

POTENTIAL HOUSING CONSTRAINTS



MAJOR FINDINGS

- Based on analysis of the permitted densities and development standards, the City has found that the General Plan and Development Code facilitate a variety of housing types. The City allows residential development in nonresidential and mixed-use zones and permits densities as high as 136 units per acre in the downtown area.
- The City applies more flexible development standards for infill projects to encourage and maximize opportunities for development of vacant and underutilized land within city limits. In 2022, the City adopted a code amendment to allow Density Waivers for Small Infill Lots. The development standards of the underlying zoning designation, such as the density, setbacks, height, site coverage, and parking requirements, may be modified to create consistency with surrounding development and address physical site constraints.
- Overall, the City's parking standards are relatively low, both for downtown infill development and development outside the downtown. Parking standards do not represent a constraint to the development

of housing and allow development to achieve maximum allowed densities. The City has also reduced or eliminated parking for housing developments, including transit-oriented developments (TOD), affordable housing, senior housing, small lots, etc.

- Accessory dwelling units (ADUs) are allowed by right and go straight to a building permit, unless they are located in a Design District.
- The City of Stockton's Development Code defines supportive housing as a "use by right." Therefore, supportive housing is allowed in the city wherever single-family and multifamily residential is allowed. The City's code does not constrain development of supportive housing.
- A low-barrier navigation center development is a use by right in special purpose or commercial zoning districts permitting multifamily dwellings.
- The City has acquired hotels to create a mixed income development , such as the Medici Artist Lofts. There is a mix of one-, two-, and three-bedroom apartments. Of the 34 units, 27 are affordable housing units for families with income levels between 30-

60 percent area median income. Six of the units are market rate.

subdivisions (a)(1)(A)) and (a)(1)(B)), the City's zoning, development standards, and fees are available on the City's website.

INTRODUCTION

State housing law requires the City to review both governmental and nongovernmental constraints to the maintenance and production of housing for all income levels. Since local governmental actions can restrict the development and increase the cost of housing, State law requires the Housing Element to “address and, where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing” (Government Code Section 65583(c)(3)).

The City is currently conducting a comprehensive update to its Development Code which is expected to be complete by the end of 2023. In addition, the City is preparing a Housing Action Plan and Neighborhood Actions Plans for three specific areas of the city. All of these efforts will address housing needs in the city. Policies and programs related to these efforts are included in the main element section of this document.

POTENTIAL GOVERNMENTAL CONSTRAINTS

Local governments have little or no influence on the national economy or the federal monetary policies that influence it. Yet these two factors have some of the most significant impacts on the overall cost of housing. The local housing market, however, can be encouraged and assisted locally. One purpose of the housing element is to require local governments to evaluate their past performance in this regard. By reviewing local conditions and regulations that may impact the development of the housing market, the local government can prepare for future growth through actions that protect the public's health and safety without unduly adding to the cost of housing production. Consistent with transparency requirements (Government Code Section 65940.1

LAND USE CONTROLS

By definition, local land use controls constrain housing development by restricting housing to certain areas of the city and by restricting the number of housing units that can be built on a given parcel of land. The 2040 General Plan sets forth the City's policies regarding local land development. These policies, together with zoning regulations, establish the amount and distribution of land allocated for different uses.

General Plan Land Use Designations

The City of Stockton 2040 General Plan establishes land use designations for all land within the city boundaries. These land use designations specify the type of development the City will permit. The 2040 General Plan includes eight designations that permit a range of residential development types and densities (see **Table HE-57**): Residential Estate (RE), Low Density Residential (LDR), Medium Density Residential (MDR), High Density Residential (HDR), Administrative Professional (AP), Commercial (C), Open Space and Agriculture (OSA), and Mixed Use (MU). The General Plan allows flexibility by allowing residential uses in a variety of nonresidential designations. **Table HE-57** shows the General Plan designations that permit residential developments.

For the higher-density designations (HDR, AP, and C), maximum densities differ depending on the location. Development in the downtown is allowed at densities up to 136 dwelling units per acre (du/ac), while higher-density areas outside of the downtown have a maximum density of 30 du/ac.

**Table HE-57: General Plan Land Use Designations Allowing Residential Uses
Stockton, 2022**

LU DESIGNATION	CODE	USES	MAXIMUM NET RESIDENTIAL DENSITY (DU/AC)	CONSISTENT ZONING DISTRICTS
Residential Estates	RE	Single-family residential units, public and quasi-public uses, accessory dwelling units (ADUs), and other similar compatible uses.	1	RE
Low Density Residential	LDR	Single-family residential units, duplexes, triplexes, semi-detached patio homes, town homes, public and quasi-public uses, accessory dwelling units (ADUs), and other similar and compatible uses.	8.7	RL
Medium Density Residential	MDR	Single-family residential units, duplexes, triplexes, semi-detached patio homes, town homes, public and quasi-public uses, accessory dwelling units (ADUs), and other similar and compatible uses.	17.4	RM
High Density Residential	HDR	Multifamily residential units, apartments, dormitories, group homes, guest homes, public and quasi-public uses, and other similar and compatible uses.	30 outside downtown; 90 inside greater downtown; 136 inside Downtown Core	RH
Administrative Professional	AP	Business, medical, and professional offices, residential uses, public and quasi-public uses, and other similar and compatible uses. This designation is appropriate on the borders of residential areas.	30 outside downtown; 90 inside greater downtown; 136 inside Downtown Core	CO, UC, RH
Commercial	C	A wide variety of retail, service, and commercial recreational uses, business, medical and professional offices, residential uses, public and quasi-public uses, and other similar and compatible uses. Community or regional commercial centers as well as freestanding commercial establishments are permitted.	30 outside downtown; 90 downtown; 136 inside Downtown Core	CN, CG, CD, CL, CA, HDR
Open Space/ Agriculture	OSA	Agriculture, parks, single-family residential units, farmworker housing, wetlands, wildlife reserves, and other similar and compatible uses and structures related to the primary use of the property for preservation of natural resources or agriculture. Lands under this designation are intended to remain unincorporated and under the jurisdiction of San Joaquin County.	1 du/parcel (40-acre minimum parcel size) FAR 0.01	OS
Mixed Use	MU	A mixture of compatible land uses, including residential, administrative and professional offices, retail and service uses, industrial, and public and quasi-public facilities to be determined through a Master Development Plan adapted concurrently with the designation of the property as MX.	30	MX

Source: Stockton General Plan 2040, 2022.

Zoning

The City regulates the type, location, and scale of residential development primarily through its Development Code (Title 16 of the Stockton Municipal Code). **Table HE-58** lists and describes the zoning districts that allow residential

development. The Stockton Development Code explicitly states the permitted maximum residential density for each zoning district, including residential zones, commercial zones, and other zones. These density standards are consistent with the standards in the General Plan.

Table HE-58: Zoning Districts Allowing Residential Uses
Stockton, 2022

ZONING DISTRICTS	CODE	ZONE DESCRIPTION	MIN. TOTAL LOT AREA	RESIDENTIAL DENSITY RANGE
Residential Estates	RE	Applied to single-family residential development on large lots. It is intended to provide a transition from rural to urban areas on the urban fringe.	1 acre	1 per lot
Residential Low Density	RL	Applied to single-family residential neighborhoods, low-density residential Planned Developments, and/or other low-density residential development, and is intended to maintain densities and protect existing neighborhood character.	5,000 SF ¹	0 to 8.7 du/acre
Residential Medium Density	RM	Applied to more intensely developed residential neighborhoods and/or other medium-density residential Planned Developments. Allowable housing types may include single-family independent dwelling units, duplexes, triplexes, townhouses, and multifamily units.	5,000 SF	8.8 to 17.4 du/acre
Residential High Density	RH	Applied to high-density residential neighborhoods. Allowable housing types may include multifamily and various types of group housing, as well as high-density, single-family residential development.	7,500 SF	30 outside downtown; 90 inside greater downtown; 136 Inside Downtown Core
Commercial Office	CO	Intended to be a transitional area between residential and general commercial uses. The primary uses in this district include offices, incidental retail, and/or residential in conjunction with an office, and other compatible uses.	7,500 SF	30 outside downtown; 90 inside greater downtown; 136 Inside Downtown Core
Commercial Large-Scale	CL	Applied to areas appropriate for large-scale integrated commercial retail centers with shared parking facilities. The CL zoning district is intended to serve a regional market area, and is to be applied to sites of at least 25 acres.	None	30 outside downtown; 90 inside greater downtown; 136 Inside Downtown Core
Commercial Neighborhood	CN	Applied to small-scale, limited retail and service areas that are designed to provide for the daily needs of the residents of the immediate, surrounding neighborhood.	None	30 outside downtown; 90 inside greater downtown; 136 Inside Downtown Core
Commercial General	CG	Applied to areas appropriate for a wide variety of general commercial uses, including retail, personal and business services; commercial recreational uses; and a mix of office, commercial, and/or residential uses.	None	30 outside downtown; 90 inside greater downtown; 136 Inside Downtown Core
Commercial Downtown	CD	Applied to the downtown commercial area of the city. The intent of the CD zoning district is to encourage a mix of high-intensity uses to create a lively, pedestrian-friendly environment, with high visual quality. Appropriate uses include large-scale commercial offices and office support uses, high-density residential development, tourist and lodging-oriented uses, and governmental facilities.	None	30 outside downtown; 90 inside greater downtown; 136 Inside Downtown Core
Public Facilities	PF	Applied to areas appropriate for a variety of public and quasi-public land uses, including facilities and lands owned by the City, County, State, or Federal Governments.	None	FAR 0.2
Mixed Use	MX	Intended to apply to large properties of at least 100 acres that can accommodate a wide range of land uses. A Master Development Plan is required for each MX zoning district to identify specific allowable land uses and development regulations.	Per Master Development Plan	17.5 to 30 du/ac

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ZONING DISTRICTS	CODE	ZONE DESCRIPTION	MIN. TOTAL LOT AREA	RESIDENTIAL DENSITY RANGE
University/ College	UC	Applied to areas of the city that are dedicated to private institutions of higher learning, to enable campus modifications or changes with the minimum, appropriate land use regulations. A Master Development Plan is required for each UC zoning district to identify specific allowable land uses and development regulations.	Per Master Development Plan	FAR 0.5 outside the Greater Downtown; 5.0 inside the Greater Downtown Area
Open Space/ Agriculture	OSA	Agriculture, parks, single-family residential units, farmworker housing, wetlands, wildlife reserves and other similar and compatible uses and structures related to the primary use of the property for preservation of natural resources or agriculture. Lands under this designation are intended to remain unincorporated and under the jurisdiction of San Joaquin County.	40 acres FAR 0.01	1 du/parcel

Note:

110,000 square feet for duplexes

Source: City of Stockton, Development Code, 2022.

