

BEFORE THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN JOAQUIN,  
STATE OF CALIFORNIA

ORDINANCE NO.4632

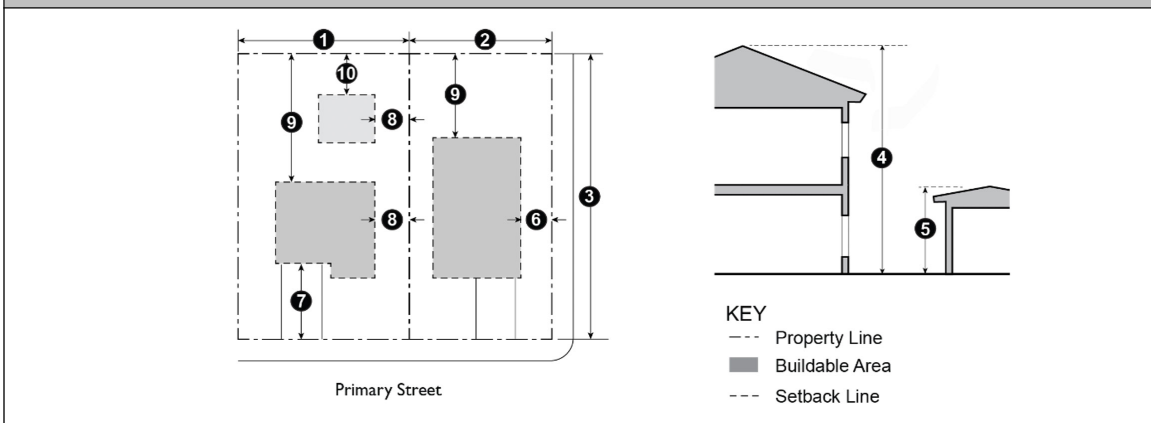
**AN ORDINANCE AMENDING TITLE 9 OF THE ORDINANCE CODE OF THE COUNTY OF  
SAN JOAQUIN RELATING TO VARIOUS SECTIONS OF THE DEVELOPMENT TITLE**

The Board of Supervisors of the County of San Joaquin ordains as follows:

**Section 1.** Table 9-200.030-1: Development Standards - Residential Zones, Series 200, Title 9 of the San Joaquin County Ordinance Code is hereby amended to read as follows:

TABLE 9-200.030-1: DEVELOPMENT STANDARDS – RESIDENTIAL ZONES							
District	R-R	R-VL	R-L	R-M	R-MH	R-H	#
Lot and Density Standards							
Maximum Density (units/net acre)	1.25	2.5	7.5	12.5	18.75	50	
Minimum Lot Size (sq. ft.)	1 acre	17,500	5,000	5,000	3,000	3,000	
Minimum Lot Width (ft.) <sup>5</sup>	150	100	50	50	40	40	①
<i>Corner Lots</i>	150	100	60	60	50	50	②
<i>Minimum Lot Depth (ft.)</i>	65	65	65	65	60	60	③
Building Form and Location							
Maximum Height (ft.)							
<i>Dwellings</i>	40	40	40	40	40	40	④
<i>Accessory Dwelling Unit</i>	40	40	40	40	40	40	
<i>Buildings Accessory to Dwellings</i>	22 <sup>2</sup>	22 <sup>2</sup>	22 <sup>2</sup>	22 <sup>2</sup>	22 <sup>2</sup>	22 <sup>2</sup>	⑤
<i>Other Buildings not Accessory to a Dwelling</i>	40	40	40	40	40	40	
Minimum Setbacks (ft.)							
<i>Front &amp; Street Side –</i>	30	30	20	20	15	15	⑥

TABLE 9-200.030-1: DEVELOPMENT STANDARDS – RESIDENTIAL ZONES



District	R-R	R-VL	R-L	R-M	R-MH	R-H	#
Regular; Right-of-Way less than 50'	4055 <sup>3</sup>	4055 <sup>3</sup>	3045 <sup>3</sup>	3045 <sup>3</sup>	2540 <sup>3</sup>	2540 <sup>3</sup>	7
Interior Side – Main Structure;	15	15	5	5	5	5	8
Accessory Structures	15 <sup>10</sup>	10	5	5	5	5	
Rear – Main Structure;	30	30	10	10	10	10	9
Accessory Structures							

**Notes:**  
<sup>1</sup> See Section 9-400.030 Exceptions to Height Limits.  
<sup>2</sup> If an accessory building includes habitable space on the second floor, the maximum height may be increased, not to exceed 40 feet . Additions to existing accessory buildings with nonconforming setbacks that include an Accessory Dwelling Unit must meet the minimum Accessory Dwelling Unit setbacks. For Accessory Dwelling Unit standards, see Section 9-409.020.  
<sup>3</sup> Increased setback measured from the centerline of the right-of-way of the road required.  
<sup>4</sup> Minimum lot widths for yards shall be measured at the minimum front setback.

**Section 2.** Table 9-200.020-1, Series 200, Title 9 of the San Joaquin County Ordinance Code is hereby amended to read as follows:

TABLE 9-200.020-1: USES IN RESIDENTIAL ZONES							
P = Permitted Use (Building Permit may be required); T=Temporary Use Permit required; Z = Zoning Compliance Review required; A = Administrative Use Permit by Zoning Administrator; C = Conditional Use Permit by Planning Commission; SPP Special Purpose Plan required; L# = Numbered limitation at end of table. “-” = Not permitted							
Use Types	R-R	R-VL	R-L	R-M	R-MH	R-H	Additional Regulations
<b>Non-Residential</b>							
Industry	See subclassifications below						
Agricultural, Light	-	-	-	-	-	-	

TABLE 9-200.020-1: USES IN RESIDENTIAL ZONES							
P = Permitted Use (Building Permit may be required); T=Temporary Use Permit required; Z = Zoning Compliance Review required; A = Administrative Use Permit by Zoning Administrator; C = Conditional Use Permit by Planning Commission; SPP Special Purpose Plan required; L# = Numbered limitation at end of table. "-" = Not permitted							
Use Types	R-R	R-VL	R-L	R-M	R-MH	R-H	Additional Regulations
Agricultural, Heavy	-	-	-	-	-	-	
Soil Replacement and Stockpiling	-	-	-	-	-	-	

**Section 3.** Table 9-200.020-2, Series 200, Title 9 of the San Joaquin County Ordinance Code is hereby amended to read as follows:

TABLE 9-200.020-2 - ACCESSORY USES AND STRUCTURES IN RESIDENTIAL ZONES							
P = Permitted Use (Building Permit may be required); T = Temporary Use Permit required; Z = Zoning Compliance Review required; A = Administrative Use Permit by Zoning Administrator; C = Conditional Use Permit by Planning Commission; SPP = Special Purpose Plan required; L# = Numbered limitation at end of table. "-" = Not permitted							
Accessory Use or Structure	R-R	R-VL	R-L	R-M	R-MH	R-H	Additional Regulations (Section)
Horse Raising	P	P	-P	-	-	-	See 9-900.020 Definitions

**Section 4.** Table 9-201.020-1, Series 200, Title 9 of the San Joaquin County Ordinance Code is hereby amended to read as follows:

TABLE 9-201.020-1: USES IN COMMERCIAL ZONES										
P = Permitted Use (Building Permit may be required); T = Temporary Use Permit required; Z = Zoning Compliance Review required; A = Administrative Use Permit by Zoning Administrator; C = Conditional Use Permit by Planning Commission; SPP = Special Purpose Plan required; L# = Numbered limitation at end of table. "-" = Not permitted										
Use Types	C-L	C-N	C-C	C-O	C-G	C-FS	C-RS	C-R	C-X	Additional Regulations
<b>Residential</b>										
<b>Non-Residential</b>										
Industry	See subclassifications below									
Agricultural, Light	-	=	-	-	=	-	-	=	-	
Agricultural, Heavy	-	=	-	-	=	-	-	=	-	
Assembly	See subclassifications below									
Community	-	=A	A	A	=A	-	L1	=SPP	L1	9.409.080, Assembly, L1
Religious	-	A	A	A	=A	-	L1	=SPP	L1	
Fuel Sales	See subclassifications below									
Automotive	-	A	A	-	Z	Z	A	-	-A	9-409.410, Service Stations 9.409.150, Convenience Stores
Automotive, Alternative	-	Z	Z	-	Z	Z	Z	-	-Z	

**TABLE 9-201.020-1: USES IN COMMERCIAL ZONES**

P = Permitted Use (Building Permit may be required); T = Temporary Use Permit required; Z = Zoning Compliance Review required; A = Administrative Use Permit by Zoning Administrator; C = Conditional Use Permit by Planning Commission; SPP = Special Purpose Plan required; L# = Numbered limitation at end of table. “-” = Not permitted

<i>Use Types</i>	<i>C-L</i>	<i>C-N</i>	<i>C-C</i>	<i>C-O</i>	<i>C-G</i>	<i>C-FS</i>	<i>C-RS</i>	<i>C-R</i>	<i>C-X</i>	<i>Additional Regulations</i>
<i>Trucks</i>	-	-	-	-	-	C	-	-	-A	
<i>Trucks, Alternative</i>	-	-	-	-	-	C	-	-	-A	Only within one-half mile of a freeway interchange.
<i>Recharging</i>	Z	Z	Z	Z	Z	Z	Z	-	-Z	
Personal Services	See subclassifications below									
<i>General</i>	AZ	AZ	-Z	AZ	-Z	-A	-Z	-SPP	-A	
<u>Soil Replacement and Stockpiling</u>	=	=	=	=	=	=	=	=	=	

**Notes:**

- L1 Only small-scale uses with up to 3,000 square feet of space allowed with approval of an Administrative Use Permit. A larger facility may be allowed with a Conditional Use Permit.
- L2. Only allowed on arterial streets, occupying 1,000 square feet or less.
- L3 An Administrative Use Permit is required if outdoor seating is provided; otherwise, no land use permit is required.
- L4 An Administrative Use Permit is required instead when applied for as part of a Cannabis Business Park already approved with a Special Purpose Plan.

**Section 5.** Table 9-202.020-1, Series 200, Title 9 of the San Joaquin County Ordinance Code is hereby amended to read as follows:

**TABLE 9-202.020-1: USES IN INDUSTRIAL ZONES**

P = Permitted Use (Building Permit may be required); T = Temporary Use Permit required; Z = Zoning Compliance Review required; A = Administrative Use Permit by Zoning Administrator; C = Conditional Use Permit by Planning Commission; SPP = Special Purpose Plan required; L# = Numbered limitation at end of table. “-” = Not permitted

<i>Use Types</i>	<i>I-W</i>	<i>I-P</i>	<i>I-L</i>	<i>I-G</i>	<i>I-T</i>	<i>Additional Regulations</i>
<b>Non-Residential</b>						
Industry	See subclassifications below					
<i>Agricultural, Light</i>	-	-	A	A	-	
<i>Agricultural, Heavy</i>	-	-	A	A	-	
<u>Soil Replacement and Stockpiling</u>	-	-	-	-	-	

**Section 6.** Table 9-203.020-1, Series 200, Title 9 of the San Joaquin County Ordinance Code is hereby amended to read as follows:

TABLE 9-203.020-1: USES IN AGRICULTURAL ZONES

P = Permitted Use (Building Permit may be required); T = Temporary Use Permit required; Z = Zoning Compliance Review required; A = Administrative Use Permit by Zoning Administrator; C = Conditional Use Permit by Planning Commission; SPP = Special Purpose Plan required; L# = Numbered limitation at end of table. "-" = Not permitted

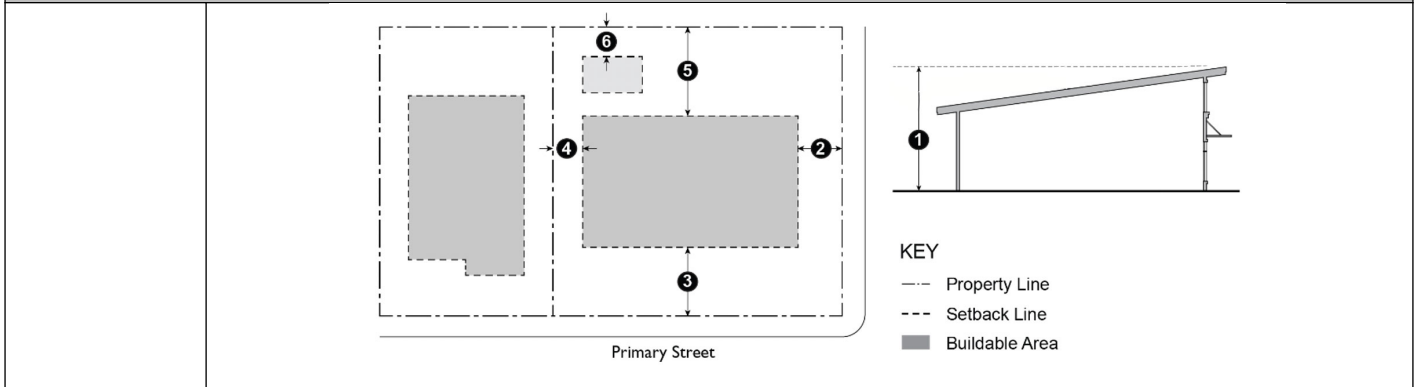
Use Types	AG	AI	AL	AU	Additional Regulations
<b>Residential</b>					
Farm Employee Housing	See subclassifications below				9-409.230, Farm Employee Housing
<i>Large</i>	AC	AC	AC	AC	
<i>Small</i>	P	P	P	P	
Industry	See subclassifications below				9-409.230, Farm Employee Housing
<i>Agricultural, Light</i>	AZ	Z	AZ	AZ	
<i>Agricultural, Heavy</i>	A	Z	A	A	
Soil Replacement and Stockpiling	A	A	A	A	

