

**STANISLAUS COUNTY**  
**SPECIFIC PLAN GUIDELINES**

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**COUNTY OF STANISLAUS**  
**SPECIFIC PLAN GUIDELINES**

INTRODUCTION

It is the purpose of these Guidelines to establish procedures and criteria for the review and implementation of Specific Plans within the jurisdiction of the County of Stanislaus. It is expected that all Specific Plans will comply with the format and information requirements specified herein.

AUTHORITY FOR SPECIFIC PLANS

California Government Code Section 65450 et seq allows a planning agency to “prepare specific plans for the systematic implementation of the general plan for all or part of the area covered by the General Plan.” The Specific Plan must be consistent with the General Plan. Specific Plans may be initiated by the County or by private parties provided such request is consistent with these guidelines.

MATTERS TO BE INCLUDED IN SPECIFIC PLANS

State law specifies the matters which must be included in a Specific Plan: “A Specific Plan shall include a text and a diagram or diagrams which specify all of the following in detail:

1. The distribution, location and extent of the uses of land including open space, within the area covered by the plan.
2. The proposed distribution, location and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan.
3. Standards and criteria by which development will proceed, and standards for the conservation, development and utilization of natural resources, where applicable.
4. A program of implementation measures including regulations, programs, Public Works projects and financing measures necessary to carry out paragraphs 1, 2, and 3.”

The Specific Plan must also include a statement of its relationship between the General Plan and its policies and the proposed Specific Plan. In addition, the planning agency may determine other subjects which must be addressed.

PREPARATION OF SPECIFIC PLANS

Plans may be prepared by County staff, the applicant/developer, private consulting firm chosen by the Planning Director, or by a private consulting firm mutually acceptable to the applicant/developer and Planning Director.

Final choice of the preparer of each plan shall be made by the Planning Director following evaluation of the circumstances and consultation with the applicant and other interested parties.

### SCOPE AND CONTENT OF SPECIFIC PLANS

A Specific Plan represents an opportunity to creatively implement the intent of the General Plan for a project area. A Specific Plan constitutes a refinement of General Plan policies; it may (and generally does) contain standards and regulations for development. It has the ability to address specific design issues in a comprehensive manner so that it clearly defines how an area will develop. In Stanislaus County, a key distinguishing characteristic is the evaluation of the need, availability and means of providing of public services and facilities in the proposed development area.

Specific Plans should primarily be utilized where detailed, comprehensive planning for the complete development of the subject area is desirable and the existing ordinances cannot easily accommodate it. It shall identify all uses, services and facilities, development standards, phasing (if appropriate), implementation procedures and monitoring needed to bring the project to full realization.

A Specific Plan may be used to address large and small sites with environmental constraints, to revitalize deteriorating areas or to handle controversial uses or even specific purposes. The considerable details included should facilitate subsequent review of tentative maps, land use permits and attendant environmental documents but would not preclude their necessity.

### SPECIFIC PLAN FEES

All County costs associated with preparation, processing, implementation and monitoring of Specific Plans shall be paid by project proponents. County costs will be charged, using weighted wage rates for all time spent including that expended in pre-application meetings or discussions. Fee payment schedules may be developed between proponents and the County, but in all cases total County costs must be paid prior to scheduling any public hearing to consider approval or denial of the plan. Applicants will be required to deposit, with the County, an amount equal to the estimated costs of plan processing. The estimate will be made by the Planning Director. Any deposited funds, not used by the County, will be returned to the applicant. Said deposit must be made within 10 days of the Director's estimated cost determination which will generally occur at the time the application is accepted as complete. All applications must be accompanied by normal application fees, as established by the Board of Supervisors.

When the County prepares or retains a consultant to prepare a plan in instances where there is no applicant, it will pay a preparation and processing costs. Once the plan is adopted, developers within the plan area will be charged a fee to recover those costs. Similarly, when the County determines that a Specific Plan applicant will be responsible for costs associated with including in the plan properties not controlled by the applicant, the County will work with the applicant to devise equitable method of recovering said costs from future developers within the plan area.

