructure and service constraints. Adding almost 500 units next to one another will overburden the limited infrastructure in Bret Harte, including schools, public transportation, sidewalks, and sewage systems.

We are also concerned about the County's proposal to place 44% of its low-income housing units required in the County's regional housing needs allocation (RHNA) in effectively

[2] Cal. Gov. Code Section 65583(a)(3).
[3] Cal. Gov. Code Section 65583.2(c)(2)(B).
[4] Fourth Draft at 5-16–5-19.
[5] *Id.*

one 24.37-acre parcel, in one lower-resourced community that the County also designates as a R/ECAP. The County has not provided any reasoning as to why it is making this proposal instead of proposing low-income units elsewhere in the County, and the County has not discussed how this could be feasible especially given the lack of infrastructure in Bret Harte. We urge the County to justify this proposal and explain how the County will feasibly accommodate so much low-income housing in such a concentrated area. To meet the goal of Section 65583.2, the County should ensure that additional housing units will not overburden existing infrastructure and services.

II. The Sites Inventory will have a disparate impact on racial minorities and low-income families and will perpetuate segregation in Stanislaus County. The County must redistribute housing units for different income levels to comply with legal obligations under state and federal housing law, including the duty to affirmatively further fair housing.

We are very concerned about several trends from the proposed Sites Inventory that show potential disparate impact on racial minorities and low-income communities, in violation of federal and state fair housing laws. Overall, Table 2 below shows that 81.70% of the low-income RHNA is allocated to R/ECAPs. This perpetuates the cycle of poverty and racial inequality in R/ECAPs. This clear trend is especially concerning considering that only 11.50% of the low-income RHNA is allocated to RCAAs.

Further, Table 1 also shows that the County proposes to allocate 44% of the County's total low-income RHNA in Bret Harte, and that more than half of the low-income RHNA allocated to R/ECAPs is allocated in Bret Harte. These trends are worrying, especially given that the County proposes to allocate only 3.97% of the above-median income RHNA in Bret Harte. The bottom line is that the County's site proposals will most likely perpetuate racial and income segregation in Bret Harte.

As it is currently proposed, the Sites Inventory violates three state laws and one federal law. First, the County violates California Government Code Section 8899.50. Section 8899.50 requires all California housing elements to affirmatively further fair housing (AFFH). The duty to AFFH means that public entities must take *affirmative steps* to end segregation and create integrated communities of opportunity. Unfortunately, Stanislaus County has not, through its Sites Inventory, taken the proper affirmative steps, of zoning for low-income housing predominantly outside of R/ECAPs, to end segregation and create integrated communities of opportunity.

Second, the County violates the Fair Employment and Housing Act (FEHA). The County has violated the FEHA by creating a discriminatory effect through its Sites Inventory.

Third, the County violates California Government Code Section 65008. California Government Code Section 65008 requires the County not to discriminate in its zoning.

Finally, the County has also violated the Federal Fair Housing Act (FHA) through its Sites Inventory. It has violated the FHA under a claim of segregative effect.

a. The Sites Inventory will increase the racial- and income-based segregation in areas of concentrated racial- and income-based segregation, in violation of the County's duty to AFFH.

The Fourth Draft of the Stanislaus County Housing Element will perpetuate racial and income segregation in R/ECAPs, in violation of its duty to AFFH.

As shown in Table 1 of this document, the County is allocating 66% of its low-income housing to two R/ECAPs: Bret Harte and Rouse/Colorado or West Modesto generally.[6] Conversely, it allocates only 4% of its above-median income housing in Bret Harte and only 15% of its above-median income housing in Rouse/Colorado or West Modesto generally.[7] In other words, the County is continuing to allocate large amounts of low-income housing to R/ECAPS, while allocating comparatively very little above-median income housing to R/ECAPs. By doing this, the County will perpetuate the cycle of poverty faced by R/ECAPs.

The express purpose of the duty to AFFH is to take meaningful actions to end historic patterns of segregation and discrimination, while promoting new integrated communities of opportunity.[8] The County is perpetuating historic patterns of segregation by maintaining the same pattern of where it has zoned for low-income housing and where it has zoned for above-median income housing, in the past.[9] The zoning pattern the County has used in the past has served to create segregated communities for at least the past thirty years.[10] By keeping effectively the same zoning pattern, the County will only perpetuate and make worse the patterns of segregation. The County does not appear to make an effort to integrate communities by allocating a fairer distribution of low-income housing units in high-resource areas, and vice versa. The County's lack of action is glaring, especially considering our previous comments that

[6] Fourth Draft at 5-16, 5-68.
[7] *Id*.
[8] Cal. Gov. Code Section 8899.50.
[9] Fourth Draft at 3-19–3-20, 5-13–5-68.
[10] *Id*. at 3-19–3-20.

shared the same concern about the current Sites Inventory. The County is explicitly failing in its duty to integrate communities, under California Government Code Section 8899.50.

b. The Sites Inventory will increase the concentration of affluence in areas of affluence, in violation of its duty to AFFH.

The Fourth Draft of the Stanislaus County Housing Element will perpetuate the racial and income based segregation in RCAAs and historically affluent communities, also in violation of its duty to AFFH.

The County is allocating more than 50% of its above-median income housing to affluent communities with at least one community being a RCAA: East Oakdale.[11] The three most egregious examples of the County zoning for above-median income housing in affluent areas are in East Oakdale, Diablo Grande, and Del Rio.[12] At all three of these affluent communities, the County has zoned for only above-median income housing, perpetuating the already present segregation of these communities.[13] By zoning for only above-median income housing, in these communities, the County is failing at its duty to end segregation and create integrated communities of opportunity.

Specific examples of the zoning disparity are listed in Tables 1–4 below. The County's zoning practice not only perpetuates segregation, but it does not allow the R/ECAPs to become integrated areas of opportunity because it keeps above-median income housing out of R/ECAPs. There needs to be a mix of housing values in communities to properly create integrated communities, due to the racial and ethnic wealth disparities created by years of differential treatment.[14] Housing in different income brackets also creates opportunities because it increases the total wealth of a community. The County has kept a stark divide between affluent areas and R/ECAPs by not effectively integrating its zoning. The County must integrate affluent areas and R/ECAPs in order to be compliant with its duty to AFFH.

[11] *Id*. at 5-52.
[12] *Id*. at 5-23, 5-30, 5-52.
[13] *Id*. at 3-19, 5-23, 5-30, 5-52.
[14] *See* Bethany R. Berger, *Race to Property: Racial Distortions of Property Law, 1634 to Today*, 64 Ariz. L. Rev. 619 (2022).

Table 1. Zoning Dependent on R/ECAP and RCAA Designation

Community	R/ECAP	RCAA	Low-income (number of units)	Low-income (% of allocated RHNA) *		Above-median income (number of units)	Above-Median income (% of allocated RHNA) *
Bret Harte	Y	N	481	43.57		31	3.97
Ceres**	Y	N	173	15.67		34	4.36
West Modesto (including Rouse/Colorado)	Y	N	248	22.46		107	13.72
Airport	Y	N	0	0		8	1.0
East Oakdale	N	Y	0	0		161	20.64
Denair	N	Y	127	11.50		93	11.92
Valley Home	N	Y	0	0		4	0.51
Orange Blossom	N	Y	0	0		0	0

*Rounded to two decimal places for readability and uniformity

**North and South Ceres are combined

Table 2. Totals of the RHNA Allocation Percentages Dependent on R/ECAP and RCCA

R/ECAP or RCCA	Total Low-income (% of allocated RHNA)	Total Above-Median income (% of allocated RHNA)
R/ECAP	81.70	22.99
RCCA	11.50	33.07

Table 3. Zoning Dependent on Affluence Designation

Community	Historically Affluent	Low-income (number of units)	Low-income (% of allocated RHNA) *	Above-median income (number of units)	Above-Median income (% of allocated RHNA) *
Bret Harte	N	481	43.57	31	3.97
Ceres**	N	173	15.67	34	4.36
West Modesto (Rouse/Colorado)	N	248	22.46	107	13.72
Airport	N	0	0.00	8	1.00
Keyes	N	58	5.25	18	2.31
Empire	N	17	1.54	43	5.51
Crow's Landing	N	0	0	5	0.64
Grayson	N	0	0	6	0.77
Turlock	N	0	0	3	0.38
Hickman	N	0	0.00	19	2.44
East Oakdale	Y	0	0.00	161	20.64
Del Rio	Y	0	0.00	131	16.79
Diablo Grande	Y	0	0.00	112	14.36
Salida	Y	0	0.00	5	0.64
Valley Home	Y	0	0.00	4	0.51
Denair	Y	127	11.50	93	11.92
Knight's Ferry	Y	0	0.00	0	0.00
Orange Blossom	Y	0	0.00	0	0.00

*Rounded to two decimal places for readability and uniformity

**North and South Ceres are combined

Table 4. Totals of the RHNA Allocation Percentages Dependent on Affluence Designation

Historically Affluent	Total Low-income (% of allocated RHNA)	Total Above-Median income (% of allocated RHNA)
N	88.49	35.10
Y	11.50	64.86

c. **The County's proposed Sites Inventory will also result in illegal discrimination under the Fair Housing Act, the Fair Employment and Housing Act, and California Government Code Section 65008.**

Stanislaus County's Sites Inventory will also have a discriminatory effect by zoning for predominantly low-income housing in communities historically affected by poverty, and zoning for predominantly above-median income housing in communities which are historically affluent. The discriminatory effect will be on based on both race and income discrimination. Please see Tables 1 and 3 above.

A discriminatory effect claim is actionable when the government uses its land zoning power, whether knowingly or unknowingly, to perpetuate segregation.[15]

First, the County's zoning practice will perpetuate a trend of segregation that started to be tracked in 1990 and has become worse since then.[16] As shown in Table 3 of this document, the County has placed 0% of its low-income housing in many affluent communities, while it zones for over 50% of its above-median income housing in those same communities.[17] The historic wealth disparity, in the United States, between non-white and white communities indicates that the people more likely to buy above-median income housing are white.[18,19] Further evidence of the historic wealth disparity is that the affluent communities in Stanislaus County are currently between 55%–100% white.[20] The current zoning practice will perpetuate the segregation of these communities and thus cause a discriminatory effect.

Neither of the County's two primary justifications for this allocation of lower and higher income housing are legally sufficient justifications under California Government Code Section 8899.50.

The County's first justification is that several of the affluent communities are zoned for low density, so those communities cannot have low-income housing.[21] The proxy for above-median income housing is low density zoning. The County appears to be saying that because the County has already zoned for above-median income housing, they must zone for above-median income housing. The County determines zoning practices in the sites inventory, so it cannot say that because something has already been zoned a certain way it must be zoned that way. In fact,

[15] *See Martinez v. City of Clovis*, 307 Cal. Rptr. 3d 64, 115–116 (Ct. App., 2023).
[16] Fourth Draft at 3-19–3-20.
[17] *Id*. at 5-20, 5-23, 5-30, 5-39, 5-42, 5-52, 5-65.
[18] *See Martinez*, 307 Cal. Rptr. 3d at 109.
[19] *See* Palma Joy Strand, Inheriting Inequality: Wealth, Race, and the Laws of Succession, 89 Or. L. Rev. 453 (2010).
[20] Fourth Draft at 3-19.
[21] *Id*. at 5-23, 5-30, 5-39, 5-42, 5-65.

the County must change its historic patterns of zoning to create integrated communities, under California Government Code Section 8899.50.[22]

The County's second justification for not zoning low-income housing in some affluent areas is lack of infrastructure in those areas. The major infrastructure problem the County cites is the lack of adequate sewage systems.[23] Infrastructure issues may have been enough to satisfy Housing Element Law's requirement not to discriminate, but California Government Code Section 8899.50 requires the County to take *affirmative* steps to end segregation. Affirmative steps would include building infrastructure. The duty to AFFH requires the County to implement programs that will allow for low-income housing in affluent neighborhoods. The County could therefore implement sewage programs like the one it promised in Rouse/Colorado, in neighborhoods which do not have proper infrastructure to zone for low-income housing in them.[24] The implementation of these programs would allow the County to zone low-income housing in R/ECAPs and other affluent communities pursuant to its duty to AFFH.

Even if the County's current infrastructure justification was legally sufficient under California Government Code Section 8899.50, it is not logically sufficient. The County ignores the fact that R/ECAPs have been continuously zoned for low-income housing despite their lack of adequate sewage systems.[25] Rouse/Colorado has not had a sufficient sewer system for more than ten years, yet the County continues to zone low-income housing there.[26] Other R/ECAPs suffer the same problems, yet the County continues to zone low-income housing in them.[27] The County's justification represents a double standard. For historically affluent communities, it is concerned about the effect the lack of adequate sewage systems will have on low-income housing. For R/ECAPs, it is not concerned about the effects the lack of adequate sewage systems will have on low-income housing. This contradiction is demonstrated by the County continuing to zone low-income housing in R/ECAPs, while failing to deliver on its promises of building adequate sewage systems in them.[28]

There are feasible alternatives to the County's current practice. As we discussed earlier, the County has already shown a commitment to increasing municipal sewage infrastructure

[22] Cal. Gov. Code Section 8899.50.
[23] Fourth Draft at 5-20, 5-23, 5-39, 5-42, 5-52.
[24] Fourth Draft at 6-21.
[25] *Id*. at 8, 3-43–3-44, 5-13, 5-16, 5-68, 6-21.
[26] *Id*. at 8, 3-43–3-44, 5-68.
[27] *Id*. at 3-43–3-44, 5-13, 5-16.
[28] *Id*.

through its program in Rouse/Colorado.[29] Again, the County can implement similar programs that will allow for low-income housing in affluent communities such as East Oakdale.

Another feasible alternative is to zone low-income housing in affluent communities, regardless of adequate sewage systems. The County has shown a willingness to zone for low-income housing in R/ECAPs without adequate sewage systems such as Rouse/Colorado and parts of Bret Harte.[30] If the County were not discriminating, it would show a willingness to zone low-income housing in affluent communities without adequate sewage systems.

In sum, the County's Sites Inventory zoning practice will result in a discriminatory effect claim under FEHA based on race and income, a segregative effect claim under the FHA based on race and income, and a discriminatory effect claim under California Government Code Section 65008 based on income.

III. The Assessment of Fair Housing does not include adequate analysis of Racially or Ethnically Concentrated Areas of Poverty or Affluence.

Under Housing Element law and the duty to affirmatively further fair housing, a Housing Element must include an assessment of fair housing in the jurisdiction.[31] The assessment of fair housing must include an analysis of "available federal, state, and local data and knowledge to identify integration and segregation patterns and trends, racially or ethnically concentrated areas of poverty and affluence, disparities in access to opportunity, and disproportionate housing needs, including displacement risk."[32] This analysis "shall identify and examine such patterns, trends, areas, disparities, and needs . . . based on race and other characteristics protected by the California Fair Employment and Housing Act."[33]

In letters and guidance documents, HCD has expressed the expectation that the County use local data and knowledge to assist in analyzing and discussing any fair housing issues and circumstances unique to the County.[34,35] The County must capture emerging trends and issues, as well as historical and geographical considerations that may include land use patterns, local initiatives, zoning, proximity of housing to industrial uses, major physical dividers like highways

[29] *Id*. at 6-21.
[30] *Id*. at 3-43–3-44, 5-16, 5-68.
[31] Cal. Gov. Code Section 65583(c)(10); *see also* 8899.50(a)(1).
[32] Cal. Gov. Code Section 65583(c)(10)(A)(ii).
[33] *Id*.
[34] *See* California Department of Housing and Community Development, *Affirmatively Furthering Fair Housing Guidance for All Public Entities and For Housing Elements,* 21. *(*Found at Affirmatively Furthering Fair Housing).
[35] *See* California Department of Housing and Community Development, *April 4, 2025, Letter.* (Found at Housing Element Download Tool | California Department of Housing and Community Development).

and railroads tracks, recent annexations, waves of development, and investment practices observed in the County.

While the County has added to the local knowledge incorporated into the Assessment of Fair Housing, the County has continued to omit key details from its analysis of its racially or ethnically concentrated areas of poverty (R/ECAPs) of Rouse/Colorado and Airport and from its racially or ethnically concentrated areas of affluence (RCAAs) in general.

Rouse/Colorado

In the 3rd draft of the Housing Element, the County made the laudable decision to commit a significant portion of its funding from the Federal Department of Housing and Urban Development (HUD) toward the completion of the Rouse/Colorado sewer project.[36] It is our understanding that completing the sewer project will enable the County to successfully use the American Rescue Plan Act (ARPA) funds allocated to the Rouse/Colorado sidewalk project by the statutory deadline of December 31, 2026. We applaud the County's decision to allocate additional funding to ensure that the planned infrastructure improvements in Rouse/Colorado will be completed in a timely manner.

The County acknowledges that the Rouse/Colorado neighborhood has significant affordability and overcrowding issues, as well as the highest displacement risk in Stanislaus County.[37] Specifically, the County states that low-income residents are at high risk of being displaced, and very low-income residents are at extreme risk of being displaced, in Rouse/Colorado.[38] While the County recognizes that residents of Rouse/Colorado face dire affordability, overcrowding, and displacement issues, the County has failed to adequately capturing these needs in its current draft.

For instance, the County participated in a May 7 community meeting hosted by CRLA in Rouse/Colorado to listen to the housing and infrastructure needs of more than 20 residents from the community. However, the County did not include this critical local data and needs into the R/ECAP analysis for Rouse/Colorado.[39] While the County included a general list of topics raised in community meetings it participated in, the County does not address the feedback it received in those meetings adequately, as we discuss in Section VI. It also does not specify what

[36] Third Draft Housing Element at 6-21 (Program Action 3-9c).
[37] Fourth Draft at 3-86, 3-92, 3-95 (Figure 3-50), 3-100.
[38] *Id*. at 3-100.
[39] Fourth Draft Housing Element, at 3-152–3-153; Table A-3 (Community Popup Events).

communities gave which feedback, so it is difficult to find geographically targeted solutions for the feedback received.

Additionally, Rouse/Colorado residents have expressed the need for more parks and recreational spaces. Currently, the former Modesto municipal golf course is the nearest space residents are able to recreate in. Alarmingly the City of Modesto is considering building a new soccer stadium over the former golf course.[40] As stadiums are notorious for causing higher rent prices, gentrification, and displacement, this proposed stadium would not only restrict residents' ability to recreate, but it would also increase the risk of gentrification and displacement in the neighborhood.[41] Despite planning for the soccer stadium in Rouse/Colorado, the County has omitted this significant proposal in its Housing Element update. The County has failed to, and must, analyze how this proposed project could exacerbate the existing affordability and overcrowding issues as well as the high risk of displacement that hundreds of low-income families already experience in this community.

Airport

As the County notes in Section 3.4.4, the 1991 Low to Moderate Income (LMI) Housing Fund/1991 CRLA agreement committed the Stanislaus County Redevelopment Agency to several actions supporting residents of the Airport neighborhood with respect to housing needs, in recognition of this neighborhood's particularly high level of displacement risk.[42] These actions included but were not limited to expanding and improving the supply of affordable housing in Airport through setting aside at least twenty five percent (25%) of gross tax increment revenue, preparing an Airport Community Plan, and ensuring replacement housing and relocation assistance is provided in the Airport neighborhood when tenants were required to relocate due to private or public development activity.[43] Although the Stanislaus County Redevelopment Agency was dissolved in 2012, the Stanislaus County Board of Directors, as its official successor agency, inherited its responsibilities to the community. The conditions of high

[40] Trevor Morgan & Quinton Hamilton, *A Professional Soccer Team, and a Stadium, are Definitely Coming to Modesto, City Says*, Modesto Bee (March 26, 2025). (Found at https://www.modbee.com/news/local/article302873904.html). Trevor Morgan & Quinton Hamilton, *Modesto City Council Punts Decision on Pro Soccer Stadium Location*, Modesto Bee (June 27, 2025). (Found at https://www.modbee.com/news/local/article309477535.html).
[41] James P. Lewandowski & Steve Stover, *Urban Redevelopment, Baseball, and Displacement in Washington D.C.*, 40 Middle States Geographer 57, 58 (2007).
[42] Fourth Draft at 3-15.
[43] *Id.*

displacement risk[44] and scarcity of affordable housing that prompted the 1991 agreement remain significant issues in the Airport neighborhood to this day.

Despite this history, the County has, over the past 13 years (since the dissolution of the Redevelopment Agency) enabled the gradual but steady encroachment of Gallo Glass Company into the Airport neighborhood. The County has consistently and without fail approved all of Gallo's rezoning requests to convert Airport's residentially zoned parcels to industrially zoned land where Gallo can develop warehouses and parking lots. This encroachment can only serve to increase the neighborhood's pollution burdens, displacement risks, and level of segregation. The following is a non-exhaustive list of actions the County has taken to allow Gallo Glass Company's encroachment into Airport's residential areas, over objections from community residents.

- April 30, 2013: The Board of Supervisors approves Gallo's rezone application PLN 2012-0037 to rezone 12.2 acres from industrial transition (IT) and single family/low-density residential (R-1), medium-density residential (R-2), multiple-family residential (R-3) zones to industrial (M).[45]

- August 27, 2013: The Board of Supervisors summarily vacates alleys and sections of road totaling 0.72 acres in residential zones in Airport to accommodate further expansion by Gallo Glass. The stated goal of this approval is "in preparation for the owner to maximize the potential of this area by creating an outdoor storage and parking area for the adjacent Gallo Glass Plant."[46]
- February 25, 2014: The Board of Supervisors approves Gallo's rezone application PLN2013-0092 to rezone 4.59 acres from R-2 to M.[47]
- May 5, 2016: The Planning Commission recommends Board approval of Gallo's variance application PLN2016-0021 of 0.75 acres that resulted in encroachment into vacant residential lots to enable another warehouse expansion.[48]

[44] *Id.* at 3-100.
[45] Board of Supervisors for the County of Stanislaus, Action Agenda Summary, (April, 30, 2013) (Found at https://www.stancounty.com/bos/agenda/2013/20130430/PH905.pdf; Planning Commission recommendation here).
[46] Board of Supervisors for the County of Stanislaus, Action Agenda Summary, (August 27,2013) (Found at https://www.stancounty.com/bos/agenda/2013/20130827/C05.pdf).
[47] Board of Supervisors for the County of Stanislaus, Action Agenda Summary, (February 25, 2014). (Found at https://www.stancounty.com/bos/agenda/2014/20140225/PH905.pdf).
[48] Stanislaus County Planning Commission, *Staff Report*, (May 5, 2016). (Found at https://www.stancounty.com/planning/agenda/2016/05-05-16/VII_B.pdf).

- July 12, 2016: The Board of Supervisors adopts a resolution vacating an alley of approximately 0.12 acres in Airport to enable Gallo to create additional parking lot space and circulation.[49]
- August 20, 2024: The Board of Supervisors approves Gallo's rezone application PLN2023- 0166 of 4.85 acres from IT and R-1 to planned development (P-D) to enable yet more warehouse expansion into Airport.[50]
- April 3, 2025: The Planning Commissions recommends amending the general plan to allow for the expansion of Gallo Glass to 0.64 acres of R-1 to P-D, PLN2024-0100.[51]

In the current draft, the County attempts to summarize its actions to rezone the Airport neighborhood over the past decades as simply rezoning industrial transition zones to industrial zones.[52] This is an oversimplified and inaccurate characterization of what has occurred. All of the rezoning approvals we cite above from 2015 to 2024 include, or were exclusively, residential zones. As a result, in the past decade alone, more than 25 acres of land, including residentially zoned parcels, have been converted to industrial zones in the Airport neighborhood. As we stated, this is not an exhaustive list of the County's rezoning actions in this neighborhood. The County admits that rezoning has been occurring in order to expand Gallo's operations since the 1980s.

The County's failure to acknowledge and incorporate its efforts to turn residential areas into industrial zones is extremely concerning. First, it violates its legal duty under Section 65583(c)(10)(A)(ii) to identify and examine patterns of segregation and displacement. Second, the County's systematic elimination of residential zones has directly resulted in increasing environmental burdens in the community. The remaining families in this neighborhood are forced to endure air quality, noise, traffic, and other impacts of the expanded Gallo Glass Company.

Ultimately, the County has failed to include local data and trend that Gallo Glass Company and other industrial facilities have and continue to edge out low-income families, while subjecting remaining families to environmental burdens and ongoing displacement risks.

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[49] Board of Supervisors for the County of Stanislaus, Board Action Summary, (July 12, 2016). (Found at https://www.stancounty.com/bos/agenda/2016/20160712/C01.pdf).
[50] Board of Supervisors for the County of Stanislaus, Board Action Summary, (August 20, 2024). (Found at https://www.stancounty.com/bos/agenda/2024/20240820/PH03.pdf; Planning Commission recommendation here: https://www.stancounty.com/planning/agenda/2024/08-15-2024/4_A.pdf).
[51] Stanislaus County Planning Commission, Staff Report, (April 3, 2025). (Found at Stanislaus County Planning Commission April 3, 2025).
[52] Fourth Draft at 3-143–3-144.

The County must include this information and create programs to remedy this concerning pattern. Specifically, the County must preserve remaining residentially zoned parcels in Airport while mitigating any environmental impacts that could occur from any expansion of Gallo's warehouses or other facilities and activities. If the County approves any additional rezoning, it must make up the lost residential units by relocating existing residents or siting residential units, including affordable units, elsewhere in the County. Unfortunately, the only program proposed, Program 1-4, would only allow the County to preserve deed-restricted or unrestricted affordable housing if threatened by potential market-rate housing projects.[53] In order to ensure that existing residents in Airport and other neighborhoods are protected from displacement and have the ability to relocate regardless of the type of development, the County should expand this program to include other developments.

RCAAs

The County acknowledges that areas like East Oakdale, Valley Home, and Orange Blossom contain predominantly white populations with higher median household incomes and are considered racially or ethnically concentrated areas of affluence (RCAAs).[54] However, the County has failed to provide information about patterns and trends that have resulted in RCAAs in these communities as required by Section 65583(c)(10)(A)(ii). The County must fulfill this mandate in order to understand and correct the historic and any current causes of segregation in Stanislaus County.

IV. The Constraints Analysis is inadequate.

California Housing Element law requires the Housing Element to include an analysis of both governmental and nongovernmental constraints upon the "maintenance, improvement, or development of housing for all income levels. . ." Cal. Gov. Code Sections 65583(a)(5) & (6). Nongovernmental constraints may include but are not limited to the availability of financing, the price of land, the cost of construction, and environmental factors such as toxic contamination, water supply, and disaster risk.

Among the housing constraints the County must identify and address in the Housing Element are constraints posed by environmental burdens and hazards.[55] These environmental burdens and hazards should include consideration of local knowledge and environmental data related to industrial land uses, freeways, airports, and industrial agriculture.

[53] Fourth Draft at 6-4–6-5.
[54] Fourth Draft at 3-18–3-19, 3-37–3-38 (Table 3-8), 3-53–3-54.
[55] Cal. Gov. Code Section 65583.2(b)(4).

As we discussed in our April 2, 2025, letter, the County has failed to and must discuss environmental constraints, including environmental burdens and hazards due to natural disasters and human activities. The County acknowledges that environmental constraints is a category of constraints it must analyze, and states that if they are "not properly recognized and accommodated in residential development, these environmental features could potentially endanger lives and property."[56] There are a number of environmental constraints that the County must include in its environmental constraints analysis. More importantly, the County must not site housing where environmental constraints exist that would endanger the health and safety of future residents.

For instance, the County is aware of but conducts no analysis of the hazards posed to unincorporated neighborhoods near industrial factories and warehouses, such as the Airport neighborhood. There is also no discussion of the potential pollution burdens posed to sites along the Crows Landing corridor, which contains a significant number of body shops and heavy automotive commercial industry. And there is only a passing mention of the concentrated pollution burdens experienced by communities adjacent to the Highway 99 corridor such as Riverdale Park Tract, Rouse Colorado, Bystrom, Airport, and Empire.[57]

Significantly, the County also does not discuss water contamination as an environmental constraint even though safe drinking water is a basic tenet of safe housing. In fact, the County proposes to put future residents in harm's way in the community of Keyes, a community that faces severe drinking water contamination issues.[58] The County is zoning for 114 units in Keyes without providing adequate analysis of how the new units will have clean water access.[59]

Further, the County makes quick mention of drought in Sections 5.6 and 5.7, but it effectively waves the issue away. We believe the County may be underestimating the issues drought could bring to water availability in unincorporated areas, particularly considering the current state of water availability in Diablo Grande.[60] We ask the County to do a more thorough analysis of how increasing drought conditions may affect water availability. If the County does find an issue with water availability in certain communities, then the County should not site additional housing in those communities or create programs to address water availability.

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[56] Fourth Draft at 4-46.
[57] Fourth Draft at 3-72.
[58] Environmental Working Group, Keyes Community Services District, Tap Water Database (June 2024) EWG Tap Water Database | Keyes Community Services District.
[59] Fourth Draft at 5-45.
[60] Andrew Pridgen, How did we get here?': Calif. megadevelopment runs out of water, SFGate (July 4, 2025), 'How did we get here?': Calif. megadevelopment runs out of water.

Programs could include the incorporation of water systems or planning and development of new water systems in coordination with the Central Valley Water Board.

Another way of identifying and addressing environmental constraints in disadvantaged or affluent areas is by creating and implementing environmental justice policies or an Environmental Justice Element in the General Plan.

V. The County must continue to make diligent efforts to achieve ongoing public participation in order to satisfy the requirements of Housing Element law.

California Housing Element law requires the Housing Element development process to "include a *diligent* effort by the local government to achieve public participation of all economic segments of the community in the development of the housing element and the program shall describe this effort."[61] Diligent efforts, as defined by HCD's and the Federal AFFH Guidance, should be "frequent," "ongoing," and enable a "conversation" between County staff and community residents of all economic segments, including low- and very low-income residents.[62] Further, the AFFH Guidance recommends that public participation occur throughout the development of the Housing Element.

Prior to the original draft of the Housing Element, the County held only one public workshop in person and one public workshop online. The in-person workshop was attended by only 10 community members, a number that included CRLA staff. Following HCD's letter finding the first draft Housing Element out of substantial compliance, the County met with CRLA in early 2024 to discuss methods of conducting more effective outreach. Methods such as holding in-person meetings in specific communities, where community-specific housing questions and concerns could be addressed. Through these meetings, the County could then obtain local knowledge to create appropriate, geographically targeted programs and actions for the Housing Plan. We are happy to see that the County conducted additional community engagement sessions in April and May of 2025: with the communities of Airport, Grayson, Parklawn, Rouse/Colorado, South Modesto, and West Modesto.[63] We would like to see the County include more communities in their participation.

While we commend the County for its increase in public participation, we are concerned that the County may not be spending enough time with each community. The AFFH Guidance

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[61] Cal. Gov. Code Section 65583(c)(9) [emphasis added].
[62] *See* California Department of Housing and Community Development, *Affirmatively Furthering Fair Housing Guidance for All Public Entities and For Housing Elements,* 21. *(*Found at Affirmatively Furthering Fair Housing); Federal Register Vol. 80, No. 136, 42289, 42338.
[63] Fourth Draft at PDF page 447-448.

recommends ongoing public participation in order to foster a conversation between various communities and the County.[64] By only meeting with the above communities once, the County may not have enough information to ensure the Housing Element Programs are sufficient to meet the needs of each community. Indeed, while the County summarized a list of housing and infrastructure issues raised during the meetings, it has not incorporated many of these needs into its Fourth Draft. In Section VI, we discuss the specific needs which the county has not addressed, but the public has listed. We urge the County to continue engaging the public, including Rouse/Colorado, Airport, and other under-resourced communities until a decision on this draft is made, so the County can make up for its earlier limited public participation.

CRLA again commends the County for taking new steps to begin to conduct the diligent outreach contemplated by Housing Element law. We believe ongoing participation will be invaluable to ensuring the success of the Housing Element's Programs. Ensuring that the County maintains its more frequent public participation will also keep it in compliance with the AFFH Guidance on diligent participation. CRLA will continue to support the County's efforts to achieve public participation in the County's disadvantaged, unincorporated communities.

VI. The County has failed to adequately incorporate or address public feedback in the Fourth Draft.

In the letters HCD has sent in response to each of the County's previous drafts, HCD has required the County to continue to describe and *incorporate* the public feedback it receives into subsequent drafts. Without considering and incorporating public input on the Housing Element process, the County will be unable to respond effectively to the needs of the community and will fail to substantially comply with its legal requirements.[65]

a. The Housing Element fails to adequately address comments received during meetings with community residents.

On May 7, 2025, the County attended and presented at a meeting held by CRLA for residents of Rouse/Colorado to provide community education and solicit community feedback about current and upcoming housing and infrastructure related projects and processes, including the Housing Element. At this meeting, residents shared several housing related concerns:

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[64] *See* California Department of Housing and Community Development, *Affirmatively Furthering Fair Housing Guidance for All Public Entities and For Housing Elements,* 21. *(*Found at Affirmatively Furthering Fair Housing); Federal Register Vol. 80, No. 136, 42289, 42338.
[65] Cal. Gov. Code Section 65583(c)(9).

- *Cost burden and risk of displacement*. Tenants expressed fears of displacement due to rents that escalate at a frequency and amount too high for them or their neighbors to be able to afford.
- *Code enforcement failures*. Tenants expressed that Code Enforcement does not always conduct adequate inspections when complaints are made about habitability issues. Even when code enforcement does come to make the inspection, there is not always enforcement against landlords who are found guilty of code violations, and there is rarely follow-up after the inspection to ensure that the required changes are made.
- *Cost of utilities and homeowner insurance*. Tenants and homeowners both reported concerns regarding the cost of housing related expenses such as utilities and insurance.

The public's concern of *cost burden and risk of displacement* is still not adequately addressed by the programs in the Housing Plan. First, there should be a rent stabilization ordinance implemented by the County. While we understand some members of the public are hesitant to adopt more stringent rent stabilization ordinances, the adoption of a rent stabilization ordinance would benefit a large section of the at-risk population and result in less displacement.[66] We urge the County to consider adopting a more stringent rent stabilization ordinance, to ensure that the at-risk residents of the County can stay housed.

Second, there are little additional protections provided to those being evicted, despite the fear of eviction in Rouse/Colorado and other low-income communities being obvious. We recommend the County do more to protect those being evicted. Programs that would help ease people's fears and protect evictees could include: a just cause eviction ordinance as is present in Los Angeles, or a tenant right to counsel program which already exists in several major cities inside and outside of California.

The public's concern of *code enforcement failure* is also not being well addressed by the programs in the Housing Plan. The most obvious program action for code enforcement is Action 1-1g. While we appreciate the County's addition of more specifics to Action 1-1g, we do not believe that it does enough to assuage the issues with code enforcement. We recommend that the County adopt a rental registry and rental safety inspection program, and that the County put additional resources into code enforcement (e.g., hire additional code enforcement officers), to fully address the concerns of residents. Program 1-2 also deals with code enforcement, but it is lacking in legal sufficiency, which we discuss in more detail in Section VII.

[66] Fourth Draft at PDF page 448.

Finally, we believe the County could do more to address the public's concern about *the cost of utilities and homeowner insurance*. The County does currently have programs in place to assist individuals with rent. CRLA commends the County for having these programs and assuring that information on them is being spread to at-risk individuals. However, the public's ongoing concern about the cost of utilities and homeowner insurance indicates that there is a need for more assistance. CRLA recommends four programs to address the need for more assistance in renting and homeownership: utility payment assistance, permanent rental assistance, insurance consultation for low-income homeowners, and more opportunities for financial planning trainings.

VII. The Housing Plan has many good updates, but it remains inadequate to properly serve at-risk populations.

In its April 4, 2025, letter to the County, HCD informed the County that in order to achieve substantial compliance with state Housing Element law the County must adjust the Housing Plan to include specific commitments, discrete timing, metrics or numeric objectives, and geographic targeting. The Housing Plan must also be adjusted to expand and improve actions to address displacement risk, housing mobility, and place-based strategies toward community revitalization. Lastly, HCD asked that the County use the programs in the Housing Plan to address broader community development issues such as parks, housing conditions, neighborhood revitalization, community facilities, pollution burdens, and food access.

a. While the County is on the right track with many of its changes to the Housing Plan programs, it still needs to include sufficiently specific commitments, discrete timelines, numeric objectives, and geographical targeting in other programs.