**Section 7.** Table 9-203.030, Series 200, Title 9 of the San Joaquin County Ordinance Code is hereby amended to read as follows:

TABLE 9-203.030 : DEVELOPMENT STANDARDS – AGRICULTURAL ZONES<sup>1</sup>

	AG	AI	AL	AU	
<p>KEY            - - - Property Line            - - - Setback Line            ■ Buildable Area</p>					
Minimum Setbacks (ft.) <sup>56 7 8</sup>					
<i>Front and Street Side –</i>					
<i>Regular;</i>	30;	30;	30;	30;	
<i>Right-of-Way less than 50 ft.</i>	55 <sup>8</sup>	255 <sup>8</sup>	55 <sup>8</sup>	55 <sup>8</sup>	② ; ③
<i>Interior Side –</i>					
<i>Main Structure;</i>					
<i>Accessory Structures</i>	10	10	10	10	④
<i>Rear –</i>					
<i>Main Structure;</i>	30;	20;	30;	30;	
<i>Accessory Structures;</i>	15;	10;	15;	15;	
<i>Reverse Corner Lots</i>	10	10	10	10	⑤ ; ⑥

**TABLE 9-203.030 : DEVELOPMENT STANDARDS – AGRICULTURAL ZONES<sup>1</sup>**



<i>Interior Side &amp; Rear – Non-residential Accessory Structures</i>	5010	10	5010	5010	<b>6</b>
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**Notes:**

- <sup>1</sup> For homesite parcels, the minimum lot width shall be 150 feet.
- <sup>2</sup> See Section 9-400.050, Exceptions to Height Limits.
- <sup>3</sup> For parcels containing 20 or more acres, there shall be no maximum height for dwellings, and the minimum setback from all lot lines for dwellings over 40 feet in height shall be a minimum of 50 feet.
- <sup>4</sup> ~~When more than 50 percent of the floor area of an accessory dwelling unit is located above an existing or proposed garage, the maximum height of the entire combined structure is 25 feet. If an accessory building includes habitable space on the second floor, the maximum height may be increased not to exceed 40 feet. Additions to existing accessory buildings with nonconforming setbacks that include an Accessory Dwelling Unit must meet the minimum Accessory Dwelling Unit setbacks. For Accessory Dwelling Unit standards, see Section 9-409.020.~~
- <sup>5</sup> The minimum setback from all property lines for dwellings over 3540 feet in height with an approved Variance or Waiver shall be twice the maximum height of the dwelling.
- <sup>6</sup> Setbacks for yards shall be measured from the planned ultimate right-of-way width of the roadway, as shown on the General Plan or applicable Specific Plan or Master Plan.

**Section 8.** Table 9-204.020-1, Series 200, Title 9 of the San Joaquin County Ordinance Code is hereby amended to read as follows:

TABLE 9-204.020-1: USES IN AIRPORT, MIXED USE, AND PUBLIC FACILITIES ZONES				
P = Permitted Use (Building Permit may be required); T = Temporary Use Permit required; Z = Zoning Compliance Review required; A = Administrative Use Permit by Zoning Administrator; C = Conditional Use Permit by Planning Commission; SPP = Special Purpose Plan required; L# = Numbered limitation at end of table. "-" = Not permitted				
Use Types	P-F	M-X	AP-X	Additional Regulations
<b>Non-Residential</b>				
Educational Services	See subclassification below			
<i>College</i>	-A	-	SPP	
<i>School</i>	A	A	SPP	409.400, Schools
<i>Trade School</i>	-A	-	SPP	
Industry	See subclassifications below			
<i>Agricultural, Light</i>	-	-	SPP	
<i>Agricultural, Heavy</i>	-	-	SPP	
Soil Replacement and Stockpiling	-	-	-	

**Section 9.** Section 9-302.060, Series 300, Title 9 of the San Joaquin County Ordinance Code is hereby amended to read as follows:

**9-302.060 REVIEW PROCEDURES**

Specific Plan applications shall be reviewed at a duly-noticed public hearing following the process in Chapter 9-807\_General Plan Amendments.

**Section 10.** Section 9-302.090, Series 300, Title 9 of the San Joaquin County Ordinance Code is hereby amended to read as follows:

**9-302.090 COST RECOVERY**

For a Specific Plan or a Specific Plan Amendment prepared at the County's expense, the Board of Supervisors may impose a Specific Plan fee. The fee shall be applied to persons seeking approvals for development within the area covered by the Specific Plan or Specific Plan Amendment. The fee charged shall be a prorated amount determined on the basis of the amount of land proposed for development expressed as a percentage of the total land included in the applicable Specific Plan or Specific Plan Amendment.

**Section 11.** Section 9-400.040(b)(5)(B), Series 400, Title 9 of the San Joaquin County Ordinance Code is hereby amended to read as follows:

- (5) **Special Fencing Requirements for Commercial, Industrial, and Other Non-Residential Zones.**
  - (A) **Fencing of Required Yards.** An open fence up to seven feet in height is permitted in any required yard, provided it is constructed of open material and does not obstruct vehicular site distance.
  - (B) **Security Fencing.** Security fencing, not to exceed two feet in height, may be erected on top of required or permitted fencing except for fencing abutting a permitted residential use, a Residential zone, or an area shown on the General Plan for residential use. ~~See Section 9-400.040(f), below.~~

**Section 12.** Section 9-404.020(a), Series 400, Title 9 of the San Joaquin County Ordinance Code is hereby amended to read as follows:

- (a) **Emergencies.** The emission of sound for the purpose of alerting persons to the existence of an emergency, or the emission of sound in the performance of emergency work. This includes warning devices necessary for the protection of the public safety, such as police, fire, and ambulance sirens.

