DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
1010 10TH Street, Suite 3400, Modesto, CA 95354
Planning Phone: (209) 525-6330 Fax: (209) 525-5911
Building Phone: (209) 525-6557 Fax: (209) 525-7759

Referral
Early Consultation

Date: **July 2, 2025**

To: **Distribution List (See Attachment A)**

From: **Kristy Doud, Deputy Director of Planning**
Planning and Community Development

Subject: **GPA REZ OA ODS NO. PLN2025-0053 – 6TH CYCLE HOUSING ELEMENT IMPLEMENTATION**

Respond By: **August 1, 2025**

****PLEASE REVIEW REFERRAL PROCESS POLICY****

The Stanislaus County Department of Planning and Community Development is soliciting comments from responsible agencies under the Early Consultation process to determine: a) if new significant environmental effects or a substantial increase in the severity of previously identified significant effects exist in accordance with CEQA Guidelines Section 15162and b) if specific conditions should be placed upon project approval.

Therefore, please contact this office by the response date if you have any comments pertaining to the proposal. Comments made identifying potential impacts should be as specific as possible and should be based on supporting data (e.g., traffic counts, expected pollutant levels, etc.). Your comments should emphasize potential impacts in areas which your agency has expertise and/or jurisdictional responsibilities.

These comments will assist our department in making a determination and applying Conditions of Approval; therefore, please list any conditions that you wish to have included as well as any other comments you may have. Please return all comments and/or conditions as soon as possible or no later than the response date referenced above.

Thank you for your cooperation. Please call (209) 525-6330 if you have any questions.

Applicant: **Stanislaus County Department of Planning and Community Development**

Project Location: **The amendment to the Commercial land use designation in the General Plan, the ordinance amendments, and objective design standards apply county-wide. The general plan amendment and rezone sites are located in the communities of Denair, Empire, Keyes, North Ceres, Salida, South Ceres, and South and West Modesto.**

APNs:

<u>Denair</u> - 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;

<u>Empire</u> - 133-017-002 to -006, 133-017-011, 133-017-023 to -026, 133-017-033 and -034, 133-017-036, 133-017-065;

<u>Keyes</u> - 045-021-019 and -020, 045-033-007;

<u>North Ceres</u> - (Bystrom Neighborhood) 038-017-041, 038-039-012 and -013, 038-039-016, 038-039-019 and -020, 038-039-030 and -031 and (Hatch/Stonum Neighborhood) 039-025-015, 039-025-017 to -019, 039-025-030 and -031;

<u>Salida</u> - 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;

<u>South Ceres</u> - 053-031-023;

<u>South Modesto</u> - (Bret Harte) 056-032-069, 056-033-049, 056-034-001, 056-035-001, and 056-036-036 and (Crows Landing Road) 086-010-033 to -036,

086-011-023 to -028, 086-017-020 and -021, 056-017-023, 056-018-001 and -002, 056-018-026, 056-048-018 and -019, 056-048-052 and -053; and

West Modesto - (Spencer/Marshall Neighborhood) 030-004-002 to -008, 030-004-009 and -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 (Beverly/Waverly Neighborhood) 037-004-061 and 037-004-068.

Project Description: Project to implement various programs and actions included in Stanislaus County's 6th cycle Housing Element. The project 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, general plan amendment and rezones of specific properties to assist the County in meeting its Regional Housing Needs Allocation (RHNA) for unincorporated Stanislaus County, and adoption of objective design standards for multi-family and mixed use residential development.

The project includes proposed amendments to the following Stanislaus County Zoning Ordinance Chapters:

- **21.08 General Provisions – Clarified building site area for existing residential lots**
- **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 (SB9), increased lot coverage limit in the R-1 to fifty 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 sixty 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.**
- **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, clarified allowances for emergency shelters 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.**
- **21.72 Mobile Homes – Modified existing ordinance for clarity purposes and to specify historical district standards.**
- **21.74 Accessory Dwelling Units - Modifies existing ordinance to be consistent with State law.**
- **21.76 Off-Street Parking, 21.82 Density Bonus for Affordable Housing – Modifies existing ordinance to be consistent with State law.**
- **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.**

Stanislaus County

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

The general plan amendment and rezoning portion of the project proposes to amend the general plan land use designation of 101 parcels to Medium High-Density Residential (MHDR) and zoning designation to Multiple-Family Residential (R-3), and proposes to amend the zoning designation of 38 parcels from General Commercial (C-2) to Mixed Use (MU), and an amendment to the Commercial land use designation in the General Plan to assist the County. Out of a total of 139 parcels proposed to be rezoned, 48 of them are included in order to allow the County to meet its RHNA and must be adopted by the Board of Supervisors before the California Department of Housing and Community Development (HCD) will certify County's 6th cycle Housing Element. A detailed description of the proposed general plan amendments and zoning amendments by area is provided below:

Bret Harte (South Modesto – Fairview Park): 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 20 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 three 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 (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: 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 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 9 sites (8.67 acres) were added to allow for rezoning of a complete block of land and to prevent spot zoning.

Keyes: 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.

North Ceres (Bystrom): The project proposes to amend the general plan land use designation of eight parcels (11.19 total acres) in the Bystrom neighborhood of the North Ceres area, also referred to as South Modesto, seven from Low-Density Residential and one from 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 and to Medium High-Density Residential and to rezone the 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.

Salida: 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 (MU). All three 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 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.

South 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.

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.

The project also includes the adoption of objective design standards (ODS) which will be applied to the rezone sites and to any CEQA exempt housing applications submitted to the County. An Addendum to the certified Environmental Impact Report (EIR) prepared for the County's 2015 General Plan has been prepared for the project. The draft general plan and ordinance amendments, maps for all rezone sites, the draft objective design standards, and addendum to the 2015 General Plan EIR are all attached for review.

Full document with attachments available for viewing at:
http://www.stancounty.com/planning/pl/act-projects.shtm

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GPA REZ OA ODS NO. PLN2025-0053 – 6TH CYCLE HOUSING ELEMENT IMPLEMENTATION
Attachment A
Distribution List

X	CA DEPT OF CONSERVATION Land Resources	X	STAN CO ALUC
X	CA DEPT OF FISH & WILDLIFE	X	STAN CO ANIMAL SERVICES
X	CA DEPT OF FORESTRY (CAL FIRE)	X	STAN CO BUILDING PERMITS DIVISION
X	CA DEPT OF TRANSPORTATION DIST 10	X	STAN CO CEO
X	CA OPR STATE CLEARINGHOUSE	X	STAN CO CSA
X	CA RWQCB CENTRAL VALLEY REGION	X	STAN CO DER
X	CA STATE LANDS COMMISSION	X	STAN CO ERC
X	CEMETERY DISTRICT	X	STAN CO FARM BUREAU
X	CENTRAL VALLEY FLOOD PROTECTION	X	STAN CO HAZARDOUS MATERIALS
X	CITY OF: ALL	X	STAN CO PARKS & RECREATION
X	COMMUNITY SERVICES/SANITARY DIST: ALL	X	STAN CO PUBLIC WORKS
X	COOPERATIVE EXTENSION	X	STAN CO PUBLIC WORKS - SURVEY
X	COUNTY OF: MERCED, SAN JOAQUIN, TUOLUMNE, MARIPOSA, CALAVERAS, SANTA CLARA	X	STAN CO RISK MANAGEMENT
X	DER GROUNDWATER RESOURCES DIVISION	X	STAN CO SHERIFF
X	DISPOSAL DIST: ALL	X	STAN CO SUPERVISOR DIST: ALL
X	FIRE PROTECTION DIST: ALL	X	STAN COUNTY COUNSEL
X	GSA: ALL	X	StanCOG
X	HOSPITAL DIST: ALL	X	STANISLAUS FIRE PREVENTION BUREAU
X	IRRIGATION DIST: ALL	X	STANISLAUS LAFCO
X	MOSQUITO DIST: TURLOCK & EASTSIDE	X	STATE OF CA SWRCB DIVISION OF DRINKING WATER DIST. 10
X	STANISLAUS COUNTY EMERGENCY MEDICAL SERVICES	X	SURROUNDING LAND OWNERS
X	MUNICIPAL ADVISORY COUNCIL: ALL	X	TELEPHONE COMPANY: AT&T
X	PACIFIC GAS & ELECTRIC	X	TRIBAL CONTACTS (CA Government Code §65352.3)
X	POSTMASTER: ALL	X	US ARMY CORPS OF ENGINEERS
X	RAILROAD: ALL	X	US FISH & WILDLIFE
X	SAN JOAQUIN VALLEY APCD	X	CA DEPT OF HOUSING & COMM DEV
X	SCHOOL DIST 1: ALL	X	USDA NRCS
X	WORKFORCE DEVELOPMENT	X	WATER DIST: ALL
X	STAN CO AG COMMISSIONER	X	INTERESTED PARTIES
		X	TUOLUMNE RIVER TRUST

STANISLAUS COUNTY
CEQA REFERRAL RESPONSE FORM

TO: **Stanislaus County Planning & Community Development**
1010 10th Street, Suite 3400
Modesto, CA 95354

FROM: _____

SUBJECT: **GPA REZ OA ODS NO. PLN2025-0053 – 6TH CYCLE HOUSING ELEMENT IMPLEMENTATION**

Based on this agency's particular field(s) of expertise, it is our position the above described project:

_____ Will not have a significant effect on the environment.
_____ May have a significant effect on the environment.
_____ No Comments.

Listed below are specific impacts which support our determination (e.g., traffic general, carrying capacity, soil types, air quality, etc.) – (attach additional sheet if necessary)

1.
2.
3.
4.

Listed below are possible mitigation measures for the above-listed impacts: *PLEASE BE SURE TO INCLUDE WHEN THE MITIGATION OR CONDITION NEEDS TO BE IMPLEMENTED (PRIOR TO RECORDING A MAP, PRIOR TO ISSUANCE OF A BUILDING PERMIT, ETC.):*

1.
2.
3.
4.

In addition, our agency has the following comments (attach additional sheets if necessary).

_____

_____

Response prepared by:

_____

Name Title Date

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

Appropriate Locations. The Medium-Density Residential designation would be appropriate in areas adjacent to unincorporated communities where the Board of Supervisors has determined, pursuant to a community plan, that medium-density residential use is needed. These areas will be developed only after annexation to and service by a sanitary district or community services district.

MEDIUM HIGH-DENSITY RESIDENTIAL

Intent. The intent of this designation is to provide appropriate locations for housing types including duplexes, triplexes, fourplexes, and apartment buildings. This designation shall be within the boundaries of a community services district, sanitary district or similar public district which provides urban services.

Zoning. The R-3 (Multiple-Family Residential) and SCP-R-3 (Salida Community Plan, Multiple Family Residential) zones are appropriate within this designation. PD (Planned Development) zoning may also be appropriate provided the development does not exceed the established building intensity of this designation. PD zoning which allows sewage generated on site to be metered into the disposal system during non-peak hours is encouraged in communities with limited system capacity. Residential building intensity varies from zero to 25 units per net acre. Population density ranges from zero to 85 persons per net acre.

Appropriate Locations. The Medium High-Density Residential designation is appropriate in established residential areas characterized by duplexes, triplexes, fourplexes, and apartment buildings. It would also be appropriate in areas adjacent to unincorporated communities where the Board of Supervisors has determined, pursuant to a community plan, that medium high- density residential use is needed. These areas will be developed only after annexation to and service by a sanitary district or community services district.

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

CHAPTER 21.08

GENERAL PROVISIONS

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

SECTIONS:

21.08.010	**GENERAL PROVISIONS**
21.08.020	**USES**
21.08.030	**HEIGHT LIMITS**
21.08.040	**BUILDING SITE AREA - EXISTING LOTS**
21.08.050	**BUILDING SITE AREA - SANITARY SEWERS OR PUBLIC WATER NOT AVAILABLE**
21.08.060	**YARDS**
21.08.065	**SWIMMING POOLS**
21.08.070	**SIGNS**
21.08.075	**MONUMENTS**
21.08.090	**DEVELOPMENT REQUEST - CITY APPROVAL REQUIRED WHEN**
21.08.100	**NUISANCE**

21.08.010 GENERAL PROVISIONS

The regulations specified in this title shall be subject to the general provisions and exceptions set forth in this chapter. (Prior code Section 9-125 (part)).

21.08.020 USES

A. Accessory uses and buildings appurtenant to a permitted use shall be allowed only when constructed concurrent with or subsequent to the main buildings.

B. Wrecking yards, junkyards, surplus yards, auto dismantling yards and secondhand stores, where merchandise is displayed or stored outside an enclosed building, shall be enclosed within a solid fence of uniform texture of not less than six feet in height. Not more than six rebuildable automobiles, identified as offered for sale as used automobiles, may be displayed outside the fenced area or building at any one time, regardless of the number of businesses being conducted independently at the location.

If any vehicle is so displayed for a period of thirty days and it shall not have been sold during that time, it shall not be considered to be a rebuildable automobile and it must thereafter be stored within the fenced enclosure.

1. No material shall be stored or piled so as to extend higher than fence height at any point nearer than six feet from the fence. Beginning at a line parallel to the fence and six feet within it, material may be piled an additional one foot in height for each additional two feet in distance from the fence.

2. Where vehicles not suitable for resale are stored or held for wrecking or dismantling, one may be stacked or piled on top of another at the fence to a two-car maximum limit, even though the top of the second vehicle may extend higher than six feet; provided, that vehicles so stacked at the fence cannot be other than passenger vehicles. The term passenger vehicle shall not include trucks, buses, pickups, vans, carryalls, or any other vehicles the primary intended use of which was for other than transportation of persons.

C. For purposes of this title, facilities for public utilities include, but are not limited to, electrical substations, communication equipment buildings and towers, service yards, gas regulator stations, meter lots, pumping stations which are accessory to existing gas or oil pipelines, and water wells; and such uses are permitted in A-2 and all R districts; provided, that such use is demonstrated in connection with the approval of a use permit, to be properly located without detriment to or in conflict with the agricultural or residential usage of property so zoned within the vicinity. Public utility transmission and distribution lines, both overhead and underground, are permitted in all districts without limitation as to height, but metal transmission towers are subject to all yard requirements as other structures. However, routes of proposed electrical transmission lines (including height, and placement of towers), shall be submitted to the planning commission for review and recommendation prior to the acquisition of rights-of-way therefore, when such lines are not within a public street or highway. (Prior code Section 9-125(a)).

D. Commercial Cannabis Activities as authorized by this Title and Chapter 6.78 of the Stanislaus County Code shall be located and operated in compliance with all the requirements of Chapter 6.78 of the Stanislaus County Code and any other local requirements, and state laws and regulations, applicable to commercial cannabis activities.

1. Public notification required for the consideration of any discretionary action authorized by this Title for the permitting of commercial cannabis activities shall be provided at a distance of 600 feet from the boundaries of the project site, unless a greater distance is required by adopted County policy or state requirement.

2. Any discretionary action taken for the permitting of a commercial cannabis activity shall be subject to a finding by the decision making authority that the establishment, maintenance, and operation of the proposed use 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. (Ord. CS 1205, Sec. 1, 2018).

21.08.030 HEIGHT LIMITS

A. Chimneys, elevators, communication towers, mechanical appurtenances, monuments, spires, campaniles, public and quasi-public buildings may be permitted in excess of height limits for the various districts, provided a use permit shall first be obtained in each case. Flagpoles are permitted without height limitations and conventional television antennas, not over sixty feet in height, are permitted in all districts.

B. As to height limits, specific reference is made to Title 17 of this code. Applications for a permit under Title 17 may be a part of an application under this title. (Prior code Section 9-125(b)).

21.08.040 BUILDING SITE AREA - EXISTING LOTS

When a legally created lot has less than the minimum required area or width as set forth in any of the **zoning districts allowing for** residential **development**~~zones~~ contained in this title, or in a precise plan, such lot shall be deemed to have complied with the minimum lot area and width as set forth in any such zone. The lot shall qualify for ~~only one single-family residence~~**the permitted residential density of the district**~~and only~~ when the lot is of sufficient area to comply with all requirements for sewage disposal and water supply as determined by the department of environmental resources and that all applicable building setbacks are met. (Prior code Section 9-125(c)(1); Ord. CS 1290, 2021).

21.08.050 BUILDING SITE AREA - SANITARY SEWERS OR PUBLIC WATER NOT AVAILABLE

Unless the minimum building site area for the various districts is greater, as provided by this title, a minimum area for one single-family dwelling which is not connected to sanitary sewer, but served by a public water supply, or to public sewer and not to public water, shall be twenty thousand square feet. Where there is no connection to either sanitary sewer or public water, the minimum building site for a single-family dwelling shall be not less than one acre or greater if required by the county department of environmental resources. For other uses without sanitary sewers, and/or public water, the minimum building site shall be that established by the board of supervisors or planning commission as a condition to any use or other approval required. (Prior code Section 9-125(c)(2); Ord. CS 1290, 2021).

21.08.060 YARDS

A. Architectural features such as cornices, eaves, and canopies may extend not exceeding three feet into any required yard.

B. Whenever an official plan line has been established for any street, required yards shall be measured from such line, and in no case shall the provisions of this title be construed as permitting any encroachment upon any official plan lines.

C. Uncovered porches and paved terraces may extend not exceeding three feet into any required side yard and not exceeding six feet into any required front yard.

D. Accessory buildings which are detached or attached to the main building shall comply in all respects with the requirements of this title applicable to the main building. The accessory building shall not be located within five feet of any alley or within five feet of the side line of any adjacent lot or in the case of a corner lot to project beyond the front yard required on the adjacent lot. (C.S. 984, Section 1, 2007).

E. Truck loading docks shall be so located that all vehicles entering or leaving the premises to load or unload may be driven in a forward direction without the necessity of the vehicle entering or leaving the premises in reverse gear, and that no portion of any such vehicle will stand or protrude on or into the public right-of-way while loading or unloading.

F. On the following specified highways, no structure (excluding, however, open wire fences, electroliers without attached advertising signs, utility poles and solid fences or screen planting not more than three feet in height) shall be located closer to the highway center line than as indicated.

1. State Highway No. 33, 95 feet from the railroad right-of-way line;

2. Kiernan Avenue, between McHenry Avenue and Broadway Avenue, seventy feet;

3. Santa Fe Avenue, one hundred feet from the railroad right-of-way;

4. McHenry Avenue, between the City of Modesto and the Stanislaus River, seventy-five feet;

21.08.060 Yards

5. State Highway No. 108, between McHenry Avenue and the City of Riverbank, seventy-five feet; and between the City of Riverbank and the Tuolumne County line, seventy feet.

G. Where lots abut streets on the front and rear, and vehicle access to the street in the rear is restricted, solid fences or screen planting, not exceeding eight feet in height, may be located on the rear property line.

H. Vision Clearance for Corner Lots. In all zones which require a front yard, no obstruction to view in excess of three feet in height shall be placed, built, parked or allowed to grow on any corner lot within a triangular area formed by the street, property lines and a line connecting them at points twenty-five feet from the intersection of the street lines, except that street trees are permitted which are pruned at least eight feet above the established grade of the curb so as not to obstruct clear view by motor vehicle drivers. (Ord CS. 09 (part), 1983; prior code Section 9-125(d)).

21.08.065 SWIMMING POOLS

Any swimming pool, as defined within this title, when used as a private swimming pool in any Zone, shall comply with the following requirements:

A. Such pools shall be used solely for the enjoyment of the occupants of the premises on which they are located and their guests and not for instruction, unless done in compliance with Section 21.94 regarding home occupations, or parties when fees are paid therefore;

B. Pools shall not be located closer than three (3) feet from any side or rear property line. No pool shall be located closer than the minimum depth required for the front yard or the street side yard of a corner lot. Distances from other structures shall be governed by the Uniform Building Code;

C. Lot coverage by a swimming pool shall not be considered in calculating the maximum lot coverage for buildings;

D. Filter and heating systems for swimming pools may encroach into a side or rear yard provided there remains a net two (2) feet clear adjoining passageway past the equipment. Distances between heating systems and buildings, including door and window openings shall be governed by the requirements of the current building codes, as well as manufacturer's requirements;

E. Whenever a construction permit is issued for construction of a new swimming pool at a private, single-family home, it shall be equipped with safety features as required by the California Health and Safety Code, including any future amendments to that code. (Ord. CS 778, Section 1, 2001)

21.08.070 SIGNS

Within the adopted sphere of influence of any city where a use or sign is permitted by the regulations of the zoning district in which it is located, or when a use permit, rezoning or other approval has been granted, any signs to be installed in connection with such use shall be permitted consistent with any applicable sign regulations of that city. (Ord. CS 419 Sec. 1,1990: prior code Section 9-125(e)).

21.08.075 MONUMENTS

Monuments shall be permitted in all districts subject to the approval of the planning and community development director, except for customary and usual monuments within a cemetery or enclosed building, which are permitted without review. However, if in the opinion of the Director, a monument subject to his/her approval may cause substantial public controversy or adversely affect the public health, safety, peace, or morals, a use permit shall be required to establish such monument. (Ord. CS 449 Sec. 1, 1991).

21.08.090 DEVELOPMENT REQUEST - CITY APPROVAL REQUIRED WHEN

Within the LAFCO adopted sphere of influence of any city where any discretionary approval is required for any project, said project, except agricultural uses and churches, shall not be approved by the county unless it has first received written approval by the city. No development request within the sphere of influence of any incorporated city shall be approved unless it is consistent with agreements with the city which are in effect at the time of project consideration. (Ord. CS 457 Section 1, 1991: Ord. CS 414 Section 1, 1990).

21.08.100 NUISANCE

No use shall be conducted on any premises in such a manner as to cause an unreasonable amount of noise, odor, dust, smoke, vibration, electrical interference, or other nuisance condition detectable off the site. (Ord. CS 1181, Section 1, 2016).

CHAPTER 21.12

DEFINITIONS

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

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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. **A single apartment shall be considered a dwelling unit.** (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 unit” or “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 unit** ~~building~~ which provides independent living **~~facilities~~ space** for one or more persons on the same parcel on which one or more dwelling units are located. An accessory dwelling ~~unit (ADU)~~ shall include independent living, sleeping, eating, cooking, and bathing facilities and may be detached from, within, or attached to a dwelling unit. (Ord. CS 1290, 2021).

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** a ~~n existing~~ dwelling unit, which includes **a separate exterior entrance,** cooking facilities that provides 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).

21.12.180 DWELLING, SINGLE-FAMILY

"Single-family dwelling" means a detached **dwelling unit** ~~building~~ designed for and occupied exclusively by one family. Single-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. 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 (Duplex) 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** ~~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 **"Dwelling group"** means a group of two or more detached or semidetached **dwelling units** ~~single-family, two-family or multiple dwellings~~ occupying a parcel of land ~~in~~**under** one ownership. (Ord. CS 106, Sec. 1 (part), 1984).

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 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 different land uses - typically residential, commercial, office, institutional, or recreational - within a single building, parcel, or development site. The uses may be located vertically in the same structure in separate structures in compliance 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**n apartment or single-family** dwelling 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)

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

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

3. Parcels of 20 acres or more in size - Two-single family dwellings 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. **One junior accessory dwelling as regulated by Chapter 21.74.**

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 **and large** family 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 12 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)

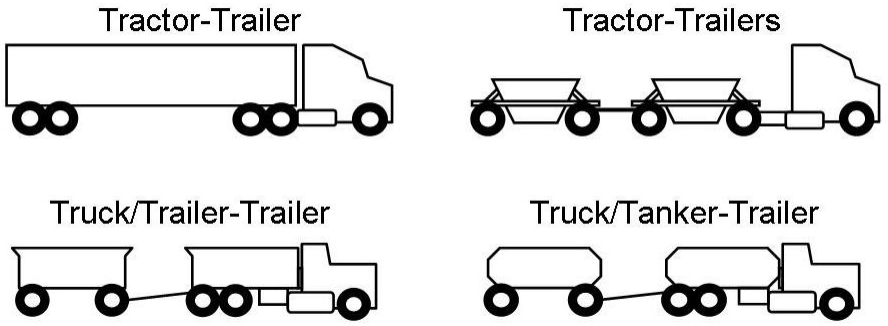
G. Parking of tractor-trailer combinations may be allowed when the Planning Commission finds that, in addition to the findings required under Section 21.96.050:

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 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)

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

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

N. **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 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 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 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**: shall be as specified in Chapter 20.52.**

A. **Repealed on XXX date.** ~~The minimum lot width shall be sixty-five feet;~~

B. **Repealed on XXX date.** ~~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. Building Site Area. The minimum building site area for parcels served with public sewer and water shall be 1,200 square-feet for parcels split 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 in Chapter 21.08.

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

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

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

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

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

5. All resulting parcels shall have approved access as defined by Title 20 of the County Code.

C. Building Site Coverage. Building Site Coverage limits specified in Section 21.24.070 of this Chapter shall not be used to restrict the develop of a vacant parcel with a single-family dwelling up to 800 square feet in size except when 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. The following are assumed to have non-mitigatable adverse public health and safety impacts:

1. Parcels located within a High- or Very-High Fire Hazard Severity zone; or

2. Parcels located within the Federal Emergency Management Act adopted floodway.

D. 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)

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

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

K. **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.~~

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 centers for more than **fourteen**~~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 shall be as specified in Chapter 20.52.

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. Building Site Area. The minimum building site area for parcels served with public sewer and water shall be 1,200 square-feet for parcels split 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 in Chapter 21.08.

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

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

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

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

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

5. All resulting parcels shall have approved access as defined by Title 20 of the County Code.

C. Building Site Coverage. Building Site Coverage limits specified in Section 21.28.060 of this Chapter shall not be used to restrict the develop of a vacant parcel with a single-family dwelling up to 800 square feet in size except when 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. The following are assumed to have non-mitigatable adverse public health and safety impacts:

1. Parcels located within a High- or Very-High Fire Hazard Severity zone; or

2. Parcels located within the Federal Emergency Management Act adopted floodway.

D. 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)

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

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;** ~~One single-family dwelling on any one parcel;~~ or

B. **Repealed on XXX date.** ~~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. **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 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 shall be as specified in Chapter 20.52.

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)

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

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
21.36.090 ~~DENSITY~~OBJECTIVE DESIGN STANDARDS
21.36.100 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

Uses permitted in the R-3 districts**, except as otherwise restricted by Section 21.36.100 of this Chapter**:

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

B. **Repealed on XXX date.** ~~Two dwelling units on any parcel;~~

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

D. **Repealed on XXX date.** ~~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** **shall be as specified in Chapter 20.52**~~, 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 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.

CHAPTER 21.44

HISTORICAL SITE DISTRICT (HS)

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

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 home shall meet all applicable historical standards adopted by the County for the community in which it is located. Exterior features shall include, but not be limited to, height and scale, spacing of buildings, cladding, roof, 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 Chief Building Official.

CHAPTER 21.48

HIGHWAY FRONTAGE DISTRICT (H-1)

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

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:

Amusement arcade;
Art gallery;
Automobile agency;
Automobile repair (excluding body and paint) shop;
Bakery shop;
Billiard parlor;
Botanical garden;
Catering service;
Clinics (medical; small animal when entirely enclosed by a building);
Clubhouse;
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;
Church (excluding tent and open air churches);
Convention center;
Crop farming;
Dance studio;
Day care center;
Emergency Shelters, in conformance with Section 21.48.024 of this Chapter;
Facilities for public utility;
Financial institution;
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;
Greenhouse;
Laboratory;

Lodge;
Mini-warehouse;
Mobile home (when accessory to a permitted use which has substantial outside storage);
Museum;
Office (administrative, business and professional);
Parking lot and garage;
Personal service establishment;
Public building and park;
Radio and television studio;
Restaurant without bar services;
Retail and wholesale store when conducted entirely within a building and less than 65,000 square feet of building and sales area;
School (commercial, technical, trade, academic);
Service station;
Single-family dwelling or one apartment if it is accessory to a permitted commercial use;
Skating rink;
Social hall;
Theater, indoor;
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.
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 Repealed on xxx date. ~~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:

Ambulance and armored car service;
Apartment house when connected to public sewer and water systems;
Boarding and rooming house;
Body and paint shop;
Bowling alley;
Bus terminal;
Coin-operated car wash;
Dwelling group when connected to public sewer and water systems;
Driving range;
Drive-in theater;
Dry cleaning outlet;
Duplex;
Emergency Shelters **with more than twenty beds or** when not permitted under Section 21.48.**020**~~024~~ of this Chapter;
Golf course;
Hospital;
Hotel;
Household appliance repair;
Laundromat;
Machine shop;
Miniature golf course;
Mobile home parks where connected to both public sewer and water systems;
Mortuary;
Motel;
Motorcycle shop;
Nursery;
On-sale liquor establishment;

Plumbing and heating establishment;
Restaurant with bar service;
Retail and wholesale retail store 65,000 square feet or greater in building and sales area;
Sheet metal shop;
Skateboard park;
Taxi terminal;
Truck terminal;
Warehouse;
Waterslide;
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)

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

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 dwellings 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 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. Emergency Shelters with more than twenty beds or when not permitted under Section 21.52.020 of this Chapter.

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)

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

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)

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

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 is intended to promote and guide the development of multifamily residential infill in areas that are currently developed with commercial uses.

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.

C. Development consisting of a mix of the commercial and residential uses permitted in the C-2 and R-3 zoning districts. The uses may be located vertically in the same structure or horizontally in separate structures, subject to the standards established by this Chapter.

21.56.040 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.

21.56.040 DEVELOPMENT STANDARDS

The following development standards shall apply to all land and buildings in the M-U 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. All uses shall be on a lot sufficient to meet all applicable County adopted development and design standards.

2. Percentage of lot coverage, for aggregate buildings, is unspecified and shall be subject to development on the lot meeting all applicable development regulations set forth in this Chapter and any applicable objective design standards adopted by the County.

3. Permitted residential use density on a lot shall be up to two dwelling units 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.

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 10 residential units. For every additional 5 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. Multiple story dwelling units proposed on a lot abutting a Single-Family Residential District (R-1), with walls that could provide unobstructed views

(from windows or balconies) of a rear yard or side yard on a R-1 zoned lot, shall apply the following provisions:

a. Dwelling units shall have either no windows or windows with a bottom sill located at least five (5) feet eight (8) inches from the finished floor of a second (or higher) story; and

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.

l. Objective Design Standards. Any development shall be subject to all applicable objective design standards adopted by the County.

CHAPTER 21.60

INDUSTRIAL DISTRICT (M)

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

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

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

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):

a. 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).

i. **Existing mobile homes may remain after being converted to an accessory dwelling; however, any replacement of the mobile home shall comply with the eligibility and compatibility criteria established under this Chapter and with Chapter 21.74.**

b. 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 the 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. Existing mobile homes may remain after being converted to an accessory dwelling; however, any replacement of the mobile home shall comply with the eligibility and compatibility criteria established under this Chapter and with Chapter 21.74.

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)~~

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

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~~in all~~** R-1 (Low Density Residential), R-2 (Medium-Density Residential), R-3 (~~High-Density~~ **Multi-Family** Residential), R-A (Rural Residential), 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.

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~~ shall be limited to the following:

a. One junior accessory dwelling–when located within the space of or attached to a proposed or existing two-family dwelling subject to all general and development standards of this Chapter; 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 shall be limited to the following:**

a. One accessory dwelling within or attached to an existing multi-family 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 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, if each unit complies with state building standards for dwellings; and

b. **One detached accessory dwelling per multi-family dwelling, up to 8 maximum, not to exceed the number of existing multi-family dwelling units, subject to all general and development standards of this Chapter; or**

c. On parcels with proposed multi-family dwellings, two detached ADUs subject to all general and development standards of this Chapter.

~~Exceptions.~~

~~d. 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.~~

~~c. 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. Where an A-2 zoned parcel has two single family dwellings, the parcel shall be limited to Section 21.74.030(A)(1)(a).

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. JADUs 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 Dwellings 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 ADUs.**

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 provided by State law, an accessory dwelling or junior accessory dwelling may be rented, but no accessory dwelling or junior accessory dwelling may be sold or otherwise conveyed separately from the lot and the primary dwelling (in the case of a single-family lot) or from the lot and all of the dwellings (in the case of a multi-family dwelling lot).** ~~Any accessory dwelling cannot be sold separately from or subdivided from the main dwelling.~~ **With the exception of lot splits subject to the HOME Act, a**~~A~~ny 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

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

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 landscape standards set by this Title are met.

CHAPTER 21.82

DENSITY BONUS ~~FOR~~ AND AFFORDABLE HOUSING

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

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 BY-RIGHT APPROVAL OF AFFORDABLE UNITS

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. A housing development includes only the residential component of a mixed-use project. A commercial development as defined in Section 21.82.70 of this Chapter shall be eligible for a commercial development bonus as provided in Section 21.86.70 of this Chapter.

The granting of a density bonus, incentive or concession, pursuant to this section, 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 of a County ordinance unrelated to development standards.

Projects which meet the requirements of this Chapter shall qualify for a density bonus as described below:

A. Very Low and Low Income Housing and Senior Citizen Housing. 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:

1. 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

2. 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

3. Senior Citizen Housing Development. For senior citizen housing developments conforming with Section 21.82.020(**M**~~G~~) of this Chapter, the density bonus shall be twenty percent of the number of senior housing units provided; or

B. 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:

1. 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

2. The housing development is a common interest project as defined by Section 1351 of the California Civil Code; and

3. All of the dwelling units in the housing development are offered for sale to the public.

C. 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, the density bonus shall apply.

D. Student Housing. When twenty percent of the housing units are for low income, full-time, college students at an accredited school, the density bonus shall apply.

E. 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).

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, ~~as follows~~ **pursuant to California Government Code Sections 65915 through 65981.**

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. If a commercial development bonus is requested for a commercial development, the application shall include the proposed partnered housing agreement and the proposed commercial development bonus, as defined in Section 21.82.110, and reasonable documentation that each of the standards included in Subsection 21.82.110(C) has been met.

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 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~~ **seventeen** 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~~ **twenty four** 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.

4. Four incentives or concessions for projects that include at least sixteen percent of the units for very low income households or at least forty-five

percent for persons and families of moderate income in a development in which the units are for sale.

5. Five incentives or concessions for a project meeting the criteria of California Government Code Section 65915(G)(1)(b). If the project is located within one-half mile of a major transit stop or is located in a very low vehicle travel area in a designated county, the applicant shall also receive a height increase of up to three additional stories, or thirty-three feet.

6. One incentive or concession for projects that include at least twenty percent of the total units for lower income students in a student housing 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 site of the commercial development; or

b. On a site within the County that is within one-half mile of a major transit stop and is 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 site consistent with subparagraph (C)(1) above for the affordable units; or make a cash payment to the housing developer for the affordable units.

D. Any approved partnered housing agreement shall be described in the County's Housing Element annual report as required by California Government Code Section 65915.7(k).

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 BY-RIGHT APPROVAL OF AFFORDABLE UNITS

A. **Owner-occupied and rental multiple family developments that include at least twenty percent of units as affordable to lower-income households in accordance with California Government Code Section 65583.2(h) and (i) shall be permitted by-right. The development shall provide at least sixteen dwelling units per site and have a minimum density of twenty dwelling units per acre.**

B. **Sites that comply with the provisions of California Government Code Section 65583.2 shall be permitted by right through a permit pursuant to Chapter 21.100.**

C. **Construction of new buildings approved under 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

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

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. 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).

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 SROs are as follows:

1. Unit size. The net area of an SRO unit may range from a minimum of 150 square feet to a maximum of 400 square feet, with the average unit size being no greater than 345 square feet within an SRO development;

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. A minimum of ten square feet for each unit or 250 square feet, whichever is greater, of common space shall be provided within a building. Dining rooms, meeting rooms, recreational rooms, or other similar areas may be considered common areas. 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 not provided with a private kitchen facility;

   b. Common bathing facilities shall be available to residents within the development, if not provided with private bathing facilities. If required, common bathing shall be provided on each floor where a resident is lacking private facilities; and

   c. Common laundry facilities shall be available to residents within the development, if 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.

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 SRO units; 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 SRO unit, 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 SRO units.

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 annually reviewed;

7. 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;

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 Department of Animal Services;

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. Temporary use of an existing or alternative dwelling during construction of a new residence or remodel of an existing dwelling shall be allowed subject to the following conditions:

1. The temporary or existing dwelling may remain in use only until the new dwelling or remodel is completed and ready for occupancy;

2. An alternative dwelling may consist of a manufactured home set on the property 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 Resource;

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;

4. A financial guarantee shall be required to ensure removal or proper disposal of the temporary or replacement dwelling. The guarantee shall be equal to [adjust for inflation based on when the last amount was adopted] of the dwelling being replaced, remodeled, or constructed, or a minimum of [adjust for inflation], whichever is greater; and

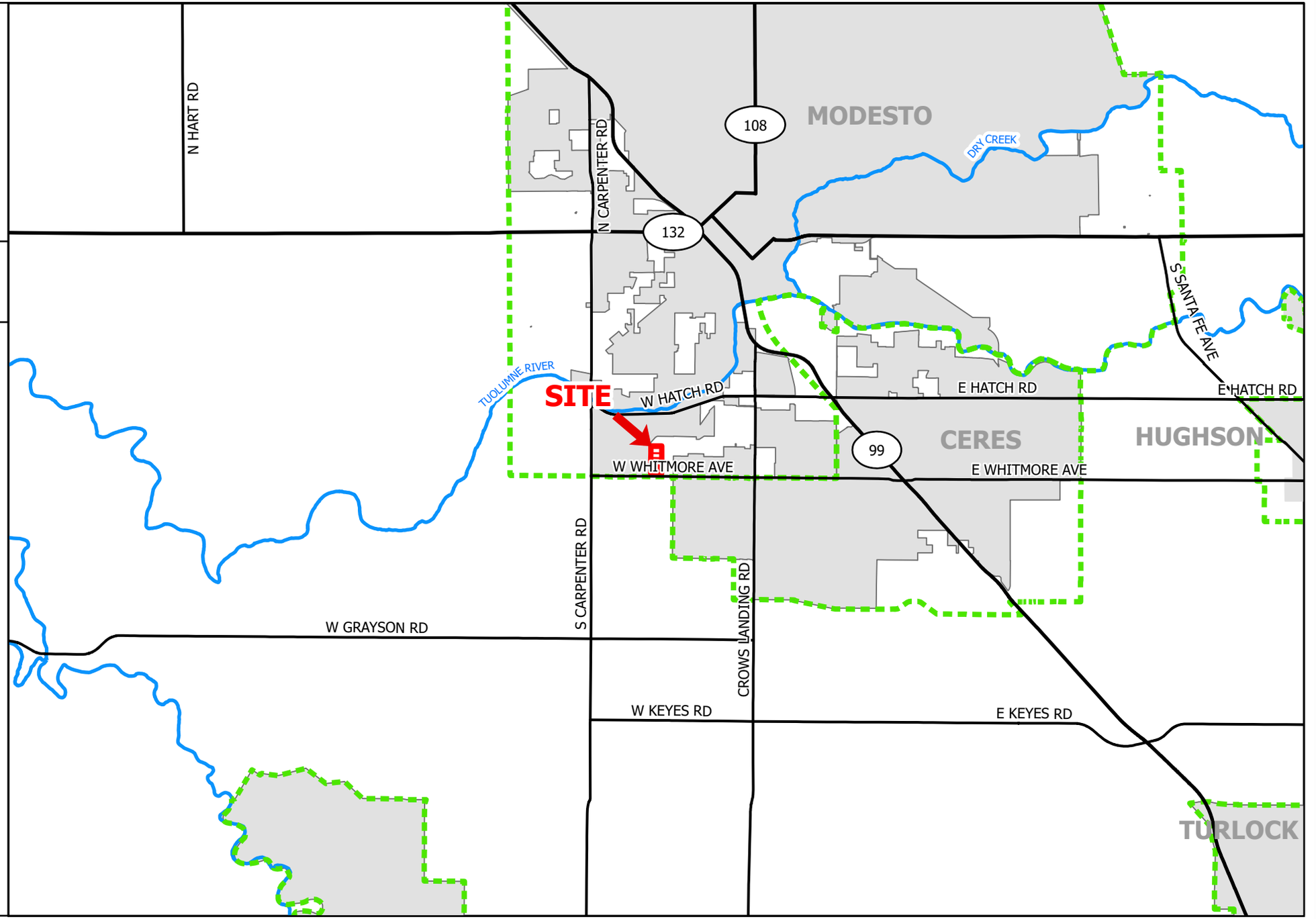
5. Upon issuance of a certificate of compliance for the new dwelling, the temporary or replacement structure must be removed or decommissioned in compliance with applicable codes, unless it is permitted to remain through other zoning ordinances.

J. Density bonuses subject to Chapter 21.82 when no other land use entitlement is required.

REZONE SITES
BRET HARTE (SOUTH MODESTO - FAIRVIEW PARK)

GPA REZ OA ODS
PLN2025-0053

AREA MAP



LEGEND

- Project Site
- Sphere of Influence
- Highway
- Major Road
- River

N

0 1.5 3 Miles

0 1.8 3.5 Kilometers

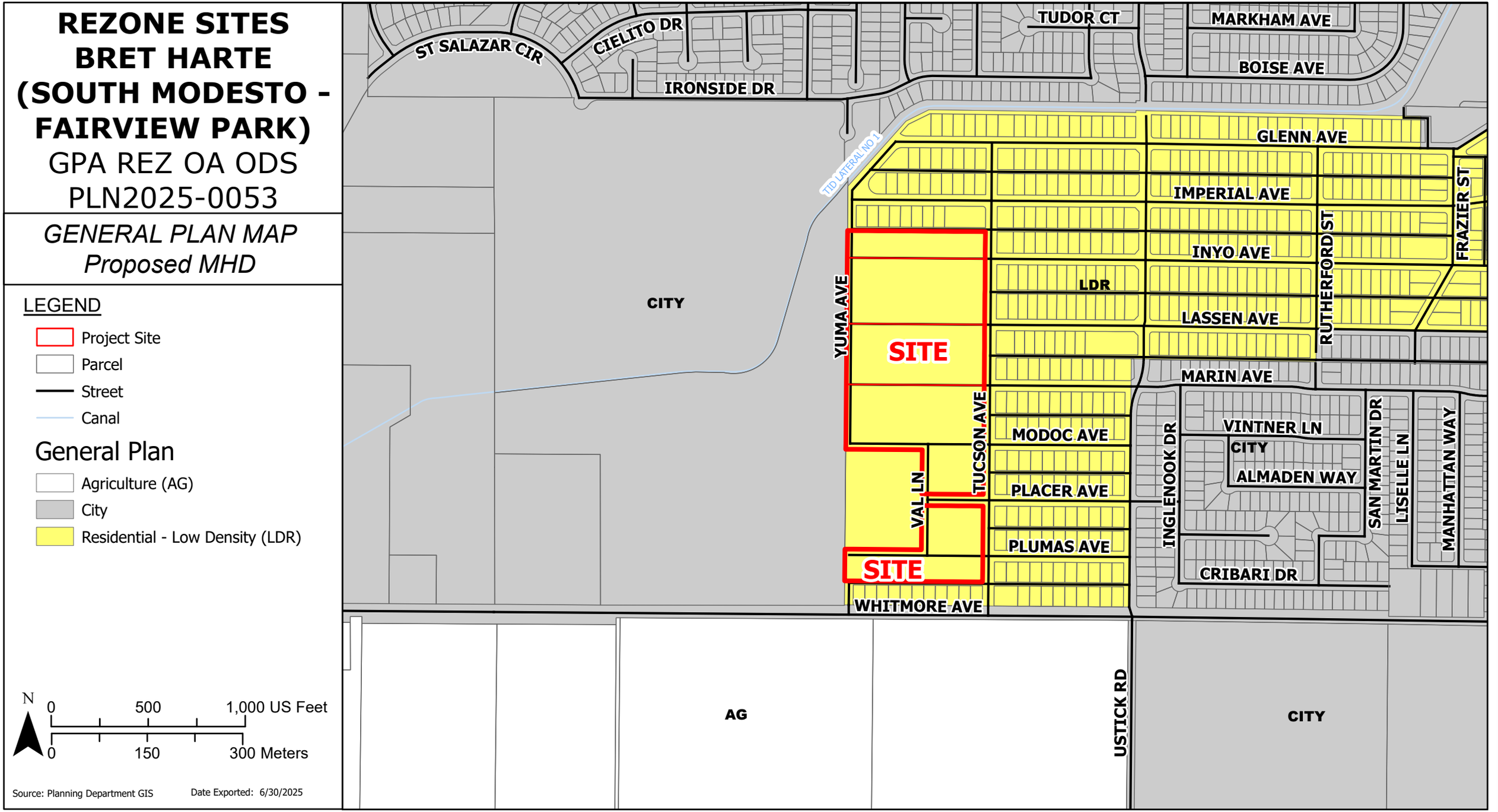
Source: Planning Department GIS

Date Exported: 6/30/2025

REZONE SITES BRET HARTE (SOUTH MODESTO - FAIRVIEW PARK)

GPA REZ OA ODS
PLN2025-0053

GENERAL PLAN MAP
Proposed MHD



LEGEND

- Project Site
- Parcel
- Street
- Canal

General Plan

- Agriculture (AG)
- City
- Residential - Low Density (LDR)

N

0 500 1,000 US Feet

0 150 300 Meters

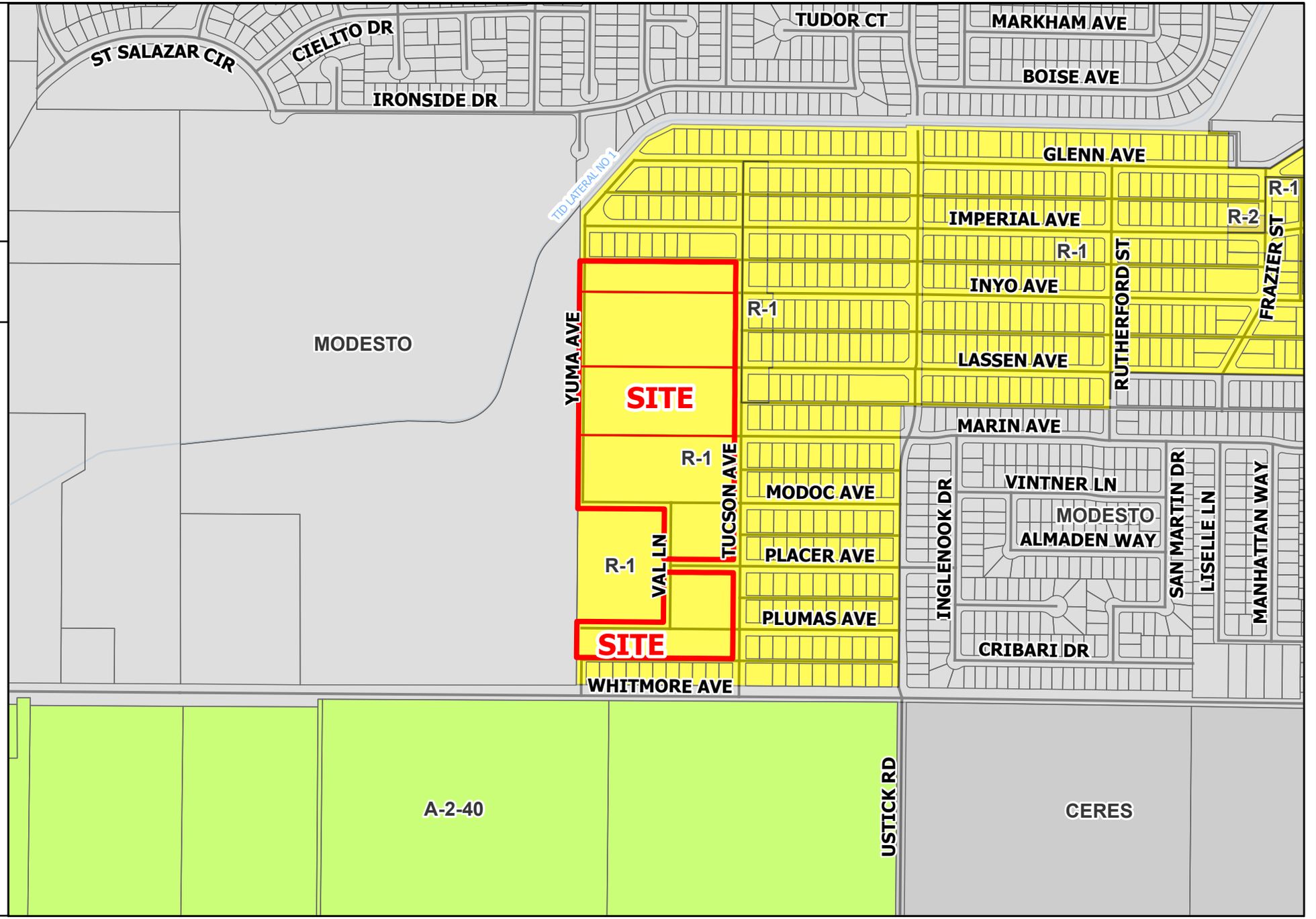
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Date Exported: 6/30/2025

REZONE SITES BRET HARTE (SOUTH MODESTO - FAIRVIEW PARK)

