



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

1010 10TH Street, Suite 3400, Modesto, CA 95354

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

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

December 19, 2024

MEMO TO: Stanislaus County Planning Commission

FROM: Department of Planning and Community Development

**SUBJECT: DEVELOPMENT STANDARD MODIFICATION FOR REZONE NO. 2019-0108 –
PRICE HONDA OF TURLOCK**

This is a request by the project applicant to modify the development standards for Planned Development (P-D) (360), by way of deletion of Development Standard (DS) No. 31, which requires the payment of City of Turlock fees (see Attachment A – *Applicants Request*). The DS as adopted reads as follows:

31. The developer/property owner shall pay city-wide transportation, and police and fire service impact fees prior to issuance of a building permit.

The subject project (Rezone No. 2019-0108 – *Price Honda of Turlock*) was approved by the Board of Supervisors on August 31, 2021, to allow the phased development of an auto dealership on a 5.14± acre parcel located on North Golden State Boulevard, between West Barnhart and West Taylor Roads, in the Keyes/Turlock area. Phase One allows for construction of the dealership building with a reception canopy, a service center, a car detailing building, and a paved 315-stall parking lot; with construction proposed to begin within one year of project approval. Phase Two allows a 3,375 square-foot expansion to the service bay; with construction to begin by August 2031. A detailed discussion of the project details, issues, and General Plan and Zoning consistency of the project is provided in Attachment 1 – *August 5, 2024 Planning Commission Staff Report* of Attachment B - *August 31, 2021, Board of Supervisors Agenda Report* of this report.

As allowed by the project's approved Development Schedule, the applicant has obtained three staff approval permits extending the start date for construction of Phase One from one year of project approval, August 31, 2022, to no later than August 31, 2025. The staff approval permit also allowed for a minor modification to the approved facility's layout to meet manufacturer requirements for dealerships buildings. Both a grading permit application (No. GRA2023-0014) and a building permit application (No. BLD2023-01567) have been submitted to the County for processing; however, neither permit has been issued to date and grading/construction activities have not begun.

The applicant has indicated that any efforts to obtain a building permit has been paused upon learning the amount of fees needing to be paid to the City of Turlock in accordance with DS No. 31. The City of Turlock's Capital Facilities Fee (CFF), which cover project impacts to city-wide transportation (roads), and police and fire services provided by the City, have been assessed in

the amount of \$583,537.60 (see Attachment C – *Assessed City of Turlock Capital Facilities Fees for Project*).

While the project site is located outside of the Local Agency Formation Commission's (LAFCO) adopted Sphere of Influence (SOI) of the City of Turlock, it is located within one mile of the City's SOI and within the City's General Plan study area. As such, in accordance with the County's General Plan Land Use Element Policy 27, the project was referred to the City of Turlock. Policy 27 specifies that the County shall consider applying city development standards to discretionary projects located within one mile of a city's adopted SOI boundary and within the city's adopted general plan area to the extent such standards are appropriate for the type of development. The policy encourages joint County and city cooperation in establishing land use and development standards along all major County defined gateways to cities; however, under the policy, the County reserves the right for final discretionary action.

In response to the project referral, the City of Turlock requested that the following development standards be applied to the project:

- That future expansion of the site shall be subject to City review;
- That road frontage improvements be made along North Golden State Boulevard;
- That an encroachment permit be obtained for connection to the City's sewer and/or water lines;
- That the site and drainage basins be landscaped to City standards;
- That a sand/oil interceptor be installed in waste disposal lines;
- That all signage meet City standards; and
- That the applicant pay City transportation, and police and fire service impact fees (i.e. (CFF) prior to issuance of a building permit.

Due to the project site being situated along North Golden State Boulevard and considered a northern gateway into the City of Turlock, and due to the project's proposed connection to the City's sewer and water lines, it was determined by staff that application of the City's requested development standards would be appropriate. At that time, the City had not provided an estimate of the fees that would be applied and the applicant did not object to the development standards being applied to the project. Ultimately, the Board of Supervisors adopted all of the City of Turlock's requested development standards with the exception of those related to signage.

Prior to approval of P-D (360) by the County on August 31, 2021, the applicant was required to work with the City of Turlock to terminate a development restrictive easement held by the City limiting the use of the property. As part of the easement termination, a City/County tax sharing agreement was approved by the Board of Supervisors on October 27, 2020. The major elements of the North Golden State Boulevard Sales Tax Sharing Agreement revolve around three goals:

1. Agreement on a revenue sharing formula for all existing and future uses at the Price Honda property (APN 045-053-038). The County will split 50% of the Local Jurisdiction share of the sales tax revenue with the City.

2. Establishing the City as the provider of water and wastewater services for both the Price Ford and Price Honda properties. The City shall extend water and wastewater services to the frontage of both the Price Ford and Price Honda properties conditioned upon the property owner executing an out of boundary service agreement with the City and the out of boundary service extension is approved by LAFCO (which has since taken place).
3. Dedicating sales tax revenue generated from the Price Honda property (APN 045-053 038) for the planning, design, and construction of the Taylor Road Interchange at State Highway 99. The County and City each agree to set aside Five Hundred Thousand Dollars (\$500,000) in an interest-bearing fiduciary fund over a 10-year period from their respective shares of sales tax revenues generated by the Price Honda property for a cumulative amount of One Million Dollars (\$1,000,000) as seed funding for the planning and development of improvements that may be required for the Taylor Road Interchange at State Highway 99. In order to ensure that sales tax revenue generation occurs as contemplated in the agreement, the County and City agree to meet and confer in the fifth (5th) year to examine revenue receipts.

The agreement was executed on December 1, 2020 and the terms of the agreement are effective for 20 years. Further, the agreement will be automatically extended four times with each extension extending the term an additional five years. The agreement may be terminated sooner either by annexation of the subject properties or by mutual agreement.