**Section 13.** Section 9-405.040(b), Series 400, Title 9 of the San Joaquin County Ordinance Code is hereby amended to read as follows:

**(b) For Certain Residential Uses.**

- (A) Any residential ~~use, lot, or~~ structure that was legally established prior to the adoption or amendment of this Title and that has been continuously maintained in residential use in compliance with all applicable County requirements is considered to be a conforming ~~use, lot, or~~ structure if located in a zone that permits residential uses, even if the zone no longer permits the type or number of residential structures. ~~Such structure may be enlarged with a building permit.~~
- (B) Any residential structures that was legally established prior to the adoption or amendment of this Title and that has been continuously maintained in residential use in compliance with all applicable County requirements is considered to be a non-conforming structure if located in a zone that does not permit residential uses. Such structure may be enlarged up to 50 percent of the existing floor area with a building permit but no discretionary review; Additions exceeding 50 percent of the existing floor area may be approved, subject to a Zoning Compliance Review and any such enlargement or a replacement of such use must conform to this Title and any applicable Specific Plan or Special Purpose Plan.

**Section 14.** Table 9-406.040, Series 400, Title 9 of the San Joaquin County Ordinance Code is hereby amended to read as follows:

TABLE 9-406.040: ESTIMATED PARKING DEMAND BY USE TYPE		
<i>Use Type</i>	<i>Number of Spaces</i>	<i>Per</i>
<b>Residential Use Types</b>		
<u>Farm Employee</u>		
<u>Small</u>	<u>1</u>	<u>dwelling unit or 3 beds</u>
<u>Large</u>	<u>1</u>	<u>dwelling unit or 3 beds</u>
Group Residential		
<u>Senior Group Residential</u>	<u>0.3</u>	bed or one per dwelling unit
<b>Industrial Use Types</b>		
<u>Major Impact Services</u>	<u>2</u>	<u>1,000 gross square feet</u>
<b>Agricultural Use Types</b>		
Industry		
<u>Agricultural, Light</u>	0.5	1,000 gross square feet
<u>Agricultural, Heavy</u>	0.5	1,000 gross square feet
Notes:		



TABLE 9-406.040: ESTIMATED PARKING DEMAND BY USE TYPE		
Use Type	Number of Spaces	Per
TBD <sup>1</sup> = To be determined by the Zoning Administrator.		
<sup>2</sup> Outdoor seating which is less than 25 percent of the parking requirement is exempt.		

**Section 15.** Section 9-408.050(l), Series 400, Title 9 of the San Joaquin County Ordinance Code is hereby amended to read as follows:

- (l) **Government Signs.** Official notices issued by the County or a court, city, other public agency, or a special district or posted in the performance of a public duty; notices posted by a utility or other quasi-public agency; signs erected by a governmental body to direct or regulate pedestrian or vehicular traffic; bus stop signs erected by a public transit agency; or other signs required or authorized by law. This exemption also covers signs and banners for special events and public notifications sponsored by the County, such as on Electronic Message Center Sign, which may be displayed in public rights of way.

**Section 16.** Section 9-408.090(b), Series 400, Title 9 of the San Joaquin County Ordinance Code is hereby amended to read as follows:

**9-408.090 READERBOARD AND ELECTRONIC MESSAGE CENTER SIGNS**

- (b) **Electronic Message Center Sign.**

- (1) Electronic Message Center signs (EMC) are permitted in commercial complexes 10 acres or larger, subject to the following requirements:

- ~~(1)~~(A) EMC are only permitted on sites with highway or freeway frontage.

- ~~(2)~~(B) No EMC shall face a residential zone or use.

- ~~(3)~~(C) The maximum allowable sign area is 720 square feet.

- ~~(4)~~(D) The maximum height is 50 feet.

- ~~(5)~~(E) No EMC shall be located within 2,500 feet of another EMC with at least 200 square feet of digital display area.

- ~~(6)~~(F) No EMC shall be located within 500 feet of the boundary of an Agricultural or Residential zone.

- ~~(7)~~(G) Displays shall contain static messages only, and shall not have movement, or the appearance or optical illusion of movement, of any part of the sign structure, design, or pictorial segment of the sign, including the movement or appearance of movement of any illumination, or the flashing, scintillating, or varying of light intensity.

- ~~(8)~~(H) All EMC displays shall be equipped with a sensor or other device that automatically determines ambient illumination and is programmed to

dim automatically according to ambient light conditions or can be adjusted to comply with the following illumination requirements in sub-section 6 of this section.

~~(9)(l)~~ The County shall be provided with access to a portion of the digital display time to allow for messages of community interest, including public safety messages, such as Amber alerts and other emergency management information.

(2) EMCs placed on publicly owned land solely for County messages for community interest are exempt Government Signs subject to following requirement.

(A) No content promoting private or non-county services is allowed on exempt EMCs. EMCs can be used to display a variety of messaging campaigns including, but not limited to:

- (i) public service advisories;
- (ii) campaigns to raise awareness and provide information about important issues to the community;
- (iii) promotion of county services available to the public;
- (iv) and local and regional emergency advisories and alerts, such as public health messaging campaigns and other important safety advisories.

(B) County EMCs are subject to subsections 9-408.090(1)(C), (D), (G), and (H).

**Section 17.** Section 9-408.150, Series 400, Title 9 of the San Joaquin County Ordinance Code is hereby amended to read as follows:

- (b) the minimum required to identify and direct the public to the activities, services, and products available on-site.

**Section 18.** Section 9-408.160, Series 400, Title 9 of the San Joaquin County Ordinance Code is hereby amended to read as follows:

**9-408.160** ~~THE MINIMUM REQUIRED TO IDENTIFY AND DIRECT THE PUBLIC TO THE ACTIVITIES, SERVICES, AND PRODUCTS AVAILABLE ON-SITE.~~ **MASTER SIGN PROGRAM**

**Section 19.** Section 9-409.070(b)(6), Series 400, Title 9 of the San Joaquin County Ordinance Code is hereby amended to read as follows:

- (6) ***Prohibited Animals.*** No predatory wild animals, ~~roosters,~~ endangered animals, or protected animals may be kept in any zone.

**Section 20.** Section 9-409, Series 400, Title 9 of the San Joaquin County Ordinance Code is hereby amended to read as follows:

**9-409.195 DWELLING CLUSTERS**

- (a) **Intent.** The intent of this Chapter is to allow for the placement of two (2) or more primary dwelling units, or two (2) or more structures containing dwelling units, on the same parcel, consistent with General Plan density requirements and policies, in order to achieve a more efficient use of land, provide a means of developing difficult sites, promote a more affordable living environment, and encourage the use of common open areas and other amenities in project design.
- (b) **Permitted Zones.** Dwelling Cluster applications may be accepted in any zone that allows residential dwellings as a primary use.
- (c) **Requirements For Application.** Applications for Dwelling Clusters may be initiated by the property owner or the property owner's authorized agent. Applications shall be filed with the Community Development Department and shall include, but shall not be limited to, the following:
- (1) **Site Plan.** The application shall contain a site plan and supporting maps which clearly delineate the location and characteristics of the proposed use.
- (2) **Density.** The maximum number of dwelling units shall be consistent with the General Plan, and the dwelling unit type shall be consistent with that permitted by the regulating zone. The density of development shall be specified in the application.
- (3) **Will Serve Letter.** In areas served by an existing public water system, a public storm drainage system, or a public wastewater treatment system, the application for a Dwelling Cluster shall only be accepted if the applicant provides a written statement to the County from the agency expected to provide the required service that the agency will serve the proposed project and has, or will have, the capacity to provide such service.
- (4) **Other Information.** Any other information deemed necessary by the Review Authority.

