



## CEQA Exempt Referral And Notice of Time Extension

**Date:** March 10, 2017  
**To:** Distribution List (See Attachment A)  
**From:** Denzel Henderson, Assistant Planner, Planning and Community Development  
**Subject:** TIME EXTENSION FOR USE PERMIT NO. PLN2015-0034 - WESTSIDE HULLING ASSOCIATION  
**Respond By:** March 27, 2017

**Public Hearing Date:** Not yet scheduled. A separate notice will be sent to you when a hearing is scheduled.

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Under the California Environmental Quality Act of 1970, the project described herein is **exempt** from CEQA review (Section 15061(b)(3)); however, the Stanislaus County Department of Planning and Community Development is soliciting comments from responsible agencies to determine if specific conditions should be placed upon project approval. Therefore, please contact this office within **15 days** if you have any comments pertaining to the proposal. Comments made identifying potential impacts should be as specific as possible and should be based on supporting data (e.g., traffic counts, expected pollutant levels, etc.). Your comments should emphasize potential impacts in areas which your agency has expertise and/or jurisdictional responsibilities.

These comments will assist our Department to recommend for approval or denial and/or apply conditions of approval to the requested staff approval; therefore, please list any conditions that you wish to have included as well as any other comments you may have. Please return all comments and/or conditions as soon as possible or no later than October 21, 2015.

Thank you for your cooperation. Please call (209) 525-6330 if you have any questions.

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**Applicant:** Westside Hulling Association  
**Project Location:** 206 Frank Cox Road at the intersection of Frank Cox Road and Highway 33, in the Patterson area.  
**APN:** 016-031-014  
**Williamson Act Contract:** 2007-09  
**General Plan:** Agriculture  
**Current Zoning:** A-2-40 (General Agriculture)

**Project Description:** Request for a one year Time Extension for Use Permit PLN2015-0034 – Westside Hulling Association. This Use Permit permitted the expansion of an existing almond and walnut hulling operation, construction of a 6,000 square foot agricultural shop, and four 10,000 square foot agricultural storage buildings.

The County is interested in your agency's comments as to whether there exists any new development standards, regulations or conditions that are now required because of regulatory changes since the project was approved in 2015.

Full document with attachments available for viewing at:  
<http://www.stancounty.com/planning/pl/act-projects.shtm>

I:\Planning\Staff Reports\TE\2017\TE PLN2017-0026 - Time Extension - Westside Hulling Assoc\Early Consultation Referral\CEQA EXEMPT REFERRAL FORM - TE.doc

**TIME EXTENSION FOR USE PERMIT NO. PLN2015-0034– WESTSIDE HULLING ASSOCIATION**

Attachment A

Distribution List

X	CA DEPT OF CONSERVATION Land Resources (Cert.)	X	STAN CO AG COMMISSIONER
X	CA DEPT OF FISH & WILDLIFE		STAN CO ALUC
	CA DEPT OF FORESTRY (CAL FIRE)		STAN CO ANIMAL SERVICES
X	CA DEPT OF TRANSPORTATION DIST 10	X	STAN CO BUILDING PERMITS DIVISION
X	CA OPR STATE CLEARINGHOUSE	X	STAN CO CEO
X	CA RWQCB CENTRAL VALLEY REGION		STAN CO CSA
X	CA STATE LANDS COMMISSION	X	STAN CO DER
X	CEMETERY DISTRICT: PATTERSON	X	STAN CO ERC
X	CENTRAL VALLEY FLOOD PROTECTION	X	STAN CO FARM BUREAU
	CITY OF:	X	STAN CO HAZARDOUS MATERIALS
X	CA DEPT OF WATER RESOURCES		STAN CO PARKS & RECREATION
X	COOPERATIVE EXTENSION	X	STAN CO PUBLIC WORKS
	COUNTY OF:		STAN CO RISK MANAGEMENT
X	FIRE PROTECTION DIST: W STAN	X	STAN CO SHERIFF
X	HOSPITAL DIST: DEL PUERTO	X	STAN CO SUPERVISOR DIST 5: DeMARTINI
X	IRRIGATION DIST: W STAN	X	STAN COUNTY COUNSEL
X	STANISLAUS COUNTY FIRE PREVENTION		StanCOG
X	MOSQUITO DIST: TURLOCK	X	STANISLAUS LAFCO
X	MOUNTIAN VALLEY EMERGENCY MEDICAL SERVICES		SURROUNDING LAND OWNERS (on file w/the Clerk to the Board of Supervisors)
	MUNICIPAL ADVISORY COUNCIL:	X	TELEPHONE COMPANY: FRONTIER
X	PACIFIC GAS & ELECTRIC		TRIBAL CONTACTS (CA Government Code §65352.3)
	POSTMASTER:		TUOLUMNE RIVER TRUST
X	RAILROAD: CA NORTHERN		US ARMY CORPS OF ENGINEERS
X	SAN JOAQUIN VALLEY APCD	X	US FISH & WILDLIFE
X	SCHOOL DIST 1: PATTERSON		US MILITARY (SB 1462) (7 agencies)
	SCHOOL DIST 2:		USDA NRCS
	STAN ALLIANCE		WATER DIST:

**STANISLAUS COUNTY  
CEQA REFERRAL RESPONSE FORM**

**TO:** Stanislaus County Planning & Community Development  
1010 10<sup>th</sup> Street, Suite 3400  
Modesto, CA 95354

**FROM:** \_\_\_\_\_

**SUBJECT:** TIME EXTENSION FOR USE PERMIT NO PLN2015-0034 – WESTSIDE HULLING ASSOCIATION

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:

\_\_\_\_\_  
Name Title Date

## Miguel Galvez - Use permit extention

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**From:** roblisabraden  
**To:** <galvezm@stancounty.com>  
**Date:** 2/21/2017 3:22 PM  
**Subject:** Use permit extention  
**CC:**

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Miguel Galvez  
Stanislaus County Planning

Re; PLN2015-0034- Westside Hulling Association

Miguel

On behalf of the Westside Hulling Associate we hereby request a one year time extention for the above referenced Use Permit .  
Due to the smaller than anticipated production in hulling and prices, the association has put this project on hold for now.  
Therefor this request is necessary.  
The association still plans to proceed with the project as outlined in the existing approved Use Permit.