Applicants requesting approval of development projects required to be consistent with a Specific Plan will be charged fees as established by the Board of Supervisors. Whenever possible, existing approval processes (i.e., use permits, tentative maps) will be used.

## PRE-APPLICATION PROCEDURE / CONFERENCE

A Specific Plan may be publicly or privately initiated for a development where a comprehensive review is desirable and the traditional zoning process is inadequate to evaluate it. It is required that those interested in initiating a Specific Plan meet with the Department of Planning and Community Development prior to submittal of any applications.

## GUIDANCE PACKAGE

The Planning Director shall have the authority to require Specific Plan applicants/proponents to develop, in conjunction with County staff, a “guidance package” for processing of the plan. Said guidance package shall outline in detail the exact steps to be taken in the processing of the plan. Information in the package shall include project purpose, exact responsibilities of all parties involved (developers, owners, staff, consultants, etc.), tasks to be performed by all parties, listing of documents to be submitted, an estimated time schedule for processing, a listing of project goals and principles, problems anticipated and any other information which the Planning Director deems necessary.

At the discretion of the Planning Director, each guidance package may be presented to the Board of Supervisors for its approval and authorization to proceed prior to staff time being committed to the project. This will enable the County to maximize the efficient use of staff time and County resources. The Board of Supervisors thus retains the ability to prioritize work on Specific Plans.

## WHEN TO PREPARE A SPECIFIC PLAN

Specific Plans are appropriate in rapidly urbanizing areas, in revitalization areas or special study areas as characterized by the following:

1. Rapidly urbanizing areas with significant new demand for public facilities and services; such a site should be at least 100 acres.
2. Unique physical conditions (including unusual natural resources to be conserved).
3. Complex mixture of uses proposed.
4. Multiple ownerships in complex developing area.
5. Need to revitalize a marginal or deteriorated area.
6. Large industrial and/or commercial complexes.
7. Very large single-ownership land developments where a significant new community is to be developed in a presently non-urban area.
8. Special study areas.

A major advantage of Specific Plans is a clear picture of the future it provides for all concerned with development of the subject area -- this will allow predictability (1) for the general public, (2) for County government and its constituent departments and agencies, and (3) for the potential developer. Beyond the ability of traditional zoning, the Specific Plan provides an opportunity to spell out plans for needed public facilities and services and to deal with urban design considerations. An additional advantage is the ability to establish a “master” or “tiered” Environmental Impact Report (EIR), including appropriate mitigation measures, thus facilitating the subsequent approval process as the subject area is developed. Where appropriate, the Specific Plan can build in reasonable flexibility to allow a response to changing market conditions or other unforeseeable events.

#### RELATION TO GENERAL PLAN

State law requires that a Specific Plan be prepared, adopted and amended like a General Plan. In Stanislaus County, this procedure will be identical to that of a general plan amendment involving public hearings before the Planning Commission and the Board of Supervisors.

Unlike other matters related to the General Plan, there is no limit as to how often the Specific Plan may be amended. However, if the specific Plan also involves a general plan amendment, there will be adherence to the four plan amendments per year rule. The amendment procedure may also be used to repeal the Specific Plan, if needed.

The Specific Plan must be consistent with the General Plan. Findings of policy consistency must be made. A general plan amendment may be accompanied by a Specific Plan submittal. After adoption of the plan amendment, a Specific Plan land use designation (SP1, 2, etc.) will be placed on the pertinent General Plan map(s) to reflect the fact that such a plan has been prepared for the area. One must refer to the Specific Plan, itself, for permitted land uses and density or intensity of use. If the Specific Plan is terminated, new land use categories will be established as part of the repeal process.

Where a general plan or zoning amendment is not required, the Specific Plan notation will be made administratively. If the Specific Plan is terminated, the underlying land use classifications would still be applicable.

When a Specific Plan expires or must be repealed because of inactivity, it must be deleted from the applicable plan(s) using the specific plan amendment procedure or at the next comprehensive update of the plan, whichever comes first. A rezoning must accompany this amendment to restore the previous zone categories to the property.

