

STANISLAUS COUNTY PLANNING COMMISSION

May 4, 2023

STAFF REPORT

USE PERMIT APPLICATION NO. PLN2022-0017
BENTLINES DESIGN AND FABRICATION, LLC

REQUEST: TO OPERATE AN AGRICULTURAL EQUIPMENT REPAIR AND PARTS FABRICATION BUSINESS IN AN EXISTING 2,400± SQUARE-FOOT SHOP ON AN 8.71± ACRE PARCEL, IN THE GENERAL AGRICULTURE (A-2-40) ZONING DISTRICT.

APPLICATION INFORMATION

| | |
|------------------------------|---|
| Applicant: | Bentlines Design and Fabrication, LLC (Derek Alvernaz and Heather Alvernaz) |
| Property owner: | Marchbanks 2019 Trust (Carlos E. Marchbanks and Evelyn M. Marchbanks, Trustees) |
| Location: | 112 South Vincent Road, between East Avenue and the Stanislaus and Merced County border, in the Turlock area. |
| Section, Township, Range: | 21-5-11 |
| Supervisory District: | Two (Supervisor Chiesa) |
| Assessor's Parcel: | 024-009-028 |
| Referrals: | See Exhibit F Environmental Review Referrals |
| Area of Parcel(s): | 8.71± acres |
| Water Supply: | Private well |
| Sewage Disposal: | Private septic system |
| General Plan Designation: | Agriculture |
| Community Plan Designation: | N/A |
| Existing Zoning: | General Agriculture (A-2-40) |
| Sphere of Influence: | N/A |
| Williamson Act Contract No.: | N/A |
| Environmental Review: | Negative Declaration |
| Present Land Use: | Single-family dwelling, agricultural shop, gazebo, and row crops. |
| Surrounding Land Use: | Single-family dwellings, orchards, confined animal facilities, and row crops in all directions; Merced County to the south; and Turlock Irrigation District's Main Canal and the City of Turlock to the west. |

RECOMMENDATION

Staff is not providing a recommendation of approval or denial of the project for reasons provided in the *Issues* section of this report. If the Planning Commission decides to approve this project, Exhibit A provides an overview of all the findings required for project approval.

PROJECT DESCRIPTION

The project is a request to operate an agricultural equipment repair and parts fabrication business in an existing 2,400± square-foot shop on an 8.71± acre parcel, in the General Agriculture (A-2-40) zoning district.

The applicant currently operates a business under a Home Occupation business license for mobile agricultural equipment repairs which are completed off-site at customer locations throughout Stanislaus and Merced counties which is proposed to continue; however, this request would allow for some of the repairs to occur on-site and for the business to begin conducting parts fabrication for agricultural equipment on-site within the existing 2,400± square-foot shop building. Repairs and fabrication of parts on-site will be conducted primarily for equipment such as tractors, choppers, harvesters, scrapers, shakers, bailers, disc, harrows, nut trailers and other implements used for farming, harvesting and dairy operations. Less than 10% of the proposed business will include the repair and fabrication of parts for equipment used for land leveling for a land leveling business that serves both agricultural clients and non-agricultural clients. All repairs and fabrication will be conducted in-doors within the shop. Equipment to be repaired will be stored on the project site and picked up by the customer immediately after the item has been repaired. The existing 2,400± square-foot shop is comprised of an open floor area and has been improved with an unpermitted office and restroom. No new structures are proposed as part of the project. The existing shop was permitted as an agricultural storage building without an office or restroom as part of the approved building permit.

As part of this request, the applicant proposes to develop nine parking stalls for employee and customer parking and install a six-foot-tall chain-link fence and two vehicle gates at the front of the property. Landscaping consisting of vines and hedges are proposed to be planted around the existing shop area, proposed parking stalls, and along the proposed fence at the front of the project site. The project site currently has two dusk-to-dawn security lights attached to the exterior of the shop building (one light on the west elevation and one on the east elevation of the shop), and one dusk-to-dawn security light attached at the 30-foot centerline of an existing electrical pole to the north of the shop. No additional lighting is proposed as part of this request. Proposed stormwater drainage will be overland. No signage is proposed under this request.

The operation will have a maximum of six employees on a single shift from 6:00 a.m. to 6:00 p.m., Monday through Friday, and occasionally on weekends from 6:00 a.m. to 2:00 p.m., if needed. The applicant anticipates a maximum of two customers on-site per day, and one truck trip per day for deliveries. The existing mobile business will continue to operate off-site with one passenger truck to remain on the project site after hours.

The applicant serves customers throughout the Central Valley with 75% of the repairs and fabrication of parts conducted for customers located within Stanislaus County and the remaining 25% for customers located in Merced County.

SITE DESCRIPTION

The 8.71± acre site is located at 112 South Vincent Road, between East Avenue and the Stanislaus and Merced County border, in the Turlock area (see Exhibit B – *Maps and Site Plan*). The project site is currently improved with a 3,328± square-foot single-family dwelling, a 2,400± square foot shop, a 100± square-foot gazebo, 20,873± square-feet of asphalt around the shop building, and a four-foot-tall barbed wire fence that runs along the perimeter of the project site. The balance of the property is planted in alfalfa and receives irrigation water from the Turlock Irrigation District (TID). The project site is currently served by an existing private well and two septic systems; one septic system is for the single-family dwelling and one septic system is used for the restroom inside the shop.

The project site has an existing horseshoe shaped driveway with access to South Vincent Road which is used for the dwelling on-site and will not be used for the proposed operation. The equipment repair and parts fabrication operation under this request proposes to take access from County-maintained South Vincent Road via a new proposed horseshoe shaped driveway. The area where the new driveway will be located is currently a part of the existing asphalt area that surrounds the shop (see Exhibit B – *Maps and Site Plan*). No access will be taken from East Avenue.

Surrounding land uses include scattered single-family dwellings, orchards, confined animal facilities, and row crops in all directions. Merced County border is located to the south, and TID's Main Canal and the City of Turlock are located to the west of the project site.

ISSUES

As outlined in the *Zoning Ordinance Consistency* section of this report, in order to approve this request the Planning Commission will need to find that the proposed use meets the service area and agricultural customer service criteria required to qualify as an agricultural service establishment in the General Agriculture (A-2) zoning district. Agricultural service establishments are considered to be a Tier Two use, agriculturally related commercial and industrial uses, defined by the County's General Plan and Zoning Ordinance as:

“a business engaging in activities designed to aid production agriculture. Service does not include the provision of tangible goods except those sold directly to farmers and used specifically to aid in production of farm animals or crops. Nor does service include any business which has the primary function of manufacturing products.”

In this case, 9% of the applicant's business is providing services to a land leveling company that serves both agricultural and commercial clients. While the land leveling company does provide service directly to farmers, their business is not exclusive to farmers. As such, the question the Planning Commission must ask is if the proposed use meets the requirement of “primarily engaging in the provision of agricultural services to farmers” when 9% of their business may only partially serve farmers indirectly and the proposed use has no control over the client base of the land leveling company. The applicants have represented to staff that the type of equipment they repair for the land leveling company is only used for agriculturally related land leveling. Because

the land leveling company is not an applicant, there is no way for the County to verify or control how their equipment is ultimately utilized.

The applicant is proposing to continue serving customers within Stanislaus and Merced counties. The County's Zoning Ordinance provides flexibility to allow the Planning Commission to determine the acceptable service area for approval of the request. While it is clear the primary function of the proposed use is not to manufacture products, whether the project meets the criteria of primarily providing agricultural services to farmers is less clear.

It is ultimately up to the Planning Commission to determine if the percentage of the business directly serving agriculture meets the standard of being "primarily engaged in the provision of agricultural services to farmers" and if the service area qualifies the use as an agricultural service establishment.

If the Planning Commission decides to approve this request, Exhibit A provides an overview of all the findings required for project approval and Exhibit C includes staff's recommended conditions of approval. In addition to standard conditions of approval, conditions have been added to address non-permitted construction within the agriculture storage building.

The existing 2,400± square-foot shop is comprised of an open floor area, and unpermitted office and restroom. The shop was originally built as an agriculture storage building (BP136818). If this request is approved, a building permit for a change of occupancy from storage (U classification) to industrial use (F-2 classification) for the 2,400± square foot area, and to legalize the restroom and office will be required to be obtained prior to operation.

GENERAL PLAN CONSISTENCY

The site is currently designated "Agriculture" in the Stanislaus County General Plan. The agricultural designation recognizes the value and importance of agriculture by acting to preclude incompatible urban development within agricultural areas and, as such, should generally be zoned with 40 to 160-acre minimum parcel sizes. This designation establishes agriculture as the primary use, but allows dwelling units, limited agriculturally related commercial services, agriculturally related light industrial uses, and other uses which by their unique nature are not compatible with urban uses, provided they do not conflict with the primary use.

Goal One, Objective 1.2 of the General Plan's Agricultural Element encourages vertical integration of agriculture by organizing uses requiring use permits into three tiers based on the type of uses and their relationship to agriculture. Tier Two uses include agriculture-related commercial and industrial uses, such as agricultural service establishments and agricultural processing plants and facilities.

Objective 1.2 of the Agricultural Element states:

"...Agricultural service establishments designed to serve the immediate area and agricultural processing plants such as wineries and canneries are allowed when the Planning Commission finds that (1) they will not be substantially detrimental to or in conflict with the agricultural use of other property in the vicinity; (2) the establishment as proposed will not create a concentration of commercial and industrial uses in the vicinity; and (3) it is necessary and desirable for such

establishment to be located within the agricultural area as opposed to areas zoned commercial or industrial. ...

In general, agricultural service establishments can be difficult to evaluate due to their wide diversity of service types and service areas. This diversity often leads to requests for uses which provide both agricultural and non-agricultural services and/or have a wide-spread service area. Maintaining a focus on production agriculture is key to evaluating agricultural service establishments in the agricultural area. ...”

Policy 1.5 of the Agricultural Element states:

“Agricultural service establishments shall be permissible in agricultural areas if they are designed to serve production agriculture in the immediately surrounding area as opposed to having a widespread service area, and if they will not be detrimental to agricultural use of other property in the vicinity.”

An assessment of the proposed uses compliance with the findings required for approval of an agricultural service establishment is provided in the *Zoning Ordinance Consistency* section of this report.

To minimize conflicts between agricultural operations and non-agricultural operations, Buffer and Setback Guidelines (Appendix A of the Agricultural Element) have been adopted. The purpose of these guidelines is to protect the long-term health of local agriculture by minimizing conflicts resulting from normal agricultural practices as a consequence of new or expanding uses approved in or adjacent to the General Agriculture (A-2) zoning district.

The Guidelines require all new or expanding uses approved by discretionary permit in the A-2 zoning district or on a parcel adjoining the A-2 zoning district to incorporate a minimum 150-foot-wide buffer setback and a six-foot-high fence of uniform construction along the perimeter of the developed area. The purpose of the fencing is to prevent trespassing onto adjacent agricultural lands and fencing is not required for uses which do not directly establish the potential for increased trespassing onto adjacent agricultural lands. Low people-intensive Tier One and Tier Two uses which do not serve the general public shall not be subject to compliance with these guidelines. Based on the project description which includes a maximum of six employees and two daily customers on-site staff believes the use to be low people-intensive and, as such, not subject to providing an agricultural buffer. The project was referred to the Stanislaus County Agricultural Commissioner, and no comments have been received to date. The decision-making body (Planning Commission) shall have the ultimate authority to determine if the proposed or expanded use is “low people-intensive.” The project is not anticipated to substantially affect or be detrimental to or in conflict with the agricultural use of other property in the vicinity as the majority of the proposed on-site activities will occur within the existing building.

The proposed use is considered to primarily be in support of production agriculture, specifically farming, harvesting and dairy operations; however, a portion (9%) of the proposed use will conduct repairs for agricultural equipment that are used as part of a land leveling company. Staff believes that the proposed use can be found to be consistent with the General Plan if the Planning Commission can make the necessary findings.

ZONING ORDINANCE CONSISTENCY

The site is currently zoned General Agriculture (A-2-40). In accordance with Section 21.20.020(B) of the Stanislaus County Zoning Ordinance, Tier Two uses, agriculture-related commercial and industrial uses, may be allowed when the Planning Commission makes the following findings:

- 1) The establishment as proposed will not be substantially detrimental to or in conflict with agricultural use of other property in the vicinity; and
- 2) The establishment as proposed will not create a concentration of commercial and industrial uses in the vicinity; and
- 3) It is necessary and desirable for such establishment to be located within the agricultural area as opposed to areas zoned for commercial or industrial usage.

Section 21.20.030(B)(3)(a) recognizes agricultural service establishments as a Tier Two use when primarily engaging in the provision of agricultural services to farmers and when such establishments are designed to serve the immediately surrounding area as opposed to having a widespread service area.

Agricultural Service Establishment is defined by Section 21.12.030 as meaning “a business engaging in activities designed to aid production agriculture. Service does not include the provision of tangible goods except those sold directly to farmers and used specifically to aid in production of farm animals or crops. Nor does service include any business which has the primary function of manufacturing products.”

Production agriculture is defined by Section 21.12.495 as meaning “agriculture for the purpose of producing any and all plant and animal commodities for commercial purposes.”

As detailed in the project description, the project will primarily provide repairs and fabrication of parts for agricultural equipment such as tractors, choppers, harvesters, scrapers, shakers, bailers, disc, harrows, nut trailers and other implements used for farming, harvesting and dairy operations; however, the proposed project will also provide repairs and fabrication of parts for equipment used for land leveling by a business that serves both agricultural and non-agricultural clients.

Based on information provided by the applicant, 91% of their business is provided directly to farmers and the remaining 9% their business is providing services to a land leveling company. While the land leveling company does provide service directly to farmers, their business is not exclusive to farmers. As such, the question the Planning Commission must ask is if the proposed use meets the requirement of “primarily engaging in the provision of agricultural services to farmers” when 9% of their business may only partially serve farmers indirectly and the proposed use has no control over the client base of land leveling company. The applicants have represented to staff that the type of equipment they repair for the land leveling company is only used for agriculturally related land leveling. Because the land leveling company is not an applicant, there is no way for the County to verify or control how their equipment is ultimately utilized.

With regards to service area, neither the County’s General Plan nor the Zoning Ordinance define the appropriate service area for an agricultural service establishment and, as such, each

proposed use must be individually assessed. The service area for the proposed project is throughout Stanislaus and Merced counties. The majority of customers to be served by the proposed requests are located in Stanislaus County (75%) with the remaining are located in Merced County (25%). It is ultimately up to the Planning Commission to determine if the operation's services and service area qualify as an agricultural service establishment.