On December 12, 2024, the City of Turlock submitted a letter opposing the applicant's request to remove DS No. 31 (see Attachment D – *Letter from the City of Turlock, dated December 12, 2024*). The City of Turlock's opposition is based on a belief that the Initial Study and Negative Declaration prepared for the project mandated payment of the City's CFF. The City of Turlock's letter speaks to arguments made by the applicant to support the City charging a lower fee, including use of a traffic study prepared for the Best RV Center project (a project located near the subject project site, on the west side of State Route 99). In response to the arguments, the City of Turlock requested that the applicant complete a project specific traffic study, which they state the applicant rejected. The City of Turlock's letter also speaks to efforts to reduce the CFF by obtaining a more detailed description of the building to see if the structure could be categorized by multiple use types, such as office, storage, or automobile shop, rather than being charged at a 100% retail commercial use rate. The City of Turlock claims that discussions on how to work out a reduced fee, that still had a reasonable relationship to development impacts, ceased with the applicant's submittal to the County requesting to remove DS No. 31. The City of Turlock's position is that CFF is based on a rate study establishing the nexus, or relationship, between the proposed use(s) and development impacts and impacts to the City will not be addressed by its share of sales tax from the tax sharing agreement.

County staff is in disagreement with the City of Turlock's position that payment of CFF is in response to potential impacts needing to be mitigated. The Traffic and Transportation Section of the Initial Study identified all of the potential impacts associated with the project to be less than significant impacts. The following is an excerpt from the Traffic and Transportation Section of the project Initial Study which can be found in Exhibit E, of Attachment 1, of Attachment B:

"This project was referred to the Department of Public Works, City of Turlock, and the California Department of Transportation (Caltrans), all of which had no

comments related to impacts to traffic from the proposed project. The Department of Public Works stated the proposed project will be required to install frontage improvements including curb, gutter, sidewalks, concrete median, lighting, and extension of a south-bound dedicated turn lane as well as a financial guarantee deposit for the street improvements installation along the road frontage. Public Works also requested the property annex into the Golden State Lighting District, and pay all fees associated for the annexation into the district prior to the final of any building or grading permit, whichever comes first. The annexation shall be completed prior to the final/occupancy of any building permit associated with this project. The comments received from Public Works will be applied to the project as development standards.

As stated in Section Fifteen XV - Public Services, the County has adopted Public Facilities Fees, to address impacts to public services. Fees paid on behalf of the proposed dealership will be utilized for improvements to existing County Road networks affected by the project. Therefore, impacts to traffic are anticipated to be less than significant for the proposed project."

The Land Use and Planning Section of the Initial Study speaks to the payment of CFF in the context of the County's General Plan Policy 27 and not as mitigation to a potentially significant environmental impact.

In addition to the Best RV Center cited in the City of Turlock's letter, the issue with payment of CFF fees also come up recently as part of the Pattar Trucking project. The following is an overview of both projects:

1. Rezone (REZ) No. PLN2017-0098 - *Best RV Center* – This request to rezone eight parcels to allow for expansion of an existing recreational vehicle (RV) sales business was approved by the Board of Supervisors on August 11, 2020 and subsequently amended on October 17, 2024. The project site is located at 5340 Taylor Court, outside of the City of Turlock's LAFCO-adopted SOI but within the City's General Plan study area. During project review, due to the nature, scale, and quantity of vehicle trips associated with the request, the City of Turlock requested that the applicant prepare a traffic impact analysis (TIA) to assess impacts on the City's road network, and pay applicable CFF, which would include transportation and police and fire fees. The TIA prepared for the project found that the Taylor Road and State Route 99 interchange, located in the City of Turlock, would be impacted by the project and would warrant payment of a fair share contribution towards improvements to the intersection. A mitigation measure requiring this fair-share payment was adopted with the project approval, assessed at \$143,978.83. CFF were not applied to the project as a development standard. Although payment of CFF was requested by the City of Turlock, the TIA did not identify its payment as necessary to offset environmental impacts. Further, staff believed that with existing mutual aid agreements in place to cover fire and police services, and with traffic impacts having been mitigated through fair-share payment towards the future Taylor Road/State Route 99 interchange improvements, that no additional impacts from the proposed project on City of Turlock services existed warranting the payment of the CFF.

2. REZ Application No. PLN2021-0052 - *Pattar Trucking* – This application to rezone a 10-acre parcel to P-D to permit an 80-space commercial tractor-trailer parking facility is scheduled to be considered by the Board of Supervisors on December 17, 2024. While the project has received a recommendation of denial by the Planning Commission, the environmental assessment and draft development standards, to be applied if the project is approved, address similar issues related to the payment of CFF. The project site is located at 4325 West Taylor Road, immediately southwest of the City of Turlock. This project is also located outside of the City of Turlock's SOI but within their General Plan study area. As with *Best RV Center*, the City of Turlock requested that the applicant prepare a TIA to assess impacts on the City's road network and pay CFF. The TIA prepared for the project found project-specific impacts to the Taylor Road/State Route 99 interchange which would warrant payment of a fair share contribution to intersection improvements. Project approval will require adoption of a mitigation measure requiring a fair-share payment of \$111,484.00 towards the improvements to the intersection. If approved, staff has recommended the City of Turlock's CFF not be applied to the project since transportation impacts do not warrant CFF based on the applicant's payment of the fair-share TIA fee; however, the Board has the discretion to amend the draft development standards as desired and could apply payment of CFF.

For both *Best RV Center* and *Pattar Trucking*, County staff agreed with the City of Turlock in requiring that TIA's be prepared to assess project-related impacts of their associated traffic on local roadways due to the scale and nature of the businesses. The TIAs prepared for both projects determined that there would be impacts on the Taylor Road/State Route 99 interchange and fair-share contributions to offset those impacts was identified. Conversely, a TIA was not requested for Price Honda of Turlock, nor was any indication of impacts identified during project review from the Stanislaus County Department of Public Works, State Department of Transportation (Caltrans), or the City of Turlock. Accordingly, the project was determined to fall below local and statewide thresholds of significance and a negative declaration was adopted for the project. County Public Works does not believe that a TIA is warranted due to the project being classified as locally serving retail. Public Works has also screened out the need for a TIA based on the project not triggering Vehicle Miles Traveled (VMT) impacts, which is the current threshold of significance for transportation impacts under the California Environmental Quality Act (CEQA). Additionally, Public Works does not believe that the payment of CFF is warranted due to the project site's location outside of the City of Turlock's CFF boundary that was adopted for the Capital Facilities Fee Nexus Study prepared in 2013.

