

APPENDIX 1-A

DEFINITIONS

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Note: Definitions particular to certain subjects are found within the Chapter or Appendix pertaining to that subject, i.e. Jobs/Housing Programs or the Habitat Management Plan.

A

Above Moderate
Income Household.

“Above Moderate Income Household” means a household whose income exceeds 120% of the AMI, with adjustments for smaller or larger families.

Additional Town
Center Unit.

“Additional Town Center Unit” means a dwelling unit which provides affordable housing opportunities for low income and medium income persons in the Town Center of the Mountain House Community and which is not included in the calculations of residential densities as specified by the Mountain House Master Plan or by any of the various Specific Plans for the Mountain House Community.

Affordable Housing
Impact Fee.

“Affordable Housing Impact Fee” means the fee assessed against all residential development in Mountain House, except Density Bonus Units, Additional Town Center Units, and second unit dwellings, which is used to generate revenues for the Mountain House Housing Trust Fund (MHHTF).

Agency.

“Agency” means a public entity empowered to provide those services necessary to support a particular development.

Agricultural Operation.

“Agricultural Operation” means any land-related activity for the purpose of cultivating or raising plants or animals or conserving or protecting lands for such purposes when conducted on agriculturally zoned lands and is not a surface mining or burrow pit operation.

Agriculture.

“Agriculture” means the growing of crops of food or fiber and/or the raising of animals for commercial purposes.

Alley. "Alley" means a secondary means of access to property which is located at the rear or side of the property.

Architectural Guidelines. "Architectural Guidelines" means a policy statement providing recommendations for the design of buildings and other structures, such as height, bulk, form, color and texture.

Area Median Income. "Area Median Income or AMI" means the estimated 1997 San Joaquin County Median household income provided by the United States Department of Housing and Urban Development (HUD).

Available Housing. "Available Housing" means the cumulative number of housing units built in Mountain House at any given time.

B

Basin, Detention. "Detention Basin" means a drainage pond with metered outlet facilities for terminal drainage which is capable of storing a required storm water runoff volume and of emptying through the outlet facilities over a specified time.

Basin, Retention. "Retention Basin" means a drainage pond with no outlet facilities for terminal drainage which is capable of storing the required storm water runoff volume and of emptying through percolation and evaporation over a specified time.

Best Case Ratios. "Best Case Ratios" mean the projected improvements in the Jobs/Housing ratios from the end of Specific Plan I to project buildout.

C

Community Services District (CSD). "Community Services District" or "CSD" means the Mountain House Community Services District or a similar Community Services District established by the County to administer and to provide certain services and infrastructure for the inhabitants of Mountain House.

Community Wall. "Community Wall" means walls which adjoin major public streets, parks, public use area and community entrances. Community walls are intended to provide protection from roadway and other noise, privacy and security. Community walls are constructed of masonry or other permanent, durable, low maintenance materials.

County. "County" means the County of San Joaquin.

D

Density Bonus Unit.	“Density Bonus Unit” means an additional residential dwelling unit which is not included in the calculations of residential densities specified by the Mountain House Master Plan or by any of the various Specific Plans for the Mountain House Community and which is part of a residential development that meets the requirements for receiving a density bonus specified by the County’s Development Title.
Density, Maximum Neighborhood.	“Maximum Neighborhood Density” means the ratio of the maximum number of residential units by land use category to the total number of acres in that land use category. (Note: The total number of acres in each land use category includes residential areas, local and collector streets, neighborhood entries, and private recreational facilities; it excludes other street rights-of-way, major utility easements, railroad rights-of-way, designated creek corridors and wetland areas, and other designated land use areas.)
Density, Minimum Neighborhood.	“Minimum Neighborhood Density” means the ratio of the minimum number of residential units by land use category to the total number of acres in that land use category.
Density Range, General Plan.	“General Plan Density Range” means the range of density allowed for individual project within a given land use district.
Development.	“Development” means the division of a parcel of land into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure; excavation, or land disturbance; and any use or extension of the use of the land.
Development Agreement.	“Development Agreement” means contracts established between the County and the master developer or other developers of Mountain House.
Development Permit.	“Development Permit” means any ministerial or discretionary permit required for a project, excluding General, Master or Specific Plans or amendments, Special Purpose Plans or amendments, ordinance text changes, and rezonings. (Note: See Chapter Seventeen: Implementation for exceptions to the term First Development Permits).