Overall, we commend the County's updates to its programs. We are impressed by the changes it has made, and we appreciate the commitment it has shown to more concrete goals. However, several programs could still benefit from specific commitments to action, discrete and realistic timelines, numeric objectives, and geographical targeting.

First, the County includes June 2025 as a deadline for several actions; June 2025 has passed, and this deadline must be updated accordingly. The County should update the timelines, or include the results, of program actions: 1-1e, 1-2a, 3-1a, 3-1c, 3-1e, 3-1h, 3-3a, 3-5a, 3-6c, 3-6d, 3-6e, 3-6f, 3-6g, 3-6I, 3-6j, 3-7e, 3-7f, 3-7g, 3-8b, 4-1a, 4-1b, 4-1c, 4-1e, 4-2c, 4-3e, and 4-4c.

Additionally, we recommend that the County strengthen the following proposed programs:

Program 1-2:

Program Action 1-2a indicates the County will determine if it is necessary to amend the County Code to be in compliance with California Health and Safety Code Section 17970.5.[67] It is necessary to amend the County Code to be in compliance with Health and Safety Code Section 17970.5 because compliance with Section 17970.5 is a legal obligation. Therefore, the County must make a more specific commitment to amending its code. Further, the County must also update its code to reflect the requirements of California Health and Safety Code Section 17970.7.

Program 1-4:

In order to ensure that existing residents in Airport, Rouse/Colorado, and other vulnerable neighborhoods are protected from displacement and can relocate regardless of the type of development, the County should expand this program to include other developments. Specifically, we propose the following revision in red: "This program is intended to support the preservation or acquisition of restricted affordable units and unrestricted affordable units that could potentially convert to market-rate units and other developments during the planning".[68] Additionally, we urge the County to revise Action 1-4a accordingly: "Action 1-4a: Monitor the status of any deed-restricted and unrestricted affordable units built in the unincorporated County. If any at-risk units are identified, the County will complete actions 1-4b to 1-4f".[69] Finally, we urge the County to perform Action 1-4a not just annually but also as proposed developments are being considered by the Planning and Community Development Department, in order to truly take proactive actions to protect existing residents from displacement at the first instance. Therefore, the County should revise the Objective and Timeframe Section of Action 1-4a to: "Annually and as project proposes are considered by the Planning and Community Development Department".

Program 2-4:

We are pleased to see that the County proposes to focus efforts to increase home ownership under Program 2-4 in under-resourced communities facing a high displacement risk,

[67] Fourth Draft at 6-4.
[68] Fourth Draft at 6-4 (Program 1-4).
[69] Fourth Draft at 6-5 (Program 1-4, Action 1-4a).

including the Rouse/Colorado, Bret Harte, and Airport communities.[70] We would, however, like to see the County add specific language about helping first time homebuyers into the program, to ensure that the program is sufficiently focused on a specific objective.

Program 2-5:

We are also pleased to see that in Program 2-5, the County proposes to assess the feasibility of a housing trust fund by December 2025 and establish a fund by December 2026. However, instead of "advocating" for the inclusion of a bonus for projects in lower-resource areas, the County should simply require that the fund include providing a bonus for affordable housing units in lower-resource areas.[71]

Program 3-1:

We are concerned that Program 3-1 does not contain sufficient actions to ensure that an adequate number of sites will be developed to accommodate the County's low- and very low-income housing allocation. We urge the County to augment the actions under Program 3-1 with a commitment to adopting an inclusionary zoning policy requiring developers to set aside a fraction of newly constructed housing units to be affordable to lower-income households. Inclusionary zoning policies combat historic patterns of racial segregation and exclusion and reduce displacement risk by encouraging the creation of mixed-income level housing developments in affluent neighborhoods.[72] Jurisdictions throughout California have successfully implemented inclusionary zoning policies, resulting in the construction of 30,000 newly constructed affordable homes in the last 25 years.[73] Adopting an inclusionary zoning ordinance would help to ensure that an adequate number sites would be developed for low and very low-income County residents and represent a strong step toward affirmatively furthering fair housing.

Program 4-2:

We are concerned that Program 4-2 lacks sufficient commitment to habitability enforcement for farmworker housing.[74] As the program stands currently, it makes no specific commitment to enforcing the Health and Safety Code in farmworker housing. The program in its current state only states the goals of discovering whether there are habitability issues in farm working housing. Legislative findings state that there are habitability issues in farmworker

[70] Fourth Draft at 6-9 (Program 2-4).
[71] Fourth Draft at 6-10.
[72] Policy Link, Inclusionary Zoning. (Found at Inclusionary Zoning | PolicyLink)
[73] Id.
[74] Fourth Draft at 6-24–6-25.

housing.[75] We appreciate that the County wants to make further findings alongside UC Davis about habitability issues, pursuant to AB1654, but the County needs to make a specific commitment to enforce habitability after those findings are made.[76,77] Alongside this specific commitment, the County needs a discrete timeline as to when it will begin code enforcement in farmworker housing, to combat the habitability issues.

b. The Housing Plan should include additional programs to support community-specific housing needs.

In the Fourth Draft, the County has failed to incorporate additional program actions to address community-specific housing needs. However, there are a number of programs the County could consider adding to the Housing Plan to address these housing needs and substantially comply with Housing Element law. We have provided some examples below:

i. Rent stabilization ordinance

Currently, Stanislaus County allows a 5% annual increase in rent plus the percent change in cost of living or 10%, depending on which is lower.[78] There are, however, other jurisdictions in California which only allow a yearly increase of 3%; some going so far as only allowing a 1.7% increase.[79] Stanislaus County should follow the trend of areas such as Orange County and bring their cap down to 3%.[80] Failing that Stanislaus County should consider following in the steps of unincorporated Los Angeles County and drop the maximum allowable yearly increase to 4%.[81] Rent increases push people out of their homes, exacerbating the homelessness crisis and creating segregated communities.[82] To alleviate the homelessness crisis and help end segregation, the County should decrease the amount that rent is allowed to be increased on a yearly basis. This ordinance should also apply to mobile-home owners as they are often lower-income.

ii. Tenant right to counsel in eviction proceedings

We recommend that the County implement a program that gives tenants the right to counsel in eviction proceedings. Tenants who have professional counsel in eviction proceedings

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[75] *Id*.
[76] *Id*.
[77] *See* California Health and Saf. Code Section 17001; *see also* Cal. Health and Saf. Code Section 17050, note 1.
[78] California Department of Justice, *Local Rent Stabilization Laws Permissible Rent Increases*, Office of the Attorney General. (Found at Local Rent Stabilization Laws: Permissible Rent Increases - English - Consumer Alert - California Department of Justice).
[79] *Id*.
[80] *Id*.
[81] *Id*.
[82] *See* Emily Ponder, Gentrification and the Right to Housing: How Hip Becomes a Human Rights Violation, 22 Sw. J. Int'l L. 359, 378 (2016).

are *much* more likely to fare well in court, with either better terms of their eviction or no eviction at all.[83] When one combines state and federal statutes, common law, and local ordinances, it takes a very long time to understand what rights a tenant has in the face of an eviction.[84] A tenant facing eviction does not have the time nor resources to understand her rights.[85,86] The barrier to having rights should not be whether a person has time to discover them.

To ensure tenants get their rights regardless of whether they have the time or resources to understand them, San Francisco adopted the No Eviction Without Representation Act ("Prop F").[87,88] Prop F requires that tenants facing eviction have professional legal representation; it is funded by the city and legal services.[89] Cities across the United States have implemented similar right to representation propositions with the most recent proposition being in St. Louis.[90] Less densely populated areas have yet to follow the trend, but evictions are just as destructive to people's lives in areas where the population is smaller.[91]

The benefits of having a right to counsel in eviction proceedings outweigh the burden of its implementation.[92] The primary benefit of having a right to counsel in eviction proceedings is that it prevents many people from becoming homeless.[93] With more people becoming homeless, the burdens on the community skyrocket.[94] The community must provide shelters, public benefits, increased police intervention, and the community tends to lose property value overall.[95] Not to mention the burden on the people themselves, without a home, people have little water access, no shelter against the elements, and an inability to live with modern dignity.[96] The effects of an eviction are destructive to the people who are evicted and the communities they live in, so people should have the right to counsel when being put through an eviction.[97]

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[83] *See* Ericka Petersen, Building a House for Gideon: The Right to Counsel in Evictions, 16 Stan. J.C.R. & C.L. 63, 79 (2020).
[84] *See* Shera C. Grant, Civil Gideon: A Judge's Perspective on the Right to Counsel in Eviction Cases, 20 Stan. J.C.R. & C.L. 101, 122. (2024).
[85] *See* Ericka Petersen, Building a House for Gideon: The Right to Counsel in Evictions, 16 Stan. J.C.R. & C.L. 63, 65–66 (2020).
[86] *See* Shera C. Grant, Civil Gideon: A Judge's Perspective on the Right to Counsel in Eviction Cases, 20 Stan. J.C.R. & C.L. 101, 122–123. (2024).
[87] *See id*. at 121.
[88] All Home, Tenant Right To Counsel Program. (Found at Tenant Right to Counsel Program » All Home).
[89] *Id*.
[90] *See* Shera C. Grant, Civil Gideon: A Judge's Perspective on the Right to Counsel in Eviction Cases, 20 Stan. J.C.R. & C.L. 101, 121 (2024).
[91] *See Id*.
[92] *See Id*.
[93] *See* Ericka Petersen, Building a House for Gideon: The Right to Counsel in Evictions, 16 Stan. J.C.R. & C.L. 63, 70 (2020).
[94] *See Id*.
[95] *See Id*.
[96] *See Id*. at 69–70.
[97] *See Id*. at 112.

The meaningful actions required by the duty to AFFH should include ensuring the ability of at-risk populations to keep their housing.[98] At-risk populations are often those that are being refused housing, because they have an eviction on their record, or are those being maliciously evicted.[99] Having a right to representation would help vulnerable populations keep their homes, in the face of a malicious eviction or, failing that, receive better terms when they are evicted.[100,101]

At a minimum, Stanislaus County should investigate its ability to create a program which will require legal representation for low-income households facing eviction. We believe the Tenant Right to Counsel will ensure displacement in Unincorporated Stanislaus County stays low.

iii. Required thirty-day notice to vacate

The CARES Act requires that tenants be given a thirty-day notice to vacate if they live in federally subsidized housing.[102] The CARES Act was passed in a time of crisis for the United States, the COVID pandemic.[103] California still faces dual crises: affordable housing and homelessness.[104] To combat the large volume of people becoming homeless, it is necessary to provide people sufficient time to get new housing before they are required to leave their prior housing.[105]

Once people become homeless, it is more difficult to find housing due to risks of criminality inherent in homelessness, which further exacerbates the homelessness crisis.[106] Homelessness also contributes to the perpetuation of wealth disparity in historically disadvantaged communities because the populations most likely to become homeless are those that have low incomes.[107] It should not matter whether people are living in federally subsidized housing; everyone deserves a place to live while they look for their next home. We urge the County to encode an expanded version of the CARES Act requirement for a thirty-day notice to vacate, in a program. This will hopefully help to reduce the homelessness crisis.

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[98] Cal. Gov. Code Section 8899.50.
[99] *See* Ericka Petersen, Building a House for Gideon: The Right to Counsel in Evictions, 16 Stan. J.C.R. & C.L. 63, 78 (2020).
[100] *See Id*.
[101] *See* Emily Ponder, Gentrification and the Right to Housing: How Hip Becomes a Human Rights Violation, 22 Sw. J. Int'l L. 359 (2016).
[102] 116 P.L. 136; 2020 Enacted H.R. 748; 116 Enacted H.R. 748; 134 Stat. 281.
[103] *Id*.
[104] *See* Ismael Perez, It's Time to Take Accountability: California Is Ready and Able to Solve Homelessness, 54 U. Pac. L. Rev. 533, 534 (2023).
[105] *See Id*.
[106] *See* Seth Lemings, The De-Criminalization of Homelessness, 10 U.C. Irvine L. REV. 287, 294–301 (2019).
[107] *See* Eve Garrow, et al., Outside the Law: The Legal War Against Unhoused People, AM. C.L. Union Cal.. 8 (2021).

iv. First time home buyer program

The County has previously implemented a First-Time Home Buyer Program, and we believe that it would still be relevant to include a similar program in the current Housing Element. The housing affordability crisis in California, combined with the low-income of many of the residents in Unincorporated Stanislaus County, indicates the necessity of having a method of helping first-time home buyers purchase a residence. The County should continue to examine potential funding sources for a first-time home buyer program. We are aware the County has continued a similar program: Program 2-4. We recommend that the County more explicitly state that it will help first-time home buyers in Program 2-4.

VIII. The County must update its SB 244 analysis, Climate Adaptation Plan, and comply with SB 1000.

In the May 9, 2025 comment letter submitted by the Environmental Justice Bureau (Bureau), the Bureau points out that the County has failed to and must update its SB 244 analysis, which is required each time it updates its Housing Element.[108] We agree and urge the County to do so in order for it to have a current and accurate understanding of the infrastructure and services needs of disadvantaged unincorporated communities.

Additionally, the County has failed to and must update its Climate Adaptation Plan in the Safety Element because of its revision to the Housing Element, under California Government Code Section 65302(g)(4).[109]

Finally, we are concerned that the County still does not comply or attempt to comply with SB 1000. SB1000 requires the County to incorporate an Environmental Justice (EJ) Element or environmental justice policies throughout its General Plan when two or more elements are being updated at the same time.[110] The County has clarified and added additional programs involving Environmental Justice, but that is not sufficient and still does not meet the requirements of SB 1000. We continue to urge the County to adopt an EJ Element or create comprehensive environmental justice policies to ensure that policies and programs in the Housing Element and other parts of the General Plan do not disproportionately negatively impact disadvantaged communities and address environmental hazards facing these communities.

IX. Conclusion

[108] Ashley Werner, May 9, 2025 Letter, California Department of Justice, 3. (Found at May 9, 2025 - Stanislaus County - Attorney General's Comment Letters).
[109] *See also id*. at 13.
[110] Cal. Gov. Code Section 65302(h)(C)(2).

CRLA appreciates the opportunity to comment on the County's Fourth Draft Housing Element, and we appreciate the time and energy County staff have devoted to improving the Housing Element and increasing the amount of public engagement during the most recent stage of its development process. We would be happy to engage in further conversations and meetings with the County to discuss the Housing Element, and we look forward to continued collaboration on future public engagement efforts.

Respectfully,

Nick Jensen

Unincorporated Community Justice Program Managing Attorney

California Rural Legal Assistance, Inc.

Kyler Casper

Unincorporated Community Justice Program Legal Intern

California Rural Legal Assistance, Inc.

cc:

HCD, housingelements@hcd.ca.gov
Emily Hovda, Emily.hovda@hcd.ca.gov

From: pgolling@bpfire.com
To: Kristin Doud
Cc: Angela Freitas
Subject: RE: Stanislaus County 6th Cycle Housing Element Fourth Draft
Date: Tuesday, July 15, 2025 7:15:50 PM
Attachments: image001.png

***** WARNING:** This message originated from outside of **Stanislaus County. DO NOT** click links or open attachments unless you recognize the sender and know the content is safe *******

Correct Burbank Paradise Fire District

From: Kristin Doud <Doudk@stancounty.com>
Sent: Tuesday, July 15, 2025 4:16 PM
To: pgolling@bpfire.com
Cc: Angela Freitas <ANGELA@stancounty.com>
Subject: RE: Stanislaus County 6th Cycle Housing Element Fourth Draft

My apologies I see now that I scrolled down…It is the Burbank Paradise Fire District. Thank you.

From: Kristin Doud
Sent: Tuesday, July 15, 2025 4:15 PM
To: pgolling@bpfire.com
Cc: Angela Freitas <angela@stancounty.com>
Subject: RE: Stanislaus County 6th Cycle Housing Element Fourth Draft

Thank you for your response. Can you please clarify for the record which fire district you work for? Is it the Burbank Paradise Fire District?

From: pgolling@bpfire.com <pgolling@bpfire.com>
Sent: Tuesday, July 15, 2025 3:27 PM
To: Planning <planning@stancounty.com>
Cc: Angela Freitas <ANGELA@stancounty.com>; Angelica Duenas <DUENASA@stancounty.com>; Jeremy Ballard <BALLARDJ@stancounty.com>; Kristin Doud <Doudk@stancounty.com>; Patricia Sanchez <sanchezp@stancounty.com>
Subject: RE: Stanislaus County 6th Cycle Housing Element Fourth Draft

***** WARNING:** This message originated from outside of **Stanislaus County. DO NOT** click links or open attachments unless you recognize the sender and know the content is safe *******

Public Comment on Draft Housing Element – Fire Protection Impact

As a Fire Chief in a Mix of incorporated / unincorporated area of Stanislaus County, I am writing to express urgent concern that the Draft 6th Cycle Housing Element fails to address the critical issue of fire protection capacity. The rezoning of parcels to allow for higher-

density housing in unincorporated communities like Bret Harte, Crows Landing, Empire, and West Modesto must be matched with a corresponding increase in funding to the independent Fire Districts that protect these residents.

Without a mechanism to allocate a fair share of County-collected property and sales taxes to the Fire Districts serving these areas, this plan will significantly burden response times, staffing levels, and public safety.

We ask that Stanislaus County:

1. Include a detailed fiscal plan for how Fire Districts will be supported to meet projected service demands.
2. Commit to reevaluating property tax sharing agreements with Fire Districts serving rezoned communities.
3. Include fire protection infrastructure, staffing, and ISO ratings as a required component of housing planning in disadvantaged communities.

Growth must be safe, responsible, and equitable. We ask that you support your local fire agencies in meeting this challenge head-on.

Respectfully,
Chief Peter Golling

Chief Peter Golling
Burbank Paradise Fire Department
1313 Beverly Drive
Modesto CA 95351
Station – 209-523-1129
Cell – 209-342-8092
E-mail – pgolling@bpfire.com



From: Planning <planning@stancounty.com>
Sent: Tuesday, July 15, 2025 12:52 PM
Cc: Angela Freitas <ANGELA@stancounty.com>; Angelica Duenas <DUENASA@stancounty.com>; Jeremy Ballard <BALLARDJ@stancounty.com>; Kristin Doud <Doudk@stancounty.com>; Patricia Sanchez <sanchezp@stancounty.com>
Subject: Stanislaus County 6th Cycle Housing Element Fourth Draft

Good afternoon,

The fourth draft of the Stanislaus County's 6th Cycle Housing Element is available for public review and comment from **July 15, 2025 to July 23, 2025** at: https://www.stancounty.com/planning/pl/housing-element.shtm. Interested persons may submit

written comments regarding the fourth draft of the 6th Cycle Housing Element Update to the Stanislaus County Department of Planning and Community Development by mail or e-mail, at 1010 10th Street, Suite 3400, Modesto, CA 95354 or at planning@stancounty.com.

El cuarto borrador del 6to Ciclo del Elemento de Vivienda del Condado de Stanislaus está disponible para revisión pública y comentarios del **15 de julio de 2025 al 23 de julio de 2025** en: https://www.stancounty.com/planning/pl/housing-element.shtm. Las personas interesadas pueden enviar comentarios por escrito sobre el cuarto borrador de la Actualización del Elemento de Vivienda del 6to Ciclo al Departamento de Planificación y Desarrollo Comunitario del Condado de Stanislaus por correo postal o electrónico, en 1010 10th Street, Suite 3400, Modesto, CA 95354 o en planning@stancounty.com.

Stanislaus County
Department of Planning and Community Development

California Rural Legal Assistance, Inc.

Rural Roots, Justice for All

Stanislaus County
Planning and Community Development Department
1010 10th St. Suite 3400
Modesto, CA 94353

August 1, 2025

Submitted via electronic mail to: planning@stancounty.com

RE: General Plan Amendment, Rezone, and Ordinance Amendment Application No. PLN2025-0053 – 6th Cycle Housing Element Implementation and Objective Design Standards Early Consultation

Dear Ms. Doud:

California Rural Legal Assistance, Inc. submits these comments to express our concerns regarding the General Plan Amendment, Rezone, and Ordinance Amendment Application No. PLN2025-0053 – 6th Cycle Housing Element Implementation and Objective Design Standards Early Consultation. In brief, we are concerned that:

I. The Implementation Package is premature because the County has not yet developed a Housing Element Sites Inventory compliant with Fair Housing and Housing Element Law;
II. The County must adopt a supplemental EIR to address the substantial increase in the severity of significant effects identified in the previous EIR;
III. And the County must adopt a supplemental EIR to address the substantial changes in circumstances since the previous (2016) EIR was created.

Thank you for your consideration of our comments.

I. The County must remedy its Sites Inventory's violations of Fair Housing and Housing Element law prior to soliciting feedback from responsible agencies regarding the rezones the County will propose to implement its Housing Element.

We are concerned that the General Plan Amendment, Rezone, and Ordinance Amendment Application No. PLN2025-0053 – 6th Cycle Housing Element Implementation and Objective Design Standards Early Consultation (Implementation) is premature because the County has not yet corrected legal deficiencies in the current, Fourth Draft of the 6th Cycle Housing Element in

Stanislaus County (Fourth Draft). We discuss these legal deficiencies and other concerns about the Fourth Draft in a letter we submitted on July 23, 2025. We have included this letter as an attachment below.

In particular, we reiterate our concerns that the Fourth Draft's proposed Sites Inventory violates state and federal housing laws and must be amended in order to comply with the County's legal obligations:

a. **The County has not provided sufficient justification or explanation for zoning a large portion of its low-income Regional Housing Needs Allocation (RHNA) in, effectively, one 24-acre parcel in the community of Bret Harte.** The County has proposed to allocate 44% of its total low-income RHNA in Bret Harte, across 5 immediately adjacent sites intended to contain up to 489 housing units. This allocation perpetuates the segregation already experienced by residents of Bret Harte, which is one of the County's most segregated and low-resourced communities. As the 5 immediately adjacent sites form, in effect, a single 24-acre parcel, this allocation also violates California Government Code Section 65583.2, which requires the County to justify the feasibility of zoning for low-income housing in parcels larger than 10 acres in its Housing Element.

b. **The County has violated of California Government Code Section 8899.50 (the duty to Affirmatively Further Fair Housing), the Fair Housing Act, the Fair Employment and Housing Act, and California Government Code Section 65008 by zoning for over 80% of its low-income housing in Racially/Ethnically Concentrated Areas of Poverty (R/ECAPs).** The duty to AFFH is the duty to create integrated communities of opportunity and take affirmative steps to end segregation. The Fair Housing Act and Fair Employment and Housing Act both require the County not to discriminate based on protected characteristics, in its zoning practices. Finally, California Government Code Section 65008 requires the County not to discriminate based on income, in its zoning practices. The County has zoned over 80% of its allocated low-income RHNA to areas with R/ECAPs.[1] At the same time, it has zoned for only 12% of its allocated low-income RHNA in historically affluent communities.[2] This allocation will keep segregated communities segregated,[3] failing to AFFH and perpetuating racial, ethnic and income discrimination prohibited by the Fair Housing Act, the Fair Employment and Housing Act, and California Government Code Section 65008.

Until the County has developed a legally compliant Sites Inventory, it is pointless to publish for public review an implementation package of rezones intended to accomplish the Sites

[1] Stanislaus County Fourth Draft 6th Cycle Housing Element (Fourth Draft) at 5-13–5-68.
[2] Id.
[3] General Plan Amendment, Rezone, and Ordinance Amendment Application No. PLN2025-0053 – 6th Cycle Housing Element Implementation and Objective Design Standards Early Consultation (Implementation) at PDF pages 3–4.

Inventory's housing unit allocation. The County must remedy its Sites Inventory's violations of fair housing and Housing Element law before soliciting feedback from responsible agencies on its proposed rezones.

II. The County must conduct a supplemental environmental impact report (SEIR) on the 6th Cycle Housing Element and related documents. The County has not considered additional and increasing environmental impacts in several of the communities which it has rezoned for low-income housing. If the County does not conduct a SEIR, it would subject low-income families to environmental hazards that could result in significant harm to the health of these families.

A lead agency must conduct a supplemental environmental impact report when:

1) New significant environmental effects or a substantial increase in the severity of previously identified significant effects exist in the project;

2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will involve new significant environmental effects or substantial increase in severity of previously identified significant environmental effects; or

3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows that the project will have new significant effects or would result in substantially more severe than discussed in the previous EIR, or that additional, feasible mitigation measures are available.[4]

The rezones proposed by the County in this Implementation Package will substantially increase the severity of the previously identified significant effects identified in the 2016 EIR. Furthermore, as the last EIR was conducted nearly a decade ago, the change in countless local circumstances and new, substantially important local information that has arisen since 2016 necessitate the creation of a supplemental EIR for the proposed rezones. The vast majority of the County's current allocation of lower income housing RHNA is intended to be contained within these rezone sites. It is critical for the health and safety of future residents of these sites for the County to assess the environmental impacts of rezoning such a significant amount of higher density housing in areas that are already resource-deficient and have experienced 9 years of continuous changes in circumstance and increasing levels of environmental risk.

[4] Cal. Code Regs. Tit. 14, section 15162(a).

a. The County must create a supplemental EIR to address the significant effects that will be caused by increasing the allowable density of housing at the proposed rezone sites.

The County is proposing to rezone several sites to allow housing at a significantly higher density, with the intention of accommodating a significant portion of their lower income RHNA.

- In Bret Harte, the County is proposing to rezone 5 parcels, occupying 24.37 acres, from low-density residential to higher density residential.[5] In the Draft Housing Element's Sites Inventory, the County indicated their expectation that these 5 parcels will contain up to 486 housing units collectively.[6]
- In Bystrom, the County is proposing to rezone parcel 038-017-041 from planned development to multiple-family residential.[7] On this parcel, the County expects to accommodate up to 62 lower income housing units.[8]
- In South Ceres, the County is proposing to rezone parcel 053-031-023, 3703 Collins Road, from planned development to medium-high density residential.[9] The County expects for this site to accommodate up to 83 lower income housing units.[10]
- In Spencer/Marshall, the County is proposing to rezone 39 parcels totaling 32.37 acres from lower density residential to higher density residential.[11] These sites, collectively, are intended to accommodate up to 261 lower income housing units.[12]

The proposed rezoning of these parcels to accommodate such a significant number of lower-income units – potentially up to 90% of the County's overall lower income RHNA allocation in the above listed subset of sites alone – in areas that are already low or extremely low in their access to resources will cause a substantial increase in the severity of previously identified significant effects on greenhouse gases, air quality, public services, transportation, and recreational resources in the surrounding areas. This will disproportionately impact the low and very low income populations who would be most likely to seek housing in these areas. The significant impacts of the proposed rezoning triggers the need for a supplemental environmental impact report under CEQA Guidelines section 15162(a).

i. The proposed rezones will have significant impacts on the levels of greenhouse gases generated in these areas and must be assessed as part of a supplemental EIR.

The proposed rezoning of Bret Harte to include 489 units of housing will have a new impact on greenhouse gas emissions, not sufficiently acknowledged by the 2016 Environmental

[5] Id.
[6] Fourth Draft at 5-18.
[7] Implementation at PDF page 4.
[8] Fourth Draft at 5-50.
[9] Implementation at PDF page 4.
[10] Fourth Draft at 5-60.
[11] Implementation at PDF page 4.
[12] Fourth Draft at 5-72.

Impact Report (EIR).[13] The increase in density of Bret Harte, in an area without any resources other than housing, will result in an increase in vehicle miles travelled (VMT), not mitigated by previously implemented policies, causing an increase in greenhouse gas emissions.[14] The mitigation measures in the EIR are not tailored to the extremely dense and wholly residential areas zoned for in Bret Harte. Any measure implemented in the County's Land Use Element to mitigate VMT does not include Bret Harte, as the community of Bret Harte was not explicitly included in the County's Land Use Element.

Further, the density of housing proposed to be in Bret Harte, combined with the distance from necessary amenities in Bret Harte, will make the alternative forms of travel proposed in Land Use Policy Twenty-Nine infeasible.[15] For example, it is extremely unlikely that every household will use a bicycle to travel 2.5 miles to the nearest grocery store. It is also unlikely that any public transport system that can be feasibly established by the County would be able to service 489 households. Currently, only one bus line runs every thirty minutes servicing the entirety of Bret Harte. Even were the County to assume that public transport would be added to the current public transport in Bret Harte, it would need to increase the capacity of that infrastructure substantially to service an additional 489 units. This similarly makes Land Use Policy Thirty infeasible in Bret Harte for effectively reducing VMT.[16]

Measure Seven of Policy One of the Circulation Element is not a mitigation measure.[17] It is a measure to study the impact that new transportation would have. The County can assume that rezoning for 489 units of housing in a single concentrated area without anything other than residential neighborhoods nearby, or a sufficent established public transport network, will have an impact on transportation and thus VMT.

Measure Fourteen of Policy Two of the Circulation Element is ineffective for mitigating the VMT in an extremely dense residential neighborhood, with no necessary amenities nearby, for the same reasons as Land Use Policies Twenty-nine and Thirty.[18]

The Draft EIR states that there will be no change in greenhouse gas emissions for zoning projects.[19] The reason being that site zoning is only speculative and there are no actual operational emissions.[20] The Draft EIR then goes on to state measures that are being taken to

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[13] Fourth Draft at 5-16–5-18.
[14] Assuming an average of 1 car per household, 489 households, and a weekly trip to the nearest grocery store, which is 2.5 miles away; the proposed rezoning would add 61,125 VMT. This does not include trips to other necessary amenities which are even farther away. It also does not include the distance necessary to travel to work.
[15] Department of Planning and Community Development, 2015 Final Environmental Impact Report, 2-4 (found at FinalEIR.pdf); Department of Planning and Community Development, 2016 Land Use Element, I-17 (found at Microsoft Word - Chapter I - Land Use (hereinafter Land Use Element).
[16] Land Use Element at I-17.
[17] Department of Planning and Community Development, 2016 Circulation Element, II-29 (found at Microsoft Word - Chapter II - Circulation) (hereinafter Circulation Element).
[18] Circulation Element at II-31.
[19] Department of Planning and Community Development, 2016 Draft Environmental Impact Report, 3.7-17 (found at DraftEIR.pdf) (hereinafter Draft EIR).
[20] Id.

mitigate Greenhouse Gases under the conditions understood at that time.[21] There must be some speculation to properly create the mitigation measures for future development. The County can speculate that its zoning practice may cause a change in the effectiveness of the mitigation measures. The VMT mitigation measures may be ineffective under the current zoning practice because of the high density of residential zones near no necessary amenities, particularly in Bret Harte. Generally, the County has mitigated greenhouse gases by promoting the use of transportation alternative to single driver cars.[22] We are concerned that there will be no alternative to the use of single-drive cars in a zone of high density with no necessary amenities nearby and that has insufficient public transportation. The County must prepare an SEIR showing how their established mitigation measures will be effective in areas such as Bret Harte.

The County's previous mitigation measures did not assume such a high density of housing in an overwhelmingly residential area. The proposed rezoning in Bret Harte exceeds the expectations of the EIR, as is made clear by the ineffectiveness of proposed VMT greenhouse gas emissions mitigation. The Implementation Package will increase the severity of the previously identified greenhouse gas emissions due to the rezone in Bret Harte. The County needs to prepare an SEIR, in part, because of the new circumstances in Bret Harte.

ii. The proposed rezones will significantly exacerbate existing strain on public services and other local resources and a Supplemental EIR must be created imposing conditions to mitigate these negative effects.

The neighborhoods of Bret Harte, Bystrom, South Ceres, Spencer Marshall, and other areas identified for rezones in the Implementation Package are all areas with a severe and well-known lack of access to public services. The proposed rezoning of these areas to include significant additional residential development will exacerbate these neighborhoods' existing levels of resource deficiency by spreading the resources available to these communities even thinner than before. It is irresponsible to allow the rezoning of these communities without conducting a Supplemental EIR to allow a process wherein conditions can be implemented to mitigate strain on local environmental resources.

b. The County must create a Supplemental EIR to address the circumstances that have substantially changed in the almost 10 years since the previous EIR was created.

A supplemental EIR is needed to address the new environmental circumstances of a world that has been substantially affected by climate change. In the almost 10 years since the EIR was created, climate change has generated significant changes to the environmental circumstances of Stanislaus County, as it has for the rest of the Central Valley and the world. The implementation of mitigation measures is more important now than ever before, as climate change is increasingly impacting the lives of all residents and particularly of marginalized and lower income communities who reside and will reside in these rezone sites and the surrounding

[21] Id. at 3.7-18–3.7-19.
[22] Id.

areas. The County needs to establish modern, informed mitigation efforts to combat the effects of climate change.

Fourteen of the top twenty most destructive wildfires in California have occurred since the EIR was created.[23] This shows an increase in serious wildfire risk. New and worsening wildfire risk is an important circumstance to take into consideration in an EIR. These wildfires, in combination with the many others occurring across North America and the world, have contributed to significant, persistent air quality degradation.[24] The fact that air quality is being degraded so broadly makes the inclusion of more extreme measures to mitigate air quality degradation locally even more important. The County needs to prepare an SEIR that considers the more severe air quality degradation that is universally occurring.

There have also been changes in water quality since the 2016 EIR was created. At a minimum there were projections of when certain contaminants would come within acceptable Total Maximum Daily Loads.[25] This is a significant environmental circumstance that the County should update in an SEIR.

The environmental circumstances of California have substantially changed since the County's EIR was created. The County needs to address these substantial changes in an SEIR.

* * *

To ensure that low-income families are not subjected to disproportionate and significantly increased environmental harms, it is critical for the County to conduct a Supplemental EIR to address the environmental impacts of its proposed rezoning to accomplish its Sites Inventory housing unit allocation. This Supplemental EIR must be created after the County has developed a Sites Inventory that sufficiently complies with Fair Housing and Housing Element law.

CRLA appreciates the opportunity to comment on this Implementation Package and the time and energy County staff have devoted throughout the Housing Element and related processes. We would be happy to engage with the County further to discuss this and other Housing Element related topics, and we look forward to continued collaboration.

Respectfully,

Nick Jensen
Unincorporated Community Justice Program Managing Attorney
California Rural Legal Assistance, Inc.

Kyler Casper
Unincorporated Community Justice Program Legal Intern
California Rural Legal Assistance, Inc.

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[23] CalFire, Top 20 Most Destructive California Wildfires, (July, 25, 2025) (found at top20_destruction_072525.pdf)
[24] Wei et al., *Medium-term Exposure to Wildfire Smoke $PM_{2.5}$ and Cardiorespiratory Hospitalization Risks*, Epidemiology (September 2025). (Found at 10.1097/EDE.0000000000001881).
[25] EIR at 3.9-11–3.9-12.