Consistent with development standards applied to other projects located outside of the City of Turlock's LAFCO-adopted SOI but within their General Plan area, staff from both the County's Planning and Public Works departments supports deletion of DS No. 31, thus eliminating the need for the project to pay City of Turlock CFF. Both the applicant and County staff question the nexus the City of Turlock has drawn between the proposed development and the broad application of City-wide fees needed to offset impacts to City services, being that the applicant is required to make improvements to North Golden State Boulevard, the recorded tax sharing agreement provisions, and the existing mutual aid agreements covering impacts to police and fire services.

ENVIRONMENTAL REVIEW

Under California law, a request for modification of a development standard of a project that previously was subject to review under the California Environmental Quality Act (CEQA) may be exempt from CEQA or may be evaluated under the provisions that may trigger subsequent or supplemental CEQA review (under Public Resources Code Section 21166 and CEQA Guidelines Section 15162). A Negative Declaration was adopted for the project on August 21, 2021. In order to trigger additional review, a new significant environmental effect not previously evaluated must be identified.

As discussed above, the City of Turlock's referral response incorrectly indicates that the requirement for CFF fees to be paid was incorporated into the environmental review prepared for the project in order to bring potential transportation impacts to a less than significant level. Payment of CFF was not incorporated into the Initial Study prepared for the project as mitigation, nor was it considered as a factor for reducing transportation impacts to a less than significant level. The requirement for payment of CFF was incorporated into the project as a typical development standard, at the request of a local agency, rather than as a mitigation measure needed to mitigate potential transportation impacts.

Because the requirement to pay CFF to the City of Turlock was not applied to the project in order to mitigate a potential impact, removal of the requirement will not create any new significant environmental effects and additional environmental review is not required for approval of the subject request. Accordingly, a Notice of Exemption is proposed to be filed should the subject request be approved by the Planning Commission.

RECOMMENDATION

Staff recommends the Planning Commission approve the subject request and take the following actions:

1. Approve the deletion of Development Standard No. 31 from P-D 360 (Rezone No. PLN2019-0108 – Price Honda of Turlock), as reflected in Attachment E – *Draft Modification of Development Standards for P-D 360*.
2. Find that no new significant environmental impacts have been identified; and
3. Order the filing of a Notice of Exemption with the Stanislaus County Clerk-Recorder's Office pursuant to CEQA Guidelines Section 15061.

PROPERTY OWNER AND REPRESENTATIVE INFORMATION

Applicant:	James Figurell, Price Honda of Turlock
Property Owner:	Golden State PFT Properties, LLC (James Figurell)
Agent:	Romano, Newman-Romano

Contact Person:	Kristen Anaya, Senior Planner, (209) 525-6330
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Attachments:

- Attachment A - Applicant's Request
- Attachment B - August 31, 2021, Board of Supervisors Agenda Report
- Attachment C - Assessed City of Turlock Capital Facility Fees for Project
- Attachment D - Letter from the City of Turlock, dated December 12, 2024
- Attachment E - Draft Modification of Development Standards for P-D 360
- Attachment F - Notice of Exemption
- Attachment G - Environmental Review Referrals, Request to Modify Project Development Standard
- Attachment H - Levine Act Disclosure Statement

NEWMAN~ROMANO

A California Limited Liability Company

1034 12th Street
Modesto, California 95354
Phone: (209) 521-9521
Fax: (209) 521-4968

October 22, 2024

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

Via Hand Delivery

Re: **Price Honda (PD-360) – Development Standard Modification**

Dear Angela:

With this letter, I am submitting an application for an amendment to Price Honda (PD-360) to remove Development Standard No. 31, which requires the payment of City of Turlock transportation, police and fire impact fees prior to issuance of a building permit. Enclosed herewith you will find a completed application and a check in the amount of \$3,131 as the application fee.

Upon your receipt and initial review of this information, please contact me if you have any questions, or need any additional information. Thank you in advance for your consideration.

David O. Romano, P.E.

DOR/krn
Enclosures
CC: Client



ATTACHMENT A

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

DEPT: Planning and Community Development

BOARD AGENDA: 7.1
AGENDA DATE: August 31, 2021

SUBJECT:

Conduct a Public Hearing to Consider the Planning Commission's Recommendation of Approval for Rezone Application No. PLN2019-0108 - Price Honda, a Request to Rezone a 5.14 Acre Parcel from Expired Planned Development (P-D) (209), to a New P-D to Allow for Development of an Auto Dealership in Two Phases, Located on North Golden State Boulevard, between West Barnhart and West Taylor Roads, in the Keyes/Turlock Area, and Adoption of a Negative Declaration

BOARD ACTION AS FOLLOWS:

RESOLUTION NO. 2021-0415

On motion of Supervisor Withrow Seconded by Supervisor B. Condit
and approved by the following vote,

Ayes: Supervisors: B. Condit, Withrow, Grewal, C. Condit, and Chairman Chiesa

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

4) _____ Other:

MOTION:

INTRODUCED, WAIVED THE READING, AND ADOPTED ORDINANCE C.S. 1309

ATTEST: Kelly Rodriguez
KELLY RODRIGUEZ, Assistant Clerk of the Board of Supervisors

File No. ORD-57-K-1
ATTACHMENT B

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
AGENDA ITEM

DEPT: Planning and Community Development

BOARD AGENDA:7.1
AGENDA DATE: August 31, 2021

CONSENT ☐

CEO CONCURRENCE: YES

4/5 Vote Required: No

SUBJECT:

Conduct a Public Hearing to Consider the Planning Commission's Recommendation of Approval for Rezone Application No. PLN2019-0108 - Price Honda, a Request to Rezone a 5.14 Acre Parcel from Expired Planned Development (P-D) (209), to a New P-D to Allow for Development of an Auto Dealership in Two Phases, Located on North Golden State Boulevard, between West Barnhart and West Taylor Roads, in the Keyes/Turlock Area, and Adoption of a Negative Declaration

STAFF RECOMMENDATION:

1. Conduct a public hearing to consider the Planning Commission's recommendation of approval of Rezone application number PLN2019-0108 - Price Honda, a request to rezone a 5.14 acre parcel from expired Planned Development (P-D) (209), to a new P-D to allow for development of an auto dealership in two phases, located at on North Golden State Boulevard, between West Barnhart and West Taylor Roads, in the Keyes/Turlock Area.
2. 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.
3. Order the filing of a Notice of Determination with the Stanislaus County Clerk Recorder's Office pursuant to Public Resources Code Section 21152 and CEQA Guidelines Section 15075.
4. Find, based on the discussion in this report, and the whole of the record that:
 - a. The project is consistent with the overall goals and policies of the County General Plan.
 - b. The proposed Planned Development zoning is consistent with the Planned Development General Plan designation.
 - c. The alternative to the Agricultural Buffer Standards applied to this project provides equal or greater protection than the existing buffer standards.
 - d. The project will increase activities in and around the project area, and increase demands for roads and services, thereby requiring improvements.

5. Approve Rezone application number PLN2019 – 0108 - Price Honda of Turlock, subject to the attached Development Standards and with approval of the revised site plan and building elevations provided in Attachment 5 of this report.
6. Introduce, waive the reading, and adopt an ordinance for the approved Rezone application number PLN2019 – 0108 - Price Honda of Turlock.

DISCUSSION:

This is a request to rezone a 5.14 acre parcel from expired Planned Development (P-D) (209), to a new P-D to allow for development of an auto dealership in two phases.

Phase 1 will include the construction of a 35-foot-tall, two story, 29,300 square-foot auto dealership building. The building will include areas for a showroom, parts storage, offices, and service areas. Phase 1 will also consist of construction of a 2,048 square-foot reception canopy attached to the main dealership, a 2,100 square-foot express service center, and 1,500 square-foot car detail building. Phase 2 proposes a 3,375 square-foot expansion to the service bay. The site will also be fully paved and developed with perimeter landscaping and an eight-foot-tall masonry wall on the northern property line. The project will be served by the City of Turlock for public water and sanitary sewer through an Out of Boundary Service agreement requiring approval by the Local Agency Formation Commission (LAFCO).

A detailed project description, and maps of the project, as well as a detailed discussion of the general plan and zoning consistency, and the environmental review conducted for the project, can be found in the Planning Commission Staff Report (see Attachment 1 – *August 5, 2021 Planning Commission Staff Report*).

The August 5, 2021 Planning Commission Staff Report provides a discussion of three issues identified during the review of the project: easement restricting use/tax share agreement, compatibility to residential development, and City of Turlock Standards and Signage.

The project site was encumbered with a development restriction easement held by the City of Turlock and entered into by a former property owner in December 1996, which restricted use of the site for automotive uses until 2033. During project review, the City determined that the terms and conditions of the easement deed are no longer in the interest of either the City or the current property owner; consequently, executed as of March 24, 2021, the City filed a quitclaim/termination of the restriction easement. The termination of the easement was proceeded by the adoption of a City/County tax sharing agreement, which included a 50% split of sales tax revenue generated by the project, secured public water and sewer services from the City of Turlock to the proposed project and the adjacent Price Ford Auto Dealership, and dedicated portions of the sale tax generated by the proposed project to any future planning, design, and construction of the Taylor Road interchange at SR 99. The tax sharing agreement was adopted by the Board on October 27, 2020.

The project site is adjacent to a mobile home park and ranchettes, with single family residential development, to the north. The applicant has designed the buildings with no openings to the north and has proposed landscaping and an eight-foot-tall masonry wall along the northern property line to separate the commercial use from the adjoining

residential uses, ensuring compatibility is maintained between the proposed commercial use and residential uses. A development standard was also incorporated into the project prohibiting use of any Public Announcement (PA) system as an additional measure to maintain compatibility between the uses.

Following release of the Planning Commission Staff Report, six letters of opposition were received (see Attachment 3 – *August 5, 2021 Planning Commission Correspondence*). The Planning Commission considered these letters as part of the public hearing. The letters were generally received from residents along Barnhart Road, north of the project site. The six letters described a range of issues with the existing Price Ford Dealership; from use of the vacant project site as well as issues related to the operation. Issues included generation of dust and noise from employee parking and vehicle deliveries, light spillage onto adjacent residences, and speeding down Barnhart Road by employees and customers on test drives. Further discussion of these concerns and responses to those concerns are provided later in this report.

The applicant has proposed a 65-foot-tall pole sign, a 17-foot-tall monument sign, a five-foot-tall directional sign, and wall-mounted signage, which are proposed to display the company's logo (see Exhibit B-10 of Attachment 1 – *August 5, 2021 Planning Commission Staff Report*). In accordance with Policy 27 of the County's Land Use Element of the General Plan, which requires development subject to discretionary approval, located outside a Local Agency Formation Commission (LAFCO) adopted Sphere of Influence (SOI) of a city, but within one mile of a city's LAFCO adopted SOI, and within a city's adopted general plan area, to be referred out to the city for consideration.

While Policy 27 requires the County to consider applying city development standards to the extent such standards are appropriate for the type of development and encourages joint County city cooperation in establishing land use and development standards along all major County defined gateway to cities, the County reserves the right for final discretionary action.

This project is located within one mile of the City of Turlock's LAFCO adopted SOI and inside of their General Plan study area, which designates the site as Urban Reserve. The site is also considered by the County to be located within the northern gateway into the City of Turlock. As such, this project was referred to the City of Turlock who responded with a request that the project comply with City's standards such as, landscaping, signage, storage of hazardous materials, filtration for stormwater runoff, pavement of drive aisles, and payment of City-wide impact fees. The City has also requested the applicant obtain an encroachment permit for the water and sewer connection, as well as pay the appropriate connection fees. Lastly, the City requested to review any future expansion of the project site prior to approval. Consistent with action taken on other projects in the area, staff included the City's request for City standards in the project's development standards; including a sign standard which would not allow for the applicant's proposed 65-foot-tall pole sign.

