



**Planning Commission Staff Report
Item # 1, April 18, 2024
San Joaquin County General Plan and
Housing Element
Annual Progress Reports for 2023
Prepared by: Megan Aguirre**

PROJECT SUMMARY

Applicant Information

Project Applicant: San Joaquin County

Project Site Information

Project Location: Countywide

Project Description

This is a presentation of the San Joaquin County General Plan and Housing Element Annual Progress Reports for calendar year 2023.

Recommendation

1. Accept the General Plan Annual Progress Report for 2023.
2. Forward the General Plan Annual Progress Report for 2023 to the Board of Supervisors with a recommendation to also accept the report.
3. Accept the Housing Element Annual Progress Report for 2023.
4. Forward the Housing Element Annual Progress Report for 2023 to the Board of Supervisors with a recommendation to also accept the report.

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NOTIFICATION & RESPONSES

Public Hearing Notices

Legal ad for the public hearing published in the Stockton Record: April 8, 2024.

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ANALYSIS

Background

In 2016, the Board of Supervisors approved the County's 2035 General Plan, which includes a number of goals that are to be implemented through policies and programs administered by the various County departments. Pursuant to California's Planning and Zoning Law, the County shall prepare an annual review of the County's General Plan to the Board of Supervisors, the State Department of Housing and Community Development (HCD), and the Governor's Office of Planning and Research (OPR) by April 1st of each year.¹ The annual review, or Annual Progress Report (APR), will report on the status of each specific implementation program in the General Plan and take into account the availability of new implementation tools, changes in funding sources, and feedback from Plan monitoring activities, as applicable.

The General Plan is comprised of several elements, one of which is the Housing Element. State law also requires that an APR be prepared for the Housing Element for submittal to the Board of Supervisors, HCD, and OPR by April 1st of each year. The report contains data that creates a snapshot of housing unit production across various affordability levels, a listing of development applications received, and provides an update on housing program implementation. The purpose of the APR is to provide a status of the progress made towards implementing the Housing Element's programs for meeting the County's share of the Regional Housing Needs Allocation (RHNA).

As such, County staff has prepared both a General Plan Annual Progress Report and a Housing Element Annual Progress Report for 2023.

2035 General Plan

The 2035 General Plan is divided into two volumes. Volume 1 – General Plan Policy Document, is comprised of four parts (Part 1. Introduction, Part 2. Overview of San Joaquin County, Part 3. Goals and Policies, and Part 4. Administration and Implementation), while Volume 2, the 2035 General Plan Background Report, contains detailed descriptions of a wide range of topics to provide decision-makers, the public, and local agencies with context for making policy decisions.

General Plan Annual Progress Report (GP APR)

The General Plan is required to address several topics, referred to as "elements", to the extent that each is locally relevant. These elements include land use, circulation, housing, open space, conservation, safety, noise, environmental justice, and air quality². Based on these elements, the General Plan contains Countywide goals, policies, and programs in Part 3, with the procedures for carrying them out identified in Part 4.

As noted above, the State requires a GP APR to summarize the status of each policy and program contained in Part 4. Additionally, the GP APR also may identify where additional implementation/progress is needed or discuss new State requirements that need to be included in the next General Plan update. The format of the GP APR is left up to the jurisdiction, and in this case, staff has utilized the tables already contained in Part 4 to provide status updates for each policy or program (See Attachment A.)

Housing Element

In 2015, the Board of Supervisors adopted the 5th cycle (2015-2023) Housing Element, and in 2016, the County received certification by HCD. As one of the mandated elements of the County's General Plan, the Housing Element includes information related to the County's existing housing needs; an analysis of the County's population and employment trends; household characteristics; an inventory of land suitable for residential development; and goals, policies, and programs intended to meet the identified housing needs and State-mandated requirements. While the Housing Element is part of the General Plan, it is on a different

¹ Government Code Sections 65300 and 65400.

² Government Code Section 65302 and 65302.1.

timeline for updates than the General Plan, and thus, is adopted separately from the General Plan. The Community Development Department is currently working with a consultant on the 6th cycle Housing Element update that covers the planning period from December 2023 through December 2031, and anticipates finalizing the document later this year.

As part of the County’s Housing Element, the County is required to accommodate a share of the RHNA, as designated by HCD and managed by the San Joaquin Council of Governments (SJCOCG). The RHNA process allocates the State’s future housing needs to each county and city. HCD identifies housing needs for each region of the State in response to projected population and household growth, and mandates that each Council of Governments (COG) distribute the RHNA to each jurisdiction within the COG’s region. The following table represents the County’s share of the RHNA in all income categories for the Housing Element time horizon from 2015 through 2023.

TABLE 7-52 REGIONAL HOUSING NEEDS ALLOCATION Unincorporated San Joaquin County January 1, 2014 to December 31, 2023						
	Extremely Low	Very Low	Low	Moderate	Above Moderate	TOTAL
RHNA	1,257	1,239	1,727	1,724	4,220	10,167
Percent of Total	12%	12%	17%	17%	42%	100%

Each income category is defined as a percentage of the Area Median Income (AMI) as established by HCD. The income categories are then used to calculate housing affordability for rental and owner-occupied housing. Each income category is defined as follows:

- **Acutely Low Income** households have a combined income at or lower than 0-15 percent of AMI
- **Extremely Low Income** households have a combined income between 15-30 percent of AMI.
- **Very Low Income** households have a combined income between 30 and 50 percent of AMI.
- **Low Income** households have a combined income between 50 and 80 percent of AMI.
- **Moderate Income** households have a combined income between 80 and 120 percent of AMI.
- **Above Moderate Income** households have a combined income between 120 and 150 percent of AMI.

The State Income Limits for 2023 published by HCD are as follows:

	Income Category	Number of Persons in Household							
		1	2	3	4	5	6	7	8
San Joaquin County	Acutely Low	10,550	12,050	13,550	15,050	16,250	17,450	18,650	19,850
	Extremely Low	18,450	21,050	24,860	30,000	35,140	40,280	45,420	50,560
	Very Low	30,700	35,100	39,500	43,850	47,400	50,900	54,400	57,900
	Low	49,100	56,100	63,100	70,100	75,750	81,350	86,950	92,550
	Median	70,200	80,250	90,250	100,300	108,300	116,350	124,350	132,400
	Moderate	84,420	96,300	108,300	120,350	130,000	139,600	149,250	158,850

Housing Element Annual Progress Report (HE APR)

Unlike the GP APR, which is less prescribed, HCD requires the HE APR to be completed on forms provided by HCD. The forms require the following information:

- A list and number of housing development applications submitted in the reporting year.
- A list and number of housing units that have been entitled, issued building permits, or completed.
- Progress in meeting the County’s share of the RHNA.
- A list of sites identified or rezoned to accommodate any shortfall in housing need.

- Status of the Housing Element program implementation.

Staff has prepared the 2023 HE APR, and submitted it to HCD and OPR on March 27, 2024, to meet the submission deadline of April 1, 2024. The APR contains very large tables that are not suitable for printing and are best viewed electronically. Therefore, a partial representation of the HE APR is included as Attachment B, and the complete 2023 HE APR can be found at the Community Development Department's webpage at:

<https://www.sjgov.org/commdev/cgi-bin/cdyn.exe/file/Planning/Draft%20Documents%20for%20CDD%20Projects/2023%20Housing%20Element%20Annual%20Progress%20Report.pdf>

Attachment B includes Table B, which shows the new residential development in unincorporated San Joaquin County by affordability level since 2015. The number of units per year have fluctuated, with the lower numbers of new development from 2015 to 2017 reflecting a slow recovery coming out of the Great Recession that started in 2008 to 2009. The numbers for 2018 and 2019 show an increase based on the recovering economy, but because of the COVID-19 pandemic, residential units for 2020 dropped dramatically and were not as high as expected. The number of units in 2021 showed a steady increase in activity again similar to 2018 and 2019, while 2022 and 2023 reflected somewhat lower numbers more similar to 2015 to 2017.

Even with higher numbers for several of the planning years, it may be difficult to achieve the unattainably high RHNA numbers designated for San Joaquin County. The unincorporated San Joaquin County is primarily rural and agricultural. To preserve and maintain agricultural lands and open space, the policies of the General Plan direct any urban development to the cities, city fringe areas, or urban communities that have full public services (sewer, water, and storm drainage) that can sustain that level of growth. Because of this, there is very limited development in the unincorporated County, outside of Mountain House. Thus, reaching the allocated RHNA numbers may be difficult to achieve.

Efforts Toward Achieving the RHNA

The San Joaquin County Community Development Department has been making a concerted effort to achieve the RHNA numbers. The following are programs recently implemented or proposed for implementation to help streamline the application process and accelerate housing production and aid in attaining the allocated RHNA:

- **SB 2 Planning Grant (\$310,000):** This is a grant from HCD for jurisdictions to implement projects that streamline housing approvals and expedite housing production. Projects that utilized these grant funds include:
 - **Lobby and counter area improvements**
 - To streamline physical and permit processing.
 - **E-Plan Check software**
 - To expedite the plan check process.
 - **Development Title Update**
 - To include new Accessory Dwelling Unit (ADU) and Junior Accessory Dwelling Unit (JADU) standards for a streamlined review process and create an associated Accessory Dwelling Design Manual with a number of pre-approved plans to reduce the costs associated with building a new ADU
 - To allow multi-unit residential above commercial uses in all commercial zones
- **Local Early Action Planning (LEAP) Grant (\$500,000):** This is a one-time grant provided to jurisdictions to update their planning documents and implement process improvements to facilitate the acceleration of housing production, much like the SB 2 Planning Grant. Projects proposed with these grant funds are currently underway or recently completed and include:
 - **Fire Flow Study**
 - To evaluate the County's special districts lacking adequate fire flow to support new home construction, and identify which districts would be good candidates for improvements that allow the districts to provide the required fire flow.
 - **CSA 12 Water Line Extension in Thornton**

- To plan for and design an extension of the district's water main to allow for subdivision and development of additional residentially-zoned properties within the district.
- **Camino Software:** Implementation of this software has allowed customers to virtually obtain answers to their development and permitting questions before submitting their applications. Applicants can receive a customized guide containing information about project feasibility, timeline, fees, and process for successful project completion.
- **Mountain House Affordable Housing Trust Fund:** Fees are collected from Mountain House developers on every building permit and deposited into the Affordable Housing Trust to provide affordable housing to low-income households within the Mountain House community. Staff expects that an affordable housing project will begin within the next few years once Mountain House incorporates and the funds are transferred to the new city.
- **REAP 1.0 (\$304,623):** This grant provides funding for regional governments and entities for planning activities that accelerate housing and facilitate compliance of 6th cycle Regional Housing Needs Allocation. As such, the County has been using the funds for:
 - **Updating and implementing the Housing Element**
 - **Hiring additional Plan Check Staff and streamlining residential permit issuance**
 - **Supplementing existing projects identified as eligible projects under SB-2/LEAP**
- **REAP 2.0 (Up to \$1,105,464):** This grant supports transformative planning and implementation activities to accelerate infill and affordable developments, Vehicle Miles Traveled (VMT) reductions, and affirmatively furthering fair housing. County staff is currently preparing an application for a program to remove uninhabitable residential structures and streamline the process for new residential construction. Although the San Joaquin Council of Governments, who manages the County's allocation, initially estimated a grant amount of \$1,105,464 was allocated to the County, the State has since indicated that the funding amount is contingent upon approval of the State's budget and the Governor is proposing a 50% reduction. This would result in a total grant amount of \$552,732.

RECOMMENDATION

It is recommended that the Planning Commission:

1. Accept the General Plan Report for 2023.
2. Forward the General Plan Report for 2023 to the Board of Supervisors with a recommendation to also accept the report.
3. Accept the Housing Element Annual Progress Report for 2023.
4. Forward the Housing Element Annual Progress Report for 2023 to the Board of Supervisors with a recommendation to also accept the report.

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SAN JOAQUIN
— COUNTY —
Greatness grows here.

Community Development Department

Planning · Building · Code Enforcement · Fire Prevention · GIS

Attachment A
2023 San Joaquin County General Plan
Annual Progress Report

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2023 ANNUAL PROGRESS REPORT FOR THE 2035 SAN JOAQUIN COUNTY GENERAL PLAN

Part 4: ADMINISTRATION AND IMPLEMENTATION

Specific implementation programs from San Joaquin County's 2035 General Plan are listed in the following tables. An implementation program is an action, procedure, program, or technique that carries out general plan policy. Following each implementation program is a description of which policy(ies) the program implements, which County department(s) is responsible for implementation, which department(s) will support the responsible department(s), and the status of the program. If the responsible department has changed since the 2035 General Plan was approved in 2016, this is generally noted in the program status.

The implementation program tables are organized as follows:

- Table 4-1: Land Use
- Table 4-2: Communities
- Table 4-3: Economic Development
- Table 4-4: Transportation and Mobility
- Table 4-5: Infrastructure and Services
- Table 4-6: Public Health and Safety
- Table 4-7: Natural and Cultural Resources

NOTE: The abbreviations following each policy and program refer to the type of tools or actions the County can use to carry out the policies. These eight types of tools and actions are listed below and explained in detail in the 2035 San Joaquin County General Plan, Part 4, Administration and Implementation.

- Regulation and Development Review (RDR)
- Plans, Strategies, and Programs (PSP)
- Financing and Budgeting (FB)
- Planning Studies and Reports (PSR)
- County Services and Operations (SO)
- Inter-governmental Coordination (IGC)
- Joint Partnerships with the Private Sector (JP)
- Public Information (PI)

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Part 4: ADMINISTRATION AND IMPLEMENTATION

LU Community Development Element Table 4-1: Land Use	
Program LU-A: Development Title Consistency. The County shall update the Development Title to ensure consistency with the General Plan Land Use Diagram and the policies in the General Plan. (RDR)	
Implements Which Policy (ies)	LU-1.3; LU-1.9; LU-2.15; LU-2.17
Responsible Department(s)	Community Development
Supporting Department(s)	
STATUS: In December 2022, the Board of Supervisors approved a comprehensive Development Title update and the Community Development Department continues to process additional updates, as needed.	
Program LU-B: County General Plan Consistency. The County shall prepare written comments to the Local Agency Formation Commission (LAFCO) regarding the consistency with the General Plan of any proposed changes in the sphere of influence or other urban boundaries for governmental entities that provide water or sewer services. (RDR/IGC)	
Implements Which Policy (ies)	LU-1.10; LU-7.13
Responsible Department(s)	Community Development
Supporting Department(s)	
STATUS: The Community Development Department prepares comments upon request.	
Program LU-C: General Plan Review. The County shall annually review the General Plan, focusing principally on actions undertaken in the previous year to carry out the implementation programs of the Plan. The review will entail a report to the Planning Commission and Board of Supervisors that includes, if necessary, recommendations for amendments to the General Plan. (PSP/PSR)	
Implements Which Policy (ies)	LU-1.2; LU-1.3
Responsible Department(s)	Community Development
Supporting Department(s)	Public Works, Environmental Health
STATUS: This is an ongoing, annual project.	

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Part 4: ADMINISTRATION AND IMPLEMENTATION

LU Community Development Element Table 4-1: Land Use	
<p>Program LU-D: GIS Database. The County shall develop and maintain a GIS database that identifies, by parcel, land use, infrastructure, and environmental information. (PSR)</p>	
Implements Which Policy (ies)	LU-1.2; LU-1.3
Responsible Department(s)	Community Development
Supporting Department(s)	
<p>STATUS: The Community Development Department's GIS (Geographic Information Systems) Division maintains Parcel Viewer for relevant parcel information, including zoning and General Plan designations, infrastructure related districts (where applicable), and environmental information.</p>	

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Part 4: ADMINISTRATION AND IMPLEMENTATION

C Community Development Element Table 4-2: Communities	
<p>Program C-A: Standards for Facilities and Services in Rural Communities. The County shall adopt standards for facilities and services in rural communities that protect basic public health and safety and the environment, but are financially supportable at rural densities and do not encourage urban development. (RDR)</p>	
Implements Which Policy (ies)	C-3.4; C-3.5
Responsible Department (s)	Community Development, Environmental Health
Supporting Department (s)	
<p>STATUS: In April 2016, as required by State law and regulated by the State Water Resources Control Board, the Environmental Health Department developed the Onsite Wastewater Treatment Systems Local Agency Management Program (LAMP) to manage to protect public health and water quality. The LAMP prescribes proper mitigation measures that provide effective sewage treatment and achieve the purpose of the LAMP in protecting water quality and maintaining the highest level of ground and surface water protection, while also allowing current use and development of properties within all areas in San Joaquin County.</p>	
<p>Program C-B: Circulation Improvements for Lockeford, The County shall continue to explore the feasibility of a State Route 12/88 bypass around Lockeford. As an interim solution to congestion as planned development occurs, the County shall evaluate and consider operational improvements along the highway and circulation improvements within Lockeford. If a bypass is built, the County shall a re-evaluation the planned land uses plan within Lockeford. (RDR)</p>	
Implements Which Policy (ies)	C-3.4; C-3.5
Responsible Department (s)	Public Works, Community Development
Supporting Department (s)	
<p>STATUS: The Department of Public Works is currently partnering with the California Department of Transportation on the State Route 88 Pavement Anchor Project to develop multimodal improvements that include extending sidewalks and adding Class II bike lanes in various areas of Lockeford to improve mobility for pedestrians and bicyclists.</p>	

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ED Community Development Element Table 4-3: Economic Development	
ED-A: Economic Development Strategy. The County shall prepare and submit an annual report to the Board of Supervisors that evaluates implementation of the Comprehensive Economic Development Strategy, and shall review and update, as necessary, the Strategy every five years. (PSP)	
Implements Which Policy (ies)	All ED Policies
Responsible Department(s)	Employment & Economic Development
Supporting Department(s)	County Administrator's Office
STATUS: On August 13, 2019, the Employment and Economic Development Department presented the 2019-2024 Comprehensive Economic Development Strategy to the Board.	
ED-B: Monitor Jobs/Housing Ratio. The County shall work with the cities in the County to monitor the ratio of employment opportunities to housing, and report annually to the Board of Supervisors on the jobs/housing balance. (PSR)	
Implements Which Policy (ies)	ED-1.4
Responsible Department(s)	Community Development
Supporting Department(s)	Employment & Economic Development
STATUS: The County annually reports on the jobs/housing balance for the unincorporated community of Mountain House, which has been undergoing a significant amount of development. Additionally, the County, Cities within the County, local and regional agencies, businesses, and several public-private sector organizations developed the 2019-2024 Comprehensive Economic Development Strategy (CEDS) which includes information about existing and potential areas for industrial and commercial development, as well as available affordable housing opportunities.	

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Part 4: ADMINISTRATION AND IMPLEMENTATION

ED Community Development Element Table 4-3: Economic Development	
<p>ED-C: Inventory Available Space. Work with the San Joaquin Partnership, cities within the County, chambers of commerce, and real estate representatives to annually inventory existing commercial and industrial space, as well as vacant and underutilized commercial and industrial sites. The County shall report annually to the Board of Supervisors on the availability of commercial and industrial space for new development and new businesses. (PSR)</p>	
Implements Which Policy (ies)	ED-3.1
Responsible Department(s)	Employment & Economic Development
Supporting Department(s)	Community Development, County Administrator's Office
<p>STATUS: The 2019-2024 Comprehensive Economic Development Strategy (CEDS) developed by the County, Cities within the County, local and regional agencies, businesses, and several public-private sector organizations provides a general overview of commercial and industrial developments, and the economic development conditions, including assets, challenges, and opportunities. Additionally, on October 24, 2023, the Community Development Department presented an Industrial Market Analysis to the Board of Supervisors that analyzed the long-term balance of supply and demand for industrial land within the County and considered land zoned for industrial development within both the incorporated and unincorporated areas.</p>	
<p>ED-D: Information on Permitting Procedures. The County shall prepare and distribute information that effectively outlines permitting and licensing procedures to facilitate the process for starting a new business in the County. (PI)</p>	
Implements Which Policy (ies)	ED-1.3
Responsible Department(s)	Employment & Economic Development
Supporting Department(s)	Community Development; Public Works
<p>STATUS: Procedures are updated on an ongoing basis. Business licensing information can currently be found on the websites for the Community Development Department and the Treasurer-Tax Collector. Additionally, the County is working on a software update that will streamline and modernize the Business License application process. This update is anticipated to be fully function for fiscal year 2024-2025.</p>	

Part 4: ADMINISTRATION AND IMPLEMENTATION

ED Community Development Element Table 4-3: Economic Development	
<p>ED-E: New and Existing Business Support. The County shall identify and develop financial incentives to attract new investment and support existing businesses, particularly small locally-owned businesses. This should include pursuing funding for entrepreneurial entities, including private and venture capital funding. (PSP/FB)</p>	
Implements Which Policy (ies)	ED-1.2
Responsible Department(s)	Community Development, County Administrator's Office
Supporting Department(s)	Public Works
<p>STATUS: The San Joaquin County Economic Development Association (EDA) in cooperation with the Employment and Economic Development Department, Chambers of Commerce and local governments, provides a "one-stop" business resource to assist business developments with tools such as business training building and site availability, employee recruitment and training, and referrals to a business assistance program. Additionally, the EDA provides business loan package preparation for acquisition of owner occupied land and facilities, machinery and equipment, leasehold improvements, inventory and work capital. Information about the EDA is available on the Employment and Economic Development Department website.</p>	
<p>ED-F: Innovative Technology Businesses. The County shall work with San Joaquin Partnership and other economic development organizations to conduct a study to identify innovative technology businesses (e.g., green technology, alternative energy, and research and development) that San Joaquin County has a competitive advantage in attracting. Based on findings from the study, the County shall develop and implement a strategy to attract firms in innovative industries to the County. (PSR)</p>	
Implements Which Policy (ies)	ED-1.5; ED-2.4
Responsible Department(s)	Employment & Economic Development
Supporting Department(s)	County Administrator's Office
<p>STATUS: The County is partners with iHub San Joaquin, whose mission is to develop new partnerships, stimulate economic development, create new jobs, and nurture entrepreneurship and enterprises dedicated to innovative and emerging technologies. iHub San Joaquin is specifically interested in re-invigorating the region's economy as a center for sustainable technologies in health care, agri-business, and sustainable construction technology.</p>	

Part 4: ADMINISTRATION AND IMPLEMENTATION

ED Community Development Element Table 4-3: Economic Development	
<p>ED-G: Customer Service. The County shall conduct annual customer service rating surveys to elicit feedback from businesses in the County on County services. The County shall report to the Board of Supervisors on findings from the study and adjust its customer service policies and procedures, as necessary, to provide the best possible service. (PSP/PSR)</p>	
Implements Which Policy (ies)	ED-1.3
Responsible Department(s)	Employment & Economic Development
Supporting Department(s)	Community Development; Public Works
<p>STATUS: This is an ongoing process. There is a customer survey on the Community Development Department website to collect community input. Additionally, the 2021 Community Strategic Priorities Survey surveyed County residents on a number of topics, including opinions about the County's handling of funds and services, as well as what should be strategic priorities for the County.</p>	
<p>ED-H: Wine and Hospitality Overlay Zone. The County shall support the expansion of the wine and hospitality industries by developing and maintaining appropriate regulations that identify areas of the County appropriate for expanding the wine and hospitality industries. (RDR)</p>	
Implements Which Policy (ies)	ED-4.7; ED-5.2
Responsible Department(s)	Community Development
Supporting Department(s)	N/A
<p>STATUS: This is an ongoing process. The Development Title contains regulations for uses that fall within the wine and hospitality industries, including information about the zones where these uses may be permitted. Additionally, Chapter 9-410 contains specific regulations for wineries and related uses. Development Title regulations are updated periodically, as needed.</p>	

Part 4: ADMINISTRATION AND IMPLEMENTATION

Transportation and Mobility (TM)

TM Public Facilities and Services Element Table 4-4: Transportation and Mobility	
Program TM-A: Traffic Mitigation Fee. The County shall review and update, as necessary, its traffic impact mitigation and road improvement fees per AB 1600. (RDR/FB)	
Implements Which Policy (ies)	TM-1.15; TM-1.18; TM-2.6
Responsible Department(s)	Public Works
Supporting Department(s)	
STATUS: The Department of Public Works annually presents the Board of Supervisors with a review of the Traffic Impact Fee and any updates. An annual update was completed in November of 2022, while the most recent annual review was completed in October of 2023. Additionally, the County participates in the Regional Traffic Impact Fee program facilitated by the San Joaquin Council of Governments for regional road improvements. SJCOG is currently working on a comprehensive 5-year update, with the latest annual fee update approved in May of 2023.	
Program TM-D: Update Roadway Standards. The County shall continue to review and update the Roadway Standards within the Development Title as necessary to reflect the policies of the General Plan. (RDR)	
Implements Which Policy (ies)	TM-3.1
Responsible Department(s)	Public Works
Supporting Department(s)	Community Development
STATUS: This is an ongoing process. In 2022, an updated Development Title was approved, which contains roadway standards in Chapter 9-608 Roadways. Additional updates are completed, as needed.	
Program TM-E: Traffic Studies. The County shall update, as necessary, standards, criteria for defining significant impacts, and procedures for traffic studies to determine needed road improvements. (RDR)	
Implements Which Policy (ies)	TM-3.2; TM-3.7; TM-3.9; TM-3.11
Responsible Department(s)	Public Works
Supporting Department(s)	
STATUS: This is an ongoing process. In 2022, an updated Development Title was approved, which contains traffic study requirements in 9-608.050 Traffic Analyses. Additional updates are completed, as needed.	

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Part 4: ADMINISTRATION AND IMPLEMENTATION

TM <div style="text-align: right;"> Public Facilities and Services Element Table 4-4: Transportation and Mobility </div>	
Program TM-F Driveway Standards. The County shall update, as necessary, access standards for driveways and other encroachments on County roads. On State highways these standards shall be coordinated with Caltrans. (RDR)	
Implements Which Policy (ies)	TM-3.3
Responsible Department(s)	Public Works
Supporting Department(s)	
STATUS: This is an ongoing process. In 2022, an updated Development Title was approved, which contains driveway requirements in 9-607.040 Driveways. Additional updates are completed, as needed.	
Program TM-G: Bicycle Master Plan. The County shall review and update the Bicycle Master Plan every five years to ensure its applicability to the current state of the bicycle network, bicycle facilities, and bicycle ridership numbers. (PSP)	
Implements Which Policy (ies)	TM-4.1; TM-4.7; TM-4.8; TM-4.9
Responsible Department(s)	Public Works
Supporting Department(s)	
STATUS: On December 15, 2020, the Board of Supervisors approved the latest Bicycle Master Plan update presented by the Department of Public Works.	

2023 ANNUAL PROGRESS REPORT FOR THE 2035 SAN JOAQUIN COUNTY GENERAL PLAN
Part 4: ADMINISTRATION AND IMPLEMENTATION

Infrastructure and Services (IS)

IS Public Facilities and Services Element Table 4-5: Infrastructure and Services	
<p>Program IS-A: Infrastructure Improvements and Funding. The County shall prepare, adopt, and periodically update capital improvement programs for all County-owned and operated facilities and services to ensure consistency with the General Plan in order to maintain an adequate level-of-service. (PSP/FB)</p>	
Implements Which Policy (ies)	IS-1.1; IS-1.3; IS-1.4; IS-1.5
Responsible Department(s)	General Services
Supporting Department(s)	Public Facilities
<p>STATUS: The General Services Department's Capital Projects Administration Division prepared the Ten-Year Facilities Master Plan (2021-2031) and Five-Year Capital Improvement Plan (2023-2024 to 2027-2028). The Capital Improvement Plan (CIP) provides a spending plan for County-owned facilities, including short-term and long-term infrastructure development of new building and major renovation construction projects, while the Ten-Year Facility Master Plan (FMP) identifies objectives for improving the delivery of services and utilization of real estate assets for 2021-2031 based upon ten-year staffing forecasts and corresponding estimated building space required for facilities and services.</p>	
<p>Program IS-B: Climate Change Impacts Monitoring. The County shall monitor and prepare regular reports on expected impacts on public facilities and services due to the results of climate change. Based on findings from these reports, the County shall make necessary updates to facility and services plans and operations to help the County adapt to the anticipated effects of climate change. (PSR)</p>	
Implements Which Policy (ies)	IS-1.11
Responsible Department(s)	Public Facilities
Supporting Department(s)	Community Development, Public Works, Office of Emergency Services, Sheriff
<p>STATUS: This is an ongoing process with reports provided as needed.</p>	

Part 4: ADMINISTRATION AND IMPLEMENTATION

IS	
Public Facilities and Services Element Table 4-5: Infrastructure and Services	
<p>Program IS-C: Sustainability Master Plan. The County shall prepare and adopt a Sustainability Master Plan that guides County efforts to incorporate sustainability strategies (e.g., energy efficiency, water conservation, waste reduction/recycling, purchasing preferences) into its facilities, operations, and activities. (PSP/SO)</p>	
Implements Which Policy (ies)	IS-3.2
Responsible Department(s)	County Administrator
Supporting Department(s)	Public Works, Community Development, Public Works, Office of Emergency Services, Sheriff
<p>STATUS: As part of the County Administrative Manual, the County has a Green Purchasing Policy and Procedure to establish purchasing practices that promote sustainability of the environment in accordance with Federal, State and local ordinances, as well as to model environmentally-friendly purchasing of recycled products to encourage other community purchasers to adopt similar goals. Additionally, any remodeling and new construction of County facilities is processed with building permits through the Community Development Department's Building Division that ensure that current energy efficiency and water conservation requirements are being met.</p>	
<p>Program IS-D: Required Water Supply Facilities. The County shall update the Development Title to specify requirements for water supply facilities for new development. (RDR)</p>	
Implements Which Policy (ies)	IS-5.1; IS-5.2
Responsible Department(s)	Community Development
Supporting Department(s)	Public Works, Environmental Health
<p>STATUS: In December 2022, the Board of Supervisors approved a comprehensive Development Title update and the Community Development Department continues to process additional updates in consultation with the Environmental Health Department and Department of Public Works, as needed.</p>	

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IS Public Facilities and Services Element Table 4-5: Infrastructure and Services	
<p>Program IS-E: Water Conservation Ordinance. The County shall review and update, as necessary, the Water Conservation Ordinance to incorporate best management practices for conserving water. (RDR)</p>	
Implements Which Policy (ies)	IS-4.8
Responsible Department(s)	Public Works
Supporting Department(s)	
<p>STATUS: This is an ongoing process. The latest Water Conservation Ordinance (No. 4450) was approved by the Board of Supervisors on August 12, 2014.</p>	
<p>Program IS-F: Water Conservation Education. The County shall work with water districts and public agencies in the County to continue implementing a water conservation education program to increase public awareness of efficiently conserving, using, reusing, and managing water resources and incentives to install conservation measures. (IGC/PI)</p>	
Implements Which Policy (ies)	IS-4.8; IS-4.18; IS-4.19; IS-20
Responsible Department(s)	Public Works
Supporting Department(s)	
<p>STATUS: The Department of Public Works maintains information about water conservation efforts and requirements on their website. Additionally, the Office of Emergency Services maintains a website for disaster preparedness with links to water conservation tips from the various cities, as well as several special districts and water districts within San Joaquin County.</p>	
<p>Program IS-G: Wastewater System Standards. The County shall review and update onsite septic system standards consistent with the State Water Resources Control Board Onsite Wastewater Treatment Systems Policy. (RDR)</p>	
Implements Which Policy (ies)	IS-6.1; IS-6.3; IS-6.4
Responsible Department(s)	Environmental Health
Supporting Department(s)	Public Works
<p>STATUS: This is an ongoing process. In April 2016, as required by State law and regulated by the State Water Resources Control Board, the Environmental Health Department developed the Onsite Wastewater Treatment Systems Local Agency Management Program (LAMP) which contains permitting, installation, and inspection requirements for onsite septic systems.</p>	

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IS Public Facilities and Services Element Table 4-5: Infrastructure and Services	
<p>Program IS-H: Required Wastewater Services. The County shall update the Development Title to include specific wastewater treatment requirements for new development. (RDR)</p>	
Implements Which Policy (ies)	IS-6.3
Responsible Department(s)	Community Development
Supporting Department(s)	Public Works, Environmental Health
<p>STATUS: In December 2022, the Board of Supervisors approved a comprehensive Development Title update and the Community Development Department continues to process additional updates in consultation with other departments, as needed. This includes any future changes to wastewater treatment requirements identified by the Department of Public Works or the Environmental Health Department.</p>	
<p>Program IS-I: Best Management Practices. The County shall prepare and adopt updated low-impact development (LID) standards and best management practices (BMPs) for new development projects as part of its stormwater management and grading ordinance. These standards and BMPs will ensure compliance with National Pollutant Discharge Elimination System (NPDES) Phase 1 and Phase 2 Municipal Separate Storm Sewer System programs (MS4). It will also encourage alternative storm water management systems, natural drainage systems and LID approaches to managing stormwater that improve water quality. (RDR)</p>	
Implements Which Policy (ies)	IS-7.1
Responsible Department(s)	Public Works
Supporting Department(s)	
<p>STATUS: In December 2022, the Board of Supervisors approved a comprehensive Development Title update that included Chapter 9-812 Grading and Drainage Permits which established permit procedures for construction grading and drainage.</p>	

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IS Public Facilities and Services Element Table 4-5: Infrastructure and Services 	
Program IS-J: Mandatory Collection Ordinance. The County shall develop and adopt an ordinance requiring solid waste collection, including recycling, from all Urban and Rural communities. (RDR)	
Implements Which Policy (ies)	PHS-6.5
Responsible Department(s)	Public Works
Supporting Department(s)	Environmental Health
STATUS: Since 1994, the County has required mandatory solid waste collection in residential areas identified on the Mandatory Collection and Refuse Service Areas map. Additionally, since 2012, the County has required businesses and multi-family dwellings of five or more units to collect recycling.	
Program IS-K: Waste-to-Energy. The County shall prepare a study on the feasibility of developing a waste-to-energy facility, including a methane gas recovery operation. Based on findings from the study, the County shall make recommendations to the Board of Supervisors for follow-up implementation. (PSR)	
Implements Which Policy (ies)	PHS-6.4; PHS-6.5
Responsible Department(s)	Public Works
Supporting Department(s)	Community Development, Environmental Health
STATUS: There is a gas to energy facility located at the County's Foothill Landfill.	
Program IS-L: Waste Management Plan. The County shall review and update as necessary the Waste Management Plan every five years. (PSP)	
Implements Which Policy (ies)	IS-7.4
Responsible Department(s)	Public Works
Supporting Department(s)	
STATUS: This is an ongoing process.	

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IS	
Public Facilities and Services Element Table 4-5: Infrastructure and Services	
Program IS-M: Undergrounding of Utilities. The County shall update the Development Title to include provisions regarding the underground placement of gas and electricity transmission and distribution facilities and telecommunications facilities. (RDR)	
Implements Which Policy (ies)	LU-3.1; LU-3.10
Responsible Department(s)	Community Development
Supporting Department(s)	Public Works
STATUS: In December 2022, the Board of Supervisors approved a comprehensive Development Title update that included Chapter 9-411 Wireless Telecommunication Facilities and Chapter 9-609 Underground and Overhead Utilities. Chapter 9-411 establishes reasonable regulations, to the extent permitted under California and federal law, for the installation, operation, collocation, modification, maintenance and removal of wireless communication facilities, while Chapter 9-609 specifies requirements and standards for underground utilities.	
Program IS-N: Library Facilities Master Plan. The County shall review and update as necessary the Stockton-San Joaquin County Library Facilities Master Plan every five years. (PSP)	
Implements Which Policy (ies)	LU-9.1
Responsible Department(s)	Stockton-San Joaquin County Public Library
Supporting Department(s)	
STATUS: This is an ongoing process.	
Program IS-O: Ongoing Needs Assessment. The County shall conduct a bi-annual survey to assess the need for additional library services at existing branch libraries and by the bookmobiles. Based on findings from the studies, the County shall make recommendations to the Stockton-San Joaquin County Library on addressing identified deficiencies and needs. (PSP/PI)	
Implements Which Policy (ies)	LU-9.1
Responsible Department(s)	Stockton-San Joaquin County Public Library
Supporting Department(s)	
STATUS: This is an ongoing process.	

