

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Planning and Community Development *H*

BOARD AGENDA # *D-1

Urgent ☐

Routine ☒

AGENDA DATE January 24, 2006

CEO Concurs with Recommendation YES ☐ NO ☐

(Information Attached)

4/5 Vote Required YES ☐ NO ☒

SUBJECT:

Approval of Vesting Tentative Map Application No. 2005-03 - Suncrest II

STAFF RECOMMENDATIONS:

The Stanislaus County Planning Commission, after conducting a public hearing during its regular meeting of December 15, 2005, on a 6-1 (Assali) vote, approved the subject proposal. Staff recommends your Board allow that decision to stand without further hearing.

FISCAL IMPACT:

Additional property taxes and public facilities fees will be paid as building permits are issued.

BOARD ACTION AS FOLLOWS:

No. 2006-57

On motion of Supervisor Grover, Seconded by Supervisor DeMartini
and approved by the following vote,

Ayes: Supervisors: Grover, DeMartini, and Vice Chairman Mayfield

Noes: Supervisors: O'Brien

Excused or Absent: Supervisors: Chairman Simon

Abstaining: Supervisor: None

1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

4) _____ Other:

MOTION:

NOTE: THIS ITEM WAS REMOVED FROM CONSENT AND PLACED ON
NON-CONSENT FOR DISCUSSION.

ATTEST:

Christine Ferraro
CHRISTINE FERRARO TALLMAN, Clerk

File No.

DISCUSSION:

The subject map will create 12 residential lots (ranging in size from 8,456 to 14,042 square feet), a 21,034 square foot drainage basin, a 755 square foot lot to be dedicated to the County for future road purposes, and a 1,368 square foot lot to be merged or lot line adjusted, prior to the recording of final map, to the adjoining off-site parcel to the west. If a merger or lot line adjustment is not feasible, Lot 1 will be dedicated to the County and utilized as landscaped open-space. The parcels will be served by the Denair Community Services District for water and sewer.

The site is designated "Low-Density Residential" on the Land Use Element of the General Plan, and designated "Low Density Residential" on the Denair Community Plan, and zoned R-A (Rural Residential) which requires a minimum lot size of 8,000 square feet for the creation of new parcels that will be served by public water and sewer. Based on the conformance with the zoning ordinance and the existence of legal and physical access to a county-maintained road, the map is consistent with the County General Plan.

As approved, the map provided for a 55-foot right-of-way dedication on Zeering Road. This dedication is consistent with the mitigation measures for the Denair Community Plan which requires the section of Zeering Road fronting the project site be classified as a major roadway. The County Planning Department is processing a Circulation Element update to which an EIR (Environmental Impact Report) is being circulated. The update proposes to reclassify the section of Zeering Road in question from a major to a collector roadway designation.

To address this roadway classification conflict on Zeering Road, the applicant was given the choice to wait for the Circulation Element Update to be completed in hopes that the reclassification would occur as part of the update process, to file an independent Community Plan Amendment requesting reclassification of the roadway, or to proceed forward with the project identifying Zeering Road as a major roadway. The applicant chose to move forward with the project, despite the fact that the major roadway classification results in the loss of a parcel and a greater amount of land needing to be dedicated. The applicant's hope is that the Circulation Element Update process will be successful in reclassification of the roadway, which will then allow him to develop only a collector width street. Following reclassification, the applicant has the option of applying for a parcel map to re-subdivide Parcel No. "2". If the update process is unsuccessful, the applicant still has the option of filing a Community Plan Amendment requesting reclassification. Condition No. "1" for this project includes the requirement that the improvement plans reflect Zeering Road as both a "Major" and "Collector." This requirement provides the applicant with the greatest flexibility in keeping his project moving forward while a final decision on the roadway designation of Zeering Road is reached. The attached Planning Commission Staff Report provides a more detail discussion of the Zeering Road classification issue.

Two members of the public spoke in opposition to the project. Allen Bryant, expressed concerns with the impact the project would have on property located west of the subdivision. Mr. Bryant expressed the desire for a masonry wall to be built along the entire western boundary of the subdivision to provide privacy and contain the horses currently located on property west of the project site. Jim Tueido spoke on behalf of the adjoining off-site parcel to the west of the subdivision. Mr. Tueido stated that the property owner has no objection to the lot line adjustment or merger, but does have concerns with lighting. Mr. Tueido also expressed concern about the desire to have solid fencing installed between the subdivision and the two parcels bordering the project site along the south.

Speaking in favor of the project was Dave Uecker, the project applicant. Mr. Uecker stated that he was planning to construct a 6-foot 'good neighbor' fence. Mr. Uecker expressed extreme concern with the cost associated with construction of a masonry fence. Following Mr. Uecker's presentation to the Planning Commission, a lengthy discussion ensued regarding the fence along the western property line of the project site. The discussion included input from both Mr. Uecker and Mr. Bryant who expressed differences of opinion regarding fencing. The Commission continued to allow Mr. Uecker and Mr. Bryant to speak on the matter in hopes that a consensus would be reached. Mr. Bryant was not satisfied with a 6-foot wall separating urban and rural uses and expressed that the property to the west would become a 'litter box' without proper fencing.

During questioning by Commissioner Ray Souza, Mr. Bryant indicated that privacy and noise were his main reasons for requesting a masonry fence. Commissioner Souza pointed out that either a wood fence or masonry fence could offer privacy. But Mr. Bryant expressed concern with horses chewing on wood fencing. Commissioner Assali expressed concern that a wood fence would not hold up to cattle. Commissioner Layman agreed with Assali, but pointed out that the horses were an agricultural use in a residential zone. At this time, staff clarified that both the project site and the properties west of the project site are located in the R-A (Rural Residential) zoning district. It was further noted that County codes do not stipulate the types of fencing required between properties located within the same zoning district. Mr. Uecker did offer to build a barb wire fence on the western side of the wood fence to be built for the subdivision, but continued to object to the cost of a masonry fence. Mr. Bryant objected to the use of barbed wire near show horses. Commissioner Navarro suggested a compromise of an 8-foot redwood fence with landscaping, and Commissioner Cusenza suggested Mr. Bryant share the cost for a masonry wall. Commissioner Layman stated that a masonry wall would be inappropriate when everything in the area develops. Commissioner Andrew Souza suggested that cyclone fencing might help, but Commissioner Layman raised future maintenance issues with weeds growing between the cyclone fence and the wood fence.

After much discussion Mr. Bryant suggested that a 8-foot redwood fence capped with metal would be acceptable. Mr. Uecker raised concerns with the liability of kids getting hurt by the metal cap and stated that he would prefer cyclone with slates instead of wood. Commissioner Navarro motioned for approval of the project with the following condition added:

50. Construction of a 6-foot high redwood fence, with a metal cap on the top, along the west boundary line of the project. Design of the metal cap to be acceptable to both parties.

With the added condition, the Commission, on a 6-1 (Assali) vote approved the tentative map. Staff had recommended approval.

With respect to the lighting issue raised by Mr. Tueido, Ron Cherrier with County Public Works clarified for the Commission, prior to the vote, the need for the project to install street lights per County standards.

POLICY ISSUES:

Section 20.12.150 of the Stanislaus County Code provides that a report of the Planning Commission's actions on a tentative map be presented to your Board. If the Board decides to review the map, a public hearing shall be scheduled.

STAFFING IMPACT:

None.

ATTACHMENTS:

1. Planning Commission Staff Report, December 15, 2005
2. Planning Commission Minutes, December 15, 2005

STANISLAUS COUNTY PLANNING COMMISSION

December 15, 2005

STAFF REPORT

VESTING TENTATIVE SUBDIVISION MAP APPLICATION NO. 2005-03 SUNCREST II

REQUEST: TO SUBDIVIDE A 4.14 ACRE PARCEL INTO 12 RESIDENTIAL LOTS (RANGING IN SIZE FROM 8,456 TO 14,042 SQUARE FEET), A 21,034 SQUARE FOOT DRAINAGE BASIN, A 755 SQUARE FOOT LOT TO BE DEDICATED TO THE COUNTY FOR FUTURE ROAD PURPOSES, AND A 1,368 SQUARE FOOT LOT TO BE MERGED OR LOT LINE ADJUSTED, PRIOR TO RECORDING OF FINAL MAP, TO THE ADJOINING OFF-SITE PARCEL TO THE WEST. THE PROPERTY IS ZONED R-A (RURAL RESIDENTIAL) AND IS LOCATED ON THE NORTH SIDE OF ZEERING ROAD, BETWEEN SAN JOAQUIN AND ALAMEDA AVENUES, IN THE WEST DENAIR AREA.

APPLICATION INFORMATION

Owner:	Suncrest/Denair, LLC
Applicant:	Dave Uecker
Agent:	GDR Engineering, Inc.
Location:	Located on the north side of Zeering Road, between San Joaquin and Alameda Avenues, in the west Denair area
Section, Township, Range:	6-5-11
Supervisory District:	Two (Supervisor Mayfield)
Assessor's Parcel:	024-017-022
Referrals:	See Exhibit "G"
	Environmental Review Referrals
Area of Parcels:	Parcel "1": 1,368 square feet
	Parcel "2": 14,042 square feet
	Parcel "3": 9,600 square feet
	Parcel "4": 9,704 square feet
	Parcel "5": 9,704 square feet
	Parcel "6": 9,528 square feet
	Parcel "7": 21,034 square feet
	Parcel "8": 8,456 square feet
	Parcel "9": 8,977 square feet
	Parcel "10": 9,666 square feet
	Parcel "11": 9,617 square feet
	Parcel "12": 9,691 square feet
	Parcel "13": 9,703 square feet
	Parcel "14": 9,764 square feet
	Parcel "15": 755 square feet

Water Supply:	Public Water, Denair Community Services District
Sewage Disposal:	Public Sewer, Denair Community Services District
Existing Zoning:	R-A (Rural Residential)
General Plan Designation:	Low-Density Residential
Community Plan Designation:	Low-Density Residential
Williamson Act Contract Number:	Not applicable
Environmental Review:	Mitigated Negative Declaration
Present Land Use:	Vacant land
Surrounding Land Use:	Residential to the south, west, and north and a church to the east.

PROJECT DESCRIPTION

This is a request to subdivide a 4.14 acre parcel into 12 residential lots (ranging in size from 8,456 to 14,042 square feet), a 21,034 square foot drainage basin, a 755 square foot lot to be dedicated to the County for future road purposes, and a 1,368 square foot lot to be merged or lot line adjusted, prior to the recording of final map, to the adjoining off-site parcel to the west. It must be noted that if a merger or lot line adjustment is not feasible, Lot 1 will be dedicated to the County and utilized as landscaped open-space. Proposed Condition of Approval No. 10 ensures this will happen prior to recording the final map. The parcels will be served by the Denair Community Services District for water and sewer.

SITE DESCRIPTION

The project site is located on the north side of Zeering Road, between San Joaquin and Alameda Avenues, in the west Denair area. The project site is vacant land and the surrounding uses are residential to the south, west, and north and a church to the east.

DISCUSSION

The site is designated "Low-Density Residential" on the Land Use Element of the General Plan, and designated "Low Density Residential" on the Denair Community Plan, and zoned R-A (Rural Residential) which requires a minimum lot size of 8,000 square feet for the creation of new parcels that will be served by public water and sewer. Based on the conformance with the zoning ordinance and the existence of legal and physical access to a county-maintained road, staff believes this project is consistent with the County General Plan.

Even though the applicant is proposing a landscaped drainage basin, the basin does not meet the parkland requirements. This parcel was noted on the Denair Community Plan as a general location area where they envisioned a neighborhood park area. Staff understands the community wants a neighborhood park, but feels there is still other land within this project area with potential for development that could be just as appropriate a site for the park as this project site. When the Denair Municipal Advisory Committee responded to this project, there was no indication that they were unhappy that this site wasn't going to be where the neighborhood park would be located.

However, staff requested the applicant place the drainage basin at the top of the site, so if other parcels surrounding that area decide to develop, they will also be required to place their basin by this one, so it will increase an area of open space. The Conservation/Open Space Element of the County General Plan specifies that "the County shall require at least three net acres of developed neighborhood parks, or the maximum number of acres allowed by law, to be provided for every 1,000 residents." The Stanislaus County Parks Department requires projects consisting of 53 parcels and above to build a park with amenities. Projects consisting of 52 parcels and below are required to use the In-Lieu-of-Fee Policy (per General Plan Amendment No. 2003-02). As such, the Parks Department is requesting, at this time, a \$2,050.00 per parcel in lieu of a park fee so as to comply with General Plan policies.

Since there are other parcels north, east and west of the project site that have potential for development, staff requested a circulation plan that indicates there will be adequate circulation within the area if any of the other parcels decide to develop their properties in the future. In fact, this project proposes two streets, north and east, so that these parcels can tie into each other and have traffic flow through the area so there won't be a potential for circulation problems in the future. The proposed street names for this subdivision are Chica Avenue and Maximus Road which have been approved by Stanislaus County Emergency Dispatch to ensure no response problems.

The County General Plan classified the section of Zeering Road along the frontage of the project site as a collector roadway. However, the mitigation measures for the Denair Community Plan required the section of Zeering Road be classified as a major roadway. Below is Mitigation Measure No. 9 from the Denair Community Plan:

9. The three roadway segments - **Zeering Road between Sperry and Gratton Roads**, Main Street and Gratton Road between Santa Fe Avenue and Zeering Road, and Lester Road between Monte Vista Avenue and Tuolumne Road shall be re-classified from collector streets to major roadways. This shall be accomplished by adopting access restrictions, similar to restrictions used on all major roadways in the County. These roadway segments shall be subject to roadway restrictions which may include either widening or eliminating driveway access.

As such, the mitigation measure requires the applicant to provide for a 55-foot right-of-way dedication on Zeering Road. This is despite staff from both County Public Works and County Planning feeling a major classification as identified by the environmental documentation of the Denair Community Plan is not warranted. The only way to re-classify the section of Zeering Road in question back to a collector roadway would be to amend the Denair Community Plan or adopt the reclassification as part of an overall General Plan Circulation Element update. Both options require independent environmental review of the re-classification.