The City of Turlock indicated that the proposed signage would not be consistent with the City's standards for a freeway sign as it requires a 20 acre threshold and minimum frontage width requirements not met by this project. Understanding that in some cases automobile manufacturers require specific onsite signage and that failure to secure such signage could result in the dealership not being allowed to sell that brand of vehicle and

that signs exceeding the City's current sign standards can be found on other existing uses along N. Golden State Boulevard, between Taylor Road and the project site, staff identified for the Planning Commission an option allowing for approval of the applicant's signage as proposed. As discussed in Attachment 1, the striking of Development Standard number 36, would leave approval of any signage under the County's jurisdiction, as stipulated by Development Standard number 13, thus allowing County staff to permit the applicant's proposed sign plan.

The Planning Commission considered this item at a public hearing on August 5, 2021. After the conclusion of staff's presentation, Commissioner Willerup inquired as to the speed limit along Barnhart Road. Public Works' staff in attendance stated that the speed limit is 55 miles per hour, like most rural roads, which was confirmed by a neighbor later in the meeting. Commissioner Buehner asked if the proposed development standards for lighting could be applied to the existing Price Ford Dealership. Staff stated that development standards from the proposed dealership cannot be extended to the existing dealership, but there may have been previous development standards related to lighting that could be utilized to fix any glare issues. Commissioner Buehner also asked staff if the existing dealership was prohibited from using Barnhart Road, which staff confirmed there was no development standard restricting use of Barnhart for either the existing dealership. During the public hearing, the dealership stated they have an internal policy that restricts use of Barnhart Road for test drives.

Commissioner Maring asked if signage constructed for adjacent businesses, such as Peterbilt or the Ford Dealership, meet City or County standards. Staff stated that at the time of their development, the County General Plan policies would not have dictated consultation with the City of Turlock, therefore the existing 75-foot-tall Peterbilt and 45-foot-tall Ford sign would have been permitted by the County. Commissioner Willerup inquired as to why the restriction easement was placed on the property. Staff stated that they believed the previous owner had developed an auto dealership within the City of Turlock and this restriction was potentially a condition of that development. Commissioner Buehner asked if both the proposed and existing dealership would be served by both water and sewer by the City of Turlock, which staff confirmed both would be served by city services. Lastly, both Commissioner Willerup and Buehner inquired about the location of, and type of, storm drain facility being proposed. Staff explained that the proposed basin would be located on the northeast corner of the parcel and, as requested by the City of Turlock, the basin would be landscaped for stormwater purposes.

During the public hearing, one person spoke in opposition of the project and two people spoke in favor of the project. Sharon Turnbull, a resident of and owner of multiple parcels on Barnhart Road, including a mobile home park, stated she had concerns related to the proposed project due to issues with the existing Price Ford Dealership. Attachment 3 includes a letter of opposition submitted by Ms. Turnbull which was provided to the Planning Commission as correspondence during the August 5, 2021 Planning Commission meeting (See Attachment 3 – August 5, 2021 Planning Commission Correspondence). Similar to her letter, Ms. Turnbull spoke to issues regarding generation of dust from use of the vacant project site by employees and for delivery of vehicles in the middle of the night and speeding of employees and customers down Barnhart Road. Ms. Turnbull stated that Barnhart Road was not supposed to be

used for test driving per an agreement with the previous property and business owners. Additionally, Ms. Turnbull inquired about whether there would be a masonry wall, matching what has been previously developed at Price Ford, which staff confirmed it would. She also confirmed with staff that the Express Service bay would include roll up doors facing the northern property line. Ms. Turnbull then stated that she discussed the issues with the applicant prior to the opening of the August 5, 2021 Planning Commission public hearing and if test driving by employees and customers were to be restricted from the use of Barnhart Road she would not be opposed to the project. Ms. Turnbull did request some type of a Good Neighbor Policy be included into the project development standards.

The applicant, James Figurell, and the project architect, Nick Seward, both spoke in favor of the project. Mr. Seward stated that the proposed development of the site would include paving, an eight-foot-tall masonry wall, and perimeter landscaping, limiting any issues related to dust or noise. Mr. Seward, also expanded on the previous discussion related to the stormwater basin, stating the perimeter landscaping to the north would also function as a bioswale working in conjunction with a landscaped and irrigated detention basin. Mr. Figurell stated that the dealership has an internal policy not to use Barnhart Road and he would work to ensure all his employees meet that policy. Mr. Figurell also stated he would gladly setup a hotline for neighbors to reach him directly so he can be informed of any operational issues. Lastly, Mr. Figurell confirmed that both operations (Honda and Ford) would include 24-hour onsite security and that he would look into adjusting any lighting from the existing Ford Dealership to accommodate any neighbors affected by it.

During the public hearing, staff suggested that if the Commission would like to add a Good Neighbor Policy requirement to the project the following language could be included:

“Prior to issuance of any building permit, operator/property owner shall submit a written “Good Neighbor Policy” to be reviewed and approved by the Planning Department. The policy shall establish a plan to provide neighbors with contact information for the dealership and steps the dealership will take to work diligently with the neighbors to address issues.”

After the close of the public hearing, Commissioner Maring stated that he would support the striking of Development Standard number 36, removing the requirement for signage to meet City of Turlock standards. He also stated that the signage for Peterbilt and the Ford Dealership were good looking signs and that SR 99 is not a scenic setting. Commissioner Buehner agreed, stating advertising signage should attract attention. Commissioner Willerup stated he would be pleased to see more business for the community and that it appeared issues that were outlined in the letters of opposition were being addressed. Commissioner Zipser stated he was happy to see a Good Neighbor Policy be added to the project.

On a vote of 5-0, the Planning Commission recommended the Board of Supervisors approve the project with the deletion of Development Standard number 36 and the addition of a new Development Standard requiring a Good Neighbor Policy, as suggested by staff.

