

**AMENDMENT NO. 1 TO THE PROFESSIONAL
SERVICES AGREEMENT BETWEEN THE
CITY OF MANTECA AND DENOVO PLANNING GROUP**

This Amendment No. 1 (“Amendment”) to Agreement #C2023-166 (“Agreement”) between the City of Manteca and Denovo Planning Group is made and entered into this ____ day of December 2024, by and between Denovo Planning Group a California corporation (“Consultant”) and the City of Manteca, a municipal corporation (“City”).

RECITALS

A. On December 19, 2023, the City of Manteca approved an Agreement with Consultant to provide professional services for a General Plan Update and Zoning Code Amendment and Rezone..

B. City now desires to amend the Agreement in order to expand the scope, extend the term and increase the dollar of services to be undertaken by the Consultant.

C. Consultant represents that it has the necessary professional skills and experience to satisfactorily provide consulting services in a timely manner.

D. City desires to engage Consultant for the purposes of completing the scope of services identified.

NOW, THEREFORE, the parties hereby agree as follows:

1. Statement of Work. Attachment 1 to the Agreement is hereby amended by adding the tasks set forth in Attachment 1 to this Amendment, attached hereto and incorporated herein by reference, “Statement of Work and Activities #2”.
2. Paragraph 2 of the Agreement is hereby amended to read as follows:

“2. Time of Performance. The services of Consultant are to commence upon execution of this Agreement and shall continue until all authorized work is approved by the City. All such work shall be completed no later than June 30, 2026.
3. Paragraph 3 of the Agreement is hereby amended to read as follows:

“3. Compensation. Compensation to be paid to Consultant shall be in accordance with the Schedule of Charges set forth in Attachment 1, which is incorporated herein by reference. In addition to the Compensation for the Agreement, compensation for Amendment No. 1 services shall in no event exceed \$91,745 (Ninety one thousand seven hundred forty five dollars) without additional authorization from the City. In no event shall total compensation for

work performed pursuant to this Agreement and Amendments No. 1 exceed \$199,425 (One hundred ninety nine thousand four hundred twenty five dollars) without additional authorization from the City. Payment by City under this Agreement shall not be deemed a waiver of defects, even if such defects were known to the City at the time of payment.”

4. Except as otherwise provided in this Amendment, the Agreement shall continue in full force and effect.

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TO EFFECTUATE THIS AMENDMENT, each of the parties has caused this Agreement to be executed by its duly authorized representative as of the date set forth in the introductory paragraph on page 1 above.

CITY OF MANTECA:

CONSULTANT:

Gary Singh,
Mayor

DeNovo Planning Group, Inc

ATTEST:

By: _____

(Signature)

Cassandra Candini-Tilton,
Director of Legislative Services

Beth Thompson, Principal

COUNTERSIGNED:

By: _____

(Signature)

Shay Narayan
Director of Finance

Benjamin Ritchie, Principal

COUNTERSIGNED:

Address:

DeNovo Planning Group
1020 Suncast Lane, Suite 106
El Dorado Hills, CA 95762

Stephanie Van Steyn,
Director of Human Resources

Telephone:

916-580-9818

APPROVED AS TO FORM:

L. David Nefouse, City Attorney

By: _____
Daniella Green, Assistant City Attorney

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STATEMENT OF WORK AND ACTIVITIES #2

Scope of Work

Zoning Code Amendment Background and Approach

De Novo is in the process of preparing amendments to the Zoning Code text and Zoning Map to 1) rezone properties within the City limits to be consistent with the adopted General Plan land use designations, and 2) revise the Zoning Code to reflect the density ranges, allowed uses, and development standards necessary to ensure consistency between the rezoned sites and the adopted General Plan.

This effort included work from separate contracts with the City, including the General Plan Update contract which expired in 2023 and the GPA and Rezoning Agreement which is still active. The General Plan Update contract expired prior to completion of the Zoning Code Amendment task, due to a variety of delays with the General Plan Update project, so those funds are no longer available to partially fund our efforts on the Zoning Code Amendment. Tasks 1 and 2 of the GPA and Rezoning Agreement are complete.

Our work on the GPA and Rezoning Agreement was revised midstream to include several additional tasks (noise modeling for the proposed General Plan Amendment as well as a revision by the City to the Project Description which necessitated changes to all of the completed project materials [Staff Report and attachments, 2043 General Plan Amendment materials, and the Addendum] to address the revised project. These changes were accommodated through billing the additional time to Task 5, Hearings and Presentations.

Since work commenced on the Zoning Code Amendment, the City's 6th Cycle Housing Element has been adopted. The 6th Cycle Housing Element includes a number of items that can be addressed through the Zoning Code Amendment. There are also multiple General Plan actions that call for changes to the Zoning Code, in addition to those changes necessary to bring the Zoning Code into consistency with the General Plan.

To assist the City with implementation of the General Plan, including time-sensitive Housing Element programs, De Novo proposes to amend the Zoning Code Amendment and Rezone scope of work to separate the Zoning Code Amendment task into two phases and to add an additional task to update the Affordable Housing Fee Nexus Study. This will allow high priority and time sensitive items to be completed in 2024/early 2025 as part of Phase I, with changes that will require additional time and refinement occurring as part of Phase II. Each phase is described below. Attachment 1 provides additional detail regarding each of the General Plan implementation programs, including Housing Element programs, which will be implemented.

Modifications to the Scope of Work

Task 3: Zoning Code Amendment

Phase I

Phase I includes the original scope of work for the Zoning Code Amendment task, which consisted of amendments to the Zoning Code text and Zoning Map to 1) rezone properties within the City limits to be consistent with the adopted General Plan land use designations, and 2) revise the Zoning Code to reflect the

density ranges, allowed uses, and development standards necessary to ensure consistency between the rezoned sites and the adopted General Plan.

