

**DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT**1010 10<sup>TH</sup> Street, Suite 3400, Modesto, CA 95354

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

Building Phone: (209) 525-6557 Fax: (209) 525-7759

September 3, 2020

MEMO TO: Stanislaus County Planning Commission

FROM: Department of Planning and Community Development

**SUBJECT: STANISLAUS COUNTY GENERAL PLAN CONFORMITY REVIEW OF THE CITY OF TURLOCK'S SURFACE WATER DISTRIBUTION SYSTEM IMPROVEMENTS PROJECT**

The City of Turlock is proposing to acquire a 19.09 +/- acre parcel, to accommodate surface water distribution system improvements for the City of Turlock including, construction of a 2.5 million gallon water storage tank, a booster pump station enclosed in a building, an overflow retention basin, and potable water transmission pipelines. The subject property (Assessor's Parcel Number 073-009-014) is generally located east of the City of Turlock, within the City of Turlock's Sphere of Influence, south of E. Zeering Road, on the east side of N. Quincy Road, in the Turlock area (See Attachment B – Maps).

As required by State of California Government Code Section 65402(b), this project is being brought to the Planning Commission for a determination of conformity with the County's adopted General Plan, prior to property acquisition by a public agency. (See Attachment A – *Letter from Steven Fremming, Principal Civil Engineer, City of Turlock, dated August 13, 2020.*)

### **Overview and Background**

This project will construct infrastructure to allow the City of Turlock to receive, store, distribute, and connect to the water supply provided by the Stanislaus Regional Water Authority's (SRWA) Regional Surface Water Supply Project (RSWSP), which will treat water from the Tuolumne River to drinking water standards at a new water treatment plant to be located on the south side of the Tuolumne River next to Fox Grove Park, 6.2 miles north of the subject site. The SRWA is a joint power authority (JPA) comprised of the Cities of Ceres, Turlock, and Turlock Irrigation District (TID). The RSWSP serves as a water supply diversification source and an in-lieu ground water recharge project under the Sustainable Groundwater Management Act. Its function is to deliver a long-term, sustainable water source that will allow for integrated use of groundwater and surface water, diversifying the water supply portfolios for both the cities of Ceres and Turlock. It will also allow surface water delivery into TID canals.

### **Immunity from County Zoning**

California Government Code Section 53091 grants cities and counties mutual immunity from their respective zoning and building codes. The proposed project is considered by the City of Turlock and the County to be immune from the County's zoning ordinance. This project will not be required to go through the County's Use Permit process, but the property acquisition and the proposed project is required to be presented to the County for a conformity review with the County's General Plan. The City of Turlock is responsible for completing environmental review in compliance with the California Environmental Quality Act. The subject project was covered under the Environmental Impact Report (EIR) prepared for the entire RSWSP project, which was certified by the SRWA on August 6, 2018.

The proposed acquisition site has a General Plan designation of Urban Transition and a zoning designation of A-2-10 (General Agriculture), which allows public buildings and facilities when a use permit is obtained. The subject property is not under a Williamson Act Contract. The Land Use Element of the General Plan discusses the siting of public facilities and services in Stanislaus County and permits public buildings and grounds in virtually all of the various zoning districts provided specific criteria can be met. Generally, a use permit would be required, which allows public review of the request and allows Planning Commission review to ensure suitable locations.

### **General Plan Conformity Analysis**

As stated above, State law requires real property acquisition by a public entity to be brought to the Planning Commission for a determination of General Plan Consistency, prior to acquisition.

The property acquisition site is surrounded by agricultural uses and ranchettes on all sides. The City of Turlock is located ½ mile to the west of the site. The subject property to be purchased by the City of Turlock is presently owned by the Evangelical Lutheran Church of The Good Shepherd and is currently vacant land.

The Stanislaus County General Plan contains several Elements (including, but not limited to, Land Use, Conservation and Agriculture) which identify goals, policy measures and implementation measures that are directly applicable to proposed acquisition site, project and any activities associated with it. Staff suggests that the proposed project will help carry out the following General Plan goals, policies, and implementation measures:

#### **Land Use Element**

**Goal One.** Provide for diverse land use needs by designating patterns which are responsive to the physical characteristics of the land as well as to environmental, economic, and social concerns of the residents of Stanislaus County.

**Policy Two.** Land designated Agriculture shall be restricted to uses that are compatible with agricultural practices, including natural resources management, open space, outdoor recreation, and enjoyment of scenic beauty.

**Goal Two.** Ensure compatibility between land uses.

**Policy Fourteen.** Uses shall not be permitted to intrude into or be located adjacent to an agricultural area if they are detrimental to continued agricultural usage of the surrounding area.

**Policy Sixteen.** Outdoor lighting shall be designed to be compatible with other uses.

**Goal Six.** Promote and protect healthy living environments.

**Policy Twenty-nine.** Support the development of a built environment that is responsive to decreasing air and water pollution, reducing the consumption of natural resources and energy, increasing the reliability of local water supplies, and reduces vehicle miles traveled by facilitating alternative modes of transportation, and promoting active living (integration of physical activities, such as biking and walking, into everyday routines) opportunities.

## **Conservation/Open Space Element**

**Goal Two:** Conserve water resources and protect water quality in the County.

**Policy Five.** Protect groundwater aquifers and recharge areas, particularly those critical for the replenishment of reservoirs and aquifers.