A total of four agricultural service establishment project requests have been considered by the Planning Commission over the last five years; all of which were ultimately approved by the Planning Commission. One of the project requests, which was 100% agriculturally related but had a service area which extended up into Nevada, had a neutral recommendation from staff. Staff recommended approval of the remaining three agricultural service establishment project requests, which all had service areas extending throughout the Central Valley; two served a 100% agriculture-related customer base and one, which was an existing legal non-conforming use, served both farmers directly and indirectly by conducting repairs for tractor cabs for farmers and for the John Deere company. One of the requests approved by the Planning Commission was appealed by local landowners to the Board of Supervisors who upheld the Planning Commission's decision of approval. An overview of the service area and customer base for the four agriculture service establishments processed within the last five years is given below:

- Use Permit PLN2018-0161 – Tri-Cal, Inc. – A request to establish and operate an agricultural contractor storage and staging yard on a 6.38± acre parcel in the General Agriculture (A-2-10) zoning district. The establishment had a 100% agriculture-related customer base and a service area of 48% of customers in Stanislaus County; 35% in San Joaquin County; and 17% in Merced County. The Planning Commission approved the project; however, the Planning Commission's decision was appealed by local landowners to the Board of Supervisors based on concerns regarding drainage and flooding, chemical storage, and traffic. Ultimately, the appeal of the Planning Commission's approval was denied by the Board and the project's approval was upheld.
- Use Permit PLN2020-0077 – Coit and Hewes, LLC – A request to change the use of a 1.91± acre parcel from a legal nonconforming (LNC) general contractor business to a harvesting equipment parts fabrication and repair business in the General Agriculture (A-2-40) zoning district. The Planning Commission approved the proposal which served a customer base that was 100% ag-related and a service area consisting of 77% of their total customers located in Stanislaus and the remaining 23% divided between San Joaquin, Merced, Madera, and Fresno counties.
- Use Permit PLN2020-0103 – Exact Corp – A request to change the use of a legal non-conforming agricultural service establishment from contract harvesting to tractor cab assembly and agricultural equipment maintenance business, on a 13.79± acre parcel located in the General Agriculture (A-2-40) zoning district. The Planning Commission approved the establishment which included repair and construction of tractor cabs for farmers and for John Deere. The establishment had a service area consisting of Stanislaus and San Joaquin counties, with 80% of their customers located within a 50-mile radius of the project site.
- Use Permit PLN2022-0003 – FM Ingredients – A request to operate an animal feed mineral blending business on a 39.64± acre parcel in the General Agriculture (A-2-40)

zoning district. The Planning Commission approved the request which served only dairies with mineral blending services, and had a service area consisting of Stanislaus, San Joaquin, Merced, and Glenn counties in California, and Lyon County in Nevada.

The County's Zoning Ordinance does not define "immediate surrounding area" or "widespread service area" in the context of a Tier Two use. The determination is left to the Planning Commission to make on a case-by-case basis and may vary depending on the nature of the use and service area necessary to generate a viable customer base. The same case-by-case determination is needed with regards to the percentage of agricultural customers required in order to meet the standard of being "primarily engaged in the provision of agricultural services to farmers".

In order to approve the project, the Planning Commission must also find that the proposed project will not be substantially detrimental to or in conflict with agricultural use of other property in the vicinity, nor be detrimental to the health, safety, property or improvements and the general welfare of persons within the surrounding area of use and the County as a whole, is necessary and desirable for such establishment to be located within the agricultural area as opposed to areas zoned for commercial or industrial usage, and that it will not create a concentration of commercial or industrial uses in the vicinity. If the use is found by the Planning Commission to qualify as an agricultural service establishment, then given the geographic distribution of customers, and the need for a viable customer base, staff believes the required findings can be made.

ENVIRONMENTAL REVIEW

Pursuant to the California Environmental Quality Act (CEQA), the proposed project was circulated to all interested parties and responsible agencies for review and comment and no significant issues were raised (see Exhibit F - *Environmental Review Referrals*). A Negative Declaration has been prepared for approval prior to action on the project itself as the project will not have a significant effect on the environment (see Exhibit E - *Negative Declaration*). Conditions of approval reflecting referral responses have been placed on the project (see Exhibit C - *Conditions of Approval*).

Note: Pursuant to California Fish and Game Code Section 711.4, all project applicants subject to the California Environmental Quality Act (CEQA) shall pay a filing fee for each project; therefore, the applicant will further be required to pay **\$2,821.00** for the California Department of Fish and Wildlife (formerly the Department of Fish and Game) and the Clerk-Recorder filing fees. The attached Conditions of Approval ensure that this will occur.

Contact Person: Emily Basnight, Assistant Planner, (209) 525-6330

Attachments:

- Exhibit A - Findings and Actions Required for Project Approval
- Exhibit B - Maps and Site Plan
- Exhibit C - Conditions of Approval
- Exhibit D - Initial Study
- Exhibit E - Negative Declaration
- Exhibit F - Environmental Review Referrals

Findings and Actions Required for Project Approval

1. Adopt the 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 Negative Declaration reflects Stanislaus County's independent judgment and analysis.
2. Order the filing of a Notice of Determination with Stanislaus County Clerk-Recorder pursuant to Public Resources Code Section 21152 and CEQA Guidelines Section 15075.
3. Find that:
 - a. The establishment, maintenance, and operation of the proposed use or building applied for is consistent with the General Plan and will not, under the circumstances of the particular case, be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood of the use and that it will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.
 - b. The establishment as proposed will not be substantially detrimental to or in conflict with agricultural use of other property in the vicinity.
 - c. The establishment as proposed will not create a concentration of commercial and industrial uses in the vicinity.
 - d. It is necessary and desirable for such establishment to be located within the agricultural area as opposed to areas zoned for commercial or industrial usage.
 - e. The project will increase activities in and around the project area, and increase demands for roads and services, thereby requiring dedication and improvements.
 - f. The proposed Tier Two use is "low people-intensive" and not subject to the agricultural buffer.
4. Approve Use Permit Application No. PLN2022-0017 – Bentlines Design and Fabrication, LLC.

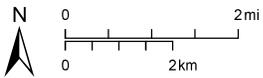
BENTLINES DESIGN AND FABRICATION

UP PLN2022-0017

AREA MAP

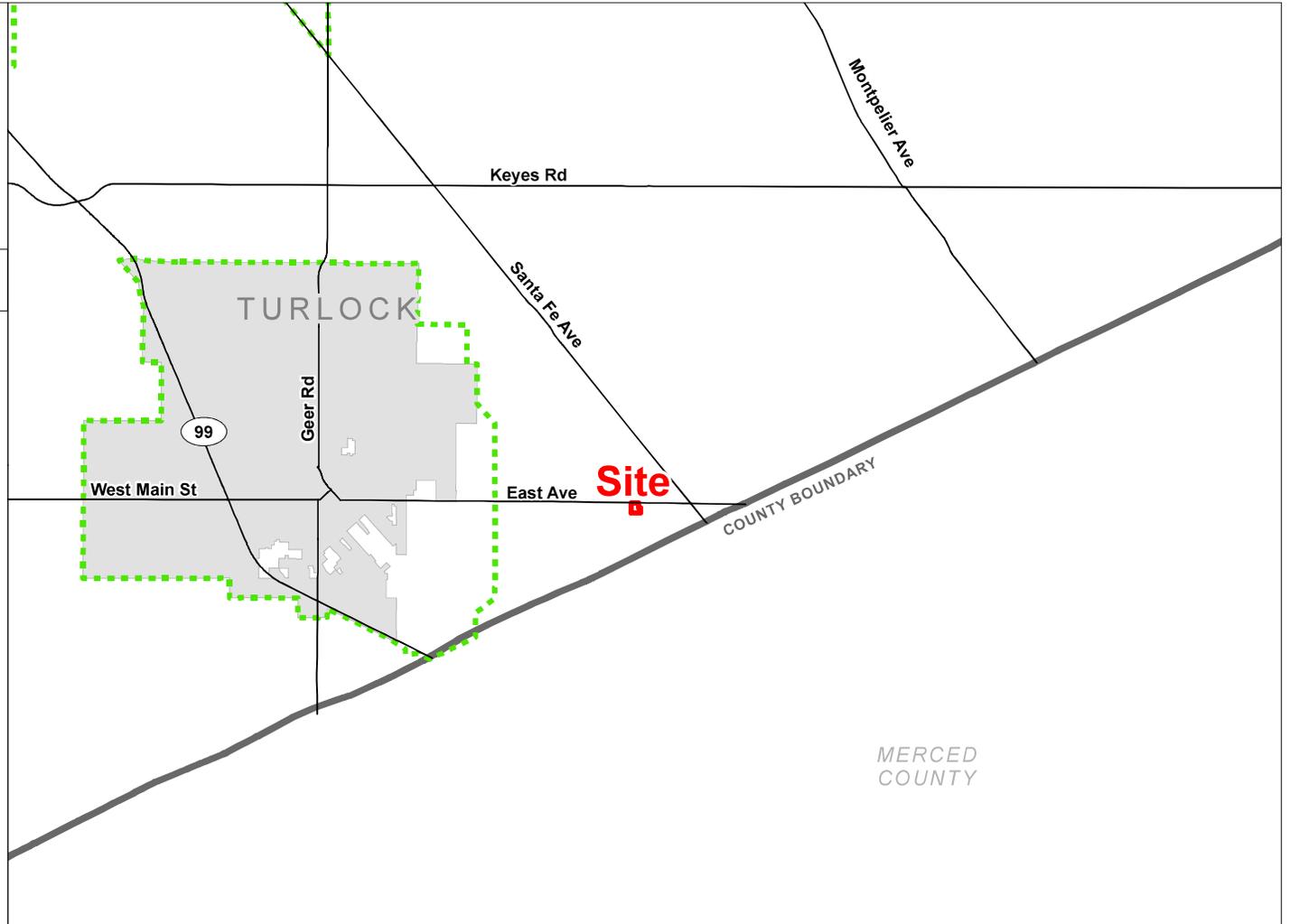
LEGEND

-  Project Site
-  Sphere of Influence
-  City
-  Road
-  River



Source: Planning Department GIS

Date: 3/2/2022



BENTLINES DESIGN AND FABRICATION

UP PLN2022-0017

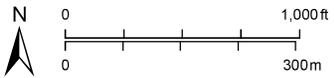
GENERAL PLAN MAP

LEGEND

-  Project Site
-  Parcel
-  Road
-  Canal

General Plan

-  Agriculture



Source: Planning Department GIS

Date: 3/2/2022



BENTLINES DESIGN AND FABRICATION

UP PLN2022-0017

ZONING MAP

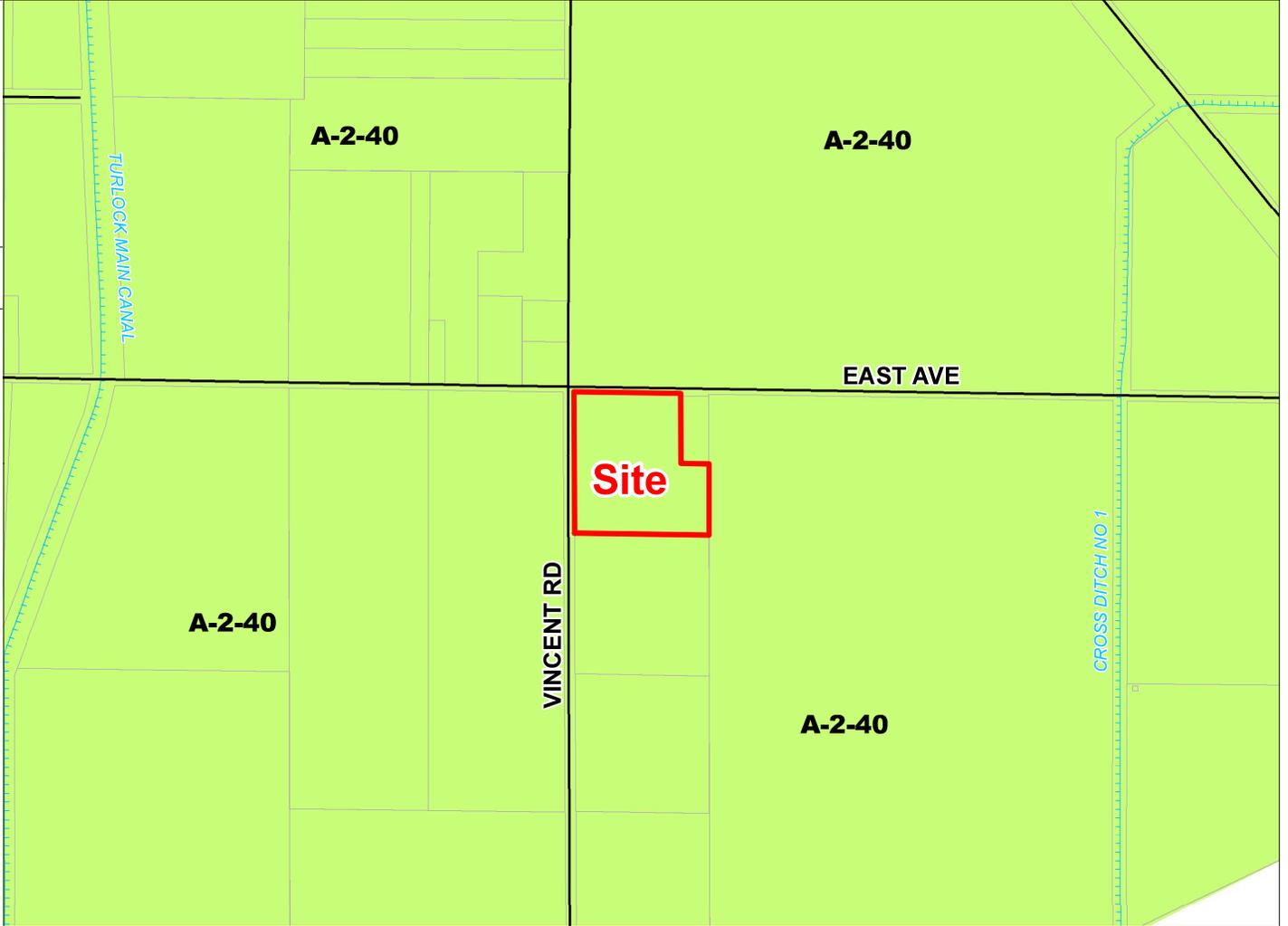
LEGEND

-  Project Site
 -  Parcel
 -  Road
 -  Canal
- Zoning Designation**
-  General Agriculture 40 Acre