- (5) **Fee.** A fee, as specified by resolution of the Board of Supervisors, shall be required.
- (6) **Maximum Number of Units.** The maximum number of units allowed under this provision in the Agricultural zones is eight (8).
- (d) **Review Procedures.** The review procedure for Dwelling Cluster applications shall be reviewed by the Zoning Administrator as specified in Chapter 9-802 Common Procedures.–For projects with four (4) or fewer dwelling units, public notice is not required.
- (e) **Development Requirements.** The following development requirements shall apply to any Dwelling Cluster Application approved under the provisions of this Chapter:
- (1) **Yard Requirements.** The dwelling units, or the structures containing dwelling units, shall comply with all yard requirements for main structures prescribed by the regulating zone.
- (2) **Height Limits.** The maximum height of structures shall conform to the requirements of the regulating zone.
- (3) **Architectural Requirements.** The dwelling units or structures shall comply with the following architectural design requirements:
- (A) Buildings shall be arranged so that each dwelling unit in multi-family structures is provided with its own identity and entry.
- (B) Buildings shall be designed to incorporate in all building elevations the recesses, projections, building offsets, and other features that provide variety and visual relief.
- (C) Private open space shall be at least:
- (i) four hundred (400) square feet in area for detached single-family dwellings;
- (ii) two hundred twenty-five (225) square feet in area for dwelling units in multi-family structures located on the ground floor; and
- (iii) sixty (60) square feet in balcony area for upper story dwelling units in multifamily structures.
- (4) **Common Driveway.** Dwelling units shall be served by a common driveway having a single public road access point. Said driveway shall be constructed and available for use prior to occupancy of any units within the dwelling cluster.
- (5) **Parking.** Off-street parking shall be provided at a rate of two (2) parking spaces per dwelling unit, one (1) of which shall be covered, unless the applicant

demonstrates to the satisfaction of the Review Authority that a lower ratio is warranted based on the nature of the dwelling cluster project. Group parking areas may be allowed, provided they are located on the site and within one hundred and fifty (150) feet from the dwelling units they are intended to serve.

(6) **Water, Storm Drainage and Wastewater Treatment Facilities.** Within urban communities, both the existing and the proposed dwelling units of the dwelling cluster shall connect to a public water system, a public wastewater treatment system, and a drainage system that complies with the provisions of Chapter 9-606. For dwelling cluster projects proposed in rural communities, the infrastructure standards of Series 600 shall apply.

(7) **Landscaping.** All areas not used for buildings, structures, driveways, parking areas, agriculture, or recreational purposes shall be landscaped. Said landscaping shall be in accordance with the provisions of Chapter 9-402 and as deemed appropriate by the Review Authority.

(8) **Other Codes.** All existing and proposed dwelling units or structures shall comply with all current building, safety, fire, and health codes of the County or special districts.

(f) **Findings.** Prior to approving an application for a dwelling cluster, the Review Authority shall find that all of the following are true:

(1) The dwelling cluster proposed is consistent with the General Plan; any applicable Master Plan, Specific Plan, or Special Purpose Plan; and any other applicable plan adopted by the County which affects the property.

(2) The property involved is suitable for the dwelling cluster proposed.

(3) The dwelling cluster will not be significantly detrimental to the public health, safety, or welfare, or have a significant adverse impact on surrounding properties or on external infrastructure, utility, and circulation systems on which the dwelling cluster depends.

**Section 21.** Section 9-409.200, Series 400, Title 9 of the San Joaquin County Ordinance Code is hereby amended to read as follows:

#### **9-409.200 ENTERTAINMENT**

~~Entertainment establishments and entertainment~~ associated with Eating and Drinking Establishments and parcels zoned Commercial Recreation ~~and Entertainment~~ must be located, developed, and operated in compliance with the following standards, ~~where allowed by the 200 Series, Base Zones.~~

(a) **Permits Required.** All non-exempt types of live entertainment, ~~where allowed by the 200 Series, Base Zones,~~ require an ~~Administrative Use~~ Entertainment Permit or a

Temporary Use Permit issued pursuant to Chapter 9-804, Use Permits, in addition to any other permits or licenses required by the County Code.

- (b) **Conditions of Approval.** In issuing an ~~Administrative Use~~Entertainment Permit or a Temporary Use Permit, the Zoning Administrator may impose reasonable conditions relating to:
- (1) The days, hours and location of operation and the number of persons allowed on the premises;
  - (2) Restrictions designed to prevent minors from obtaining alcohol, such as separate entrances, exits, and restroom facilities on the premises;
  - (3) Whether security guards are required, and if so, how many;
  - (4) Specific measures the applicant must undertake to control the conduct of patrons so as to prevent or minimize disorderly conduct within the establishment;
  - (5) Specific measures the applicant must undertake to remove trash attributable to the establishment or its patrons in and around the establishment;
  - (6) Specific measures the applicant must undertake to prevent the entertainment and its patrons from disturbing the peace and quiet of the surrounding neighborhood;
  - (7) Specific measures the applicant must undertake to prevent its patrons from engaging in disorderly conduct in the surrounding neighborhood; and
  - (8) Whether the Sheriff must receive advance notice of the date of a particular event if that event is not held as part of the regularly scheduled events of the business.
- (c) **Display of Permit.** The ~~Administrative Use~~Entertainment Permit shall be displayed at all times in a conspicuous place in the entertainment establishment for which it was issued and shall be immediately produced upon the request of any law enforcement or code enforcement officer.
- (d) **Exemptions.** The following types of entertainment and events are exempt from the ~~Administrative Use~~Entertainment Permit required by this section, but a Temporary Use Permit may still be required under Section 9-409.420, Temporary Uses, for certain types of entertainment and special events that are of limited duration. This exemption does not relieve any entertainment establishment from complying with all other applicable regulations in the County Code, including requirements related to noise levels and nuisances.