GPA REZ OA ODS
PLN2025-0053

ZONING MAP
Proposed R-3 Zoning



LEGEND

- Project Site
- Parcel
- Street
- Canal

Zoning Designation

- City of Ceres
- City of Modesto
- General AG 40 Acre (A-2-40)
- Medium Density Residential (R-2)
- Single Family Residential (R-1)

N

0 500 1,000 US Feet

0 150 300 Meters

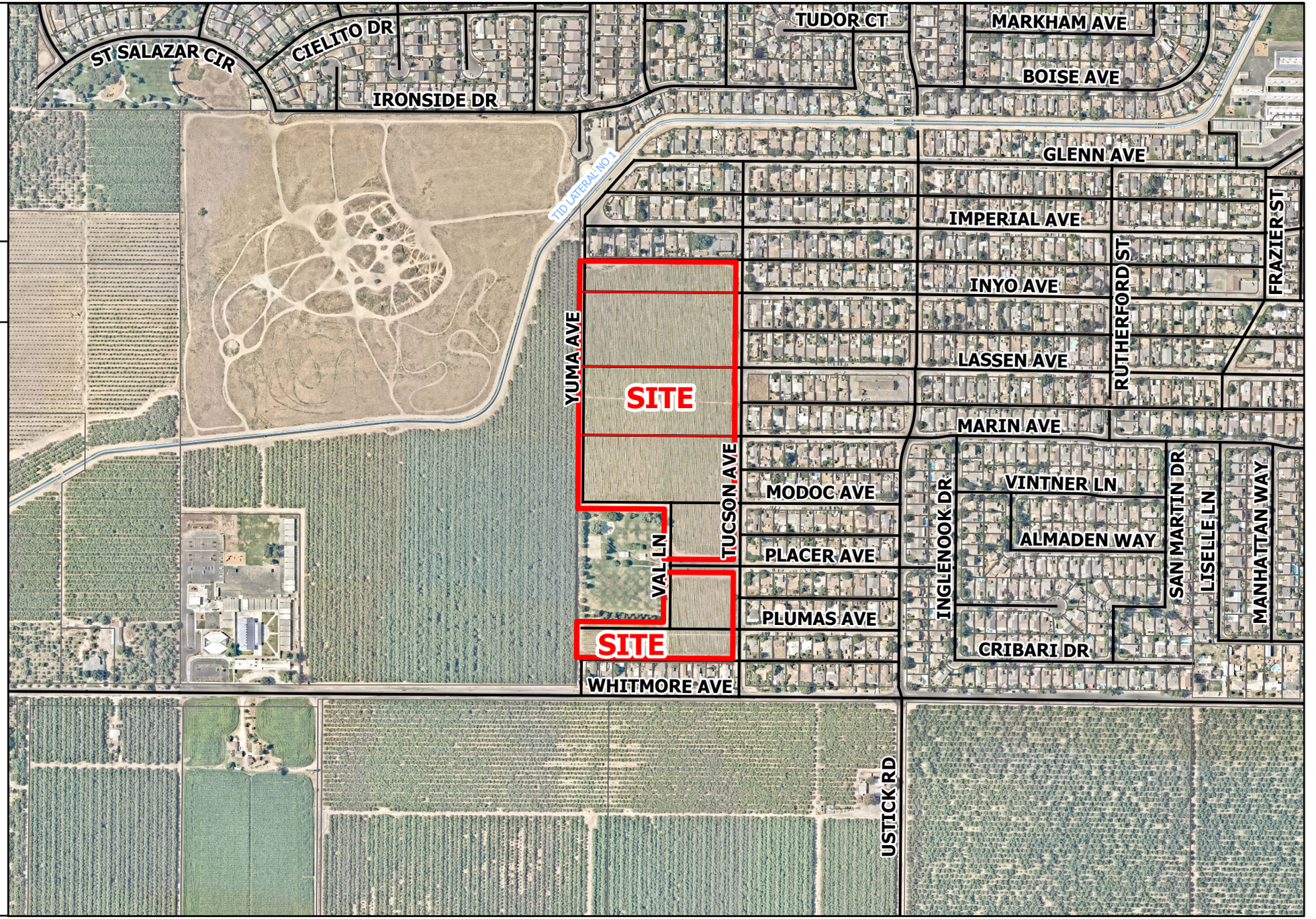
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Date Exported: 6/30/2025

REZONE SITES BRET HARTE (SOUTH MODESTO - FAIRVIEW PARK)

GPA REZ OA ODS
PLN2025-0053

2023 AERIAL AREA MAP



LEGEND

- Project Site
- Parcel
- Street
- Canal

N

0 500 1,000 US Feet

0 150 300 Meters

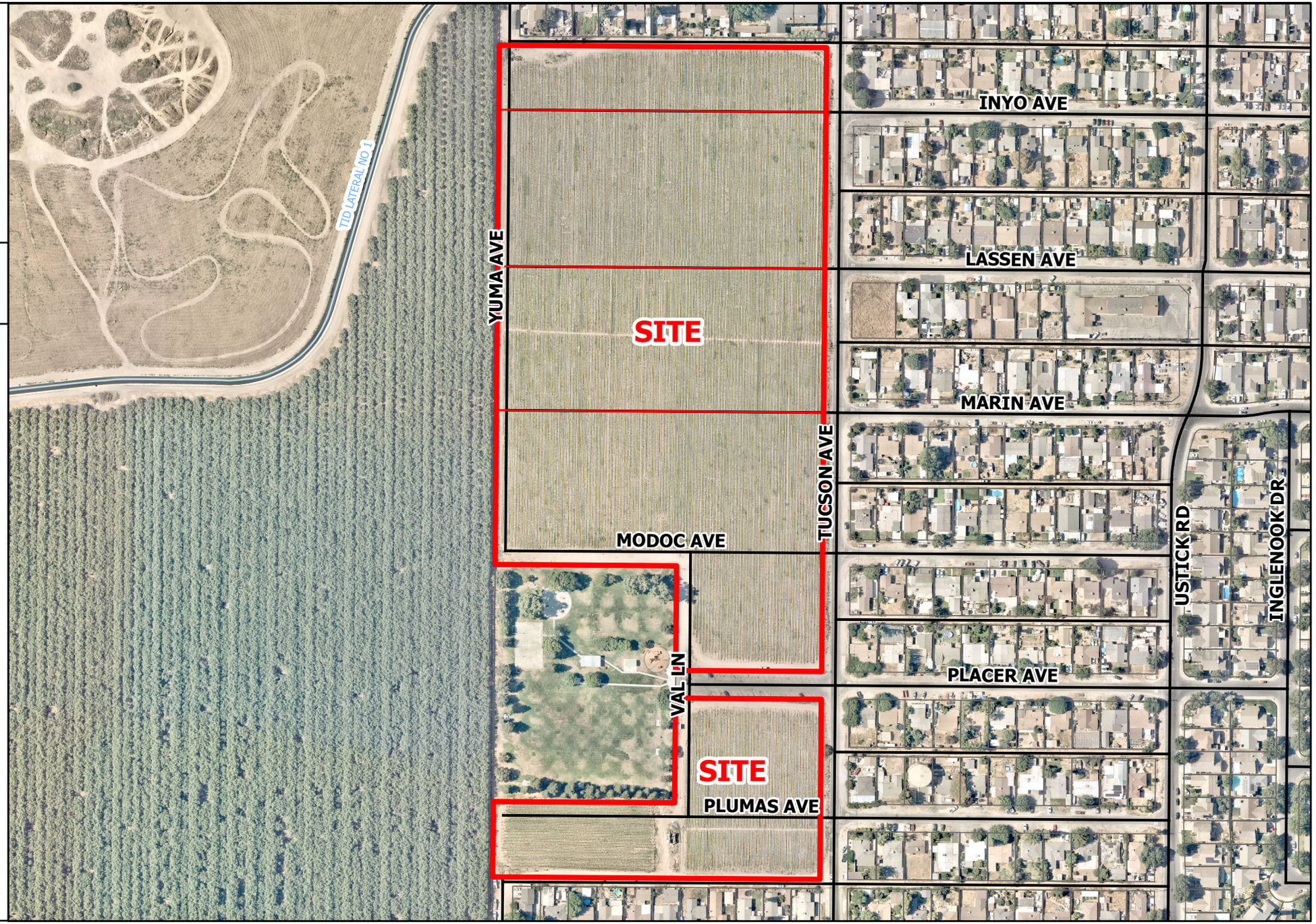
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Date Exported: 6/30/2025

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

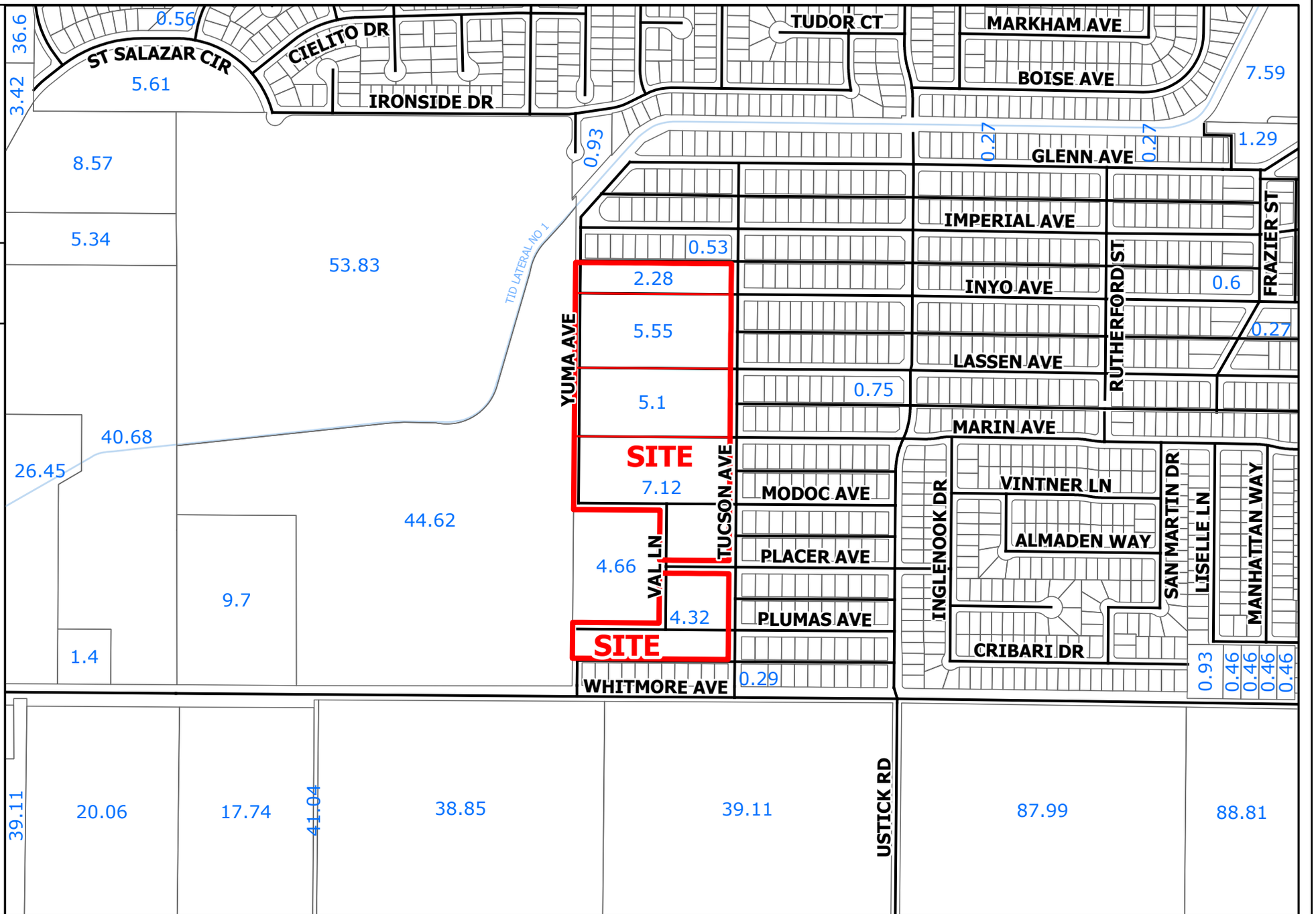
REZONE SITES BRET HARTE (SOUTH MODESTO - FAIRVIEW PARK)

GPA REZ OA ODS
PLN2025-0053

ACREAGE MAP

LEGEND

- Project Site
- Parcel
- Acres
- Street
- Canal



N

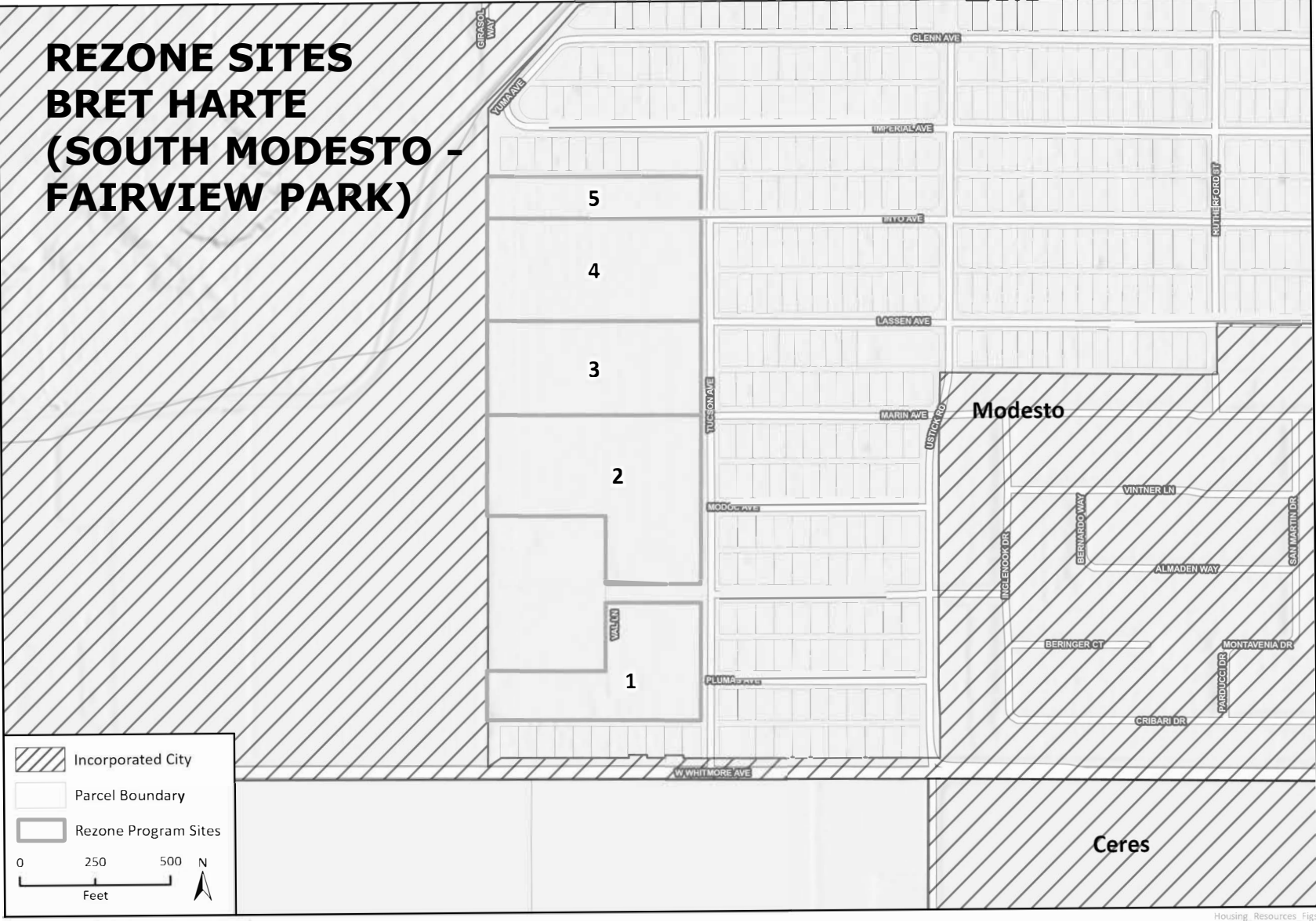
0 500 1,000 US Feet

0 150 300 Meters

Source: Planning Department GIS

Date Exported: 6/30/2025

REZONE SITES BRET HARTE (SOUTH MODESTO - FAIRVIEW PARK)

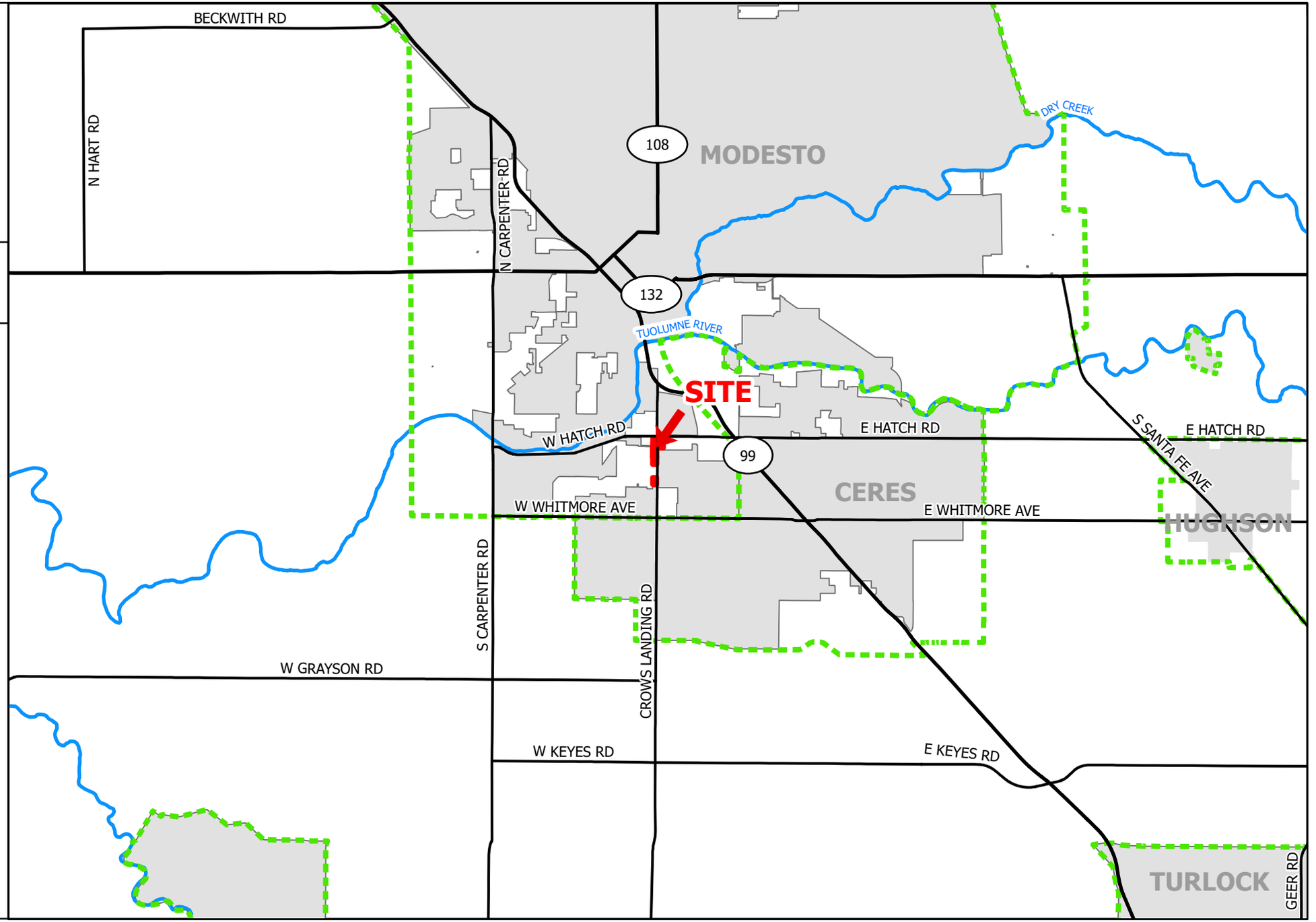


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REZONE SITES BRET HARTE (SOUTH MODESTO - CROWS LANDING ROAD)

GPA REZ OA ODS
PLN2025-0053

AREA MAP



LEGEND

- Project Site
- Sphere of Influence
- Highway
- Major Road
- River

N

0 1.5 3 Miles

0 1.8 3.5 Kilometers

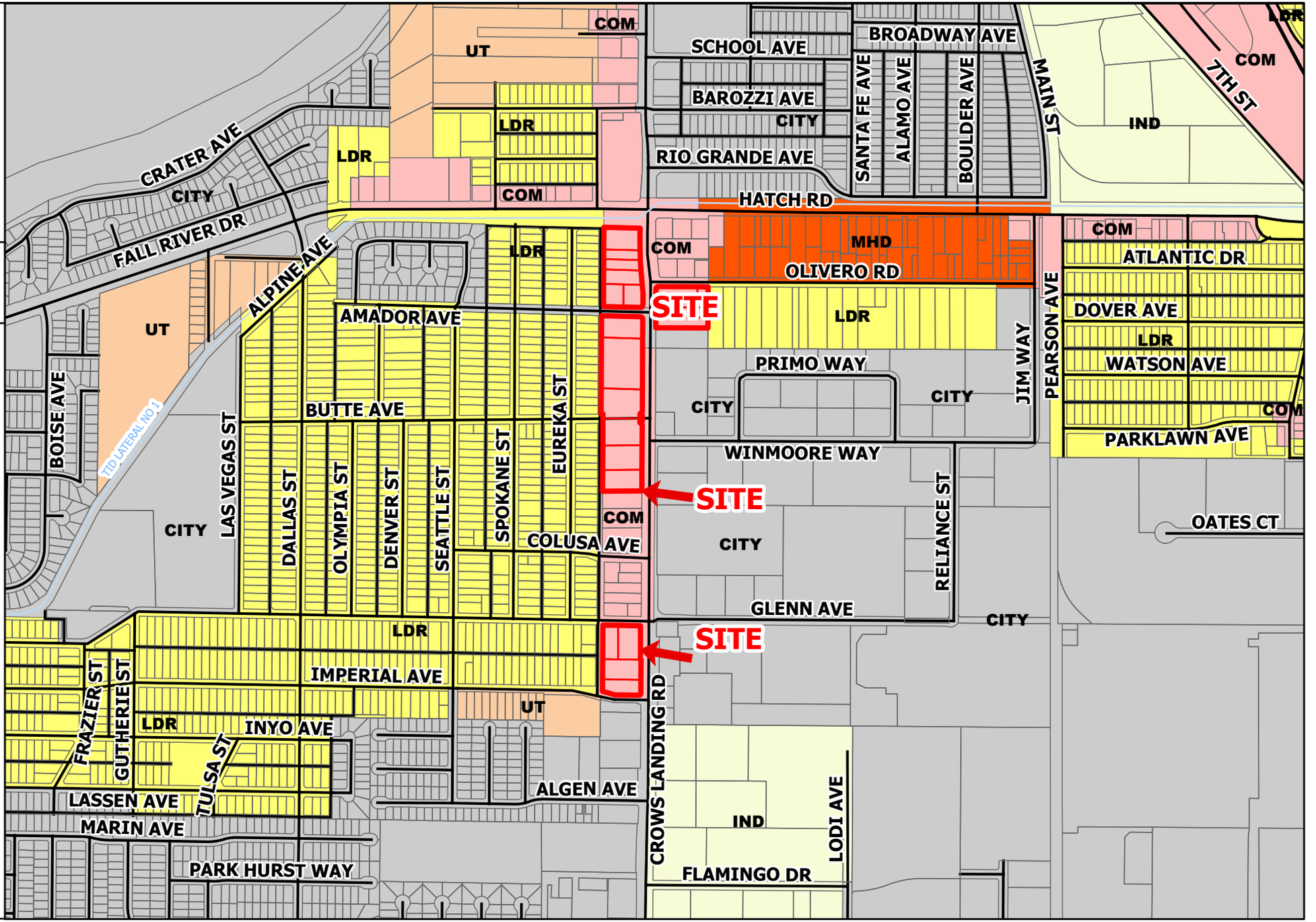
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REZONE SITES BRET HARTE (SOUTH MODESTO - CROWS LANDING ROAD)

GPA REZ OA ODS
PLN2025-0053

GENERAL PLAN MAP



LEGEND

- Project Site
- Parcel
- Highway
- Street
- Canal
- River

General Plan

- City
- Commercial (COM)
- Industrial (IND)
- Residential - Low Density (LDR)
- Residential - Medium/High Density (MHD)
- Urban Transition (UT)

N

0 700 1,400 US Feet

0 215 430 Meters

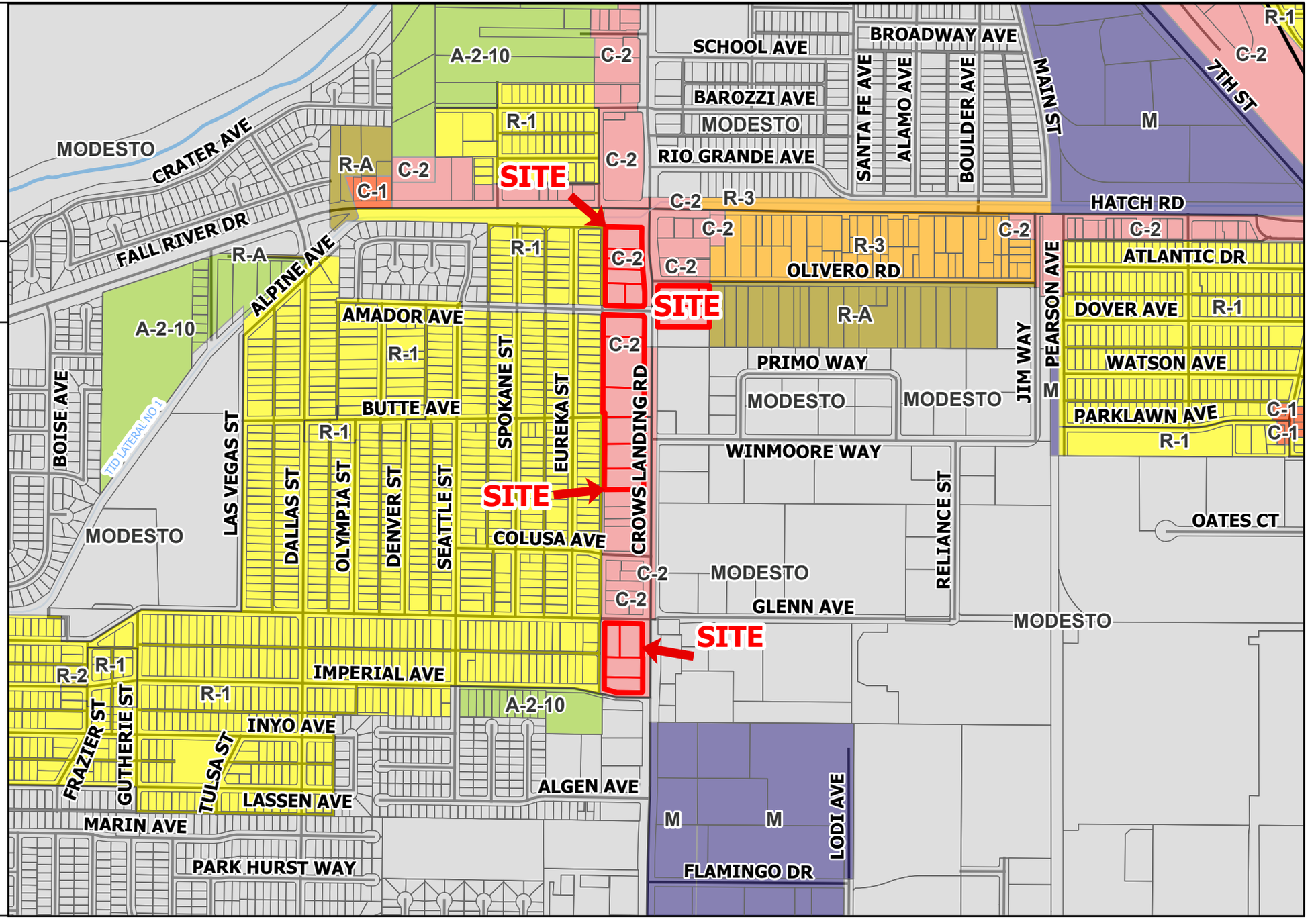
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REZONE SITES BRET HARTE (SOUTH MODESTO - CROWS LANDING ROAD)

GPA REZ OA ODS
PLN2025-0053

ZONING MAP
Proposed MU Zoning



LEGEND

- Project Site
- Parcel
- Highway
- Street
- Canal
- River

Zoning Designation

- City of Modesto
- General AG 10 Acre UT (A-2-10)
- General Commercial (C-2)
- Industrial (M)
- Medium Density Residential (R-2)
- Multiple Family (R-3)
- Neighborhood Commercial (C-1)
- Rural Residential (R-A)
- Single Family Residential (R-1)

N

0 700 1,400 US Feet

0 215 430 Meters

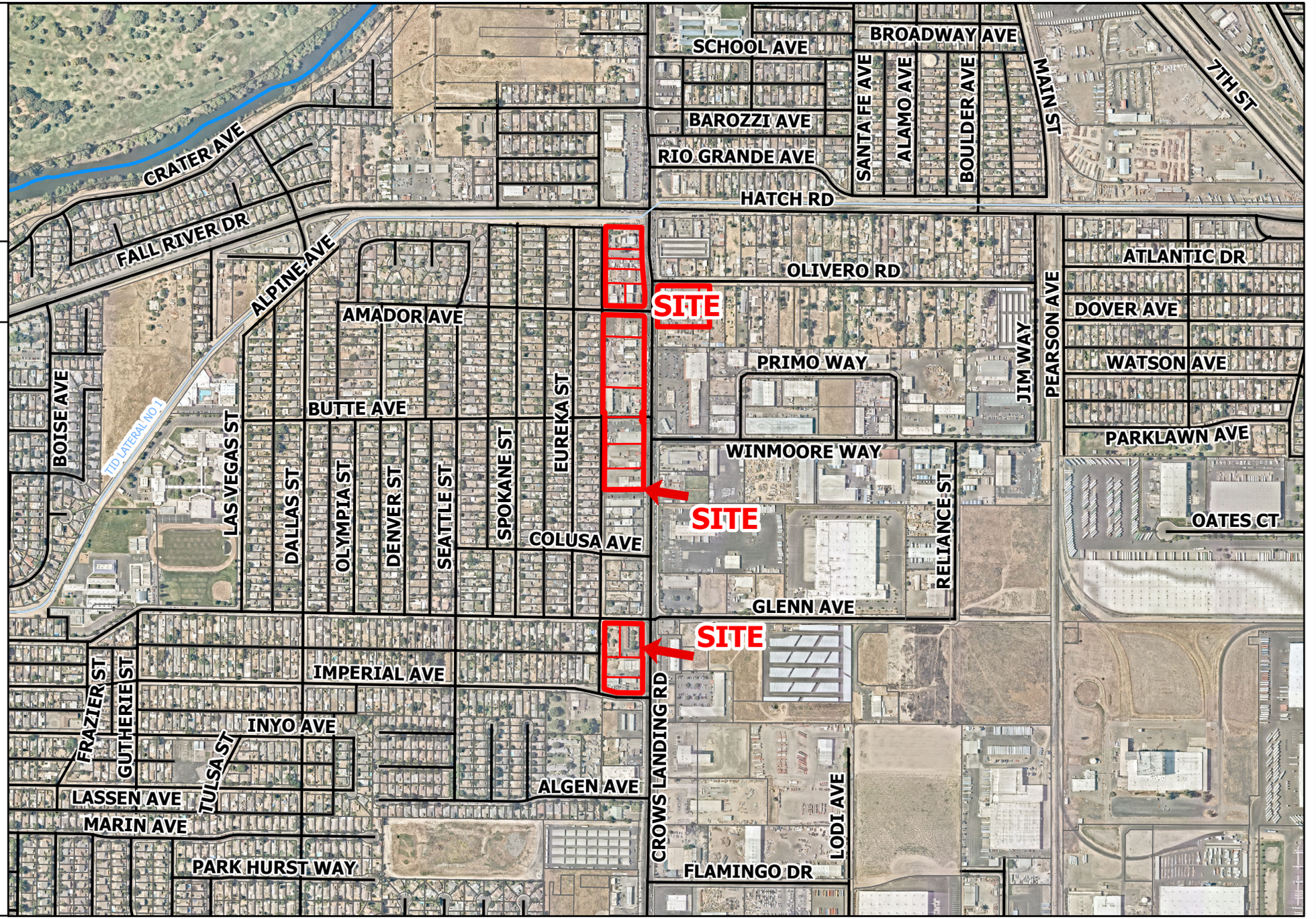
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REZONE SITES BRET HARTE (SOUTH MODESTO - CROWS LANDING ROAD)

GPA REZ OA ODS
PLN2025-0053

2023 AERIAL AREA MAP



LEGEND

- Project Site
- Parcel
- Highway
- Street
- Canal
- River

N

0 700 1,400 US Feet

0 215 430 Meters

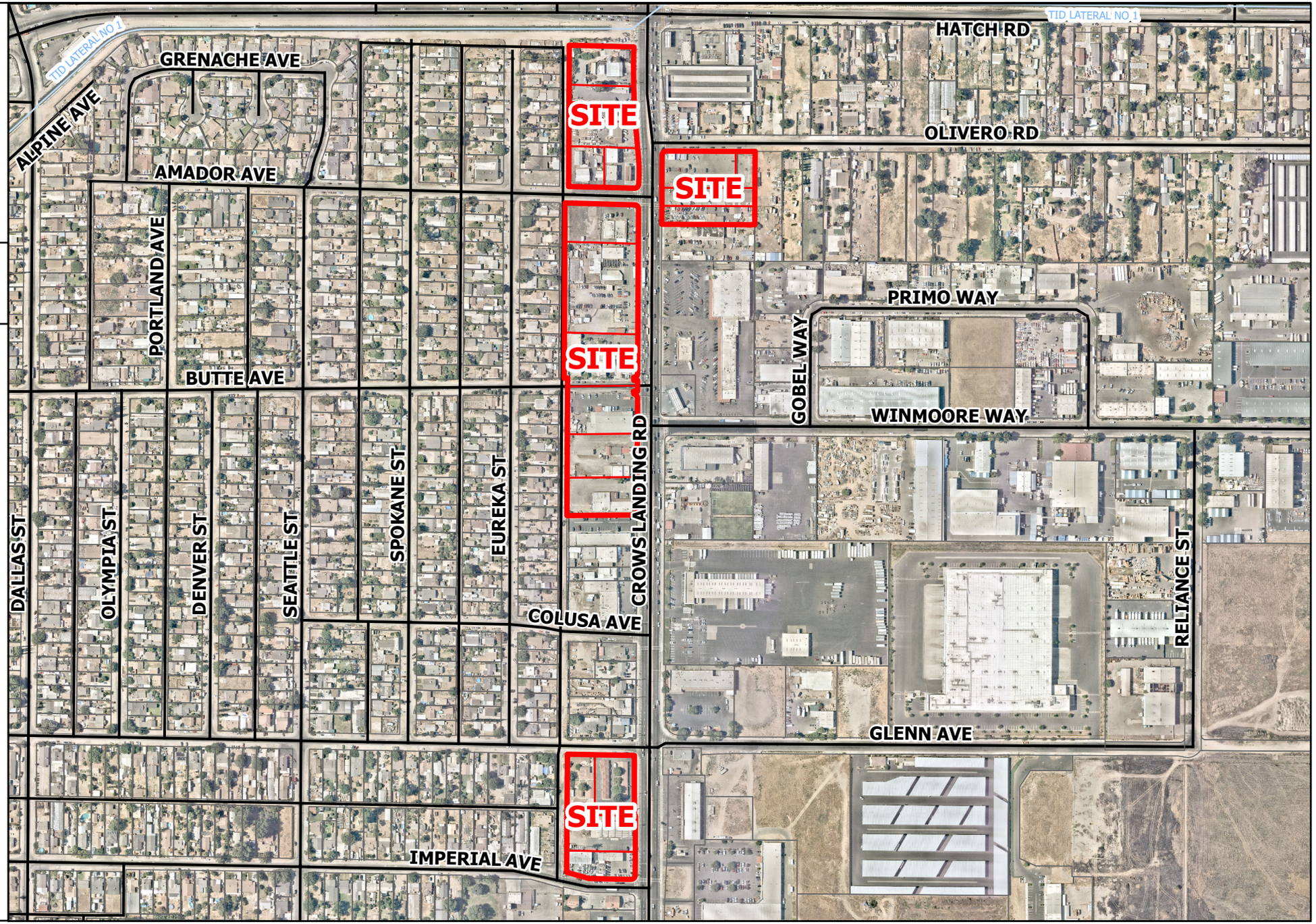
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REZONE SITES BRET HARTE (SOUTH MODESTO - CROWS LANDING ROAD)

GPA REZ OA ODS
PLN2025-0053

2023 AERIAL SITE MAP



LEGEND

- Project Site
- Parcel
- Street
- Canal

N

0 425 850 US Feet

0 120 240 Meters

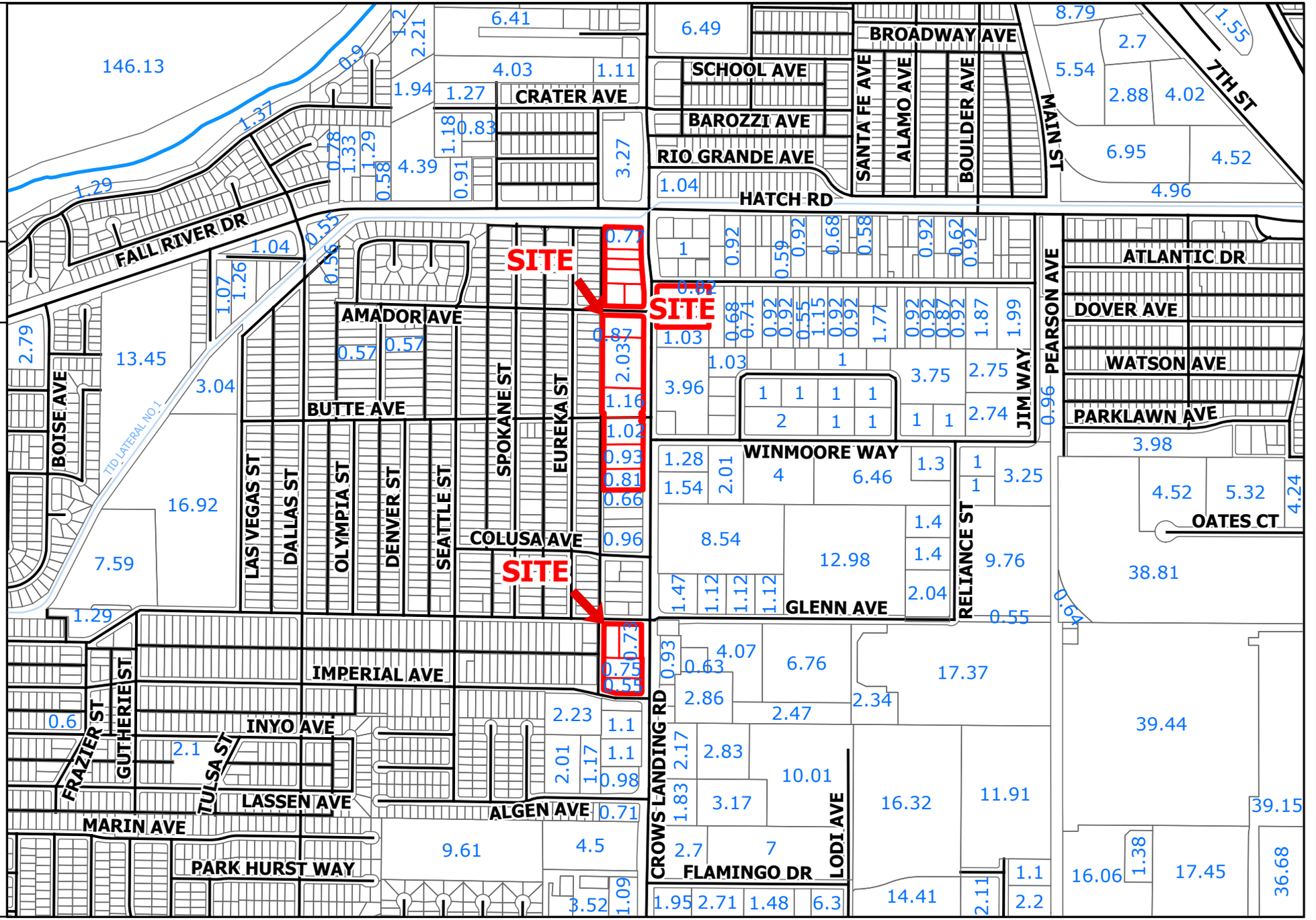
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REZONE SITES BRET HARTE (SOUTH MODESTO - CROWS LANDING ROAD)

GPA REZ OA ODS
PLN2025-0053

ACREAGE MAP



LEGEND

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

N

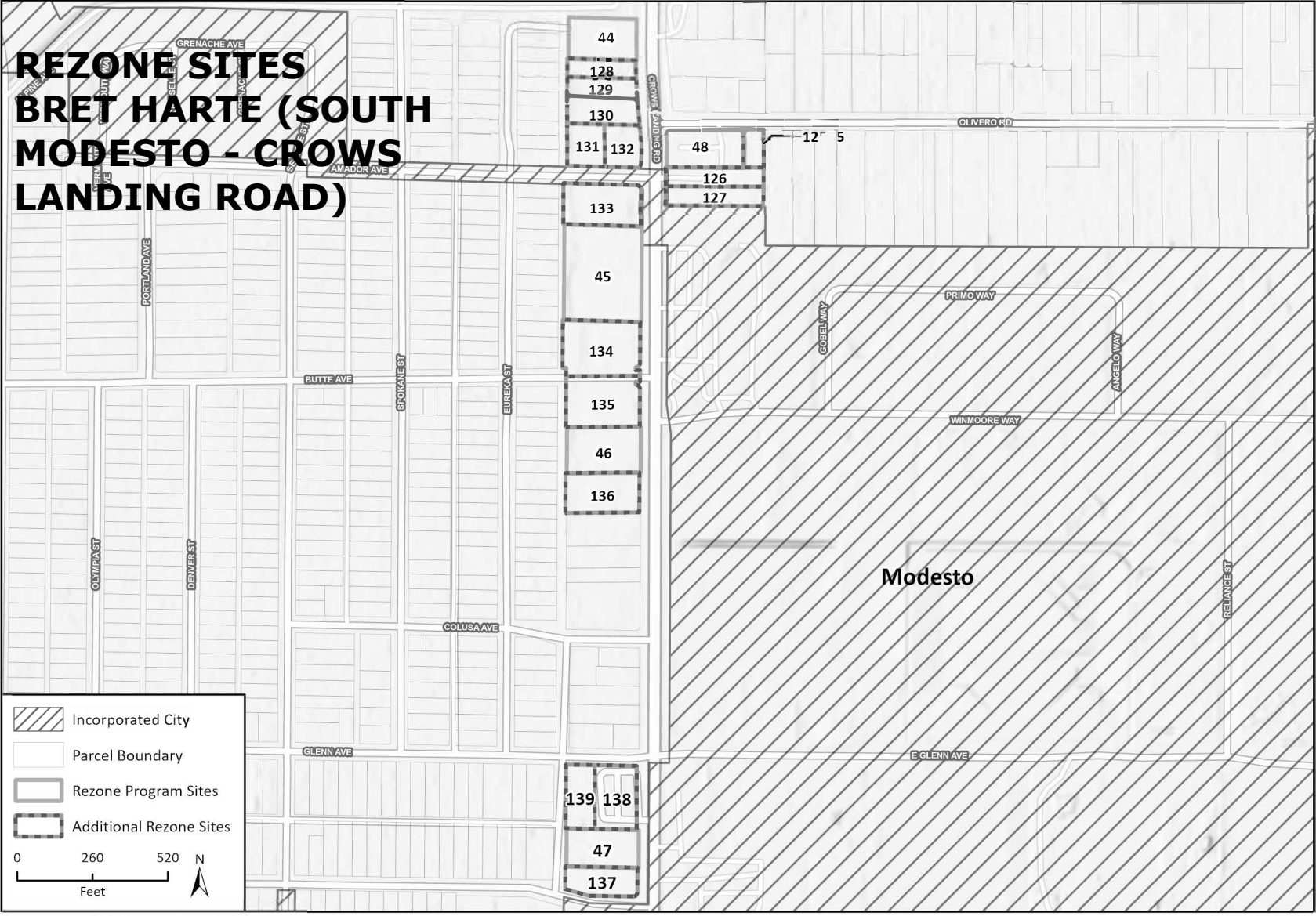
0 700 1,400 US Feet

0 215 430 Meters

Source: Planning Department GIS

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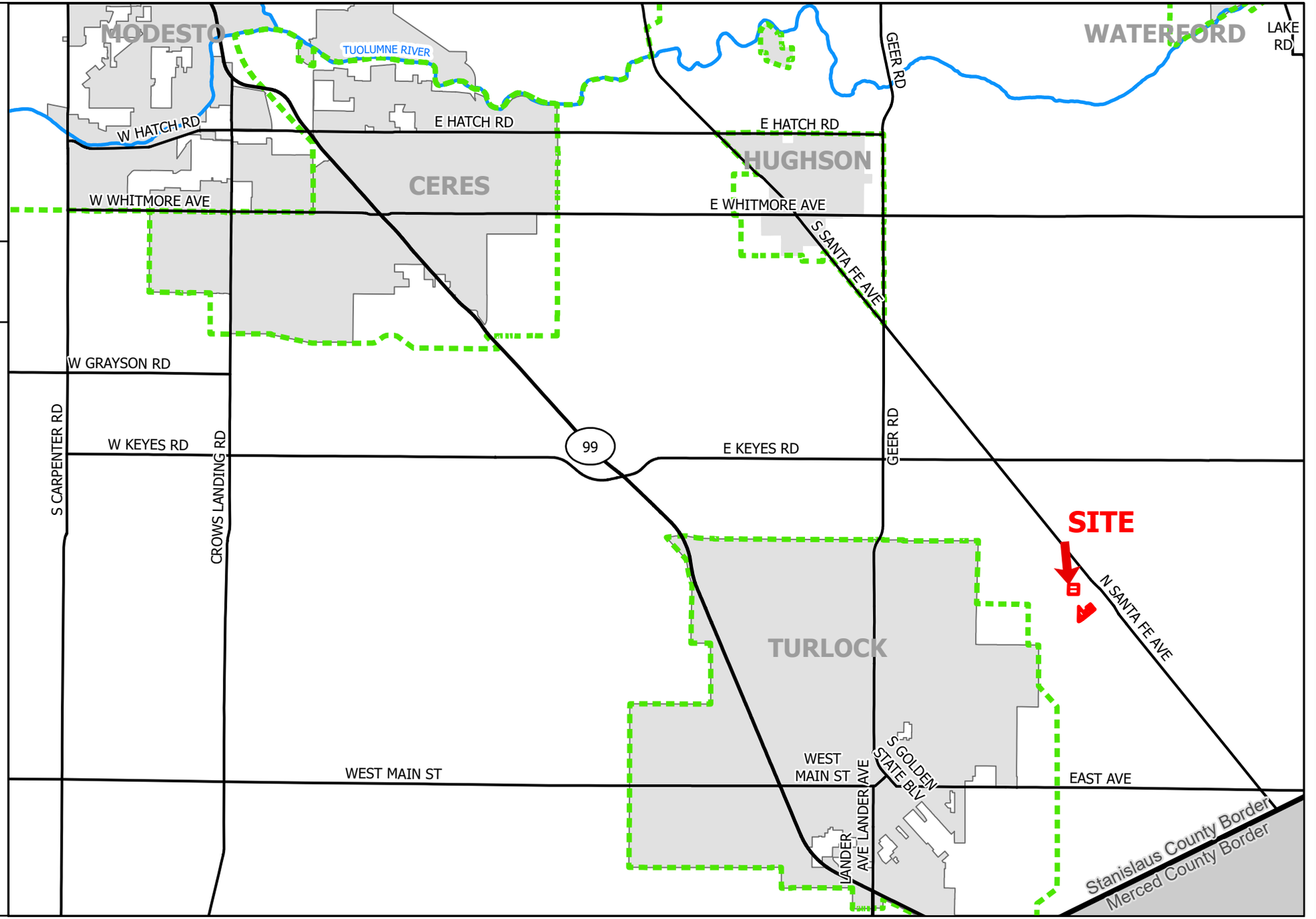
REZONE SITES BRET HARTE (SOUTH MODESTO - CROWS LANDING ROAD)



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REZONE SITES
DENAIR
GPA REZ OA ODS
PLN2025-0053