#### RELATION TO ZONING CODE AND SUBSEQUENT ADMINISTRATION

Since it replaces or supplements the zoning map and regulations, a Specific Plan would generally be adopted by ordinance. A publicly-initiated Specific Plan might focus on policy direction rather than development standards and could possibly be adopted by resolution. Privately-initiated Specific Plans in Stanislaus County shall be adopted by ordinance. An adopted plan runs with the land and will govern development regardless of ownership.

To avoid confusion and the potential administration of the wrong development standards, a Specific Plan designation for the property shall also be placed on the zoning maps. An individual would now refer to one document -- namely the Specific Plan -- for all development standards pertaining to the subject property.

If the Specific Plan makes reference to the Zoning Ordinance for applicable standards, any changes in these segments of the ordinance will mean that the subject area must comply with the new regulations. It is expected that important regulation issues, normally governed by County codes, will be identified in the text and tailored to the needs of the project area. Otherwise, current regulations will apply.

A Specific Plan is more than either a community plan or a zoning document. Because of its unique nature, greater design orientation and general complexity, existing functional sections within the Planning Department have not been structured to handle its processing. The complexities may increase as subsequent amendments and numerous discretionary and administrative permits are approved, thus requiring a historical familiarity with the documents to ensure adequate interpretation and administration. If the workload warrants, a separate Specific Plan section within the Planning Department may be created to handle not only the processing of the plan but also the subsequent discretionary and administrative permit review. In particularly complex situations, the planning agency may choose to engage a consultant to assist in the formulation, review and/or administration of a Specific Plan.

The Specific Plan review procedure should include appropriate County departments, affected public service agencies and districts. A meeting of an expanded Subdivision Committee (to include special districts or agencies outside of the County, etc.) should be devoted to the review of the Specific Plan with the understanding that many of its aspects may be less detailed than a subdivision map.

After adoption, implementation of the Specific Plan will include permit review and enforcement by the Planning Department and other County agencies. Where homeowners associations, design review boards, etc. are established, input from these bodies may be incorporated into the review process.

#### FINDINGS REQUIRED FOR APPROVAL OR AMENDMENT OF A SPECIFIC PLAN

Prior to approving or amending any Specific Plan, the following findings supported by adequate evidence shall be made that the plan:

1. Is consistent with the maps, goals and policies of the General Plan.
2. Helps to achieve a balanced community to promote health, safety and general welfare.
3. Results in development of character which will not be detrimental to existing and proposed development in the surrounding area.
4. Contributes to a balance of land uses so that local residents may work and have available services and goods in the larger community in which they live.

5. Addresses the environmental and aesthetic assets of the community.
6. Demonstrated long-term and short-term availability of those services necessary to serve the development and that they will be provided at no net expense to public agencies.
7. Demonstrates a design superior to that which could be attained through the traditional permit process. Include here specific evidence to support any requested variations to Stanislaus County zoning and/or subdivision regulations.

#### PROJECT CONSISTENCY WITH SPECIFIC PLAN

Following adoption, all subsequent development permit requests (i.e., public works projects, building permits, subdivisions, land use permits, rezonings -- if the plan is non-regulatory, etc.) must be found to be in compliance with the Specific Plan regulations and provisions.

For permits requiring discretionary review, the consistency determination shall be made during the normal permit process pursuant to the provisions of the Stanislaus County Zoning Code, subdivision regulations and/or any other pertinent County policies and regulations. For projects requiring tentative maps, the current provisions and procedures of the County Subdivision Code shall apply.

Conformity of discretionary permits/projects to the Specific Plan must be established by making all of the following findings:

1. That the permit/project is consistent with the Specific Plan.
2. That the permit/project proposed no substantial change in the number of dwelling units, overall density or acreage of commercial or industrial land uses.
3. That all environmental impacts of the discretionary permit are addressed by the EIR of the Specific Plan or subsequent environmental review required by law or departmental policy.
4. That the discretionary permit/project will result in equal or better provision of services and/or facilities than is shown on the approved Specific Plan.
5. That no additional unaddressed impacts of service capacity will result from the permit.
6. That the discretionary permit/project conforms to all applicable laws and ordinances.
7. That the design has been evaluated for conformance to the guidelines set forth in the Specific Plan including, but not necessarily limited to:
  - A. Attainment of overall design concept.
  - B. Logic of site plan.
  - C. Vehicular and pedestrian circulation.
  - D. Architectural character.
  - E. Imaginative outdoor spaces.



