

GENERAL PLAN AMENDMENTS PROPOSED FOR TECHNICAL CONSISTENCY WITH THE UPDATED DEVELOPMENT TITLE




October 7, 2022

INTRODUCTION

As part of the Development Title update, the 2035 General Plan was reviewed to determine, first, whether there were any internal inconsistencies that needed to be corrected with technical amendments and, second, whether the Plan should be amended to ensure that the updated Development Title is consistent with the Plan's policies and standards. Some of the refinements in General Plan policies are the result of testing of land use regulations and development standards on specific sites and in specific zones. Other amendments eliminate unreasonable restrictions that limit implementation of the General Plan policies calling for broadening the County's economic base, expanding its tax base, streamlining the permitting process, and meeting underserved segments of the County's housing market. Minor changes in the land use designations in the Community Development Element also are proposed so the General Plan is aligned with the amended Zoning Map, and a General Plan/Zoning consistency table is being added to the General Plan to facilitate implementation. Finally, the General Plan amendments will add an I-W Warehouse designation that is consistent with then existing I-W zone. A placeholder will accommodate a new A-I Agricultural Industry designation that is being added to the General Plan to support the County's agricultural economy. The Planning Commission and Board of Supervisors are considering this amendment separately.

The proposed amendments are presented in legislative markup format, with additions underlined and deleted text shown in ~~strikethrough~~ format. Commentary, in *italics* text, explains the rationale for the proposed amendment. Ellipsis (...) denote where original text is not shown and will not be modified by the amendments. Page numbers refer to the adopted 2035 General Plan.

Amendment #1: Pg. 3.1-19: Amend the lot size standards for Rural Residential land use classification in the summary table to permit a two-acre minimum lot size as recommended by the Environmental Health Department for on-site wastewater systems.

LAND USE DIAGRAM AND STANDARDS OVERVIEW				
Land Use Designation/Label		Standards		
		Lot Size (Acres)	Density Range (DU/A)	FAR Range
Residential Designations				
	Rural Residential (R/R) (See page 3.1-28)	1.0– 5.0	0.2 – 1.0	N/A
	Very Low Density Residential (R/VL) (See page 3.1-29)	0.5 – 1.0	1.1 – 2.0	N/A
	Low Density Residential (R/L) (See page 3.1-30)	N/A	2.1 – 6.0 <u>8.0</u>	N/A

Amendment #2: Pg. 3.1-30 Amend the Low Density Residential land use classification to be consistent with the Development Title standards for this zone. A subdivision with 5,000 square foot lots has a density, on a gross acre basis, of 6.97 or 7.0 (rounded). The Development Title also allows for small lot subdivisions to meet underserved segments of the County’s housing market and the density for these could be up to 8 units per gross acre, The current General Plan density limit is inconsistent with the regulatory provisions and standards in the updated Development Title and establishes an unreasonable restriction on development for a standard lot in a single family subdivision. This amendment also is consistent with Housing Element policies on providing for more housing opportunities for underserved segments of the County’s housing market...

LOW DENSITY RESIDENTIAL (R/L)

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Development Standards

Development within this designation is subject to the following standards:

- Minimum Density: 2.1 Dwelling Unit/Acre
- Maximum Density: 8.0 ~~6.0~~ Dwelling Units/Acre except where an urban lot split and/or a two-unit development is approved pursuant to the Government Code
- Maximum FAR: N/A
- Minimum FAR: N/A
- Minimum Lot Size: 5,000 square feet unless an urban lot split or a small lot subdivision is approved under standards and procedures established in the Development Title

Amendment #3: *Pg. 3.1-35 Amend the Second Unit Dwelling policy to replace “second unit dwelling” with “accessory dwelling units” per State law. The Board of Supervisors recently adopted new regulations for accessory dwelling units, and this amendment would acknowledge that action.*

LU-4.4 ~~SECOND UNIT DWELLINGS~~ ACCESSORY DWELLING UNITS

The County shall permit ~~second unit dwellings~~ Accessory Dwelling Units as provided in the San Joaquin County Development Title and State law, even if such a dwelling results in a density greater than the standard density specified for the residential land use designations. ~~Second Unit Dwellings~~ Accessory Dwelling Units shall meet well and septic requirements per the State Water Resources Control Board Onsite Wastewater Treatment Systems Policy and shall demonstrate ~~the second unit~~ the accessory dwelling unit can be adequately served by existing infrastructure or situated on a site that can accommodate multiple, separate septic systems.