This effort is expanded to address implementation of additional General Plan implementation programs, including Housing Element programs.

Phase 1 includes implementation of the following General Plan actions:

- *LU-1b: Reviewing and revising the Zoning Code to:*
 - *Ensure consistency with the General Plan in terms of zoning districts and development standards*
 - *Provide for an Agricultural Industrial zone that accommodates the processing of crops and livestock.*
- *LU-3n Accommodating up to 30% of units in new subdivisions as attached houses, cottage homes, garden apartments, and other types of higher density product types up to 6 units per lot within the density of the respective General Plan land use designation.*
- *LU-9e Encouraging community gardens in new and existing high-density housing projects.*
- *Housing Program 3: Addressing requirements to rezone to accommodate the RHNA and to modify the Zoning Code to address lower income sites used in prior cycles.*
- *Housing Program 12: Addressing requirements of Paragraphs A, B, C, F, L, M, and N.*

Phase I Deliverables

De Novo will prepare an administrative draft of the Phase I Zoning Code Amendment, including the text amendment and Zoning Map amendment. Following receipt of City staff comments, De Novo will revise the document to address City staff comments, coordinate with City staff to ensure the comments are addressed satisfactorily, and an adoption draft Phase I Zoning Code amendment document in PDF format that is suitable for printing for Planning Commission and City Council consideration.

Following the Planning Commission and City Council hearings, De Novo will revise the Phase I document and map as necessary to address Planning Commission and City Council direction and will deliver final Word and PDF versions of the Phase I Zoning Code Amendment to the City.

Phase II

Phase II includes addressing General Plan policies and programs related to addressing environmental effects associated with high intensity uses, reducing impacts to existing agricultural uses, and addressing subjective criteria currently applied to housing development applications. General Plan implementation programs to be addressed as part of Phase II include:

- *LU-1b Reviewing and revising the Zoning Code to:*
 - *Ensure adequate buffers and transitions are required between intensive uses, such as industrial and agricultural industrial, and sensitive receptors, including residential uses and schools; and*
- *LU-3d and 3e: Drafting provisions to require a Site Analysis Plan to address potential conflicts between sensitive receptors, including residential uses, and high intensity uses, including industrial uses and truck routes. The Site Analysis Plan process will include standards to ensure future development is designed to address safety and environmental issues, including aesthetics, lighting, air quality (odors, toxic air contaminant exposure, including diesel particulate matter), noise, and transportation (safe pedestrian and bicycle connections).*

- *LU-5f Drafting provisions to establish Good Neighbor Guidelines for Warehouse Distribution Facilities based on BMPs recommended by CARB, SJVAPCD, and the California Attorney General.*
- *LU-7c Establish incentives to encourage community-oriented recreation and commercial uses that provide public benefits, including high-quality amenities and multi-modal connectivity.*
- *GM-1a and Housing-10: Coordinate with City Attorney to revise Chapter 18.04 to address level of service standards, current conditions, and provide incentives for specified types of development and to suspend implementation of growth management components as required under Government Code Section 66300(b)(1,2).*
- *RC-1g Establish standards for the protection of creeks and riparian habitat.*
- *RC-3c Coordinate with the City Engineer to determine if Section 17.48.070(G) (Grading Design Plan) should be revised to address current best management practices. If revisions are necessary, they will be drafted based on the input and direction from the City Engineer.*
- *RC-4f Establish definitions and incentives for small-scale renewable energy facilities.*
- *RC-7c Establish specific agricultural buffer requirements projects that would place residential and sensitive land uses near existing agricultural lands in order to protect the associated agricultural operations from encroachment by incompatible uses.*
- *Housing Program 5: Update the City's current ADU/JADU and SB 9 requirements to comply with State law and provide further streamlining incentives.*
- *Housing Program 11: Reasonable Accommodation: By December 2025, update Chapter 17.10 of the Zoning Code to identify the specific objective conditions that will be used to determine that a request for reasonable accommodation is non-ministerial in nature (e.g., the request would impose an undue financial or administrative burden on the City or fundamentally alters the City's zoning, development standards, policies, or procedures).*
- *Housing Program 12: Addressing requirements of Paragraphs I, L, M, and N.*

Phase II Research: In order to develop standards for residential, industrial, and other development projects that address potential incompatibilities between residential and sensitive receptor uses and higher intensity uses, De Novo will research best practices of other jurisdictions with recent Zoning Code amendments. De Novo will provide the City with a summary of approaches by other jurisdictions to establish standards related to such potential conflicts and recommendations for best approaches to be included in the Phase II effort.

Phase II Workshops: De Novo understands that the preparation of standards for residential, industrial, and other development projects will affect future development projects. To ensure that the draft standards implement the General Plan while promoting and accommodating development desired by the City, De Novo will host two workshops to receive input from the development community and stakeholders, including a representative from the California Attorney General Bureau of Environmental Justice. We anticipate that one workshop will be oriented toward residential developers and one workshop will be oriented to non-residential developers and non-residential uses, particularly industrial and agricultural industrial projects. We anticipate holding the workshops following completion of the draft standards, in order to receive feedback on the standards and input to assist in refining the standards to achieve the desired outcome while also addressing concerns of the development community, the California Attorney General Bureau of Environmental Justice, and other interested parties.

Phase II Deliverables

De Novo will prepare an administrative draft of the Phase II Zoning Code Amendment. Following receipt of City staff comments, De Novo will revise the document to address City staff comments, coordinate with City staff to ensure the comments are addressed satisfactorily, and prepare a public review draft Phase II Zoning Code Amendment. The public review draft Phase II Zoning Code Amendment will be presented at the two workshops for public input. Following input from interested parties, De Novo will prepare a revised draft of the Phase II Zoning Code text amendments. Following receipt of City staff comments, De Novo will revise the document to address City staff comments, coordinate with City staff to ensure the comments are addressed satisfactorily, and prepare an adoption draft Phase II Zoning Code amendment document for Planning Commission and City Council consideration.