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IS Public Facilities and Services Element Table 4-5: Infrastructure and Services	
<p>Program IS-P: Seasonal Law Enforcement Standard. The County shall establish a seasonal law enforcement service standard to address increased demand for deputies on County waterways during certain periods of the year. The standard shall be based on relevant factors, such as the number of registered boaters in the County, the number of calls for service from previous years, and service population averages. (RDR)</p>	
Implements Which Policy (ies)	IS-1.1
Responsible Department(s)	Sheriff
Supporting Department(s)	
<p>STATUS: The Sheriff's Office provides boat patrols, as needed.</p>	
<p>Program IS-Q: Fireflows. The County shall coordinate with local fire districts and CalFire to update the Development Title to include water system fireflow requirements for new development. (RDR/IGC)</p>	
Implements Which Policy (ies)	IS-5.1; IS-5.6
Responsible Department(s)	Community Development
Supporting Department(s)	
<p>STATUS: In December 2022, the Board of Supervisors approved a comprehensive Development Title update with Chapter 9-602 Water Supply, which specifies the requirements for water systems in both new and existing development. Requirements include that sufficient water shall be always available to meet the total requirements of all users under maximum demand conditions from the water sources and distribution reservoirs, including water for domestic and fire protection purposes.</p>	
<p>Program IS-R: Defensible Space. The County shall develop and adopt a Defensible Space Concepts Design Review Manual. (RDR)</p>	
Implements Which Policy (ies)	PHS-4.3; PHS-4.4; PHS-4.5
Responsible Department(s)	Community Development
Supporting Department(s)	
<p>STATUS: In December 2022, the Board of Supervisors approved a comprehensive Development Title update that includes setback and fire access requirements. Additionally, development projects and building permits are reviewed by local fire districts or County Fire Prevention staff to ensure compliance with fire regulations.</p>	

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IS Public Facilities and Services Element Table 4-5: Infrastructure and Services	
<p>Program IS-S: Impact Fees. The County shall develop and adopt impact fees to offset the costs of providing fire and law enforcement services. (FB)</p>	
Implements Which Policy (ies)	PHS-4.2
Responsible Department(s)	Community Development
Supporting Department(s)	CAO, Sheriff
<p>STATUS: Development Title Section 9-610.060 establishes a Fire Protection Facilities Improvement Fee to pay for the improvement of fire protection facilities due to the impacts of development in unincorporated areas. Development Title Section 9-610.070 established the County Capital Facilities Development Impact Fee Program to finance region-serving Capital Facilities located throughout the County that are used by the residents and businesses within each city, as well as the unincorporated area. This fee ensures that new development pays its proportionate share for these improvements</p>	

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PHS Public Health and Safety Element	
Table 4-6: Public Health and Safety	
<p>PHS-A: Emergency Operations Plans and Hazard Mitigation Plans. The County shall review and update the following emergency operations and hazard mitigation plans every five years:</p> <ul style="list-style-type: none"> • Emergency Operations Plan, • Mountain House Community Emergency Operations Plan, • Multi-Hazard Functional Plan, and • Local Hazard Mitigation Plan, and • Flood Safety Plan and Contingency Mapping. (PSP/SO) 	
Implements Which Policy (ies)	PHS-1.3
Responsible Department(s)	Office of Emergency Services
Supporting Department(s)	
<p>STATUS: These plans are updated periodically, as required. Most recently, the Emergency Operations Plan/Hazardous Material Area Plan was updated in 2022, and the Local Hazard Mitigation Plan was updated in 2023.</p>	
<p>PHS-B: Emergency Evacuation Routes. The County shall provide information about emergency evacuation routes to the public through the County website. (PI)</p>	
Implements Which Policy (ies)	PHS-1.3; PHS-1.10
Responsible Department(s)	Office of Emergency Services
Supporting Department(s)	Public Works
<p>STATUS: The Office of Emergency Services website contains links to evacuation route maps and brochures.</p>	

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PHS Public Health and Safety Element	
Table 4-6: Public Health and Safety	
PHS-C: Disaster Simulation Exercise. The County shall coordinate a biannual disaster simulation exercise to clarify and test staff emergency duties. (SO)	
Implements Which Policy (ies)	PHS-1.4
Responsible Department(s)	Office of Emergency Services
Supporting Department(s)	Sheriff's Department
STATUS: Disaster simulation exercises are coordinated periodically.	
PHS-D: Emergency Preparedness Information Program. The County shall continue to prepare brochures and fliers, and provide information on its website to inform citizens of government emergency plans and encourage business, agency, and household emergency preparedness. (PI)	
Implements Which Policy (ies)	PHS-1.2; PHS-1.3; PHS-1.5
Responsible Department(s)	Office of Emergency Services
Supporting Department(s)	
STATUS: The Office of Emergency Services website contains links to brochures with emergency evacuation information and other disaster/emergency preparedness information.	
PHS-E: Climate Change Monitoring and Adaptation. The County shall develop and implement a program to monitor the impacts of climate change and uses adaptive management to develop new strategies and modify existing strategies to respond to the impacts of climate change. (PSP/PSR)	
Implements Which Policy (ies)	PHS-1.1
Responsible Department(s)	Office of Emergency Services
Supporting Department(s)	Community Development, Public Works
STATUS: The Severe Weather Hazard Annex developed in October 2023 addresses potential weather impacts, including those related to climate change modeling forecasts of an increase in the frequency, intensity, and duration of extreme heat events and heatwave-waves. Additionally, the County currently participates in various meetings with the local San Joaquin Council of Governments, which include programs that address the affects of climate change on the local population and transportation/mobility.	

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PHS Public Health and Safety Element Table 4-6: Public Health and Safety	
PHS-F: Climate Change Information Program. The County shall prepare brochures and fliers, and provide information on its website to inform citizens of the potential impacts of climate change and how they can prepare for those impacts. Specifically, the promotional materials shall include information on the impacts of heat on human health. (PI)	
Implements Which Policy (ies)	PHS-1.1
Responsible Department(s)	Office of Emergency Services
Supporting Department(s)	Community Development, Public Works
STATUS: The Office of Emergency Services has a website dedicated to emergency preparedness where citizens can find information pertaining to various types of emergency situations including severe weather and extreme heat.	
PHS-G: Countywide Flood Evacuation Plan. The County shall review and update, as necessary, San Joaquin County Flood Evacuation Plans every five years. (PSP)	
Implements Which Policy (ies)	PHS-2.21, PHS-2.22
Responsible Department(s)	Office of Emergency Services
Supporting Department(s)	Community Development
STATUS: The Office of Emergency Services website contains links to brochures with emergency evacuation information and other disaster/emergency preparedness information.	

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PHS Public Health and Safety Element Table 4-6: Public Health and Safety	
PHS-H: Floodplain Management Ordinance. The County shall annually review and update, as necessary, Special Flood Hazard Area provisions contained in the Development Title to ensure adequate protection for structures located within identified flood zones. The County shall ensure that ordinance reflects Federal and State mandated flood management requirements (RDR/PSP)	
Implements Which Policy (ies)	PHS-2.1; PHS-2.2; PHS-2.3; PHS-2.4; PHS-2.7; PHS-2.8; PHS-2.9
Responsible Department(s)	Public Works
Supporting Department(s)	Community Development
STATUS: In December 2022, the Board of Supervisors approved a comprehensive Development Title update which includes Chapter 9-703 Flood Hazards to address floodplain management regulations designed to promote the public health, safety, and general welfare. Flood management requirements will be updated as needed when identified by the Department of Public Works.	
PHS-I: Development Title. The County shall amend the Development Title pursuant to California Government Code Section 65860.1 to provide consistency with amendments made to the General Plan pursuant to California Government Code Section 65302.9 for flood risk management. (RDR)	
Implements Which Policy (ies)	PHS-2.1; PHS-2.3; PHS-2.4; PHS-2.7
Responsible Department(s)	Community Development
Supporting Department(s)	Public Works
STATUS: In December 2022, the Board of Supervisors approved a comprehensive Development Title update for consistency with the General Plan approved in 2016. Additional updates pertaining to flood risk requirements will be processed as needed when identified by the Department of Public Works.	

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PHS Public Health and Safety Element Table 4-6: Public Health and Safety	
PHS-J: Levee Maintenance Corridors. The County shall review the Development Title and amend as necessary to require a minimum setback and easements consistent with State Title 23 and United States Army Corps of Engineers standards for levee maintenance corridors. (RDR)	
Implements Which Policy (ies)	PHS-2.8; PHS-2.9; PHS-2.12; PHS-2.17
Responsible Department(s)	Community Development
Supporting Department(s)	Public Works
STATUS: : In December 2022, the Board of Supervisors approved a comprehensive Development Title update, which includes Section 9-703.190 Levees related to setback requirements for fences and poles within levee areas. The Development Title also includes other policies to limit impacts to levees.	
PHS-K: Collaborate with State and Local Flood Management Agencies. The County shall collaborate in developing a maintenance and funding plan for levees with State and local flood management agencies. (PI)	
Implements Which Policy (ies)	PHS-2.16; PHS-2.18
Responsible Department(s)	Public Works
Supporting Department(s)	Community Development
STATUS: This is an ongoing process. In June 2023, the Board of Supervisors authorized the General Services Director or their designee to vote in the affirmative to support the proposed special benefit assessment on County owned properties within the proposed San Joaquin Area Flood Control Agency Levee Construction and Maintenance Assessment District, which was later adopted by the Board of Directors for the San Joaquin Area Flood Control Agency.	
PHS-L: Public Information on Flood Risks. The County shall provide information educating the public about Federal Emergency Management Agency floodplain and Flood Insurance Rate maps, the risks associated with living in a levee inundation area, and programs for management and response to flooding hazards (PI)	
Implements Which Policy (ies)	PHS-2.21; PHS-2.23
Responsible Department(s)	Public Works
Supporting Department(s)	Community Development
STATUS: The Department of Public Works periodically informs the public through mailings and online notifications about flood risks in the area. The County also provides maps and links to other agency maps that identify flood hazard areas and provide evacuation information.	

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PHS Public Health and Safety Element Table 4-6: Public Health and Safety	
PHS-M: Identify and Abate Critical Infrastructure. The County shall inspect, monitor, and provide emergency restoration of local bridges and other critical transportation facilities when damaged during an earthquake event. (PSP)	
Implements Which Policy (ies)	PHS-3.3
Responsible Department(s)	Public Works
Supporting Department(s)	
STATUS: The Department of Public Works inspects, monitors, and restores local bridges and critical transportation facilities in response to emergencies, including earthquake events.	
PHS-N: Public Information on Geologic Hazards. The County shall continue existing County programs to inform the public about methods to reinforce structures against geologic and seismic impacts, and shall promote awareness and preparedness in the event of a geologic or seismic hazard. (PI)	
Implements Which Policy (ies)	PHS-3.1; PHS-3.2
Responsible Department(s)	Office of Emergency Services
Supporting Department(s)	Community Development
STATUS: The Office of Emergency Services has a website dedicated to emergency preparedness that contains information about what to do before, during, and after an earthquake.	
PHS-O: Community Wildfire Protection Plan. The County shall review and update the Community Wildfire Protection Plan every five years. (PSP)	
Implements Which Policy (ies)	PHS-4.1
Responsible Department(s)	Office of Emergency Services
Supporting Department(s)	Community Development
STATUS: In 2022, the State created the 2022 County Coordinator Statewide Grant Program, which is designed to assist counties with wildfire mitigation outreach and coordination. As a result, in February 2023, the Board of Supervisors approved the Office of Emergency Services to hire a temporary staff member using grant funds to serve as the County Coordinator. In coordination with the Fire Chiefs Association, the coordinator position was added to conduct an initial census of wildfire mitigation work in San Joaquin County, attend workshops at the local and State level, identify and summarize actions of local groups, and provide regular reports and updates on collaborative efforts. The coordinator position was also added to assist in analyzing gaps in Countywide wildfire resiliency and emergency preparedness, and to develop recommendations to fill these needs.	

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PHS Public Health and Safety Element Table 4-6: Public Health and Safety 	
PHS-P: Emission Banking. The County shall continue to support an emission banking program. (PSP)	
Implements Which Policy (ies)	PHS-6.2
Responsible Department(s)	Air Pollution Control District
Supporting Department(s)	Environmental Health, Community Development
STATUS: The Community Development Department continues to refer development projects to the San Joaquin Valley Air Pollution Control District (SJVAPCD) for review, and participation in SJVAPC programs, as applicable, including emission banking.	
PHS-Q: Agricultural Best Practices Implementation. To implement best practices, the County shall work with agricultural organizations and stakeholders to: <ul style="list-style-type: none"> create an outreach program to inform farmers about ways to: reduce fertilizer application with minimal to no effects on crop yield; reduce agricultural burning; and manage the collection and processing of manure and animal waste; and develop an outreach and incentives program (e.g., rebate opportunities, waive permit fees, registration amnesty program) to encourage farmers to improve the efficiency of irrigation pumps. (IGC/PI) 	
Implements Which Policy (ies)	PHS-6.8
Responsible Department(s)	Community Development
Supporting Department(s)	Environmental Health
STATUS: The Agricultural Commissioner's Office provides information about pesticide application on their website, and the Environmental Health Department provides information about manure and animal waste management on their website. The Community Development Department also engages agricultural organizations and stakeholders during the review of development projects for input on best management practices, as applicable. One such agency, the San Joaquin Valley Air Pollution Control District, currently provides has an Ag Burn Alternatives Grant Program to provide incentives to utilize an alternative practice for the disposition of agricultural material from orchard/vineyard removals and Agricultural Irrigation Pump Engine Repower Program to provide incentives for engine replacement (repower) of engines/motors used to power agricultural irrigation pumps.	

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PHS Public Health and Safety Element Table 4-6: Public Health and Safety	
PHS-R: Monitor GHG Emissions. The County shall monitor GHG emissions a minimum of every five years and verify results of meeting the GHG emission reduction targets and goals. (PSR)	
Implements Which Policy (ies)	PHS-6.1; PHS-6.2
Responsible Department (s)	Environmental Health
Supporting Department (s)	Community Development
STATUS: This is an ongoing process.	
PHS-S: Hazardous Waste Management Plan. The County shall review and update the County Hazardous Waste Management Plan (CHWMP) every five years. (PSP)	
Implements Which Policy (ies)	PHS-7.4
Responsible Department (s)	Public Works, Office of Emergency Services
Supporting Department (s)	Environmental Health
STATUS: The Environmental Health Department manages the Hazardous Materials Business Plan Program, the Hazardous Waste Generator Program, and the Hazardous Waste Tiered Permitting. The Hazardous Materials Business Plan Program is designed to protect the public health and safety and the environment by establishing business and area plans relating to the handling and release or threatened release of hazardous materials. The Hazardous Waste Generator Program is intended to protect public health and the environment from exposure to hazardous wastes through a comprehensive program of inspection, chemical emergency response, surveillance, complaint investigation, and assistance to industry, enforcement and public education. The Hazardous Waste Tiered Permitting program ensures that hazardous wastes treated on site prior to reuse or disposal are stored, handled and disposed of in compliance with state and federal laws and regulations.	
PHS-T: Hazardous Materials Area Plan. The County shall review and update the County Hazardous Materials Area Plan every five years. (PSP)	
Implements Which Policy (ies)	PHS-7.7
Responsible Department (s)	Public Works, Office of Emergency Services
Supporting Department (s)	Environmental Health, Office of Emergency Services
STATUS: In 2022, Office of Emergency Services updated the Emergency Operations Plan/Hazardous Material Area Plan.	

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PHS Public Health and Safety Element Table 4-6: Public Health and Safety	
PHS-U: Hazardous Waste Inventory. The County shall continue to maintain and periodically update a parcel inventory of past and present hazardous materials use, disposal, and cleanup activities, and hazardous waste facilities. This inventory shall be consulted in all land use decisions. (PSR)	
Implements Which Policy (ies)	PHS-7.16
Responsible Department(s)	Office of Emergency Services, Environmental Health
Supporting Department(s)	Community Development
STATUS: The Community Development Department retains land use records and the Environmental Health Department retains records of hazardous waste sites. The Community Development Department refers new development projects to the Environmental Health Department for review, and also the Office of Emergency Services, as needed.	
PHS-V: Revise Building Code to Incorporate Noise Standards. The County shall review and update the County Building Regulations, as necessary, to ensure consistency with the most recent noise standards contained in the California Building Code, and to include the standards contained in Table 9.1 and 9.2, to include standards regulating noise from construction activities, and to facilitate a procedure for exemptions for special events, such as concerts and festivals. (RDR)	
Implements Which Policy (ies)	PHS-9.1; PHS-9.2
Responsible Department(s)	Community Development
Supporting Department(s)	
STATUS: The Community Development Department reviews and updates County Building Regulations following periodic updates to the California Building Code, including standards pertaining to noise. Additionally, in 2022, the Board of Supervisors approved a comprehensive Development Title update, which includes Chapter 9-404 Noise to establish standards for maximum noise limits and procedures for enforcing them to ensure that the General Plan limits on noise exposure and land use compatibility policies are achieved and maintained. This chapter includes exemptions for specific activities.	

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NCR Natural and Cultural Resources Element Table 4-7: Natural and Cultural Resources 	
<p>NCR-A: Acquisition of Open Space. The County shall conduct a study to identify planned open space areas that are in jeopardy of conversion to other uses. Based on the findings of the study, the County shall work for public acquisition of the areas. (PSR)</p>	
Implements Which Policy (ies)	NCR-1.1; NCR-1.3
Responsible Department(s)	Parks and Recreation
Supporting Department(s)	General Services
<p>STATUS: The County limits development in areas identified as open space areas on the General Plan maps. If deemed necessary, the County could consider purchasing property to maintain open space.</p>	
<p>NCR-B: Agricultural Mitigation Strategy. The County, in coordination with the Agricultural Technical Advisory Committee, shall review and update the Agricultural Mitigation Strategy every 5 years. (PSP)</p>	
Implements Which Policy (ies)	LU-7.1; LU-7.10; LU-7.11; LU-7.12; LU-7.13
Responsible Department(s)	Community Development Department
Supporting Department(s)	
<p>STATUS: The Agricultural Mitigation Strategy is tied to the Agricultural Mitigation ordinance contained in Chapter 9-701 of the Development Title, which is currently being updated. Once the Agricultural Mitigation ordinance is updated, the Community Development Department will work with the Agricultural Technical Advisory Committee on the Agricultural Mitigation Strategy, as needed.</p>	
<p>NCR-C: Water Quality Maintenance. The County shall work with cities and water agencies to prepare a countywide hydrologic zone map indicating areas of known groundwater quality degradation to ensure proper well construction in those areas underlain by poor water quality and prohibition of use of the resource for specific purposes. (PSR/IGC)</p>	
Implements Which Policy (ies)	NCR-3.3; NCR-3.4
Responsible Department(s)	Public Works Department
Supporting Department(s)	
<p>STATUS: Since the Fall of 1971, the San Joaquin County Flood Control and Water Conservation District (District) has monitored groundwater levels and groundwater quality throughout San Joaquin County and has published the data in the Semi-annual Groundwater Report. The report contains a groundwater elevation map, as well as a number of other figures and graphs pertaining to groundwater information.</p>	

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NCR Natural and Cultural Resources Element Table 4-7: Natural and Cultural Resources	
NCR-D: Management of Water Resources. The County shall monitor current and future water demands throughout the County and opportunities to improve water supply reliability. (PSR)	
Implements Which Policy (ies)	NCR-3.3
Responsible Department(s)	Public Works Department
Supporting Department(s)	
STATUS: The Water Resources Division of the Department of Public Works engages in regional, long range planning for County-wide water issues, development of water rights and new surface water supply, groundwater management, monitoring of groundwater resources, and defending water supply and quality for future water resource sustainability in San Joaquin County and the San Joaquin Delta.	
NCR-E: Semi-Annual Groundwater Report. The County shall prepare a semi-annual Groundwater Report to monitor groundwater levels and groundwater quality, particularly around landfills and other facilities that could contaminate groundwater. (PSR)	
Implements Which Policy (ies)	NCR-3.3
Responsible Department(s)	Public Works
Supporting Department(s)	
STATUS: Since the Fall of 1971, the San Joaquin County Flood Control and Water Conservation District (District) has monitored groundwater levels and groundwater quality throughout San Joaquin County and has published the data in the Semi-annual Groundwater Report.	
NCR-F: Renewable Energy/PACE Program. The County shall develop and implement an incentive program to encourage the installation of solar hot water heaters and solar PV on existing and new developments. The County shall establish a Property Assessed Clean Energy (PACE) (AB 811) program for residential and commercial energy efficiency retrofit projects. (PSP)	
Implements Which Policy (ies)	NCR-5.1; NCR-5.2
Responsible Department(s)	Community Development Department
Supporting Department(s)	

Part 4: ADMINISTRATION AND IMPLEMENTATION

STATUS: In 2016, the Board of Supervisors established a local PACE program, which is managed by the Neighborhood Preservation Division in the Health Care Services Agency. The PACE program provides financing for energy-efficient and renewable energy products, including solar products, as well as water-saving and drought-resistant products within unincorporated San Joaquin County.

Part 4: ADMINISTRATION AND IMPLEMENTATION

NCR Natural and Cultural Resources Element	
Table 4-7: Natural and Cultural Resources	
<p>NCR-G: Remove Barriers to Renewable Energy. The County shall review and revise, as necessary, building and development codes and the Development Title and remove or otherwise address barriers to renewable energy production. (RDR)</p>	
Implements Which Policy (ies)	NCR-5.2; NCR-5.3; NCR-5.4; NCR-5.6
Responsible Department(s)	Community Development Department
Supporting Department(s)	
<p>STATUS: In December 2022, the Board of Supervisors approved a comprehensive Development Title update, which includes a new use types and allowable zones for renewable energy production. Additionally, the Building Code is updated periodically to account for new uses and regulations.</p>	
<p>NCR-H: Solar Energy Ordinance. The County shall develop, adopt, and implement an ordinance that guides the construction, installation, operation, and decommissioning of solar energy facilities. The ordinance shall describe where solar energy facilities are permitted within the County and the approval process. The ordinance shall provide for the protection of agricultural and biological resources. (RDR)</p>	
Implements Which Policy (ies)	NCR-5.3
Responsible Department(s)	Community Development Department
Supporting Department(s)	
<p>STATUS: In December 2022, the Board of Supervisors approved a comprehensive Development Title update, which includes use types to address solar energy facilities of various scale and purpose. Development Title Section 9-400.060 Small Residential Rooftop Solar Energy Installations establishes development standards and expedited permit review procedures for small rooftop solar energy solar energy systems, which are allowed by-right under State law, while Development Title Section 9-409.430 Solar Energy Systems provides standards for other solar energy systems.</p>	

2023 ANNUAL PROGRESS REPORT FOR THE 2035 SAN JOAQUIN COUNTY GENERAL PLAN

Part 4: ADMINISTRATION AND IMPLEMENTATION

NCR Natural and Cultural Resources Element	
Table 4-7: Natural and Cultural Resources	
<p>NCR-I: Review of Energy Consumption of County Operations. The County shall annually review and report on County energy consumption performance and identify programs and techniques to increase its energy efficiency. (PSR)</p>	
Implements Which Policy (ies)	IS-3.1; IS-3.3; IS-3.4; IS-3.5; IS-3.6; IS-3.7
Responsible Department(s)	General Services
Supporting Department(s)	
<p>STATUS: The General Services Department manages County facilities and implements energy efficient changes when possible.</p>	
<p>NCR-J: Government Automobiles. As vehicles come up for replacement, the County shall evaluate the feasibility of replacing them with hybrids, alternative fuel, or smaller and more energy-efficient vehicles.</p>	
Implements Which Policy (ies)	IS-3.5; IS-3.6
Responsible Department(s)	Public Works
Supporting Department(s)	General Services
<p>STATUS: The Fleet Services Division of the Department of Public Works replaces County vehicles with hybrids, alternative fuel, or smaller and more energy-efficient vehicles when possible.</p>	
<p>NCR-K: Industrial Design Standards. The County shall establish standards to incorporate design features that use renewable energy sources in commercial, industrial, and agricultural uses. These standards may include orientation of structures for solar energy use, orientation or provision of adequate structural support for solar collectors, or use of cogeneration facilities. (RDR)</p>	
Implements Which Policy (ies)	NCR-5.11
Responsible Department(s)	Community Development Department
Supporting Department(s)	
<p>STATUS: In December 2022, the Board of Supervisors approved a comprehensive Development Title update, which includes updates to account for renewable energy/solar energy. Additionally, the Community Development Department is currently reviewing potential new design guidelines for commercial and industrial development in the unincorporated County.</p>	

Part 4: ADMINISTRATION AND IMPLEMENTATION

NCR Natural and Cultural Resources Element	
Table 4-7: Natural and Cultural Resources	
<p>NCR-L: Historic Preservation Commission. The County shall establish a Historic Preservation Commission to promote heritage preservation programs. (PSP)</p>	
Implements Which Policy (ies)	NCR-6.1; NCR-6.9
Responsible Department(s)	Historical Society
Supporting Department(s)	
<p>STATUS: The County currently has a Historic Records Commission whose purpose is to foster and promote the preservation of historical records. In addition to two members appointed by the Board of Supervisors, the members include the County Clerk or designee; County Librarian or designee; and County Museum Director or designee.</p>	
<p>NCR-M: Historic Resource Inventory. The County shall work with the Historical Society to inventory heritage resources in the County. The County shall designate additional Historic Landmarks based on the findings of inventory efforts. (PSR/IGC)</p>	
Implements Which Policy (ies)	NCR-6.1; NCR-6.4
Responsible Department(s)	Community Development Department
Supporting Department(s)	
<p>STATUS: The Historic Records Commission fosters and promotes the preservation of historical records. The County Museum identifies new potential heritage resources.</p>	

Part 4: ADMINISTRATION AND IMPLEMENTATION

NCR Natural and Cultural Resources Element	
Table 4-7: Natural and Cultural Resources	
<p>NCR-N: Historic and Cultural Resource Preservation Regulations. The County shall update the Development Title to include archaeological, paleontological, and historic resource regulations, which will specify procedures to be followed in the event that significant resources are discovered during the development process. (RDR)</p>	
Implements Which Policy (ies)	NCR-6.5
Responsible Department(s)	Community Development Department
Supporting Department(s)	
<p>STATUS: In December 2022, the Board of Supervisors approved a comprehensive Development Title update, which includes Chapter 9-705 Historic Districts and Landmarks to establish regulations for establishing Historic District and Landmark designations for the preservation of historic resources of cultural, archaeological, architectural, aesthetic, and environmental value within the County.</p>	
<p>NCR-O: Mineral Resource Overlay Zone. The County shall update the Development Title to include a Mineral Resource Overlay Zone to be applied to areas in the County identified by the State Division of Mines and Geology as having mineral deposits of significant quantity, value, or quality in order to preserve those areas for mineral resource extraction. (RDR)</p>	
Implements Which Policy (ies)	NRC-4.1; NRC-4.2
Responsible Department(s)	Community Development
Supporting Department(s)	
<p>STATUS: In December 2022, the Board of Supervisors approved a comprehensive Development Title update, which includes Section 9-707.040 Mineral Resource Protection to identify requirements for extractive projects and non-extractive projects/activities proposed in areas of significant sand and gravel deposits designated for Resource Conservation on the General Plan Map or identified as sand and gravel resources by the by the California Division of Mines and Geology or the California Geologic Survey published by the State Department of Conservation. Additionally, the Geographic Information Systems Division of the Community Development Department maintains a Mineral Resource Zones layer in the County's District Viewer mapping system to identify resource areas.</p>	

2023 ANNUAL PROGRESS REPORT FOR THE 2035 SAN JOAQUIN COUNTY GENERAL PLAN

Part 4: ADMINISTRATION AND IMPLEMENTATION

NCR Natural and Cultural Resources Element	
Table 4-7: Natural and Cultural Resources	
<p>NCR-P: Park and Recreation Master Plan. The County shall prepare, maintain, and implement a Park and Recreation Master Plan that identifies long-range recreational needs of the county, potential park sites and trail corridors, opportunities for partnerships, and financing strategies for local and regional parks. The Plan shall include an inventory of recreational facilities in existing communities and an analysis of needed additional facilities. The County shall update the Master Plan every five years to respond to changing community needs and recreation trends. (PSP)</p>	
Implements Which Policy (ies)	NCR-8.1; NCR-8.8; NCR-8.11
Responsible Department(s)	General Services, Parks and Recreation Division
Supporting Department(s)	
<p>STATUS: In 2018, the Parks And Recreation Benchmarking and Assessment Report was completed to assist the Parks and Recreation Division of the General Services Department with administration and operation of the County's parks. The report evaluated how San Joaquin County compares to other counties based on a wide range of quantitative and qualitative information regarding parks, recreation, facilities, employees, services, and finances. The report also made several recommendations for improvements. Additionally, the 2023-24 to 2027-28 Capital Improvement Plan includes several water and/or sewer related park projects funded by the American Rescue Plan Act (ARPA). These projects include lake bank repairs at Oak Grove Regional Park, a new well at Westgate Landing, and preliminary work on irrigation upgrades, sewer tie-in at Gianone Park, sewer and domestic water tie-ins at Micke Grove Regional Park, a new well at the Regional Sports Complex, and installation of upgraded irrigation and smart meter systems at eight community parks. In 2021, the Board of Supervisors also approved the 2021-2026 Micke Grove Zoo Strategic Plan to update and improve the needs of the Micke Grove Zoo.</p>	
<p>NCR-Q: Public Land Acquisition for Recreation. The County shall conduct a study to identify sites for potential future. Based on current and projected park and recreation needs, the County shall acquire the identified sites when funds become available. Special consideration shall be given for early acquisition and/or protection to those areas that have special features or are in areas planned for urban development. (PSR)</p>	
Implements Which Policy (ies)	NCR-8.2
Responsible Department(s)	General Services, Parks and Recreation Division
Supporting Department(s)	Community Development Department
<p>STATUS: The Parks and Recreation Division of the General Services Department is currently considering development of a new park near the City of Tracy.</p>	

Part 4: ADMINISTRATION AND IMPLEMENTATION

NCR Natural and Cultural Resources Element Table 4-7: Natural and Cultural Resources	
<p>NCR-R: Study Recreational Potential of Selected Waterways. The County shall prepare a study of the recreational potential of selected waterways, particularly for trails, along the Calaveras River, the San Joaquin River, the Stockton Diverting Canal, and water conveyance projects. The potential for land use conflicts associated with public use of waterways (e.g., trespassing, littering, vandalism, compromising the integrity of flood protection) shall be assessed for selected recreation sites. (PSR)</p>	
Implements Which Policy(ies)	NCR-8.16; NCR-8.17; NCR-8.18
Responsible Department(s)	General Services, Parks and Recreation Division
Supporting Department(s)	
<p>STATUS: This is an ongoing process. The Community Development Department is currently considering policy changes to make development of recreation opportunities more feasible.</p>	

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Attachment B
2023 San Joaquin County Housing Element
Annual Progress Report
(Table B, only)

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Table B
Regional Housing Needs Allocation Progress
Permitted Units Issued by Affordability

Income Level	RHNA Allocation by Income Level	2											Total Units to Date (all years)	Total Remaining RHNA by Income Level	
		2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025			
Very Low	Deed Restricted Non-Deed Restricted	- 10	- 1	- -	- 29	- 26	- 7	46	-	-	-	-	-	119	2,377
Low	Deed Restricted	10	-	70	5	2	-	-	-	-	-	-	-	437	1,290
	Non-Deed Restricted	46	134	-	51	88	31	-	-	-	-	-	-	849	875
Moderate	Deed Restricted	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	Non-Deed Restricted	1,724	96	93	213	225	132	-	-	-	-	-	-	3,042	1,178
Above Moderate	Non-Deed Restricted	4,220	234	180	595	363	68	664	-	-	-	-	-	327	-
Total RHNA		10,167													
Total Units			339	485	343	893	704	238	710	428	327	4,447	5,720		
Progress toward extremely low-income housing need, as determined pursuant to Government Code 65583(a)(1).															
	5		2015	2016	2017	2018	2019	2020	2021	2022	2023	6	7		
	Extremely low-income Need											Total Units to Date	Total Units Remaining		
Extremely Low-Income Units*		1,248												1,248	

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**Planning Commission Staff Report
 Item # 2, April 18, 2024
 Text Amendment No. PA-2400074
 Mountain House Sign Ordinance
 Prepared by: John B. Anderson**

PROJECT SUMMARY

Applicant Information

Project Applicant: San Joaquin County

Project Site Information

Project Location: Within the established Mountain House boundaries, as amended over time

Parcel Number (APN):	N/A	Community:	Mountain House
General Plan Designation:	Various	Water Supply:	Public (MHCSD)
Master Plan Designation:	Various	Sewage Disposal:	Public (MHCSD)
Specific Plan Designation:	Various	Storm Drainage:	Public (MHCSD)
Zoning Designation:	Various	100-Year Flood:	Yes (X)
Project Size:	N/A	Williamson Act:	No
Parcel Size:	N/A	Supervisory District:	5

Environmental Review Information

CEQA Determination: Exempt per CEQA Guidelines section 15061(b)(3)

Project Description

This project consists of a proposed Sign Ordinance to apply to existing and future / new development within the boundaries of the Mountain House community. The proposed Sign Ordinance addresses general requirements, a variety of sign types, sign standards, and a required building permit process. There is currently no Sign Ordinance that applies specifically to Mountain House. This proposed Sign Ordinance would be included within the County of San Joaquin 1992 Development Title, Appendix 1, which is the applicable County Code for all of Mountain House.

Recommendation

1. Forward a recommendation to the Board of Supervisors to adopt the proposed Mountain House Sign Code.

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ANALYSIS

Background

Mountain House is a 4,784-acre Master Plan Community located in western San Joaquin County. The Mountain House Master Plan was approved in 1994 after certification of Final Environmental Impact Report (State Clearinghouse No. 90020776) for the Mountain House Master Plan and Specific Plan I.

Subsequently, Specific Plan II was approved in 2004 to implement the goals and objectives of the Master Plan for Neighborhoods C, D, H, I, J, K, L and the Town Center. An Initial Study and Mitigated Negative Declaration were approved prior to adoption of Specific Plan II.

MHSP I was approved in 1994 and was under construction when a 2005 EIR was prepared for MHSP III. MHSP II was adopted in 2005 and was under environmental review separately when the 2005 EIR was prepared for MHSP III.

The County utilizes the 1992 Development Title (Title 9), Appendix 1, to regulate development project design in Mountain House. Development in the southern portion (generally south of Grant Line Road) of the community is regulated by Mountain House Specific Plan III. These regulatory documents do not contain any regulatory related to signage.

Sign Ordinance

The proposed Sign Ordinance, shown in Attachment A, would apply to existing and future / new development within the boundaries of the Mountain House community when new signage is proposed. The proposed Sign Ordinance addresses general requirements, a variety of sign types, sign standards, and a required building permit process. The proposed Sign Ordinance would be added to the County of San Joaquin 1992 Development Title, Appendix 1, which is the applicable County Code for Mountain House.

Staff believes that it is important to establish the Sign Ordinance for the community of Mountain House, as it would fill a specific need. Mountain House Community Services District staff have participated in review and comment of the draft document, and they are supportive of the proposed Sign Ordinance as indicated in their letter of support dated March 18, 2024 (Attachment B).

The following content, by Section number, is included in the proposed Sign Ordinance:

9-1700.1M	Purpose of Chapter
9-1700.2M	Definitions
9-1700.3M	Prohibited and Exempt Signs
9-1700.4M	Building Permit Required
9-1700.5M	Master Sign Program
9-1700.6M	Temporary Signs
9-1700.7M	General Requirements
9-1700.8M	Standards for On-Premises Signs
9-1700.9M	Standards for Permitted Off-Premises Signs
9-1700.10M	Readerboard and Electronic Signs
9-1700.11M	Nonconforming Signs

As can be inferred by the variety of subject matter contained in the proposed Sign Ordinance, sign regulations are important to the design and character of a given community. This is particularly true for a new community like Mountain House, where quality design standards have been implemented and can be supported over time with appropriate sign criteria.

There is a general lack of guidance related to signage in Mountain House, as the applicable Development Title does not address the topic, and the Commercial, Office and Industrial Design Manual only contains very limited content. The County has a new Development Code, but it does not apply to Mountain House. The new City of Mountain House (as of July 1, 2024) would benefit from having this Sign Ordinance adopted as soon as possible, which would help with review of proposed new signs and sign programs following the County's work in establishing sign packages for Mustang Square and the Safeway Center.

Consistency with Adopted General Plan, Mountain House Master Plan and Specific Plans

The proposed Mountain House Sign Ordinance was reviewed for consistency with the General Plan, Mountain House Master Plan, all three Mountain House Specific Plans, and the Mountain House Design Manuals. Based on staff's review, the proposed Sign Ordinance is generally supportive of Mountain House Master Plan policies and Specific Plans provisions. Similarly, the proposed Sign Ordinance is consistent with the Mountain House Design Manuals.

RECOMMENDATION

It is recommended that the Planning Commission:

1. It is recommended that the Planning Commission forward a recommendation to the Board of Supervisors to adopt the Mountain House Sign Ordinance.

Attachments

Attachment A Proposed Mountain House Sign Ordinance
Attachment B Letter of Support from Mountain House Community Services District staff

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Attachment A

Proposed Mountain House Sign Ordinance

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ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 9 OF THE ORDINANCE CODE OF THE COUNTY OF SAN JOAQUIN RELATIVE TO THE REGULATION OF SIGNS IN MOUNTAIN HOUSE.

Section 1. Chapter 9-1700M is hereby added to Appendix 1, of the Ordinance Code of San Joaquin County, to read as follows:

**CHAPTER 9-1700M
MOUNTAIN HOUSE SIGN REGULATIONS**

Sections:

- 9-1700.1M Purpose of Chapter**
- 9-1700.2M Definitions**
- 9-1700.3M Prohibited and Exempt Signs**
- 9-1700.4M Building Permit Required**
- 9-1700.5M Master Sign Program**
- 9-1700.6M Temporary Signs**
- 9-1700.7M General Requirements**
- 9-1700.8M Standards for On-Premises Signs**
- 9-1700.9M Standards for Permitted Off-Premises Signs**
- 9-1700.10M Readerboard and Electronic Signs**
- 9-1700.11M Nonconforming Signs**

9-1700.1M PURPOSE OF CHAPTER.

