

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

ORDINANCE NO. 4592

**AN ORDINANCE AMENDING THE GENERAL PLAN 2035 OF SAN JOAQUIN COUNTY
RELATIVE TO CHAPTER 3.1 COMMUNITY DEVELOPMENT ELEMENT
(AGRICULTURAL LANDS); TITLE 9 OF THE ORDINANCE CODE OF THE COUNTY OF
SAN JOAQUIN RELATIVE TO CHAPTER 9-600 AGRICULTURAL ZONES: INTENT AND
ORGANIZATION, SECTIONS 9-600.1 (b), (c), & (d) INTENT; CHAPTER 9-605
AGRICULTURAL ZONES: USE REGULATIONS, SECTIONS 9-605.6 (bb) SPECIAL USE
REGULATIONS, AND TABLES 9-605.2 & 9-605.3 USES IN AGRICULTURAL ZONES;
CHAPTER 9-405 COMMERCIAL ZONES: USE REGULATIONS, SECTION 9-405.5(h)
SPECIAL USE REGULATIONS AND TABLE 9-405.2 USES IN COMMERCIAL ZONES**

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

Section 1. Chapter 3.1 Community Development Element (Agricultural Lands) of the San Joaquin County General Plan 2035 is hereby amended by adding the General Plan designation of Agriculture-Industrial (A/I) as follows:

Agriculture-Industrial (A/I)

This designation provides for limited dry uses that complement both agricultural and industrial business, and will not generate a significant amount of waste or utilize a large amount of water. Other agricultural uses may also be permitted where feasible; however, the Agriculture - Industrial designation generally applies to parcels that are not ideal for large-scale or small-scale farming operations due to size, location, irregular shape or classification of farmland, and are not likely to develop during the planning period of the General Plan (i.e., 2035) due to a lack of available public services. Typical uses include truck parking, truck sales, and other limited dry uses not dependent on public services. Parcels considered for this designation shall be located within a one-half (1/2) mile radius from the centerline of an interchange along Interstate 5, Interstate 205, I-580, State Route 99, or other state highway. Parcels must also have access to a publically maintained roadway and be located outside of the primary and secondary zones of the Delta.

Allowed Uses

This designation provides for the following uses that complement both agricultural and industrial businesses:

- Single family detached dwellings
- Farm-employee housing and farm labor camps

- Compatible uses with agriculture
- Agricultural uses that are permitted in the General Agriculture designation and zone
- Dry uses benefitting from direct access to major interstates and highways
- Truck parking
- Truck sales
- Warehousing operations
- Uses that require minimal infrastructure improvements

Development Standards

Development within this designation is subject to the following standards:

- Minimum Density: N/A
- Maximum Density: 0.05 Dwelling Units/Acre
- Minimum FAR: N/A
- Maximum FAR: 0.01
- Minimum Lot Size: 1.0 acre
- Maximum Lot Size: 20.0 acres

Section 2. Chapter 9-600, Sections 600.1 (b), (c), & (d), Division 6, Title 9 of the San Joaquin County Ordinance Code is hereby amended to read as follows:

DIVISION 6. AGRICULTURAL ZONES

CHAPTER 9-600 AGRICULTURAL ZONES: INTENT AND ORGANIZATION

9-600.1 TITLE AND INTENT.

Division 6 constitutes the agricultural zones. The intent of this Division is to prescribe use, lot, and structure regulations for agricultural zones within San Joaquin County, consistent with the Land Use portion of the General Plan. The names and intents of the agricultural zones are as follows:

- (a) **AG Zone.** The General Agriculture (AG) Zone is established to preserve agricultural lands for the continuation of commercial agricultural enterprises. This zone is intended to implement the General Agriculture land use category of the General Plan.

(b) **AI Zone.** The Agriculture-Industrial zone is established to provide limited dry uses that complement both agricultural and industrial businesses on parcels not considered ideal locations for farming due to size, location, irregular shape, or classification of farmland. This zone is intended to implement the Agriculture-Industrial land use category of the General Plan.

~~(bc)~~ **AL Zone.** The Limited Agriculture (AL) Zone is intended to recognize and preserve areas that contain existing concentrations of small-scale agricultural operations and dwellings. This zone is intended to implement the Limited Agriculture land use category of the General Plan.

~~(ed)~~ **AU Zone.** The Agriculture-Urban Reserve (AU) Zone is intended to retain in agriculture those areas planned for future urban development in order to facilitate compact, orderly urban development and to assure the proper timing and economical provision of services and utilities. This zone also is intended to implement the Agriculture-Urban Reserve land use category of the General Plan.

~~(d)~~ **ARM Zone.** ~~The goal of the Agricultural Resource Management (ARM) zone is to assure the long term viability of commercial agricultural properties. This zone is intended to provide areas for the continued practice of commercial agriculture and to protect lands that are best suited for permanent agriculture from encroachment by incompatible land uses. The ARM zone is also intended to implement General Plan policies relating the preservation of agricultural land and the principles of compatibility found in the Williamson Act statute.~~

~~One of the primary objectives of the ARM zone is to permit only those uses and activities that will not compromise the viability of surrounding agricultural operations. The magnitude of any compatible, accessory recreational activities shall be proportionate to the size of the parcel. Any nature preserve buffer area needed to separate or reduce conflicting activities shall be located on-site. The Agricultural Resource Management (ARM) zone shall be applied to land that is under Williamson Act, land that is under Farmland Security zone contract and land in the primary delta.~~

(Ord. 3675; Ord. 4106, § 4, 2001)

9-600.2 ORGANIZATION.

Division 6 consists of the following chapters:

- (a) 9-600 Agricultural Zones: Intent and Organization;
- (b) 9-605 Agricultural Zones: Use Regulations; and
- (c) 9-610 Agricultural Zones: Lot and Structure Regulations.