**Policy Eight.** The County shall support efforts to develop and implement water management strategies.

**Policy Nine.** The County will investigate additional sources of water for domestic use.

### Implementation Measure

1. The County will work with irrigation and water districts, community services districts, municipal and private water providers in developing surface water and other potential water sources for domestic use.

## **Agricultural Element**

**Goal One:** Strengthen the agricultural sector of our economy.

**Policy 1.10.** The County shall protect agricultural operations from conflicts with non-agricultural uses by requiring buffers between proposed non-agricultural uses and adjacent agricultural operations.

**Policy 1.22.** The County shall encourage regional coordination of planning and development activities for the entire Central Valley.

**Goal Two:** Conserve our agricultural lands for agricultural uses.

**Policy 2.4.** To reduce development pressures on agricultural lands, higher density development and in-filling shall be encouraged.

**Policy 2.11.** The County recognizes the desire of cities and unincorporated communities to grow and prosper and shall not oppose reasonable requests consistent with city and County agreements to expand, provided the resulting growth minimizes impacts to adjacent agricultural land.

**Goal Three:** Protect the natural resources that sustain our agricultural industry.

**Policy 3.4.** The County shall encourage the conservation of water for both agricultural, rural domestic, and urban uses.

### Implementation Measures

4. The County shall work with local irrigation districts to preserve water rights and ensure that water saved through conservation may be stored and used locally, rather than "appropriated" and moved to metropolitan areas outside of Stanislaus County.

5. The County shall encourage the development and use of appropriately treated water (reclaimed wastewater and stormwater) for both agricultural and urban irrigation.

**Policy 3.6.** The County will continue to protect local groundwater for agricultural, rural domestic, and urban use in Stanislaus County.

The proposed property acquisition, which is part of the larger SRWA, is supported by many of the General Plan goals and policies aimed at helping to conserve water resources and protecting water quality in the County. The size and design of the project are such that conflicts with surrounding agricultural and riparian uses will be minimized and the use will help to protect natural resources through the sustainable water use benefiting agriculture, and urban uses.

**RECOMMENDATION:**

Staff recommends that the Planning Commission find The City of Turlock's Surface Water Distribution System Improvements Project to be in conformance with the Stanislaus County General Plan.

Attachments:

Attachment A - Letter from Steven Fremming, Principal Civil Engineer, City of Turlock, dated August 13, 2020  
Attachment B - Maps



**STEPHEN FREMMING, P.E.**  
PRINCIPAL CIVIL ENGINEER  
[sfremming@turlock.ca.us](mailto:sfremming@turlock.ca.us)

**DEVELOPMENT SERVICES**  
ENGINEERING DIVISION  
209-668-5520

---

156 S. BROADWAY, SUITE 150 | TURLOCK, CALIFORNIA 95380 | PHONE 209-668-5417 | FAX 209-668-5563

August 13, 2020

Attention: Angela Freitas, Director  
Planning & Community Development Department  
Stanislaus County  
1010 10<sup>th</sup> Street, Suite 3400  
Modesto, CA 95354

Subject: Request for General Plan Conformity Review of City of Turlock's Surface Water Distribution System Improvements Project, including a partial property acquisition of 3500 North Quincy Road, Assessor's Parcel No. (APN) 073-009-014

Dear Ms. Freitas,

The purpose of this letter is to present the City of Turlock's proposed Surface Water Distribution System Improvements Project to the Stanislaus County Planning and Community Development Department for County General Plan conformity review in accordance with Government Code 65402. This letter describes the project background, objectives, location, and proposed elements.

## BACKGROUND

The cities of Ceres and Turlock meet their potable water supply needs entirely through the use of groundwater. For more than 30 years, water supply providers in this area have been collaborating to develop a reliable, supplemental source of treated water supply from surface water to meet existing and future community demands and to offset use of local groundwater supplies, particularly during prolonged droughts. These collaboration efforts have resulted in the creation of the Stanislaus Regional Water Authority (SRWA), a joint powers association comprised of the cities of Ceres and Turlock, in partnership with the Turlock Irrigation District (TID). SRWA has developed a Regional Surface Water Supply project which includes a raw water pump station, raw water transmission pipeline, water treatment facility, and finished water transmission pipelines which will convey treated water to the cities of Ceres and Turlock. The SRWA project is a water supply diversification and in-lieu groundwater recharge project under the Sustainable Groundwater Management Act (SGMA). The surface water that will be provided as part of the SRWA project will assist the cities in achieving sustainable groundwater pumping levels. The SRWA project scope is further defined in a letter to your attention from SRWA dated July 16, 2018 with a request for a General Plan Conformity Review of the SRWA project. The Stanislaus County Planning Commission

determined that the SRWA's project is in conformance with the adopted 2016 Stanislaus County General Plan in its regular meeting on September 20, 2018. See Figure 1 for a map showing the location of SRWA facilities.