The purpose of this chapter is to provide standards to regulate the size, height, design, quality of materials, construction, location, lighting, and maintenance of signs and sign structures not enclosed within a structure, in order to accomplish the following objectives:

- (a) To bring harmony to the presentation of marketing, community, and public safety information in a wide variety of possible signage that safeguards life, health, and property values and preserves and enhances the character and aesthetics of the Mountain House community;
- (b) To provide guidance to applicants in integrating their proposed signage into the fabric of the built environment of the community, thereby encouraging signs that are well designed and pleasing in appearance;
- (c) To provide a reasonable and comprehensive system of sign controls;
- (d) To provide fair and equal treatment of sign users;
- (e) To provide maximum public convenience by properly directing people to various activities; and,

- (f) To promote public safety by providing that official traffic regulation devices are easily visible and free from nearby visual obstructions, including blinking signs, excessive number of signs, or signs resembling official traffic signs.

9-1700.2M DEFINITIONS.

For the purposes of this chapter, the following definitions of signs, sign types, and related terms shall apply:

Abandoned Sign. “Abandoned sign” means any of the following: 1) a sign that is located on property that becomes vacant or unoccupied for a period of three (3) months; 2) a sign that advertises a business, lessor, owner, product, service, or activity that is no longer on the premises where the sign is displayed; or 3) a sign that has not been maintained for a period in excess of 30 days following legal notice to the owner of the property and/or owner of the advertising display, or tenant on whose property the advertising display is located that the sign does not meet minimum maintenance standards, as determined by the Director.

Adopted Mountain House Planning Documents. “Adopted Mountain House planning documents” means the *Master Plan, Specific Plan I, Specific Plan II, Specific Plan III, the Special Purpose Plans and Appendix 1 of the 1992 County Development Title*, which have been adopted by the San Joaquin County Board of Supervisors for the Mountain House community.

Advertising Sign. “Advertising sign” means any sign that provides copy intended to attract customers to purchase a product or service.

Alteration. “Alteration” means any change of copy, sign face, color, size, shape, illumination, position, location, construction, or supporting structure of any sign.

Animated or Moving Sign. “Animated or moving sign” means any sign which uses movement, lighting, or special materials to depict action or create a special effect to imitate movement, excluding animated signs where time and temperature are indicated by electronic or mechanical means. Does not include Digital and/or Electronic Signs or Message Display signs.

Approved Mountain House Design Manuals. “Approved Mountain House design manuals” means the *Single-Family Residential Design Manual, the College Park at Mountain House Specific Plan III Residential Design Guidelines for Potential Housing Prototypes, the Multi-Family Development Design Manual, the Commercial, Office & Industrial Design Manual, the Mountain House Business Park Commercial, Office & Industrial Design Manual, and the Mountain House Community Services District Design Manual.*

Awning Sign. “Awning sign” means any sign copy or logo painted, printed, stenciled, sewn, or stained into the surface of an awning.

Banner, Flag, or Pennant. “Banner, flag or pennant” means any cloth, bunting, plastic, paper, or similar non-rigid material used for advertising purposes attached to any structure, staff, pole, line, framing, or vehicle, not including official flags of the United States, the State of California, and other states of the nation, counties, municipalities, official flags of foreign nations and nationally or internationally recognized organizations.

Beacon or Searchlight. “Beacon” or “Searchlight” means any ground-mounted source of illumination that is projected in any direction(s) and that is intended to attract attention for purposes of advertising any location(s), business(es) or product(s).

Bench Sign. “Bench sign” means copy painted on any portion of a bench.

Building Complex. “Building complex” means a development of two (2) or more buildings or tenants or uses that are intended to function in a joint manner regardless of sequence of buildout, that may be situated one (1) or more lots or parcels, and that may include, but are not limited to, shared parking facilities, reciprocal access, and common building design.

Business Identification Sign. “Business identification sign” means a sign which serves to identify only the name, address, and lawful use of the premises upon which it is located and provides no other advertisements or product identification.

Cabinet Sign. “Cabinet sign” means a sign mounted on a building that contains internal lighting or backlighting.

Canopy Sign. Refer to “Marquee Sign.”

Changeable Copy Sign. “Changeable copy sign means a sign designed to allow the changing of copy through manual, mechanical, or electrical means including time and temperature.

Civic Event Sign. “Civic event sign” means a temporary on-site sign, other than a commercial sign, posted to advertise a civic event sponsored by a public agency, private school, church, civic-fraternal organization, or similar noncommercial organization.

Clear-Vision Triangle. “Clear-vision triangle” means the required clear visibility area, unobstructed by any sign structure over three (3) feet in height, created by drawing an imaginary line between two points 30 feet back from where the curb lines of a corner lot intersect.

Community Amenity. “Community amenity” means a site, structure, feature, habitat, or point of interest, within Mountain House, of cultural, historical, archaeological, or paleontological importance or value to the community.

Community Gateway Sign. “Community gateway sign” means a monument sign or freestanding sign, owned by the MHCS D and placed within the entry landscape area of the MHCS D’s right-of-way, identifying Mountain House as a distinct destination and serving as a major entry point or gateway into the community.

Construction Sign. “Construction sign” means a sign that states the name of the developer and contractor(s) working on the site and any related engineering, architectural or financial firms involved with the project.

Directional Sign. “Directional sign” means a monument sign or freestanding sign that is designed and erected solely for the purposes of directing vehicular and/or pedestrian traffic within a business complex, shopping center, or project area, where said sign is located; or a sign directing vehicular and/or pedestrian traffic to a business or use located off-site and not in a reasonable vicinity of said sign.

Director. “Director” means the San Joaquin County Community Development Department Director, or designee.

Double-Faced Sign. “Double-faced sign” means a sign constructed to display its message on the outer surfaces of two (2) identical and/or opposite parallel planes.

Freestanding Sign. “Freestanding sign” means any non-moveable sign not affixed to a building that is supported by one (1) or more uprights, braces, columns or similar structural components placed on or into the ground, and that has a clearance from the ground of two (2) feet or less.

Freeway-Oriented Sign. “Freeway-oriented sign” means a sign adjacent to the Interstate 205 freeway that advertises the businesses located within the Mountain House Business Park.

Future Tenant Identification Sign. “Future tenant identification sign” means a temporary sign that identifies the name of a future business, whether under current construction or not, that will occupy a site or structure.

Garage Sale Sign. “Garage sale sign” means a sign with a message advertising the resale of personal property that has been used by the resident.

Holiday Decoration Sign. “Holiday decoration sign” means temporary signs, in the nature of decorations, clearly incidental to and customarily associated with nationally recognized holidays and which contain no advertising message.

Illegal Sign. “Illegal sign” means a sign which includes any of the following: (1) a sign erected without first complying with all regulations in effect at the time of its construction or use; (2) a sign that was legally erected, but whose use has ceased, the structure upon which the display is placed has been abandoned by its owner, or the sign is not being used to identify or advertise an ongoing business for a period of not less than 90 days; (3) a sign that was legally erected but which later became nonconforming as a result of the adoption of an ordinance, the amortization period for the display provided by the ordinance rendering the display conforming has expired, and conformance has not been accomplished; (4) a sign that was legally erected which later became nonconforming and then was damaged to the extent of 50 percent or more of its current replacement value; (5) a sign that is a danger to the public or is unsafe; (6) a sign that is a traffic hazard not created by relocation of streets or highways or by acts of the Board of Supervisors; or, 7) a sign advertising a specific event in which five (5) days have elapsed since the occurrence of the event.

Logo. “Logo” means a distinctive organization or company signature, trademark, or symbol.

Major Rehabilitation Work. “Major rehabilitation work” means adding more than fifty percent (50%) to the gross floor area of a building or buildings, or increasing the exterior redesign of any façade by more than 50 percent.

Marquee Sign. “Marquee sign” means a sign which is attached to or otherwise made a part of a permanent roof-like structure which projects beyond the building wall in the form of a large canopy to provide protection from the weather.

Monument Sign. “Monument sign” means a non-moveable sign not affixed to a building that is constructed flush with the ground and that provides advertising/information regarding specific land uses, except for single family dwellings, duplexes, and triplexes.

Moving Display/Flashing Sign. “Moving display/flashing sign” means a sign that uses blinking, flashing, or intermittent illumination that has at least one (1) change in a 24-hour period, has light reflectors, or has moving or reflective characters or materials, and that may feature electronic message boards.

Nameplate. “Nameplate” means a small sign or plaque identifying the name and/or address of the occupant of a structure or business.

Nonconforming Sign. “Nonconforming sign” means a sign that was validly installed under the ordinances in effect at the time, but which later becomes nonconforming as to size or location either by reason of this Chapter or its amendment or by its operation.

On-Premises Sign or On-Site Sign. “On-premises sign or on-site sign” means a sign that directs attention to a business, commodity, service, or entertainment conducted, sold, or offered on the premises or located within a business complex or shopping center.

Off-Premises Sign or Off-Site Sign. “Off-premises sign or off-site sign” means a monument sign or freestanding sign that identifies, advertises, or directs attention to a business, activity, product, service, or other commercial or noncommercial interest of any person, firm, or business not located on the premises where the sign is located; or a freestanding structure on which a sign is located, where the sign structure is on a premises not owned by the owner of the sign structure and where the sign message is not sponsored by the owner of the premises;

Permanent Sign. “Permanent sign” means a sign constructed of durable materials and intended to exist for the duration of time that the use or occupant is located on the premises.

Pole Sign. “Pole sign” means a sign, not attached to a building or similar structure, that is displayed on and completely supported by one (1) or more support elements (i.e., pole(s)) which are ground-mounted, and that has a clearance above the ground of more than two (2) feet.

Political Sign. “Political sign” means a sign designed for the purpose of advertising support of or opposition to a candidate or proposition for a public election.

Portable Sign. “Portable sign” means a sign that is not permanently affixed to a structure or the ground.

Post Sign. “Post sign” means a temporary sign suspended from a horizontal swingpost that is attached to a vertical post mounted in the ground.

Projecting Sign. “Projecting sign” means a sign other than a wall sign suspending from, or supported by, a structure and projecting outward from, and perpendicular to, the structure.

Promotional Sign. “Promotional sign” means a sign erected on a temporary basis to promote the sale of new products, new management, new hours of operation, a new service, or to promote a special sale.

Readerboard and Electronic Sign. “Readerboard” and “Electronic Sign” means a sign with manual or electronic changeable copy

Real Estate Sign. “Real estate sign” means a sign indicating that a property or any portion thereof is available for inspection, sale, lease, rent, or directing people to a property, but not including temporary subdivision signs in compliance with California Civil Code Section 713.

Roof Sign. “Roof sign” means a sign painted or constructed upon a roof, including a sign placed so as to extend above the edge of the roof.

Separate Building Pad. “Separate building pad” means a separate legal parcel that may be occupied by one (1) or more noncontiguous buildings which have frontage on a public or private street.

Shopping Center. “Shopping center” means an integrated commercial area providing retail and service uses on sites containing (or that will contain) two (2) or more separate businesses that are managed as a total entity and that share common access, circulation, and pedestrian and parking areas so that a public right-of-way is not needed to be used to get from one business to another.

Sign. “Sign” means any structure, device, figure, painting, display, message placard, or other contrivance, or any part thereof, situated outdoors or indoors, which is designed, constructed, intended, or used to advertise, or to provide data or information in the nature of advertising, to direct or attract attention to an object, person, institution, business, service, event, or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination, or projected images.

Site Sign. “Site Sign” means a temporary sign allowed on sites with uses under construction or not yet occupied.

Special Event Sign. “Special event sign” means a temporary sign, balloon, or banner that is intended to inform the public of a unique happening, action, purpose, or occasion (i.e., grand opening or community event).

Sign Amortization. “Sign amortization” means the elimination of nonconforming signs over a period of time intended to allow the owner the opportunity to realize the value of his or her investment in the sign.

Sign Copy. “Sign copy” means the words and symbols expressed on the surface of a sign that relate to the name and/or nature of the business, business complex, or shopping center, as applicable, including any related trademark or logo, and/or other graphics used to identify said business, business complex, or shopping center.

Sign Height. “Sign height” means the vertical distance measured from the highest point of the sign to the grade immediately beneath the sign.

Temporary Sign. “Temporary sign” means any sign intended to be displayed for a limited period of time and capable of being viewed from any public right-of-way, parking area or neighboring property.

Vehicle Sign. “Vehicle sign” means a sign which is attached to or painted on a vehicle which is parked on or adjacent to any property, the principal purpose of which is to attract attention to a product sold or business located on the property.

Wall Sign. “Wall sign” means a sign which is attached to or painted on the exterior wall of a structure with the display surface of the sign approximately parallel to the building wall.

Window Sign. “Window sign” means any sign posted, painted, placed, or affixed in or on any window exposed to public view; or any interior sign which faces any window exposed to public view and is located within three (3) feet of the window.

9-1700.3M PROHIBITED AND EXEMPT SIGNS.

- (a) **Prohibited Signs.** Unless otherwise permitted by this Chapter, the following signs are prohibited.
- (1) Animated or Moving signs
 - (2) Banner signs and pennants that are permanent signs.
 - (3) Beacons and searchlights.
 - (4) Bench signs.
 - (5) Cabinet signs
 - (6) Inflatable balloon signs and signs attached to inflated or gas-filled features.
 - (7) Off-premises signs that are permanent signs.
 - (8) Pole signs.
 - (9) Portable signs.
 - (10) Roof signs.
 - (11) Abandoned signs.
 - (12) Murals and decorations on the exterior of a building that advertise a product, business, or service.
 - (11) Freeway-Oriented signs
- (b) **Prohibited Location or Placement.** Signs with the following location and/or placement characteristics are prohibited:
- (1) Signs attached to or placed adjacent to any utility pole, parking meter, traffic signpost, traffic signal, or any other traffic control device.
 - (2) Signs attached to trees.
 - (3) Signs erected or maintained with horizontal or vertical clearance from overhead utilities less than required by state agencies.
 - (4) Signs installed without permission of the owner or the owner's agent of the property on which the sign is located.
 - (5) Signs mounted or attached to a vehicle parked for the purpose of calling attention to or advertising a business establishment.
 - (6) Signs projecting over a public roadway that have not received an encroachment permit from the county engineer.
 - (7) Signs that obstruct or interfere with the free use of a fire escape, exit, stairway, door, ventilator, or window in violation of the California Building or Fire Code.
 - (8) Signs that interfere with visibility at an intersection, public right-of-way, driveway, or other point of ingress/egress. The county may require sign

setbacks greater than specified in this chapter as needed to maintain adequate visibility for motorists and pedestrians.

- (c) **Prohibited Design Features.** Except where allowed by this chapter, signs with the following design features and/or physical characteristics are prohibited:
- (1) Signs that constitute a traffic hazard due to highly reflective and fluorescent painted signs;
 - (2) Signs that simulate in size, color, lettering, or design a traffic control sign or signal;
 - (3) Animated signs that move, rotate, revolve and other similar signs that visibly moving or rotating parts or visible mechanical movement of any kind;
 - (4) Signs that flash, blink, change color, or change intensity;
 - (5) Signs emitting audible sounds, odor, or visible matter;
 - (6) Signs that feature a flag, pennant, whirligig, or any device which is designed to wave, flutter, rotate or display other movement under the influence of wind;
 - (7) Any sign that utilizes visible guy wires, angle irons and iron frame structures; and,
 - (8) Signs or sign structures that have become a public nuisance or hazard due to inadequate maintenance, or dilapidation.
- (d) **Exempt Signs.** The following signs are exempt from the provisions of this chapter:
- (1) Official and legal notices required by a court or governmental agency;
 - (2) A sign erected and maintained in compliance with, and in discharge of, a Governmental function or required by law, ordinance, or governmental regulation, including signs erected by a public utility and pole signs erected by the MHCSD or other governmental entity within a public right-of-way for traffic control purposes;
 - (3) Signs on licensed commercial vehicles, including trailers, provided that the vehicles or trailers shall not be used as parked or stationary outdoor display signs;
 - (4) Changes to existing sign copy that does not alter the size, location, or illumination of a sign;
 - (5) Memorial signs installed by, or with the approval of, a governmental agency (e.g., signs and markers for historic events or memorials); and,
 - (6) Flags of the United States, California, San Joaquin County, or other governmental entities.
- (f) **Exempt Signs Subject to Limitations.** The following signs are exempt from Section 9-1700.4M regarding Sign Permits, provided the limitations specified below are met:

- (1) Nameplates for each single-family dwelling, duplex, triplex, or condominium, subject to the following limitations:
 - (A) Maximum area shall not exceed three (3) square feet in area;
 - (B) Content shall contain Arabic numbers a minimum of four (4) inches in height and of contrasting color to the background to which they are attached; and,
 - (C) Illumination shall not exceed twenty-five (25) watts;
- (2) Nameplates for multifamily dwelling, not including duplexes, triplexes, or condominiums, subject to the following limitations:
 - (A) Maximum area shall not exceed one (1) square foot in area per multi-family unit; and,
 - (B) Content shall contain Arabic numbers a minimum of four (4) inches in height if illuminated, or six (6) inches in height if not illuminated, and of contrasting color to the background on which they are attached;
- (3) Interior window signs not exceeding five (5) square feet in area;
- (4) Garage sale signs, subject to the following limitations:
 - (A) Signs shall not exceed six (6) square feet in area and four (4) feet in height;
 - (B) Signs shall only be displayed one (1) day before the sale and during the time of the sale;
 - (C) Signs shall only be displayed during the term of the garage sale, and shall be promptly removed at the end of the sale; and,
 - (D) Signs shall not be placed on any public property or placed off-site;

9-1700.4M Building Permit Required.

A building permit shall be required in order to erect, install, alter, relocate, or reconstruct any sign that is not a temporary sign. There is no separate planning permit process required; planning review and approval of the building permit application is required prior to permit issuance. Exceptions to this building permit requirement for certain signs and sign types may be granted by the Director or designee.

- (a) **Application.** Applications for building permit shall be filed with the department on the appropriate forms, together with all the necessary fees, deposits, exhibits, maps, and other information required by the department to clearly and accurately describe the proposed sign(s).
- (b) **Content.** The building permit application shall include the total number, size, height and type of signs, the location of all signs on the parcels or structures, applicable elevations, and illustrations of the proposed sign(s).
- (d) **Consistency with Documents.** All proposed signs shall be consistent with the design policies and implementation measures of the adopted Mountain House policy documents, and with the applicable Mountain House design manuals.

9-1700.5M Master Sign Program.

- (a) **Purpose.** The purpose of a Master Sign Program is to provide a method for an applicant to integrate the design and placement of signs within a development project with the overall design of the development to achieve a more unified appearance. A Master Sign Program may also allow for minor variations in dimensional standards and other limitations of this Section, provided the Master Sign Program achieves a result that is superior to what would otherwise be allowed.
- (b) **Applicability and Review Procedure.**
 - (1) **Master Sign Program – When Required.** A Master Sign Program is required for:
 - (A) New or remodeled non-residential projects on sites of one (1) acre or larger;
 - (B) Multi-family uses with more than one (1) permanent sign proposed; or,
 - (C) Any non-residential development with two (2) or more tenants.
 - (2) **Master Sign Program – When Allowed.** A Master Sign Program may be substituted for specific sign designs and sign programs for individual buildings if requested by an applicant and approved by the Director.
- (c) **Permit Required.** A Master Sign Program requires Director approval of a sign permit.
- (d) **Applications.** Applications for a Master Sign Program must include the following:
 - (1) A site plan showing the location of buildings, parking lots, driveways, and landscaped areas;
 - (2) Computation of the maximum total sign area, the maximum area for individual signs, the height of signs and the number of freestanding signs allowed, if proposed;
 - (3) An accurate indication on the site plan of the proposed location of each proposed sign and existing sign which is to remain;
 - (4) Color schemes, lettering, and graphic style (if tenants are not known, generic styles may be presented);
 - (5) Lighting and sign construction materials;
 - (6) Sign dimensions (if tenants are not known, generic dimensions may be presented);
 - (7) A written program of standards for all sign types to be distributed to future tenants, including color, size, illumination, construction details, and sign placement;
 - (8) A list of exceptions to the sign standards that would otherwise apply; and,
 - (9) A sign maintenance program.

(e) **Design Standards.**

- (1) Master Sign Programs shall be consistent with regulations and requirements of the Mountain House Design Manual(s) for the applicable development type (e.g., commercial / office).
- (2) Master Sign Programs shall feature a unified and coordinated approach to the materials, color, size, type, placement, and general design of signs proposed for a project or property. Master sign programs may allow for variety in the design of individual signs provided that the signs contribute to a consistent visual theme within the property.
- (3) A Master Sign Program may deviate from standards contained in this chapter relating to permitted sign height, number of signs, and type of sign, only where said deviations would result in more restrictive design criteria. A Master Sign Program may not allow prohibited signs as identified in Chapter 9-1700.3M (Prohibited Signs).

(f) **Findings Required.** The Director may only approve a Master Sign Program if the following findings are made.

- (1) That the proposed signs are in harmony with and visually related to:
 - (A) *Other Signs in the Project.* Harmony and visual relation to other signs may be accomplished by incorporating common design elements such as materials, letter style, colors, illumination, sign type or sign shape;
 - (B) *The Buildings They Identify.* This may be accomplished by utilizing materials, colors or design motifs included in the building being identified; and,
 - (C) *The Surrounding Development.* Approval of a Master Sign Program must not adversely affect surrounding land uses and adjacent business or obscure adjacent conforming signs.
 - (D) *Consistency with Documents.* All proposed Master Sign Programs shall be consistent with the design policies and implementation measures of the adopted Mountain House policy documents, and with the applicable Mountain House design manuals.
- (2) That the proposed signs are appropriate for the size and character of the development and signs in the vicinity.
- (3) That the proposed signs will comply with all the provision of this Division, except with regard to the specific exceptions requested and approved, which may include the number, height, size, and location of individual signs, but not the total allowable sign area on a site.

(g) **Conditions.** Reasonable conditions of approval may be imposed by the Director to achieve the purposes of this Section and ensure compatibility with adjacent land uses and signage.

- (h) **Post-Approval Procedures.** After approval of a Master Sign Program, no signs shall be erected, placed, painted, or maintained, except in conformance with such Program, and such Program may be enforced in the same way as any provision in this Section.
- (1) **Lease Agreements.** The Master Sign Program and all conditions of approval shall be attached to the lease agreements for all leasable space within a project.
 - (2) **Individual Signs.** Any sign that conforms to an approved Master Sign Program may be approved by the Director; however, approval of a Master Sign Program does not waive the permit requirements for individual signs.
 - (3) **Compliance with Other Sign Regulations.** Approval of a Master Sign Program shall supersede the regulations of this chapter. Any aspect of the proposed signs not addressed by the Master Sign Program shall be in compliance with this chapter.
 - (4) **Amendments.** The Director may approve amendments to a Master Sign Program that are in substantial conformance with the original approval.

9-1700.6M Temporary Signs.

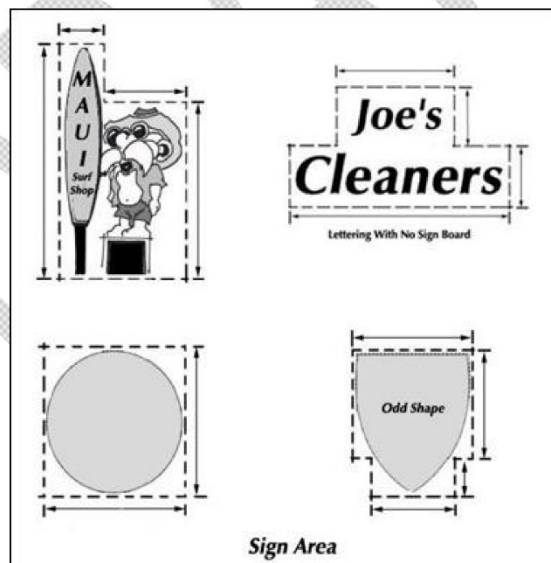
- (a) **Residential Zoning Districts.** Temporary signs in residential zoning districts shall comply with the standards below:
- (1) Window, Wall, Freestanding, Post, Banner, and Political Signs.
 - (A) No more than three (3) signs are allowed per parcel.
 - (B) Total sign area shall not exceed 18 square feet, with a maximum of six (6) square feet per sign.
 - (C) Sign height shall not exceed three (3) feet.
 - (D) Signs shall not be illuminated.
 - (E) Duration of sign placement must conform with Section 9-1700.6M(c)(5) of this code.
 - (2) Site Signs.
 - (A) Site signs shall only be permitted for residential uses that are under construction or not yet occupied.
 - (B) A maximum of one (1) sign is allowed per property public right-of-way frontage, with a maximum of two (2) signs permitted per site, as determined by the Director.
 - (C) A maximum sign area of 32 square feet shall be permitted, per sign.
 - (D) Sign height shall be a maximum of eight (8) feet.
 - (E) Signs shall be set back a minimum of five (5) feet from property lines adjacent to a public right-of-way.
 - (F) Signs shall not be illuminated.

- (G) Duration of sign placement must conform with Section 9-1700.6M(c)(5) of this code.
- (b) **Non-Residential Zoning Districts.** Temporary signs in non-residential zoning districts shall comply with the standards below:
 - (1) Wall, Freestanding, Post, and Banner Signs.
 - (A) A maximum of one (1) temporary wall, freestanding, or banner sign is allowed per property.
 - (B) Maximum sign area shall be 32 square feet.
 - (C) Maximum sign height shall be seven (7) feet.
 - (D) Signs shall not be illuminated.
 - (E) Duration of sign placement must conform with Section 9-1700.6M(c)(5) of this code.
 - (2) Window Signs.
 - (A) Temporary window signs in total may not exceed a maximum of 25 percent of the window area, and together with permanent window signs, may not exceed maximum allowed window sign area as defined in Section 9-1700.8M(H).
 - (B) Signs shall not be illuminated.
 - (C) Signs shall be stationary.
 - (D) Duration of sign placement must conform with Section 9-1700.6M(c)(5) of this code.
- (c) **Real Estate Signs.** Temporary real estate signs offering property for sale, lease, or rent, on the property being advertised, subject to the following limitations:
 - (1) For single-family dwellings, one (1) freestanding sign per street frontage, not exceeding four (4) square feet in area and four (4) feet in height, shall be allowed;
 - (2) For multi-family dwellings, including duplexes, triplexes, and condominiums, one (1) freestanding sign for every 1,000 lineal feet of street frontage or portion thereof, not exceeding 32 square feet in area and six (6) feet in height, shall be allowed;
 - (3) For signs advertising the sale, rent, or lease of tenant spaces within a multi-tenant commercial center, office building, or industrial subdivision, one (1) freestanding sign for every 1,000 lineal feet of street frontage or portion thereof, not exceeding 40 square feet in area and six (6) feet in height, plus one (1) sign not exceeding six (6) square feet in area located at each individual tenant space to be rented or leased, shall be allowed;
 - (4) Signs may be placed on the site at the time of the listing or the availability of the rental space; and,
 - (5) Signs shall be removed no later than 30 days from the date of the completion of the sale or the signing of the lease.

- (d) **Duration.** Temporary signs in all zoning districts shall be removed the earliest of when:
- (1) A commercial message is obsolete and has become misleading (e.g., a "for lease" or "for sale" sign in front of a building that is leased or sold); or
 - (2) The sign falls into disrepair.

9-1700.7M General Requirements.

- (a) Unless otherwise specified, the following general requirements shall apply to all signs:
- (1) **Computation of Surface Area of Sign.**
 - (A) If sign copy is on a sign board or sign structure, or on a sign with a defined sign background, the surface area of the sign shall be the area of the surface or face of the board or sign structure, as shown below.
 - (2) If the lettered or illustrative material of a sign is not located on a sign board or does not have a defined background (e.g., letters placed on a wall), the surface area of a sign shall be the area that would be encompassed within a frame or frames that are parallel to the top and sides of the structure on which the sign is located and which extend two (2) inches beyond the outermost boundaries of the lettered or illustrative material, as shown below:



- (3) Supporting framework or bracing that is clearly incidental to the display itself shall not be included in the computation of the surface area of a sign.
 - (4) The area of a double-faced sign shall be calculated as having only a single face, provided that the distance between each sign face does not exceed 24 inches at any point. If the sign faces are not the same size, the larger sign face shall be used to determine the sign area.
 - (5) Where a sign consists of one (1) or more three (3) dimensional objects (e.g., balls, cubes, clusters of objects, sculptures), the sign area shall be determined by calculating their maximum projection upon a vertical plane.
- (b) **Height of Signs.** Unless otherwise specified, sign height shall be measured from the uppermost part of the structure of the sign to the lowest elevation point of the finished grade immediately adjacent to the sign support structure, as shown below:



- (c) **Illumination of Signs.** The artificial illumination of signs, either from an internal or external source, shall be designed to eliminate impacts on surrounding properties and streets.
- (1) External light sources shall be directed and shielded to limit direct illumination of any object other than the sign.
 - (2) The light from an illuminated sign shall not be of an intensity or brightness that would interfere with the reasonable enjoyment of residential properties in direct visual proximity to the sign.
 - (3) Colored lights shall not be used at a location or in a manner so as to be confused or construed as traffic control devices.
 - (4) Neither the direct nor reflected light from primary light sources shall create a hazard to operators of motor vehicles.
- (d) **Maintenance of Signs.**
- (1) Signs and supporting hardware, including non-conforming and temporary signs, shall be maintained in good repair and functioning properly at all times. Repairs to signs shall be of equal or better-quality materials and design as the original sign. Signs that are not properly maintained and are dilapidated shall be deemed to be a public nuisance.

- (2) When existing signs are removed or replaced, all brackets, poles, and other supports that are no longer required shall be removed. Unpainted areas shall be painted to match the adjacent portion of the structure or sign support structure.
- (e) **Location of Signs.** Signs shall be located on property in accordance with the following provisions:
 - (1) Signs shall be located so as to not block or interfere with the view of motorists to proceed safely through intersections or to enter onto, or exit from, public streets or private roads, or to otherwise interfere with circulation;
 - (2) Signs shall be located so as to not obscure or interfere with views of significant natural or scenic landscape features;
 - (3) Freestanding signs shall not be located within a non-buildable public utilities easement or in a public right-of-way, except for those signs authorized by the applicable utility company;
 - (4) Freestanding signs shall not be located closer than five (5) feet from a property line, nor erected or maintained any closer than three (3) feet to any building; and,
 - (5) Freestanding signs shall be located outside of the clear vision triangle.

9-1700.8M Standards for On-Premise Signs.

On-premises signs shall be subject to the following:

- (a) **Awning Signs.** Awning signs shall be allowed in the R-H, C-N, C-C, C-O, C-G, C-FS, C-R, I-P, I-L, I-G, P-F, and M-X zoning districts, subject to the following requirements:
 - (1) Awning signs shall only be located on structure frontages, including those fronting a parking lot or pedestrian way;
 - (2) Awning signs shall be limited to ground level and second story occupancies only;
 - (3) A clear distance of eight (8) feet shall be maintained from the lowest part of an awning sign to the ground below; and,
 - (4) Maximum sign copy area for awning signs shall be included in the calculation for wall sign(s) area.
- (b) **Directional Signs.** Unless otherwise specified by a Master Sign Program, directional signs shall be allowed in any zone where they are needed and shall be subject to the following requirements:
 - (1) Maximum sign area shall be four (4) square feet in multi-family residential zones and six (6) square feet in nonresidential zones; and,
 - (2) Maximum height for directional signs shall be five (5) feet, except that taller signs may be approved by the Director, provided the Director determines that visibility would not be impaired.