(Ord. 3675)

Section 3. Chapter 9-605, Section 605.6 (bb) and Tables 9-605.2 and 9-605.3 of Division 6 of Title 9 of the San Joaquin County Ordinance Code is hereby amended to read as follows:

CHAPTER 9-605 AGRICULTURAL ZONES: USE REGULATIONS

9-605.1 INTENT.

The intent of this Chapter is to specify the range of uses and structures allowed within agricultural zones, consistent with the policies and principles of the General Plan.

(Ord. 3675)

9-605.2 PERMITTED USE TYPES.

Permitted, not permitted, and conditionally permitted use types are set forth in Table 9-605.2. Use types are described in Chapter 9-115.

(Ord. 3675)

9-605.3 EXPANSION OF USES AND STRUCTURES.

Uses or structures that require discretionary review may be expanded with an Improvement Plan, provided the following conditions are met:

- (a) The proposed expansion of a structure involves less than a twenty-five percent (25%) increase in floor area covered by the existing use; and
- (b) The proposed expansion involves less than a ten percent (10%) increase in the overall site area covered by the existing use; and
- (c) The proposed expansion, by interpretation of the Director, will not have a substantial, adverse effect on adjacent property; and
- (d) The proposed expansion will comply with existing requirements of agencies having jurisdiction and any other appropriate regulatory agency; or
- (e) Where conditions in Subsections (a) through (d) of this Section are not met, the level of review for the expansion shall be the same as the level of review required in Table 9-605.2.

(Ord. 3675; Ord. 3872, § 19, 1996)

9-605.4 ACCESSORY USES AND STRUCTURES.

Accessory uses and structures permitted, not permitted, and conditionally permitted are set forth in Table 9-605.3. Accessory uses and structures not specifically listed in Table 9-605.3 may be allowed by the Director, subject to approval of an Improvement Plan pursuant to Chapter 9-884 or a discretionary application, as specified by the Director.

(Ord. 3938, § 5, 1997)

9-605.5 TEMPORARY USES AND STRUCTURES.

Permitted, not permitted, and conditionally permitted temporary uses and structures are set forth in Table 9-605.4. Temporary uses and structures not specifically listed in Table 9-605.4 may be allowed, subject to approval of an Improvement Plan pursuant to Chapter 9-884.

(Ord. 3675; 3739; Ord. 3938, § 6, 1997)

9-605.6 SPECIAL USE REGULATIONS.

In addition to the provisions of Sections 9-605.2 through 9-605.5, the following Special Use Regulations shall apply to the uses or use types specified below:

(bb) Truck Parking and Sales in the AI Zone. The following special use regulations shall apply:

- (1) Truck Sales and Services-Parking and Sales may be permitted in the AI zone subject to the following standards:
 - a. Truck Parking may be permitted with an Improvement Plan provided the number of combined truck and trailers is twenty- five (25) or less and any proposed office space is less than 1,000 square feet in size. For projects exceeding either of these limits, a Site Approval application shall be required.
 - b. Truck Sales may be permitted with an Improvement Plan provided the maximum building space proposed with the facility is 12,500 square feet or less. For projects exceeding this limit, a Site Approval application shall be required.
 - c. When both Truck Parking and Truck Sales uses are proposed on the same site, the level of review shall be determined by the Zoning Administrator and Director of Public Works or his/her designee.
 - d. A minimum ten (10) foot wide setback shall be maintained between the project parcel and adjacent properties. If a residence is located on an adjacent parcel within 100 feet of the project site property line, the setback distance shall be increased to twenty (20) feet from the property line.

- e. A minimum six (6) to eight (8) foot tall screen shall be installed along the property line adjacent to truck or trailer parking. Screening may consist of a masonry wall or any solid fencing approved by the Zoning Administrator.
- f. All maneuvering areas shall be surfaced with all- weather material, as defined and approved by the San Joaquin County Fire Chief’s Association. Storage areas for trucks and trailers may be surfaced with gravel or a higher classification surfacing material.
- g. The first twenty (20) feet of any project driveway shall be surfaced with asphalt concrete or Portland cement concrete to ensure public roadways will be free from debris.
- h. Traffic Impact Mitigation Fees and Regional Transportation Fees shall be required. This fee is due and payable prior to issuance of a grading or building permit and prior to operation.
- i. Water Supply Facilities Impact Mitigation Fees shall be required if the project is located within the established Area of Benefit. This fee is due and payable prior to issuance of a grading or building permit and prior to operation.
- j. An encroachment permit shall be required for all work within the County, City, or Caltrans right of way. The driveway approach shall be improved in accordance with the requirements of the County, City or Caltrans standards prior to operating.
- k. Storm drainage facilities shall be in accordance with San Joaquin County Development Standards.
- l. If the project site falls within a NPDES Phase 1 or Phase 2 regulated area, the project shall comply with the National Pollutant Discharge Elimination System requirements. Calculations shall be submitted and approved by the Department of Public Works – Water Resources Division prior to issuance of a building permit, grading permit, and improvements shall be completed prior to operating.