The County Planning Department is processing a Circulation Element update to which an EIR (Environmental Impact Report) is being circulated. The update proposes to reclassify the section of Zeering Road in question from a major to a collector roadway designation. This reclassification is supported by the environmental documentation which has been prepared for the update. Currently, the time frame for approval of the Circulation Element Update is estimated at three to four months.

The applicant was given the choice to wait for the Circulation Element Update to be completed in hopes that the reclassification would occur as part of the update process, to file an independent Community Plan Amendment requesting reclassification of the roadway, or to proceed forward with the project identifying Zeering Road as a major roadway. The applicant has chosen to move forward with the project, despite the fact that the major roadway classification will result in the loss of a parcel and a greater amount of land needing to be dedicated for a roadway width county staff does not support. The applicant's hope is that the Circulation Element Update process will be successful in reclassification of the roadway, which would then allow him to develop only a collector width street. Following reclassification, the applicant has the option of applying for a parcel map to re-subdivide proposed Parcel No. "2". If the update process is unsuccessful, the applicant still has the option of filing a Community Plan Amendment requesting reclassification. Condition No. "1" for this project includes the requirement that the improvement plans reflect Zeering Road as both a "Major" and "Collector." This requirement provides the applicant with the greatest flexibility in keeping his project moving forward while a final decision on the roadway designation of Zeering Road is reached.

ENVIRONMENTAL REVIEW

The environmental review for this project has been based to some extent on that done for the Denair Community Plan Update. That plan was the subject of a Mitigated Negative Declaration, following an extensive analysis which included preparation of a detailed constraints analysis and adoption of a Mitigation Monitoring and Reporting Program (MMRP). Projects within the Community Plan area, including this one, are required to be developed in compliance with this MMRP.

The project was referred to responsible agencies and interested parties as a normal part of the project review and environmental review process. The Denair Community Plan Initial Study and MMRP are included within the project file and available for review in the office of the Department of Planning and Community Development. The project had two referrals, at the Early Consultation and Initial Study circulation periods. Project mitigation measures listed in the MMRP, as well as many recommended project conditions, have been placed on this project as a direct result of that process and the concerns and recommendations expressed in responses received. The Denair Municipal Advisory Committee in their first referral response noted that this project will not have an effect on the environment and on their second response that the applicant needs to install mail boxes. The postmaster has also requested this requirement and this has been incorporated as Condition of Approval No. 40.

The Sheriff's Department referral response noted increased traffic, increased calls for service, and an increase demand for law enforcement resources with this project. Currently, the only condition we are able to impose on the project is a standard condition, long in effect, that will collect \$339.00 per dwelling unit going to the Sheriff's Office. This has been placed as Mitigation Measure No. 10 in the Conditions of Approval. Staff understands their concerns and issues, but until there is a study done by the Sheriff's Department and a new fee approved by the Board of Supervisors, this is most that can be required of this project.

RECOMMENDATION

Based on all evidence on the record, staff recommends that the Planning Commission take the following actions regarding this project.

1. Find the project to be "De Minimis" for the purposes of collection of Fish and Game Fees pursuant to California Code of Regulations Section 753.5, by adopting the findings of fact contained in the attached Certificate of Fee Exemption, those findings being based on the analyses presented in the Initial Study, and order the filing of the Certificate of Fee Exemption with the Stanislaus County Clerk-Recorder's Office.
2. Adopt the Mitigated Negative Declaration pursuant to CEQA Guidelines Section 15074(b), by finding that on the basis of the whole record, including the Initial Study and any comments received, that there is no substantial evidence the project will have a significant effect on the environment and that the Mitigated Negative Declaration reflects Stanislaus County's independent judgement and analysis.
3. Order the filing of a Notice of Determination with the Stanislaus County Clerk-Recorders Office pursuant to Public Resources Code Section 21152 and CEQA Guidelines Section 15075.
4. Adopt the Mitigation Monitoring Plan pursuant to CEQA Guidelines Section 15074(d).
5. Find that:
 - (A) The proposed map is consistent with applicable general and specific plans as specified in Section 65451.
 - (B) The design or improvement of the proposed subdivision is consistent with applicable general and specific plans.
 - (C) The site is physically suitable for the type of development.
 - (D) The site is physically suitable for the proposed density of development.
 - (E) The designs of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
 - (F) The design of the subdivision or type of improvements is not likely to cause serious public health problems.
 - (G) The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public.

(H) The project will increase activities in and around the project area, and increase demands for roads and services, thereby requiring dedication and improvements.

6. Approve Vesting Tentative Subdivision Map Application No. 2005-03 - Suncrest II, subject to the attached Conditions of Approval/Mitigation Measures.

Report written by: Carole Maben, Associate Planner, December 1, 2005

Attachments:

Exhibit A -	Maps
Exhibit B -	Conditions of Approval
Exhibit C -	Landscape Plan for Tree Planting for the Subdivision and a Landscape Plan for the Stormwater Basin
Exhibit D -	Initial Study
Exhibit E -	Mitigated Negative Declaration
Exhibit F -	Certificate of Fee Exemption
Exhibit G -	Environmental Review Referrals
Exhibit H -	Referral Responses from the Stanislaus County Sheriff's Department and the Denair Municipal Advisory Committee

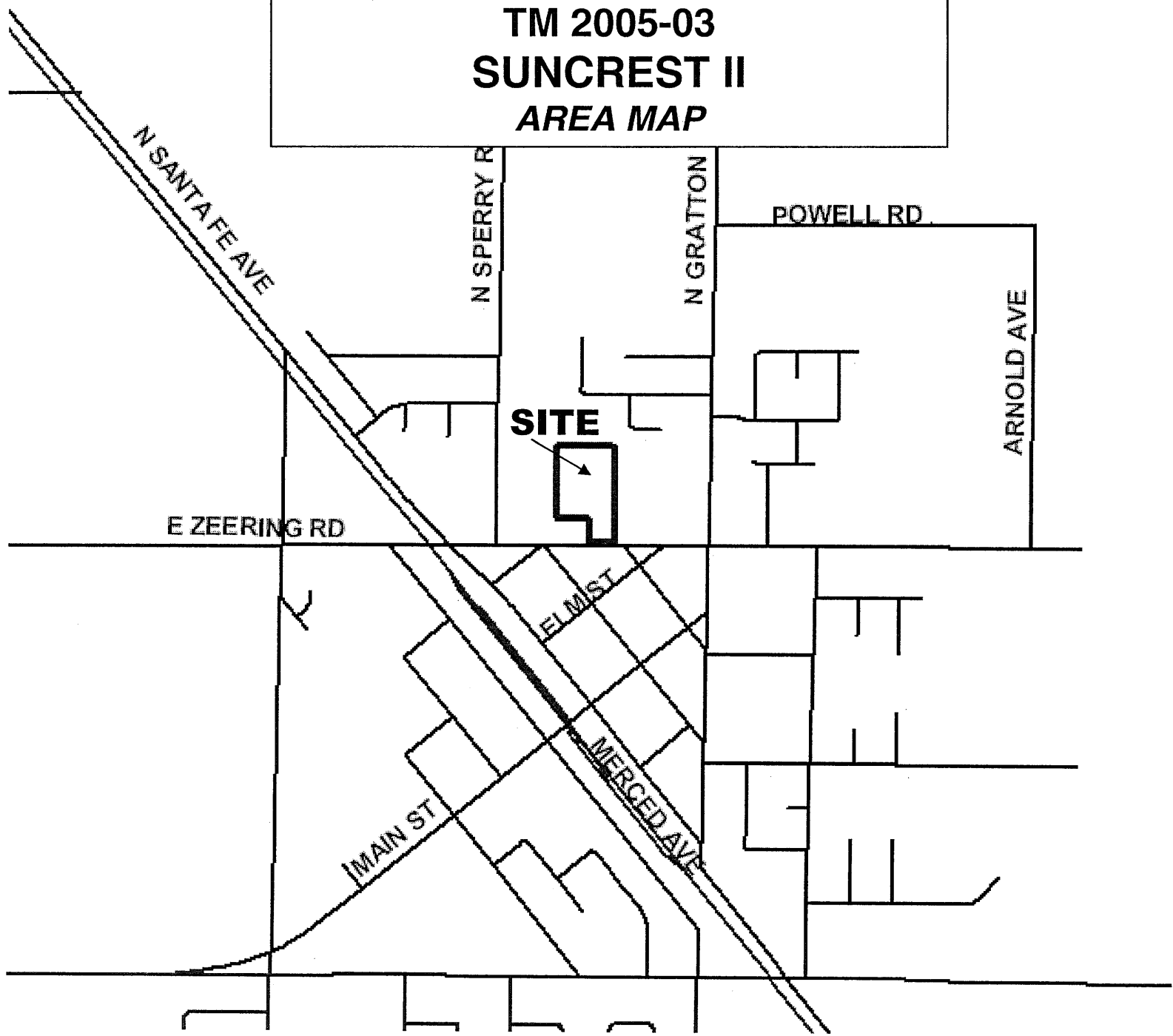
Reviewed by:

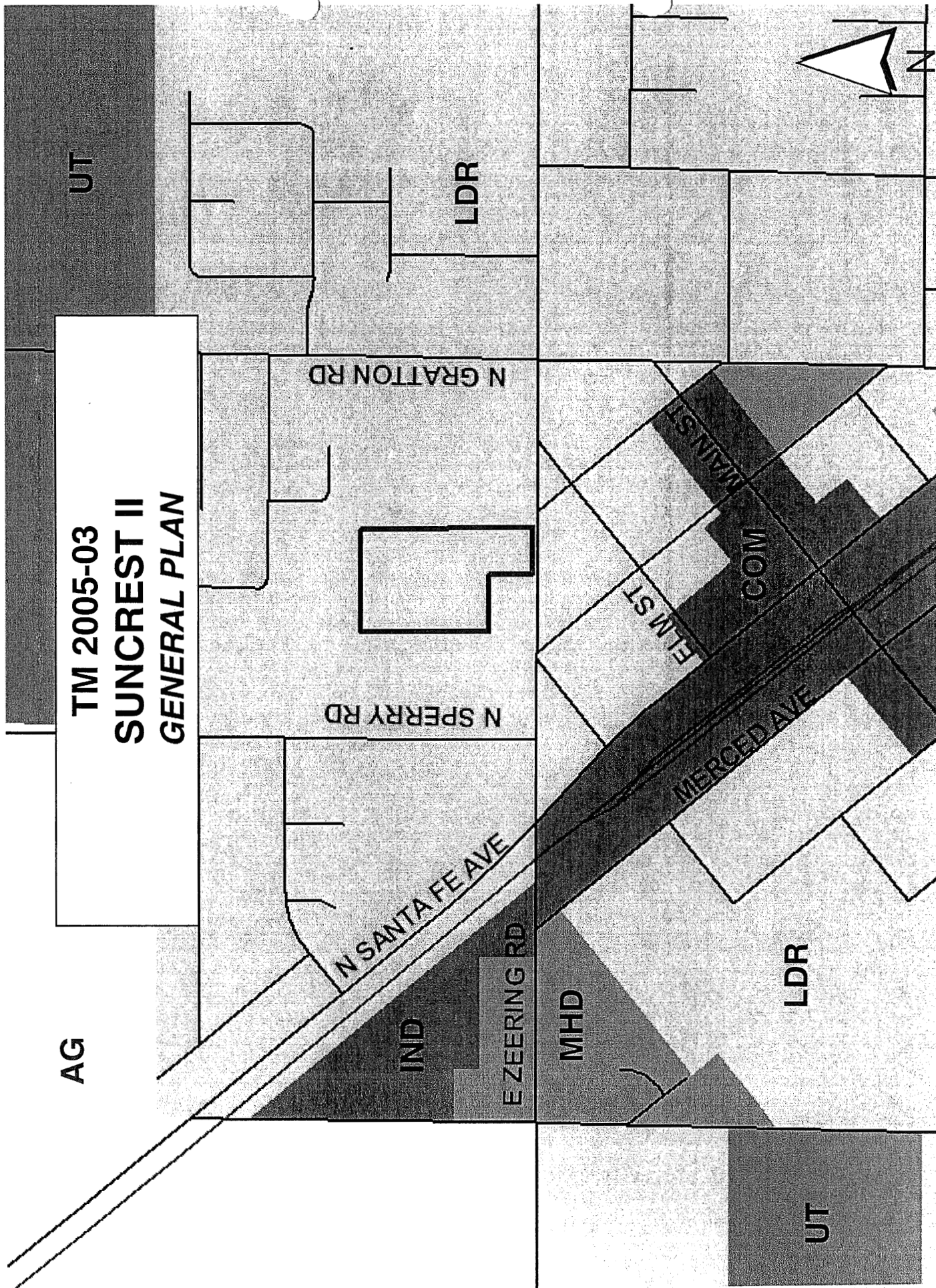


Bob Kachel, Senior Planner

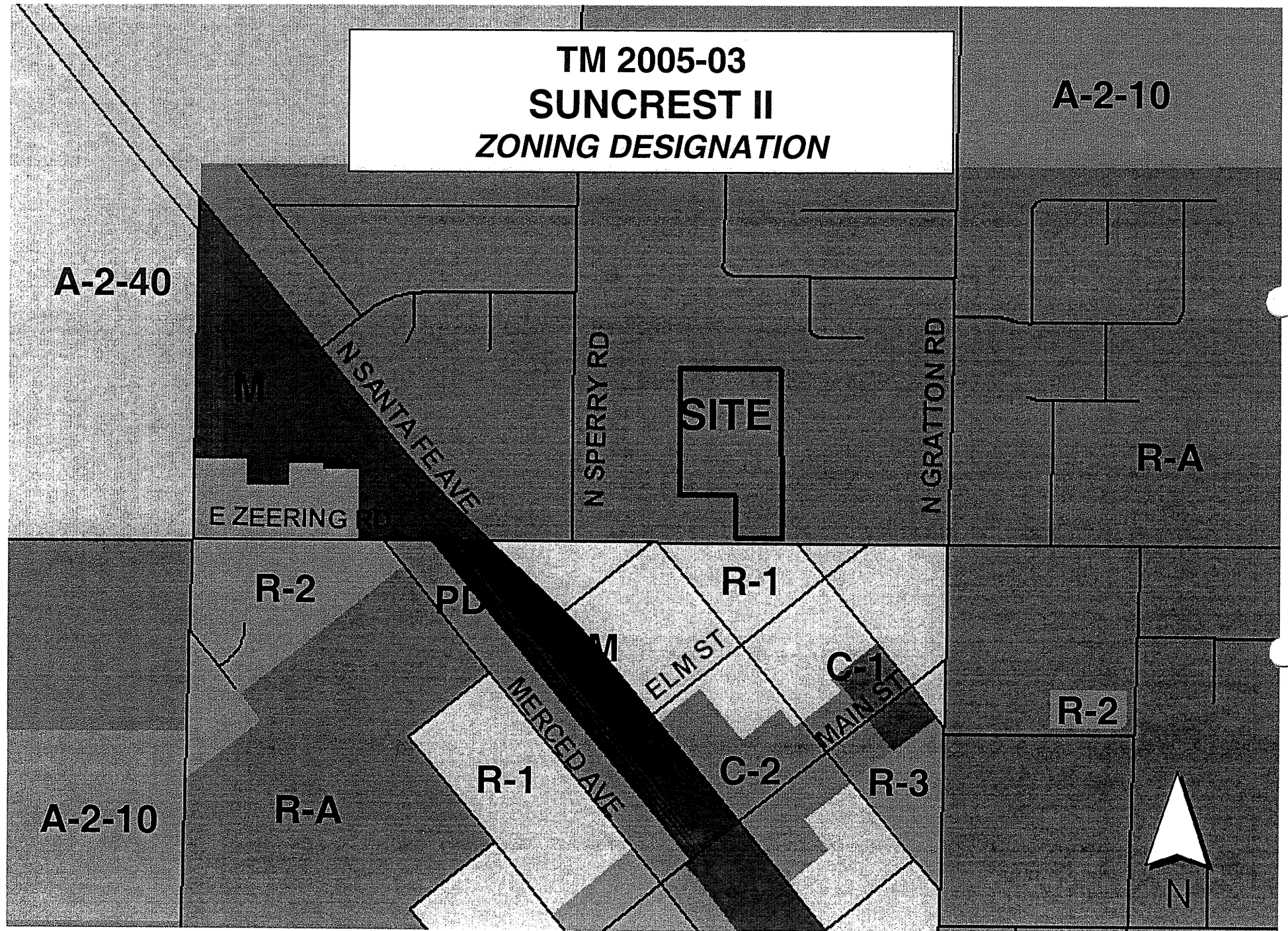
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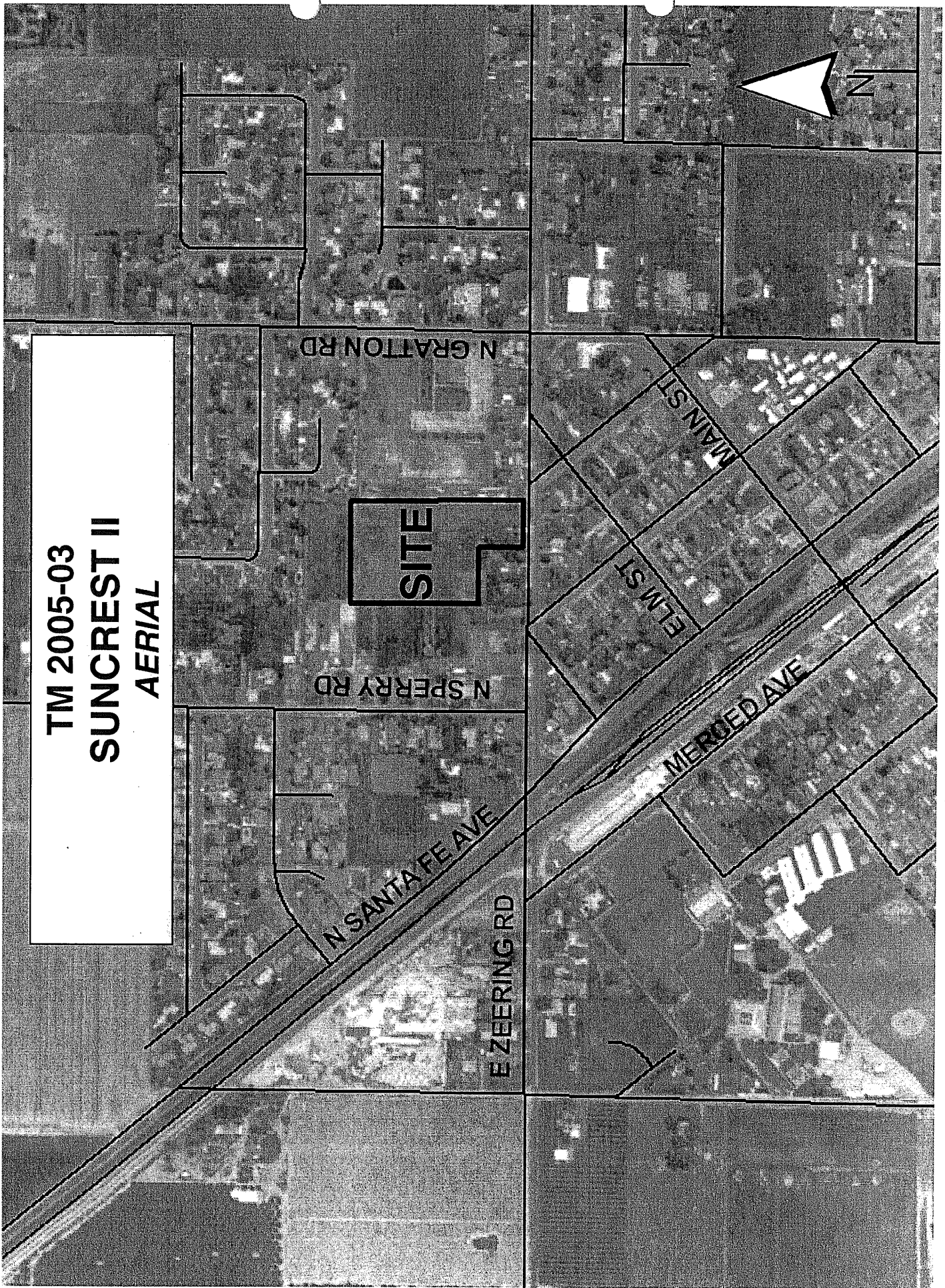
TM 2005-03
SUNCREST II
AREA MAP





TM 2005-03
SUNCREST II
ZONING DESIGNATION





PURDOM TERESA L

A.P.N. 024-018-046
SCHROEDER KENNARD/
SCHROEDER DEBRA

A.P.N. 024-016-047
FARRELL ROONEY B/
FARRELL WANDA J

LOT 15 TO BE DEDICATED
TO THE COUNTY FOR-
FUTURE ROAD PURPOSES

A.P.N. 024-016-004
SHEEHY JERRY J/
SHEEHY ROBBIE A

A.P.H. 024-017-001
OLSON CARLA A

A.P.N. 024-017-003
ROCHA DARA M

A.P.N. 024-017-008
HOLLY RAUELL LYNN

A.P.N. 024-017-010
GORMAN JULIE D

A.P.N. 024-017-009
TUEDIO JAMES A

ALAMEDA AVE

— FUTURE 12" WATER LINE

ZEERING ROAD

SAN JOAQUIN AVE



SCALE: 1"=50'

TM 2005-03

SUNCREST II

CIRCULATION MAP

LIMIT OF

SCOTT COURT

CHICA COURT

CHURCH

PARKING

PARKING

MODULAR

GRATTON ROAD

SPEERY ROAD

ALAMEDA AVE

ZEEBING ROAD

SAN JOAQUIN AVE

WATKINS STREET

SANTA FE AVENUE



CONDITIONS OF APPROVAL

**VESTING TENTATIVE SUBDIVISION MAP APPLICATION NO. 2005-03
SUNCREST II**

Department of Public Works

1. A complete set of on and off site grading, drainage and street improvement plans shall be signed by the Department of Public Works prior to the final map being recorded. All roads fronting on or within the project site shall be designed and constructed in conformance with the standards contained in the 1998 edition of the Stanislaus County Improvement Standards. The improvements shall include, but not be limited to, street pavement, concrete curb and gutter, sidewalks, street lights, drainage facilities, pavement markings, and road signs. National Geodetic survey vertical (elevation) datum shall be used. If available, 1988 data shall be used.

The improvement plans shall contain the following two right-of-way configurations and cross section for Zeering Road:

- A. As a designated "Major" based on a half width right-of-way of 55 feet north of centerline; and
 - B. As a designated "Collector" based on a half width right-of-way 30 feet north of centerline.
2. An off-site road improvement constructed to County standards shall include the widening of Zeering Road between Santa Fe Avenue and the proposed Chica Avenue both north and south of the existing centerline to provide a minimum pavement width of 14 feet for a 12-foot vehicle lane and 2 feet wide paved shoulder. The developer shall be responsible for the relocation of any utilities and/or fences that may be required due to this widening.
 3. A positive storm drainage system, conforming to County standards shall be installed. The storm drain basin shall be designed to handle the runoff from a 50-year storm in a 24-hour period and dispose of the runoff from a 10-year storm in a 48-hour period.
 4. A landscaped, open space storm drainage basin shall be located as shown on the tentative map. If this area is insufficient in size for the basin to meet County standards, the basin shall be enlarged, as needed, to accommodate a basin that does conform to County standards. If the basin is required to be enlarged, it may reduce the proposed number of lots within the subdivision.
 5. A landscaping plan for the storm drainage basin (Lot 7), Lot 15, and possibly Lot 16 shall be approved by the Department of Parks and Recreation, the Department of Planning and Community Development and the Department of Public Works prior to the final map being recorded.
 6. If the subdivision will be phased, the storm drainage basin shall be constructed and landscaped during the first phase.

7. An erosion control plan shall be included in the subdivision improvement plans that provides mitigation measures for erosion and sedimentation control. These measures shall prevent dirt from the subdivision from getting into the road right-of-way and the drainage system. The plan shall be implemented during all phases of development including, but not limited to, grading and dwelling construction. The plan shall also address long term mitigation measures.
8. Road right-of-way shall be dedicated to Stanislaus County and shown on the final map to be recorded as shown on the tentative map to provide the following:
 - A. 50 feet for Chica Avenue and Maximus Road;
 - B. 50 foot radius at cul-de-sac bulb for Chica Court;
 - C. 55 feet north of the centerline of Zeering Road along the project's frontage;
 - D. The chord of a 25-foot radius at all intersections.
9. Lot 15 shall be dedicated to Stanislaus County on the final map to be recorded for future road purposes. This lot shall be landscaped with low maintenance plants and trees or river cobbles as per an approved Landscaping Plan.
10. Prior to the final map being recorded, Lot 1 shall be merged with the adjacent property (APN: 024-017-010). If this merger is unable to occur, Lot 16 shall be dedicated to Stanislaus County on the final map to be recorded. This lot shall then be landscaped with low maintenance plants and trees or river cobbles as per an approved Landscaping Plan.
11. Street monuments and covers shall be installed to County standards.
12. A fog seal coat shall be applied to all new asphalt in accordance with Caltrans Standard Specifications for Bituminous Seal.
13. The storm drain basin (Lot 7) shall be dedicated to Stanislaus County on the final map to be recorded.
14. The grading plan shall show that the lowest finished floor elevation within the subdivision will be at least 12 inches above the high water elevation of a 100-year flood.
15. Prior to the subdivision map being recorded, the subdivider shall either:
 - A. Sign a "Subdivision Improvement Agreement" and post the required certificates of insurance and subdivision bonds with the Department of Public Works, or
 - B. Construct all subdivision improvements and have the improvements accepted by the Stanislaus County Board of Supervisors.
16. All existing irrigation lines within the area to be subdivided shall be removed or relocated into easements along lot lines. The irrigation lines shall be reinforced at road crossings and driveways. All irrigation lines or structures which are to be abandoned shall be removed. All work shall be done in accordance with the requirements of the Department of Public Works and the Turlock Irrigation District.

17. All new utilities shall be underground and located in public utility easements. A 10-foot wide public utility easement (P.U.E.) shall be located adjacent to all road right-of-ways. The P.U.E. shall be shown on the final map.
18. All street lights shall be installed on steel poles to County standards. A pull box shall be installed at the base of each light standard and each light shall be individually fused.
19. Prior to the final map being recorded, the subdivider shall deposit the first year's operating and maintenance cost of the street lights with the Department of Public Works.
20. A Grading Permit shall be obtained from the Department of Public Works prior to the start of importing, exporting or otherwise moving any dirt.
21. Prior to the approval of the off-site improvement plans, the subdivider shall file a Notice of Intention (NOI) with the California Regional Water Quality Control Board and a Waste Discharge Identification Number must be obtained and provided to the Department of Public Works.
22. Prior to issuance of any building permits, the lot grades shall conform to the approved grading plan. Written certification by a civil engineer or geotechnical engineer is required by the Department of Public Works.
23. A set of Record Drawings shall be provided to and approved by the Department of Public Works prior to acceptance of the subdivision improvements by the County. The drawings shall be on 3 mil mylar with each sheet signed and stamped by the design engineer and marked "Record Drawing" or "As-built."
24. One bench mark (brass cap) shall be established within the subdivision on a brass cap and the elevation shall be shown on the Record Drawing. A completed Bench Mark card shall be furnished to the Department of Public Works.
25. Prior to the Department of Public Works doing any plan review or inspections associated with the subdivision, the subdivider shall sign a "Subdivision Processing/Inspection Agreement" and post a \$7,500.00 deposit with Public Works.
26. An encroachment permit shall be obtained prior to the start of any subdivision improvements.
27. Prior to the final map being recorded, a county service area (CSA) shall be formed to provide funds to ensure future maintenance of the storm drain system including the landscaped open space storm drain basin and any other landscaping that may be required within areas dedicated to the county. The developer shall provide all necessary documents and pay all fees associated with the formation of the CSA. As part of the formation, a method for the calculation of the annual assessment shall be approved. The formation process takes approximately 5 months and requires LAFCO approval.
28. Stanislaus County will not issue any final inspection and/or occupancy permits for any structures within the subdivision until all the required subdivision improvements have been accepted by the Board of Supervisors.