Source: Planning Department GIS

Date: 3/2/2022



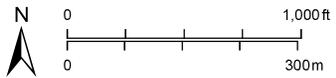
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PLN2022-0017

ACREAGE MAP

LEGEND

- Project Site
- # Parcel/Acres
- Road
- Canal



Source: Planning Department GIS

Date: 3/2/2022



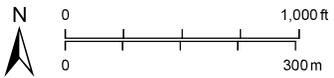
BENTLINES DESIGN AND FABRICATION

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PLN2022-0017

2021 AERIAL AREA MAP

LEGEND

-  Project Site
-  Road
-  Canal



Source: Planning Department GIS

Date: 3/2/2022



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AND FABRICATION**

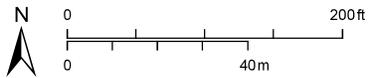
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2021 AERIAL SITE MAP

LEGEND

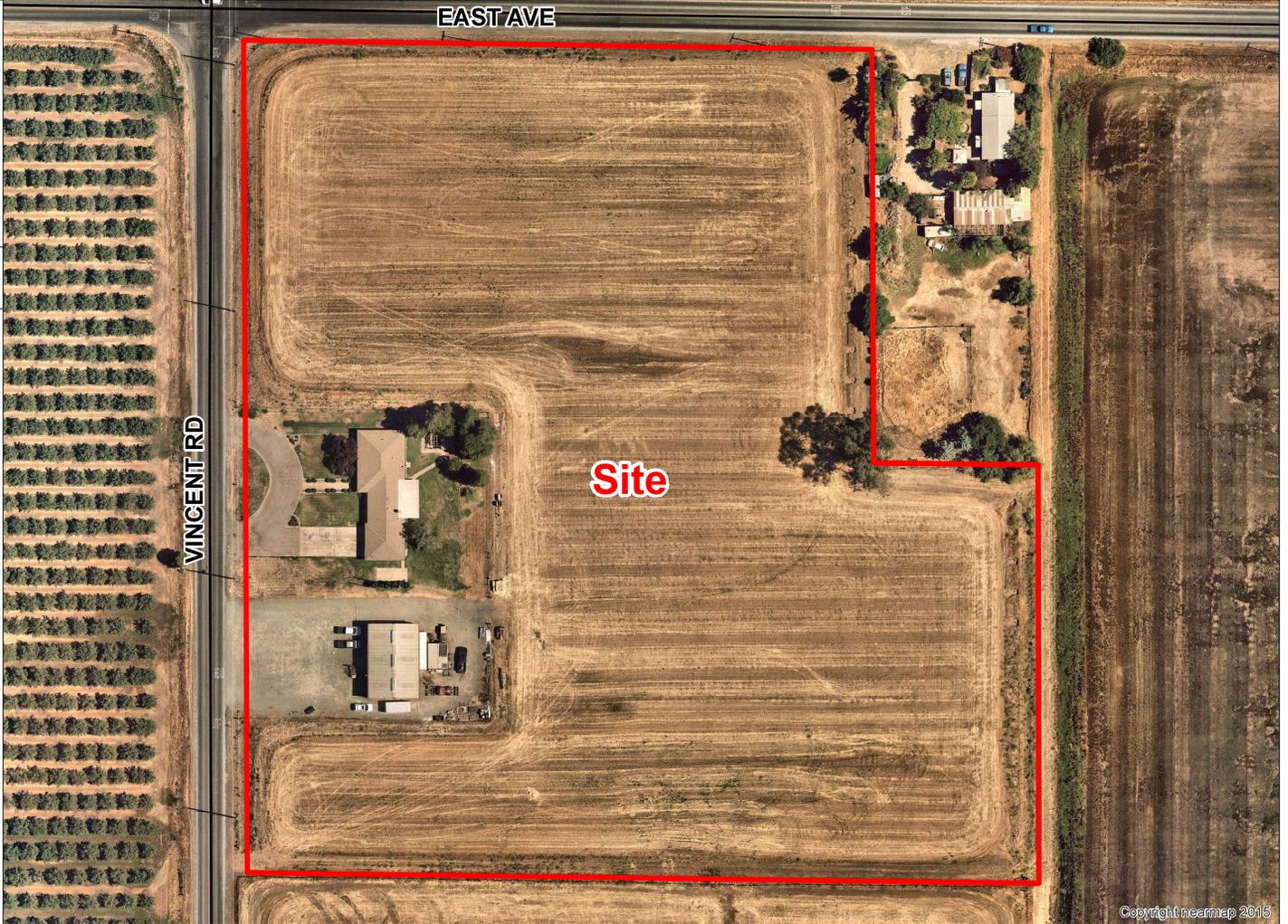
 Project Site

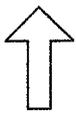
 Road



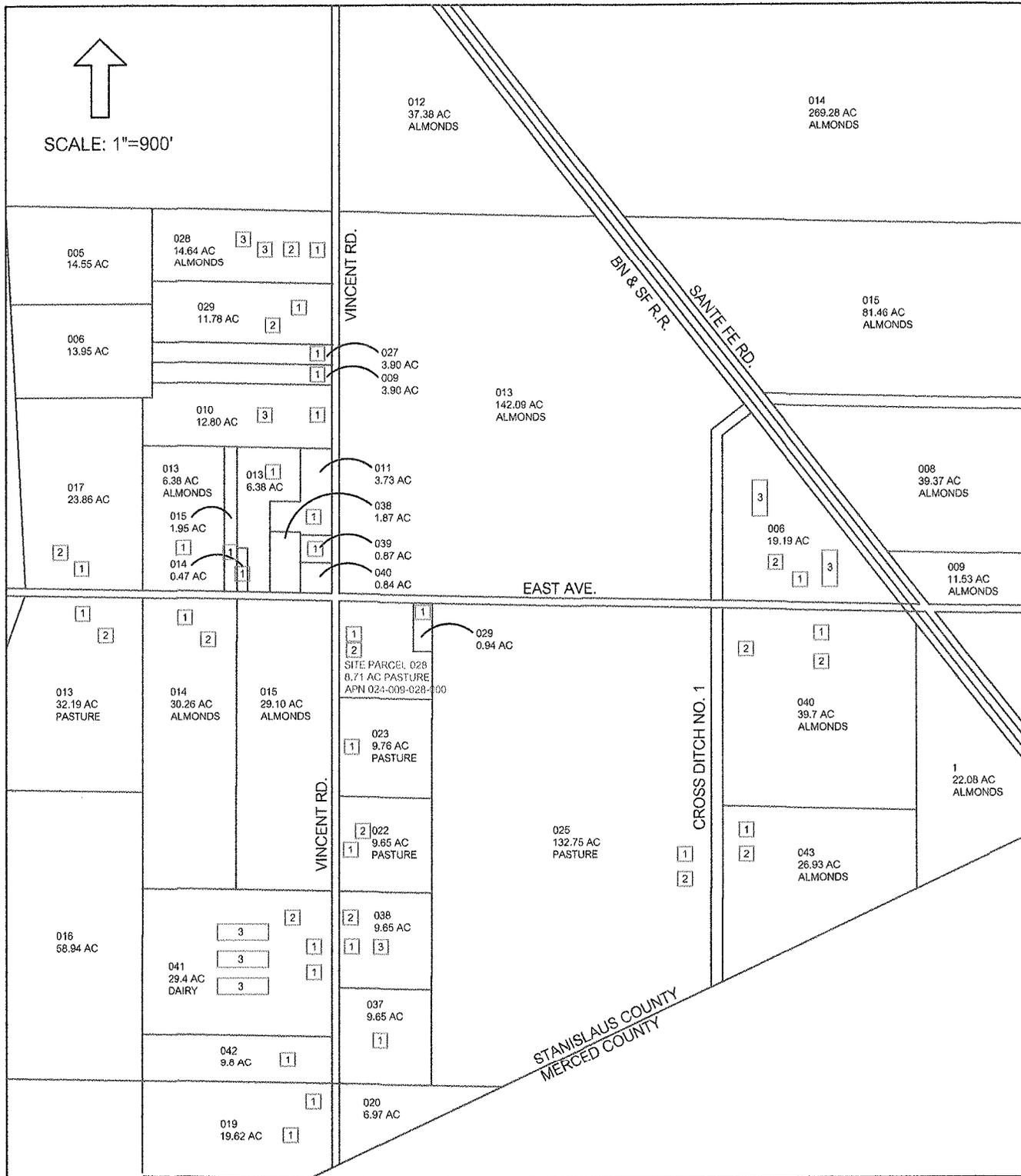
Source: Planning Department GIS

Date: 3/2/2022





SCALE: 1"=900'



LEGEND

- 1 HOUSE
- 2 SHOP
- 3 BARN

BENTLINES
112 S. VINCENT RD.
TURLOCK, CA 95380

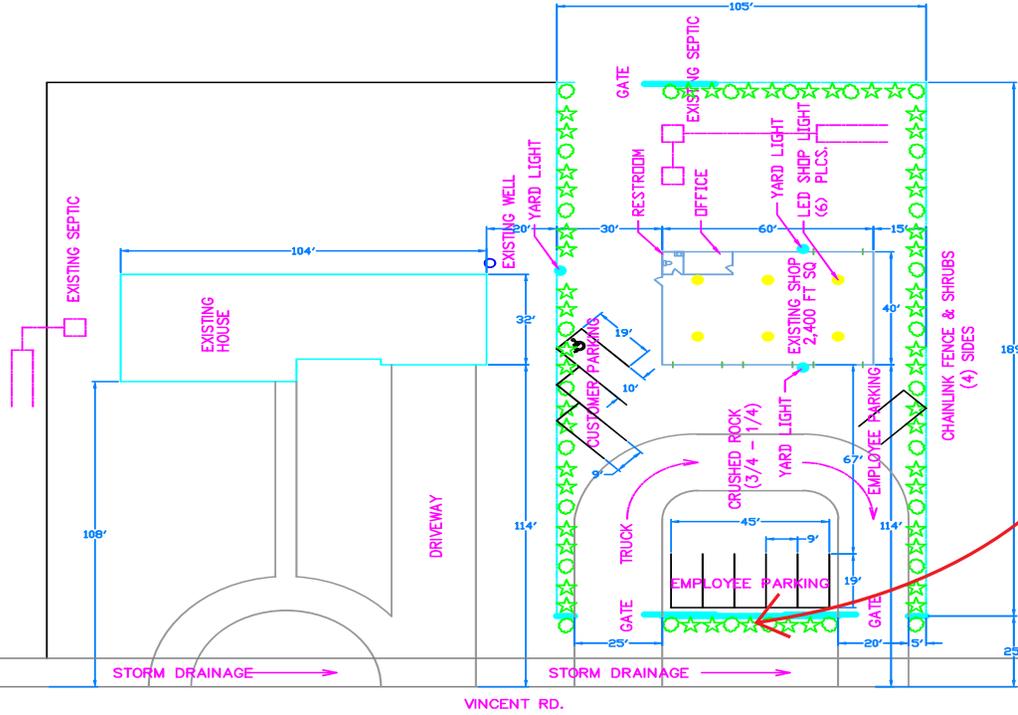
"AREA MAP"

JOB: 1006.00 DATE: 04/06/2021 DRAWN BY: BJV

BENTLINES DESIGN & FABRICATION, LLC

2930 GEER RD PMB 251 TURLOCK, CA 95382

SCALE: 1"=50'

| LANDSCAPE PLAN | | | | | |
|----------------|-----------------------------|-----------------|------|---------|------|
| SYMBOL | BOTANICAL NAME | COMMON NAME | SIZE | SPACING | QTY. |
| ○ | LINGUSTRUM JAPONICUM | WAX LEAF PRIVET | 6' | 18' | 32 |
| ☆ | TRACHELOSPERMUM JASMINOLDES | STAR JASMINE | 6' | 6' | 54 |



BENTLINES DESIGN & FABRICATION, LLC
 2930 GEER RD PMB 251 TURLOCK, CA 95382

PROJECT ADDRESS: 112 S. VINCENT RD. TURLOCK, CA 95380
A.P.N.: 024-009-028-000
ZONING: A-2-40
PROJECT DESCRIPTION:

OBTAIN USE PERMIT FOR 8.71 AC PARCEL.
 EXISTING SHOP TO BE USED TO FABRICATE AND REPAIR PARTS AND EQUIPMENT FOR LOCAL AGRICULTURAL BASED BUSINESSES.

PARKING ANALYSIS:
 MAXIMUM OF 8 EMPLOYEES
 CUSTOMERS 3 (PEAK)
 9 SPACES REQUIRED

UTILITIES & FACILITIES:
 WATER - PRIVATE WELL
 SEWER - SEPTIC
 ELECTRICITY - TID
 STORM DRAIN - DITCH TO PUMP STATION

SHOP LIGHTING:
 (6) 200W LED "HIGH BAY" LIGHTS

YARD LIGHTING:
 (3) 100W DUSK TO DAWN SECURITY LIGHTS

BENTLINES
 112 S. VINCENT RD.
 TURLOCK, CA 95380

"SITE MAP"

JOB: 1006.00 DATE: 02/23/2023 DRAWN BY: BJV

CONDITIONS OF APPROVAL

USE PERMIT APPLICATION NO. PLN2022-0017 BENTLINES DESIGN AND FABRICATION, LLC.

Department of Planning and Community Development

1. Use(s) 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, 2014), 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 **\$2,821.00**, 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. 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.
6. The Department of Planning and Community Development shall record a Notice of Administrative Conditions and Restrictions with the County Clerk-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.
7. 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.

8. A photometric lighting plan shall be submitted for review and approval by the Planning Department, prior to the issuance of the building permit and prior to the installation of any additional lighting. 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). The height of any additional lighting fixtures should not exceed 20 feet above grade.
9. No operations shall be conducted on any premises in such a manner as to cause an unreasonable amount of noise, odor, dust, smoke, vibration, or electrical interference detectable off the site.
10. The applicant shall obtain and maintain a valid Stanislaus County Business License for the facility.
11. On-site signage shall be approved by the Planning Director or appointed designee(s) prior to installation and may require discretionary approval as determined necessary by the Planning Director. Signage shall not be more than twelve square-feet in area nor more than six feet in height.
12. Within six months of the approval of the use permit, building permits for the unpermitted improvements including the office and restroom addition are required to be submitted in accordance with the California Code of Regulations, Title 24. The building permit shall be finalized prior to operation of the facility.
13. Within six months of the approval of the use permit, a building permit for the change of use is required to be submitted for the agriculture storage building to a Low-Hazard Factory Industrial (F-2).