(Ord. 3675; 3697; 3715; 3739; 3756; Ord. 3891, § 2, 1996; Ord. 3911, § 5, 1997; amended during 8/97 supplement; Ord. 3970, § 1, 1998; Ord. 3998, § 2, 1998; Ord. 3399, § 5, 1998; Ord. 4106, § 8, 2001; Ord. 4181, § 2, 2002; Ord. 4255, § 5, 2005; Ord. No. 4385, § 11, 1-12-2010; Ord. No. 4399, § 5, 9-14-2010; Ord. No. 4404, § 1, 12-14-2010; Ord. No. 4486, § 3, 9-13-2016; Ord. No. 4508, § 2, 6-6-2018; Ord. No. 4531, § 4, 5-21-2019; Ord. No. 4531, § 4, 5-21-2019; Ord. No. 4568, § 4, 1-26-2021)

TABLE 9-605.2 USES IN AGRICULTURAL ZONES

Legend:					
P Permitted Use					
PI Permitted Use With Improvement Plan					
QX Use Permitted Subject to Quarry Excavation Permit					
S Use Permitted Subject to Site Approval					
U Use Permitted Subject to Use Permit					
- Use Not Permitted					
Note: In areas designated as Open Space/Resource Conservation on the General Plan, all uses or use types shall require Site Approval, unless another discretionary approval is specified by this Title.					
*See Sections 9-605.6(c)(h)(k)(t)(u)(w)(x) and (z) for Special Use Regulations in an Agricultural Zone					
Use Types	Agricultural Zones				
	AG	AL	AU	ARM	AI
Residential Use Types					
Family Residential					
Single-Family	P	P	P	P	<u>P</u>
Two-Family	-	-	-	-	
Small Multi-Family	-	-	-	-	
Large Multi-Family	-	-	-	-	
Farm Employee Housing	-	-	-	-	
Small	P	P	P	P	<u>P</u>
Large	U	U	-	U	<u>U</u>
Group Care					
Small	P	P	P	-	
Large	-	-	-	-	
Adult Day Care	-	-	-	-	
Farm Related	U	-	-	-	<u>U</u>
Group Residential	-	-	-	-	
Mobile Home Park	-	-	-	-	
Emergency Shelters					
Small	P	P	P	-	<u>P</u>
Large	-	-	-	-	
Single-Room Occupancy	-	-	-	-	
Veterans Supportive Housing	-	-	-	-	
Nonresidential Use Types					
Administrative Offices	-	-	-	-	
Administrative Support Services	-	-	-	-	
Adult Entertainment	-	-	-	-	
Aerial Services					
Farm	S	-	-	S	<u>S</u>
Heliport	S	-	-	-	<u>S</u>
Agricultural Organizations	U	U	-	-	<u>U</u>
Nonresidential Use Types					

Agricultural Processing					
Preparation Services	S	U	-	§	<u>S</u>
Food Manufacturing	U	-	-	Ⓜ	<u>U</u>
Agricultural Sales					
Feed and Grain	S	U	-	§	<u>S</u>
Agricultural Chemicals	S	U	-	§	<u>S</u>
Agricultural Warehousing	S	S	-	§	<u>S</u>
Agricultural Wastes	S	-	-	§	<u>S</u>
Animal Feeding and Sales	S	-	-	§	<u>S</u>
Animal Raising					
Exotic Animals	S	U	S	§	<u>S</u>
General	P	P	P	Ⓟ	<u>P</u>
Hogs	U	U	U	Ⓜ	<u>U</u>
Small Animals	S	U	S	§	<u>S</u>
Family Food Production	P	P	P	Ⓟ	<u>P</u>
Educational Animal Project	P	P	P	Ⓟ	<u>P</u>
Zoo	-	-	-	-	-
Petting Zoo	U	U	U	-	<u>U</u>
Animal Specialty Services					
Farm	PI	S	-	Ⓟ	<u>PI</u>
Pet	-	-	-	-	-
Kennel	U	U	-	Ⓜ	<u>U</u>
Kennels, Small Breeding	S	S	S	§	<u>S</u>
Auction Sales					
Indoor	-	-	-	-	-
Outdoor	-	-	-	-	-
Automotive Sales and Services					-
Automotive Rentals	-	-	-	-	-
Automotive Repairs, Light	-	-	-	-	-
Automotive Repairs, Heavy	-	-	-	-	-
Automotive Sales	-	-	-	-	-
Cleaning	-	-	-	-	-
Inoperable Vehicle Storage	-	-	-	-	-
Operable Vehicle Storage	-	-	-	-	-
Parking	-	-	-	-	-
Building Maintenance Services	-	-	-	-	-
Child Care Services					
Family Day Care Homes	P	P	P	Ⓟ	<u>P</u>
-	S	S	S	-	<u>S</u>
Commercial Cannabis					
Cultivation*	U/SP	-	-	-	<u>U/SP</u>
Distribution*	U/SP	-	-	-	<u>U/SP</u>
Manufacturing*	U/SP	-	-	-	<u>U/SP</u>

Retail Sales	-	-	-	-	-
Laboratory Testing	-	-	-	-	-
Communication Services					
Type I	PI	PI	PI	PI	<u>PI</u>
Type II	S	S	S	S	<u>S</u>
Type III	S	S	-	S	<u>S</u>
Type IV	S	-	-	-	<u>S</u>
Community Assembly	-	-	-	-	-
Construction Sales	-	-	-	-	-
Construction Services					
Light	-	-	-	-	-
Heavy	-	-	-	-	-
Crop Production	P	P	P	P	<u>P</u>
Cultural & Library Services	-	-	-	-	-
Custom Agricultural Manufacturing	S	-	-	-	<u>SS</u>
Custom Manufacturing	-	-	-	-	-
Dairies*	S	S	S	S	<u>S</u>
Eating Establishments					
Convenience	-	-	-	-	-
Full Service	-	-	-	-	-
Educational Services					
Commercial	-	-	-	-	-
General	S	S	S	-	<u>S</u>
Equipment Sales & Repair					
Farm Machinery, Sales*	S	-	-	-	<u>S</u>
Farm Machinery, Repair	S	S	-	S	<u>S</u>
Heavy Equipment	-	-	-	-	-
Leisure	-	-	-	-	-
Aircraft	-	-	-	-	-
Explosives Handling*	U	-	-	-	<u>U</u>
Farm Services	S	S	S	S	<u>S</u>
Funeral & Interment Services					
Cemeteries	U	-	U	-	<u>U</u>
Interring & Cremating	U	-	-	-	<u>U</u>
Undertaking	-	-	-	-	-
Gasoline Sales					
Service	-	-	-	-	-
Combination	-	-	-	-	-
General Industrial					
Limited	-	-	-	-	-
Intermediate	-	-	-	-	-
Heavy	-	-	-	-	-
Hazardous Industrial	-	-	-	-	-