Amendment #4: *Pg. 3.1-38 Delete the limitation of the maximum amount of leasable space as it will not allow small grocery stores and similar compatible development. A maximum site size of five acres though is appropriate. This amendment is consistent with the General Plan’s policies on economic development by supporting a broad economic base, which also will strengthen the County’s tax base.*

NEIGHBORHOOD COMMERCIAL (C/N)

This designation provides for small, local retail and service businesses that offer goods and merchandise to residents in surrounding neighborhoods of 3,000 to 5,000 people. The Neighborhood Commercial Designation generally applies to areas within and adjacent to residential neighborhoods in Urban Communities. Developments should be located on a County-defined Collector or higher classification roadway and include pedestrian and bicycle facilities. Typical building types include one- to two-story commercial structures. ~~Development is limited to 5,000 square feet of leasable space. Development sites should be less than five acres.~~

Amendment #5: *Pg. 3.1-38 Delete the limitation of the maximum amount of leasable space as it will not allow development of a full range of retail stores and services in shopping centers, including grocery stores and similar compatible development. This amendment also would be consistent with the General Plan's policies on economic development by supporting a broad economic base, which also will strengthen the County's tax base.*

COMMUNITY COMMERCIAL (C/C)

This designation provides for a full range of retail and service uses serving urban areas and regional markets and limited office uses. The Community Commercial Designation is only allowed in central business districts, main street areas, or extensive commercial areas within Urban Communities and City Fringe Areas. Developments should be located on a County-defined Minor Arterial or higher classification roadway and include pedestrian and bicycle facilities. Typical building types include one-to three-story commercial structures. ~~Development is limited to 10,000 square feet of leasable space.~~

Amendment #6: *Pg. 3.1-41 Amend the Rural Service Commercial land use classification to establish a one acre minimum lot size and require public water and public stormwater service to the site.*

RURAL SERVICE COMMERCIAL (C/RS)

This designation provides for a mix of retail and service uses that are typically needed by residents in rural areas and surrounding agricultural operations/employees. The Rural Service Commercial designation is only allowed in Rural Communities on sites with water service and drainage from a stormwater management system. Developments in Rural Service Commercial designated areas may include a mix of uses, recognizing that separation of uses is not practical in a rural setting. Developments should be

located on a County-defined Collector or higher classification roadway and may include pedestrian and bicycle facilities. Typical building types include one- to two-story commercial structures.

Development Standards

Development within this designation is subject to the following standards:

- Minimum Density: N/A
- Maximum Density: N/A
- Minimum FAR: 0.20
- Maximum FAR: 0.60
- Minimum Lot Size: ~~N/A~~ 1 acre

Amendment #7: *Pg. 3.1-41 Amend the Commercial Recreation land use classification to reduce the minimum lot size to two acres, consistent with the Development Title Update.*

COMMERCIAL RECREATION (C/R)

Development Standards

Development within this designation is subject to the following standards:

- Minimum Density: 0.00
- Maximum Density: 0.01
- Minimum FAR: N/A
- Maximum FAR: 0.50
- Minimum Size: ~~100~~ 2 Acres

Amendment #8: *Pg. 3.1-44 Amend the Mixed-Use land use classification to allow for more intensive development, consistent with the Mixed Use zone standards in the Development Title.*

MIXED-USE (M/X)

This designation provides for the development of activity centers that contain a mix of compatible and integrated commercial, office, residential, civic, and/or recreational uses. The Mixed-Use designation is only allowed in Urban Communities and City Fringe Areas and should be of a size sufficient to promote the economic success of future developments. Developments should be located on a County-defined Minor Arterial or higher classification roadway and may include

pedestrian and bicycle facilities. Typical building types include one- to ~~four~~ three-story horizontal or vertical mixed-use structures. The maximum building height is 60 feet.