Table HE-59 shows which land use permit is required for different types of housing in zones allowing residential uses. If a housing type is allowable in a particular zone, the use is subject to one of the following land use permit requirements:

- **Permitted (P).** All land uses shown with a "P" in the table are allowed subject to compliance with all applicable provisions of the Development Code. Site Plan Review is required for new construction, for a change in use, or change to a more intensive use, except for those uses that are exempt. Exempt uses include accessory dwelling units, single-family residential, duplex units, triplex units, development projects entitled through a different permit process and minor improvements such as fences and other exterior improvements.
- **Land Development Permit (L).** All land uses shown as "L" in the table that require construction of new structures or improvements, the expansion of an existing facility, or a change to a more intensive use, as determined by the director, require the approval of a Land Development Permit.

- **Administrative Use Permit (A).** All land uses shown with an "A" in the table are allowed subject to the approval of an Administrative Use Permit. The director has the decision-making authority to approve an administrative use permit.
- **Commission Use Permit (C).** All land uses shown with a "C" in the table are allowed subject to the approval of a Commission Use Permit. The Planning Commission has the decision-making authority to approve a Commission Use Permit.
- **Empty Box = Use not Allowed**

To address this type of request in 2022, the City adopted a code amendment to allow Density Waivers for Small Infill Lots. This process is described in Section 16.52.030(A)(b) of the Development Code as follows:

- a. **Density.** Density may be reduced or increased at the discretion of the Director only under the following circumstances:
 - i. The decrease or increase is less than 25 percent of the required minimum or maximum density for the zoning district;

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- ii. The decrease or increase is compatible with existing development; and
- iii. The decrease or increase will further the aims of this chapter, or as allowed under the density bonus provisions in compliance with Chapter 16.40 (Affordable Housing Incentives/ Density Bonus Provisions).

The development standards, including setback, lot coverage, and maximum height requirements for zones that allow residential development are shown in **Table HE-59**.

Table HE-59: Permitted and Conditionally Permitted Residential Uses
Stockton, 2022

RESIDENTIAL USE TYPE	PERMIT REQUIRED BY ZONING DISTRICT														
	RE	RL	RM	RH	CO	CN	CG	CD	CL	CA	IL	IG	PT	PF	OS
Caretaker and Employee Housing	A				P	P	P	P	P	P	P	L	L	L	L
Duplexes		P	P	P				P						L	
Cottage Court		C	P	P		P		P						L	
Mobile Home Parks		A	A	A			A	A							
Mobile Home/ Manufactured Home ¹	P	P	P	P				P						L	
Multifamily Dwellings			P	P	P	P	P	P	C					L	
Co-living (dwelling unit facility) ²				A	A	A	A	A							
Organizational House				A		A	A	A							
Assisted Living Facilities	A		C	P	P	P	P	P						L	
Care Homes, 6 or Fewer Clients ³	-	P	P	P				P						P	
Family Care Homes, 7 or More Clients ³	C			C				C						L	
Senior Care Facilities, 7 or More Clients			A	A	A			A						L	
Rooming and Boarding Houses				A				A						L	
Senior Residential Projects			P	P	P	P	P	P	P					L	
Accessory Dwelling Units	P	P	P	P	P	P	P	P	P	P				P	
Single Family Dwellings	P	P	P	P				P						L	
Townhouses		A	P	P	P	P	P	P						L	
Triplexes			P	P		P		A						L	
Fourplexes			P	P		P		A							
Emergency Shelters				C	C		C	C			A	A		A	
Low Barrier Navigation Center ⁴					P	P	P	P	P	P				P	
Supportive Housing	P	P	P	P	P	P	P	P	C					P	
Transitional Housing	P	P	P	P	P	P	P	P	C					P	

Notes: P = permitted use; L= land development permit required; C = commission use permit required; A= administrative use permit required; empty box= use not allowed

¹ A mobile home on a permanent foundation is treated as a single-family dwelling.

²A permanent housing facility consisting of single-room occupancy units, where each bedroom is considered a separate living quarter to be occupied by permanent residents.

³ Care homes include adult residential facilities, adult day care facilities, day treatment facilities, foster family homes, group homes, residential care facilities, small family homes, social care facilities, social rehabilitation facilities, community treatment facilities, intermediate care facilities, convalescent homes and nursing homes, pediatric day health and respite care facilities, intermediate care facilities for the developmentally disabled and congregate living health facilities, guest homes and rest homes.

Family Care Homes include adult residential facilities, adult day care facilities, day treatment facilities, group homes, residential care facilities, facilities for wards of the court, and residential care facilities for AIDS patients, intermediate care facilities convalescent homes and nursing homes, intermediate care facilities for the developmentally disabled and congregate living health facilities.

⁴Per Stockton Development Code Section 16.20.020 A low-barrier navigation center development is a use by right in special purpose or commercial zoning districts permitting multifamily dwellings.

Source: City of Stockton Development Code, Division 2, Chapter 16.20.020, 2015: Allowable Land Uses and Permit Requirements; 2022.

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Table HE-60: Development Standards in Zones That Allow Residential Development
Stockton, 2022

ZONE	MAX. NET RESIDENTIAL DENSITY (DU/AC)	FAR	FRONT SETBACK	LOT WIDTH	MIN. SIDE SETBACK	MIN. SIDE SETBACK FROM STREET	MIN. REAR SETBACK	MAX. LOT COVERAGE (%)	MIN. LOT AREA	MAX. HEIGHT
RE	0 to 1	-	30 ft	150 ft	10 ft		30 ft	25%	1 ac	
RL	0 to 8.7	-	20 ft							
RM	8.8 to 17.4	0.3	15 ft						5,000 sf	
RH	17.5 to 30 outside Greater Downtown	0.3 outside Greater Downtown		50 ft	5 ft	10 ft	10 ft	50%		35 ft
	20 to 90 inside Greater Downtown	3.0 inside Greater Downtown	15 ft						7,500 sf	
	20 to 136 inside Downtown Core	5.0 inside Downtown Core								
CO	17.5 to 30 outside Greater Downtown	0.3 outside Greater Downtown	10 ft		5 ft			60%	7,500 sf	45 ft
CN	20 to 90 inside Greater Downtown	3.0 inside Greater Downtown	None ¹			None ¹		100%		35 ft
CG	20 to 136 inside Downtown Core	5.0 inside Downtown Core	10 ft			10 ft		60%		45 ft
CD			None			None		100%		No Limit
CL	-	-			N/A ²		None ²		No Minimum	75 ft
CA	-	-		No Minimum				50%		45 ft
IL	-	0.6	10 ft			10 ft				60 ft
IG	-	0.6						60%		No Limit
PT	-	0.5 – 0.6								No Limit
OS	-	0.01	20 ft		20 ft	20 ft	20 ft		5 acres	35 ft
PF		0.5 – 0.6	10 ft		N/A ²	10	N/A ³	50%	No Minimum	75 ft
MX	17.5 – 30	0.5								
UC		0.5 Outside Greater Downtown	Per master development	Per master development	Per master development	Per master development	Per master development	Per master development	Per master development	Per master development
	-	5.0 Inside Greater Downtown								

¹ If adjacent to residential zoning districts, the setback shall be none if the structure in the CN zoning district is at least 20 feet from the residential zoning district, otherwise the setback shall be 10 feet.

² None required, except when adjacent to a residential zone, structures shall be set back a distance of 10 feet or as required by Article 3 for specific land uses. In the CA zone, structures shall be set back from a residential zone equal to their height.

Infill Development Standards

The City applies more flexible development standards for infill projects to encourage and maximize opportunities for development of vacant or underutilized land within city limits. Section 16.52.030 of the Development Code contains the infill development standards. The development standards of the underlying zoning designation, such as the density, setbacks, height, site coverage, and parking requirements may be modified to create consistency with surrounding development and address physical site constraints.

If an applicant wanted to obtain flexibility in development standards on an infill parcel, the applicant would first visit the Permit Center to determine whether or not the project met the following criteria:

- A. Vacant and developed property, with or without existing structures, of less than a total of five acres, which consist of:
 - a. One legal lot; or
 - b. Two or more contiguous, commonly-owned legal lots that are not separated by a public street;
- B. Bounded on at least three sides by existing urban uses or development;
- C. Served by existing water, sewer, drainage, streets, and schools; and
- D. Qualify for categorical exemption under the California Environmental Quality Act, Section 15332, CEQA, Class 32.