High Technology Industry	-	-	-	-	-
Laundry Services	-	-	-	-	-
Liquor Sales					
On-Premises	-	-	-	-	-
Off-Premises	-	-	-	-	-
Lodging Services					
Bed & Breakfast	S	S	S	-	<u>S</u>
Motel	-	-	-	-	-
Major Impact Services	U	-	-	-	<u>U</u>
Medical Services	-	-	-	-	-
Nursery Sales & Services					
Wholesale	PI	PI	PI	PI	<u>PI</u>
Retail	-	-	-	-	-
Landscaping Services	S	S	S	-	<u>S</u>
Personal Storage	-	-	-	-	-
Petroleum & Gas Extraction	PI	PI	S	PI	<u>PI</u>
Produce Sales					
Farm Produce Stands	P	P	P	P	<u>P</u>
Agricultural Store, Small	S	S	S	S	<u>S</u>
Agricultural Store, Large	U	U	U	U	<u>U</u>
Professional Services	-	-	-	-	-
Public Services					
Administrative	-	-	-	-	-
Essential	S	S	S	-	-
Quarry Operations	QX	-	QX	QX	<u>QX</u>
Recreation					
Nature Preserve	U	U	-	U	<u>U</u>
Campgrounds	U	U	U	-	<u>U</u>
Indoor Participant	-	-	-	-	-
Indoor Spectator	-	-	-	-	-
Marinas	U	-	-	-	<u>U</u>
Outdoor Entertainment	-	-	-	-	-
Outdoor Sports Clubs	S	-	-	S	<u>S</u>
Parks	U	U	U	-	<u>U</u>
Resorts	S	S	-	-	<u>S</u>
Recycling Services					
Consumer	-	-	-	-	-
Scrap Operations	-	-	-	-	-
Limited Agricultural Recycling	SA	-	-	-	<u>S</u>
Religious Assembly					
Neighborhood	U	U	U	-	<u>U</u>
Community	U	U	U	-	<u>U</u>
Regional	U	U	U	-	<u>U</u>

Research & Laboratory Services	-	-	-	-	<u>-</u>
Retail Sales & Services					
Primary	-	-	-	-	<u>-</u>
Intermediate	-	-	-	-	<u>-</u>
General	-	-	-	-	<u>-</u>
Signs, Off-Premises, *see special use regulations for Off-premises directional signs	P	P	P	-	<u>P</u>
Stables					
Neighborhood	S	U	S	S	<u>S</u>
Commercial	U	U	U	-	<u>U</u>
Transportation Services	-	-	-	-	<u>-</u>
Truck Sales and Services					
Parking*	-	U	-	-	<u>PI/S*</u>
Cleaning	-	-	-	-	<u>-</u>
Stops	-	-	-	-	<u>-</u>
Repairs	-	-	-	-	<u>-</u>
Sales	-	-	-	-	<u>PI/S*</u>
Terminals	-	-	-	-	<u>-</u>
LNG truck fueling stations	-	-	-	-	<u>-</u>
Utility Services					
Minor	P	P	P	P	<u>P</u>
Major	S	S	S	S	<u>S</u>
Veterans Organizations*	S	S	S	-	<u>S</u>
Water Storage	U	-	-	U	<u>U</u>
Wholesaling & Distribution					
Light	-	-	-	-	<u>-</u>
Heavy	-	-	-	-	<u>-</u>
Wineries and Wine Cellars					
Wine Cellar, Off-Site	S	-	-	S	<u>S</u>
Winery, Large and Medium*	U*	-	-	U	<u>U</u>
Winery, Boutique and Small	S	S	-	S	<u>S</u>

(Ord. 3675; 3697; 3715; 3756; Ord. 3843, § 5, 1995; Ord. 3872, § 11, 1996; Ord. 3911, § 6, 1997; Ord. 3931, § 7, 1997; Ord. 3399, § 6, 1998; Ord. 4013, § 6, 1999; Ord. 4059, § 10, 2000; Ord. 4106, § 5, 2001; Ord. 4115, § 6, 2001; Ord. 4127, § 5, 2001; Ord. 4134, § 5, 2002; Ord. 4155, § 5, 2002; Ord. 4181, § 5, 2002; Ord. 4255, § 4, 2005; Ord. 4367, § 1, 2009; Ord. 4368, §§ 15, 16, 2009; Ord. No. 4385, § 10, 1-12-2010; Ord. No. 4404, § 2, 12-14-2010; Ord. No. 4420, § 2, 12-13-2011; Ord. No. 4440, § 6, 8-13-2013; Ord. No. 4471, § 17, 12-15-2015; Ord. No. 4531, § 4, 5-21-2019; Ord. No. 4540, § 5, 10-8-2019)