Development Title. “Development Title” or “the San Joaquin County Development Title”, means Title 9 or the Ordinance Code of San Joaquin County which contains regulations regarding development, such as use restrictions, subdivision creation, and infrastructure provision.

Discretionary Permit. “Discretionary Permit” means a development permit requiring environmental review (as opposed to a “Ministerial” permit which is not subject to environmental review.) and involving some discretion on the part of the review authority to approve, deny, or to attach conditions to the permit.

Dwelling Unit. “Dwelling Unit” means any building or portion thereof containing living facilities, including provisions for sleeping, eating, cooking, and sanitation for no more than one family, and having only one (1) kitchen.

E

Environmental Impact Report (EIR). “Environmental Impact Report” or “EIR” means the public document used by the governmental agency to analyze the significant environmental effects of a proposed project, to identify alternatives, and to disclose possible ways to reduce or avoid the possible environmental damage.

Extra Allowable Units. “Extra Allowable Units” means second unit dwellings and residential units permitted and encouraged in the town center and R/H areas, which provide affordable housing for low income and very low income households, plus other second unit dwelling permitted and encouraged in all neighborhoods of the community, that are included in Planned Units but excluded in calculations relative to neighborhood minimum and maximum densities and General Plan Densities.

F

Fair Share. “Fair Share” means the community’s financial obligation for a study, service, or improvement that is necessary to accommodate the development of Mountain House.

Final Map. “Final Map” refers to the map or recording instrument for Major Subdivisions of land a described in Chapter 9-910. The final map must be in substantial compliance with the approved tentative map. A final map filed with the County Recorder may also be used to

effect an approved tentative map for a Minor Subdivision at the option of either the subdivider or the County.

Flood Hazard. “Flood Hazard” means the danger of damage to persons or property from overflow water resulting from a one hundred (100) year flood or from the accumulation or flow of water determined to be hazardous by the Floodplain Administrator.

Floodway. “Floodway” means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the one-hundred (100) year flood without cumulatively increasing the water surface elevation more than one (1) foot. “Floodway” also means the floodway shown on the Flood Insurance Maps.

Focus Area. “Focus Area” means an area within Mountain House that is critical to community character and requires an addition level of design study before construction. Focus Areas include Village Centers, Neighborhood Centers, the Central Commercial area and the freeway service commercial area. For such areas, Special Purpose Plans are required prior to the approval of Development Permits.

G

General Plan. “General Plan” means the official document consisting of maps and text adopted by the County as a policy guide to decisions pertaining to the physical development of the County. It is the County’s statement of goals, policies, and actions necessary for orderly development and growth and thereby serves as a guide for many public decisions, especially land use changes, preparation of capital improvement programs, enactment of development regulations, and imposition of impact fees.

General Plan Amendment (GPA). “General Plan Amendment” or “GPA” means an amendment to the adopted General Plan, requiring a formal application and subject to the County’s public hearing process.

Goal. “Goal” means a statement that sets an overall direction for planning efforts and represents an ideal future end, condition or state related to the public health, safety or general welfare toward which planning and planning implementation measures are directed.

H

Home Occupation.	“Home Occupation” means any occupation which is conducted within a dwelling, is clearly incidental and secondary to the use of the dwelling for dwelling purposes, and does not change the residential character or use of the dwelling.
Homeowner’s Association.	“Homeowner’s Association” means a community association, composed of individual owners of a development which is created for the purpose of holding title to common property, managing and maintaining the common property, and enforcing certain covenants and restrictions for the overall benefit of its members.
Housing Trust Fund.	“Housing Trust Fund” means the mechanism created to apply fee revenues to the affordable housing needs in Mountain House. An affordable housing fee assessed against all residential development in Mountain House will generate revenues for the trust fund.