Any questions please contact me

Thank you  
Robert Braden

Recording Requested By And For The Benefit Of  
And, When Recorded, Mail To:



County of Stanislaus  
Department of Planning and  
Community Development  
1010 Tenth Street, Suite 3400  
Modesto, CA 95354



Stanislaus, County Recorder  
Lee Lundrigan Co Recorder Office  
**DOC- 2015-0070344-00**  
Wednesday, SEP 02, 2015 12:46:14  
Ttl Pd \$0.00 Rcpt # 0003711888  
JMG/R1/1-6

Space Above Reserved for Recorder's Use

### NOTICE OF ADMINISTRATIVE CONDITIONS AND RESTRICTIONS

PLEASE TAKE NOTICE that the COUNTY OF STANISLAUS approved the land use development described below subject to administrative conditions and restrictions, copies of which are attached to this notice and incorporated herein by reference. The conditions and restrictions affect development of the property or parcels described below and are binding upon the named landowners and their successors in interest.

Property Owner(s): Westside Hulling Association  
Project Site Address: 206 Frank Cox Road, Westley, CA 95387  
Assessor's Parcel Number(s): 016-031-014  
General Plan Designation: Agriculture  
Zoning District: A-2-40  
Community Plan Designation: Not Applicable

Project Name/Description: **USE PERMIT APPLICATION NO. PLN2015-0034 – WESTSIDE HULLING ASSOCIATION** – Request to expand an existing almond and walnut hulling operation by constructing a 6,000 square foot agricultural shop and four 10,000 square foot agricultural storage buildings. The request will expand the existing use permit (UP78-36) which included a truck scale, scale house, and office. The proposed nut hulling expansion anticipates 12-21 employees on-site during harvest season (August through November).

The undersigned duly authorized officer of Stanislaus County declares that the foregoing is true and correct under penalty of perjury under the laws of the State of California.

August 21, 2015 \_\_\_\_\_  
Dated

  
\_\_\_\_\_  
Timothy Vertino  
Assistant Planner

- ATTACHMENTS:
1. Conditions of Approval
  2. Project Area Map (For Illustrative Purposes Only)

GMA

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NOTE: Approval of this application is valid only if the following conditions are met. This permit shall expire unless activated within 18 months of the date of approval. In order to activate the permit, it must be signed by the applicant and one of the following actions must occur: (a) a valid building permit must be obtained to construct the necessary structures and appurtenances; or, (b) the property must be used for the purpose for which the permit is granted. (Stanislaus County Ordinance 21.104.030)

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## CONDITIONS OF APPROVAL

### USE PERMIT APPLICATION NO. PLN2015-0034 WESTSIDE HULLING ASSOCIATION

#### Department of Planning and Community Development

1. The use shall be conducted as described in the application and supporting information (including the plot plan) as approved by the Planning Commission and/or Board of Supervisors and in accordance with other laws and ordinances.
2. Pursuant to Section 711.4 of the California Fish and Game Code (effective January 1, 2015), the applicant is required to pay a California Department of Fish and Wildlife (formerly the Department of Fish and Game) fee at the time of filing a "Notice of Determination." Within five (5) days of approval of this project by the Planning Commission or Board of Supervisors, the applicant shall submit to the Department of Planning and Community Development a check for \$2,267.00, made payable to Stanislaus County, for the payment of California Department of Fish and Wildlife and Clerk Recorder filing fees.  
  
Pursuant to Section 711.4 (e) (3) of the California Fish and Game Code, no project shall be operative, vested, or final, nor shall local government permits for the project be valid, until the filing fees required pursuant to this section are paid.
3. 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.
4. The applicant/owner 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 project which is brought within the applicable statute of limitations. The County shall promptly notify the applicant of any claim, action, or proceeding to set aside the approval and shall cooperate fully in the defense.
5. All exterior lighting shall be designed (aimed down and toward the site) to provide adequate illumination without a glare effect. This shall include, but not be limited to, the use of shielded light fixtures to prevent skyglow (light spilling into the night sky) and the installation of shielded fixtures to prevent light trespass (glare and spill light that shines onto neighboring properties).

6. Any construction resulting from this project shall comply with standardized dust controls adopted by the San Joaquin Valley Air Pollution Control District (SJVAPCD) and may be subject to additional regulations/permits, as determined by the SJVAPCD.
7. A sign plan for all proposed on-site signs indicating the location, height, area of the sign(s), and message must be approved by the Planning Director or appointed designee(s) prior to installation.
8. The Department of Planning and Community Development shall record a Notice of Administrative Conditions and Restrictions with the County Recorder's Office within 30 days of project approval. The Notice includes: Conditions of Approval/Development Standards and Schedule; any adopted Mitigation Measures; and a project area map.
9. 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 Wildlife 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.
10. Should any archeological or human remains be discovered during development, work shall be immediately halted within 150 feet of the find until it can be evaluated by a qualified archaeologist. If the find is determined to be historically or culturally significant, appropriate mitigation measures to protect and preserve the resource shall be formulated and implemented. The Central California Information Center shall be notified if the find is deemed historically or culturally significant.

#### **Department of Public Works**

11. An encroachment permit shall be taken out for any new driveway or before any work is to be done in the Frank Cox Road right-of-way.
12. Frank Cox Road is classified as 60 foot local road. The required ½ width of Frank Cox Road is 30 feet west of the centerline of the roadway. If 30 feet of the road right-of-way does not exist, then the remainder 30 feet shall be dedicated with an Irrevocable Offer of Dedication for the parcel frontage.
13. No parking, loading or unloading of vehicles will be permitted within the County Road right-of-way.
14. Prior to the final of any building or grading permit, the applicant shall make road frontage improvements on Frank Cox Road. These improvements shall include asphalt road widening, bringing the existing road up to 12' wide paved vehicle lane and a 4' wide paved asphalt shoulder southeast of the centerline of Frank Cox Road. The length of the improvements will be from the west property line to the existing driveway. Before a second building is finished, the widening shall take place from the driveway to the east property line. Improvement plans will be submitted to Stanislaus County Public Works for approval prior to the issuance of a building or grading permit.
15. The structural section and cross slopes of the road improvement shall meet Stanislaus County Public Works Standards and Specifications.