AREA MAP



LEGEND

- Project Site
- Sphere of Influence
- Highway
- Major Road
- River

N

0 1.5 3 Miles

0 1.8 3.5 Kilometers

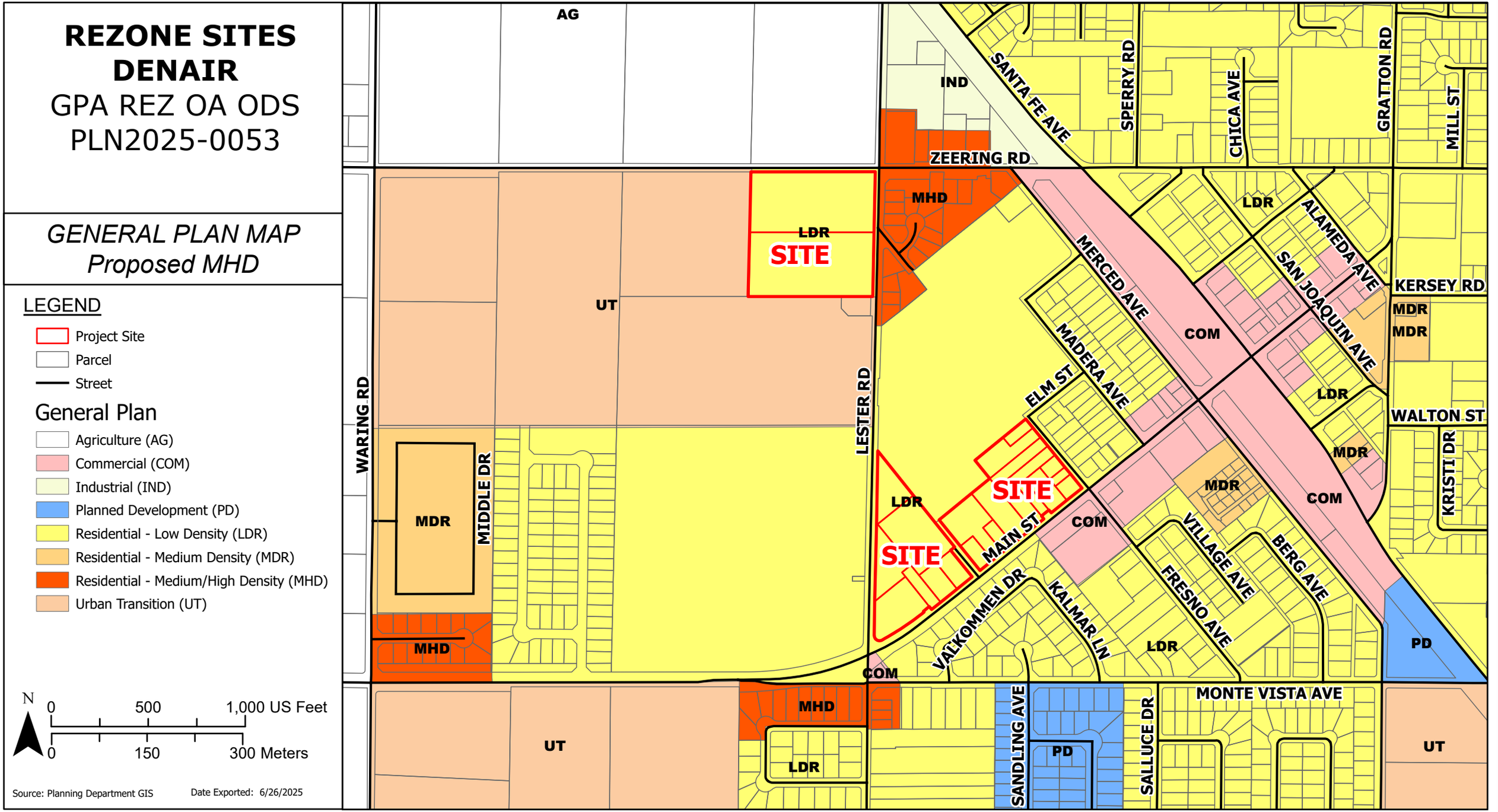
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REZONE SITES
DENAIR

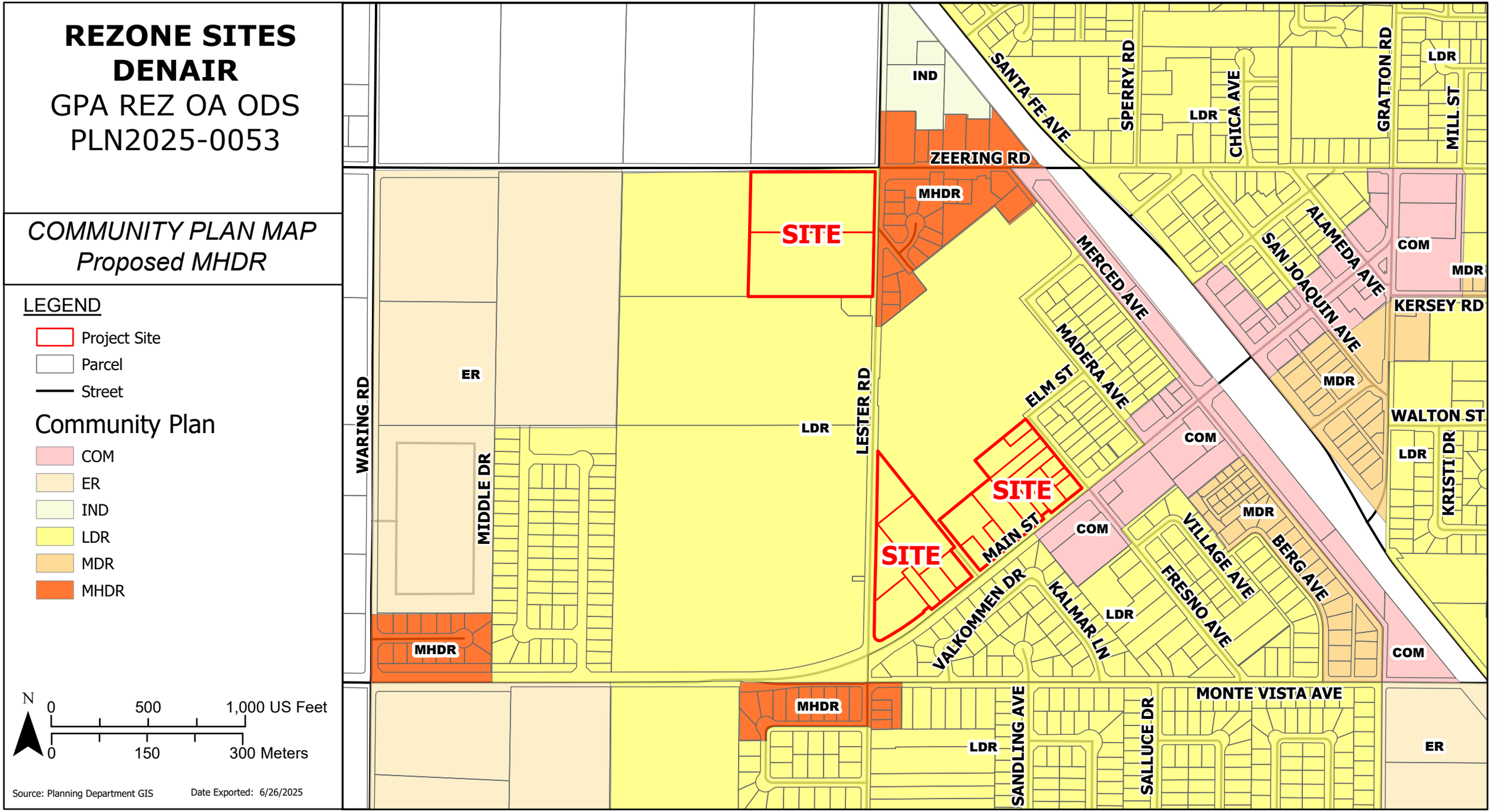
GPA REZ OA ODS
PLN2025-0053

GENERAL PLAN MAP
Proposed MHD



REZONE SITES
DENAIR
GPA REZ OA ODS
PLN2025-0053

COMMUNITY PLAN MAP
Proposed MHDR

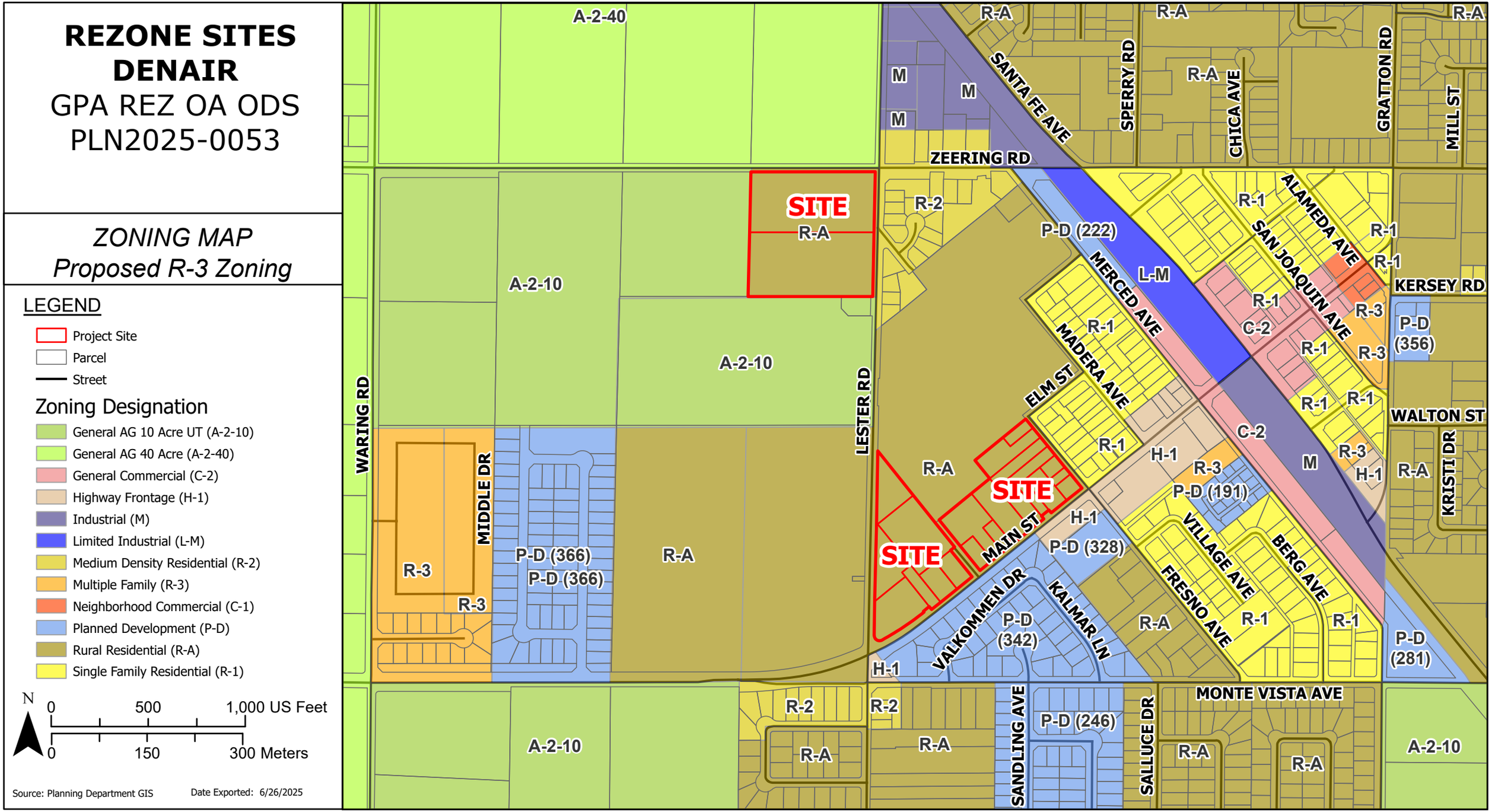


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REZONE SITES
DENAIR
GPA REZ OA ODS
PLN2025-0053

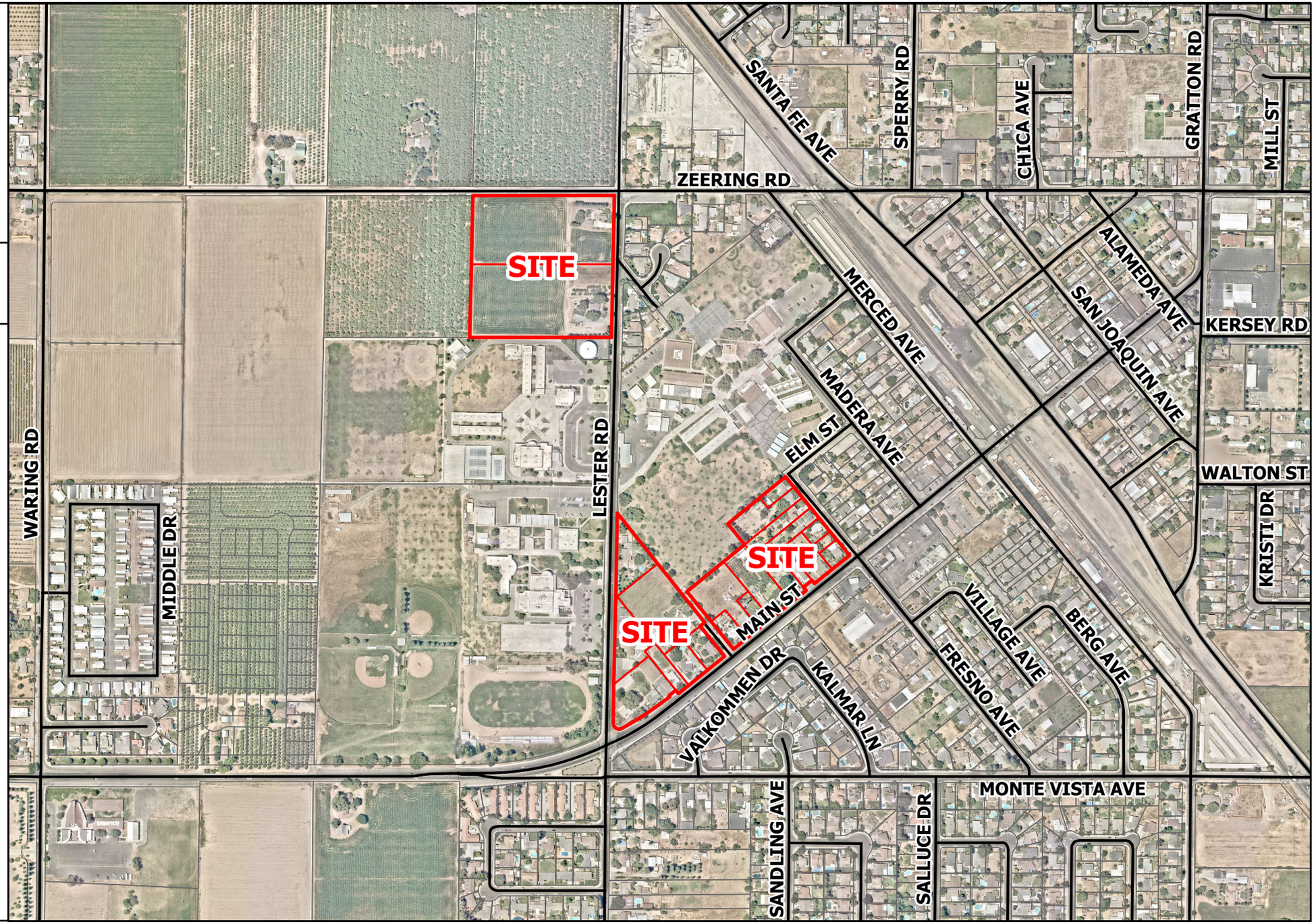
ZONING MAP
Proposed R-3 Zoning



Source: Planning Department GIS Date Exported: 6/26/2025

REZONE SITES
DENAIR
GPA REZ OA ODS
PLN2025-0053

2023 AERIAL AREA MAP



LEGEND

- Project Site
- Parcel
- Street

N

0 500 1,000 US Feet

0 150 300 Meters

Source: Planning Department GIS

Date Exported: 6/26/2025

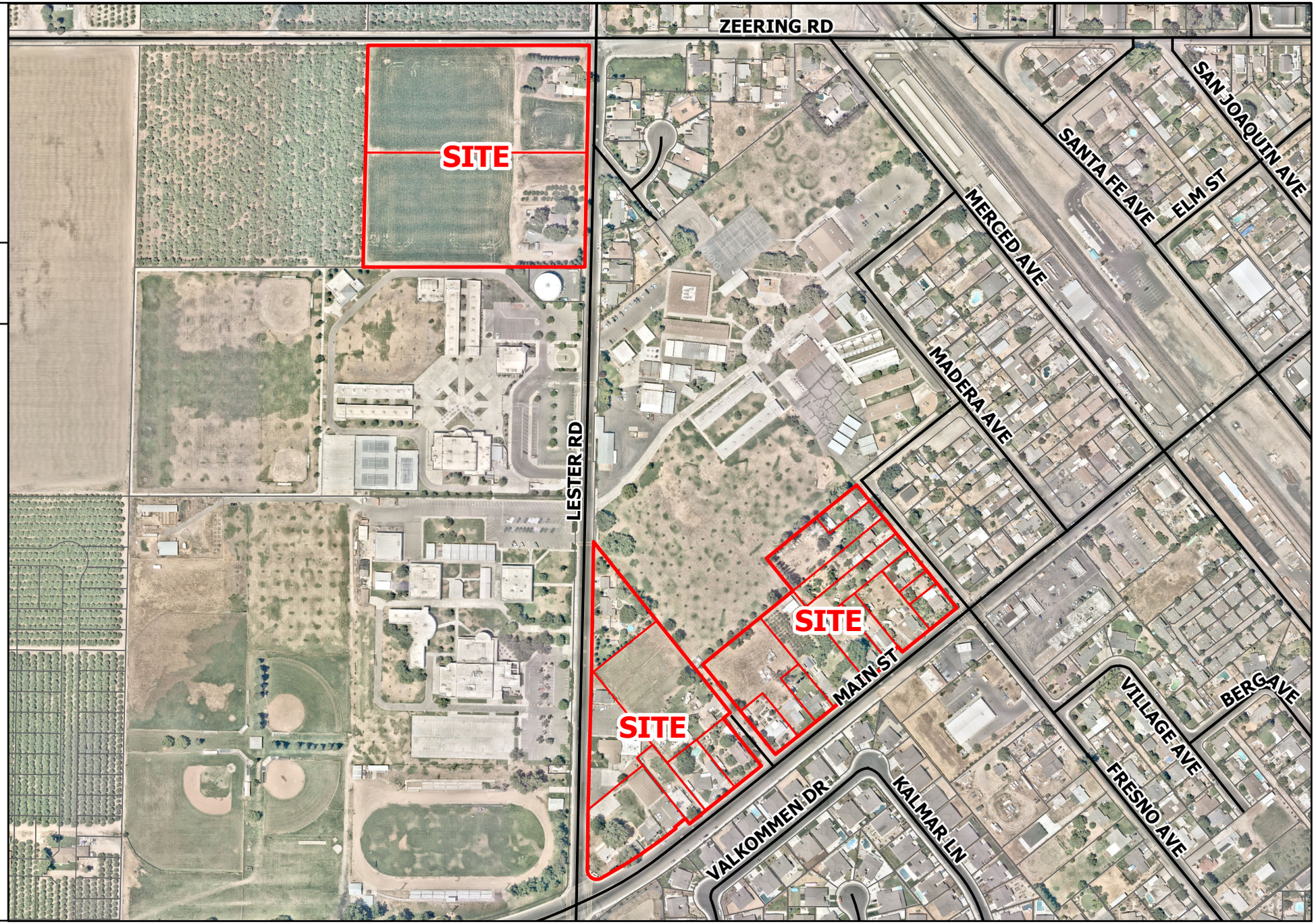
REZONE SITES
DENAIR

GPA REZ OA ODS
PLN2025-0053

2023 AERIAL SITE MAP

LEGEND

- Project Site
- Parcel
- Street



N

0 335 670 US Feet

0 95 190 Meters

Source: Planning Department GIS

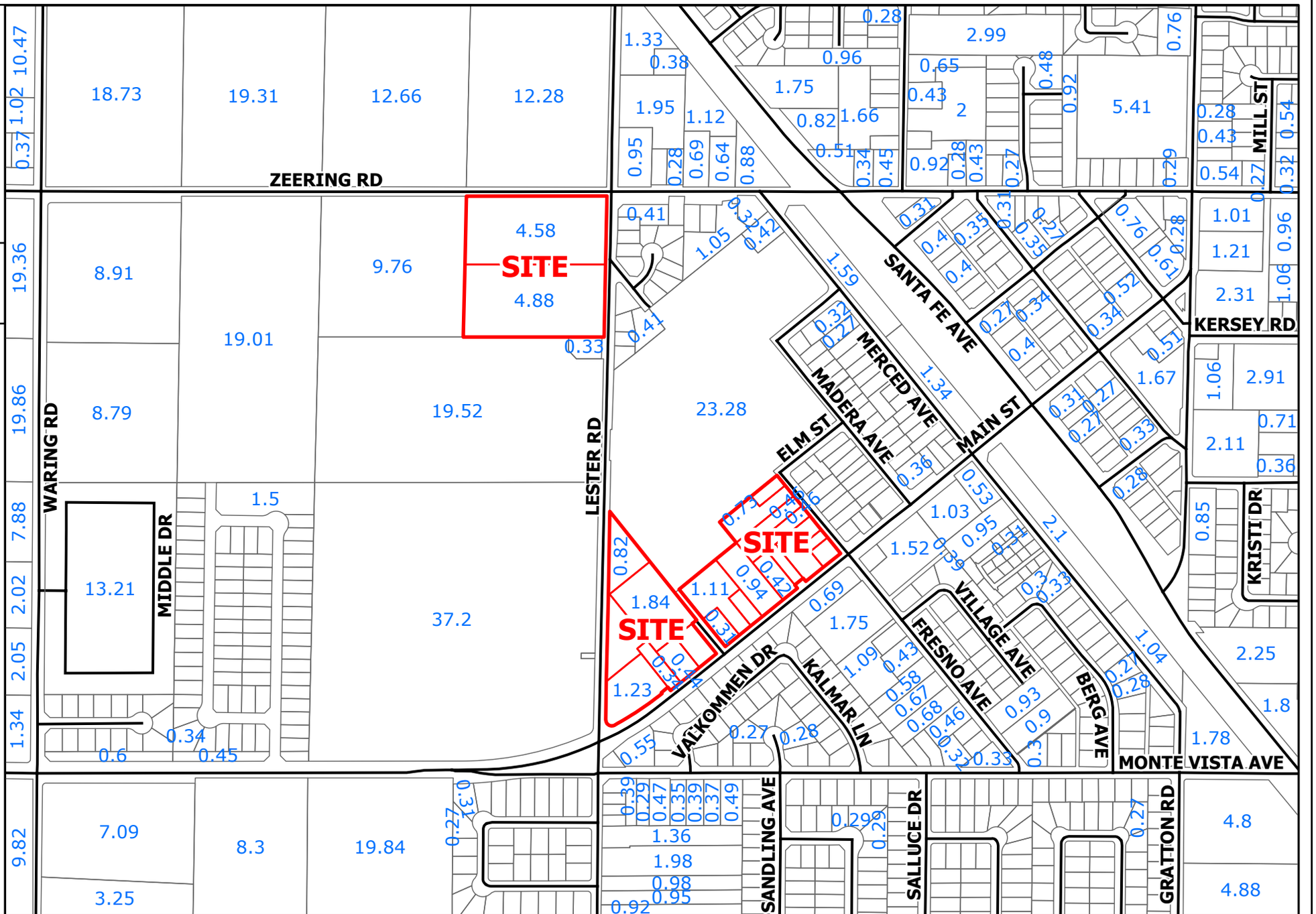
Date Exported: 6/26/2025

REZONE SITES
DENAIR
GPA REZ OA ODS
PLN2025-0053

ACREAGE MAP

LEGEND

- Project Site
- Parcel
- Acres
- Street



N

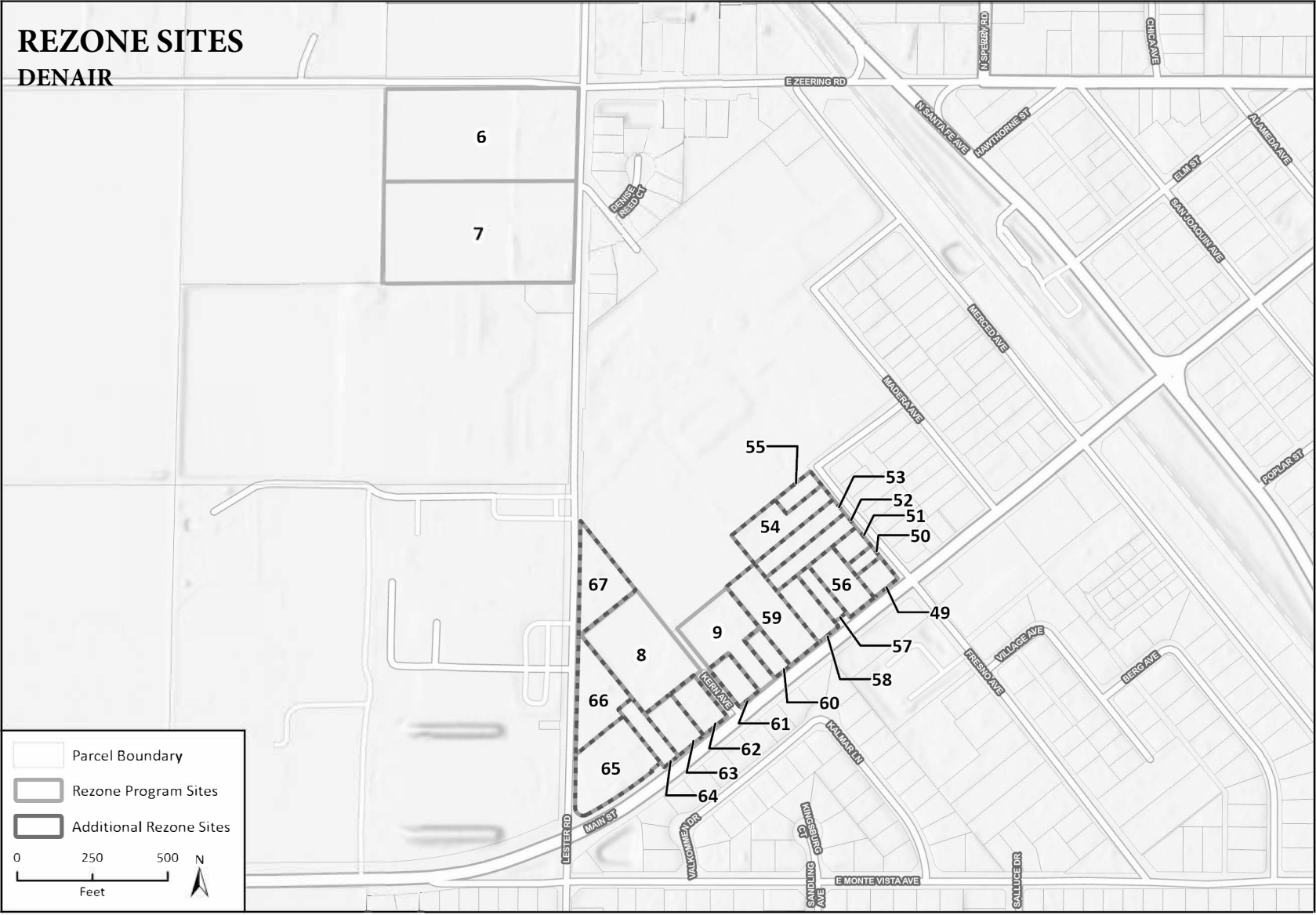
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0 150 300 Meters

Source: Planning Department GIS

Date Exported: 6/26/2025

REZONE SITES
DENAIR

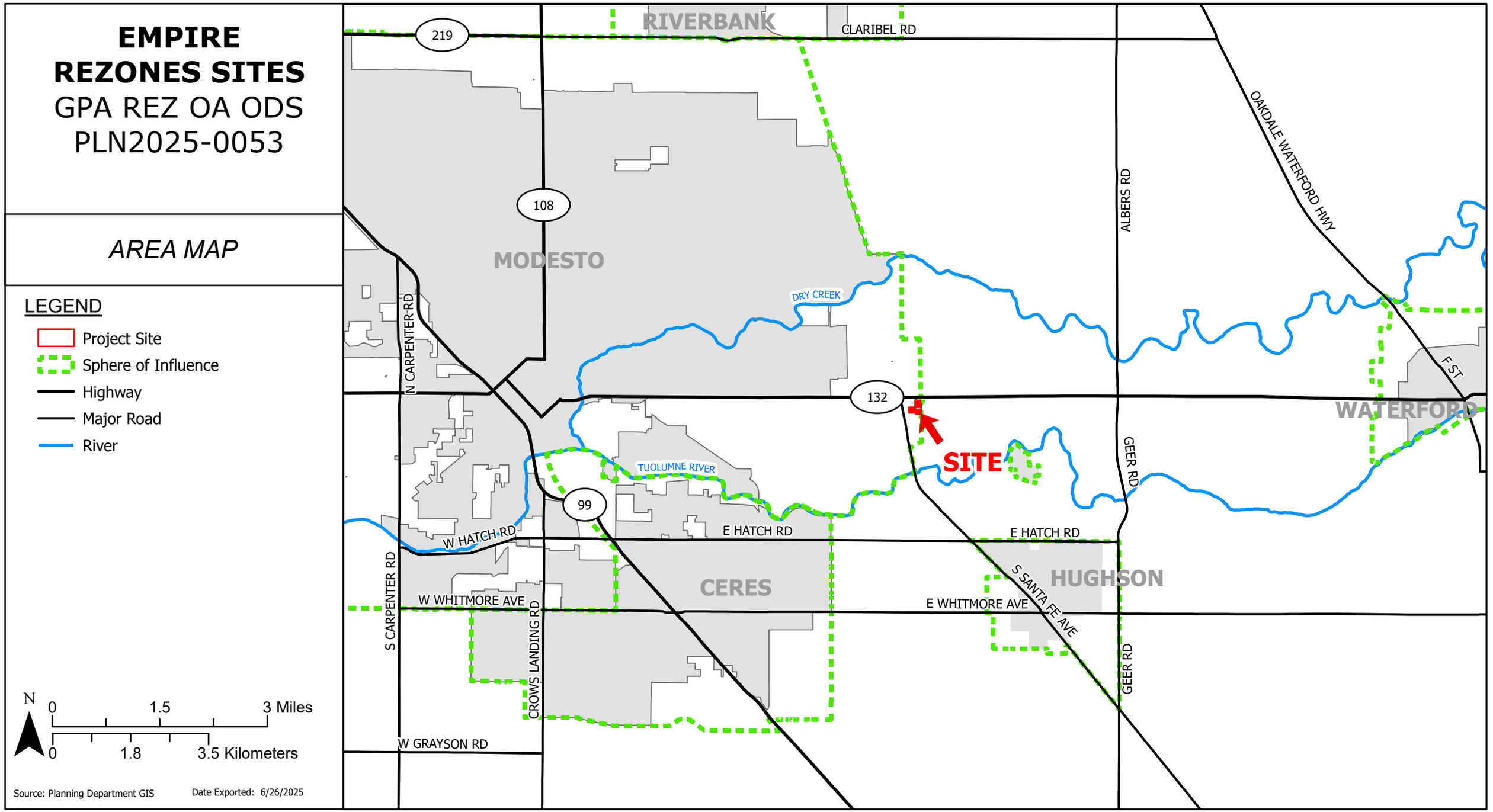


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Additional data provided by Stanislaus County, 2025.

EMPIRE REZONES SITES

GPA REZ OA ODS
PLN2025-0053

AREA MAP



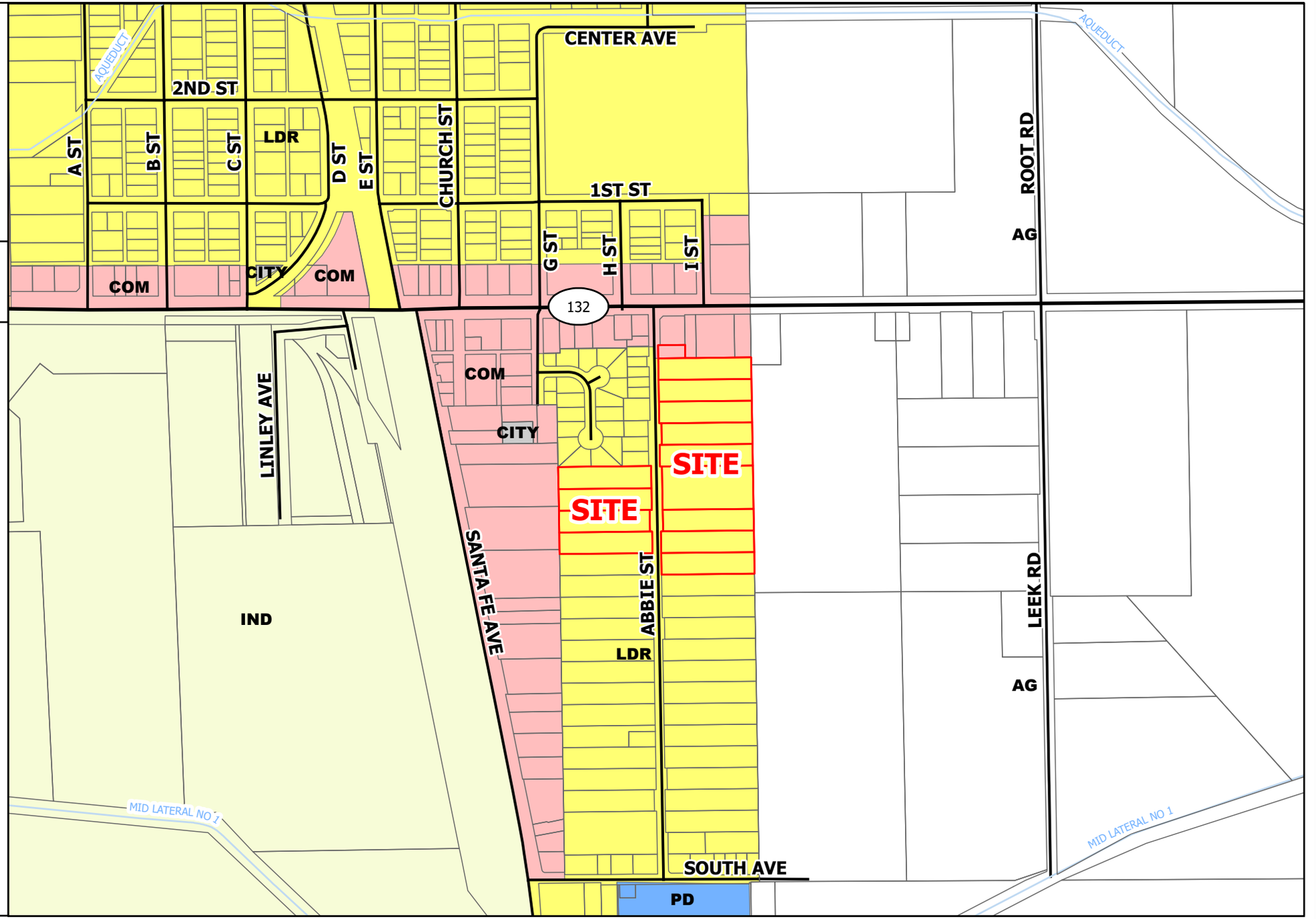
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Date Exported: 6/26/2025

EMPIRE REZONES SITES

GPA REZ OA ODS
PLN2025-0053

GENERAL PLAN MAP
Proposed MHD



LEGEND

- Project Site
- Parcel
- Highway
- Street
- Canal

General Plan

- Agriculture (AG)
- City
- Commercial (COM)
- Industrial (IND)
- Planned Development (PD)
- Residential - Low Density (LDR)
- Urban Transition (UT)

N

0 500 1,000 US Feet

0 150 300 Meters

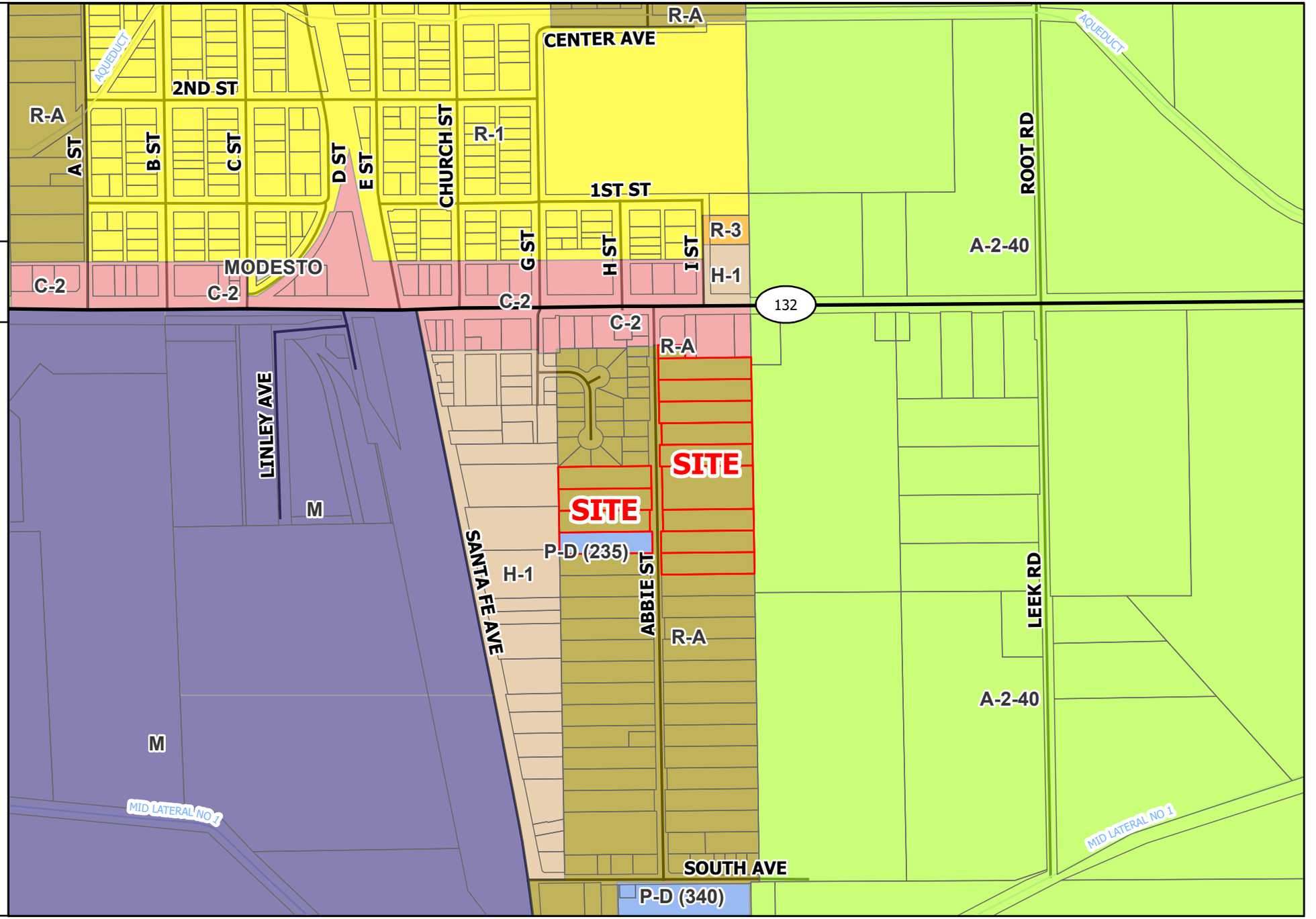
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Date Exported: 6/26/2025

EMPIRE REZONES SITES

GPA REZ OA ODS
PLN2025-0053

ZONING MAP
Proposed R-3 Zoning



LEGEND

- Project Site
- Parcel
- Highway
- Street
- Canal

Zoning Designation

- City of Modesto
- General AG 10 Acre (A-2-10)
- General AG 40 Acre (A-2-40)
- General Commercial (C-2)
- Highway Frontage (H-1)
- Industrial (M)
- Multiple Family (R-3)
- Planned Development (P-D)
- Rural Residential (R-A)
- Single Family Residential (R-1)

N

0 500 1,000 US Feet

0 150 300 Meters

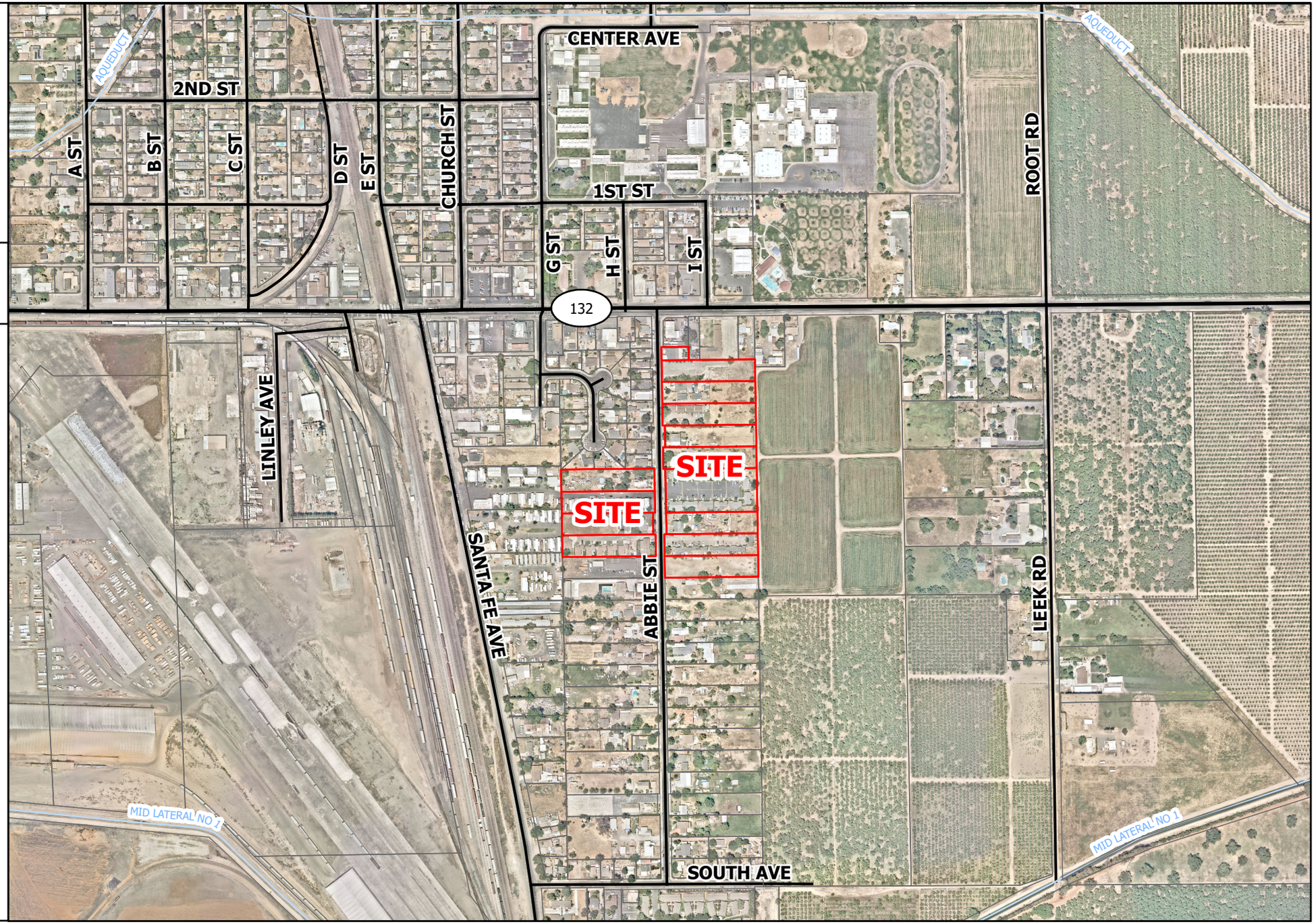
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EMPIRE REZONES SITES