**Section 22.** Section 9-409.230, Series 400, Title 9 of the San Joaquin County Ordinance Code is hereby amended to read as follows:

**9-409.230 FARM EMPLOYEE HOUSING**

Farm Employee Housing must be located, developed, and operated in compliance with the following standards, where allowed by the 200 Series, Base Zones.

- (a) **Eligible Facilities.** Farm Employee Housing may consist of a variety of living quarters, dwelling units, and group housing, tents, bunkhouses, recreational vehicles, mobile homes, or other housing designed and maintained for use by eligible farm employees for temporary or seasonal residency or permanent residency. Farm Employee Housing also means the same as "labor camp." Farm Employee Housing does not include a hotel, motel, inn, tourist hotel, Multi-Unit Dwelling, or Single-Unit Dwelling where the housing is offered and rented to nonagricultural employees on the same terms as to farm employees, the owner of the housing is not an agricultural employer, or the housing is classified as "employee community housing" under State Housing Law.
- (b) **Streamlined Review — When Only a Zoning Compliance Review is Required.** Farm Employee Housing, consisting of no more than 36 beds in group quarters or 12 units or spaces designed for use by a single family or household on a site in an Agricultural Zone, is a permitted agricultural use and only requires a Zoning Compliance Review to confirm that the standards of this Section and other applicable requirements of this Title are met. Housing exceeding these limits requires approval of a Conditional Use Permit.
- (c) **Limits on Location.** No Farm Employee Housing shall be allowed in the following locations:
  - (1) On wetlands identified in the General Plan;
  - (2) Within a high fire hazard severity zone, as defined by the California Department of Forestry and Fire Protection;
  - (3) On a hazardous waste site;
  - (4) Within a delineated earthquake fault zone, as determined by the State Geologist and shown in the General Plan;
  - (5) On land subject to a habitat conservation plan; and
  - (6) On land where the groundwater is within five feet of the soil surface where onsite wastewater disposal would serve six or more family units.
- (d) **Limits on Fees.** No taxes or permit fees that are not normally required for other agricultural activities in Agricultural Zones can be required of a developer of Farm Employee Housing.
- (e) **Maximum Height.** 25 feet.
- (f) **Minimum Sleeping Area — Group Quarters.** In group quarters, the minimum floor area available for sleeping purposes shall be 50 square feet per occupant.
- (g) **Off-Street Parking.** Off-street parking shall be provided as required by Chapter 9-406, Parking and Loading. The minimum parking requirement for farm worker housing shall be one parking space per unit or one space per three beds for group quarters.

- (h) ~~**Water and Wastewater Disposal.** All Farm Employee Housing shall have water service and wastewater disposal and facilities provided in accordance with Chapters 9-602, Water Systems, and 9-604, Wastewater Treatment and Disposal, respectively.~~
- (1) **On-Site Wastewater Disposal System.** In Agricultural Zones, Farm Employee Housing may be served by a private on-site wastewater disposal system, subject to the provisions of Chapters 9-603, Water Quality and Chapter 9-605, Private On-Site Wastewater Disposal, provided existing uses on the site are also served by a private on-site wastewater disposal system. A mandatory connection to a public wastewater disposal system is not required for farm worker housing if the Environmental Health Department determines that there is a suitable area on the site for a septic tank. Otherwise, the proposed farm worker housing shall be served by a public wastewater disposal system.
- (2) **On-Site Well System.** In Agricultural Zones, Farm Employee Housing may be served by an on-site well system, subject to the provisions of Chapter 9-601, Water Well and Well Drilling, provided that the existing uses on the site also are served by an on-site well system. Otherwise, the proposed Farm Employee Housing shall be served by a public water system.
- (i) ~~**Minimum Period of Occupancy.** The owner of Farm Employee Housing approved under this section must agree to maintain this housing for a minimum period of 10 years after issuance of a final building permit. Failing to do so would allow the County to recover any taxes, fees, assessments, or charges that were waived for the farm worker housing.~~
- (j) (c) **Other Codes.** Farm Employee Housing shall conform with all the requirements of the Environmental Health Department that are applicable to agricultural uses in Agricultural Zone in which the property is located. All Farm Employee Housing must satisfy building, fire, and safety standards, such as fire lane widths, minimum fire flows, and emergency egress, as established through State of California's Fire and Building Codes and as amended by the County.

**Section 23.** Section 9-511.030(c)(6), Series 500, Title 9 of the San Joaquin County Ordinance Code is hereby amended to read as follows:

- (6) If the parcel(s) or a portion of the parcel(s) to be adjusted are under a Williamson Act Contract or Farmland Security Zone Contract, the property owner shall apply to rescind the current contracts and ~~shall~~ enter into new contracts prior to recording the Notice of Lot Line Adjustment. Lot line adjustments involving parcels that are all wholly under the same Williamson Act Contract or Farmland Security Zone Contract are exempt from this requirement.



**Section 24.** Section 9-511.050, Series 500, Title 9 of the San Joaquin County Ordinance Code is hereby amended to read as follows:

**9-511.050 FINAL PROCESSING OF AN APPLICATION**

(a) **Submission of Lot Line Adjustment and Legal Description(s).** When a Lot Line Adjustment application has received approval from the Zoning Administrator, the applicant shall within 360 months from the date of approval provide the County Surveyor with legal description(s) and exhibit maps, wet stamped and signed by a California-licensed land surveyor or California-licensed civil engineer, consistent with the approval and demonstrating compliance with all approval standards for lot line adjustments in this Chapter. The legal description(s) shall clearly describe each of the resultant parcels and shall contain the express statement of intent by the grantor to eliminate any underlying boundary lines consistent with the requirements of Civil Code Section 1093. No record of survey has to be submitted unless required by Business and Professions Code Section 8762.