- (c) **Directory Signs.** Unless otherwise specified by a Master Sign Program, directory signs shall be allowed in any zone where they are needed, except for single-family residential zones, subject to the following:
- (1) Signs shall be pedestrian-oriented;
 - (2) Signs shall not exceed a maximum height of seven and one-half (7.5) feet, and signs shall not exceed a maximum area of 60 square feet;
 - (3) Signs shall be designed and erected or mounted as a wall sign, monument sign, or on or within a kiosk;
 - (4) Signs shall be located at or near the main pedestrian entrance to a building or building complex;
 - (5) Signs shall contain only a list of tenants and their location for each individual building or integrated center, with no additional advertising allowed; and,
 - (6) Signs may be subject to a master sign program, as specified in Subsection 9-1700.5M.
- (d) **Monument Signs.** Unless otherwise specified by a Master Sign Program, monument signs shall be allowed in in the R-H, C-N, C-C, C-O, C-G, C-FS, C-R, I-P, I-L, I-G, M-X, and P-F zones, and shall be subject to the following requirements.
- (1) General Requirements. The following general requirements shall be applicable to all monument signs:
 - (A) Signs shall not be located closer than five (5) feet to a property line;
 - (B) Signs shall not be erected or maintained any closer than three (3) feet to any building;
 - (C) A monument sign shall not be located closer than 75 feet from another monument sign on adjoining properties to ensure adequate visibility, unless the Director reduces such spacing requirement in instances where its enactment would be impractical due to the locations of existing signs on adjacent properties or due to the size of the property;
 - (D) Signs shall be located within a landscaped area, with a permanent irrigation system provided at the base of the sign equal to double the area of one (1) face of the sign; and,
 - (E) Monument sign bases and structures shall be designed to be complementary with the architectural theme of the building(s).
 - (2) Monument Signs in R-H, M-X, and C-R Zones. The following requirements shall be applicable:
 - (A) One (1) monument sign shall be permitted per parcel;
 - (B) Maximum height shall be 7.5 feet; and,

- (C) Maximum total area for all tenants shall be 50 square feet per sign face.
- (3) Monument Signs in Commercial, Industrial, and P-F Zones. The following requirements shall be applicable:
 - (A) One (1) primary monument sign shall be permitted to identify a business complex, subject to the following:
 - (i) The sign shall be located near the primary street entrance to the complex;
 - (ii) A maximum of 100 square feet shall be allowed per sign face, in total, for all businesses advertised on the sign;
 - (iii) The maximum height shall be ten (10) feet;
 - (iv) The sign shall prominently display the name and address of the complex; and,
 - (v) The sign may identify individual tenants in clearly subordinate copy, and may contain any related trademark, logo and/or other graphics used to identify the business complex.
 - (B) Unless otherwise specified by a Master Sign Program, one (1) secondary monument sign shall be allowed along each additional street frontage not including the street frontage on which the primary monument sign is located, subject to the following:
 - (i) One (1) such secondary sign shall be permitted per parcel;
 - (ii) Maximum height shall be seven and one-half (7.5) feet;
 - (iii) Maximum area shall be 50 square feet per sign face, in total, for all businesses advertised on the sign; and,
 - (iv) Sign shall contain only the name, address, type of business, and any related trademark, logo, and/or other graphics used to identify the business.
- (4) Monument Signs Included in the Mountain House Business Park Special Purpose Plan. Monument signs permitted in the Mountain House Business Park, which includes the C-G, C-FS, I-P, and P-F zones, shall be subject to the following requirements:
 - (A) A maximum of two (2) monument signs shall be allowed for each parcel with four (4) or more tenants;
 - (B) Maximum height shall be ten (10) feet; and,
 - (C) Maximum area shall be two hundred 200 square feet, in total for all businesses advertised on the sign.
- (e) **Projecting Signs.** Projecting signs shall be allowed in the C-N, C-C, C-G, M-X, and P-F zones, subject to the following requirements:

- (1) Signs shall be located only on the wall frontage with the primary entrance to the structure;
 - (2) Maximum area of each sign face shall be 24 square feet;
 - (3) Signs may comprise logos, symbols, or figures in addition to, or instead of, written words;
 - (4) Signs shall maintain a clear distance of ten (10) feet from the lowest part of said sign to the ground; and
 - (5) A projecting sign shall be attached to the wall at no more than two (2) feet from the nearest point of the sign to the wall, with all mounting hardware concealed.
 - (6) Maximum area for the sign copy of projecting signs shall be included in the calculation of wall signs.
- (f) **Under Canopy Signs.** Unless otherwise specified by a Master Sign Program, under canopy signs shall be allowed in the C-N, C-C, C-O, C-G, C-R, M-X, I-P, and P-F zones and shall be subject to the following requirements:
- (1) Signs shall be located near the main entrance to the structure;
 - (2) Signs shall maintain a clear distance of ten (10) feet from the lowest part of said sign to the ground, except under canopy signs over a public driveway shall maintain a clear distance of 15 feet from the lowest point of the sign to the ground;
 - (3) Maximum area of each sign face shall be ten (10) square feet, with all mounting hardware concealed unless suspended by a chain no greater than 12 inches in length;
 - (4) Signs may comprise logos, symbols, or figures in addition to, or instead of, written words; and,
 - (5) Under canopy signs included in the Mountain House Business Park Special Purpose Plan. Under canopy signs permitted in the Mountain House Business Park, which includes the C-G, C-FS, I-P, and P-F zones, shall be subject to the following requirements:
 - (A) Signs shall maintain a clear distance of eight (8) feet from grade to the bottom of the sign; and,
 - (B) Maximum area of each sign face shall be 15 square feet.
- (g) **Wall Signs.** Unless otherwise specified by a Master Sign Program, wall signs shall be allowed in C-N, C-C, C-G, C-FS, M-X, I-P, I-L, I-G, and P-F zones and shall be subject to the following requirements.
- (1) **General Requirements.** The following general requirements shall be applicable to all wall signs:
 - (A) Signs shall only be located on structure wall frontages along streets, alleys, parking lots, or other rights-of-way, unless allowed by an approved Sign Permit that includes a planned sign program;

- (B) Signs shall not project from the surface upon which they are attached more than required for construction purposes and in no case more than 12 inches;
 - (C) Signs shall not project above the eave of a roof or parapet;
 - (D) Signs shall not be placed to obstruct any portion of a window;
 - (E) The total area of wall signs shall include the area of all permanent awning signs, marquee signs and window signs.
- (2) Wall Signs in the C-N, C-C, C-G, M-X, and P-F zones, the following additional requirements shall be applicable:
- (A) The total area of wall signs shall not exceed a maximum of one (1) square foot of sign area for each lineal foot of building frontage on which the sign will be mounted; and,
 - (B) The total aggregate area of wall signs for all sides of a building shall not exceed 160 square feet.
- (3) Wall Signs in the I-P, I-L, and I-G zones, the following additional requirements shall be applicable:
- (A) The total area of wall signs shall not exceed a maximum of one (1) square foot of sign area for each lineal foot of building frontage on which the sign will be mounted; and
 - (B) The total aggregate area of wall signs for all sides of the building shall not exceed 600 square feet.
- (4) Wall Signs Included in the Mountain House Business Park Special Purpose Plan. Wall signs permitted in the Mountain House Business Park, which includes the C-G, C-FS, I-P, and P-F zones, shall be subject to the following requirements:
- (A) Maximum sign area allowed on primary frontage (i.e., the entrance side of leased area) shall not exceed 1.5 square feet of sign area for each lineal foot of building frontage;
 - (B) Maximum sign width allowed on primary street frontage shall not exceed 50 percent of the primary street building frontage;
 - (C) Maximum sign area allowed for tenants with secondary frontage (i.e., side or rear) shall not exceed one (1) square foot of sign area for each lineal foot of secondary building frontage; and
 - (D) Maximum sign width allowed on secondary street frontage shall not exceed 33 percent of the secondary street building frontage.
- (h) **Window Signs.** Unless otherwise specified by a Master Sign Program, window signs shall be allowed in commercial, industrial, M-X, and P-F zones and shall be subject to the following requirements:
- (1) Signs shall be allowed only on windows located on the ground level and second story of a structure;

- (2) Signs shall not occupy more than 35 percent of the window area of a wall;
 - (3) The maximum area for window signs shall be included in the calculation of wall signs; and,
 - (4) Window Signs included in the Mountain House Business Park Special Purpose Plan. Window signs permitted in the Mountain House Business Park, which includes the C-G, C-FS, I-P, and P-F zones, shall be subject to the following requirements:
 - (A) Signs painted directly on a window shall not be permitted;
 - (B) Temporary signs may not be placed on the inside surface of a window; and,
 - (C) Temporary signs may not be hung closer than six (6) inches behind the inside surface of a window.
- (i) **Special Use Signs.** The following special use signs shall be allowed, subject to the requirements specified below.
- (1) **Service Station Signs.** Service station signs shall be allowed in the C-C, C-G, C-FS, I-P, I-L, and I-G zones, subject to the following requirements:
 - (A) One (1) monument sign identifying the use shall be allowed, subject to the following requirements:
 - (i) The monument sign shall comply with subsection (d)(1) regarding general requirements for monument signs;
 - (ii) Maximum area shall be forty (40) square feet;
 - (iii) Maximum height shall be seven and one-half (7.5) feet; and
 - (iv) Logos shall not exceed twenty (20) percent of the area of the sign.
 - (B) One (1) freestanding sign advertising motor vehicle fuel pricing shall be allowed for each service station dispensing any motor vehicle fuel, subject to the following requirements:
 - (i) Signs shall comply with the applicable provisions of the Business and Professions Code regarding display requirements;
 - (ii) Maximum area shall be twenty-five (25) square feet;
 - (iii) Maximum height shall be six (6) feet; and,
 - (C) Service station sign copy shall be allowed on a multi-tenant pole sign in the C-C and C-G zones, provided the service station is located within the shopping center associated with said pole sign.
 - (2) **Model Homes Sales Complex Signs.** Model home sales complex signs shall be allowed in all residential zones, and in the M-X zone where a residential use is planned, subject to the following requirements:

- (A) The maximum number of signs for each model homes sales complex shall be as follows: one (1) temporary freestanding marketing sign, one (1) temporary freestanding sales information sign, one (1) temporary freestanding model identification sign for each residential unit being marketed, one (1) temporary freestanding parking sign, and six (6) temporary onsite flags;
 - (B) The maximum height for model homes sales complex signs shall be as follows: seven and one-half (7.5) feet for a temporary freestanding marketing sign, six (6) feet for a temporary freestanding sales information sign, four (4) feet for temporary freestanding model identification sign, four (4) feet for a temporary freestanding parking sign, and 18 feet for temporary onsite flags; and,
 - (C) The maximum area for model homes sales complex signs shall be as follows: twenty-eight (28) square feet, including base and/or embellishments for a temporary freestanding marketing sign; twenty-four (24) square feet, including base and/or embellishments, for a temporary freestanding sales information sign; five (5) square feet, including base and/or embellishments, for a temporary freestanding model identification sign; and, twelve (12) square feet, including base and/or embellishments, for a temporary freestanding parking sign.
- (3) Community Amenity Signs. Signs highlighting a community amenity may be located in any zone where the community amenity is present, subject to the following requirements:
- (A) Signs shall be limited to monument signs or freestanding signs;
 - (B) Only one (1) sign shall be installed per amenity;
 - (C) Maximum sign area per sign, including base and/or embellishments, shall be forty-two (42) square feet; and,
 - (D) Maximum height of each sign shall be five and one-half (5.5) feet.

9-1700.9M Standards for Permitted Off-Premises Signs.

The off-premises signs specified below shall be permitted, subject to the following:

- (a) Temporary Special Event Signs. Special event signs shall be subject to the requirements specified below:
 - (1) The location of special event signs shall be subject to the approval of both the CDD and the MHCS D;
 - (2) The signs shall advertise only the County or MHCS D sponsored or co-Sponsored event and shall not include promotional, commercial advertising;
 - (3) Not more than three (3) special event signs may be erected on County or MHCS D property erected for each special event;

- (4) Maximum area for each sign shall be 25 square feet;
 - (5) Signs shall be made of non-metallic, weather resistant material, and shall not be illuminated nor contain moving parts;
 - (6) Signs shall not be erected more than 14 days prior to the commencement of the special event, and shall be removed no later than three (3) days after the end of the special event; and,
 - (7) Signs may be displayed for no more than 21 days, regardless of the duration of the event.
- (b) Off-Site Subdivision Signs. Off-site temporary freestanding subdivision signs may be located on private property to provide information and directions to the public about specific subdivisions within Mountain House with a model home sales complex, subject to the requirements specified below:
- (1) The maximum area set aside for individual subdivisions shall be one and one-half (1.5) feet by eight (8) feet, with a total display area for all such individual subdivisions not to exceed 12 feet by eight (8) feet;
 - (2) Maximum sign height shall not exceed 16 feet;
 - (3) Maximum sign width shall not exceed ten (10) feet;
 - (4) Signs shall contain no more than two (2) sides;
 - (5) Sign copy relating to specific subdivisions shall be limited to the subdivision name, the subdivision logo, and a directional arrow to the subdivision;
 - (6) A subdivision name may not be advertised on the sign before either a building permit or a public report by the California Department of Real Estate has been issued;
 - (7) A subdivision name shall be removed from the off-site temporary sign within 30 days if no model homes or lots are available for viewing or sale; and,
 - (8) An off-site temporary subdivision sign shall be removed if no subdivision has been advertised on it for a period of 90 days.

9-1700.10M Readerboard and Electronic Signs

- (a) Readerboard signs with manual or electronic changeable copy may be displayed in lieu of building-mounted or freestanding signs, subject to the following requirements.
 - (1) **K-8 and High Schools; Public Agencies.** Elementary and High Schools shall be permitted one (1) readerboard sign, limited to 60 square feet in area and eight (8) feet in height. Governmental organizations, agencies and special districts shall be subject to these same requirements.
 - (2) **Other Public Assemblies and Religious Assemblies not for Entertainment.** Other public assemblies and religious assemblies that are not engaged in commercial entertainment shall be permitted one (1)

readerboard sign, limited to 24 square feet in area and six (6) feet in height. Sign copy shall not be changed more than one (1) time per day.

9-1700.11M Nonconforming Signs.

A nonconforming sign which fails to conform to this chapter shall be allowed to continue in use, subject to the following:

- (a) The nonconforming sign shall not be expanded, moved, relocated, or replaced;
- (b) The nonconforming sign and sign structure may be maintained and repaired, but the maintenance and repair shall not exceed 50 percent of the sign's fair market value;
- (c) The sign copy and sign faces for nonconforming signs may be changed;
- (d) Other modifications / replacements of sign elements which constitute an improvement to the nonconforming sign may be allowed at the discretion of the Director; and,
- (e) The addition, reconstruction, relocation, or structural alteration of the nonconforming sign may be allowed but shall be subject to a new Sign Permit in compliance with the requirements of this Chapter.

Section 2. This Ordinance shall take effect and be in full force 30 days after its adoption, and prior to the expiration of 15 days from the passage thereof, and shall be published in the Stockton 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 ____ day of _____, ____ to wit:

AYES:

NOES:

ABSENT:

 _____, Chairman
 Board of Supervisors
 County of San Joaquin
 State of California

ATTEST: _____

Clerk of the Board of Supervisors of the County of San Joaquin, State of California

BY: _____



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Attachment B **Letter from MHCSD dated** **March 18, 2024, supporting** **the proposed Sign Ordinance**

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Mountain House Community Services District

251 E. Main Street, Mountain House, CA 95391

Tel (209) 831-2300 • Fax (209) 831-5610

www.mountainhousecsd.org

John Anderson
Community Development Department
1810 East Hazelton Ave
Stockton, CA 95205

March 18, 2024

Re: Sign Ordinance

Submitted Electronically

Dear John:

The Mountain House Community Services District (CSD) has reviewed the draft Sign Ordinance. Staff appreciates the opportunity to review the Ordinance and is in support of the draft document. The CSD believes the new Ordinance will help both the County and CSD staff ensure signage is designed thoughtfully with the high standards in place for the Mountain House community.

If you have any other questions, please do not hesitate to contact me.

Regards,

Rochelle Henson
Rochelle Henson
Principal Planner

Cc: Jodi Almassy, David James, MHCSD File

*"To Provide Responsive Service to Our Growing Community
That Exceeds Expectations at a Fair Value"*

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Planning Commission Staff Report
Item # 3, April 18, 2024
Development Agreement Amendment No. PA-2300058
Prepared by: John B. Anderson

PROJECT SUMMARY

Applicant Information

Project Applicant: Mountain House Developers, LLC, represented by Dave Sargent and George Djan

Project Site Information

Project Location: The project site is located primarily north of the Byron Highway, but the application does include a few scattered properties in the Town Center and along Grant Line Road. Neighborhoods C, D, H, I J, K, and L of the Mountain House Specific Plan I and II areas. APN's: 209-040-09; 209-170-03 & 04; 209-450-40 & 41; 254-550-07, 08, 11, 12, 15, 16, 18, 19, 20, 23, 24, 27 & 28; 256-270-68, 256-510-02 & 03; 258-020-03, 06, 07, 08, 11, 17, 18, 20, 31 to 36 & 38; 258-030-05 & 13 to 36; 262-020-04; 262-190-21, 22, 23, 24; and 262-240-56.

Community: Mountain House **Supervisorial District:** 5

Environmental Review Information

CEQA Determination: The project as described is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3), and a Notice of Exemption will be filed if the project is approved.

Project Description

The proposed Amendment to the Shea Mountain House, LLC Development Agreement would serve to extend the life of the 3 approved Major Subdivision Maps PA-0600327 (NBH I and J), PA-1000267 (NBH K) and PA-1000266 (NBH L) (SU's) and future subdivisions of the remaining subject property to be consistent with the terms of the existing Subsequent Development Agreement.

Recommendation

It is recommended that the Planning Commission:

1. Forward the proposed First Amendment to the Subsequent Development Agreement Application No. PA-2300058 to the Board of Supervisors with a recommendation for approval based on the ability to make the required Basis for Development Agreement Findings as stipulated in Section 9-1305.6 of the County Development Code (Attachment E, Findings).

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ANALYSIS

Background

On December 10, 1994 the County and Trimark Communities (“Trimark”) entered into a Development Agreement, recorded in the Official Records of the County of San Joaquin on December 20, 1994, as Instrument No. 94136021 (the “1994 Development Agreement (DA)”). The 1994 DA was subsequently amended several times.

On October 17, 2000, the 1994 DA and its subsequent amendments were superseded by an Amended and Restated Master Plan Development Agreement (the “Master Plan DA”) A-00-924-A by and between the County of San Joaquin and Trimark, adopted by Ordinance No. 4091 and recorded in the Official Records of the County of San Joaquin on December 27, 2000, as Instrument No. 00153355 governing the development of certain property within the Mountain House Community.

On February 8, 2005, the County adopted General Plan, Master Plan and Development Title amendments and Specific Plan II governing the development of approximately 2,440 acres of the Community by Resolution No. R-05-82, R-05-83, R-05-84, and Ordinance No. 4242 and 4244 of the Board of Supervisors, and approved a Subsequent Development Agreement by Ordinance No. 4243, recorded in the Official Records of the County of San Joaquin on February 22, 2005, as Instrument No 2005-042179 (the “Subsequent DA”).

In 2005 and 2007 Mountain House Developers, LLC (MHD, previously known as Shea Mountain House, LLC) acquired from Trimark lands subject to Specific Plan II, the Master Plan DA and the Subsequent DA, and in connection therewith the Master Plan DA and the Subsequent DA were assigned to MHD and the rights and obligation under the Master Plan DA and the Subsequent DA were assumed by MHD with respect to the lands MHD acquired from Trimark.

The Specific Plan II Property has been granted several entitlement approvals, including: (i) Tentative Subdivision Map for Neighborhoods I and J (PA-0600327) approved September 11, 2007, and subsequently extended with an expiration date of September 11, 2025 (the “I and J Tentative Map”); and (ii) Tentative Subdivision Map for Neighborhoods K and L (PA-1000266 and PA-1000267) approved December 1, 2011, and subsequently extended with an expiration date of December 11, 2029 (the “K and L Tentative Map”).

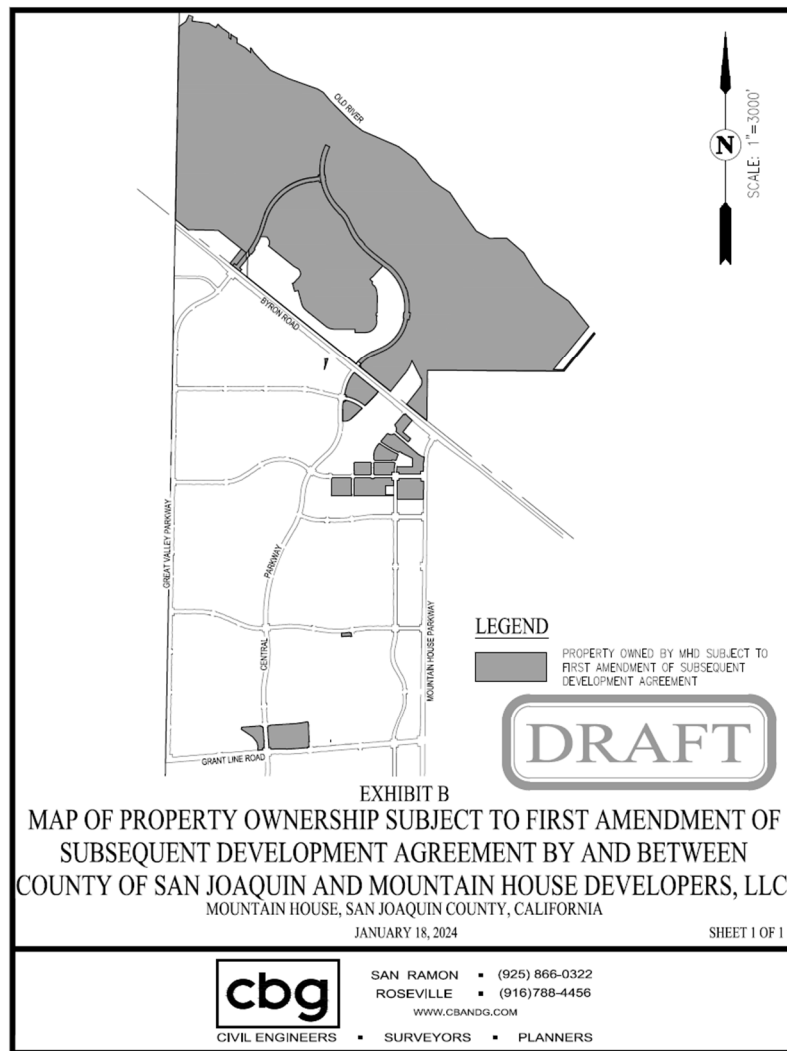
The Subsequent DA, as amended, will expire on February 8, 2035, unless extended. The Community Development Director is authorized to and, upon written request of Developer, shall permit reasonable extensions of the Term not to exceed five (5) years each, and not to exceed fifteen (15) years in the aggregate for all such extensions, if the Community Development Director determines, with respect to each five (5) year extension, that (1) Developer is not in default under the Subsequent DA, and (2) Developer is participating in Financing Mechanisms then applicable to the Property to provide regional or local Infrastructure and Exactions in connection with the development of the Community and is not in default or delinquent in its obligations thereunder.

Since approval of the Subsequent DA, MHD has completed construction of and dedicated to the Mountain House Community Services District (the “MHCS D”) the following community facilities: the Water Treatment Plant (including the 15 MGD Expansion); Neighborhood Parks for Neighborhoods C, D and H; the MHCS D Library; the MHCS D Town Hall; the MHCS D Corporation Yard Phase I (fee payment); the North of Byron Water Storage Tank; the Central Flyover; and segments of arterial roadways including Great Valley Parkway, Central Parkway, Main Street and Mustang Boulevard, Mountain House Parkway, Byron Road and Grant Line Road. MHD has partially completed and dedicated the Wastewater Treatment Plan Phase 2 expansion, and continues to construct this facility. MHD has obtained conceptual design approval for the Central Park Phase 2, the Old River Regional Park and the Mountain House Creek Park Phase 2, and has an approved design and is in the process of obtaining building permits for Fire Station (2). Evidence of the construction of various improvements and summary of Development History may be found in Attachment C.

Proposed Amendment to the Subsequent Development Agreement

The proposed Amendment is focused on one (1) primary issue. This Amendment would further extend the life of the three (3) tentative maps referenced above and any new maps to be filed within the boundaries of the property identified in the Amendment to be consistent with the expiration date of the Subsequent DA, which is defined in Section 2.2.2 of that Agreement. Accordingly, the proposed Amendment extends the life of the Tentative Maps covered by the Subsequent DA to February 8, 2035.

The exception to this Amendment is that MHD only controls a portion of the properties covered by the Subsequent DA. This matter has been reviewed by County Counsel's office and the County is in concurrence with the approach as long as the Amendment stipulates the facts. Attachment B to this staff report complies with the stipulations as articulated by the County. The illustration below is to be known as Exhibit A-1 to the suggested DA Amendment and illustrates the properties to be subject to this action.



Development Agreement Review and Evidence of Compliance

As part of this Amendment process, Planning Staff has asked the Owner to report on the status of the Development Agreement. The complete analysis of Development Agreement compliance is provided in Attachment D of this Staff report.

Notice of Exemption

The California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3) states that a project is exempt from CEQA if the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment, where it can be seen with certainty that there is no possibility that the activity is not subject to CEQA. The Community Development Department has determined that the proposed Text Amendment has no possibility of causing a direct or indirect physical change in the environment, much less a significant effect on the environment. Accordingly, the proposed Amendment will not have a significant impact on the environment and therefore, Staff is of the opinion that this project is exempt from CEQA.

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RECOMMENDATION

It is recommended that the Planning Commission:

1. Forward the Proposed Ordinance approving the Amendment to the Subsequent Development Agreement Application No. PA-2300058 to the Board of Supervisors with a recommendation for approval based on the ability to make the required Basis for Development Agreement Findings as stipulated in Section 9-1305.6 of the County Development Code (Attachment E, Findings).

Attachments:

Attachment A – Environmental Review.

Attachment B – Proposed Ordinance for the First Amendment to the Subsequent Amendment.

Attachment C – Development Status Summary.

Attachment D – Evidence of Development Agreement Compliance.

Attachment E – Development Agreement Findings.

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Attachment A

Environmental Review

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Jennifer Jolley, Director

Eric Merlo, Assistant Director

Tim Burns, Code Enforcement Chief

Corinne King, Deputy Director of Planning

Jeff Niemeyer, Deputy Director of Building Inspection

NOTICE OF EXEMPTION

TO: Office of Planning & Research
P. O. Box 3044, Room 212
Sacramento, CA 95812-3044

FROM: San Joaquin County
Community Development Department
1810 East Hazelton Avenue
Stockton, CA 95205

County Clerk, County of San Joaquin

Project Title: Development Agreement Amendment No. PA-2300058

Project Location - Specific: The project site is located primarily north of the Byron Highway, but the application does include a few scattered properties in the Town Center and along Grant Line Road. Neighborhoods C, D, H, I, J, K, and L of the Mountain House Specific Plan I and II areas. APN's: 209-040-09; 209-170-03 & 04; 209-450-40 & 41; 254-550-07, 08, 11, 12, 15, 16, 18, 19, 20, 23, 24, 27 & 28; 256-270-68, 256-510-02 & 03; 258-020-03, 06, 07, 08, 11, 17, 18, 20, 31 to 36 & 38; 258-030-05 & 13 to 36; 262-020-04; 262-190-21, 22, 23, 24; and 262-240-56. (Supervisory District: 5)

Project Location – City: Mountain House

Project Location – County: San Joaquin County

Project Description: The proposed Amendment to the Shea Mountain House, LLC Development Agreement would serve to extend the life of the 3 approved Major Subdivision Maps PA-0600327 (NBH I and J), PA-1000267 (NBH K) and PA-1000262 (NBH L) (SU's) and future subdivisions of the remaining subject property to be consistent with the terms of the existing Subsequent Development Agreement.

Project Proponent(s): MHD, LLC by Dave Sargent

Name of Public Agency Approving Project: San Joaquin County Board of Supervisors

Name of Person or Agency Carrying Out Project: John B. Anderson, Contract Planner
San Joaquin County Community Development Department

Exemption Status:
General Exemptions. (Section 15061(b)(3))

Exemption Reason:
Processed under the provisions of California Code of Regulations Section 15061(b)(3), which are exempt from CEQA.

This project is exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines section 15061(b)(3). Section 15061(b)(3) states that "CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA." There is no possibility that this project may have a significant effect on the environment and, therefore, the project is not subject to CEQA.

Lead Agency Contact Person:
John B. Anderson Phone: (209) 468-3160 Fax: (209) 468-3163 Email: mountainhouseplanning@sjgov.org

Signature: _____ Date: _____

Name: Allen Asio Title: Deputy County Clerk

Signed by Lead Agency

Date Received for filing at OPR: _____

*Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.*

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Attachment B

Proposed Ordinance for the First Amendment to the Subsequent Development Agreement

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ORDINANCE NO. _____

AN ORDINANCE OF THE COUNTY OF SAN JOAQUIN APPROVING THE FIRST AMENDMENT TO THE SUBSEQUENT DEVELOPMENT AGREEMENT PA-2300058 BY AND BETWEEN COUNTY OF SAN JOAQUIN AND MHD, LLC RELATED TO THE DEVELOPMENT OF CERTAIN PROPERTY WITHIN THE MOUNTAIN HOUSE COMMUNITY DATED AS OF [REDACTED], 2024.

THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA, DO ORDAIN AS FOLLOWS:

Section 1. This Ordinance incorporates as Exhibit "A", and by this reference makes a part hereof, that second amendment to the development agreement by and between County of San Joaquin and MHD, LLC, related to the development of certain property within the Mountain House Community (the "First Amendment to the Subsequent Development Agreement").

Section 2. On April 18, 2024 the San Joaquin County Planning Commission held a public hearing on the First Amendment to the Subsequent Development Agreement and forwarded the Amendment to the Board of Supervisors with a recommendation of approval.

Section 3. This Ordinance is adopted under the authority of Government Code Section 65864 et seq. (the "Development Agreement Legislation"), and pursuant to Division 13 (commencing with Section 9.1300.1) of Title 9 of the Ordinance Code of San Joaquin County establishing procedures and requirements for consideration of development agreements pursuant to Government Code Section 65864 et seq. (the "Development Agreement Regulations").

Section 4. In accordance with the Development Agreement Legislation and the Development Agreement Regulations, the Board of Supervisors hereby finds and determines the following: the First Amendment to the Subsequent Development Agreement (Exhibit A) is consistent with the General Plan of the County, the Master Plan for the Mountain House Community, Specific Plan I and II, the Mountain House Development Title of the Ordinance Code of San Joaquin County, and the Public Financing Plan, and that the Amended Development Agreement will promote the public health, safety and general welfare.

Section 5. The Board of Supervisors hereby finds that pursuant to Section 15061 (b)(3) the proposed Amendment activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity is not subject to CEQA and is therefore exempt from further evaluation.

Section 6. The Board of Supervisors of the County of San Joaquin hereby approves the First Amendment to the Subsequent Development Agreement and the Chairman of the Board of Supervisors is hereby authorized and directed to execute the Second Amended Development Agreement on behalf of the County of San Joaquin.

Section 7. This Ordinance shall be in full force and effect thirty (30) days after its passage and adoption.

Section 8. Within ten (10) days after execution of the Second Amended Development Agreement on behalf of the County, the Community Development Director or their designee shall record the Second Amended Development Agreement and this Ordinance with the Recorder of the County of San Joaquin.

The foregoing Ordinance was adopted by said Board of Supervisors at the regular meeting held on the _____ day of _____, 2024, by the following vote:

AYES:

NOES:

ABSENT:

Miguel Villapudua, Chairman
Board of Supervisors
County of San Joaquin
State of California

ATTEST:
Rachel DeBord,
Clerk of the Board of
Supervisors of the County of
San Joaquin, State of California

By: _____
Deputy Clerk

EXHIBIT A

**FIRST AMENDMENT TO THE SUBSEQUENT DEVELOPMENT AGREEMENT PA-2300058 BY
AND BETWEEN COUNTY OF SAN JOAQUIN AND MHD, LLC RELATED TO THE
DEVELOPMENT OF CERTAIN PROPERTY WITHIN THE MOUNTAIN HOUSE COMMUNITY**

This FIRST AMENDMENT OF SUBSEQUENT DEVELOPMENT AGREEMENT (this "First Amendment") is entered into as of this _____ day of _____, 2024 by and between Mountain House Developers LLC ("MHD") a Delaware limited liability company and the County of San Joaquin ("County"), referred to individually as a "Party" and collectively as the "Parties."

RECITALS

- A. County and Trimark Communities ("Trimark") entered into a Development Agreement on December 10, 1994, recorded in the Official Records of the County of San Joaquin on December 20, 1994, as Instrument No. 94136021 (the "1994 DA"). The 1994 DA was subsequently amended several times.
- B. On October 17, 2000, the 1994 DA and its subsequent amendments were superseded by an Amended and Restated Master Plan Development Agreement (the "Master Plan DA") A-00-924-A by and between the County of San Joaquin and Trimark, adopted by Ordinance No. 4091 and recorded in the Official Records of the County of San Joaquin on December 27, 2000, as Instrument No. 00153355 governing the development of certain property within the Mountain House Community.
- C. On February 8, 2005, the County adopted General Plan, Master Plan and Development Title amendments and Specific Plan II governing the development of approximately 2,440 acres of the Community by Resolution No. R-05-82, R--05-83, R-05- 84, and Ordinance No. 4242 and 4244 of the Board of Supervisors, and approved a Subsequent Development Agreement by Ordinance No. 4243, recorded in the Official Records of the County of San Joaquin on February 22, 2005, as Instrument No 2005-042179 (the "Subsequent DA").
- D. The purpose of the Subsequent DA is to further implement the Existing Approvals and the Master Plan DA with respect to the Property included within the Specific Plan II Area. The Subsequent DA incorporates provisions of the Master Plan DA where appropriate and modifies and supplements various Master DA provisions.
- E. In 2005 and 2007 Mountain House Developers, LLC (MHD, previously known as Shea Mountain House, LLC) acquired from Trimark lands subject to Specific Plan II, the Master Plan DA and the Subsequent DA, and in connection therewith the Master Plan DA and the Subsequent DA were assigned to MHD and the rights and obligation under the Master Plan DA and the Subsequent DA were assumed by MHD with respect to the lands MHD acquired from Trimark.
- F. In connection with development and implementation of Specific Plan II, MHD has completed construction of and dedicated to the Mountain House Community Services District (the "MHCSD") the following community facilities: the Water Treatment Plant (including the 15 MGD Expansion); Neighborhood Parks for Neighborhoods C, D and H; the MHCSD Library; the MHCSD Town Hall; the MHCSD Corporation Yard Phase I (fee payment); the North of Byron Water Storage Tank; the Central Flyover; and segments of arterial roadways including Great Valley Parkway, Central Parkway, Main Street and Mustang Boulevard, Mountain House Parkway, Byron Road and Grant Line Road. MHD has partially completed and dedicated the Wastewater Treatment Plan Phase 2 expansion, and continues to construct this facility. MHD has obtained conceptual design approval for the Central Park Phase 2, the Old River Regional Park and the Mountain House Creek Park Phase 2, and has an approved design and is in the process of obtaining building permits for Fire Station (2).

- G. Community-wide infrastructure required of third parties has been completed and dedicated to the MHCSD, including the MHCSD Central Park Phase 1, the Mountain House Creek Park Phase 1, Fire Station (1), the College Park Tanks and Booster Pump, the Westside Booster Pump, and the Wastewater Treatment Plant Phase 1. The conceptual plans for Specific Plan III's South Community Park have been approved.
- H. The Specific Plan II Property has been granted several entitlement approvals, including: (i) Tentative Subdivision Map for Neighborhoods I and J (PA-0600327) approved September 11, 2007, and subsequently extended with an expiration date of September 11, 2025 (the "I and J Tentative Map"); and (ii) Tentative Subdivision Map for Neighborhoods K and L (PA-1000266 and PA-1000267) approved December 1, 2011, and subsequently extended with an expiration date of December 11, 2029 (the "K and L Tentative Map"). The I and J Tentative Map and the K and L Tentative Map are referred to collectively herein as the "Tentative Maps."
- I. The Subsequent DA, as amended, will expire on February 8, 2035, unless extended. The Community Development Director is authorized to and, upon written request of Developer, shall permit reasonable extensions of the Term not to exceed five (5) years each, and not to exceed fifteen (15) years in the aggregate for all such extensions, if the Community Development Director determines, with respect to each five (5) year extension, that (1) Developer is not in default under the Subsequent DA, and (2) Developer is participating in Financing Mechanisms then applicable to the Property to provide regional or local Infrastructure and Exactions in connection with the development of the Community and is not in default or delinquent in its obligations thereunder.
- J. Given current circumstances in the housing construction industry, MHD will require more time to obtain approval of a final map for Neighborhoods I, K and L than is currently provided by the existing September 11, 2025 expiration date for the I and J Tentative Map and the existing December 11, 2029 expiration date for the K and L Tentative Map.
- K. As such, the Parties desire to amend the Subsequent DA such that the Tentative Maps will have the same expiration date as the Subsequent DA, which is February 8, 2035. It is anticipated that the Subsequent DA will receive multiple five-year extensions, which will also then extend the life of the Tentative Maps.

NOW, THEREFORE, MHD AND COUNTY HEREBY AGREE AS FOLLOWS:

1. Capitalized terms not otherwise defined in this First Amendment shall have the meaning given to them in the Subsequent DA or Master Plan DA.
2. The Property covered by this First Amendment is the remaining land within the Specific Plan II that is owned or controlled by MHD, legally described in Exhibit A-1 and as shown on Exhibit B-1, both attached hereto and incorporated herein by this reference.
3. A new Section 2.2.16 is added to the Agreement as follows:

The term of a Tentative Map in which the Tentative Map shall be deemed a valid Existing Approval, shall be the same term set forth in Section 2.2.2. of the Subsequent Development Agreement by and between the County of San Joaquin and Trimark Communities (Ordinance No. 4243, Agreement #A-05-77).

4. A new Section 2.2.17 is added to the Agreement as follows:

Section 2.2.16 Life of Project Approvals or Subsequent Approvals. The term of any Project Approval or Subsequent Approval, including Tentative Maps, shall automatically be extended for the longer of Term of this Agreement or the term otherwise applicable to such Project Approval or Subsequent Approval if this Agreement is no

longer in effect. The Term of this Agreement, any other Project Approval or Subsequent Approval shall not include any period of time during which any applicable development or utility moratorium, lawsuit or the actions of other public agencies that regulate land use, delays construction of the Project.

- 5. Except as otherwise set forth herein to the contrary, all terms and provisions of the Subsequent DA shall remain un-amended and continue in full force and effect.