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

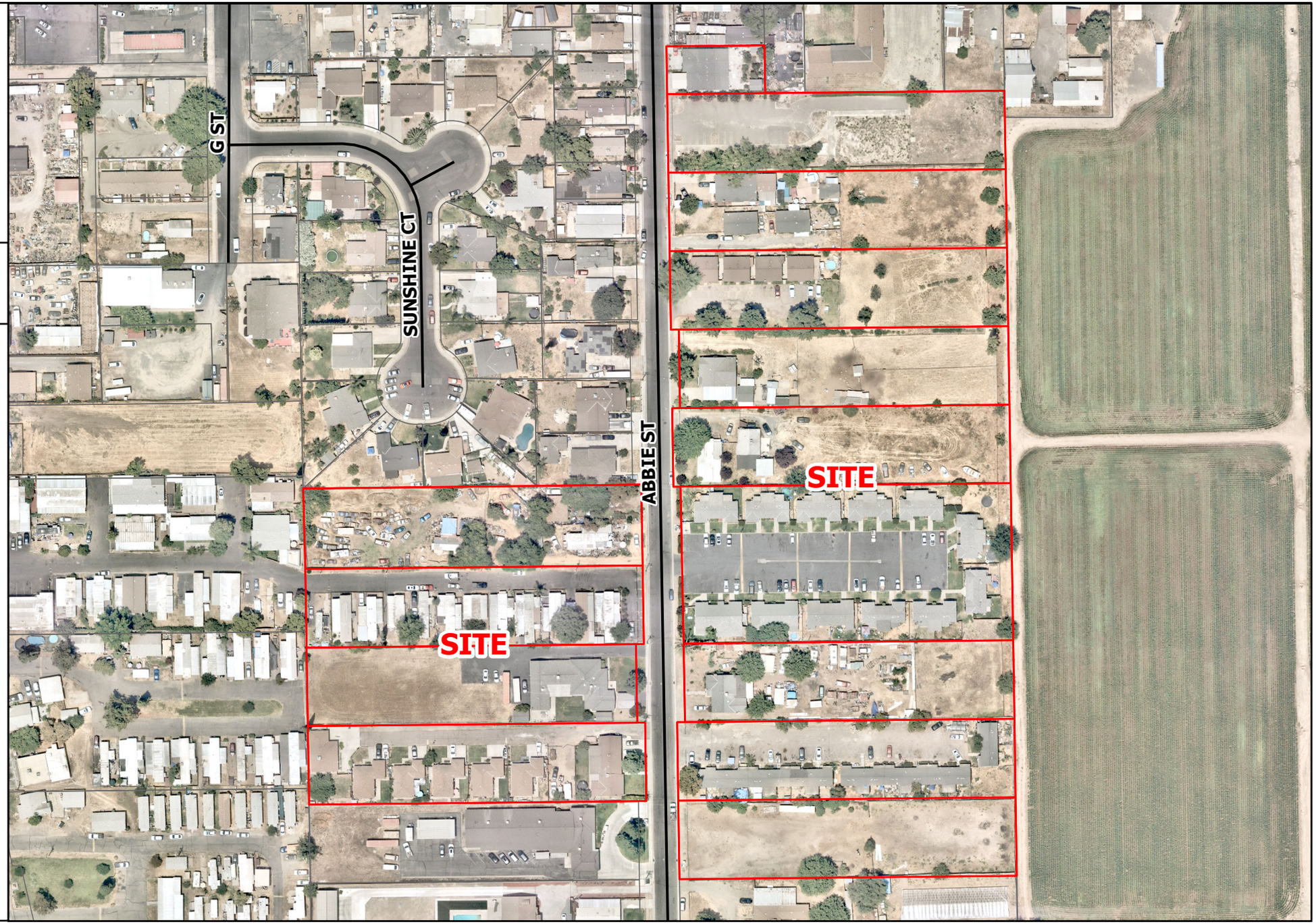
Source: Planning Department GIS

Date Exported: 6/26/2025

EMPIRE REZONES SITES

GPA REZ OA ODS
PLN2025-0053

2023 AERIAL SITE MAP



LEGEND

- Project Site
- Parcel
- Street

N

0 145 290 US Feet

0 40 80 Meters

Source: Planning Department GIS

Date Exported: 6/26/2025

EMPIRE REZONES SITES

GPA REZ OA ODS
PLN2025-0053

ACREAGE MAP

LEGEND

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

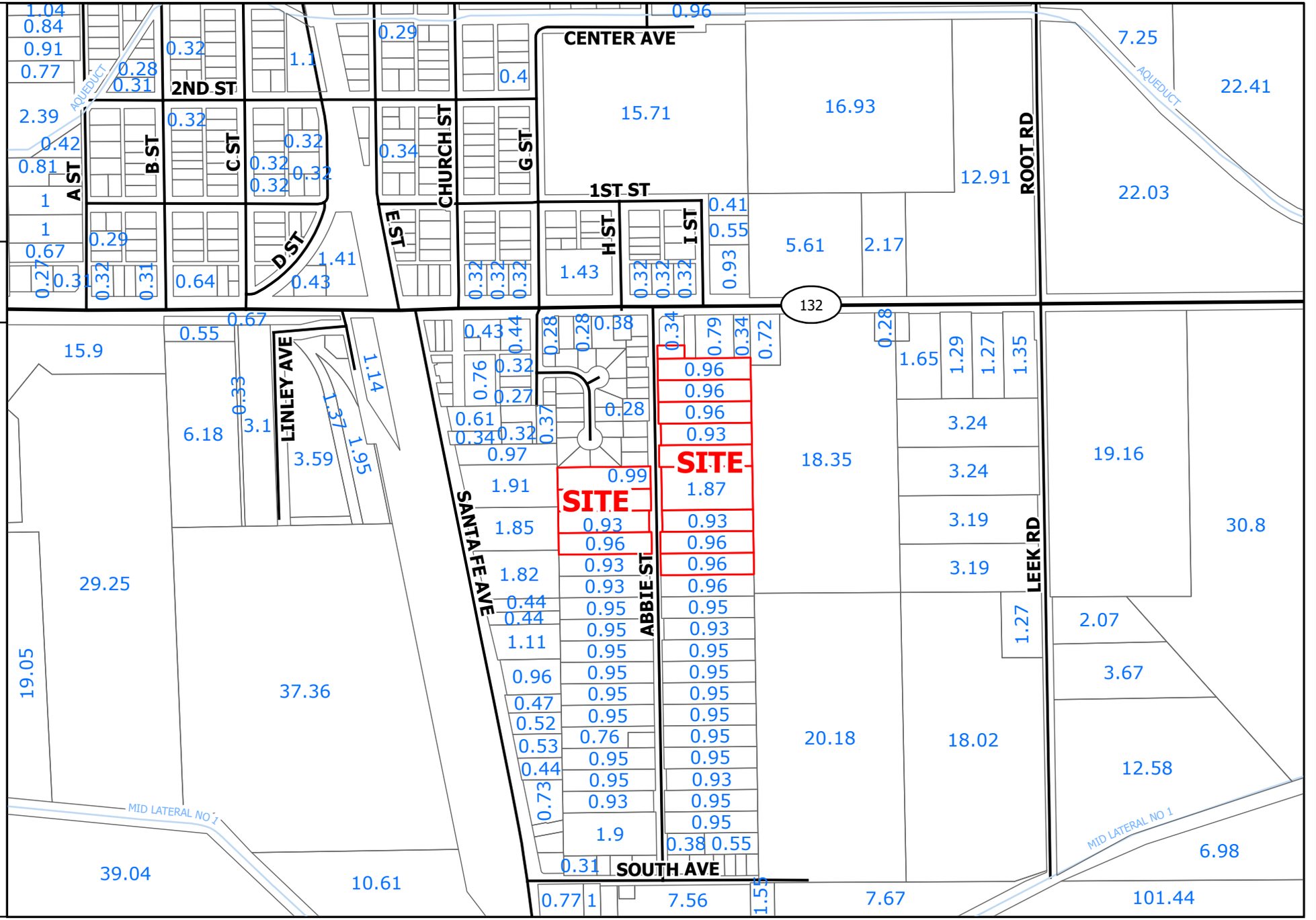
N

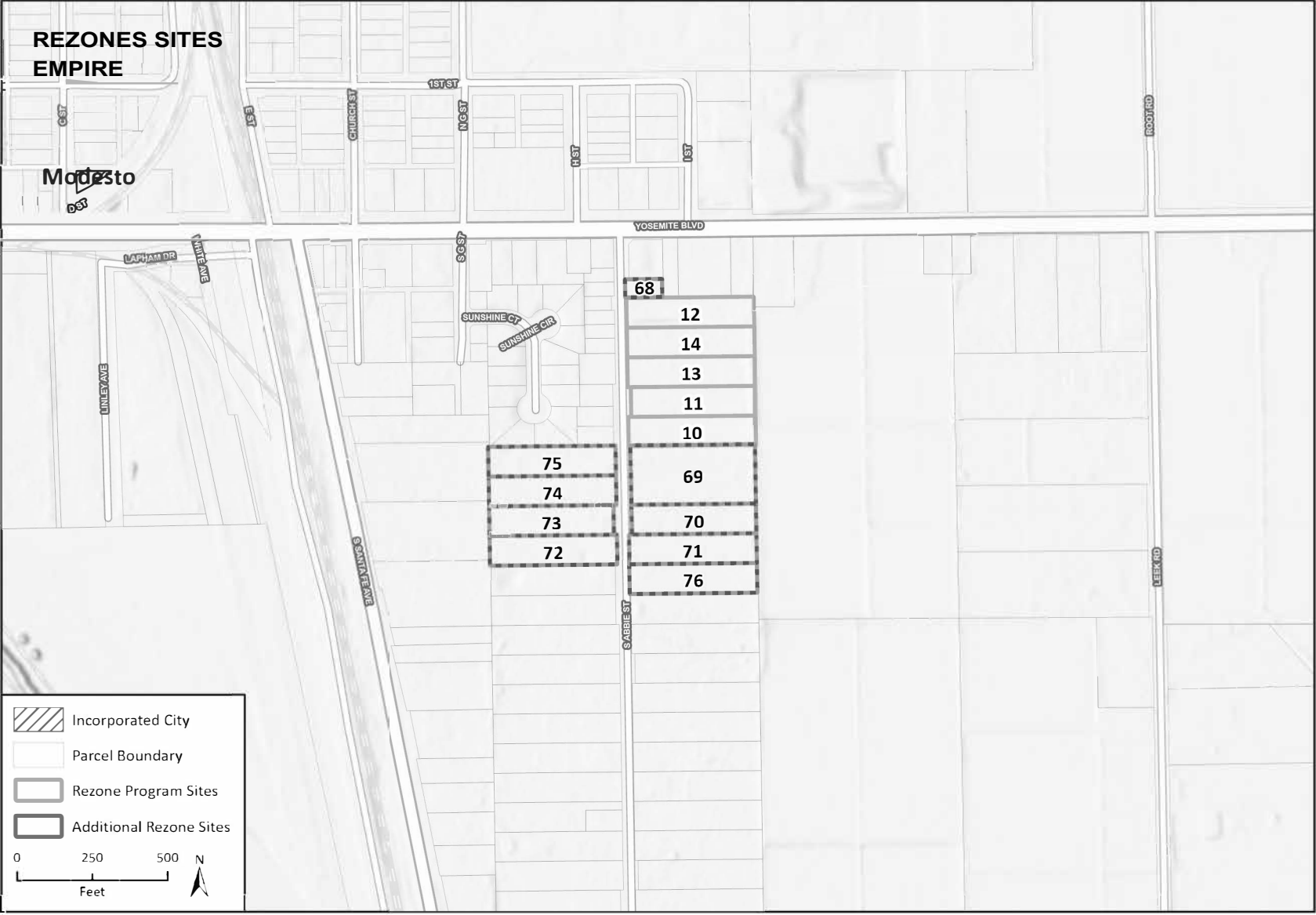
0 500 1,000 US Feet

0 150 300 Meters

Source: Planning Department GIS

Date Exported: 6/26/2025





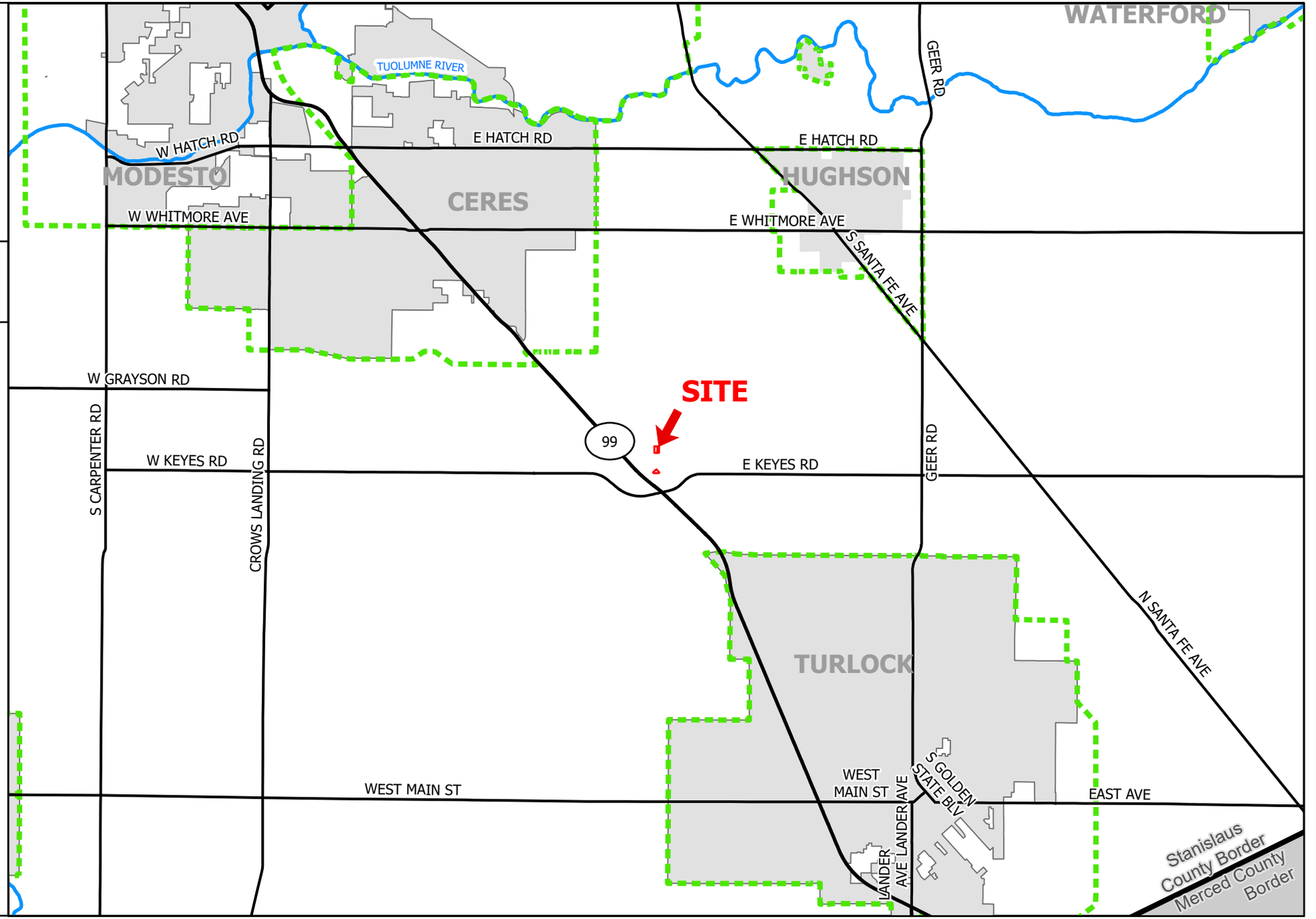
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Additional data provided by Stanislaus County, 2025.

Housing_Resources_Figs
Sites Inventory - Additional Rezone

REZONE SITES KEYES

GPA REZ OA ODS PLN2025-0053

AREA MAP



LEGEND

- Project Site
- Sphere of Influence
- Highway
- Major Road
- River

N

0 1.5 3 Miles

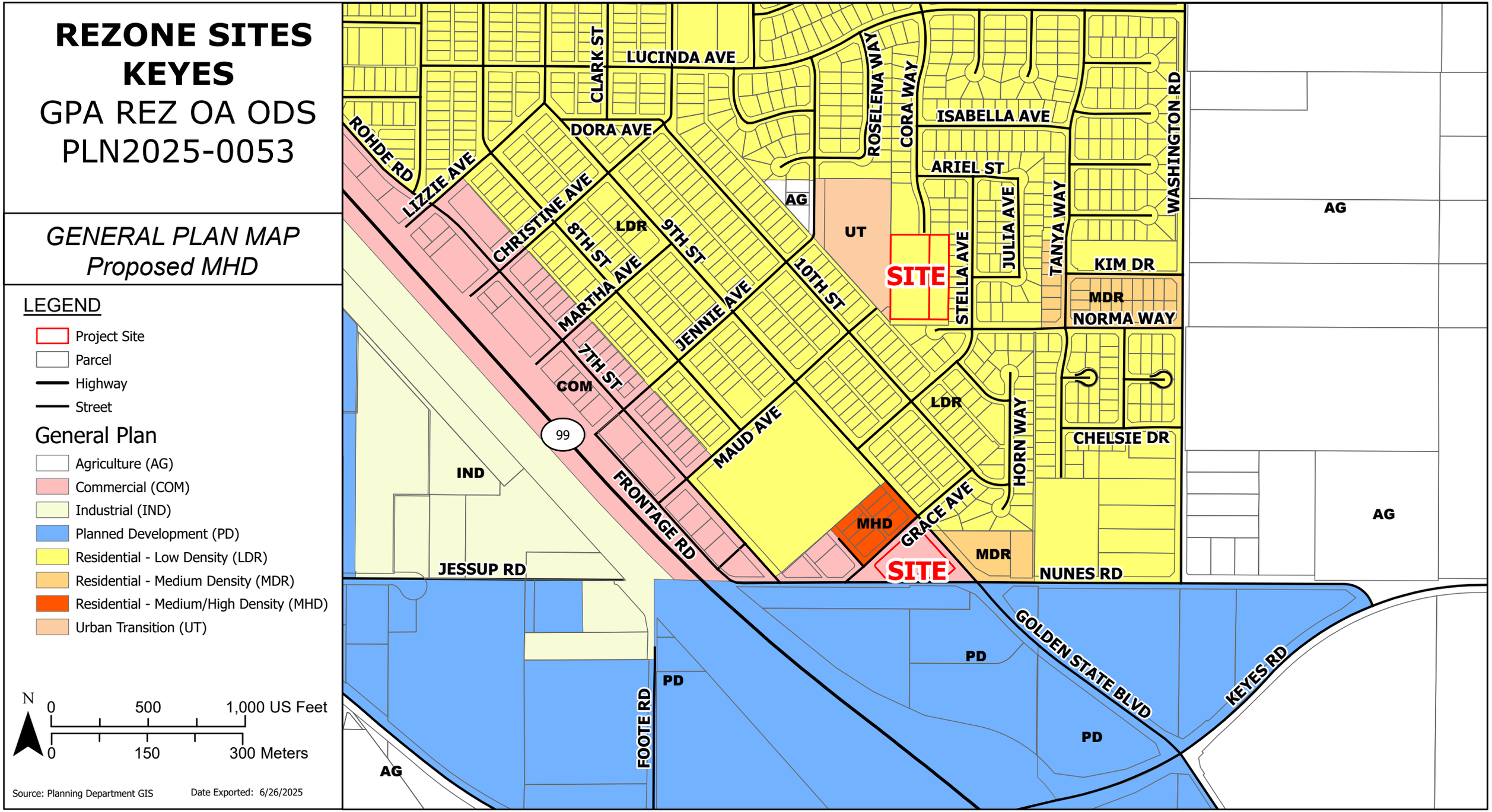
0 1.8 3.5 Kilometers

Source: Planning Department GIS

Date Exported: 6/26/2025

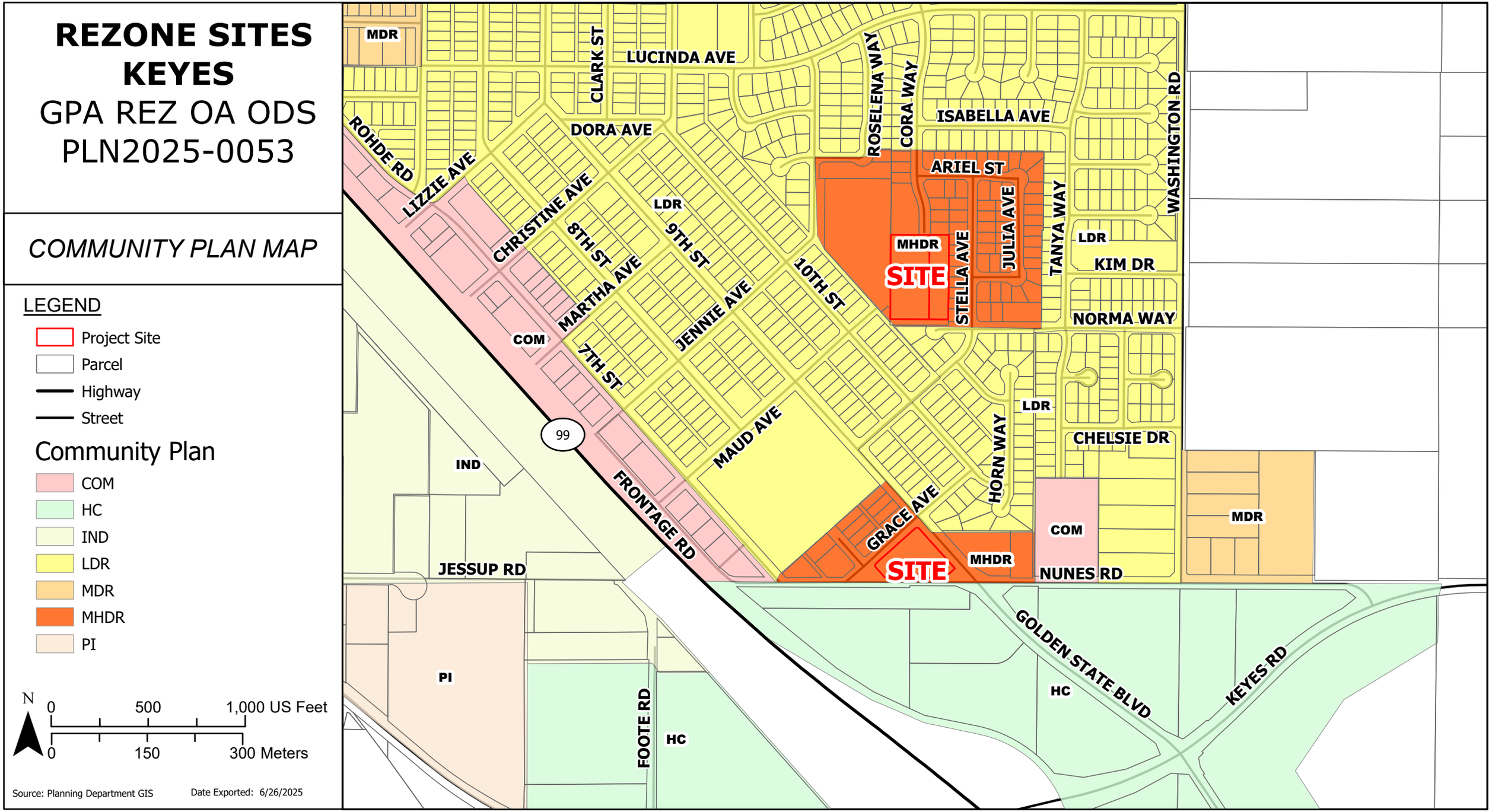
REZONE SITES
KEYES
GPA REZ OA ODS
PLN2025-0053

GENERAL PLAN MAP
Proposed MHD



REZONE SITES
KEYES
GPA REZ OA ODS
PLN2025-0053

COMMUNITY PLAN MAP

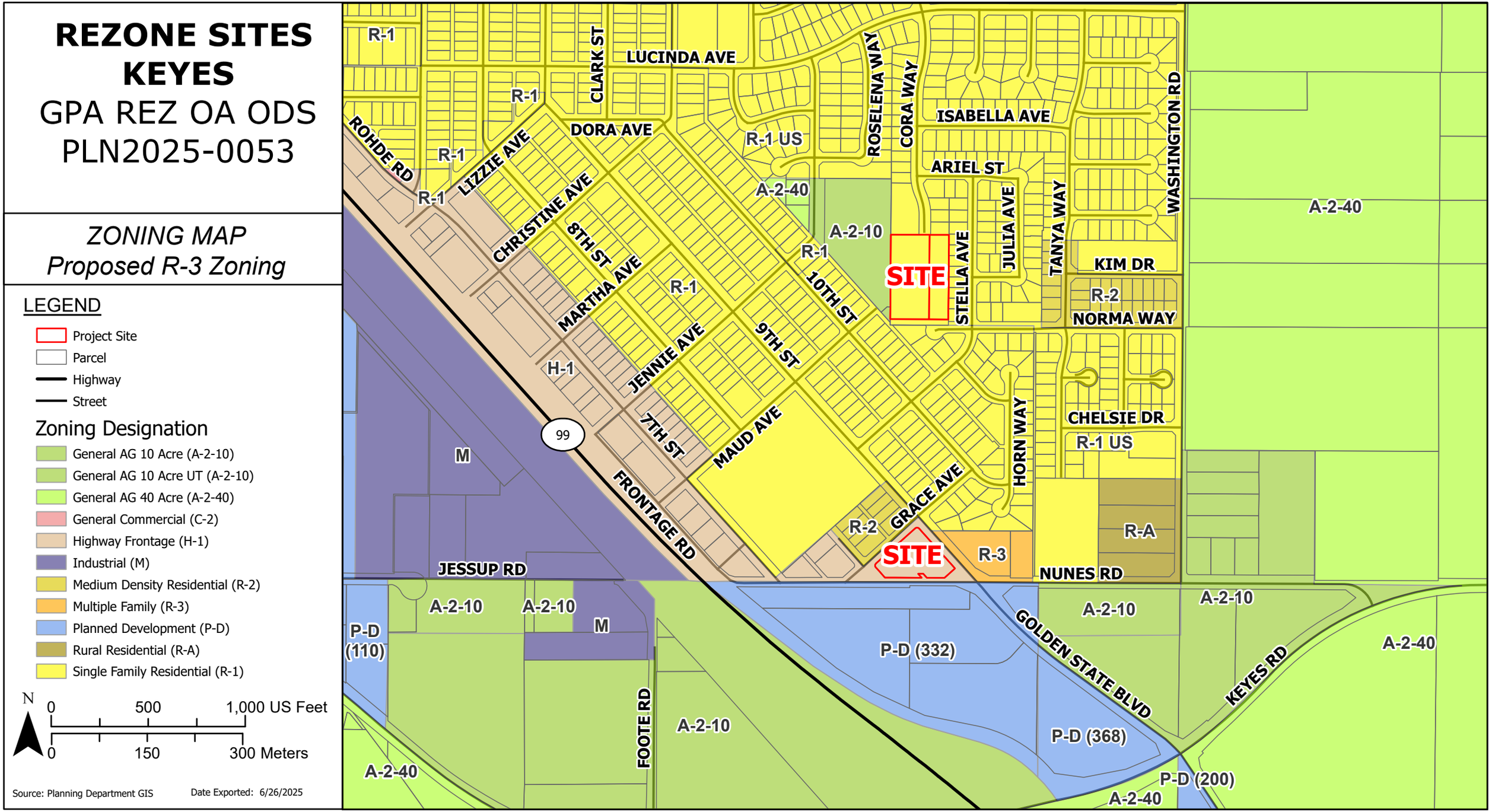


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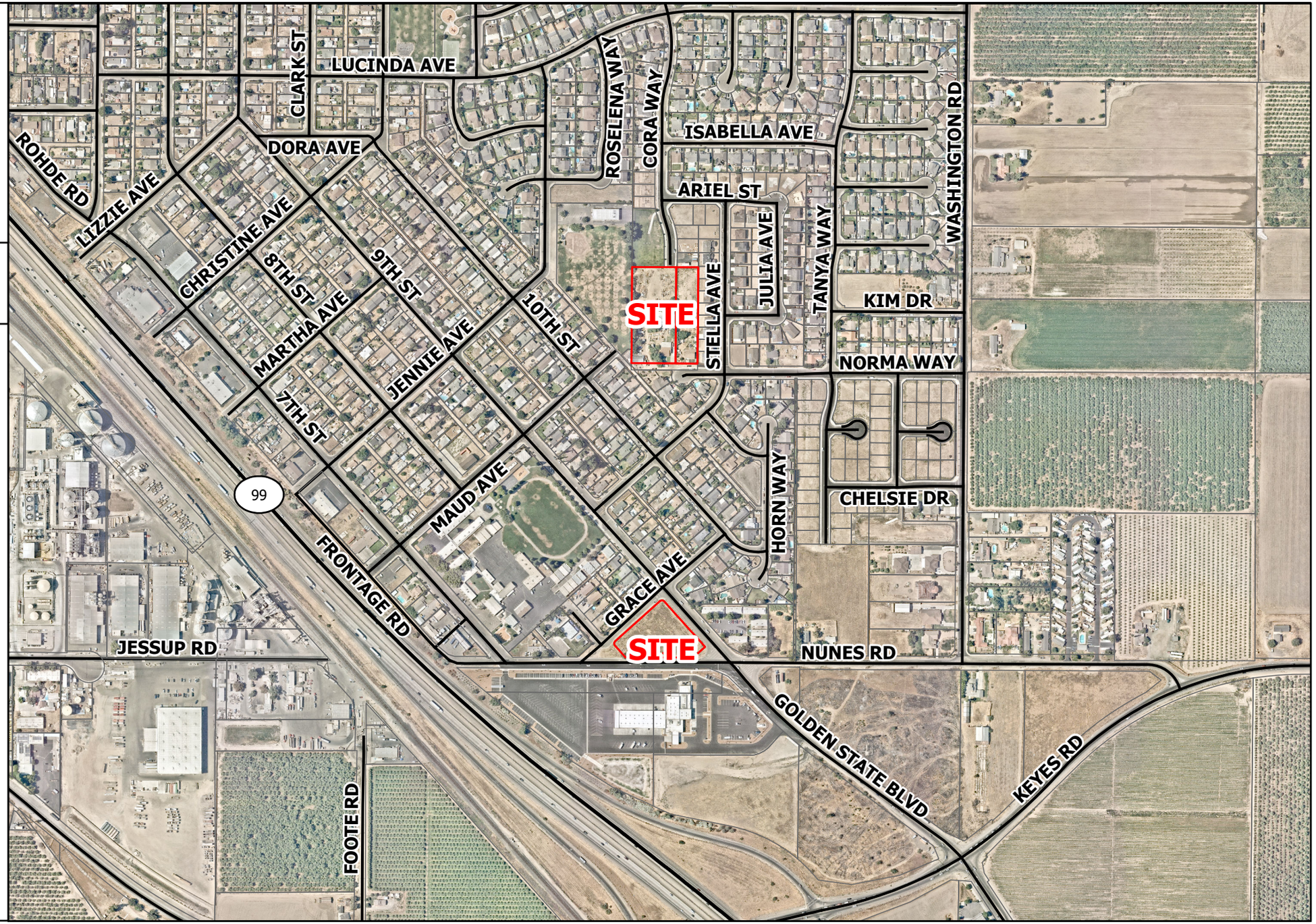
REZONE SITES
KEYES
GPA REZ OA ODS
PLN2025-0053

ZONING MAP
Proposed R-3 Zoning



REZONE SITES
KEYES
GPA REZ OA ODS
PLN2025-0053

2023 AERIAL AREA MAP

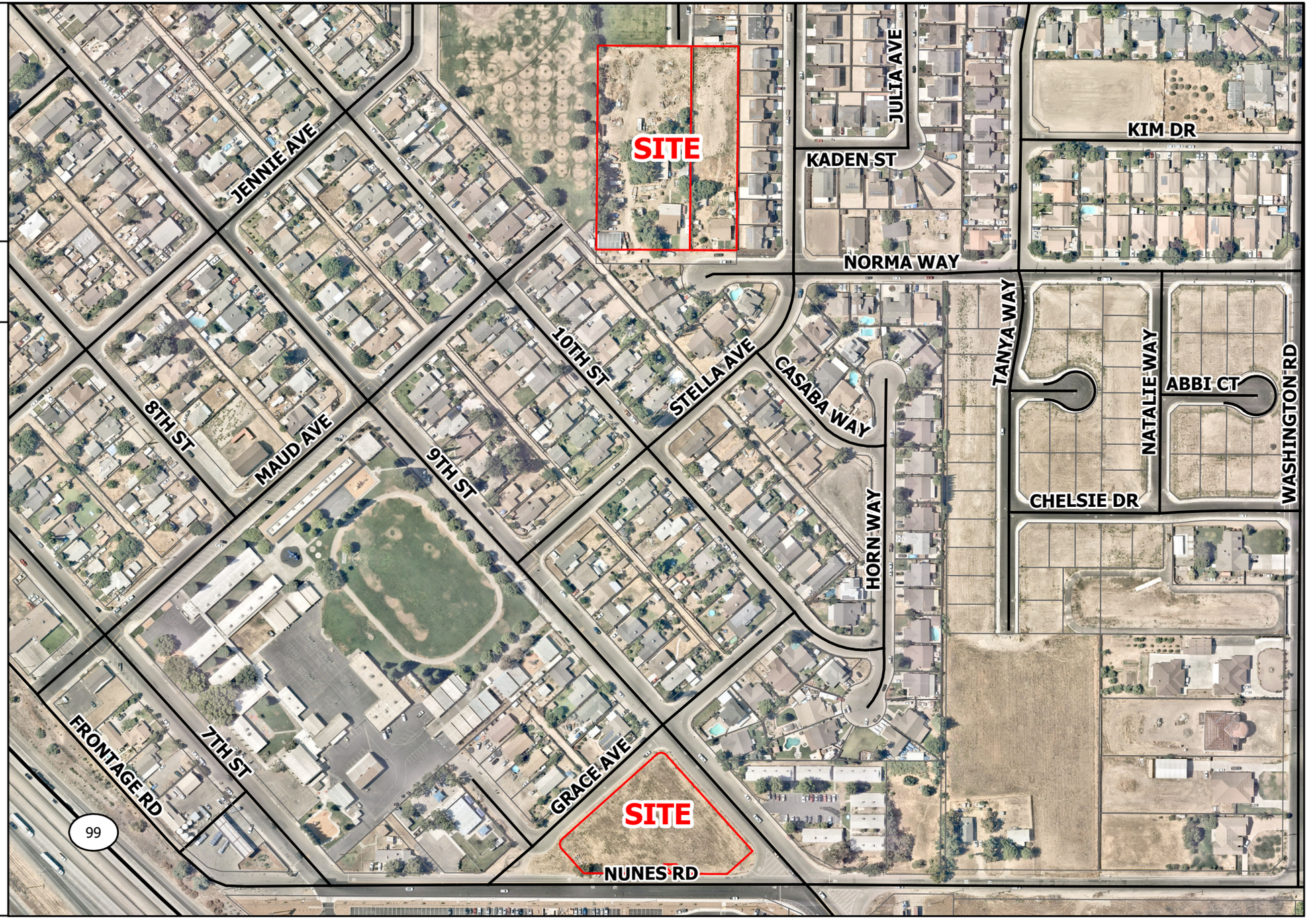


Source: Planning Department GIS

Date Exported: 6/26/2025

REZONE SITES
KEYES
GPA REZ OA ODS
PLN2025-0053

2023 AERIAL SITE MAP



LEGEND

- Project Site
- Parcel
- Highway
- Street

N

0 245 490 US Feet

0 70 140 Meters

Source: Planning Department GIS

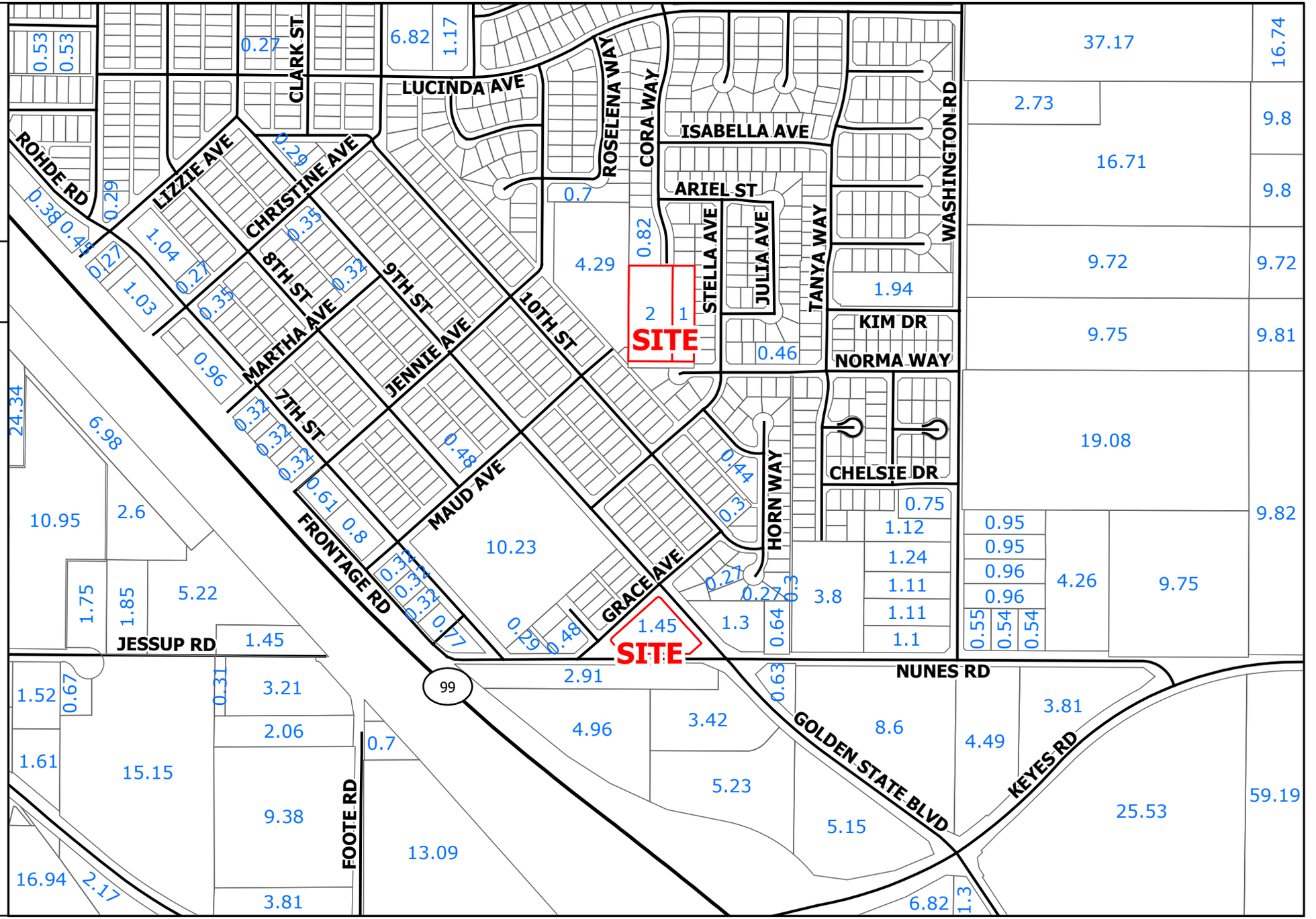
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REZONE SITES
KEYES
GPA REZ OA ODS
PLN2025-0053

ACREAGE MAP

LEGEND

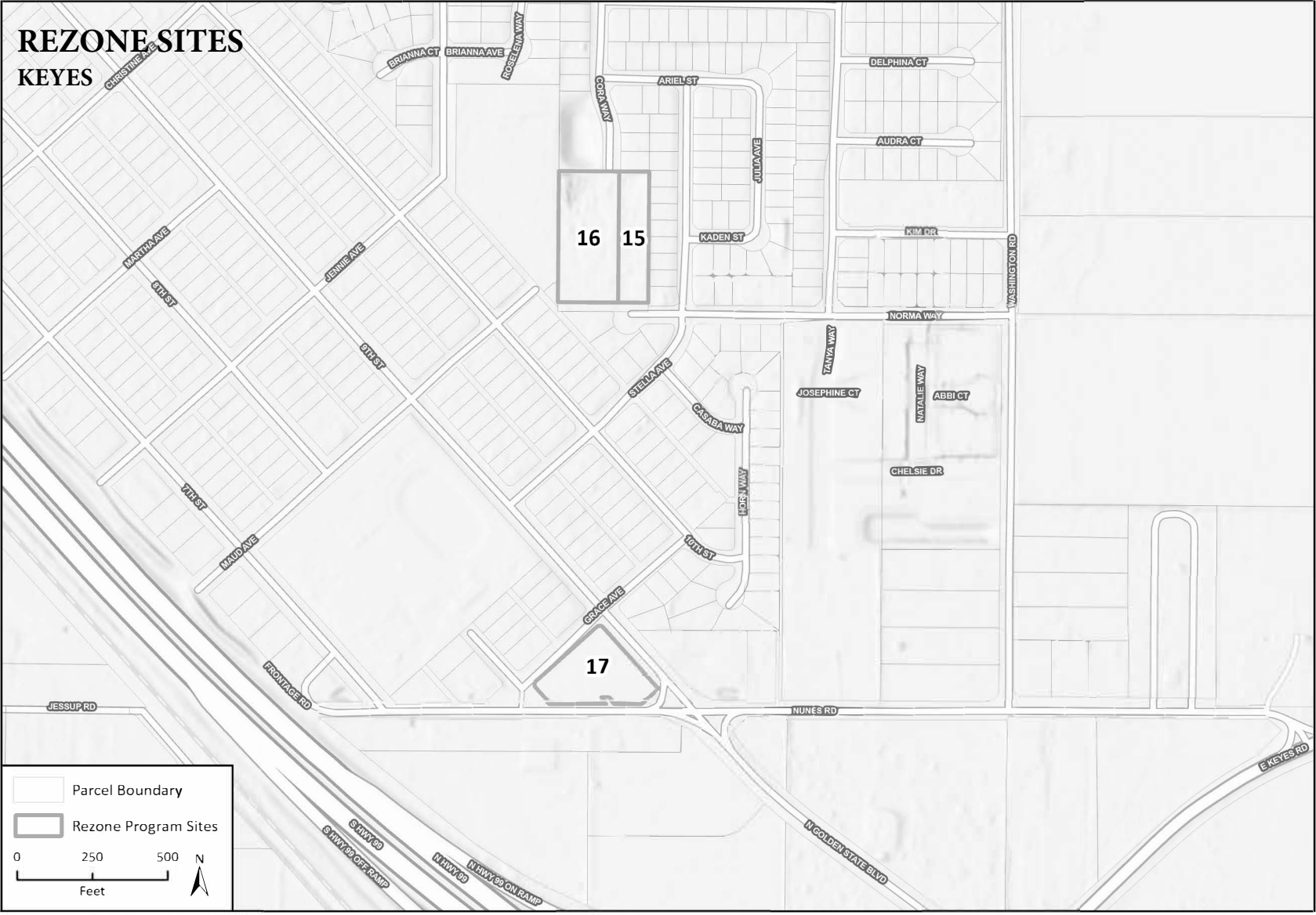
- Project Site
- Parcel
- Acres
- Highway
- Street



Source: Planning Department GIS

Date Exported: 6/26/2025

REZONE SITES
KEYES

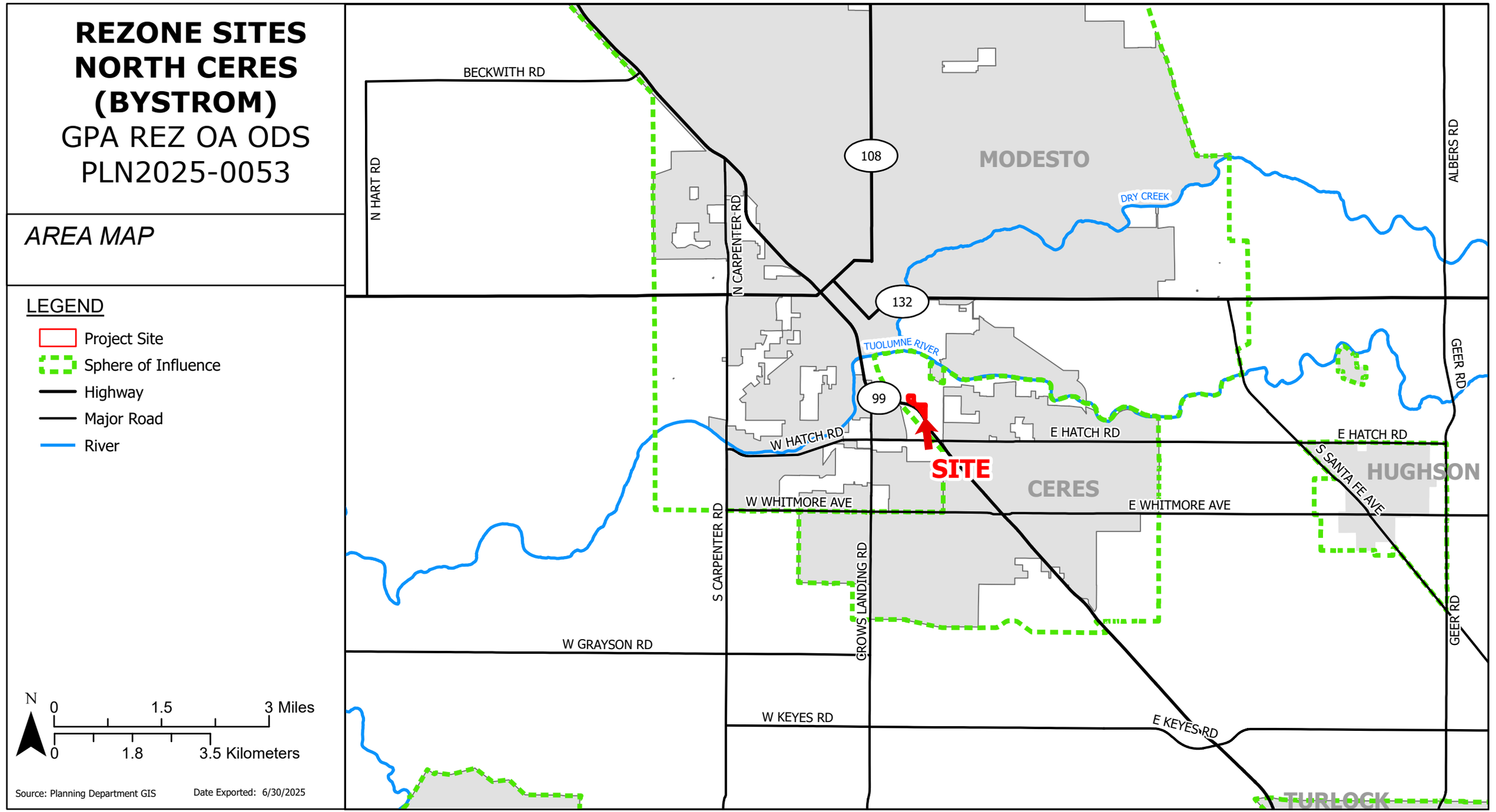


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Additional data provided by Stanislaus County, 2025.