Following the Planning Commission and City Council hearings, De Novo will revise the Phase II document as necessary to address Planning Commission and City Council direction and will deliver final Word and PDF versions of the Phase II Zoning Code Amendment to the City.

Task 4: ~~Zoning Code Amendment Addendum~~ CEQA Documentation

De Novo will prepare the CEQA documentation for the Zoning Code Amendments addressed in Phases I and II. Our scope initially anticipated an Addendum to the General Plan EIR to address the Zoning Code and Zoning Map amendments pursuant to Section 15164(a) of the CEQA Guidelines. However, as the Zoning Code Amendments envisioned under Phase I and Phase II will be consistent with the General Plan EIR, it is anticipated that a Finding of Consistency pursuant to CEQA Guidelines Section 15168(c)(2) for each of the Zoning Code Amendment Phase I and Phase II projects will be the appropriate CEQA document. This is consistent with the CEQA documentation provided for the City's 6th Cycle Housing Element. This scope of work assumes that no technical analysis, including modeling of impacts, will be necessary for a Finding of Consistency.

Upon completion of the administrative draft Zoning Code Amendment for each phase, De Novo will provide the City with an electronic review copy of the Finding of Consistency and Notice of Determination for the phase. De Novo will revise the document to address one round of City staff comments, and then prepare the final document for Planning Commission and City Council consideration. De Novo will deliver a final PDF of each of the Findings of Consistency and Notice of Determination to the City that is suitable for printing.

Tasks 5 and 6: Project Management and Planning Commission and City Council Staff Reports and Presentations

De Novo has completed two public hearings for the General Plan Amendment component of this agreement. For the Phase I and Phase II Zoning Code Amendments, De Novo will prepare the draft staff report, ordinance, and, if necessary, resolution, to adopt the Zoning Code text amendment and map amendment for Phase I and the Zoning Code text amendment for Phase II. For each phase, De Novo will attend the Planning Commission (1) and City Council (1) meetings, present the projects to the decision-making body, and respond to questions regarding the project and CEQA documentation. De Novo anticipates that our services will be needed at up to four public hearings (2 Planning Commission, 2 City Council), a total of two more hearings than the original agreement.

Task 7 (New Task): Update Affordable Housing Fee Nexus Study

De Novo will prepare an in-lieu fee study that examine whether the inclusionary housing in-lieu fee can be supported as a development exaction by demonstrating a connection ("nexus") between the fee required of

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a development project and the potential impact the fee is intended to reduce (AB 1600; California Government Code sections 66000-66009).

This study will be an update to the Affordable Housing Fee Nexus Study completed by De Novo in 2022 that addressed the nexus between new housing production and the demand for affordable housing. De Novo will update the Nexus Study to address current housing costs, trends, and conditions and to address the demand for affordable housing associated with non-residential development.

This study will assess the direct and indirect effects of new market-rate development, specifically residential, commercial, industrial, and entertainment, related to the loss of opportunities to accommodate affordable housing and the demand for affordable housing. The study will analyze the relationship between job growth, population and housing growth, and the demand for affordable housing. A reasonable relationship between the nexus fees and the type of development project on which the fee is anticipated to be imposed will be demonstrated. The report will provide a basis and methodology for establishing the residential and non-residential fees and will identify recommendations regarding the fee amounts.

Nexus Fee Workshop: De Novo understands that establishing fees for residential, industrial, and other development projects will affect future development projects. To ensure that the draft fees address the demand for affordable housing while reflecting realistic assumptions regarding new development and considering concerns from the development industry, De Novo will host one workshop to receive input from the development community and stakeholders, including a representative from the California Building Industry Association.

Schedule

The below schedule identifies the dates estimated for completion of the tasks and delivery of the documents identified by the Scope of Work.

Task	Date
Zoning Code Amendment Phase I	
De Novo submit Administrative Draft Phase I Zoning Code Text Amendment	October 31, 2024
De Novo submit Administrative Draft Phase I Zoning Code Map Amendment & CEQA Documentation	November 7, 2024
City Comments to De Novo team on Phase I Zoning Code Amendments	November 21, 2024
De Novo submit adoption draft Zoning Code Amendments	December 5, 2024
De Novo submit draft Staff Reports and supporting resolutions/ordinance	December 5, 2024
Planning Commission/City Council Hearings	December 2024/January 2025
Zoning Code Amendment Phase II	
De Novo submit best practices paper to City for review and discussion	January 2025
De Novo submit Administrative Draft Phase II Zoning Code Text Amendment	February 27, 2025
City Comments to De Novo team on Phase II Zoning Code Amendments	March 13, 2025
De Novo submit Public Review Draft Phase II Zoning Code Amendment	March 27, 2025
De Novo submit Admin. Draft Affordable Housing Nexus Fee Study Update	April 24, 2025
City Comments to De Novo team on Fee Study Update	May 1, 2025
De Novo submit Public Review Draft Phase II Zoning Code Amendment	May 8, 2025
Public Workshop	Week of May 12, 2025
De Novo submit Revised Draft Phase II Zoning Code Text Amendment, Fee Study Update, & CEQA Documentation	June 6, 2025
City Comments to De Novo team on Phase II Zoning Code Amendments, Fee Study Update, & CEQA Documentation	June 12, 2025
De Novo submit Adoption Draft Phase II Zoning Code Amendment, Fee Study Update, & CEQA Documentation	June 19, 2025
De Novo submit draft Staff Reports and supporting resolutions/ordinance	June 26, 2025
Planning Commission/City Council Hearings	July/August 2025

¹If any of conditions are identified during the CEQA review that requiring a Supplemental or Subsequent EIR pursuant to CEQA Guidelines Section 15162 or additional technical analysis to address the requirements of CEQA, De Novo will provide an updated scope, cost, and schedule for the additional documentation and analysis.