Planning Department

29. Developer shall pay all Public Facilities Impact Fees and Fire Facilities Fees as adopted by Resolution of the Board of Supervisors. The Fees shall be payable at the time of issuance of a building permit for any construction in the development project and shall be based on the rates in effect at the time of building permit issuance.
30. The subdivider is required to defend, indemnify, or hold harmless the County, its officers and employees from any claim, action, or proceedings against the County to set aside the approval of the map as set forth in Government Code Section 66474.9. The County shall promptly notify the subdivider of any claim, action, or proceeding to set aside the approval and shall cooperate fully in the defense.
31. Prior to the issuance of the Notice of Determination, the applicant shall pay, within five working days of Planning Commission approval, a filing fee of \$50.00 to "**Stanislaus County Clerk/Recorder**" care of the Planning Department. Should the "De Minimis" finding be found invalid for any reason, the applicant/developer shall be responsible for payment of Department of Fish and Game Fees.
32. Pursuant to Section 404 of the Clean Water Act, prior to construction, the developer shall be responsible for contacting the US Army Corps of Engineers to determine if any "wetlands," "waters of the United States," or other areas under the jurisdiction of the Corps of Engineers are present on the project site, and shall be responsible for obtaining all appropriate permits or authorizations from the Corps, including all necessary water quality certifications, if necessary.
33. Pursuant to the federal and state Endangered Species Acts, prior to construction, the developer shall be responsible for contacting the US Fish and Wildlife Service and California Department of Fish and Game to determine if any special status plant or animal species are present on the project site, and shall be responsible for obtaining all appropriate permits or authorizations from these agencies, if necessary.
34. Pursuant to Section 1600 and 1603 of the California Fish and Game Code, prior to construction, the developer shall be responsible for contacting the California Department of Fish and Game and shall be responsible for obtaining all appropriate streambed alteration agreements, permits or authorizations, if necessary.
35. Pursuant to State Water Resources Control Board Order 99-08-DWQ and National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000002, prior to construction, the developer shall be responsible for contacting the California Regional Water Quality Control Board to determine if a "Notice of Intent" is necessary, and shall prepare all appropriate documentation, including a Storm Water Pollution Prevention Plan (SWPPP). Once complete, and prior to construction, a copy of the SWPPP Pollution Prevention Plan shall be submitted to the Stanislaus County Department of Public Works.
36. A copy of these Conditions of Approval and any adopted Mitigation Monitoring Plan shall be recorded at the applicant's expense with the County Records Office within 30 days of project approval.

Development Services

37. When improvements take place, building permits will be required, per Title 24 of the California Building Code, Section 106.1.

Department of Environmental Resources

38. Existing on-site wells and/or septic tanks shall be destroyed under permit from DER and in accordance with all laws and policies (Stanislaus County and California State Model Well Standards).

Stanislaus County Parks and Recreation Department

39. Prior to the issuance of any building permits for dwelling(s), the owner/developer shall pay an In-Lieu-of-Fee of \$2,050.00 per parcel to the Parks and Recreation Department.

Denair Postmaster

40. Developer shall purchase and install as per USPS regulation an approved Central Mail Box Unit for mail delivery in the subdivision. Contact Postmaster for site location and box sizes.

Denair Community Services District

41. When the owner does choose to develop this parcel, they must enter into an agreement with the Denair Community Services District to construct and pay the necessary infrastructure to enable the District to provide water and sewer services to the project. The agreement will require, among other things that the infrastructure be constructed to District specifications, that security be given to the District to guarantee performance and payment for the infrastructure and that all current connection fees be paid in full. Once all fees are paid, a "Will-Serve Letter" will be submitted to the applicant. The "Will Serve Letter" must be presented to the Stanislaus County Building Department before a building permit will be issued. A "Will-Serve Letter" is required for all additions, remodels, and swimming pool construction. This is valid until April 30, 2006, and pending Board review of the Public Facilities may be renewed.

San Joaquin Valley Air Pollution Control District

42. Applicant shall comply with District Regulations VIII, Rule 4102, 4103, 4601, 4641, 4901, and 4902 to the satisfaction of the SJVAPCD.

Turlock Irrigation District

43. An irrigation pipeline belonging to Improvement District 466A, the McClearly, runs from the northwest corner south for approximately 240 feet along the west property line of the project property. Unless adjacent parcels (APN: 024-017-001 and 024-017-003) abandoned out of the improvement district, this line will have to be upgraded to current District Standards along with the dedication of an appropriate irrigation easement.

44. It will be necessary for the developer to submit plans detailing the existing irrigation facilities, relative to the proposed site improvements, in order for the District to determine specific impacts.
45. Developed property adjoining irrigated ground must be graded so that finished grading elevations are at least 6 inches higher than irrigated ground. A protective berm must be installed to prevent irrigation water from reaching non-irrigated properties.
46. The District shall review and approve all maps and plans of the project. Any improvements to this property shall be subject to the District's approval and meet all District standards and specifications. If it is determined that irrigation facilities will be impacted, the applicant will need to provide irrigation improvement plans and enter into an Irrigation Improvement Agreement for the required irrigation facility modifications. There is a District Board approved time and material fee with this review.
47. In order to the District to accept the necessary easements, this statement should appear on the acceptance documents:

Certificate of Acceptance

This is to certify that the interest in real property conveyed by this map to the Turlock Irrigation District, a governmental agency, and to the named improvement district of the District (if any) are hereby accepted by the undersigned office on behalf of the Board of Directors of the Turlock Irrigation District pursuant to authority conferred by Turlock Irrigation Rule RL 0340.001 adopted on January 2, 1990 and revised December 18, 2001.

Dated this _____ Day of _____, 2005

Wilton B. Fryer
Civil Engineering Department Manager

48. A 10-foot Public Utility Easement must be dedicated along all street frontages.
49. The owner/developer must apply for a facility change for any pole or electrical facility relocation. Facility changes are performed at developer's expense.

Added By Planning Commission

50. **Construction of a 6-foot high redwood fence, with a metal cap on the top, along the west boundary line of the project. Design of the metal cap to be acceptable to both parties.**

Mitigation Measures

1. To reduce PM-10 emissions associated with construction the following strategies shall be included as part in all construction contracts for future development:

- a. All clearing, grading, earth moving, or excavation activities shall cease when wind speeds are consistently equal to or greater than 20 mph.
 - b. All excavation material, graded or otherwise disturbed shall be watered sufficiently to prevent excessive amounts of dust. Watering shall occur twice daily with complete coverage, preferably in late morning and after work is done for the day.
 - c. All material transported and vehicle speeds shall be limited to 15 mph on unpaved road-ways.
 - d. Street sweeping and/or washing shall be undertaken to reduce dust emissions on paved roads, shoulders and access ways adjacent to the construction site.
 - e. All internal combustion equipment shall be properly maintained according to manufacturer's specifications.
 - f. Idling of all internal combustion equipment shall be limited to ten minutes at any given time.
 - g. The use of building materials that do not require the use of paints/solvents shall be encouraged.
2. To ensure the SJVAPCD standards are achieved, all new development within the plan area shall implement the following measures:
 - a. Automated control system for heating/air conditioning and energy efficiency required under Title 24.
 - b. Lighting controls and energy-efficient lighting in buildings.
 - c. Insulation to Title 24 requirements.
 - d. Light colored roof materials to reflect heat.
 - e. Provide low nitrogen oxide (NOX) emitting and/or high efficiency water heaters.
 - f. If fireplaces are proposed, natural gas fireplaces by EPA-certified wood burning fireplaces/stoves should be installed in every unit.
 - g. Include exterior electrical outlets on all residential units to encourage the use of electric powered yard maintenance equipment.
3. Construction contracts shall include a stop-work provision in the event previously unidentified contamination is discovered during construction so that appropriate actions can be taken to reduce potential human health and environmental hazards.
4. The project shall demonstrate through a drainage study or hydrological report, in accordance with the Stanislaus County Public Works standards, that new development will not increase peak storm flows and that adequate capacity exists downstream to accommodate increased flood volume.
5. During project construction, all new development shall implement appropriate stormwater runoff Best Management Practices (BMP) and design features to protect receiving water quality during construction and occupancy, consistent with Stanislaus County standards.
6. BMPs shall be incorporated into project design to reduce urban contaminant levels in stormwater runoff, consistent with Stanislaus County standards.
7. Hours of construction on the project site shall be limited to 7:00 a.m. to 6:00 p.m., Monday thru Friday, with no construction allowed on holidays.

8. All construction equipment shall be fitted with properly functioning mufflers.
9. Any noisy construction equipment shall be located away from sensitive receptors, and, if necessary, temporary noise barriers shall be constructed between noise sources and sensitive receptors.
10. Prior to the issuance of building permits for a dwelling, the owner/developer shall pay a fee of \$339.00 per dwelling to the County Sheriff's Department

(I:\Staffrpt\TM2005\TSM 2005-03 Suncrest II\Staff Report.wpd)

REFER TO LANDSCAPING
PLAN FOR TREES IN BASIN
(SHEET 1)

7

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CHICA COURT

TREES TO BE PLANTED A MINIMUM OF 8" FEET FROM CITY SIDEWALK, SEWER LINE, AND UTILITY MARK.

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PLANTING NOTES:

THE CONTRACTOR SHALL EXAMINE THE CONDITIONS OF THE SITE PRIOR TO COMMENCEMENT OF WORK. ANY FINDINGS THAT DIFFER FROM THAT SHOWN ON THE PLANT MAP WILL EFFECT THE INSTALLATION PROCEEDINGS MUST BE BRING TO THE ATTENTION OF THE OWNER AND LANDSCAPE DESIGNER PRIOR TO BEGINNING OF THE WORK. ANY UNREMARKED CHANGES MUST BE IN ACCORDANCE WITH THE SPECIFICATIONS OF THE CONTRACT OF THE PROJECT.

THE CONTRACTED SHALL VERIFY ALL PLANT QUANTITIES PRIOR TO INSTALLATION. PLANT QUANTITIES ARE LISTED ON THE LANDSCAPE PART OF THE CONTRACTOR QUANTITIES SHEET. ANY DISCREPANCY MUST BE BRING TO THE ATTENTION OF THE OWNER AND LANDSCAPE DESIGNER PRIOR TO BEGINNING OF THE WORK. ANY UNREMARKED CHANGES MUST BE IN ACCORDANCE WITH THE SPECIFICATIONS OF THE CONTRACT OF THE PROJECT.

THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PURCHASE OF ALL MATERIAL TO MEET THE SPECIFICATIONS OF THE PLANS INCLUDING PLANTS, SOIL, FERTILIZER AND MULCH.

ALL PLANT MATERIAL MUST BE SUBJECT TO APPROVAL OR REJECTION BY THE LANDSCAPE DESIGNER OR OWNER'S REPRESENTATIVE PRIOR TO INSTALLATION. MATERIALS AND THEIR REJECTED MATERIAL MUST BE REPLACED BY THE CONTRACTOR AT HIS/HER OWN RISK.

THE CONTRACTOR SHALL INCLUDE IN THE CONTRACT A BOND FOR A CONTINGENT MAINTENANCE PERIOD OF SEVENTY (70) DAYS AFTER COMPLETION OF THE PROJECT BY THE OWNER OR OWNER'S REPRESENTATIVE.

TREES TO BE PLANTED A MINIMUM OF 8" IN DBH. EVIDENCE OF PAVING OR WALLS OR OTHER OBSTACLES EXISTING IN PLANS, ALL TREES IN A PAVEMENT OR PAVEMENT GROUP OR OTHERWISE BE REMOVED PRIOR TO PLANTING.

THE PLANTING OF TREES SHALL BE IN ACCORDANCE WITH THE DBH OF THE PLANT AND 2" FROM THE BOTTOM OF THE ROOT BALL TO THE BOTTOM OF THE PLANTING PIT. PLANT TREES AS PER DBH.

FIRST FOUR TABLETS SHALL BE 20% DRAINAGE. 12 GRAB TABLETS (DBH-15) PLACED IN ALL PLANTING PITS IN QUANTITIES AS FOLLOWS:

1 IN GALLON TREES = 1 TABLET

ODIGATE AFTER INSTALLATION ALL LANDSCAPE SHALL BE FERTILIZED WITHIN 14 DAYS. FERTILIZER APPLIED AT THE RATE OF 5 LBS PER 1000 SQ FT. FERTILIZER APPLICATION SHALL BE DONE TWICE THEREAFTER AT 14 WEEKLY INTERVALS.

FOR THE STONE SPACING SEE DET-210.

ANY DISCREPANCY IN PLANT MATERIAL, PLANT SIZE AND OR SPECIES NOT PERMITTED UNLESS LANDSCAPE DESIGNER HAS BEEN NOTIFIED IN ADVANCE OF THE INSTALLATION CHANGES. ALL DESIGN CHANGES MUST BE IN WRITING FROM THE RESIDENTIAL OWNER, REGARDLESS OF THE TYPE.

ANY STATE TREE'S RESPONSIBILITY TO THE PREVALENT WIND DIRECTION, SO THAT THE TREE CAN MOVE SILENTLY IN THE WIND.

SOIL AMENDMENT TO BE A CRITICAL VALUE OF HUMUS AND 11.5% OF NITROGEN PLANT FERTILIZER NOTIFIED TO THE LANDSCAPE DESIGNER PRIOR TO BEGINNING OF THE WORK.

CONTRACTOR TO VERIFY SOIL CONDITIONS AND SOIL TESTS PRIOR TO PLANTING. THE CONTRACTOR SHALL NOTIFY THE LANDSCAPE DESIGNER OF ANY DISCREPANCY PRIOR TO BEGINNING OF THE WORK.



SEP 12 2005

5 GALLON *PISTACHIA CHINENSIS* CHINESE PISTACHE

Diagram illustrating the components and dimensions of a tree in a container, showing the tree structure and the container setup.