16. An acceptable financial guarantee for the phased road improvements shall be provided to the Department of Public Works prior to the issuance of any building or grading permit. The financial guarantee will be phased to the required improvements. This may be deferred if the work in the right-of-way is done prior to the issuance of any building or grading permit.
17. An Engineer's Estimate shall be provided for the road improvements so that the amount of the financial guarantee can be determined. This shall be deferred if the improvements are installed and accepted prior to the issuance of the building permit.
18. A grading, drainage, and erosion/sediment control plan for the project site shall be submitted before any building permit for the site is issued that creates a new or bigger building footprint on this parcel. Public Works will review and approve the drainage calculations. The grading and drainage plan shall include the following information:
  - The plan shall contain enough information to verify that all runoff will be kept from going onto adjacent properties and Stanislaus County road right-of-way.
  - The grading drainage and erosion/sediment control plan shall comply with the current State of California National Pollutant Discharge Elimination System (NPDES) General Construction Permit.
  - The grading, drainage, and associated work shall be accepted by Stanislaus County Public Works prior to a final inspection or occupancy, as required by the building permit.
  - The applicant of the building permit shall pay the current Stanislaus County Public Works weighted labor rate for the plan review of the building and/or grading plan.
  - The applicant of the building permit shall pay the current Stanislaus County Public Works weighted labor rate for all on-site inspections. The Public Works inspector shall be contacted 48 hours prior to the commencement of any grading or drainage work on-site.

#### **Building Permits Division**

19. Building permits are required and the project shall conform with the California Code of Regulations, Title 24.
20. Construction shall be in accordance to 16.50.170 of the Stanislaus County Code for non-residential buildings, prior to issuance of a building permit.

#### **San Joaquin Valley Air Pollution Control District (SJVAPCD)**

21. The proposed project may be subject to District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review) and will require District permits. Prior to the start of construction the project proponent shall submit to the District an application for an Authority to Construct (ATC). If SJVAPCD determines that an ATC is not required, the applicant shall provide verification in writing to the Stanislaus County Department of Planning and Community Development.

#### **Department of Environmental Resources – Hazardous Materials**

- ~~22. The applicant shall determine, to the satisfaction of the Department of Environmental Resources (DER), that a site containing (or formerly containing) residences or farm buildings, or structures, has been fully investigated (via Phase I study, and Phase II study if~~



~~necessary) prior to the issuance of a grading permit. Any discovery of underground storage tanks, former underground storage tank locations, buried chemicals, buried refuse, or contaminated soil shall be brought to the immediate attention of DER.~~

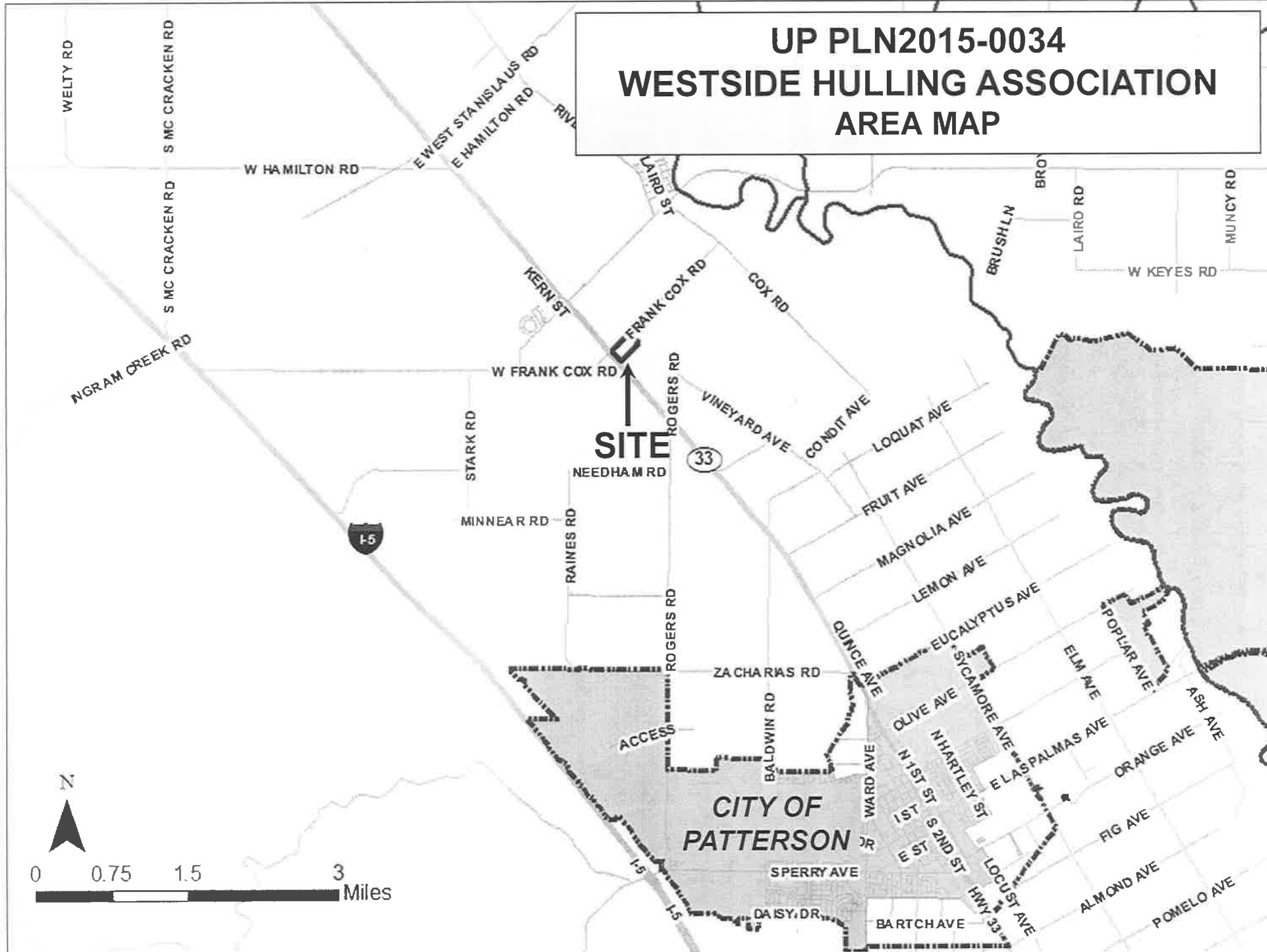
California Regional Water Quality Control Board (RWQCB)