In addition to the land uses allowed in **Table HE-61**, infill projects consisting of the land uses shown in the table are allowed in any zoning district subject to the permit requirements shown in **Table HE-61**.

The City offers a preliminary project review process (Economic Review Committee, or ERC) in which developers are given the opportunity to meet with representatives from the City's various permitting departments (e.g., Community Development, Public Works, and Municipal Utilities) to provide feedback on proposed site plans, as well as information on topics such as zoning, use permits, and public improvements to assist the developer in the permitting and development process. The ERC preliminary project review process is provided free of charge by the City.

Table HE-61: Allowable Land Uses and Permit Requirements for Residential Infill Projects
Stockton, 2022

RESIDENTIAL USE TYPES	PERMIT REQUIREMENT
Single-family homes on blockfaces in which at least 50% of the blockface is occupied by existing single-family homes	P
Single-family homes on blockfaces in which less than 50% of the blockface is occupied by existing single-family homes, except that single-family homes shall not be allowed in an Industrial zoning district or in an area designated as Industrial on the General Plan.	A
Duplexes and Triplexes	A
Townhouses	A
Multifamily	A
Live Work Space	P
Studios	A

Notes: P = permitted use; C = commission use permit required; A= administrative use permit required; empty box= use not allowed

Source: City of Stockton Development Code, Division 2, Section 16.52.050: Allowable Land Uses and Permit Requirements for Infill Projects; September 2022.

Conclusions

Based on analysis of the permitted densities and development standards, the City has found that the General Plan and Development Code facilitate production of a variety of housing types. The City allows residential development in nonresidential and mixed-use zones and permits densities as high as 136 units per acre in the

downtown area. Additionally, the City has flexible development standards to encourage the development of small infill parcels.

BUILDING CODES AND ENFORCEMENT

Building codes and their enforcement influence the style, quality, size, and costs of residential development. Such codes can increase the cost of housing and impact the feasibility of rehabilitating older properties that must be upgraded to current code standards. In this manner, building codes and their enforcement can act as a constraint on the supply of housing and its affordability.

The City of Stockton has adopted the 2022 California Building Code (CBC). These local amendments include:

- **Alternate materials and methods of construction:** The Building Official may approve alternate materials and methods of construction provided he finds that the proposed design is satisfactory and complies with the provisions of the model codes and that the material, method, or work offered model codes in quality, strength, effectiveness, fire resistance, durability, safety, and sanitation.
- **Tests:** Whenever there is insufficient evidence of compliance with the adopted model codes or evidence that any materials or any construction does not conform to the requirements of the adopted model codes, the Building Official may require tests as proof of compliance to be made at the expense of the owner or his agent by an approved agency.

The minimum requirements of the CBC and other model codes may have added to the cost of housing over the years. However, governmental agencies at all levels as well as organizations representing building officials have decided that

these requirements are necessary to achieve a minimum level of health and safety.

The City's building codes are consistent with the codes applied in other jurisdictions throughout California and do not negatively impact the construction of affordable housing.

PARKING STANDARDS

Since off-street parking often requires large amounts of land, parking requirements are one of the development standards that can impact the development of compact, affordable housing. Off-street parking requirements increase the cost of development and limit the funds available for providing housing. Additionally, parking standards limit the ability to achieve compact, urban, infill development. Most municipalities adopt parking standards that exceed the actual parking needs of the population.

Stockton's off-street parking standards for residential uses are summarized in **Table HE-62**. The City requires two covered parking spaces per single-family home, one covered off-street space per ADU, one space per multifamily unit in the downtown, and one and one-half parking space per multifamily unit outside the downtown, and one space per unit in townhouses.

The Development Code allows the Director or Commission to reduce or waive up to 20 percent of the parking requirements, or a minimum of one space, under the following conditions:

- The structure was designed and intended for nonresidential use;
- The owner or developer substantiates that the provision of additional parking is unreasonable and economically unsound and the compliance with the provisions of this chapter would entail severe hardship; and
- The structure or structures were originally built before the effective date of the current parking requirements.

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Overall, the City's parking standards are relatively low, both for downtown infill development and development outside the downtown. The City has also reduced or eliminated parking for housing developments, including transit-oriented developments (TOD), affordable housing, senior housing, small lots, etc. Parking standards do not represent a constraint to the development of housing and allow development to achieve maximum allowed densities. The City will continue to explore best practices for parking standards and provide additional incentives to reduce costs and align standards with current housing market demands.

**Table HE-62: Required Off-Street Parking Spaces
Stockton, 2022**

RESIDENTIAL USE	SPACES/UNIT	GUEST PARKING
Single-family dwellings	2 per house in enclosed garage	-
Townhouses and duplexes	1 covered space per unit, except in the Downtown Core, 0.5 per unit	-
Triplexes and Fourplexes	1 per unit, except in the Downtown Core, 0.5 per unit	-
Multifamily dwellings	1 per unit	1 per 4 units
Greater Downtown	0.5 per unit	-
Downtown Core ¹		-
Affordable Housing		1 per 8 units
Organizational houses	1 per 3 occupants	1 per 6 occupants
Senior residential projects	1 per 2 units	1 per 10 units
Mobile home parks	1 per mobile home	1 per 4 units
Residential care facilities		
All, except care homes (6 or fewer)	1 per 5 beds	1 per 10 beds
Family care homes (7 or more)	2 per house in enclosed garage	1 per 10 beds
Rooming and boarding houses	1 per 3 occupants	-
Single-room occupancy facilities (SRO)/Co-Living	-	1 per 2 guest room
Transitional housing	1 per 2 beds	-
Caretaker and employee housing	1 covered space per unit	-
Emergency shelters	2 spaces per facility For staff 1 space per 10 occupants allowed at max. capacity	-
Accessory dwelling units	No off-street parking is required for accessory dwelling units	-

Notes: Exemptions for parcels within a parking assessment district per Section 16.64.060, [Parking Assessment Districts](https://library.qcode.us/lib/stockton_ca/pub/municipal_code/item/title_16-division_3-chapter_16_64-16_64_060), https://library.qcode.us/lib/stockton_ca/pub/municipal_code/item/title_16-division_3-chapter_16_64-16_64_060.

Source: City of Stockton Development Code, Section 16.64.040, Table 3-9; November 2022.

ON-/OFF-SITE IMPROVEMENT REQUIREMENTS

In Stockton, the developer is responsible for complete street improvements for streets of 144 feet right-of-way (flared to 155 feet at major intersections) and less. In compliance with the City's standard specifications and plans, the improvements shall consist of, but not be limited to, the following:

1. Curb, gutter, and sidewalk along street frontages;
2. Replacement of broken or displaced curb, gutter, and sidewalk;
3. Replacement of unnecessary driveways with curb, gutter, and sidewalk;
4. Wheelchair ramps at curb returns;
5. Pavement sections on new streets;
6. Improvements to, or construction of, interchanges with State highways;
7. On existing streets within the subdivision or development, the existing pavement shall be overlaid or reconstructed as directed by the City Engineer to handle the projected traffic;
8. On peripheral streets, the existing pavement shall be overlaid or reconstructed to the centerline of the street as directed by the City Engineer, to accommodate the projected traffic, and the curb, gutter, and sidewalk installed;
9. Streets shall be widened in compliance with the specific plan, precise road plan, or master development plan, and the existing pavement shall be overlaid or reconstructed to accommodate the projected traffic;
10. Fences;
11. Landscaped parkways;
12. Tree wells and sprinkler system;
13. Street lighting; and
14. Street signs.

OPEN SPACE AND PARK REQUIREMENTS

Open space and park requirements can decrease the affordability of housing by increasing developer fees and/or decreasing the amount of land available on a proposed site for constructing units. All housing units constructed in the city must pay a parkland fee to fund the development of neighborhood and community parks. As of the October 2022-2023 Fiscal Year, the fee was \$2,798 per single-family unit and \$1,712 per multifamily unit.

For land uses and development within the residential, low density (RL) zoning district, a minimum of 150 square feet of private open space is required per duplex unit, beyond the minimum required front-yard, rear-yard, and side-yard setbacks. For multifamily projects, the City requires 100 square feet of usable, common open space for each dwelling unit. The City also requires a minimum 40 square feet of private open space (e.g., patios, balcony, and decks). The area provided for private open space may be applied to the common open space requirement.

In addition to the requirements for residential and nonresidential, the following open space requirements apply to all planned development permits:

- a. Open space shall be designed as a major element of the project;
- b. Open space shall be located to take advantage of, and to help preserve, existing natural amenities (e.g., trees, topographic features, waterways, and views);

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- c. Open space shall generally be clustered to create larger-scale open spaces, but shall also be used to buffer incompatible uses and to provide corridors of space around and within developed areas to achieve a spacious character and convenient linkage to all parts of the site;
- d. All landscaped areas shall be designed, installed, and irrigated in compliance with Chapter 16.56 (Landscaping Standards);¹
- e. Open space areas shall not include streets, whether public or private, off-street parking or landscaping required for the parking lot, access drives, loading areas, or area(s) covered by structures;
- f. The location of all open space, including any off-premises locations, shall be identified on appropriate plans; and
- g. The City's Planning Commission may modify any open space requirement after considering the general purpose and nature of the project. If the open space requirement is modified, another amenity(s) must be provided.