6TH CYCLE HOUSING

GPA REZ OA ODS PLN2025-0053

2023 AERIAL AREA MAP

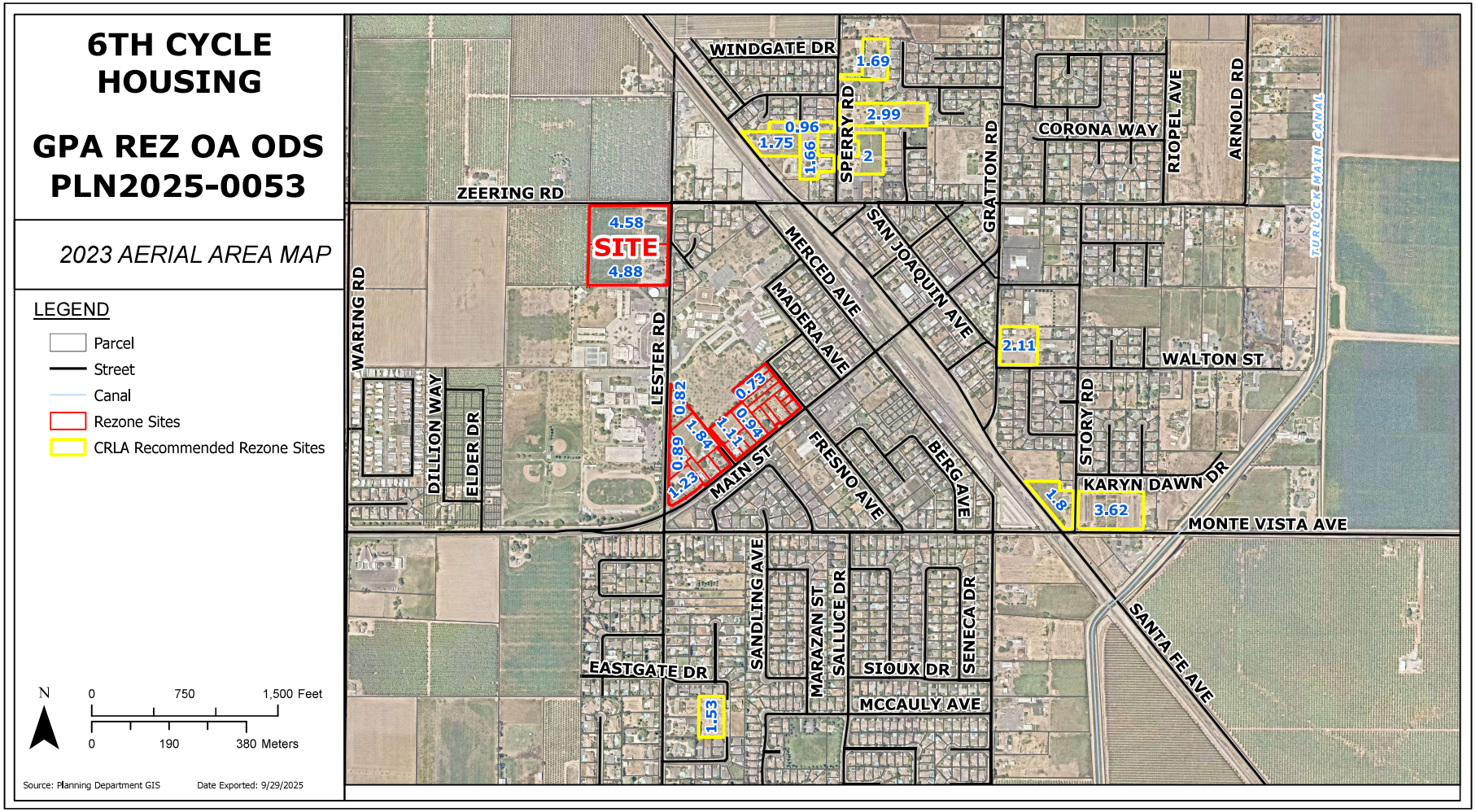


EXHIBIT I

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT
651 Bannon Street, Suite 400
Sacramento, CA 95811
(916) 263-2911 / FAX (916) 263-7453
www.hcd.ca.gov

September 29, 2025

Angela Freitas, Director
Planning and Community Development Department
Stanislaus County
1010 10th Street, Suite 3400
Modesto, CA 95354

Dear Angela Freitas:

RE: Stanislaus County's 6th Cycle (2023-2031) Revised Draft Housing Element

Thank you for submitting Stanislaus County's (County) revised draft housing element that was received for review on July 31, 2025, along with revisions received on September 25, 2025. The revisions were posted on the County's website and made available to the public for seven days prior to review. Pursuant to Government Code section 65585, the California Department of Housing and Community Development (HCD) is reporting the results of its review. Our review was facilitated by a conversation on September 22, 2025 with County staff and your consultants. In addition, HCD considered comments from California Rural Legal Assistance and Chief Peter Golling of the Burbank Paradise Fire Department pursuant to Government Code section 65585, subdivision (c).

The revised draft element, including revisions, meets the statutory requirements described in HCD's April 4, 2025 review. However, the housing element cannot be found in substantial compliance until the County has completed and submitted the necessary rezones (see below) to accommodate the Regional Housing Needs Allocation (RHNA). The housing element will substantially comply with State Housing Element Law (Gov. Code, § 65580 et seq) when rezoning is completed and the element is adopted, submitted to, and approved by HCD, in accordance with Government Code section 65585.

A jurisdiction that did not adopt a compliant housing element within 120 days from the statutory deadline (December 31, 2023) must rezone sites within one year of the statutory deadline and meet requirements pursuant to Government Code sections 65583, subdivision (c)(1)(A) and 65583.2, subdivisions (c), (h) and (i), as applicable. As this year has passed and Programs 3-1g (Shortfall Rezoning) and 3-4a (Prior Identified Sites) have not been completed to meet all statutory requirements, the housing element is out of compliance and will remain out of compliance until the rezoning has been completed and submitted to HCD to meet all statutory requirements. Once the County

completes the rezoning, a copy of the resolution or ordinance should be transmitted to HCD. HCD will review the documentation and issue correspondence updating the status of the County's housing element compliance.

As a reminder, the County's 6th cycle housing element was due December 31, 2023. As of today, the County has not completed the housing element process for the 6th cycle. The County's 5th cycle housing element no longer satisfies statutory requirements. HCD encourages the County to expeditiously complete rezoning, adopt, and submit to HCD to regain housing element compliance.

Public participation in the development, adoption and implementation of the housing element is essential to effective housing planning. Throughout the housing element process, the County must continue to engage the community, including organizations that represent lower-income and special needs households, by making information regularly available while considering and incorporating comments where appropriate. The County should ensure that information is shared consistently through a variety of outreach methods and that public input is meaningfully considered and incorporated where appropriate. Commenters on this review, particularly California Rural Legal Assistance, provided meaningful suggestions. HCD encourages the County to continue working with the public, including commenters on this housing element review, and adjust policies and programs, as appropriate. Please be aware, any revisions to the element must be posted on the local government's website and to email a link to all individuals and organizations that have previously requested notices relating to the local government's housing element at least seven days before submitting to HCD.

Pursuant to Government Code section 65583.3, subdivision (b), the County must utilize standards, forms, and definitions adopted by HCD when preparing the sites inventory and submit an electronic version of the sites inventory. While the County has submitted an electronic version of the sites inventory, if changes occur or have occurred since submittal, any future adopted versions of the element must also submit the electronic version of the sites inventory.

Several federal, state, and regional funding programs consider housing element compliance as an eligibility or ranking criteria. For example, the CalTrans Senate Bill (SB) 1 Sustainable Communities grant, the Affordable Housing and Sustainable Communities programs, and HCD's Permanent Local Housing Allocation consider housing element compliance and/or annual reporting requirements pursuant to Government Code section 65400. With a compliant housing element, the County will meet housing element requirements for these and other funding sources.

For your information, some general plan element updates are triggered by housing element adoption. HCD reminds the County to consider timing provisions and welcomes the opportunity to provide assistance. For information, please see the Technical Advisories issued by the Governor's Office of Land Use and Climate Innovation: https://www.lci.ca.gov/planning/general-plan/guidelines.html.

HCD appreciates the efforts of the housing element update team during the update and review. HCD looks forward to receiving the County's adopted housing element and welcomes the opportunity to provide technical assistance during the rezoning process. If you have any questions or need additional technical assistance, please contact Emily Hovda, of our staff, at Emily.Hovda@hcd.ca.gov.

Sincerely,



Paul McDougall
Senior Program Manager



Sixth Cycle Housing Element Implementation – General Plan Amendments, Rezoning, Objective Design Standards, and Stanislaus County Code Amendments

General Plan EIR Addendum

State Clearinghouse Number 2014042087

prepared by

Stanislaus County
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October 2025

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EXHIBIT K

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1 Introduction and Project Summary

1.1 Project Title

Stanislaus County Sixth Cycle Housing Element Implementation – General Plan Amendments, Rezoning, Objective Design Standards, and Stanislaus County Code Amendments

1.2 Lead Agency Name and Address

County of Stanislaus
Planning and Community Development Department
1010 10th Street, Suite 3400
Modesto, California 95354

1.3 Contact Person and Phone Number

Kristin Doud, Deputy Director
Email: doudk@stancounty.com
Phone: 209-525-6330

1.4 Project Description

The project includes four components:

- Zoning and land use changes on 48 sites to meet Stanislaus County's Housing Element obligations ("Housing Element Rezone Sites").
- Zoning and land use changes for 91 additional sites to add residential development capacity around Stanislaus County ("Additional Rezoning").
- Adoption of objective design standards for projects on Housing Element Rezone Sites and applicable development in the Multiple-Family Residential (R-3) and Mixed Use (M-U) zoning districts, and affordable housing projects subject to state streamlining requirements ("Objective Design Standards").
- Amending the Stanislaus County Code to facilitate implementation of the Housing Element programs that support the development of affordable housing, remove governmental constraints to housing development, and ensure the County's zoning and development standards are in compliance with state law.

Housing Element Rezoning

The County of Stanislaus is in the process of updating its General Plan Housing Element. The Housing Element establishes programs, policies, and actions to further the goal of meeting the existing and projected housing needs of all income levels of households in Stanislaus County (hereinafter referred to as "County") and provides evidence of the County's ability to accommodate its share of the regional housing need for the Housing Element planning period (2023 through 2031).

The County does not have sufficient land already zoned appropriately to meet its share of the Regional Housing Need Allocation or RHNA (see more discussion of the RHNA in Section 2 – *Project Context*). To address this requirement, the County has identified specific parcels to rezone to meet the shortfall. These sites are identified in the County's site inventory and Housing Element Program 3-1g commits the County to rezoning. The Housing Element analyzed each site for its capacity for development, based on development trends, site criteria, and assumptions allowed by state law to estimate a sites' potential for development of affordable housing. Under Housing Element law, sites rezoned to accommodate a shortfall of capacity are subject to certain streamlining provisions if a development proposal meets certain criteria (Government Code Section 65583.2(i)).

The Housing Element identifies 48 sites ("Housing Element Rezone Sites") to be rezoned to show the capacity for the County to meet its share of the RHNA. The sites would be rezoned from low-density residential, general commercial, and planned development (R-A, R-1, P-D, and C-2 zoning designations) to Multiple-Family Residential (R-3) and Mixed-Use (MU) to allow for high-density residential development with a maximum density of 25 dwelling units per acre. The rezone sites with a low-density residential or planned development zoning designation (R-1, R-A, or P-D) also require a General Plan land use designation amendment from Low Density Residential or Planned Development to Medium High-Density Residential.

The Sites Inventory identifies housing opportunity sites to be rezoned within unincorporated County neighborhoods (pockets and islands within the sphere of influence [SOI] of a city) and County communities (located outside a city SOI). Rezone sites are located in the following neighborhoods/communities:

- **Bret Harte (South Modesto – Fairview Park):** The Bret Harte area, consisting of Bret Harte, Crater, and Parklawn neighborhoods and the commercial corridor of Crows Landing, is an unincorporated area located within the SOI of the City of Modesto. The project proposes to amend the general plan land use and zoning designations of five parcels (24.37 total acres) in the Bret Harte neighborhood, in the South Modesto area, surrounding Fairview Park from Low-Density Residential (R-1) to Medium High-Density Residential and Multiple-Family Residential (R-3). All five of the sites are required to be rezoned to accommodate the County's RHNA.
- **Bret Harte (South Modesto – Crows Landing Road):** The project proposes to amend the zoning designation of three parcels (13.96 total acres) on Crows Landing Road in the Bret Harte/South Modesto area from General Commercial (C-2) to Mixed Use (MU). All sites have a general plan land use designation of Commercial, which will remain unchanged. However, the Commercial land use designation in the County's General Plan will be updated to include Mixed Use (MU) as a compatible zoning designation. Five of the sites (5.3 acres in size) are required to be rezoned to accommodate the County's RHNA and 15 sites (8.66 acres) were added to allow for rezoning of a complete block of land and to prevent spot zoning.
- **Denair:** Denair is an unincorporated community located east of the City of Turlock. The project proposes to amend the general plan land use and Denair Community Plan designations of 23 parcels in Denair (21.49 total acres) from Low-Density Residential to Medium High-Density Residential and to rezone the parcels from Rural Residential (R-A) to Multiple-Family Residential (R-3). Four of the sites (12.41 acres in size) are required to be rezoned to accommodate the County's RHNA and 19 sites (9.08 acres) were added to allow for rezoning of a complete block of land and to prevent spot zoning.

- **Empire:** The Empire neighborhood is located on the east side of the City of Modesto, within the City of Modesto's SOI. The project proposes to amend the general plan land use designation of 14 parcels in Empire (13.44 total acres) from Low-Density Residential to Medium High-Density Residential and to rezone 13 parcels from Rural Residential (R-A) and one parcel from Planned Development (P-D) (235) to Multiple-Family Residential (R-3). Five of the sites (4.77 acres in size) are required to be rezoned to accommodate the County's RHNA and nine sites (8.67 acres) were added to allow for rezoning of a complete block of land and to prevent spot zoning.
- **North Ceres (Bystrom):** The North Ceres area is located south of the Tuolumne River and the City of Modesto, with portions within the SOI of the City of Ceres and consists of the Bystrom, Ceres-River Road, Hatch/Stonum, and Ceres/Herndon neighborhoods. The project proposes to amend the general plan land use designation of eight parcels (11.19 total acres) in the Bystrom neighborhood (also referred to as South Modesto) from Low-Density Residential and Commercial to Medium High-Density Residential, and to rezone six parcels from Rural Residential (R-A) and two parcels from Planned Development (P-D)(83) and (P-D)(89) to Multiple-Family Residential (R-3). Three of the sites (6.46 acres in size) are required to be rezoned to accommodate the County's RHNA and five sites (4.73 acres) were added to allow for rezoning of a complete block of land and to prevent spot zoning.
- **North Ceres (Hatch/Stonum):** The project proposes to amend the general plan land use designation of six parcels (3.88 total acres) in the Hatch/Stonum neighborhood of the North Ceres area from Low-Density Residential to Medium High-Density Residential and to rezone six parcels from Rural Residential (R-A) to Multiple-Family Residential (R-3). One of the sites (1.51 acres in size) is required to be rezoned to accommodate the County's RHNA and five sites (2.37 acres) were added to allow for rezoning of a complete block of land and to prevent spot zoning.
- **South Ceres:** The South Ceres area is located east of Central Avenue, west of Highway 99, north of E. Service Road, and south of Industrial Way in an unincorporated pocket on the southside of the City of Ceres. The project proposes to amend the general plan land use designation of one parcel (4.18 total acres) in the South Ceres area from Planned Development to Medium High-Density Residential and to rezone the parcel from Planned Development (P-D)(265) to Multiple-Family Residential (R-3). The site is required to be rezoned to accommodate the County's RHNA.
- **Keyes:** Keyes is an unincorporated community located south of the City of Ceres and north of the City of Turlock, along the Highway 99 Corridor. The project proposes to amend the general plan land use designation of three parcels in Keyes (4.45 total acres), two from Low-Density Residential and one from Commercial to Medium High-Density Residential, and to rezone two parcels from Low Density Residential (R-1), and one parcel from Highway Commercial (H-1) to Multiple-Family Residential (R-3). All three sites have a Keyes Community Plan designation of Medium High-Density Residential, which will remain unchanged. All three sites are required to be rezoned to accommodate the County's RHNA.
- **Salida:** Salida is an unincorporated community located north of Modesto along Highway 99, south of the Stanislaus River. The project proposes to amend the zoning designation of 18 parcels (16.16 total acres) in Salida from General Commercial (C-2) to Mixed Use (M-U). All 18 sites have a general plan land use designation and Salida Community Plan designation of Commercial, which will remain unchanged. However, the Commercial land use designation in the County's General Plan will be updated to include Mixed Use (M-U) as a compatible zoning designation. Three of the sites (1.4 acres in size) are required to be rezoned to accommodate the County's RHNA and 15 sites (14.76 acres) were added to allow for rezoning of a complete block of land and to prevent spot zoning.

- **West Modesto (Beverly/Waverly):** The project proposes to amend the general plan land use and zoning designations of two parcels (1.05 total acres) in the Beverly/Waverly neighborhood in the West Modesto area from Low-Density Residential (R-1) to Medium High-Density Residential and Multiple-Family Residential (R-3). One parcel, .5 acres in size, is required to be rezoned to accommodate the County's RHNA and the other site, .055 acres in size, has been added to allow for rezoning of a complete block of land and to prevent spot zoning.
- **West Modesto (Spencer/Marshall):** The project proposes to amend the general plan land use designation of 39 parcels (32.37 total acres) in the Spencer/Marshall neighborhood in the West Modesto area from Low-Density Residential (R-1) to Medium High-Density Residential and the zoning designations of 20 parcels from Low-Density Residential (R-1) and 19 parcels from Rural-Residential (R-A) to Multiple-Family Residential (R-3). Seventeen of the parcels (22.94 acres in size) are required to be rezoned to accommodate the County's RHNA and the other 22 sites (9.43 acres in size) have been added to allow for rezoning of a complete block of land and to prevent spot zoning.

Rezone sites in Denair and Keyes will also include amendments to their community plan designations in order to maintain consistency with the Keyes and Denair community plans. The Land Use Element will also be updated to incorporate the new Mixed Use (M-U) zoning designation into the Commercial land use designation as a compatible zoning type. The Housing Element rezone sites encompass approximately 88.3 acres and are assumed to accommodate a total of 2,191 residential units.

Table 1 below contains more information on the Housing Element rezone sites, including the current and proposed General Plan land use designation and zoning, the existing and proposed unit capacity, and the net increase in units for each Housing Element rezone site. Rezoning these sites would result in a maximum net increase of 2,154 units, beyond what is permitted by the current zoning.

Table 1 Proposed Land Use and Zoning Designations – Housing Element Rezone Sites

Site Number	Current General Plan Designation	Current Zoning	Proposed General Plan Designation	Proposed Zoning	Existing Unit Capacity	Proposed Unit Capacity	Net Increase in Units
32	Low-Density Residential	R-1	Medium High-Density Residential	R-3	0	108	108
33	Low-Density Residential	R-1	Medium High-Density Residential	R-3	0	178	178
34	Low-Density Residential	R-1	Medium High-Density Residential	R-3	0	127	127
35	Low-Density Residential	R-1	Medium High-Density Residential	R-3	0	138	138
36	Low-Density Residential	R-1	Medium High-Density Residential	R-3	0	57	57
27	Commercial	C-2	Commercial	MU	0	19	19
28	Commercial	C-2	Commercial	MU	0	50	50
29	Commercial	C-2	Commercial	MU	0	23	23
30	Commercial	C-2	Commercial	MU	0	18	18
31	Commercial	C-2	Commercial	MU	0	20	20
119	Low-Density Residential	R-A	Medium High-Density Residential	R-3	1	113	112
120	Low-Density Residential	R-A	Medium High-Density Residential	R-3	1	123	122
121	Low-Density Residential	R-A	Medium High-Density Residential	R-3	1	46	45
122	Low-Density Residential	R-A	Medium High-Density Residential	R-3	1	27	26
244	Low-Density Residential	R-A	Medium High-Density Residential	R-3	1	24	23
245	Low-Density Residential	R-A	Medium High-Density Residential	R-3	1	23	22
246	Low-Density Residential	R-A	Medium High-Density Residential	R-3	0	24	24
247	Low-Density Residential	R-A	Medium High-Density Residential	R-3	4	24	20
248	Low-Density Residential	R-A	Medium High-Density Residential	R-3	3	24	21
268	Low-Density Residential	R-1	Medium High-Density Residential	R-3	1	25	24
269	Low-Density Residential	R-1	Medium High-Density Residential	R-3	1	50	49
270	Commercial	H-1	Medium High-Density Residential	R-3	0	36	36
289	Low-Density Residential	R-A	Medium High-Density Residential	R-3	1	29	28
290	Low-Density Residential	R-A	Medium High-Density Residential	R-3	1	21	20
291	Low-Density Residential	R-A	Medium High-Density Residential	R-3	1	37	36
292	Commercial	P-D	Medium High-Density Residential	R-3	0	110	110

Site Number	Current General Plan Designation	Current Zoning	Proposed General Plan Designation	Proposed Zoning	Existing Unit Capacity	Proposed Unit Capacity	Net Increase in Units
346	Commercial	C-2	Commercial	MU	0	8	8
347	Commercial	C-2	Commercial	MU	1	15	14
348	Commercial	C-2	Commercial	MU	0	11	11
355	Planned Development	P-D	Medium High-Density Residential	R-3	0	104	104
413	Low-Density Residential	R-A	Medium High-Density Residential	R-A	1	41	40
414	Low-Density Residential	R-A	Medium High-Density Residential	R-A	1	33	32
415	Low-Density Residential	R-A	Medium High-Density Residential	R-A	1	21	20
416	Low-Density Residential	R-A	Medium High-Density Residential	R-A	1	21	20
417	Low-Density Residential	R-A	Medium High-Density Residential	R-A	1	20	19
418	Low-Density Residential	R-1	Medium High-Density Residential	R-1	1	32	31
419	Low-Density Residential	R-1	Medium High-Density Residential	R-1	1	36	35
420	Low-Density Residential	R-1	Medium High-Density Residential	R-1	1	36	35
421	Low-Density Residential	R-1	Medium High-Density Residential	R-1	1	22	21
422	Low-Density Residential	R-1	Medium High-Density Residential	R-1	1	22	21
423	Low-Density Residential	R-1	Medium High-Density Residential	R-1	1	23	22
424	Low-Density Residential	R-1	Medium High-Density Residential	R-1	1	88	87
425	Low-Density Residential	R-1	Medium High-Density Residential	R-1	1	31	30
426	Low-Density Residential	R-1	Medium High-Density Residential	R-1	1	50	49
427	Low-Density Residential	R-A	Medium High-Density Residential	R-A	1	37	36
428	Low-Density Residential	R-A	Medium High-Density Residential	R-A	1	24	23
429	Low-Density Residential	R-A	Medium High-Density Residential	R-A	1	30	29
430	Low-Density Residential	R-1	Medium High-Density Residential	R-1	1	12	11
Total					**37**	**2,191**	**2,154**

Additional Rezoning

The County has identified 91 additional sites for rezoning to facilitate additional residential development ("additional rezone sites"). The objective for the rezoning of additional sites is to accommodate additional housing opportunities within the County and to allow solid blocks of land to have consistent zoning designations, but it is not required to meet the County's share of the RHNA. The sites would be rezoned from low-density residential, commercial, and planned development (R-A, R-1, P-D, and C-2 zoning designations) to Multiple-Family Residential (R-3) and Mixed Use (M-U) to allow for medium high-density residential development with a maximum density of 25 dwelling units per acre. Some of the additional non-commercial rezone sites will also undergo a land use designation change from Low-Density Residential to Medium High-Density Residential. The updated Commercial land use designation will incorporate the new Mixed Use (M-U) zoning designation as a compatible zoning type. Rezone sites in Denair and Keyes will also include amendments to their community plan designations in order to maintain consistency with the Keyes and Denair community plans. The additional rezone sites encompass approximately 58.2 acres and are assumed to accommodate a total of 1,419 residential units.

Table 2 below contains more information on the additional rezone sites including the current and proposed general plan land use designation and zoning, the existing and proposed unit capacity, and the net increase in units for each additional rezone site. The additional rezone sites would result in a maximum net increase of 1,285 units, beyond what is permitted by the current zoning.

Table 2 Proposed Land Use and Zoning Designations – Additional Rezone Sites

Site Number	Current General Plan Designation	Current Zoning	Proposed General Plan Designation	Proposed Zoning	Existing Unit Capacity	Proposed Unit Capacity	Net Increase in Units
D1	Low Density Residential	R-A	Medium High Density Residential	R-3	1	2	1
D2	Low Density Residential	R-A	Medium High Density Residential	R-3	1	4	3
D3	Low Density Residential	R-A	Medium High Density Residential	R-3	1	11	10
D4	Low Density Residential	R-A	Medium High Density Residential	R-3	1	11	10
D5	Low Density Residential	R-A	Medium High Density Residential	R-3	1	18	17
D6	Low Density Residential	R-A	Medium High Density Residential	R-3	1	5	4
D7	Low Density Residential	R-A	Medium High Density Residential	R-3	1	12	11
D8	Low Density Residential	R-A	Medium High Density Residential	R-3	1	5	4
D9	Low Density Residential	R-A	Medium High Density Residential	R-3	1	10	9
D10	Low Density Residential	R-A	Medium High Density Residential	R-3	1	23	22
D11	Low Density Residential	R-A	Medium High Density Residential	R-3	1	6	5
D12	Low Density Residential	R-A	Medium High Density Residential	R-3	1	7	6
D13	Low Density Residential	R-A	Medium High Density Residential	R-3	1	10	9
D14	Low Density Residential	R-A	Medium High Density Residential	R-3	1	10	9
D15	Low Density Residential	R-A	Medium High Density Residential	R-3	2	8	6
D16	Low Density Residential	R-A	Medium High Density Residential	R-3	0	31	31
D17	Low Density Residential	R-A	Medium High Density Residential	R-3	0	22	22
D18	Low Density Residential	R-A	Medium High Density Residential	R-3	1	19	18
D19	Low Density Residential	R-A	Medium High Density Residential	R-3	1	2	1
E1	Low Density Residential	R-A	Medium High Density Residential	R-3	1	4	3
E2	Low Density Residential	R-A	Medium High Density Residential	R-3	24	46	22
E3	Low Density Residential	R-A	Medium High Density Residential	R-3	1	23	22
E4	Low Density Residential	R-A	Medium High Density Residential	R-3	12	23	11
E5	Low Density Residential	P-D (235)	Medium High Density Residential	R-3	7	24	17
E6	Low Density Residential	R-A	Medium High Density Residential	R-3	1	23	22
E7	Low Density Residential	R-A	Medium High Density Residential	R-3	12	24	12

Site Number	Current General Plan Designation	Current Zoning	Proposed General Plan Designation	Proposed Zoning	Existing Unit Capacity	Proposed Unit Capacity	Net Increase in Units
E8	Low Density Residential	R-A	Medium High Density Residential	R-3	0	24	24
E9	Low Density Residential	R-A	Medium High Density Residential	R-3	0	24	24
NC1	Low Density Residential	R-A	Medium High Density Residential	R-3	1	16	15
NC2	Low Density Residential	P-D (83)	Medium High Density Residential	R-3	24	85	61
NC3	Low Density Residential	R-A	Medium High Density Residential	R-3	1	10	9
NC4	Low Density Residential	R-A	Medium High Density Residential	R-3	0	4	4
NC5	Low Density Residential	R-A	Medium High Density Residential	R-3	0	1	1
NC6	Low Density Residential	R-A	Medium High Density Residential	R-3	1	12	11
NC7	Low Density Residential	R-A	Medium High Density Residential	R-3	1	8	7
NC8	Low Density Residential	R-A	Medium High Density Residential	R-3	1	4	3
NC9	Low Density Residential	R-A	Medium High Density Residential	R-3	1	17	16
NC10	Low Density Residential	R-A	Medium High Density Residential	R-3	2	15	13
S1	Commercial	C-2	Medium High Density Residential	R-3	0	9	9
S2	Commercial	C-2	Medium High Density Residential	R-3	0	14	14
S3	Commercial	C-2	Medium High Density Residential	R-3	0	3	3
S4	Commercial	C-2	Medium High Density Residential	R-3	0	1	1
S5	Commercial	C-2	Medium High Density Residential	R-3	0	62	62
S6	Commercial	C-2	Medium High Density Residential	R-3	0	8	8
S7	Commercial	C-2	Medium High Density Residential	R-3	0	57	57
S8	Commercial	C-2	Medium High Density Residential	R-3	0	93	93
S9	Commercial	C-2	Medium High Density Residential	R-3	0	0	0
S10	Commercial	C-2	Medium High Density Residential	R-3	1	5	4
S11	Commercial	C-2	Medium High Density Residential	R-3	1	5	4
S12	Commercial	C-2	Medium High Density Residential	R-3	0	10	10
S13	Commercial	C-2	Medium High Density Residential	R-3	0	43	43
S14	Commercial	C-2	Medium High Density Residential	R-3	0	31	31
S15	Commercial	C-2	Medium High Density Residential	R-3	0	21	21

Site Number	Current General Plan Designation	Current Zoning	Proposed General Plan Designation	Proposed Zoning	Existing Unit Capacity	Proposed Unit Capacity	Net Increase in Units
BH1	Commercial	C-2	Commercial	MU	0	5	5
BH2	Commercial	C-2	Commercial	MU	0	12	12
BH3	Commercial	C-2	Commercial	MU	0	12	12
BH4	Commercial	C-2	Commercial	MU	0	8	8
BH5	Commercial	C-2	Commercial	MU	0	9	9
BH6	Commercial	C-2	Commercial	MU	0	13	13
BH7	Commercial	C-2	Commercial	MU	0	11	11
BH8	Commercial	C-2	Commercial	MU	0	10	10
BH9	Commercial	C-2	Commercial	MU	0	21	21
BH10	Commercial	C-2	Commercial	MU	0	22	22
BH11	Commercial	C-2	Commercial	MU	0	25	25
BH12	Commercial	C-2	Commercial	MU	0	20	20
BH13	Commercial	C-2	Commercial	MU	0	13	13
BH14	Commercial	C-2	Commercial	MU	0	18	18
BH15	Commercial	C-2	Commercial	MU	0	12	12
WM1	Low Density Residential	R-A	Medium High Density Residential	R-3	3	23	20
WM2	Low Density Residential	R-A	Medium High Density Residential	R-3	1	3	2
WM3	Low Density Residential	R-A	Medium High Density Residential	R-3	1	6	5
WM4	Low Density Residential	R-A	Medium High Density Residential	R-3	1	25	24
WM5	Low Density Residential	R-A	Medium High Density Residential	R-3	1	18	17
WM6	Low Density Residential	R-A	Medium High Density Residential	R-3	3	23	20
WM7	Low Density Residential	R-A	Medium High Density Residential	R-3	1	4	3
WM8	Low Density Residential	R-A	Medium High Density Residential	R-3	1	4	3
WM9	Low Density Residential	R-A	Medium High Density Residential	R-3	1	4	3
WM10	Low Density Residential	R-A	Medium High Density Residential	R-3	0	28	28
WM11	Low Density Residential	R-A	Medium High Density Residential	R-3	0	9	9
WM12	Low Density Residential	R-A	Medium High Density Residential	R-3	1	7	6

Site Number	Current General Plan Designation	Current Zoning	Proposed General Plan Designation	Proposed Zoning	Existing Unit Capacity	Proposed Unit Capacity	Net Increase in Units
WM13	Low Density Residential	R-1	Medium High Density Residential	R-3	1	4	3
WM14	Low Density Residential	R-1	Medium High Density Residential	R-3	0	6	6
WM15	Low Density Residential	R-1	Medium High Density Residential	R-3	1	4	3
WM16	Low Density Residential	R-1	Medium High Density Residential	R-3	1	5	4
WM17	Low Density Residential	R-1	Medium High Density Residential	R-3	1	12	11
WM18	Low Density Residential	R-1	Medium High Density Residential	R-3	1	12	11
WM19	Low Density Residential	R-1	Medium High Density Residential	R-3	1	11	10
WM20	Low Density Residential	R-1	Medium High Density Residential	R-3	1	10	9
WM21	Low Density Residential	R-1	Medium High Density Residential	R-3	1	5	4
WM22	Low Density Residential	R-1	Medium High Density Residential	R-3	1	4	3
WM23	Low Density Residential	R-1	Medium High Density Residential	R-3	1	13	12
Total					**134**	**1,419**	**1,285**

Objective Design Standards

In the Housing Element Housing Plan, the County commits to adopting objective design standards:

> **Action 3-7f:** Develop objective design standards for housing development that will help the County meet RHNA obligations, including, but not limited to, multiple-family housing, accessory dwelling unit (ADU)s, single room occupancy (SRO)s, duplexes, and triplexes, while providing a streamlined permitting process.

Objective design standards (ODS) provide more certainty for developers, streamline housing development, ensure high-quality design, and help the County comply with multiple state laws that limit discretion in development review. Key legislation including Senate Bills (SB) 35, 167, 330, 423, and Assembly Bill (AB) 168 aim to streamline the approval process for housing development projects as defined in Government Code Section 65589.5 (h)(2). These laws focus on increasing housing production by limiting discretionary review and requiring local governments to rely only on objective design standards in a project's review.

The County's ODS include requirements for building orientation, frontages, entrances, building material, landscaping, lighting, and more. The ODS document also includes a review checklist to assist developers and staff to ensure requirements are met during the permit process.

The proposed ODS will be adopted and implemented through a standalone ODS document which will provide clear guidelines for design elements, ensuring consistency and predictability in development for Housing Element rezone sites and applicable development in the Multiple-Family Residential (R-3) and Mixed Use (M-U) zoning districts, and affordable housing projects subject to state streamlining requirements.

Stanislaus County Code Amendments

The Housing Element contains programs and actions which require zoning ordinance amendments to allow for increased residential densities, flexibility in the siting of a variety of housing types, streamlining of the permitting of housing, and cohesive terminology, and to meet current state law requirements. The project proposes amendments to the following Stanislaus County Zoning Ordinance Chapters:

- 21.12 Definitions – Added a new definition of "dwelling", "agricultural employee housing", "mixed use", "single-room occupancy housing" and made a few minor edits to existing definitions for clarity purposes and to be consistent with state law.
- 21.20 General Agriculture District (A-2) – Clarified allowances for accessory and junior accessory dwellings, and update permitted uses for family day care homes and farmworker housing to comply with state law requirements.
- 21.24 Rural Residential District (R-A) and 21.28 Single-Family Residential District (R-1) - Updated permitted uses for family day care homes to comply with state law requirements, specified lot width requirements shall meet subdivision ordinance standards, added section regarding HOME Act provisions (Senate Bill [SB] 9), increased lot coverage limit in the R-1 to 50 percent.
- 21.32 Medium Density Residential District (R-2) – Added two-family dwellings to the permitted uses up to 14 units per acre, updated permitted uses for family day care homes to comply with state law requirements, specified lot width requirements shall meet subdivision ordinance standards, increased lot coverage limits to 60 percent.

- 21.36 Multiple-Family Residential District (R-3) – Cleaned up terminology of permitted uses, added single room occupancy housing as a permitted uses subject to a staff approval permit, decreased minimum lot size from six-thousand square feet to four-thousand square feet, specified lot width requirements shall meet subdivision ordinance standards, added objective design standards, and rezone site requirements including a prohibition on new single-family dwellings and a minimum density of 20 dwelling units per acre for new development.
- 21.44 Historical Site District (H-S) – Added mobile homes as a permitted use, subject to historical design and mobile home standards.
- 21.52 Neighborhood Commercial District (C-1) – Cleaned up terminology of permitted residential uses, added emergency shelters as a permitted, by-right, use subject to issuance of a staff approval permit.
- 21.48 Highway Frontage District (H-1), 21.56 General Commercial District (C-2), and 21.60 Industrial District (M) – Clarified allowances for emergency shelters subject to issuance of a staff approval permit. Increased the number of beds permitted by-right from 10 to 20.
- 21.72 Mobile Homes – Modified existing ordinance for clarity purposes and to specify historical district standards.
- 21.74 Accessory Dwellings and 21.82 Density Bonus for Affordable Housing – Modified existing ordinances to be consistent with state law.
- 21.76 Off-Street Parking – Modified existing ordinance to be consistent with state law, allowed for parking in the setback under specific circumstances for non-residential uses, amends the parking standards for churches, lodges, and places of public assembly and for manufacturing or assembly plants to be consistent with the City of Modesto standards.
- 21.100 Staff Approval Permits – Modified to include permit standards for farmworker housing in the A-2, single room occupancy housing developments, emergency shelters, temporary housing permits while building a new home, and for developments subject to density bonus permissions.
- Addition of a new Chapter 21.58 Mixed Use District (M-U) – Created a new zoning district for rezone sites which combines the C-2 and the R-3 zoning districts.

Summary

This Addendum analyzes the changes and potential impacts related to the zoning and land use changes for Housing Element rezone sites and additional rezone sites, ODS, and County Code amendments. In total, the proposed project would allow for development of a maximum density of 3,658 units on the Rezone Sites. This Addendum demonstrates the consistency of the proposed project with the existing General Plan to comply with the California Environmental Quality Act (CEQA). The County's General Plan underwent extensive environmental review in the form of an Environmental Impact Report (EIR), which was certified in 2016. The EIR for the County General Plan is a comprehensive document and includes discussion of alternatives and growth-inducing impacts associated with urban development in the county at the time it was developed. The General Plan EIR, using StanCOG's projections, assumed a growth rate of approximately 0.8 percent per year. However, the current population in unincorporated County has decreased by 1,692 people since 2010. This Addendum will compare the buildout of the proposed project with the buildout scenario presented in the General Plan EIR. In particular, and in line with Public Resources Code Section 21083.3, this Addendum assesses whether the proposed project would result in impacts not addressed or previously analyzed in the General Plan EIR.