**Section 25.** Table 9-802.170, Series 800, Title 9 of the San Joaquin County Ordinance Code is hereby amended to read as follows:

TABLE 9-802.170: SUMMARY OF DECISION MAKING, PUBLIC HEARING, AND NOTICE REQUIREMENTS								
Permit or Action Type	Reference	Decision Process			Public Hearing Required?	Type of Notice <sup>4</sup>		Findings
		Advisory	Decision	Appeal <sup>1</sup>		Required	Optional	
<b>Ministerial</b>								
Zoning Compliance Review	Chapter 9-803	N/A	ZA	N/A	No	None	N/A	None
Grading Permit – Ministerial Review	Chapter 9-812	N/A	ZA	N/A	No	None	N/A	None
Minor Changes to an Approved Permit <sup>2</sup>	Section 9-802.130	N/A	ZA	N/A	No	None	N/A	None
<b>Quasi-Judicial Actions</b>								
Administrative Use Permit <sup>3</sup>	Chapter 9-804	N/A	ZA	PC	Yes	A, B, C	E, F	Section 9-804.050
Conditional Use Permit	Chapter 9-804	N/A	PC	BOS	Yes	A, B, C, D, E	F	Section 9-804.050
Grading Permit – Discretionary Review	Chapter 9-812	N/A	ZA	PC	No	B, C	N/A	None
Major Subdivisions	Chapter 9-504	PC	BOS	BOS	Yes	A, B, C, D, E	F	Section 9-505.040
Permit Modifications - Major	Section 9-802.130	N/A	PC	BOS	Yes	A, B, C, D, E	F	Section 9-802.130

TABLE 9-802.170: SUMMARY OF DECISION MAKING, PUBLIC HEARING, AND NOTICE REQUIREMENTS								
Permit or Action Type	Reference	Decision Process			Public Hearing Required?	Type of Notice <sup>4</sup>		Findings
		Advisory	Decision	Appeal <sup>1</sup>		Required	Optional	
Special Purpose Plans	Chapter 9-301	N/A	PC	BOS	Yes	B, C, D, E	A, F	Section 9-301.070
Temporary Use Permit	Chapter 9-804	N/A	ZA	PC	No	None		Section <b>Error! Reference source not found.</b>
Variance	Chapter 9-805	N/A	PC	BOS	Yes	A, B, C, D, E	F	Section 9-805.030
Waiver	Chapter 9-806	N/A	ZA	PC	No	None	A, B, F	Section 9-806.050
Revocation	Section 9-802.140	N/A	PC	BOS <sup>2</sup>	Yes	B, C, D, E	A, F	Subsection 9-802.130(d)
<b>Legislative Actions</b>								
Development Agreements	Chapter 9-814 <b>Error! Reference source not found.</b>	D	BOS <sup>2</sup> Ordinance	None	Yes	B, C, D, E	F	Section 9-814.050
General Plan Amendments	Chapter 9-807	PC	BOS <sup>2</sup> Resolution	None	Yes	B, C, D, E	A, F	Section 9-807.060
Development Title and Zoning Map Amendments	Chapter 9-808 <b>Error! Reference source not found.</b>	PC	BOS Ordinance	None	Yes	B, C, D, E	A, F	Section 9-808.050
Master Plans	Chapter 9-300	PC	BOS Ordinance	None	Yes	B, C, D, E	A, F	Section 9-300.070
Planned Development Zone	Chapter 9-302	PC	BOS Ordinance	None	Yes	B, C, D, E	A, F	Section 9-302.060
Specific Plans	Chapter 9-302	PC	BOS Ordinance	None	Yes	B, C, D, E	A, F	Section 9-9-302.070
<p>Key: BOS = Board of Supervisors  D = Community Development Director  PC = Planning Commission  ZA = Zoning Administrator</p> <p>Notes: 1. All appeals require a public hearing with required notice Types A, C, D, and E and optional notice Type F.  2. Major modifications to permits must be processed the same as the original permit, pursuant to subsection 9-802.120(B) (Major Modifications).</p>								

TABLE 9-802.170: SUMMARY OF DECISION MAKING, PUBLIC HEARING, AND NOTICE REQUIREMENTS								
Permit or Action Type	Reference	Decision Process			Public Hearing Required?	Type of Notice <sup>4</sup>		Findings
		Advisory	Decision	Appeal <sup>1</sup>		Required	Optional	
<p>3. Administrative Use Permits may be referred by the Zoning Administrator to the Planning Commission for decision, in which case they are processed as Conditional Use Permits.</p> <p>4. Notice Types are described in Section 9-802.070.</p>								

**Section 26.** Section 9-815.090(f), Series 800, Title 9 of the San Joaquin County Ordinance Code is hereby amended to read as follows:

(f) **Appeal of Hearing Officer's Decision.** The Enforcement Official and/or the party that appealed the Enforcement Official's determination of violation(s) constituting a violation of this Title may appeal the Hearing Officer's written decision to the Board of Supervisors within 30 days of receipt of the Hearing Officer's written decision, the Superior Court of the State of California. Receipt will be presumed to have occurred five days after the Hearing Officer mailed the decision.

- (1) The Hearing Officer's written decision shall be final unless a timely appeal is filed with the Superior Court of the State of California.
- (2) If a timely appeal is filed, then the Hearing Officer's written decision shall be stayed pending such appeal.
- (3) ~~The Board of Supervisors may, by resolution, establish a fee for filing an appeal pursuant to this Section.~~
- (4) ~~The Board of Supervisors may set a hearing on the appeal or shall make a decision based on the official record from the appeal.~~
- (5) ~~The Board of Supervisors shall issue a decision that affirms, reverses, or modifies the Hearing Officer's written decision.~~
- (6) ~~If the Board of Supervisors affirms in whole or in part the Hearing Officer's decision and finds that a violation occurred, the owner and/or person in possession or control of the real property involved must take the action(s) ordered in the notice/order to abate within 15 days of the resolution. If the violation of this Title is not abated, then the Enforcement Official may record the notice/order to abate against the property and take action to enforce the notice/order to abate.~~

**Section 27.** Section 9-816.040, Series 800, Title 9 of the San Joaquin County Ordinance Code is hereby amended to read as follows:

**9-816.040 ABANDONED VEHICLE REMOVAL PROCEDURES**

The ~~Director-Enforcement Official~~ shall proceed as follows in the investigation and enforcement of violations of this Chapter as follows:

- (a) **Notice of Intention to Abate and Remove Vehicle.** When the ~~Director-Enforcement Official~~ determines that a violation of this Chapter exists, the owner of the property in violation, as shown on the latest assessment roll, and the last registered and legal owner of the vehicle, shall be notified by registered or certified mail of the intention to abate and remove the vehicle or part thereof as a public nuisance. The Notice shall state that the owner of the property and/or vehicle has ten business days in which to correct the violation or appeal the determination of the ~~Director-Enforcement Official~~ to the ~~Planning Commission~~Hearing Officer for a public hearing. This required Notice may be waived by the owner(s) of the property and/or vehicle with a signed release authorizing removal and waiving further interest in the vehicle or part thereof.
- (b) **Statement of Non-responsibility.** If a vehicle was abandoned without the consent or knowledge of the property owner, and he/she has direct control of the property, the property owner may submit a Statement of Non-responsibility within 10 business days of the mailing of the Notice of Intention to Abate and Remove the Vehicle. If the ~~Director-Enforcement Official~~ determines the property owner is not responsible for the abandoned vehicle, the administration fee will be waived. If staff determines the owner is responsible for the abandoned vehicle, he/she will be so advised. ~~This determination can be appealed pursuant to Chapter 9-802-~~
- (c) **Appeals.** Appeals of the Notice of Intention to Abate and Remove Vehicle shall be filed pursuant to Section 9-802.150, Appeals, except that the owner of the vehicle and/or the owner of the property may file this appeal.
- (d) **Public Hearing Procedure.** The public hearing shall allow for the submittal of oral and written evidence relative to the existence of a violation of this Chapter on the property and whether the property owner is responsible for or has consented to the placement of the vehicle on the property. The property owner may appear in person or submit a sworn statement denying responsibility for the presence of the vehicle on the property. At the conclusion of the public hearing, the existence of a violation shall be determined and if a violation exists, it shall be determined whether the property owner is responsible for such violation. If it is found that a violation exists but the property owner is not responsible, the County shall not assess costs of administration or removal of the vehicle against the property owner. The decision of the hearing official shall be final and may not be appealed.
- (e) **Removal of the Vehicle.** If an appeal has not been filed within the required time period or the ~~Planning Commission~~Hearing Officer has made a determination that a violation exists and the vehicle or part thereof remains on the property, the vehicle or part thereof may be disposed of by removal to a scrapyard or automobile dismantler's yard. The removal shall be performed by the County or a licensed automobile dismantler