The park dedication requirement, the park improvement fees, and the open space requirements do not represent excessive constraints on residential development. To help waive park fees, the Stockton Economic Stimulus Plan provides a fee reduction for some of the Public Facility Fees (PFF) for both single-family and multi-family residential projects in Stockton. A reduction of PFF up to a total of \$19,997 or 100%, whichever is less, for single-family residential and \$14,080 per unit for multi-family residential for these fee categories:

- City Office Space

- Libraries
- Fire Stations
- Parks
- Community Recreation Centers
- Police Stations
- Street Improvements

PROCESSING AND PERMIT PROCEDURES

Similar to other jurisdictions, the City has several procedures it requires developers to follow for processing development entitlements and building permits. Although the permit approval process must conform to the Permit Streamlining Act (Government Code Section 65920 et seq.), housing proposed in the city is subject to one or more of the following review processes: environmental review, zoning, subdivision review, and building permit approval. The City provides ample opportunities for most housing projects. Most housing projects that come forward are allowed by-right, and only require site plan and design review. These review processes are defined as ministerial in the Development Code and are ministerial actions that do not require hearings nor are subject to CEQA.

Many of the City's review procedures are handled at the staff level. For example, site plan and design review, minor zone modifications, and variances are conducted by the Community Development Director, except when the site plan is part of a larger project that requires Planning Commission review.

¹ City of Stockton, Landscaping Standards:

https://library.qcode.us/lib/stockton_ca/pub/municipal_code/item/title_16-division_3-chapter_16_56

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Site Plan review begins with review by the Site Plan Review Committee who make a recommendation to the Director who makes the determination. The Site Plan Review Committee is an internal design review committee and makes recommendations to the approving body. Typical projects reviewed by the committee include annexations, condominium projects, multi-family projects and specific plans. Site Plan Review Committee meetings are not open to the public. Site Plan Review applies to any project that requires a Building Permit, where a change in use is proposed, or where a change in occupancy is proposed. Projects that are exempt from Site Plan Review include residential developments containing single-family, duplex, or triplex dwelling units. The committee and Director conduct a review of the location, design, site plan configuration, and effect of the proposed development by comparing the project's plans to:

1. The requirements and standards in the Municipal Code;
2. Required locational and developmental standards identified in the Development Code, including applicable standards for specific land uses in Chapter 16.80 (Standards for Specific Land Uses);
3. Requirements of the City's California Building Standards Code; and
4. The City's standard specifications and plans.

The Site Plan Review Committee may find that a project site plan is in compliance, needs very minor corrections, needs minor corrections, or needs major corrections. Based on the recommendation of the committee, the Director either approves or requests revisions and resubmittal of the site plan. Site Plan Review is a ministerial action that does not require California Environmental Quality Act (CEQA) review.

A use permit is a permit issued by the City for land uses that, although allowed in a specific zoning district, have the potential to adversely affect other land uses, transportation and parking, or other facilities in the vicinity. The use permit

contains conditions to eliminate, or minimize to an acceptable level, any potentially adverse effects of the use. The City of Stockton currently has three types of conditional permits: Land Development Permits, Administrative Use Permits, and Commission Use Permits.

The review of projects for appropriate and efficient development and layout of a site is an integral part of the development approval process. All land uses shown as "L" in Table 2-2 of the Development Code (16.20.020, Allowable land uses and permit requirements) that require construction of new structures or improvements, the expansion of an existing facility, or a change to a more intensive use, as determined by the Director, require the approval of a Land Development Permit. The Director is the review authority for a Land Development Permit; however, the Director may defer action and refer the application directly to the Planning Commission.

The Review Authority may approve the Land Development Permit, with or without conditions or conditionally approve an application for an Administrative or Commission Use Permit if it finds all of the following:

1. The proposed land use activity is allowed within the subject zoning district with the approval of a Land Development Permit and complies with all other applicable provisions of the Development Code and the Municipal Code;
2. The proposed land use activity would be consistent with the general land uses, objectives, policies, and programs of the General Plan and any applicable Specific Plan, Precise Road Plan, or Master Development Plan;
3. The subject site would be physically suitable for the type and density/intensity of use being proposed, including the provision of services (e.g., sanitation and water), public access, and the absence of physical constraints (e.g., earth movement, flooding); and adequate in size and shape to accommodate the use and

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all fences and walls, landscaping, loading, parking, yards, and other features required by this Development Code; served by streets adequate in width and pavement type to carry the traffic generated by the proposed development.

4. The establishment, maintenance, or operation of the proposed use at the location proposed would not endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or general welfare of persons residing or working in the neighborhood of the proposed use; and
5. The proposed permit would be in compliance with the provisions of the California Environmental Quality Act (CEQA) and the City's CEQA Guidelines.

An Administrative Permit is required for uses that have the potential for a slight impact on existing land uses surrounding a given site. The Community Development Director is the review authority for an Administrative Use Permit and may defer action and refer the application directly to the Planning Commission.

Permits for uses that have the potential for a significant impact on surrounding areas, either because of the size of the project or the nature of the use, require a Commission Use Permit. The Planning Commission serves as the review authority for Commission Use Permits.

The decision-making authority may approve or conditionally approve an application for an Administrative or Commission Use Permit if it finds all of the following:

1. The proposed use is allowed within the subject zoning district with the approval of a Use Permit and complies with all other applicable provisions of the Development Code and the Municipal Code;

2. The proposed use would maintain or strengthen the integrity and character of the neighborhood and zoning district in which it is to be located;
3. The proposed use would be consistent with the general land uses, objectives, policies, and programs of the General Plan and any applicable Specific Plan or Master Development Plan;
4. The subject site would be physically suitable for the type and density/intensity of use being proposed, including the provision of services (e.g., sanitation and water), public access, and the absence of physical constraints (e.g., earth movement, flooding);
5. The establishment, maintenance, or operation of the proposed use at the location proposed and for the time period(s) identified, if applicable, would not endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or general welfare of persons residing or working in the neighborhood of the proposed use;
6. The design, location, size, and operating characteristics of the proposed use would be compatible with the existing and future land uses on-site and in the vicinity of the subject property; and
7. The proposed action would be in compliance with the provisions of CEQA and the City's CEQA Guidelines.

A significant amount of multifamily development in the city has been approved as part of Specific Plans and Master Development Plans. For example, most specific plans allow multi-family residential by right only requiring design review and site plan review. The City has facilitated development of new multifamily housing by including the approval of multifamily development as part of the approval process for Specific Plans or Master Development Plans.

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Table HE-63 summarizes the City's estimated processing times for City approvals that may be required in the residential development process. These processing times are typical for California cities.

Table HE-63: Community Development/ Planning Division Schedule of Residential Processing Times Stockton, 2023

RESIDENTIAL APPROVALS	APPROXIMATE PROCESSING TIME (WEEKS)
Rezoning and Pre-zonings	12-18
Special Use Permits, Use Permits Requiring Public Hearings and Use Permits on 14-Day	6-10
Planned Unit Residential Development Permits	6-8
Amendment to The Stockton Municipal Code, Specific Plan or General Plan	12-24
Tentative Maps 4 Lots or Less	6-8
Tentative Maps Over 4 Lots	6-8
Variance/Waiver, Interpretation or Appeal of a Decision of The Community Development Director	4-6
Appeals to City Council	4-6
Design Review	1-4
Environmental Documentation	Varies

Source: City of Stockton, 2023.

The typical amount of time between planning approval/entitlement and when an application for a building permit is submitted varies by project type. ADUs are allowed by-right and go straight to a building permit, unless they are in a Design District. In that case, they go to the Architectural Review Committee (which meets alternative weeks). Most single-family residential projects are also allowed by-right and go straight to building permit, unless in a Design District, then go to an Architectural Review Committee. Multifamily residential projects go to the Architectural Review Committee and require Site Plan Review (meetings are set as applications are received). A complete application could take four to six weeks before moving on to building permit.

Design Review

The City has a design review process to encourage development that is compatible and harmonious with the design and use of surrounding properties and with the city in general. The following types of residential development are subject to the City's design review process:

- New single-family tract development in subdivision of five or more parcels;
- New single-family infill projects within special districts in historic areas with unique architecture;
- Additions and exterior remodeling of single-family dwellings within special districts visible from public right-of-way;
- New developments containing two or more dwelling units;
- Additions and exterior remodeling of existing multifamily projects; and
- Accessory structures in special districts or as part of a multifamily project greater than 120 square feet that are visible from the public right-of-way.

The City's adopted design guidelines are used by City staff, the Director, Architectural Review Committee (ARC), Cultural Heritage Board, Commission, and Council as adopted criteria for the review of development proposals.

The City's design review process is codified in Title 16 of the Stockton Municipal Code (Development Code). The procedure to be followed depends on whether discretionary approval is required from the Planning Commission or City Council (see **Table HE-63**). For projects that do not require any type of discretionary approval, the applicant is required to submit design review plans before building permit submittal. The Architectural Review Committee (ARC) is an internal design review consisting of a panel of three private-sector architects appointed by the Director. The ARC performs the design reviews on an alternating weekly schedule. Architectural Review Committee meetings are not open to the public. The ARC reviews the submitted plans for

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compliance with the design guidelines and/or applicable Development Code standards, and make recommendations and supporting findings in compliance with the list of recommendations. Following the ARC's review of the plans, the Director will prepare and transmit a list of the ARC's findings and recommendations to the applicant in a timely manner, noting that a request for reconsideration may be submitted, where applicable.