Department of Public Works

14. No parking, loading or unloading of vehicles will be permitted within the County road right-of-way.
15. The developer will be required to install or pay for the installation of any signs and/or markings, if warranted.
16. An encroachment permit shall be obtained for any work on done in Stanislaus County right-of-way.
17. All driveways shall be installed as per Stanislaus County Public Work Standards and Specifications.
18. The storage depth outside of any gate shall be adequate for trucks coming off the road. The entry vehicles shall not block any travel lane or shoulder. If the storage depth is inadequate, it may require that the fence be moved further into the property, or a deceleration lane be installed.
 - a. A deceleration lane - a lane in advance of a driveway or public street used to allow turning vehicles to exit the through traffic lane and slow before making the turn.

19. South Vincent Road is classified as a 60-foot Minor Collector. The required ½ width of South Vincent Road is 30 feet east of the centerline of the roadway. The existing right-of-way is 25 feet east of the centerline. The remaining five feet east of the centerline shall be dedicated as an Irrevocable Offer of Dedication.
20. East Avenue is classified as a 135-foot Principal Arterial. The required ½ width of East Avenue is 67.5 feet south of the centerline of the roadway. The existing right-of-way is 25 feet south of the centerline. The remaining 42.5 feet south of the centerline shall be dedicated as an Irrevocable Offer of Dedication.
21. At the intersection of South Vincent Road and East Avenue a right-of-way chord is required, please see Stanislaus County Public Works Standards and Specifications Detail 3-C1. The chord shall be dedicated as an Irrevocable Offer of Dedication.
22. Per Stanislaus County Code 11.27.030, it is unlawful to plant, or cause to be planted, a tree, shrub or vine less than 10 feet from the edge of the right-of-way to the trunk or stem of the tree, shrub or vine. For large trees such as walnut trees and ornamental shade trees, the setback is 15 feet from the trunk to the right-of-way line.
23. A grading, drainage, and erosion/sediment control plan for the project site shall be submitted for any building permit that will create a larger or smaller building footprint. The grading and drainage plan shall include the following information:
 - a. The plan shall contain drainage calculations and enough information to verify that runoff from project will not flow onto adjacent properties and Stanislaus County road right-of-way. Public Works will review and approve the drainage calculations.
 - b. For projects greater than one acre in size, 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. A Waste Discharge Identification Number (WDID) and a copy of the Notice of Intent (NOI) and the project's Storm Water Pollution Prevention Plan (SWPPP) shall be provided prior to the approval of any grading, if applicable.
 - c. The applicant of the grading permit shall pay the current Stanislaus County Public Works weighted labor rate for review of the grading plan.
 - d. The applicant of the grading 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.

Department of Environmental Resources

24. Prior to the issuance of any new building permit, the applicant shall submit to the Department of Environmental Resources evidence that the existing on-site wastewater treatment system (OWTS) meets minimum sizing standards and setback requirements, as required by the County's Local Agency Management Program (LAMP). All applicable County Local Agency Management Program (LAMP) standards and required setbacks are to be met.

25. If, or when there is an increase to the facility's drainage fixtures or the number of users, the existing on-site wastewater treatment system (OWTS) shall be subject to review and required to be upgraded to accommodate the change in wastewater flows.
26. Any new building requiring an on-site wastewater treatment system (OWTS) shall be designed according to type and/or maximum occupancy of the proposed structure to the estimated waste/sewage design flow rate.
27. Prior to issuance of any building permit for the proposed project, DER shall review updated documentation from the applicant to determine whether the proposed project qualifies as a new Public Water System subject to SB1263 and may require a Water Supply Permit to be issued by the Local Primacy Agency (Department of Environmental Resources).

Department of Environmental Resources – Hazmat Division

28. The applicant shall contact the Department of Environmental Resources regarding any discovery of underground storage tanks, former underground storage tank locations, buried chemicals, buried refuse, or contaminated soil, and appropriate permitting requirements for hazardous materials, and/or wastes. The applicant and/or occupants handling hazardous materials or generating wastes must notify the department prior to operation.

Turlock Irrigation District

29. The owner/developer must apply for a facility change for any pole or electrical facility relocation. Facility changes are performed at developer's expense.

San Joaquin Valley Air Pollution Control District (SJVAPCD)

30. Prior to final of any building permit for the proposed use, a Permit to Operate must be issued to the project proponent by the SJVAPCD.
31. Prior to the start of construction, the property owner/operator shall contact the SJVAPCD to determine if any SJVAPCD rules or permits are required, including, but not limited to, Regulation VIII (Fugitive PM10 Prohibitions), Rule 4002 (National Emissions Standards for Hazardous Air Pollutants), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving, and Maintenance Operations).

California Regional Water Quality Control Board (RWQCB)

32. Prior to any construction, the applicant shall contact and coordinate with the Regional Water Quality Control Board to determine if any permits or Water Board requirements shall be obtained/met prior to operation.

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 will be in bold font and deleted wording will be in strikethrough text.



CEQA INITIAL STUDY

Adapted from CEQA Guidelines APPENDIX G Environmental Checklist Form, Final Text, January 1, 2020

1. **Project title:** Use Permit Application No. PLN2022-0017 – Bentlines Design and Fabrication, LLC
2. **Lead agency name and address:** Stanislaus County
1010 10th Street, Suite 3400
Modesto, CA 95354
3. **Contact person and phone number:** Emily Basnight, Assistant Planner
(209) 525-6330
4. **Project location:** 112 South Vincent Road, between East Avenue and the Stanislaus and Merced County border, in the Turlock area. APN: 024-009-028.
5. **Project sponsor's name and address:** Derek Alvernaz and Heather Alvernaz, Bentlines Design and Fabrication, LLC.
2930 Geer Road, P.O. Box 251, Turlock, CA 95382
6. **General Plan designation:** Agriculture
7. **Zoning:** General Agriculture (A-2-40)
8. **Description of project:**

Request to operate an agricultural equipment fabrication and repair business in an existing 2,400± square-foot shop on an 8.71± acre parcel, in the General Agriculture (A-2-40) zoning district. The fabrication of parts and repairs conducted on the project site will be for agricultural equipment such as tractors, choppers, harvesters, scrapers, shakers, bailers, disc, harrows, nut trailers and other implements used for farming and harvesting. The applicant will continue to serve agricultural customers in the Central Valley, including Stanislaus, Merced, and San Joaquin counties. As part of this request, the applicant proposes to develop nine parking stalls for employee and customer parking, install a six-foot-tall chain-link fencing and two vehicle gates at the front of the property. The applicant will also plant vines and a hedge around the existing shop area, proposed parking stalls and along the proposed fence at the front of the project site. The proposed hours of operation will be Monday through Friday, from 6:00 a.m. to 6:00 p.m., and occasionally on weekends, from 6:00 a.m. to 2:00 p.m., under special circumstances. The applicant anticipates six employees on a single shift, and a maximum of two customers on-site per day. One truck trip per day for deliveries is anticipated.

The site is currently improved with a 3,328± square-foot single-family dwelling, a 2,400± square-foot shop consisting of a restroom, office, and storage area, 20,873± square-feet of asphalt around the shop building and a four-foot-tall, barbed wire fence that runs along the perimeter of the project site. The balance of the property is planted in alfalfa and receives irrigation water from the Turlock Irrigation District. The project site has access to South Vincent Road and is served by private well and septic system.
9. **Surrounding land uses and setting:** Scattered single-family dwellings, orchards, and row crops in all directions; a confined animal facility and the Stanislaus and Merced County Border to the south, and the TID Main Canal to the west.
10. **Attachments:** None.

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 & Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Energy |
| <input type="checkbox"/> Geology / Soils | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials |
| <input type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Mineral Resources |
| <input type="checkbox"/> Noise | <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation | <input type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Wildfire | <input type="checkbox"/> Mandatory Findings of Significance |

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 on file. _____
 Prepared by Emily Basnight, Assistant Planner

March 10, 2023 _____
 Date

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). References 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.

ISSUES

| I. AESTHETICS – Except as provided in Public Resources Code Section 21099, could 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) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? | | | X | |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | | | X | |

Discussion: The only scenic designation in the County is along I-5, which is not near the project site. The site itself is not considered to be a scenic resource or a unique vista. The site is currently improved with a 3,328± square-foot single-family dwelling, a 2,400± square-foot shop consisting of a restroom, office, and storage area, 20,873± square-feet of asphalt around the shop building; the balance of the property is currently planted in alfalfa and receives irrigation water from the Turlock Irrigation District. An existing four-foot-tall, barbed wire fence runs along the perimeter of the project site. This request would allow for the fabrication of parts and repairs for agricultural equipment to be conducted within the existing shop building on the project site. The applicant also proposes to develop nine parking stalls for employee and customer parking, install a six-foot-tall chain-link fencing and two vehicle gates at the front of the property, as well as plant vines and a hedge around the existing shop area, proposed parking stalls and along the proposed fence at the front of the project site. The project site currently has two dusk-to-dawn security lights attached to the exterior of the shop building (one light on the west elevation and one on the east elevation of the shop), and one dusk-to-dawn security light attached at the 30-foot centerline of an existing electrical pole to the north of the shop. No signage or additional lighting is proposed as part of this request.

The project will not degrade the existing visual character or quality of the site or its surroundings. Standard conditions of approval will be added to this project to address glare from any on-site lighting. A condition of approval will be added to the project requiring a building permit for the change in occupancy of the existing agricultural shop for repair and fabrication use. No adverse impacts to the existing visual character of the site or its surroundings are anticipated.

Mitigation: None.

References: Application Information; Stanislaus County Zoning Ordinance; the Stanislaus County General Plan; and Support Documentation¹.

| II. AGRICULTURE AND FOREST 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. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. -- 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) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? | | | X | |
| d) Result in the loss of forest land or conversion of forest land to non-forest use? | | | X | |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? | | | X | |

Discussion: The 8.71± acre project site is classified as “Vacant or Distributed Land” by the California Department of Conservation’s Farmland Mapping and Monitoring Program. The parcel is not currently enrolled in a Williamson Act Contract. The United States Department of Agriculture Natural Resources Conservation Service (USDA NRCS) Web Soil Survey indicates that the property is primarily comprised of Madera sandy loam (MdA), 0 to 2 percent slopes with a grade of 4 and index rating of 30. The property is also comprised of San Joaquin sandy loam (SaA), 0 to 3 percent slopes with a grade of 5 and index rating of 16. The California Revised Storie Index is a rating system based on soil properties that dictate the potential for soils to be used for irrigated agricultural production in California. This rating system grades soils with an index rating of 30 as poor and 16 as very poor. According to Goal Two, Policy 2.5, Implementation Measure 1, of the General Plan’s Agricultural Element, when defining the County’s most productive agricultural areas, it is important to recognize that soil types alone should not be the determining factor. With modern management techniques, almost any soil type in Stanislaus County can be extremely productive. Although soil types should be taken into account when determining most productive agricultural areas, the designation of "most productive agricultural areas" also should be based on existing uses and their contributions to the agricultural sector of our economy. The project site is currently planted in alfalfa and is improved with a single-family dwelling, agricultural shop building and 20,873± square-feet of asphalt around the shop building. As the site has already been improved with a single-family dwelling and shop and no new structures are proposed as part of this request, the project is not expected to lead to any significant conversion of farmland to non-agricultural use.

The project site has general plan designation of Agriculture and Zoning Destination of General Agriculture (A-2-40). Within the A-2 zoning district, the County has determined that certain uses related to agricultural production are “necessary for a healthy agricultural economy.” The County allows agriculture service establishments, which are agriculture-related commercial and industrial uses by obtaining a Tier Two Use Permit if specific criteria can be met and if specific findings can be made. Those findings include that the establishment, as proposed, will not be substantially detrimental to, or in conflict with, the agricultural use of other property in the vicinity; that the use is necessary and desirable for such establishment to be located within the agricultural area as opposed to areas zoned for commercial or industrial usage; and that it will not create a concentration of commercial and industrial uses in the vicinity. Agricultural service establishments under a Tier Two Use Permit must also serve the immediately surrounding area, or local agriculture and customers, as opposed to having a widespread service area. There are limits to the number of employees that are involved in the operation under a Tier Two Use Permit, limiting the operation to no more than 10 full-time employees, or 20 seasonal employees. In addition, the Planning Commission must find that the establishment, maintenance, and operation of the proposed use is consistent with the General Plan and will not be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood of the use and that it will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County. The business currently operates under a Home Occupation business license for mobile agricultural equipment repairs on-site at customer locations around the Central Valley. This request would allow for the fabrication of parts and repairs to be conducted within the existing 2,400± square-foot shop building on the project site. Fabrication of parts and repairs would be made for agricultural equipment such as tractors, choppers, harvesters, scrapers, shakers, bailers, disc, harrows, nut trailers and other implements used for farming and harvesting. The applicant will continue to serve agricultural customers in the Central Valley, including Stanislaus, Merced, and San Joaquin counties. The proposed hours of operation are Monday through Friday, from 6:00 a.m. to 6:00 p.m., and occasionally on weekends, from 6:00 a.m. to 2:00 p.m., under special circumstances. The applicant anticipates six employees on a maximum shift, and a maximum of two customers on-site per day. One truck trip per day for deliveries is anticipated. The surrounding area is comprised of scattered single-family dwellings, orchard, and row crops in all directions; a confined animal facility and the Stanislaus and Merced County border are to the south of the project site; and the TID Main Canal is to the west of the project site. The request is not expected to create a concentration of commercial and industrial uses in the vicinity or perpetuate any significant conversion of farmland to non-agricultural use or impact agricultural operations; all activities of the business will be conducted indoors within the existing shop. The project as proposed would be considered a Tier Two use.

The project site received irrigated water from the Turlock Irrigation District (TID), accordingly the project was referred to TID which responded with no comments regarding irrigation facilitates on the project site.

General Plan Amendment No. 2011-01 - Revised Agricultural Buffers was approved by the Board of Supervisors on December 20, 2011, to modify County requirements for buffers on agricultural projects. Low people intensive Tier One and Tier Two Uses (such as nut hulling, shelling, dehydrating, grain warehousing, and agricultural processing facilities) which do not serve the general public shall not be subject to compliance with these guidelines; however, conditions of approval consistent with these guidelines may be required as part of the project approval. The decision-making body shall have the ultimate authority to determine if a use is “low people intensive”. The proposed agricultural equipment fabrication and repair business is a Tier Two use and is not considered to be people intensive with a total of six employees on a maximum shift and a maximum of two daily customers with operations conducted entirely indoors, thus the proposed project would be consistent the agricultural buffer policy.

No forest lands exist in Stanislaus County. Therefore, this project will have no impact to forest land or timberland.

Impacts to agricultural resources are considered to be less than significant.

Mitigation: None.