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Development Standards

Development within this designation is subject to the following standards:

- Minimum Density: 10.0 Dwelling units/Acre
- Maximum Density: 40.0 Dwelling units/Acre
- Minimum FAR: ~~0.20~~ 1.0
- Maximum FAR: ~~2.0~~ 4.00

Amendment #9: *Pg. 3.1-44 Amend the Commercial Lot Coverage policy so it refers to an intensity standard as a reasonable means of limiting coverage. The lot coverage standard is being deleted from the Development Title as overly limiting given the intensity limits that are established.*

LU-5.3 COMMERCIAL LOT COVERAGE

The County shall limit the lot coverage of new development in the Neighborhood Commercial, Community Commercial, General Commercial, Office Commercial, Freeway Service, and Rural Service Commercial designations by using an intensity standard in the Development Title. ~~to 60 percent of the total development area. Developments in the Commercial Recreation designation shall be limited to 50 percent of the total development area.~~

Amendment #10: *Pg. 3.1-47 Delete the limitation that only allows one corner of an intersection to be developed in Crossroads Commercial areas. This policy is overly restrictive and does not treat similarly situated properties equally, which is a fundamental principle of land use law.*

LU-5.7 CROSSROADS COMMERCIAL USES IN AGRICULTURAL AREAS

The County shall allow crossroads commercial uses, with appropriate commercial zoning, in areas designated Limited Agriculture and General Agriculture, provided such uses are:

- located at an intersection on a Minor Arterial or roadway of higher classification;
- located at least two miles from the nearest area serving a crossroads commercial function or a planned neighborhood or community commercial area; and

- ~~limited to one corner of an intersection; and ...~~

Amendment #11: *Pg. 3.1-53 Eliminate the maximum height in Truck Terminal areas to be consistent with the standard in the Development Title and add a frontage road location standard.*

TRUCK TERMINALS (I/T)

This designation provides for locations for the transfer of goods from large freight trucks and trains to smaller local distribution trucks or to consolidate small loads to large freight trucks and trains for delivery to distant locations, and for the storage and transfer of uncontainerized materials. The Truck Terminals designation is limited to areas within one mile of a freeway interchange ~~on frontage roads~~ that are outside Urban and Rural Communities and outside the path of planned urban development. This designation may not be applied adjacent to existing or planned residential, commercial (other than Freeway Service), or Resource Conservation designated areas. Developments must be located on a County-defined Minor Arterial or higher classification roadway, or frontage road. ~~Typical building types include industrial structures limited to 100 feet in height.~~

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LU-6.11 TRUCK TERMINAL LOCATION

The County shall limit truck terminal locations limited to areas within one mile of a freeway interchange ~~on frontage roads~~ that are outside Urban and Rural Communities and outside the path of planned urban development and located on a County-defined Minor Arterial or higher classification roadway, or frontage road. (RDR/PSP)

Amendment #12: *Pg. 3.1-53 Add a designation for Warehouse Industrial to be consistent with the Development Title.*

WAREHOUSE INDUSTRIAL (I/W)

This designation provides for wholesale distribution, warehouses, and service establishments catering to those uses that produce minimal industrial waste and have limited water demand. The Warehouse Industrial designation is typically

applied to locations within or adjacent to utility special districts, or within two miles of Urban Communities. Developments must be located on and with direct access to a County-defined Major Collector or higher classification roadway, or along a highway frontage road. Typical building types include structures limited to 100 feet in height.