Budget Augmentation

To complete the Zoning Code Amendment tasks and to update the Affordable Housing Nexus Fee Study, as well as to provide support for hearings and presentations for the Zoning Code Amendment and Affordable Housing Nexus Fee Study efforts, De Novo requests a budget augmentation of \$91,745. This fee is anticipated to increase our remaining budget for the GPA & Zoning Code Amendment Agreement to \$199,425 as shown in the table below. De Novo will conduct other ancillary tasks as requested by the City on a time and materials basis.

Modified Task	Principal / Principal Planner	Principal/ Senior Planner	Associate/ Assistant Planner	GIS	FEE
	\$185	\$160	\$115	\$125	
	Hours	Hours	Hours	Hours	
Task 3: Phase II Zoning Code Amendments Augmentation	90	40	80	10	\$33,500
Task 4: CEQA Documentation	-	-	-	-	No change
Task 5: Hearing and Workshops/Presentations Augmentation	40	-	24	-	\$10,160
Task 6: Project Management Augmentation	16	-	-	-	\$2,960
Task 7: Affordable Housing Nexus Fee Update (new task)	125	80	80	-	\$45,125
Totals	271	120	184	10	\$89,620
TOTAL REVISED BUDGET	Original Agreement: \$107,680 Scope Augmentation: \$91,745				\$199,425

¹If any of conditions are identified during the CEQA review for the Addendum that requiring a Supplemental or Subsequent EIR pursuant to CEQA Guidelines Section 15162, De Novo will provide an updated scope, cost, and schedule for the Supplemental or Subsequent EIR.

²Includes 5% mark-up

De Novo reserves the right to re-allocate staff time and budget between individual tasks and staff members provided the total cost is not exceeded.

Assumptions

This proposal is based on the following assumptions. We propose to prepare the General Plan Amendment, Zoning Code Amendment, and environmental documents based on the body of statutes, guidelines, and case law that are in affect at the time the contract is executed. Any significant revision to the project description after the agency approves the project description is considered outside of the scope of this proposal. Any additional work that is requested by the agency that is outside of the scope of this proposal may require a contract amendment. Additional meetings not identified in this proposal are outside of the scope, and can be accommodated on a time and materials basis. It is assumed that the City will arrange for the preparation of all required notices, as well as publishing notices in the newspaper, as required. We anticipate timely cooperation with City staff, stakeholders, and other responsible agency staff. If work is halted or delayed for thirty (30) days or more, De Novo will be reimbursed for costs to date and the time required to re-familiarize staff with the project. In the event that the project receives a legal challenge, De Novo will provide assistance to the legal defense on a time and materials basis.

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Attachment 1: Phase I and Phase II Tasks Associated with General Plan Implementation Programs

General Plan Action	Revisions	Status	Comments
Land Use			
<i>LU-1b Regularly review and revise, as necessary, the Zoning Code to accomplish the following purposes:</i>	See below	-	-
<ul style="list-style-type: none"> Ensure consistency with the General Plan in terms of zoning districts and development standards; 	Ensure densities, allowed uses, and standards in Table LU-1 are consistent with Tables 17.22.020-1 and 17.26.020-1 (Development Standards) and related definitions	Phase I: Initial Draft complete	Tables 17.22.020-1 and 17.26.020-1 (Development Standards) reviewed and updated to be consistent with General Plan
<ul style="list-style-type: none"> Provide for a Downtown zone that permits the vibrant mixing of residential, commercial, office, business-professional, and institutional uses within the Central Business District; 	AECOM CMU and DMU zoning	Phase I: Zoning Ordinance is updated to reflect AECOM CMU/DMU work	CMU/DMU zoning amendment is assumed to be adopted prior to PC and CC consideration of Phase I and is not shown in track changes.
<ul style="list-style-type: none"> Ensure adequate buffers and transitions are required between intensive uses, such as industrial and agricultural industrial, and sensitive receptors, including residential uses and schools; and 	Site Plan Review – require analysis of adjacent uses, HRA	Phase I: Interim language complete Phase II: Develop specific buffer requirements	Interim language provided at Section 17.10.060 until approach is refined in Phase II.
<ul style="list-style-type: none"> Provide for an Agricultural Industrial zone that accommodates the processing of crops and livestock. 	Add AI zone	Phase I: Initial Draft complete	AI Zone added to Chapters 17.20, 17.22, and 17.26, including Section 17.20.020 (Zoning Districts), Table 17.20.020-1, Section 17.22.020 (Allowed Land Uses and Requirements), Table 17.22.020-1, and Table 17.26.020-1
<ul style="list-style-type: none"> Ensure that land use requirements meet actual demand and community needs over time as technology, social expectations, and business practices change. 	None at this time	-	-