- F. Screening of parking.
  - G. Sensitivity to adjacent structures and uses.
  - H. Provision for ongoing maintenance.
8. That the permit/project is consistent with the Development Schedule of the Specific Plan and that all plan infrastructure requirements have been met.

## ENVIRONMENTAL REVIEW

Adoptions and amendments of Specific Plans are subject to CEQA requirements. A “master” or “tiered” EIR may be prepared for the subject area to the satisfaction of the Planning Department – particularly if the project is a residential development. However, subsequent projects proposed to implement the Specific Plan must also undergo environmental review (Initial Study) so that a determination of exemption, if appropriate, can be made or that additional information is required because of substantive changes in the project or that new information not known previously is now available.

## FORMAT AND CONTENT

The format set forth herein has been formulated to assist in achieving standardization regarding the sequence of information, issues to be addressed and the amount of detail necessary. It is not intended to discourage creativity in arriving at suitable design concepts for the development of a subject area. Applicants are encouraged to maximize the use of maps, plans, charts and diagrams to convey information so that the plan interpretation and administration may be facilitated.

Generally, the level of detail may range from design concepts for large non-urban areas to subdivision or a use permit level of detail for small areas. The inclusion of architectural, landscaping and urban design standards is recommended and, when used, must be referenced in the text of the plan. Typical architectural elements and illustrative cross-sections would be most appropriate to illustrate proposed designs.

Terminology employed in the Specific Plan must be consistent with the General Plan and Zoning Ordinance or any other applicable County plan or ordinance.

Where terminology is similar, but not the same, definitions must be provided. If there is no change in standards proposed, it is acceptable to refer to complex sections of the Zoning Ordinance or any other County ordinance rather than to replicate large portions. However, cross-references on individual items of the ordinance should be avoided.

Any deviation from the ordinance provisions must be fully described referencing the affected portions of the County code. If new sections are developed to replace entire sections in the existing ordinance, the format of the current Zoning Ordinance must be followed. Standards established in the Zoning Ordinance will impact the subject property unless other standards have been specifically noted in the text as being custom tailored for the subject area.

To facilitate the addressing of all the matters required by State law, it is recommended that the format below be utilized in the formulation of a Specific Plan. All applications must be submitted on forms provided by the Planning Department.

## DETAILED SPECIFIC PLAN OUTLINE

### INTRODUCTION

- A. Copy of Adopting Resolution/Ordinance (include in adopted draft).
- B. Summary – To contain the basic facts of the project-proposal description, regional and vicinity maps, conceptual land use and zoning maps, phasing plan and map, the design objectives and the anticipated permit applications to be filled – in 5 pages or less, excluding maps and charts.

Also, include findings for approval and a summary of environmental impacts and mitigation measures.

- C. Authority (cite State law).
- D. The following disclosure statement shall be placed on the first inside page of the Specific Plan.

ACKNOWLEDGMENT – All parties associated with this project, including the authors, proponents, and landowners acknowledge that preparation of this Specific Plan and accompanying environmental impact report does not guarantee that project approval or land use entitlements will be granted by Stanislaus County.

### DEVELOPMENT PLAN

Provide a clear, concise narration of the proposal, the justification, the design guidelines and the analysis to facilitate understanding and administration. This section identifies the essential ingredients of the Specific Plan and what it hopes to achieve. Include supporting diagrams, maps or other graphic representations. The format to use is outlined as follows:

- A. Purpose and Intent of Specific Plan – Summary of proposal and urban design concept; include background and development history of site.
- B. Project Location and Description – The study area for each plan shall be determined by the Planning Department. Within the designated study area, the plan shall address:
  - 1. Existing uses, plan designations and current zoning.
  - 2. Surrounding uses, compatibility with those uses and timeliness of project.
- C. CEQA Compliance (reference accompanying EIR)
- D. Project Goals, Objectives and Policies – To provide the basis for detailed policies, regulations and guidelines.
- E. Design Constraints and Opportunities