Allowed Uses

This designation provides for light industrial and warehouse uses:

- Freight and truck terminals and limited industry
- Indoor and outdoor storage facilities for containers and unpackaged materials, including chemical, mineral and explosives storage, and vehicle storage
- Truck refueling, repair, and maintenance facilities
- Warehouse supporting business offices, retail, and service uses, including construction services
- Compatible commercial, public, quasi-public, and special uses

Development Standards

Development within this designation is subject to the following standards:

- Minimum Density: N/A
- Maximum Density: N/A
- Maximum FAR: 0.6
- Minimum Lot Size: 2 acres

Amendment #13: *Pg. 3.1-54 Amend the Industrial Lot Coverage policy to allow more flexibility.*

LU-6.6 INDUSTRIAL LOT COVERAGE

The County shall limit the lot coverage of developments in the Limited Industrial (I/L) and General Industrial (I/G) by using an intensity standard in the Development Title. ~~designations to 60 percent of the total development area, except in areas zoned Warehouse Industrial where they shall be limited to no more than 40 percent of the total development area.~~ The County shall discourage the creation of flag lots for industrial uses.

Amendment #14: *Pg. 3.1-60 Amend the Farm-Related Housing policy to allow this housing in all Agricultural zones as the current limitation is overly restrictive and not consistent with the County's Housing Element and policies calling for providing farmworker housing.*

LU-7.8 FARM-RELATED HOUSING

The County shall support the development of farm-related housing which facilitates efficient agricultural operations in agricultural areas. The County shall allow the development of farm employee housing and farm labor camps in all areas designated General Agriculture (A/G), Agriculture Industrial (A/I), Limited Agriculture (A/L), and Agriculture-Urban Reserve (A/UR) where there is a demonstrated need for such housing.

Amendment #15: *Pg. 3.1-61 Amend the minimum sizes for parcels that will be eligible for Williamson Act contracts to be consistent with the Development Title.*

LU-7.16 WILLIAMSON ACT CONTRACTS PARCEL SIZE

The County shall limit parcels eligible for Williamson Act contracts to those ~~20~~ 40 or more acres in size in the case of prime land or ~~40~~ 80 or more acres in the case of nonprime land.

Amendment #16: *Pg. 3.1-77 Amend Goal C-3.2 Development in Rural Communities to discuss industrial development as there are existing industrial properties within existing Rural Communities.*

C-3.2 DEVELOPMENT IN RURAL COMMUNITIES

The County shall limit development in Rural Communities to those that have adequate public services to accommodate additional population and commercial services that provide for immediate needs of the community's residents or the surrounding agricultural community. Development may also include low intensity industrial development that does not require public services (RDR/PSP)

Amendment #17: *Pg. 3.2-37 Amend Table IS-1 to allow areas designated as Warehouse Industrial to utilize private individual wells in Urban Communities and Industrial Areas Outside of Communities.*

TABLE IS-1 WATER SYSTEM	
General Plan Area	Minimum Requirements
Urban Communities	Public water system. For areas designated Rural Residential <u>or Warehouse Industrial</u> , private individual wells may be permitted if parcels are two acres or greater, no public water system exists, and there are no groundwater quality issues.

Rural Communities	Public water system. If parcels are two acres or greater and no public water system exists, private individual wells may be permitted if there are no groundwater quality issues.
Freeway Service Areas Outside of Communities	Public water system serving at least each side of the freeway.
Industrial Areas Outside of Communities	Public water system serving the entire planned areas. Individual wells may be permitted in the Truck Terminals <u>and Warehouse Industrial</u> designations.
Commercial Recreational Areas	Public water system serving the entire planned area.
Agricultural Areas	Individual water wells if there are no groundwater quality issues.

Amendment #18: Pg. 3.2-39 Amend Table IS-2 to reference the Warehouse Industrial designation instead of the Warehouse zone.