1.5 Project Location

The County is located in the San Joaquin Valley, in the heart of California's Central Valley. The County is bordered on the north by San Joaquin County; on the east by Mariposa, Tuolumne, and Calaveras counties; on the south by Merced County; and on the west by Alameda and Santa Clara counties. The County's total area is 1,521 square miles, approximately 973,440 acres. Two of California's major north-south routes, Interstate (I) 5 and State Route (SR) 99, traverse the County. There are three major rivers in the County: the east-to-west Stanislaus and Tuolumne rivers, and the south-to-north San Joaquin River.

The project area for the Objective Design Standards and the Zoning Code amendments is the unincorporated area of Stanislaus County. For the rezone component of the project, the project area is the 139 sites proposed for rezoning. The Rezone Sites are located in existing communities where infrastructure and services are in place to support multiple-family development. These sites are in the following unincorporated areas: Bret Harte, Denair, Empire, Keyes, North Ceres, Salida, South Ceres, and West Modesto. The regional location of the County is shown in Figure 1. The project area is shown in Figure 2, with the specific rezone site locations shown in Figure 3 through Figure 12. The Assessor's Parcel Number (APN), current General Plan land use designation, and current zoning designation of each rezone site is provided in Table 1 for the Housing Element Rezone Sites identified in the Housing Element, and Table 2 for the additional rezone sites identified by the County.

Figure 1 Regional Project Location

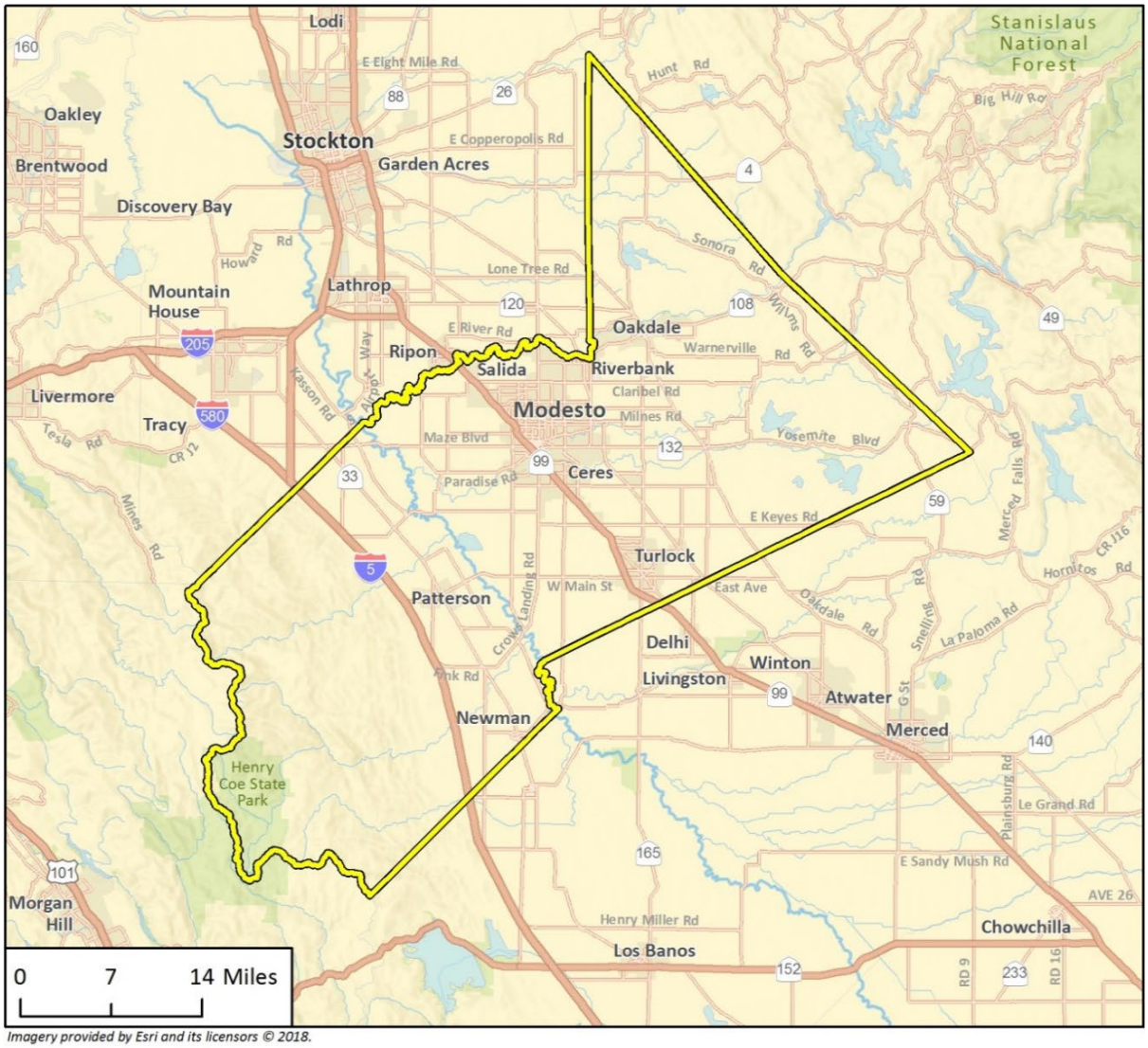


Figure 2 Project Area Overview

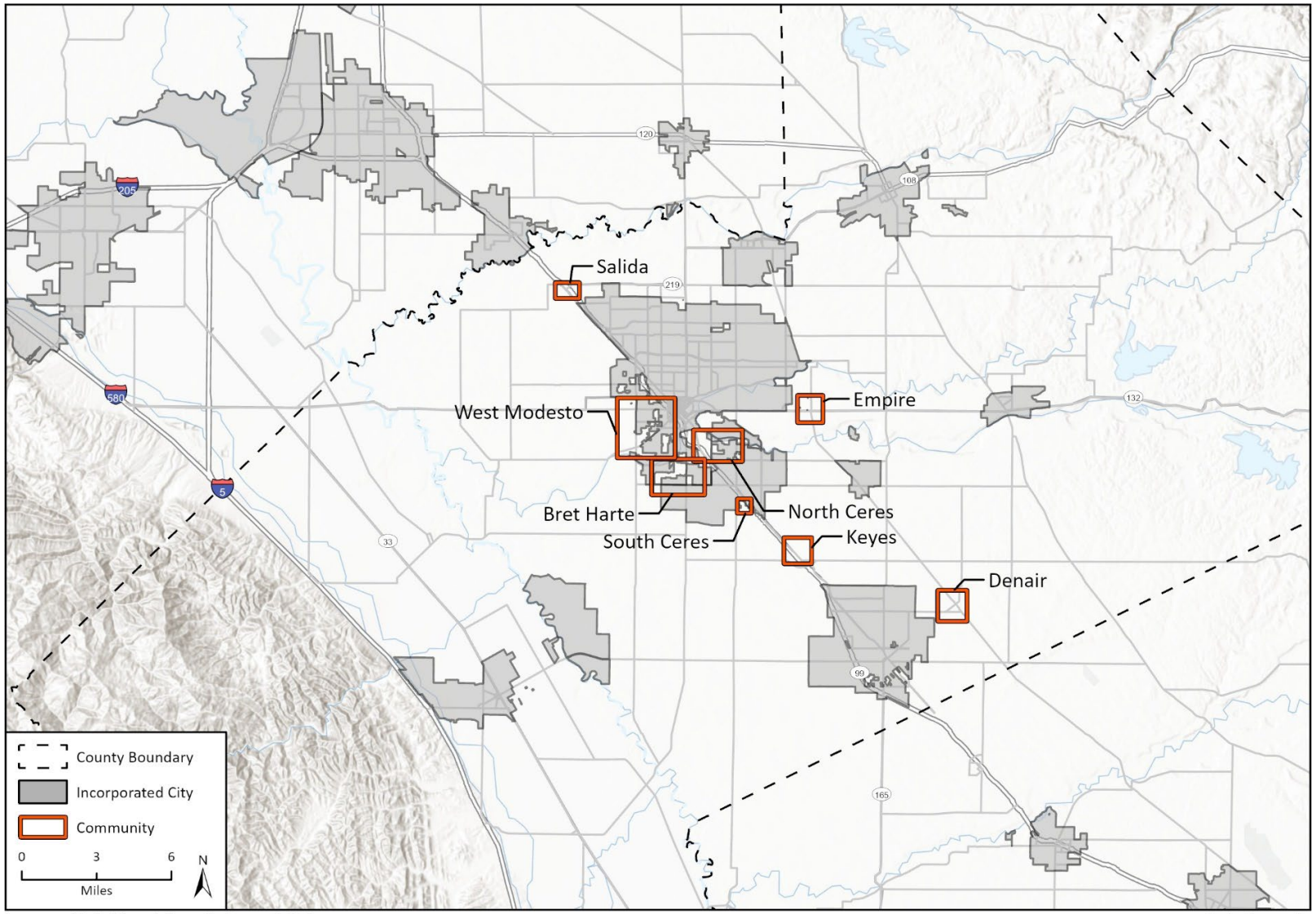


Figure 3 Bret Harte Rezone Sites (South Modesto – Fairview Park)

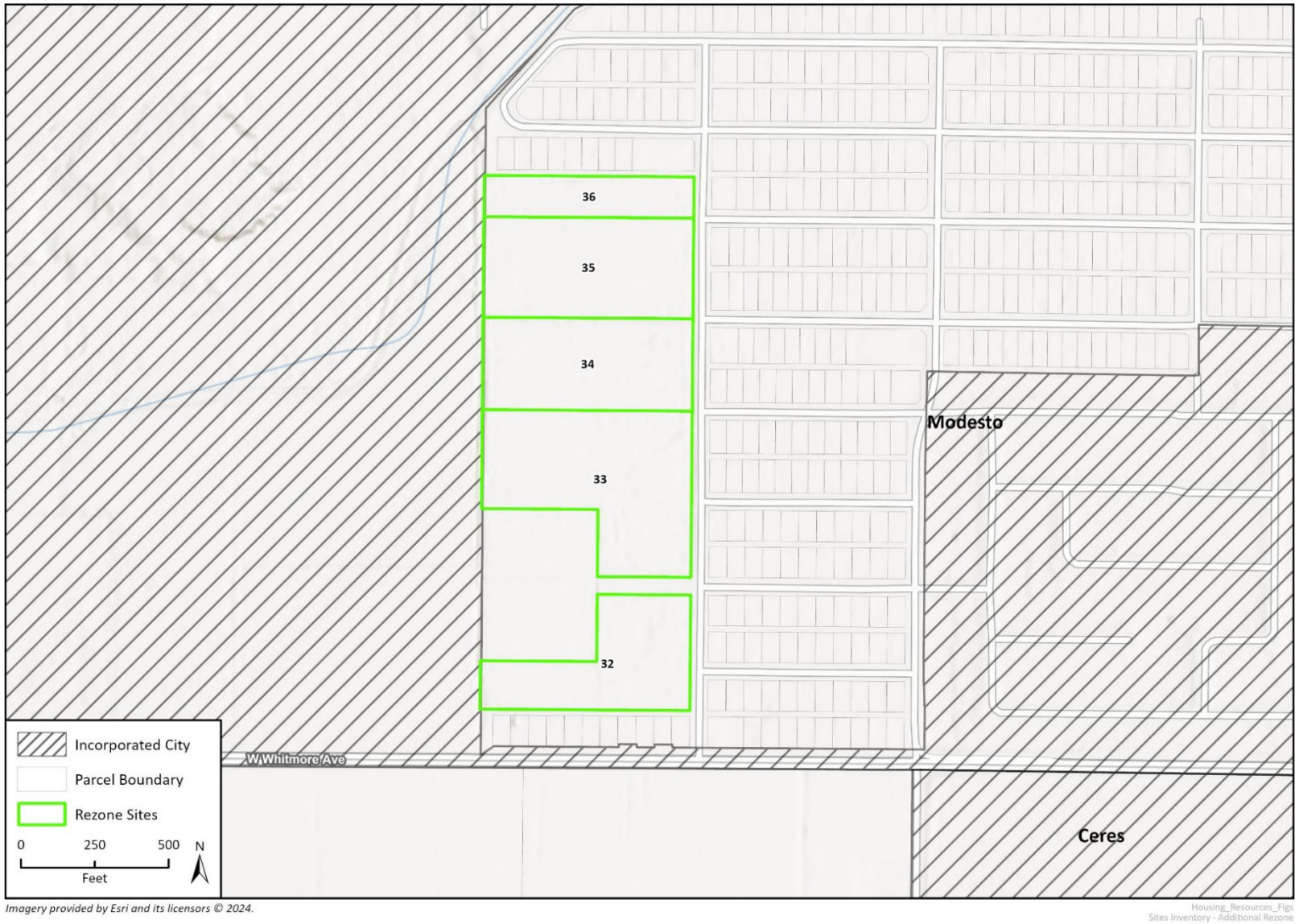


Figure 4 Bret Harte Rezone Sites (South Modesto – Crows Landing Road)

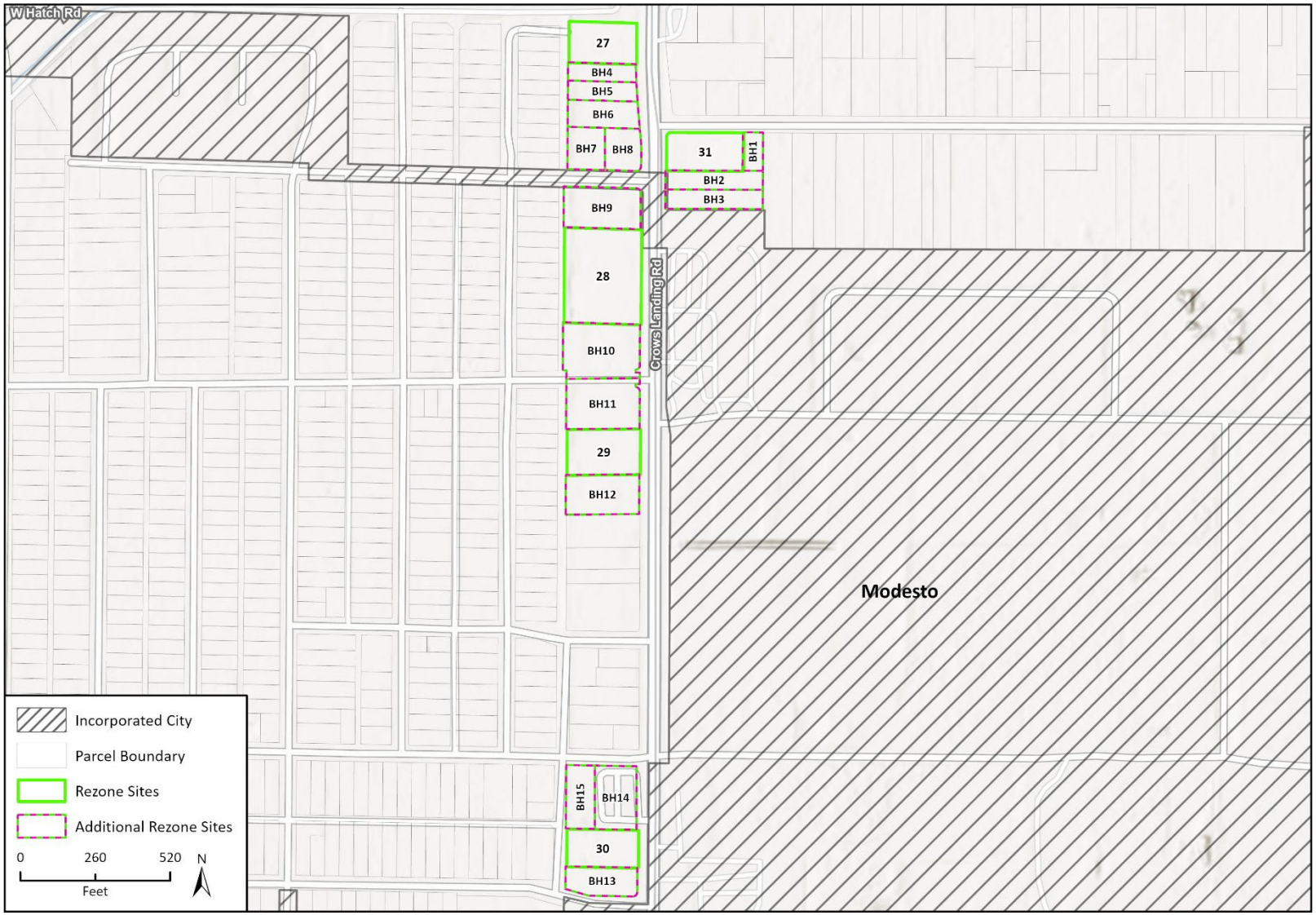


Figure 5 Denair Rezone Sites

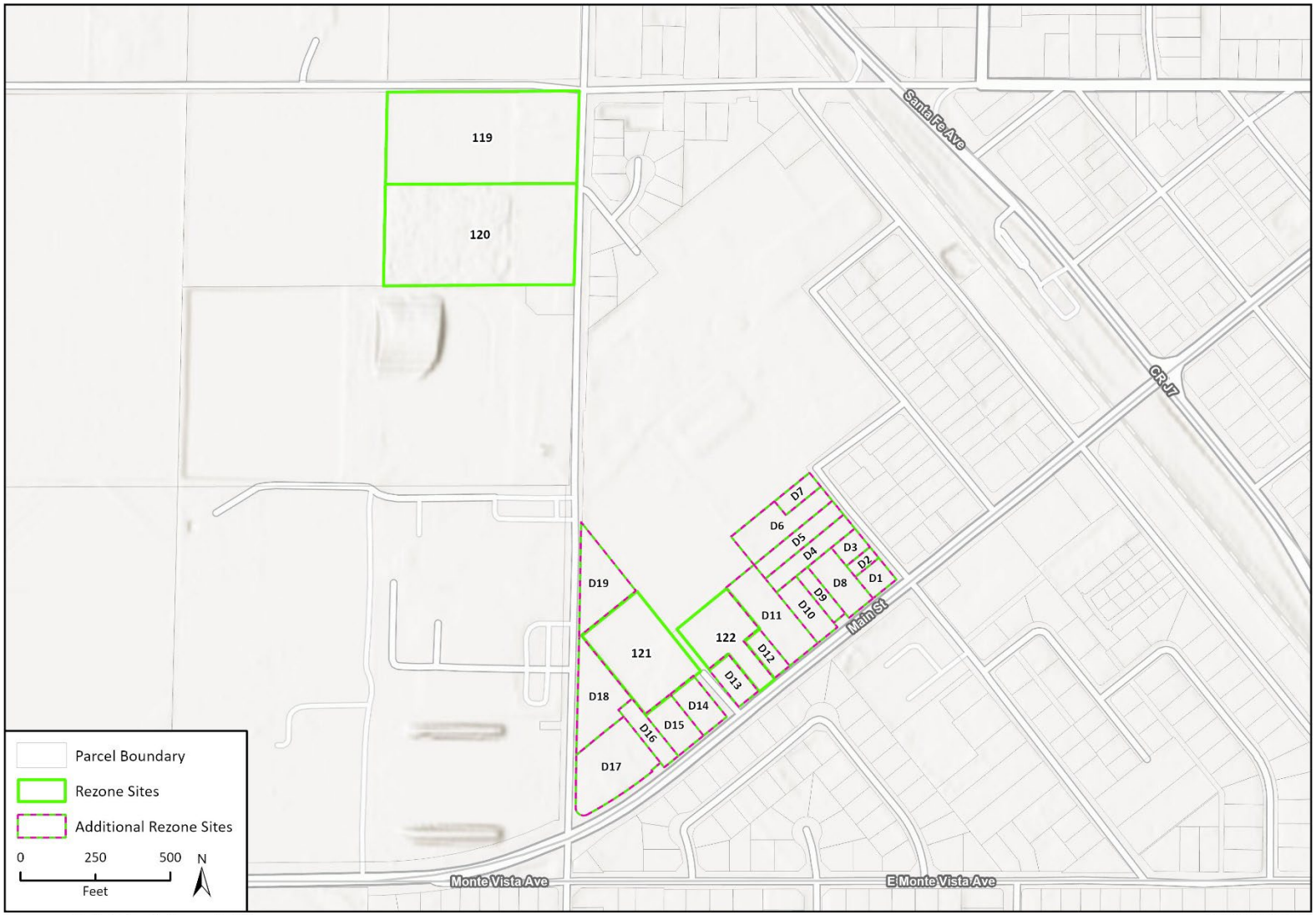


Figure 6 Empire Rezone Sites

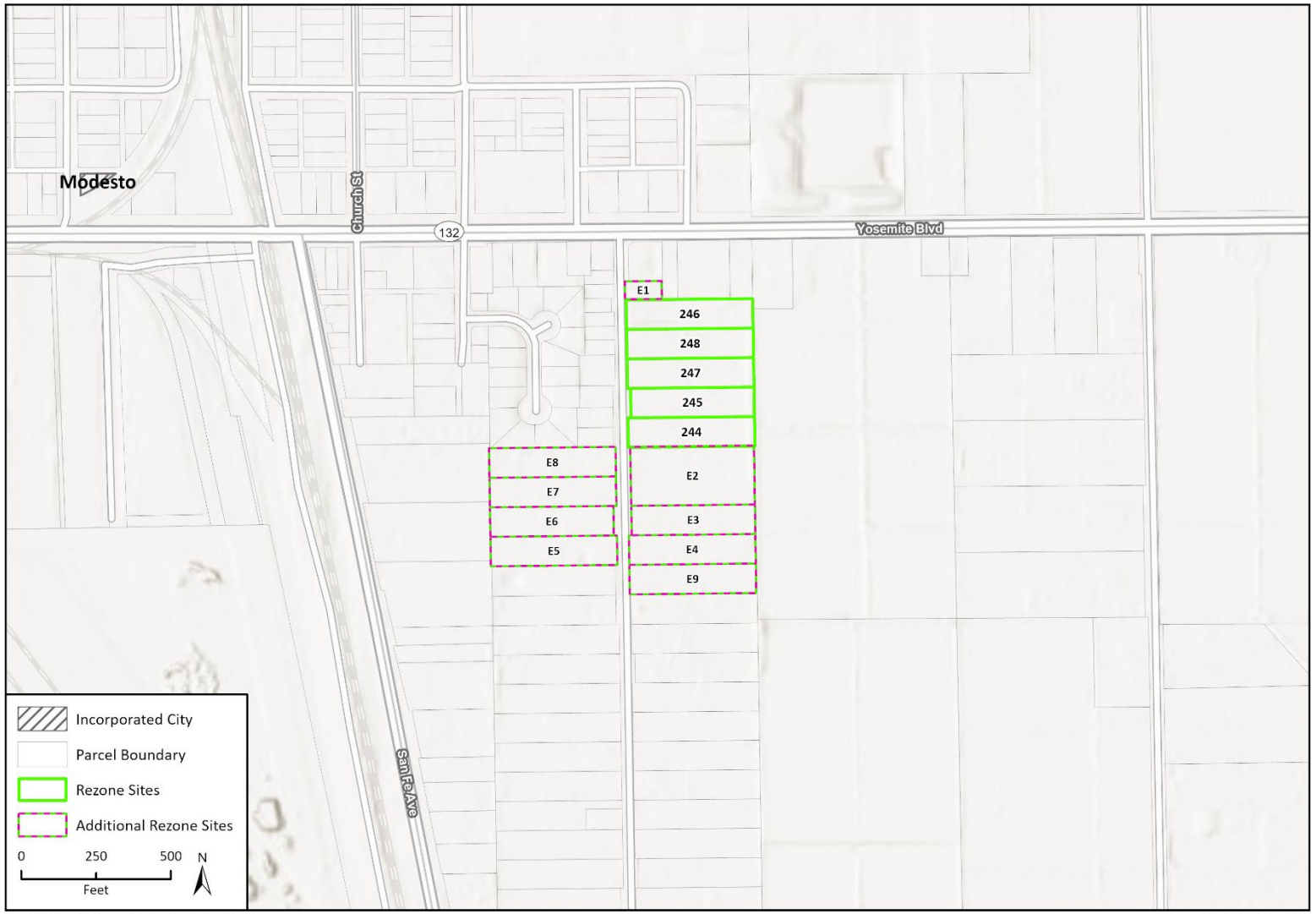


Figure 7 Keyes Rezone Sites

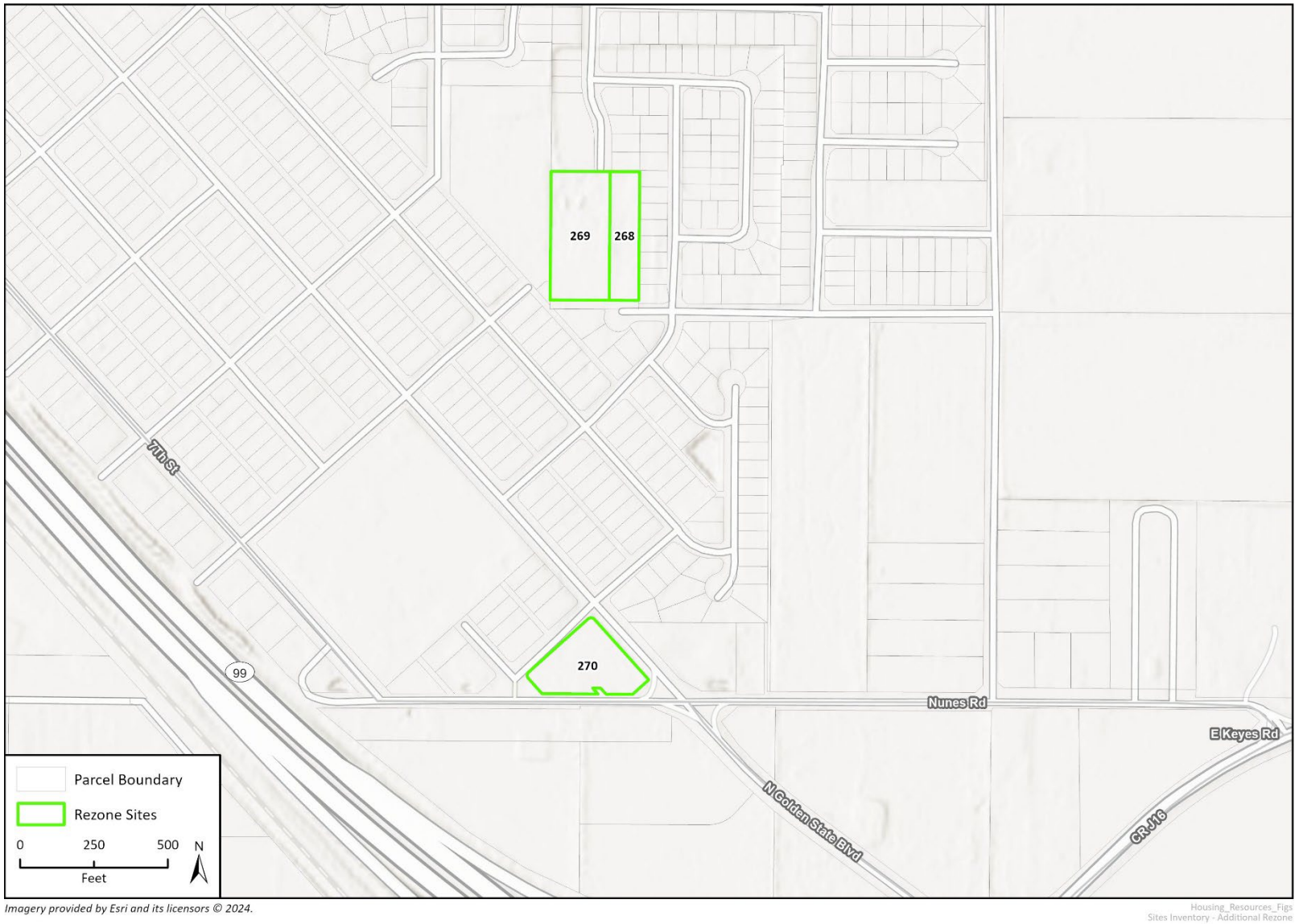


Figure 8 North Ceres (Bystrom) Rezone Sites

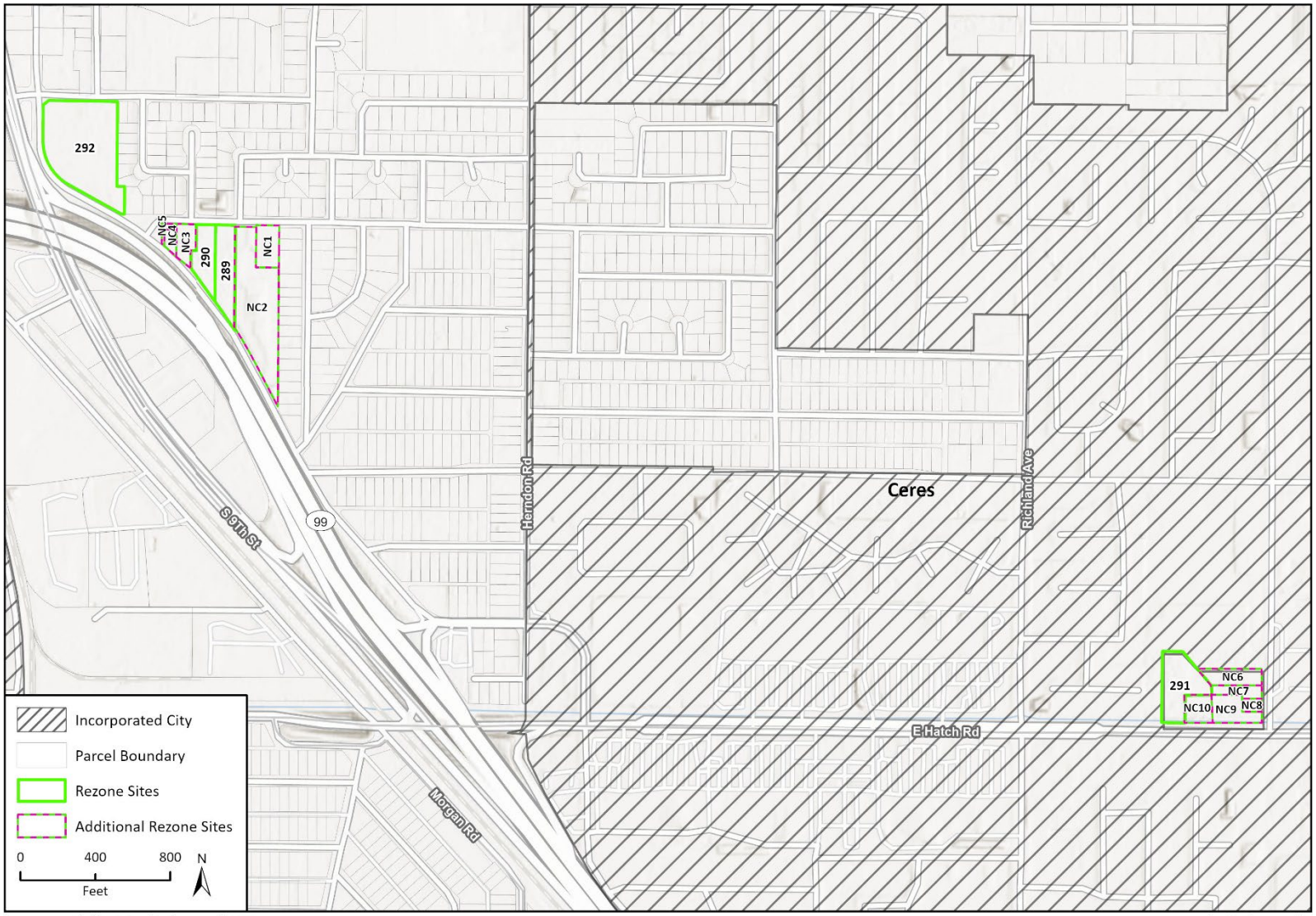


Figure 9 Salida Rezone Sites

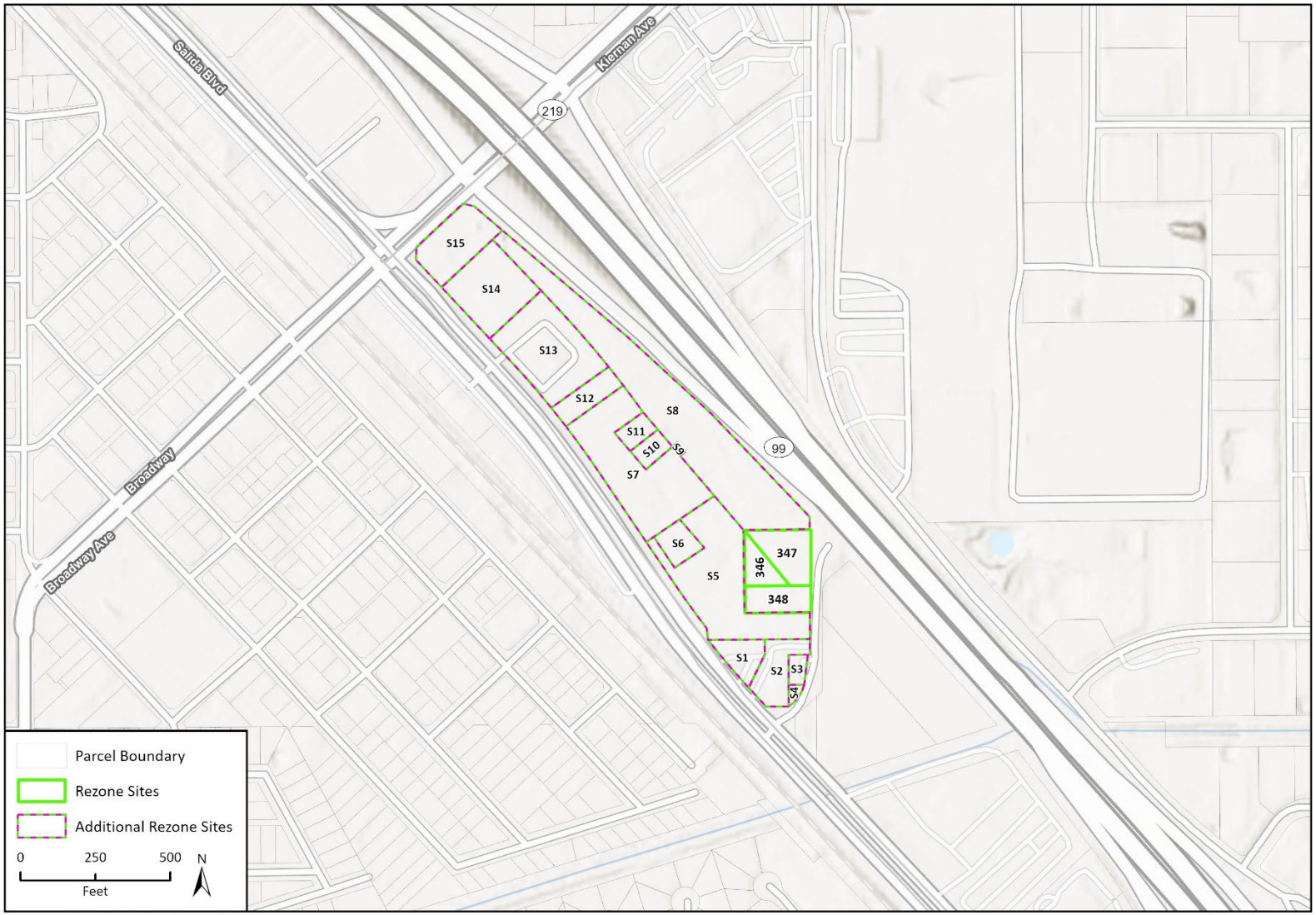


Figure 10 South Ceres Rezone Sites



Figure 11 West Modesto Rezone Sites (North)