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General Plan Action	Revisions	Status	Comments
<p><i>LU-3d Require proposed residential subdivisions of 10 or more units with an average lot size less than one acre that are within 500 feet of an existing industrial, commercial, agricultural industrial, or agricultural processing use or a designated truck route to submit a Site Analysis Plan to ensure compliance with standards of the Zoning Code, as amended.</i></p> <p><i>The Site Analysis Plan will quantify existing conditions of the site relative to compliance with the Zoning Code as amended, and how new development will meet these standards. The Site Analysis Plan shall incorporate a written narrative explaining how the project design has responded to the existing conditions and how new development will ensure that new residents will have an environment that is in compliance with the Zoning Code standards, as amended. Such a statement, to form part of the material required for an application, is intended to assist the City's design and evaluation processes, and result in residential projects that meet quantifiable performance standards.</i></p>	Site Plan Review – require analysis of adjacent uses, health risk assessment, establish limited performance standards related to air quality and noise.	Phase II	To be implemented as part of Phase II
<p><i>LU-3e Develop and periodically update design and performance standards that update and complement the Zoning Code to provide recommended design solutions available to proposed development projects to reduce impacts associated with aesthetics, noise, safety, odor, glare, and lighting, including land use conflicts between residential uses and nearby industrial and agricultural uses, in compliance with the Zoning Code, as amended.</i></p>	Prepare comprehensive design/performance standards	Phase II	To be implemented as part of Phase II
<p><i>LU-3n Within new subdivisions, developers shall be encouraged to develop up to 30% of the total number of dwelling units in the subdivision as attached houses, cottage homes, garden apartments, and other types of</i></p>	Revise R-1 to allow attached housing, triplex through fourplex use	Phase I: Initial Draft complete	Table 17.22.020-1 revised to allow duplex through fourplex as an allowed use.

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General Plan Action	Revisions	Status	Comments
<i>higher density product types so long as the overall density of the called for in the respective General Plan land use designation is not exceeded; the pattern of the neighborhood is maintained; such units are distributed evenly throughout the subdivision; and, limited to no more than 6 dwelling units per lot.</i>			
<i>LU-5a Review and revise the Zoning Code as appropriate to accommodate research, technology, and similar emerging uses as permitted and to accommodate a mix of complementary uses in all zones.</i>	Review BIP, M-1, and M-2 standards.	Phase I: Initial Draft complete	R&D allowed use in BIP and M1 and requires MUP in BP and M2. Revised Research and Development definition.
<i>LU-5f Update the Municipal Code by 2025 to include Good Neighbor Guidelines for Warehouse Distribution Facilities based on BMPs recommended by CARB, SJVAPCD, and the California Attorney General, including the Good Neighbor Guidelines for Warehouse Distribution Facilities, including:</i>	Prepare comprehensive design/performance standards	Phase II	To be implemented as part of Phase II
<ul style="list-style-type: none"> <i>A definition of the type and size of facility that is subject to the Guidelines;</i> 			
<ul style="list-style-type: none"> <i>Standards for sustainable on-site energy production to reduce reliance on fossil fuels;</i> 			
<ul style="list-style-type: none"> <i>Standards to minimize exposure to diesel emissions to sensitive receptors that are situated in close proximity to the proposed facility, including minimum "clean fleet" requirements for business operations and minimum requirement for electric or model year 2014 or later for trucks domiciled on the site and on-site charging infrastructure to support transition to a 100% electric fleet;</i> 			

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General Plan Action	Revisions	Status	Comments
<ul style="list-style-type: none"> Standards and practices that eliminate diesel trucks from unnecessarily traversing through residential neighborhoods; 			
<ul style="list-style-type: none"> Standards and practices that eliminate trucks from using residential areas and repairing vehicles on the streets; and 			
<ul style="list-style-type: none"> Strategies to reduce and/or eliminate diesel idling within the facility's site. 			
LU-6d Maintain the Zoning Ordinance to allow frequently visited, resident-serving uses, such as restaurants, retail, banks, community services, and entertainment, by right in Downtown.	AECOM – CMU/DMU effort	CMU/DMU complete	CMU & DMU revisions prepared by AECOM included in Phase I (shown as adopted)
LU-7c Update the Zoning Code to accommodate community-oriented recreation and commercial uses that provide public benefits, including high-quality amenities and multi-modal connectivity.	Add incentives (FAR/lot coverage bonus);	Phase II	To be implemented as part of Phase II
LU-9e Encourage community gardens and encourage the incorporation of community gardens into new and existing high-density housing projects through streamlining permitting and implementation for community garden and urban agriculture projects.	5% of required open space required to be Community Garden for projects with 25 or more units and 2 or more acres in size.	Phase I	Table 17.26.
Circulation			
C-3a Review and revise, as necessary, off-street parking standards of the Zoning Ordinance. Such revision shall be based on parking best practices, multimodal transportation needs, infill considerations, construction and maintenance costs, the requirements of the Housing Element to achieve specified residential density levels, and an assessment of the adequacy of the City's current	Parking updates to address Housing Element as described below. Anticipate separate process for comprehensive parking standards update.	-	-

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<i>standards.</i>			
Growth Management			
<i>GM-1a Update Municipal Code Chapter 18.04 (Growth Management Program) to implement the General Plan. Consider revisions to: 1) incorporate levels of service standards, where appropriate and feasible, as a tool to assess the relative impact of public facilities, services, and utilities demands, including fire, police, parks and recreation, schools, water, wastewater, storm drainage, telecommunications, and energy, created by new growth, 2) reflect current conditions as well as applicable goals and policies of this General Plan, 3) address the desired rate of development, including jobs/housing balance, and 4) to provide for incentives for desired types of development, including mixed use or intensified uses in the Downtown that contribute to the area's vitality, revitalization of vacant or underutilized buildings, and priority residential uses such as executive, senior, workforce, and/or special needs housing.</i>	Coordinate with City Attorney to address.	Phase II	Ensure amendments address current requirements of State law; look at opportunities to incentivize desired uses and manage resources. See Housing Element Program 10 below.
Resource Conservation			
<i>RC-1g Explore revising Title 17 (Zoning) of the Municipal Code to include standards for the protection of riparian habitat. The standards should include minimum setback requirements, site design standards, and requirements for the ongoing maintenance of creek and riparian habitat on public and private lands.</i>	Develop standards to address creek and riparian habitat setbacks in second phase.	Phase II	To be implemented as part of Phase II
<i>RC-3c Continue to implement, and periodically review/update as necessary, Municipal Code Section 17.48.070(G) (Grading Design Plan). The City shall review projects to ensure that best management practices are implemented during construction and site grading</i>	Address in second phase, with City Engineer input regarding whether changes are needed.	Phase II	To be implemented as part of Phase II