REZONE SITES NORTH CERES (BYSTROM)

GPA REZ OA ODS
PLN2025-0053

AREA MAP



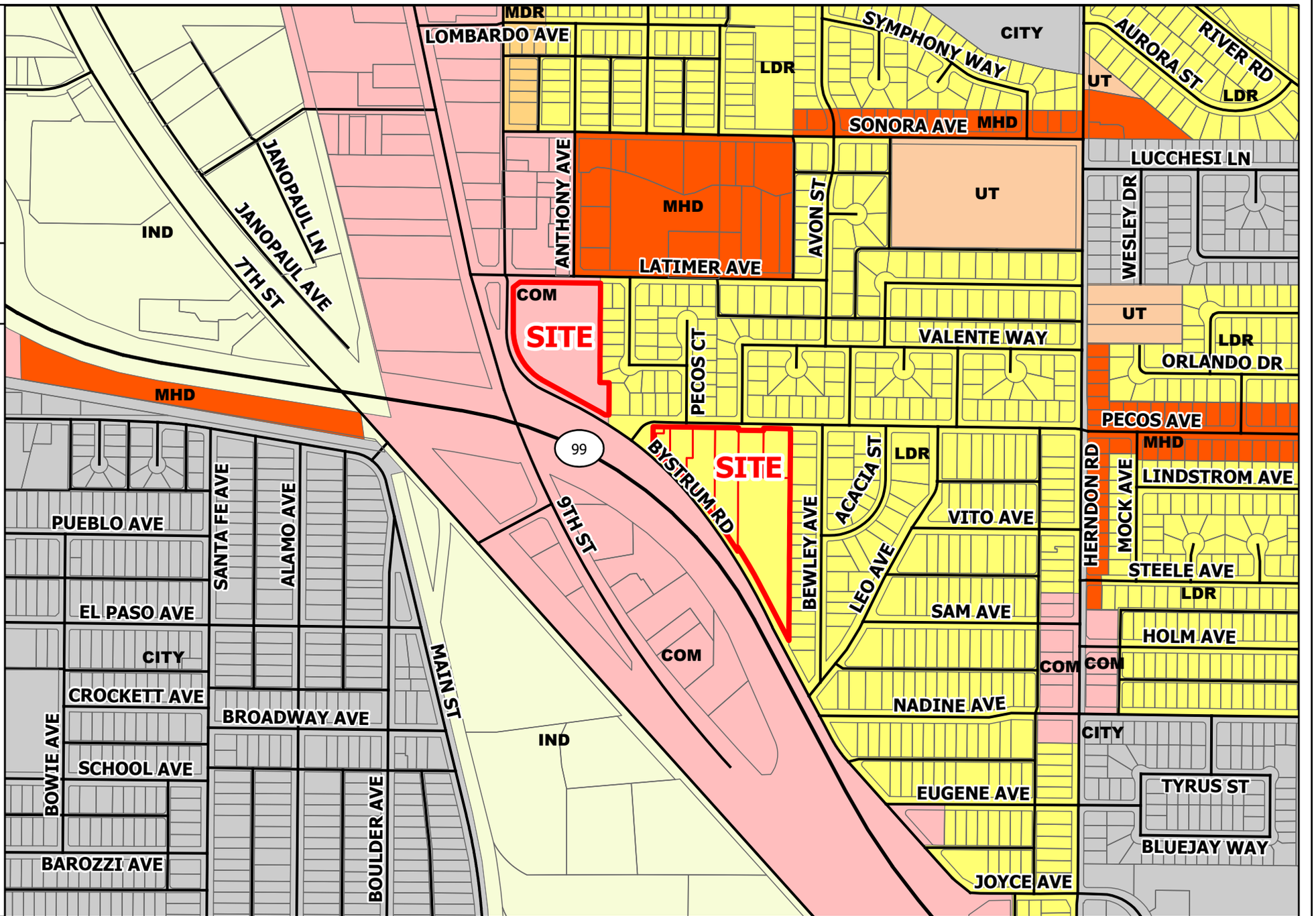
Source: Planning Department GIS

Date Exported: 6/30/2025

REZONE SITES NORTH CERES (BYSTROM)

GPA REZ OA ODS
PLN2025-0053

GENERAL PLAN MAP
Proposed MHD



LEGEND

- Project Site
- Parcel
- Highway
- Street

General Plan

- City
- Commercial (COM)
- Industrial (IND)
- Residential - Low Density (LDR)
- Residential - Medium Density (MDR)
- Residential - Medium/High Density (MHD)
- Urban Transition (UT)

N

0 500 1,000 US Feet

0 150 300 Meters

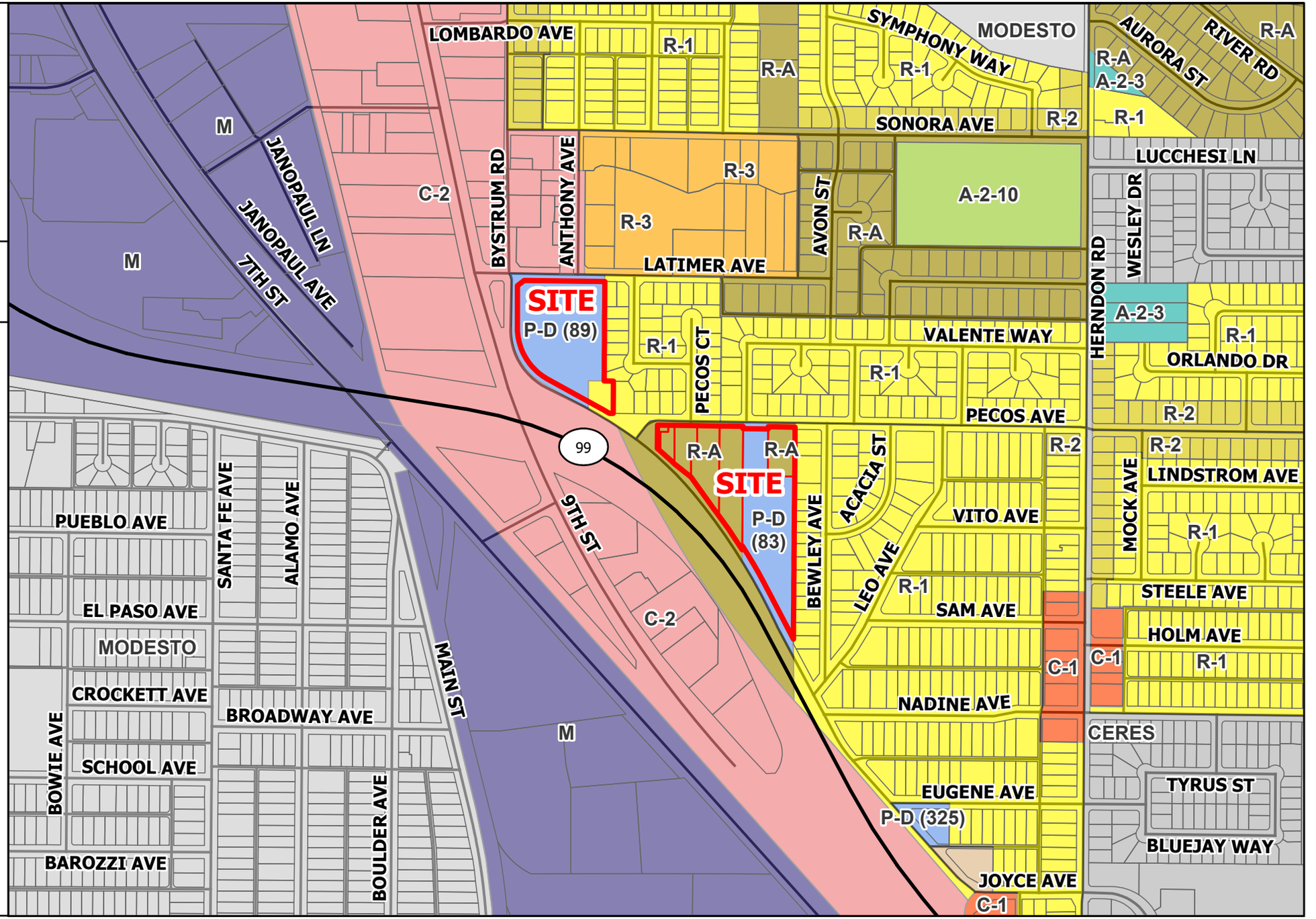
Source: Planning Department GIS

Date Exported: 6/30/2025

REZONE SITES NORTH CERES (BYSTROM)

GPA REZ OA ODS
PLN2025-0053

ZONING MAP
Proposed R-3 Zoning



LEGEND

- Project Site
- Parcel
- Highway
- Street

Zoning Designation

- City of Ceres
- City of Modesto
- General AG 10 Acre UT (A-2-10)
- General AG 3 Acre UT (A-2-3)
- General Commercial (C-2)
- Highway Frontage (H-1)
- Industrial (M)
- Medium Density Residential (R-2)
- Multiple Family (R-3)
- Neighborhood Commercial (C-1)
- Planned Development (P-D)
- Rural Residential (R-A)
- Single Family Residential (R-1)

N

0 500 1,000 US Feet

0 150 300 Meters

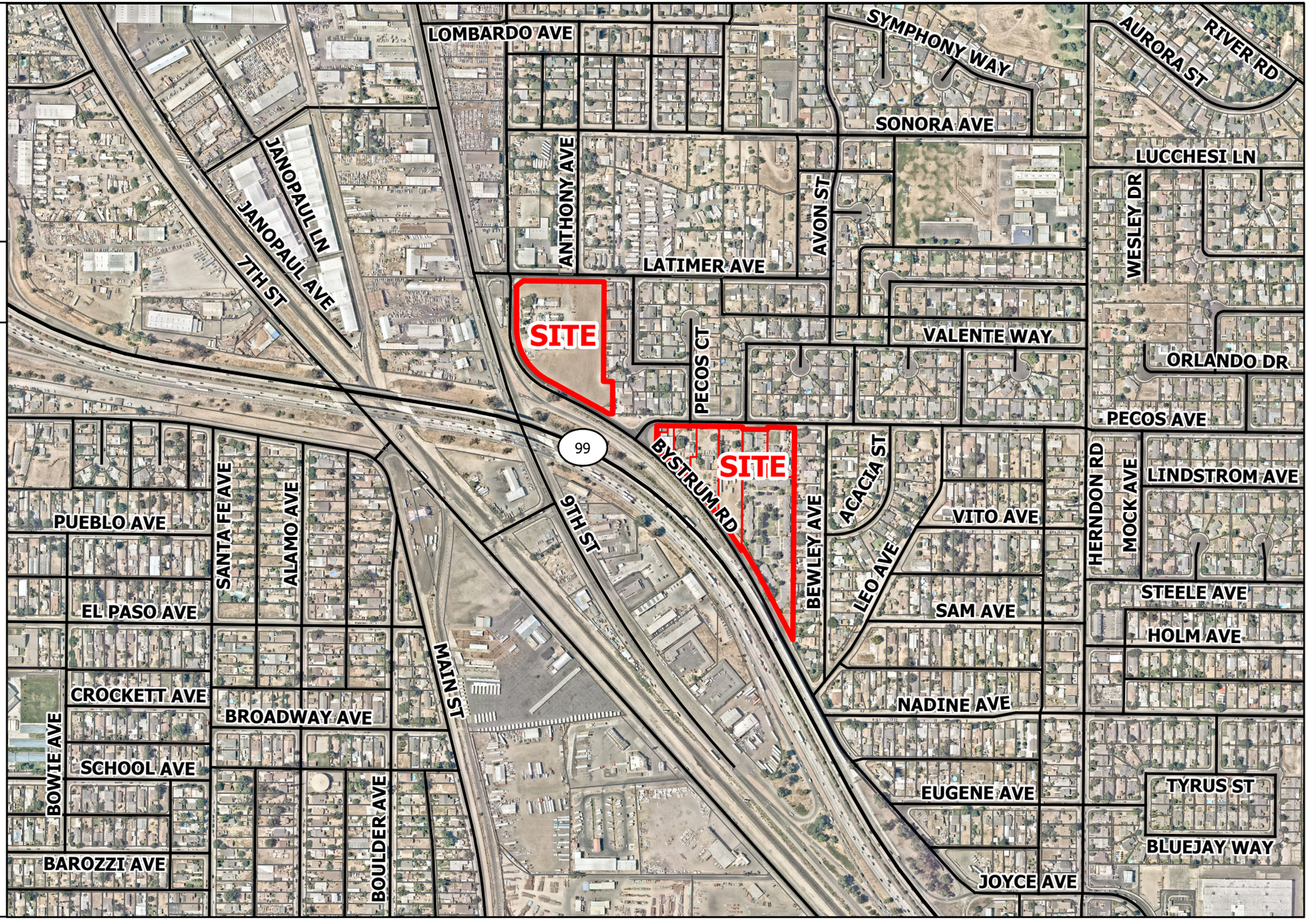
Source: Planning Department GIS

Date Exported: 6/30/2025

REZONE SITES
NORTH CERES (BYSTROM)

GPA REZ OA ODS
PLN2025-0053

2023 AERIAL AREA MAP



LEGEND

- Project Site
- Parcel
- Highway
- Street

N

0 500 1,000 US Feet

0 150 300 Meters

Source: Planning Department GIS

Date Exported: 6/30/2025

REZONE SITES NORTH CERES (BYSTROM)

GPA REZ OA ODS
PLN2025-0053

2023 AERIAL SITE MAP



LEGEND

- Project Site
- Parcel
- Highway
- Street

N

0 225 450 US Feet

0 65 130 Meters

Source: Planning Department GIS

Date Exported: 6/30/2025

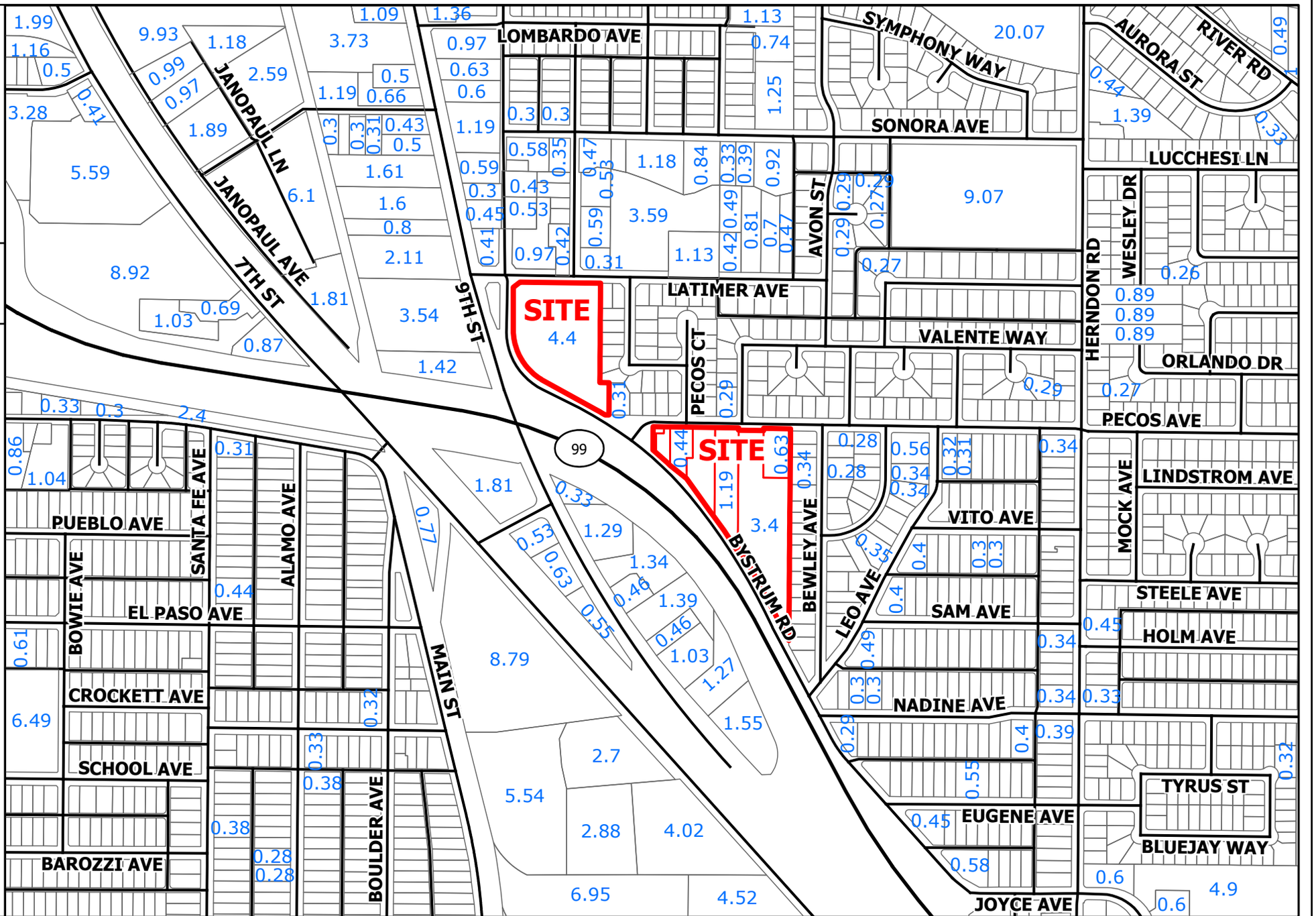
REZONE SITES NORTH CERES (BYSTROM)

GPA REZ OA ODS
PLN2025-0053

ACREAGE MAP

LEGEND

- Project Site
- Parcel
- Acres
- Highway
- Street



N

0 500 1,000 US Feet

0 150 300 Meters

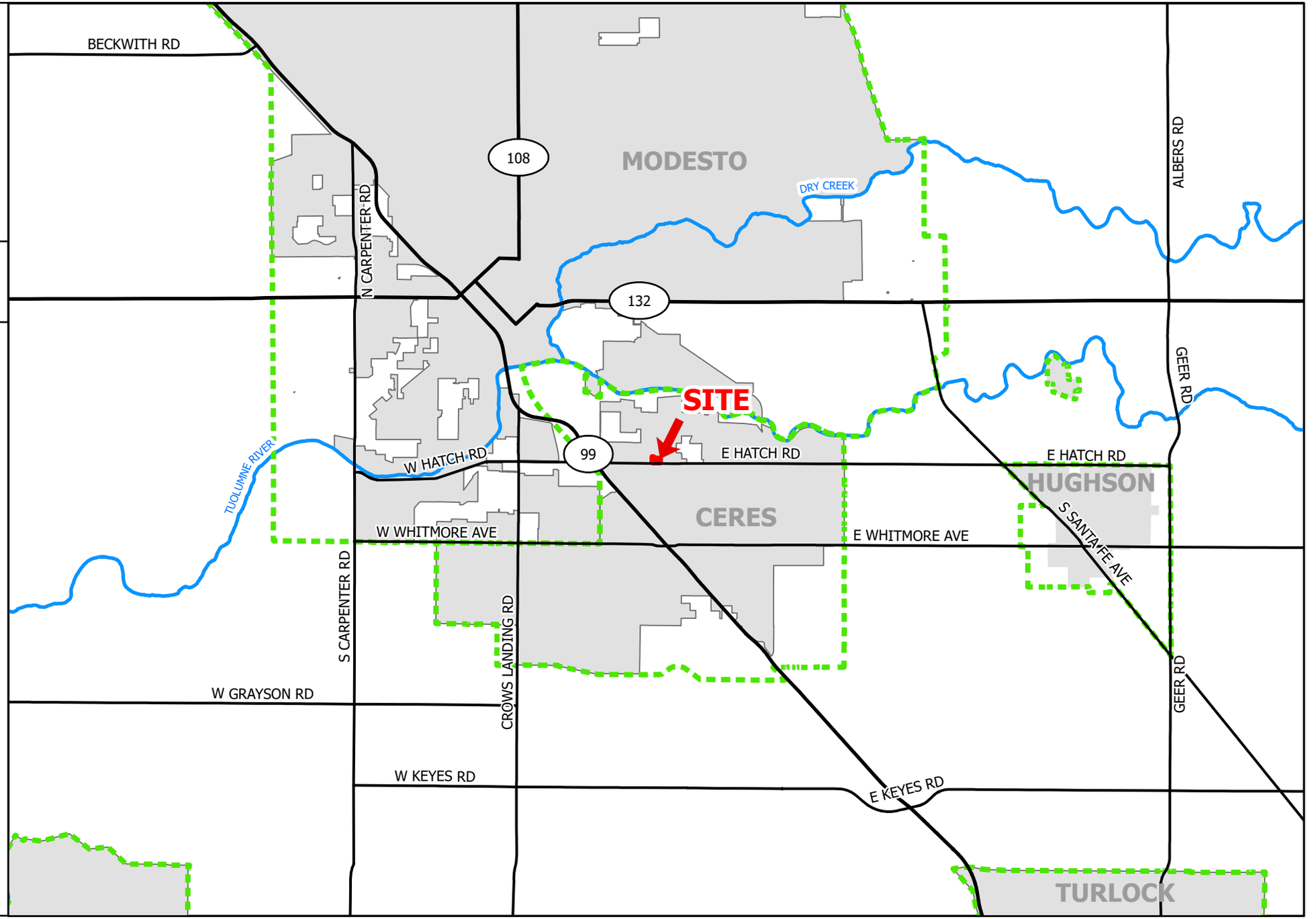
Source: Planning Department GIS

Date Exported: 6/30/2025

REZONE SITES NORTH CERES (HATCH/STONUM)

GPA REZ OA ODS
PLN2025-0053

AREA MAP



LEGEND

- Project Site
- Sphere of Influence
- Highway
- Major Road
- River

N

0 1.5 3 Miles

0 1.8 3.5 Kilometers

Source: Planning Department GIS

Date Exported: 6/30/2025

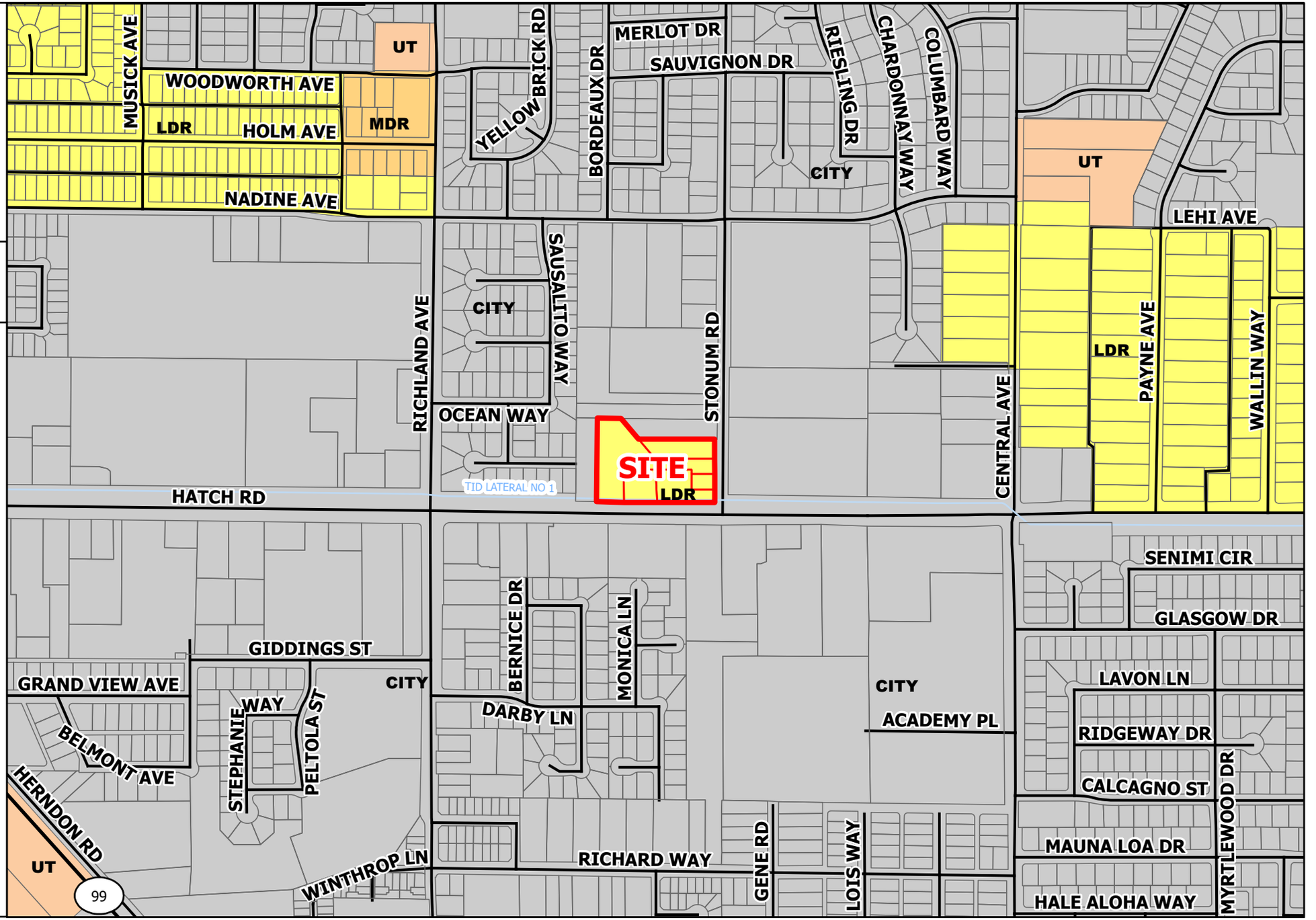
REZONE SITES NORTH CERES (HATCH/STONUM)

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

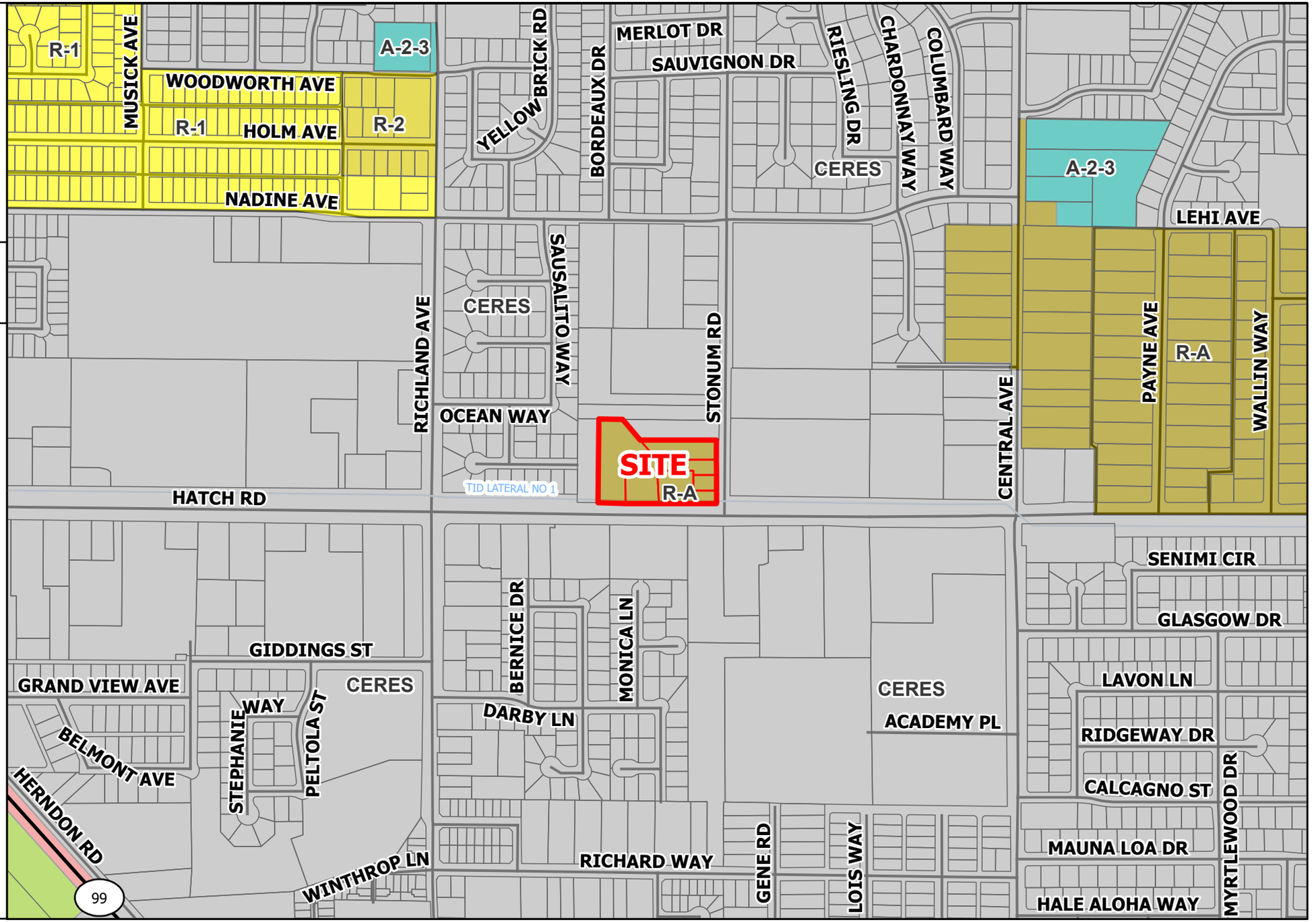
Source: Planning Department GIS

Date Exported: 6/30/2025

REZONE SITES
NORTH CERES
(HATCH/STONUM)

GPA REZ OA ODS
PLN2025-0053

ZONING MAP
Proposed R-3 Zoning



LEGEND

- Project Site
- Parcel
- Highway
- Street
- Canal

Zoning Designation

- City of Ceres
- General AG 10 Acre UT (A-2-10)
- General AG 3 Acre UT (A-2-3)
- General Commercial (C-2)
- Medium Density Residential (R-2)
- Rural Residential (R-A)
- Single Family Residential (R-1)

N

0 500 1,000 US Feet

0 150 300 Meters

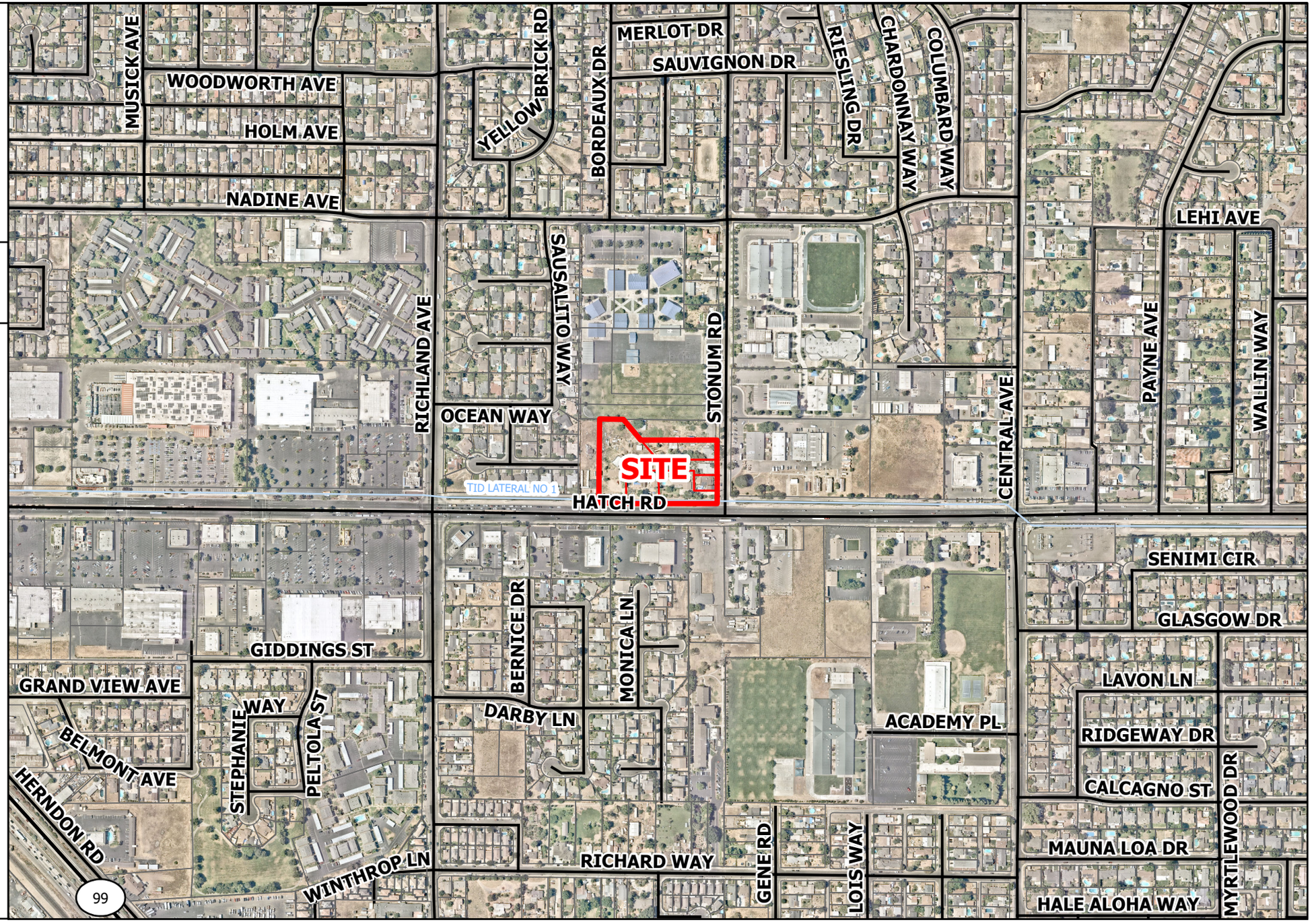
Source: Planning Department GIS

Date Exported: 6/30/2025

REZONE SITES NORTH CERES (HATCH/STONUM)

GPA REZ OA ODS
PLN2025-0053

2023 AERIAL AREA MAP



LEGEND

- Project Site
- Parcel
- Highway
- Street
- Canal

N

0 500 1,000 US Feet

0 150 300 Meters

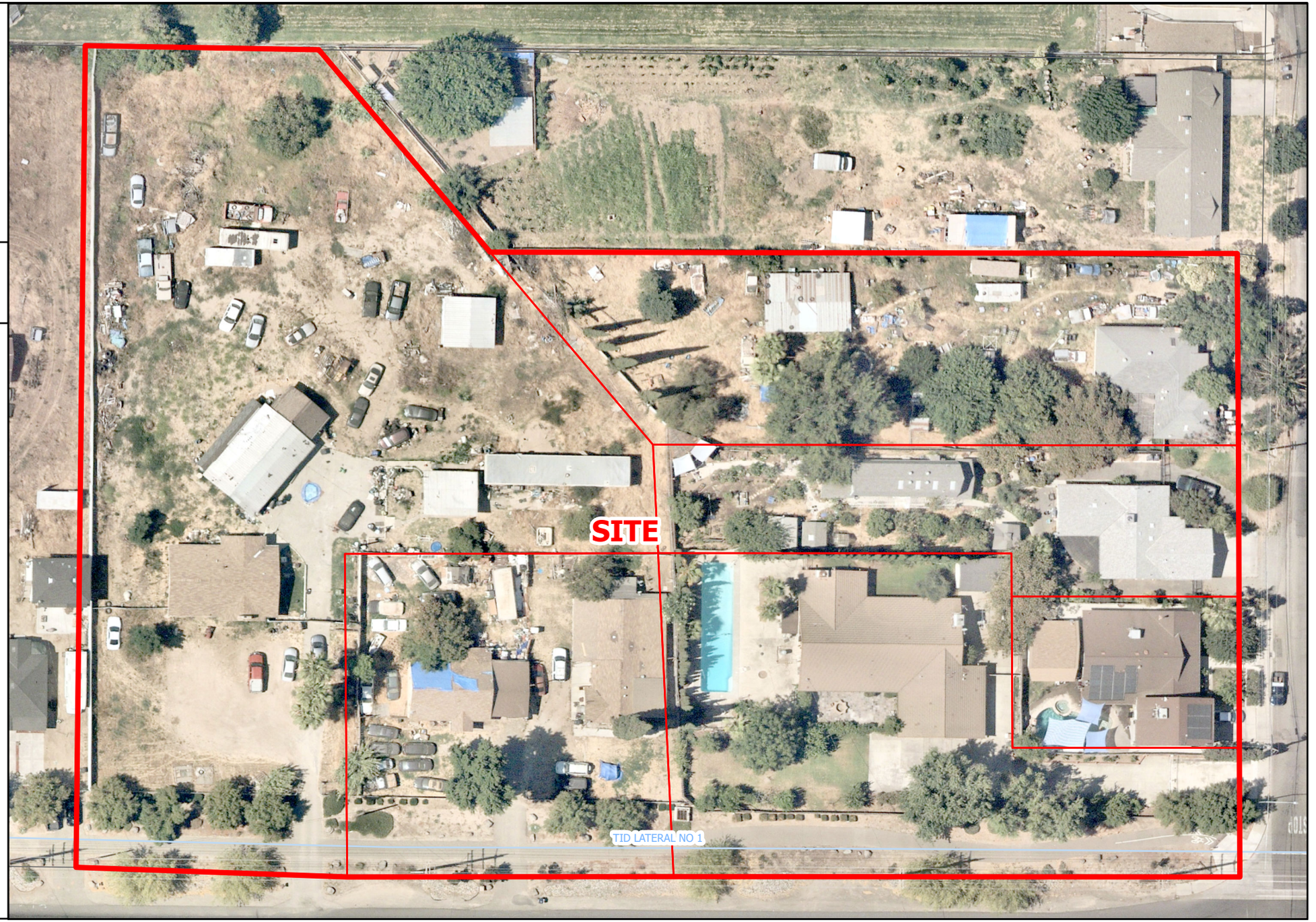
Source: Planning Department GIS

Date Exported: 6/30/2025

REZONE SITES
NORTH CERES
(HATCH/STONUM)

GPA REZ OA ODS
PLN2025-0053

2023 AERIAL SITE MAP



LEGEND

- Project Site
- Parcel
- Canal

N

0 50 100 US Feet

0 15 30 Meters

Source: Planning Department GIS

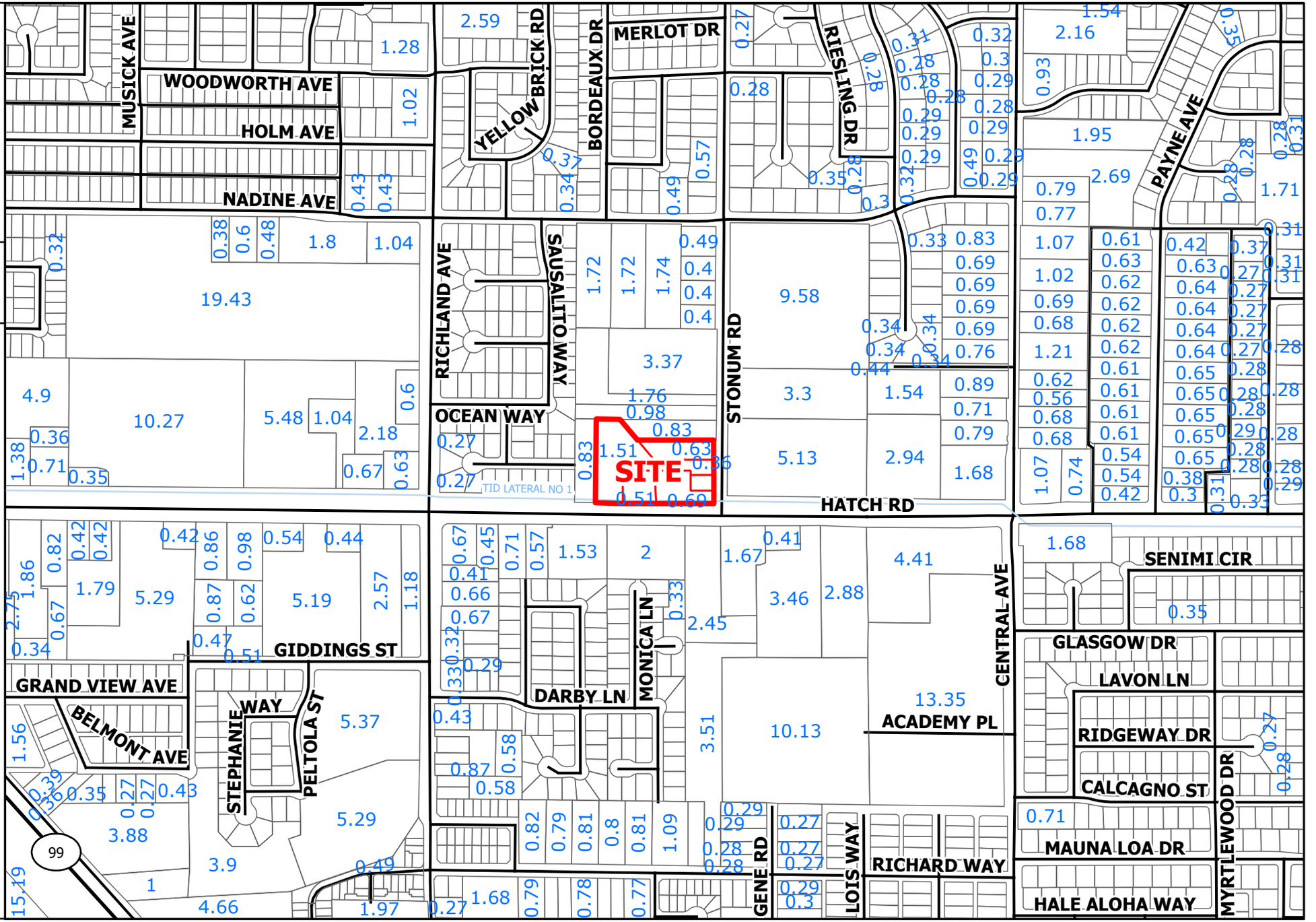
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REZONE SITES
NORTH CERES
(HATCH/STONUM)

GPA REZ OA ODS

PLN2025-0053

ACREAGE MAP

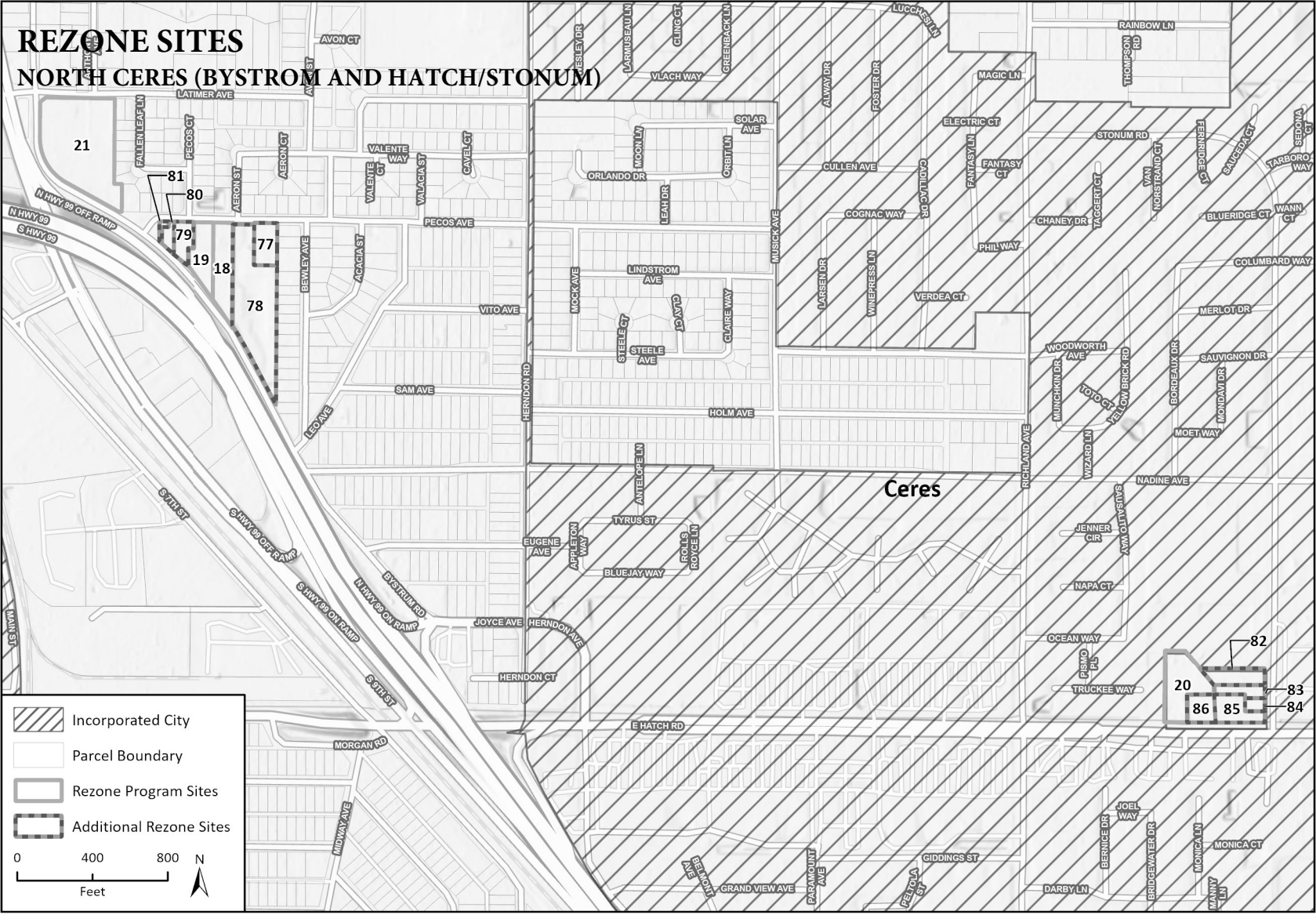


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Date Exported: 6/30/2025

REZONE SITES

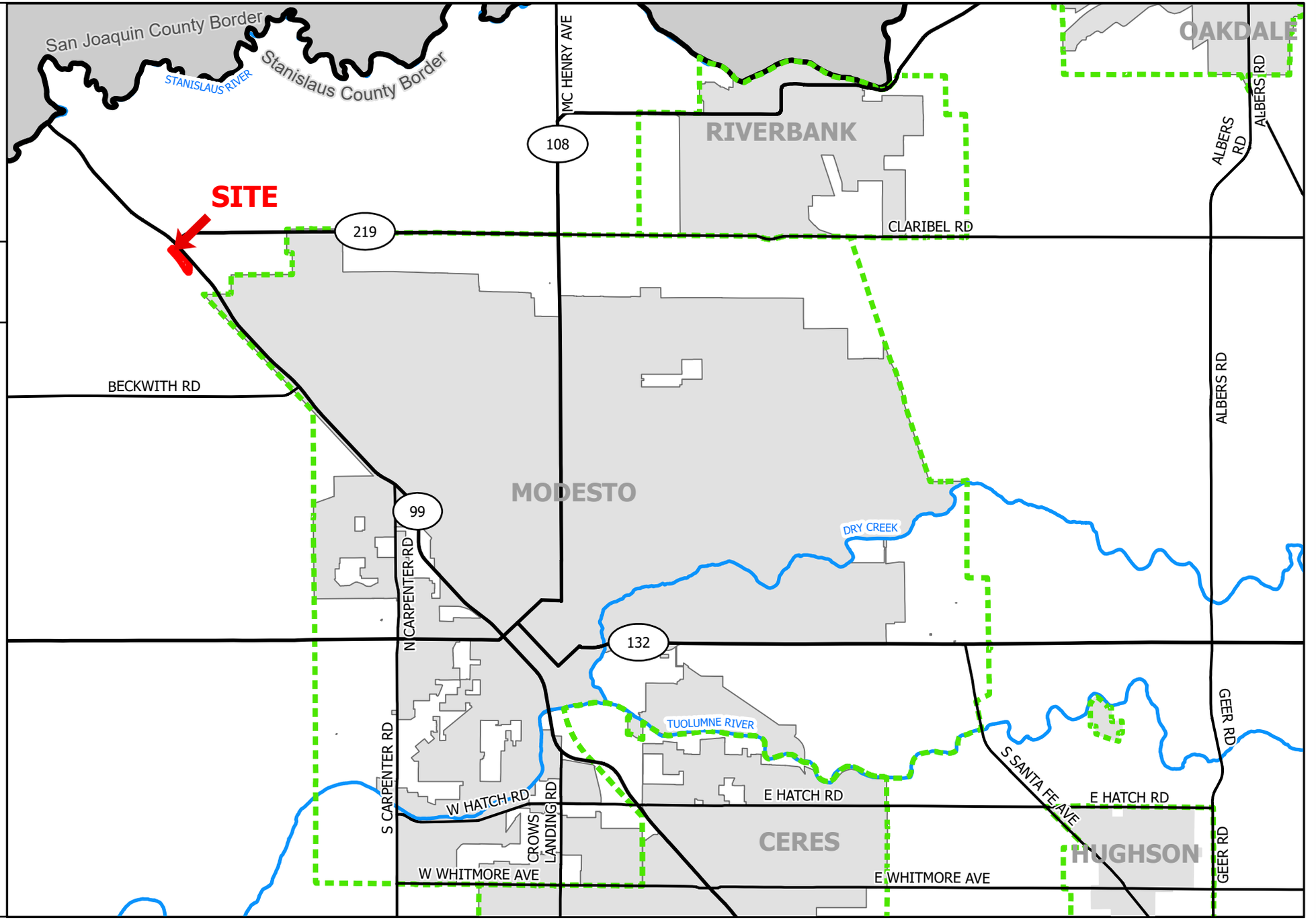
NORTH CERES (BYSTROM AND HATCH/STONUM)



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REZONE SITES
SALIDA
GPA REZ OA ODS
PLN2025-0053

AREA MAP



LEGEND

- Project Site
- Sphere of Influence
- Highway
- Major Road
- River

N

0 1.5 3 Miles

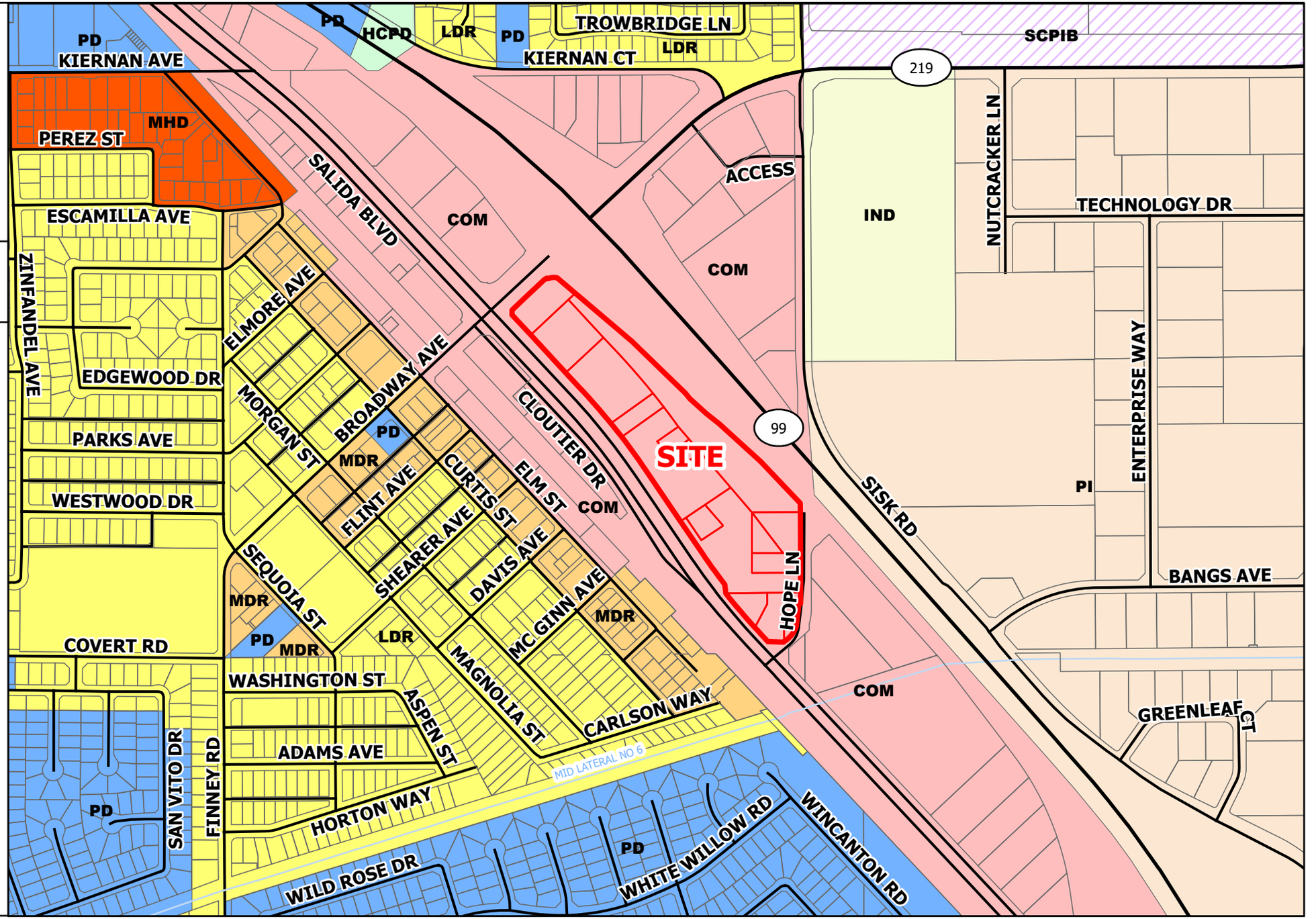
0 1.8 3.5 Kilometers

Source: Planning Department GIS

Date Exported: 6/30/2025

REZONE SITES
SALIDA
GPA REZ OA ODS
PLN2025-0053

GENERAL PLAN MAP



LEGEND

- Project Site
- Parcel
- Highway
- Street
- Canal

General Plan

- Commercial (COM)
- Highway Commercial/Planned Development (HCPD)
- Industrial (IND)
- Planned Development (PD)
- Planned Industrial (PI)
- Residential - Low Density (LDR)
- Residential - Medium Density (MDR)
- Residential - Medium/High Density (MHD)
- Salida Community Plan IBP