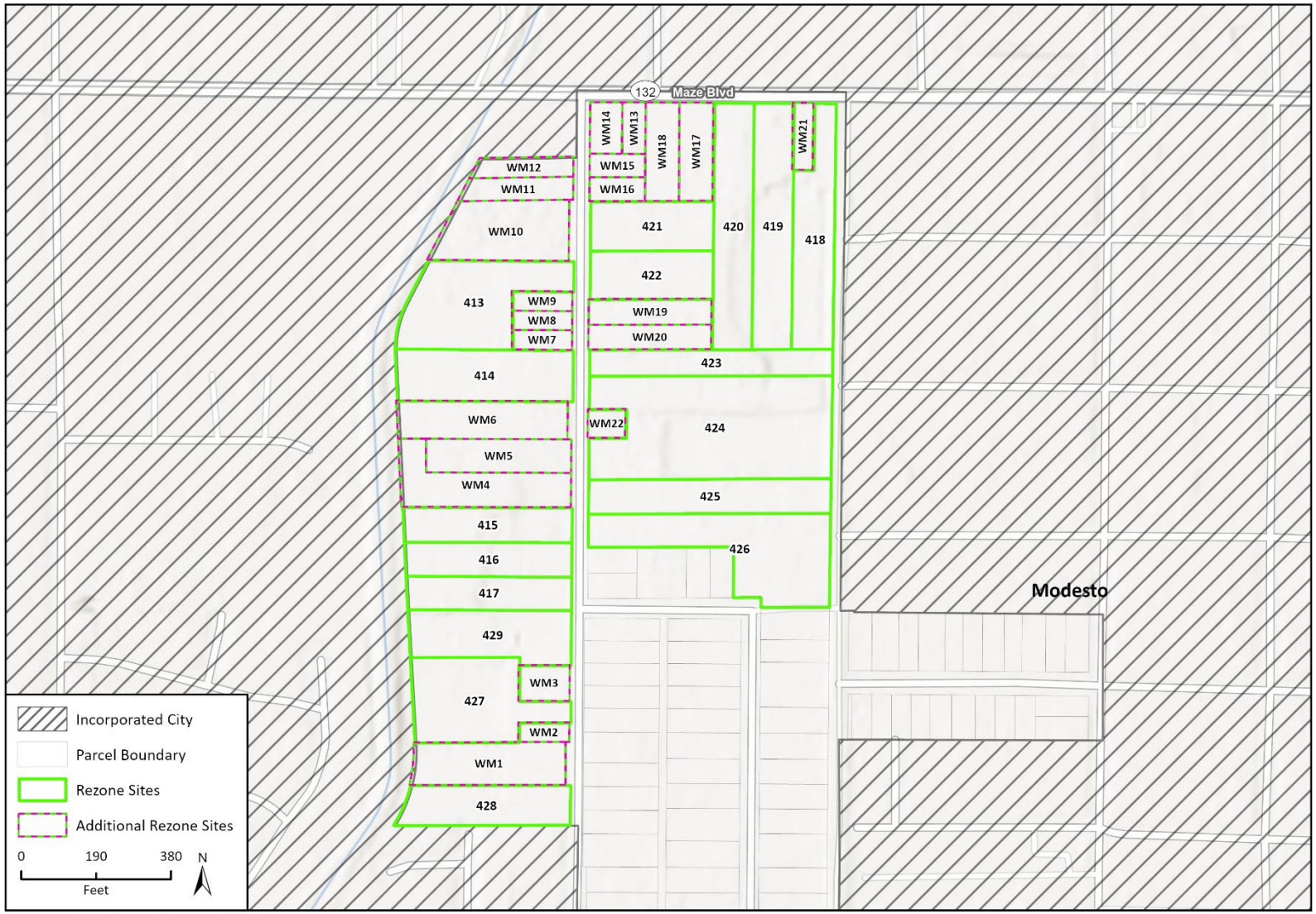
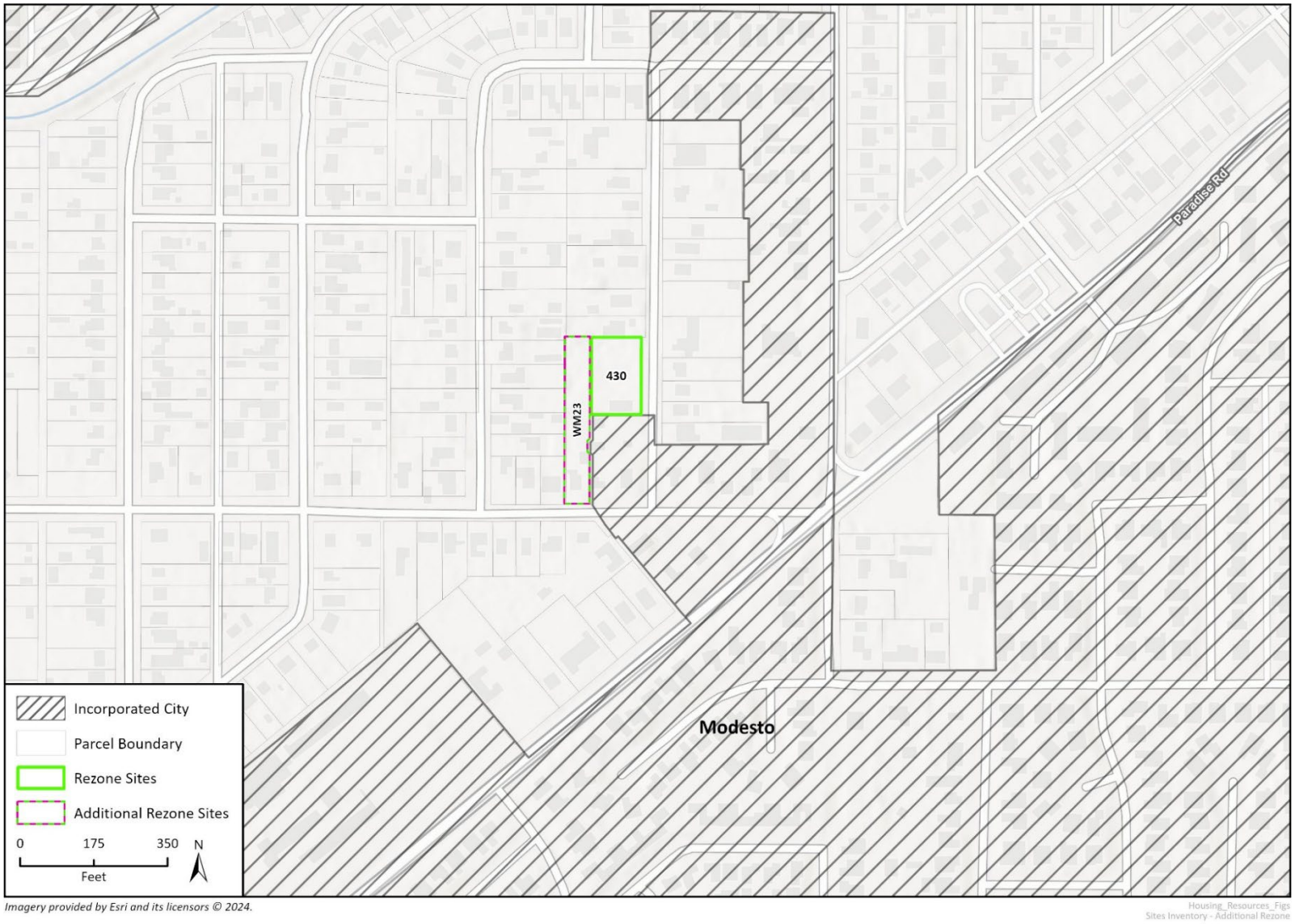


Figure 12 West Modesto Rezone Sites (South)



1.6 Discretionary Action

The proposed project would require the following discretionary actions by the Stanislaus County Planning Commission (PC) and the Board of Supervisors (BOS):

- Accept the Addendum to the certified EIR prepared for the General Plan.
- Approval of a General Plan amendment to the Commercial land use designation to incorporate Mixed Use (M-U) as a compatible zoning designation and Land Use Map Amendments for 101 of the rezone sites to Medium High-Density Residential.
- Approval of site-specific rezones of each of the 139 rezone parcels.
- Adoption of Objective Design Standards.
- Adoption of Stanislaus County Code amendments to facilitate implementation of the Housing Element programs that support the development of affordable housing, remove governmental constraints to housing development, and ensure the County's zoning and development standards are in compliance with state law.

1.7 Prior Environmental Document(s)

County of Stanislaus, General Plan Environmental Impact Report. State Clearinghouse Number 2014042087, certified on August 23, 2016.

Link to the adopted General Plan EIR: https://www.stancounty.com/planning/pl/general-plan.shtm.

Link to the BOS Agenda Item: https://www.stancounty.com/bos/agenda/2016/20160823/PH910.pdf.

2 Project Context

2.1 Stanislaus County General Plan

The Stanislaus County General Plan, adopted in August 2016, is a long-term document with text and diagrams that express the goals, objectives, and policies necessary to guide the community toward achieving its vision over a 20-year period (2015 to 2035).

State law mandates that every city and county in California adopts "a comprehensive, long-term general plan," the purpose of which is to plan for important community issues such as new growth, housing needs, and environmental protection. Furthermore, the General Plan is used to project future demand for services such as sewer, water, roadways, parks, and emergency services. A General Plan reflects the priorities and values of the community.

County decision-makers (e.g., the Board of Supervisors and Planning Commission), rely on the General Plan as the basis for making decisions on matters such as land use, and the provision of public facilities (e.g., roads, parks, fire stations). It is also a policy document that guides decisions related to protecting, enhancing, and providing open space, habitat conservation, and community character.

State law requires that every General Plan, at a minimum, address certain subject categories (called "elements"), which include land use, circulation, housing, conservation of natural resources, open space, noise, and safety. Jurisdictions with disadvantaged communities must also incorporate environmental justice policies into their general plan, within existing elements or by adopting a separate environmental justice element. A General Plan may also address other subjects that are of importance to the community's future, such as agriculture. Stanislaus County's General Plan includes the following elements:

- Land Use;
- Circulation;
- Conservation/Open Space;
- Noise;
- Safety;
- Housing; and
- Agriculture.

Housing Element Requirements

The California Legislature has identified the attainment of a decent home and suitable living environment for every resident as the state's major housing goal. Recognizing the important role of local planning programs in pursuing this goal, the state legislature mandated that all cities and counties prepare a housing element as part of their comprehensive general plans. Government Code Sections 65580 to 65589.8 set forth the specific components to be contained in a community's housing element. The Housing Element identifies housing conditions and needs, and establishes the goals, objectives, and policies that comprise the County's housing strategy to accommodate projected housing needs, including the provision of adequate housing for lower-income households and for special-needs populations (e.g., unhoused people, seniors, single-parent households, large families, and persons with disabilities).

State law requires that housing elements be updated every eight years (California Government Code Sections 65580 to 65589.8). Each eight-year period is referred to as a "cycle." The current (5th Cycle) Housing Element was adopted in April 2016 and addressed the planning period through 2023. The County is currently updating the Housing Element to bring the element into compliance with sixth cycle requirements and to address the current RHNA requirements.

Each Housing Element cycle, the California Department of Housing and Community Development (HCD) assigns each region a share of the state's housing need, and the regional government (in this case, the Stanislaus Council of Governments or StanCOG) assigns each jurisdiction a share of the RHNA.

In June 2022, the StanCOG Executive Board adopted the sixth cycle final RHNA, which includes a fair share allocation for meeting regional housing needs for each community in the StanCOG region which is made up of 10 jurisdictions including the cities of: Ceres, Hughson, Modesto, Newman, Oakdale, Patterson, Riverbank, Turlock, Waterford, and unincorporated Stanislaus County. The RHNA for unincorporated Stanislaus County is 2,475 units, including 574 very low-income units, 398 low-income units, 458 moderate-income units, and 1,045 above moderate-income units (County of Stanislaus 2024). The RHNA distributes housing need based on future estimated growth over the RHNA planning period (2023-2031), meaning the growth anticipated for the region would occur even without the implementation of the Housing Element Update.

The County is required to identify sites that show there are land resources to accommodate enough housing to meet the County's share of the RHNA. There were not enough sites already zoned to accommodate its share of the RHNA, so the County identified sites to rezone to allow higher densities (Housing Element Rezoning).

This proposed project is currently undergoing a separate CEQA review process from the Housing Element Update, for which the County is in the process of preparing a Common Sense Exemption. This Addendum analyzes the four actions described in Section 1.4, *Project* Description: rezoning sites to accommodate the County's share of the RHNA, rezoning additional sites, adopting objective design standards that will apply to the Mixed Use (M-U) and Multiple -Family Residential (R-3) zoning districts, rezone sites, and affordable housing projects subject to state streamlining requirements, and amending the Stanislaus County Code to facilitate implementation of the Housing Element programs.

2.2 Stanislaus County General Plan EIR

The Stanislaus County General Plan EIR (herein called the General Plan EIR) addressed the potential environmental effects of the planned buildout of Stanislaus County through the 20-year period between 2015 to 2035 and concluded that implementation of the General Plan would result in environmental impacts as detailed in Table 3. Mitigation measures were incorporated into the General Plan as goals, policies, and implementation measures to reduce potential impacts from development allowed under the General Plan.

Table 3 Summary of Areas of Potential Impact Under the General Plan EIR

Issue Area	Level of Significance after Mitigation	Mitigation Proposed in the General Plan EIR
Aesthetics	Significant and Unavoidable	No mitigation available.
Agricultural Resources	Less than Significant	No mitigation required.
Air Quality	Significant and Unavoidable	No mitigation available.
Biological Resources	Significant and Unavoidable	No mitigation available.
Cultural Resources	Significant and Unavoidable	No mitigation available.
Geology, Soils, and Paleontological Resources	Less than Significant	No mitigation required.
Greenhouse Gas Emissions and Energy	Less than Significant	No mitigation required.
Hazards and Hazardous Materials	Less than Significant	No mitigation required.
Hydrology and Water Quality	Significant and Unavoidable	No mitigation available.
Land Use and Planning	Less than Significant	No mitigation required.
Mineral Resources	Beneficial Impact	No mitigation required.
Noise	Significant and Unavoidable	No mitigation available.
Population and Housing	Less than Significant	No mitigation required.
Public Services	Less than Significant	No mitigation required.
Recreation	Significant and Unavoidable	No mitigation available.
Transportation and Traffic	Significant and Unavoidable	No mitigation available.
Utilities and Service Systems	Significant and Unavoidable	No mitigation available.

Source: County of Stanislaus 2016

2.3 Buildout of the Proposed Project and Comparison to the General Plan EIR

The proposed project's associated population increase is expected to fall within the anticipated population increase identified in the 2016 General Plan. The County is obligated to address its fair share of the regional housing need, as well as specific state-mandated requirements outlined in Housing Element law. The RHNA sets the baseline for the minimum number of housing units that the County must plan for. Therefore, the projected housing growth associated with the proposed project, and called for by the draft Housing Element Update, aligns with expectations outlined in the RHNA and can be considered anticipated as evident by the RHNA. Consequently, the proposed project is not directly responsible for increasing the population but rather aims to prepare for the growth that is anticipated within the region.

General Plan Buildout Assumptions

The General Plan buildout analysis assumes a 20-year horizon to the year 2035. The General Plan accommodates future growth in Stanislaus County, including new businesses, expansion of existing businesses, and new residential uses. The General Plan integrates the population projections adopted by Stanislaus Council of Governments' (StanCOG) 2014 Regional Transportation Plan / Sustainable Communities Strategy into the general plan.

The proposed project integrates population projections adopted by StanCOG that extend the planning horizon to 2035, pursuant to Government Code Section 63500. StanCOG's regional growth forecast,

which was the basis for growth assumed in the General Plan EIR, predicts a population for the unincorporated Stanislaus County of 133,753 people in 2035, which represents an increase of approximately 23,517 people, or approximately 21 percent, from its 2010 population (County of Stanislaus 2016). This is a yearly increase of approximately 0.8 percent. The General Plan does not provide housing unit projections; therefore, the following section will compare population projections.

As mentioned in the General Plan EIR, unincorporated Stanislaus County had a population of approximately 110,236 people in 2010 (County of Stanislaus 2016). Unincorporated Stanislaus County has an estimated 2024 population of 108,544 people, with an average household size of 3.13 persons per household in unincorporated areas (Department of Finance 2024). Therefore, the actual population in the unincorporated Stanislaus County decreased by 1,692 people since the adoption of the General Plan in 2015.

Proposed Project Buildout

The net increase in residential units allowed by the proposed project would increase the population by up to 10,764 residents, based on a net residential unit increase of 3,439 units multiplied by 3.13 persons per household (DOF 2024). Therefore, the proposed project could increase unincorporated Stanislaus County's current population to 119,308 residents. As shown in Table 1 and Table 2, although the proposed project would result in a net increase of 3,439 units and 10,764 residents above what was analyzed under the General Plan EIR, this increase would still be within the remaining projected buildout under the General Plan EIR of 25,209 new residents. Furthermore, adoption of Objective Design Standards will not affect the buildout assumed under the General Plan EIR.

Growth within the County has occurred at a slower rate than was anticipated in the General Plan EIR (even decreasing in that time). The General Plan EIR, using StanCOG's projections, assumed a growth rate of approximately 0.8 percent per year. However, the current population in unincorporated Stanislaus County has decreased by 1,692 people since 2010. As such, the proposed project would not exceed the buildout projections considered in the General Plan EIR nor would the proposed project result in population growth exceeding the projected growth anticipated in the General Plan EIR (133,753 total residents by 2035). Because the project would not exceed General Plan EIR buildout projections, and because the General Plan EIR analyzed impacts associated with full General Plan EIR buildout, the project would not be expected to result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects. A full analysis of the potential for new or substantially more severe environmental effects is provided in Section 6 – *Summary of Findings* of this addendum.

2.4 Preliminary Environmental Constraints

The proposed project, in and of itself, does not propose specific development projects, but rather implements new land use and zoning designations on rezone sites that would guide future growth in the County, and amends the Zoning Ordinance to clarify allowed uses and align with state law. Future development projects facilitated by the project would not be subject to CEQA but would be subject to the County's typical process for by-right development, including plan check, to ensure compliance with existing regulations, and through that process, their exemption from further CEQA review would be confirmed. For development projects considered a "project" under CEQA, determining potential impacts on the environment related to each project are location-specific and cannot be assessed in a meaningful way until a project site and development proposal are identified. Development proposals which are permitted by-right under the Zoning Ordinance, such as single-family, two-family, or

multiple-family dwellings up to 25 dwelling units per net acre, and other streamlined housing projects, would not be subject to CEQA per CEQA Guidelines Section 15060(c). However, those development proposals would still be required to comply with development regulations established by the General Plan and Zoning Ordinance, as well as the development guidelines and standards outlined in the Zoning Ordinance and the Objective Design Standards that are part of the proposed project.

If a subsequent activity (in this case, a specific development proposal that is not consistent with the General Plan or requires discretionary approval) would have effects not identified in the program EIR (the General Plan EIR and this Addendum), the lead agency must prepare additional CEQA documentation (an Addendum Evaluation).

This Addendum Evaluation includes the analysis of the changes and potential impacts related to the adoption of the proposed project. The Addendum Evaluation is intended to demonstrate the project's consistency with the existing Stanislaus County General Plan and Final EIR to satisfy the requirements of CEQA. In particular, and pursuant to Public Resources Code Section 21083.3, the Addendum Evaluation assesses whether the General Plan Amendments, Rezoning, Objective Design Standards, and Stanislaus County Code Amendments, as policy and programs documents, include impacts not addressed or analyzed as significant effects in the certified EIR.

3 Overview of CEQA Guidelines Sections 15162 and 15164

CEQA Guidelines Sections 15162 and 15164 set forth the criteria for determining the appropriate additional environmental documentation, if any, to be completed when a project has a previously certified EIR.

CEQA Guidelines Section 15164 states that a lead agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary, but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR are found. CEQA Guidelines Section 15162(a) states that no Subsequent or Supplemental EIR shall be prepared for a project with a certified EIR unless the lead agency determines, based on substantial evidence in the light of the whole record, one or more of the following:

1. Substantial changes are proposed in the project that will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified, shows any of the following:
   A. The project will have one or more significant effects not discussed in the previous EIR.
   B. Significant effects previously examined will be substantially more severe than shown in the previous EIR.
   C. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative.
   D. Mitigation measures or alternatives that are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

The analysis pursuant to Section 15162 demonstrates whether the lead agency can approve the activity as being within the scope of the existing certified EIR, that an addendum to the existing EIR would be appropriate, and no new environmental document, such as a new EIR, would be required. The addendum need not be circulated for public review but can be included in or attached to the final EIR, and the decision-making body shall consider the addendum with the final EIR prior to deciding on the project.

According to CEQA Guidelines Section 15164, an addendum to a previously certified EIR is the appropriate environmental document in instances when “only minor technical changes or additions are necessary” and when the new information does not involve new significant environmental effects

or a substantial increase in the severity of a significant effect beyond those identified in the previous EIR. CEQA Guidelines Section 15164 states that:

a. The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.
b. An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR have occurred.
c. An addendum need not be circulated for public review but can be included in or attached to the final EIR.
d. The decision-making body shall consider the addendum with the final EIR prior to making a decision on the project.
e. A brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR, the lead agency's findings on the project, or elsewhere in the record.

The County has prepared this Addendum Evaluation, pursuant to CEQA Guidelines Sections 15162 and 15164, to evaluate whether the project's environmental impacts are covered by and within the scope of the Stanislaus County General Plan EIR (August 2016, State Clearinghouse Number 2014042087). The following Addendum Evaluation details any changes in the project, changes in circumstances under which the project is undertaken, and/or "new information of substantial importance" that may cause one or more effects to environmental resources.

The responses herein substantiate and support the County's determination that the proposed project is within the scope of the Stanislaus County General Plan EIR, does not require subsequent action under CEQA Guidelines Section 15162 and, in conjunction with the EIR, adequately analyzed potential environmental impacts.

4 Environmental Effects and Determination

4.1 Environmental Areas Determined to Have New or Substantially More Severe Significant Effects Compared to Those Identified in the Previous EIR

The subject areas checked below were determined to be new significant environmental effects or to be previously identified effects that have a substantial increase in severity either due to a change in project, change in circumstances, or new information of substantial importance, as indicated by the checklist and discussion on the following pages.

□ Aesthetics	□ Agriculture and Forestry Resources	□ Air Quality
□ Biological Resources	□ Cultural Resources	□ Energy
□ Geology and Soils	□ Greenhouse Gas Emissions	□ Hazards and Hazardous Materials
□ Hydrology and Water Quality	□ Land Use and Planning	□ Mineral Resources
□ Noise	□ Population and Housing	□ Public Services
□ Recreation	□ Transportation	□ Tribal Cultural Resources
□ Utilities and Service Systems	□ Wildfire	□ Mandatory Findings of Significance
■ None – No new significant environmental effects		

4.2 Determination

Based on this analysis:

□ Substantial changes are proposed in the project or there are substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous EIR due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Or, there is "new information of substantial importance," as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, a SUBSEQUENT or SUPPLEMENTAL EIR is required.

- No substantial changes are proposed in the project and there are no substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous EIR due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Also, there is no "new information of substantial importance" as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, the previously certified EIR is adequate and this evaluation serves as an ADDENDUM to the Stanislaus County, 2016 General Plan Environmental Impact Report (General Plan EIR). State Clearinghouse Number 2014042087certified August 2016.

Signature	Date
Kristin Doud	Deputy Director
Printed Name	Title

5 Addendum Evaluation

5.1 Aesthetics

General Plan EIR Findings

The General Plan EIR discusses aesthetics in Section 3.1. The General Plan EIR determined that impacts to the existing visual quality of the County, scenic vistas, and scenic resources would be less than significant. Impacts related to new sources of substantial light or glare were determined to be significant and unavoidable, with no feasible mitigation available to reduce this impact.

Addendum Analysis

The proposed project would rezone 139 parcels within the County to Multiple-Family Residential (R-3) and Mixed Use (M-U) to allow for high density residential development to accommodate anticipated population growth associated with the County's share of the RHNA, provide additional opportunities for housing as part of the rezones and associated ordinance amendments, and establish Objective Design Standards for the Housing Element Rezone Sites and applicable multiple-family, mixed-use, and affordable housing projects, and amend the Stanislaus County Code to facilitate implementation of the Housing Element programs. This would result in a net increase of 3,439 units, or approximately 10,764 residents above what was previously analyzed in the General Plan EIR.

The proposed rezoning and ordinance amendments would result in the construction of denser and taller development which could potentially result in impacts to aesthetics. However, future development facilitated by the proposed project would be subject to adopted development regulations, including standards that govern visual quality and community design. Housing Element Rezone Sites would also be subject to the Objective Design Standards that are also a part of this project, which include standards that would minimize the potential for substantial light or glare. For example, the Objective Design Standards require lighting to be shielded and directed downward, exterior lamps should be low wattage, and all lighting shall be placed to minimize impacts on adjacent buildings and properties. This creates certainty around the aesthetic impact of new development, and ensuring high-quality design that is compatible with surrounding development.

Because the proposed project would not facilitate development beyond the total remaining buildout of the General Plan EIR, the project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects related to aesthetics. On the rezone sites, there will be increased density and different types of developments. However, the proposed project, in and of itself, does not propose specific projects but modifies the Zoning District and development standards that regulate various aspects of new housing development on the rezone sites. Future developments resulting from the proposed project would be consistent with the buildout anticipated by the General Plan. Because the project does not propose development in areas that were not previously analyzed for future development, the proposed project would not, in and of itself, result in impacts to scenic vistas, scenic resources, or visual character, and would not create new sources of substantial light or glare which could adversely affect views. The Objective Design Standards provide design standards for building orientation, massing and articulation, architectural elements (e.g., roofs, porches, windows), pedestrian and vehicular access, parking areas, landscaping, walls and fences, and utility and service areas. These standards enhance the visual character of new development.

The only scenic designation in the County is along I-5, which is not near any of the rezone sites. In addition, the growth rate determined in the General Plan EIR was greater than the actual rate of growth within the County. If current trends continue, buildout of the proposed project would not result in more development than was envisioned in the General Plan.

Conclusion

The project would not result in aesthetics impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR; furthermore, impacts are anticipated to be less than significant due to the Objective Design Standards establishing criteria to reduce glare and light spillage onto adjacent properties. Therefore, the General Plan EIR applies to the project and no additional environmental assessment of aesthetics is required.

5.2 Agriculture and Forestry Services

General Plan EIR Findings

The General Plan EIR discusses agriculture and forestry resources in Section 3.2. The General Plan EIR determined that impacts related to the conversion of important farmland or forestland to non-agricultural uses and conflicts with existing zoning for forestland, agricultural use, or Williamson Act contract would be less than significant.

Addendum Analysis

The proposed project would rezone 139 parcels within the County to Multiple-Family Residential (R-3) and Mixed Use (M-U) to allow for high density residential development to accommodate anticipated population growth associated with the County's RHNA, provide additional opportunities for housing, and establish Objective Design Standards for the Housing Element Rezone Sites and applicable multiple-family, mixed-use, and affordable housing projects, and amend the Stanislaus County Code to facilitate implementation of the Housing Element programs. This would result in a net increase of 3,439 units, or approximately 10,764 residents above what was previously analyzed in the General Plan EIR. All of the parcels proposed to be rezoned are zoned either Single-Family Residential (R-1), Rural Residential (R-A), General Commercial (C-2), or Planned Development (P-D); none of the parcels are currently zoned General Agriculture (A-2), nor are any of the project parcels currently enrolled in a Williamson Act Contract.

No parcel designated as farmland, forest land, or timberland is proposed to be rezoned. The parcels that are on Prime Farmland, as designated by the Department of Conservation Important Farmland Finder, are sites 32, 33, 34, 35, and 36 in southwest Bret Harte and sites 119 and 120 in Denair (DOC 2024a). Sixty-eight rezone sites are currently zoned Rural Residential (R-A), which does allow for minimal agricultural uses on parcels one acre or more in size in addition to residential uses on those parcels. No rezone sites are currently enrolled or participating in Williamson Act contracts (DOC 2024b). The project also does not propose development in areas that were not previously analyzed for future development in the General Plan EIR. Future development of these sites would be consistent with goals and policies included in the General Plan intended to reduce impacts to agricultural lands, such as Goal Two and Policy 2.4 of the General Plan's Agricultural Element, which emphasize the higher density development in urban areas and away from agricultural land. The proposed project would increase residential densities on 139 parcels within the County thereby

reducing the need for conversion of additional agricultural land to accommodate the anticipated need for new housing units.

Future development facilitated by the proposed project would be subject to adopted development regulations; and would be required to comply with existing General Plan policies, including agricultural buffer requirements.

Because the proposed project would not facilitate development beyond the total remaining buildout of the General Plan EIR, the project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects related to agriculture and forestry resources. On the rezone sites, there will be increased density and different types of developments. However, the proposed project, in and of itself, does not propose specific projects but modifies the Zoning District that regulates various aspects of new housing development on the rezone sites. Future developments resulting from the proposed project would be consistent with the buildout anticipated by the General Plan. Because the project does not propose development in areas that were not previously analyzed for future development, the proposed project would not, in and of itself, result in impacts to Important Farmland, Williamson Act-contracted land, conflict with zoning of forest land or timberland, convert forest land to non-forest use, or convert Farmland to non-agricultural use.

In addition, the growth rate determined in the General Plan EIR was greater than the actual rate of growth within the County. If current trends continue, buildout of the proposed project would not result in more development than was envisioned in the General Plan.

Conclusion

The project would not result in agriculture and forestry impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the project and no additional environmental assessment of agriculture and forestry is required.

5.3 Air Quality

General Plan EIR Findings

The General Plan EIR discusses air quality in Section 3.3. The General Plan EIR determined that impacts related to the generation of construction-related emissions would be significant and unavoidable, with no feasible mitigation available to reduce this impact. Impacts related to mobile source criteria pollutant emissions and substantial concentrations of carbon monoxide and pollutant concentrations were determined to be less than significant.

Addendum Analysis

Because the proposed project would not facilitate development beyond the total remaining buildout of the General Plan EIR, the project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects related to air quality. Furthermore, as stated in Section 2.3, *Buildout of Proposed Project and Comparison to the General Plan EIR*, the number of units proposed under the project would still be within the total remaining buildout of the General Plan EIR. In addition, future development facilitated by the proposed project would not be subject to CEQA but would be subject to the County's typical process for by-right development, including plan check to ensure compliance with existing regulations (e.g., state and

federal laws, and County Code). These include regulations aimed to improve air quality, such as the San Joaquin Valley Air Pollution Control District's rules and regulations which require permits to be obtained for new or modified sources of air emissions. Because the project does not propose development in areas that were not previously analyzed for future development, the proposed project would not, in and of itself, result in impacts related to conflicts with air quality plans, net increase of air pollutant emissions, exposure of receptors to substantial pollutant concentrations, or result in other emissions, such as odors.

Conclusion

The project would not result in air quality impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the project and no additional environmental assessment of air quality is required.

5.4 Biological Resources

General Plan EIR Findings

The General Plan EIR discusses biological resources in Section 3.4. The General Plan EIR determined that impacts related to special-status species, riparian habitats or other sensitive natural communities, wetlands, and the introduction or spread of invasive species were less than significant and found no impacts to local policies and habitat conservation plans protecting biological resources. Impacts related to the interference of wildlife corridors were determined to be significant and unavoidable, with no feasible mitigation available to reduce this impact. The General Plan EIR discusses conflicts with habitat conservation plans in Section 3.10. The General Plan EIR determined that impacts resulting from conflicts with habitat conservation plans would be less than significant.

Addendum Analysis

The proposed project would rezone 139 parcels within the County to Multiple-Family Residential (R-3) and Mixed Use (M-U) to allow for high-density residential development to accommodate anticipated population growth associated with the County's share of the RHNA and provide additional opportunities for housing. No bodies of water exist on or adjacent to any of the project rezone parcels. Sites 32 through 36 are located 200 feet or more from the Turlock Irrigation District (TID) Canal No. 1. Future development facilitated by the proposed rezoning would be required to comply with local policies or ordinances protecting biological resources. By increasing density on primarily infill sites within the County, the proposed project would reduce potential impacts to biological resources by limiting urbanization of natural and undeveloped areas. Future development facilitated by the proposed project would not be subject to CEQA but would be subject to the County's typical process for by-right development, including plan check, to ensure compliance with existing regulations (e.g., state and federal laws, and County Code). The proposed rezoning would result in greater ground disturbance as compared to the existing low-density zoning by allowing higher-density development. However, these potential impacts would be reduced to less-than-significant levels through adherence to applicable federal, state, and local requirements, such as the Endangered Species Act; and the California Fish and Game Code Section 1602, which requires entities to notify the California Department of Fish and Wildlife before conducting activities that may substantially modify a river, stream, or lake.

Because the proposed project would not facilitate development beyond the total remaining buildout of the General Plan EIR, the project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects related to biological resources.

Conclusion

The project would not result in biological resources impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the project and no additional environmental assessment of biological resources is required.

5.5 Cultural Resources

General Plan EIR Findings

The General Plan EIR discusses cultural resources in Section 3.5. The General Plan EIR determined that impacts related to historical and archaeological resources would be significant and unavoidable, with no feasible mitigation available to reduce these impacts. Impacts to human remains would be less than significant.

Addendum Analysis

The proposed project would rezone 139 parcels within the County to Multiple-Family Residential (R-3) and Mixed Use (M-U) to allow for high-density residential development to accommodate anticipated population growth associated with the County's share of the RHNA and provide additional opportunities for housing. The proposed rezoning would not increase potential impacts to cultural resources as the rezone sites could be developed under existing zoning. The increase in density on these sites would not result in an increase in the potential disturbance area, thereby expanding potential cultural resource impacts into new areas. The proposed rezoning would result in greater ground disturbance as compared to the existing low-density zoning by allowing higher-density development. However, these potential impacts would be reduced to less-than-significant levels through adherence to applicable federal, state, and local requirements, such as the National Historic Preservation Act; and Public Resources Code Section 5097.98. Furthermore, because the proposed project would not facilitate development beyond the total remaining buildout of the General Plan EIR, the project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects related to cultural resources.

Conclusion

The project would not result in cultural resources impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the project and no additional environmental assessment of cultural resources is required.

5.6 Energy

General Plan EIR Findings

The General Plan EIR discusses energy in Section 3.7. The General Plan EIR determined that impacts related to the inefficient, wasteful, and unnecessary consumption of energy, including transportation energy use, would be less than significant.

Addendum Analysis

The proposed project would rezone 139 parcels within the County to Multiple-Family Residential (R-3) and Mixed Use (M-U) to allow for high-density residential development to accommodate anticipated population growth associated with the County's share of the RHNA and provide additional opportunities for housing. Future development facilitated by the proposed project would involve the consumption of non-renewable energy resources such as electricity, natural gas, propane, gasoline, and diesel. However, future projects would be required to adhere to applicable regulations, including California Code of Regulations (CCR) Title 20, Division 2, Chapter 4, Energy Conservation; CCR Title 24, Part 6, California Energy Code; and CCR Title 24, Part 11, California Green Building Standards Code, Tier 1. These regulations include requirements for the use of more energy-efficient design technologies as well as the incorporation of more renewable energy resources into building design than were in place during the General Plan EIR analysis.

Because the proposed project would not facilitate development beyond the total remaining buildout of the General Plan EIR, the project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects related to energy. The proposed project, in and of itself, does not propose specific projects but modifies the zoning of Housing Element Rezone Sites and Additional Rezone Sites, establishes Objective Design Standards to regulate building appearance, and amends sections of the Zoning Ordinance that regulate allowed uses. Because the project does not propose development in areas that were not previously analyzed for future development, the proposed project would not, in and of itself, result in impacts to energy resources.

The Objective Design Standards component of the project provides objective design standards for the installation of solar panels in qualifying new development (i.e., development on Housing Element Rezone Sites for which Objective Design Standards apply).

Conclusion

The project would not result in energy impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the project and no additional environmental assessment of energy is required.