For projects that require a discretionary approval (e.g., Use Permit, rezoning), the applicant submits elevations of the proposed project at the time the discretionary application is submitted. The Director reviews the project for compliance with the land use and development regulations in the Development Code. The ARC reviews the overall design of the project for compliance with the design guidelines. In reviewing the design of the project, the ARC uses the design guidelines as a reference, and makes recommendations and supporting findings in the list of recommendations. Following the ARC's review of the plans, the Director prepares and transmits a list of the ARC's findings and recommendations to the applicant in a timely manner, noting that a request for reconsideration may be submitted and/or that the Planning Commission is the final Design Review Authority, where applicable.

Required Findings

The Review Authority shall determine whether a project adequately meets adopted City standards and the Guidelines, based on consistency with the following findings:

- A. The proposed development is consistent with all applicable provisions of this Development Code and other applicable City ordinances;
- B. The general design considerations, including the character, quality, and scale of design are consistent with the purpose/intent of this chapter and the Guidelines and other design guidelines that may be adopted by the City;
- C. The architectural design of structures and their materials and colors are visually compatible with surrounding development. Design elements (e.g., awnings, exterior lighting, screening of equipment, signs) have been incorporated into the project to further ensure its compatibility with the character and uses of adjacent development, and/or between the different types of uses in a mixed-use development;
- D. The location and configuration of structures are compatible with their sites and with surrounding sites and structures and do not unnecessarily block views from other structures or dominate their surroundings;
- E. The general landscape design, including the color, coverage, location, size, texture, and type of plant materials, provisions for irrigation, planned maintenance, and protection of landscape elements have been considered to ensure visual relief, to complement structures, and to provide an attractive environment;
- F. The design and layout of the proposed project will not interfere with the use and enjoyment of neighboring existing or future development and will not result in vehicular or pedestrian hazards;
- G. The building design and related site plans, including on-site parking and loading, has been designed and integrated to ensure the intended use will best serve the potential users or patrons of the site; and
- H. Special requirements or standards have been adequately incorporated, when applicable, into the building and/or site design (e.g., Americans with Disabilities Act regulations, historic preservation, mitigation measures, open space, utilities). (Prior code Section 16-515.060)

Senate Bill 330

Senate Bill (SB) 330, the Housing Crisis Act of 2019, established specific requirements and limitations on development application procedures. The bill allows housing developments for which a preliminary application is submitted that complies with applicable general plan and zoning standards is subject only to the development standards and fees that were applicable at the time of submittal. This applies to all projects unless the project square footage or unit count changes by more than 20 percent after the preliminary application is submitted. The developer must submit a full application for the development project within 180 days of submitting the preliminary application.

The City of Stockton offers a pre-application conference for any application for new development or redevelopment which is required to go before the Planning Commission and any subdivision map for five or more lots, to ensure that the applicant is aware of issues and requirements related to the project. Other departments and public agencies may be invited to attend a pre-application conference. The fee for the pre-application conference shall be in compliance with the City Council's most recently published fee schedule.

Senate Bill 330

Currently, the City of Stockton does not have a process established for processing projects under SB 330; however, the City complies with state law regarding SB 330 using the state's form. The City has included Program 17 to establish a process that specifies the SB 330 process and standards for eligible projects.

Senate Bill 35

Currently, the City of Stockton does not have a process established for processing projects under SB 35; however, the City complies with state law regarding SB 35. The City has included Program 14 to establish a process that specifies the SB 35 streamlining approval process and standards for eligible projects.

Summary

Processing and permit procedures have not been found to be a constraint in Stockton. However, Program 15 commits the City to review and update the findings for use permits and Design Review to be objective to further streamline development review.

DEVELOPMENT FEES AND OTHER EXACTIONS

As shown in **Table HE-64**, the City collects various fees from developers to cover the costs of processing permits and providing necessary services and infrastructure. Additional fees and/or time may be necessary for required environmental reviews, depending on the location and nature of a project. Certain residential projects that require General Plan amendments, Development Code changes, or other planning-related functions require fees in addition to those listed in the table. These required fees are usually needed for master plans in greenfield areas.

Planning and Building permit fees and applicable impact fees vary from project to project. **Table HE-64** shows fees for a "typical" project in Stockton with updated 2022-23 rates. Multifamily fees are based on a hypothetical 27-unit multifamily development on 1.48 acres. Single family fees are based on a hypothetical 3-bedroom 2-bath home 1,800 square footage home and the Building Data Valuation Data for a unit in the R-3 zone.

Estimated fees in Stockton are \$61,725 for the hypothetical 1,800 sq ft single-family unit and \$33,028 for the hypothetical multifamily unit, including City fees, permit fees, as well as County fees and school district fees. Based on an estimate of typical costs to develop housing, fees represent an estimated 15.3 percent of the total cost of a single-family unit and about 6.1 percent of the total cost of a multifamily unit (see **Table HE-65**).

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Other impact fees for agriculture and open space are charged by the gross acre and designed to mitigate for the loss of productive land. The agricultural land mitigation fee, at \$14,352 per gross acre for single-family units, and at \$12,841 per gross acre for multifamily units, applies when development converts “important farmland” to

private urban uses. The San Joaquin Council of Governments collects the San Joaquin County Multi-Species Habitat and Open Space Conservation Plan fee to mitigate the loss of important habitat and open space.

Table HE-64: Development Impact and Planning-Related Fees
Stockton, February 2023

FEES	SINGLE-FAMILY UNIT ¹	27-UNIT MULTIFAMILY DEVELOPMENT ²	
		TOTAL DEVELOPMENT	PER UNIT
Municipal Utilities Department Fees			
Water	\$2,264.41	\$49,766.67	\$1,843.21
Sewer	\$974.53	\$2,133.76	\$79.03
Delta Water Supply Project	\$5,508.23	\$29,359	\$1,087.37
Water and Sewer Administrative Fee	\$113.36	\$1,816.52	\$67.28
Total Municipal Utilities Department Fees	\$8,860.53	\$83,075.82	\$3,076.88
Public Facilities and Services Fees			
Surface Water	\$4,587	\$41,793	\$1,547.89
Park Land	\$2,798	\$46,224	\$1,712
Public Works Residential Construction	\$75.25	\$75.25	\$2.79
Agriculture Land Mitigation	\$658.95	\$25,682	\$951.19
Air Quality	\$187	\$3,429	\$127
City Office Space	\$467.00	\$10,557	\$391.00
Community Recreation Center	\$481.00	\$10,935	\$405.00
Fire Prevention Review Fee	N/A	\$201	\$7.44
Fire Station	\$781	\$17,766	\$658
Libraries	\$902	\$20,547	\$761.00
Police Station Expansion	\$591	\$13,419	\$497
Street Improvements	\$13,226	\$260,712	\$9,656
Traffic Signal	\$110	\$1,796	\$66.50
Regional Transportation Impact	\$8,106.52	\$65,663	\$2,431.95
Total Public Facilities and Services Fees	\$32,971	\$518,798	\$19,214.76
Planning Fees			
Building Permit	\$2,428.31	\$35,629.43	\$1,319.61
Building Plan Check	\$1,019.89	\$14,964.36	\$554.24
General Plan Maintenance and Implementation	448.43	\$7,786.24	\$288.38
Site Plan Review	\$1,045.00	\$1,045.00	\$38.70
Total Planning Fees	\$4,941.63	\$59,425.03	\$2,200.93
Other Fees			
Fee Area - Administrative Fee ⁴	\$1,872.52	\$18,157.94	\$672.52
Strong Motion Instrumental Program (SMIP) Fee	\$38.86	\$674.81	\$24.99
Technology Fee	\$182.12	\$2,672.21	\$98.97

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FEES	SINGLE-FAMILY UNIT ¹	27-UNIT MULTIFAMILY DEVELOPMENT ²	
		TOTAL DEVELOPMENT	PER UNIT
Capital Preservation Fee	\$298.95	\$5,190.83	\$192.25
Green Building Fee	\$11.96	\$207.63	\$8.00
Community Rating System Administration Fee (CRS)	\$145.70	\$2,137.77	\$79.18
Total Other Fees	\$2,550	\$29,041.18	\$1,075.60
TOTAL CITY FEES	\$49,323.00	\$690,340.42	\$25,568.16
County and Special District Fees			
County Fee	\$1,890	\$64,800	\$1,620
School District ³	\$10,512	\$157,680	\$5,840
TOTAL COUNTY AND SPECIAL DISTRICT FEES	\$12,402	\$222,480	\$7,460
TOTAL FEES	\$61,725.00	\$912,820.42	\$33,028.16

Notes:

¹ Single-family unit fees are from the City of Stockton website fee estimator (October 2015), based on a new 1,800-square-foot single-family detached home within city limits with a valuation of \$298,955 and a 0.75-inch water meter size.

² Multifamily fees are from City of Stockton, based on a 27-unit apartment building, on a 1.48-acre property with a structural valuation of \$5,190,825 and a 2-inch water meter.

³ School Fees are determined by the school district. Estimate is based on Stockton Unified School District fees. Single-family: \$5.84/SF; multifamily: \$5.84/SF.

⁴ Public Facilities and Services Fees multiplied by the 3.5% administrative fee equals totals.

Source: *City of Stockton Fee for 2022-2023 Fiscal Year, 2022*

DENSITY BONUS

State law (Government Code Section 65915 et seq.) requires local governments to grant a density bonus to developers that agree to provide a specific percentage of affordable housing, senior housing, or childcare facilities for lower- or moderate-income households as part of an approved development. The law is revised nearly every year and has been expanding to apply to more projects and allow larger bonuses and more incentives and concessions over the years. The magnitude of the incentive depends on the total share of development that is designated affordable. Program 18 commits the City to updating their Density Bonus ordinance when needed for consistency with state law and to continue to update it regularly throughout the planning period as updates to state law are made. Chapter 16.40 of Stockton's Development Code describes the City's density bonus provisions.