TABLE IS-2 WASTEWATER TREATMENT	
General Plan Area	Minimum Standards
Urban Communities	Public sewer system. Onsite wastewater treatment system may be permitted in Rural Residential areas, Commercial areas adjacent to Rural Residential areas, and in <u>the Warehouse Industrial designation zones</u> , if General Plan policies and Development Title regulations are met.
Rural Communities	Onsite wastewater treatment system.
Freeway Service Areas Outside of Communities	Public sewer system for at least each side of the freeway.
Industrial Areas Outside of Communities	Public sewer system serving entire planned area. Individual commercial systems may be permitted in the Truck Terminals designation and in the Warehouse Industrial designations zones , if General Plan policies and Development Title regulations are met.
Commercial Recreational Areas Outside of Communities	Public sewer system serving entire planned Commercial Recreation area.

Agricultural Areas	Individual or commercial onsite wastewater treatment system
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Amendment #19: Pg. 3.2-41 Amend Table IS-3 to allow areas designated as Warehouse Industrial to utilize on-site drainage in Urban Communities and Industrial Areas Outside of Communities.

TABLE IS-3 STORMWATER DRAINAGE SUPPLY	
General Plan Area	Minimum Standards
Urban Communities	Public drainage system, with terminal drainage unless a Master Drainage/Special Purpose Plan permits retention ponds. On-site drainage may be permitted in Rural Residential <u>and Warehouse Industrial</u> designations if parcels are two acres or more.
Rural Communities	Public drainage system. On-site drainage may be permitted if parcels are two acres or more.
Freeway Service Areas Outside of Communities	Public drainage system serving at least each side of the freeway.
Industrial Areas Outside of Communities	Public drainage system serving the entire planned area. On-site drainage may be permitted in the Truck Terminals <u>and Warehouse Industrial</u> designations.
Commercial Recreation Areas Outside of Communities	Public drainage system serving the entire planned Commercial Recreation area.
Agricultural Areas	On-site drainage.

Amendment #20: Pg.4-2 Add a specific table showing General Plan and zoning consistency for use in administering the General Plan.

General Plan Consistency in Implementation

To ensure that the policies and proposals of the general plan are systematically implemented, State law since the early 1970s has increasingly insisted that the actions and decisions of each local government concerning both its own projects and the private projects it approves are consistent with its adopted general plan.

The courts have supported and furthered this trend through their interpretations of State law.

The following is a partial list of County actions that must be consistent with the General Plan:

- Specific Plans
- ~~Redevelopment plans~~
- Capital Projects (including indirectly facility master plans)
- Development Agreements
- Master Plans and Planned Unit Developments
- Subdivision Approvals
- Development Code and Zoning
- Development Projects

General Plan/Zoning Consistency

The table on the following page shall be used to determine the consistency between General Plan land use designations and the zones established in the Development Title. The Zoning Map shall be updated within a reasonable period of time so the zones shown are consistent with the designations on the Land Use Diagram of the General Plan.

	R/R	R-VL	R/L	RM	RLM	RMH	R/H	C/N	C/C	C/G	C/O	C/FS	C/RS	C/R	I/L	I/G	I/T	I/W	A/G	A/I	A/L	A/UR	OS/RC	OS/O	P	M/X	AP/X	
	Residential							Commercial							Industrial			Agric.			Open Space	Public	Mixed Use					
R-R	X																						X		X			
R-VL		X																						X		X		
R-L			X		X																			X		X		
R-M				X	X																			X		X		
RMH						X																		X		X		
R-H							X																	X		X		
C-L		X	X	X	X	X	X								X	X								X		X		
C-N								X																X		X		
C-C									X															X		X		
C-G										X														X		X		
C-O											X													X		X		
C-RS													X											X		X		
C-X																			X		X			X		X		
C-FS											X													X		X		
C-R														X										X		X		
I-W																X			X					X		X		
I-P																X								X		X		
I-L																X			X					X		X		
I-G																	X							X		X		
I-T																		X									X	
A-G	X													X					X					X	X	X		
A-I																					X							
A-L																						X		X		X		
A-U	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X					X	X	X	X		
P-F	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X	X				X	X	X	X		
PD	X	X	X	X	X	X	X	X	X	X	X	X	X		X	X		X	X				X	X	X	X		
M-X																											X	
AP-X																												X