5.7 Geology and Soils

General Plan EIR Findings

The General Plan EIR discusses geology and soils in Section 3.6. The General Plan EIR determined that impacts related to fault rupture, seismic ground shaking, liquefaction, landslides, soil erosion, unstable soils, expansive soils, septic tanks, and paleontological resources were less than significant.

Addendum Analysis

The proposed project would rezone 139 parcels within the County to Multiple-Family Residential (R-3) and Mixed Use (M-U) to allow for high-density residential development to accommodate anticipated population growth associated with the County's share of the RHNA, provide additional opportunities for housing, and establish Objective Design Standards for the Housing Element Rezone Sites and applicable multiple-family, mixed-use, and affordable housing projects, and amend the Stanislaus County Code to facilitate implementation of the Housing Element programs. Future development facilitated by the proposed rezoning would not increase potential impacts related to geology and soils as the Rezone Sites could be developed under existing zoning. The increase in density on these sites would not result in an increase in the potential development footprint, thereby expanding potential geology and soils impacts into new areas. The proposed rezoning would result in greater ground disturbance as compared to the existing low-density zoning by allowing higher-density development. However, these potential impacts would be reduced to less-than-significant levels through adherence to applicable federal, state, and local requirements, including the California Building Code and International Building Code's regulations and standards regarding seismic safety of buildings and structures, and the Stanislaus County Code Section 16.05. Future development will be consistent with the General Plan County's policies related to geologic and soil hazards. Specifically, Goal One, Policy Three, Implementation Measure 1, of the General Plan Safety Element requiring enforcement of the Alquist-Priolo Earthquake Fault Zoning Act, which prohibits most construction intended for human occupancy across an active fault trace and strictly regulates construction near an active fault. Areas of the County subject to significant geologic hazard are located in the Diablo Range, west of Interstate 5; however, as per the California Building Code, all of Stanislaus County is located within a geologic hazard zone (Seismic Design Category D, E, or F) and a soils test may be required at building permit application. Results from the soils test will determine if unstable or expansive soils or soils susceptible to liquefaction are present. If such soils are present, special engineering of the structure will be required to compensate for the soil deficiency. In addition, the General Plan requires public and private roads be designed to minimize landslide risks. Compliance with the federal and local erosion-related regulations applicable to the General Plan buildout (i.e., the Storm Water Pollution Prevention Program [SWPPP] that is developed for the site and the requirements of the County's Code), would ensure that the construction activities do not result in significant erosion. Grading permits which require SWPPP compliance are required through the County Department of Public Works for any proposed earth moving activities. Compliance with the Alquist-Priolo Earthquake Fault Zoning Act, the California Building Code, and SWPPP would further reduce the potential impacts due to earthquake or soil erosion. Because the proposed project would not facilitate development beyond the total remaining buildout of the General Plan EIR, the project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects related to geology and soils.

Conclusion

The project would not result in geology and soils impacts beyond those addressed or analyzed in the General Plan EIR, nor does it present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the project and no additional environmental assessment of geology and soils is required.

5.8 Greenhouse Gas Emissions

General Plan EIR Findings

The General Plan EIR discusses greenhouse gas (GHG) emissions in Section 3.7. The General Plan EIR determined that impacts related to the generation of GHG emissions and conflicts with applicable plans intended to reduce GHGs would be less than significant.

Addendum Analysis

The proposed project would not facilitate development beyond the total remaining buildout of the General Plan EIR, and the project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects related to GHG emissions. Future development consistent with the proposed project would be required to adhere to applicable climate and GHG emissions policies and regulations including consistency with targets established by Senate Bill (SB) 32, Assembly Bill 32, SB 97, and SB 375. Furthermore, the proposed project would increase density within the County to accommodate planned growth which would reduce vehicle miles travelled (VMT) and therefore reduce GHG emissions by promoting the creation of housing in areas near transit and other necessary services. With compliance with existing regulations, impacts related to GHG emissions would be less than significant. Future development facilitated by the project would not be subject to CEQA but would be subject to the County's typical process for by-right development, including plan check, to ensure compliance with existing regulations (e.g., state and federal laws, and County Code). Projects would need to adhere to state and County building standards and policies designed to reduce GHG emissions with new residential construction, such as CCR Title 20, Division 2, State Energy Resources Conservation and Development Commission; CCR Title 24, Part 11, California Green Building Standards Code, Tier 1; and Stanislaus County Code Section 16.05.

Conclusion

The project would not result in GHG emissions impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the project and no additional environmental assessment of GHG emissions is required.

5.9 Hazards and Hazardous Materials

General Plan EIR Findings

The General Plan EIR discusses hazards and hazardous materials in Section 3.8. The General Plan EIR determined that impacts related to the routine transport, use, or disposal of hazardous materials; upset and accident conditions involving the release of hazardous materials into the environment; hazardous emissions near schools; hazardous materials sites compiled pursuant to Government Code Section 65962.5; safety hazards related to public airports; safety hazards related to private airstrips; emergency response plans; and wildland fire exposure and risk would be less than significant.

Addendum Analysis

The proposed project would rezone 139 parcels within the County to Multiple-Family Residential (R-3) and Mixed Use (M-U) to allow for high-density residential development to accommodate anticipated population growth associated with the County's RHNA, provide additional opportunities for housing, establish Objective Design Standards for the Housing Element Rezone Sites and applicable multiple-family, mixed-use, and affordable housing projects, and amend the Stanislaus County Code to facilitate implementation of the Housing Element programs. The proposed rezoning would not increase potential impacts related to hazard and hazardous materials as the Rezone Sites could be developed under existing zoning. The increase in density on these sites would not result in an increase in the potential development footprint on sites with identified hazardous materials concerns. The proposed rezoning would result in greater ground disturbance as compared to the existing low-density zoning by allowing higher-density development. However, these potential impacts would be reduced to less-than-significant levels through adherence to applicable federal, state, and local requirements, including the Hazardous Materials Transportation Act, Resource Conservation and Recovery Act, the California Hazardous Material Management Act, and California Code of Regulations Title 22. Several rezone sites are in proximity to hazardous material sites identified by the Department of Toxic Substances Control and California State Water Resources Control Board. Furthermore, because the proposed project would not facilitate development beyond the total remaining buildout of the General Plan EIR, the project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects related to hazards and hazardous materials.

Conclusion

The project would not result in hazards and hazardous materials impacts beyond those addressed or analyzed in the General Plan EIR, nor does it present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the project and no additional environmental assessment of hazards and hazardous materials is required.

5.10 Hydrology and Water Quality

General Plan EIR Findings

The General Plan EIR discusses hydrology and water quality in Section 3.9. The General Plan EIR determined that impacts related to water quality or waste discharge requirements, drainage patterns, substantial erosion, surface runoff, runoff water that would exceed the existing capacity of existing stormwater drainage systems, the degradation of water quality, flood hazards, and inundation would be less than significant. Impacts related to groundwater supplies or substantial interference with groundwater recharge were determined to be significant and unavoidable, with no feasible mitigation available to reduce this impact.

Addendum Analysis

The proposed project would rezone 139 parcels within the County to Multiple-Family Residential (R-3) and Mixed Use (M-U) to allow for high-density residential development to accommodate anticipated population growth associated with the County's RHNA, provide additional opportunities for housing, and establish Objective Design Standards for the Housing Element Rezone Sites and applicable multiple-family, mixed-use, and affordable housing projects, and amend the Stanislaus County Code

to facilitate implementation of the Housing Element programs. The proposed rezoning would result in greater ground disturbance and an increase in impervious surfaces as compared to the existing low-density zoning by allowing higher-density development. However, these potential impacts would be reduced to less-than-significant levels through adherence to applicable federal, state, regional, and local requirements. Areas of the County subject to flooding have been identified in accordance with the Federal Emergency Management Act (FEMA). Under Goal One, Policy Two of the Safety Element of the General Plan, development is not allowed in areas that are within the designated floodway. For projects located within a flood zone, requirements are addressed by the Building Permits Division during the building permit process. Individual projects facilitated by the proposed rezoning would undergo project-specific review, including design and stormwater management reviews, and would be required to comply with Section 14.14.120 of the Stanislaus County Code, which minimizes the addition of pollutants into the stormwater system. Additionally, future development would be required to comply with applicable permits such as the National Pollutant Discharge Elimination System (NPDES) and municipal separate storm sewer system (MS4) permits, which require the implementation of best management practices to control stormwater runoff, reduce pollutant discharges, and protect water quality during both construction and operational phases, as well as operational stormwater requirements designed to control runoff and reduce water quality impacts. Compliance with General Plan policies related to hydrology and water quality, would further ensure that impacts remain less than significant. Groundwater Sustainability Plans (GSPs) for three of the four groundwater subbasins have also been adopted since the certification of the General Plan EIR. Relevant General Plan policies include the following:

- **Land Use Element Policy Four**: Urban development shall be discouraged in areas with growth-limiting factors such as high-water table or poor soil percolation, and prohibited in geological fault and hazard areas, flood plains, riparian areas, and airport and private airstrip hazard areas, unless measures to mitigate the problems are included as part of the application.
    - **Analysis:** Development facilitated by the proposed project would be in infill areas that are not located in areas with growth-limiting factors.
- **Land Use Element Policy Eight**: The County will continue to provide proper ordinances to ensure that flood insurance can be made available to qualified property owners through state and federal programs.
    - **Analysis**: Development in the unincorporated county, through land use policies and zoning, is directed away from floodways, avoiding flooding as a hazard to higher-density housing.
- **Conservation/Open Space Policy Five**: Protect groundwater aquifers and recharge areas, particularly those critical for the replenishment of reservoirs and aquifers.
    - **Analysis**: Development facilitated by the proposed project would be in infill areas that are not in recognized groundwater recharge areas.
- **Agricultural Element Policy 3.4**: The County shall encourage the conservation of water for both agricultural, rural domestic, and urban uses.
    - **Analysis**: Future development facilitated by the project would be subject to landscape and irrigation standards designed to reduce water consumption in the landscape environment.

The public water providers that will be serving the proposed development must comply with any approved GSPs. Furthermore, because the proposed project would not facilitate development beyond the total remaining buildout of the General Plan EIR, the project would not result in new significant

environmental effects or a substantial increase in the severity of previously identified significant effects related to hydrology and water quality.

Conclusion

The project would not result in hydrology and water quality impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the project and no additional environmental assessment of hydrology and water quality is required.

5.11 Land Use and Planning

General Plan EIR Findings

The General Plan EIR discusses land use and planning in Section 3.10. The General Plan EIR determined that impacts related to the physical division of an established community and conflicts with applicable land use plans adopted for the purpose of avoiding or mitigating an environmental effect would be less than significant.

Addendum Analysis

The proposed project would rezone 139 parcels within the County to Multiple-Family Residential (R-3) and Mixed Use (M-U) to allow for high-density residential development to accommodate anticipated population growth associated with the County's RHNA, provide additional opportunities for housing, and establish Objective Design Standards for the Housing Element Rezone Sites and applicable multiple-family, mixed-use, and affordable housing projects, and amend the Stanislaus County Code to facilitate implementation of the Housing Element programs. Future development facilitated by the proposed project would undergo project-specific developmental review, including review for consistency with the Objective Design Standards, and would be subject to adopted development standards and policies including Chapter 10.46 Noise Control of the County Code. The Rezone Sites would not result in inconsistencies with current land use plans or divide communities because the rezone sites are primarily located in infill development areas, and would be rezoned from low-density residential, commercial, and planned development to Multiple-Family Residential (R-3) and Mixed Use (M-U) to allow for high density residential development. General Plan amendments will also be completed to ensure consistency between the new zoning designations and the General Plan land use designations. For rezone sites in Denair, Keyes, and Salida, the project also includes amendments to community plan designations in order to maintain consistency with the Keyes, Denair, and Salida community plans.

Adherence to the goals and policies included in the Land Use Element of the General Plan would ensure that future development would not conflict with a land use plan or policy. Additionally, because the project would facilitate the development of housing primarily on infill sites within the County, development facilitated by the proposed project would not divide an established community.

Conclusion

The project would not result in land use and planning impacts beyond those addressed or analyzed in the General Plan EIR nor does the project present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the project and no additional environmental assessment of land use and planning is required.

5.12 Mineral Resources

General Plan EIR Findings

The General Plan EIR discusses mineral resources in Section 3.11. The General Plan EIR found no impacts related to the loss of mineral resources of value to the region and state and the loss of locally important mineral resource recovery sites delineated in local plans.

Addendum Analysis

The General Plan EIR determined that the potential impacts to mineral resources resulting from implementation of the General Plan were beneficial and accordingly considered to be less than significant. Locations of commercially viable mineral resources in Stanislaus County have been mapped by the State Division of Mines and Geology in Special Report 173. There are no known significant mineral resources on any of the rezone sites. Because the project would result in primarily infill development resulting from proposed rezoning of sites within the County and would not facilitate development beyond the total remaining buildout of the General Plan EIR, the project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects related to mineral resources.

Conclusion

The project would not result in mineral resources impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the project and no additional environmental assessment of mineral resources is required.

5.13 Noise

General Plan EIR Findings

The General Plan EIR discusses noise in Section 3.12. The General Plan EIR determined that impacts related to the exposure of people to noise levels in excess of local standards would be significant and unavoidable, with no feasible mitigation available to reduce this impact. Impacts related to the exposure of people to excessive ground-borne vibration, substantial increases in ambient noise levels, temporary or periodic increases in ambient noise levels, and excessive noise levels related to airports would be less than significant.

Addendum Analysis

The proposed project would rezone 139 parcels within the County to Multiple-Family Residential (R-3) and Mixed Use (M-U) to allow for high-density residential development to accommodate anticipated population growth associated with the County's RHNA, provide additional opportunities for housing, and establish Objective Design Standards for the Housing Element Rezone Sites and applicable multiple-family, mixed-use, and affordable housing projects, and amend the Stanislaus County Code to facilitate implementation of the Housing Element programs. Future development facilitated by the project would be subject to adopted development standards including Chapter 10.46 Noise Controls of the County Code. The Rezone Sites would allow for higher density development on certain sites but would not result in overall greater total development than was envisioned by the General Plan.

Because the project would not facilitate development beyond what was considered in the General Plan EIR, the project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects related to noise.

Conclusion

The project would not result in noise impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the project and no additional environmental assessment of noise is required.

5.14 Population and Housing

General Plan EIR Findings

The General Plan EIR discusses population and housing in Section 3.13. The General Plan EIR determined that impacts related to substantial population growth and the displacement of substantial numbers of existing housing and people would be less than significant.

Addendum Analysis

The proposed project would rezone 139 parcels within the County to Multiple-Family Residential (R-3) and Mixed Use (M-U) to allow for high-density residential development to accommodate anticipated population growth associated with the County's RHNA allocation and provide additional opportunities for housing. As discussed in Section 2.3, *Buildout of the Proposed Project and Comparison to the General Plan EIR* of this document, the proposed project would promote the development of housing to meet the County's RHNA requirement and ensure that the General Plan is in compliance with state law to accommodate anticipated population growth within the County. The proposed project could increase unincorporated County's current population to 119,308 residents, which would not exceed the projected growth anticipated in the General Plan (133,753 total residents in 2035). Future development facilitated by the proposed project would undergo project-specific developmental review, including design review, and would be subject to adopted development regulations, such as County Code Chapter 21, which contains development standards for all zoning districts. Furthermore, because the proposed project would not facilitate development beyond the total remaining buildout of the General Plan EIR, the project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects related to population and housing.

Conclusion

The project would not result in population and housing impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the project and no additional environmental assessment of population and housing is required.

5.15 Public Services

General Plan EIR Findings

The General Plan EIR discusses public services in Section 3.14. The General Plan EIR determined that impacts related to fire protection, police protection, school, parks, and other public facilities services would be less than significant.

Addendum Analysis

The proposed project would rezone 139 parcels within the County to Multiple-Family Residential (R-3) and Mixed Use (M-U) to allow for high-density residential development to accommodate anticipated population growth associated with the County's RHNA, provide additional opportunities for housing, and establish Objective Design Standards for the Housing Element Rezone Sites and applicable multiple-family, mixed-use, and affordable housing projects, and amend the Stanislaus County Code to facilitate implementation of the Housing Element programs. As discussed in Section 2.3, *Buildout of the Proposed Project and Comparison to the General Plan EIR* of this document, the proposed project would promote the development of housing to meet the County's RHNA requirement to accommodate anticipated population growth within the County. Development is being proposed in urbanized areas with sewer and water services, schools, roads, and transit services.

Future development facilitated by the proposed project would not be subject to CEQA but would be subject to the County's typical process for by-right development, including plan check, to ensure compliance with existing regulations (e.g., state and federal laws, and County Code) and would be subject to public facilities fees established in the County's; along with fire and school fees established by respective districts. Furthermore, because the proposed project would not facilitate development beyond the total remaining buildout of the General Plan EIR, the project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects related to public services.

Conclusion

The project would not result in public services impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the project and no additional environmental assessment of public services is required.

5.16 Recreation

General Plan EIR Findings

The General Plan EIR discusses recreation in Section 3.15. The General Plan EIR determined that impacts related to the use of neighborhood and regional parks or recreational facilities would be significant and unavoidable, with no feasible mitigation available to reduce this impact. Impacts related to the need to expand recreational facilities would be less than significant.

Addendum Analysis

The proposed project would rezone 139 parcels within the County to Multiple-Family Residential (R-3) and Mixed Use (M-U) to allow for high-density residential development to accommodateanticipated

population growth associated with the County's RHNA, provide additional opportunities for housing, and establish Objective Design Standards for the Housing Element rezone sites and applicable multiple-family, mixed-use, and affordable housing projects, and amend the Stanislaus County Code to facilitate implementation of the Housing Element programs. Future housing development facilitated by the rezone component of the project would be in infill areas, near existing park facilities. As discussed in Section 2.3, *Buildout of the Proposed Project and Comparison to the General Plan EIR* of this document, the proposed project would not facilitate development beyond the total remaining buildout of the General Plan EIR, thereby resulting in no increase in the demand for parks and recreation facilities as compared to the General Plan.

Future development facilitated by the proposed project would not be subject to CEQA but would be subject to the County's typical process for by-right development, including plan check, to ensure compliance with existing regulations (e.g., state and federal laws, and County Code), and would be subject to County Public Facilities Fees, which address impacts to regional and neighborhood parks . Furthermore, because the proposed project would not facilitate development beyond the total remaining buildout of the General Plan EIR, the project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects related to recreation.

Conclusion

The project would not result in recreation impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the project and no additional environmental assessment of recreation is required.

5.17 Transportation

General Plan EIR Findings

The General Plan EIR discusses impacts to transportation in Section 3.16. The General Plan EIR determined that impacts related to VMT, public transit, bicycle or pedestrian facilities, and conflicts with applicable plans would be less than significant. Impacts related to traffic operations below the minimum acceptable thresholds on roadways outside the County's jurisdiction and the creation of additional vehicle, bicycle, or pedestrian travel on roadways or other facilities were determined to be significant and unavoidable, with no feasible mitigation available to reduce these impacts.

Addendum Analysis

No specific developments are being approved as part of the project; therefore, the project would not directly or indirectly result in transportation impacts. The proposed rezoning would allow for higher density development on the Rezone Sites but would not facilitate development beyond the total remaining buildout of the General Plan EIR. Furthermore, the proposed project would increase density within the County to accommodate planned growth, which would reduce VMT by promoting the creation of housing in areas near transit and other necessary services within the County. VMT is considered a better metric than Level of Service (LOS) because it focuses on reducing overall driving distances, improving sustainability and environmental outcomes, rather than just traffic flow and congestion at specific intersections, which can encourage urban sprawl. The proposed project would be consistent with the intent of SB 743 by promoting higher-density residential near existing urban areas that will help avoid urban sprawl and thereby reduce VMT. Future development facilitated by

the project would undergo project-specific developmental review and would be subject to adopted policies and programs identified in the General Plan, such as Policies One through Ten of the Circulation Element.

Because the proposed project would not facilitate development beyond the total remaining buildout of the General Plan EIR, the project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects related to transportation.

Conclusion

The project would not result in transportation impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the project and no additional environmental assessment of transportation is required.

5.18 Tribal Cultural Resources

General Plan EIR Findings

The General Plan EIR does not include a chapter or section dedicated to analysis of impacts to tribal cultural resources. However, it does analyze general impacts to historical and cultural resources (including archeological resources that may originate from Native American tribes) in Section 3.5, Cultural Resources, and concludes that there would be a less than significant impact to historic and cultural resources.

Addendum Analysis

In accordance with the requirements of SB 18, the project was referred to the tribes listed with the Native American Heritage Commission (NAHC) for a 90-day review period. Tribal notification of the project was not referred to any tribes in conjunction with AB 52 as Stanislaus County has not received any requests for consultation.

The proposed project, in and of itself, would not propose or authorize specific development. Because the project does not propose development in areas that were not previously analyzed for future development, the proposed project would not, in and of itself, result in impacts to tribal cultural resources such as causing a substantial adverse change in the significance of a tribal cultural resource. The proposed rezoning would not increase potential impacts to tribal cultural resources as the Rezone Sites could be developed under existing zoning. The proposed rezoning would result in greater ground disturbance as compared to the existing low-density zoning by allowing higher-density development. However, because the proposed project would not facilitate development beyond the total remaining buildout of the General Plan EIR, the project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects related to tribal cultural resources.

Conclusion

The project would not result in tribal cultural resources impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant

than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the project and no additional environmental assessment of tribal cultural resources is required.

5.19 Utilities and Service Systems

General Plan EIR Findings

The General Plan EIR discusses utilities and service systems in Section 3.17. The General Plan EIR determined that impacts related to wastewater treatment requirements, stormwater drainage facilities, water supplies, and solid waste disposal would be less than significant. Impacts related to the expansion of water or wastewater treatment facilities and adequate wastewater treatment provider capacity were determined to be significant and unavoidable, with no feasible mitigation available to reduce these impacts.

Addendum Analysis

The proposed project would rezone 139 parcels within the County to Multiple-Family Residential (R-3) and Mixed Use (M-U) to allow for high-density residential development to accommodate anticipated population growth associated with the County's RHNA allocation and provide additional opportunities for housing. This would result in a net increase of 3,439 units, or approximately 10,764 residents above what was previously analyzed in the General Plan EIR.

This net increase in units and population would not exceed the total remaining buildout projections considered as part of the General Plan EIR. Because the proposed project would not exceed the buildout identified in the General Plan EIR, it would not result in an increase in demand for water supply, wastewater, stormwater drainage, electricity, natural gas, telecommunications, or solid waste services beyond those identified in the General Plan EIR. Future development facilitated by the project would not be subject to CEQA but would be subject to the County's typical process for by-right development, including plan check, to ensure compliance with existing regulations (e.g., state and federal laws, and County Code), and to ensure connections to public utilities are available before issuance of a building permit. The proposed project is consistent with goals and policies in the General Plan that ensure utility and service systems have adequate capacity to accommodate future development facilitated by the rezoning and that future development is designed to mitigate potential impacts to these systems.

The proposed project, in and of itself, would not propose or authorize specific development projects. Because the project does not propose development in areas that were not previously analyzed for future development, the proposed project would not, in and of itself, result in impacts to utilities and service systems.

Conclusion

The project would not result in utilities and service systems impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the project and no additional environmental assessment of utilities and service systems is required.

5.20 Wildfire

General Plan EIR Findings

The General Plan EIR discusses wildfire in Section 3.8, Hazards and Hazardous Materials. At the time the General Plan EIR was prepared, there were no adopted Appendix G questions for wildfire impacts under CEQA. The General Plan EIR determined that impacts related to wildland fires would be less than significant.

Addendum Analysis

Parts of the County are within high wildfire risk zones. Portions of the eastern and western parts of the County are in State Responsibility Areas and Very High Fire Severity Zones (California Department of Forestry and Fire Protection 2024). However, none of the Rezone Sites occur in these State Responsibility Areas or Very High Fire Severity Zones. Additionally, the Safety Element contains policies to support and facilitate fire protection, such as Policies Six and Seven. These policies from the General Plan would minimize loss of life and property from wildfires. Because the project does not propose development in areas that were not previously analyzed for future development, the proposed project would not, in and of itself, result in impacts to wildfire. Future development facilitated by the project would not be subject to CEQA but would be subject to the County's typical process for by-right development, including plan check, to ensure compliance with existing regulations (e.g., state and federal laws, and County Code). In particular, new development is subject to Chapter 16.55 of the County Code, which includes fire prevention measures and incorporates the California Fire Code. Fire fees for the applicable fire district are required to be paid prior to issuance of a building permit.

Conclusion

The project would not result in wildfire impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the project and no additional environmental assessment of wildfire is required.

5.21 Cumulative Impacts

In addition to the specific impacts of individual projects, CEQA requires consideration of potential cumulative impacts of the proposed project. CEQA defines "cumulative impacts" as two or more individual impacts that, when considered together, are substantial or will compound other environmental impacts. Cumulative impacts are the combined changes in the environment that result from the incremental impact of development of the proposed project and other past, present, and probable future projects producing related or cumulative impacts. For example, noise impacts of two nearby projects may be less than significant when analyzed separately but could have a significant impact when analyzed together. The cumulative impact analysis provides a reasonable forecast of future environmental conditions and can more accurately gauge the effects of a series of projects.

CEQA Guidelines Section 15130 requires cumulative impact analysis in EIRs to consider either a list of planned and pending projects that may contribute to cumulative effects or a summary of projections contained in an adopted planning document such as a general plan.

General Plan EIR Findings

Section 5.2 of the General Plan EIR discusses cumulative impacts. As stated in that section, the cumulative impact analysis of the General Plan EIR relies on the projections approach at the horizon year of 2035. The cumulative analysis considered development allowed by existing general plan documents for adjacent jurisdictions.

The General Plan EIR identified that cumulative impacts, resulting from development that could occur as a result of the General Plan planning horizon in 2035, to the following resource areas exist: agricultural resources due to conversion of land to non-agricultural uses, air quality due to worsening air quality, biological resources due to habitat and movement corridor losses, noise due to increase in traffic noise, recreation due to a shortage of park lands, traffic due to a marginal increase in congestion, and water resources due to groundwater overdraft; and further determined that the General Plan would have a cumulatively considerable contribution to significant air quality, biological resources, noise, traffic, and water supply cumulative impacts. All other impacts were determined to not be cumulatively considerable.

Addendum Analysis

Since certification of the General Plan EIR, the following General Plan documents have been updated or revised by adjacent jurisdictions: City of Ceres General Plan (2018), and City of Modesto General Plan (2019). The cumulative effect of these updated General Plans were not considered as part of the General Plan EIR. However, while these General Plan updates modified land use designations and the buildout scenario within these cities, the identified cumulative impacts would remain the same as development within the cities would occur within city limits. The cumulative conditions in the General Plan EIR have not substantially changed; therefore, the cumulative setting in the General Plan EIR remains the same for the purposes of this analysis.

The proposed project would not result in new impacts compared to the previous General Plan EIR as analyzed in this Addendum. Because the proposed project would not facilitate development beyond the total remaining buildout of the General Plan EIR, the project would not result in new cumulatively considerable environmental effects or a substantial increase in the severity of previously identified significant effect related to cumulative impacts. Through the implementation of the regulations and policies outlined throughout this analysis, the contribution of development facilitated by the proposed project to the severity of cumulative impacts would be reduced. As another significant policy document, GSPs for three of the four groundwater subbasins have also been adopted since the certification of the General Plan EIR. The GSPs would not result in more development and are not subject to CEQA. Furthermore, any development resulting from the project must comply with any approved GSPs.

Therefore, no new or additional cumulatively considerable contributions to a significant cumulative impact would occur as a result of the project.

Conclusion

The proposed project would not result in new or more severe cumulatively considerable impacts than were identified in the General Plan EIR. No new or substantially more severe significant effects would occur to cumulative impacts, and no new mitigation measures are required. No substantial changes have occurred that require major revisions to the General Plan EIR. There is no new information indicating that the proposed project would have new significant impacts or substantially more severe significant impacts with respect to cumulative impacts than were identified in the General Plan EIR.

None of the conditions listed in CEQA Guidelines Section 15162 requiring preparation of a subsequent EIR have been met.

6 Summary of Findings

The project consists of:

- Zoning and land use changes on 48 sites to meet Stanislaus County's Housing Element obligations ("Housing Element Rezone Sites").
- Zoning and land use changes for 91 additional sites to add residential development capacity around Stanislaus County ("Additional Rezoning").
- Adoption of objective design standards for projects on Housing Element Rezone Sites and applicable development in the Multiple-Family Residential (R-3) and Mixed Use (M-U) zoning districts, and affordable housing projects subject to state streamlining requirements ("Objective Design Standards").
- Amending the Stanislaus County Code to facilitate implementation of the Housing Element programs that support the development of affordable housing, remove governmental constraints to housing development, and ensure the County's zoning and development standards are in compliance with state law.

The proposed project would increase density on the identified rezone parcels; however, future development on these parcels facilitated by the proposed project would not be subject to CEQA but would be subject to the County's typical process for by-right development, including plan check, to ensure compliance with existing regulations (e.g., state and federal laws, and County Code).

The proposed project does not involve site-specific projects at this time; therefore, it is consistent with the General Plan EIR certified in April 2016, which analyzed the full buildout of the County's General Plan. The proposed project would not facilitate development beyond the total remaining buildout of the General Plan EIR, and as described in the preceding analysis, the project would not result in new environmental effects or a substantial increase in the severity of previously identified environmental effects. Future development facilitated by the proposed project would be subject to applicable development standards and reviews established by County ordinances. Additionally, future development requiring discretionary review may be subject to CEQA compliance if it is not consistent with the General Plan or zoning district requirements.

It has been determined through this analysis that the proposed project would not result in impacts beyond those addressed or analyzed in the General Plan EIR, nor does the proposed project present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the proposed project and no additional environmental compliance is required.

The analysis pursuant to Section 15162 demonstrates whether the lead agency can approve the activity as being within the scope of the existing certified EIR, that an addendum to the existing EIR would be appropriate, and no new environmental document, such as a new EIR, would be required. The addendum need not be circulated for public review but can be included in or attached to the final EIR, and the decision-making body shall consider the addendum with the final EIR prior to deciding on the project.

7 References

7.1 Bibliography

California Department of Conservation (DOC). 2024a. California Important Farmland Finder. https://maps.conservation.ca.gov/DLRP/CIFF/ (accessed December 2024).

_____. 2024b. California Williamson Act Enrollment Finder. https://maps.conservation.ca.gov/dlrp/WilliamsonAct/App/index.html (accessed November 2024).

California Department of Finance (DOF). 2024. E-5 Population and Housing Estimates for Cities, Counties, and the State, 2020-2024. May 2024. https://dof.ca.gov/Forecasting/Demographics/Estimates/e-5-population-and-housing-estimates-for-cities-counties-and-the-state-2020-2024/ (accessed October 2024).

California Department of Forestry and Fire Protection (CAL FIRE). 2024. Fire Hazard Severity Zones in State Responsibility Area. https://calfire-forestry.maps.arcgis.com/apps/webappviewer/index.html?id=988d431a42b242b29d89597ab693d008 (accessed November 2024).

Stanislaus Council of Governments. 2022. Final Regional Housing Needs Allocation (RHNA) Plan: Stanislaus County Region. https://www.stancog.org/DocumentCenter/View/1621/StanCOG-Adopted-Final-Regional-Housing-Needs-Allocation-RHNA-Plan?bidId= (accessed October 2024).

Stanislaus, County of. 2016. Stanislaus County General Plan and Airport Land Use Compatibility Plan Update Draft Program Environmental Impact Report. https://www.stancounty.com/planning/pl/gp/current/DraftEIR.pdf (accessed October 2024).

_____. 2016. Stanislaus County General Plan. https://www.stancounty.com/planning/pl/general-plan.shtm (accessed October 2024).

7.2 List of Preparers

Rincon Consultants, Inc. prepared this EIR Addendum under contract to the Stanislaus County. Persons involved in data gathering analysis, project management, and quality control are listed below.

Rincon Consultants, Inc.

Matt Maddox, AICP, Principal
Aileen Mahoney, Senior Environmental Planner
Antonia Davetas, Environmental Planner
Michael Huang, Environmental Planner

NOTICE OF DETERMINATION

Filing of Notice of Determination in Compliance with Section 21108 or 21152 of the Public Resources Code

Project Title: General Plan Amendment, Rezone, and Ordinance Amendment PLN2025-0053 – Sixth Cycle Housing Element Implementation

Applicant Information: Stanislaus County Department of Planning and Community Development, 1010 10th St. Suite 3400 Modesto, CA 95354 (209) 525-6330

Project Location: Ordinance amendments are county-wide and the rezones are proposed on the following Assessor Parcel Numbers (APNs): Denair - 024-012-004 and -005, 024-033-001 and -002, 024-033-006 to -009, 024-033-011 and -012, 024-033-015 to -022, 024-033-025 and -026, 024-033-029 and -030, 024-033-032; Empire - 133-017-002 to -006, 133-017-011, 133-017-023 to -026, 133-017-033 and -034, 133-017-036, 133-017-065; Keyes - 045-021-019 and -020, 045-033-007; North Ceres (Bystrom) - 038-017-041, 038-039-012 and -013, 038-039-016, 038-039-019 and -020, 038-039-030 and -031; North Ceres (Hatch/Stonum) - 039-025-015, 039-025-017 to -019, 039-025-030 and -031; South Ceres - 053-031-023; South Modesto (Bret Harte) - 056-032-069, 056-033-049, 056-034-001, 056-035-001, and 056-036-036; West Modesto (Spencer/Marshall Neighborhood) - 030-004-002 to -010, 030-004-013 to -017, 030-005-001 to -018, 030-005-026, 030-008-003 to -006, 030-008-015 and -016; and West Modesto (Beverly/Waverly Neighborhood) - 037-004-061 and 037-004-068. An amendment to the zoning designations (from C-2 to MU) of 38 parcels identified by the following APNs: Salida - 135-041-004 and -005, 135-041-009 to -016, 135-041-018 and -019, 135-041-024, 135-041-031 and -032, 135-041-034 to -036; and South Modesto (Crows Landing Road) - 056-011-023 to -028, 056-017-020 and -021, 056-017-023, 056-018-001 and -002, 056-018-026, 056-048-018 and -019, 056-048-052 and -053, and 086-010-033 to -036.

Description of Project: This project includes a variety of land use amendments proposed in order to implement various actions incorporated into Stanislaus County's (County) draft sixth cycle Housing Element. The project proposes text amendments to the County's General Plan Land Use Element's Commercial land use designation, rezoning of 139 parcels to allow for high-density residential development, amendments to the community plan designation in Denair to ensure consistency with the proposed rezones, adoption of objective design standards to be applied to new multi-family developments, and adoption of a variety of zoning ordinance amendments proposed in the County's draft sixth cycle Housing Element, including adoption of a new Mixed Use zoning district.

Name of Agency Approving Project: Stanislaus County Board of Supervisors

Lead Agency Contact Person: Kristy Doud, Deputy Director of Planning services **Telephone:** (209) 525-6330

This is to advise that the Stanislaus County Board of Supervisors on _____ has approved the above described project and has made the following determinations regarding the above described project:

1. Under the California Environmental Quality Act (CEQA), an Addendum to a certified Environmental Impact Report (EIR) or Mitigated Negative Declaration (MND) may be used if minor technical changes or modifications to the proposed project occur (CEQA Guidelines §15164).

   The Addendum to the General Plan EIR and record of project approval may be examined at:
   Stanislaus County Department of Planning and Community Development
   1010 10th Street, Suite 3400
   Modesto, California 95354

2. This application will not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts. (CEQA Guidelines §15162).

3. The General Plan EIR Addendum was considered prior to making a determination on this project (CEQA § 15164[d]).

4. The General Plan EIR Addendum demonstrated that the environmental analysis, impacts, and requirements identified in the General Plan EIR remains substantively unchanged, and supports the finding that the revisions to the project does not constitute a substantial change to the project or provide new information of substantial importance with regard to new or more significant impact than identified in the General Plan EIR.