IN WITNESS HEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

[signatures on following page]

Mountain House Developers, LLC,
a Delaware limited liability company

By: _____
Its: _____

Consented to by the County of San Joaquin on: _____
Date

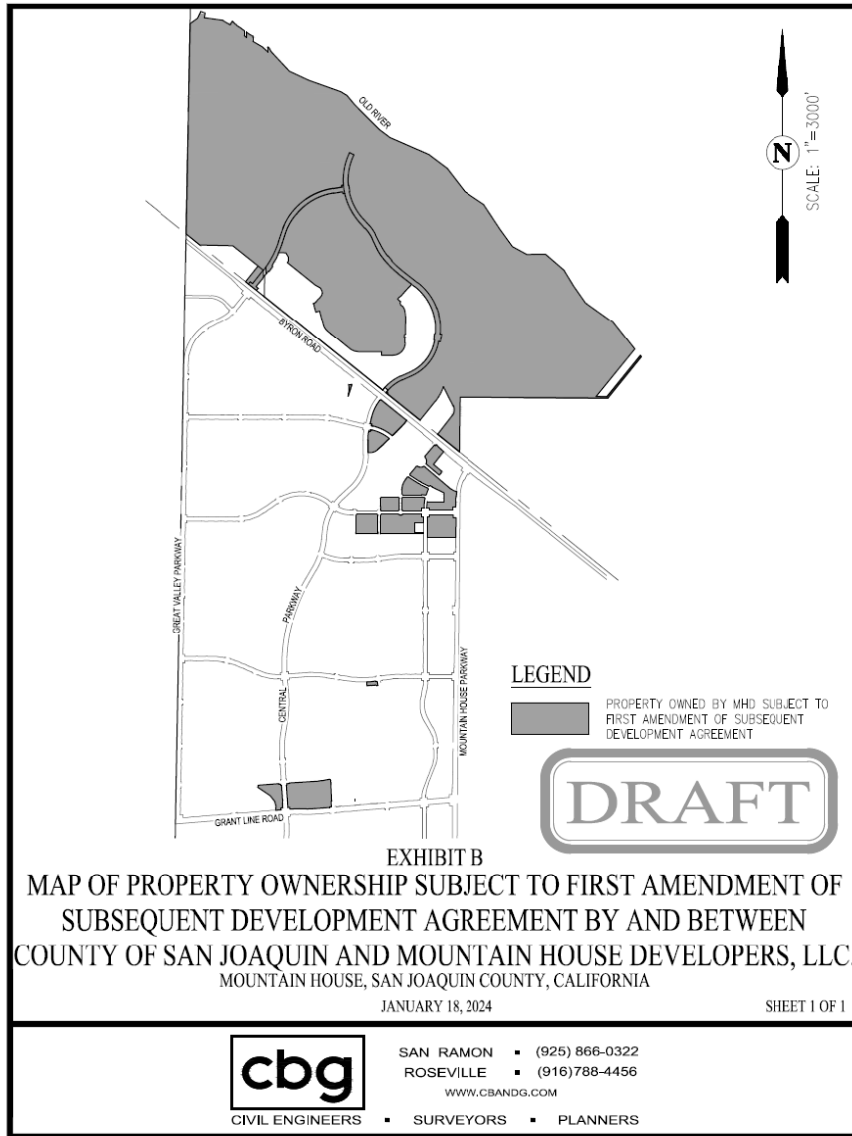
By: _____
County of San Joaquin

Approved as to Form:

By: _____
County Counsel

EXHIBIT A-1

Property to be included in the First Amendment to the Subsequent DA



JOB NO. 0673-090

I:\673-00\ACAD\EXHIBITS\XB_016_MHD OWNERSHIP.DWG

EXHIBIT B-1

Real property in the unincorporated area of the County of San Joaquin, State of California, described as follows:

Parcel No. 1: Parcel S, B, C, D, 5, 6, 7 and 8 of San Joaquin County Tract Number 3968, Neighborhood J, Unit No. 1

Parcel No. 2: Lots 4, 5, 8, 12, 13, 15, 16, 17, 20, 21, 24, 25 of San Joaquin County Tract Number 3925, Town Center Mountain House

PARCEL NO. 3: (A PORTION OF APN 258-020-360-000, RESULTANT PARCEL A)

BEING A PORTION OF NEW PARCEL A, AS SAID NEW PARCEL A IS DESCRIBED IN THAT CERTAIN GRANT DEED RECORDED PURSUANT TO THE LOT LINE ADJUSTMENT, PA-190005, RECORDED JULY 15, 2019, AS DOCUMENT NO. 2019-074719 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN JOAQUIN COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHERLY CORNER OF SAID PARCEL A, SAID POINT ALSO BEING A POINT ON THE EASTERLY LINE OF KELSO ROAD (66 FEET WIDE), AS SAID KELSO ROAD IS SHOWN ON THE FINAL MAP FOR TRACT 3645, FILED FOR RECORDS OCTOBER 22, 2007, IN BOOK 41 OF MAPS AND PLATS, AT PAGE 50, IN SAID OFFICE OF THE COUNTY RECORDER OF SAN JOAQUIN COUNTY;

THENCE, FROM SAID POINT OF BEGINNING, ALONG THE EXTERIOR BOUNDARY OF SAID PARCEL A (DN 2019-074719) THE FOLLOWING FOUR (4) COURSES:

- 1) NORTH 00° 56' 24" EAST 198.69 FEET;
- 2) ALONG THE ARC OF A NON-TANGENT 2,547.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 55° 03' 24" WEST, THROUGH A CENTRAL ANGLE OF 16° 39' 16", AN ARC DISTANCE OF 740.35 FEET;
- 3) NORTH 18° 17' 20" EAST 340.62 FEET;
- 4) ALONG THE ARC OF A TANGENT 1,500.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 07° 34' 54", AN ARC DISTANCE OF 198.49 FEET;

THENCE LEAVING SAID EXTERIOR BOUNDARY, CONTINUING ALONG THE ARC OF SAID 1,500 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 64° 07'46" EAST, THROUGH A CENTRAL ANGLE OF 09°01'29", AN ARC DISTANCE OF 236.27 FEET, TO A POINT ON SAID EXTERIOR BOUNDARY;

THENCE ALONG SAID EXTERIOR BOUNDARY, THE FOLLOWING TWENTY-SIX (26) COURSES:

- 1) CONTINUING ALONG THE ARC OF SAID 1,500.00 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 55°06'17" EAST, THROUGH A CENTRAL ANGLE OF 05°52'53", AN ARC DISTANCE OF 153.97 FEET,

- 2) NORTH 40°46'36" EAST 16.20 FEET;
- 3) ALONG THE ARC OF A TANGENT 1,713.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 40°43'46", AN ARC DISTANCE OF 1,217.71 FEET;
- 4) NORTH 81°30'22" EAST 242.81 FEET;
- 5) NORTH 08°29'38" WEST 50.00 FEET;
- 6) NORTH 81°30'22" EAST 50.00 FEET;
- 7) ALONG THE ARC OF A NON-TANGENT 1,655.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 85°25'16" EAST, THROUGH A CENTRAL ANGLE OF 07°49'49", AN ARC DISTANCE OF 226.18 FEET;
- 8) SOUTH 81°30'22" WEST 50.00 FEET;
- 9) NORTH 08°29'38" WEST 50.00 FEET;
- 10) SOUTH 81°30'22" WEST 242.81 FEET;
- 11) ALONG THE ARC OF A TANGENT 1,587.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 39°51'26", AN ARC DISTANCE OF 1,103.98 FEET;
- 12) SOUTH 41°38'56" WEST 48.37 FEET;
- 13) ALONG THE ARC OF A TANGENT 1,475.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 23°21'36", AN ARC DISTANCE OF 601.37 FEET;
- 14) SOUTH 18°17'20" WEST 274.13 FEET;
- 15) ALONG THE ARC OF A TANGENT 2,653.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 06°24'25", AN ARC DISTANCE OF 296.66 FEET;
- 16) SOUTH 65°18'15" EAST 6.00 FEET;
- 17) SOUTH 22°32'35" WEST 129.43 FEET;
- 18) SOUTH 32°35'24" WEST 119.77 FEET;
- 19) SOUTH 28°20'20" WEST 120.16 FEET;
- 20) SOUTH 55°32'34" EAST 25.00 FEET;
- 21) SOUTH 34°27'26" WEST 60.00 FEET;
- 22) SOUTH 37°00'03" WEST 50.05 FEET;
- 23) SOUTH 34°27'26" WEST 60.00 FEET;
- 24) NORTH 55°32'34" WEST 25.00 FEET;
- 25) SOUTH 32°48'12" WEST 55.30 FEET, AND;
- 26) SOUTH 42°33'31" WEST 47.45 FEET TO SAID POINT OF BEGINNING.

THIS LEGAL DESCRIPTION IS "RESULTANT PARCEL A" PURSUANT TO THAT CERTAIN CERTIFICATE APPROVING A LOT LINE ADJUSTMENT, CERTIFICATE NO. PA1900239, RECORDED MARCH 5, 2020 AS INSTRUMENT NO. 2020-028897 OF OFFICIAL RECORDS.

EXCEPTING THEREFROM ALL OIL, GAS AND OTHER HYDROCARBON SUBSTANCES LYING BELOW A DEPTH OF 500 FEET, WITHOUT ANY RIGHT OF SURFACE ENTRY, AS EXCEPTED IN THE DEED EXECUTED BY WILLIAME. RALPH, TRUSTEE, W. E. RALPH REVOCABLE TRUST, UTA NOVEMBER 9, 1988, RECORDED JANUARY 31, 1997, AS INSTRUMENT NO. 97011977, SAN JOAQUIN COUNTY RECORDS.

ALSO EXCEPTING THEREFROM ALL INTEREST IN AND TO ANY AND ALL OIL, GAS AND MINERALS RIGHTS BELONGING OR PERTAINING TO THE PROPERTY MORE THAN 500 FEET BELOW THE SURFACE OF THE LAND, WITHOUT THE RIGHT OF ENTRY (I) ABOVE 500 FEET BELOW THE SURFACE OF THE LAND, (II) WITHIN 300 FEET OF ANY PARCEL BOUNDARY OF THE PROPERTY, AS SUCH BOUNDARIES MAY BE MODIFIED BY LOT LINE ADJUSTMENTS AND/OR FINAL PARCEL MAP RECORDATION, OR (III) WHICH AFTER ANY TEMPORARY CONSTRUCTION OR INSTALLATION PERIOD SHALL IN ANY MANNER CREATE (OR REQUIRE ANY EXTRAORDINARY CONSTRUCTION METHOD TO MITIGATE) A SIGNIFICANT VISUAL AUDITORY OR OTHER NUISANCE OF EXTENDED DURATION TO THE INTENDED RESIDENTIAL OCCUPANTS OF THE PROPERTY, AS RESERVED BY TRIMARK COMMUNITIES, LLC., A LIMITED LIABILITY COMPANY, BY GRANT DEED RECORDED MAY 13, 2005, RECORDER'S INSTRUMENT NO. 2005-115427, SAN JOAQUIN COUNTY RECORDS.

ALSO EXCEPTING THEREFROM ALL INTEREST IN AND TO ANY AND ALL OIL, GAS AND MINERAL RIGHTS BELONGING OR PERTAINING TO THE PROPERTY MORE THAN 500 FEET BELOW THE SURFACE OF THE LAND, WITHOUT RIGHT OF ENTRY (I) ABOVE 500 FEET BELOW THE SURFACE OF THE LAND, (II) WITHIN 300 FEET OF ANY PARCEL BOUNDARY OF THE PROPERTY, AS SUCH BOUNDARIES MAY BE MODIFIED BY LOT LINE ADJUSTMENTS AND/OR FINAL PARCEL MAP RECORDATION, OR (III) WHICH AFTER ANY TEMPORARY CONSTRUCTION OR INSTALLATION PERIOD SHALL IN ANY MANNER CREATE (OR REQUIRE ANY EXTRAORDINARY CONSTRUCTION METHOD TO MITIGATE) A SIGNIFICANT VISUAL, AUDITORY OR OTHER NUISANCE OF EXTENDED DURATION TO THE INTENDED RESIDENTIAL OCCUPANTS OF THE PROPERTY, AS RESERVED BY TRIMARK COMMUNITIES, LLC, A LIMITED LIABILITY COMPANY, BY GRANT DEED RECORDED JULY 17, 2007, RECORDER'S INSTRUMENT NO. 2007-129967, SAN JOAQUIN COUNTY RECORDS.

PARCEL NO. 3A: (APN: 258-020-380-000, NEW PARCEL E)

BEING A PORTION OF PARCEL E, TOGETHER WITH A PORTION OF LOT 11, AS SAID PARCEL E AND LOT 11 ARE SHOWN AND SO DESIGNATED ON THE FINAL MAP FOR TRACT NO. 3645, FILED FOR RECORD ON OCTOBER 22, 2007 IN BOOK 41 OF MAPS AND PLATS, PAGE 50, IN THE OFFICE OF THE RECORDER OF SAN JOAQUIN COUNTY MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST WESTERLY CORNER OF SAID PARCEL E, SAID POINT BEING A POINT ON THE NORTHEASTERLY LINE OF UNION PACIFIC RAILROAD PROPERTY (100 FEET WIDE), AS SAID UNION PACIFIC RAILROAD PROPERTY IS SHOWN ON SAID MAP (41 M&P 50);

THENCE FROM SAID POINT OF BEGINNING, ALONG THE EXTERIOR BOUNDARY OF SAID PARCEL E (41 & 50) THE FOLLOWING SIX (6) COURSES:

- 1) NORTH 38°44'25" EAST 75.00 FEET;
 - 2) SOUTH 51°15'57" EAST 75.00 FEET;
 - 3) NORTH 38°44'03" EAST 460.70 FEET;
 - 4) SOUTH 51°15'57" EAST 6.51 FEET;
 - 5) ALONG THE ARC OF A NON-TANGENT, 2,547.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 52°22'47" WEST, THROUGH A CENTRAL ANGLE OF 0°06'24", AN ARC DISTANCE OF 4.74 FEET;
 - 6) SOUTH 00°56'24" WEST 188.86 FEET;
- THENCE, LEAVING SAID EXTERIOR BOUNDARY, SOUTH 34°35'50" WEST 66.45 FEET;
- THENCE, SOUTH 41°36'45" WEST 98.70 FEET, TO SAID EXTERIOR BOUNDARY OF PARCEL E:
- THENCE, ALONG SAID EXTERIOR BOUNDARY THE FOLLOWING FOUR (4) COURSES:
- 1) SOUTH 38°44'03" WEST 151.36 FEET;
 - 2) SOUTH 51°15'57" EAST 75.00 FEET;
 - 3) SOUTH 38°44'03" WEST 75.01 FEET;
 - 4) NORTH 51°15'35" WEST 272.00 FEET TO SAID POINT OF BEGINNING.

LEGAL DESCRIPTION "NEW PARCEL E" PURSUANT TO THAT CERTAIN CERTIFICATE APPROVING A LOT LINE ADJUSTMENT, CERTIFICATE NO. PA-1900006, RECORDED JUNE 13, 2019 AS INSTRUMENT NO. 2019-061876, OF OFFICIAL RECORDS.

EXCEPTING THEREFROM ALL OIL, GAS, MINERALS AND OTHER HYDROCARBON SUBSTANCES LYING BELOW A DEPTH OF 500 FEET BENEATH THE SURFACE WITHOUT, HOWEVER, THE RIGHT OF SURFACE ENTRY, AS RESERVED IN THE DEED FROM CLIFFORD ALBERT RICKER AND YVONNE ELOISE RICKER, AS TRUSTEES OF THE RICKER FAMILY TRUST, RECORDED JULY 21, 1995, AS INSTRUMENT NO. 95065394, SAN JOAQUIN COUNTY RECORDS.

ALSO EXCEPTING THEREFROM ALL INTEREST IN AND TO ANY AND ALL OIL, GAS AND MINERALS RIGHTS BELONGING OR PERTAINING TO THE PROPERTY MORE THAN 500 FEET BELOW THE SURFACE OF THE LAND, WITHOUT THE RIGHT OF ENTRY (I) ABOVE 500 FEET BELOW THE SURFACE OF THE LAND, (II) WITHIN 300 FEET OF ANY PARCEL BOUNDARY OF THE PROPERTY, AS SUCH BOUNDARIES MAY BE MODIFIED BY LOT LINE ADJUSTMENTS AND/OR FINAL PARCEL MAP RECORDATION, OR (III) WHICH AFTER ANY TEMPORARY CONSTRUCTION OR INSTALLATION PERIOD SHALL IN ANY MANNER CREATE (OR REQUIRE ANY EXTRAORDINARY CONSTRUCTION METHOD TO MITIGATE) A SIGNIFICANT VISUAL AUDITORY OR OTHER NUISANCE OF EXTENDED DURATION TO THE INTENDED RESIDENTIAL OCCUPANTS OF THE PROPERTY, AS RESERVED BY TRIMARK COMMUNITIES, LLC., A LIMITED LIABILITY COMPANY, BY GRANT DEED RECORDED MAY 13, 2005, RECORDER'S INSTRUMENT NO. 2005-115427, SAN JOAQUIN COUNTY RECORDS.

PARCEL NO. 8: (APN: 209-170-030-000)

COMMENCING AT THE QUARTER CORNER OF THE NORTH LINE OF SECTION 4, TOWNSHIP 2 SOUTH, RANGE 4 EAST, MOUNT DIABLO BASE AND MERIDIAN; AND RUN THENCE SOUTH 00° 01' EAST, 2026.3 FEET TO THE EASTERLY LINE OF THE SOUTHERN PACIFIC RAILROAD; THENCE ALONG SAID EASTERLY LINE OF SAID RAILROAD, SOUTH 52° 06' EAST, 1010 FEET TO A POST MARKED EP L AT A POINT WHERE THE QUARTER SECTION LINE EAST AND WEST THROUGH THE CENTER OF SECTION 3 AND 4 INTERSECT THE EASTERLY LINE OF SAID RAILROAD; THENCE ALONG SAID QUARTER SECTION LINE, NORTH 89° 38' EAST, 2288 FEET TO THE POINT OF BEGINNING OF THE HEREINAFTER DESCRIBED TRACT OF LAND; THENCE NORTH 00° 20' WEST 910 FEET TO THE CENTER LINE OF A DITCH; THENCE MEANDER THE CENTER LINE OF SAID DITCH, NORTH 18° 53' EAST, 1600 FEET; THENCE NORTH 32° 20' EAST, 810 FEET; THENCE NORTH 54° 25' EAST, 160 FEET; THENCE NORTH 32° 07' EAST, 810 FEET TO THE LEFT BANK OF OLD RIVER; THENCE MEANDER THE LEFT BANK OF OLD RIVER UPSTREAM SOUTH 89° 46' EAST, 373 FEET; THENCE SOUTH 60° 17' EAST, 250 FEET; THENCE SOUTH 37° 35' EAST, 300 FEET; THENCE SOUTH 33° 40' EAST, 1050 FEET; THENCE SOUTH 55° 45' EAST, 875 FEET; THENCE SOUTH 39° 50' EAST, 1090 FEET TO THE WESTERLY LINE OF A CANAL RIGHT OF WAY; THENCE ALONG SAID WESTERLY LINE OF SAID CANAL, SOUTH 38° 58' WEST, 1670 FEET TO THE QUARTER SECTION LINE EAST AND WEST THROUGH THE CENTER OF SECTIONS 3 AND 4; THENCE ALONG SAID QUARTER SECTION LINE, SOUTH 89° 38' WEST, 3233.1 FEET TO THE POINT OF BEGINNING.

EXCEPT THEREFROM ANY PORTION LYING WITHIN THE FOLLOWING:

ALL THAT PORTION OF SECTION 34, TOWNSHIP 1 SOUTH, RANGE 4 EAST, AS SAID SECTION, TOWNSHIP AND RANGE ARE PROJECTED WITHIN RANCHO EL PESCADERO, LYING SOUTH OF THE PRESENT CHANNEL OF OLD RIVER AND NORTH OF A DREDGER CUT, PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE QUARTER CORNER OF THE NORTH LINE OF SECTION 4, TOWNSHIP 2 SOUTH, RANGE 4 EAST, MOUNT DIABLO BASE AND MERIDIAN; AND RUN THENCE SOUTH 00° 01' EAST, 2026.3 FEET TO THE EASTERLY LINE OF THE SOUTHERN PACIFIC RAILROAD; THENCE ALONG SAID EASTERLY LINE OF SAID RAILROAD, SOUTH 52° 06' EAST, 1010 FEET TO A POST MARKED EP L, AT A POINT WHERE THE QUARTER SECTION LINE, EAST AND WEST THROUGH THE CENTER OF SECTION 3 AND 4 INTERSECTS THE EASTERLY LINE OF SAID RAILROAD; THENCE ALONG SAID QUARTER SECTION LINE, NORTH 89° 38' EAST, 2288 FEET; THENCE NORTH 00° 20' WEST, 910 FEET TO THE CENTER LINE OF A DITCH; THENCE MEANDER THE CENTER LINE OF SAID DITCH, NORTH 18° 53' EAST, 1600 FEET; THENCE NORTH 32° 20' EAST, 810 FEET; THENCE NORTH 54° 25' EAST, 160 FEET; THENCE NORTH 32° 07' EAST, 810 FEET TO THE LEFT BANK OF OLD RIVER; THENCE CONTINUING IN A NORTHERLY DIRECTION ACROSS SAID DREDGER CUT TO THE MOST WESTERLY AND DOWNSTREAM POINT OF LAND ON AN ISLAND, SAID POINT BEING THE POINT OF BEGINNING OF THE HEREINAFTER DESCRIBED TRACT OF LAND; THENCE MEANDERING OLD RIVER UPSTREAM ALONG THE WATERS EDGE IN A NORTHERLY, EASTERLY AND SOUTHERLY DIRECTION TO THE MOST EASTERLY AND UPSTREAM POINT OF LAND ON SAID ISLAND; THENCE NORTHERLY AND WESTERLY MEANDERING THE WATERS EDGE ALONG THE SOUTH SIDE OF SAID ISLAND, DOWNSTREAM, TO THE POINT OF BEGINNING.

ALSO EXCEPT THEREFROM ALL OIL, GAS, MINERALS AND OTHER HYDROCARBON SUBSTANCES BELOW A DEPTH OF 500 FEET FROM THE SURFACE OF SAID LAND, WITHOUT THE RIGHT OF SURFACE ENTRY, AS RESERVED IN THE DEED FROM ALDO J. BERTOLOTTI, ET AL, RECORDED SEPTEMBER 20, 1988 AS INSTRUMENT NO. 88079249, SAN JOAQUIN COUNTY RECORDS.

ALSO EXCEPTING THEREFROM: ALL INTEREST IN AND TO ANY AND ALL OIL, GAS AND MINERAL RIGHTS BELONGING OR PERTAINING TO THE PROPERTY MORE THAN 500 FEET BELOW THE SURFACE OF THE LAND, WITHOUT RIGHT OF ENTRY (I) ABOVE 500 FEET BELOW THE SURFACE OF THE LAND, (II) WITHIN 300 FEET OF ANY PARCEL BOUNDARY OF THE PROPERTY, AS SUCH BOUNDARIES MAY BE MODIFIED BY LOT LINE ADJUSTMENTS AND/OR FINAL PARCEL MAP RECORDATION, OR (III) WHICH AFTER ANY TEMPORARY CONSTRUCTION OR INSTALLATION PERIOD SHALL IN ANY MANNER CREATE (OR REQUIRE ANY EXTRAORDINARY CONSTRUCTION METHOD TO MITIGATE) A SIGNIFICANT VISUAL, AUDITORY OR OTHER NUISANCE OF EXTENDED DURATION TO THE INTENDED RESIDENTIAL OCCUPANTS OF THE PROPERTY, AS RECORDED IN THE DEED FROM TRIMARK COMMUNITIES, LLC, RECORDED JULY 17, 2007 AS INSTRUMENT NO. 2007-129967 OF OFFICIAL RECORDS.

PARCEL NO. 9: (APN: 209-450-400-000 and 209-450-410-000)

PARCELS H AND I AS SHOWN ON THAT CERTAIN MAP ENTITLED "TRACT NO. 3848, MOUNTAIN HOUSE, NEIGHBORHOOD "D"-WEST", FILED FOR RECORD MARCH 10, 2017 IN BOOK 42 OF MAPS, AT PAGE 77, FILED IN THE OFFICE OF THE COUNTY RECORDER, COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA.

EXCEPTING FROM PARCEL I, THAT PORTION CONVEYED TO MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT, DESCRIBED IN GRANT DEED RECORDED OCTOBER 10, 2018 AS INSTRUMENT NO. 2018-112805, OFFICIAL RECORDS OF SAN JOAQUIN COUNTY.

EXCEPTING FROM PARCEL H, THAT PORTION CONVEYED TO MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT, DESCRIBED IN GRANT DEED RECORDED OCTOBER 6, 2022 AS INSTRUMENT NO. 2022-116409, OFFICIAL RECORDS OF SAN JOAQUIN COUNTY.

EXCEPTING THEREFROM ALL OIL, GAS AND OTHER HYDROCARBONS AND MINERALS AS RESERVED BY BANK OF AMERICA NATIONAL TRUST AND SAVINGS ASSOCIATION, A NATIONAL BANKING ASSOCIATION, BY DEED RECORDED MAY 23, 1938 IN VOLUME 602 OF OFFICIAL RECORDS, AT PAGE 465, SAN JOAQUIN COUNTY RECORDS.

ALSO EXCEPT THEREFROM ALL OIL, GAS AND MINERALS LYING IN AND UNDER SAID LAND, AS CONVEYED TO CAPITOL COMPANY BY DEED RECORDED DECEMBER 29, 1941, IN BOOK 764 OF OFFICIAL RECORDS, AT PAGE 108, SAN JOAQUIN COUNTY RECORDS.

ALSO EXCEPTING THEREFROM ALL MINERALS, GAS AND HYDROCARBONS IN AND UNDER SAID PROPERTY BELOW A DEPTH OF 500 FEET WITHOUT THE RIGHT OF SURFACE ENTRY INTO FIVE HUNDRED (500) FEET BELOW THE SURFACE OF SAID LAND, AS RESERVED BY ISABEL F. OLIVEIRA, TRUSTEE UNDER THE ISABEL F. OLIVEIRA SEPARATE PROPERTY TRUST DATED JANUARY 11, 1995, BY DEED RECORDED AUGUST 18, 2006, RECORDER'S INSTRUMENT NO. 2006-177082, SAN JOAQUIN COUNTY RECORDS.

ALSO EXCEPTING THEREFROM ALL INTEREST IN AND TO ANY AND ALL OIL, GAS AND MINERAL RIGHTS BELONGING OR PERTAINING TO THE PROPERTY MORE THAN 500 FEET BELOW THE SURFACE OF THE LAND, WITHOUT RIGHT OF ENTRY (i) ABOVE 500 FEET BELOW THE SURFACE OF THE LAND, (ii) WITHIN 300 FEET OF ANY PARCEL BOUNDARY OF THE PROPERTY, AS SUCH BOUNDARIES MAY BE MODIFIED BY LOT LINE ADJUSTMENTS AND/OR FINAL PARCEL MAP RECORDATION, OR (iii) WHICH AFTER ANY TEMPORARY CONSTRUCTION OR INSTALLATION PERIOD SHALL IN ANY MANNER CREATE (OR REQUIRE ANY EXTRAORDINARY CONSTRUCTION METHOD TO MITIGATE) A SIGNIFICANT VISUAL, AUDITORY OR OTHER NUISANCE OF EXTENDED DURATION TO THE INTENDED RESIDENTIAL OCCUPANTS OF THE PROPERTY AS RESERVED IN THE DEED FROM TRIMARK COMMUNITIES, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, RECORDED JULY 17, 2007, INSTRUMENT NO. 2007-129967 OF OFFICIAL RECORDS OF SAN JOAQUIN COUNTY.

PARCEL NO. 10: (APN: 254-550-070-000, 254-550-080-000, 254-550-110-000, 240-550-150-000 THROUGH 254-550-200, 254-550-230, 254-550-240-000, 254-550-270-000 AND 254-550-280-000)

LOTS 4, 5, 8, 12 THROUGH 17, INCLUSIVE, 20, 21, 24 AND 25 AS SHOWN ON TRACT NO. 3925, FILED NOVEMBER 16, 2018 IN BOOK 43 OF MAPS AND PLATS, PAGE 55, SAN JOAQUIN COUNTY RECORDS AND AMENDED PURSUANT TO THAT CERTAIN CERTIFICATE OF CORRECTION RECORDED MARCH 8, 2019 AS INSTRUMENT NO. 2019-023839 OF OFFICIAL RECORDS.

EXCEPTING FROM LOTS 4, 5, 18, 20, 24 AND 25, THOSE PORTIONS CONVEYED TO MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT, A POLITICAL SUBDIVISION OF THE STATE OF CALIFORNIA, DESCRIBED AS AREAS 1 THROUGH 5, IN GRANT DEED RECORDED OCTOBER 21, 2020 AS INSTRUMENT NO. 2020-141515, OFFICIAL RECORDS OF SAN JOAQUIN COUNTY RECORDERS.

ALSO EXCEPTING FROM LOT 25, THAT PORTION OF LAND CONVEYED TO MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT, IN GRANT DEED RECORDED MAY 14, 2021 AS INSTRUMENT NO. 2021-085255, SAN JOAQUIN COUNTY RECORDS.

ALSO EXCEPTING FROM LOTS 5 AND 12 THROUGH 17, INCLUSIVE ALL OIL, GAS, MINERALS AND OTHER HYDROCARBON SUBSTANCES LYING BELOW A DEPTH OF 500 FEET BENEATH THE SURFACE WITHOUT, HOWEVER THE RIGHT OF SURFACE ENTRY, AS RESERVED IN THE DEED FROM ARNAUDO BROS., RECORDED AUGUST 3, 1994, AS INSTRUMENT NO. 94089630, SAN JOAQUIN COUNTY RECORDS.

ALSO EXCEPTING FROM LOTS 4, 5, 8, 20, 21, 24 AND 25, ALL OIL, GAS, MINERALS AND OTHER HYDROCARBON SUBSTANCES LYING BELOW A DEPTH OF 500 FEET BENEATH THE SURFACE WITHOUT, HOWEVER, THE RIGHT OF SURFACE ENTRY, AS RESERVED IN THE DEED FROM ARNAUDO BROTHERS, RECORDED AUGUST 5, 1995, AS INSTRUMENT NO. 95070745, SAN JOAQUIN COUNTY RECORDS.

ALSO EXCEPTING THEREFROM ALL INTEREST IN AND TO ANY AND ALL OIL, GAS AND MINERAL RIGHTS BELONGING OR PERTAINING TO THE PROPERTY MORE THAN 500 FEET BELOW THE SURFACE OF THE LAND, WITHOUT RIGHT OF ENTRY (i) ABOVE 500 FEET BELOW THE SURFACE OF THE LAND, (ii) WITHIN 300 FEET OF ANY PARCEL BOUNDARY OF THE PROPERTY, AS SUCH BOUNDARIES MAY BE MODIFIED BY LOT LINE ADJUSTMENTS AND/OR FINAL PARCEL MAP RECORDATION, OR (iii) WHICH AFTER ANY TEMPORARY CONSTRUCTION OR INSTALLATION PERIOD SHALL IN ANY MANNER CREATE (OR REQUIRE ANY EXTRAORDINARY CONSTRUCTION METHOD TO MITIGATE) A SIGNIFICANT VISUAL, AUDITORY OR OTHER NUISANCE OF EXTENDED

DURATION TO THE INTENDED RESIDENTIAL OCCUPANTS OF THE PROPERTY AS RESERVED IN THE DEED FROM TRIMARK COMMUNITIES, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, RECORDED JULY 17, 2007, INSTRUMENT NO. 2007-129967 OF OFFICIAL RECORDS OF SAN JOAQUIN COUNTY.

PARCEL NO. 11: (APN: 256-270-680-000)

PARCEL A, AS SHOWN ON THAT CERTAIN MAP ENTITLED "TRACT NO. 3545, SUBDIVISIONS OF SAN JOAQUIN COUNTY, CALIFORNIA, MOUNTAIN HOUSE, NEIGHBORHOOD 'H', UNIT NO 2", FILED FOR RECORD ON NOVEMBER 8, 2006 IN BOOK 41 OF MAPS AND PLATS, PAGE 7, SAN JOAQUIN COUNTY RECORDS.

EXCEPTING THEREFROM AN UNDIVIDED ½ INTEREST IN AND TO ALL MINERALS, GAS OR HYDROCARBONS, AS RESERVED IN THE DEED FROM FIRMINO R. DIAS AND MARY A. DIAS, HIS WIFE, TO BENJAMIN R. BURROUGHS AND MARY H. BURROUGHS, HIS WIFE, RECORDED SEPTEMBER 11, 1952, IN BOOK 1451 OF OFFICIAL RECORDS, PAGE 427, SAN JOAQUIN COUNTY RECORDS.

ALSO EXCEPT THEREFROM AN UNDIVIDED ½ INTEREST IN AND TO ALL OIL, GAS, MINERALS AND OTHER HYDROCARBON SUBSTANCES LYING BELOW A DEPTH OF FIVE HUNDRED (500) FEET BENEATH THE SURFACE OF SAID LAND WITHOUT THE RIGHT OF SURFACE ENTRY, AS RESERVED BY LOUIS N. SANTUCCI AND DOROTHY M. SANTUCCI, TRUSTEES OF THE SANTUCCI FAMILY TRUST U.T.A. DATED FEBRUARY 20, 1988, IN THE DEED RECORDED APRIL 29, 2005, AS INSTRUMENT NO. 2005-101887 OF OFFICIAL RECORDS, SAN JOAQUIN COUNTY RECORDS.

ALSO EXCEPTING THEREFROM ALL OIL, GAS, MINERALS AND OTHER HYDROCARBON SUBSTANCES LYING BELOW A DEPTH OF 500 FEET BENEATH THE SURFACE WITHOUT, HOWEVER, THE RIGHT OF SURFACE ENTRY, AS RESERVED IN THE DEED FROM TRIMARK COMMUNITIES, LLC, A LIMITED LIABILITY COMPANY ORGANIZED UNDER THE LAWS OF THE STATE OF CALIFORNIA, RECORDED MAY 13, 2005 AS INSTRUMENT NO. 2005-115427, SAN JOAQUIN COUNTY RECORDS.

PARCEL NO. 12: (APN:256-510-020-000 AND 256-510-030-000)

PARCELS T AND U AS SHOWN UPON THAT CERTAIN MAP ENTITLED, TRACT NO. 3544, MOUNTAIN HOUSE NEIGHBORHOOD "H", UNIT NO. 1, FILED FOR RECORD NOVEMBER 8, 2006, IN BOOK 41 OF MAPS AND PLATS, AT PAGE 6, SAN JOAQUIN COUNTY RECORDS. CERTIFICATE OF CORRECTION FOR COUNTY FINAL MAP, RECORDED MARCH 22, 2007, RECORDER'S INSTRUMENT NO. 2007-058281, SAN JOAQUIN COUNTY RECORDS.

EXCEPTING FROM THE ABOVE DESCRIBED PARCEL T, THAT PORTION CONVEYED TO MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT, DESCRIBED IN GRANT DEED RECORDED JULY 14, 2022, AS INSTRUMENT NO. 2022-085934, OFFICIAL RECORDS OF SAN JOAQUIN COUNTY.

ALSO EXCEPT THEREFROM ALL OIL, GAS, MINERALS AND OTHER HYDROCARBON SUBSTANCES LYING BELOW A DEPTH OF 500 FEET BENEATH THE SURFACE WITHOUT, HOWEVER, THE RIGHT OF SURFACE ENTRY, AS RESERVED IN THE DEED FROM ARNAUDO BROTHERS, RECORDED AUGUST 4, 1995 AS INSTRUMENT NO. 95070745, SAN JOAQUIN COUNTY RECORDS.

ALSO EXCEPTING THEREFROM ALL OIL, GAS, MINERALS AND OTHER HYDROCARBON SUBSTANCES LYING BELOW A DEPTH OF 500 FEET BENEATH THE SURFACE WITHOUT, HOWEVER, THE RIGHT OF SURFACE ENTRY, AS RESERVED IN THE DEED FROM TRIMARK COMMUNITIES, LLC, A LIMITED LIABILITY COMPANY ORGANIZED UNDER THE LAWS OF THE STATE OF CALIFORNIA, RECORDED MAY 13, 2005 AS INSTRUMENT NO. 2005-115427, SAN JOAQUIN COUNTY RECORDS.

PARCEL NO. 13: (APN 258-020-060-000 THROUGH 258-020-080-000, 258-020-110-000, 258-020-180-000, 258-020-310-000, 258-020-330-000, 258-020-340-000, 258-030-030-000 THROUGH 258-030-060-000)

LOTS 2, 3, 4, 6, 7, 8, 15, 16 AND PARCELS B, C AND D AS SHOWN ON THE MAP DESIGNATED "TRACT NO. 3645, MOUNTAIN HOUSE, NEIGHBORHOODS I AND J, PHASE 1 LARGE LOT FINAL MAP" FILED FOR RECORD ON OCTOBER 22, 2007 IN BOOK 41 OF MAPS AND PLATS, PAGE 50, SAN JOAQUIN COUNTY RECORDS.

EXCEPTING FROM THE ABOVE DESCRIBED PARCEL B, THAT PORTION CONVEYED TO MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT, DESCRIBED IN GRANT DEED RECORDED JULY 14, 2022, AS INSTRUMENT NO. 2022-085932, OFFICIAL RECORDS OF SAN JOAQUIN COUNTY.

ALSO EXCEPTING THEREFROM ALL OIL, GAS AND OTHER HYDROCARBON SUBSTANCES LYING BELOW THE DEPTH OF 500 FEET, WITHOUT ANY RIGHT OF SURFACE ENTRY, AS RESERVED BY WILLIAM E. RALPH, TRUSTEE, W.E RALPH REVOCABLE TRUST, UTA NOVEMBER 9, 1988 IN THE DEED RECORDED JANUARY 31, 1997 AS INSTRUMENT NO. 97011977 OF OFFICIAL RECORDS OF SAN JOAQUIN COUNTY.

ALSO EXCEPTING THEREFROM ALL OIL, GAS, MINERALS AND OTHER HYDROCARBON SUBSTANCES BELOW A DEPTH OF 500 FEET FROM THE SURFACE OF SAID LAND, WITHOUT THE RIGHT OF SURFACE ENTRY, AS RESERVED IN THE DEED FROM ALDO J. BERLOTTI, ET AL, RECORDED SEPTEMBER 20, 1988 AS INSTRUMENT NO. 88079249, SAN JOAQUIN COUNTY RECORDS.

ALSO EXCEPTING THEREFROM ALL INTEREST IN AND TO ANY AND ALL OIL, GAS AND MINERALS RIGHTS BELONGING OR PERTAINING TO THE PROPERTY MORE THAN 500 FEET BELOW THE SURFACE OF THE LAND, WITHOUT THE RIGHT OF ENTRY (I) ABOVE 500 FEET BELOW THE SURFACE OF THE LAND, (II) WITHIN 300 FEET OF ANY PARCEL BOUNDARY OF THE PROPERTY, AS SUCH BOUNDARIES MAY BE MODIFIED BY LOT LINE ADJUSTMENTS AND/OR FINAL PARCEL MAP RECORDATION, OR (III) WHICH AFTER ANY TEMPORARY CONSTRUCTION OR INSTALLATION PERIOD SHALL IN ANY MANNER CREATE (OR REQUIRE ANY EXTRAORDINARY CONSTRUCTION METHOD TO MITIGATE) A SIGNIFICANT VISUAL AUDITORY OR OTHER NUISANCE OF EXTENDED DURATION TO THE INTENDED RESIDENTIAL OCCUPANTS OF THE PROPERTY, AS RESERVED BY TRIMARK COMMUNITIES, LLC., A LIMITED LIABILITY COMPANY, BY GRANT DEED RECORDED MAY 13, 2005, RECORDER'S INSTRUMENT NO. 2005-115427, SAN JOAQUIN COUNTY RECORDS.