## **PROPOSED PROJECT**

The SRWA's project includes delivery of treated surface water to a single point to the City of Turlock. The City of Turlock is currently developing a separate project (Project) to receive, store, distribute, and connect the new water supply provided by the SRWA project to the City's existing distribution system. The Project scope includes the construction of a 2.5 million gallon (MG) water storage tank, a booster pump station enclosed in a building, an overflow retention basin, potable water transmission pipelines, and site work including paving, landscaping, and fencing. The majority of the Project is located outside of City of Turlock limits in Stanislaus County. The storage tank, pump station, and overflow basin is to be located on a portion of 3500 North Quincy Road, Assessor's Parcel No. (APN) 073-009-014. The transmission pipelines will be located both within and outside City of Turlock limits on North Quincy Road, East Zeering Road / East Christoffersen Parkway, and East Monte Vista Avenue. A location map of the Project is included as Figure 2. A conceptual site design is included as Figure 3. A 3D rendering of the conceptual design is included as Figure 4.

### **WATER STORAGE TANK**

The water storage tank will be constructed of prestressed concrete and provide 2.5 million gallons of storage. The tank will be constructed at grade and would have a tank height of approximately 30 to 40 feet above finish grade and a radial footprint of approximately 55 to 60 feet. The tank will provide storage for the City's water system. The Project site will include space on-site for future water storage tank(s) as part of a future phase when the surface water treatment plant is expanded. However, it is unknown when the expansion would occur and only one (1) 2.5 MG water storage tank is to be constructed with the Project.

### **BOOSTER PUMP STATION**

A booster pump station will be required to pump water from the terminal tank to the City's distribution system. A pump station building will contain the booster pumps, piping, appurtenances, chemicals and electrical equipment needed to operate the tank and pump station. The pump station building will be concrete masonry unit (CMU) block construction with a wood truss roof system. The building will be approximately 50 feet wide by 145 feet long. Personnel will visit the building only as necessary for operations and maintenance purposes only and no dedicated work space will be provided.

### **OVERFLOW BASIN**

An overflow basin will be constructed on site to retain 2.5 MG of flow. The basin will allow the City to divert flow to the basin in the event the water storage tank is to be taken offline for operational or maintenance reasons. It is estimated that the area of the basin will encompass approximately one (1) acre in order to provide the needed overflow capacity.

### **POTABLE WATER TRANSMISSION PIPELINES**

Approximately 12,000 feet of new underground potable water transmission pipelines ranging in diameter from 16 to 54 inches will be constructed with the Project to connect the water storage tank to the City's existing distribution system. The trunk pipelines will connect to the existing system at three locations on North Quincy Road, East Zeering Road / East Christoffersen Parkway, and East Monte Vista Avenue to deliver treated surface water to the existing distribution system. Portions of the transmission pipelines are to be constructed in Stanislaus County while other portions are to be constructed within City of Turlock limits. A Stanislaus County Encroachment Permit will be obtained for pipeline work constructed within Stanislaus County.

## **SITE WORK**

The site will include landscaping to provide screening, site paving, and fencing to provide security for the site. Materials for landscaping and fencing will be selected as the design process continues to evolve.

## **PROPERTY ACQUISITION**

Government Code section 65402(b) (part of the State Planning and Zoning Law) provides that a city shall not acquire real property for or construct a public building or structure in the unincorporated territory until the location, purpose and extent of the project have been submitted to and reported upon by the county planning agency as to conformity with the adopted county general plan. Pursuant to this authority, the City requests the County Planning and Community Development Department to review the Project and report upon the conformity of the Project location, purpose and extent with the current Stanislaus County General Plan.

The City is engaged in preliminary discussions with the property owner at this time to obtain between 6 and 8 acres of property in order to construct the Project, however the City recognizes a conformity decision is required prior to the acquisition of property. Section 65402(b) provides a 40-day period for the County to review the Project for General Plan conformity. Failure to report within 40 days after the matter has been submitted to the County shall be deemed a finding that the proposed Project conforms with the General Plan.

Thank you for your consideration of our request. Please feel free to contact me directly with any questions regarding this Project.