This is to certify that the Addendum to the General Plan EIR and record of project approval is available to the General Public @ http://www.stancounty.com/planning/pl/agenda-min.shtm

Dated

Kristy Doud
Deputy Director of Planning Services

DISTRIBUTION LIST FOR NOTICE OF DOCUMENT AVAILABILITY AND NOTICE OF PUBLIC HEARING

PROJECT: GPA REZ OA PLN2025-0053 - SIXTH CYCLE HOUSING ELEMENT IMPLEMENTATION

REFERRED TO:			RESPONDED		RESPONSE		
	NODA	PUBLIC HEARING NOTICE	YES	NO	WILL NOT HAVE SIGNIFICANT IMPACT	MAY HAVE SIGNIFICANT IMPACT	NO COMMENT NON CEQA
AIRPORT LAND USE COMMISSION	X	X	X				X
ANIMAL SERVICES	X	X		X			
AT&T	X	X		X			
BERTOLOTTI DISPOSAL DISTRICT	X	X		X			
BOARD OF SUPERVISORS	X	X	X				X
BURBANK-PARADISE FIRE DIST	X	X	X			X	
BURLINGTON NORTHERN / SANTA FE RAILROAD	X	X		X			
CA BUILDING ASSOCIATION	X	X	X				X
CA DEPT OF CONSERVATION	X	X		X			
CA DEPT OF FISH AND WILDLIFE	X	X		X			
CA DEPT OF FORESTRY	X	X		X			
CA DEPT OF HOUSING & COMMUNITY DEVELOPMENT	X	X	X				X
CA DEPT OF JUSTICE	X	X	X				X
CA DEPT OF TRANSPORTATION	X	X		X			
CA NORTHERN RAILROAD	X	X		X			
CA OPR STATE CLEARINGHOUSE	X	X	X				X
CA RURAL LEGAL ASSISTANCE	X	X	X			X	
CA RWQCB CENTRAL VALLEY REGION	X	X	X				X
CA STATE LANDS COMMISSION	X	X		X			
CA SWRCB	X	X		X			
CALAVERAS COUNTY PLANNING	X	X		X			
CALIFORNIA VALLEY MIWOK TRIBE	X	X		X			
CENTRAL CALIFORNIA IRRIGATION DISTRICT	X	X		X			
CENTRAL VALLEY FLOOD PROTECTION BOARD	X	X		X			
CERES FIRE PROTECTION DIST	X	X		X			
CERES UNIFIED SCHOOL DIST	X	X		X			
CHATOM UNION SCHOOL DIST	X	X		X			
CITY OF CERES	X	X	X				X
CITY OF ESCALON	X	X		X			
CITY OF GUSTINE	X	X		X			
CITY OF HUGHSON	X	X		X			
CITY OF MODESTO	X	X	X				X
CITY OF NEWMAN	X	X		X			
CITY OF OAKDALE	X	X	X				X
CITY OF PATTERSON	X	X		X			
CITY OF RIVERBANK	X	X		X			
CITY OF TURLOCK	X	X		X			
CITY OF WATERFORD	X	X		X			
COMMUNITY SERVICES AGENCY (CSA)	X	X	X				X
COOPOERATIVE EXTENSION	X	X		X			
CROWS LANDING CSD	X	X		X			
DEL PUERTO HOSPITAL DIST	X	X		X			
DEL PUERTO WATER DIST	X	X		X			
DENAIR CSD	X	X	X				X
DENAIR FIRE DIST	X	X		X			
DENAIR MAC	X	X	X				X
DENAIR POST OFFICE	X	X		X			
DENAIR UNIFIED SCHOOL DIST	X	X		X			
DM-II GSA	X	X		X			
EAST SIDE MOSQUITO ABATEMENT DIST	X	X		X			
EAST TURLOCK SUBBASIN GSA	X	X		X			
EASTERN SAN JOAQUIN GROUNDWATER AUTHORITY	X	X		X			
EASTIN WATER DIST	X	X		X			
EASTSIDE SAN JOAQUIN GSA	X	X		X			

EXHIBIT M

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DISTRIBUTION LIST FOR NOTICE OF DOCUMENT AVAILABILITY AND NOTICE OF PUBLIC HEARING

PROJECT: GPA REZ OA PLN2025-0053 - SIXTH CYCLE HOUSING ELEMENT IMPLEMENTATION

REFERRED TO:			RESPONDED		RESPONSE		
	NODA	PUBLIC HEARING NOTICE	YES	NO	WILL NOT HAVE SIGNIFICANT IMPACT	MAY HAVE SIGNIFICANT IMPACT	NO COMMENT NON CEQA
EASTSIDE WATER DIST	X	X		X			
EL SOLYO WATER DIST	X	X		X			
EMPIRE MAC	X	X	X				X
EMPIRE UNION SCHOOL DIST	X	X		X			
GILTON SOLID WASTE MANAGEMENT INC.	X	X		X			
GRATTON SCHOOL DIST	X	X		X			
GRAYSON CSD	X	X		X			
HART RANSOM UNION SCHOOL DIST	X	X		X			
HICKMAN COMMUNITY CHARTER DIST	X	X		X			
HICKMAN MAC	X	X		X			
HILLS FERRY CEMETERY DIST	X	X		X			
HUGHSON FIRE DIST	X	X		X			
HUGHSON UNIFIED SCHOOL DIST	X	X		X			
INDUSTRIAL FIRE DIST	X	X		X			
INTERESTED PARTIES	X	X	X				X
KEYES CSD	X	X	X				X
KEYES FIRE DIST	X	X		X			
KEYES MAC	X	X	X				X
KEYES POSTMASTER	X	X		X			
KEYES UNION SCHOOL DIST	X	X		X			
KNIGHTS FERRY CEMETERY DIST	X	X		X			
KNIGHTS FERRY CSD	X	X		X			
KNIGHTS FERRY ELEMENTARY SCHOOL DISTRICT	X	X		X			
KNIGHTS FERRY MAC	X	X		X			
LOCAL AREA FORMATION COMMISSION	X	X	X				X
MAC COMMUNITY MANAGER	X	X		X			
MARIPOSA COUNTY PLANNING	X	X		X			
MERCED COUNTY PLANNING	X	X		X			
MODESTO & EMPIRE TRACTION CO	X	X		X			
MODESTO CITY SCHOOL DIST	X	X		X			
MODESTO FIRE PREVENTION	X	X		X			
MODESTO IRRIGATION DIST GENERAL SERVICES	X	X	X				X
MODESTO POSTMASTER	X	X		X			
MONTEREY PARK TRACT CSD	X	X					
MOUNTAIN VIEW FIRE DIST	X	X		X			
NEWMAN FIRE DEPARTMENT	X	X		X			
NEWMAN-CROWSLANDING SCHOOL DIST	X	X		X			
NORTHERN VALLEY YOKUT OHLONE TRIBE	X	X		X			
NORTHERN VALLEY YOKUT TRIBE	X	X		X			
NORTHWESTERN DELTAT-MENDOTA GSA	X	X		X			
OAK FLAT WATER DIST	X	X		X			
OAK VALLEY HOSPITAL DIST	X	X		X			
OAKDALE IRRIGATION DIST	X	X	X				X
OAKDALE JOINT UNIFIED SCHOOL DIST	X	X		X			
OAKDALE RURAL FIRE DIST	X	X		X			
PARADISE SCHOOL DIST	X	X		X			
PARKLAWN UNITED NEIGHBORS	X	X	X				X
PATTERSON CEMETERY DIST	X	X		X			
PATTERSON FIRE DEPARTMENT	X	X		X			
PATTERSON IRRIGATION DIST	X	X		X			
PATTERSON IRRIGATION DISTRICT	X	X		X			
PATTERSON JOINT UNIFIED SCHOOL DIST	X	X		X			
PATTERSON POSTMASTER	X	X		X			
PG&E	X	X		X			

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PROJECT: GPA REZ OA PLN2025-0053 - SIXTH CYCLE HOUSING ELEMENT IMPLEMENTATION

REFERRED TO:			RESPONDED		RESPONSE		
	NODA	PUBLIC HEARING NOTICE	YES	NO	WILL NOT HAVE SIGNIFICANT IMPACT	MAY HAVE SIGNIFICANT IMPACT	NO COMMENT NON CEQA
RISK MANAGEMENT	X	X		X			
RIVERBANK UNIFIED SCHOOL DIST	X	X		X			
RIVERDALE PARK TRACT CSD	X	X		X			
ROBERTS FERRY ELEMENTARY SCHOOL	X	X		X			
ROCK CREEK WATER DIST	X	X		X			
S SAN JOAQUIN IRRIGATION DIST	X	X		X			
SAGE INSTITUTE, INC.	X	X		X			
SALIDA FIRE PROTECTION DIST	X	X	X			X	
SALIDA MAC	X	X	X				X
SALIDA SANITARY DIST	X	X		X			
SALIDA UNION SCHOOL DIST	X	X		X			
SAN JOAQUIN COUNTY PLANNING	X	X		X			
SAN JOAQUIN COUNTY PUBLIC WORKS	X	X		X			
SAN JOAQUIN RIVER EXCHANGE CONTRACTORS WATER AUTHORITY GSA	X	X		X			
SAN JOAQUIN VALLEY APCD	X	X		X			
SAN LUIS & DELTA-MENDOTA WATER AUTHORITY	X	X		X			
SANTA CLARA COUNTY ROADS & AIRPORTS PLANNING DIVISION	X	X		X			
SHILOH SCHOOL DIST	X	X		X			
SELF-HELP ENTERPRISES	X	X	X				X
SIERRA NORTHERN RAILROAD	X	X		X			
SOLID WASTE	X	X		X			
SOUTH MODESTO MAC	X	X	X				X
SOUTH MODESTO BUSINESSES UNITED	X	X	X				X
SOUTHERN SIERRA MIWUK NATION	X	X		X			
STAN AND TUOLUMNE RIVERS GROUNDWATER BASIN ASSOC	X	X		X			
STAN COUNTY AG COMM	X	X		X			
STAN COUNTY BEHAVIORAL HEALTH	X	X		X			
STAN COUNTY CHIEF EXEC OFFICE	X	X		X			
STAN COUNTY COMMUNITY SERVICES AGENCY	X	X	X				X
STAN COUNTY COUNTY COUNSEL	X	X		X			
STAN COUNTY DEPT OF ENV RESOURCES	X	X	X				X
STAN COUNTY DEPT OF PLANNING AND CD - Building Permits	X	X		X			
STAN COUNTY GENERAL SERVICES AGENCY	X	X		X			
STAN COUNTY PARKS AND REC	X	X		X			
STAN COUNTY SHERIFF	X	X		X			
STAN FIRE PREVENTION BUREAU	X	X		X			
STANCOG	X	X		X			
STANISLAUS CONSOLIDATED FIRE PROTECTION DIST	X	X		X			
STAN COUNTY WORKFORCE DEVELOPMENT	X	X		X			
STANISLAUS COUNTY EMERGENCY MEDICAL SERVICES AGENCY	X	X		X			
STANISLAUS COUNTY FARM BUREAU	X	X		X			
STANISLAUS COUNTY PUBLIC WORKS	X	X		X			
STANISLAUS COUNTY PUBLIC WORKS - SURVEY	X	X		X			
STANISLAUS EQUITY PARTNERS	X	X		X			
STANISLAUS UNION SCHOOL DIST	X	X		X			
SURROUNDING LANDOWNERS	X	X	X				X
SYLVAN UNION SCHOOL DIST	X	X		X			
TULE RIVER INDIAN TRIBE	X	X		X			
TUOLUMNE BAND OF ME-WUK	X	X		X			
TUOLUMNE COUNTY PLANNING	X	X		X			
TUOLUMNE RIVER PRESERVATION TRUST	X	X		X			
TURLOCK FIRE DEPARTMENT	X	X		X			

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PROJECT: GPA REZ OA PLN2025-0053 - SIXTH CYCLE HOUSING ELEMENT IMPLEMENTATION

REFERRED TO:			RESPONDED		RESPONSE		
	NODA	PUBLIC HEARING NOTICE	YES	NO	WILL NOT HAVE SIGNIFICANT IMPACT	MAY HAVE SIGNIFICANT IMPACT	NO COMMENT NON CEQA
TURLOCK IRRIGATION DISTRICT	X	X		X			
TURLOCK MOSQUITO ABATEMENT DIST	X	X		X			
TURLOCK RURAL FIRE DIST	X	X		X			
TURLOCK SCAVENGER	X	X		X			
TURLOCK UNIFIED SCHOOL DIST	X	X		X			
UNION PACIFIC RAILROAD	X	X		X			
US ARMY CORPS OF ENGINEERS	X	X		X			
US FISH AND WILDLIFE	X	X		X			
USDA NRCS SERVICE CENTER	X	X		X			
VALLEY IMPROVEMENT PROJECT	X	X	X				X
VALLEY HOME JOINT SCHOOL DIST	X	X		X			
VALLEY HOME MAC	X	X		X			
W SIDE COMMUNITY HEALTHCARE DIST	X	X		X			
W STANISLAUS FIRE DIST	X	X		X			
W STANISLAUS IRRIGATION DIST	X	X		X			
WATERFORD SCHOOL DIST	X	X		X			
WEST MODESTO COMMUNITY COLLABORATIVE	X	X	X				X
WEST TURLOCK SUBBASIN GSA	X	X		X			
WESTERN HILLS WATER DIST	X	X		X			
WESTLEY CSD	X	X		X			
WESTPORT FIRE DIST	X	X		X			
WOOD COLONY MAC	X	X		X			
WOODLAND AVE FIRE DIST	X	X		X			

GPA REZ OA PLN2025-0053 – SIXTH CYCLE HOUSING ELEMENT IMPLEMENTATION

Planning Commission – October 16, 2025



Source: Stanislaus County Affordable Housing Corporation

Project Request

Review and recommendation regarding adoption of:

- Rezones of 139 properties
- Zoning Text Amendments
- Land Use Element Amendment
- Objective Design Standards for Multi-Family and Mixed-Use Development
- CEQA General Plan EIR Addendum

Rezone Sites



Source: Stanislaus County Affordable Housing Corporation

Community Engagement

Rezone Sites, Zoning Text Amendments, Objective Design Standards, Addendum

Public Review

- 30-day review period
- Interested Parties
- Local, State, and Federal Agencies
- Email Lists
- Property Owners
- Surrounding property owners

Presentations

- Municipal Advisory Councils (June – August 2025)
- General Plan Update Committee (GPUC) (Sept. 2025)

Public Hearings

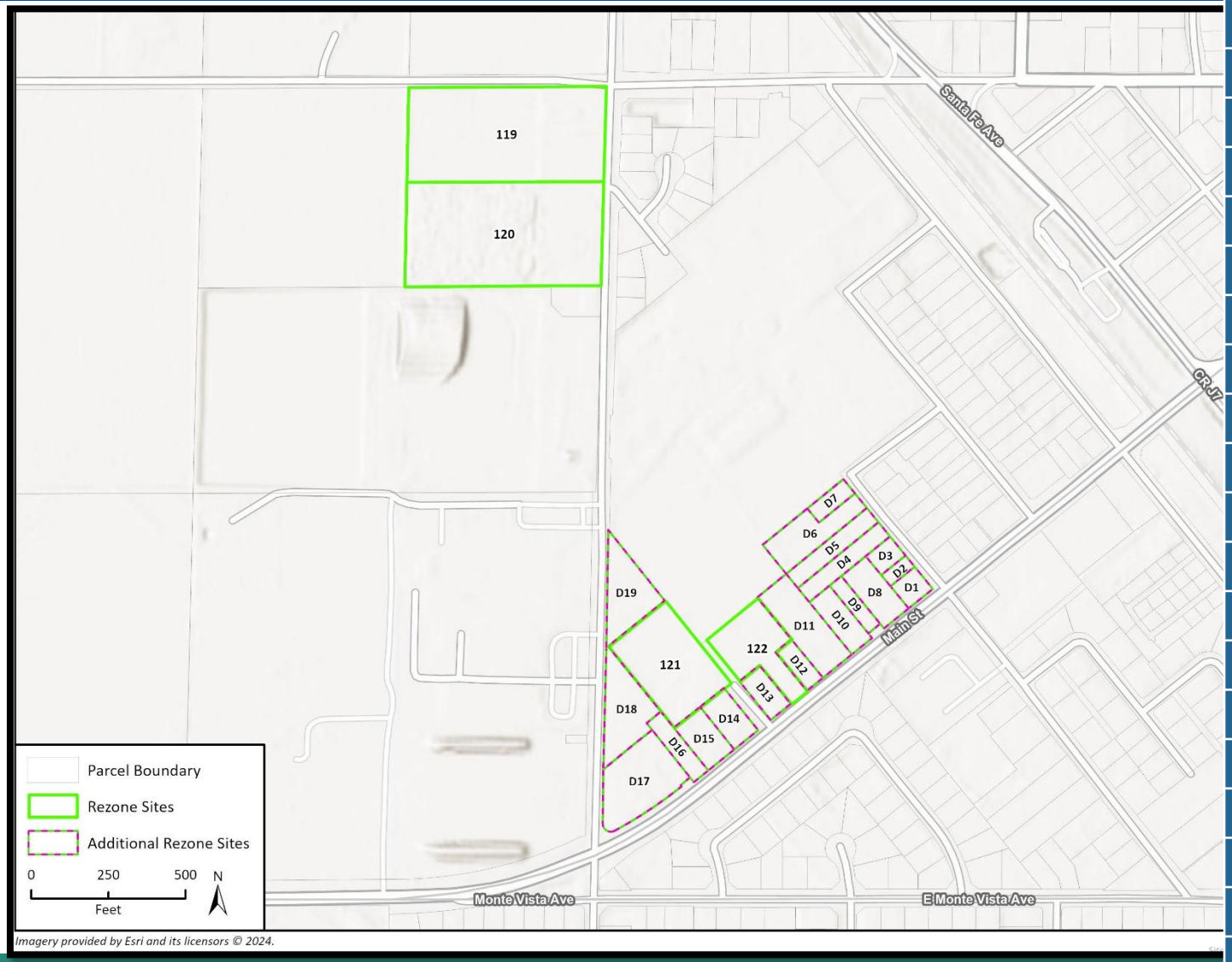
- Planning Commission – October 16, 2025
- Board of Supervisors – December 9, 2025

Rezone Sites

- The County identified 48 sites to be rezoned to higher density (R-3/M-U) as part of the Housing Element Update
- Additional 91 sites identified to provide comprehensive rezone

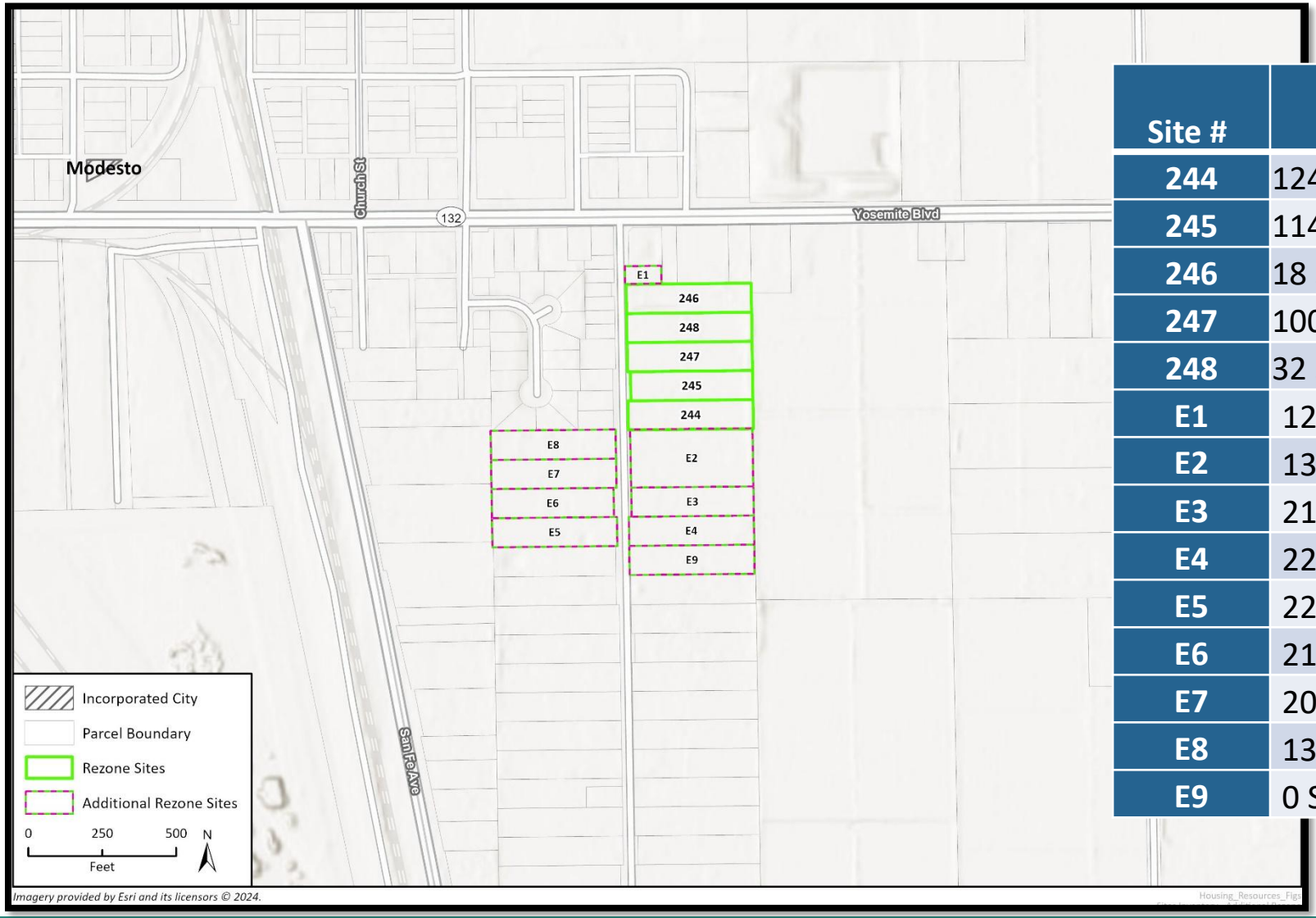
	Number of Parcels	Acreage	Lower-Income Units	Moderate-Income Units	Above Moderate-Income Units	Total Units
Denair	4	12.41	127	13	0	140
Empire	5	4.77	17	46	8	71
Keyes	3	4.45	58	18	2	78
North Ceres	4	7.97	97	18	1	116
Salida	3	1.40	0	18	3	21
South Ceres	1	4.18	76	7	0	83
Bret Hart (South Modesto)	10	29.67	481	101	8	590
West Modesto	18	23.44	248	107	15	370
Total	**48**	**88.29**	**1,104**	**328**	**37**	**1,469**

Denair Sites



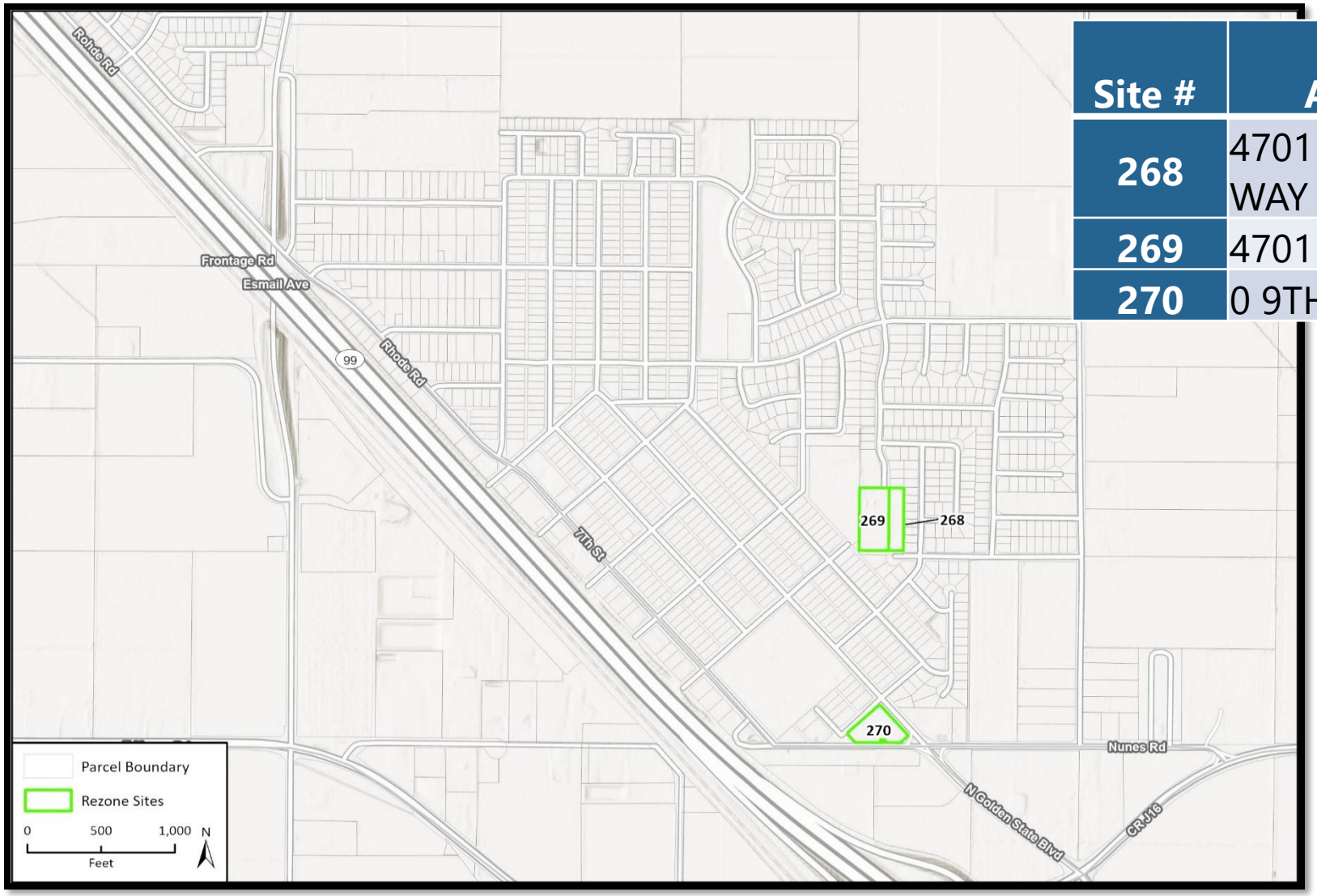
Site #	Address	Current Zone	Proposed Zone	Units
119	3833 LESTER RD	R-A	R-3	57
120	3817 LESTER RD	R-A	R-3	62
121	3325 KERN ST	R-A	R-3	29
122	4165 MAIN ST	R-A	R-3	17
D1	4273 Main St	R-A	R-3	4
D2	3517 Fresno	R-A	R-3	2
D3	3525 Fresno	R-A	R-3	4
D4	3533 Fresno	R-A	R-3	9
D5	3541 Fresno	R-A	R-3	9
D6	3549 Fresno	R-A	R-3	14
D7	3557 Fresno	R-A	R-3	4
D8	4249 Main St.	R-A	R-3	10
D9	4241 Main St.	R-A	R-3	4
D10	4233 Main St.	R-A	R-3	9
D11	4209 Main St.	R-A	R-3	19
D12	4201 Main St.	R-A	R-3	5
D13	4149 Main St.	R-A	R-3	6
D14	4135 Main St.	R-A	R-3	8
D15	4109 Main St.	R-A	R-3	9
D16	4057 Main St.	R-A	R-3	7
D17	3350 Lester Rd.	R-A	R-3	25
D18	3440 Lester Rd.	R-A	R-3	18
D19	3448 Lester Rd.	R-A	R-3	16

Empire Sites



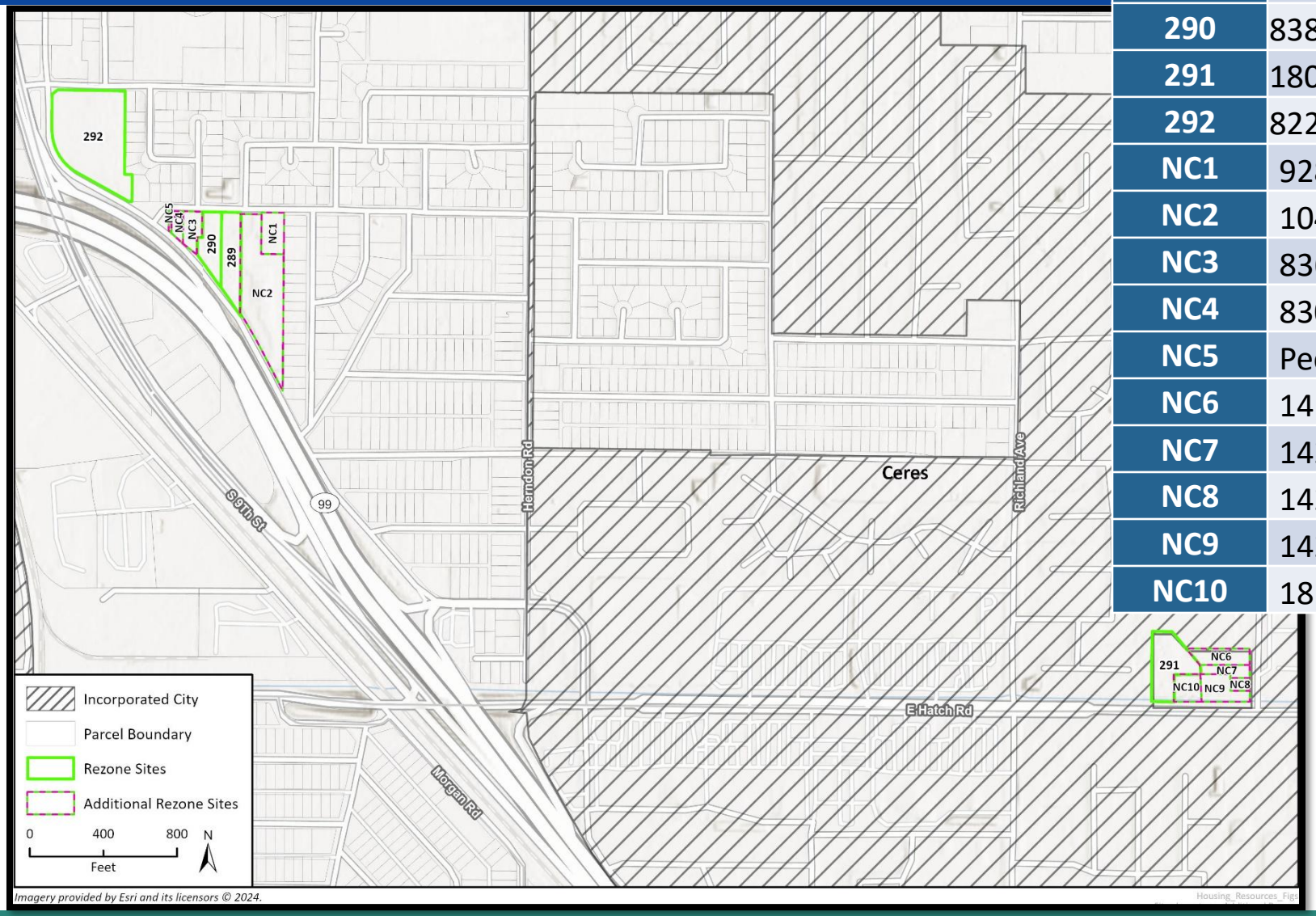
Site #	Address	Current Zone	Proposed Zone	Units
244	124 S ABBIE ST	R-A	R-3	13
245	114 S ABBIE ST	R-A	R-3	13
246	18 S ABBIE ST	R-A	R-3	19
247	100 S ABBIE ST	R-A	R-3	13
248	32 S ABBIE ST	R-A	R-3	13
E1	12 S ABBIE ST	R-A	R-3	3
E2	130 S ABBIE ST	R-A	R-3	37
E3	212 S ABBIE ST	R-A	R-3	19
E4	224 S ABBIE ST	R-A	R-3	19
E5	225 S ABBIE ST	P-D (235)	R-3	19
E6	213 S ABBLIE ST	R-A	R-3	19
E7	201 S ABBIE ST	R-A	R-3	19
E8	137 S ABBIE ST	R-A	R-3	19
E9	0 S. Abbie St.	R-A	R-3	19

Keyes Sites



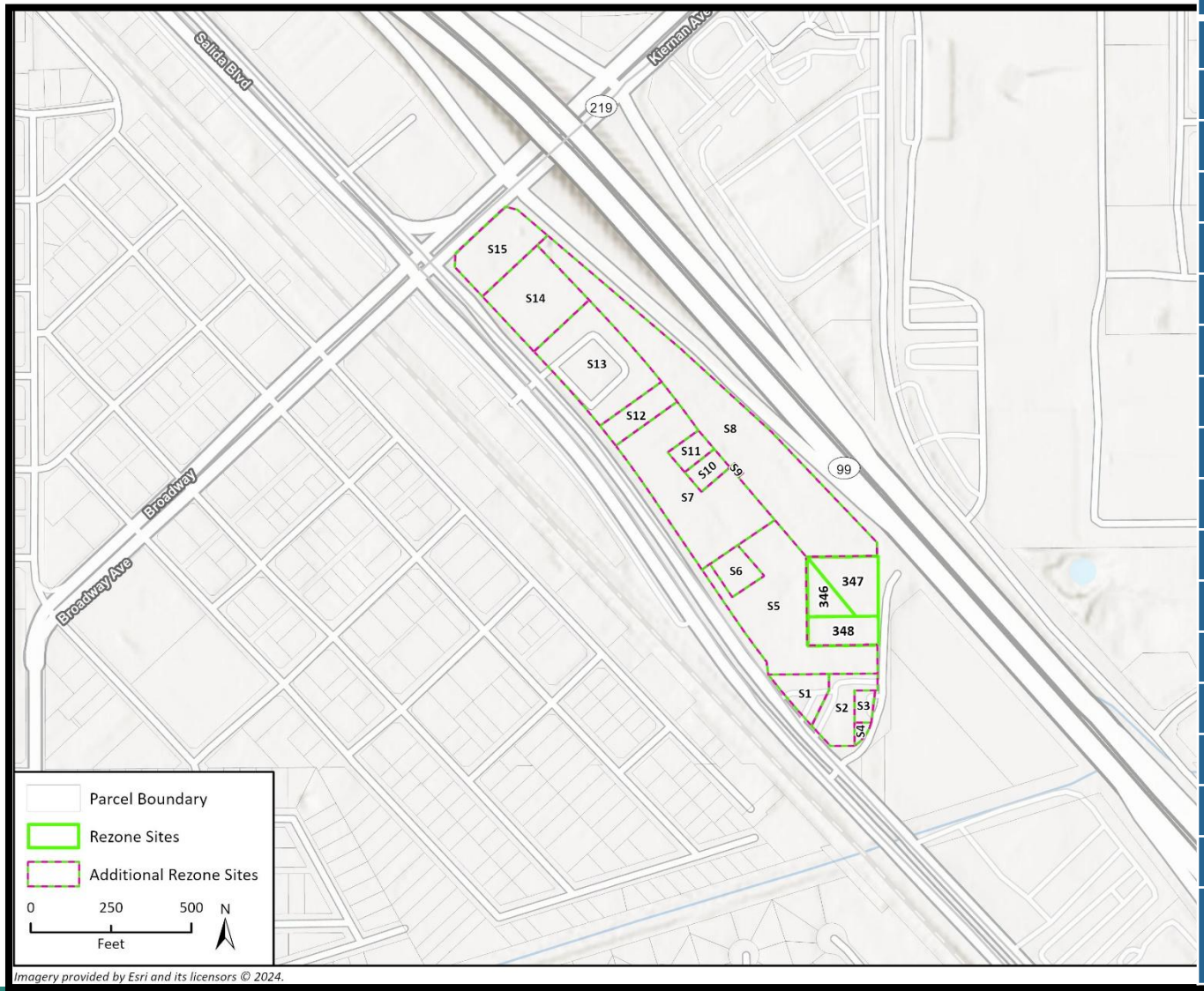
Site #	Address	Current Zone	Proposed Zone	Units
268	4701 NORMA WAY	R-1	R-3	14
269	4701 MAUD AVE	R-1	R-3	35
270	0 9TH ST	H-1	R-3	29