ALSO EXCEPTING THEREFROM ALL INTEREST IN AND TO ANY AND ALL OIL, GAS AND MINERAL RIGHTS BELONGING OR PERTAINING TO THE PROPERTY MORE THAT 500 FEET BELOW THE SURFACE OF THE LAND, WITHOUT RIGHT OF ENTRY (I) ABOVE 500 FEET BELOW THE SURFACE OF THE LAND, (II) WITHIN 300 FEET OF ANY PARCEL BOUNDARY OF THE PROPERTY, AS SUCH BOUNDARIES MAY BE MODIFIED BY LOT LINE ADJUSTMENTS AND/OR FINAL PARCEL MAP RECORDATION, OR (III) WHICH AFTER ANY TEMPORARY CONSTRUCTION OR INSTALLATION PERIOD SHALL IN ANY

MANNER CREATE (OR REQUIRE ANY EXTRAORDINARY CONSTRUCTION METHOD TO MITIGATE) A SIGNIFICANT VISUAL, AUDITORY OR OTHER NUISANCE OF EXTENDED DURATION TO THE INTENDED RESIDENTIAL OCCUPANTS OF THE PROPERTY, AS RESERVED BY TRIMARK COMMUNITIES, LLC, A LIMITED LIABILITY COMPANY, BY GRANT DEED RECORDED JULY 17, 2007, RECORDER'S INSTRUMENT NO. 2007-129967, SAN JOAQUIN COUNTY RECORDS.

PARCEL NO. 14: (APN: 258-020-030-000, AND PORTIONS OF 258-020-350-000 AND 258-040-010, NEW LOT 1)

BEING A PORTION OF THAT CERTAIN PARCEL OF LAND DESCRIBED AS PARCEL TWO (SHEA MOUNTAIN HOUSE PARCEL) IN THE DEED TO SHEA MOUNTAIN HOUSE LLC, RECORDED JUNE 26, 2009, AS DOCUMENT NO. 2009-095451 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN JOAQUIN COUNTY, TOGETHER WITH A PORTION OF THE DESIGNATED REMAINDER (PORTION), AS SAID DESIGNATED REMAINDER (PORTION) IS SHOWN AND SO DESIGNATED ON THE FINAL MAP FOR TRACT 3645, FILED FOR RECORD OCTOBER 22, 2007 IN BOOK 41 OF MAPS AND PLATS, AT PAGE 50, IN SAID OFFICE OF THE COUNTY RECORDER OF SAN JOAQUIN COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWESTERN CORNER OF SAID PARCEL TWO (DN 2009-095451), SAID POINT BEING A POINT ON THE COUNTY LINE SEPARATING ALAMEDA COUNTY AND SAN JOAQUIN COUNTY, AS SAID COUNTY LINE IS SHOWN AND SO DESIGNATED ON SAID FINAL MAP (41 M&P 50); THENCE, FROM SAID POINT OF BEGINNING, ALONG THE NORTHERN LINE OF SAID PARCEL TWO (DN 2009-095451), AND (FOR THE PURPOSES OF THIS DESCRIPTION) ALONG THE DEED LINE DESCRIBED AS BEING ALONG THE CENTER LINE OF A LEVER ALONG THE SOUTH (LEFT) BANK OF OLD RIVER IN THAT CERTAIN DEED TO SHEA MOUNTAIN HOUSE, LLC, RECORDED MAY 13, 2005, AS DOCUMENT NO. 2005-115427 OF OFFICIAL RECORDS, IN SAID OFFICE OF THE COUNTY RECORDER OF SAN JOAQUIN COUNTY, AS SAID DEED LINE (DN 2005-115427) IS FURTHER SHOWN AND SO DESIGNATED ON SAID FINAL MAP (41 M&P 50) (AS NOTED IN THE FOLLOWING COURSES), AND ALSO ALONG THE TRAVERSE LINE (FOR THE PURPOSES OF THIS DESCRIPTION) BOR MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT (MHCSD) BOUNDARY, AS SAID LINE IS DESCRIBED TN RESOLUTION 941 ADOPTED BY LAFCO ON FEBRUARY 23, 1996, AS SAID TRAVERSE LINE IS FURTHER SHOWN AND SO DESIGNATED ON SAID FINAL MAP (41 M&P 50) (ALSO AS NOTED IN THE FOLLOWING COURSES), THE FOLLOWING TWENTYFIVE (25) COURSES:

- 1) ALONG SAID NORTHERN LINE OF PARCEL TWO (DN 2009-095451), NORTH 54°02'13" EAST 241.35 FEET,
- 2) NORTH 26°03'13" EAST 164.32 FEET TO A POINT ON SAID DEED (DN 2005-115427),
- 3) ALONG SAID DEED LINE (DN 2005-115427) SOUTH 45°04'52" EAST 49.82 FEET
- 4) SOUTH 81°59'52" EAST 89.99 FEET
- 5) LEAVING SAID DEED LINE (DN 2005-115427), SOUTH 08°00'08" WEST 84.99 FEET,
- 6) SOUTH 81°59'52" EAST 499.97 FEET
- 7) SOUTH 31°46'48" EAST 18.59 FEET
- 8) SOUTH 59°59'52" EAST 209.98 FEET
- 9) NORTH 30°00'08" EAST 87.60 FEET TO POINT ON SAID DEED LINE (DN 2005-115427)
- 10) ALONG SAID DEED LINE (DN 2005-115427), SOUTH 59°59'52" EAST 31.77 FEET,
- 11) SOUTH 54°13'52" EAST 199.99 FEET
- 12) SOUTH 48°13'52" EAST 189.99 FEET
- 13) LEAVING SAID DEED LINE (DN 2005-115427), SOUTH 01°10'08" WEST 99.99 FEET,
- 14) SOUTH 48°13'52" EAST 79.99 FEET,

15) NORTH 01°10'08" EAST 99.99 FEET TO A POINT ON SAID DEED LINE (DN 2005-115427) ,
16) ALONG SAID DEED LINE (DN 2005-115427) , SOUTH 59°48'52" EAST 199.99 FEET,
17) LEAVING SAID DEED LINE (DN 2005-115427) , SOUTH 01°10'08" WEST 99.99 FEET,
18) SOUTH 59°48'52" EAST 289.98 FEET,
19) SOUTH 47°38'52" EAST 199.49 FEET
20) NORTH 01°10'08" EAST 99.99 FEET TO A POINT ON SAID TRAVERSE LINE (41 M&P 50)
21) ALONG SAID TRAVERSE LINE (41 M&P 50), SOUTH 29°38'34" EAST 130.22 FEET,
22) SOUTH 43°00'42" EAST 719.63 FEET,
23) SOUTH 64°54'04" EAST 573.86 FEET
24) SOUTH 70°30'25" EAST 518.05 FEET, AND
25) LEAVING SAID TRAVERSE LINE (41 M&P 50), SOUTH 18°01'15" WEST 62.70 FEET:

THENCE, LEAVING SAID NORTHERN LINE OF PARCEL TWO (DN 2019-095451), SOUTH 69°37'28" EAST 100.16 FEET;

THENCE, ALONG THE ARC OF A TANGENT 364.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 26°32'50" AN ARC DISTANCE OF 168.66 FEET;
THENCE, SOUTH 26°50'32" WEST 1,142.53 FEET;
THENCE SOUTH 69°05'27" EAST 423.14 FEET;
THENCE SOUTH 20°54'33" WEST 12.00 FEET;
THENCE, SOUTH 37°16'12" WEST 41.69 FEET;
THENCE, SOUTH 20°54'33" WEST 12.00 FEET;

THENCE, ALONG THE ARC OF A NON-TANGENT 23.00 FOOT RADIUS CURVE TO THE RIGHT FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 20°54'33" WEST THROUGH A CENTRAL ANGLE OF 96°05'36", AN ARC DISTANCE OF 38.57 FEET;
THENCE, SOUTH 27°00'10" WEST 0.66 FEET;
THENCE, SOUTH 62°59'50" EAST 12.00 FEET;
THENCE, SOUTH 78°30'35" EAST 41.51 FEET;
THENCE, SOUTH 62°59'50" EAST 12.00 FEET;
THENCE, NORTH 27°00'10" EAST 1.30 FEET;
THENCE, ALONG THE ARC OF A TANGENT 23.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 83°54'23", AN ARC DISTANCE OF 33.68 FEET;
THENCE, SOUTH 69°05'27" EAST 18.50 FEET;
THENCE, ALONG THE ARC OF A TANGENT 1,168.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 05°17'26" AN ARC DISTANCE OF 107.85 FEET;
THENCE, SOUTH 63°48'01" EAST 220.35 FEET;
THENCE, SOUTH 26°11'57" WEST 7.00 FEET;
THENCE, ALONG THE ARC OF A NON-TANGENT 83.00 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 26°11'57" WEST, THROUGH A CENTRAL ANGLE OF 19°05'30", AN ARC DISTANCE OF 27.66 FEET;
THENCE, ALONG THE ARC OF A REVERSE 117.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 45°17'27" EAST THROUGH A CENTRAL ANGLE OF 19°05'28", AN ARC DISTANCE OF 38.98 FEET;
THENCE, SOUTH 63°48'01" EAST 27.30 FEET;
THENCE, SOUTH 26°11'59" WEST 40.00 FEET;
THENCE, SOUTH 63°48'01" EAST 25.00 FEET TO A POINT ON THE BOUNDARY LINE OF SAID PARCEL TWO (DN 2009-095451)

THENCE, ALONG SAID BOUNDARY LINE OF PARCEL TWO (DN 2009-095451), THE FOLLOWING ONE HUNDRED NINE (109) COURSES:

- 1) ALONG THE ARC OF A NON-TANGENT 1,655.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 64°48'16" EAST, THROUGH A CENTRAL ANGLE OF 29°46'28" AN ARC DISTANCE OF 860.04 FEET,
- 2) SOUTH 81°30'22" WEST 50.00 FEET
- 3) SOUTH 08°29'38" EAST 50.00 FEET,
- 4) SOUTH 81°30'22" WEST 242.81 FEET
- 5) ALONG THE ARC OF A TANGENT 1,713.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 26°03'46", AN ARC DISTANCE OF 779.21 FEET,
- 6) NORTH 34°33'24" WEST 8.65 FEET
- 7) ALONG THE ARC OF A NON-TANGENT 65.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 58°33'29" WEST, THROUGH A CENTRAL ANGLE OF 63°10'17", AN ARC DISTANCE OF 71.67 FEET,
- 8) ALONG THE ARC OF A COMPOUND 144.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 58°16'14" WEST, THROUGH A CENTRAL ANGLE OF 26°46'11", AN ARC DISTANCE OF 67.28 FEET
- 9) NORTH 58°29'57" WEST 13.10 FEET,
- 10) ALONG THE ARC OF A TANGENT 85.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL THENCE, SOUTH 43°04'38" EAST 67.66 FEET; ANGLE OF 76°32'26", AN ARC DISTANCE OF 113.55 FEET,
- 11) NORTH 50°25'36" WEST 33.64 FEET,
- 12) ALONG THE ARC OF A NON-TANGENT 132.64 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 30°53'11" WEST, THROUGH A CENTRAL ANGLE OF 52°42'01", AN ARC DISTANCE OF 122.00 FEET,
- 13) ALONG THE ARC OF A NON-TANGENT 70.08 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 24°28'54" EAST, THROUGH A CENTRAL ANGLE OF 50°00'02", AN ARC DISTANCE OF 61.16 FEET,
- 14) ALONG THE ARC OF A NON-TANGENT 192.88 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 66°51'16" WEST, THROUGH A CENTRAL ANGLE OF 24°25'32", AN ARC DISTANCE OF 82.23 FEET,
- 15) SOUTH 51°23'22" WEST 172.58 FEET,
- 16) SOUTH 37°03'22" EAST 86.70 FEET,
- 17) ALONG THE ARC OF A NON-TANGENT 186.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 28°44'16" EAST THROUGH A CENTRAL ANGLE OF 53°33'19", AN ARC DISTANCE OF 173.86 FEET,
- 18) SOUTH 07°42'25" WEST 32.39 FEET
- 19) ALONG THE ARC OF A NON-TANGENT 130.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 00°19'31" EAST, THROUGH A CENTRAL ANGLE OF 20°54'40", AN ARC DISTANCE OF 47.45 FEET,
- 20) NORTH 28°33'06" WEST 218.40 FEET,
- 21) NORTH 51°17'10" EAST 61.00 FEET,
- 22) NORTH 39°09'18" EAST 27.88 FEET,
- 23) NORTH 36°49'40" EAST 23.01 FEET,
- 24) NORTH 29°29'08" EAST 27.84 FEET,
- 25) NORTH 26°34'26" EAST 21.56 FEET,
- 26) NORTH 18°53'35" EAST 44.41 FEET,
- 27) NORTH 16°59'49" EAST 19.63 FEET,
- 28) NORTH 11°01'17" EAST 67.35 FEET,
- 29) NORTH 13°50'45" EAST 35.21 FEET,
- 30) NORTH 68°18'10" WEST 45.60 FEET,
- 31) ALONG THE ARC OF A NON-TANGENT 249.97 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 31°43'03" EAST, THROUGH A CENTRAL ANGLE OF 100°30'14", AN ARC DISTANCE OF 438.48 FEET,
- 32) NORTH 89°21'00" EAST 57.34 FEET,
- 33) SOUTH 81°07'05" EAST 12.69 FEET,
- 34) NORTH 08°52'55" EAST 11.64 FEET,
- 35) ALONG THE ARC OF A TANGENT 11.00¹⁹ FOOT RADIUS CURVE TO THE RIGHT

THROUGH A CENTRAL ANGLE OF 55°05'05", AN ARC DISTANCE OF 10.58 FEET,
 36) NORTH 63°58'00" EAST 35.16 FEET,
 37) ALONG THE ARC OF A TANGENT 36.00 FOOT RADIUS CURVE TO THE RIGHT
 THROUGH A CENTRAL ANGLE OF 55°07'42", AN ARC DISTANCE OF 34.64 FEET,
 38) SOUTH 60°54'18" EAST 51.04 FEET,
 39) ALONG THE ARC OF A TANGENT 55.50 FOOT RADIUS CURVE TO THE LEFT,
 THROUGH A CENTRAL ANGLE OF 135°45'14", AN ARC DISTANCE OF 131.50 FEET,
 40) NORTH 16°39'32" WEST 16.60 FEET,
 41) ALONG THE ARC OF A TANGENT 46.00 FOOT RADIUS CURVE TO THE RIGHT
 THROUGH A CENTRAL ANGLE OF 33°33'22", AN ARC DISTANCE OF 26.94 FEET,
 42) NORTH 16°53'50" EAST 63.80 FEET
 43) ALONG THE ARC OF A TANGENT 58.00 FOOT RADIUS CURVE TO THE RIGHT,
 THROUGH A CENTRAL ANGLE OF 20°02'50", AN ARC DISTANCE OF 20.29 FEET,
 44) NORTH 36°56'40" EAST 8.86 FEET
 45) ALONG THE ARC OF A TANGENT 39.00 FOOT RADIUS CURVE TO THE LEFT,
 THROUGH A CENTRAL ANGLE OF 72°51'45", AN ARC DISTANCE OF 49.60 FEET,
 46) ALONG THE ARC OF A REVERSE 65.00 FOOT RADIUS CURVE TO THE RIGHT, FROM
 WHICH THE CENTER OF SAID CURVE BEARS NORTH 54°04'55" EAST, THROUGH A
 CENTRAL ANGLE OF 23°53'00", AN ARC DISTANCE OF 27.09 FEET,
 47) SOUTH 84°58'41" WEST 3.83 FEET,
 48) NORTH 20°10'44" EAST 139.20 FEET,
 49) ALONG THE ARC OF A NON-TANGENT 427.00 FOOT RADIUS CURVE TO THE LEFT,
 FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 15°03'28" EAST, THROUGH
 A CENTRAL ANGLE OF 09°05'47", AN ARC DISTANCE OF 67.79 FEET,
 50) SOUTH 05°57'41" WEST 109.83 FEET,
 51) NORTH 84°58'41" EAST 168.23 FEET,
 52) NORTH 05°01'19" WEST 100.00 FEET,
 53) NORTH 84°58'41" EAST 75.00 FEET,
 54) SOUTH 05°01'19" EAST 100.00 FEET,
 55) NORTH 84°58'41" EAST 136.00 FEET,
 56) NORTH 05°01'19" WEST 100.00 FEET,
 57) NORTH 84°58'41" EAST 229.55 FEET,
 58) NORTH 05°01'19" WEST 54.00 FEET,
 59) SOUTH 84°58'41" WEST 128.57 FEET,
 60) NORTH 05°01'19" WEST 100.00 FEET,
 61) SOUTH 84°58'41" WEST 58.00 FEET,
 62) NORTH 60°41'42" WEST 70.23 FEET,
 63) SOUTH 66°07'39" WEST 140.72 FEET,
 64) ALONG THE ARC OF A NON-TANGENT 227.00 FOOT RADIUS CURVE TO THE LEFT,
 FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 66°07'39" WEST, THROUGH
 A CENTRAL ANGLE OF 17°17'30", AN ARC DISTANCE OF 68.51 FEET,
 65) SOUTH 48°50'09" WEST 11.00 FEET,
 66) SOUTH 55°07'46" WEST 32.23 FEET,
 67) SOUTH 47°44'08" WEST 49.82 FEET,
 68) SOUTH 87°05'03" WEST 46.34 FEET,
 69) NORTH 85°53'05" WEST 45.16 FEET,
 70) SOUTH 09°57'32" WEST 101.65 FEET,
 71) ALONG THE ARC OF A NON-TANGENT 373.00 FOOT RADIUS CURVE TO THE RIGHT,
 FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 09°57'32" EAST, THROUGH
 A CENTRAL ANGLE OF 26°30'22", AN ARC DISTANCE OF 172.56 FEET,
 72) SOUTH 36°27'54" WEST 11.00 FEET,
 73) SOUTH 63°39'49" WEST 35.62 FEET,
 74) SOUTH 38°42'28" WEST 11.00 FEET,
 75) ALONG THE ARC OF A NON-TANGENT 427.00 FOOT RADIUS CURVE TO THE LEFT,
 FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 38°42'28" EAST, THROUGH
 A CENTRAL ANGLE OF 09°43'19" AN ARC DISTANCE OF 72.45 FEET,

- 76) SOUTH 28°59'09" WEST 107.95 FEET,
- 77) NORTH 53°11'19" WEST 187.03 FEET,
- 78) NORTH 35°14'24" WEST 96.84 FEET,
- 79) SOUTH 68°13'49" WEST 110.52 FEET,
- 80) SOUTH 21°46'11" EAST 124.06 FEET,
- 81) SOUTH 69°13'49" WEST 75.36 FEET,
- 82) SOUTH 21°46'11" EAST 30.94 FEET,
- 83) SOUTH 68°13'49" WEST 305.73 FEET,
- 84) SOUTH 19°49'46" WEST 136.48 FEET,
- 85) SOUTH 59°27'15" WEST 125.63 FEET,
- 86) ALONG THE ARC OF A NON-TANGENT 49.00 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 25°01'10" WEST, THROUGH A CENTRAL ANGLE OF 172°53'45", AN ARC DISTANCE OF 147.86 FEET,
- 87) SOUTH 17°54'55" WEST 22.07 FEET,
- 88) SOUTH 62°11'15" WEST 107.01 FEET,
- 89) ALONG THE ARC OF A NON-TANGENT 1,701.00 FOOT RADIUS CURVE TO THE RIGHT FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 67°12'10" WEST, THROUGH A CENTRAL ANGLE OF 11°07'14" AN ARC DISTANCE OF 330.15 FEET
- 90) SOUTH 11°40'36" EAST 10.29 FEET,
- 91) SOUTH 78°19'24" WEST 92.00 FEET,
- 92) SOUTH 11°40'36" EAST 311.05 FEET,
- 93) ALONG THE ARC OF A TANGENT 498.75 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 28°18'46", AN ARC DISTANCE OF 246.46 FEET,
- 94) ALONG THE ARC OF A REVERSE 15.00 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 50°00'38" WEST, THROUGH A CENTRAL ANGLE OF 88°46'55", AN ARC DISTANCE OF 23.24 FEET,
- 95) SOUTH 46°20'31" EAST 54.18 FEET,
- 96) ALONG THE ARC OF A NON-TANGENT 15.00 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 42°10'32" EAST THROUGH A CENTRAL ANGLE OF 82°47'42" AN ARC DISTANCE OF 21.68 FEET,
- 97) ALONG THE ARC OF A REVERSE 498.75 FOOT RADIUS CURVE TO THE LEFT FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 40°37'10" EAST, THROUGH A CENTRAL ANGLE OF 17°25'01" AN ARC DISTANCE OF 151.61 FEET,
- 98) SOUTH 66°47'51" EAST 457.97 FEET,
- 99) ALONG THE ARC OF A NON-TANGENT 1,500.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 70°13'57" EAST, THROUGH A CENTRAL ANGLE OF 01°28'43", AN ARC DISTANCE OF 38.71 FEET,
- 100) SOUTH 18°17'20" WEST 340.62 FEET,
- 101) ALONG THE ARC OF A TANGENT 2,547.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 16°39'16", AN ARC DISTANCE OF 740.35 FEET,
- 102) NORTH 00°56'24" EAST 537.02 FEET,
- 103) NORTH 88°39'42" WEST 66.00 FEET,
- 104) SOUTH 00°56'24" WEST 630.74 FEET,
- 105) ALONG THE ARC OF A NON-TANGENT 2,547.00 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 52°29'11" WEST, THROUGH A CENTRAL ANGLE OF 00°06'24" AN ARC DISTANCE OF 4.74 FEET,
- 106) NORTH 51°15'57" WEST 1,043.38 FEET,
- 107) NORTH 89°43'22" WEST 880.56 FEET,
- 108) NORTH 51°15'35" WEST 470.34 FEET, AND
- 109) NORTH 01°06'11" EAST 5,598.29 FEET TO SAID POINT OF BEGINNING.

TOGETHER THEREWITH A STRIP OF LAND LYING BETWEEN SAID DEED LINE ALONG THE CENTERLINE OF THE LEVEE ALONG THE SOUTH (LEFT) BANK OF OLD RIVER AND THE SOUTH (LEFT) BANK OF OLD RIVER, AS SAID STRIP IS SHOWN AND SO DESIGNATED ON SAID FINAL MAP (41 M&P 50).

ALSO TOGETHER THEREWITH A STRIP OF LAND LYING BETWEEN SAID TRAVERSE LINE FOR MHCSD ALONG THE SOUTH (LEFT) BANK OF OLD RIVER AND THE SOUTH (LEFT) BANK OF OLD RIVER LYING WITHIN LOT 1, AS SAID STRIP OF LAND AND LOT 1 ARE SHOWN AND SO DESIGNATED ON SAID FINAL MAP (41 M&P 50).

THIS LEGAL DESCRIPTION IS "NEW LOT 1" PURSUANT TO THAT CERTAIN CERTIFICATE APPROVING A LOT LINE ADJUSTMENT, CERTIFICATE NO. PA1900238, RECORDED MARCH 5, 2020 AS INSTRUMENT NO. 2020-028896 OF OFFICIAL RECORDS.

TOGETHER WITH THAT PORTION OF VACATED KELSO ROAD, DESCRIBED AS "PARCEL B" IN THAT CERTAIN DOCUMENT ENTITLED "RESOLUTION NO. 2020-02", RECORDED NOVEMBER 02, 2020 AS INSTRUMENT NO. 2020-148253, OF OFFICIAL RECORDS.

EXCEPTING THEREFROM:

AN UNDIVIDED ONE-HALF INTEREST IN AND TO ALL OIL, GAS, PETROLEUM, NAPHTHA, OTHER HYDROCARBON SUBSTANCES AND MINERALS OF WHATSOEVER KIND AND NATURE IN, UPON OR BENEATH THE PROPERTY HEREINABOVE DESCRIBED, TOGETHER WITH THE RIGHT OF ENTRY AND ALL OTHER RIGHTS, INCLUDING ALL RIGHTS OF WAY AND EASEMENTS, WHICH MAY BE NECESSARY FOR THE DEVELOPMENT, PRODUCTION AND REMOVAL OF ALL SUCH SUBSTANCES AND MINERALS AND THE FULL ENJOYMENT OF THE GRANTOR'S INTEREST HEREIN RESERVED, AS RESERVED BY FEDERAL LAND BANK OF BERKELEY, A CORPORATION IN THE DEED TO EMIL A. HOEFER, ET UX, RECORDED JULY 27, 1949 IN BOOK 1217 OF OFFICIAL RECORDS, PAGE 40, SAN JOAQUIN COUNTY RECORDS. NOTE: BY QUITCLAIM DEED RECORDED DECEMBER 16, 1991 AS INSTRUMENT NO. 91121373, SAN JOAQUIN COUNTY RECORDS, THE SURFACE ENTRY RIGHTS WERE QUITCLAIMED TO A DEPTH OF 500 FEET.

AN UNDIVIDED 1/2 INTEREST OF ALL OIL, GAS, PETROLEUM, NAPHTHA AND OTHER HYDROCARBON SUBSTANCES AND MINERALS IN AND UNDER SAID LANDS, TOGETHER WITH THE RIGHT OF ENTRY AND ALL OTHER RIGHTS OF WAY AND EASEMENTS, WHICH MAY BE NECESSARY FOR THE DEVELOPMENT, PRODUCTION AND REMOVAL OF ALL SUCH SUBSTANCES AND MINERALS, AS RESERVED BY THE FEDERAL LAND BANK OF BERKELEY, IN DEED RECORDED JULY 27, 1949 IN BOOK 1217 OF OFFICIAL RECORDS, PAGE 40, SAN JOAQUIN COUNTY RECORDS AND RECORDED AUGUST 17, 1950 IN BOOK 1286 OF OFFICIAL RECORDS, PAGE 161, SAN JOAQUIN COUNTY RECORDS.

EXCEPTING THEREFROM: OIL, GAS, MINERALS AND OTHER HYDROCARBON SUBSTANCES LYING BELOW A DEPTH OF 500 FEET BENEATH THE SURFACE WITHOUT, HOWEVER THE RIGHT OF SURFACE ENTRY AS RESERVED IN THE DEED FROM CLIFFORD ALBERT RICKER AND YVONNE ELOISE RICKER, AS TRUSTEES OF THE RICKER FAMILY TRUST, RECORDED JULY 21, 1995 AS DOCUMENT NO. 95065394.

EXCEPT THEREFROM ALL OIL, GAS AND OTHER HYDROCARBON SUBSTANCES LYING BELOW A DEPTH OF 500 FEET, WITHOUT ANY RIGHT OF SURFACE ENTRY, AS EXCEPTED IN THE DEED EXECUTED BY WILLIAM E. RALPH, TRUSTEE, W. E. RALPH REVOCABLE TRUST, UTA NOVEMBER 9, 1988, RECORDED JANUARY 31, 1997, RECORDER'S INSTRUMENT NO. 97011977, SAN JOAQUIN COUNTY RECORDS.
AN UNDIVIDED 1/2 INTEREST IN AND TO ALL MINERALS, GAS OR HYDROCARBONS, BELOW A DEPTH OF 500-FEET BENEATH THE SURFACE OF SAID LAND WITHOUT THE RIGHT OF SURFACE ENTRY AS RESERVED IN THE DEED FROM INDEPENDENT FARM AND BUSINESS COMPANY TO TRIMARK COMMUNITIES, LLC, RECORDED APRIL 15, 2005 AS DOCUMENT NO. 2005-88679, SAN JOAQUIN COUNTY RECORD.

ALSO EXCEPTING THEREFROM ALL INTEREST IN AND TO ANY AND ALL OIL, GAS AND MINERALS RIGHTS BELONGING OR PERTAINING TO THE PROPERTY MORE THAN 500 FEET BELOW THE SURFACE OF THE LAND, WITHOUT THE RIGHT OF ENTRY (I) ABOVE 500 FEET BELOW THE SURFACE OF THE LAND, (II) WITHIN 300 FEET OF ANY PARCEL BOUNDARY OF THE PROPERTY, AS SUCH BOUNDARIES MAY BE MODIFIED BY LOT LINE ADJUSTMENTS AND/OR FINAL PARCEL MAP RECORDATION, OR (III) WHICH AFTER ANY TEMPORARY CONSTRUCTION OR INSTALLATION PERIOD SHALL IN ANY MANNER CREATE (OR REQUIRE ANY EXTRAORDINARY CONSTRUCTION METHOD TO MITIGATE) A SIGNIFICANT VISUAL AUDITORY OR OTHER NUISANCE OF EXTENDED DURATION TO THE INTENDED RESIDENTIAL OCCUPANTS OF THE PROPERTY, AS RESERVED BY TRIMARK COMMUNITIES, LLC., A LIMITED LIABILITY COMPANY, BY GRANT DEED RECORDED MAY 13, 2005, RECORDER'S INSTRUMENT NO. 2005-115427, SAN JOAQUIN COUNTY RECORDS.

ALSO EXCEPTING THEREFROM ALL INTEREST IN AND TO ANY AND ALL OIL, GAS AND MINERAL RIGHTS BELONGING OR PERTAINING TO THE PROPERTY MORE THAN 500 FEET BELOW THE SURFACE OF THE LAND, WITHOUT RIGHT OF ENTRY (I) ABOVE 500 FEET BELOW THE SURFACE OF THE LAND, (II) WITHIN 300 FEET OF ANY PARCEL BOUNDARY OF THE PROPERTY, AS SUCH BOUNDARIES MAY BE MODIFIED BY LOT LINE ADJUSTMENTS AND/OR FINAL PARCEL MAP RECORDATION, OR (III) WHICH AFTER ANY TEMPORARY CONSTRUCTION OR INSTALLATION PERIOD SHALL IN ANY MANNER CREATE (OR REQUIRE ANY EXTRAORDINARY CONSTRUCTION METHOD TO MITIGATE) A SIGNIFICANT VISUAL, AUDITORY OR OTHER NUISANCE OF EXTENDED DURATION TO THE INTENDED RESIDENTIAL OCCUPANTS OF THE PROPERTY, AS RESERVED BY TRIMARK COMMUNITIES, LLC, A LIMITED LIABILITY COMPANY, BY GRANT DEED RECORDED JULY 17, 2007, RECORDER'S INSTRUMENT NO. 2007-129967, SAN JOAQUIN COUNTY RECORDS.

PARCEL NO. 15: (APN:209-170-040 AND PORTIONS OF 258-040-010 AND 258-020-350, NEW REMAINDER PARCEL)

BEING A PORTION OF THAT CERTAIN PARCEL OF LAND DESCRIBED AS PARCEL TWO (SHEA MOUNTAIN HOUSE PARCEL) IN THE DEED TO SHEA MOUNTAIN HOUSE LLC, RECORDED JUNE 26, 2009, AS DOCUMENT NO. 2009-095451 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN JOAQUIN COUNTY, TOGETHER WITH A PORTION OF THE DESIGNATED REMAINDER (PORTION), AS SAID DESIGNATED REMAINDER (PORTION) IS SHOWN AND SO DESIGNATED ON THE FINAL MAP FOR TRACT 3645, FILED FOR RECORD OCTOBER 22, 2007 IN BOOK 41 OF MAPS AND PLATS, AT PAGE 50, IN SAID OFFICE OF THE COUNTY RECORDER OF SAN JOAQUIN COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERN CORNER OF SAID DESIGNATED REMAINDER (41 M&P 50), SAID POINT BEING THE EASTERN TERMINUS OF THAT CERTAIN COURSE SHOWN AND SO DESIGNATED AS "L39 NORTH 89°33'35" WEST 437.08 FEET" ON SHEET 14 OF 16 OF SAID FINAL MAP (41 M&P 50); THENCE, FROM SAID POINT OF BEGINNING, ALONG THE BOUNDARY LINE OF SAID DESIGNATED REMAINDER, AND ALONG THE TRAVERSE LINE FOR MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT (MHCSD) BOUNDARY, AS SAID LINE IS DESCRIBED IN RESOLUTION 941 ADOPTED BY LAFCO ON FEBRUARY 23, 1996 IS SAID TRAVERSE LINE IS SHOWN AND SO DESIGNATED ON SAID FINAL MAP (41 M&P 50) , THE FOLLOWING NINETEEN (19) COURSES:

- 1) NORTH 00°30'45" EAST 909.94 FEET,
- 2) NORTH 19°43'45" EAST 1,599.89 FEET,

3) NORTH 33°10'05" EAST 809.94 FEET,
 4) NORTH 55°15'45" EAST 159.99 FEET,
 5) NORTH 32°57'45" EAST 754.57 FEET TO A POINT ON SAID TRAVERSE LINE,
 6) ALONG SAID TRAVERSE LINE, SOUTH 89°49'22" WEST 175.58 FEET,
 7) NORTH 61°47'55" WEST 453.28 FEET,
 8) NORTH 35°56'39" WEST 570.06 FEET,
 9) NORTH 33°21'55" WEST 789.15 FEET,
 10) NORTH 56°07'02" WEST 619.63 FEET
 11) NORTH 37°35'14" WEST 778.81 FEET,
 12) NORTH 53°00'31" WEST 615.68 FEET,
 13) NORTH 66°36'47" WEST 1,129.73 FEET,
 14) NORTH 52°47'18" WEST 362.86 FEET,
 15) NORTH 44°46'24" WEST 927.42 FEET,
 16) NORTH 40°08'21" WEST 322.96 FEET,
 17) NORTH 58°30'27" WEST 183.88 FEET,
 18) NORTH 70°30'25" WEST 369.73 FEET, AND
 19) LEAVING SAID TRAVERSE LINE, SOUTH 18°01'15" WEST 62.70 FEET;
 THENCE, LEAVING SAID BOUNDARY LINE, SOUTH 69°37'28" EAST 100.16 FEET;

THENCE, ALONG THE ARC OF A TANGENT 364.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 26°32'50", AN ARC DISTANCE OF 168.66 FEET;
 THENCE, SOUTH 43°04'38" EAST 67.66 FEET;
 THENCE, SOUTH 26°50'32" WEST 1,142.53 FEET;
 THENCE, SOUTH 69°05'27" EAST 423.14 FEET;
 THENCE, SOUTH 20°54'33" WEST 12.00 FEET;
 THENCE, SOUTH 37°16'12" WEST 41.69 FEET;
 THENCE, SOUTH 20°54'33" WEST 12.00 FEET;
 THENCE, ALONG THE ARC OF A NON-TANGENT 23.00 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 20°54'33" WEST THROUGH A CENTRAL ANGLE OF 96°05'36", AN ARC DISTANCE OF 38.57 FEET:
 THENCE, SOUTH 27°00'10" WEST 0.66 FEET;
 THENCE, SOUTH 62°59'50" EAST 12.00 FEET;
 THENCE, SOUTH 78°30'35" EAST 41.51 FEET;
 THENCE, SOUTH 62°59'50" EAST 12.00 FEET;
 THENCE, NORTH 27°00'10" EAST 1.30 FEET;
 THENCE, ALONG THE ARC OF A TANGENT 23.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 83°54'23", AN ARC DISTANCE OF 33.68 FEET,
 THENCE, SOUTH 69°05'27" EAST 18.50 FEET;
 THENCE, ALONG THE ARC OF A TANGENT 1,168.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 05°17'26", AN ARC DISTANCE OF 107.85 FEET;
 THENCE, SOUTH 63°48'01" EAST 220.35 FEET;
 THENCE, SOUTH 26°11'57" WEST 7.00 FEET;
 THENCE, ALONG THE ARC OF A NON-TANGENT 83.00 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 26°11'57" WEST THROUGH A CENTRAL ANGLE OF 19°05'30" AN ARC DISTANCE OF 27.66 FEET;
 THENCE, ALONG THE ARC OF A REVERSE 117.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 45°17'27" EAST, THROUGH A CENTRAL ANGLE OF 19°05'28", AN ARC DISTANCE OF 38.98 FEET;
 THENCE SOUTH 63°48'01" EAST 27.30 FEET;
 THENCE, SOUTH 26°11'59" WEST 40.00 FEET;
 THENCE, SOUTH 63°48'01" EAST 25.00 FEET TO A POINT ON THE BOUNDARY LINE OF SAID PARCEL TWO (2009-095451);

THENCE, ALONG SAID BOUNDARY LINE, ALONG THE ARC OF A NON-TANGENT 1,655.00 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 64°48'16" EAST, THROUGH A CENTRAL ANGLE OF 01°00'15" AN ARC DISTANCE OF 29.00 FEET TO A POINT ON SAID BOUNDARY LINE OF SAID DESIGNATED REMAINDER; THENCE, ALONG SAID BOUNDARY LINE, THE FOLLOWING THIRTY-TWO (32) COURSES:

- 1) SOUTH 63°48'01" EAST 130.00 FEET,
- 2) ALONG THE ARC OF A NON-TANGENT, 1,525.00 FOOT RADIUS CURVE TO THE LEFT FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 63°48'01" EAST, THROUGH A CENTRAL ANGLE OF 31°28'00", AN ARC DISTANCE OF 837.53 FEET,
- 3) NORTH 84°43'59" EAST 15.00 FEET,
- 4) SOUTH 08°29'38" EAST 170.00 FEET,
- 5) SOUTH 78°16'45" WEST 15.00 FEET,
- 6) ALONG THE ARC OF A NON-TANGENT 1,525.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 78°16'45" EAST, THROUGH A CENTRAL ANGLE OF 30°56'18" AN ARC DISTANCE OF 823.46 FEET,
- 7) SOUTH 42°39'33" EAST 224.07 FEET,
- 8) ALONG THE ARC OF A TANGENT 1,065.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 16°46'06", AN ARC DISTANCE OF 311.69 FEET,
- 9) SOUTH 25°53'27" EAST 246.46 FEET,
- 10) ALONG THE ARC OF A TANGENT 2,035.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 11°23'43", AN ARC DISTANCE OF 404.73 FEET,
- 11) NORTH 52°42'50" EAST 15.00 FEET,
- 12) SOUTH 39°41'52" EAST 170.00 FEET,
- 13) SOUTH 47°53'26" WEST 15.00 FEET,
- 14) ALONG THE ARC OF A NON-TANGENT 2,035.00 FOOT RADIUS CURVE TO THE LEFT FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 47°53'26" EAST, THROUGH A CENTRAL ANGLE OF 09°55'40" AN ARC DISTANCE OF 352.61 FEET,
- 15) SOUTH 52°42'50" EAST 557.41 FEET,
- 16) ALONG THE ARC OF A TANGENT 1,565.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 31°19'26", AN ARC DISTANCE OF 855.59 FEET,
- 17) NORTH 69°17'12" EAST 15.00 FEET,
- 18) SOUTH 17°37'46" EAST 170.00 FEET,
- 19) SOUTH 75°27'16" WEST 15.00 FEET,
- 20) ALONG THE ARC OF A NON-TANGENT 1,565.00 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 75°27'16" WEST, THROUGH A CENTRAL ANGLE OF 20°31'41", AN ARC DISTANCE OF 560.71 FEET,
- 21) SOUTH 84°01'03" EAST 50.00 FEET,
- 22) SOUTH 11°11'10" WEST 50.00 FEET,
- 23) SOUTH 11°48'59" WEST 110.01 FEET,
- 24) SOUTH 11°07'32" WEST 50.00 FEET,
- 25) NORTH 80°04'15" WEST 50.00 FEET,
- 26) ALONG THE ARC OF A NON-TANGENT 1,255.00 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 80°04'15" WEST, THROUGH A CENTRAL ANGLE OF 56°07'29" AN ARC DISTANCE OF 1,229.35 FEET,
- 27) SOUTH 66°03'14" WEST 260.21 FEET,
- 28) ALONG THE ARC OF A TANGENT 1,145.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 27°18'49", AN ARC DISTANCE OF 545.84 FEET,
- 29) SOUTH 38°44'25" WEST 10.00 FEET,
- 30) SOUTH 51°15'35" EAST 166.30 FEET,
- 31) SOUTH 89°39'26" EAST 1,851.60 FEET AND
- 32) SOUTH 89°33'35" EAST 437.08 FEET TO SAID POINT OF BEGINNING.