23. Prior to construction, the developer shall be responsible for contacting the California Regional Water Quality Control Board to determine if any of the following are required: a Construction Storm Water General Permit; a Storm Water Pollution Prevention Plan (SWPPP); a Phase I and II Municipal Separate Storm Sewer System (MS4) Permit; an Industrial Storm Water General Permit; a Clean Water Act Section 404 Permit; a Clean Water Act Section 401 Permit-Water Quality Certification; or Waste Discharge Requirements (WDR). If a SWPPP is required, it shall be completed prior to construction and a copy shall be submitted to the Stanislaus County Department of Public Works.

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*Please note: If Conditions of Approval/Development Standards are amended by the Planning Commission or Board of Supervisors, such amendments will be noted in the upper right-hand corner of the Conditions of Approval/Development Standards; new wording is in **bold**, and deleted wording will have a ~~line through it~~.*

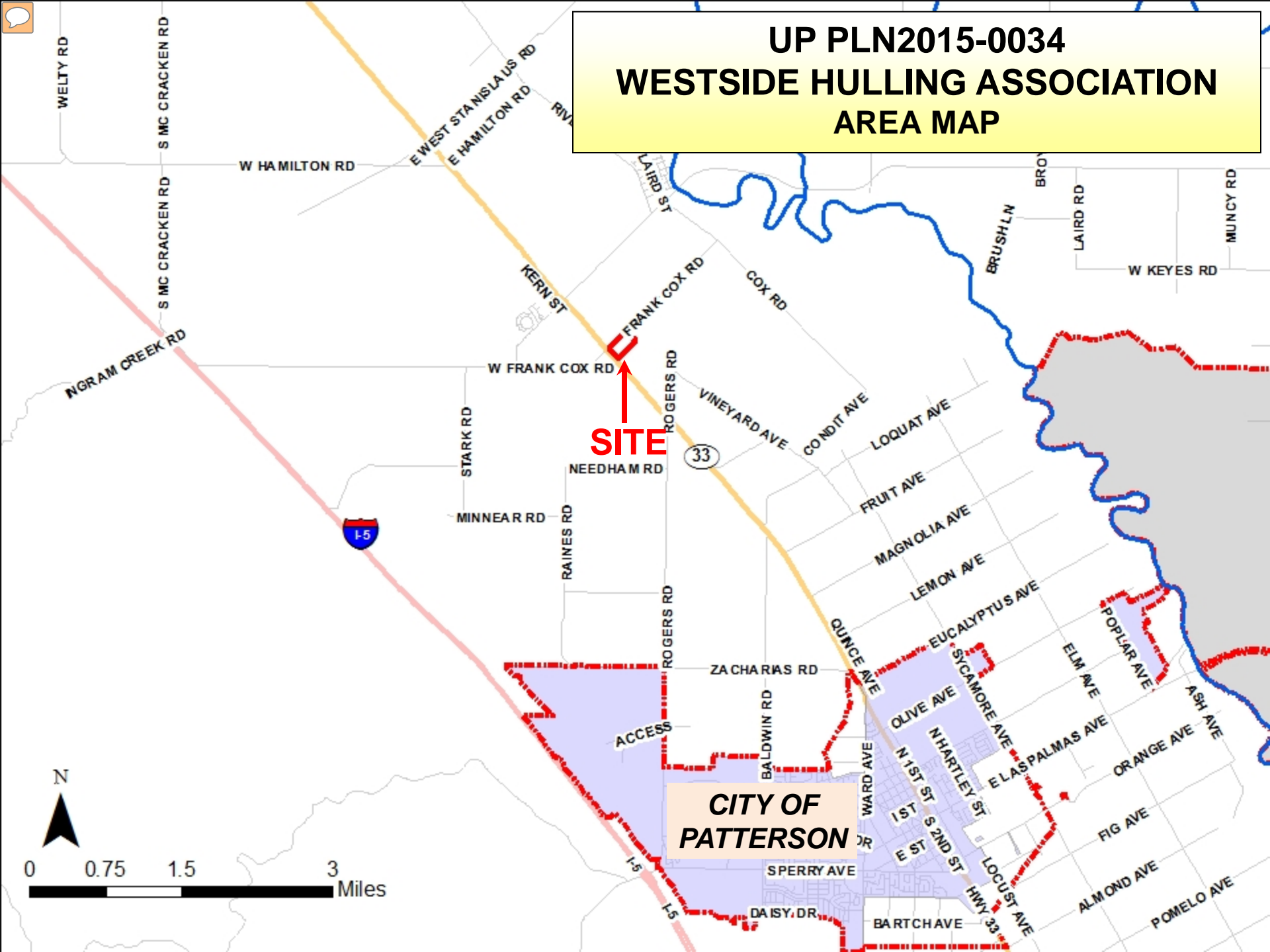
# UP PLN2015-0034 WESTSIDE HULLING ASSOCIATION AREA MAP



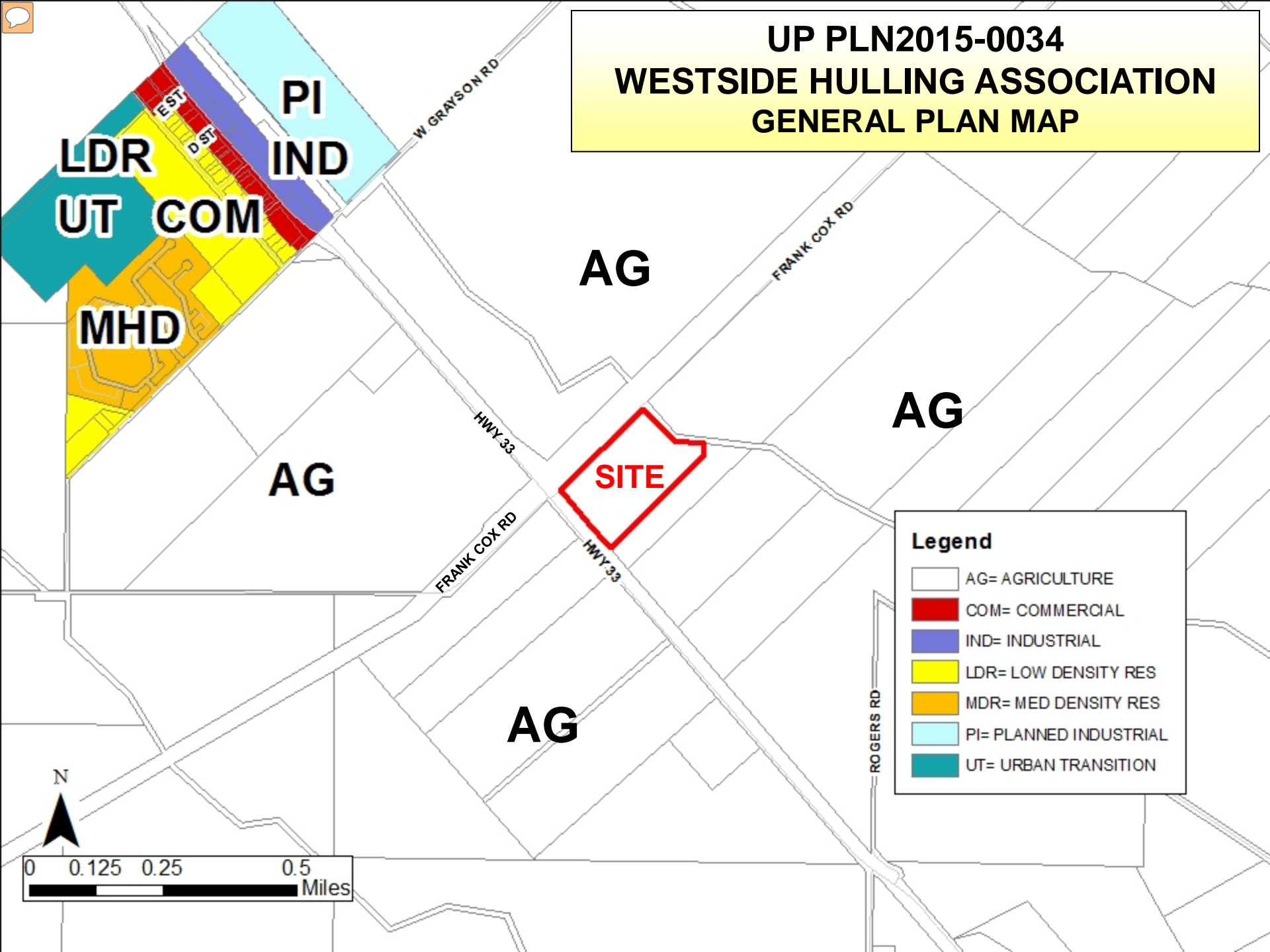
ATTACHMENT 2

FOR ILLUSTRATIVE PURPOSES ONLY

# UP PLN2015-0034 WESTSIDE HULLING ASSOCIATION AREA MAP

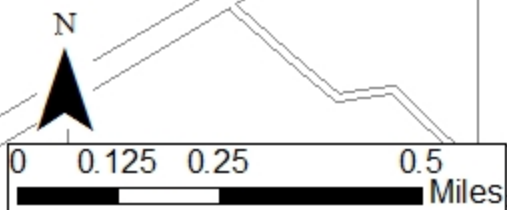


# UP PLN2015-0034 WESTSIDE HULLING ASSOCIATION GENERAL PLAN MAP

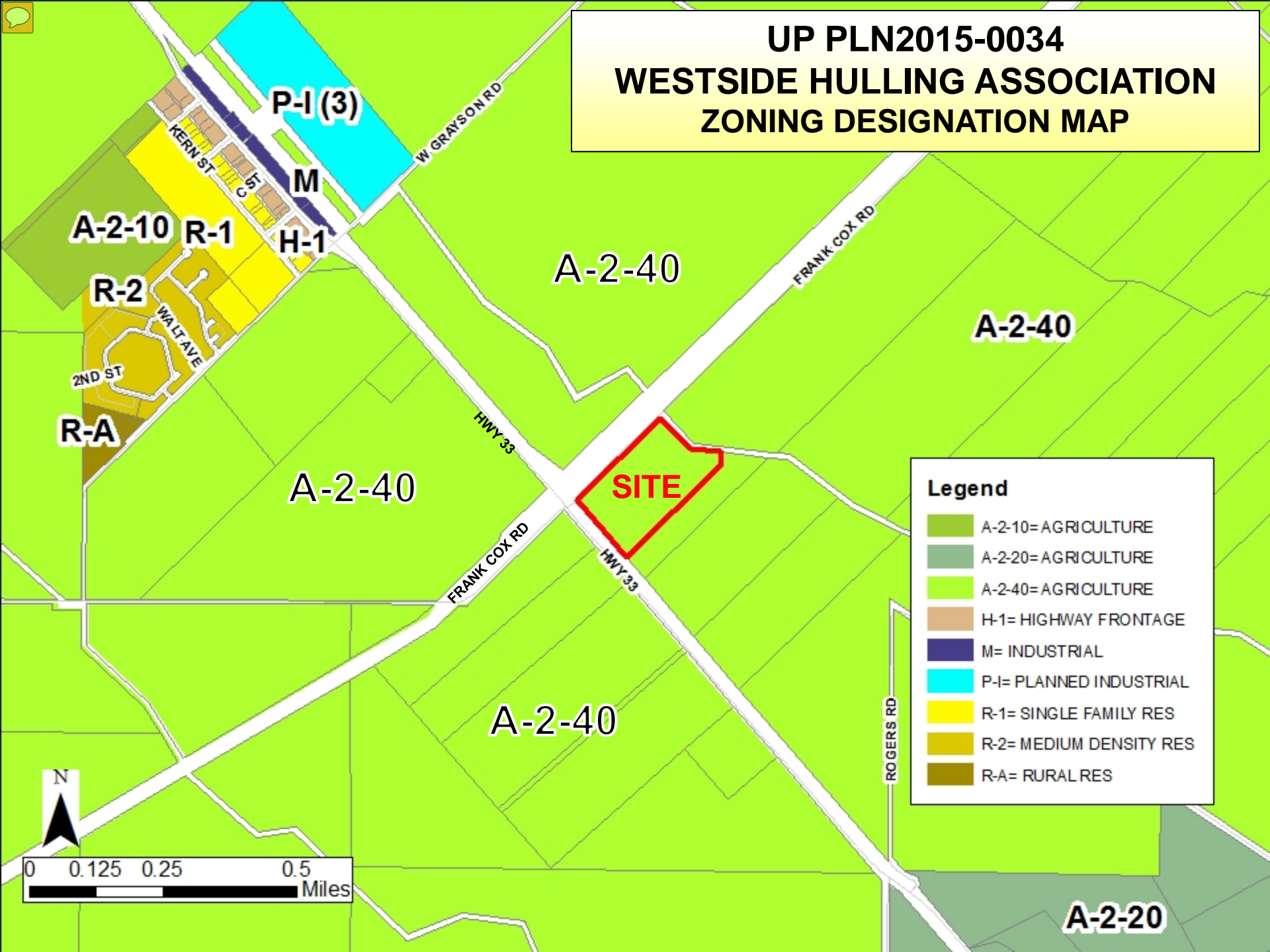


## Legend

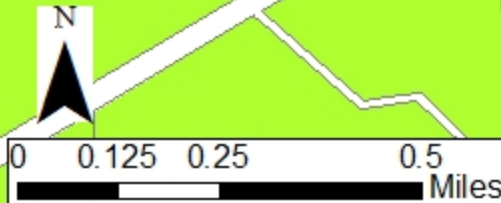
- AG= AGRICULTURE
- COM= COMMERCIAL
- IND= INDUSTRIAL
- LDR= LOW DENSITY RES
- MDR= MED DENSITY RES
- PI= PLANNED INDUSTRIAL
- UT= URBAN TRANSITION