authorized by the County, either of which may enter private or public property to remove the vehicle or part thereof declared to be a nuisance pursuant to this Chapter. The ~~Director~~ Enforcement Official is authorized to select licensed automobile dismantlers pursuant to ~~policies and procedures adopted by the Board of Supervisors.~~

- (f) **Vehicle Not to be Reconstructed.** Any vehicle removed as a result of this Chapter shall not be reconstructed or made operable unless it is a vehicle which qualifies for either horseless carriage license plates or historical vehicle license plates.
- (g) **Notice to the Department of Motor Vehicles.** Within five business days after the removal, notice shall be given to the Department of Motor Vehicles that identifies the vehicle or part thereof, and evidence shall be submitted of all available registration, including but not limited to the registration card, certificates of ownership, or license plates.

**Section 28.** Section 9-900.020, Series 900, Title 9 of the San Joaquin County Ordinance Code is hereby amended to read as follows:

**Accessory Building.** A subordinate structure on the same lot as the main structure or main use of the land, of which the use is incidental to that of the main structure or main use of the land and is used exclusively by the occupants or owners of the main structure. Accessory structures may contain kitchen facilities but are not designed for sleeping except for guesthouses, and Accessory Dwelling Units, ~~and Second Unit Dwellings.~~

**Development Project.** Any project for which a discretionary permit is required, excluding General Plan amendments, ordinance text changes, zone reclassifications, Specific Plans, Specific Plan amendments, Special Purpose Plans, and Special Purpose Plan amendments.

**Residence, Primary.** A dwelling unit intended for occupancy by a family, excluding accessory dwelling units, ~~second unit dwellings,~~ guest houses, and farm ~~labor~~ employee housing.

**Section 29.** Section 9-901.050, Series 900, Title 9 of the San Joaquin County Ordinance Code is hereby amended to read as follows:

**Automotive Sales and Services.** Establishments or places of business primarily engaged in automotive-related sales or services. The following are the categories of this use type.

**Repairs, Limited.** Repair services for automobiles and light trucks conducted within an enclosed building, and the sale, installation, and servicing of automobile equipment and parts. Typical uses include muffler shops, automobile repair garages, wheel and brake shops, automobile glass shops, car alarm, navigation, and vehicle radio installation and repair, tire sales and installation, and minor tire ~~repairs~~ retreading or recapping. Excluded are uses included under the Automobile Repairs, Major category.

**Repairs, Major.** Repair of automobiles, trucks, motorcycles, and recreational vehicles including incidental sale, installation, and servicing of related equipment and parts. This

classification includes auto repair shops, body and fender shops, transmission repair, ~~wheel and brake shops, auto glass services,~~ and vehicle painting, but excludes vehicle dismantling or salvaging.

**Industry.** The following are the categories of this use type:

**Agricultural, Light.** Facilities used for ~~manufacturing and~~ processing agricultural crops, with the intent of preparing them for market or further processing. Typical uses include: alfalfa cubing; bean cleaning; ~~breweries;~~ corn shelling and sorting; canning of fruits and vegetables; ~~cheese manufacturing;~~ custom milling of flour, feed, and grain; ~~manufacturing of food oil; slaughter houses;~~ sorting, grading and packing of fruit and vegetables; tree nut hulling and shelling; ~~manufacturing of food and prepared meat products;~~ and support services related to these activities.

**Agricultural, Heavy.** Facilities used for manufacturing agricultural crops and products. Typical uses include: breweries; canning of fruits and vegetables; cheese manufacturing; manufacturing of food oil; slaughter houses; manufacturing of food and prepared meat products; and support services related to these activities.

**Major Impact Services.** Land intensive activities that must be located away from residences or concentrations of people due to the magnitude or nature of the operation's impacts on the surrounding environment.

**Parking Facility.** A publicly or privately owned lot or structure where parking for passenger vehicles is offered to the public when such use is not incidental to another activity.

**Soil Replacement and Stockpiling.** Replacement or stockpiling of clean fill brought on-site from off-site sources in excess of 250,000 cubic yards. Excludes quarry operations and reclamation plans.

**Warehouse, Storage, and Distribution.** Storage and distribution facilities with incidental onsite sales to the public or public storage in small individual spaces exclusively and directly accessible to a specific tenant. Small showrooms may be included as an accessory use. The following are the categories of this use type.

**Vehicle.** Indoor or outdoor storage of operable or inoperable vehicles, including automobiles, and trucks. This classification is distinguished from Automobile Sales and Services, Towing and Impound, because it is limited to storage on a ~~contract~~voluntary basis.

**Section 30.** This Ordinance shall take effect and be in force thirty (30) days after its adoption, and prior to the expiration of fifteen (15) days from the passage thereof, shall be published once (1) in the Record, a newspaper of general circulation published in the County of

San Joaquin, State of California, with the names of the members of the Board of Supervisors voting for and against the same.

PASSED AND ADOPTED at a regular meeting of the Board of Supervisors of the County of San Joaquin, State of California, on this 26<sup>th</sup> of September 2023 to wit:

AYES: **Villapudua, Canepa, Patti, Ding, Rickman**

NOES: **None**

ABSENT: **None**

ABSTAIN: **None**

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ROBERT RICKMAN  
Chairman, Board of Supervisors  
County of San Joaquin  
State of California

ATTEST: RACHÉL DeBORD  
Clerk of the Board of Supervisors  
County of San Joaquin  
State of California



By: \_\_\_\_\_  
Deputy Clerk