TOGETHER THEREWITH A STRIP OF LAND LYING BETWEEN SAID TRAVERSE LINE FOR MHCS D ALONG THE SOUTH (LEFT) BANK OF OLD RIVER AND THE SOUTH (LEFT) BANK OF OLD RIVER LYING WITHIN SAID DESIGNATED REMAINDER AS SHOWN ON SAID FINAL MAP (41 M&P 50).

ALSO TOGETHER THEREWITH THAT 1.59 ACRE PORTION OF SAID DESIGNATED REMAINDER SHOWN IN DETAIL I ON SHEET 16 OF 16 OF SAID FINAL MAP (41 M&P 50).

LEGAL DESCRIPTION IS "NEW REMAINDER PARCEL", PURSUANT TO THAT CERTAIN CERTIFICATE APPROVING A LOT LINE ADJUSTMENT, CERTIFICATE NO. PA1900238, RECORDED MARCH 5, 2020 AS INSTRUMENT NO. 2020-028896 OF OFFICIAL RECORDS.

EXCEPTING FROM THE ABOVE DESCRIBED PARCEL, THAT PORTION CONVEYED TO MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT, DESCRIBED IN GRANT DEED RECORDED JULY 14, 2022, AS INSTRUMENT NO. 2022-085933, OFFICIAL RECORDS OF SAN JOAQUIN COUNTY.

EXCEPTING FROM THE ABOVE DESCRIBED PARCEL, THAT PORTION CONVEYED TO MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT, DESCRIBED IN GRANT DEED RECORDED OCTOBER 25, 2022, AS INSTRUMENT NO. 2022-122705, OFFICIAL RECORDS OF SAN JOAQUIN COUNTY.

ALSO EXCEPTING THEREFROM AN UNDIVIDED 3/4 INTEREST IN ALL OIL, GAS, MINERALS AND OTHER HYDROCARBONS IN AND UNDER A PORTION OF LAND DESCRIBED HEREIN, AS RESERVED UNTO GEORGE COVERT AND WINNIFRED COVERT, HIS WIFE, THEIR HEIRS, SUCCESSORS OR ASSIGNS, IN DEED DATED OCTOBER 14, 1955, RECORDED OCTOBER 27, 1955 IN BOOK 1803 OF OFFICIAL RECORDS, AT PAGE 363, SAN JOAQUIN COUNTY RECORDS.

ALSO EXCEPTING THEREFROM ALL OIL, GAS, MINERALS AND OTHER HYDROCARBON SUBSTANCES BELOW A DEPTH OF 500 FEET FROM THE SURFACE OF SAID LAND, WITHOUT THE RIGHT OF SURFACE ENTRY, AS RESERVED IN THE DEED FROM ALDO J. BERLOTTI, ET AL., RECORDED SEPTEMBER 20, 1988 AS INSTRUMENT NO. 88079249, SAN JOAQUIN COUNTY RECORDS.

ALSO EXCEPTING THEREFROM ALL OIL, GAS AND OTHER HYDROCARBON SUBSTANCES LYING BELOW A DEPTH OF 500 FEET, WITHOUT ANY RIGHT OF SURFACE ENTRY, AS EXCEPTED IN THE DEED EXECUTED BY WILLIAM E. RALPH, TRUSTEE, W. E. RALPH REVOCABLE TRUST, UTA NOVEMBER 9, 1988, RECORDED JANUARY 31, 1997, RECORDER'S INSTRUMENT NO. 97011977, SAN JOAQUIN COUNTY RECORDS.

ALSO EXCEPTING THEREFROM ALL INTEREST IN AND TO ANY AND ALL OIL, GAS AND MINERAL RIGHTS BELONGING OR PERTAINING TO THE PROPERTY MORE THAN 500 FEET BELOW THE SURFACE OF THE LAND, WITHOUT RIGHT OF ENTRY (i) ABOVE 500 FEET BELOW THE SURFACE OF THE LAND, (ii) WITHIN 300 FEET OF ANY PARCEL BOUNDARY OF THE PROPERTY, AS SUCH BOUNDARIES MAY BE MODIFIED BY LOT LINE ADJUSTMENTS AND/OR FINAL PARCEL MAP RECORDATION, OR (iii) WHICH AFTER ANY TEMPORARY CONSTRUCTION OR INSTALLATION PERIOD SHALL IN ANY MANNER CREATE (OR REQUIRE ANY EXTRAORDINARY CONSTRUCTION METHOD TO MITIGATE) A SIGNIFICANT VISUAL, AUDITORY OR OTHER NUISANCE OF EXTENDED DURATION TO THE INTENDED RESIDENTIAL OCCUPANTS OF THE PROPERTY, AS RESERVED BY TRIMARK COMMUNITIES, LLC, A LIMITED LIABILITY COMPANY, BY GRANT DEED RECORDED JULY 17, 2007, RECORDER'S INSTRUMENT NO. 2007-129967, SAN JOAQUIN COUNTY RECORDS.

PARCEL NO. 16: (APN: 262-020-040-000)

PARCEL D, AS SHOWN ON THE SUBDIVISION MAP OF TRACT NO. 3649, MOUNTAIN HOUSE, NEIGHBORHOOD "C", UNIT NO. 1, FILED FOR RECORD ON OCTOBER 25, 2013 IN BOOK 41 OF MAPS AND PLATS, AT PAGE 98, OFFICIAL RECORDS OF SAN JOAQUIN COUNTY, CALIFORNIA (THE "MAP").

ALSO EXCEPTING THEREFROM ANY AND ALL OIL, GAS AND MINERAL RIGHTS BELONGING OR PERTAINING TO THE PROPERTY MORE THAN 500 FEET BELOW THE SURFACE OF THE LAND, WITHOUT RIGHT OF ENTRY (I) ABOVE 500 FEET BELOW THE SURFACE OF THE LAND, (II) WITHIN 300 FEET OF ANY PARCEL BOUNDARY OF THE PROPERTY, AS SUCH BOUNDARIES MAY BE MODIFIED BY LOT LINE ADJUSTMENTS AND/OR FINAL PARCEL MAP RECORDATION, OR (III) WHICH AFTER ANY EMPORARY CONSTRUCTION OR INSTALLATION PERIOD SHALL IN ANY MANNER CREATE (OR REQUIRE ANY EXTRAORDINARY CONSTRUCTION METHOD TO MITIGATE) A SIGNIFICANT VISUAL, AUDITORY OR OTHER NUISANCE OF EXTENDED DURATION TO THE INTENDED RESIDENTIAL OCCUPANTS OF THE PROPERTY, AS RESERVED BY TRIMARK COMMUNITIES, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, IN THAT CERTAIN GRANT DEED RECORDED JULY 17, 2007, AS DOCUMENT NO. 2007-129967, OFFICIAL RECORDS OF SAN JOAQUIN COUNTY.

PARCEL NO. 17: (APN: 262-190-210-000 THROUGH 262-190-240-000)

LOTS 21 THROUGH 24 INCLUSIVE, AS SHOWN ON THE MAP ENTITLED "TRACT NO. 3849, MOUNTAIN HOUSE, NEIGHBORHOOD 'D'-WEST, UNIT 2" FILED ON MARCH 10, 2017, IN BOOK 42 OF MAPS AND PLATS, AT PAGE 78 IN THE RECORDS OF SAN JOAQUIN COUNTY, CALIFORNIA.

EXCEPTING THEREFROM ALL INTEREST IN AND TO ANY AND ALL OIL, GAS AND MINERAL RIGHTS BELONGING OR PERTAINING TO THE PROPERTY MORE THAN 500 FEET BELOW THE SURFACE OF THE LAND, WITHOUT RIGHT OF ENTRY (I) ABOVE 500 FEET BELOW THE SURFACE OF THE LAND, (II) MODIFIED BY LOT LINE DJUSTMENTS AND/OR FINAL PARCEL MAP RECORDATION, OR (III) WHICH AFTER ANY TEMPORARY CONSTRUCTION OR INSTALLATION PERIOD SHALL IN ANY MANNER CREATE (OR REQUIRE ANY EXTRAORDINARY CONSTRUCTION METHOD TO MITIGATE) A SIGNIFICANT VISUAL, AUDITORY OR OTHER NUISANCE OF EXTENDED DURATION TO THE INTENDED RESIDENTIAL OCCUPANTS OF THE PROPERTY AS RESERVED IN THE DEED FROM TRIMARK COMMUNITIES, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, RECORDED JULY 17, 2007, INSTRUMENT NO. 2007-129967 OF OFFICIAL RECORDS OF SAN JOAQUIN COUNTY.

PARCEL NO. 18: (APN: 262-240-560-000)

PARCEL B AS SHOWN ON THE MAP ENTITLED "TRACT NO. 3852, MOUNTAIN HOUSE, NEIGHBORHOOD 'D'-WEST, UNIT 5" FILED ON MARCH 10, 2017, IN BOOK 42 OF MAPS AND PLATS, AT PAGE 81 IN THE RECORDS OF SAN JOAQUIN COUNTY, CALIFORNIA.

EXCEPTING THEREFROM ALL OIL, GAS AND MINERALS LYING IN AND UNDER SAID LAND, AS CONVEYED TO CAPITOL COMPANY BY DEED RECORDED DECEMBER 29, 1941 IN BOOK 764 OF OFFICIAL RECORDS, PAGE 108, SAN JOAQUIN COUNTY RECORDS.

ALSO EXCEPTING THEREFROM ALL MINERALS, GAS AND HYDROCARBONS DEEPER THAN 500 FEET BELOW THE SURFACE AS RESERVED BY MANUEL OLIVEIRA,

SUCCESSOR TRUSTEE UNDER THE MARY MARIA ROCHA SEPARATE PROPERTY TRUST DATED FEBRUARY 2, 1995 IN DEED RECORDED AUGUST 18, 2006, IN THE OFFICIAL RECORDS OF SAN JOAQUIN COUNTY UNDER RECORDER'S SERIAL NUMBER 2006-177057.

ALSO EXCEPTING THEREFROM: ALL INTEREST IN AND TO ANY AND ALL OIL, GAS AND MINERAL RIGHTS BELONGING OR PERTAINING TO THE PROPERTY MORE THAN 500 FEET BELOW THE SURFACE OF THE LAND, WITHOUT RIGHT OF ENTRY (I) ABOVE 500 FEET BELOW THE SURFACE OF THE LAND, (II) WITHIN 300 FEET OF ANY PARCEL BOUNDARY OF THE PROPERTY, AS SUCH BOUNDARIES MAY BE LYING BELOW A DEPTH OF 500 FEET BENEATH THE SURFACE WITHOUT, HOWEVER, THE RIGHT TO MODIFIED BY LOT LINE ADJUSTMENTS AND/OR FINAL PARCEL MAP RECORDATION, OR (III) WHICH AFTER ANY TEMPORARY CONSTRUCTION OR INSTALLATION PERIOD SHALL IN ANY MANNER CREATE (OR REQUIRE ANY EXTRAORDINARY CONSTRUCTION METHOD TO MITIGATE) A SIGNIFICANT VISUAL, AUDITORY OR OTHER NUISANCE OF EXTENDED DURATION TO THE INTENDED RESIDENTIAL OCCUPANTS OF THE PROPERTY AS RESERVED IN THE DEED FROM TRIMARK COMMUNITIES, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, RECORDED JULY 17, 2007, INSTRUMENT NO. 2007-129967 OF OFFICIAL RECORDS OF SAN JOAQUIN COUNTY PARCEL NO. 19: INTENTIONALLY DELETED

PARCEL NO. 20: (APN: 258-020-300-000)

A PORTION OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 1 SOUTH, RANGE 4 EAST, MOUNT DIABLO BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 32; THENCE NORTH 00° 56' 24" EAST ALONG THE EAST LINE OF SAID SECTION 32 A DISTANCE OF 51.71 FEET TO A POINT ON THE NORTHEASTERLY LINE OF THE UNION PACIFIC RAILROAD'S (FORMERLY SOUTHERN PACIFIC RAILROAD) 100-FOOT RIGHT-OF-WAY; THENCE NORTH 51° 15' 35" WEST ALONG SAID NORTHEASTERLY LINE A DISTANCE OF 500.59 FEET TO A 1" IRON PIPE TAGGED L.S. 4792 AND THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION;

THENCE NORTH 51° 15' 35" WEST ALONG SAID NORTHEASTERLY LINE OF THE UNION PACIFIC RAILROAD, A DISTANCE OF 1660.85 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 32; THENCE SOUTH 88° 43' 22" EAST ALONG SAID NORTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 32, A DISTANCE OF 880.56 FEET TO A 1" IRON PIPE TAGGED L.S. 4792; THENCE SOUTH 51° 15' 57" EAST A DISTANCE OF 1036.86 FEET TO A 1" IRON PIPE TAGGED L.S. 4792; THENCE SOUTH 38° 44' 03" WEST A DISTANCE OF 460.70 FEET TO A 1" IRON PIPE TAGGED L.S. 4792; THENCE NORTH 51° 15' 57" WEST A DISTANCE OF 75 FEET TO A 1" IRON PIPE TAGGED L.S. 4792; THENCE SOUTH 38° 44' 25" WEST A DISTANCE OF 75.00 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPT THEREFROM THAT CERTAIN LAND CONVEYED BY TRIMARK COMMUNITIES, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY TO MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT, A POLITICAL SUBDIVISION OF THE STATE OF CALIFORNIA RECORDED DECEMBER 3, 2002 AS INSTRUMENT NO. 2002-217063, SAN JOAQUIN COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING A PORTION OF THAT CERTAIN 16.92 ACRE PARCEL OF LAND, AS SAID PARCEL OF LAND IS SHOWN AND SO DESIGNATED ON THAT CERTAIN RECORD OF SURVEY RECORDED FEBRUARY 18, 2000, IN BOOK 34 OF SURVEYS AT PAGE 109, IN THE OFFICE OF THE COUNTY RECORDER OF SAN JOAQUIN COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWESTERN CORNER OF SAID PARCEL OF LAND;
THENCE, FROM SAID POINT OF BEGINNING, ALONG THE NORTHERN LINE OF SAID PARCEL OF LAND, SOUTH 88° 43' 22" EAST 826.99 FEET;
THENCE, LEAVING SAID NORTHERN LINE, SOUTH 38° 44' 07" WEST 250.92 FEET;
THENCE NORTH 51° 15' 53" WEST 134.91 FEET; THENCE ALONG THE ARC OF A TANGENT 70.00 FOOT RADIUS TO THE LEFT, THROUGH A CENTRAL ANGLE OF 90° 00' 04", AN ARC DISTANCE OF 109.96 FEET;
THENCE SOUTH 38° 44' 03" WEST 61.56 FEET; THENCE SOUTH 51° 15' 57" EAST 159.53 FEET;
THENCE SOUTH 38° 44' 03" WEST 40.73 FEET; THENCE SOUTH 51° 00' 00" EAST 48.71 FEET;
THENCE NORTH 38° 44' 07" EAST 112.51 FEET; THENCE NORTH 83° 44' 07" EAST 84.85 FEET;
THENCE SOUTH
51° 15' 53" EAST 411.44 FEET; THENCE SOUTH 38° 44' 03" WEST 252.14 FEET TO A POINT ON THE
SOUTHWESTERN LINE OF SAID PARCEL OF LAND; THENCE ALONG SAID
SOUTHWESTERN LINE NORTH
51° 15' 35" WEST 1,131.24 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPT THEREFROM, ALL THAT PORTION CONVEYED TO MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT, BY DEED RECORDED JANUARY 19, 2007 AS INSTRUMENT NO. 2007-012804, SAN JOAQUIN COUNTY RECORDS.

ALSO EXCEPTING THEREFROM THAT PORTION OF LAND CONVEYED TO MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT, IN GRANT DEED RECORDED MARCH 18, 2010 AS INSTRUMENT NO. 2010-038336, SAN JOAQUIN COUNTY RECORDS.

ALSO EXCEPT THEREFROM OIL, GAS, MINERALS AND OTHER HYDROCARBON SUBSTANCES LYING BELOW A DEPTH OF 500 FEET BENEATH THE SURFACE WITHOUT, HOWEVER THE RIGHT OF SURFACE ENTRY, AS RESERVED IN THE DEED FROM CLIFFORD ALBERT RICKER AND YVONNE ELOISE RICKER, AS TRUSTEES OF THE RICKER FAMILY TRUST, RECORDED JULY 21, 1995 AS INSTRUMENT NO. 95065394, SAN JOAQUIN COUNTY RECORDS.

ALSO EXCEPTING FROM THE ABOVE PARCEL (THE "PROPERTY") ANY AND ALL OIL, GAS AND MINERAL RIGHTS BELONGING OR PERTAINING TO THE PROPERTY MORE THAN 500 FEET BELOW THE SURFACE OF THE LAND, WITHOUT RIGHT OF ENTRY (I) ABOVE 500 FEET BELOW THE SURFACE OF THE LAND, (II) WITHIN 300 FEET OF ANY PARCEL BOUNDARY OF THE PROPERTY, AS SUCH BOUNDARIES MAY BE MODIFIED BY LOT LINE ADJUSTMENTS AND/OR FINAL PARCEL MAP RECORDATION, OR (III) WHICH AFTER ANY TEMPORARY CONSTRUCTION OR INSTALLATION PERIOD SHALL IN ANY MANNER CREATE (OR REQUIRE ANY EXTRAORDINARY CONSTRUCTION METHOD TO MITIGATE) A SIGNIFICANT VISUAL, AUDITORY OR OTHER NUISANCE OF EXTENDED DURATION TO THE INTENDED RESIDENTIAL WITHIN 300 FEET OF ANY PARCEL BOUNDARY OF THE PROPERTY, AS SUCH BOUNDARIES MAY BE OCCUPANTS OF THE PROPERTY, AS RESERVED BY TRIMARK COMMUNITIES, LLC, A LIMITED LIABILITY COMPANY IN THAT CERTAIN GRANT DEED RECORDED JULY 17, 2007, AS INSTRUMENT NO. 2007-

129968, SAN JOAQUIN COUNTY RECORDS.

PARCEL NO. 21: (APN: 258-020-320-000 and a portion of 258-020-360-000, NEW LOT 5)

BEING ALL OF LOT 5, AS SAID LOT 5 IS SHOWN AND SO DESIGNATED ON THE FINAL MAP FOR TRACT 3645, FILED FOR RECORD OCTOBER 22, 2007 IN BOOK 41 OF MAPS AND PLATS, AT PAGE 50, IN THE OFFICE OF THE COUNTY RECORDER OF SAN JOAQUIN COUNTY, TOGETHER WITH A PORTION OF NEW PARCEL A, AS SAID NEW PARCEL A IS DESCRIBED IN THAT CERTAIN GRANT DEED RECORDED PURSUANT TO THE LOT LINE ADJUSTMENT, PA-1900005, RECORDED JULY 15, 2019, AS DOCUMENT NO. 2019-074719 OF OFFICIAL RECORDS, IN SAID OFFICE OF THE COUNTY RECORDER OF SAN JOAQUIN COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHERLY CORNER OF SAID LOT 5 (41 M&P 50); THENCE, FROM SAID POINT OF BEGINNING, ALONG THE EXTERIOR BOUNDARY OF SAID LOT 5 (41 M&P 50), THE FOLLOWING THIRTY-ONE (31) COURSES:

- 1) NORTH 59°43'06" WEST 9.37 FEET,
- 2) ALONG THE ARC OF A TANGENT 325.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 18°06'46", AN ARC DISTANCE OF 102.74 FEET,
- 3) NORTH 41°36'20" WEST 21.22 FEET,
- 4) ALONG THE ARC OF A TANGENT 125.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 28°24'08", AN ARC DISTANCE OF 61.96 FEET,
- 5) NORTH 13°12'12" WEST 61.00 FEET,
- 6) ALONG THE ARC OF A TANGENT 100.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 20°27'39", AN ARC DISTANCE OF 35.71 FEET,
- 7) NORTH 33°39'51" WEST 202.36 FEET,
- 8) ALONG THE ARC OF A TANGENT 150.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 34°34'18", AN ARC DISTANCE OF 90.51 FEET,
- 9) NORTH 68°14'09" WEST 105.04 FEET,
- 10) ALONG THE ARC OF A TANGENT 194.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 11°10'11", AN ARC DISTANCE OF 37.82 FEET,
- 11) ALONG THE ARC OF A REVERSE 25.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 32°56'02" WEST, THROUGH A CENTRAL ANGLE OF 54°38'16", AN ARC DISTANCE OF 23.84 FEET,
- 12) ALONG THE ARC OF A REVERSE 96.50 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 21°42'14" WEST, THROUGH A CENTRAL ANGLE OF 58°32'19", AN ARC DISTANCE OF 98.59 FEET,
- 13) ALONG THE ARC OF A REVERSE 45.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 36°50'05" WEST, THROUGH A CENTRAL ANGLE OF 53°15'32", AN ARC DISTANCE OF 41.83 FEET,
- 14) SOUTH 73°34'33" WEST 46.83 FEET,
- 15) ALONG THE ARC OF A TANGENT 197.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 04°44'51", AN ARC DISTANCE OF 16.32 FEET,
- 16) SOUTH 78°19'24" WEST 20.27 FEET,
- 17) ALONG THE ARC OF A TANGENT 15.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 90°00'00", AN ARC DISTANCE OF 23.56 FEET,
- 18) NORTH 11°40'36" WEST 180.00 FEET,
- 19) ALONG THE ARC OF A NON-TANGENT 15.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 78°19'24" EAST, THROUGH A CENTRAL ANGLE OF 90°00'00", AN ARC DISTANCE OF 23.56 FEET,
- 20) NORTH 78°19'24" EAST 9.55 FEET,
- 21) ALONG THE ARC OF A TANGENT 147.00³⁰ FOOT RADIUS CURVE TO THE RIGHT,

THROUGH A CENTRAL ANGLE OF 18°30'51", AN ARC DISTANCE OF 47.50 FEET,
22) SOUTH 83°09'45" EAST 53.47 FEET,
21) ALONG THE ARC OF A TANGENT 53.00 FOOT RADIUS CURVE TO THE LEFT,
THROUGH A CENTRAL ANGLE OF 11°43'19", AN ARC DISTANCE OF 10.84 FEET,
24) ALONG THE ARC OF A COMPOUND 15.00 FOOT RADIUS CURVE TO THE LEFT,
FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 04°53'04" WEST, THROUGH
A CENTRAL ANGLE OF 42°59'06", AN ARC DISTANCE OF 11.25 FEET,
25) ALONG THE ARC OF A REVERSE 110.00 FOOT RADIUS CURVE TO THE RIGHT,
FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 47°52'10" EAST, THROUGH
A CENTRAL ANGLE OF 71°19'08", AN ARC DISTANCE OF 136.92 FEET,
26) ALONG THE ARC OF A REVERSE 60.00 FOOT RADIUS CURVE TO THE LEFT, FROM
WHICH THE CENTER OF SAID CURVE BEARS NORTH 23°26'58" EAST, THROUGH A
CENTRAL ANGLE OF 28°01'26", AN ARC DISTANCE OF 29.35 FEET,
27) ALONG THE ARC OF A REVERSE 245.00 FOOT RADIUS CURVE TO THE RIGHT,
FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 04°34'28" EAST, THROUGH
A CENTRAL ANGLE OF 83°03'57", AN ARC DISTANCE OF 355.19 FEET, 28) SOUTH
11°30'31" EAST 31.02 FEET,
29) SOUTH 28°33'06" EAST 243.78 FEET,
30) ALONG THE ARC OF A TANGENT 85.00 FOOT RADIUS CURVE TO THE LEFT,
THROUGH A CENTRAL ANGLE OF 28°33'34", AN ARC DISTANCE OF 42.37 FEET, AND
31) SOUTH 57°06'40" EAST 141.60 FEET;

THENCE, LEAVING SAID EXTERIOR BOUNDARY, SOUTH 57°06'40" EAST 15.53 FEET;

THENCE, ALONG THE ARC OF A NON-TANGENT 1,500.00 FOOT RADIUS CURVE TO THE
LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 56°36'43" EAST,
THROUGH A CENTRAL ANGLE OF 05°59'11", AN ARC DISTANCE OF 156.73 FEET;

THENCE, NORTH 59°43'06" WEST 12.45 FEET TO SAID POINT OF BEGINNING.

THIS LEGAL DESCRIPTION IS "NEW LOT 5" PURSUANT TO THAT CERTAIN
CERTIFICATE APPROVING A LOT LINE ADJUSTMENT, CERTIFICATE NO. PA1900239,
RECORDED MARCH 5, 2020 AS INSTRUMENT NO. 2020-028897 OF OFFICIAL RECORDS.

EXCEPTING THEREFROM ALL OIL, GAS AND OTHER HYDROCARBON SUBSTANCES
LYING BELOW THE DEPTH OF 500 FEET, WITHOUT ANY RIGHT OF SURFACE ENTRY,
AS RESERVED BY WILLIAM E. RALPH, TRUSTEE, W.E RALPH REVOCABLE TRUST,
UTA NOVEMBER 9, 1988 IN THE DEED RECORDED JANUARY 31, 1997 AS INSTRUMENT
NO. 97011977 OF OFFICIAL RECORDS OF SAN JOAQUIN COUNTY.

ALSO EXCEPTING THEREFROM ALL INTEREST IN AND TO ANY AND ALL OIL, GAS
AND MINERALS RIGHTS BELONGING OR PERTAINING TO THE PROPERTY MORE
THAN 500 FEET BELOW THE SURFACE OF THE LAND, WITHOUT THE RIGHT OF ENTRY
(I) ABOVE 500 FEET BELOW THE SURFACE OF THE LAND, (II) WITHIN 300 FEET OF
ANY PARCEL BOUNDARY OF THE PROPERTY, AS SUCH BOUNDARIES MAY BE
MODIFIED BY LOT LINE ADJUSTMENTS AND/OR FINAL PARCEL MAP RECORDATION,
OR (III) WHICH AFTER ANY TEMPORARY CONSTRUCTION OR INSTALLATION PERIOD
SHALL IN ANY MANNER CREATE (OR REQUIRE ANY EXTRAORDINARY
CONSTRUCTION METHOD TO MITIGATE) A SIGNIFICANT VISUAL AUDITORY OR
OTHER NUISANCE OF EXTENDED DURATION TO THE INTENDED RESIDENTIAL
OCCUPANTS OF THE PROPERTY, AS RESERVED BY TRIMARK COMMUNITIES, LLC., A
LIMITED LIABILITY COMPANY, BY GRANT DEED RECORDED MAY 13, 2005,
RECORDER'S INSTRUMENT NO. 2005-115427, SAN JOAQUIN COUNTY RECORDS.

ALSO EXCEPTING THEREFROM ALL INTEREST IN AND TO ANY AND ALL OIL, GAS
AND MINERAL RIGHTS BELONGING OR PERTAINING TO THE PROPERTY MORE THAN

500 FEET BELOW THE SURFACE OF THE LAND, WITHOUT RIGHT OF ENTRY (I) ABOVE 500 FEET BELOW THE SURFACE OF THE LAND, (II) WITHIN 300 FEET OF ANY PARCEL BOUNDARY OF THE PROPERTY, AS SUCH BOUNDARIES MAY BE MODIFIED BY LOT LINE ADJUSTMENTS AND/OR FINAL PARCEL MAP RECORDATION, OR (III) WHICH AFTER ANY TEMPORARY CONSTRUCTION OR INSTALLATION PERIOD SHALL IN ANY MANNER CREATE (OR REQUIRE ANY EXTRAORDINARY CONSTRUCTION METHOD TO MITIGATE) A SIGNIFICANT VISUAL, AUDITORY OR OTHER NUISANCE OF EXTENDED DURATION TO THE INTENDED RESIDENTIAL OCCUPANTS OF THE PROPERTY, AS RESERVED BY TRIMARK COMMUNITIES, LLC, A LIMITED LIABILITY COMPANY, BY GRANT DEED RECORDED JULY 17, 2007, RECORDER'S INSTRUMENT NO. 2007-129967, SAN JOAQUIN COUNTY RECORDS.

PARCEL NO. 22: (APN: 258-020-170-000 and a portion of 258-020-360-000, NEW LOT 9)

BEING ALL OF LOT 9, AS SAID LOT 9 IS SHOWN AND SO DESIGNATED ON THE FINAL MAP FOR TRACT 3645, FILED FOR RECORD OCTOBER 22, 2007 IN BOOK 41 OF MAPS AND PLATS, AT PAGE 50, IN THE OFFICE OF THE COUNTY RECORDER OF SAN JOAQUIN COUNTY, TOGETHER WITH A PORTION OF NEW PARCEL A, AS SAID NEW PARCEL A IS DESCRIBED IN THAT CERTAIN GRANT DEED RECORDED PURSUANT TO THE LOT LINE ADJUSTMENT, PA-1900005, RECORDED JULY 15, 2019, AS DOCUMENT NO. 2019-074719 OF OFFICIAL RECORDS, IN SAID OFFICE OF THE COUNTY RECORDER OF SAN JOAQUIN COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHERLY CORNER OF SAID LOT 9 (41 M&P 50); THENCE, FROM SAID POINT OF BEGINNING, ALONG THE EXTERIOR BOUNDARY OF SAID LOT 9 (41 M&P 50), THE FOLLOWING TWENTY-THREE (23) COURSES:

- 1) NORTH 66°47'51" WEST 342.13 FEET;
- 2) NORTH 23°12'09" EAST 27.09 FEET;
- 3) ALONG THE ARC OF A TANGENT 100.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 06°42'13", AN ARC DISTANCE OF 11.70 FEET;
- 4) NORTH 29°54'22" EAST 19.97 FEET;
- 5) ALONG THE ARC OF A TANGENT 50.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 17°57'57", AN ARC DISTANCE OF 15.68 FEET;
- 6) NORTH 11°56'25" EAST 2.62 FEET;
- 7) ALONG THE ARC OF A TANGENT 100.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 09°14'37", AN ARC DISTANCE OF 16.13 FEET;
- 8) NORTH 21°11'02" EAST 23.68 FEET;
- 9) ALONG THE ARC OF A TANGENT 50.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 05°21'14", AN ARC DISTANCE OF 4.67 FEET;
- 10) NORTH 15°49'48" EAST 17.87 FEET;
- 11) ALONG THE ARC OF A TANGENT 50.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 13°53'10", AN ARC DISTANCE OF 12.12 FEET;
- 12) NORTH 29°42'58" EAST 44.11 FEET;
- 13) ALONG THE ARC OF A TANGENT 50.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 04°55'30", AN ARC DISTANCE OF 4.30 FEET;
- 14) NORTH 24°47'28" EAST 15.65 FEET;
- 15) ALONG THE ARC OF A TANGENT 200.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 08°15'45", AN ARC DISTANCE OF 28.84 FEET;
- 16) NORTH 33°03'13" EAST 70.51 FEET; 17) SOUTH 33°39'51" EAST 96.12 FEET;
- 18) ALONG THE ARC OF A TANGENT 100.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 20°27'39", AN ARC DISTANCE OF 35.71 FEET;
- 19) SOUTH 13°12'12" EAST 61.00 FEET;
- 20) ALONG THE ARC OF A TANGENT 125.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 28°24'08", AN ARC DISTANCE OF 61.96 FEET;
- 21) SOUTH 41°36'20" EAST 21.22 FEET;

22) ALONG THE ARC OF A TANGENT 325.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 18°06'46", AN ARC DISTANCE OF 102.74 FEET;
23) SOUTH 59°43'06" EAST 9.37 FEET;

THENCE, LEAVING SAID EXTERIOR BOUNDARY, SOUTH 59°43'06" EAST 12.45 FEET TO A POINT ON THE NORTHEASTERLY PROLONGATION OF THE SOUTHEASTERN LINE OF SAID LOT 9;

THENCE, ALONG SAID NORTHEASTERLY PROLONGATION, AND THE SOUTHEASTERN LINE OF SAID LOT 9, ALONG THE ARC OF A NON-TANGENT 1,500.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 62°35'54" EAST, THROUGH A CENTRAL ANGLE OF 04°07'04", AN ARC DISTANCE OF 107.80 FEET TO SAID POINT OF BEGINNING.

THIS LEGAL DESCRIPTION IS "NEW LOT 9" PURSUANT TO THAT CERTAIN CERTIFICATE APPROVING A LOT LINE ADJUSTMENT, CERTIFICATE NO. PA1900239, RECORDED MARCH 5, 2020 AS INSTRUMENT NO. 2020-028897 OF OFFICIAL RECORDS.

EXCEPTING THEREFROM ALL OIL, GAS AND OTHER HYDROCARBON SUBSTANCES LYING BELOW THE DEPTH OF 500 FEET, WITHOUT ANY RIGHT OF SURFACE ENTRY, AS RESERVED BY WILLIAM E. RALPH, TRUSTEE, W.E RALPH REVOCABLE TRUST, UTA NOVEMBER 9, 1988 IN THE DEED RECORDED JANUARY 31, 1997 AS INSTRUMENT NO. 97011977 OF OFFICIAL RECORDS OF SAN JOAQUIN COUNTY.

ALSO EXCEPTING THEREFROM ALL INTEREST IN AND TO ANY AND ALL OIL, GAS AND MINERAL RIGHTS BELONGING OR PERTAINING TO THE PROPERTY MORE THAN 500 FEET BELOW THE SURFACE OF THE LAND, WITHOUT RIGHT OF ENTRY (I) ABOVE 500 FEET BELOW THE SURFACE OF THE LAND, (II) WITHIN 300 FEET OF ANY PARCEL BOUNDARY OF THE PROPERTY, AS SUCH BOUNDARIES MAY BE MODIFIED BY LOT LINE ADJUSTMENTS AND/OR FINAL PARCEL MAP RECORDATION, OR (III) WHICH AFTER ANY TEMPORARY CONSTRUCTION OR INSTALLATION PERIOD SHALL IN ANY MANNER CREATE (OR REQUIRE ANY EXTRAORDINARY CONSTRUCTION METHOD TO MITIGATE) A SIGNIFICANT VISUAL, AUDITORY OR OTHER NUISANCE OF EXTENDED DURATION TO THE INTENDED RESIDENTIAL OCCUPANTS OF THE PROPERTY, AS RESERVED BY TRIMARK COMMUNITIES, LLC, A LIMITED LIABILITY COMPANY, BY GRANT DEED RECORDED JULY 17, 2007, RECORDER'S INSTRUMENT NO. 2007-129967, SAN JOAQUIN COUNTY RECORDS.