TABLE; 9-605.3 ACCESSORY USES & STRUCTURES IN AGRICULTURAL ZONES

Legend:					
P Permitted Use					
PI Permitted Use With Improvement Plan					
S Use Permitted Subject to Site Approval					
U Use Permitted Subject to Use Permit					
- Use Not Permitted					
Accessory Use or Structure	Agricultural Zones				
	AG	AL	AU	ARM	AI
Accessory Dwelling Unit	P	P	P	-	<u>P</u>
Antennae, Radio/TV Dish	P	P	P	P	<u>P</u>
Barn	P	P	P	P	<u>P</u>
Biomass Energy Production For Use On Premises	S	S	S	S	<u>S</u>
Boathouse, Private: One per Lot	P	P	P	P	<u>P</u>
Commercial Coach	P	P	P	-	<u>P</u>
Coop	P	P	P	P	<u>P</u>
Distilled Spirits Storage, Large Winery	P	-	-	-	<u>P</u>
Dock, Private: One per Lot	P	P	P	P	<u>P</u>
Firewood Sales: Grown On-site or Within a Five (5) Mile Radius of the Premises	P	P	P	P	<u>P</u>
Garage, Private: For up to Three (3) Vehicles	P	P	P	P	<u>P</u>
Greenhouse, Private	P	P	P	P	<u>P</u>
Guesthouse	P	P	P	P	<u>P</u>
Horse Raising	P	P	P	P	<u>P</u>
Packing Shed, Private	P	P	P	P	<u>P</u>
Pet Grooming	PI	PI	-	-	<u>PI</u>
Pet Training	P	P	-	P	<u>P</u>
Pump/Pumphouse	P	P	P	P	<u>P</u>
Second Unit Dwelling	P	P	P	P	<u>P</u>
Silo	P	P	P	P	<u>P</u>
Stable, Private	P	P	P	P	<u>P</u>
Storage Building, Private	P	P	P	P	<u>P</u>
Swimming Pool & Equipment	P	P	P	P	<u>P</u>
Truck Parking, Agricultural	S	S	S	S	<u>S</u>
Water Storage Facility	P	P	P	P	<u>P</u>
Wind Machine, Private	P	P	P	P	<u>P</u>
Wine Tasting Room at a Wine Cellar, Off-Site	P	-	-	P	<u>P</u>
Wine Tasting Room at a Winery, All Sizes	P	-	-	P	<u>P</u>

Workshop/Hobby Shop	P	P	P	P	<u>P</u>
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(Ord. 3675; 3697; Ord. 3998, § 1, 1998; Ord. No. 3999, § 6, 10-27-1998; Ord. 4106 § 6, 2001; Ord. 4115 § 7, 2001; Ord. 4368, § 17, 2009; Ord. No. 4385, § 12, 1-12-2010; Ord. No. 4486, § 2, 9-13-2016; Ord. No. 4568, § 5, 1-26-2021)

TABLE 9-605.4

TEMPORARY USES & STRUCTURES IN AGRICULTURAL ZONES

Legend:					
AX Permitted Subject to Agricultural Excavation Permit					
P Permitted Use					
PI Permitted Use With Improvement Plan					
S Use Permitted Subject to Site Approval					
U Use Permitted Subject to Use Permit					
- Use Not Permitted					
MP Permitted Subject to Mobile Home Permit					
(M) Permit Type Unique to Mountain House Community					
Temporary Use or Structure	Agricultural Zone				
	AG	AL	AU	ARM	AI
Auction, Agricultural Machinery	PI	PI	PI	PI	<u>PI</u>
Auction, Livestock	S	S	S	S	<u>S</u>
Batch Plant	U	-	-	-	<u>U</u>
Boutique Sales (Limit: 2 consecutive days, twice per year)	P	P	P	P	<u>P</u>
Carnival/Circus	U	U	U	-	<u>U</u>
Caretaker Mobile Home	-	-	-	-	<u>-</u>
Christmas Tree Sales	PI	PI	PI	PI	<u>PI</u>
Commercial Coach	PI	PI	PI	PI	<u>PI</u>
Corporation Yard	PI	PI	PI S(M)	-	<u>PI</u>
Farmer's Market	S	S	S	-	<u>S</u>
Garage Sale (Limit: 2 consecutive days, twice per year)	P	P	P	P	<u>P</u>
Halloween Pumpkin Sales	PI	PI	PI	PI	<u>PI</u>
Motion Picture Filming	P	P	P	P	<u>P</u>
Public Display of Fireworks*	IP	IP	IP	IP	<u>IP</u>
Special Outdoor Event	PI	PI	PI	PI	<u>PI</u>
Special Indoor Event	PI	PI	PI	PI	<u>PI</u>
Subdivision Sales Office	-	-	-	-	<u>-</u>
Temporary Building Incidental to Construction Works	P	P	P	P	<u>P</u>
Temporary Farm Employee Housing	PI	-	-	PI	<u>PI</u>
Temporary Mobile Home	MP	MP	MP	MP	<u>MP</u>

Tent Revival	U	U	U	-	<u>U</u>
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(Ord. 3675; 3697; 3715; Ord. 3832, § 14, 1995; Ord. 3843, § 15, 1995; Ord. 4059, § 11, 2000; Ord. 4106, § 7, 2001; Ord. No. 4385, § 13, 1-12-2010; Ord. No. 4508, § 2, 6-6-2018)

Section 4. Section 9-405.5(h) and Table 9-405.2 of Division 4 of Title 9 of the San Joaquin County Ordinance Code is hereby amended to read as follows:

CHAPTER 9-405 COMMERCIAL ZONES: USE REGULATIONS

9-405.1 INTENT.

The intent of this Chapter is to specify the range of uses and structures allowed in the commercial zones, consistent with the policies of the General Plan.

(Ord. 3675)

9-405.2 PERMITTED USE TYPES.

Permitted, not permitted, and conditionally permitted use types are set forth in Table 9-405.2. Additional uses may be permitted as set forth in Section 9-405.5. Use types are described in Chapter 9-115.

(Ord. 3675; 3790)

9-405.3 EXPANSION OF USES AND STRUCTURES.

Uses or structures that require discretionary review may be expanded with an Improvement Plan, provided the following conditions are met:

- (a) The proposed expansion of a structure involves less than a twenty-five percent (25%) increase in floor area covered by the existing use; and
- (b) The proposed expansion involves less than a ten percent (10%) increase in the overall site area covered by the existing use; and
- (c) The proposed expansion, in the opinion of the Director, will not have a substantial, adverse effect on adjacent property; and
- (d) The proposed expansion will comply with existing requirements of agencies having jurisdiction and any other appropriate regulatory agency; or
- (e) Where conditions in Subsections (a) through (d) of this Section are not met, the

level of review for the expansion shall be the same as the level of review required in Table 9-405.2.