Following the Planning Commission meeting, the applicant has provided staff with a draft Good Neighbor Policy, which includes contact information and procedures on how the dealership will resolve neighborhood concerns (see Attachment 4 – *Draft Good Neighbor Policy*). Additionally, the applicant has provided staff with a revised site plan, which relocates and re-orientates the proposed express service center (see Attachment 5 – *Revised Site Plan and Building Elevation*). Previously, the express service center was located to the southeast of the main building, with roll up doors facing both north and south. The revised site plan will attach the express service to the northeast corner of the main building. The applicant has proposed this revision to help reduce noise generation that could impact the residences to the north, as well as provide operational efficiencies to the site layout. As with the main building, the express service center will not include roll up doors on the north side of the building. Approval of the revised site plan could be approved at a staff level, following approval of the rezone, without Planning Commission consideration. Accordingly, staff recommends the Board of Supervisors approve the project, as recommended by the Planning Commission, including the revised site plan and elevation included in Attachment 5 of this report.

After the Planning Commission meeting was held, an email was received regarding the continued generation of dust by employees of the existing dealership from a resident of the adjacent mobile home park on August 21, 2021 (see Attachment 6 – *Correspondence Received After August 5, 2021 Planning Commission Meeting*). As stated previously, once developed with asphalt, dust generation will be minimal. Additionally, the Good Neighbor Policy includes provisions for watering of the vacant parcel to reduce dust until development.

POLICY ISSUE:

In order to consider a rezone request, the Board of Supervisors must hold a public hearing. Additionally, in order to approve a rezone, it must be found to be consistent with the General Plan. In this case, the General Plan designation is Planned Development, which is consistent with the proposed Planned Development zoning designation.

FISCAL IMPACT:

Costs associated with processing the application, setting the public hearing, publishing of required notices, and conducting the hearing have been covered by the application fee deposit plus revenue from additional invoicing to reflect actual costs accrued.

BOARD OF SUPERVISORS' PRIORITY:

Approval of this action supports the Board of Supervisors' priority of *Developing a Healthy Economy* and *Delivering Efficient Public Services & Community Infrastructure* by providing a land use determination consistent with the overall goals and policies of the Stanislaus County General Plan.

STAFFING IMPACT:

Planning and Community Development Department staff is responsible for reviewing all applications, preparing all reports, and attending meetings associated with the proposed Rezone application.

CONTACT PERSON:

Angela Freitas, Planning and Community Development Director
Telephone: (209) 525-6330

ATTACHMENT(S):

1. August 5, 2021 Planning Commission Staff Report
2. August 5, 2021 Planning Commission Meeting Minutes Excerpt
3. August 5, 2021 Planning Commission Correspondence
4. Draft Good Neighbor Policy
5. Revised Site Plan and Elevations
6. Correspondence Recieved After the August 5, 2021 Planning Commission Meeting
7. Proposed Ordinance and Sectional District Map

STANISLAUS COUNTY PLANNING COMMISSION

August 5, 2021

STAFF REPORT

**REZONE APPLICATION NO. PLN2019-0108
PRICE HONDA OF TURLOCK**

REQUEST: TO REZONE A 5.14 ACRE PARCEL FROM EXPIRED PLANNED DEVELOPMENT (P-D) (209) TO A NEW P-D TO ALLOW FOR DEVELOPMENT OF AN AUTO DEALERSHIP IN TWO PHASES.

APPLICATION INFORMATION

Applicant:	James Figurell, Price Honda of Turlock
Property owner:	Clementine Properties, LLC (Brian Garcia)
Agent:	Nick Seward, NJA Architecture
Location:	North Golden State Boulevard, between West Barnhart and West Taylor Roads, in the Keyes/Turlock area.
Section, Township, Range:	32-4-10
Supervisory District:	District Two (Chiesa)
Assessor's Parcel:	045-053-038
Referrals:	See Exhibit G Environmental Review Referrals
Area of Parcel(s):	5.14±
Water Supply:	City of Turlock
Sewage Disposal:	City of Turlock
General Plan Designation:	Planned Development (P-D)
Community Plan Designation:	N/A
Existing Zoning:	Planned Development (P-D) (209)
Sphere of Influence:	N/A
Williamson Act Contract No.:	N/A
Environmental Review:	Negative Declaration
Present Land Use:	Vacant
Surrounding Land Use:	Mobile home park and ranchettes to the north; car dealership to the east; commercial development and the City of Turlock to the south; and State Route 99 and commercial development to the west.

RECOMMENDATION

Staff recommends the Planning Commission recommend that the Board of Supervisors approve this request based on the discussion below and on the whole of the record provided to the County. If the Planning Commission decides to recommend approval of this project, Exhibit A provides an overview of all the findings required for project approval.

PROJECT DESCRIPTION

The project is a request to rezone a 5.14-acre parcel from expired Planned Development (P-D) (209), to a new P-D to allow for development of an auto dealership in two phases.

Phase 1 will include the construction of a 35-foot-tall, two story, 29,300 square-foot auto dealership building. The building will include areas for a showroom, parts storage, offices, and service areas. Phase 1 will also consist of construction of a 2,048 square-foot reception canopy attached to the main dealership, a 2,100 square-foot express service center, and 1,500 square-foot car detail building (see Exhibit B-6 – *Maps, Site Plans, and Elevations*). Phase 1 is anticipated to begin construction within one year of project approval.

As part of Phase 1, the project site will be developed with a fully paved parking lot consisting of 315 parking stalls for vehicle inventory (272 stalls), employees (24 stalls) and customers (19 stalls), and landscaping that will include shade trees and groundcover, and 25-foot-tall light poles. Additionally, the perimeter of the site will be improved with a 15-foot-wide landscaping strip, which will consist of various low-water use trees, shrubs, and groundcover (see Exhibit B-7 – *Landscape Plan*). The project also proposes an on-site drainage basin, and installation of an eight-foot-tall masonry wall and dense evergreen shrubs for screening along the northern property line. Additionally, the applicant has proposed a 65-foot-tall pole sign, a 17-foot-tall monument sign, a 5-foot-tall directional sign, and wall-mounted signage, which are proposed to display the company's logo (see Exhibit B-9 & 10 – *Signage*).

Phase 2 proposes a 3,375 square-foot expansion to the service bay, which is anticipated to begin construction within 10 years of project approval (see Exhibit D – *Development Schedule*).