N

0 500 1,000 US Feet

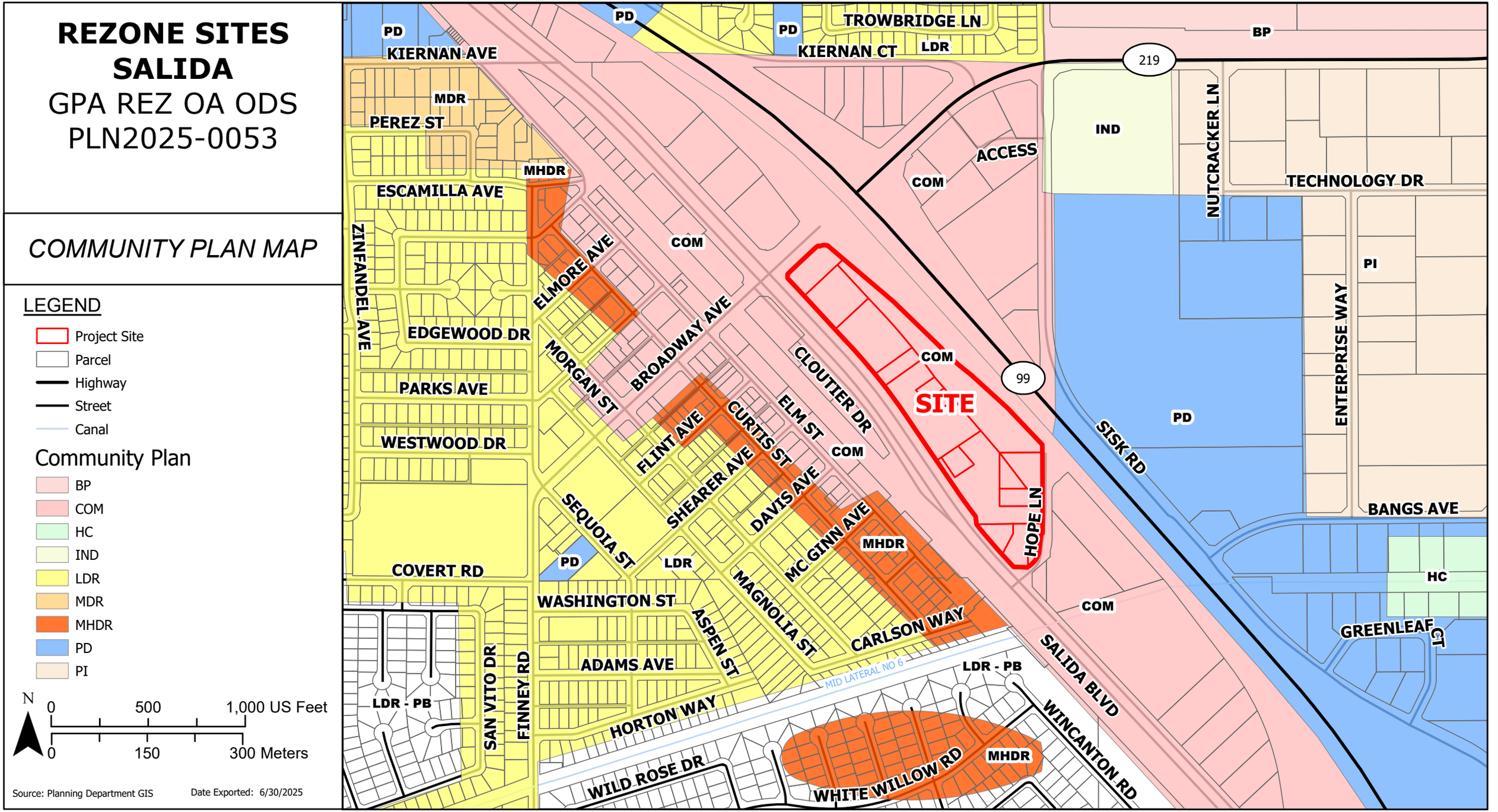
0 150 300 Meters

Source: Planning Department GIS

Date Exported: 6/30/2025

REZONE SITES
SALIDA
GPA REZ OA ODS
PLN2025-0053

COMMUNITY PLAN MAP

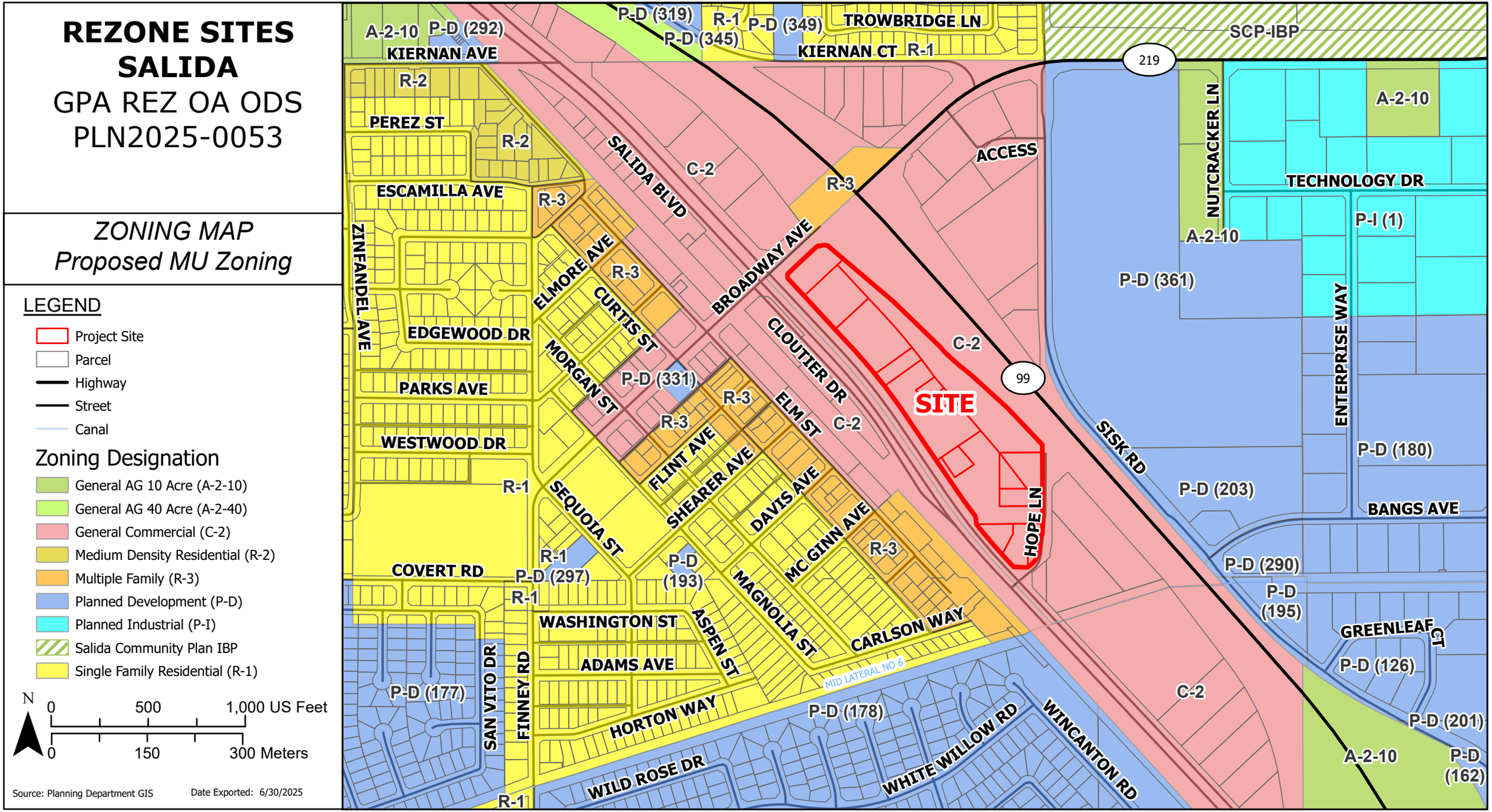


Source: Planning Department GIS

Date Exported: 6/30/2025

REZONE SITES
SALIDA
GPA REZ OA ODS
PLN2025-0053

ZONING MAP
Proposed MU Zoning



REZONE SITES
SALIDA
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

Source: Planning Department GIS

Date Exported: 6/30/2025

REZONE SITES
SALIDA
GPA REZ OA ODS
PLN2025-0053

2023 AERIAL SITE MAP



LEGEND

- Project Site
- Parcel
- Highway
- Street

N

0 230 460 US Feet

0 65 130 Meters

Source: Planning Department GIS

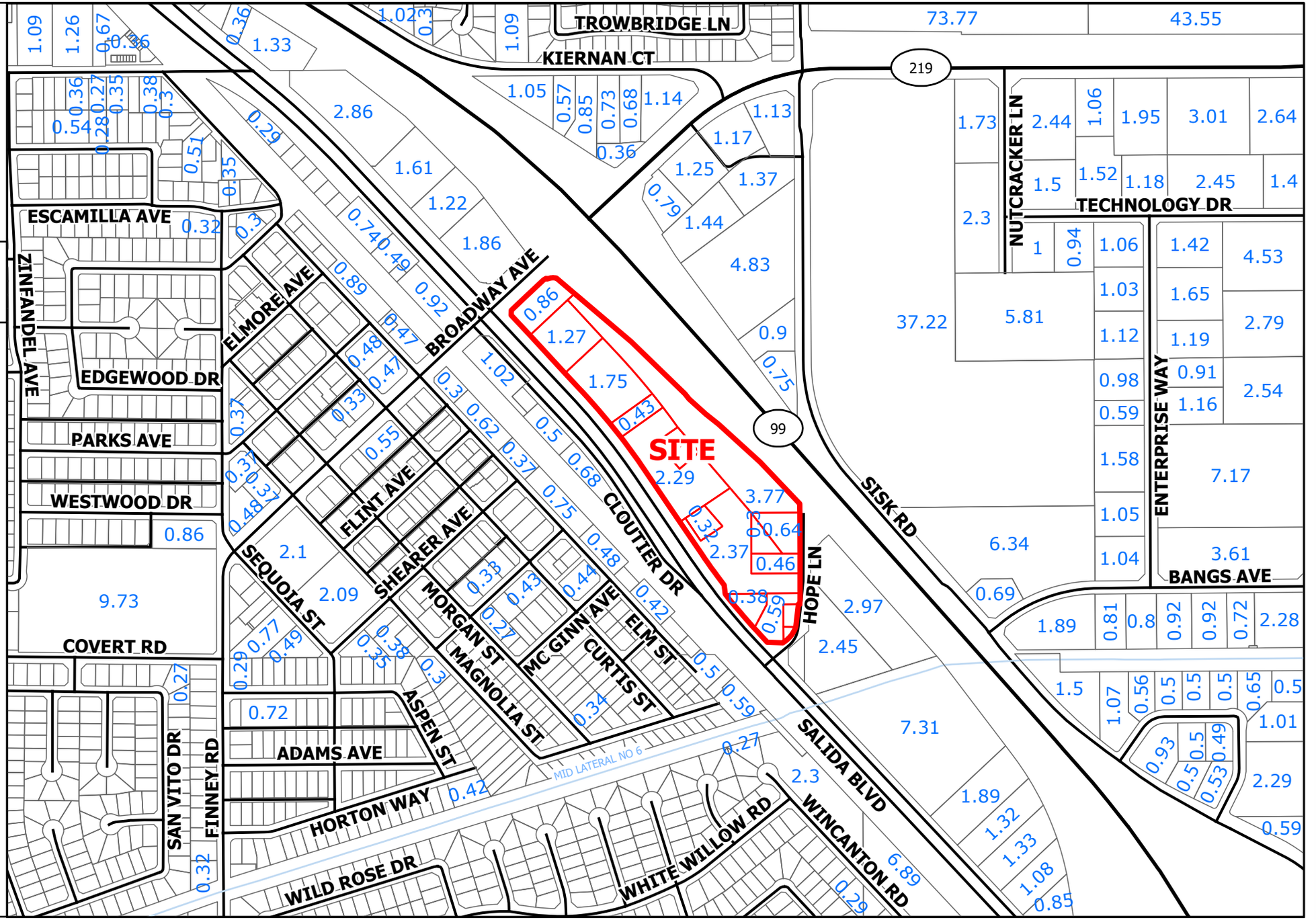
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REZONE SITES
SALIDA
GPA REZ OA ODS
PLN2025-0053

ACREAGE MAP

LEGEND

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



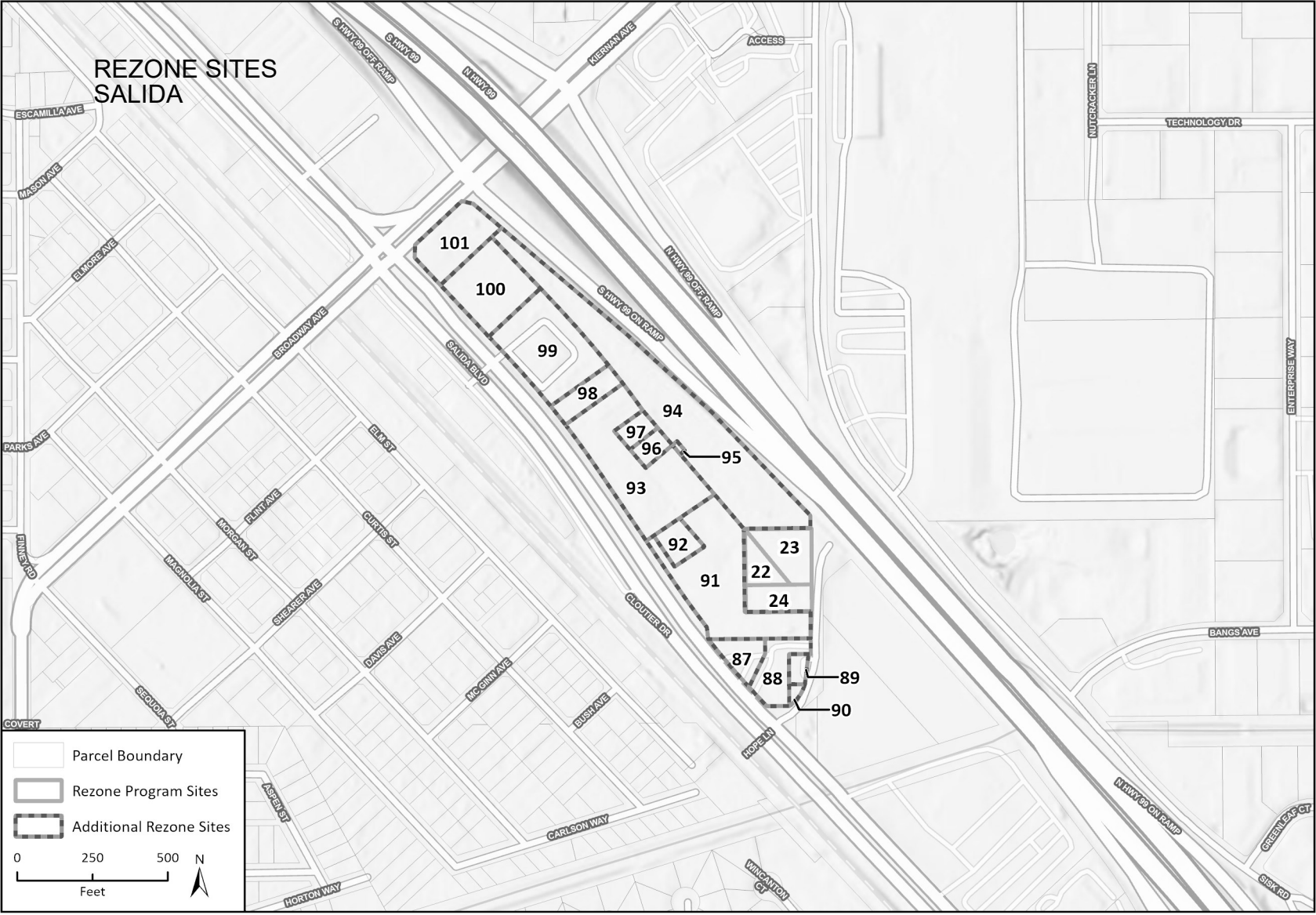
N

0 500 1,000 US Feet

0 150 300 Meters

Source: Planning Department GIS

Date Exported: 6/30/2025



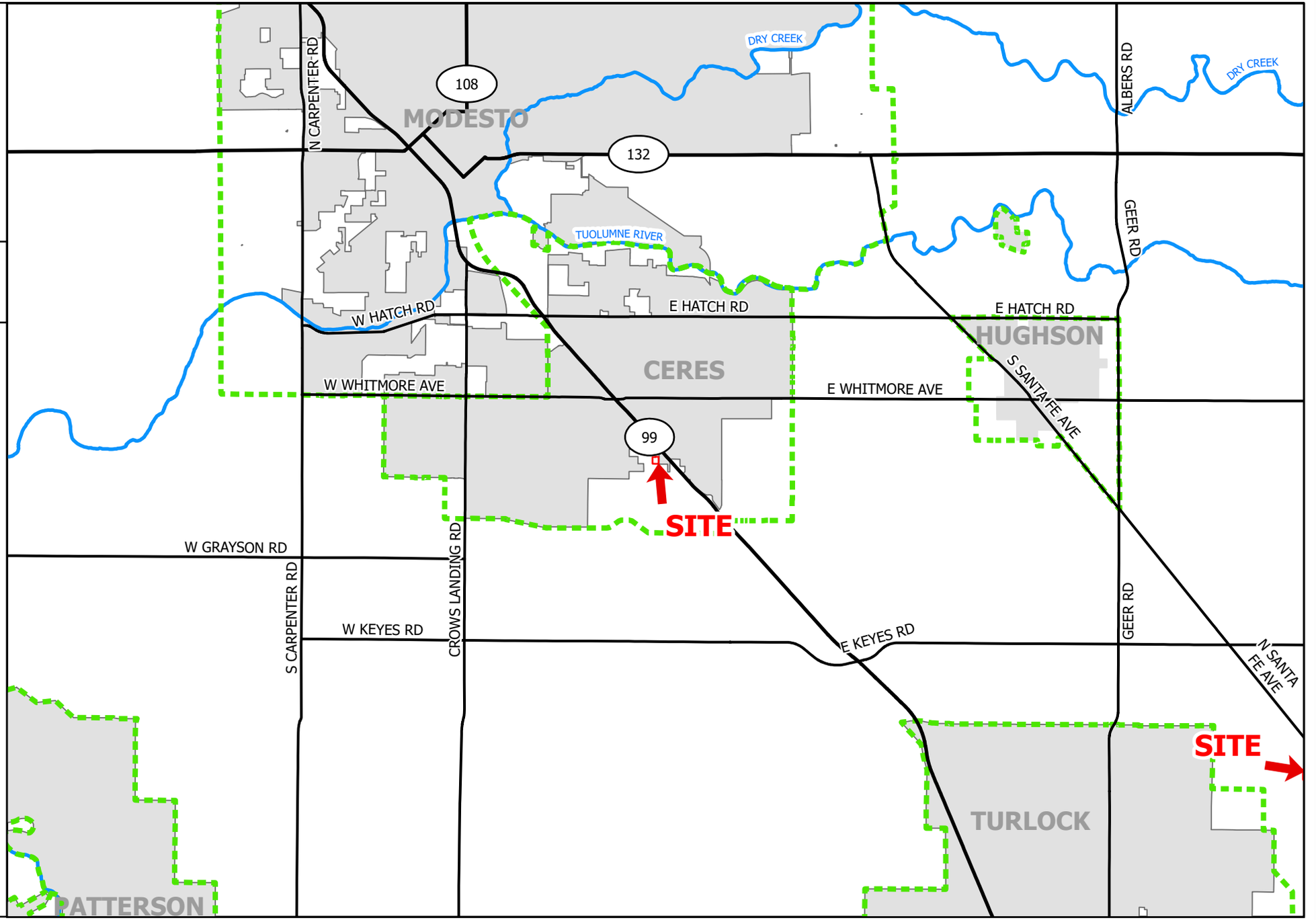
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REZONE SITES
SOUTH CERES
GPA REZ OA ODS
PLN2025-0053

AREA MAP

LEGEND

- Project Site
- Sphere of Influence
- Highway
- Major Road
- River



N

0 1.5 3 Miles

0 1.8 3.5 Kilometers

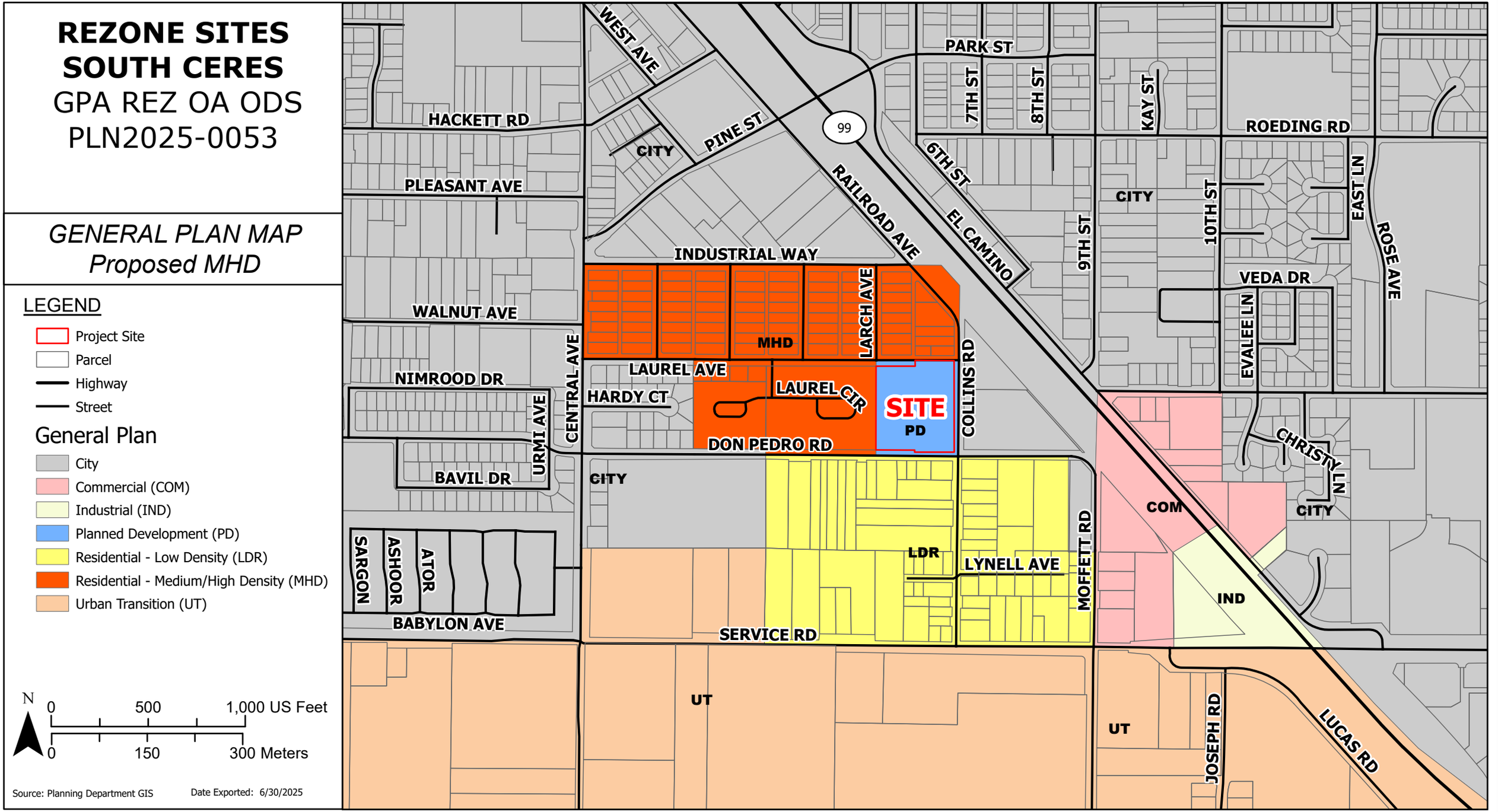
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Date Exported: 6/30/2025

REZONE SITES
SOUTH CERES

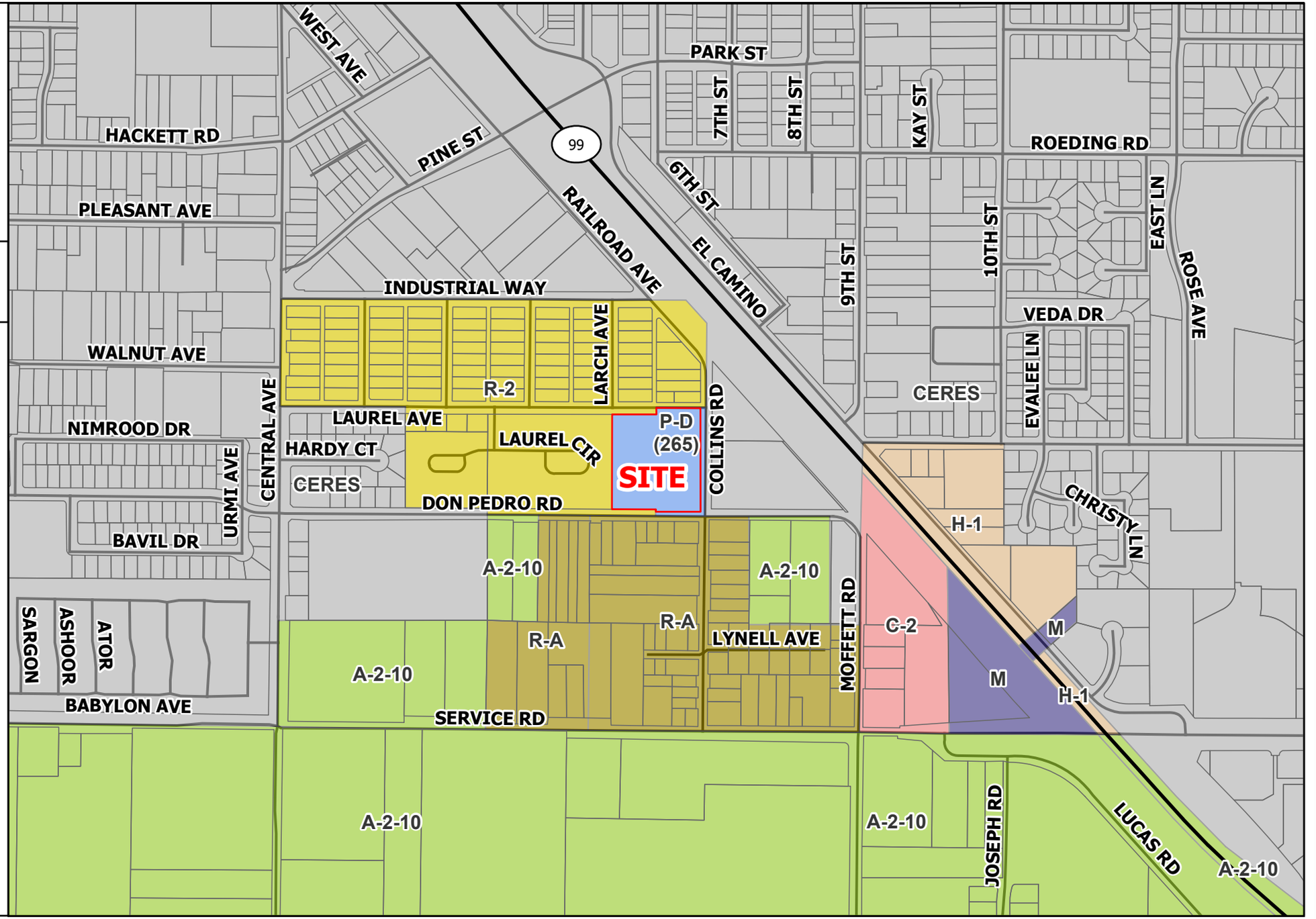
GPA REZ OA ODS
PLN2025-0053

GENERAL PLAN MAP
Proposed MHD



REZONE SITES
SOUTH CERES
GPA REZ OA ODS
PLN2025-0053

ZONING MAP
Proposed R-3 Zoning



LEGEND

- Project Site
- Parcel
- Highway
- Street

Zoning Designation

- City of Ceres
- General AG 10 Acre (A-2-10)
- General AG 10 Acre UT (A-2-10)
- General Commercial (C-2)
- Highway Frontage (H-1)
- Industrial (M)
- Medium Density Residential (R-2)
- Planned Development (P-D)
- Rural Residential (R-A)

N

0 500 1,000 US Feet

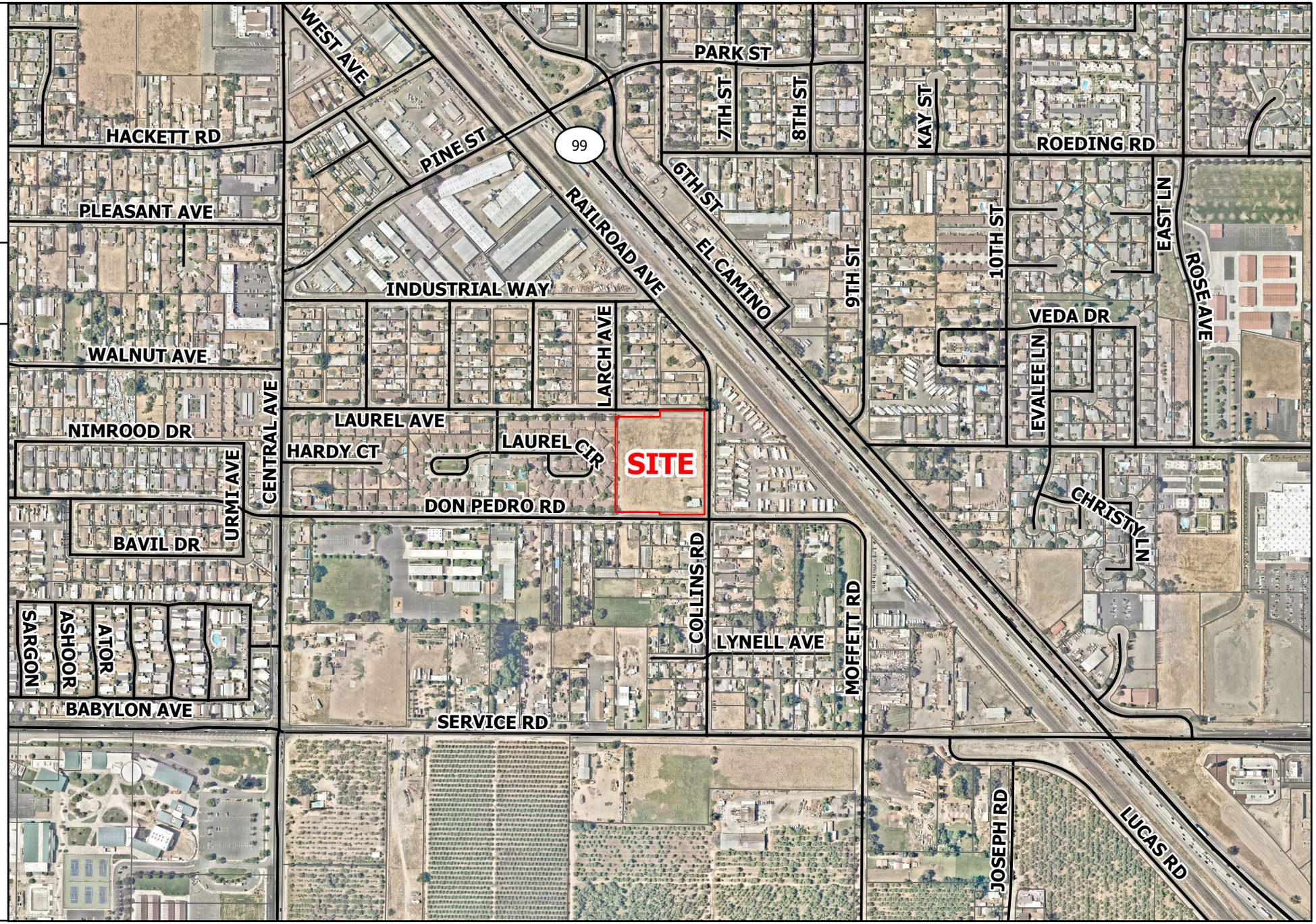
0 150 300 Meters

Source: Planning Department GIS

Date Exported: 6/30/2025

REZONE SITES
SOUTH CERES
GPA REZ OA ODS
PLN2025-0053

2023 AERIAL AREA MAP



LEGEND

- Project Site
- Parcel
- Highway
- Street

N

0 500 1,000 US Feet

0 150 300 Meters

Source: Planning Department GIS

Date Exported: 6/30/2025

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

0 15 30 Meters

Source: Planning Department GIS

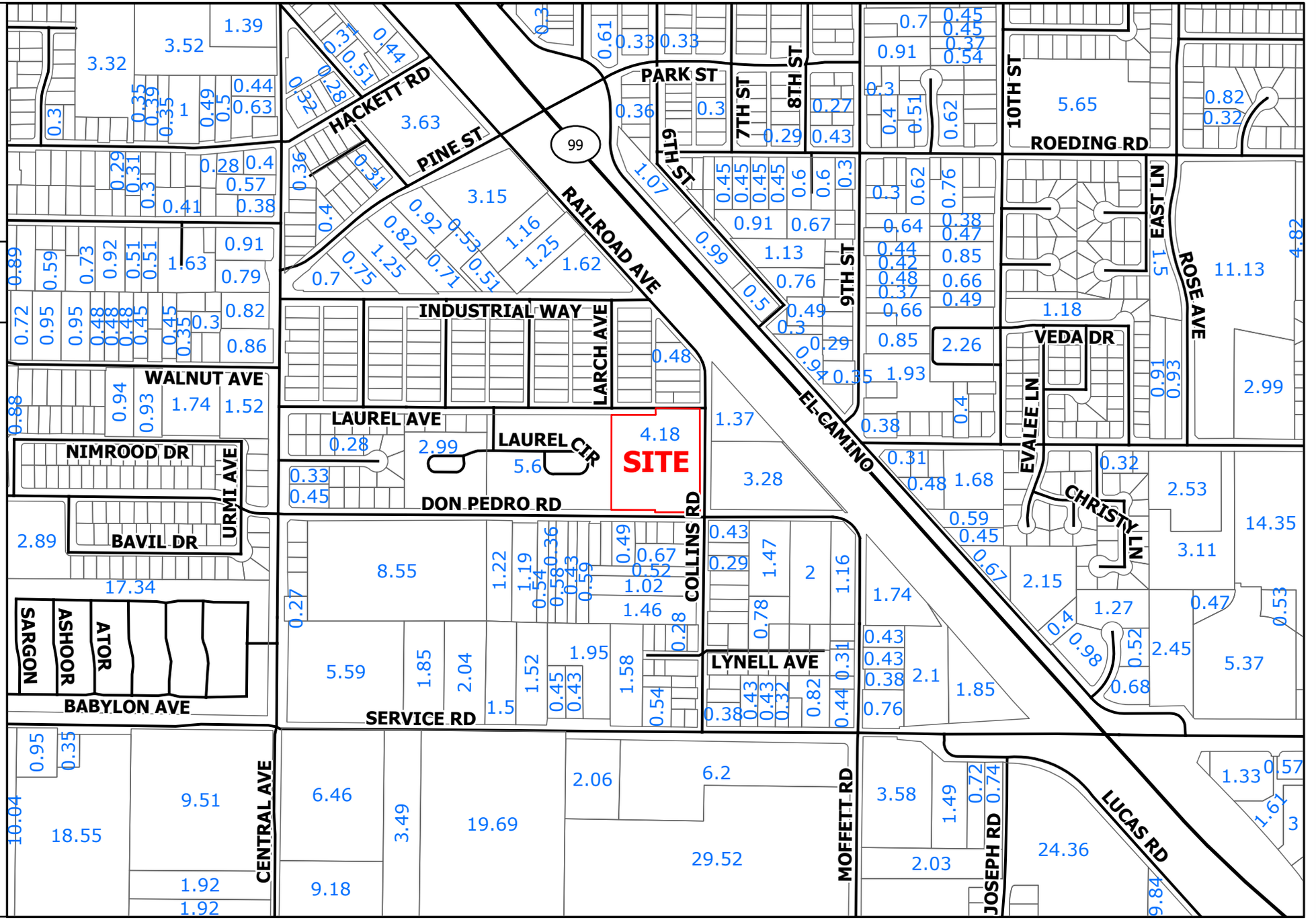
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REZONE SITES
SOUTH CERES
GPA REZ OA ODS
PLN2025-0053

ACREAGE MAP

LEGEND

- Project Site
- Parcel
- Acres
- Highway
- Street



N

0 500 1,000 US Feet

0 150 300 Meters

Source: Planning Department GIS

Date Exported: 6/30/2025

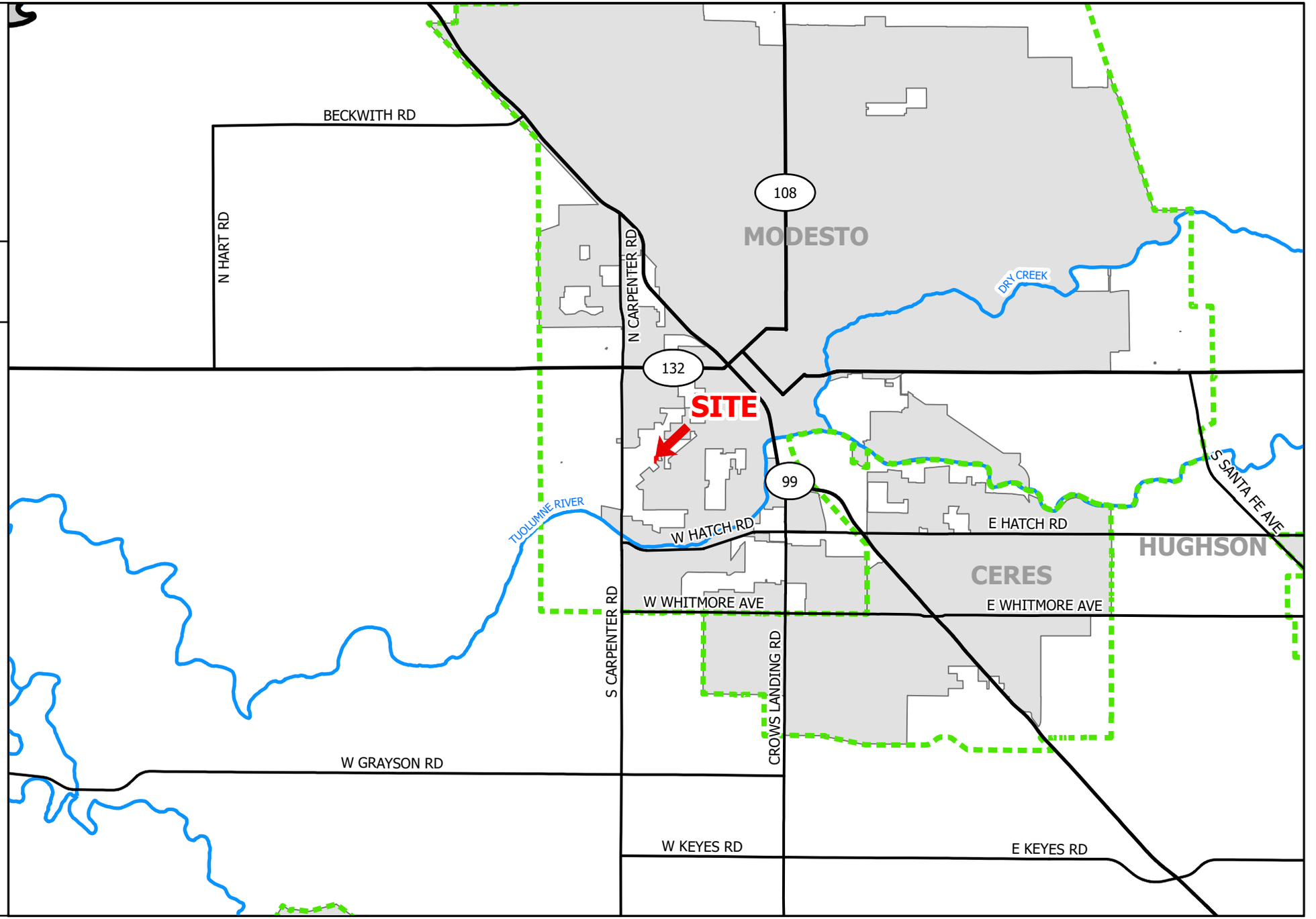


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REZONE SITES WEST MODESTO (BEVERLY/ WAVERLY)

GPA REZ OA ODS
PLN2025-0053

AREA MAP



LEGEND

- Project Site
- Sphere of Influence
- Highway
- Major Road
- River

N

0 1.5 3 Miles

0 1.8 3.5 Kilometers

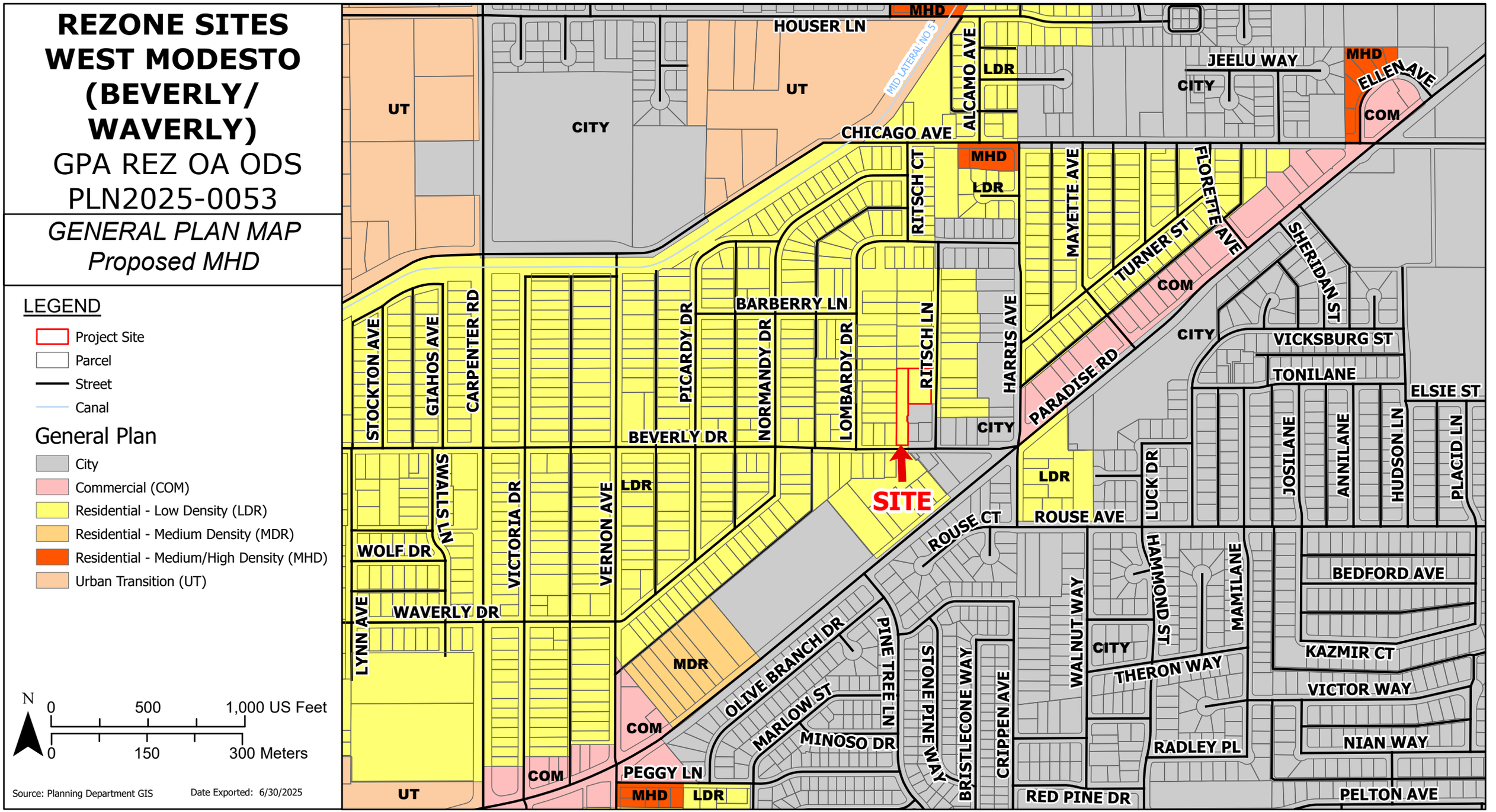
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REZONE SITES WEST MODESTO (BEVERLY/ WAVERLY)

GPA REZ OA ODS
PLN2025-0053

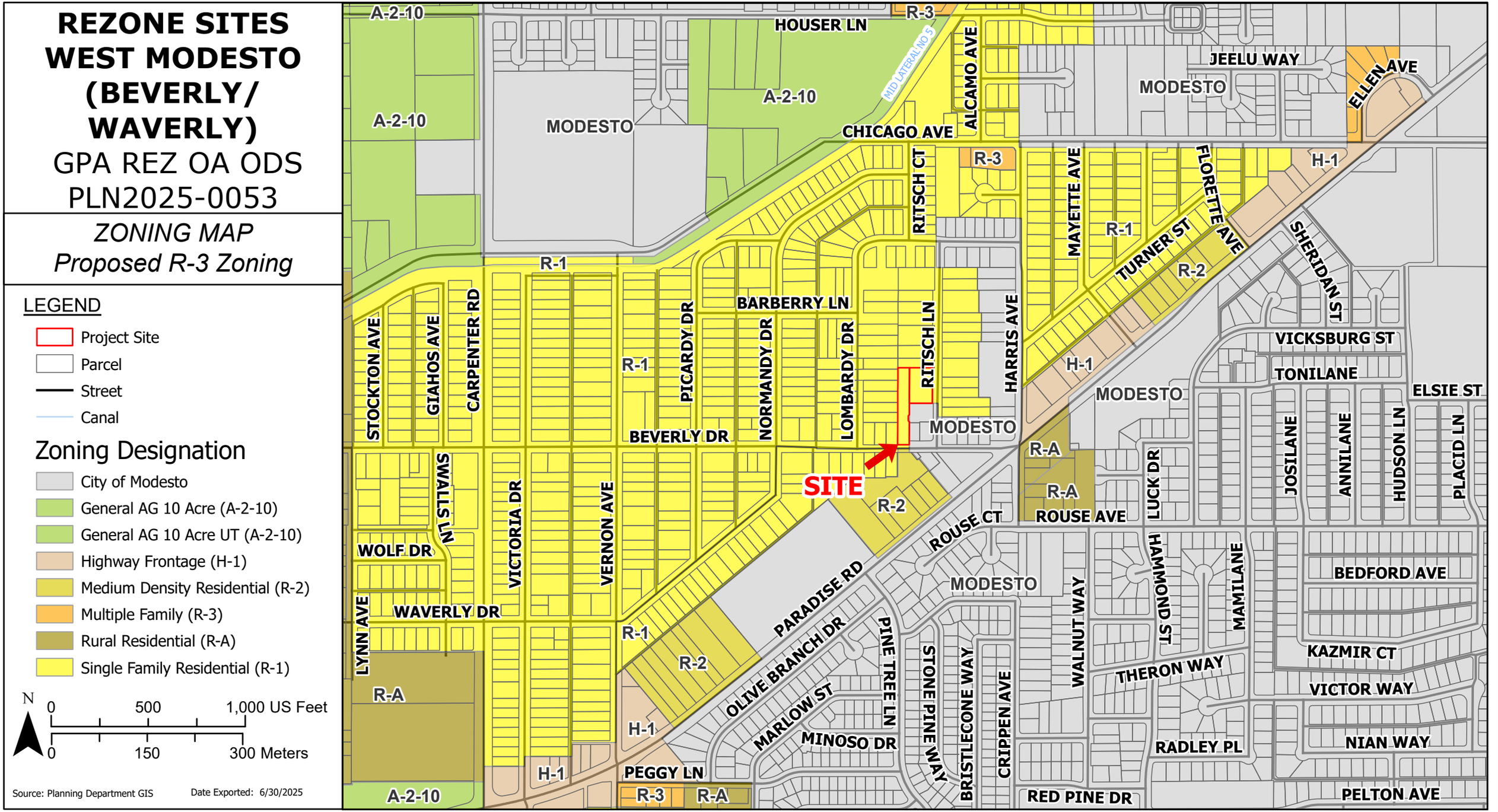
GENERAL PLAN MAP
Proposed MHD



REZONE SITES WEST MODESTO (BEVERLY/ WAVERLY)

GPA REZ OA ODS
PLN2025-0053

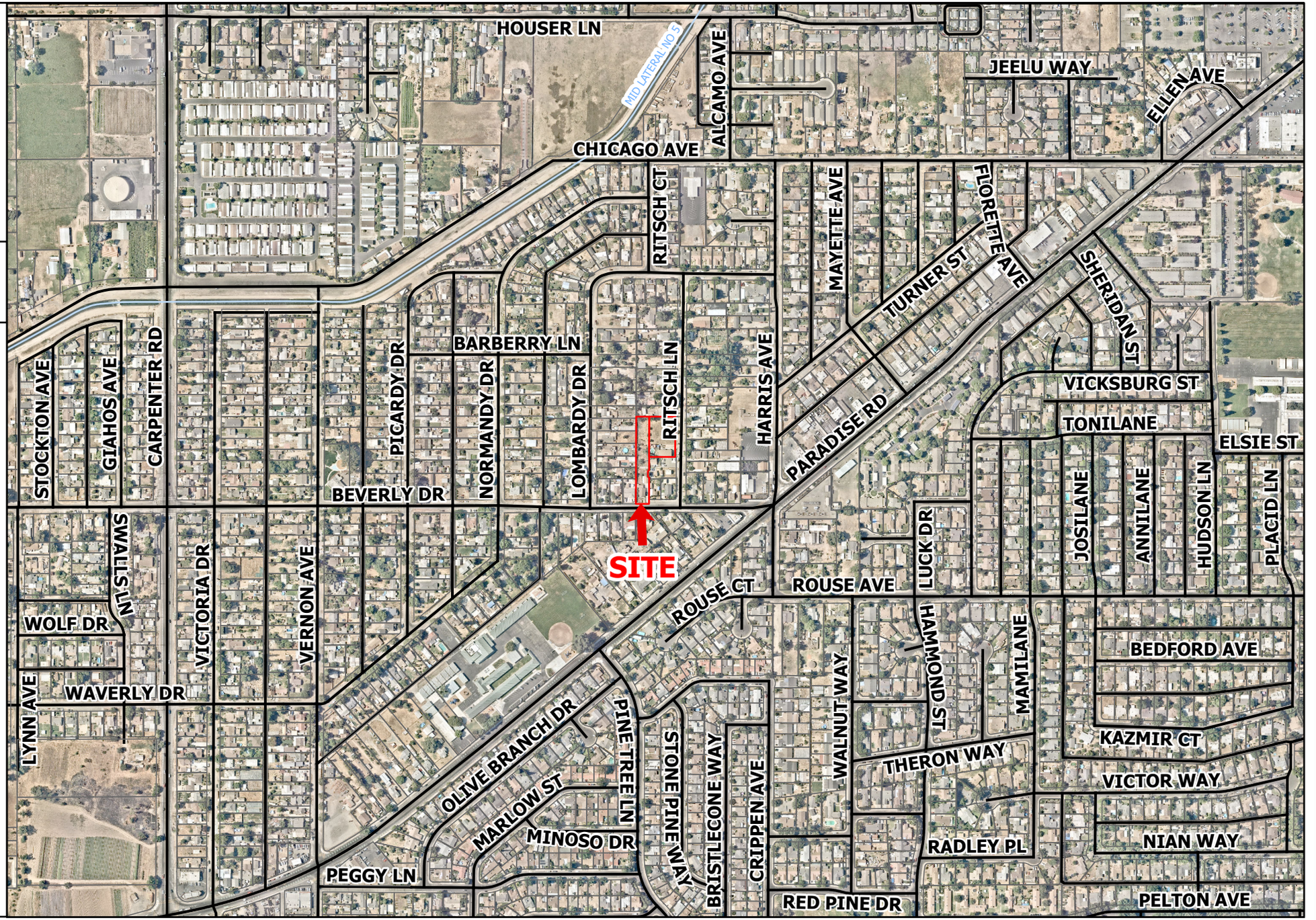
ZONING MAP
Proposed R-3 Zoning



REZONE SITES WEST MODESTO (BEVERLY/ WAVERLY)