PARCEL NO. 23: (APN: 258-020-200-000 and a portion of 258-020-360-000, NEW LOT 10)

BEING ALL OF LOT 10, AS SAID LOT 10 IS SHOWN AND SO DESIGNATED ON THE FINAL MAP FOR TRACT 3645, FILED FOR RECORD OCTOBER 22, 2007 IN BOOK 41 OF MAPS AND PLATS, AT PAGE 50, IN THE OFFICE OF THE COUNTY RECORDER OF SAN JOAQUIN COUNTY, TOGETHER WITH A PORTION OF NEW PARCEL A, AS SAID NEW PARCEL A IS DESCRIBED IN THAT CERTAIN GRANT DEED RECORDED PURSUANT TO THE LOT LINE ADJUSTMENT, PA-1900005, RECORDED JULY 15, 2019, AS DOCUMENT NO. 2019-074719 OF OFFICIAL RECORDS, IN SAID OFFICE OF THE COUNTY RECORDER OF SAN JOAQUIN COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST WESTERLY CORNER OF SAID LOT 10 (41 M&P 50);

THENCE, FROM SAID POINT OF BEGINNING, ALONG THE EXTERIOR BOUNDARY OF SAID LOT 10 (41 M&P 50), THE FOLLOWING SIX (6) COURSES:

1) NORTH 60°44'47" EAST 3.08 FEET,

33

2) ALONG THE ARC OF A TANGENT 78.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 32°31'55", AN ARC DISTANCE OF 44.29 FEET,
3) SOUTH 86°43'18" EAST 61.19 FEET,
4) ALONG THE ARC OF A TANGENT 125.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 49°18'49", AN ARC DISTANCE OF 107.59 FEET,
5) SOUTH 51°16'16" EAST 8.82 FEET, AND
6) ALONG THE ARC OF A NON-TANGENT 1,500.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 50°56'37" EAST, THROUGH A CENTRAL ANGLE OF 04°09'40", AN ARC DISTANCE OF 108.94 FEET;

THENCE, LEAVING SAID BOUNDARY LINE, CONTINUING ALONG THE ARC OF SAID 1,500.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 55°06'17" EAST, THROUGH A CENTRAL ANGLE OF 01°30'26", AN ARC DISTANCE OF 39.46 FEET TO A POINT ON THE SOUTHEASTERLY PROLONGATION OF THE SOUTHWESTERN LINE OF SAID LOT 10 (41 M&P 50);
THENCE, ALONG SAID SOUTHEASTERLY PROLONGATION, AND THE SOUTHWESTERN LINE OF SAID LOT 10, NORTH 57°06'40" WEST 146.12 FEET TO SAID POINT OF BEGINNING.

THIS LEGAL DESCRIPTION IS "NEW LOT 10" PURSUANT TO THAT CERTAIN CERTIFICATE APPROVING A LOT LINE ADJUSTMENT, CERTIFICATE NO. PA1900239, RECORDED MARCH 5, 2020 AS INSTRUMENT NO. 2020-028897 OF OFFICIAL RECORDS.

EXCEPTING THEREFROM ALL OIL, GAS AND OTHER HYDROCARBON SUBSTANCES LYING BELOW THE DEPTH OF 500 FEET, WITHOUT ANY RIGHT OF SURFACE ENTRY, AS RESERVED BY WILLIAME. RALPH, TRUSTEE, W.E RALPH REVOCABLE TRUST, UTA NOVEMBER 9, 1988 IN THE DEED RECORDED JANUARY 31, 1997 AS INSTRUMENT NO. 97011977 OF OFFICIAL RECORDS OF SAN JOAQUIN COUNTY.

ALSO EXCEPTING THEREFROM ALL INTEREST IN AND TO ANY AND ALL OIL, GAS AND MINERAL RIGHTS BELONGING OR PERTAINING TO THE PROPERTY MORE THAN 500 FEET BELOW THE SURFACE OF THE LAND, WITHOUT RIGHT OF ENTRY (I) ABOVE 500 FEET BELOW THE SURFACE OF THE LAND, (II) WITHIN 300 FEET OF ANY PARCEL BOUNDARY OF THE PROPERTY, AS SUCH BOUNDARIES MAY BE MODIFIED BY LOT LINE ADJUSTMENTS AND/OR FINAL PARCEL MAP RECORDATION, OR (III) WHICH AFTER ANY TEMPORARY CONSTRUCTION OR INSTALLATION PERIOD SHALL IN ANY MANNER CREATE (OR REQUIRE ANY EXTRAORDINARY CONSTRUCTION METHOD TO MITIGATE) A SIGNIFICANT VISUAL, AUDITORY OR OTHER NUISANCE OF EXTENDED DURATION TO THE INTENDED RESIDENTIAL OCCUPANTS OF THE PROPERTY, AS RESERVED BY TRIMARK COMMUNITIES, LLC, A LIMITED LIABILITY COMPANY, BY GRANT DEED RECORDED JULY 17, 2007, RECORDER'S INSTRUMENT NO. 2007-129967, SAN JOAQUIN COUNTY RECORDS.



SAN JOAQUIN
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Community Development Department

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Attachment C

Development Status Summary

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SPII Landowners & Development Status as of January 2024¹

Neighborhood C – 251.25 ac.	
Public Ownership	5 ac. Neighborhood Park 16 ac. K-8 School
Homes Built and Sold; Roadways Dedicated	223.24
Remaining Lands	5.4 ac. MHD (RH parcel not yet subdivided into small lots) .61 ac. Shea Homes Limited Partnership (small lot final map recorded) 1 ac. Loukya Investors LLC (commercial)

Neighborhood D West – 231.48 ac.	
Public Ownership	5 ac. Neighborhood Park 1.1 ac. Open Space/Trail 16 ac. K-8 School 46.5 ac. High School
Homes and Commercial Built and Sold; Roadways Dedicated	126.74 ac.
Remaining Lands	19.84 ac. MHD (19.42 ac. proposed to be transferred to LUSD; 0.42 is the MHD Welcome Center) 3 ac. Oliveira (unannexed, no TMA) 13.3 ac. Shea (small lot subdivision map recorded and approximately 40% has been sold to consumers)

¹ All acreages are approximate and the status of County applications by third parties is to the best of Mountain House Developers, LLC's, knowledge.

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Neighborhood H – 275.3 ac.	
Public Ownership	5 ac. Neighborhood Park 16 ac. K-8 School
Homes Built and Sold; Roadways Dedicated	214.8 ac.
Remaining Lands	16.5 ac. MHD 22.27 ac. Sunchaser (LLFMR) (property consists of two larger parcels zoned CC; one is the subject of a rezoning application to residential currently on file with the County) 1.05 ac. Dns Investment li LLC (zoned Commercial, with an application for combined commercial and daycare/academy uses currently on file with the County)

Neighborhood I – 432 ac.	
Remaining Lands	432 ac. MHD

Neighborhood J – 315 ac.	
Remaining Lands	203 ac. MHD 112 ac. Lennar

Neighborhood K – 332.22ac.	
Remaining Lands	332.22 ac. MHD

Neighborhood L – 353.04 ac.	
Public Ownership	12.67 ac. Water Quality Basin Number 1
Remaining Lands	365.71 ac. MHD

Town Center - 114.39 ac.	
Public Ownership	40.98 ac. Central Park 3.01 ac. Transit Center 3.00 ac. Town Hall & Library
Homes and Commercial Built and Sold; Roadways Dedicated	9.5 ac.
Remaining Lands	57.9 ac. MHD

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Attachment D

Evidence of Development Agreement Compliance

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**DEVELOPMENT AGREEMENT BY AND BETWEEN SAN JOAQUIN COUNTY AND
SHEA MOUNTAIN HOUSE, LLC (MOUNTAIN HOUSE DEVELOPERS, LLC)**

SUMMARY OF DA COMPLIANCE

FROM SPECIFIC PLAN II ADDENDUM TO DEVELOPMENT AGREEMENT (A-05-77,
APPROVED 2/8/2005)

Section 2.1 - Incorporation of Master Plan DA Provisions. Subject to the exceptions and modifications set forth in Section 2.2, below, each and every provision, term and condition in the Master Plan DA (except for the Recitals which have been dealt with in the Recitals to this Agreement) is hereby incorporated by reference into and made a part of this Agreement with full force and effect as though set forth herein in full, and said incorporated provisions of the Master Plan DA shall constitute the agreements and covenants of the Parties under this Agreement.

Status. Ongoing. Both parties are complying.

Section 2.2.2 - Term of this Agreement. The Term of this Agreement shall commence on the Effective Date and shall extend for thirty (30) years thereafter. The effective date of this Agreement shall be March 10, 2005, which is the effective date of the Enacting Ordinance.

Status. Ongoing. Both parties are complying.

FROM AMENDED AND RESTATED DEVELOPMENT AGREEMENT (A-00-924,
APPROVED 10/17/2000)

Section 1.1.57 - Vested Rights to Develop. The conferring of the rights granted to Developer under this Agreement and subject to all the terms, conditions and requirements of this Agreement, to proceed with the development of the Property based on the agreement of the County hereunder that certain regulations and requirements in the Existing Approvals pertaining to the development of the Property (referred to herein as the "Vested Elements") are fixed and, except as permitted by this Agreement, that they cannot be subsequently modified, changed or augmented so as to impose additional requirements or burdens on the development of the Property without Developer's consent.

Status. Ongoing. Both parties are complying.

Section 2.5.3 - Development Impact Fees. Notwithstanding anything herein to the contrary, all applications for Development Permits shall be subject to the development, impact, mitigation and processing fees which are lawfully enacted and in force and effect at the time the application therefor is filed, including, but not limited to, costs, charges, fees and other payments imposed by the CSD and any Financing Mechanism; provided, however, that

such fees are applied to implement the Existing Approvals or Reserved Discretionary Approvals.

Status. Ongoing. Developer is complying.

Section 1.1.2 - MHCSD Formation. County shall cooperate (at no cost to County) in establishing the Mountain House Community Services District (the "CSD") and other Financing Mechanisms to administer and provide to the Community in conjunction with the County and other public agencies, urban services and infrastructure necessary for the development of the community. The County agrees to use reasonable efforts to facilitate the formation of the CSD, and the Developer shall cooperate with the County in the formation of the CSD. It is a condition of this Agreement that County and the CSD shall enter into a Public Services Allocation Agreement (the "PSA Agreement") which sets forth the assigned responsibility for the provision of public services and infrastructure to the Community by the County and the CSD.

Status – Completed.

Section 3.1.6 - MHCSD Funding. Developer will advance initial funding to the CSD in a sufficient amount to permit the CSD to operate until such time as it can levy and receive fees and charges to cover its costs of operations. Provisions to implement this Agreement shall be mutually agreed upon between County and Developer for inclusion in the Interim Funding Agreement.

Status – Completed.

Section 3.4 - PLEP. The Developer shall comply with the requirements of this Agreement and the Existing Approvals and Ordinances, the Public Lands Equity Program, applicable zoning, applicable permit(s) and approved subdivision maps for the dedication of land. Subject to the terms of this Agreement, any dedication requirements in connection with County's approval of a Reserved Discretionary Approval for the Project shall be consistent with the Master Plan, any applicable Specific Plan and any Vested Elements in any applicable Development Agreement

Status. Ongoing. Developer is complying.

Section 3.6.1 - Application Processing. Subject to compliance with CEQA, public hearings, findings and other actions involving the exercise of legislative or administrative discretion, provided that Developer is not in default under this Agreement, County agrees that it will accept, in good faith, for processing, review and action, all complete applications for Development Permits or other entitlements for use of the Property meeting the requirements of the Existing Approvals and this Agreement.

Status. Ongoing. County is complying.

Section 3.6.8 - Additional County Staff. To expedite processing of the Developer's requests, Developer may advance funds to the County for additional County staff.

Status - Ongoing

Section 3.6.9 - "Will-Serve" Letters. It is understood that the Mountain House CSD must provide "will-serve" letters for the provision of municipal services as a condition of the processing and approval of Tentative Maps and other applications. County agrees that in processing and approving Tentative Maps and other applications, it will accept will-serve letters from the Mountain House CSD which provide that services can be provided upon the satisfaction of specified conditions.

Status. Ongoing. County is complying.

Section 3.6.12.A.1 - MHTIF. County acknowledges that MHTIF establishes the funding obligations for transportation improvements of Community Developers within the Community. Community Developers will be responsible to fund, and may, but are not obligated to, construct the designated transportation improvements within the Mountain House Planning Area (MHPA) as defined in the Technical Report and select Regional Roadways as defined in the Technical Report. Community Developers will also be responsible for funding, and may, but are not obligated to, construct "Other jurisdiction's" proportionate share of improvements to select Regional Roadways in San Joaquin County as defined by the Technical Report.

Status. Ongoing. Developer is complying.

Section 3.6.12.A.3 Grantline Road Funding. The County acknowledges that when the dwelling unit trigger point is reached for the Grant Line Road traffic improvement described in Master Plan Table 9-2 (segment from the County line to I-580 Interchange), the Community Developer(s) shall fund this transportation improvement to the extent that the component of the CSD's reserved account for the Other Jurisdiction Fee is insufficient to fund the Grant Line traffic improvement. The funding Community Developer shall be entitled to fee credits against the Other Jurisdiction Fee, and/ or lump-sum reimbursements from any benefiting Developer(s) pursuant to oversizing/reimbursement agreements with the CSD, to be payable by the benefiting Developer(s).

Status. Completed. Developer has paid a lump sum amount to the MHCSD to satisfy this obligation.

Section 3.6.12.B. - Moratorium. The County agrees that the Community and/ or Community Developers shall not be subject to any moratorium or other restriction on development permits because designated transportation improvements are not started or completed prior to a trigger point, specifically identified in the Master Plan and/or applicable Specific Plan, being reached, including those defined as Regional Roadways within the MHPA, transportation improvements within "Other Jurisdictions," or other undefined transportation improvements not covered in the Community Approvals.

Status. Ongoing. County is complying.

Section 3.7.1 - Developer Financing. Developer shall have the right to request

County and/or the CSD, upon Developer's posting a deposit or other security satisfactory to County for payment of County's costs in connection therewith, to initiate and conclude appropriate proceedings for the establishment of Financing Mechanisms under applicable Laws and Ordinances to pay for the costs and expenses associated with the construction and provision of the Exactions applicable to the development of the Property. Developer may also request that County and/or the CSD consider the utilization of any other financing method then available under Ordinances or Laws, provided that such alternative methods do not impose any additional unreimbursed expense upon County. Upon Developer's request to initiate proceedings, County and/or the CSD shall initiate proceedings under applicable Ordinances and Laws, it being understood and agreed, however, that County and/or the CSD must follow applicable legal procedure with respect thereto and reserve its legislative discretion in determining spread of assessments, allocation of benefit and other matters and in deciding whether to approve the formation of any such Financing Mechanism.

Status. Ongoing. County is complying.

Section 3.10 - Schools Mitigation. To the extent not prohibited by law, and consistent with the provisions of the Master Plan requiring full mitigation for school impacts, County shall ensure that future landowners and developers within Mountain House are required to fully mitigate school facilities impacts in strict compliance with the School Facilities Act, as amended in 1998, and as further amended from time to time.

Status. Ongoing. Developer is complying.

Section 3.11 - Participation in SJMSCP. The Parties acknowledge that pursuant to the Master Plan, Developer may provide mitigation for identified endangered species impacts on the Project through implementation of the Mountain House Habitat Management Plan. In the alternative, the Master Plan provides that Developer may participate in a regional habitat conservation plan. The Parties recognize and agree that the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) has been prepared as an alternative means of mitigating county-wide impacts to special status, threatened and endangered species. Therefore, Developer may, in lieu of implementation of the Mountain House Habitat Management Plan, participate in the SJMSCP for so long as the SJMSCP remains in effect, and whether or not County has elected to participate in the SJMSCP on a county-wide basis.

Status. Ongoing. Developer is complying and is an active participant in the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP)



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Attachment E

Development Agreement Amendment Findings

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FINDINGS

Basis for Approving the Development Agreement Amendment (PA-2300058)

1. The proposed amendment is consistent with the General Plan and any applicable Master Plan, Public Financing Plan, Specific Plan, and Special Purpose Plan for the area.
 - The proposed First Amendment to the Subsequent Development Agreement is narrowly tailored, only extending the life of the Tentative Map. The proposed Amendment is pursuant to Section 2.2.2 of the Subsequent Development Agreement, which remains substantively unchanged. The proposed amendment does not change the General Plan, or the applicable Mountain House Master Plan and Specific Plan I & II. The intensity and density remain the same and comply with Specific Plan I & II.
2. The proposed amendment complies with all provisions of the Mountain House Development Title.
 - The original project entitlements were approved consistent with Mountain House Development Title and the proposed amendments do not change compliance with that Title. The amendments are considered minor and will memorialize improvements completed in the Community and serve to update the development obligations for the project.
3. The proposed amendment has been reviewed in compliance with the requirements of the California Environmental Quality Act.
 - California Environmental Quality Act (CEQA) Guidelines Section 15061 (b)(3) states that a project is exempt from CEQA if the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The Community Development Department has determined that the proposed Second Amendment to the Development Agreement has no possibility of causing a direct or indirect physical change in the environment, much less a significant effect on the environment. Accordingly, the Amendment is exempt from CEQA.

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**Planning Commission Staff Report
Item # 4, April 18, 2024
General Plan Text Amendment No. PA-2400093
& General Plan Map Amendment No. PA-2400094
Prepared by: Stephanie Stowers**

PROJECT SUMMARY

Applicant Information

Project Applicant: San Joaquin County Community Development Department

Project Site Information

Project Location: Countywide
Supervisorial District: All

Environmental Review Information

CEQA Determination: Notice of Exemption (Attachment A, Environmental Document)

Project Description

This project is comprised of 2 applications that proposes to amend 4 sections of the 2035 General Plan and the General Plan designation of 1 parcel, as follows:

1. General Plan Text Amendment No. PA-2400093 to revise 4 sections of the General Plan, including.
 - Amend Chapter 3.2 Public Facilities and Services Element, Table IS-1 Water System, Table IS-2 Wastewater Treatment, and Table IS-3 Stormwater Drainage Supply to provide flexibility and clarification for private services in the C/R (Commercial Recreation) designation and I-W (Warehouse Industrial) zone.
 - Amend Chapter 3.1 Community Development Element, Goal LU-7.16 Williamson Act Contracts Parcel Size to reduce the required acreage for new Williamson Act contracts.
2. General Plan Map Amendment No. PA-2400094 to change the General Plan designation of APN: 179-160-21 from AU/R (Agriculture-Urban Reserve) to I/W (Warehouse Industrial) for consistency with the zoning map.

Recommendation

1. Forward the Findings for General Plan Text Amendment No. PA-2400093 (Attachment C) to the Board of Supervisors with a recommendation to approve.
2. Forward with Findings for General Plan Map Amendment No. PA-2400094 (Attachment C) to the Board of Supervisors with a recommendation to approve.
3. Forward General Plan Text Amendment No. PA-2400093 and General Plan Map Amendment No. PA-2400094 to the Board of Supervisors with a recommendation to approve.

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NOTIFICATION & RESPONSES

Public Hearing Notices

Legal ad for the public hearing published in the Stockton Record: April 8, 2024

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ANALYSIS

Background

On December 13, 2016, the Board of Supervisors adopted a comprehensive update of the San Joaquin County General Plan to guide the physical development of the County. California Planning and Zoning Law requires that the adopted zoning ordinances shall be consistent with the objectives, policies, general land uses, and programs specified in the current General Plan. As a result, on November 29, 2022, the Board of Supervisors adopted a comprehensive update to the Development Title (Title 9), which became effective on December 29, 2022. Alongside the comprehensive Development Title update, the General Plan was updated for consistency between documents and the zoning maps for the San Joaquin County were updated.

Text Amendment

Williamson Act

With the 2022 update, the minimum acreage for new Williamson Act contracts was updated in the General Plan. The Williamson Act was established in 1964 and is a contract between a private landowner and the County that enforces and restricts land to agricultural or open space uses. In return, parcels under contract are assessed for property tax purposes at a rate consistent with their actual use, rather than their potential market value. The minimum size for contracts for land classified as prime farmland was increased from 20 acres to 40 acres, and the minimum size for contracts for non-prime farmland increased from 40 acres to 80 acres.

At the time, this change was intended to help balance the discrepancy between the reduction in property tax revenue received by the County and the limited subvention funds provided by the State intended to offset the loss in revenue. By limiting the properties eligible for Williamson Act contract this policy change limited the number of parcels paying reduced property taxes. However, in practice, this limitation has created barriers causing undue burden on agricultural property owners in San Joaquin County. Pursuant to General Plan Policy LU-7.11 (Pg. 3.1-61), the County shall support regulatory, incentive-based, and financial mechanisms for the preservation of agricultural lands. The Williamson Act is a financial mechanism that supports the preservation of agricultural land and, thusly, should be supported by the County. As a result, Community Development Department staff is recommending the minimum size for Williamson Act contracts be reduced back to the previous limitations as follows:

LU-7.16 Williamson Act Contracts Parcel Size

The County shall limit parcels eligible for Williamson Act contracts to those ~~40~~ 20 or more acres in size in the case of prime land or ~~80~~ 40 or more acres in the case of nonprime land. Prime land for the purpose of this policy includes Productive Farmland and land classified as Farmland of Local Importance.

Service Requirements

When the General Plan was updated in 2016, the infrastructure and services requirements were amended to require that new development have services that met all proposed and future demand. As a result, the General Plan policies required most development be served by public water, wastewater, and stormwater drainage facilities, and provisions allowing for on-site services were restricted. On-site services were only permitted for development in urban and rural communities defined by the General Plan with parcels over 2 acres in size and some limited industrial uses outside of communities.

Although the requirement for connection to public services is appropriate for most development, since 2016, staff has found that greater flexibility may be beneficial, primarily for development and/or expansion of facilities located in rural areas where public services may never be available, like Commercial Recreation areas. The Commercial Recreation designation and zone are intended for recreation-oriented commercial uses, like marinas, golf courses, and other large-scale recreational facilities that are often located in rural

areas, far from urbanized development with available public services. As a result, the requirement for public services hinders development and creation of Commercial Recreation areas.

Additionally, with the Development Title update in 2022, staff also processed minor amendments to the General Plan. One change included in these amendments created the Warehouse Industrial (I/W) General Plan designation to align with the Warehouse Industrial zone (I-W), and allowed for development of dry uses without services in this designation. Previously, I-W zoning was combined with the Limited Industrial (I/L) General Plan designation, which allowed for development with on-site wastewater treatment if water and stormwater services were provided. This provision was removed in error, which impacted the development of existing I-W properties by further restricting development, or requiring a General Plan Map Amendment to develop.

As a result, the Community Development Department proposes updating the service requirements to allow for development in Commercial Recreation and Warehouse Industrial areas as follows:

WATER SYSTEM	
General Plan Area	Minimum Requirements
Commercial Recreational Areas Outside of Communities	Public water system serving the entire planned area. <u>If parcels are two acres or greater in size, with no available public water system and no groundwater quality issues, private individual wells may be permitted.</u>

WASTEWATER TREATMENT	
General Plan Area	Minimum Requirements
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 Warehouse Industrial designation <u>or zone</u> , if General Plan policies and Development Title regulations are met.
Industrial Areas Outside of Communities	Public sewer system serving entire planned area. Individual commercial systems may be permitted in the Truck Terminals and Warehouse Industrial designation <u>or zone</u> 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. <u>Onsite wastewater treatment system may be permitted if no public wastewater treatment system is available, General Plan policies and Development Title regulations are met, and the provisions for mandatory connection do not apply.</u>

STORMWATER DRAINAGE SUPPLY	
General Plan Area	Minimum Requirements
Commercial Recreation Areas Outside of Communities	Public drainage system serving the entire planned Commercial Recreation area. <u>On-site drainage may be permitted if parcels are two acres or greater in size.</u>

These revisions will allow for the logical development of Commercial Recreation and Warehouse Industrial uses, while continuing to direct most new development to urban and rural communities defined by the General Plan. Additional minor edits are also proposed for consistency; however, the intent of all other policies regarding services remains the same.

Map Amendment

The subject parcel (APN: 179-160-21) is currently designated A/UR (Agriculture-Urban Reserve) and is zoned I-W (Warehouse Industrial). The site has been historically developed as a truck terminal, with the use pre-dating Community Development Department land use records. With the comprehensive General

Plan, Development Title, and Zoning map update in 1992, the parcel, which was historically zoned M-1 (Limited Manufacturing), was designated as A/G (General Agriculture) and zoned AG-40 (General Agriculture-40 acre minimum).

Community Development Department staff has reviewed the 1992 comprehensive update and determined that this change was in error. As a result, with the 2022 Development Title and Zoning map update, this parcel was rezoned to I-W for consistency with the historical and existing uses on site. The I-W zone was determined to be the most similar zone to M-1 and aligns with the zoning of neighboring parcels to the north. The proposed Map Amendment will provide consistency between the General Plan designation and zone, and resolve the inconsistencies created in error by the Community Development Department in 1992.

Notice of Exemption

California Environmental Quality Act (CEQA) Guidelines Section 15061 (b)(3) states that a project is exempt from CEQA if the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The Community Development Department has determined that the proposed General Plan Text and Map Amendments have no possibility of causing a direct or indirect physical change in the environment, much less a significant effect on the environment. Accordingly, the General Plan Text and Map Amendments are exempt from CEQA.

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RECOMMENDATION

It is recommended that the Planning Commission:

1. Forward the Findings for General Plan Text Amendment No. PA-2400093 (Attachment C) to the Board of Supervisors with a recommendation for approval.
2. Forward with Findings for General Plan Map Amendment No. PA-2400094 (Attachment C) to the Board of Supervisors with a recommendation for approval.
3. Forward General Plan Text Amendment No. PA-2400093 and General Plan Map Amendment No. PA-2400094 to the Board of Supervisors with a recommendation to approve.

Attachments:

Attachment A – Environmental Review

Attachment B – Draft Ordinance

Attachment C – Findings

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Attachment A Environmental Document

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Jennifer Jolley, Director

Eric Merlo, Assistant Director

Tim Burns, Code Enforcement Chief

Corinne King, Deputy Director of Planning

Jeff Niemeyer, Deputy Director of Building Inspection

NOTICE OF EXEMPTION

TO: Office of Planning & Research
P. O. Box 3044, Room 212
Sacramento, CA 95812-3044

FROM: San Joaquin County
Community Development Department
1810 East Hazelton Avenue
Stockton, CA 95205

County Clerk, County of San Joaquin

Project Title: General Plan Text Amendment No. PA-2400093 & General Plan Map Amendment No. PA-2400094

Project Location - Specific: The project site is countywide.

Project Location – City: Countywide

Project Location – County: San Joaquin County

Project Description: This project is comprised of 2 applications that proposes to amend 4 sections of the 2035 General Plan and the General Plan designation of 1 parcel, as follows:

1. General Plan Text Amendment No. PA-2400093 to revise 4 sections of the General Plan, including.
 - Amend Chapter 3.2 Public Facilities and Services Element, Table IS-1 Water System, Table IS-2 Wastewater Treatment, and Table IS-3 Stormwater Drainage Supply to provide flexibility and clarification for private services in the C/R (Commercial Recreation) designation and I-W (Warehouse Industrial) zone.
 - Amend Chapter 3.1 Community Development Element, Goal LU-7.16 Williamson Act Contracts Parcel Size to reduce the required acreage for new Williamson Act contracts.
2. General Plan Map Amendment No. PA-2400094 to change the General Plan designation of APN: 179-160-21 from AU/R (Agriculture-Urban Reserve) to I/W (Warehouse Industrial) for consistency with the zoning map.

Project Proponent(s): San Joaquin County

Name of Public Agency Approving Project: San Joaquin County Board of Supervisors

Name of Person or Agency Carrying Out Project: Stephanie Stowers, Senior Planner
San Joaquin County Community Development Department

Exemption Status:
General Exemptions. (Section 15061(b)(3))

Exemption Reason:
Processed under the provisions of California Code of Regulations Section 15061(b)(3), which are exempt from CEQA.

This project is exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines section 15061(b)(3). Section 15061(b)(3) states that "CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA." There is no possibility that this project may have a significant effect on the environment and, therefore, the project is not subject to CEQA.

Lead Agency Contact Person:
Stephanie Stowers Phone: (209) 468-9653 FAX: (209) 468-3163 Email: sstowers@sjgov.org

Signature: _____ Date: _____

Name: Allen Asio Title: Deputy County Clerk

Signed by Lead Agency

Date Received for filing at OPR: _____

*Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.*

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Attachment B **Draft Ordinance**

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

ORDINANCE NO.

An Ordinance to Amend Various Sections of the 2035 General Plan of the County of San Joaquin
Relative to General Plan Text Amendment No. PA-2400093 and Amend the General Plan Designation
of .

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

Section 1. Chapter 3.1 Community Development Element, Goal LU-7.16 Williamson Act Contracts Parcel Size, page 3.1-61, of Policy Document Part 3: Goals and Policies of the San Joaquin County 2035 General Plan is hereby amended as follows:

LU-7.16 Williamson Act Contracts Parcel Size

The County shall limit parcels eligible for Williamson Act contracts to those ~~40~~ 20 or more acres in size in the case of prime land or ~~80~~ 40 or more acres in the case of nonprime land. Prime land for the purpose of this policy is considered as Productive Farmland and land classified as Farmland of Local Importance.

Section 2. Chapter 3.2 Public Facilities and Services Element, Table IS-1 Water System, page 3.2-37, of Policy Document Part 3: Goals and Policies of the San Joaquin County 2035 General Plan is hereby amended as follows:

TABLE IS-1 WATER SYSTEM	
General Plan Area	Minimum Requirements
Urban Communities	Public water system. For areas designated Rural Residential or Warehouse Industrial, <u>if parcels are two acres or greater in size, with no available public water system and no groundwater quality issues,</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 and Warehouse Industrial designations.
Commercial Recreational Areas Outside of Communities	Public water system serving the entire planned area. <u>If parcels are two acres or greater in size, with no available public water system and no groundwater quality issues,</u> private individual wells may be permitted.

Agricultural Areas	Individual water wells if there are no groundwater quality issues.
--------------------	--

Section 3. Chapter 3.2 Public Facilities and Services Element, Table IS-2 Water System, page 3.2-39, of Policy Document Part 3: Goals and Policies of the San Joaquin County 2035 General Plan is hereby amended as follows:

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 Warehouse Industrial designation <u>or zone</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 and Warehouse Industrial designation <u>or zone</u> , 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. <u>Onsite wastewater treatment system may be permitted if no public wastewater treatment system is available, General Plan policies and Development Title regulations are met, and the provisions for mandatory connection do not apply.</u>
Agricultural Areas	Individual or commercial onsite wastewater treatment system

Section 4. Chapter 3.2 Public Facilities and Services Element, Table IS-3 Water System, page 3.2-41, of Policy Document Part 3: Goals and Policies of the San Joaquin County 2035 General Plan is hereby amended as follows:

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 and Warehouse Industrial designations if parcels are two acres or more <u>more or greater in size.</u>
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 and Warehouse Industrial designations.
Commercial Recreation Areas Outside of Communities	Public drainage system serving the entire planned Commercial Recreation area. <u>On-site drainage may be permitted if parcels are two acres or greater in size.</u>
Agricultural Areas	On-site drainage.

Section 5. The General Plan Map of the San Joaquin County, as amended, is hereby further amended by redesignating property from A/UR (Agriculture-Urban Reserve) to I/W (Warehouse Industrial) as shown on Exhibit A, attached hereto and made a part of this Ordinance.

Section 6. 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 Stockton 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 __of ____ to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Miguel Villapudua
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

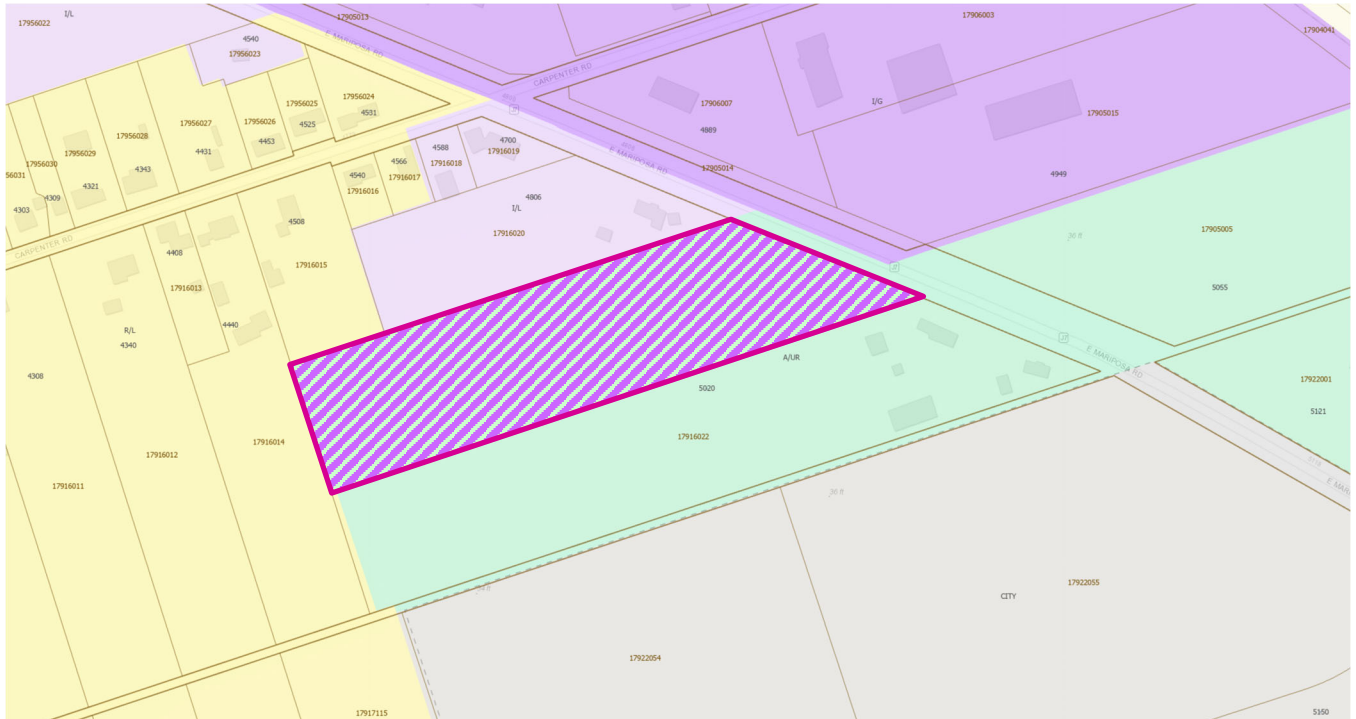
By: _____
Deputy Clerk



Exhibit A

APN: 179-160-21

Existing General Plan Designation: A/UR (Agriculture-Urban Reserve)
Proposed General Plan Designation: I/W (Warehouse Industrial)



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Attachment C **Findings**

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Findings

General Plan Text Amendment (PA-2400093)

1. The proposed amendment will contribute to the public health, safety, and general welfare or will be a benefit to the public.
 - The Development Title Text Amendments are a benefit to the public because the amendments are proposed to provide more flexibility and development opportunities in San Joaquin County.
2. The proposed amendment is consistent with the General Plan goals, unless the goals themselves are proposed to be amended.
 - The proposed amendments are consistent with the General Plan goals, including Goal LU-7 that prioritizes long-term preservation of farmland, and Goals LU-4, LU-6 and LU-8 that promote responsible utilization of on-site services.
3. The proposed amendment retains the internal consistency of the General Plan and is consistent with other adopted plans, unless a concurrent amendment to those plans is also proposed and will result in consistency.
 - The proposed amendments will impact General Plan 2035 Chapters 3.1 and 3.2. These changes maintain and improve internal consistency throughout the General Plan.
4. The proposed amendment has been reviewed in compliance with the requirements of the California Environmental Quality Act.
 - California Environmental Quality Act (CEQA) Guidelines Section 15061 (b)(3) states that a project is exempt from CEQA if the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The Community Development Department has determined that the proposed Text Amendment has no possibility of causing a direct or indirect physical change in the environment, much less a significant effect on the environment. Accordingly, the Text Amendment is exempt from CEQA.

General Plan Map Amendment (PA-2400094)

1. The proposed amendment will contribute to the public health, safety, and general welfare or will be a benefit to the public.
 - The proposed amendment will benefit the public by resolving an error in the zoning designation created by Community Development Department staff without reason in 1992. The map amendment will result in a parcel with consistent General Plan designation, zoning, and use.
2. The proposed amendment is consistent with the General Plan goals, unless the goals themselves are proposed to be amended.
 - The proposed map amendment will align the General Plan designation with the zone thus creating consistency with the General Plan and applicable policies.
3. The proposed amendment retains the internal consistency of the General Plan and is consistent with other adopted plans, unless a concurrent amendment to those plans is also proposed and will result in consistency.
 - The map amendment will retain internal consistency with the General Plan and is consistent with all other adopted plans.

4. The proposed amendment has been reviewed in compliance with the requirements of the California Environmental Quality Act.
 - California Environmental Quality Act (CEQA) Guidelines Section 15061 (b)(3) states that a project is exempt from CEQA if the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The Community Development Department has determined that the proposed Map has no possibility of causing a direct or indirect physical change in the environment, much less a significant effect on the environment. Accordingly, the Map Amendment is exempt from CEQA.