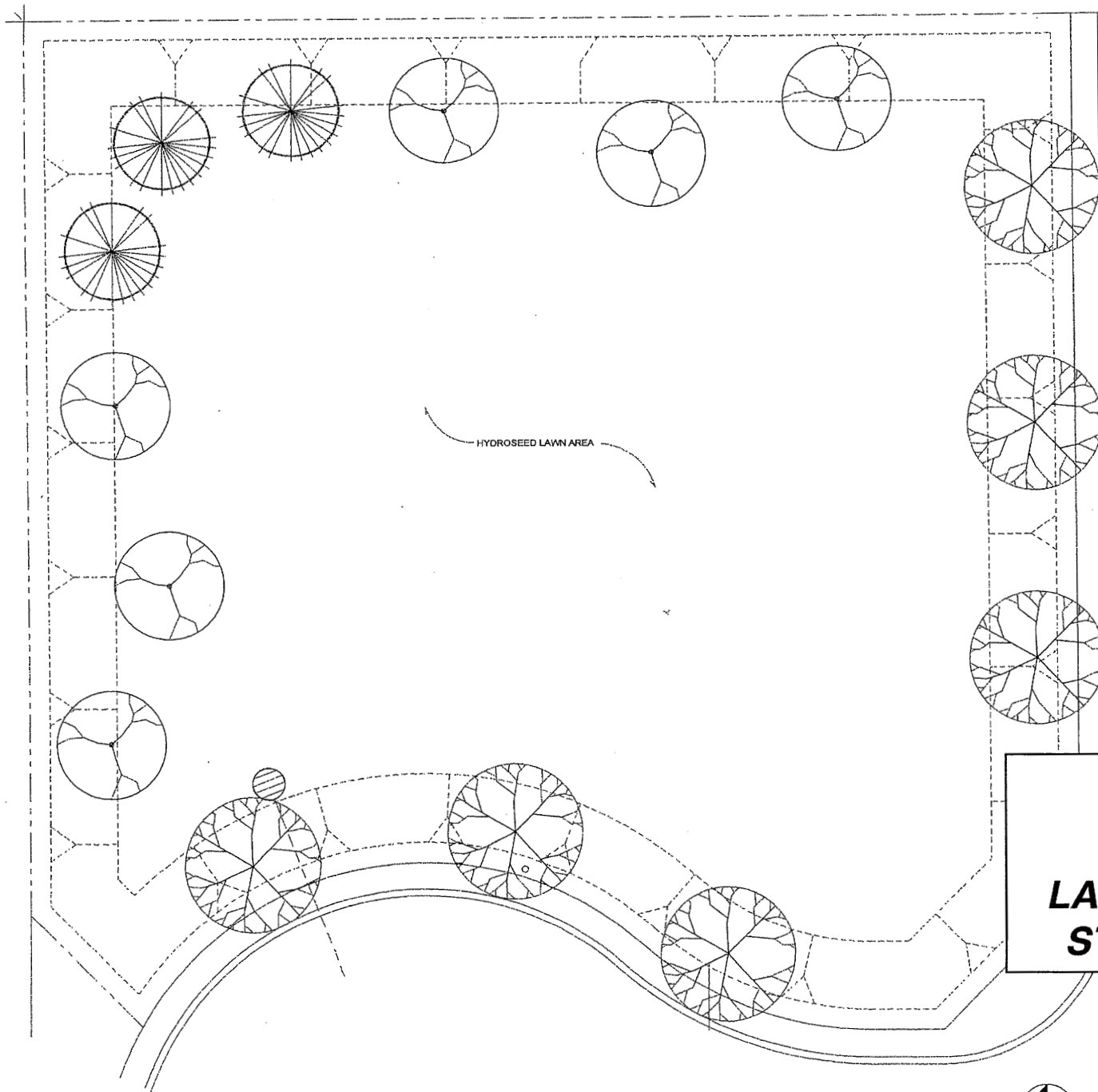
- ← PREVAILING WIND
- TO BOTTOM OF SWATCH
- PLACE TREE BELOW MAIN FORK OR BRANCH (8" MAXIMUM)
- 2" DIAMETER LOOSE POLE STAKE
- 4" MIN. BEIRIM ABOVE FINISH GRADE
- FERTILIZER PELLETS (50 PPM 15 GALLON TREE)
- SHRIFT SIDES
- AMENDED PLANTING BACKFILL
- ROOT BALL
- 2X CONTAINER
- 2X CONTAINER

ALL DRAWINGS, DESIGNS, IDEAS AND WRITTEN MATERIAL
APPEARING HEREIN CONSTITUTES THE ORIGINAL AND
UNPUBLISHED WORK OF TANI BONSAI AND LANDSCAPING
AND ARE FOR THIS PROJECT SPECIFICALLY
THE SAME MAY NOT BE DUPLICATED, USED
OR DISCLOSED IN ANY AND/OR ALL PARTS WITHOUT
THE WRITTEN CONSENT FROM
TANI BONSAI & LANDSCAPING AND FULL
COMPENSATION HAS BEEN PAID

FULL COMPENSATION HAS BEEN RECEIVED
FOR THESE LANDSCAPE PLANS FOR THIS PROJECT ONLY.
TANI BONSAI AND LANDSCAPE RELEASES ALL
COPY RIGHTS TO THE OWNER/REPRESENTATIVE
OF THIS PROJECT

JOHN G. SNIDER - PRESIDENT
J.G. SNIDER ENTERPRISES, INC.
DBA: TANI BONSAI & LANDSCAPING

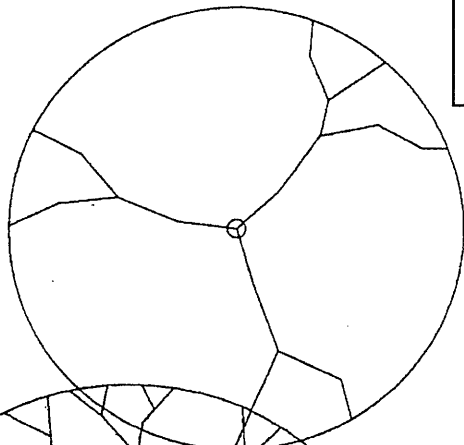
DATE _____



TM 2005-03
SUNCREST II
LANDSCAPE PLAN FOR
STORMWATER BASIN



TM 2005-03
SUNCREST II
TREE LEGEND

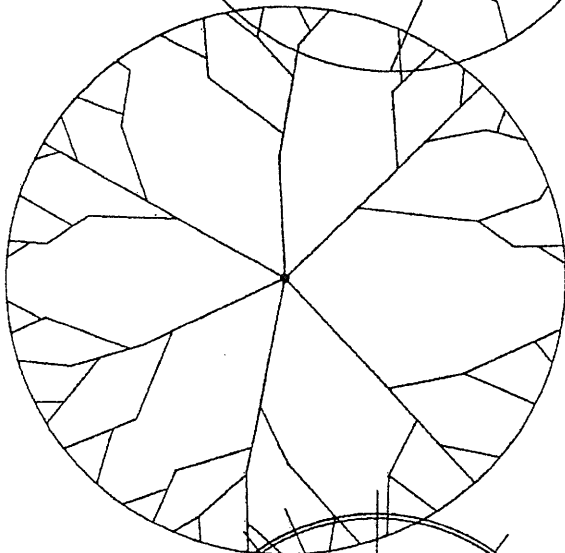


15 GALLON

NYSSA SYLVATICA

TUPELO

6

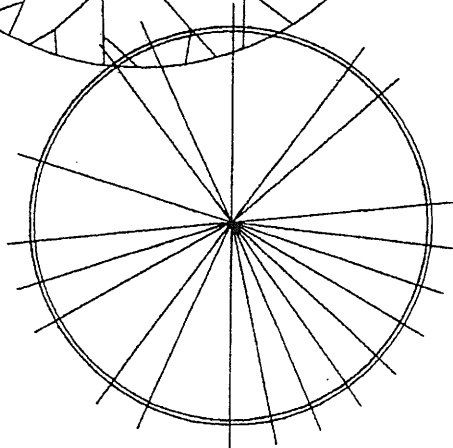


15 GALLON

PISTACHIA CHINENSIS

CHINESE PISTACHE

6



15 GALLON

SEQUOIA 'APTOS BLUE'

REDWOOD

3



Stanislaus County

Planning and Community Development

1010 10th Street, Suite 3400
Modesto, California 95354

Phone: (209) 525-6330
Fax: (209) 525-5911

CEQA INITIAL STUDY

Adapted from CEQA Guidelines APPENDIX G Environmental Checklist Form, Final Text, October 26, 1998

1. **Project title:** Vesting Tentative Subdivision Map Application
No. 2005-03 - Suncrest II
2. **Lead agency name and address:** Stanislaus County
1010 10th Street, Suite 3400
Modesto, CA 95354
3. **Contact person and phone number:** Angela Freitas, Senior Planner
(209) 525-6330
4. **Project location:** North side of Zeering Road, between San Joaquin
Avenue and Alameda Avenue, in the west Denair
area. (APN 024-017-022 — 4521 E. Zeering
Road)
5. **Project sponsor's name and address:** Dave Uecker
P.O. Box 696
Ripon, CA 95366
6. **Community Plan & General Plan designations:** LDR (Low Density Residential)
7. **Zoning:** R-A (Rural Residential)
8. **Description of project:**

This is a two part project. Part one is to subdivide a 4.14 acre parcel into a total of (12) twelve residential lots ranging from 8,456 to 14,042 square feet, (1) one 21,034 square foot drainage basin, (1) one 755 square foot lot to be dedicated to the County for future road purposes, and (1) one 1,368 square foot lot to be merged or lot line adjusted, prior to recording of the final map, to the adjoining off-site parcel. (If a merger or lot line adjustment is not feasible, lot 1 will be dedicated to the County and utilized as landscaped open-space.) Part one provides for a 55-foot right-of-way dedication for Zeering Road. This dedication is consistent with the Denair Community Plan Mitigation Measure requiring the re-classification of Zeering Road from a collector to major roadway standard.

Part two will be a request to divide lot 2 (14,042 square feet), created in part one, into two lots of roughly 8,400 to 9,200 square feet in size. Part two will consist of a separate parcel map application to be processed within one-year of the approval of part one. This parcel map request will be dependent on the re-classification of Zeering Road as a collector. The roadway re-classification is being analyzed independent of either part of this request. Part two will also request lot 1 (1,368 square feet) created in part one be enlarged to 1,412 square feet to compensate for the reduced right-of-way. The requirement to merge or lot line adjust Lot 1 with the adjoining off-site parcel will remain the same.

Water and sewer disposal to all proposed lots, part one and two of this project, will be provided by the Denair Community Services District. The proposed tentative map is designed to provide for future circulation opportunities to the east and north of the project site.

8. Description of project (continued):

The project site is located within the boundaries of the Denair Community Plan adopted in December of 1998. A Mitigated Negative Declaration was adopted as part of the project. Part one of this project incorporates all applicable mitigation measures adopted as part of the Mitigation Monitoring Plan for the Community Plan. Part two of this project anticipates the re-classification of Zeering Road to a collector roadway. Part two of this project will only occur if Zeering is re-classified to a collector as part of an independent reevaluation of the roadway segment.

The end result of both parts of this request will be a residential subdivision consistent with the project referral circulated in May/June of 2005 as part of the CEQA Early Consultation process. The shift to a two part request is a result of the need to redesign the project to accommodate Zeering Road as a Major and not as a Collector. (Majors require 55-feet of right-of-way from the centerline and Collectors requiring 30-feet of right-of-way from the centerline)

9. Surrounding land uses and setting:

Residential to the south, west, and north and a church to the east.

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)

Stanislaus County Public Works
Stanislaus Consolidated Fire
Department of Environmental Resources
Denair Community Services District

Attachments:

Attachment "A" - Initial Study for the Denair Community Plan Update

Attachment "B" - Mitigation Monitoring Plan - Denair Community Plan Update

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

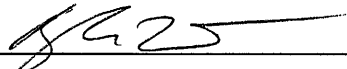
- | | | |
|---|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources | <input checked="" type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology / Soils |
| <input checked="" type="checkbox"/> Hazards & Hazardous Materials | <input checked="" type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Land Use / Planning |
| <input type="checkbox"/> Mineral Resources | <input checked="" type="checkbox"/> Noise | <input type="checkbox"/> Population / Housing |
| <input checked="" type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of | |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Signature

October 18, 2005

Date

Angela Freitas

Printed name

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- 4) “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, “Earlier Analyses,” may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration.

Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

- a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
 - 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
 - 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
 - 9) The explanation of each issue should identify:
 - a) the significant criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significant.

This project was circulated for review once before, with a number of agencies providing comments. As is normal practice, those comments which included recommended conditions of approval will have those conditions attached to the tentative subdivision map. Most are standard-type conditions done in this way as longstanding policy. The areas of impact identified in the Initial Study follow very closely those identified and covered in the Mitigated Negative Declaration for the Denair Community Plan as adopted in December of 1998. The conditions contain in comment responses will indeed be placed on the project but for the most part address land use or service issues , but are not close to reaching CEQA significant levels of impact.

ISSUES

I. AESTHETICS -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?				X
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings?				X
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				X
Discussion: Community standards generally do not dictate the need or desire for architectural review of residential and/or accessory structures. The project will incorporate a landscaped drainage basin and street trees which will enhance the sites overall visual character.				
Mitigation: None.				
References: Initial Study and Mitigation Monitoring Plan for the Denair Community Plan Update - Adopted December 15, 1998, application information, County policies and staff experience.				
II. AGRICULTURE RESOURCES -- In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				X
Discussion: The project site is designated LDR (Low Density Residential) on the Community Plan and General Plan, and zoned R-A (Rural Residential). It is located within the Denair Community Services District. The project site is considered an in-fill development surrounded primarily by residential development and a church to the east.				
Mitigation: None.				

References: Initial Study and Mitigation Monitoring Plan for the Denair Community Plan Update - Adopted December 15, 1998, County Policies, application information, Stanislaus County General Plan - Adopted October 1994, and Stanislaus County Zoning Ordinance.

III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?				X
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				X
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?		X		
d) Expose sensitive receptors to substantial pollutant concentrations?			X	
e) Create objectionable odors affecting a substantial number of people?			X	

Discussion: The project site is within the San Joaquin Valley Air Basin, which has been classified as "severe non-attainment" for ozone and respirable particulate matter (PM-10) as defined by the Federal Clean Air Act. The San Joaquin Valley Air Pollution Control District (SJVAPCD) has been established by the State in an effort to control and minimize air pollution. As such, the District maintains permit authority over stationary sources of pollutants.