GPA REZ OA ODS
PLN2025-0053

2023 AERIAL AREA MAP



LEGEND

- Project Site
- Parcel
- Street
- Canal

N

0 500 1,000 US Feet

0 150 300 Meters

Source: Planning Department GIS

Date Exported: 6/30/2025

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

Date Exported: 6/30/2025



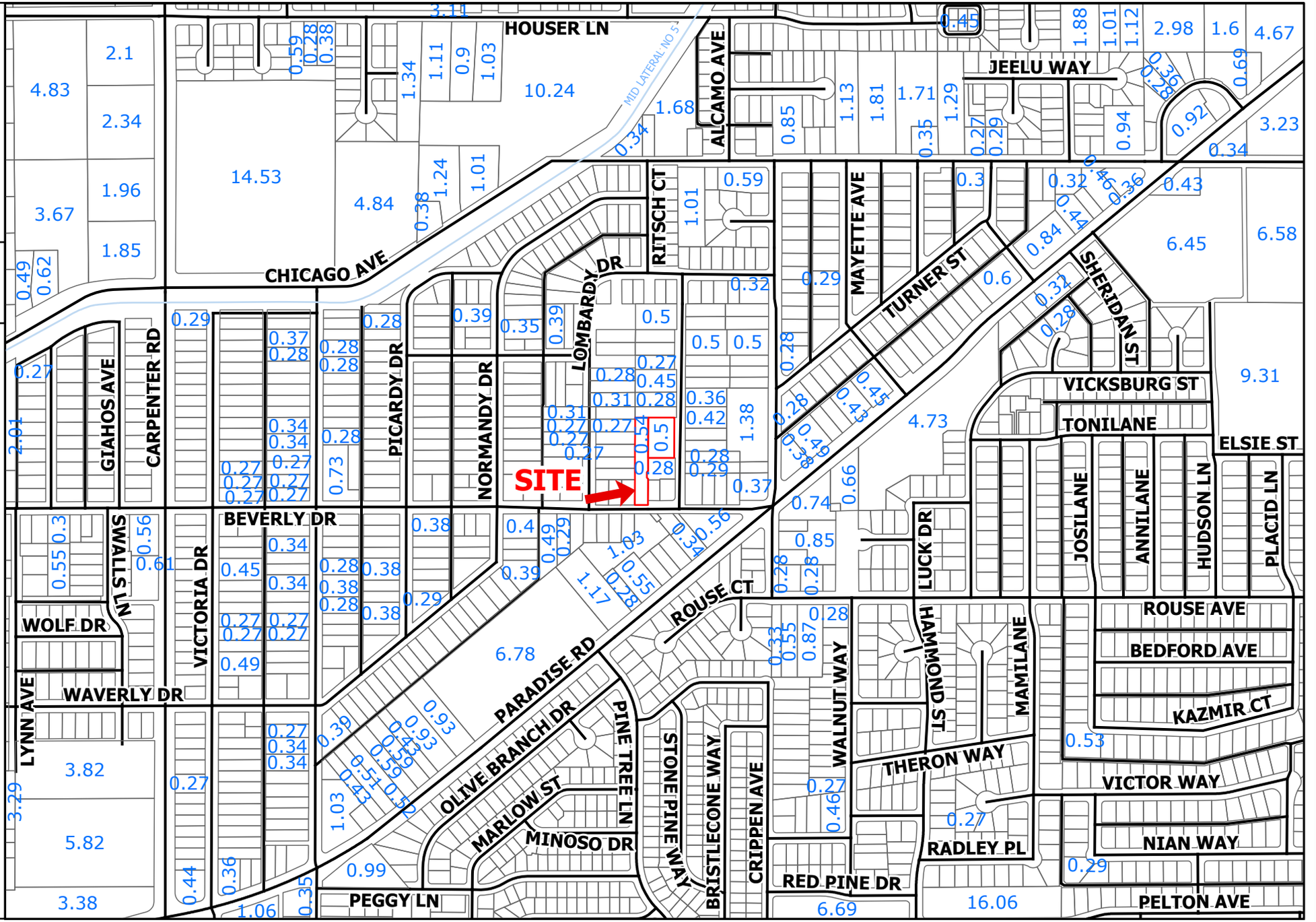
REZONE SITES WEST MODESTO (BEVERLY/ WAVERLY)

GPA REZ OA ODS
PLN2025-0053

ACREAGE MAP

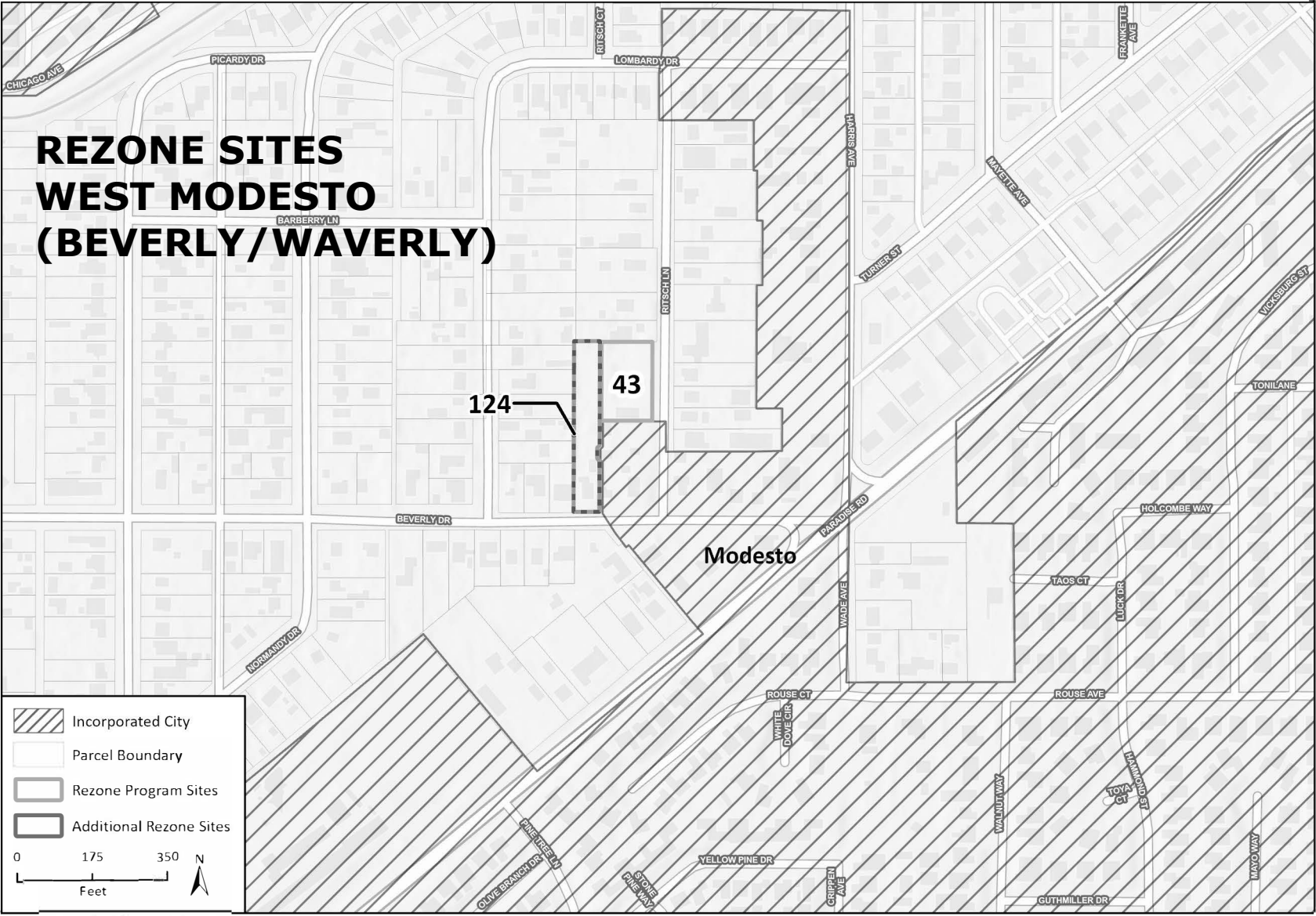
LEGEND

- Project Site
- Parcel
- Acres
- Street
- Canal



Source: Planning Department GIS

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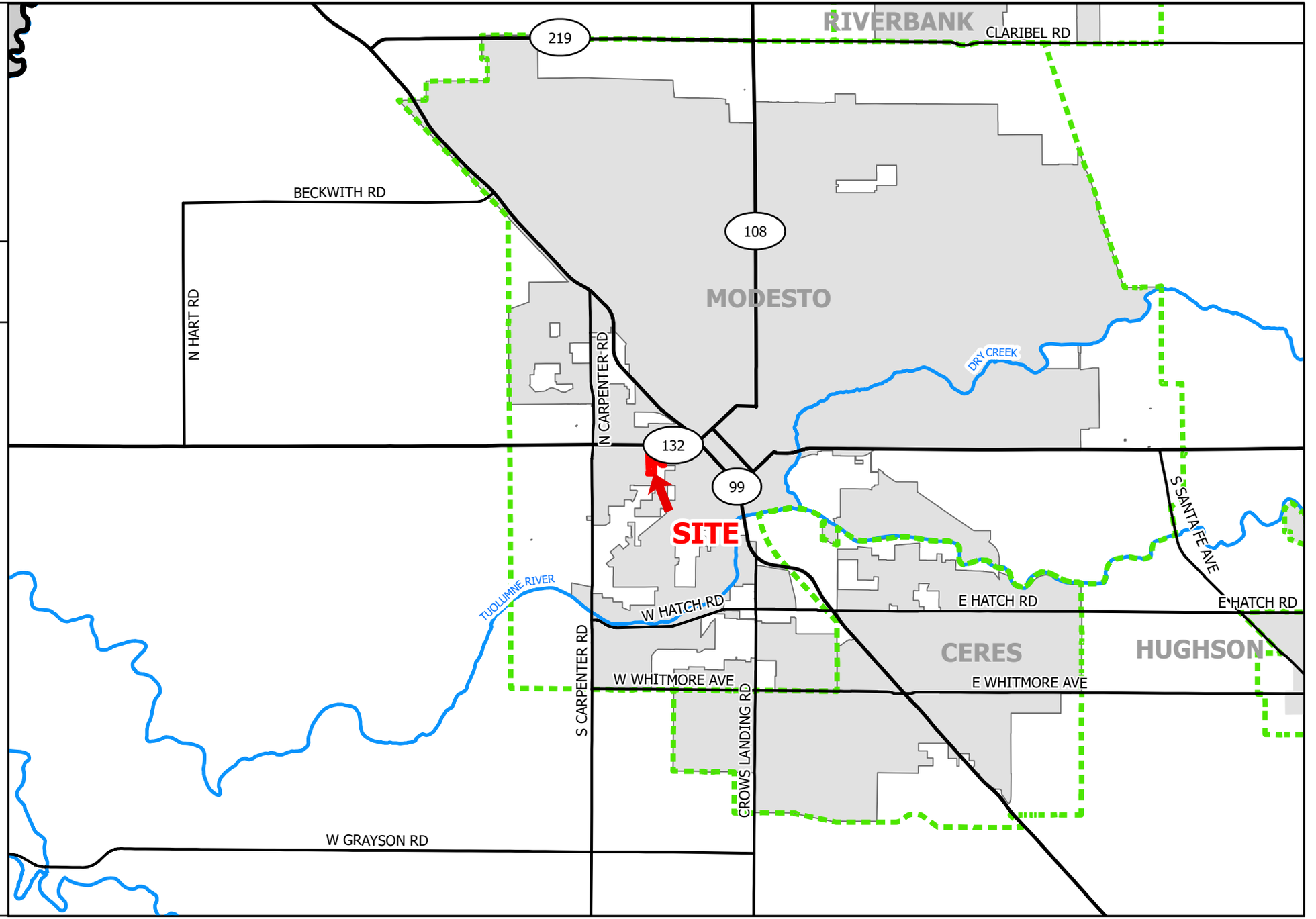


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REZONE SITES WEST MODESTO (SPENCER/ MARSHALL)

GPA REZ OA ODS
PLN2025-0053

AREA MAP



LEGEND

- Project Site
- Sphere of Influence
- Highway
- Major Road
- River

N

0 1.5 3 Miles

0 1.8 3.5 Kilometers

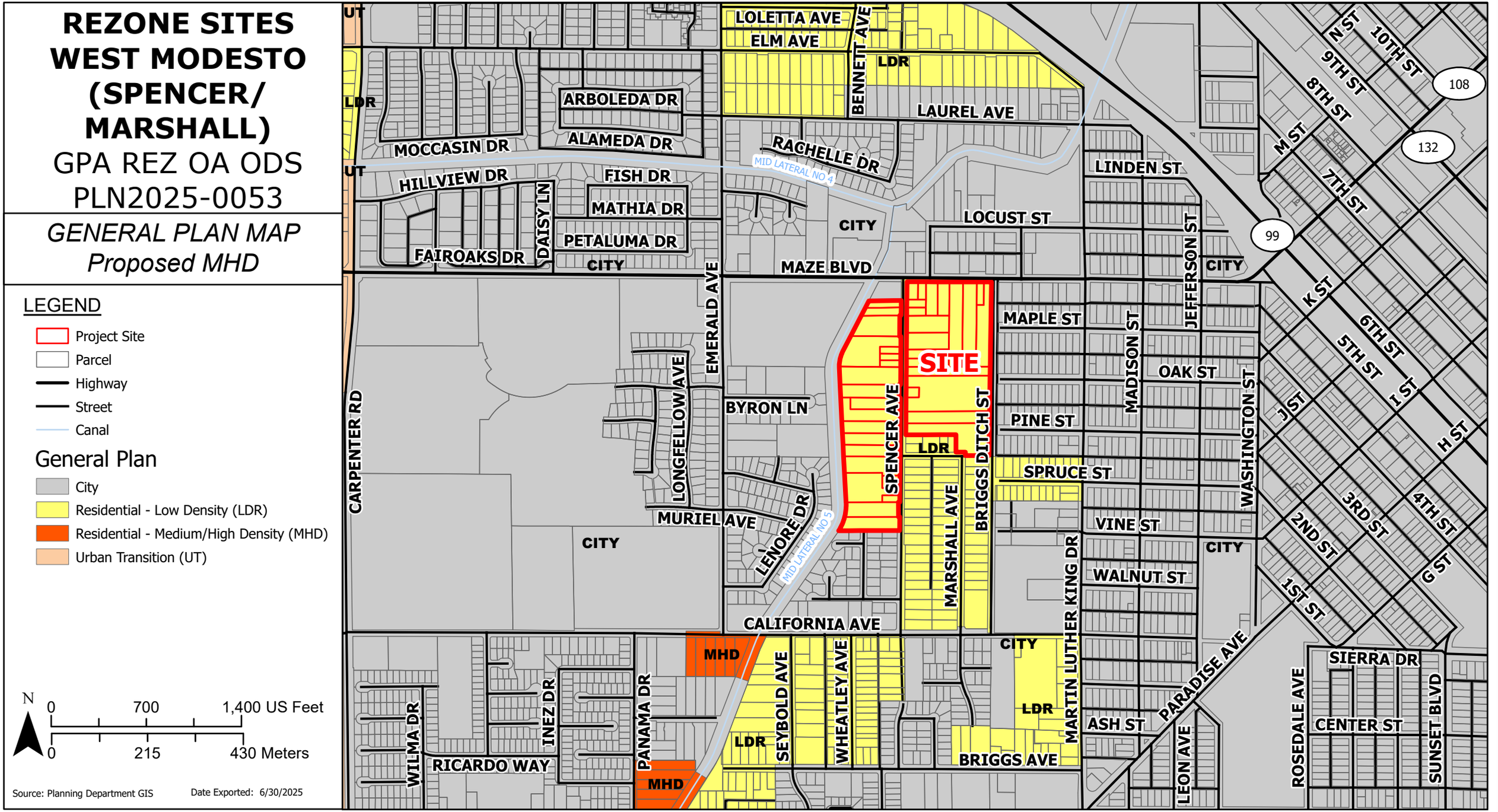
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REZONE SITES WEST MODESTO (SPENCER/ MARSHALL)

GPA REZ OA ODS
PLN2025-0053

GENERAL PLAN MAP
Proposed MHD



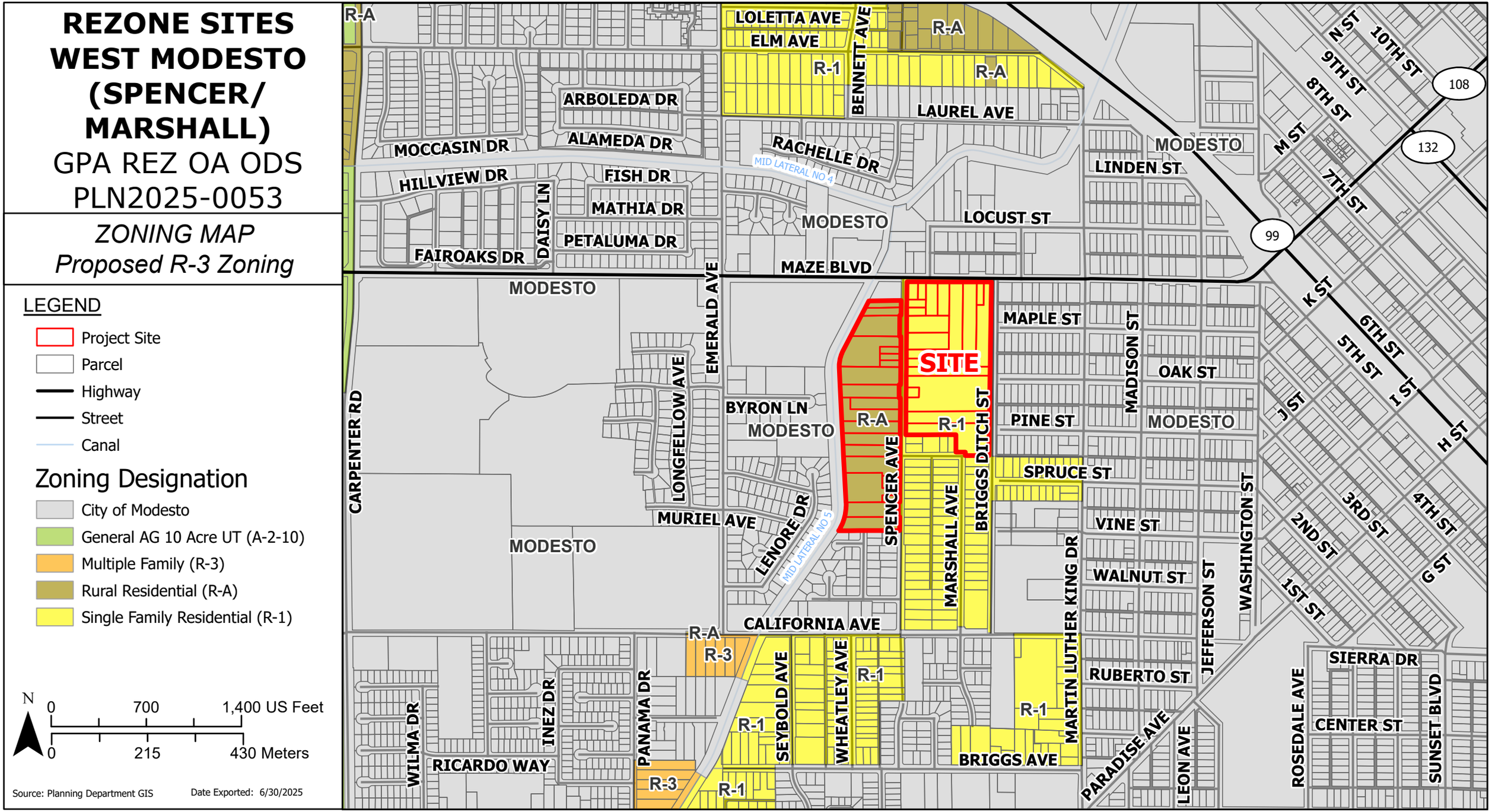
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GPA REZ OA ODS
PLN2025-0053

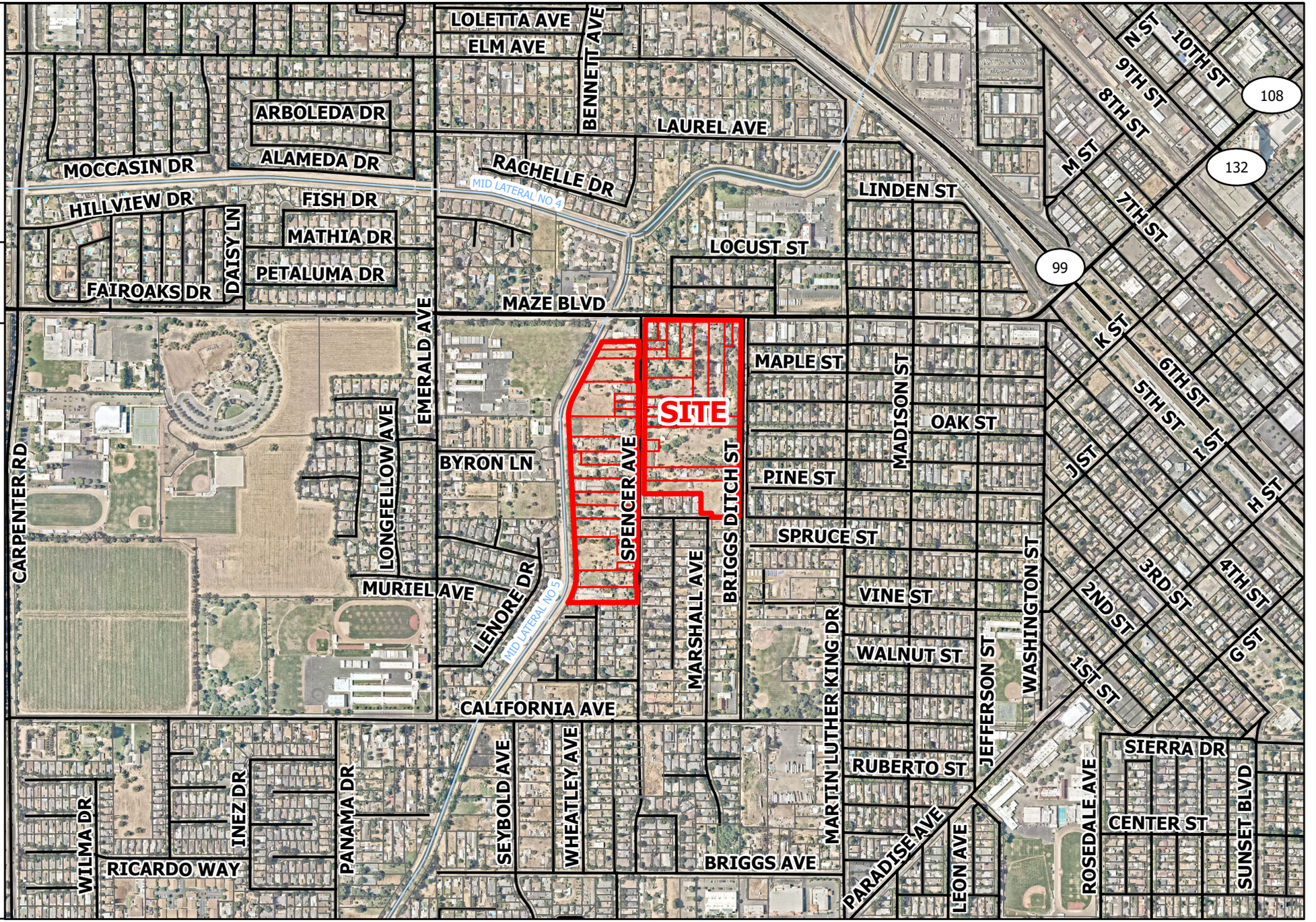
ZONING MAP
Proposed R-3 Zoning



REZONE SITES WEST MODESTO (SPENCER/ MARSHALL)

GPA REZ OA ODS
PLN2025-0053

2023 AERIAL AREA MAP



LEGEND

- Project Site
- Parcel
- Highway
- Street
- Canal

N

0 700 1,400 US Feet

0 215 430 Meters

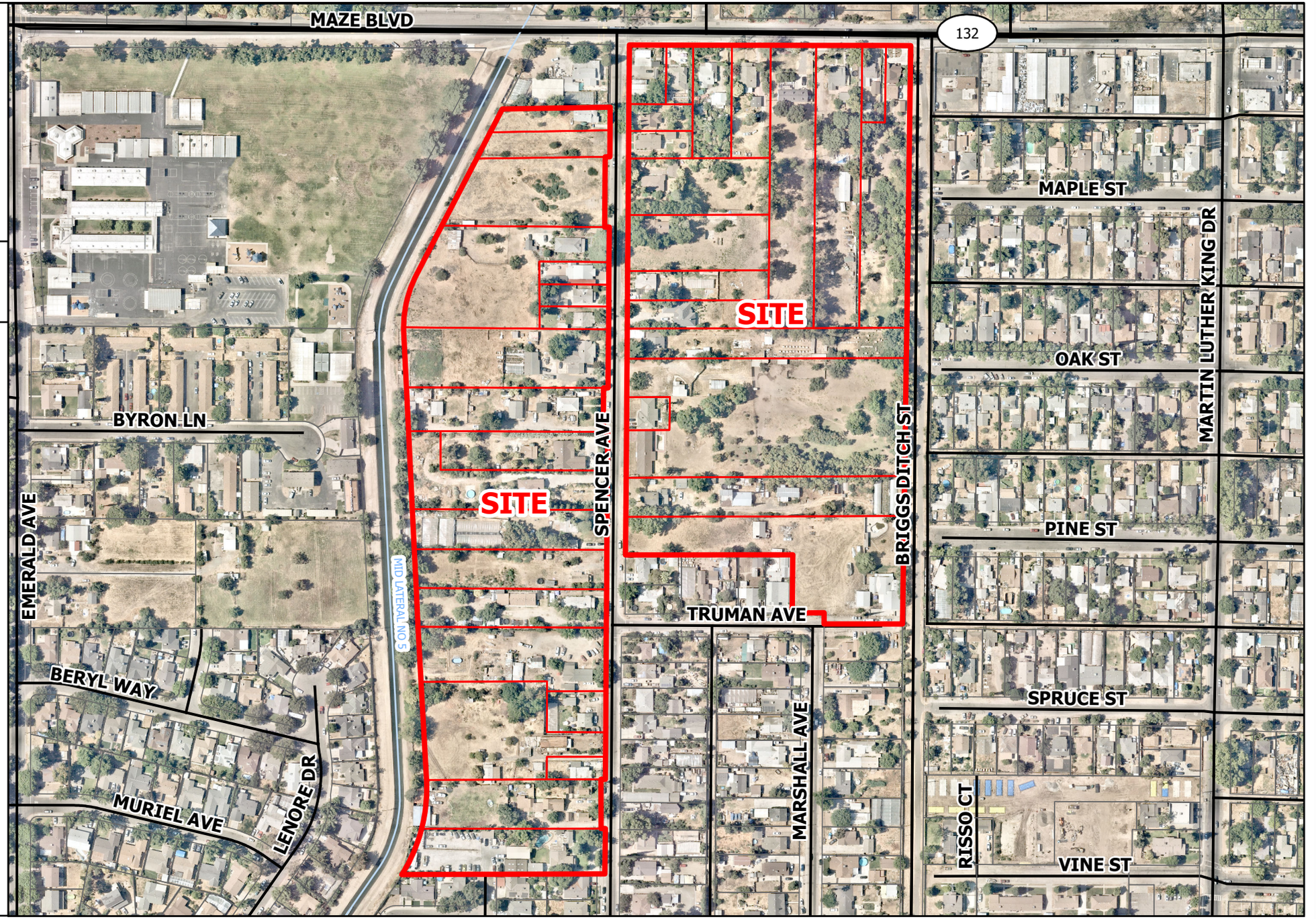
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Date Exported: 6/30/2025

REZONE SITES WEST MODESTO (SPENCER/ MARSHALL)

GPA REZ OA ODS
PLN2025-0053

2023 AERIAL SITE MAP



LEGEND

- Project Site
- Parcel
- Highway
- Street
- Canal

N

0 255 510 US Feet

0 70 140 Meters

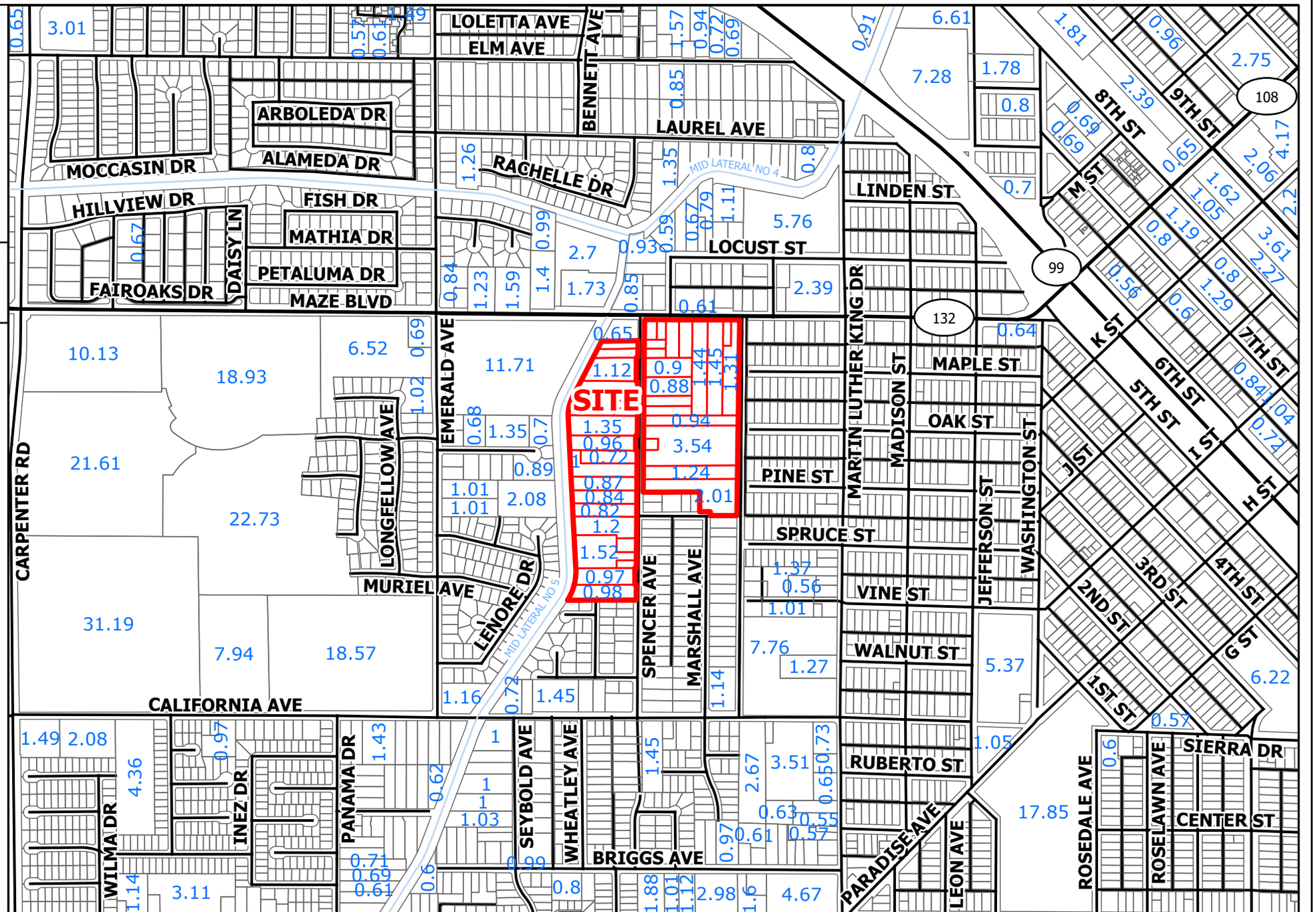
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REZONE SITES WEST MODESTO (SPENCER/ MARSHALL)

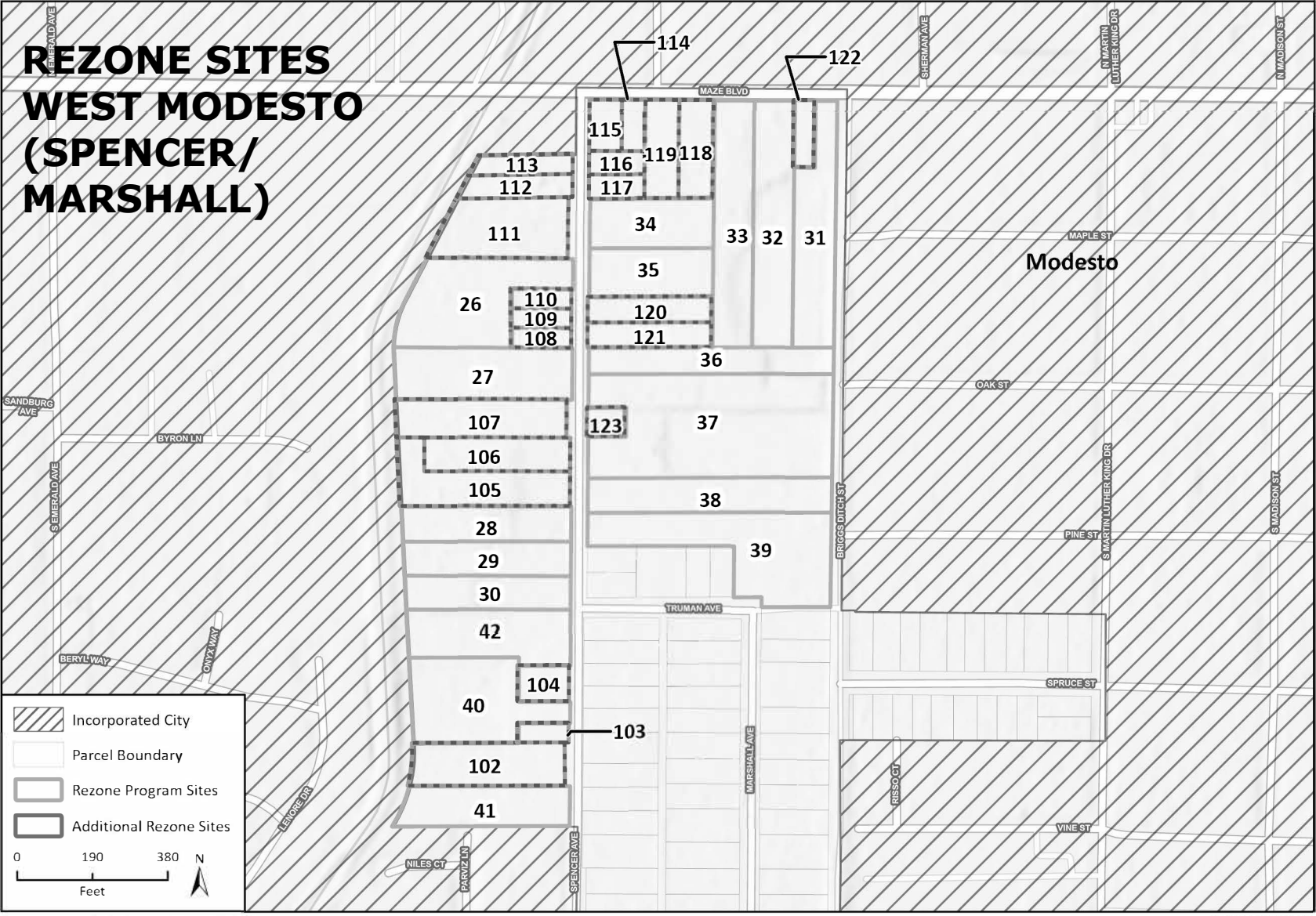
GPA REZ OA ODS
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ACREAGE MAP



Source: Planning Department GIS

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Stanislaus County Objective Design Standards

prepared by

County of Stanislaus
Planning and Community Development Department
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Modesto, California 95254
Contact: Angela Freitas, Director

June 2025

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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 6th 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

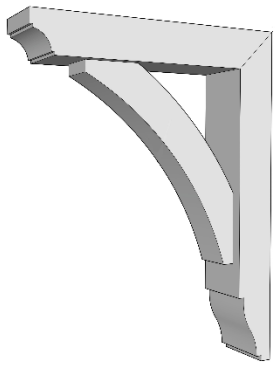
Alcove. A recessed space in a wall that is partially enclosed by vertical elements such as walls or pillars.

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 **Error! Reference source not found.**.

Figure 2 Midrise Buildings Commercial Ground Floor

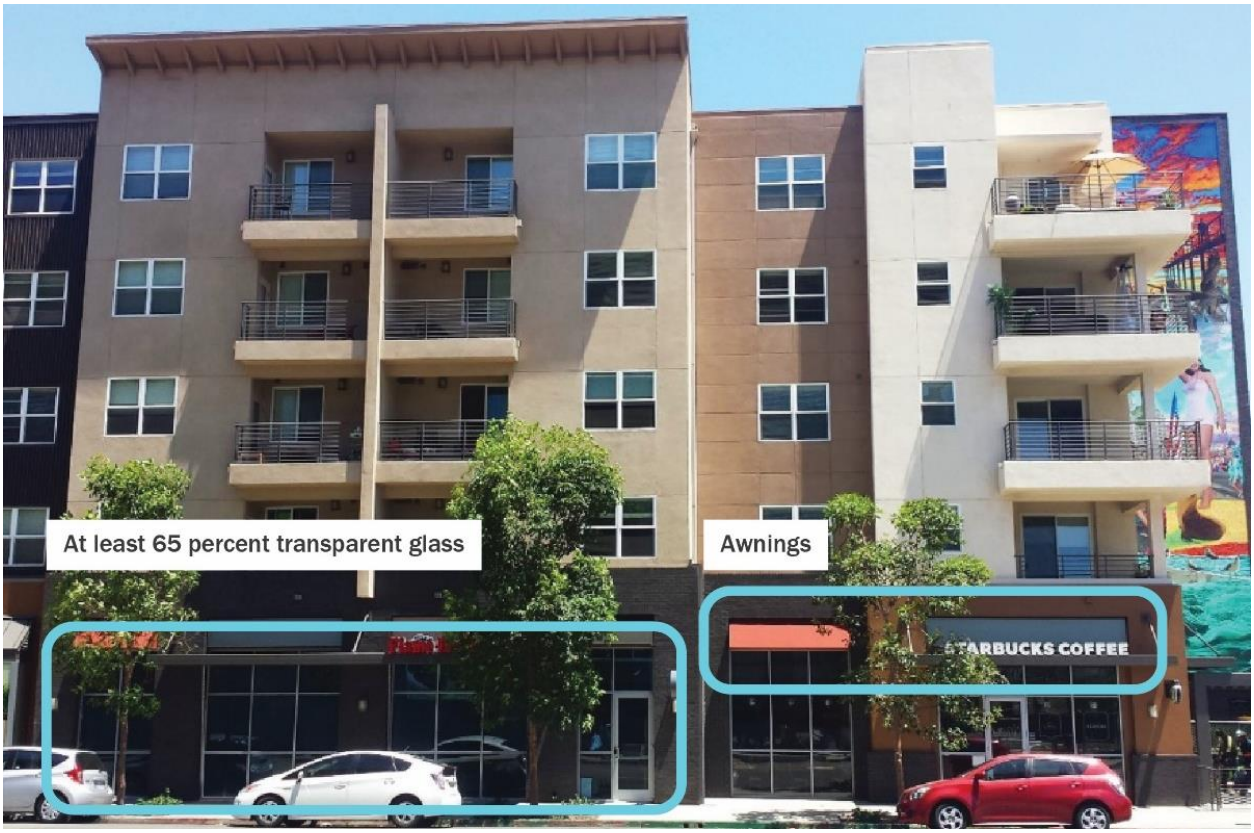
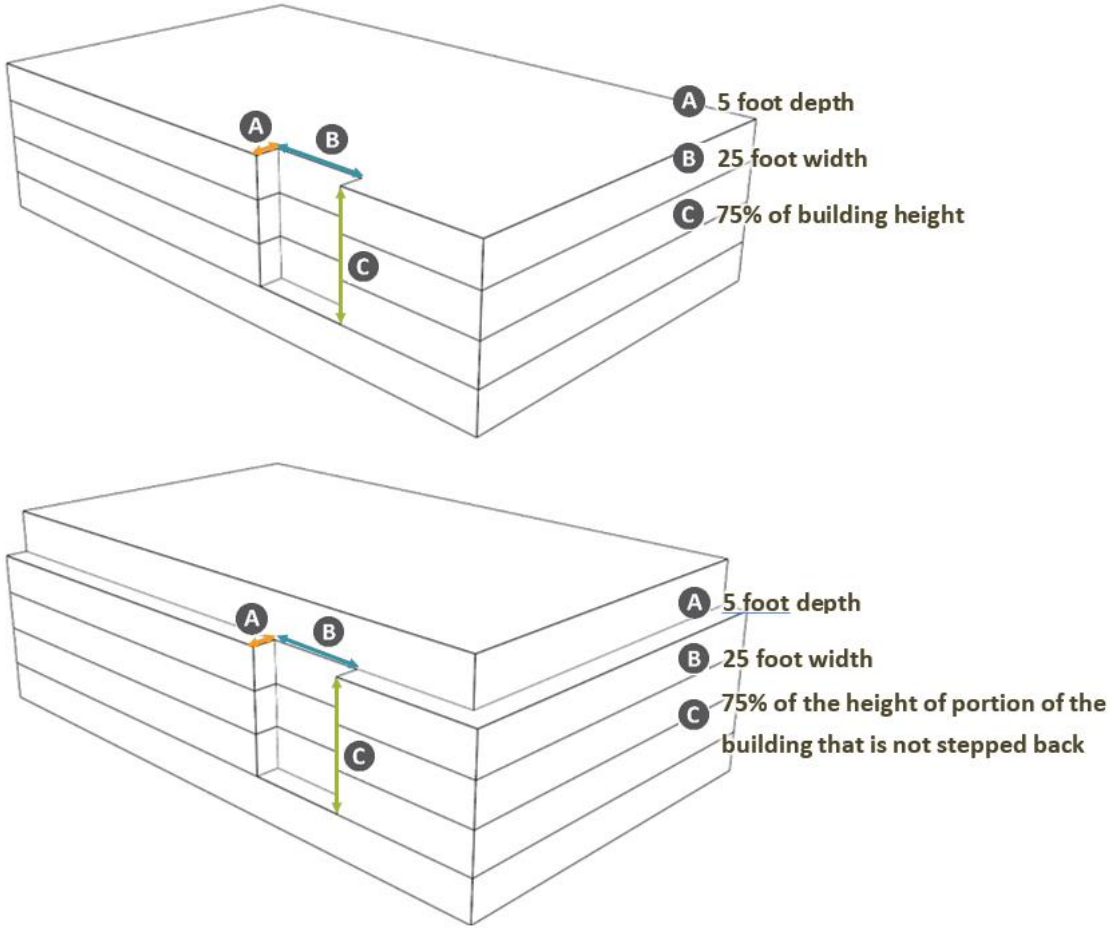


Figure 3 Massing Breaks and Articulation Features



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 building			

development, 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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6th 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

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1 Introduction and Project Summary

1.1 Project Title

Stanislaus County 6th 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
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1.4 Project Description

The project includes four components:

1. Zoning and land use changes on 48 sites to meet the County's Housing Element obligations ("Housing Element Rezone Sites," below)
2. Zoning and land use changes for 91 additional sites to add residential development capacity around the county ("Additional Rezoning")
3. Adoption of objective design standards for projects on Housing Element rezone sites and applicable development in the Multi-Family (R-3) and Mixed Use (M-U) zoning districts, and affordable housing projects subject to state streamlining requirements ("Objective Design Standards")
4. 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 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 did 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 Project Context, below). 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 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 multi-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 changes 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 of a city) and County communities (located outside a city sphere of influence). 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 sphere of influence 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 20 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 three 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 (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 sphere of influence. 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 9 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 sphere of influence 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 of the North Ceres area, also referred to as South Modesto, seven from Low-Density Residential and one from 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 and to Medium High-Density Residential and to rezone the 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 (MU). All three 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 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 West Modesto area is an unincorporated area located along the southwestern edge of the City of Modesto. 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 (MU) 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 Multi-family Residential (R-3) and Mixed Use (MU) 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 (MU) 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, multi-family housing, ADUs, SROs, 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 projects review.

The County's 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 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 Multi-Family (R-3) and Mixed Use (M-U) zoning districts, and affordable housing projects subject to state streamlining requirements.

Stanislaus County Code Amendments

The Stanislaus County Code would be amended to implement the policies and programs outlined in the Housing Element Update, which primarily focus on aligning the County's land use and zoning regulations with state housing requirements, supporting the development of affordable housing, and removing barriers to the development of housing. These amendments include the following:

- Align the County's density bonus provisions with state density bonus law
- Address state requirements for replacement housing for sites included in the Housing Element Site Inventory
- Permit by-right approval for housing developments that include at least 20 percent of units as affordable to lower-income households
- Incorporate state mandated affordable housing requirements including use requirements for single room occupancy housing, emergency shelters, low barrier navigation centers, residential care facilities, accessory dwelling units, mobile homes, employee housing, parking standards for multi-family housing, supportive housing, residential care facilities, and emergency shelters
- Revise permitted uses and development standards in specific commercial and residential zones to remove potential constraints for the development of housing and allow a mix of dwelling types and sizes in lower-density residential areas
- Establish an in-lieu payment process to contribute to a local Housing Trust Fund
- Ensure the County's tenant complaint procedures comply with Section 17970.5 of the California Health and Safety Code

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 (collectively "Rezone Sites"), objective design standards, and Stanislaus County Code amendments. In total, the proposed project would allow for the development of 3,610 units on the rezone sites, for a net increase of capacity of 3,439 units beyond what is permitted by the current zoning. This Addendum demonstrates the consistency of the proposed project with the existing General Plan to comply with 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 Stanislaus 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 Stanislaus 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

Stanislaus County (hereinafter referred to as "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 Stanislaus County: the east-to-west Stanislaus and Tuolumne rivers, and the south-to-north San Joaquin River.

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 multi-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, current General Plan land use designation, and current zoning designation of each rezone site is provided in **Error! Reference source not found.** for the Housing Element Rezone Sites identified in the Housing Element, and **Error! Reference source not found.** for the additional rezone sites identified by the County.