LOCAL ORDINANCES THAT IMPACT HOUSING SUPPLY

The City doesn't have ordinances regulating short-term rentals, inclusionary housing, nor growth management that would potentially impact long-term housing supply.

PROVISIONS FOR A VARIETY OF HOUSING TYPES

Multifamily

The Zoning Ordinance allows multifamily development by right in the RM, RH, CN, CG, and CD zones, and conditionally in the CO and CL zones and with a land use permit in the OS zone.

Accessory Dwelling Unit

An accessory dwelling unit (ADU) is an additional self-contained living unit, either attached to or detached from the primary residential unit on a single lot. It has cooking, eating, sleeping, and full sanitation facilities. ADUs can be an important source of affordable housing since they can be constructed relatively cheaply and have no

associated land costs. ADUs can also provide supplemental income to the homeowner, allowing seniors to remain in their homes, or moderate-income families to afford houses.

To encourage establishment of ADUs on existing developed lots, notwithstanding subdivisions state law requires cities and counties to either adopt an ordinance based on standards set out in the law authorizing creation of ADUs in, to allow ADUs on lots zoned residential or mixed-use zone subject to ministerial approval (“by right”) if they meet standards set out by law.

The City of Stockton meets State requirements for ADUs. The City of Stockton allows ADUs in all zoning districts that allow residential development. The Review Authority issues a ministerial building permit for an ADU or junior accessory dwelling unit (JADU) without discretionary review or a hearing, consistent with the development standards and State law. The City of Stockton is in compliance with state ADU law. Program 6 commits the City to continue updating their ADU regulations to stay consistent with state law and commits the City to promoting the development of ADUs as a housing type in the city.

Manufactured Homes and Mobile Home Parks

Sections 65852.3 and 65852.4 of the California Government Code specify that a jurisdiction shall allow the installation of manufactured homes on a foundation on all “lots zoned for conventional single family residential dwellings.” Except for architectural requirements, the jurisdiction is only allowed to “subject the manufactured home and the lot on which it is placed to the same development standards to which a conventional single family residential dwelling on the same lot would be subject.” The architectural requirements are limited to roof overhang, roofing material, and siding material.

The only two exceptions that local jurisdictions are allowed to make to the manufactured home siting provisions are if: (1) there is more than 10 years difference between the date of manufacture of the manufactured home and the date of the application for the issuance of an installation permit; or (2) if the site is listed on the National Register of Historic Places and regulated by a legislative body pursuant to Government Code Section 37361. Section 69852.7 of the California Government Code specifies that mobile home parks shall be a permitted use on “all land planned and zoned for residential land use.” However, local jurisdictions are allowed to require use permits for mobile home parks. The City of Stockton’s Development Code defines mobile homes on a permanent foundation under the definition of “Single-family dwellings”. Zones where this use is allowed are shown in **Table HE-59**. Additionally, mobile home parks are allowed in the Residential Low-Density (RL), Residential Medium-Density (RM), Residential High-Density (RH), General Commercial (CG), and Commercial Downtown (CD) districts with an Administrative Use Permit.

Section 16.80.210 of Stockton’s Development Code provides specific development standards for mobile home parks, including a minimum of 20-foot setback for mobile home spaces, buildings, parking or recreational areas, and other structures from all property lines along public streets. Additionally, access to the mobile home park must be directly to a major arterial street or within 500 feet of freeway access ramps. Stockton’s Municipal Code conforms to Government Code Section 69852.7.

Group Homes

State law requires group residential facilities of six or few persons to be considered a single-family dwelling for the purpose of any law or zoning ordinance related to residential property use (California Health and Safety Code Sections 1267.8, 1566.3, 1568.08). As of 2022, licensed care homes consisting of six or fewer individuals are allowed by right in the RL, RM, RH, CD, and PF

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zones. However, these are not all the zones that allow single-family development; the RE zone also allows single-family dwellings by right. The Housing Element includes Program 15 to amend the Development Code to allow group homes for six persons or fewer in the RE zone.

Family care homes with more than six individuals require the approval of a Commission Use Permit in the RE, RH, and CD zones, and a land development permit in the PF zone. The Commission Use Permit process is the only restriction to family care homes with more than six individuals. Group homes in single-family or two-family structures are exempt from Title 24 requirements. The Commission Use Permit has not been used to deny a family care home of seven or more individuals in Stockton. According to the Health and Safety Code Sections 1267.8, 1566.3, and 1568.08, residential care facilities with seven or more must be allowed without a use permit. To ensure compliance with State law, the City has incorporated Program 15 to address this part of the statute.

Farmworkers and Employee Housing

State law asserts that employee housing for six persons or less shall be allowed in the same way residential structures are allowed in zones allowing residential uses and that employee housing for up to 12 units or 36 beds shall be deemed an agricultural use and must be subject to the same regulations as any other agricultural use in the same zone. "No Conditional Use Permit, zoning variance, or other zoning clearance shall be required of this employee housing that is not required of any other agricultural activity in the same zone" (Employee Housing Act, California Health and Safety Code Sections 17021.5 and 17021.6). Farm labor housing is considered an agricultural activity and is permitted by right in all zones allowing agricultural uses, which complies with State law (Health and Safety Code Section 17021.6). Program 15 is included to update the Development Code to allow employee housing for six persons or less in the same way residential

structures are allowed in zones allowing residential uses.

Emergency Shelters

SB 2, passed in 2007 and in effect as of January 1, 2008, amended State Housing Element law (California Government Code Sections 65582, 65583, and 65589.5) regarding shelter for homeless persons. This legislation requires local jurisdictions to strengthen provisions for addressing the housing needs of homeless persons, including the identification of a zone or zones where emergency shelters are allowed as a permitted use without a use permit or other discretionary approval. Assembly Bill (AB) 2339, passed in 2022 and in effect as of January 1, 2023, expands the requirements for allowing emergency shelters under State law to ensure sufficient space on sufficient sites in suitable locations are identified in each jurisdiction.

California Health and Safety Code Section 50801(e) and Government Code Section 65583(a)(4) define "emergency shelters" as:

Housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay." Emergency shelters include interim interventions, including, but not limited to, a navigation center, bridge housing, and respite or recuperative care.

The City of Stockton's Development Code defines homeless shelters as:

A public or private building which provides immediate, short-term shelter that may involve supplemental services for more than six homeless individuals or family members without compensation.

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Emergency shelters are allowed in the Residential High-Density, Commercial Office, Commercial General, Commercial Downtown, and Industrial Limited districts with a Commission Use Permit. The Development Code does not place any further restrictions or requirements. The City also allows emergency shelters “by right” (i.e., without a Commission Use Permit or other discretionary approval) in the Industrial Limited (IL), Industrial General (IG), and Public Facilities (PF) districts. While the IL and IG zones allow industrial uses, the zones are reserved for operations that are totally conducted indoors. The PF zone allows numerous other residential uses, including single-family homes and multifamily units, and is therefore suitable for emergency shelters. There are an estimated 19 acres of vacant land on at least 21 parcels within Stockton city limits zoned IL, IG, or PF (as of 2023). About 1.7 acres of this land is within the Greater Downtown area, where there is convenient access to social services and public transportation. This vacant land is made up of a variety of parcel sizes.

The city has 921 persons without nighttime shelter as of the 2022 Point-in-Time (PIT) Count. The size of shelters in Stockton is based on building and fire code allowances and there is no maximum number of beds. Government Code Section 65583(a)(4)(I) requires a minimum of 200 square feet per person to meet the unsheltered need. To address the unsheltered needs of 921 people, this would be a minimum of 184,200 square feet or 4.2 acres. The 21 vacant parcels in the IL, IG, and PF districts range in size from 0.11 to 5.11 acres. Therefore, there are sufficient sites in the city to address the potential need for emergency shelters to accommodate 921 unsheltered persons experiencing homelessness.

The City’s municipal code determines the maximum number of beds for an emergency shelter by Building and Fire Codes. Development standards for emergency shelters are:

- A. **Separation Between Structures.** Developments with multiple structures shall provide a 12-foot separation between those structures.
- B. **Physical Characteristics.**
 1. Compliance with applicable State and Local Uniform Housing and Building Code requirements.
 2. The facility shall have on-site security during all hours when the shelter is open.
 3. Facilities shall provide exterior lighting on pedestrian pathways and parking lot areas on the property. Lighting shall reflect away from residential areas and public streets.
 4. Facilities shall provide secure areas for personal property.
- C. **Maximum Number of Beds per Facility.** The maximum number of beds per facility shall be determined and as allowed by Building and Fire Codes.
- D. **Limited Terms of Stay.** The maximum term of staying at an emergency shelter is six months in a consecutive 12-month period.
- E. **Parking.** The emergency shelter shall provide off-street parking at a ratio of two spaces per facility for staff plus one space per 10 occupants allowed at the maximum capacity.
- F. **Emergency Shelter Management.** A management plan is required for all emergency shelters to address management experience, good neighbor issues, transportation, client supervision, client services, and food services. Such plan shall be submitted to and approved by the Director prior to operation of the emergency shelter. The plan shall, at minimum, identify the property owner’s and operator’s names and contact information, on-site security, and anti-

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loitering measures. The plan shall include a floor plan that demonstrates compliance with physical standards of this chapter. The operator of each emergency shelter shall annually submit the management plan to the Director with updated information for review and approval. The City Council may establish a fee by resolution to cover the administrative cost of review of the required management plan.