References: Application Information; United States Department of Agriculture NRCS Web Soil Survey; California State Department of Conservation Farmland Mapping and Monitoring Program - Stanislaus County Farmland 2018; Referral Response from Turlock Irrigation District, dated April 1, 2022; Stanislaus County Zoning Ordinance; Stanislaus County General Plan and Support Documentation¹.

| III. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management district 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) 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? | | | X | |
| c) Expose sensitive receptors to substantial pollutant concentrations? | | | X | |
| d) Result in other emissions (such as those odors adversely affecting a substantial number of people? | | | X | |

Discussion: The proposed project is located within the San Joaquin Valley Air Basin (SJVAB) and, therefore, falls under the jurisdiction of the San Joaquin Valley Air Pollution Control District (SJVAPCD). In conjunction with the Stanislaus Council of Governments (StanCOG), the SJVAPCD is responsible for formulating and implementing air pollution control strategies. The SJVAPCD’s most recent air quality plans are the 2007 PM10 (respirable particulate matter) Maintenance Plan, the 2008 PM2.5 (fine particulate matter) Plan, and the 2007 Ozone Plan. These plans establish a comprehensive air pollution control program leading to the attainment of state and federal air quality standards in the SJVAB, which has been classified as “extreme non-attainment” for ozone, “attainment” for respirable particulate matter (PM-10), and “non-attainment” for PM 2.5, as defined by the Federal Clean Air Act.

The primary source of air 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 for vehicles and acts on issues regarding cleaner burning fuels and alternative fuel technologies. As such, the District has addressed most criteria air pollutants through basin-wide programs and policies to prevent cumulative deterioration of air quality within the basin. The proposed hours of operation for the agricultural service establishment are Monday through Friday, 6:00 a.m. to 6:00 p.m., and occasionally on weekends ,from 6:00 a.m. to 2:00 p.m., under special circumstances. The proposed business generates a total of two heavy truck trips (one delivery truck entering and leaving the site), 12 employee vehicle trips (six employees entering and exiting the site), and four customer vehicle trips (two customers entering and exiting the site) per day for a maximum of two heavy truck trips and 16 vehicle trips per day.

As required by CEQA Guidelines Section 15064.3, potential impacts regarding Air Quality should be evaluated using Vehicle Miles Traveled (VMT). Stanislaus County has currently not adopted any significance thresholds for VMT, and projects are treated on a case-by-case basis for evaluation under CEQA. However, the State of California - Office of Planning and Research (OPR) has issued guidelines regarding VMT significance under CEQA. The CEQA Guidelines identify vehicle miles traveled (VMT), which is the amount and distance of automobile travel attributable to a project, as the most appropriate measure of transportation impacts. According to the same technical advisory from OPR, projects that generate or attract fewer than 110 trips per-day generally may be assumed to cause a less-than significant transportation impact. The proposed project will not exceed the screening criteria for VMT analysis with a total of two heavy truck trips (inbound and outbound trips for one truck), and a maximum of 16 vehicle trips per day (anticipated inbound and outbound trips by employees and customers). As this is below the District’s threshold of significance for vehicle and heavy truck trips, no significant impacts from vehicle and truck trips to air quality are anticipated.

No construction is proposed; however, should future construction occur as a result of this project, construction activities associated with new development can temporarily increase localized PM10, PM2.5, volatile organic compound (VOC), nitrogen oxides (NOX), sulfur oxides (SOX), and carbon monoxide (CO) concentrations within a project’s vicinity. The primary source of construction-related CO, SOX, VOC, and NOX emission is gasoline and diesel powered, heavy-duty mobile construction equipment. Primary sources of PM10 and PM2.5 emissions are generally clearing and demolition activities, grading operations, construction vehicle traffic on unpaved ground, and wind blowing over exposed surfaces. Future construction activities associated with the proposed project may require use of heavy-duty construction equipment. However, all construction activities would occur in compliance with all SJVAPCD regulations; therefore, construction emissions would be less than significant without mitigation.

The District's Small Project Analysis Level (SPAL) guidance identifies thresholds of significance for criteria pollutant emissions, which are based on the District's New Source Review (NSR) offset requirements for stationary sources. The District has pre-qualified emissions and determined a size below, which is reasonable to conclude that a project would not exceed applicable thresholds of significance for criteria pollutants. Any project falling below the thresholds identified by the District are deemed to have a less than significant impact on air quality due to criteria pollutant emissions. The District's threshold of significance for industrial projects is identified as 1,506 additional trips per day. As mentioned previously, the project has the potential to generate a total of sixteen employee and customer vehicle trips (inbound and outbound trips), and a total of two heavy-truck trips per day (inbound and outbound). As this is below the District's threshold of significance, no significant impacts to air quality resulting from stationary sources are anticipated.

During the Early Consultation circulated for this request from March 25, 2022 – April 11, 2022, the applicant proposed to develop the agricultural service establishment in two phases with the construction of a new 4,800± square-foot shop proposed as the second phase of the project. A comment was received from SJVAPCD in response to the Early Consultation prepared for the original proposed project indicating that construction and operation-related emissions for the project would have a less than significant impact on air quality and are not expected to exceed any of the District's annual emissions significant thresholds, including: 100 tons per-year of carbon monoxide (CO), ten tons per-year of oxides of nitrogen (NOx), ten tons per-year of reactive organic gases (ROG), 27 tons per-year of oxides of sulfur (SOx), 15 tons per-year of particulate matter of ten microns or less in size (PM10), or 15 tons per-year of particulate matter of 2.5 microns or less in size (PM2.5); however, the District recommended that an Ambient Air Quality Analysis (AAQA) be included if emissions of any pollutant exceeds 100 pounds per day, and that an Air Impact Assessment (AIA) application be submitted prior to issuance of a building permit in compliance with Rule 9510 (Indirect Source Review). Additionally, the project may be subject to the following District Rules: District Rule 2010 and 2201 (Air Quality Permitting for Stationary Sources), Rule 4002 (National Emissions Standards for Hazardous Air Pollutants), Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 Nuisance, Rules 4601 Architectural Coatings, and Rule 4641 Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations. The SJVAPCD later clarified in an email received on June 1, 2022, that the project is below the District Rule 9510, Section 2.2 applicability threshold of 25,000 square-feet for a light industrial development; therefore, District Rule 9510 requirements and related fees for the AIA application do not apply to the project. The Air District further clarified in an email dated February 22, 2023, that no emission calculation is needed, and no ambient air quality analysis (AAQA) is required as the project falls below the Indirect Source Review (ISR) applicable thresholds of significance for criteria pollutant emissions. Projects below the ISR applicability thresholds are not expected to violate any air quality standards or contribute substantially to an existing or projected air quality violation and will not exceed the thresholds of significance for ambient air quality. Following the Early Consultation, the applicant revised their project description removing the request for the second phase of development for the construction of the new 4,800± square-foot shop building. The current project will utilize the existing shop building on-site; as mentioned previously, no new construction is proposed under the current request; however, a building permit will be required in order change the occupancy of the agricultural shop to fabrication of parts and repair use. In order to address the Air District's comments, a condition of approval will be placed on the project requiring that the applicant contact the Air District and be in compliance with all of the District's applicable rules and regulations prior to issuance of a building permit.

The closest sensitive receptor to the project site is a house located to the northeast on the property adjacent to the project site, approximately .11 miles to the northeast of the existing shop building, and therefore not expected to be impacted by the project activities as all fabrication and repairs will be conducted within the shop. Additionally, odors are not expected to impact off-site receptors, as no construction is proposed.

As the project must comply with District regulations, the project's emissions would be less than significant for all criteria pollutants, would not be inconsistent with any applicable air quality attainment plans, and would result in less than significant impacts to air quality.

Mitigation: None.

References: Application Information; San Joaquin Valley Air Pollution Control District - Regulation VIII Fugitive Dust/PM-10 Synopsis; www.valleyair.org; Response from San Joaquin Valley Air Pollution Control District, received April 11, 2022; Email Response from San Joaquin Valley Air Pollution Control District, received June 1, 2022; San Joaquin Valley Air Pollution Control District's Small Project Analysis Level (SPAL) Guidance, November 13, 2020; Governor's Office of Planning and Research Technical Advisory, December 2018; and the Stanislaus County General Plan and Support Documentation¹.

| 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 U.S. Fish and Wildlife Service? | | | X | |
| c) Have a substantial adverse effect on state or federally protected wetlands (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: The project is located within the Turlock Quad of the California Natural Diversity Database (CNDDDB). There are four animals/fish, one insect, and three reptiles which are state or federally listed, threatened or identified as species of special concern or a candidate of special concern within the Turlock California Natural Diversity Database Quad. These species include the Swainson’s hawk, tricolored blackbird, least Bell’s vireo, steelhead – Central Valley DPS, Crotch bumble bee, Northern California legless lizard, western pond turtle, and coast horned lizard. There are no reported sightings of any of the aforementioned species on the project site or the surrounding area. There is a very low likelihood that these species are present on the project site as the site has been improved with a single-family dwelling, shop building and 20,872± square-feet of asphalt as well as the balance of the property being disturbed for crops.

An Early Consultation was referred to the California Department of Fish and Wildlife (formerly the Department of Fish and Game) and no response was received. The project will not conflict with a Habitat Conservation Plan, a Natural Community Conservation Plan, or other locally approved conservation plans. Impacts to endangered species or habitats, locally designated species, or wildlife dispersal or mitigation corridors are considered to be less than significant.

Mitigation: None.

References: Application Information; California Department of Fish and Wildlife’s Natural Diversity Database Quad Species List; California Natural Diversity Database, Planning and Community Development GIS, accessed February 13, 2023; Stanislaus County General Plan and Support Documentation.¹

| 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 pursuant to in § 15064.5? | | | X | |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5? | | | X | |
| c) Disturb any human remains, including those interred outside of formal cemeteries? | | | X | |

Discussion: It does not appear that this project will result in significant impacts to any archaeological or cultural resources. The project site is already developed, and no new construction is proposed. The project site has already been disturbed; however, standard conditions of approval regarding the discovery of cultural resources during any future construction resulting from this request will be added to the project.

Mitigation: None.

References: Application Information; Stanislaus County General Plan and Support Documentation.¹

| VI. ENERGY -- Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-----------|
| a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? | | | X | |
| b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? | | | X | |

Discussion: The California Environmental Quality Act (CEQA) Guidelines Appendix F states that energy consuming equipment and processes, which will be used during construction or operation such as: energy requirements of the project by fuel type and end use, energy conservation equipment and design features, energy supplies that would serve the project, total estimated daily vehicle trips to be generated by the project, and the additional energy consumed per trip by mode, shall be taken into consideration when evaluating energy impacts. Additionally, the project’s compliance with applicable state or local energy legislation, policies, and standards must be considered.

No new construction is proposed; however, a change of occupancy will be required for the use of the existing shop building, which will be required to comply with Title 24, Green Building Code, which includes energy efficiency requirements. The project site currently has two dusk-to-dawn security lights attached to the exterior of the shop building (one light on the west elevation and one on the east elevation of the shop), and one dusk-to-dawn security light attached at the 30-foot centerline of an existing electrical pole to the north of the shop. No signage or additional lighting is proposed as part of this request.

Direct emissions of Greenhouse Gases (GHGs) from the operation of the proposed project are primarily due to truck trips. Therefore, the project would result in direct annual emissions of GHGs during operation. As required by California Environmental Quality Act (CEQA) Guidelines section 15064.3, potential impacts regarding Greenhouse Gas Emissions should be evaluated using Vehicle Miles Traveled (VMT). The calculation of VMT is the number of cars/trucks multiplied by the distance traveled by each car/truck. Total vehicle trips as a result of this project will not exceed 110 trips per-day. As discussed in Section III – *Air Quality*, the proposed project will generate a total of two heavy-truck trips (one heavy truck entering and exiting the site) per day, and a total of sixteen vehicle trips (six employees and two customers entering and exiting the site) per day. Additionally, the trucks are the main consumers of energy associated with this project but will be subject to applicable Air District regulations, including rules and regulations that increase energy efficiency for heavy trucks.

Consequently, emissions would be minimal. Therefore, consumption of energy resources would be less than significant without mitigation for the proposed project.

A comment letter was received from SJVAPCD in response to the Early Consultation prepared for the proposed project indicating that construction and operation-related emissions for the project would have a less than significant impact on air quality and are not expected to exceed any of the District’s annual emissions significant thresholds, including: 100 tons per-year of carbon monoxide (CO), ten tons per-year of oxides of nitrogen (NOx), ten tons per-year of reactive organic gases (ROG), 27 tons per-year of oxides of sulfur (SOx), 15 tons per-year of particulate matter of ten microns or less in size (PM10), or 15 tons per-year of particulate matter of 2.5 microns or less in size (PM2.5). As discussed in Section III – *Air Quality*, the Air District confirmed that the project will not require further analysis under an AIA or AAQA as the project will not exceed Indirect Source Review (ISR) applicable thresholds of significance for criteria pollutant emissions. Projects below the ISR applicability thresholds are not expected to violate any air quality standards or contribute substantially to an existing or projected air quality violation and will not exceed the thresholds of significance for ambient air quality. The project may be subject to the following District Rules: District Rule 2010 and 2201 (Air Quality Permitting for Stationary Sources), Rule 4002 (National Emissions Standards for Hazardous Air Pollutants), Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 Nuisance, Rules 4601 Architectural Coatings, and Rule 4641 Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations. In order to address the Air District’s comments, a condition of approval will be placed on the project requiring that the applicant contact the Air District and be in compliance with the District’s rules and regulations prior to issuance of a building permit. As the project must comply with District regulations, the project would result in less than significant impacts to energy.

A response was received from the Turlock Irrigation District (TID) for the project requiring any development that will impact electrical facilities will be required to meet the District’s standards. Additionally, the District has requested the applicant contact the District for any new electrical service or panel upgrades. Any facility changes for any pole or electrical facility relocation will be at the developer’s expense. Conditions of approval reflecting TID’s comments will be added to the project.

It does not appear that this project will result in significant impacts to the wasteful, inefficient, or unnecessary consumption of energy resources. Accordingly, the potential impacts to Energy are considered to be less than significant.

Mitigation: None.