(Ord. 3675; Ord. 3872, § 17, 1996)

9-405.4 TEMPORARY USES AND STRUCTURES.

Permitted, not permitted, and conditionally permitted temporary uses and structures are set forth in Table 9-405.4. Temporary uses or structures not specifically listed in Table 9-405.4 may be allowed, subject to approval of an Improvement Plan pursuant to Chapter 9-884.

(Ord. 3675; 3739)

9-405.5 SPECIAL USE REGULATIONS IN COMMERCIAL ZONES.

In addition to the provisions of Sections 9-405.2 through 9-405.4, the following regulations shall apply to commercial zones:

- (a) Unless the use type is more restrictive, a Site Approval (Section 9-818) is required for any commercial use that is:
 - (1) Six thousand (6,000) square feet or greater in ground floor area;
 - (2) Occupies ten (10) or more acres of site area; or
 - (3) Not served by a public wastewater treatment plant, public water system, and a public drainage system.
- (b) Outdoor goods displays or storage of greater than one-hundred (100) square feet in area shall require a Site Approval, unless a more restrictive review method is required for the use type. Outdoor goods displays of one-hundred (100) square feet or less shall be permitted provided the following provisions are met:
 - (1) The display shall be on private property;
 - (2) No pedestrian, handicapped, or vehicle access shall be blocked;
 - (3) No required parking space shall be used or blocked;
 - (4) No part of the display shall consist of moving parts, flashing lights, or other elements that could pose a traffic safety distraction; and
 - (5) An outdoor goods display shall only be on display during the business hours of the establishment.

- (c) Any change in an existing use to a new use which requires either a Use Permit, a Site Approval, or an Improvement Plan shall be permitted without a Use Permit, Site Approval, or Improvement Plan, provided the Review Authority finds that the proposed use is less detrimental to, or will have no greater impact in, the zone than the existing use.
- (d) Uses allowed in the Limited Industrial (I-L) and General Industrial (I-G) zones may be allowed in Commercial zones, excluding Neighborhood Commercial (C-N) and Commercial Recreation (C-R) zones, under the following conditions:
 - (1) The Commercial zone is immediately adjacent to the Industrial zone;
 - (2) The uses are located in a "transition area" between the two (2) zones that is designated in an adopted Special Purpose Plan;
 - (3) The specific uses that may be allowed in the "transition area" must conform with the use regulations of the particular Industrial and Commercial zones that are located adjacent to each other;
 - (4) The specific uses that may be allowed must be based upon land use plans and criteria included in an adopted special purpose plan;
 - (5) A full range of public services is provided to all of the properties.
- (e) In the C-N, C-C, C-O and C-RS zones, residential development may be conditionally permitted with an approved Site Approval application if accessory to the commercial use, such as a caretaker residence or apartments above a commercial use. Such residential uses shall meet General Plan density requirements.
- (f) Truck Sales in the C-FS zone shall be limited to areas where there are both existing truck fuel sales and existing significant ancillary truck service related establishments and shall be further limited to used commercial trucks five (5) tons or larger (new commercial truck sales prohibited) and a maximum of ten (10) commercial trucks shall be in inventory and/or displayed at any given time.
- (g) Public Displays of Fireworks. An Improvement Plan shall be required for all public displays of fireworks and are subject to the following regulations:
 - (1) An Improvement Plan shall be approved a minimum of two (2) weeks prior to the proposed public display of fireworks. An approved Operational Fire permit shall be submitted with every Improvement Plan.
 - (2) All property owners of parcels adjacent to the parcel(s) approved by the Improvement Plan shall be notified of the details of the public display of fireworks which shall include the date of the event, time of event, and length

of time for the fireworks display. The Community Development Department shall notify property owners in writing a minimum of one (1) week prior to the public display of fireworks date.

- (3) The Community Development Department shall notify the appropriate Municipal Advisory Council in writing a minimum of one (1) week prior to the public display of fireworks date if a public display of fireworks is proposed on a parcel located within a Municipal Advisory Council district.
- (h) Truck Sales and Services. The following Truck Sales and Services uses; Parking, Cleaning, Repairs, and Sales may be conditionally permitted in the C-G zone subject to the following criteria:
 - (1) Parcels utilized for any of the Truck Sales and Services uses identified above shall be located within a ½ mile radius of an interchange that includes an interstate or state highway.

(Ord. 3703, 3756, 3790; Ord. 4301, § 2, 2006; Ord. 4317, § 1, 2007; Ord. No. 4399, § 3, 9-14-2010; Ord. No. 4508, §2, 6-6-2018)

9-405.6 ENTERPRISE ZONES.

Applications for commercial development projects located in an Enterprise Zone, as designated by the State of California, normally processed under the Public Hearing Review Procedure in Chapter 9-220, shall be processed under the Staff Review with Notice Procedure in Chapter 9-215.

(Ord. 3715)

9-405.7 CROSSROADS COMMERCIAL ZONE.

A Site Approval application shall be required for the Equipment Sales and Repair, Leisure use type in the Crossroads Commercial (C-X) zone. All Site Approval applications for Boat and Recreational Vehicle storage facilities shall be located within a one mile radius of a navigable waterway situated within the San Joaquin County Delta region.

(Ord. 4047, § 5, 1999)

TABLE 9-405.2 USES IN COMMERCIAL ZONES

<p>Legend:</p> <p>P Permitted Use, Except as Specified by Note</p> <p>PI Permitted Use With Improvement Plan, Except as Specified by Note S Use Permitted Subject to Site</p>
--

Approval

SP Use Permitted Subject to Special Purpose Plan U Use Permitted Subject to Use Permit

QX Use Permitted Subject to Quarry Excavation Permit

- Use Not Permitted

Note:

See Section 9-405.5 for Special Use Regulations in a Commercial Zone.