# UP PLN2015-0034 WESTSIDE HULLING ASSOCIATION ZONING DESIGNATION MAP

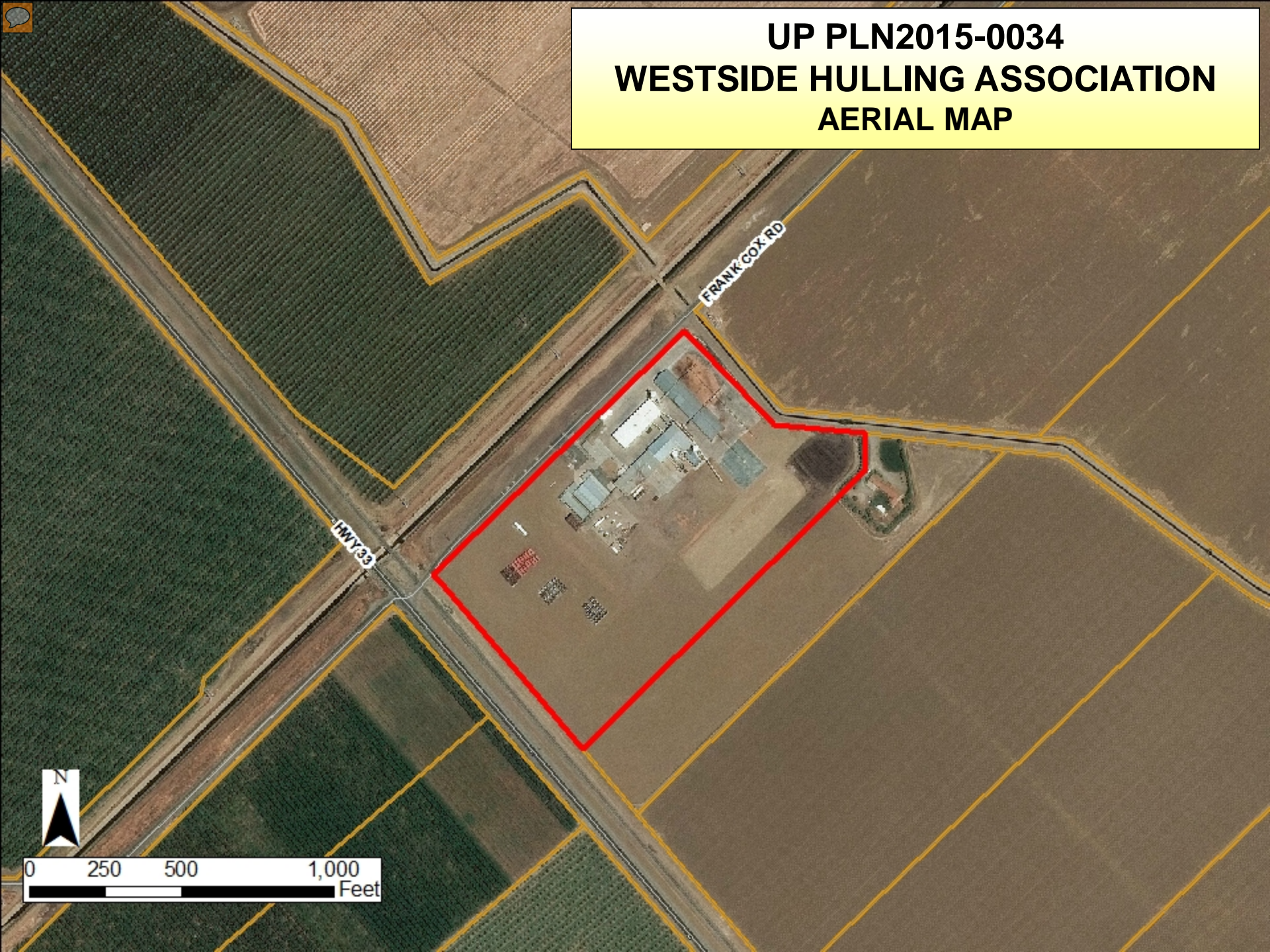


Legend	
	A-2-10= AGRICULTURE
	A-2-20= AGRICULTURE
	A-2-40= AGRICULTURE
	H-1= HIGHWAY FRONTAGE
	M= INDUSTRIAL
	P-I= PLANNED INDUSTRIAL
	R-1= SINGLE FAMILY RES
	R-2= MEDIUM DENSITY RES
	R-A= RURAL RES





**UP PLN2015-0034  
WESTSIDE HULLING ASSOCIATION  