The project site fronts County-maintained North Golden State Boulevard and proposes to share the existing driveway with the adjacent car dealership, Price Ford. Road frontage improvements to be made along North Golden State Boulevard will include curb, gutter, and sidewalk. Additionally, the applicant will be required to extend the center line concrete median and the south-bound dedicated turn lane along the North Golden State Boulevard frontage. The project will be served by the City of Turlock for public water and sanitary sewer through an Out of Boundary Service agreement requiring approval by the Local Agency Formation Commission (LAFCO).

The applicant anticipates one shift per day consisting of 24 employees on a maximum shift, with up to 35 customers estimated per day, and one truck trip per day. The hours of operation are proposed as Monday through Saturday 7:00 a.m. to 8:00 p.m., and Sunday 10:00 a.m. to 6:00 p.m.

General Plan Amendment 93-03, Rezone 93-03, and Parcel Map 93-23 – Sanders/Patchett's Motors, adopted by the Board of Supervisors on October 26, 1993, created the subject parcel, amended the General Plan Land Use designation of the site to Planned Development, and approved the adjacent car sales business, which is currently operated as Price Ford. The proposed project site was also approved for development of an auto dealership but did not do so within the approved development schedule, thus the project site's zoning designation of P-D (209) is expired and is subject to a new rezone prior to any development. Consequently, the Price Ford dealership will be operated independently of the proposed dealership.

SITE DESCRIPTION

The site is located on North Golden State Boulevard, between West Barnhart and West Taylor Roads, in the Keyes/Turlock Area. The site is surrounded by a mobile home park and ranchettes to the north, a car dealership to the east, commercial development and the City of Turlock to the south, and State Route 99 (SR 99) and commercial development to the west.

The project site itself is primarily vacant, except for a portion of a paved driveway that will serve as shared access for both car dealerships. Additionally, the site includes a 20-foot wide Turlock Irrigation District (TID) easement that bisects the parcel, running north to south on the western portion of the site. The TID easement is used for the Lower McHenry Lazar Branch pipeline that serves parcel (APN:045-062-001), which is located west of State Route 99 (SR 99) and has previously been approved for commercial development (PLN2017-0098 – Best RV Center), and supplies a private irrigation facility which runs east to west, adjacent to the northern property line, and consists of a 30-inch pipeline that serves the ranchettes to the north of the project site (APNS: 045-053-020, 045-053-021 and 045-053-028). The pipelines are required to be reinforced to TID standards, as reflected in the Development Standards applied to the project.

ISSUES

During the review of this project, the following three issues were identified:

Easement Restricting Use/Tax Sharing Agreement

The project site was encumbered with a development restriction easement held by the City of Turlock and entered into by a former property owner in December 1996, which restricted use of the site for automotive uses until 2033. During project review, the City determined that the terms and conditions of the easement deed are no longer in the interest of either the City or the current property owner; consequently, executed as of March 24, 2021, the City filed a quitclaim/termination of the restriction easement. The termination of the easement was proceeded by the adoption of a City/County tax sharing agreement, which included a 50% split of sales tax revenue generated by the project, secured public water and sewer services from the City of Turlock to the proposed project and the adjacent Price Ford auto dealership, and dedicated portions of the sale tax generated by the proposed project to any future planning, design, and construction of the Taylor Road interchange at SR 99.

Compatibility to Residential Development

The project site is adjacent to a mobile home park and ranchettes, with single family residential development, to the north. To date, no concerns have been raised by neighboring residents regarding the project, however, to ensure compatibility between the proposed commercial use and residential uses are maintained, the applicant has designed the main showroom/service building to have no openings on the northern side. The express service center, located east of the showroom/service building, will be developed with four roll up doors on the north side of the building, however, it will be located 125 feet from the northern property line, an additional 50 feet further than the main showroom building, and will be buffered from the northern property by employee parking and storage of inventory vehicles. Phase 2 will include the expansion of the service portion of, the showroom/service building, and will also not include any openings on the northern side of the building. As proposed, the entire area along the northern parcel line will be utilized for the parking of vehicle inventory. Consequently, the applicant has proposed landscaping and an 8-foot-tall masonry wall along the northern property line to separate the

commercial use from the adjoining residential uses. Staff has incorporated a development standard prohibiting use of any Public Announcement (PA) system as an additional measure to maintain compatibility between the uses. Staff believes that with these design features and development standards, the proposed project will not be in conflict with the adjacent residential uses.

City of Turlock Standards & Signage

Policy 27 of the County's Land Use Element of the General Plan, requires development subject to discretionary approval, located outside a Local Agency Formation Commission (LAFCO) adopted Sphere of Influence (SOI) of a city, but within one mile of a city's LAFCO adopted SOI, and within a city's adopted general plan area, to be referred out to the city for consideration. However, the County reserves the right for final discretionary action. Implementation Measure Two of the Policy, requires the County to consider applying city development standards to the extent such standards are appropriate for the type of development; and Implementation Measure Three of the Policy, encourages joint County city cooperation in establishing land use and development standards along all major County defined gateway to cities. This project is located within one mile of the City of Turlock's LAFCO adopted SOI and inside of their General Plan study area. The site is also considered by the County to be located within the northern gateway into the City of Turlock. As such, this project has been referred to the City of Turlock and the County must consider applying the city's development standards. The City of Turlock has requested that the project comply with all of the City's standards, including landscaping and signage. Recent discretionary projects in the general vicinity of the project site, (PLN2017-0098 – Best RV Center and PLN2020-0073 – Elum, Inc) included development standards requiring City standards be met for any signage, which was visible from SR 99. Additionally, the City requested their standards are met for storage of hazardous materials, filtration for stormwater runoff, pavement of drive aisles, and payment of City-wide impact fees. As stated previously, the proposed project will be served by the City of Turlock for water and sewer services as part of the tax sharing agreement reached between the City and County, therefore, the city has also requested the applicant obtain an encroachment permit for the water and sewer connection as well as pay the appropriate connection fees. Lastly, the City requested to review any future expansion of the project site prior to approval. Thus, staff has included the City's request for City standards in the above areas in the project's development standards.