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General Plan Action	Revisions	Status	Comments
<i>activities, as well as in project design to reduce pollutant runoff into water bodies</i>			
<i>RC-4f Update the Municipal Code to incentivize the use of small-scale renewable energy facilities and, where appropriate, to remove impediments to such uses.</i>	Add FAR/lot coverage incentives and address small-scale renewable energy facilities in allowed uses (Chapters 17.22 and 17.24)	Phase II	To be implemented as part of Phase II
<i>RC-7c Amend Title 17 (Zoning) of the Municipal Code to include specific agricultural buffer requirements for new development projects, including residential and sensitive land uses (i.e., schools, day care facilities, and medical facilities), amendments to the General Plan, and rezoning applications that are proposed near existing agricultural lands in order to protect the associated agricultural operations from encroachment by incompatible uses. Buffers shall generally be defined as a physical separation, depending on the land use, and may consist of topographic features, roadways, bike/pedestrian paths, greenbelts, water courses, or similar features. The buffer shall occur on the parcel for which a permit is sought and shall favor protection of the maximum amount of agricultural land.</i>	Address in Site Plan Review	Phase I: Interim language complete Phase II: Develop specific buffer requirements	Interim language provided at Section 17.10.060 until approach is refined in Phase II.
Housing			
<p><u>3: Rezoning to Accommodate RHNA:</u> By December 31, 2024, the City will rezone sites to be consistent with the General Plan land use designations as identified in Appendix A. Sites identified to accommodate lower income units will be rezoned to be consistent with Government Code Section 65583.2(h) including:</p> <p>Permit owner-occupied and rental multifamily residential use by right for developments in which at least 20 percent of the units are affordable to lower income households during the planning period.</p> <ul style="list-style-type: none"> • Zoned with minimum density and development 	Add chapter to Zoning Ordinance to address requirement. City will maintain GIS layer that identifies which parcels these apply to, but will not create a separate zoning district or overlay.	Phase I	Phase I: Chapter 17.60 added to Zoning Ordinance

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<p><i>standards that permit at least 16 units per site at a density of at least 20 units per acre in jurisdictions.</i></p> <ul style="list-style-type: none"> <i>Allow 100 percent residential use and require that residential uses occupy 50 percent of the total floor area of a mixed-use project.</i> <i>The Zoning Ordinance will be revised to define “use by right” consistent with Government Code Section 65583.2(i).</i> 			
<p><u>3: Rezoning Prior Cycle Sites:</u> <i>By December 31, 2024, the City will rezone sites that were used in prior cycles pursuant to Government Code Section 65583.2(c). Sites identified in Appendix A as 4th/5th Cycle Sites that Program 3 applies to (APNs 228-060-250, 204-100-210, 204-100-220, 228-060-240, 200-140-040, 222-100-050, and 222-100-060) shall be rezoned to:</i></p> <ul style="list-style-type: none"> <i>Allow at least 20 units per acre, and</i> <i>Allow residential use by right for housing developments in which at least 20 percent of the units are affordable to lower income households.</i> <i>The Zoning Ordinance will be revised to define “use by right” consistent with Government Code Section 65583.2(i).</i> 	<p>Add chapter to Zoning Ordinance to address requirement. City will maintain GIS layer that identifies which parcels these apply to, but will not create a separate zoning district or overlay.</p>	Phase I	Phase I: Chapter 17.60 added to Zoning Ordinance
<p><u>5: ADUs, JADUs, and SB 9 Units</u></p> <ul style="list-style-type: none"> <i>Update the City’s current ADU/JADU and SB 9 requirements to comply with State law and provide further streamlining incentives by December 31, 2024.</i> <i>Submit the revisions to address ADUs to HCD and address any findings pursuant to Government Code</i> 	<p>Revise ADU/JADU provisions to address current requirements of State law. Add provisions to address SB 9.</p>	Phase II	-

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Section 66326.			
<p><u>10. Growth Management:</u></p> <ul style="list-style-type: none"> <i>Suspend implementation of the Growth Management Program (Municipal Code Chapter 18.04) while Government Code Title 7, Division 1, Chapter 12 is in effect.</i> <i>If the Growth Management Program is reinstated, ensure that the program provides adequate capacity to accommodate the City's RHNA at all income levels and will be adequate to accommodate the City's housing needs for the current and future cycles. Exemptions for affordable housing projects, ADUs/JADUs, and infill development shall be maintained upon any reinstatement of the program.</i> 	Coordinate with City Attorney to address.	Phase II	Implement in conjunction with GM-1a (see above).
<p><u>11: Reasonable Accommodation:</u> By December 2025, update Chapter 17.10 of the Zoning Code to identify the specific objective conditions that will be used to determine that a request for reasonable accommodation is non-ministerial in nature (e.g., the request would impose an undue financial or administrative burden on the City or fundamentally alters the City's zoning, development standards, policies, or procedures).</p>	Revise Chapter 17.10 to specify objective conditions used to determine when request is non-ministerial in nature	Phase II	To be implemented as part of Phase II
<p><u>12.A: Low Barrier Navigation Centers:</u> The Zoning Ordinance will be updated to define and permit low barrier navigation centers consistent with the requirements of Government Code Sections 65660 through 65668, including treating low barrier navigation centers as a by-right land use in areas zoned for mixed-use and nonresidential zones permitting multifamily uses.</p>	Define Low Barrier Navigation Center use and address use Article II	Phase I: Initial Draft complete	Table 17.22.020-1 to be revised to address use consistent with requirements of State law; Chapter 17.24 to be revised to define Low Barrier Navigation Center