AERIAL MAP**



HWY 33

FRANK COX RD

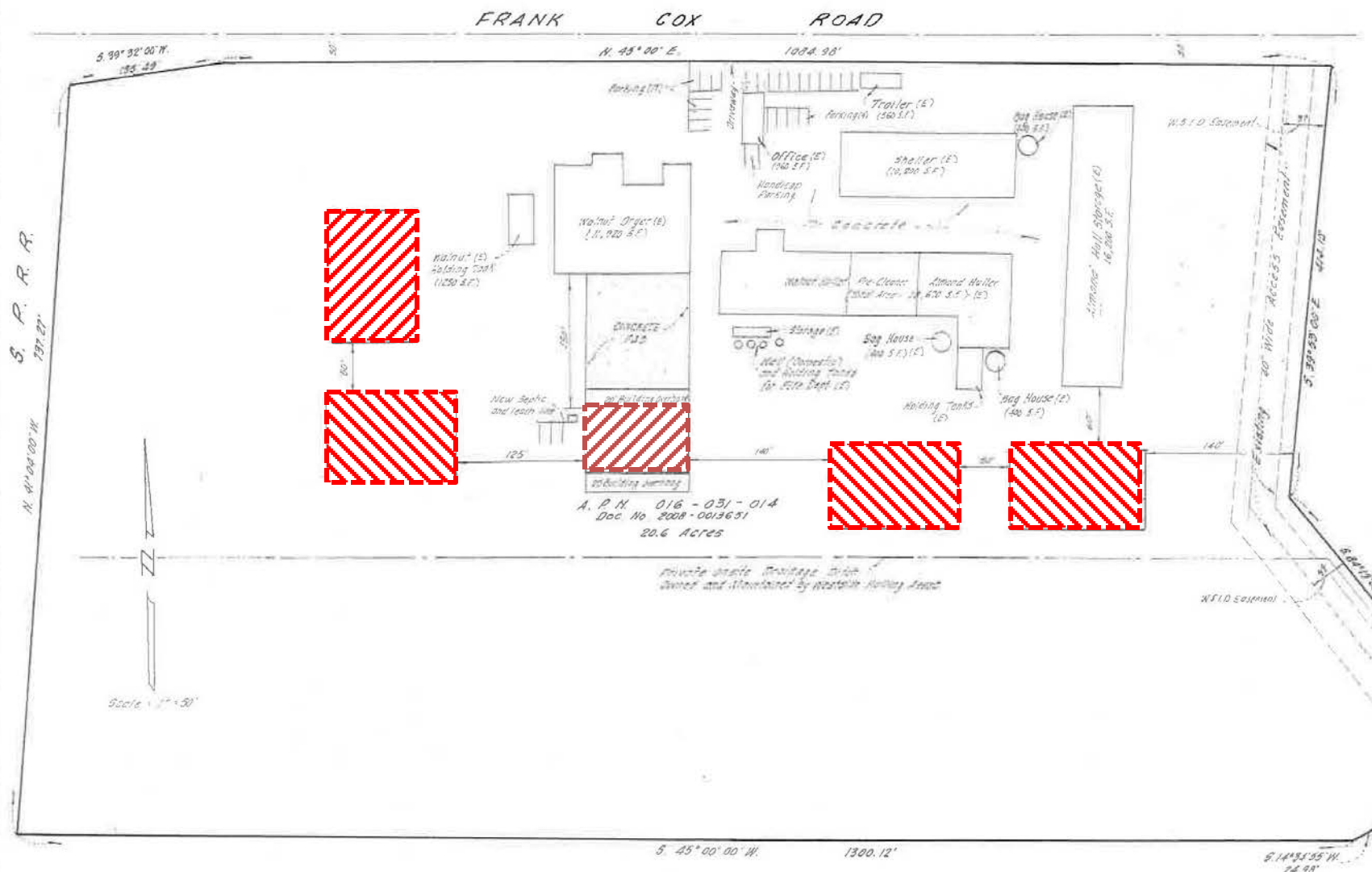
WESTSIDE HULLING ASSOCIATION



0 250 500 1,000 Feet



# UP PLN2015-0034 WESTSIDE HULLING ASSOCIATION SITE PLAN



## USE PERMITS

**WESTSIDE HULLING ASSOCIATION**  
 LYING IN A PORTION OF SECTION 34, TOWNSHIP 37N, RANGE 12E, SANISLAUS COUNTY, CALIFORNIA  
 MARCH, 2015