References: Application Information; CEQA Guidelines; Response received from the Turlock Irrigation District, received April 1, 2022; San Joaquin Valley Air Pollution Control District – Regulation VIII Fugitive Dust/PM-10 Synopsis; www.valleyair.org; Governor’s Office of Planning and Research Technical Advisory, December 2018; Response from San Joaquin Valley Air Pollution Control District, received April 11, 2022; Email Response from San Joaquin Valley Air Pollution Control District, received June 1, 2022; Email Response from San Joaquin Valley Air Pollution Control District, received February 22, 2023; Title 16 of County Code; CA Building Code; Stanislaus County Zoning Ordinance (Title 21); Stanislaus County General Plan and Support Documentation.¹

| VII. GEOLOGY AND SOILS -- Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
| a) Directly or indirectly cause 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 direct or indirect 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 | |
| f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | | | X | |

Discussion: As mentioned in Section II - *Agriculture and Forest Resources*, the United States Department of Agriculture Natural Resources Conservation Service (USDA NRCS) Web Soil Survey indicates that the property is primarily comprised of Madera sandy loam (MdA), as well as San Joaquin sandy loam (SaA). As contained in Chapter Five of the General Plan Support Documentation, the areas of the County subject to significant geologic hazard are located in the Diablo Range, west of Interstate 5; however, as per the California Building Code, all of Stanislaus County is located within a geologic hazard zone (Seismic Design Category D, E, or F) and a soils test may be required at building permit application. Results from the soils test will determine if unstable or expansive soils are present. If such soils are present, special engineering of the structure will be required to compensate for the soil deficiency.

No new construction is proposed; however, any future structures resulting from this project will be required to be designed and built according to building standards appropriate to withstand shaking for the area in which they are constructed. An Early Consultation referral response received from the Department of Public Works indicated that a grading, drainage, and erosion/sediment control plan for the project shall be submitted for any building permit that will create a larger or smaller building footprint subject to Public Works review and Standards and Specifications, as well as the submittal of a Storm Water Pollution Prevention Plan (SWPPP) prior to the approval of any grading plan.

A condition of approval will be added to the project to ensure this requirement is met prior to issuance of any building permit. Likewise, any addition or expansion of a septic tank or alternative wastewater disposal system would require the approval of the Department of Environmental Resources (DER) through the building permit process, which also takes soil type into consideration within the specific design requirements. DER, Public Works, and the Building Permits Division review and approve any building or grading permit to ensure their standards are met. Conditions of approval regarding these standards will be applied to the project and will be triggered when a building permit for a change of occupancy for the shop is applied for.

The project was referred to the Department of Environmental Resources; however, no comments regarding the on-site wastewater treatment system (OWTS) were received. Standard conditions of approval will be applied to the project requiring the applicant/developer to notify DER regarding any modifications to the on-site wastewater treatment system (OWTS) and that all modifications will be subject to review and approval by DER; and that the OWTS will be subject to review and required to upgrade to accommodate the change in wastewater flows if there is an increase to the facility’s drainage fixtures or the number of users on-site. Additionally, any new building will require a new OTWS to be designed according to DER standards and that all applicable Local Agency Management Program (LAMP) standards and required setbacks are to be met.

It does not appear that this project will result in significant impacts to any paleontological resources or unique geologic features. However, standard conditions of approval applicable to future development of the parcels regarding the discovery of such resources during the construction process will be added to the project. The project site is not located near an active fault or within a high earthquake zone. Landslides are not likely due to the flat terrain of the area.

Mitigation: None.

References: Application Information; USDA – NRCS Web Soil Survey; Referral Response from the Stanislaus County Department of Public Works dated April 25, 2022; Stanislaus County General Plan and Support Documentation.¹

| VIII. GREENHOUSE GAS EMISSIONS -- Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | | | X | |
| b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | | | X | |

Discussion: The principal Greenhouse Gasses (GHGs) are carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), sulfur hexafluoride (SF₆), perfluorocarbons (PFCs), hydrofluorocarbons (HFCs), and water vapor (H₂O). CO₂ is the reference gas for climate change because it is the predominant greenhouse gas emitted. To account for the varying warming potential of different GHGs, GHG emissions are often quantified and reported as CO₂ equivalents (CO₂e). In 2006, California passed the California Global Warming Solutions Act of 2006 (Assembly Bill [AB] No. 32), which requires the California Air Resources Board (ARB) design and implement emission limits, regulations, and other measures, such that feasible and cost-effective statewide GHG emissions are reduced to 1990 levels by 2020. Two additional bills, SB 350 and SB32, were passed in 2015 further amending the states Renewables Portfolio Standard (RPS) for electrical generation and amending the reduction targets to 40% of 1990 levels by 2030.

This project is a request to establish an agricultural service establishment on an 8.71± acre parcel in the General Agriculture (A-2-40) zoning district. The current request would allow for fabrication of parts and repair of agricultural equipment to be conducted within the existing 2,400± square-foot shop building on the project site. The parts fabrication and repair will be for agricultural equipment such as tractors, choppers, harvesters, scrapers, shakers, bailers, disc, harrows, nut trailers and other implements used for farming and harvesting. The applicant will continue to serve agricultural customers in the Central Valley, including Stanislaus, Merced, and San Joaquin counties. The applicant anticipates six employees on one maximum shift, and a maximum of two customers on-site per day. One truck trip per day for deliveries is anticipated. No new construction is proposed as part of this request; however, a condition of approval will be placed on the project requiring the applicant to obtain a change in occupancy for the existing agricultural shop building to be used for repair and parts fabrication.

The short-term emissions of GHGs during construction, primarily composed of CO₂, CH₄, and N₂O, would be the result of fuel combustion by construction equipment and motor vehicles. The other primary GHGs (HFCs, PFCs, and SF₆) are typically associated with specific industrial sources and are not expected to be emitted by future construction at this project site. As described above in Section III - *Air Quality*, no new construction is proposed; however, should future construction occur as a result of the project, the use of heavy-duty construction equipment would be very limited; therefore, the emissions of CO₂ from future construction would be less than significant. Additionally, the construction of any future proposed buildings is subject to the mandatory planning and design, energy efficiency, water efficiency and conservation, material conservation and resources efficiency, and environmental quality measures of the California Green Building Standards (CALGreen) Code (California Code of Regulations, Title 24, Part 11). Construction activities associated with this project are considered to be less than significant as they are temporary in nature and are subject to meeting San Joaquin Valley Air Pollution Control District (SJVAPCD) standards for air quality control.

Stanislaus County has currently not adopted any significance thresholds for VMT, and projects are treated on a case-by-case basis for evaluation under CEQA. However, the State of California - Office of Planning and Research (OPR) has issued guidelines regarding VMT significance under CEQA. The CEQA Guidelines identify vehicle miles traveled (VMT), which is the amount and distance of automobile travel attributable to a project, as the most appropriate measure of transportation impacts. According to the same technical advisory from OPR, projects that generate or attract fewer than 110 trips per-day generally may be assumed to cause a less-than significant transportation impact. The proposed project will not exceed the screening criteria for VMT analysis with a total of two heavy truck trips (one heavy truck entering and exiting the site) per day, and a maximum of 16 vehicle trips per day (six employees and two customers entering and exiting the site) per day. As this is below the District’s threshold of significance for vehicle and heavy truck trips, no significant impacts from vehicle and truck trips to GHGs are anticipated.

The District’s Small Project Analysis Level (SPAL) guidance identifies thresholds of significance for criteria pollutant emissions, which are based on the District’s New Source Review (NSR) offset requirements for stationary sources. The District has pre-qualified emissions and determined a size below, which is reasonable to conclude that a project would not exceed applicable thresholds of significance for criteria pollutants. Any project falling below the thresholds identified by the District are deemed to have a less than significant impact on air quality due to criteria pollutant emissions. The District’s threshold of significance for industrial projects is identified as 1,506 additional trips per day. As mentioned previously, the project has the potential to generate a total of sixteen employee and customer vehicle trips (inbound and outbound trips), and a total of two heavy-truck trips per day (inbound and outbound). As this is below the District’s threshold of significance, no significant impacts to air quality resulting from stationary sources are anticipated.

As discussed in Section III – *Air Quality*, a comment was received from SJVAPCD in response to the Early Consultation prepared for the proposed project indicating that construction and operation-related emissions for the project would have a less than significant impact on air quality and are not expected to exceed any of the District’s annual emissions significant thresholds, including: 100 tons per-year of carbon monoxide (CO), ten tons per-year of oxides of nitrogen (NOx), ten tons per-year of reactive organic gases (ROG), 27 tons per-year of oxides of sulfur (SOx), 15 tons per-year of particulate matter of ten microns or less in size (PM10), or 15 tons per-year of particulate matter of 2.5 microns or less in size (PM2.5); however, the District recommended that an Ambient Air Quality Analysis (AAQA) be included if emissions of any pollutant exceeds 100 pounds per day, and that an Air Impact Assessment (AIA) application be submitted prior to issuance of a building permit in compliance with Rule 9510 (Indirect Source Review). The Air District confirmed that an AIA and an AAQA will not be necessary for the project as proposed. Additionally, the project may be subject to the following District Rules: District Rule 2010 and 2201 (Air Quality Permitting for Stationary Sources), Rule 4002 (National Emissions Standards for Hazardous Air Pollutants), Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 Nuisance, Rules 4601 Architectural Coatings, and Rule 4641 Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations. Following the Early Consultation, the applicant revised their project description removing the request for the second phase of development for the construction of the new 4,800± square-foot shop building. The current project will utilize the existing shop building on-site; no new construction is proposed under the current request; however, a building permit will be required in order change the occupancy of the agricultural. In order to address the Air District’s comments, a condition of approval will be placed on the project requiring that the applicant contact the Air District and be in compliance with the District’s rules and regulations prior to issuance of a building permit.

Based on project details and the conditions of approval to be placed on the project requiring that the applicant be in compliance with the District’s rules and regulations, GHG emissions are considered to be less than significant for the project.

Mitigation: None.

References: Application Information; San Joaquin Valley Air Pollution Control District Referral Response, dated April 11, 2022; Email Response from San Joaquin Valley Air Pollution Control District, received June 1, 2022; Stanislaus County General Plan and Support Documentation.¹

| IX. 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 | |

| | | | | |
|---|--|--|---|--|
| <p>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?</p> | | | X | |
| <p>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 or excessive noise for people residing or working in the project area?</p> | | | X | |
| <p>f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?</p> | | | X | |
| <p>g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?</p> | | | X | |

Discussion: The project does not interfere with the Stanislaus County Local Hazard Mitigation Plan, which identifies risks posed by disasters and identifies ways to minimize damage from those disasters. The County Department of Environmental Resources (DER) is responsible for overseeing hazardous materials. This project was referred to the Department of Environmental Resources (DER) – Hazardous Materials Division (Hazmat), which responded that the project will not have a significant effect on the environment; however, DER - Hazmat is requiring the applicant to contact the Department regarding appropriate permitting and reporting requirements for hazardous materials and/or wastes and requirements for registering as a handler of hazardous materials including submittal of a Hazardous Business Plan (HMBP) into the California Environmental reporting System (CERS) due to on-site welding for the parts fabrication and repair. The applicant is required to use, store, and dispose of any hazardous materials in accordance with all applicable federal, state, and local regulations. In response to the Early Consultation referral, the Hazardous Materials Division requested that the developer conduct a Phase I or Phase II study prior to the issuance of a grading permit. Additionally, the Hazardous Materials Division requested that they be contacted should any underground storage tanks, buried chemicals, buried refuse, or contaminated soil be discovered on-site. Following the Early Consultation, the applicant revised their project description removing the request for the second phase of development for the construction of the new 4,800± square-foot shop building. The current project will utilize the existing shop building on-site; as mentioned previously, no new construction is proposed under the current request; however, a building permit will be required in order change the occupancy of the agricultural shop to fabrication of parts and repair use. In response to the applicant’s revised request, the Hazardous Materials Division clarified in an email dated February 22, 2023, that the requirement for a Phase I or Phase II study would no longer apply to the project. DER – Hazmat’s comments will be applied to the project as conditions of approval. The project was also referred to the Environmental Review Committee (ERC), which responded with no comments. No significant impacts associated with hazards or hazardous materials are anticipated to occur as a result of the proposed project.

Pesticide exposure is a risk in areas located in the vicinity of agriculture. Sources of exposure include contaminated groundwater and drift from spray applications. Application of sprays is strictly controlled by the Agricultural Commissioner and can only be accomplished after first obtaining permits. Additionally, agricultural buffers are intended to reduce the risk of spray exposure to surrounding people.

Buffer and Setback Guidelines are applicable to new or expanding uses approved in or adjacent to the General Agriculture (A-2) zoning district and are required to be designed to physically avoid conflicts between agricultural and non-agricultural uses. General Plan Amendment No. 2011-01 – *Revised Agricultural Buffers* was approved by the Board of Supervisors on December 20, 2011, to modify County requirements for buffers on agricultural projects. As this is a Tier Two use, if not considered people intensive by the Planning Commission, the project is not subject to agricultural buffers. The proposed operation will take place entirely within the existing shop building and include a maximum of six employees and will operate Monday through Friday, from 6:00 a.m. to 6:00 p.m., and occasionally on weekends, from 6:00 a.m. to 2:00 p.m., under special circumstances. Up to one truck trip and two customer trips will occur daily. The project was referred to the Stanislaus County Agricultural Commissioner, and no comments have been received to date. Therefore, staff believes the project can be considered low people intensive, thus not subject to the County’s Agricultural Buffer requirements.

The project site is not listed on the EnviroStor database managed by the CA Department of Toxic Substances Control. The site is located in a Local Responsibility Area (LRA) for fire protection and is served by Denair Fire Protection District. The

project was referred to the District, and no comments have been received to date. The project site is not within the vicinity of any airstrip or wildlands.

No significant impacts associated with hazards or hazardous materials are anticipated to occur as a result of the proposed project.

Mitigation: None.