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<u>12.B: Transitional and Supportive Housing:</u> The Zoning Ordinance will be revised to ensure that transitional and supportive housing are allowed in residential and mixed-use zones subject to the same standards as a residence of the same type in the same zone consistent with Government Code Section 65583(c)(3), and to allow eligible supportive housing as a by-right land use in zones where multifamily and mixed uses are permitted pursuant to Government Code Sections 65650 through 65656.	Revise Table 17.22.020-1	Phase I: Initial Draft complete	Table 17.22.020-1 allows transitional and supportive housing consistent with the requirements of State law. Chapter 17.24 revised to reflect Health and Safety Code references for use definitions. Section 17.100.060 revised to include definitions for terms used in the use definitions.
<u>12.C: Residential Care Facilities:</u> The Zoning Ordinance will be amended to fully address small and large residential care facilities consistent with State law. Specifically, the City will amend the Zoning Ordinance to: (1) allow residential care facilities for six or fewer persons to be allowed in the same manner as a residential use of the same type in all zoning districts that allow residential uses; and (2) to allow residential care facilities that serve seven or more people in zones that allow residential uses, including treating facilities serving more than six residents that do not provide licensable services in the same manner as other residences in the same zone and ensuring requirements for facilities that serve more than six residences and provide licensable services are consistent with the HCD Group Home Technical Advisory (December 2022) to ensure fair housing opportunities, and to ensure all substantive requirements are objective, affirmatively further fair housing, and do not create barriers for housing for seniors, persons with disabilities, or other special needs populations.	Revise Table 17.22.020-1 and provide additional definitions to address small and large residential care facilities	Phase I: Initial Draft complete	Table 17.22.020- is revised to address small and large residential care facilities and distinguish between licensed and unlicensed facilities consistent with requirements of State law and published California Department of Housing and Community Development Department (HCD) guidance. Chapter 17.24.020 revised to include use definitions that distinguish between large and small as well as licensed and unlicensed facilities.
<u>12.D: Streamlined and Ministerial Review for Eligible Affordable Housing Projects:</u> The City's processes will be updated to ensure that multifamily, mixed-use, and multi-unit projects are provided streamlined ministerial (by-right) review and are only subject to objective design and	Staff-initiated effort for objective design standards Consider a Zoning Minor Adjustment for	Separate effort	Separate effort

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<i>development standards consistent with relevant provisions of State law when such projects meet the eligibility criteria for streamlined, objective review established by State law. Specifically, the City will 1) allow for streamlined ministerial review for eligible projects under SB 35 (2017) and SB 9 (2021), and will 2) process qualified housing development projects under SB 330 (2019).</i>	deviation from lot coverage, additional percentage for room/addition for affordable housing (incentives for desired uses)			
<u>12.E: Single-Room Occupancy (SRO):</u> The Zoning Ordinance will be updated to revise the definition of single-room occupancies and to establish objective standards to encourage accommodating SROs uses.	Revise definition of single room occupancy and establish standards, including management provisions, for single room occupancy uses	Phase II	Chapter 17.24 to be revised to address Single Room Occupancy definition; Chapter 17.94 added to establish SRO standards	
<u>Program 12.F: Emergency Shelter:</u> The Zoning Ordinance will be updated to include other interim interventions in the definition of emergency shelter consistent with Government Code Section 65583(a)(4)(C), to allow emergency shelters as a permitted use in the CMU zone subject to the objective standards of the zone and objective standards allowed by Government Code Section 65583, and to limit parking requirements to sufficient parking to accommodate all staff working in an emergency shelter, provided that the standards will not require more parking for emergency shelters than other residential or commercial uses within the same zone, in compliance with AB 139 (2019).	Revise emergency shelter definition Update emergency shelter parking requirements to meet State law requirements	Phase I: Initial Draft complete.	Revise definition in Chapter 17.24; update standards in Chapter 17.76	Phase
<u>Program 12.G: Farm Worker and Employee Housing:</u> Define, and provide zoning provisions for farm worker and employee housing in accordance with California Health and Safety Code Sections 17021.5, 17021.6, and 17021.8. Specifically, the Zoning Ordinance shall be amended to include the following: a. Any employee housing providing accommodations for six or fewer employees shall be deemed a single-family structure. Employee	Define employee housing and establish standards to permit employee housing, including agricultural employee housing, consistent with State law Address caretaker housing (Staff requested revision, not specified in Program 12.G)	Phase I: Initial Draft complete	Added Section 17.10.220 to address agricultural employee housing permitting process (HSC 17021.8). Revised definitions in Chapter 17.24 (employee housing, employee housing, small, and employee housing large)	

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<p><i>housing shall not be included within the definition of a boarding house, rooming house, hotel, dormitory, or other similar term.</i></p> <p>b. <i>No conditional use permit, variance, or zoning clearance shall be required of employee housing that serves six or fewer employees that is not required of a family dwelling of the same type in the same zone.</i></p> <p>c. <i>Any employee housing consisting of no more than 36 beds in a group quarters or 12 units or spaces designed for use by a single-family household shall be permitted by-right in any zone(s) permitting agricultural use by right. In any zone(s) where agricultural use is permitted subject to a conditional use permit, such employee housing shall be subject to a conditional use permit.</i></p> <p>d. <i>Permitted occupancy in employee housing in an agricultural zone shall include agricultural employees who may or may not work on the property where the employee housing is located.</i></p> <p>e. <i>Require that existing or future agricultural farms or places of employment work with housing providers to meet the needs of farm workers and their families.</i></p> <p>f. <i>Establish a streamlined, ministerial process for eligible agricultural employee housing developments pursuant to Health and Safety Code Section 17021.8.</i></p>			Moved caretaker quarters to Industrial (Table 17.22.020-1 and Chapter 17.24)
<u>12.H: Manufactured Housing:</u> As required by Government	Limit architectural standards for manufactured	Phase I: Initial Draft	Added Chapter 17.90