## OWNER / APPLICANT

**WESTSIDE HULLING ASSOCIATION**  
 PO Box 108  
 200 Frank Cox Road  
 Westley, Ca 95867  
 Phone No (209) 894-7911

## NOTES

1. Assessor's Parcel Map
2. Current Zone: A-2
3. Parcel Size: 20.6 Acres
4. Current Land Use: Commercial - Almond and Walnut Hauling
5. Water Supply by existing
6. Sewage Disposal by Septic
7. All existing structures
8. The purpose of the Site is Hauling and Storage
9. Parking Provided

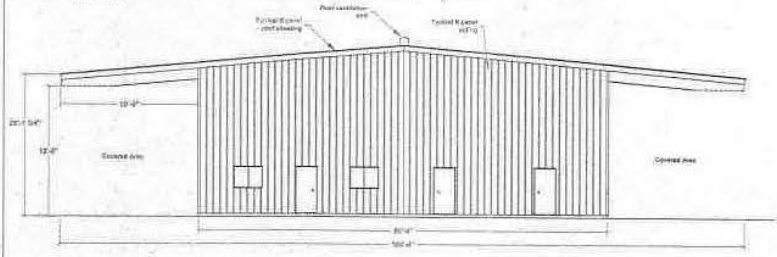
**ROBERT BRADEN CONSULTANTS**

LAND USE PLANNING AND ZONING  
 P.L.B. # 185  
 1700 STANFORD AVE - 5TH FLOOR  
 BERKELEY, CALIFORNIA 94704  
 (415) 848-8888

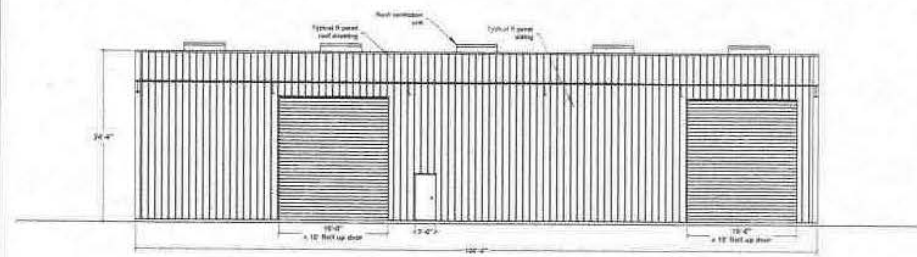


# UP PLN2015-0034 WESTSIDE HULLING ASSOCIATION ELEVATIONS

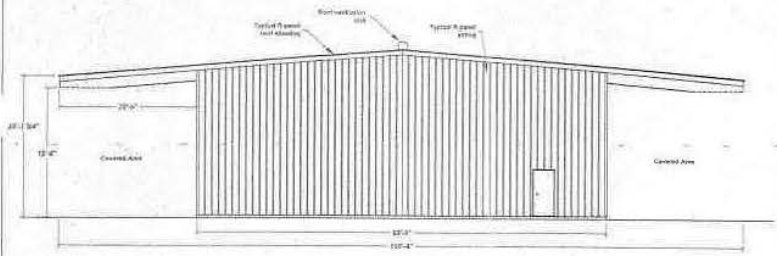
©Copyright 2015 David Avila - Oakdale, California



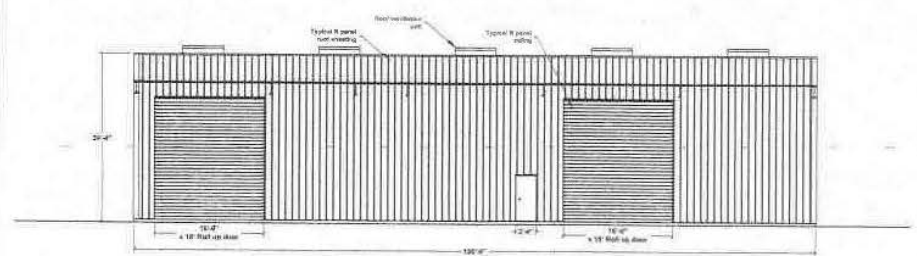
**East Elevation** SCALE: 1/8" = 1'-0"



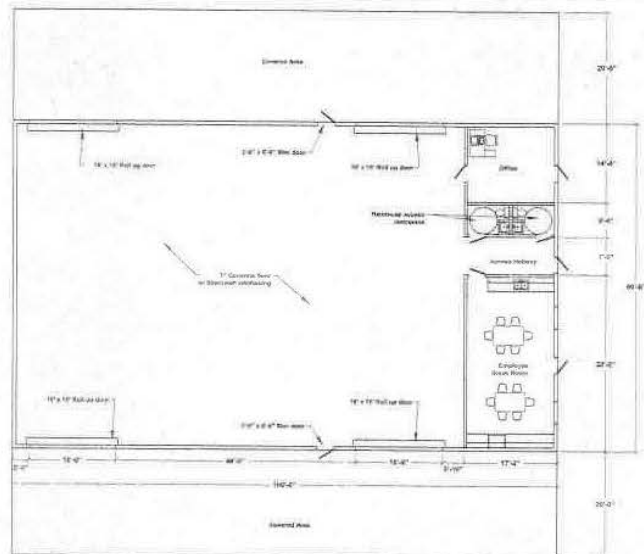
**North Elevation** SCALE: 1/8" = 1'-0"



**West Elevation** SCALE: 1/8" = 1'-0"



**South Elevation** SCALE: 1/8" = 1'-0"



**Proposed Floor Plan** SCALE: 1/8" = 1'-0"

4 Feb 2015:	Da

Westside Hulling  
Proposed Shop Building  
60' x 100'

**SITE:**  
266 FRANK COX RD,  
WESTLEY, CA 95387  
APN# 015-021-002

**OWNER:**  
WESTSIDE HULLING  
266 FRANK COX RD,  
PHONE# (209) 894-3921

**CONTACT:**  
LOUIE DURRER  
PHONE# (209) 984-0223

Dep. Date:	6/4/2018
Scale:	AS SHOWN
Drawn:	David Avila
Job:	313-10
Sheet #	1