Sincerely,



Stephen Fremming

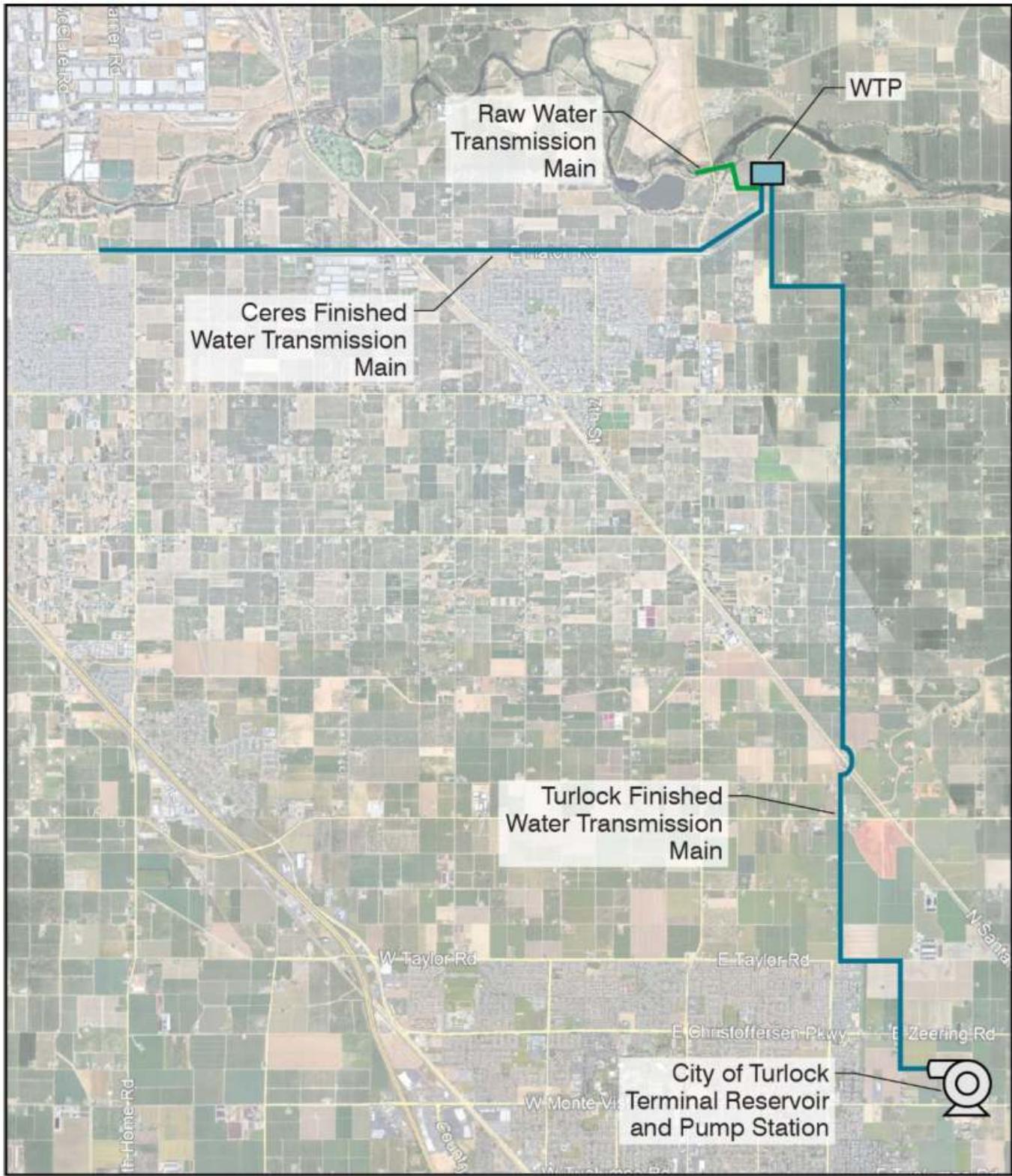


Figure 1. SRWA Project

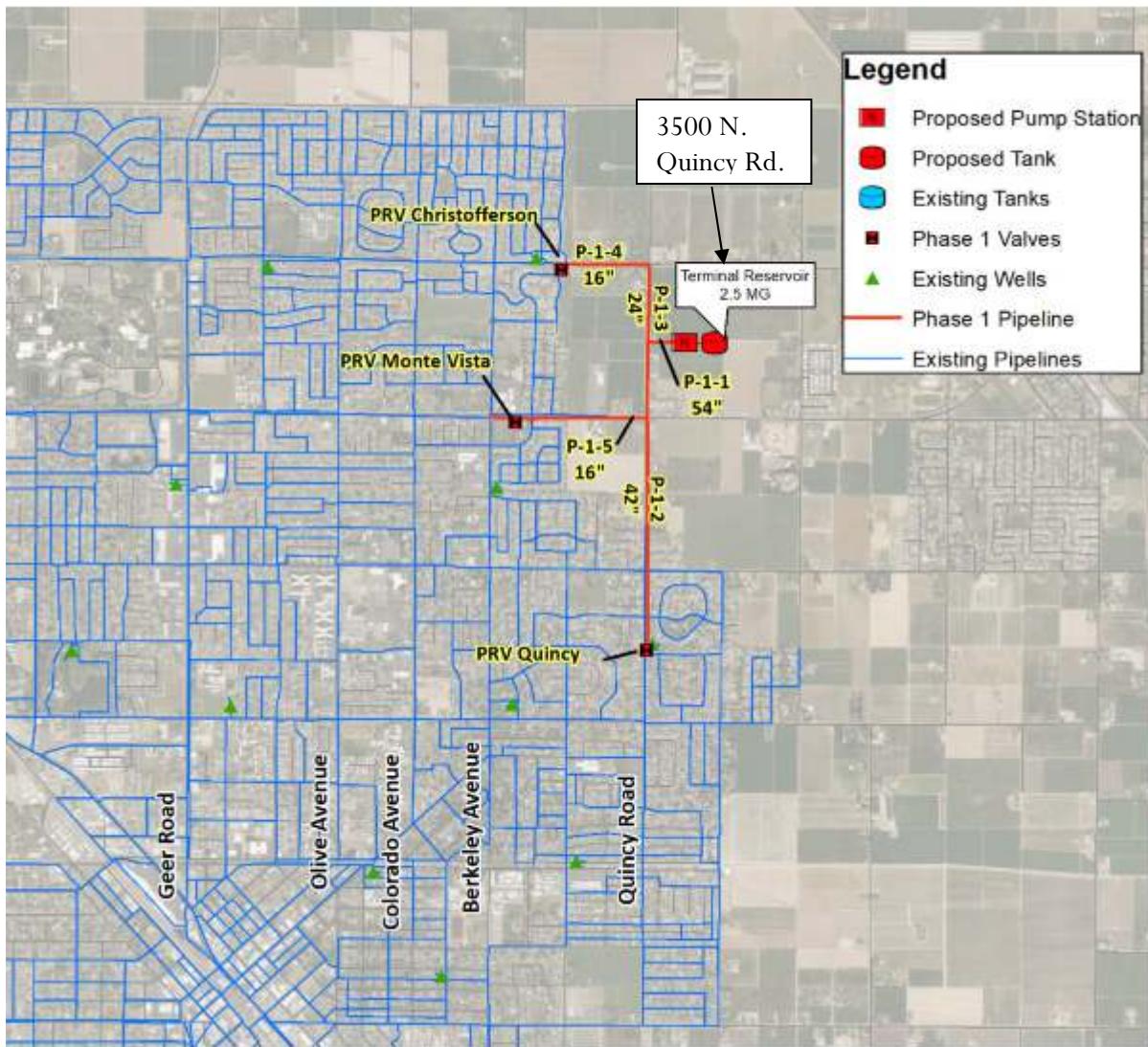


Figure 2. City of Turlock Surface Water Distribution System Improvements Project Location