Figure 1 Regional Project Location

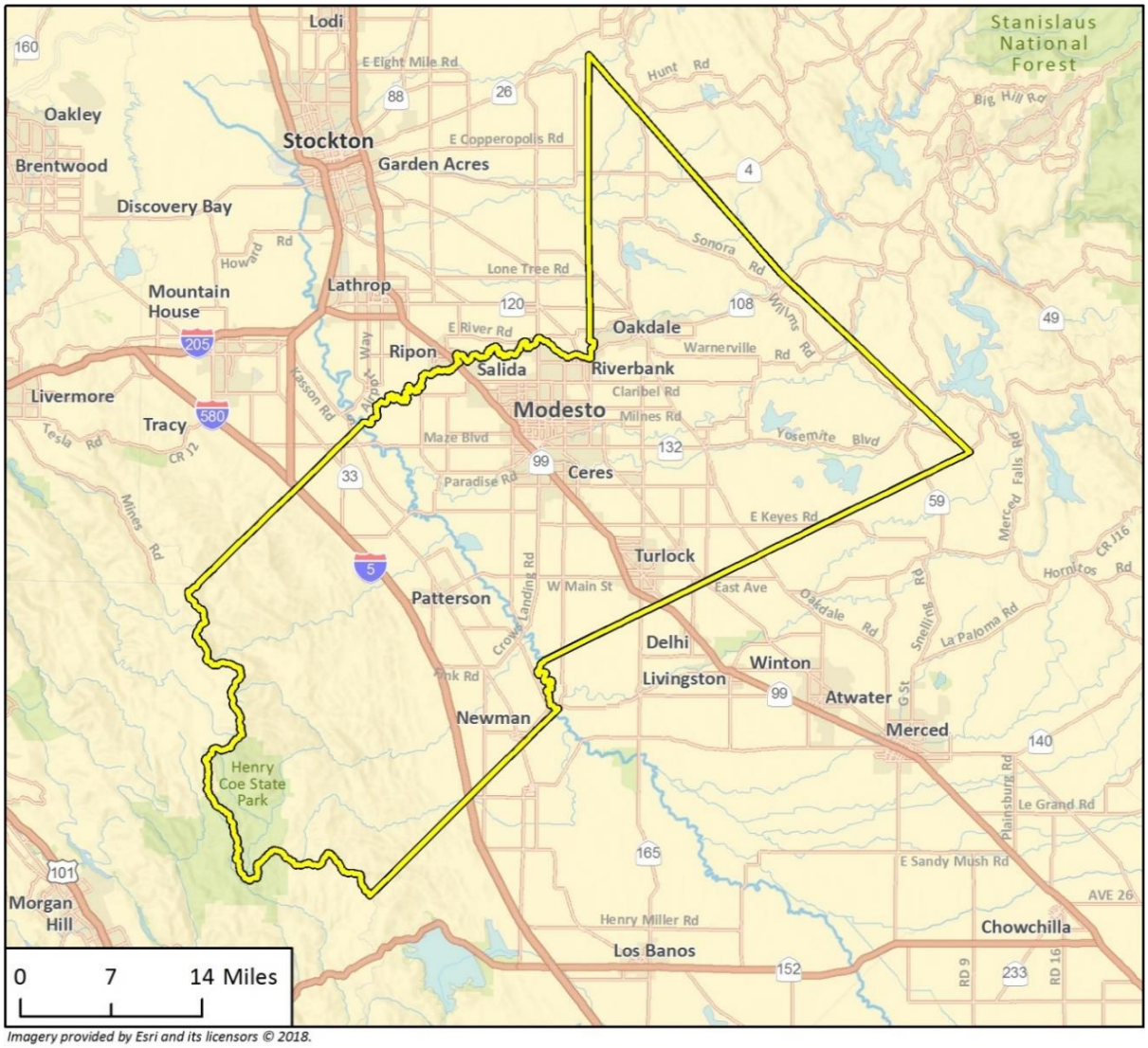


Figure 2 Project Area Overview

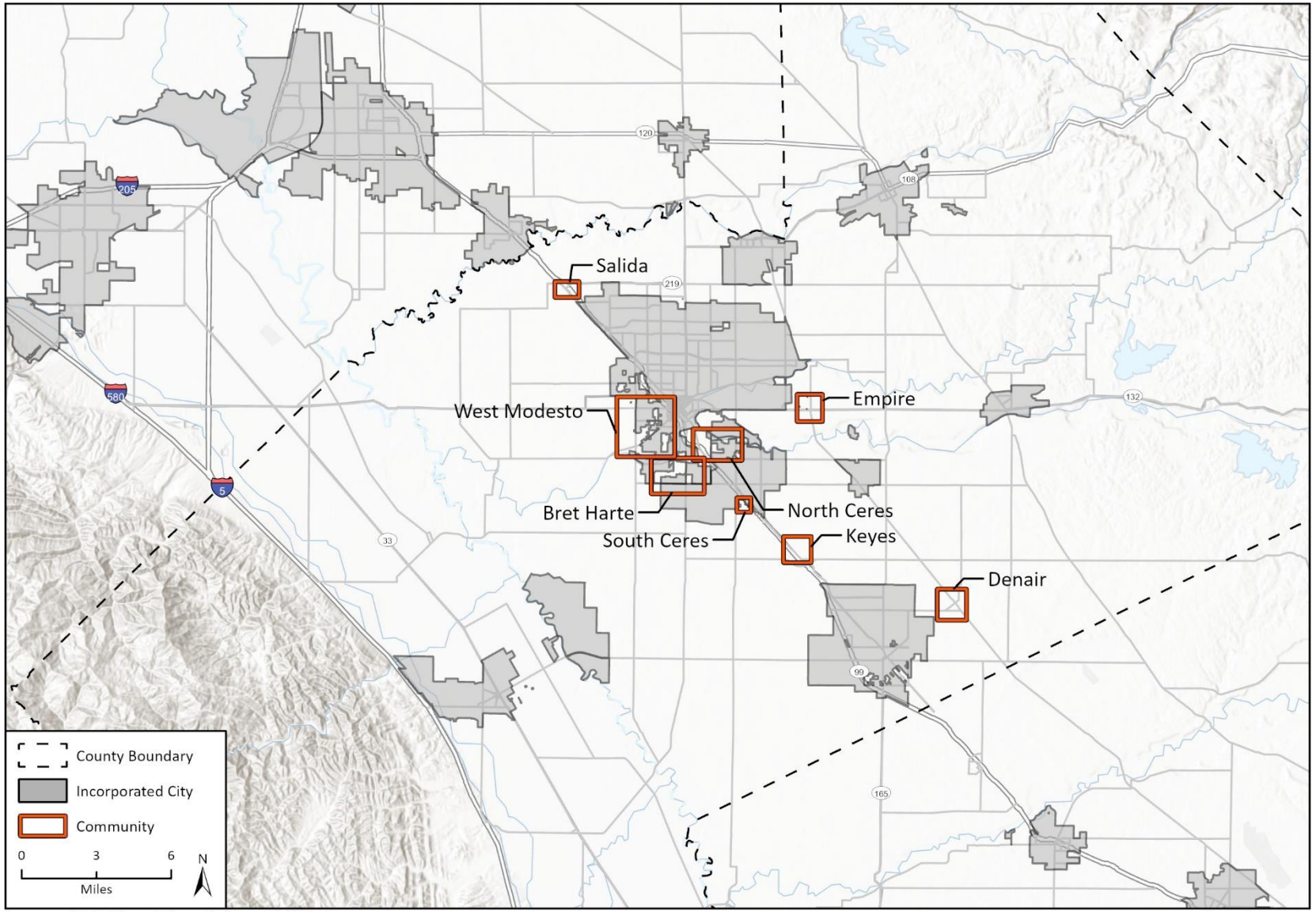


Figure 3 Bret Harte Rezone Sites (South Modesto – Fairview Park)

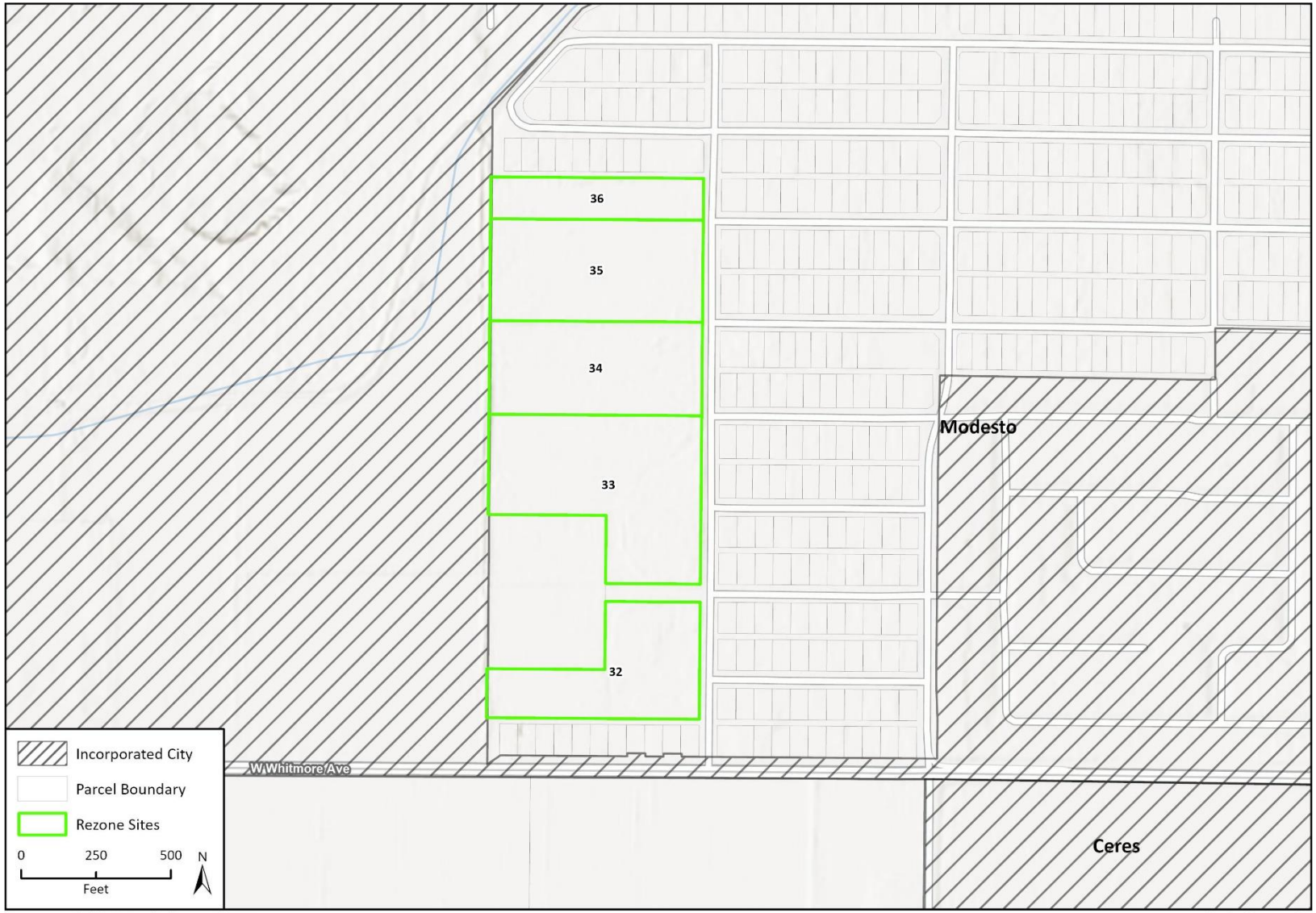


Figure 4 Bret Harte Rezone Sites (South Modesto – Crows Landing Road)

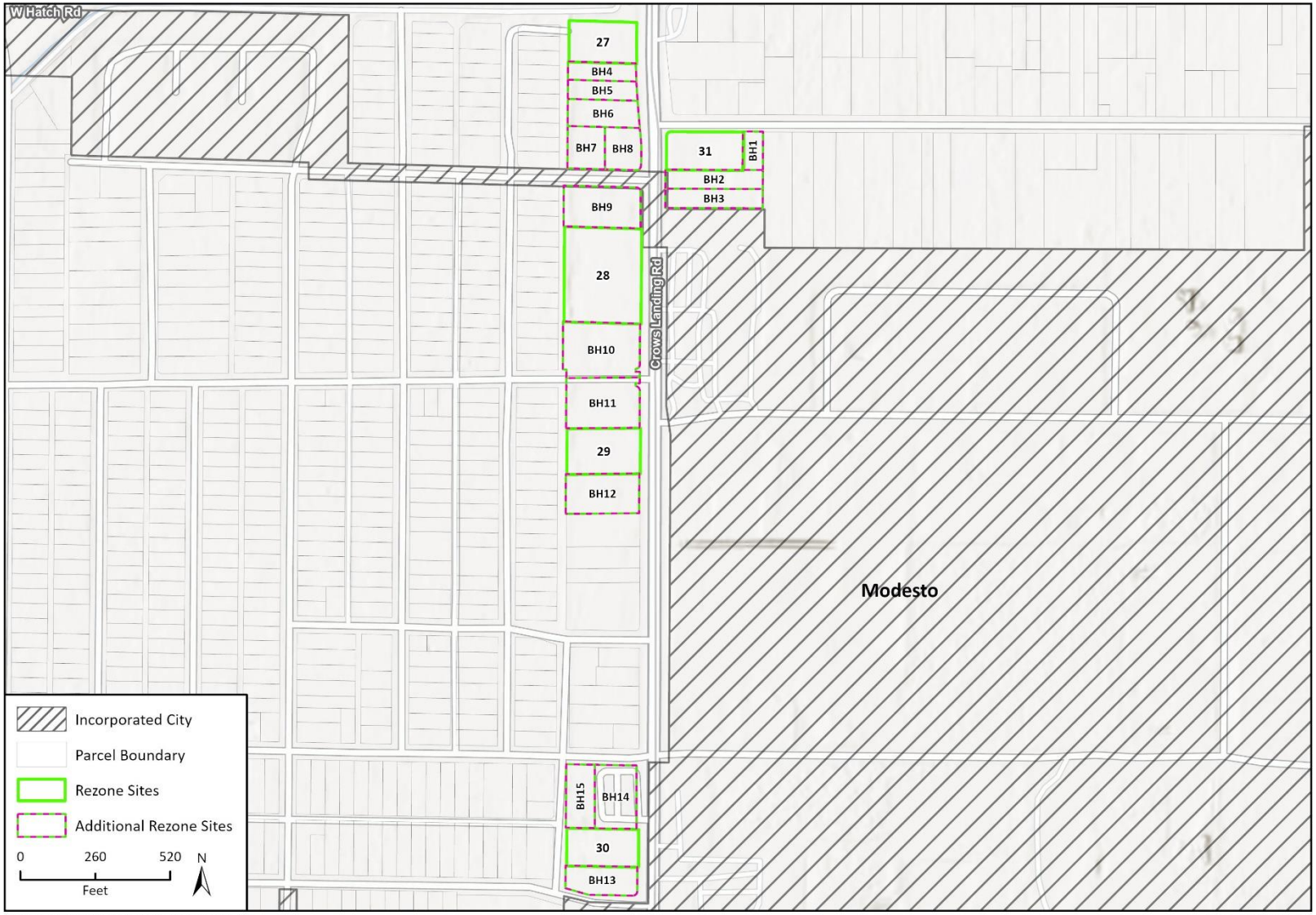


Figure 5 Denair Rezone Sites

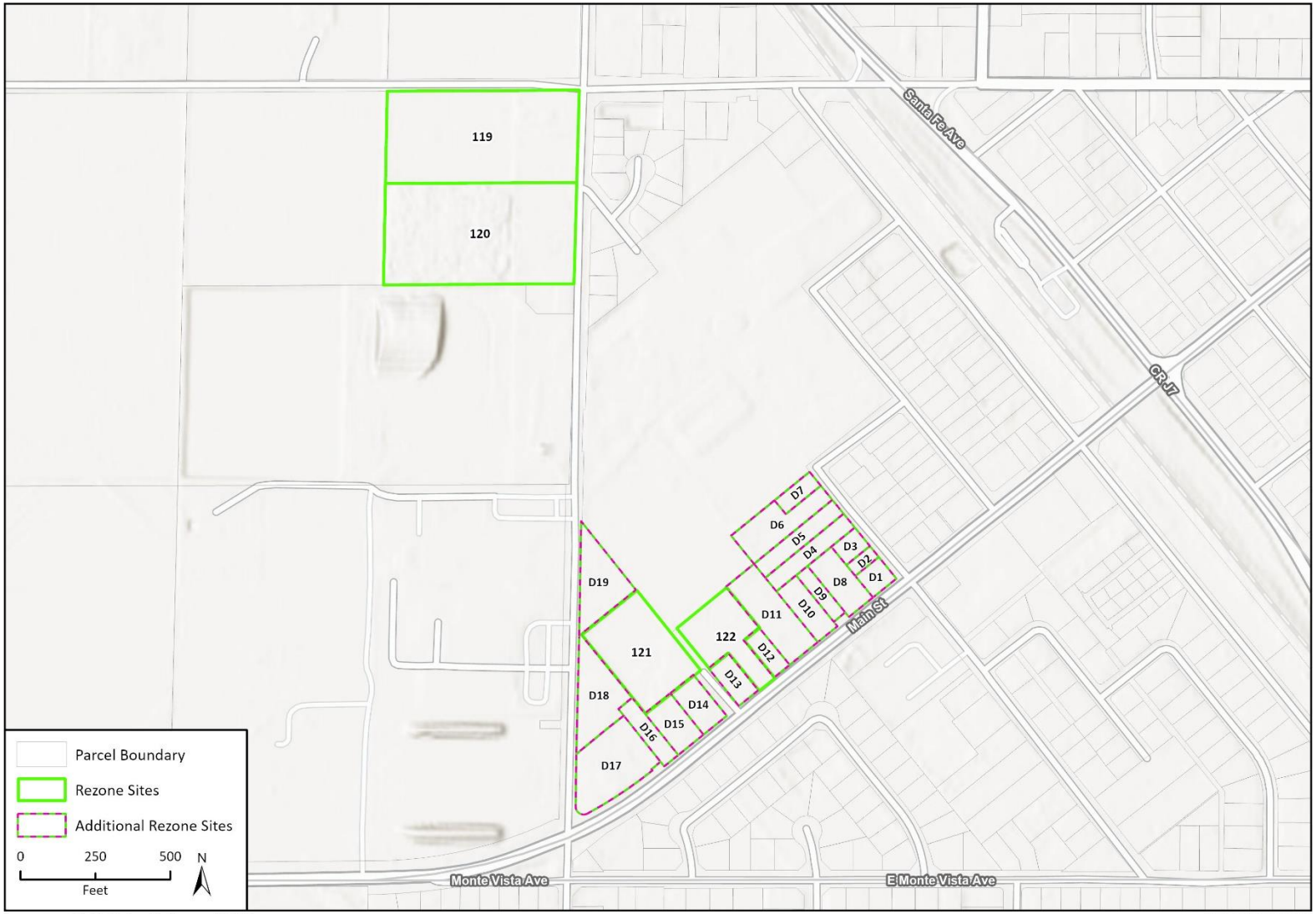


Figure 6 Empire Rezone Sites

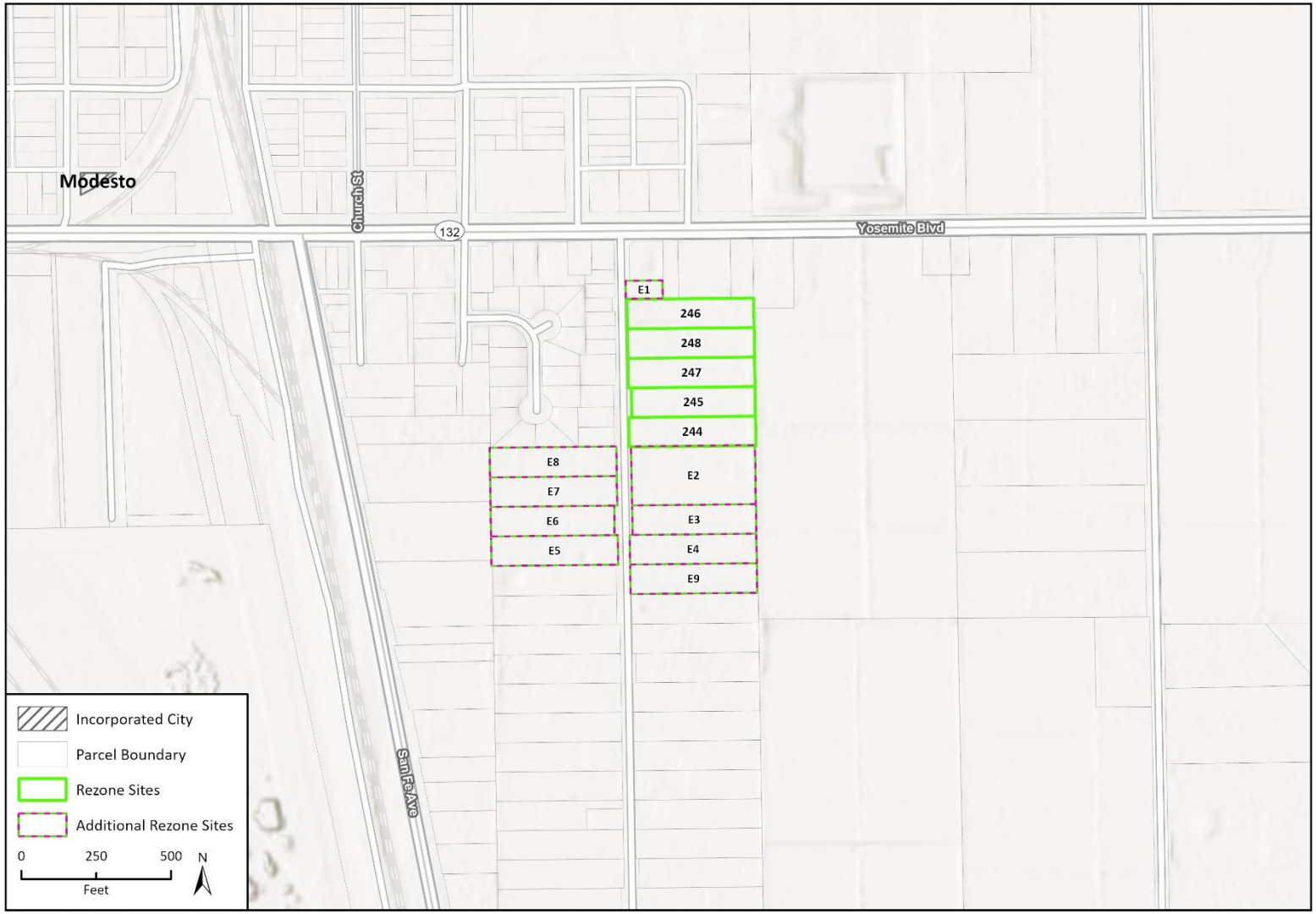


Figure 7 Keyes Rezone Sites

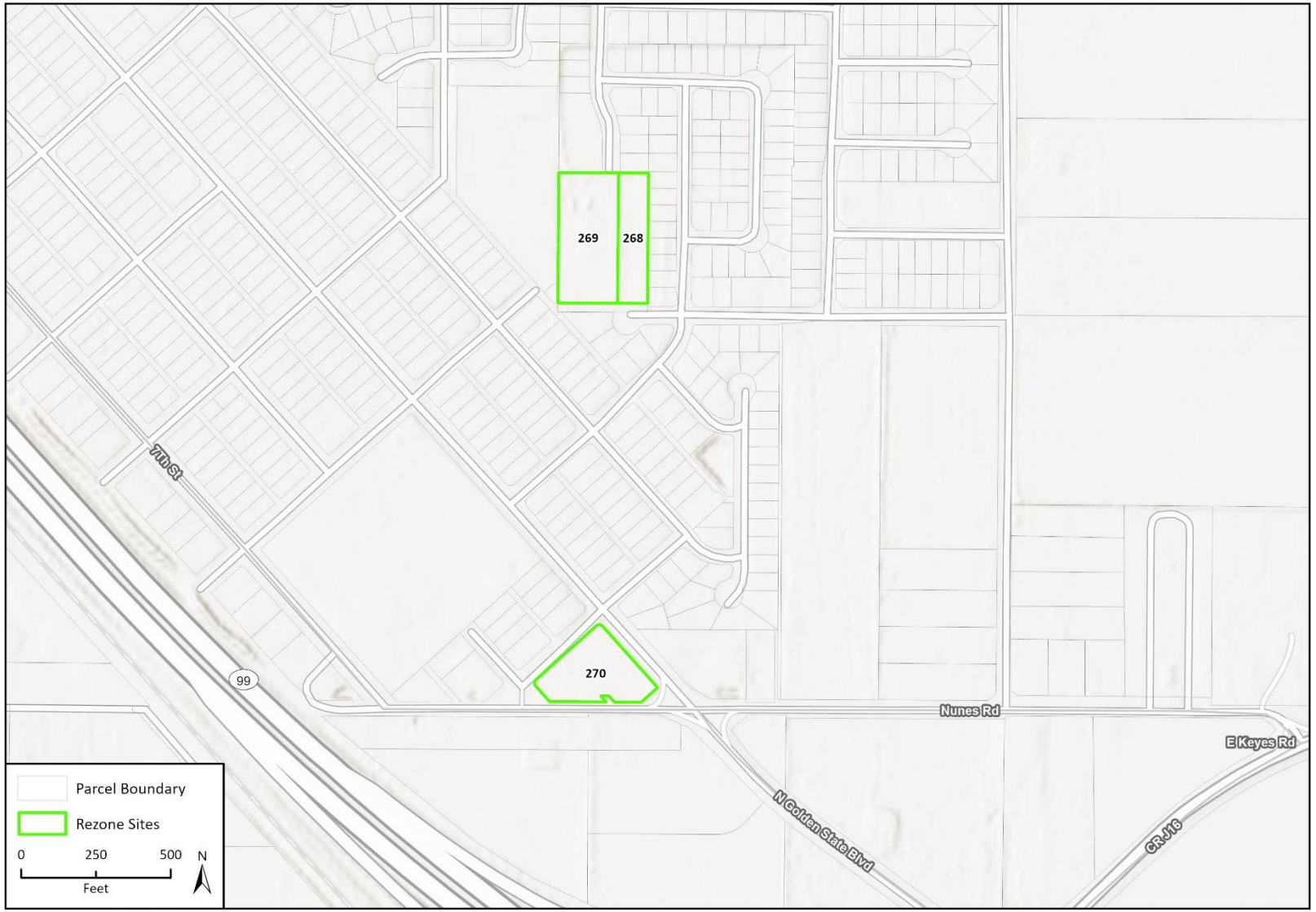


Figure 8 North Ceres (Bystrom) Rezone Sites

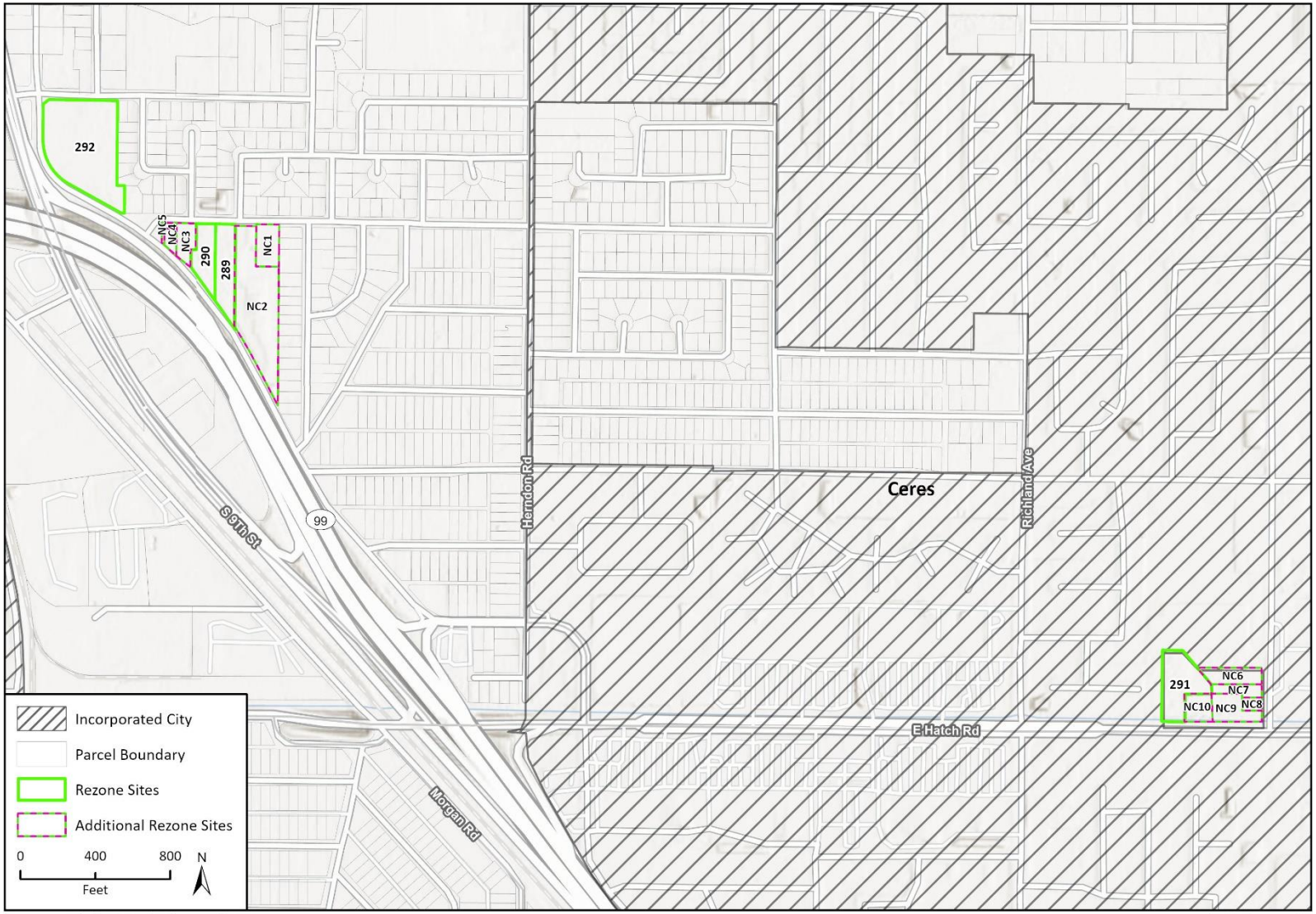


Figure 9 Salida Rezone Sites

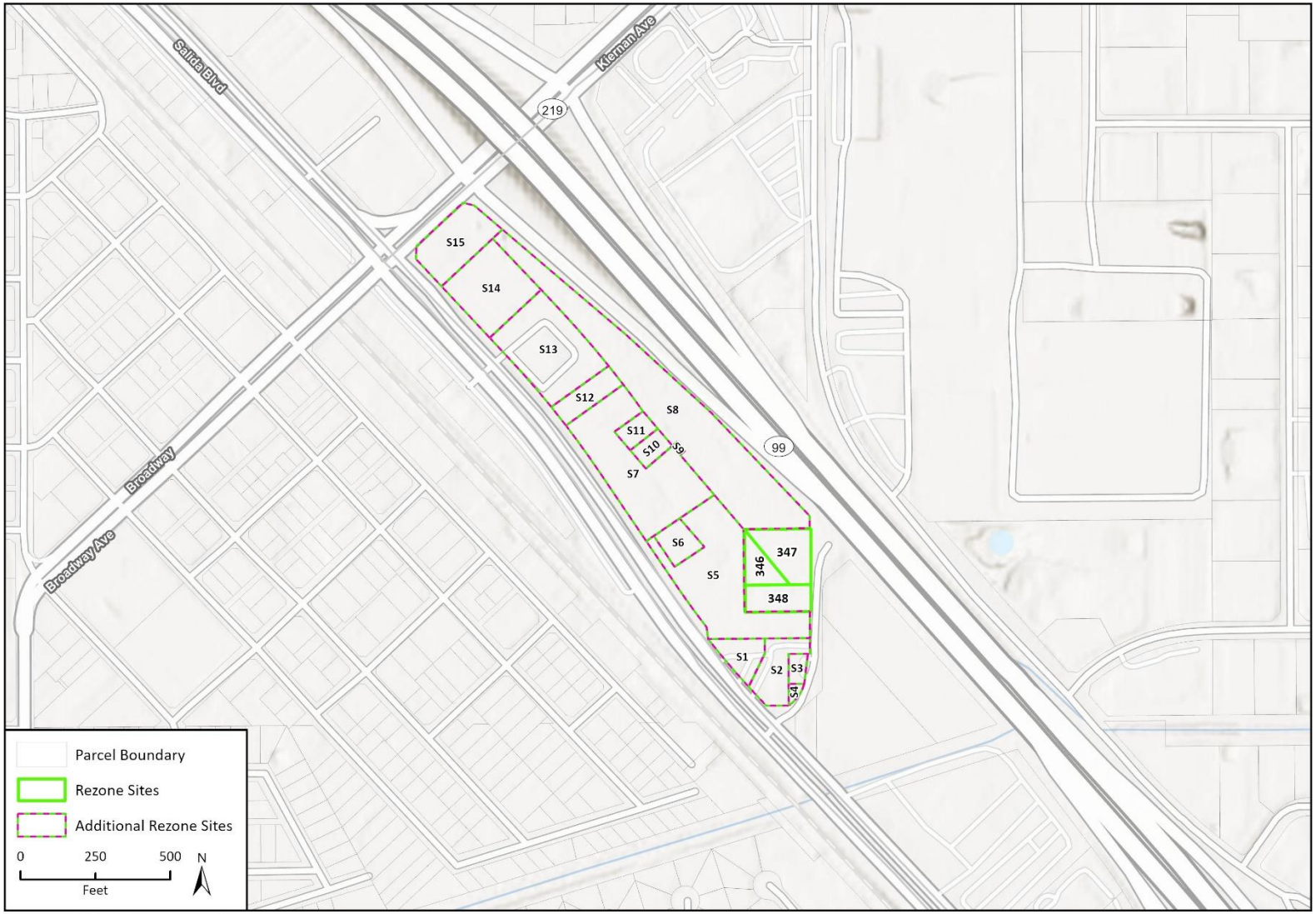


Figure 10 South Ceres Rezone Sites



Figure 11 West Modesto Rezone Sites (North)

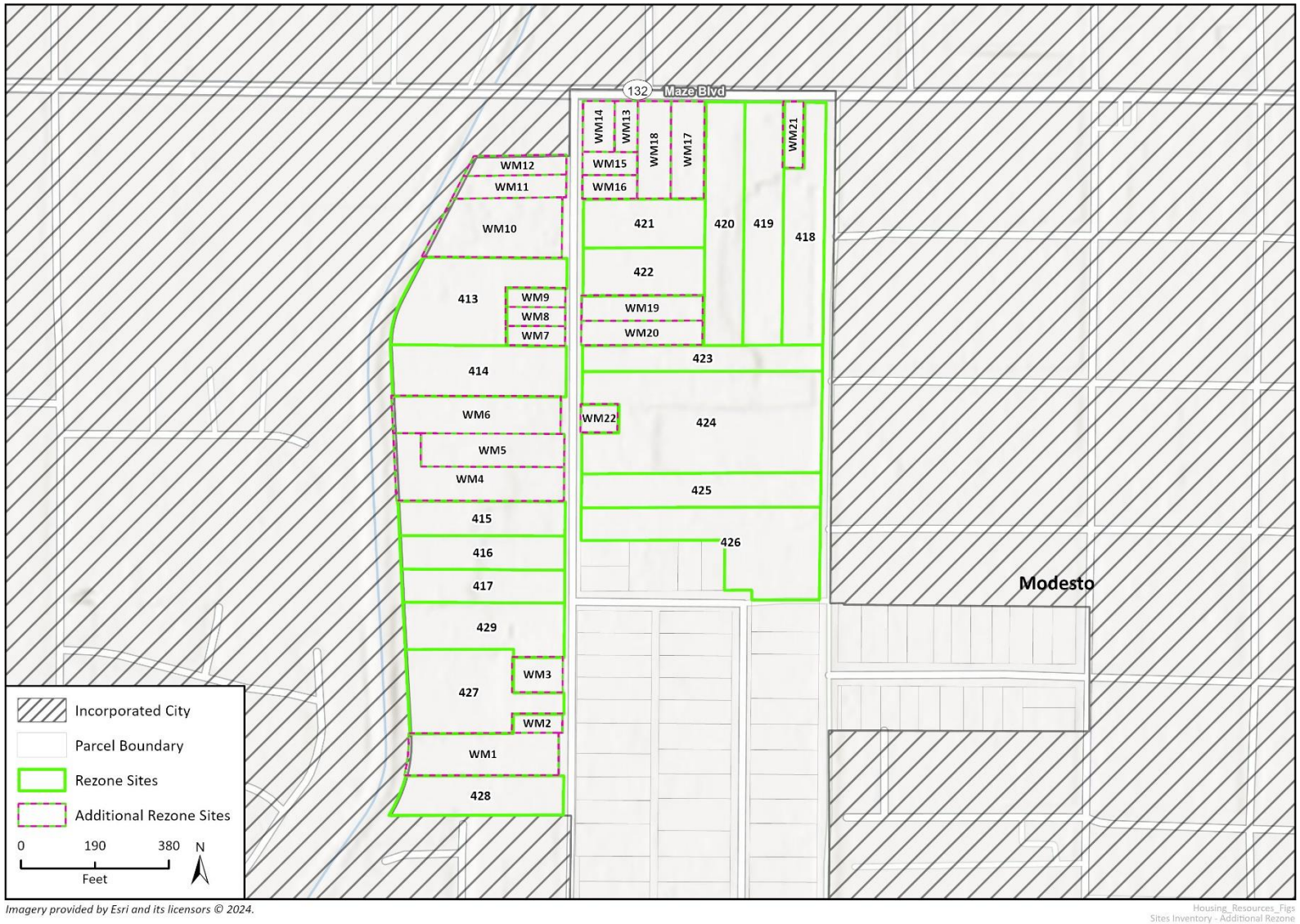
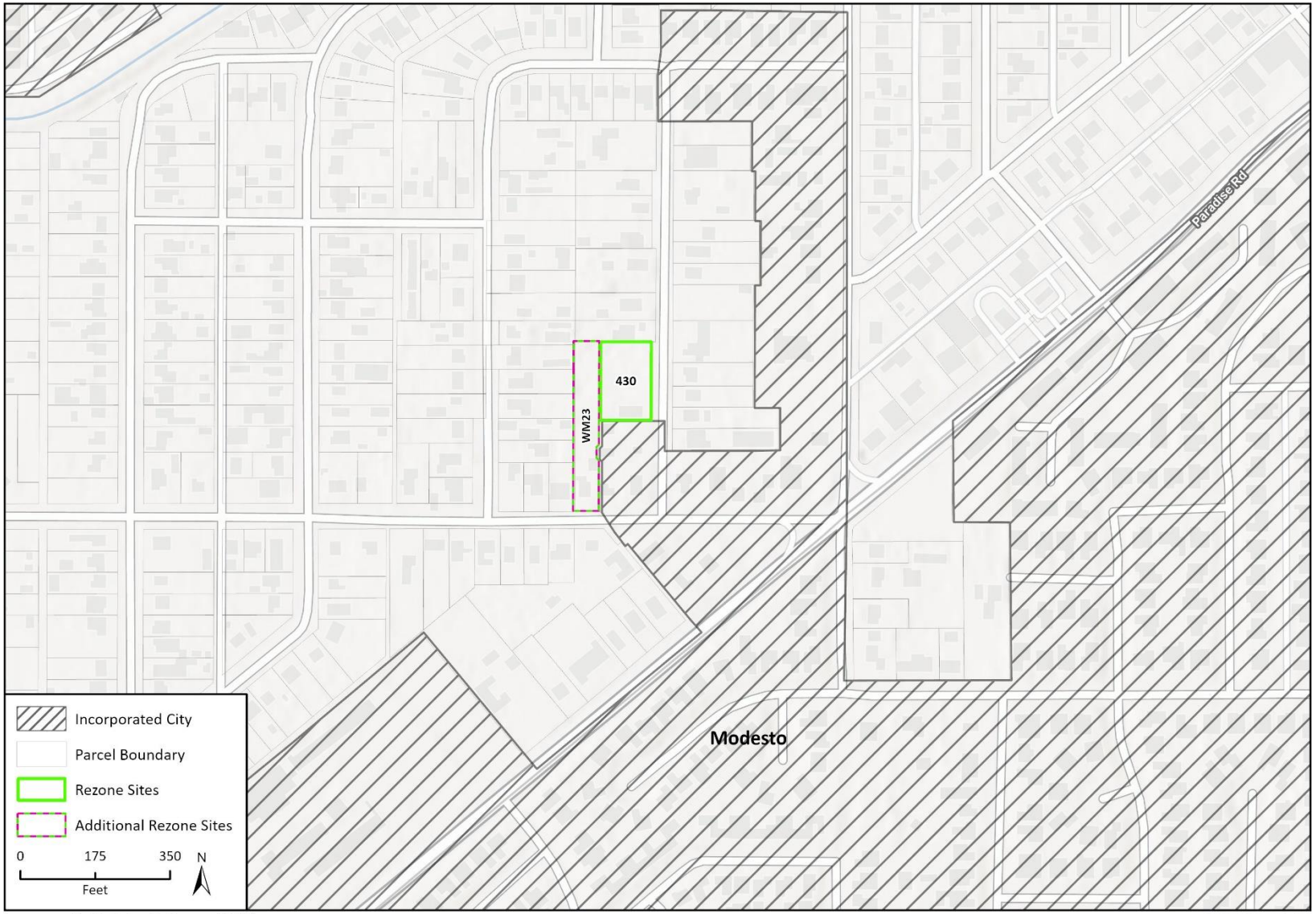


Figure 12 West Modesto Rezone Sites (South)



1.6 Discretionary Action

The proposed project would require the following discretionary actions by the Stanislaus County Planning Commission and the Board of Supervisors:

- 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 (MU) 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 Board 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 or sustainability. Stanislaus County's General Plan includes the following elements:

- Land Use
- Circulation
- Conservation/Open Space
- Noise
- Safety
- Housing
- 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 Update to bring the element into compliance with 6th 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 Regional Housing Needs Allocation (RHNA).

In June 2022, the StanCOG Executive Board adopted the 6th 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 ten jurisdictions including the cities of Ceres, Hughson, Modesto, Newman, Oakdale, Patterson, Riverbank, Turlock, Waterford, and unincorporated Stanislaus County. The RHNA allocation 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 (MU) and Muly-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. Actions and policies were incorporated into the General Plan EIR to reduce potential impacts from project development 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 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 (DOF 2024). Therefore, the actual population in the unincorporated 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 the unincorporated 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 would result in population growth exceeding the projected growth anticipated in the General Plan (133,753 total residents by 2035). Because the project would not exceed General Plan buildout projections, and 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. A full analysis of the potential for new or substantially more severe environmental effects is provided in Section 6 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 the rezone sites that would guide future growth in Stanislaus County. Future development projects would be subject to separate review to determine whether they would be subject to CEQA. 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 multi-family dwellings up to twenty-five dwelling units per net acre, and other streamlined housing projects, would not be subject CEQA

(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. All projects would be required to incorporate applicable mitigation measures to address potential environmental impacts as established in the County's General Plan. If a subsequent activity (in this case a specific development proposal that 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.

This Addendum Evaluation includes the analysis of the changes and potential impacts related to the adoption of the proposed project. This 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, this 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 sections 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, do not require subsequent action under CEQA Guidelines Section 15162 and, in conjunction with the EIR, adequately analyze 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 ND 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 ND 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 Multi-Family (R-3) and Mixed Use (MU) 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 multi-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 requires lighting 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 affects 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 multi-family (R-3) and mixed use (MU) 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 multi-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 required to be consistent with goals and policies included in the General Plan intended to reduce impacts to agricultural lands, such as Goal 2 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 undergo project-specific developmental review and would be required to comply with existing regulations. These include regulations aimed to improve air quality, such as

the San Joaquin Valley Air Pollution Control District rules and regulations requires permits for new or modified sources of air emissions be obtained. 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 multi-family (R-3) and mixed use (MU) 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 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 proposed as a result of the proposed project would be subject to project-specific environmental review and would be required to adhere to policies in the General Plan. 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; 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; and Policy 29 of the Stanislaus General Plan Conservation/Open Space 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 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 multi-family (R-3) and mixed use (MU) 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; Public Resources Code Section 5097.98; and Policy 24 of the General Plan's Conservation/Open Space Element, which encourages the preservation of cultural resources in the county. 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 multi-family residential (R-3) and mixed use (MU) 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 District that regulates various aspects of new housing development on the rezone sites. 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 new development that would be subject to these standards (i.e., development on Housing Element Rezone Sites).

Conclusion

The project Update 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 multi-family (R-3) and mixed use (MU) 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 multi-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, and rural residential sites are currently disturbed by agricultural ground disturbing activities. 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. In addition, future development would be required to be consistent with the General Plan County's policies related to geologic and soil hazards. Goal One, Policy Three, Implementation Measure 1 of the General Plan Safety Element requires 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 County Code, would ensure that the construction activities do not result in significant erosion. Grading permits which require SWPPP compliance are required through the 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 undergo project-specific developmental review and would be required 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 multi-family (R-3) and mixed use (MU) 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 multi-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, and rural residential sites are currently disturbed by agricultural ground disturbing activities. 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. However, future development on these sites would be required to comply with applicable federal, state, and local regulations pertaining to hazardous materials, including Policy 13 of the Safety

Element which requires identifying the locations of hazardous materials and preparing and implementing plans for management of spilled hazardous materials. 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 multi-family (R-3) and mixed use (MU) 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 multi-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 the 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 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 NPDES and 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, such as policies 4 and 8 of the Land Use Element; policies 5 through 9 of the Conservation/Open Space Element; policies 2, 9, and 15 of the Safety Element; and Policy 3.4 of the Agricultural Element, would further ensure that impacts remain less than significant. Groundwater Sustainability Plans (GSP) for three of the four groundwater subbasins have also been adopted since the certification of the General Plan EIR. Any development resulting from the project 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 multi-family (R-3) and mixed use (MU) 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 multi-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 those in the General Plan,; this includes Goal 4 of the Land Use Element and Goal 2 of the Noise Element. 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 multi-family (R-3) and mixed use (MU) 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. Rezone sites in Denair, Keyes, and Salida will also process amendments to their 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. The General Plan incorporated an amendment to the Conservation and Open Space Element's Goal Nine, Policy 26, Implementation measures 2 and 3 which address the management of mineral resources. Additionally, the location of all commercially viable mineral resources in Stanislaus County has been mapped by the State Division of Mines and Geology in Special Report 173 and is incorporated into the General Plan's Conservation and Open Space Element. 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 multi-family (R-3) and mixed use (MU) 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 multi-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 and policies including those in the Noise Element of the General Plan, such as Goals 1 through 4. 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 multi-family (R-3) and mixed use (MU) 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 of this document, the proposed project would promote the development of housing to meet the county's RHNA requirement and ensure that the Housing Element is in compliance with state law to accommodate anticipated population growth within the county. The proposed project could increase the 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 Stanislaus 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 multi-family (R-3) and mixed use (MU) 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 multi-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 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. The proposed project would not facilitate development beyond the total remaining buildout of the General Plan EIR. The proposed project would update the County's zoning map as a result of the proposed rezoning. Additionally, the fundamental regulations and requirements of the General Plan and Zoning Code, such as meeting design standards, would still apply to all projects in the County, including development facilitated by the proposed project. Goals and policies in the General Plan, such as Goal 4 and Policies 5, 24, and 29 of the Land Use Element; Goal 4 and Policy 12 of the Conservation/Open Space Element; and Policies 7, 8, 9, and 14 of the Safety Element, would enhance public services such as water, sewer, solid waste management services, police and fire protection, and ensure effective emergency access. These goals, policies, and measures would continue to be required. The County has adopted Public Facilities Fees (Title 23 of the County Code), as well as Fire Facility Fees on behalf of the appropriate fire district, to address impacts to public services. These fees are required to be paid prior to issuance of a building permit; waivers and deferrals are available for housing projects that include affordably restricted housing for low-, very low-, and extremely low-income housing units. School Districts also have their own adopted fees, which are required to be paid at the time of building permit issuance.

Future development facilitated by the proposed project would undergo project-specific developmental review, including design review, and would be subject to adopted development regulations, including General Plan policies and community public facilities fees established in the County's County Code. 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 multi-family (R-3) and mixed use (MU) 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 the Housing Element Rezone Sites and applicable multi-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, 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. Additionally, goals and policies in the Conservation/Open Space Element of the General Plan, such as Policy 12, which requires the County to provide a system of local and regional parks which will serve the residents of the County and acquire future park sites in areas where growth is planned when funding is available, would further reduce impacts to recreation services and facilities. The General Plan and the Keyes, Denair, and Salida community plans requires at least three net acres of developed neighborhood parks, or the maximum number allowed by law, to be provided for every 1,000 residents. At the time of development, projects would be required to pay in lieu fees or develop parkland as determined to be required by the County Department of Parks and Recreation. The County has adopted Public Facilities Fees to address impacts to public services, including fees for parks and recreation, which are required to be paid prior to issuance of a building permit.

Future development facilitated by the proposed project would undergo project-specific developmental review, including design review, and would be subject to adopted development regulations, including General Plan policies and community park and recreation fees established in the County's County Code. 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 Stanislaus 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 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 1 through 10 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, and rural residential sites are currently disturbed by agricultural ground disturbing activities. The proposed rezoning would result in greater ground disturbance as compared to the existing low-density zoning by allowing higher-density development. However, through the implementation of the regulations and policies such as the Public Resources Code Section 5097.98 and Policy 24 of the General Plan's Conservation/Open Space Element, which encourages the preservation of the County's cultural resources, these impacts would be reduced to a less-than-significant level. Future development may also be subject to Assembly Bill 52 compliance. 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 multi-family (R-3) and mixed use (MU) 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 undergo project-specific developmental review through the building permit process and would be subject to adopted development regulations, , ensuring connections to public utilities are available before issuance of a building permit. Additionally, goals and policies in the General Plan would 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, including Policies 5 and 24 of the Land Element and Goal 7,Policy 5, 8, and 31 of the Conservation and Open Space Element.

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 Stanislaus 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 6 and 7. 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 undergo project-specific review and would be subject to adopted development standards, including Chapter 16.55 of the Stanislaus County 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, Groundwater Sustainability Plans (GSP) 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 proposed project would increase density on the identified rezone parcels, and future development on these parcels would continue to be subject to future project-specific review. 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

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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.

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