Use Types	C-L	C-N	C-C	C-O	C-G	C-FS	C-RS	C-R	C-X
Residential Use Types									
Family Residential									
Single-Family	-	-	-	-	-	-	-	-	-
Two-Family	-	-	-	-	-	-	-	-	-
Small Multi-Family	-	-	-	-	-	-	-	-	-
Large Multi-Family	-	-	-	-	-	-	-	-	-
Farm Employee Housing	-	-	-	-	-	-	-	-	-
Small	-	-	-	-	-	-	-	-	-
Large	-	-	-	-	-	-	-	-	-
Group Care									
Small	P	P	P	P	P	P	P	P	P
Large	PI	-	PI	PI	PI	-	-	-	-
Adult Day Care	-	U	U	-	U	-	U	SP	-
Farm Related	-	-	-	-	-	-	-	-	-
Group Residential	-	-	-	-	-	-	-	-	-
Mobile Home Park	-	-	-	-	-	-	-	-	-
Emergency Shelters									
Small	-	-	-	P	P	-	P	-	-
Large	-	-	-	PI	PI	-	-	-	-
Single-Room Occupancy	-	-	-	-	-	-	-	-	-
Veterans Supportive Housing	-	-	-	-	-	-	-	-	-
Nonresidential Use Types									
Administrative Offices	-	PI	PI	PI	PI	-	PI	-	-
Administrative Support Services	-	S	PI	PI	PI	-	PI	-	-
Adult Entertainment	-	-	-	-	PI	-	-	-	-
Aerial Services									
Farm	-	-	-	-	-	-	-	-	-
Heliport	-	-	-	-	U	-	-	SP	-
Agricultural Organizations	-	PI	PI	PI	PI	-	PI	-	-
Agricultural Processing									
Preparation Services	-	-	-	-	-	-	-	-	-

Food Manufacturing	-	-	-	-	-	-	-	-	-
Agricultural Sales									
Feed and Grain	-	-	-	-	U	-	U	-	U
Agricultural Chemicals	-	-	-	-	-	-	-	-	-
Agricultural Warehousing	-	-	-	-	-	-	S	-	S
Agricultural Wastes	-	-	-	-	-	-	-	-	-
Animal Feeding and Sales	-	-	-	-	-	-	-	-	-
Animal Raising									
Exotic Animals	-	-	-	-	-	-	-	-	-
General	-	-	-	-	-	-	-	-	-
Hogs	-	-	-	-	-	-	-	-	-
Small Animals	-	-	-	-	-	-	-	-	-
Family Food Production	-	-	-	-	-	-	-	-	-
Educational Animal Project	-	-	-	-	-	-	-	-	-
Zoo	-	-	-	-	-	-	-	U	-
Petting Zoo	-	-	-	-	-	-	-	U	-
Animal Specialty Services									
Farm	-	-	-	-	-	-	U	-	S
Pet	-	S	S	-	S	-	S	-	-
Kennels	-	-	-	-	U	-	U	-	-
Kennels, Small Breeding	-	-	-	-	S	-	S	-	-
Auction Sales									
Indoor	-	-	S	S	S	-	S	-	-
Outdoor	-	-	S	-	S	-	S	-	-
Automotive Sales and Services									
Automotive Rentals	-	-	S	-	S	S	-	-	-
Automotive Repairs, Light	-	-	S	-	S	-	S	-	-
Automotive Repairs, Heavy	-	-	-	-	S	-	S	-	-
Automotive Sales	-	-	S	-	S	-	S	-	-

Legend:

P Permitted Use, Except as Specified by Note

PI Permitted Use With Improvement Plan, Except as Specified by Note S Use Permitted Subject to Site Approval

SP Use Permitted Subject to Special Purpose Plan U Use Permitted Subject to Use Permit

QX Use Permitted Subject to Quarry Excavation Permit

- Use Not Permitted

Note:

See Section 9-405.5 for Special Use Regulations in a Commercial Zone.

Use Types	C-L	C-N	C-C	C-O	C-G	C-FS	C-RS	C-R	C-X
Cleaning	-	S	S	-	S	S	S	-	-
Inoperable Vehicle Storage	-	-	-	-	-	-	-	-	-
Operable Vehicle Storage	-	-	-	-	S	-	-	-	-
Parking	-	S	S	S	S	S	S	SP	-
Building Maintenance Services	-	-	PI	-	PI	-	PI	-	-
Child Care Services									
Family Day Care Homes	P	P	P	P	P	P	P	P	P
Child Care Centers	-	S	S	S	S	-	S	SP	-
Commercial Cannabis									
Cultivation	-	-	-	-	-	-	-	-	-
Distribution	-	-	-	-	-	-	-	-	-
Manufacturing		-	-	-	-	-	-	-	-
Retail Sales		-	U/SP	-	U/SP	-	-	-	-
Laboratory Testing	S/SP	S/SP	S/SP	S/SP	S/SP	-	S/SP	S/SP	-
Communication Services									
Type I	PI	PI	PI	PI	PI	PI	PI	PI	PI
Type II	S	S	S	S	S	S	S	S	S
Type III	-	-	-	-	-	-	-	-	-
Type IV	-	-	S	S	PI	-	-	-	-
Community Assembly	-	S	S	S	S	-	S	SP	-
Construction Sales	-	-	U	-	PI	-	S	-	-
Construction Services									
Light	-	-	-	-	S	-	S	-	-
Heavy	-	-	-	-	-	-	-	-	-
Crop Production	P	P	P	P	P	P	P	P	P
Cultural & Library Services	-	PI	PI	PI	PI	-	PI	-	PI
Custom Agricultural Manufacturing	-	-	-	-	-	-	-	-	-
Custom Manufacturing	-	-	PI	-	PI	-	PI	SP	-
Dairies	-	-	-	-	-	-	-	-	-
Eating Establishments									
Convenience	S	PI	PI	PI	PI	S	PI	SP	S
Full Service	-	PI	PI	PI	PI	S	PI	SP	S
Educational Services									
Commercial	-	S	S	S	S	-	S	-	-
General	-	S	S	S	S	-	S	-	S
Equipment Sales & Repair									
Farm Machinery, Sales	-	-	-	-	S	-	S	-	S
Farm Machinery, Repair	-	-	-	-	-	-	S	-	S
Heavy Equipment	-	-	-	-	-	-	-	-	-
Leisure	-	-	S	-	S	S	S	SP	S