Any pollutants generated by this project would be classified as being generated from "mobile" sources. Mobile sources would generally include dust from roads, farming, and automobile exhausts. Mobile sources are generally regulated by the Air Resources Board of the California EPA which sets emissions standards for vehicles, and acts on issues regarding cleaner burning fuels and alternative fuel technologies. As such, the SJVAPCD has addressed most criteria air pollutants through basin wide programs and policies to prevent cumulative deterioration of air quality within the Basin.

The Initial Study for the Denair Community Plan Update identified that new development within the plan area would reduce the ability of the SJVAPCD to achieve attainment standards. Two mitigation measures addressing air quality impacts were identified and have been incorporated into this project. This project was referred to the SJVAPCD for comments as part of the early consultation process, but no comments have been received.

Mitigation:

1. To reduce PM-10 emissions associated with construction the following strategies shall be included as part in all construction contracts for future development.
 - a. All clearing, grading, earth moving, or excavation activities shall cease when wind speeds are consistently equal to or greater than 20 mph.
 - b. All excavation material, graded or otherwise disturbed shall be watered sufficiently to prevent excessive amounts of dust. Watering shall occur twice daily with complete coverage, preferably in late morning and after work is done for the day.
 - c. All material transported and vehicle speeds shall be limited to 15 mph on unpaved roadways.
 - d. Street sweeping and/or washing shall be undertaken to reduce dust emissions on paved roads, shoulders and access ways adjacent to the construction site.
 - e. All internal combustion equipment shall be properly maintained and tuned according to manufacturer's specifications.
 - f. Idling of all internal combustion equipment shall be limited to ten minutes at any given time.
 - g. The use of building materials that do not require the use of paints/solvents shall be encouraged.
2. To ensure the SJVAPCD standards are achieved, all new development within the plan area shall implement the following measures:
 - a. Automated control system for heating/air conditioning and energy efficiency required under Title 24.
 - b. Lighting controls and energy-efficient lighting in buildings.
 - c. Insulation to Title 24 requirements.
 - d. Light colored roof materials to reflect heat.
 - e. Provide low nitrogen oxide (NOx) emitting and/or high efficiency water heaters.
 - f. If fireplaces are proposed, natural gas fireplaces or EPA-certified wood burning fireplaces/stoves should be installed in every unit that has a fireplace.
 - g. Include exterior electrical outlets on all residential units to encourage the use of electric powered yard maintenance equipment.

References: Initial Study and Mitigation Monitoring Plan for the Denair Community Plan Update - Adopted December 15, 1998 and Stanislaus County General Plan - Adopted October 1994.

IV. BIOLOGICAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?				X
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

Discussion: It does not appear this project will result in impacts to endangered species or habitats, locally designated species, or wildlife dispersal or mitigation corridors. There are no known sensitive or protected species or natural communities located on the site and/or in the surrounding area.

Mitigation: None.

References: Initial Study and Mitigation Monitoring Plan for the Denair Community Plan Update - Adopted December 15, 1998, Stanislaus County General Plan - Adopted June 1994 and the Stanislaus County General Plan Support Documentation - Adopted June 1987, California Natural Diversity Data Base Map, August 2005.

V. CULTURAL RESOURCES -- Would the project:				
	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?			X	
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
d) Disturb any human remains, including those interred outside of formal cemeteries?			X	

Discussion: The Initial Study for the Denair Community Plan Update identified that a site-specific formal archaeological records search was conducted by the Central California Information Center of the California Archaeological Inventory in June 1998, to determine if any cultural resources have been identified within the plan area. Based on the records search, no prehistoric resources were identified within the plan area. The research did identify two historical resources not impacted by this project. A condition of approval will be added to this project to address any discovery of cultural resources during the construction phases.

Mitigation: None.

References: Initial Study and Mitigation Monitoring Plan for the Denair Community Plan Update - Adopted December 15, 1998, Stanislaus County General Plan - Adopted October 1994 and the Stanislaus County General Plan Support Documentation - Adopted June 1987, Application information, County policy.

VI. GEOLOGY AND SOILS -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?			X	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			X	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X
Discussion: As contained on page 288 of the General Plan Support Document (June 1987), the areas of Stanislaus County subject to significant geologic hazard are located in the Diablo Range, west of Interstate 5. Any structures resulting from this project shall be built according to building standards appropriate to withstand shaking for the area in which they are constructed. The Initial Study and Mitigation Monitoring Plan for the Denair Community Plan Update identified a mitigation measure addressing expansive soils and the need for the preparation of site-specific geotechnical reports. It is standard policy for the Public Works department to require a geotechnical report as part of the subdivision improvement plan review process and when building permits are requested in areas known to have expansive soils. As such, there is no need to require the report as a mitigation measure for this project, since it will be required as part of the projects development process.				
Mitigation: None.				
References: Application information, Initial Study and Mitigation Monitoring Plan for the Denair Community Plan Update - Adopted December 15, 1998, Stanislaus County General Plan - Adopted October 1994, Stanislaus County General Plan Support Documentation - Adopted June 1987, and the Uniform Building Code (1997).				

VII. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?		X		
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X

Discussion: The County Department of Environmental Resources is responsible for overseeing hazardous materials and has not indicated any particular concerns in this area. Pesticide exposure is a risk in areas located in the vicinity of agricultural uses. Sources of exposure include contaminated groundwater which is consumed and drift from spray applications. Application of sprays are strictly controlled by the Agricultural Commissioner and can only be accomplished after first obtaining permits. The groundwater is not known to be contaminated in this area.

The Initial Study and Mitigation Monitoring Plan for the Denair Community Plan Update identifies three mitigation measures addressing the potential for hazardous materials to be present within the plan area. The first mitigation measure addresses development at locations suspected or known to have used hazardous materials. There is no information available to suggest the project site is suspected or known to have used hazardous materials. The second measure addresses two specific sites, neither being the project site. The third measure is being added to this project to address discovery of hazards during construction.

Mitigation:

3. Construction contracts shall include a stop-work provision in the event previously unidentified contamination is discovered during construction so that appropriate actions can be taken to reduce potential human health and environmental hazards.

References: Application information, Initial Study and Mitigation Monitoring Plan for the Denair Community Plan Update - Adopted December 15, 1998, Stanislaus County General Plan - Adopted October 1994 and the Stanislaus County General Plan Support Documentation - Adopted June 1987.

VIII. HYDROLOGY AND WATER QUALITY -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?			X	
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			X	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			X	
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?		X		
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm-water drainage systems or provide substantial additional sources of polluted runoff?		X		
f) Otherwise substantially degrade water quality?			X	
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
j) Inundation by seiche, tsunami, or mudflow?				X

Discussion: On-site areas subject to flooding have not been identified in accordance with the Federal Emergency Management Act and/or county designated flood areas. By virtue of paving for the roadway, house pads and driveways, the current absorption patterns of water placed upon this property will be altered. The project includes a landscaped dual-use drainage basin designed to handle all excess storm water runoff from the site. Preliminary drainage plans have been reviewed by the Public Works Department to insure the size of the proposed retention basins are adequate.

The Initial Study and Mitigation Monitoring Plan for the Denair Community Plan Update identifies four mitigation measures addressing drainage, water quality, and water supply. In this case, the project has obtained a 'will serve' letter of sorts for public water and sewer service from the Denair Community Services District. The mitigation measure addressing drainage and water quality have been added to this project.

Mitigation:

4. *The project shall demonstrate through a drainage study or hydrological report, in accordance with the Stanislaus County Public Works standards, that new development will not increase peak storm flows and that adequate capacity exists downstream to accommodate increased flood volume.*
5. *During project construction, all new development shall implement appropriate stormwater runoff Best Management Practices (BMP) and design features to protect receiving water quality during construction and occupancy, consistent with Stanislaus County standards.*
6. *BMPs shall be incorporated into project design to reduce urban contaminant levels in stormwater runoff, consistent with Stanislaus County standards.*

References: Initial Study and Mitigation Monitoring Plan for the Denair Community Plan Update - Adopted December 15, 1998, Stanislaus County General Plan - Adopted October 1994, and the Stanislaus County General Plan Support Documentation - Adopted June 1987, Application information.

IX. LAND USE AND PLANNING -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Physically divide an established community?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			X	
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

Discussion: The proposed project is consistent with the LDR (Low Density Residential) designation which allows zero to 8 units per net acre and the R-A (Rural Residential) zoning district which allows for lots of 8,000+ square feet when served by both public sewer and water. The proposed project will not conflict with any applicable habitat conservation plan or natural community conservation plan, as there are none in the area and will not physically divide an established community as the project is located at the edge of town and actually should enhance the community entrance.

Mitigation: None.

References: Initial Study and Mitigation Monitoring Plan for the Denair Community Plan Update - Adopted December 15, 1998, Stanislaus County General Plan - Adopted June 1994 and the Stanislaus County General Plan Support Documentation - Adopted June 1987, application information.

X. MINERAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X
Discussion: The location of all commercially viable mineral resources in Stanislaus County has been mapped by the State Division of Mines and Geology in Special Report 173. There are no known significant resources in or around the project area.				
Mitigation: None.				
References: Initial Study and Mitigation Monitoring Plan for the Denair Community Plan Update - Adopted December 15, 1998, State Division of Mining & Geology-Special Report 173 (1993), Stanislaus County General Plan - Adopted October 1994, and the Stanislaus County General Plan Support Documentation - Adopted June 1987.				
XI. NOISE -- Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			X	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?		X		
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

Discussion: The Initial Study for the Denair Community Plan Update identified the Burlington Northern Santa Fe Railroad and Santa Fe Avenue as potential noise sources exceeding 60db_{Ldn}. The Stanislaus County General Plan states that noise sensitive uses, such as residential development, shall not be exposed to interior noise levels of greater than 45 db_{Ldn} or exterior levels of greater than 60 db_{Ldn} or, in some cases, 65 db_{Ldn}. As part of the initial study the worse case noise contours were determined to be 108 feet from Santa Fe Avenue and 680 feet from the Burlington Northern Santa Fe Railroad. The initial study notes that the calculations used to determine the contours did not take into consideration shielding caused by local buildings or topographical features. The project site lies just outside of the 680-foot contour and is separated from the railroad by existing developments as well. Mitigation measures identified to address the temporary noise associated with the construction phase of development have been added to this project. The hours of construction reflected in measure No. 7 are consistent with those applied to similar project. The project site is well separated from the 108-foot contour of Santa Fe Avenue.

Mitigation:

7. *Hours of construction on the project site shall be limited to 7:00 a.m. to 6:00 p.m. Monday thru Friday, with no construction allowed on holidays.*
8. *All construction equipment shall be fitted with properly functioning mufflers.*
9. *Any noisy construction equipment shall be located away from sensitive receptors, and, if necessary, temporary noise barriers shall be constructed between noise sources and sensitive receptors.*

References: Initial Study and Mitigation Monitoring Plan for the Denair Community Plan Update - Adopted December 15, 1998, Stanislaus County General Plan - Adopted October 1994, Stanislaus County General Plan Support Documentation - Adopted June 1987, site review, and staff experience.

XII. POPULATION AND HOUSING -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

Discussion: The proposed use of the site will not create significant service extensions or new infrastructure which could be considered as growth inducing, as services are already available to this property. No housing or persons will be displaced by this project. Rather, (13) thirteen new residential lots will be made available for sale.

Mitigation: None.

References: Initial Study and Mitigation Monitoring Plan for the Denair Community Plan Update - Adopted December 15, 1998, Stanislaus County General Plan - Adopted June 1994 and the Stanislaus County General Plan Support Documentation - Adopted June 1987 Application information.

XIII. PUBLIC SERVICES:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?			X	
Police protection?		X		
Schools?			X	
Parks?			X	
Other public facilities?			X	
Discussion: The County has adopted Public Facilities Fees, as well as one for the Fire Facility Fees on behalf of the appropriate fire district, to address impacts to public services. Such fees are required to be paid at the time of building permit issuance. Conditions of approval will be added to this project to insure the proposed development complies with all applicable fire department standards with respect to access and water for fire protection. The sheriff's department has identified a potentially significant impact associated with increased service demand. A mitigation measure reflecting a standardized fee amount for new parcel is being added to address the potential impact.				
Mitigation: 10. Prior to the issuance of building permits for a dwelling, the owner/developer shall pay a fee of \$339.00 per dwelling to the County Sheriff's Department.				
References: Initial Study and Mitigation Monitoring Plan for the Denair Community Plan Update - Adopted December 15, 1998, County Policies, Stanislaus County General Plan - Adopted October 1994, the Stanislaus County General Plan Support Documentation - Adopted June 1987, and Stanislaus County Sheriff - referral response dated June 27, 2005.				
XIV. RECREATION:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X	
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X

Discussion: The project includes a 21,034 square foot landscaped drainage basin. The General Plan requires at least three net acres of developed neighborhood parks, or the maximum number allowed by law, to be provided for every 1,000 residents. Based on 3.03 persons per household, the project is required to provide only a very small amount of park space. In a response dated September 20, 2005, the County Parks Department has indicated that the proposed landscaped drainage basin does not meet the developed parkland requirements and, as such, an in-lieu fee will be required. Conditions of Approval will be included to address required in-lieu fee, slope requirements, landscaping, sidewalks, start-up fees, and on-going operations and maintenance costs associated with the drainage area.

Mitigation: None.

References: Initial Study and Mitigation Monitoring Plan for the Denair Community Plan Update - Adopted December 15, 1998, County Policies, Stanislaus County General Plan - Adopted October 1994, and the Stanislaus County General Plan Support Documentation - Adopted June 1987, Parks Department Responses dated May 7, 2005 and September 20, 2005.

XV. TRANSPORTATION/TRAFFIC -- Would the project:				
	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?			X	
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?				X
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
e) Result in inadequate emergency access?				X
f) Result in inadequate parking capacity?				X
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X

Discussion: The Mitigation Monitoring Plan for the Denair Community Plan identifies two mitigation measures addressing Zeering Road in the project area. Mitigation Measure No. 9 requires Zeering Road, along the project site, to be re-classified from a collector to major roadway. It further states that the roadway segment shall be subject to roadway restrictions which may include either widening or elimination of driveway access. Part one of this project is designed to accommodate Zeering Road as a major roadway. As discussed in the project description, the re-classification of Zeering from a major to a collector roadway is being analyzed independently of this project. Part two of this project will only occur if Zeering is re-classified to a collector as part of an independent reevaluation of the roadway segment.