- G. **Waiting Area.** To prevent queuing of shelter residents off-site, an on-site intake waiting area shall be provided that is adequate to accommodate all incoming residents.
- H. **Proximity.** The proximity of an emergency shelter next to another emergency shelter shall be at minimum 300 feet.

In addition, Government Code 65583(a)(4) (SB 2) requires sufficient parking to accommodate all staff working in the emergency shelter provided that the standards do not require more parking for emergency shelters than other residential or commercial uses within the same zone. Currently, the code requires providing off-street parking at a ratio of two spaces per facility for staff plus one space per 10 occupants allowed at the maximum capacity. In addition, other standards, including the proximity standard, need to be updated for consistency with State law. The City has included Program 12 to revise the standards to ensure compliance with State law.

Low-Barrier Navigation Center

Government Code Section 65662 requires that the development of Low-Barrier Navigation Centers be developed as a use by right in zones where mixed uses are allowed or in nonresidential zones that permit multifamily housing. For a navigation center to be considered “low barrier,” its operation should incorporate best practices to reduce barriers to entry, which may include, but are not limited to, the following:

- Permitting the presence of partners if it not a population-specific site, such as for survivors of domestic violence or sexual assault, women, or youth
- Pets
- Ability to store possessions
- Providing privacy, such as private rooms or partitions around beds in a dormitory setting or in larger rooms with multiple beds

The City defines a Low-Barrier Navigation Center as housing-first, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing. A low-barrier navigation center development is a use by right in special purpose or commercial zoning districts permitting multifamily dwellings.

Transitional Housing

While SB 2 added specific new requirements for local governments to meet in terms of planning for emergency shelter facilities, Government Code Section 65583(a)(5) also states that “transitional housing and supportive housing shall be considered a residential use of property, and shall be subject only to those restrictions that apply to other residential dwellings of the same type in the same zone.” State law requires cities and counties to allow transitional and supportive housing in all zones that allow residential uses.

Transitional housing is designed to assist homeless individuals and families in moving beyond emergency shelter to permanent housing. California Health and Safety Code Section 50675.2(h) defines “transitional housing” and “transitional housing development” as:

Buildings configured as rental housing developments, but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined

future point in time, which shall be no less than six months.

The City of Stockton's Development Code defines transitional housing as a "use by right" that shall have the same meaning as defined in subdivision (i) of Government Code Section 65583.2. The Government Code section reads "transitional housing and supportive housing are permitted in all zones allowing residential uses and are not subject to any restrictions (e.g., occupancy limit) not imposed on similar dwellings (e.g., single family home, apartments) in the same zone in which the transitional housing and supportive housing is located." Therefore, supportive housing is allowed in the city wherever single-family and multifamily residential is allowed. The City's code does not constrain development of transitional housing.

Supportive Housing

Supportive housing is permanent rental housing linked to a range of support services designed to enable residents to maintain stable housing and lead fuller lives. Typically, a portion of the housing is targeted to people who have risk factors such as homelessness or health challenges such as mental illness or substance addiction. Supportive housing comes in all shapes and sizes. It could be a renovated motel offering furnished co-living apartments; a multifamily development where tenants with disabilities live alongside other families with low incomes; a small, more service-intensive building; or scattered-site apartments. Whatever the configuration, all of the housing allows tenants to access support services that enable them to live as independently as possible.

California Health and Safety Code Section 65582(f) defines "supportive housing" as:

Housing with no limit on length of stay, that is occupied by the target population, and that is linked to onsite or offsite services that assist the tenant to retain the housing, improve his or her health status, maximize their ability to live and, when possible, to work in the community.

Government Code Section 6565 (a) requires cities and counties to consider supportive housing as a residential use allowed in all zones that allow residential uses and mixed use and only subject to those restrictions that apply to other residential uses of the same type in the same zone. Additionally, supportive housing must be permitted by-right in multifamily, mixed-use, and nonresidential zones allowing multifamily.

The City of Stockton's Development Code defines supportive housing as a "use by right" that shall have the same meaning as defined in subdivision (i) of Government Code Section 65583.2. The Government Code section reads:

Transitional housing and supportive housing are permitted in all zones allowing residential uses and are not subject to any restrictions (e.g., occupancy limit) not imposed on similar dwellings (e.g., single family home, apartments) in the same zone in which the transitional housing and supportive housing is located.

Therefore, supportive housing is allowed in the city wherever single-family and multifamily residential is allowed. The City's code does not constrain development of supportive housing.

Single-Room Occupancy Units

SRO units (referred to in Stockton as co-living units) can provide affordable housing for lower-income individuals, seniors, and persons with disabilities, and can serve as an entry point into the housing market for formerly homeless people. A co-living unit is usually small, between 200 to 350 square feet.

Co-living units are a source of affordable housing in the city. As the city of Stockton has aged, downtown hotels serving overnight visitors became residential hotels, or co-living units, renting rooms by the day, week, or month to very low-income individuals or couples. According to the City of Stockton, as of 2023, there were five residential hotels operating in the downtown central business district of Stockton.

There are a number of residential hotels that are currently vacant due to habitability, housing, and other code violations. It is unlikely that these hotels will be reopened and operated as hotels as there is significant work needed to get the residential hotels operational for overnight accommodations. The City has acquired some of these hotels to create housing, such as the Medici Artist Lofts. There is a mix of one-, two-, and three-bedroom apartments that include both affordable and market-rate units. The City has also created additional parking that is needed in downtown Stockton to create an environment conducive to commercial and retail businesses and development. The City performs annual inspections of the remaining residential hotels to make sure that these hotels meet minimum health and safety standards.

The Stockton Development Code defines Co-Living (dwelling unit facilities) as “a permanent housing facility consisting of single-room occupancy units, where each bedroom is considered a separate living quarter to be occupied by permanent residents.” The City allows SROs in CG (Commercial General) and CD (Commercial Downtown) zones with an Administrative Use Permit.

HOUSING FOR PERSONS WITH SPECIAL NEEDS

Housing for Persons with Disabilities

State housing element law requires jurisdictions to analyze potential and actual constraints on the development, maintenance, and improvement of housing for persons with disabilities and demonstrate local efforts to remove governmental constraints that hinder the locality from meeting the need for housing for persons with disabilities. In accordance with SB 520 (Chapter 671, Statutes of 2001), the City has analyzed the potential and actual governmental constraints on the development of housing for persons with disabilities. Program 12 commits the City to include a State-compliant definition of family in the glossary in the zoning regulations.

Accessibility

The City does not provide any undue or additional constraints to the development, maintenance, and improvement of housing for persons with disabilities. The City of Stockton uses Title 24 building laws in its development of zoning, permitting processes, and building codes for disabled housing with no additional building codes adopted. The City makes every effort to ensure accessibility for persons with disabilities. The City is stringent in its application of Title 24 guidelines and requires all new development to meet the requirements of the law. No additional requirements for parking are required other than those for the zone in which the housing is being developed, and special concessions can be given to lower the parking requirements for special-needs housing.

The Building and Housing Board of Appeals deals with disputes that may arise with special-needs housing. Where issues do arise, citizens, contractors, and others can seek assistance from the City's Building and Housing Board of Appeals. Although the Building and Housing Board of Appeals cannot waive Title 24 requirements, the Board can make findings on the use of alternative methods and/or materials to accommodate disabled access. As of 2023, the application fee required for filing with the Building Board of Appeals is \$373.

The City of Stockton process to retrofit homes for accessibility follows Title 24 guidelines.

The City of Stockton Building Division enforces Chapter 11 of the California Building Code, Title 24. The Code provides a mandate that 100 percent of ground-floor (one-story) dwelling units in buildings consisting of three or more dwelling units be accessible by adaptability. Adaptability includes such features as wheelchair clearances in bathrooms, hallways, and kitchen areas, adjustable lowered countertops, site access, backing for grab bars in shower/bath areas, etc. The disabled tenant, or tenant's representative, at time of occupancy, can request of the property owner that the adaptable provisions be

converted to full accessibility. Building permit fees associated with the Title 24 improvements would be the only fees the City would impose as part of this process.

Reasonable Accommodation

The City adopted a reasonable accommodation ordinance in 2016, Zoning Ordinance Chapter 16.214, to establish a formal procedure for individuals with disabilities seeking equal access to housing to request reasonable accommodation in the application of the City's land use and zoning standards, regulations, policies, and procedures and to establish criteria for evaluating the requests. An application for reasonable accommodation must be submitted on a form prescribed by the Director, or in the form of a letter addressed to the Director. If the project for which the application for reasonable accommodation is being made requires approval of another permit under this title, then the applicant must file the application for reasonable accommodation together with the application for the other permit, for concurrent review and action.

The decision to grant, grant with modifications, or deny an application for reasonable accommodation is based on a finding, all of which are required for approval or conditional approval of a reasonable accommodation:

1. Whether the housing or housing-related facilities that are the subject of the request will be used by an individual with a disability under the Americans with Disabilities Act (ADA).
2. Whether the request for reasonable accommodation is necessary to make specific housing available to an individual with a disability under the ADA.
3. Whether the requested reasonable accommodation would impose an undue financial or administrative burden on the City.
4. Whether the requested reasonable accommodation would require a fundamental alteration in the nature of a City

program or law, including, but not limited to, land use and zoning.

5. Whether the requested reasonable accommodation would be contrary to the public health, safety, or welfare, or be injurious to the property or improvements of adjacent properties.
6. Whether the requested reasonable accommodation adequately considers the physical attributes of the property and structures.
7. Whether alternative reasonable accommodations could provide an equivalent level of benefit.