I

Implementation Measure.	“Implementation Measure” means an action, procedure, program or technique that carries out a policy. Implementation measures typically spell out required actions or approvals, programs, timing, or similar requirements.
Improvement Plans.	“Improvement Plans” means plans, profiles, specifications, and engineer’s estimates of improvement cost, and all necessary details of the improvement proposed for installation or modifications.
Improvements.	“Improvements” means infrastructure facilities required to serve development projects, and buildings, structures, landscaping or other elements constructed as part of a development project. “Improvements” shall also mean such specific facilities the installation of which is necessary or desirable to ensure conformity to or implementation of the County General Plan or Specific Plans.
Infrastructure.	“Infrastructure” means facilities needed to sustain industrial, residential, and commercial activities, including water, drainage, and sewer lines; streets and roads; communications; and public facilities and other underground utilities. Roadway improvements may include, but not be limited to, grading, pavements, curbs and gutters, sidewalks, driveways bridges, traffic signals, roadway

lighting, signs, or roadway landscaping. Drainage improvements may include, but not be limited to, main pipelines, culverts, drainage inlets, connector pipes, manholes, channels, ponds, ditches, and appurtenances. Wastewater improvements may include, but not be limited to, wells, main pipelines, service laterals, manholes, cleanouts, and appurtenances. Water improvements may include, but not be limited to, main pipelines, service laterals, valves, meters, hydrants, and appurtenances.

J

Jobs/Housing Ratio. “Jobs/Housing Ratio” means the ratio of required housing to available housing.

K

L

Land Area, Net. “Net Land Area” means the gross lot area of a site, less the land area required for Arterial and Collector streets, and major utility easements.

Low Income Household. “Low Income Household” means a household whose income is between 51% and 80% of the AMI, with adjustments for smaller and larger families.

Lower Income Household. “Lower Income Household” means a household whose income does not exceed 80% of the AMI, with adjustments for smaller and larger families.

M

Major Impact Facility. “Major Impact Facility” means land intensive activities that must be located away from concentrations of people due to the magnitude or nature of the operation’s impact on the surrounding area, such as wastewater treatment plants and sanitary landfills.

Marina. “Marina” means a facility for storing, servicing, fueling, berthing, and securing of pleasure boats and which may include eating, sleeping, and retail facilities for owners, crews, and guests.

Minimum Ratio. “Minimum Ratio” means the ratio of required housing to available housing, where housing in a given year is compared to available housing three years earlier.

Moderate Income Household. “Moderate Income Household” means a household whose income is between 81% and 120% of the AMI, with adjustments for smaller and larger families.

Mountain House Housing Trust Fund. “Mountain House Housing Trust Fund” or “MHHTF” means the fund established by the County to receive revenues generated by applying the Affordable Housing Impact Fee to residential units that are to be constructed in Mountain House.

N

Nature Preserve. “Nature Preserve” means an outdoor area involving a large amount of land in its agricultural, or its improved semi-natural appearing state, including areas set aside for wildlife habitat and wetlands, that is used for limited impact recreational activities such as hiking, picnicking, fishing, or bird watching, etc.

Neighborhood. “Neighborhood” means one of the 12 areas planned for residential development and for residential-serving uses that may include a K-8 school, a Neighborhood Park, a Neighborhood Commercial area, a Community Commercial area or Village Center, and a Community Park.

Neighborhood Center. “Neighborhood Center” means the area located near the center of each family neighborhood, and the Neighborhood K mixed active adult and family neighborhood, and designated for a K-8 school, a Neighborhood Park, a Neighborhood Commercial, and other neighborhood-serving facilities.

O

Objective. “Objective” means language describing a specific end condition that represents an intermediate step to achieving a goal. In the context of this Master Plan, Objectives identify the end condition to be achieved through the application of Policies and Implementation Measures.