The Stanislaus County Public Works Department has reviewed this project and, in addition to standardized conditions, identified the need for Zeering Road to be widened off-site between Santa Fe Avenue and the proposed Chica Court, if Zeering Road is developed as a collector. Public Works has identified the off-site improvements as needed to mitigate traffic impacts associated with the project, but a potentially significant impact has not been identified. As such, the off-site improvements will be addressed as conditions of approval and not mitigation measures.

Discussion (continued): Mitigation Measure No. 10 of the Denair Community Plan Update calls for the Zeering Road/Gratton Road intersection, in addition to four other intersections in the Denair area, be signalized as needed when demonstrated through a traffic signal analysis. The Community Plan Mitigation Plan calls for this measure to be implemented as determined to be needed by the Department of Public Works. County Public Works has not identified a need to implement this measure as part of this project.

Mitigation: None.

References: Application information, Public Works - comments dated September 27, 2005, Initial Study and Mitigation Monitoring Plan for the Denair Community Plan Update - Adopted December 15, 1998, Stanislaus County General Plan - Adopted June 1994 and the Stanislaus County General Plan Support Documentation - Adopted June 1987.

XVI. UTILITIES AND SERVICE SYSTEMS -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X	
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
g) Comply with federal, state, and local statutes and regulations related to solid waste?				X

Discussion: Limitations on providing services have not been identified. The project will be served by public water and sewer provided by the Denair Community Services District. At the request of the Denair Community Services District, this project will be conditioned to require the developer enter into an agreement to construct and pay the necessary infrastructure to enable the District to provide services to the project. Less than significant impacts associated with public utility and irrigation easement(s) will be reflected in the project's conditions of approval.

Mitigation: None.

References: Application information, Denair Community Services District - referral response dated June 6, 2005, Initial Study and Mitigation Monitoring Plan for the Denair Community Plan Update - Adopted December 15, 1998, Stanislaus County General Plan - Adopted June 1994 and the Stanislaus County General Plan Support Documentation - Adopted June 1987.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				X
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				X
Discussion: Review of this project has not indicated any feature(s) which might significantly impact the environmental quality of the site and/or adjacent areas. As such, all identified project-significant impacts have been mitigated to a level on less than significant.				

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Stanislaus County

Planning and Community Development

1010 10th Street
Modesto, CA 95354

Phone: (209) 525-6330
Fax: 525-5911

Mitigation Monitoring Plan

Adapted from CEQA Guidelines sec. 15097 Final Text, October 26, 1998

October 18, 2005

1. **Project title and location:** Vesting Tentative Subdivision Map Application No. 2005-03 - Suncrest II
2. **Project applicant name and address:** Dave Uecker
P.O. Box 696
Ripon, CA 95366
3. **Person responsible for implementing mitigation program (applicant representative):** Dave Uecker
4. **Contact person at County:** Angela Freitas, Senior Planner
(209) 525-6330

MITIGATION MEASURES AND MONITORING PROGRAM:

III. AIR QUALITY

No. 1 Mitigation Measure:

To reduce PM-10 emissions associated with construction the following strategies shall be included as part in all construction contracts for future development:

a. All clearing, grading, earth moving, or excavation activities shall cease when wind speeds are consistently equal to or greater than 20 mph.

b. All excavation material, graded or otherwise disturbed shall be watered sufficiently to prevent excessive amounts of dust. Watering shall occur twice daily with complete coverage, preferably in late morning and after work is done for the day.

c. All material transported and vehicle speeds shall be limited to 15 mph on unpaved road-ways.

d. Street sweeping and/or washing shall be undertaken to reduce dust emissions on paved roads, shoulders and access ways adjacent to the construction site.

e. All internal combustion equipment shall be properly maintained according to manufacturer's specifications.

f. Idling of all internal combustion equipment shall be limited to ten minutes at any given time.

g. The use of building materials that do not require the use of paints/solvents shall be encouraged.

Who Implements the Measure:

Applicant.

When should the measure be implemented:

As part of any construction contract.

When should it be completed:

Upon completion of construction.

Who verifies compliance:

Stanislaus County Planning Department.

Other Responsible Agencies:

San Joaquin Valley Air Pollution Control District.

No. 2 Mitigation Measure:

The ensure the SJVAPCD standards are achieved, all new development within the plan area shall implement the following measures:

a. Automated control system for heading/air conditioning and energy efficiency required under Title 24.

b. Lighting controls and energy-efficient lighting in buildings.

c. Insulation to Title 24 requirements.

d. Light colored roof materials to reflect heat.

e. Provide low nitrogen oxide (NOX) emitting and/or high efficiency water heaters.

f. If fireplaces are proposed, natural gas fireplaces by EPA-certified wood burning fire-places/stoves should be installed in every unit.

g. Include exterior electrical outlets on all residential units to encourage the use of electric powered yard maintenance equipment.

Who Implements the Measure:

Applicant.

When should the measure be implemented:

Any time construction takes place.

When should it be completed:

Upon completion of construction.

Who verifies compliance:

Stanislaus County Planning Department.

Other Responsible Agencies:

San Joaquin Valley Air Pollution Control District..

VII. HAZARDS AND HAZARDOUS MATERIALS

No. <u>3</u>	Mitigation Measure:	Construction contracts shall include a stop-work provision in the event previously unidentified contamination is discovered during construction so that appropriate actions can be taken to reduce potential human health and environmental hazards.
	Who Implements the Measure:	Applicant.
	When should the measure be implemented:	At any time construction takes place.
	When should it be completed:	Upon completion of construction.
	Who verifies compliance:	Stanislaus County Planning Department.
	Other Responsible Agencies:	Department of Environmental Resources.

VIII. HYDROLOGY AND WATER QUALITY

No. <u>4</u>	Mitigation Measure:	The project shall demonstrate through a drainage study or hydrological report, in accordance with the Stanislaus County Public Works standards, that new development will not increase peak storm flows and that adequate capacity exists downstream to accommodate increased flood volume.
	Who Implements the Measure:	Applicant.
	When should the measure be implemented:	Prior to any development occurring.
	When should it be completed:	Upon approval of study/report.
	Who verifies compliance:	Stanislaus County Planning Department.
	Other Responsible Agencies:	Stanislaus County Public Works Department.
No. <u>5</u>	Mitigation Measure:	During project construction, all new development shall implement appropriate stormwater runoff Best Management Practices (BMP) and design features to protect receiving water quality during construction and occupancy, consistent with Stanislaus County standards.
	Who Implements the Measure:	Applicant.
	When should the measure be implemented:	At any time construction takes place.
	When should it be completed:	Upon completion of construction.
	Who verifies compliance:	Stanislaus County Planning Department.
	Other Responsible Agencies:	Stanislaus County Public Works Department.

No. <u>6</u>	Mitigation Measure:	BMPs shall be incorporated into project design to reduce urban contaminant levels in stormwater runoff, consistent with Stanislaus County standards.
	Who Implements the Measure:	Applicant.
	When should the measure be implemented:	At any time construction takes place.
	When should it be completed:	Upon completion of construction.
	Who verifies compliance:	Stanislaus County Planning Department
	Other Responsible Agencies:	Stanislaus County Public Works Department.

XI. NOISE

No. <u>7</u>	Mitigation Measure:	Hours of construction on the project site shall be limited to 7:00 a.m. to 6:00 p.m. Monday thru Friday, with no construction allowed on holidays.
	Who Implements the Measure:	Applicant.
	When should the measure be implemented:	At any time construction takes place.
	When should it be completed:	Upon completion of construction.
	Who verifies compliance:	Stanislaus County Planning Department
	Other Responsible Agencies:	None.
No. <u>8</u>	Mitigation Measure:	All construction equipment shall be fitted with properly functioning mufflers.
	Who Implements the Measure:	Applicant.
	When should the measure be implemented:	At any time construction takes place.
	When should it be completed:	Upon completion of construction.
	Who verifies compliance:	Stanislaus County Planning Department
	Other Responsible Agencies:	None.
No. <u>9</u>	Mitigation Measure:	Any noisy construction equipment shall be located away from sensitive receptors, and, if necessary, temporary noise barriers shall be constructed between noise sources and sensitive receptors.
	Who Implements the Measure:	Applicant.
	When should the measure be implemented:	At any time construction takes place.

Stanislaus County Mitigation Monitoring Plan
VTSM 2005-03 - Suncrest II

Page 5
October 18, 2005

When should it be completed:	Upon completion of construction.
Who verifies compliance:	Stanislaus County Planning Department
Other Responsible Agencies:	None.

XII. PUBLIC SERVICES

No. 10 Mitigation Measure:	Prior to the issuance of building permits for a dwelling, the owner/developer shall pay a fee of \$339.00 per dwelling to the County Sheriff's Department.
Who Implements the Measure:	Applicant.
When should the measure be implemented:	Prior to issuance of a building permit for a dwelling.
When should it be completed:	Prior to issuance of a building permit for a dwelling.
Who verifies compliance:	Stanislaus County Planning Department
Other Responsible Agencies:	Stanislaus County Public Works - Development Services.

I the undersigned, do hereby certify that I understand and agree to be responsible for implementing the Mitigation Program for the above listed project.


Person Responsible for Implementing
Mitigation Program

managing member

10-20-05
Date

MITIGATED NEGATIVE DECLARATION

NAME OF PROJECT:

Vesting Tentative Subdivision Map Application No.
2005-03 - Suncrest II

LOCATION OF PROJECT:

North side of Zeering Road, between San Joaquin Avenue and Alameda Avenue, in the west Denair area. (APN 024-017-022 — 4521 E. Zeering Road)

PROJECT DEVELOPER:

Dave Uecker
P.O. Box 696
Ripon, CA 95366

DESCRIPTION OF PROJECT:

This is a two part project. Part one is to subdivide a 4.14 acre parcel into a total of (12) twelve residential lots ranging from 8,456 to 14,042 square feet, (1) one 21,034 square foot drainage basin, (1) one 755 square foot lot to be dedicated to the County for future road purposes, and (1) one 1,368 square foot lot to be merged or lot line adjusted, prior to recording of the final map, to the adjoining off-site parcel. (If a merger or lot line adjustment is not feasible, lot 1 will be dedicated to the County and utilized as landscaped open-space.) Part one provides for a 55-foot right-of-way dedication for Zeering Road. This dedication is consistent with the Denair Community Plan Mitigation Measure requiring the re-classification of Zeering Road from a collector to major roadway standard.

Part two will be a request to divide lot 2 (14,042 square feet), created in part one, into two lots of roughly 8,400 to 9,200 square feet in size. Part two will consist of a separate parcel map application to be processed within one-year of the approval of part one. This parcel map request will be dependent on the re-classification of Zeering Road as a collector. The roadway re-classification is being analyzed independent of either part of this request. Part two will also request lot 1 (1,368 square feet) created in part one be enlarged to 1,412 square feet to compensate for the reduced right-of-way. The requirement to merge or lot line adjust Lot 1 with the adjoining off-site parcel will remain the same.

Water and sewer disposal to all proposed lots, part one and two of this project, will be provided by the Denair Community Services District. The proposed tentative map is designed to provide for future circulation opportunities to the east and north of the project site.

The project site is located within the boundaries of the Denair Community Plan adopted in December of 1998. A Mitigated Negative Declaration was adopted as part of the project. Part one of this project incorporates all applicable mitigation measures adopted as part of the Mitigation Monitoring Plan for the Community Plan. Part two of this project anticipates the re-classification of Zeering Road to a collector roadway. Part two of this project will only occur if Zeering is re-classified to a collector as part of an independent reevaluation of the roadway segment.

The end result of both parts of this request will be a residential subdivision consistent with the project referral circulated in May/June of 2005 as part of the CEQA Early Consultation process. The shift to a two part request is a result of the need to redesign the project to accommodate Zeering Road as a Major and not as a Collector. (Majors require 55-feet of right-of-way from the centerline and Collectors requiring 30-feet of right-of-way from the centerline.)

Based upon the Initial Study, dated **October 18, 2005**, the Environmental Coordinator finds as follows:

1. This project does not have the potential to degrade the quality of the environment, nor to curtail the diversity of the environment.
2. This project will not have a detrimental effect upon either short-term or long-term environmental goals.
3. This project will not have impacts which are individually limited but cumulatively considerable.
4. This project will not have environmental impacts which will cause substantial adverse effects upon human beings, either directly or indirectly.

The aforementioned findings are contingent upon the following mitigation measures (if indicated) which shall be incorporated into this project:

1. To reduce PM-10 emissions associated with construction the following strategies shall be included as part in all construction contracts for future development:
 - a. All clearing, grading, earth moving, or excavation activities shall cease when wind speeds are consistently equal to or greater than 20 mph.
 - b. All excavation material, graded or otherwise disturbed shall be watered sufficiently to prevent excessive amounts of dust. Watering shall occur twice daily with complete coverage, preferably in late morning and after work is done for the day.
 - c. All material transported and vehicle speeds shall be limited to 15 mph on unpaved road-ways.
 - d. Street sweeping and/or washing shall be undertaken to reduce dust emissions on paved roads, shoulders and access ways adjacent to the construction site.
 - e. All internal combustion equipment shall be properly maintained according to manufacturer's specifications.
 - f. Idling of all internal combustion equipment shall be limited to ten minutes at any given time.
 - g. The use of building materials that do not require the use of paints/solvents shall be encouraged.
2. To ensure the SJVAPCD standards are achieved, all new development within the plan area shall implement the following measures:
 - a. Automated control system for heating/air conditioning and energy efficiency required under Title 24.
 - b. Lighting controls and energy-efficient lighting in buildings.
 - c. Insulation to Title 24 requirements.
 - d. Light colored roof materials to reflect heat.
 - e. Provide low nitrogen oxide (NOX) emitting and/or high efficiency water heaters.
 - f. If fireplaces are proposed, natural gas fireplaces by EPA-certified wood burning fire-places/stoves should be installed in every unit.
 - g. Include exterior electrical outlets on all residential units to encourage the use of electric powered yard maintenance equipment.
3. Construction contracts shall include a stop-work provision in the event previously unidentified contamination is discovered during construction so that appropriate actions can be taken to reduce potential human health and environmental hazards.
4. The project shall demonstrate through a drainage study or hydrological report, in accordance with the Stanislaus County Public Works standards, that new development will not increase peak storm flows and that adequate capacity exists downstream to accommodate increased flood volume.
5. During project construction, all new development shall implement appropriate stormwater runoff Best Management Practices (BMP) and design features to protect receiving water quality during construction and occupancy, consistent with Stanislaus County standards.
6. BMPs shall be incorporated into project design to reduce urban contaminant levels in stormwater runoff, consistent with Stanislaus County standards.