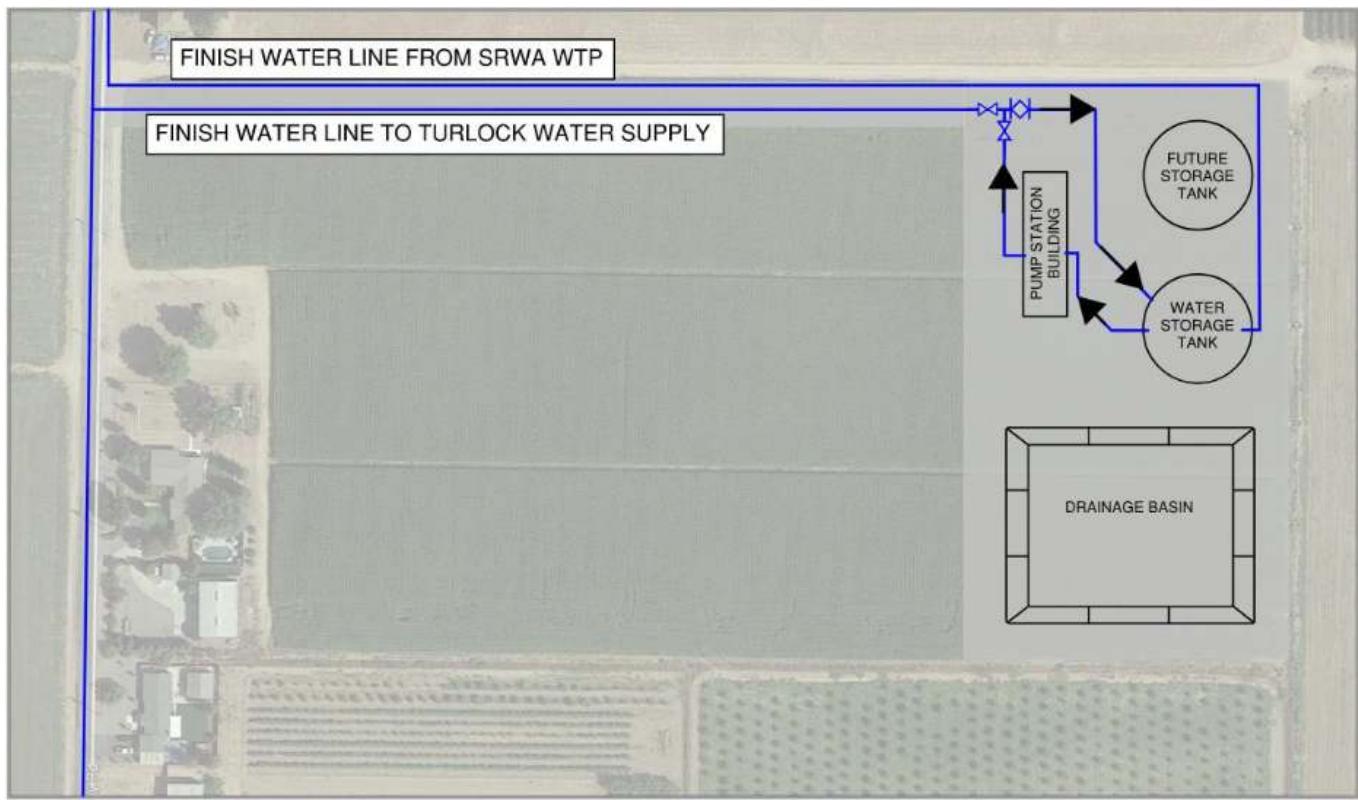
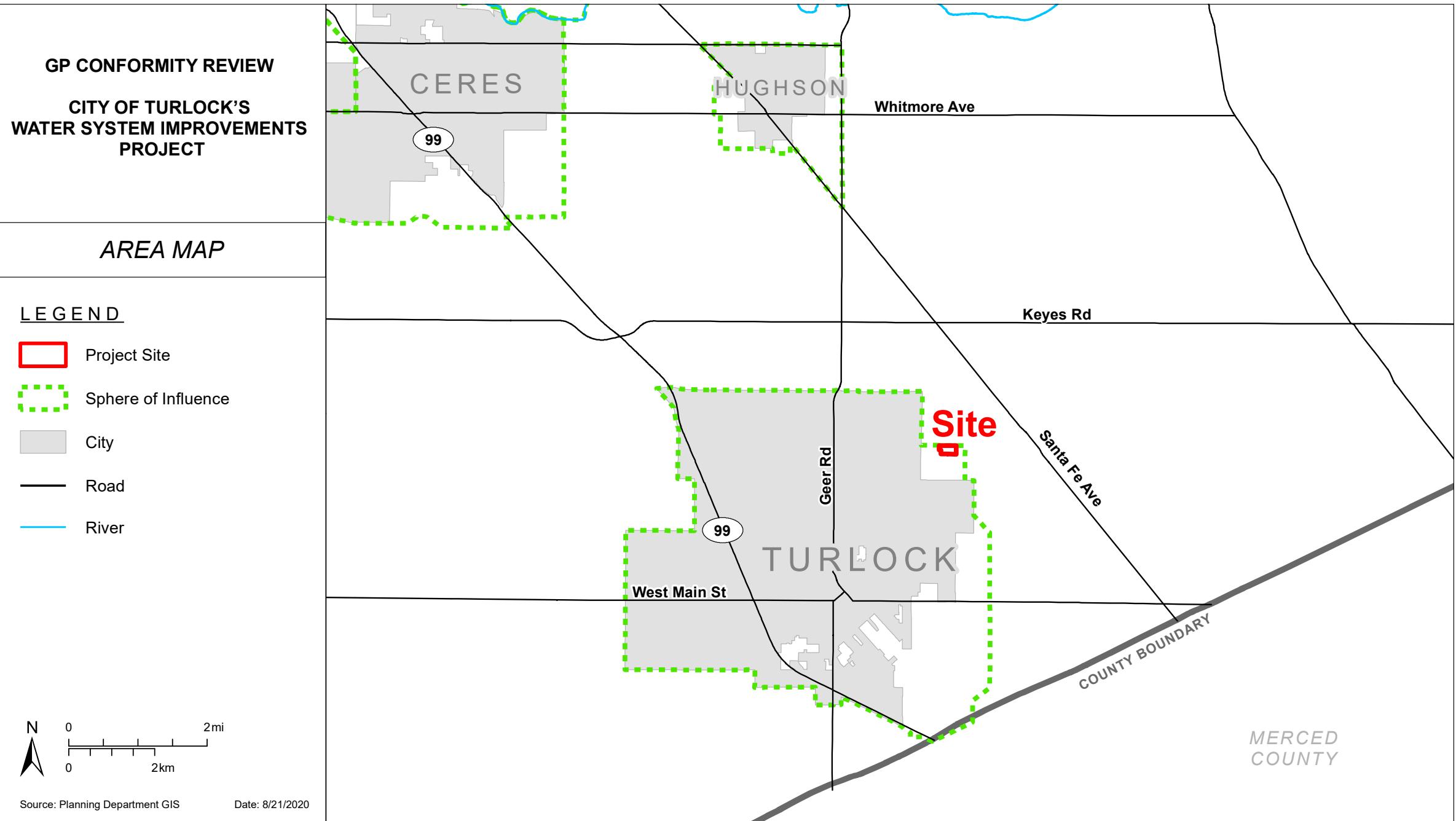