P

Parkway.	“Parkway” means the area adjoining the outer edge of the roadbed, extending to the right-of-way line in which sidewalks, plantings, utilities, bank slopes and related facilities may be located.
Pedestrian Way.	“Pedestrian Way” means a right-of-way designed for use by pedestrians and not intended for use by motor vehicles of any kind. A pedestrian way may be located within or outside of street right-of-way, at grade, or grade separated from vehicular traffic.
Phase.	“Phase”, in the context of the first phase of development within the community, means the first Specific Plan within Mountain House.
Planning Agency.	“Planning Agency” means the San Joaquin County Board of Supervisors, the Planning Commission, or the Community Development Department.
Planning Commission.	“Planning Commission” means the Planning Commission of San Joaquin County.
Planning Director.	“Planning Director” means the director of the San Joaquin County Community Development Department.
Policy.	“Policy” means a specific statement that guides decision-making. Each distinguishable topic of importance is introduced with one or more specific policies. These policies are the guidelines upon which the implementation measures are based. As guidelines form the basis for interpreting and adding implementation measures. As a policy they are subject to interpretation by the Board of Supervisors in developing current and future implementations.
Population Serving Jobs.	“Population Serving Jobs” means jobs that will be generated simply because the residential population demands certain services, estimated at 52% of all permanent jobs created in the community.
Project Buildout.	“Project Buildout” means buildout of all expected residential units, all commercial and industrial areas, and all public facilities.
Public Facility Impact Fee.	“Public Facility Impact Fee” means a fee collected generally at the time of building permit issuance to pay for the impacts that will be generated by a residential unit on public facilities. Public facility impact fees include those collected by the MHCS D for water and sewer facilities; storm drainage and flood protection facilities; parks and open space; public safety, communications, and related

facilities; and library, local government buildings, and related facilities. Public facility impact fees also include the Traffic Impact Mitigation Fee (TIMF) for local and regional transportation facilities, and school facility impact fees collected on behalf of elementary and high school districts.

Public Financing Plan. “Public Financing Plan”, or “PFP”, means the companion document to the Master Plan that identifies the financing needed to provide public services, and facilities, and identifies funding alternatives to implement the Master Plan. The PFP is based upon the policies, land use data, public facility and service standards, cost estimates and phasing plans identified in the Master Plan.

Public Services. “Public Services” means public services and public facilities, and the establishment, operation and maintenance of such services and facilities.

Public Services Allocation Agreement. “Public Services Allocation Agreement” means the agreement enacted between San Joaquin County and the Mountain House Community Services District to specify the provision of public services.

Q

R

RWQCB. “RWQCB” means the State Regional Water Quality Control Board for a region as specified in Section 13200 of the Porter-Cologne Water Quality Control Act.

Recreation. “Recreation” means any activity, voluntarily engaged in, which contributes to the physical, mental, or moral development of the individual or group participating therein, and includes any activity in the fields of music, drama, art, handicraft, science, literature, nature study, nature contacting, aquatic sports, and athletics, or any informal play incorporating any such activity.

Recreation Facility. “Recreation Facility” means any building, structure, development, or improvements constructed or used for recreational purposes, whether or not located in a recreation area.

Recycling. “Recycling” means the process by which waste products are reduced to raw materials and transformed into new and often

different products. As it pertains to Chapter 9-1050 only, “recycling” means redirecting or utilizing a hazardous waste or substance from a hazardous waste, and includes recovery of resources from a hazardous waste.

Regional Jobs. “Regional Jobs” means jobs that provide products or services to regional or worldwide populations estimated at less than half of the permanent jobs created in Mountain House.

Required Housing. “Required Housing” means the number of housing units necessary to meet the needs of employees who fill permanent positions in the community, expressed as: $[\text{number of jobs} \div \text{number of employed residents per household}] \times [1 + \text{vacancy rate}]$. It is equivalent to the number of expected housing units.

Residential. “Residential” means places where people live and sleep. The term includes, but is not limited to, single-family dwellings, apartments, institutions, mobile homes, group quarters, hotels and motels, convalescent hospitals and rest homes.

Residential Development. “Residential Development” means a project containing residential dwellings, including mobile homes, consisting of one (1) or more dwelling units, or a subdivision for the purpose of constructing one or more residential dwelling units. Residential development includes, but is not limited to, a preliminary or final development plan, tentative parcel map, use permit, or any other discretionary permit for new residential use.

Right-of-Way. “Right-of-Way” means an easement for the use of roads, water and wastewater facilities, flood and drainage works, overhead and underground utilities, or any related improvements.

Riparian Corridor. “Riparian Corridor” means a strip or generally contiguous area of riparian habitat.

Riparian Habitat. “Riparian Habitat” means the banks and other terrestrial environs of fresh water bodies, watercourses, estuaries, and surface waters whose conditions provide soil moisture sufficiently in excess of that otherwise available through local precipitation to support the growth of mesic vegetation.