7. Hours of construction on the project site shall be limited to 7:00 a.m. to 6:00 p.m. Monday thru Friday, with no construction allowed on holidays.
8. All construction equipment shall be fitted with properly functioning mufflers.
9. Any noisy construction equipment shall be located away from sensitive receptors, and, if necessary, temporary noise barriers shall be constructed between noise sources and sensitive receptors.
10. Prior to the issuance of building permits for a dwelling, the owner/developer shall pay a fee of \$339.00 per dwelling to the County Sheriff's Department.

The Initial Study and other environmental documents are available for public review at the Department of Planning and Community Development, 1010 10th Street, Suite 3400, Modesto, California.

Initial Study prepared by: Angela Freitas

Submit comments to: Stanislaus County
Planning and Community Development Department
1010 10th Street, Suite 3400
Modesto, California 95354

(I:\Staffrpt\TM 2005.sr\TSM 2005-03 Suncrest IIMIT NEG-DEC.PC.wpd)

**CALIFORNIA DEPARTMENT OF FISH AND GAME
CERTIFICATE OF FEE EXEMPTION
De Minimis Impact Finding**

Project Title/Location/Owner Name and address (include county):

Vesting Tentative Subdivision Map Application No. 2005-03 - Suncrest II, 4521 E. Zeering Road, north side of Zeering Road, between San Joaquin Avenue and Alameda Avenue, in the west Denair area, Stanislaus County. (APN 024-017-022)

Project Description:

Request to subdivide a 4.14 acre parcel into 12 residential lots (ranging in size from 8,456 to 14,042 square feet), a 21,034 square foot drainage basin, a 755 square foot lot to be dedicated to the county for future road purposes, and a 1,368 square foot lot to be merged or lot line adjusted, prior to recording of final map, to the adjoining off-site parcel to the west. The property is zoned R-A (Rural Residential) and is located on the north side of Zeering Road, between San Joaquin and Alameda Avenues, in the west Denair area.

Findings of Fact:

The Stanislaus County Planning Commission makes a finding of "De Minimis" on this project for the following reasons:

An initial study has been conducted by the lead agency so as to evaluate the potential for adverse environmental impact; and when considering the record as a whole there is no evidence before the agency that the proposed project will have potential for an adverse effect on wildlife resources or the habitat upon which the wildlife depends. Further, the lead agency has, on the basis of substantial evidence, rebutted the presumption of adverse effect contained in the California Code of Regulations at Title 14 Section 753.5(d). As follows:

Based on the Initial Study, the project will not result in changes to the resources listed below:

- (A) Riparian land, rivers, streams, watercourses, and wetlands under state and federal jurisdiction;
- (B) Native and non-native plant life and the soil required to sustain habitat for fish and wildlife;
- (C) Rare and unique plant life and ecological communities dependent on plant life; and
- (D) Listed threatened and endangered plant and animals and the habitat in which they are believed to reside.
- (E) All species of plant or animals as listed as protected or identified for special management in the Fish and Game Code, the Public Resources Code, the Water Code or regulations adopted thereunder.
- (F) All marine and terrestrial species subject to the jurisdiction of the Department of Fish and Game and the ecological communities in which they reside.
- (G) All air and water resources the degradation of which will individually or cumulatively result in a loss of biological diversity among the plants and animals residing in that air and water.

Certification:

I hereby certify that the public agency has made the above finding and that the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.

(Chief Planning Official)

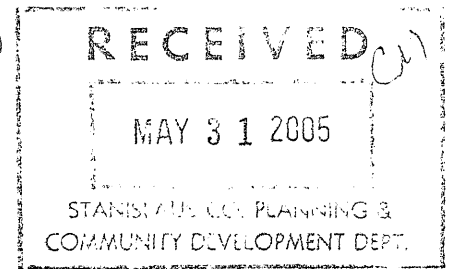
Title: Planning Director

Lead Agency: Stanislaus County

Date: _____

SUMMARY OF RESPONSES FOR ENVIRONMENTAL REVIEW REFERRALS
PROJECT: VESTING TENTATIVE SUBDIVISION MAP APPLICATION NO. 2005-03 - SUNCREST II

REFERRED TO:			RESPONDED		RESPONSE			MITIGATION MEASURES		Conditions	
DATE: OCTOBER 21, 2005		PUBLIC HEARING NOTICE	YES	NO	WILL NOT HAVE SIGNIFICANT IMPACT	MAY HAVE SIGNIFICANT IMPACT	NO COMMENT NON CEQA	YES	NO	YES	No
AGRICULTURE COMMISSIONER	X	X		X							
AIRPORT LAND USE COMMISSION											
CA DEPT OF FORESTRY											
CALTRANS DISTRICT 10	X	X		X							
CENTRAL CALIF. INFO. CENTER - CSUS											
CITY OF TURLOCK	X	X		X							
DENAIR COMMUNITY SERVICES DISTRICT	X	X		X	X				X	X	
CORPS OF ENGINEERS											
COUNTY COUNSEL	X	X									
DENAIR POSTMASTER	X	X	X		X				X	X	
DEPARTMENT OF CONSERVATION											
DEVELOPMENT SERVICES	X	X	X		X				X	X	
ENVIRONMENTAL RESOURCES	X	X	X		X				X	X	
DENAIR FIRE PROTECTION DISTRICT	X	X		X							
CONSOLIDATED FIRE PROTECTION	X	X		X							
FISH & GAME	X	X		X							
HOSPITAL DISTRICT:											
TURLOCK IRRIGATION DISTRICT	X	X	X		X				X	X	
LAFCO	X	X		X							
TURLOCK MOSQUITO DISTRICT	X	X		X							
MOUNTAIN VALLEY EMERGENCY MEDICAL	X	X	X				X		X		X
DENAIR MUNICIPAL ADVISORY COUNCIL	X	X	X		X				X		X
PARKS & FACILITIES	X	X	X		X				X	X	
P.G. & E.	X	X		X							
PUBLIC WORKS	X	X	X		X				X	X	
PUBLIC WORKS - TRANSIT	X	X		X							
REDEVELOPMENT											
REGIONAL WATER QUALITY	X	X		X							
RISK MANAGEMENT (COUNTY PROJECTS)											
StanCOG	X	X		X							
SCHOOL DISTRICT 1: DENAIR UNIFIED	X	X	X		X				X		X
SCHOOL DISTRICT 2:											
SHERIFF	X	X	X			X		X		X	
STANISLAUS COUNTY FARM BUREAU	X	X		X							
STANISLAUS ERC	X	X	X		X				X		X
STATE CLEARINGHOUSE											
SANTA FE RAILROAD	X	X		X							
SUPERVISORIAL DISTRICT: 2 (MAYFIELD)	X	X		X							
SBC TELEPHONE COMPANY	X	X		X							
TUOLUMNE RIVER PRESERVATION TRUST											
US FISH & WILDLIFE	X	X		X							
US MILITARY 4 AGENCIES (SB 1462)											
VALLEY AIR DISTRICT	X	X	X		X				X	X	
WATER DISTRICT											
DEPT. OF WATER RESOURCES											



STANISLAUS COUNTY ENVIRONMENTAL REVIEW COMMITTEE
REFERRAL RESPONSE FORM

TO: Stanislaus County Planning & Community Development
1010 10th Street, Suite 3400
Modesto, CA 95354

FROM: STANISLAUS CO. SHERIFF

SUBJECT: ENVIRONMENTAL REFERRAL - TENTATIVE SUBDIVISION MAP APPLICATION
NO. 2005-03 - SUNCREST II

Based on this agencies particular field(s) of expertise, it is our position the above described project:

- ☒ Will not have a significant effect on the environment.
☐ May have a significant effect on the environment.
☐ No Comments.

Listed below are specific impacts which support our determination (e.g., traffic general, carrying capacity, soil types, air quality, etc.) - (attach additional sheet if necessary)

1. INCREASED TRAFFIC
2. INCREASE IN CALLS FOR SERVICE FOR LAW ENFORCEMENT
3. INCREASE IN DEMAND FOR LAW ENFORCEMENT RESOURCES
- 4.

Listed below are possible mitigation measures for the above-listed impacts PLEASE BE SURE TO INCLUDE WHEN THE MITIGATION OR CONDITION NEEDS TO BE IMPLEMENTED (PRIOR TO RECORDING A MAP, PRIOR TO ISSUANCE OF A BUILDING PERMIT, ETC.):

- 1.
- 2.
- 3.
- 4.

In addition, our agency has the following comments (attach additional sheets if necessary).

WITH AN INCREASE IN SINGLE FAMILY HOUSING, THERE IS AN INCREASE FOR
LAW ENFORCEMENT RESOURCES, PERSONNEL, ETC.

Response prepared by:

Charley E. Corli Operations Lieutenant 6/27/05
Name Title Date

**STANISLAUS COUNTY
CEQA REFERRAL RESPONSE FORM**

NOV 03 2005

TO: Stanislaus County Planning & Community Development
1010 10th Street, Suite 3400
Modesto, CA 95354

FROM: Denair Municipal Advisory Council

PROJECT: VESTING TENTATIVE SUBDIVISION MAP APPLICATION NO. 2005-03 -
SUNCREST II

Based on this agency's particular field(s) of expertise, it is our position the above described project:

- ☐ Will not have a significant effect on the environment.
☐ May have a significant effect on the environment.
☒ No Comments.

Listed below are specific impacts which support our determination (e.g., traffic general, carrying capacity, soil types, air quality, etc.) - (attach additional sheet if necessary)

- 1.
- 2.
- 3.
- 4.

Listed below are possible mitigation measures for the above-listed impacts *PLEASE BE SURE TO INCLUDE WHEN THE MITIGATION OR CONDITION NEEDS TO BE IMPLEMENTED (PRIOR TO RECORDING A MAP, PRIOR TO ISSUANCE OF A BUILDING PERMIT, ETC.)*:

- 1.
- 2.
- 3.
- 4.

In addition, our agency has the following comments (attach additional sheets if necessary).

The coucil has listed all concerns on the Early Refferal CEQA. In addition the developer must purchase
and install USPS approved mail boxes. Specifications can be obtained from the Denair Postmaster.

Response prepared by:

Michele Hillerman
Name

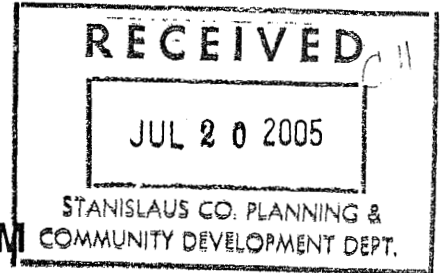
Vice-Chairman

Title

11/02/05

Date

**STANISLAUS COUNTY
CEQA REFERRAL RESPONSE FORM**



TO: Stanislaus County Planning & Community Development
1010 10th Street, Suite 3400
Modesto, CA 95354

FROM: Denair Municipal Advisory Council

PROJECT: TENTATIVE SUBDIVISION MAP APPLICATION NO. 2005-03 - SUNCREST II

Based on this agencies particular field(s) of expertise, it is our position the above described project:

- ☒ Will not have a significant effect on the environment.
☐ May have a significant effect on the environment.
☐ No Comments.

Listed below are specific impacts which support our determination (e.g., traffic general, carrying capacity, soil types, air quality, etc.) - (attach additional sheet if necessary)

- 1.
- 2.
- 3.
- 4.

Listed below are possible mitigation measures for the above-listed impacts: **PLEASE BE SURE TO INCLUDE WHEN THE MITIGATION OR CONDITION NEEDS TO BE IMPLEMENTED (PRIOR TO RECORDING A MAP, PRIOR TO ISSUANCE OF A BUILDING PERMIT ETC.):**

- 1.
- 2.
- 3.
- 4.

In addition, our agency has the following comments (attach additional sheets if necessary).

Response prepared by:

Michele Villerman Vice Chairman 7/18/05
Name Title Date

- G. TENTATIVE SUBDIVISION MAP APPLICATION NO. 2005-03 - SUNCREST II** - This is request to subdivide a 4.14 acre parcel into a total of (12) twelve residential lots ranging from 8,456 to 14,042 square feet, (1) one 21,034 square foot drainage basin, (1) one 755 square foot lot to be dedicated to the County for future road purposes, and (1) one 1,368 square foot lot to be merged or lot line adjusted, prior to recording of the final map, to the adjoining off-site parcel. The proposed tentative map is designed to provide for future circulation opportunities to the east and north of the project site. The proposed project will be served by the Denair Community Services District for water and sewer disposal. The property is located on the north side of Zeering Road, between San Joaquin Avenue and Alameda Avenue, in the west Denair area. The Planning Commission will consider a Mitigated Negative Declaration.

APN: 024-017-022

Staff Report: Carole Maben Recommends **APPROVAL**. Report given by Angela Freitas.
Public hearing opened.

OPPOSITION: Mr. A. Bryant and Jim Tuedio.

FAVOR: Dave Uecker

OPPOSITION: Mr. A. Bryant

Public hearing closed.

Public hearing opened.

FAVOR: Dave Uecker

Public hearing closed.

Public hearing opened.

OPPOSITION: Mr. A. Bryant

Public hearing closed.

Public hearing opened.

OPPOSITION: Mr. A. Bryant

Public hearing closed.

Public hearing opened.

FAVOR: Dave Uecker

Public hearing closed.

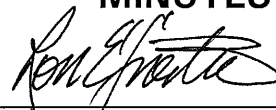
Navarro/R. Souza, 6-1 (Assali), **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT, WITH ADDITIONAL CONDITION OF APPROVAL TO READ:**

- 50. Construction of a 6-foot high redwood fence, with a metal cap on the top, along the west boundary line of the project. Design of the metal cap to be acceptable to both parties.**

EXCERPT

PLANNING COMMISSION

MINUTES



Secretary, Planning Commission

~~JANUARY 18, 2006~~

Date