Program 27 proposes to remove two of the findings above that are part of the City's Reasonable Accommodation approval process for consistency with State law:

- Whether the requested reasonable accommodation adequately considers the physical attributes of the property and structures.
- Whether alternative reasonable accommodations could provide an equivalent level of benefit.

POTENTIAL NONGOVERNMENTAL CONSTRAINTS

The availability and cost of housing is strongly influenced by market forces over which local governments have little or no control. Nonetheless, State law requires that the Housing Element contain a general assessment of these constraints, which can serve as the basis for actions to offset their effects. The primary nongovernmental constraints to the development of new housing in Stockton are the availability of financing and development costs.

AVAILABILITY OF FINANCING

Interest rates are determined by national policies and economic conditions, and there is little that local governments can do to affect these rates. Jurisdictions can, however, offer interest rate write-downs to extend home purchase opportunities to lower-income households. In addition, government-insured loan programs may be available to reduce mortgage down-payment requirements.

The cost of borrowing money to finance the construction of housing or to purchase a house affects the amount of affordably priced housing in Stockton. First-time homebuyers are the group most impacted by financing requirements. Higher interest rates increase a homebuyer's monthly payment and decrease the range of housing that a household can afford. Lower interest rates result in a lower cost and lower monthly payments for the homebuyer.

As shown in **Figure HE-36**, interest rates steadily increased nationwide between 2015 and 2017, increasing 0.2 and 0.3 percent year-over-year for a 30-year fixed-rate mortgage. Interest rates decreased in 2018 and began increasing again in 2019. During the start of 2020, interest rates dropped to a historic low and rose in 2022. As shown in **Figure HE-37**, in 2022, the increases in interest rates month-to-month were as high or higher than the year-over-year increases from 2015 to 2017. Interest rates peaked at 7.0 percent for a 30-year fixed-rate mortgage and 6.3 percent for a 15-year fixed-rate mortgage.

Interest rates are currently higher than they have been since 2008. When interest rates rise, the market typically compensates by decreasing housing prices. Similarly, when interest rates decrease, housing prices begin to rise. There is often a lag in the market, causing housing prices to remain high when interest rates rise until the market catches up. Lower-income households often find it most difficult to purchase a home during this time period.

Figure HE-36: Historical Mortgage Rates United States, January 2015-January 2021

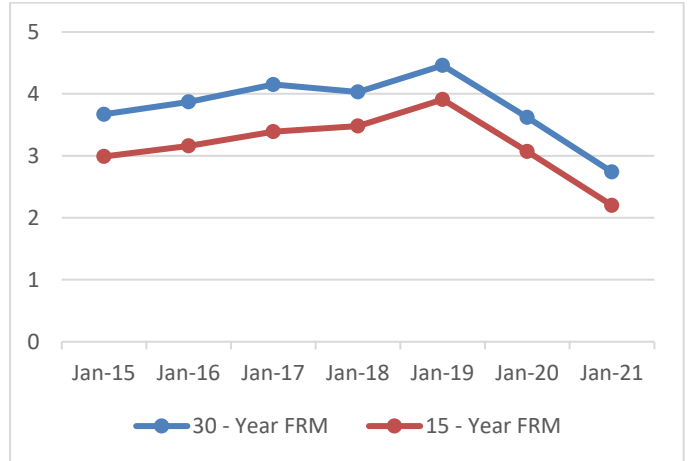
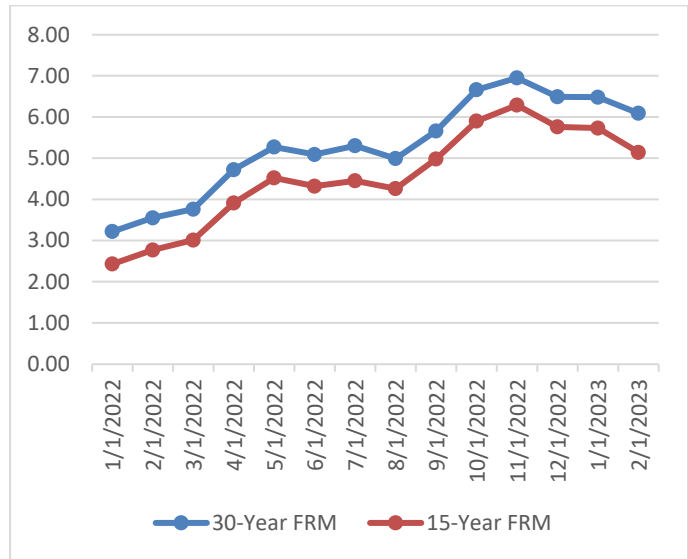


Figure HE-37: Mortgage Rates United States, January 2022 – February 2023



Mortgage Rates: FRM- Fixed Rate Mortgage
Source: Freddie Mac Primary Mortgage Market Survey, 2022.

DEVELOPMENT COSTS

Land Costs

Costs associated with the acquisition of land include both the market price of raw land and the cost of holding the property throughout the development process. Land acquisition costs can account for over half of the final sales price of new homes in small developments and in areas where land is scarce.

The main determinant of land value is market demand. Builders will pay a premium for residential land in a strong market when expected buyers are plentiful. Raw residential land sold for well over per acre with no site improvements in Stockton.

The market is improving and land values are beginning to rise as a result. Based on a recent (December 2022) survey in Stockton, the average price per acre was \$213,416. The survey was based on residential sites listed on Redfin.com, an online real estate database. The median lot size was 3.08 acres. There was a wide variety of locations for the land listed from infill sites, established suburbs, and a few greenfields on the outskirts of the city.

Construction Costs

Housing construction costs can act as a constraint to the affordability of new housing. However, the cost of construction varies with the type, size, location, and amenities of the development. "Entry-level" homes have far fewer amenities than other higher-priced custom homes. The Craftsman Book Company is a resource that provides construction cost estimates for specific geographic areas by ZIP code. According to the Craftsman Book Company's 2022 estimates, construction costs for a single-family home are approximately \$151 per square foot. This is based on costs calculated for a 2,000-square-foot, wood-framed, single-story, four-cornered home,

of good quality construction and including a two-car garage and forced-air heating/cooling in Stockton. Estimated total construction costs for such a home are \$302,248. These construction costs include labor, materials, and equipment but do not include costs of buying land.² The increased use of prefabricated factory-built or manufactured housing, which is permitted in all residential districts throughout the city (consistent with California State law), may provide for lower-priced housing by reducing construction and labor costs.

According to the Craftsman Book Company's 2022 estimates costs for multifamily construction are approximately \$121 per square foot. This is based on costs calculated for a three-story building in Stockton with 40 units and an average unit size of 1,000 square feet each. The calculation is for a wood or light steel frame structure, including forced air heating and cooling and constructed of good quality materials. The estimated total construction costs for each unit are \$104,573, and total construction costs for the building are \$4,420,124. These construction costs include labor, materials, and equipment but do not include costs of buying land or off-street parking.¹ Additionally, the City received a job value estimate with construction costs for a 27-unit multifamily three-story residential building. The one-bedroom, 27-unit project estimates construction costs at \$192,253 per unit.

Although the economy is currently fairly strong some builders are still reluctant to start new construction projects because of construction costs and interest rates are on the rise. There is little that the City can do to mitigate the impacts of high construction costs except by avoiding local amendments to uniform building codes that unnecessarily increase construction costs without significantly adding to health, safety, or construction quality. Because construction costs

² 2022 National Building Cost Manual and 2022 952-02,03,04,05,07, 09, and 10 zip code modifiers, Craftsman Book Company.

are similar in the city to those in other Central Valley areas, the cost of construction alone is not considered a major constraint to housing production.

Total Housing Development Costs

As shown in **Table HE-65**, the total estimated development costs discussed previously for a typical entry-level single-family home (1,800 square feet) is \$457,617, including land costs, construction costs, fees, and permits (as shown in **Table HE-64**). Additionally, as shown in **Table HE-65**, a unit in a multifamily development is estimated to cost \$561,457.

Available Dry Utilities

Dry utilities, including cable, electricity, and telephone service, are available to all areas within the city.

- Electricity: Pacific Gas and Electric Company
- Mobile Coverage: AT&T and Comcast

Table HE-65: Estimated Development Costs

Stockton, 2022

TYPE OF COST	SINGLE-FAMILY UNIT ¹	MULTIFAMILY UNIT ²
Land Costs ³	\$98,000	\$337,162
Total Construction Cost ⁴	\$299,955	\$192,253
Impact Fees ⁵	\$43,704	\$22,964
Other Fees ⁵	\$2,999	\$774
Building Permit Fee	\$2,428	\$1,320
Building Plan Check	\$1,020	\$554
School District Fee	\$10,512	\$5,840
Total Housing Development Costs	\$457,617	\$561,457

Notes:

¹ Fee estimate based on 1,800-square-foot home, 3-bedroom, 2-bathroom on a 5,663-square-foot lot.

² Based on a 1.48-acre vacant grass field site slated for 27 units of multifamily units. Multifamily unit costs assume each unit is 1,000 square feet.

³ The land cost per acre is assumed to be \$337,162.

⁴ The construction cost is based on \$192.25 per square foot for a three-story complex and 1,000 square feet per unit sums to \$192,253.

⁵ Based on total fee estimates from Table HE-64.

Sources: Redfin and City of Stockton Master Fee Schedule, 2022-23.

Total housing development costs are not a major constraint to housing production given Stockton's average home selling between \$400,000 - \$600,000 and the development cost averaging at \$457,617 per single family home.