North Ceres Sites



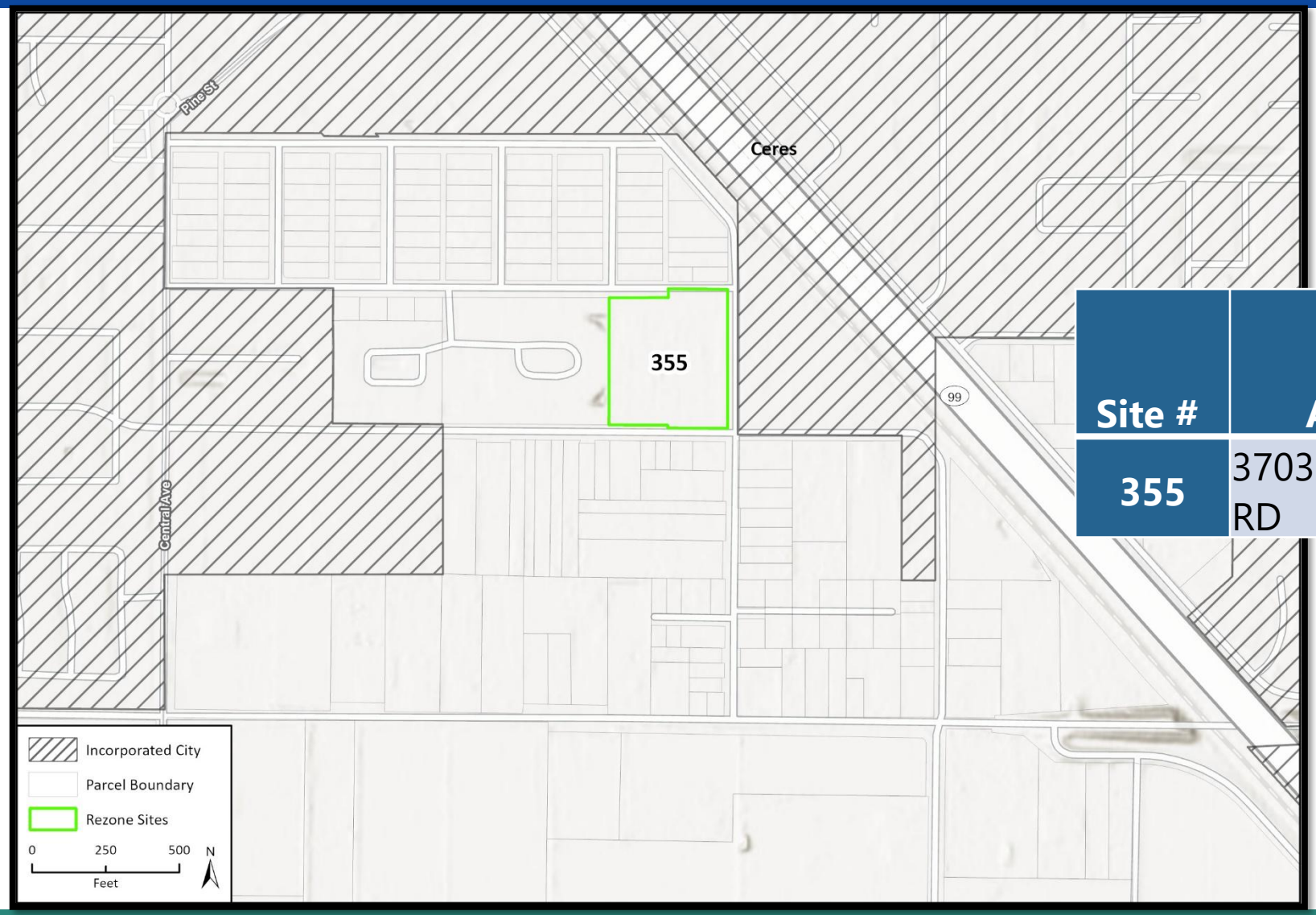
Site #	Address	Current Zone	Proposed Zone	Units
289	854 PECOS AVE	R-A	R-3	22
290	838 PECOS AVE	R-A	R-3	10
291	1809 E HATCH RD	R-A	R-3	22
292	822 BYSTRUM RD	P-D	R-3	62
NC1	928 Pecos Ave.	R-A	R-3	13
NC2	1040 Bystrum Rd.	P-D	R-3	68
NC3	836 Pecos Ave.	R-A	R-3	9
NC4	830 Pecos Ave.	R-A	R-3	4
NC5	Pecos Ave.	R-A	R-3	1
NC6	1417 Stonum Rd	R-A	R-3	10
NC7	1421 Stonum Rd	R-A	R-3	7
NC8	1425 Stonum Rd	R-A	R-3	3
NC9	1429 Stonum Rd	R-A	R-3	14
NC10	1817 E Hatch	R-A	R-3	13

Salida Sites



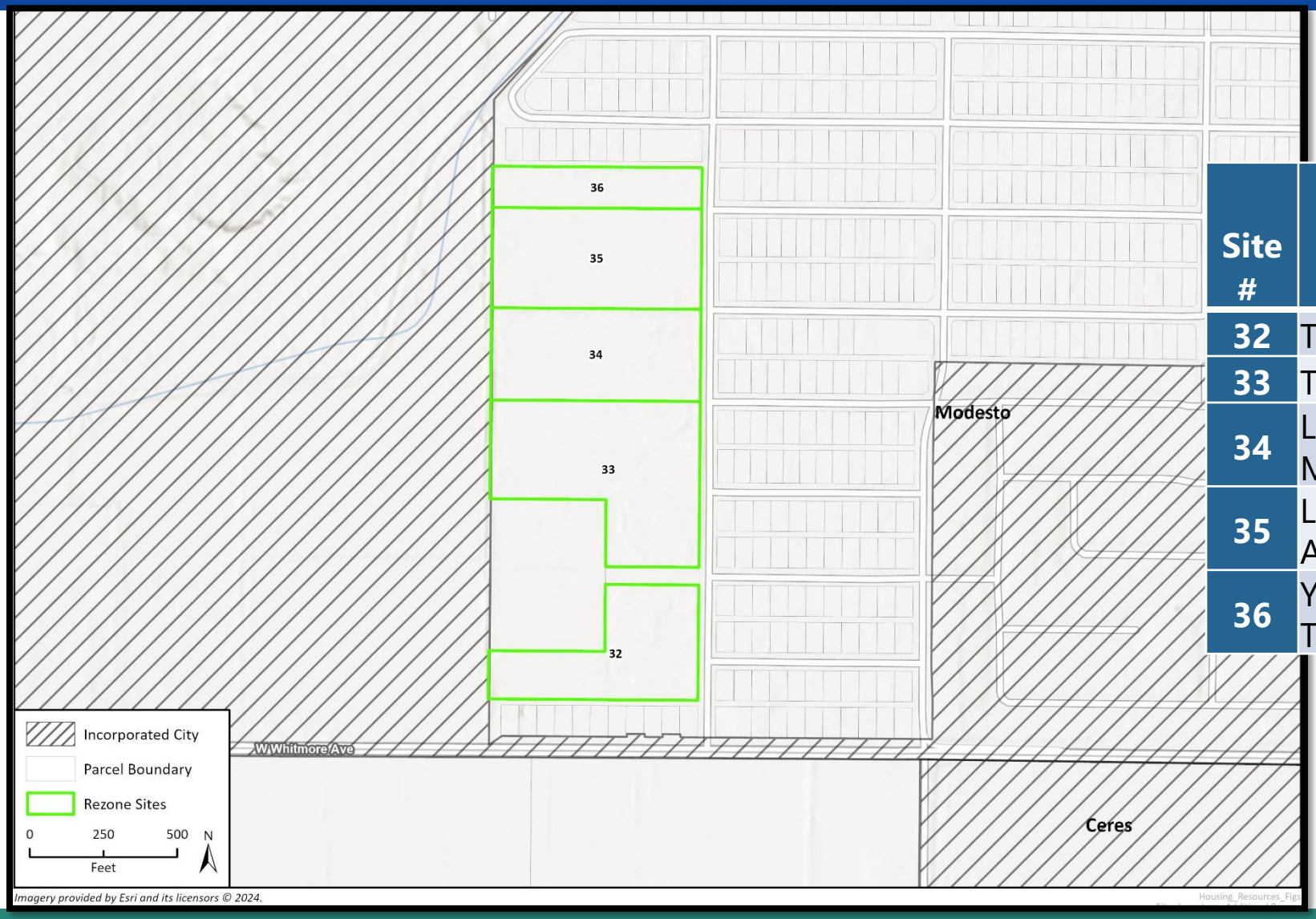
Site #	Address	Current Zone	Proposed Zone	Units
346	HOPE LN	C-2	MU	6
347	4573 HOPE LN	C-2	MU	6
348	4549 HOPE LN	C-2	MU	9
S1	4524 Salida Blvd	C-2	MU	8
S2	4512 Salida Blvd	C-2	MU	12
S3	4519 Hope Ln	C-2	MU	3
S4	4507 Hope Ln	C-2	MU	1
S5	4556 Salida Blvd	C-2	MU	50
S6	4566 Salida Blvd	C-2	MU	6
S7	4660 Salida Blvd	C-2	MU	46
S8	0 Broadway Ave	C-2	MU	75
S9	4585 Hope Ln	C-2	MU	0
S10	4632 Salida Blvd	C-2	MU	4
S11	4634 Salida Blvd	C-2	MU	4
S12	4654 Salida Blvd.	C-2	MU	9
S13	4732 Salida Blvd.	C-2	MU	35
S14	4738 Salida Blvd.	C-2	MU	25
S15	4442 Broadway Ave.	C-2	MU	17

South Ceres Sites



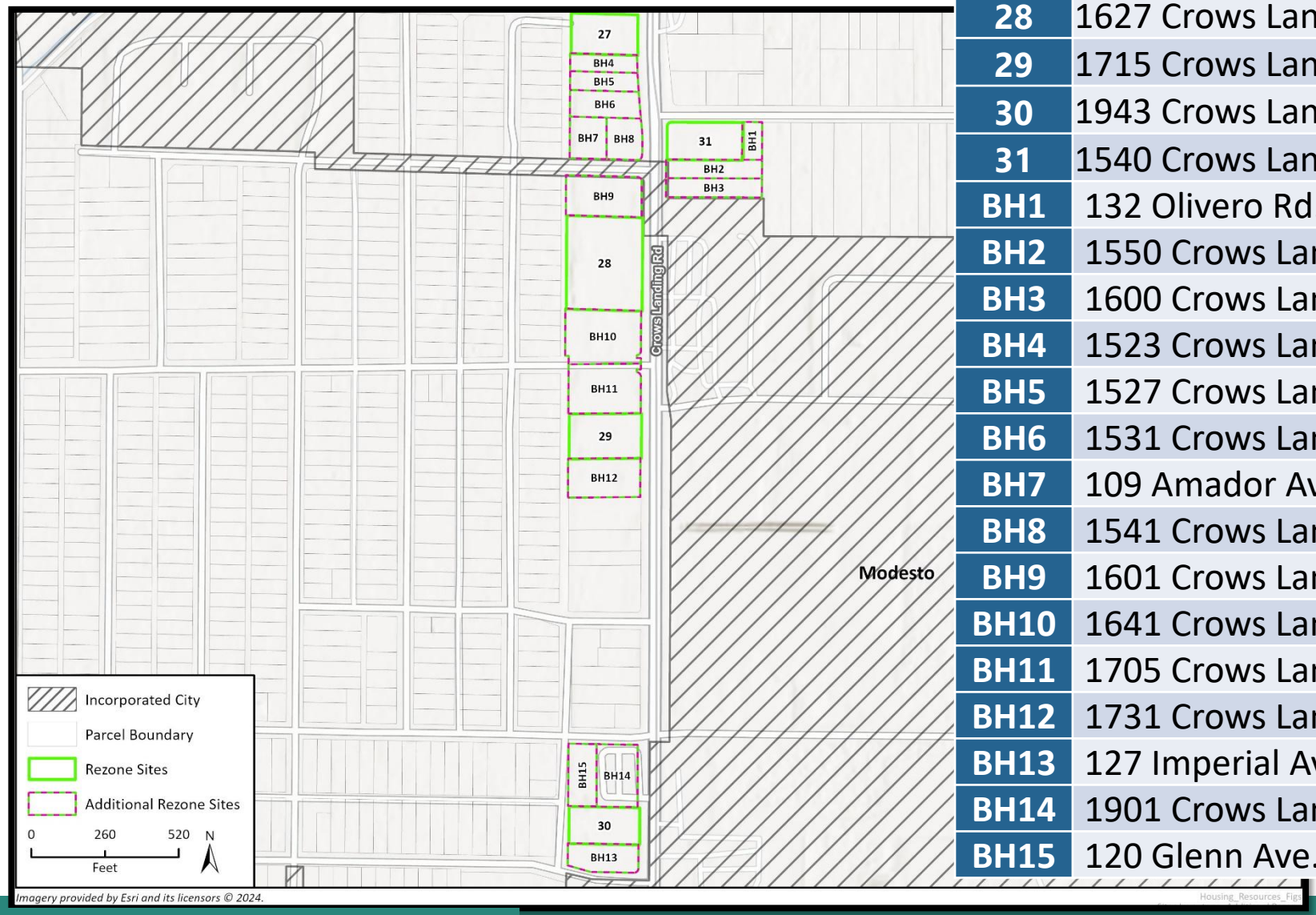
Site #	Address	Current Zone	Proposed Zone	Units
355	3703 COLLINS RD	P-D	R-3	83

Bret Harte (South Modesto) Sites



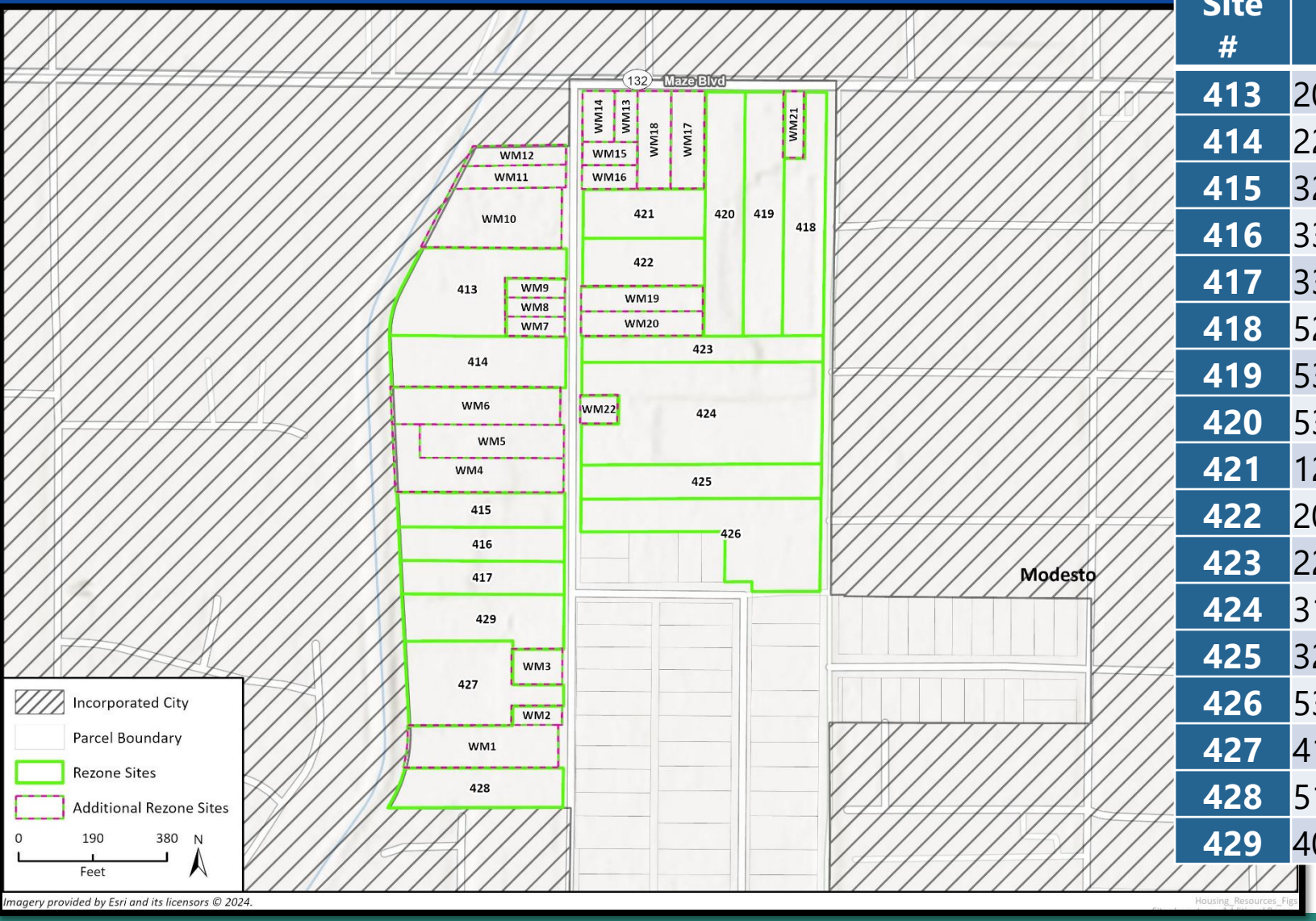
Site #	Address	Current Zone	Proposed Zone	Units
32	TUCSON AVE	R-1	R-3	86
33	TUCSON AVE	R-1	R-3	142
34	LASSEN & MARIN AVE	R-1	R-3	102
35	LASSEN & INYO AVE	R-1	R-3	111
36	YUMA & TUCSON AVE	R-1	R-3	45

Bret Harte Cont.



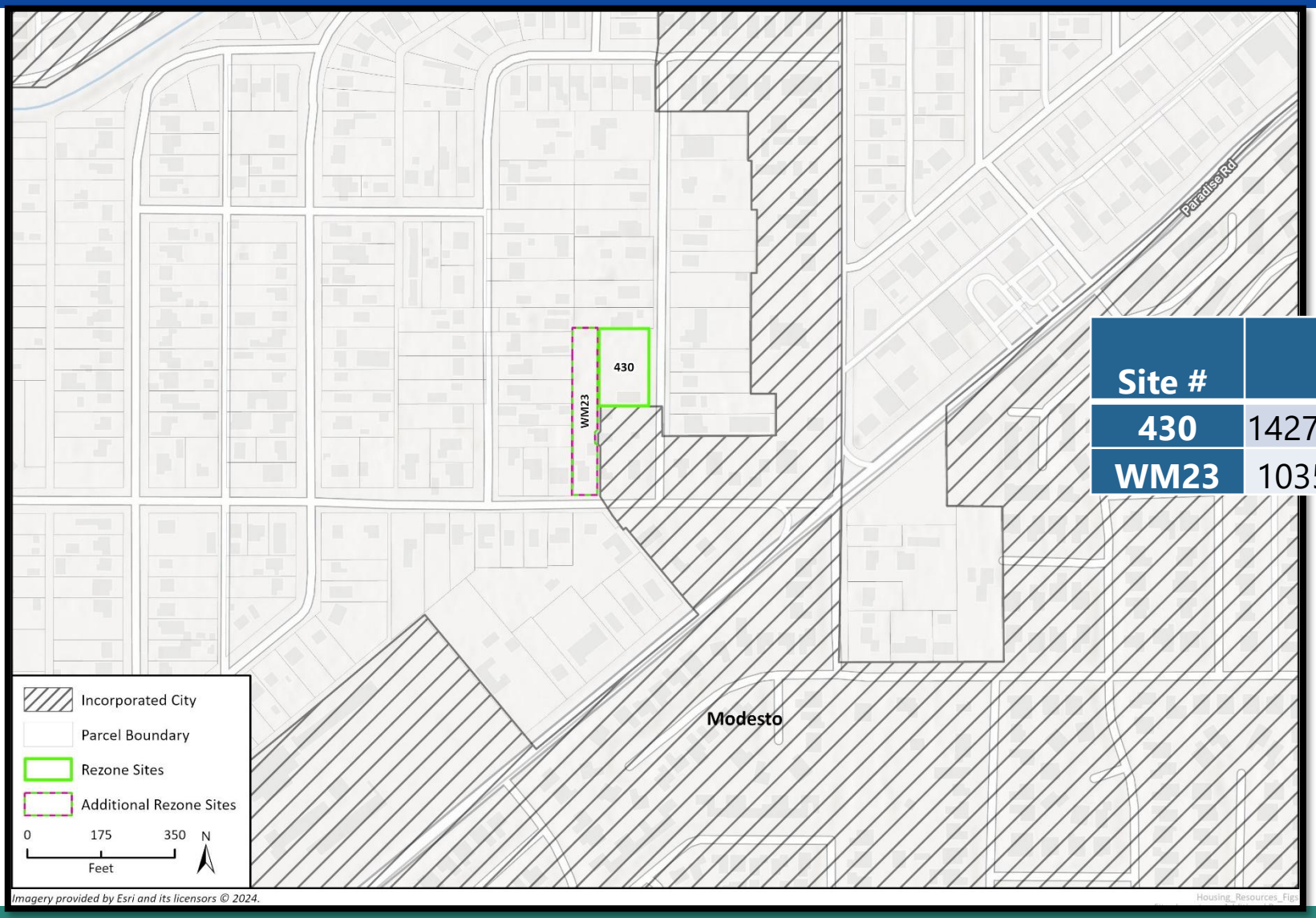
Site #	Address	Current Zone	Proposed Zone	Units
27	1511 Crows Landing Rd.	C-2	MU	15
28	1627 Crows Landing Rd.	C-2	MU	40
29	1715 Crows Landing Rd.	C-2	MU	18
30	1943 Crows Landing Rd.	C-2	MU	15
31	1540 Crows Landing Rd.	C-2	MU	16
BH1	132 Olivero Rd.	C-2	MU	4
BH2	1550 Crows Landing Rd.	C-2	MU	10
BH3	1600 Crows Landing Rd.	C-2	MU	10
BH4	1523 Crows Landing Rd.	C-2	MU	7
BH5	1527 Crows Landing Rd.	C-2	MU	7
BH6	1531 Crows Landing Rd.	C-2	MU	11
BH7	109 Amador Ave.	C-2	MU	9
BH8	1541 Crows Landing Rd.	C-2	MU	8
BH9	1601 Crows Landing Rd.	C-2	MU	17
BH10	1641 Crows Landing Rd.	C-2	MU	18
BH11	1705 Crows Landing Rd.	C-2	MU	20
BH12	1731 Crows Landing Rd.	C-2	MU	16
BH13	127 Imperial Ave.	C-2	MU	11
BH14	1901 Crows Landing Rd.	C-2	MU	15
BH15	120 Glenn Ave.	C-2	MU	10

West Modesto Sites



Site #	Address	Current Zone	Proposed Zone	Units
413	207 SPENCER AVE	R-A	R-3	28
414	227 SPENCER AVE	R-A	R-3	18
415	323 SPENCER AVE	R-A	R-3	13
416	333 SPENCER AVE	R-A	R-3	12
417	337 SPENCER AVE	R-A	R-3	12
418	523 MAZE BLVD	R-1	R-3	22
419	531 MAZE BLVD	R-1	R-3	22
420	539 MAZE BLVD	R-1	R-3	22
421	128 SPENCER AVE	R-1	R-3	13
422	204 SPENCER AVE	R-1	R-3	12
423	226 SPENCER AVE	R-1	R-3	15
424	310 SPENCER AVE	R-1	R-3	66
425	320 SPENCER AVE	R-1	R-3	20
426	533 TRUMAN AVE	R-1	R-3	30
427	415 SPENCER AVE	R-A	R-3	27
428	511 SPENCER AVE	R-A	R-3	12
429	405 SPENCER AVE	R-A	R-3	20

West Modesto Sites Continued



Site #	Address	Current Zone	Proposed Zone	Units
430	1427 RITSCH LN	R-1	R-3	6
WM23	1035 Beverly Dr.	R-1	R-3	11

Zoning Text Amendments



Source: Stanislaus County Affordable Housing Corporation

Zoning Text Amendments

- Implements various programs and actions included in the Housing Element
- Includes amendments to the County's zoning ordinance chapters ordinance to meet state law requirements and allow for greater flexibility in the siting of housing

Zoning Text Amendments

- New mixed-use zone (Ch. 21.52)
  - Allowing residential uses at 20-25 dwelling units per acre
  - This encourages mixed-use developments by introducing residential options in commercial areas
- Allow Single-Room Occupancy (SRO) developments in R-3 (Ch. 21.36)
  - SROs provide affordable, small scale housing options, increasing housing density
- Remove single-family dwellings as permitted use in R-3 (Ch. 21.36)
  - Encourages multi-family development in high-density zone

Zoning Text Amendments

- Changes to comply with State law:
  - Raised the emergency shelter bed cap from 10 to 20
  - Included a provision for SB9 lot splits
  - Farmworker housing allowed by right (no more than 36 beds)
  - Allow low-barrier navigation centers in commercial zones that allow for residential development (C-1)
  - Allowance for mobile homes in Historical Sites District

Zoning Text Amendments

- Changes to make residential development more flexible in the residential zoning district:
  - Single-Family Residential District (R-1) – Increased lot coverage limit from 40 to 50 percent.
  - 21.32 - Medium Density Residential District (R-2) – Added two-family dwellings to the permitted uses up to 14 units per acre and increased lot coverage limits from 50 to 60 percent.
  - 21.36 - Multiple-Family Residential District (R-3) – Cleaned up terminology of permitted uses, added single room occupancy housing as a permitted use subject to a staff approval permit, decreased minimum lot size from six-thousand square feet to four-thousand square feet, added objective design standards, and added rezone site requirements including a prohibition on new single-family dwellings and a requirement that development on rezone sites allow for minimum density of 20 dwelling units per acre.

Land Use Element Amendment



Source: Stanislaus County Affordable Housing Corporation

Land Use Element Update

COMMERCIAL

Intent. The intent of this designation is to indicate areas best suited for various forms of light to heavy commercial uses, including retail, service, and wholesaling operations. This designation also allows for residential development ~~in limited situations or~~ when connected to both public sewer and water service. The County has one designation to correspond to the various commercial zoning districts. This designation is intended for lands which demonstrate a valid supportive relationship to other existing or projected urban development.

Zoning. C-1 (Neighborhood Commercial), C-2 (General Commercial), H-I (Highway Frontage Commercial), SCP-C-1 (Salida Community Plan, Neighborhood Commercial)**,** ~~and~~ SCP-C-2 (Salida Community Plan, General Commercial)**, and M-U (Mixed Use)** zones shall be considered consistent with this designation. P-D (Planned Development) zoning may also be appropriate provided the development does not exceed the established building intensity of this designation.

Land Use Amendments

- Amendment of the Community Plan designation in Denair form Low-Density Residential to Medium-High Density Residential
- Amendment of the General Plan Land Use designation of 101 parcels from Low-Density Residential, Commercial, and Planned Development to Medium-High Density Residential

Objective Design Standards



Source: Stanislaus County Affordable Housing Corporation

Objective Design Standards (ODS)

- What are ODS?
  - Clearly defined, measurable criteria
  - Not subject to interpretation
  - Typically covers architectural style, massing, landscaping, signage, and materials.

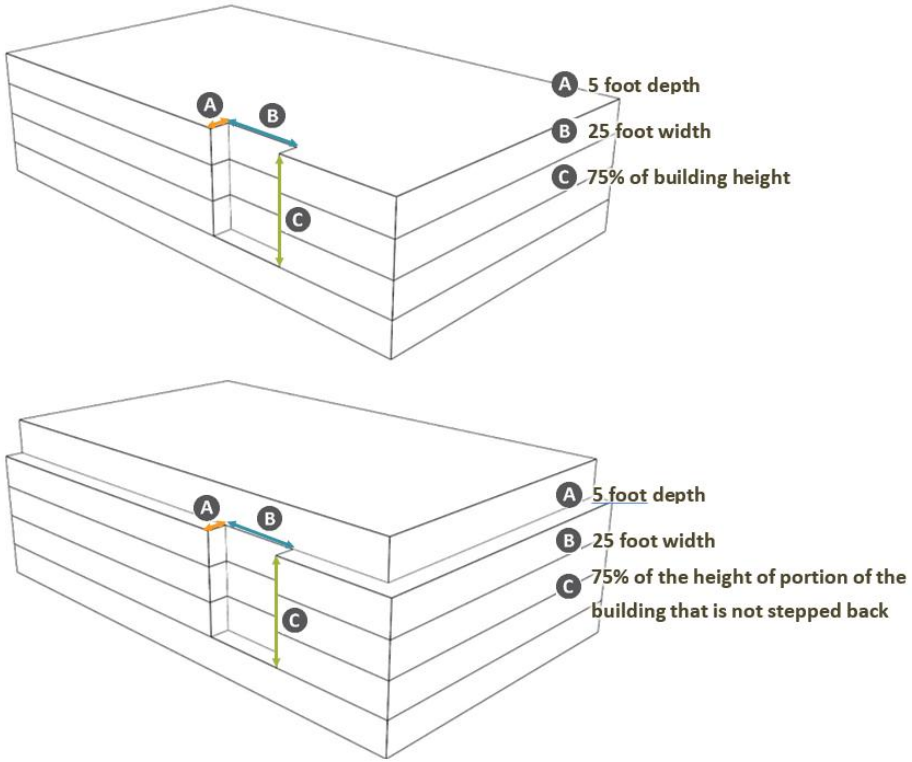
Streamlined Approval

- Reduce subjectivity
- Enable ministerial approval
- Limit delays
- Increase predictability
- Support compliance with state housing laws
- Encourage housing production



Objective Design Standards

Building mass and varying roof forms





Objective Design Standards

Windows and garage doors





Project Outreach and Review



Source: New Home Construction by Great Valley Center (Flickr, CC 2.0)

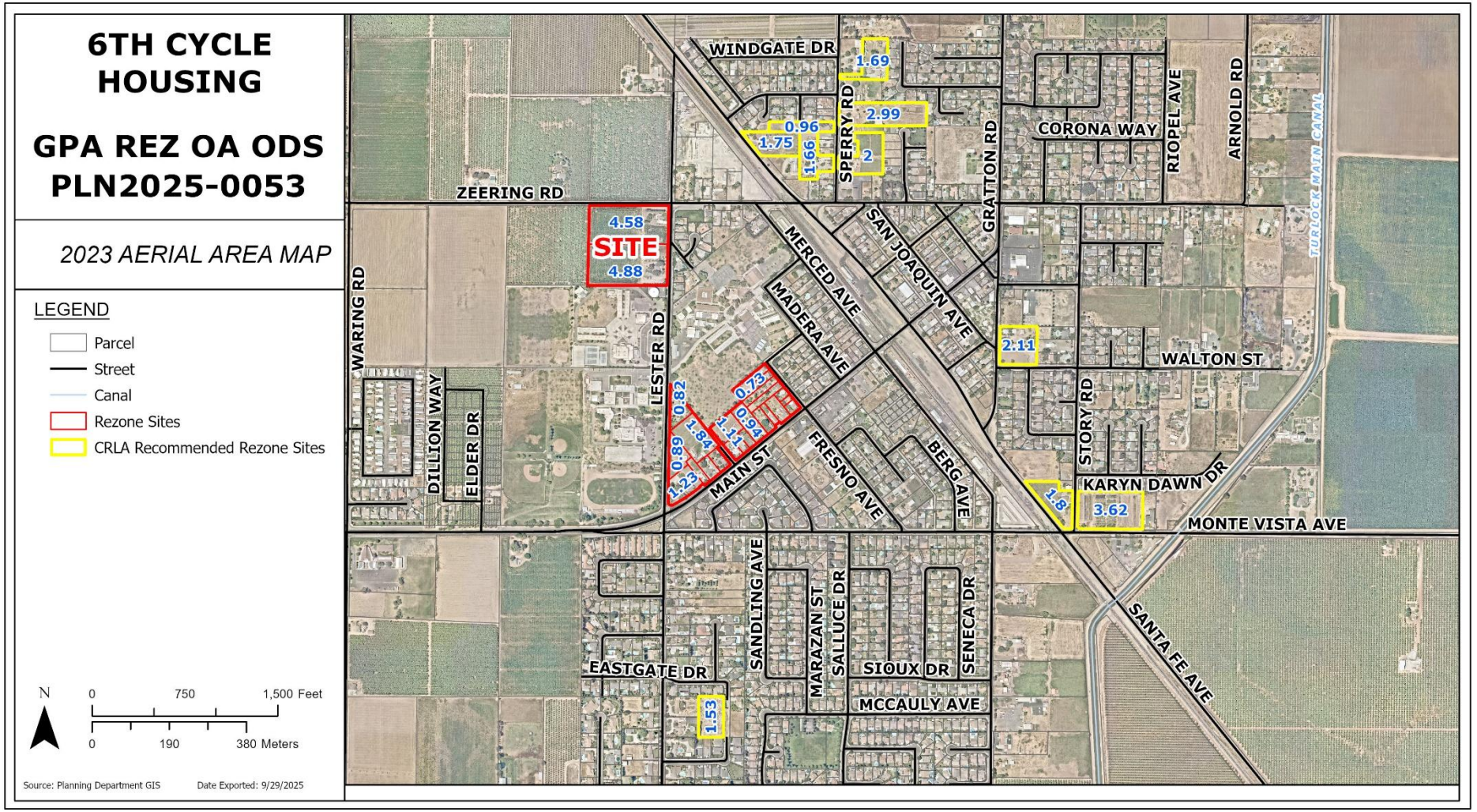
Project Outreach and Review

- Municipal Advisory Councils (MACs)
- General Plan Update Committee (GPUC)
- Ca Department of Housing and Community Development (HCD)

Project Outreach and Review

- California Rural Legal Assistance (CRLA)
  - Five responses received focused on anti-displacement actions, actions targeted to R/ECAPs, local knowledge, meaningful community outreach, additional lower-income sites in RCAAs
- Public Service Providers
  - Modesto and Oakdale Irrigation Districts
  - Burbank Paradise and Salida Fire Districts
    - Concerns with adequate fire service provision
    - Fire fees are required to be paid prior to issuance of a building permit
    - Rezone sites in Salida are required to annex into Salida Fire's Community Facilities District
- Multiple requests to have property added to rezone program

Project Outreach and Review



Project Outreach and Review

	Number of Parcels	Acreage	RHNA Sites			Total Realistic Capacity	
			Lower Income	Moderate Income	Above Moderate Income		Maximum Density
BRET HARTE (SM FP) RHNA Sites	5	24.37	445	41	0	486	609
BRET HARTE (SM FP) Additional Sites	0	0					
BRET HARTE (SM FP) Total	5	24.37					609
DENAIR RHNA Sites	4	12.41	127	13	0	140	310
DENAIR Additional Sites	19	9.08					227
DENAIR Total	23	21.49					537

General Plan and Zoning Consistency



Source: New Home Construction by Great Valley Center (Flickr, CC 2.0)

General Plan and Zoning Consistency

- Must be internally consistent
- Land Use Element
  - Amendments to General Plan designation and Denair Community Plan designation to Medium-High Density Residential
  - Amendment to Commercial Land Use Designation to add Mixed Use
  - Effective level of public service
  - Sphere of Influence
  - Community Plans
- Update Disadvantaged Unincorporated Communities (AB 244 analysis)
- Safety and Environmental Justice policies
  - County staff putting together committee to review policies

General Plan EIR Addendum



Source: New Home Construction by Great Valley Center (Flickr, CC 2.0)

Environmental Review

An Addendum to the County's General Plan Environmental Impact Report (EIR) has been prepared for the project based on the following:

- The project would increase density on the identified rezone parcels
- The project would not facilitate development beyond the total remaining buildout of the General Plan EIR
- The project would not result in new environmental effects or a substantial increase previously identified environmental effects
- Future development facilitated by the proposed project would be subject to applicable regulations, permitting, County ordinances, and would be required to pay all applicable fire, school, and public facility fees

Staff Recommendation



Source: New Home Construction by Great Valley Center (Flickr, CC 2.0)

Staff Recommendations

- Provide recommendation to the Board of Supervisors to Approve:
  - Amendments to the General Plan and Zoning designations of 139 properties
  - Amendments to the Zoning Ordinance
  - Amendments to the Land Use Element
  - Objective Design Standards for Multi-Family and Mixed-Use Development
  - General plan EIR Addendum



Questions?

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Source: New Home Construction by Great Valley Center (Flickr, CC 2.0)