Aircraft	-	-	-	-	-	-	-	-	-
Explosives Handling	-	-	-	-	-	-	-	-	-
Farm Services	-	-	-	-	-	-	S	-	S
Funeral & Interment Services									
Cemeteries	-	-	-	-	-	-	-	-	-
Interring & Cremating	-	-	-	-	S	-	S	-	-
Undertaking	-	-	PI	-	PI	-	S	-	-
Gasoline Sales									
Service	-	S	S	-	S	S	S	SP	S
Combination	U	S	S	-	S	S	S	SP	S
General Industrial									
Limited	-	-	-	-	-	-	-	-	-
Intermediate	-	-	-	-	-	-	-	-	-
Heavy	-	-	-	-	-	-	-	-	-
Hazardous Industrial	-	-	-	-	-	-	-	-	-
High Technology Industry	-	-	-	-	-	-	-	-	-
Laundry Services	-	-	-	-	S	-	-	-	-
Liquor Sales									
On-Premises	S	S	S	S	S	S	S	SP	S
Off-Premises	S	S	S	-	S	-	S	SP	S
Lodging Services									
Bed & Breakfast	-	-	S	-	S	S	S	S	-
Motel	-	-	S	-	S	S	S	SP	-
Major Impact Services	-	-	-	-	-	-	-	-	-
Medical Services	-	S	PI	PI	PI	-	PI	-	-
Nursery Sales & Services									
Wholesale	-	-	-	-	S	-	S	-	-
Retail	-	S	PI	-	PI	-	PI	-	S
Landscaping Services	-	-	S	-	S	-	S	-	-
Personal Storage	-	-	S	-	PI	-	S	-	S
Petroleum & Gas Extraction	U	U	U	U	U	U	U	U	U
Produce Sales									
Produce Stand	-	-	-	-	-	-	-	-	-
Agricultural Store, Small	S	S	S	S	S	S	S	S	S
Agricultural Store, Large	U	U	U	U	U	U	U	U	U
Professional Services	S	PI	PI	PI	PI	-	PI	-	-
Public Services									
Administrative	-	PI	PI	PI	PI	PI	PI	-	-
Essential	S	S	S	S	S	S	S	S	S
Quarry Operations	-	-	-	-	-	-	-	QX	-
Recreation									
Campgrounds	-	-	-	-	-	U	-	SP	-
Indoor Participant	-	S	S	-	S	-	S	SP	-

Indoor Spectator	-	-	U	-	U	-	-	SP	-
Marinas	-	-	U	-	U	-	-	SP	-
Outdoor Entertainment	-	-	U	-	U	-	-	SP	-
Outdoor Sports Clubs	-	-	-	-	-	-	-	SP	-
Parks	-	-	S	S	S	S	S	SP	-
Resorts	-	-	-	-	-	-	-	SP	-
Recycling Services									
Consumer	-	PI	PI	-	PI	PI	PI	PI	-
Scrap Operations	-	-	-	-	-	-	-	-	-
Limited Agricultural Recycling	-	-	-	-	-	-	-	-	-
Religious Assembly									
Neighborhood	-	S	S	S	S	-	S	-	S
Community	-	-	U	U	U	-	U	-	U
Regional	-	-	U	U	U	-	-	-	-
Research & Laboratory Services	-	-	-	-	S	-	-	-	-
Retail Sales & Services									
Primary	PI	PI	PI	PI	PI	S	PI	SP	S
Intermediate	-	PI	PI	-	PI	-	PI	-	S
General	-	-	S	-	S	-	U	-	-
Signs, Off-Premises	-	-	S	-	S	S	S	-	-
Stables									
Neighborhood	-	-	-	-	-	-	U	-	-
Commercial	-	-	-	-	-	-	U	SP	-
Transportation Services	-	-	-	-	S	-	S	-	-
Truck Sales and Services									
Parking	-	-	-	<u>S</u>	-	-	-	-	-
Cleaning	-	-	-	<u>S</u>	-	S	-	-	-
Stops	-	-	-	-	-	U	-	-	-
Repairs	-	-	-	<u>S</u>	-	-	-	-	-

Sales*	-	-	-	<u>S</u>	S	U	-	-	-
Terminals	-	-	-	-	-	-	-	-	-
LNG Truck Fueling Stations	-	-	-	-	-	-	-	-	-
Utility Services									
Minor	P	P	P	P	P	P	P	P	P
Major	S	S	S	S	S	S	S	S	S
Veterans Organizations	-	S	S	S	S	-	S	SP	-
Water Storage	-	-	-	-	-	-	-	-	-
Wholesaling & Distribution									

Light	-	-	-	-	S	-	S	-	-
Heavy	-	-	-	-	-	-	-	-	-
Wineries and Wine Cellars									
Wine Cellar, Off-Site	-	-	S	-	S	-	S	-	-
Winery, All Sizes	-	-	-	-	-	-	-	-	-

Section 5. 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 25th of January 2022 to wit:

AYES: **Villapudua, Patti, Rickman, Winn**

NOES: **Miller**

ABSENT: **None**

ABSTAIN: **None**

Charles Winn

CHARLES WINN
 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

Rachél DeBord