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<i>Code Section 65852.3, manufactured housing and mobile homes on a permanent foundation shall be treated in the same manner as a single family home, except that architectural requirements for the roof overhang, roofing material, and siding material may be required provided that such requirements do not exceed the provisions allowed by Government Code Section 65852.3.</i>	housing to components allowed under State law	complete	
<i><u>12.I: Parking Requirements:</u> The City shall update its parking standards to ensure that residential projects meeting the minimum parking requirements shall not be required to increase parking through the Site Plan and Design Review process. The City also will not impose or enforce any minimum automobile parking requirement on a residential, commercial, or other development project if the project is located within one-half mile of public transit, as required by Government Code Section 65863.2, as that section may be amended from time to time. The parking standards shall also include a provision for affordable and special needs housing to provide parking consistent with the State Density Bonus Law standards (Government Code Section 65915(p)).</i>	Refine provisions for parking to ensure minimum parking requirements for residential uses will not be increased beyond the required minimum and to exempt projects within ½-mile of public transit pursuant to Government Code Section 65863.2	Phase II	Revise Chapter 17.52
<i><u>12.J: Design Standards:</u> The City will adopt objective design and development standards for multifamily housing, including residential and mixed-use development, and will ensure that the standards, including floor area ratio, unit size, height, setback, and parking requirements, accommodate the maximum densities permitted, and provide flexibility with the design of building types and units to accommodate irregular lots and steep slopes. These objective standards will replace any subjective standards, including site plan review findings, design review standards, use permit conditions, and other standards required for single-family and multifamily housing or will remove or include objective definitions and/or illustrations of any</i>	Staff-initiated effort for objective design standards Consider a Zoning Minor Adjustment for deviation from lot coverage, additional percentage for room/addition for affordable housing (incentives for desired uses)	Separate effort	Separate effort

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<i>subjective terms, such as "compatibility", "orderly", "harmonious", "character", and "integrity."</i>			
<i><u>12.K: Definitions:</u> The Zoning Ordinance will be updated to define and/or illustrate subjective terms, such as "compatible", "character", "harmonious", etc. This is similar to the above paragraph (Design Standards) and will address subjective terms used in the Conditional Use Permit, Minor Use Permit, and other review and approval processes for residential and mixed-use development that are not addressed in the objective Design Standards prepared under paragraph J.</i>	Define or revise subjective terms in the Zoning Code related to approvals for residential projects to ensure that such terms can be applied in an objective manner	Phase II	Revise definitions and subjective terms as described by Paragraph K.
<i><u>12.L: Open Space:</u> The Zoning Ordinance will be updated to reduce the minimum required open space standards to ensure standards accommodate the maximum densities allowed in each zoning district.</i>	Reduce minimum open space standards to accommodate maximum permitted residential densities	Phase I: Initial Draft complete	Revised Table 17.26.020-1 and Section 17.26.030
<i><u>12.M: Single family in R-2 and R-3 zones:</u> The R-2 and R-3 zones will be revised to limit single family development to certain circumstances: 1) attached single family development (e.g., condominiums, townhomes), 2) single family units on existing lots of 8,000 s.f. or less, 3) single family units included in a development with 15% or more very low or low income) units, 4) single family units included in a development with 25% or more moderate income units, and 5) replacement of existing single family units.</i>	Revise Table 17.22.020-1 to specify conditions necessary for single family development to occur in the R-2 and R-3 zones	Phase I: Initial Draft complete	Revised Table 17.22.020-1
<i><u>12.N: Household:</u> The Zoning Ordinance will be updated to revise the definition of household to delete the language related to maintaining a single lease or rental agreement for all members of the household.</i>	Revise definition of household	Phase I: Initial Draft complete	Revised definition of Household in Section 17.100.060
<i><u>12.O: Inclusionary Housing:</u> Inclusionary Housing: As part of the Zoning Ordinance Update, the City will consider adopting an Inclusionary Housing Ordinance or housing</i>	Update Nexus Study	Prepared as separate ordinance concurrently with Phase II	Update nexus study to reflect 2024 conditions and include non-residential uses; update draft

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<i>impact fee, as well as consider potential alternatives to inclusionary housing as a means of providing some below-market rate (BMR) housing in market-rate developments and to integrate/disperse affordable housing throughout the community.</i>			ordinance to address non-residential uses
<i>14. <u>Density Bonuses and Incentives:</u> By December 2025, prepare and adopt a Density Bonus Ordinance that implements the provisions of State Density Bonus Law.</i>	Update density bonus provisions	Phase II	Update density bonus provisions to reflect current State law.
<i>18. <u>Universal Design and Accessibility:</u> Update the Zoning Ordinance by December 31, 2024 to include objective visitability standards for new residential construction (single-family and multifamily development) and multifamily remodels.</i>	Establish visitability standards.	Phase I: Initial Draft complete	Chapter 17.92 added to address accessibility and visitability.
<i>21: <u>Replacement Housing:</u> Update the Zoning Ordinance by December 31, 2024 to implement replacement of residential units as required by State law.</i>	Establish replacement requirements.	Phase I: Initial Draft complete	Chapter 17.60 added to address Program 4 and 21 requirements that apply to sites identified in the Housing Element