Road. “Road” includes streets and highways, both public and private. The terms streets, roads, roadways, and highways are used interchangeably. Road includes the roadbed, all slopes,

shoulders, side ditches, curb, gutters, sidewalks, and all other related facilities within the right-of-way.

Road System. “Road System” means the classification of streets and highways by their diverse functions and design. The General Plan and the Master Plan describe the hierarchy of roads in the County.

Roadbed. “Roadbed” means that portion of the road between curb-faces or between the outside line of improved shoulders

S

School Districts. “School Districts” mean all school districts located in whole or in part within the unincorporated areas of San Joaquin County.

Screening. “Screening” means a method of visually shielding or obscuring one abutting or nearby structure from another by fencing, walls, berms, or densely planted vegetation.

Second Unit Dwelling. “Second Unit Dwelling” means a detached or attached dwelling unit, not including a mobile home, that is located on the same parcel as a primary single family dwelling, is clearly subordinate in size to said primary single family dwelling, and is subject to the requirements specified in the Mountain House Development Title.

Sediment. “Sediment” means any material transported or deposited by water, including soil debris or other foreign matter.

Service Provider. “Service Provider” means an agency designated by the County, the State, or the Local Agency Formation Commission to provide a specified public service to Mountain House.

Sign. “Sign” means any device, structure, or fixture using graphics, symbols, and/or written copy designed specifically for the purpose of advertising, directing attention, or identifying any establishment, product, goods, services, or entertainment.

Sign Area. “Sign Area” means the entire area within a single, continuous, rectangular perimeter enclosing the extreme limits of writing, representation, emblem, or figure of similar character, together with any frame or other material or color forming an integral part of the display or used to differentiate such sign from its surroundings. This excludes the necessary supports or uprights on which such a sign is located.

Site.	“Site” means any lot or parcel of land or combination of contiguous lots or parcels of land, whether held separately or joined together in common ownership or occupancy, where grading is to be performed or has been performed.
Site Furnishings.	“Site Furnishings” means exterior furnishings including but not limited to bus shelters, newspaper stands, benches, drinking fountains, trash urns, mailboxes or other elements.
Specific Plan.	“Specific Plan” means a plan prepared pursuant to Government Code Section 65450 for the systematic implementation of this Master Plan. At Mountain house, the Specific Plan represents a step in the land use entitlement approval process between the Master Plan and the Tentative Map.
Specific Plan Amendment.	“Specific Plan Amendment” means as amendment, prepared in accordance with the procedures specifies in the Development Title, that modifies any of the Specific Plans adopted for the systematic implementation of the Mountain House Master Plan.
Special Purpose Plan.	“Special Purpose Plan” means a plan prepared pursuant to Chapter 9-815 of the County Development Title to facilitate implementation of the General Plan and provide a greater level of detail than is contained in the General Plan. At Mountain House, Special Purpose Plans are required for Focus Areas (see definition) and are expected to address site planning including building locations, parking, circulation, relationship to adjacent areas, landscape design, signage, lighting, site furnishings, and transit facilities.
State.	“State” means the State of California.
Storm Drainage System or Drainage Facility.	“Storm Drainage System or Drainage Facility” means any device or structure used to control the flow of storm water, including, but not limited to, pipes, culverts, ditches, berms, channels, detention basins, retention basins, gutters, curbs, inlets, outlets, outfalls, pavement, and appurtenances.
Storm Water Runoff.	“Storm Water Runoff” means water that results from precipitation which is not absorbed by the soil, evaporated into the atmosphere, or entrapped by ground surface depressions and vegetation, and which flows over the ground surface.

Subarea. “Subarea” means a portion of the total area with a common focus, use, or development plan.

T

Tentative Map. A “Tentative Map” is a map submitted for approval as a Major Subdivision or a Minor Subdivision.

Terminal Drainage (or Terminal Drain). “Terminal Drainage (or Terminal Drain)” means a storm drainage system or a portion thereof which conveys storm runoff into a terminal waterway.

Town Center. “Town Center” means the area intended to serve as the downtown for the Mountain House community and designated for higher intensity development. The Town Center includes the 43-acre mixed use zone as well as surrounding community parks, central commercial, and public areas.