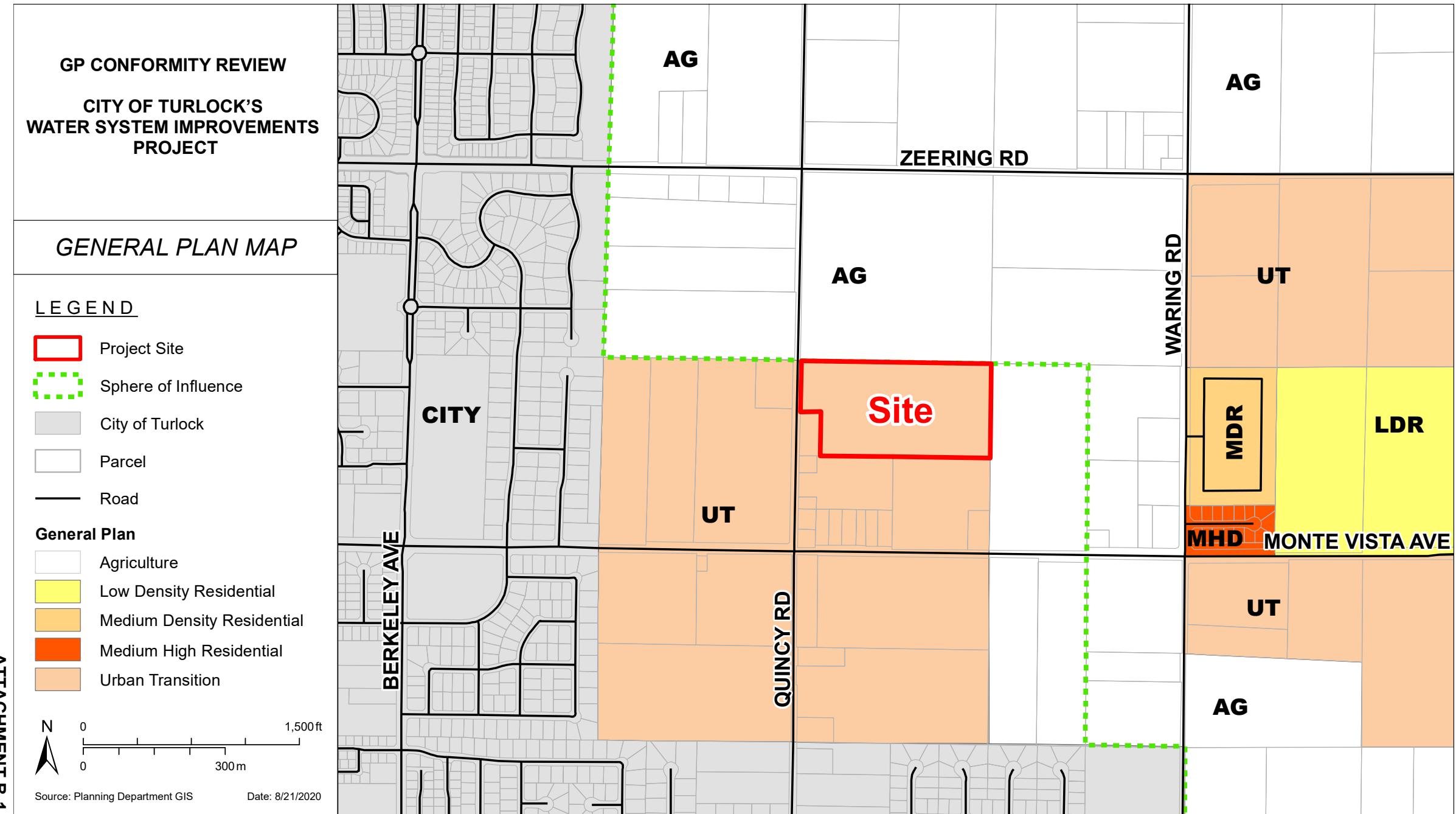