References: Application Information; Referral Response received from Stanislaus County Department of Environmental Resources – Hazardous Materials Division, dated April 6, 2022; Email received from Stanislaus County Department of Environmental Resources – Hazardous Materials Division, dated February 22, 2023; Department of Toxic Substances Control's data management system (EnviroStar); Referral Response received from Stanislaus Environmental Review Committee, dated April 6, 2022; Stanislaus Zoning Ordinance (Title 21); Stanislaus County General Plan and Support Documentation.¹

| X. 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 or otherwise substantially degrade surface or ground water quality? | | | X | |
| b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? | | | 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 or through the addition of impervious surfaces, in a manner which would: | | | | |
| i) result in substantial erosion or siltation on- or off-site; | | | X | |
| ii) substantially increase the rate of amount of surface runoff in a manner which would result in flooding on- or off-site. | | | X | |
| iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or | | | X | |
| iv) impede or redirect flood flows? | | | X | |
| d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? | | | X | |
| e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? | | | X | |

Discussion: Areas subject to flooding have been identified in accordance with the Federal Emergency Management Act (FEMA). The project site is located in FEMA Flood Zone X, which includes areas determined to be outside the 0.2% annual chance floodplains. The project proposes to handle stormwater drainage overland. A referral response received from the Department of Public Works indicated that a grading, drainage, and erosion/sediment control plan for the project shall be submitted for any building permit that will create a larger or smaller building footprint subject to Public Works review and Standards and Specifications, as well as the submittal of a Storm Water Pollution Prevention Plan (SWPPP) prior to the approval of any grading plan. The project proposes to use an existing agricultural shop building. The submittal of the grading, drainage, erosion/sediment control plan and SWPPP will be made conditions of approval for this project prior to issuance of a building permit should future construction occur on-site as a result of this request. Accordingly, runoff

associated with the construction at the proposed project site will be reviewed as part of the grading review process and be required to be maintained on-site. Additionally, any construction will be reviewed under the Building Permit process and must be reviewed and approved by DER and adhere to current Local Agency Management Program (LAMP) standards. LAMP standards include minimum setback from wells to prevent negative impacts to groundwater quality. An existing domestic well will be used for the project; no additional connection points or heavy water use is expected beyond the existing restroom located within the shop. However, any future new wells are to be constructed on-site, they will be subject to review under the County's Well Permitting Program, which will determine whether a new well will require environmental review.

The Sustainable Groundwater Management Act (SGMA) was passed in 2014 with the goal of ensuring the long-term sustainable management of California's groundwater resources. SGMA requires agencies throughout California to meet certain requirements including forming Groundwater Sustainability Agencies (GSA), developing Groundwater Sustainability Plans (GSP), and achieving balanced groundwater levels within 20 years. The site is located in the West Turlock Subbasin GSA. The East Turlock Subbasin GSA and West Turlock Subbasin GSA collaboratively developed one GSP to manage groundwater sustainably through at least 2042. The GSAs adopted the Turlock Subbasin GSP on January 6, 2022 and submitted the GSP to the California Department of Water Resources (DWR) on January 28, 2022. DWR has until the end of 2024 to review the plan. Currently, the GSAs are preparing for GSP implementation.

The California Safe Drinking Water Act (California Health and Safety Code (CHSC) Section 116275(h)) defines a Public Water System as a system for the provision of water for human consumption through pipes or other constructed conveyances that has 15 or more service connections or regularly serves at least 25 individuals daily at least 60 days out of the year. A public water system includes the following:

1. Any collection, treatment, storage, and distribution facilities under control of the operator of the system that are used primarily in connection with the system.
2. Any collection or pretreatment storage facilities not under the control of the operator that are used primarily in connection with the system.
3. Any water system that treats water on behalf of one or more public water systems for the purpose of rendering it safe for human consumption.

A referral response received from DER indicated that the private well on the project site does not currently meet the definition of a Public Water System as defined in California Health and Safety Code Section 116275(h). However, the applicant will be required to contact DER if the water system ever meets the definition of a public water system. This requirement will be added as a condition of approval for the project. If the existing well is ever required to become a Public Water System, the applicant must submit an application for a water supply permit with the associated technical report to Stanislaus County DER which will determine if the well water meets State mandated standards for water quality and must also obtain concurrence from the State of California Water Resources Control Board (SWRCB), Drinking Water Division, in accordance to CHSC Section 116527 (SB1263). If the well water does not meet State standards, the applicant may need to either drill a new well or install a water treatment system for the current well. This requirement will be added as a condition of approval for the project.

The project site is located within Turlock Irrigation District (TID) boundaries and receives irrigation water from TID; accordingly, the project was referred to TID which responded with no comments regarding irrigation facilitates on the project site.

The project was referred to Regional Water; however, no response was received.

As a result of the conditions of approval required for this project, impacts associated with drainage, water quality, and runoff are expected to have a less than significant impact.

Mitigation: None.

References: Application Information; Referral Response received from Stanislaus County Public Works, dated April 25, 2022; Local Agency Management Program (LAMP) for Stanislaus County DER; Sustainable Groundwater Management Act; Stanislaus County Code Title 9 Chapter 9.37 Groundwater; West Turlock Subbasin Groundwater Sustainability Agency and East Turlock Subbasin Groundwater Sustainability Agency GSAs; Email Response received from Stanislaus County

Department of Environmental Resources, dated April 27, 2022; Referral Response received from Turlock Irrigation District, dated April 1, 2022; Stanislaus County Code; Stanislaus County General Plan and Support Documentation.¹

| XI. 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) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? | | | X | |

Discussion: The project site is designated Agriculture by the Stanislaus County General Plan land use diagrams and zoned General Agriculture (A-2-40). This request proposes to operate an agricultural equipment fabrication and repair business in an existing 2,400± square-foot shop, which requires obtaining a Tier Two use permit. The business currently operates under a Home Occupation business license for mobile agricultural equipment repairs on-site at customer location around the Central Valley. In addition to utilizing the existing 2,400± square-foot shop, the applicant proposes to develop nine parking stalls for employee and customer parking, install a six-foot-tall chain-link fencing and two vehicle gates at the front of the property, and plant vines and a hedge around the existing shop area, proposed parking stalls and along the proposed fence at the front of the project site. The site is currently improved with a 3,328± square-foot single-family dwelling, a 2,400± square-foot shop consisting of a restroom, office, and storage area, 20,873± square-feet of asphalt around the shop building. The balance of the property is currently planted in alfalfa and receives irrigation water from the Turlock Irrigation District. An existing four-foot-tall, barbed wire fence runs along the perimeter of the project site. No construction is proposed as part of this project; however, the applicant will be required to obtain a building permit to change the use of occupancy for the existing agricultural storage building for parts fabrication and repair use.

The project site has general plan designation of Agriculture and Zoning Destination of General Agriculture (A-2-40). Within the A-2 zoning district, the County has determined that certain uses related to agricultural production are “necessary for a healthy agricultural economy.” The County allows agriculture service establishments, which are agriculture-related commercial and industrial uses by obtaining a Tier Two Use Permit if specific criteria can be met and if specific findings can be made. Those findings include that the establishment, as proposed, will not be substantially detrimental to, or in conflict with, the agricultural use of other property in the vicinity; that the use is necessary and desirable for such establishment to be located within the agricultural area as opposed to areas zoned for commercial or industrial usage; and that it will not create a concentration of commercial and industrial uses in the vicinity. Agricultural service establishments under a Tier Two Use Permit must also serve the immediately surrounding area, or local agriculture and customers, as opposed to having a widespread service area. There are limits to the number of employees that are involved in the operation under a Tier Two Use Permit, limiting the operation to no more than 10 full-time employees, or 20 seasonal employees. In addition, the Planning Commission must find that the establishment, maintenance, and operation of the proposed use is consistent with the General Plan and will not be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood of the use and that it will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County. The business currently operates under a Home Occupation business license for mobile agricultural equipment repairs on-site at customer locations around the Central Valley. This request would allow for the fabrication of parts and repairs to be conducted within the existing 2,400± square foot shop building on the project site. Fabrication of parts and repairs would be made for agricultural equipment such as tractors, choppers, harvesters, scrapers, shakers, bailers, disc, harrows, nut trailers and other implements used for farming and harvesting. The applicant will continue to serve agricultural customers in the Central Valley, including Stanislaus, Merced, and San Joaquin counties. The proposed hours of operation are Monday through Friday, from 6:00 a.m. to 6:00 p.m., and occasionally on weekends, from 6:00 a.m. to 2:00 p.m., under special circumstances. The applicant anticipates six employees on a maximum shift, and a maximum of two customers on-site per day. One truck trip per day for deliveries is anticipated. The surrounding area is comprised of scattered single-family dwellings, orchard, and row crops in all directions; a confined animal facility and the Stanislaus and Merced County border are to the south of the project site; and the TID Main Canal is to the west of the project site. The request is not expected to create a concentration of commercial and industrial uses in the vicinity or perpetuate any significant conversion of farmland to non-agricultural use or impact agricultural operations; all activities of the business will be conducted indoors within the existing shop. The project as proposed would be considered a Tier Two use.

General Plan Amendment No. 2011-01 - Revised Agricultural Buffers was approved by the Board of Supervisors on December 20, 2011, to modify County requirements for buffers on agricultural projects. Low people intensive Tier One and Tier Two Uses (such as nut hulling, shelling, dehydrating, grain warehousing, and agricultural processing facilities) which do not serve the general public shall not be subject to compliance with these guidelines; however, conditions of approval consistent with these guidelines may be required as part of the project approval. The decision-making body shall have the ultimate authority to determine if a use is "low people intensive". The proposed agricultural equipment fabrication and repair business is a Tier Two use and is not considered to be people intensive with a total of six employees on a maximum shift and a maximum of two daily customers with operations conducted entirely indoors, thus the proposed project would be consistent the agricultural buffer policy.

The proposed project is located within the boundaries of the Denair Municipal Advisory Council (MAC). Accordingly, the project was referred to the Denair MAC as an Early Consultation referral; no comments related to the project were received from the MAC. In accordance with the MAC's preference, the project will be presented as part of the 30-day referral for this Initial Study in order for the MAC to make a recommendation regarding the project at of their regularly scheduled monthly meetings.

The project will not physically divide an established community nor conflict with any habitat conservation plans.

Mitigation: None.

References: Application Information; Stanislaus County Zoning Ordinance (Title 21); Stanislaus County General Plan and Support Documentation.¹

| XII. 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 on the site, nor is the project site located in a geological area known to produce resources.

Mitigation: None.

References: Application Information; Stanislaus County General Plan and Support Documentation.¹

| XIII. NOISE -- Would the project result in: | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
|--|---------------------------------------|---|-------------------------------------|------------------|
| a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | | | X | |
| b) Generation of excessive groundborne vibration or groundborne noise levels? | | | X | |

| | | | | |
|--|--|--|----------|--|
| <p>c) For a project located within the vicinity of a private airstrip or 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?</p> | | | <p>X</p> | |
|--|--|--|----------|--|

Discussion: The proposed project shall comply with the noise standards included in the General Plan and Noise Control Ordinance. The area surrounding the project site consists of scattered single-family dwellings, orchards, and row crops in all directions; a confined animal facility and the Stanislaus and Merced County border are to the south of the project site, and the TID Main Canal is to the west of the project site. The Stanislaus County General Plan identifies noise levels up to 55 dB Ldn (or CNEL) as the normally acceptable level of noise for residential uses. The nearest residence to the project site is approximately .11 miles to the northeast, separated by the unplanted field behind the existing shop on the project site. The site itself is impacted by traffic generated on County Highway J17 (East Avenue) and South Vincent Road. Stanislaus County General Plan identifies noise levels up to 75 dB Ldn (or CNEL) as the normally acceptable level of noise for industrial and agricultural uses. Additionally, agricultural activity is exempt from the Stanislaus County Noise Control Ordinance (Ord. CS 1070 §2, 2010). No construction is proposed as part of this request. If future construction occurs, on-site grading and construction resulting from this project may result in a temporary increase in the area’s ambient noise levels; however, noise impacts associated with on-site activities and traffic are not anticipated to exceed the normally acceptable level of noise. Moreover, proposed operating hours are year-round from 6:00 a.m. to 6:00 p.m. daily, and occasionally on weekends, from 6:00 a.m. to 2:00 p.m., under special circumstances with the majority of the fabrication of parts and repairs taking place indoors within the existing 2,400± square-foot shop building on-site.

The site is not located within an airport land use plan. Noise impacts associated with the proposed project are considered to be less than significant.

Mitigation: None.

References: Application Information; Stanislaus County Noise Control Ordinance (Title 10); Stanislaus County General Plan and Support Documentation.¹

| XIV. POPULATION AND HOUSING -- Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
| <p>a) Induce substantial unplanned 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)?</p> | | | <p>X</p> | |
| <p>b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?</p> | | | <p>X</p> | |

Discussion: The site is not included in the vacant sites inventory for the 2016 Stanislaus County Housing Element, which covers the 5th cycle Regional Housing Needs Allocation (RHNA) for the County and will therefore not impact the County’s ability to meet their RHNA. No population growth will be induced, nor will any existing housing be displaced as a result of this project.

Mitigation: None.

References: Application Information; Stanislaus County General Plan and Support Documentation.¹

| XV. PUBLIC SERVICES -- | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-----------|
| a) Would the project result in the 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 Fire Facility Fees on behalf of the appropriate fire district, to address impacts to public services. School Districts also have their own adopted fees. All facility fees are required to be paid at the time of building permit issuance.

The project site receives irrigated water from the Turlock Irrigation District (TID); accordingly, the project was referred to TID which responded with no comments regarding irrigation facilities on the project site. TID also commented that any development that will impact electrical facilities will be required to meet the District’s standards. Additionally, the District has requested the applicant contact the District for any new electrical service or panel upgrades. Any facility changes for any pole or electrical facility relocation will be at the developer’s expense. Conditions of approval reflecting TID’s comments will be added to the project.

The project was referred to the appropriate public service agencies, as well as the Stanislaus County Environmental Review Committee (ERC). The ERC provided a response with no comments on the project.

Mitigation: None.

References: Application Information; Referral Response received from Turlock Irrigation District, dated April 1, 2022; Referral Response received from Stanislaus County Environmental Review Committee, dated April 6, 2022; Stanislaus County General Plan and Support Documentation.¹

| XVI. 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: This project will not increase demands for recreational facilities, as such impacts typically are associated with residential development.

Mitigation: None.

References: Application Information; Stanislaus County General Plan and Support Documentation.¹

| XVII. TRANSPORTATION -- Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
| a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities? | | | X | |
| b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)? | | | X | |
| c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | | | X | |
| d) Result in inadequate emergency access? | | | X | |

Discussion: The project proposes to establish an agricultural equipment fabrication and repair business in an existing 2,400± square-foot shop on an 8.71± acre parcel. The business currently operates under a Home Occupation business license for mobile agricultural equipment repairs on-site at customer locations around the Central Valley. This request would allow for the fabrication of parts and repairs to be conducted within the existing shop building on the project site. Fabrication of parts and repairs would be made for agricultural equipment such as tractors, choppers, harvesters, scrapers, shakers, bailers, disc, harrows, nut trailers and other implements used for farming and harvesting. The applicant will continue to serve agricultural customers in the Central Valley, including Stanislaus, Merced, and San Joaquin counties. The applicant proposes to develop nine parking stalls for employee and customer parking. The proposed hours of operation are Monday through Friday, from 6:00 a.m. to 6:00 p.m., and occasionally on weekends, from 6:00 a.m. to 2:00 p.m., under special circumstances.