Transportation Demand Management. “Transportation Demand Management”, or TDM, means transportation planning strategies aimed at reducing vehicular travel demand and reducing congestion.

Transportation Management Associations. “Transportation Management Associations”, or TMAs, means private, non-profit organizations run by a voluntary Board of Directors with a typical staff of one. TMAs help employers, developers, building owners, local government representatives and others to collectively establish policies, programs and services which address local transportation problems.

U

Use. “Use” means the purpose for which land or a building is arranged, designed, or intended, or for which either land or a building is or may be occupied or maintained.

Use, Accessory. “Accessory Use” means a subordinate use customarily incidental to and located upon the same lot occupied by a main use.

Utility. “Utility” means electric, communication, natural gas, and cable television facilities including, but not limited to, poles, wires, transformers, conduits, conductors, guys, pipes, meters, vaults,

and all necessary appurtenances “Utility” may also mean the company owning these facilities.

V

Variance. “Variance” means a permit granted to an applicant pursuant to the County Development Title, to allow the applicant’s project to depart from the literal requirements of said Title.

Very Low Income Household. “Very Low Income Household” means a household whose income is 50% or less than the AMI, with adjustments.

Vesting Tentative Map. “Vesting Tentative Map” means any tentative map that, when filed with the County, has conspicuously printed on its face the words “Vesting Tentative Map.” Such a map shall be processed pursuant to the County Development Title.

Village Center. “Village Center” means one of the three community shopping areas of approximately 15 to 20 acres located within the Master Plan neighborhoods.

W

Wastewater. “Wastewater” means any and all waste substances, liquid or solid, associated with human habitation, or which contains or may be contaminated with human or animal excreta or excrement, offal, or any feculent matter.

Wastewater Disposal, On-Site. “On-Site Wastewater Disposal” means treatment and disposal of wastewater within the confines of the same parcel of land as the development. This may include a septic system or other acceptable treatment method.

Wastewater Disposal, System. “Wastewater Disposal System” means any and all portions of a facility which is used or intended to be used for the collection, transport, treatment, and disposal of wastewater.

Wastewater Treatment Plant. “Wastewater Treatment Plant” means those lands, structures and equipment necessary for the processing and disposal of wastewater. It does not include a septic tank.

Water Main or Water Line. “Water Main or Water Line” means the water supply pipe conveying potable water for public use.

Water Quality. “Water Quality” means the chemical, physical, radiological and biological characteristics of water with respect to its suitability for a particular purpose. The same water may be of good quality for one purpose or use, and bad or poor for another, depending upon its characteristics and the requirements for the particular use.

Water System. “Water System” means all wells, pumps, tanks, filters, water treatment equipment, valves, water mains, water service lines, water storage tanks, fire hydrants, fire hydrant piping, and all appurtenances to the system.

Wetland. “Wetland” means an area where either naturally or artificially one or more of the following attributes exist:

- (a) At least periodically, the plants supported by the land are predominantly hydrophytes.
- (b) The substrata is predominantly undrained hydric soil.
- (c) The substrata is nonsoil and is saturated with water or covered by shallow water at some time during the growing season of each year.

X

Y

Yard. “Yard,” except as otherwise provided in the Development Title, means an open space, other than a court, on a lot also occupied by a building. A yard is unoccupied and unobstructed from the ground upward and does not include any portion of any road or alley or road right-of-way.

Yard, Front. “Front Yard” means a yard extending across the front of the lot between the side lot lines, measured from the front lot line to a depth required by the zone in which the lot is situated.

Yard, Rear. “Rear Yard” means a yard extending along the back of the lot between the side lot lines, measured from the rear lot line to a depth required by the zone in which the lot is situated.

Yard, Side. “Side Yard” means a yard extending from the front yard to the rear yard, measured from the side lot line to a width required by the zone in which the lot is situated.

Yard, Street Side. “Street Side Yard” means a yard along a side street extending from the front yard to the rear yard, measured from the side lot line to a width required by the zone in which the lot is situated.

Z

Zone.

“Zone” means a specifically delineated area or district of the unincorporated area of San Joaquin County within which regulations and requirements specified by the Development Title uniformly govern the use, placement, spacing, and size of land and buildings.