1. Summary of existing environmental constraints (including adjacent land use).
  2. Summary of existing public services and facilities and identification of any inadequacies.
- F. Land Use Plan – Indicate development areas, acreage, identification of uses and intensity of uses and phasing program (if applicable - phasing will be discussed in detail under the Implementation Chapter).
  - G. Access and Circulation Plan – Include existing and proposed streets and planned ultimate widths within project area; can be limited to highways, expressways, major and collector streets.
  - H. Public Services/Facilities and Infrastructure Plan (i.e., water, sewers, drainage, fire stations, schools, libraries, sheriff, etc.); include phasing plan for services and facilities and discuss program for provision of such (i.e., joint funding, assessment districts, reimbursement mechanisms, annexations, etc.).
  - I. Natural and Cultural Resource Protection Plan – Locate valuable natural resources to be removed or retained (i.e., significant ecological areas, archaeological areas, etc.).
  - J. Grading Concept Plan – Include topographical map of existing topography showing 5 ft. contours (or as determined to be appropriate by staff). Indicate where geologic and hydrologic problem areas occur. Include a separate proposed cut and fill plan and earthwork calculations. (This plan can be shown as an overlay.)
  - K. Open Space Plan – Including planned recreational facilities, parks, trails, bike land bridal paths, etc.
  - L. Resort/Recreation and Community Centers (if applicable).
  - M. Drainage Conceptual Plan.
  - N. Other matters identified by the Director of Planning.
  - O. Relation of Specific Plan to General Plan.
  - P. Development schedule.

## DEVELOPMENT REGULATIONS

This section shall contain the standards to implement the land use plan. Standards must be very specific and clear.

- A. Purpose and Intent.
- B. Definitions – Define terminology if used differently than in County codes.

- C. General Provisions.
- D. Residential Site Development Standards.
- E. Transfer of Density/Dwelling Units (optional).
- F. Commercial/Industrial Site Development Standards including signs, landscaping, parking, etc. Standards must be equal to or greater than current standards for the zones in effect.
- G. Resort-Recreation/Community Centers Site Development Standards (if applicable).
- H. Community Facility Site Development Standards (if applicable).

## DESIGN GUIDELINES

The Planning Department may determine this to be an integral but separate accompanying document.

These guidelines should express the desired, coherent visual character of the area; to provide standards which are flexible and tailored to the resources and problems of the project site as opposed to requirements which become outmoded. There must be a compatibility of architectural and landscaping styles and of urban design over time. The character and scale of all visual components must be harmonious. If standards are to be used, they must be included in this text and will be assumed to apply to the entire project area unless otherwise noted.

These design guidelines must be graphically represented.

- A. Purpose and Intent.
- B. Aesthetic Issues, Protection of Views and Design Theme.
- C. Architecture - character and scale should be harmonious with adjacent buildings.
  - 1. Residential design standards.
  - 2. Commercial/Industrial.
  - 3. Community features.
- D. Signage (acceptable styles).
- E. Landscape Concept Plan – Including plans for streetscapes, project entrances, intersections and other major visual features.
  - 1. Fire Management Program if site is located in high fire hazard area.
  - 2. Identification of maintenance plan for landscaping and existing vegetation.
- F. Standards for Grading.
- G. County may require additional standards during the review process of the Specific Plan.

## SPECIFIC PLAN IMPLEMENTATION

Implementation can be accomplished by processing permits for specific projects, ensuring adequate infrastructure, monitoring and progress of the entire project and amending the plan as necessary.

- A. Purpose and Intent.
- B. Phasing Program – To describe timing and locations of when and where grading and development will occur and explain the methods and procedures that will be used to provide assurance that streets, utilities, schools and other public services and infrastructure (on and off-site) will be provided concurrently with or prior to development. Include sequence of overall project development by development area and the timing of phases; also include sequence of infrastructure (i.e., roads, sewers, water, storm drainage, etc.) and preliminary marketing analysis, if appropriate.
- C. Monitoring Program – To establish a system of tracking the development’s progress in conjunction with the construction of needed infrastructure improvements so that both the developer and the County of Stanislaus could be assured that the Specific Plan is being implemented as adopted. An annual monitoring report will be required and owners of record in the plan area are required to participate.