Potential impacts to transportation from the proposed project are also evaluated by Vehicle Miles Traveled (VMT). The calculation of VMT is the number of cars/trucks multiplied by the distance traveled by each car/truck. California Environment Quality Act (CEQA) Guidelines Section 15064.3, subdivision (a), defines VMT as the amount and distance of automobile travel attributable to a project. A technical advisory on evaluating transportation impacts in CEQA published by the Governor’s Office of Planning and Research (OPR) in December of 2018 clarified the definition of automobiles as referring to on-road passenger vehicles, specifically cars and light trucks. While heavy trucks are not considered in the definition of automobiles for which VMT is calculated for, heavy-duty truck VMT could be included for modeling convenience. According to the same OPR technical advisory, many local agencies have developed a screening threshold of VMT to indicate when detailed analysis is needed. Absent substantial evidence indicating that a project would generate a potentially significant level of VMT, or inconsistency with a Sustainable Communities Strategy (SCS) or general plan, projects that generate or attract fewer than 110 trips per day generally may be assumed to cause a less than significant transportation impact. The proposed project will generate a low amount of vehicle trips with one truck trip per-day, for a total of two heavy-truck trips (inbound and outbound trips for one truck), and a maximum of 16 vehicle trips per-day (anticipated inbound and outbound trips by employees and customers). As this is below the threshold of significance for vehicle and heavy truck trips, no significant impacts from vehicle and truck trips to transportation are anticipated.

The project will receive access via South Vincent Road, a County-maintained road identified as a 60-foot-wide Minor Collector. It is not anticipated that the project would substantially affect the level of service on South Vincent Road. The required half-width of South Vincent Road is 30-feet east of the centerline of the roadway. The existing right of way is 25-feet south of the centerline. The project was referred to Public Works, and a referral response was received requiring that the remaining five-feet east of the centerline of Vincent Road be dedicated as an Irrevocable Offer of Dedication (IOD). The IOD for Vincent Road and any other IOD requirements will be added as condition of approval for the project. At the intersection of South Vincent Road and East Avenue a right-of-way chord will be required to be dedicated as an Irrevocable Offer of Dedication. Public Works has also requested that the storage depth outside of any gate shall be adequate for trucks coming off the road. The entry vehicles shall not block any travel lane or shoulder. If the storage depth is inadequate, it may require that the fence be moved further into the property, or a deceleration lane be installed. In addition to the aforementioned comments, Public Works provided standard conditions of approval requiring that no parking, loading or unloading of vehicles will be permitted within the County road right-of-way; that an encroachment permit be obtained for any work done in the Stanislaus County Road right-of-way; that the developer will be required to install or pay for the

installation of any signs and/or markings, if warranted; and that all driveways be installed as per Stanislaus County Public Work Standards and Specifications. All of Public Works' comments will be added to the project as conditions of approval.

All development on-site requiring a building permit for new construction will be required to pay applicable County public facility fees (PFF) fees, which will be utilized for maintenance and traffic congestion improvements to all County roadways.

The proposed project is not anticipated to conflict with any transportation program, plan, ordinance or policy.

Mitigation: None.

References: Application Information; Referral Response from Department of Public Works, April 25, 2022; Stanislaus County General Plan and Support Documentation.¹

| XVIII. TRIBAL 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 tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California native American tribe, and that is: | | | | |
| i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or | | | X | |
| ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set for the in subdivision (c) of Public Resource Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. | | | X | |

Discussion: It does not appear that this project will result in significant impacts to any archaeological or cultural resources. The project site consists of a 3,328± square-foot single-family dwelling, a 2,400± square-foot shop consisting of a restroom, office, and storage area, 20,873± square-feet of asphalt around the shop building. In accordance with SB 18 and AB 52, this project was not referred to the tribes listed with the Native American Heritage Commission (NAHC) as the project is not a General Plan Amendment and no tribes have requested consultation or project referral noticing. A condition of approval regarding the discovery of cultural resources during the construction process will be added to the project.

Mitigation: None.

References: Application Information; Stanislaus County General Plan and Support Documentation.¹

| XIX. UTILITIES AND SERVICE SYSTEMS -- Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
| a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? | | | X | |
| b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years? | | | X | |
| c) 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 | |
| d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? | | | X | |
| e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste? | | | X | |

Discussion: Limitations on providing services have not been identified. The project proposes to utilize an existing private well and existing private septic facilities. The Department of Public Works provided a referral response stating that a grading, drainage, and erosion/sediment control plan for the project shall be submitted for any building permit that will create a larger or smaller building footprint. A Storm Water Pollution Prevention Plan (SWPPP) will be required for future construction prior to the approval of any grading permit. These comments will be applied as conditions of approval. There are no additional wells proposed as part of this request. As discussed in Section X – *Hydrology and Water Quality*, DER confirmed that the private well on the project site does not currently meet the definition of a Public Water System as defined in California Health and Safety Code Section 116275(h). However, DER requested that the applicant contacts DER if the water system ever meets the definition of a public water system. If the existing well is ever required to become a Public Water System, the applicant will be subject to the process and regulations for a Public Water System as discussed in detail in Section X – *Hydrology and Water Quality*. These requirements will be added to the project as conditions of approval. Standard conditions of approval regarding any modifications of the on-site wastewater treatment system (OWTS) and that the existing OWTS will be subject to further review if an increase in the number of users (people on-site) or drainage fixtures occurs; and that all applicable County Local Agency Management Program (LAMP) standards and required setbacks be met will be applied to the project as conditions of approval.

The project site receives irrigated water from the Turlock Irrigation District (TID); accordingly, the project was referred to TID which responded with no comments regarding irrigation facilitates on the project site. TID also commented that any development that will impact electrical facilities will be required to meet the District's standards. Additionally, the District has requested the applicant contact the District for any new electrical service or panel upgrades. Any facility changes for any pole or electrical facility relocation will be at the developer's expense. Conditions of approval reflecting TID's comments will be added to the project.

The project was referred to Regional Water; however, no response was received to date.

The project is not anticipated to have a significant impact to utilities and service systems.

Mitigation: None.

References: Application Information; Referral Response received from Stanislaus County Department of Public Works, dated April 25, 2022; Email Response received from Stanislaus County Department of Environmental Resources, dated April 27, 2022; Referral Response received from the Turlock Irrigation District, dated April 2, 2022; Stanislaus County General Plan and Support Documentation.¹

| XX. WILDFIRE – If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
| a) Substantially impair an adopted emergency response plan or emergency evacuation plan? | | | X | |
| b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? | | | X | |
| c) Require the installation of maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? | | | X | |
| d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? | | | X | |

Discussion: The Stanislaus County Local Hazard Mitigation Plan identifies risks posed by disasters and identifies ways to minimize damage from those disasters. The terrain of the site is relatively flat, and the site has access to a County maintained road, South Vincent Road. The site is located in a Local Responsibility Area (LRA) for fire protection and is served by Denair Fire Protection District. The project was referred to the District, and no comments have been received to date. California Building and Fire Code establishes minimum standards for the protection of life and property by increasing the ability of a building to resist intrusion of flame and burning embers. A building permit to change the occupancy use of the existing agricultural shop for parts fabrication and repair use will be required as a condition of approval for the project and will be reviewed by the County’s Building Permits Division and Fire Prevention Bureau to ensure all State of California Building and Fire Code requirements are met prior to issuance of a certificate of occupancy for the building.

Wildfire risk and risks associated with postfire land changes are considered to be less than significant.

Mitigation: None.

References: Application Information; Stanislaus County General Plan and Support Documentation.¹

| XXI. 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 substantially 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, substantially 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: The 8.71± acre project site is designated Agriculture by the Stanislaus County General Plan land use diagrams and zoned General Agriculture (A-2-40). This request is for the operation of an agricultural equipment fabrication and repair business. The proposed use is agricultural in nature and serves the agricultural community. The property is primarily comprised of Madera sandy loam (MdA), 0 to 2 percent slopes with a grade of 4 and index rating of 30. The property is also comprised of San Joaquin sandy loam (SaA), 0 to 3 percent slopes with a grade of 5 and index rating of 16; the project site is considered “Vacant or Distributed Land” by the California Department of Conservation’s Farmland Mapping and Monitoring Program. The parcel is not currently enrolled under a Williamson Act contract. The requested use will not be located on one of the County’s “most productive” agricultural areas, thus it is not considered Prime Farmland. The proposed project will not convert any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agriculture use.

The project will not conflict with a Habitat Conservation Plan, a Natural Community Conservation Plan, or other locally approved conservation plans. Impacts to endangered species or habitats, locally designated species, or wildlife dispersal or mitigation corridors are considered to be less than significant.

It does not appear that this project will result in significant impacts to any archaeological or cultural resources. The project site is already developed, and no new construction is proposed. The project site has already been disturbed. Standard conditions of approval regarding the discovery of cultural resources during any future construction resulting from this request will be added to the project.

The project will not physically divide an established community. The surrounding area is composed of scattered single-family dwellings, orchard, and row crops in all directions; a confined animal facility and the Stanislaus and Merced County border to the south, and the TID Main Canal to the west. Any development of the surrounding area would be subject to the permitted uses of the A-2 Zoning District or would require additional land use entitlements and environmental review.

The proposed project will generate a low amount of vehicle trips with a total of two heavy-truck trips (entering and exiting the site) per day, and a maximum of 16 vehicle trips (six employees and two customers entering and exiting the site) per day. As this is below the threshold of significance for vehicle and heavy truck trips as discussed in Section XVII - *Transportation*, no significant impacts from vehicle and truck trips to transportation are anticipated.

Review of this project has not indicated any features which might significantly impact the environmental quality of the site and/or the surrounding area.

Mitigation: None.

References: Initial Study; Stanislaus County General Plan and Support Documentation.¹

¹Stanislaus County General Plan and Support Documentation adopted in August 23, 2016, as amended. **Housing Element** adopted on April 5, 2016.



NEGATIVE DECLARATION

NAME OF PROJECT: Use Permit Application No. PLN2022-0017 – Bentlines Design and Fabrication, LLC

LOCATION OF PROJECT: 112 South Vincent Road, between East Avenue and the Stanislaus and Merced County border, in the Turlock area.

PROJECT DEVELOPERS: Derek Alvernaz and Heather Alvernaz, Bentlines Design and Fabrication, LLC.
2930 Geer Road PMB 251, Turlock, CA 95382

DESCRIPTION OF PROJECT: Request to operate an agricultural equipment fabrication and repair business in an existing 2,400± square-foot shop on an 8.71± acre parcel, in the General Agriculture (A-2-40) zoning district.

Based upon the Initial Study, dated **March 10, 2023**, 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 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: Emily Basnight, Assistant Planner

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

SUMMARY OF RESPONSES FOR ENVIRONMENTAL REVIEW REFERRALS

PROJECT: USE PERMIT APPLICATION NO. PLN2022-0017 - BENTLINES DESIGN AND FABRICATION, LLC

| REFERRED TO: | RESPONDED | | | RESPONSE | | | MITIGATION MEASURES | | CONDITIONS | | | |
|---|-----------|--------|-----------------------|----------|----|----------------------------------|-----------------------------|---------------------|------------|----|-----|----|
| | 2 WK | 30 DAY | PUBLIC HEARING NOTICE | YES | NO | WILL NOT HAVE SIGNIFICANT IMPACT | MAY HAVE SIGNIFICANT IMPACT | NO COMMENT NON CEQA | YES | NO | YES | NO |
| CA DEPT OF FISH & WILDLIFE | X | X | X | | X | | | | | | | |
| CA OPR STATE CLEARING HOUSE | X | X | X | | X | | | | | | | |
| STATE OF CA SWRBC - DIV OF DRINKING WATER DIST: 10 | X | X | X | | X | | | | | | | |
| CA RWQCB CENTRAL VALLEY REGION | X | X | X | | X | | | | | | | |
| CENTRAL VALLEY FLOOD PROTECTION COOPERATIVE EXTENSION | X | X | X | | X | | | | | | | |
| COUNTY OF: MERCED | X | X | X | | X | | | | | | | |
| DER GROUNDWATER RESOURCES DIVISION | X | X | X | | X | | | | | | | |
| DISPOSAL DISTRICT: TURLOCK SCAVENGER AREA 4 | | X | X | | X | | | | | | | |
| FIRE PROTECTION DIST: DENAIR | X | X | X | | X | | | | | | | |
| GSA: WEST TURLOCK SUBBASIN | X | X | X | | X | | | | | | | |
| IRRIGATION DISTRICT: TURLOCK | X | X | X | X | | | | X | | X | X | |
| MOSQUITO DISTRICT: TURLOCK | X | X | X | | X | | | | | | | |
| MT VALLEY EMERGENCY MEDICAL | X | | X | | X | | | | | | | |
| MUNICIPAL ADVISORY COUNCIL | X | X | X | X | | | | X | | X | | X |
| STANISLAUS COUNTY EMERGENCY MEDICAL SERVICES | | X | X | | X | | | | | | | |
| PACIFIC GAS & ELECTRIC | X | X | X | | X | | | | | | | |
| POST MASTER: DENAIR | X | | | | X | | | | | | | |
| RAILROAD: BURLINGTON NORTHERN SANT | X | | | | X | | | | | | | |
| SAN JOAQUIN VALLEY APCD | X | X | X | X | | | | X | | X | X | |
| SCHOOL DISTRICT 1: TURLOCK UNIFIED | X | X | X | | X | | | | | | | |
| STAN CO AG COMMISSIONER | X | X | X | | X | | | | | | | |
| STAN CO BUILDING PERMITS DIVISION | X | X | X | | X | | | | | | | |
| STAN CO CEO | X | X | X | | X | | | | | | | |
| STAN CO DER | X | X | X | X | | | | X | | X | X | |
| STAN CO ERC | X | X | X | X | | | | X | | X | | X |
| STAN CO FARM BUREAU | X | X | X | | X | | | | | | | |
| STAN CO HAZARDOUS MATERIALS | X | X | X | X | | X | | | | X | X | |
| STAN CO PUBLIC WORKS | X | X | X | X | | | | X | | X | X | |
| STAN CO SHERIFF | X | X | X | | X | | | | | | | |
| STAN CO SUPERVISOR DIST 2: CHIESA | X | X | X | | X | | | | | | | |
| STAN COUNTY COUNSEL | X | X | X | | X | | | | | | | |
| STANCOG | X | | | | X | | | | | | | |
| STANISLAUS FIRE PREVENTION BUREAU | X | X | X | | X | | | | | | | |
| STANISLAUS LAFCO | X | X | X | | X | | | | | | | |
| TELEPHONE COMPANY: AT&T | X | X | X | | X | | | | | | | |
| US FISH & WILDLIFE | | X | X | | X | | | | | | | |
| SURROUNDING LAND OWNERS | | X | X | | X | | | | | | | |