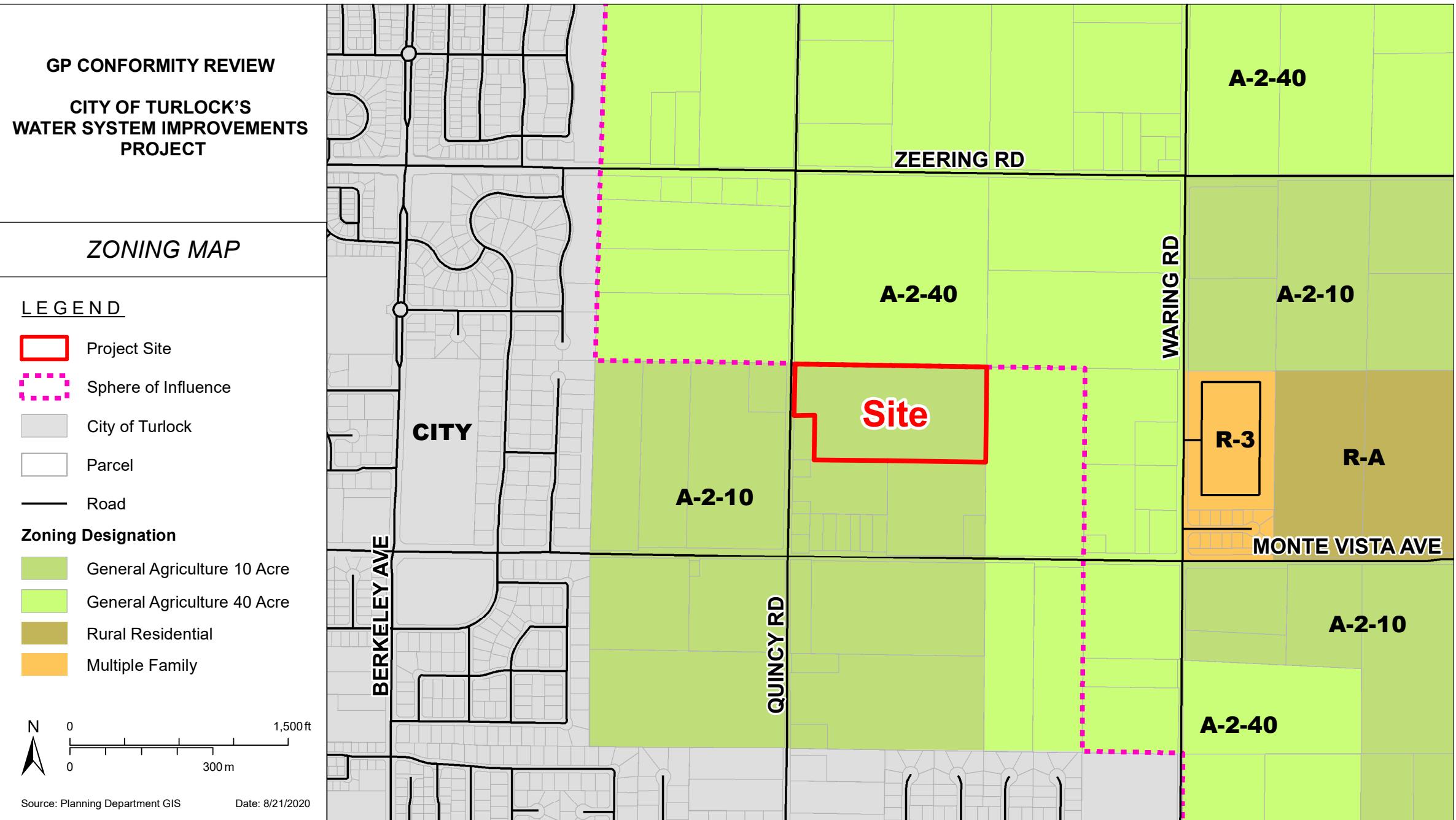
Figure 3. City of Turlock Surface Water Distribution System Improvements Project Conceptual Design