The annual monitoring report will discuss both project growth and study area growth. The basis and format of the report shall be as follows:

- 1. The study area for each Specific Plan shall be defined by the Planning Department.
- 2. Annual updates of project and regional study area information are to be prepared by each property owner.
- 3. Format for the report shall be approved in advance by the Planning Department.
- 4. The following data is required for each report to establish a data base consistency countywide:

- A. Project Growth Data.

- 1. An inventory of the number of residential, commercial and/or industrial acres currently developed on-site.
- 2. An inventory of residential units and density currently developed on-site.
- 3. Compare the above to the number of units/acres planned to be developed by that point in time.

4. Identify the public services/facilities and infrastructure currently developed.

B. Regional Growth Data (unless determined to be unnecessary).

1. An inventory of the number of dwelling units currently developed in other projects within the region so that cumulative impacts on infrastructure can be assessed.
2. Identify the number of dwelling units or acres of commercial/industrial uses currently developed.
3. Compare the above to the number of units/acres assumed to have been developed by that point in time.
4. Services to be monitored will be identified by the Planning Department.

If the annual monitoring report and data show that services and facilities are unable to accommodate growth, the County may withhold permit approvals.

- D. General Administration and Permit Processing - - identify proposed tentative maps, rezonings, use permits as well as what can be reviewed.
- E. Community Facilities and Infrastructure Financing Plan.
- F. Other Mechanisms (i.e., Homeowners Association, Design Review Boards, etc.) - identify roles and responsibilities.

IV. Appendix - EIR, General Plan Analysis and Technical Analysis - To be a separate document(s).

1. In addition to usual required topics for analysis, the EIR shall also include a protracted discussion of infrastructure needs and anticipated service delivery.
2. In the General Plan analysis, discuss how Specific Plan requirements will ensure conformity of the development to the General and Community Plans for each element of each plan.
3. The Technical Analysis will include:
  - A. Legal Description - Exterior boundary of the Specific Plan area.
  - B. Additional analysis, exhibits and tables as determined to be necessary by the Planning Department.

Amendments to the Specific Plan may necessitate a reprinting of the entire document. The final documents shall be in a 3 hole binder. A reproducible copy of each plan document shall also be provided.

## PROCESSING PROCEDURES FOR SPECIFIC PLAN

The procedure below is provided for general information only. Individual projects may have significantly varying time schedules based on level of detail provided by the applicant, plan complexity, environmental concerns, staff work loads, applicant's promptness in responding to staff requests or other similar factors.

1. Pre-application counseling. (Planning Department)
2. File Specific Plan (if appropriate), Initial Study (applicant) and general and zoning plan amendments.
3. Log application and do initial review for adequacy/completeness. (Planning Department)
4. Distribute copies to appropriate agencies. (Planning Department staff)
5. Review for completeness. Issues letter indicating level of completeness. (Planning Department staff)
6. Initial Study determination. Prepare Negative Declaration or request EIR. ((Planning Department staff)
7. Begin EIR process (applicant/Planning Department/Consultant) or refer Negative Declaration to State Clearinghouse.
8. Preliminary Specific Plan analysis. (Planning Department staff)
9. Special Subdivision Committee meeting.
10. Resolve problems and issues with applicant. (Planning Department staff)
11. Prepare staff report. (Planning Department staff)
12. Set public hearing, mail notices and legal advertisements, circulate Draft EIR. (Planning Department staff)
13. Public hearing on EIR, if determined to be needed. (Planning Department staff)
14. Prepare Final EIR.
15. Planning Commission recommendation (proposed Specific Plan and EIR review/certification).
16. Transmittal to Board of Supervisors.
17. Board of Supervisors hearing, EIR certification and recommendation on Specific Plan and zoning amendments (if included).
18. Board of Supervisors final action.