Figure 4. City of Turlock Surface Water Distribution System Improvements Project Conceptual Design







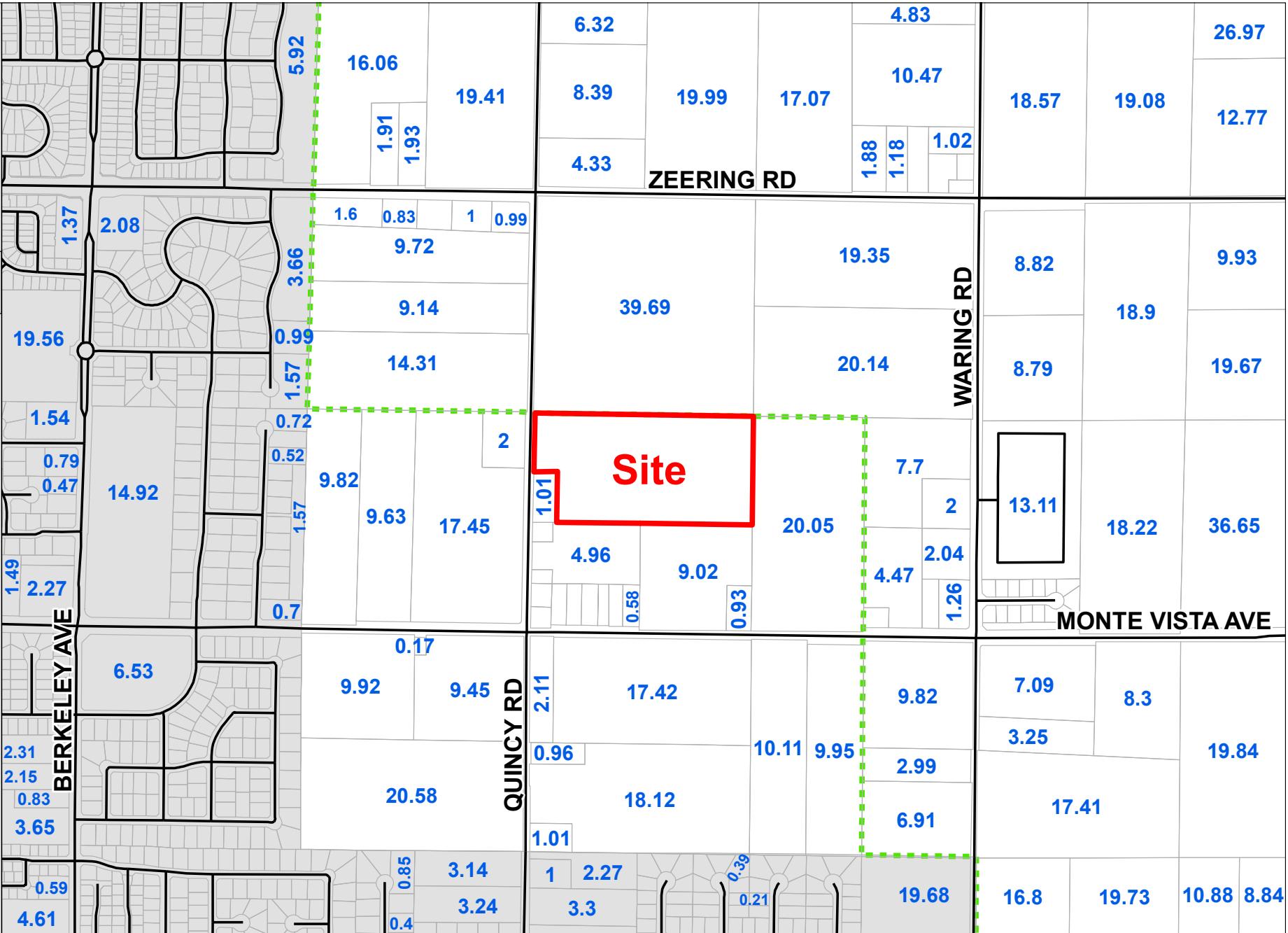
# GP CONFORMITY REVIEW

## CITY OF TURLOCK'S WATER SYSTEM IMPROVEMENTS PROJECT

## ACREAGE MAP

## LEGEND

-  Project Site
-  Sphere of Influence
-  City of Turlock
-  Parcel/Acres
-  Road



GP CONFORMITY REVIEW

CITY OF TURLOCK'S  
WATER SYSTEM IMPROVEMENTS  
PROJECT

2017 AERIAL AREA MAP

LEGEND

Project Site

Sphere of Influence

Road

River

Canal



Source: Planning Department GIS

Date: 8/21/2020



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

GP CONFORMITY REVIEW

CITY OF TURLOCK'S  
WATER SYSTEM IMPROVEMENTS  
PROJECT

2017 AERIAL SITE MAP

LEGEND

 Project Site

 Road

 Canal