The applicant has proposed a 65-foot-tall pole sign, a 17-foot-tall monument sign, a 5-foot-tall directional sign, and wall-mounted signage, which are proposed to display the company's logo (see Exhibit B-9 & B-10). The applicant's proposed signage exceeds the City's size requirements for a freeway sign, as it is below the City's 20-acre threshold and minimum frontage requirements, therefore the City would not allow any pole or pylon signage. County staff supports the City's request that signage meet the City's standards; consist with the signage restrictions placed on the uses recently approved on the west side of SR 99 (Best RV Center and Elum); however, in the case of an auto dealership, staff does understand that in some cases automobile manufacturers require specific onsite signage and that failure to secure such signage could result in the dealership not being allowed to sell that brand of vehicle. While Best RV is held to City standards, they have been allowed to replace existing 56- and 34-foot-tall pole/pylon signs. Signs exceeding the City's current sign standards can be found on other existing uses along N. Golden State Boulevard, between Taylor Road and the project site. The applicant has requested that the Planning Commission support approval of the originally proposed sign plan. If the Planning Commission does decide to approve the proposed sign plan, staff recommends striking Development Standard No. 36, which would leave approval of any signage under the County's jurisdiction, as stipulated by Development Standard No. 13.

GENERAL PLAN CONSISTENCY

Consistency with the goals, objectives, and policies of the various elements of the Stanislaus County General Plan must be evaluated when processing all discretionary project requests. The project site's General Plan designation of Planned Development is intended for areas appropriate for land which, because of demonstrably unique characteristics, may be suitable for a variety of uses without detrimental effect on surrounding properties. The proposed P-D zoning district would be consistent with the General Plan designation of Planned Development.

As discussed in detail in the *Issues* section of the report, the County's General Plan Policies require consideration of applying city development standards to discretionary projects when a project is located outside a LAFCO adopted Sphere of Influence (SOI) of a city, but within one mile of a city's LAFCO adopted SOI, and within a city's adopted general plan area. Although outside the City of Turlock's SOI, the site is located within their General Plan study area. As noted in the *Issues section*, City development standards for signage, landscaping, storage of hazardous materials, filtration for stormwater runoff, pavement of drive aisles, water and sewer connections, and payment of City-wide impact fees have been incorporated into the project's development standards (see Exhibit D – *Development Standards*).

The Stanislaus County Agricultural Element includes guidelines for the implementation of agricultural buffers applicable to new and expanding non-agricultural uses within or adjacent to the A-2 zoning district. The purpose of these guidelines is to protect the long-term health of agriculture by minimizing conflicts such as spray drift and trespassing resulting from the interaction of agricultural and non-agricultural uses. People intensive outdoor uses require a 300-foot buffer, whereas, low-people intensive uses require a 150-foot buffer, between the proposed use and surrounding agriculture. Alternatives may be approved provided the Planning Commission finds that the alternative provides equal or greater protection than the existing buffer standards. Some activities such as public roadways, walking and bike trails, parking lots, and similar low-people intensive uses are permitted within the buffer area.

The project site abuts agriculturally zoned parcels to the north and is within 300 feet of agriculturally producing parcels to the east. If measured from the boundaries of the proposed buildings, the proposed project does not meet the 150-foot buffer for low-people intensive uses. The area of the project site located within the agricultural buffer area will be utilized for storage of inventory vehicles. This area used for vehicle storage is consistent with a parking lot which is a permitted use within a buffer area. The applicant has proposed to utilize the landscaping along the northern property line as an alternative agricultural buffer, consisting of an eight-foot-tall masonry wall and dense evergreen shrubs for screening along the northern property line. In addition to the buffer setback area, Buffer Guidelines require a six-foot tall fence of uniform construction be installed along the perimeter of the developed area of the use to prevent trespassing onto adjacent agricultural land. The proposed masonry wall meets the agricultural buffer requirements. Staff believes the proposed wall and landscaping would function as acceptable alternative to the Agricultural Buffer.

ZONING & SUBDIVISION ORDINANCE CONSISTENCY

The proposed rezone will replace the expired P-D (209) with a new P-D zoning designation to allow for development of an auto dealership in two phases. The new P-D will include development standards for parking, signage, landscaping, and a new development schedule.

Section 21.76.190 of the County Code states that for vehicle sales, one off street parking stall

shall be provided for each employee on a maximum shift and one customer space for every twenty vehicles for sale. The applicant has proposed 272 parking stalls to be dedicated to vehicle inventory and anticipates 24 employees on a maximum shift. Therefore, the applicant is required to provide a total of 38 parking stalls for employees and customers. With a total of 315 proposed for development, the proposed project will exceed the off-street parking requirements of the County Code.

As stated in the project description, the applicant has also proposed a 15-foot-wide landscaping strip around the perimeter of the site, which will consist of various low-water use trees, shrubs, groundcover, and installation of an eight-foot-tall masonry wall and dense evergreen shrubs for screening along the northern property line.

Lastly, the applicant has proposed a 65-foot-tall pole sign, a 17-foot-tall monument sign, a 5-foot-tall directional sign, and wall-mounted signage which are proposed to display the company's logo. As discussed in the *Issues and General Plan* Section, the City of Turlock has requested City standards be met for both landscaping and signage. Development standards have been added to ensure city standards are met prior to operation.

To approve a rezone, the Planning Commission must find that it is consistent with the General Plan. If the project is approved, the zoning designation of P-D will be consistent with the General Plan designation of P-D. Staff believes the project can make the findings required to rezone the project site, as outlined in Exhibit A of this report.

ENVIRONMENTAL REVIEW

Pursuant to the California Environmental Quality Act (CEQA), the proposed project was circulated to interested parties and responsible agencies for review and comment and no significant issues were raised. (see Exhibit G - *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 F - *Negative Declaration*). Development standards reflecting referral responses have been placed on the project (see Exhibit C - *Development Standards*).

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 **\$2,537.25** 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: Jeremy Ballard, Associate Planner, (209) 525-6330

Attachments:

- Exhibit A - Findings and Actions Required for Project Approval
- Exhibit B - Maps, Site Plans, and Elevations
- Exhibit C - Development Standards
- Exhibit D - Development Schedule
- Exhibit E - Initial Study
- Exhibit F - Negative Declaration

REZ APP. NO. PLN2019-0108

Staff Report

August 5, 2021

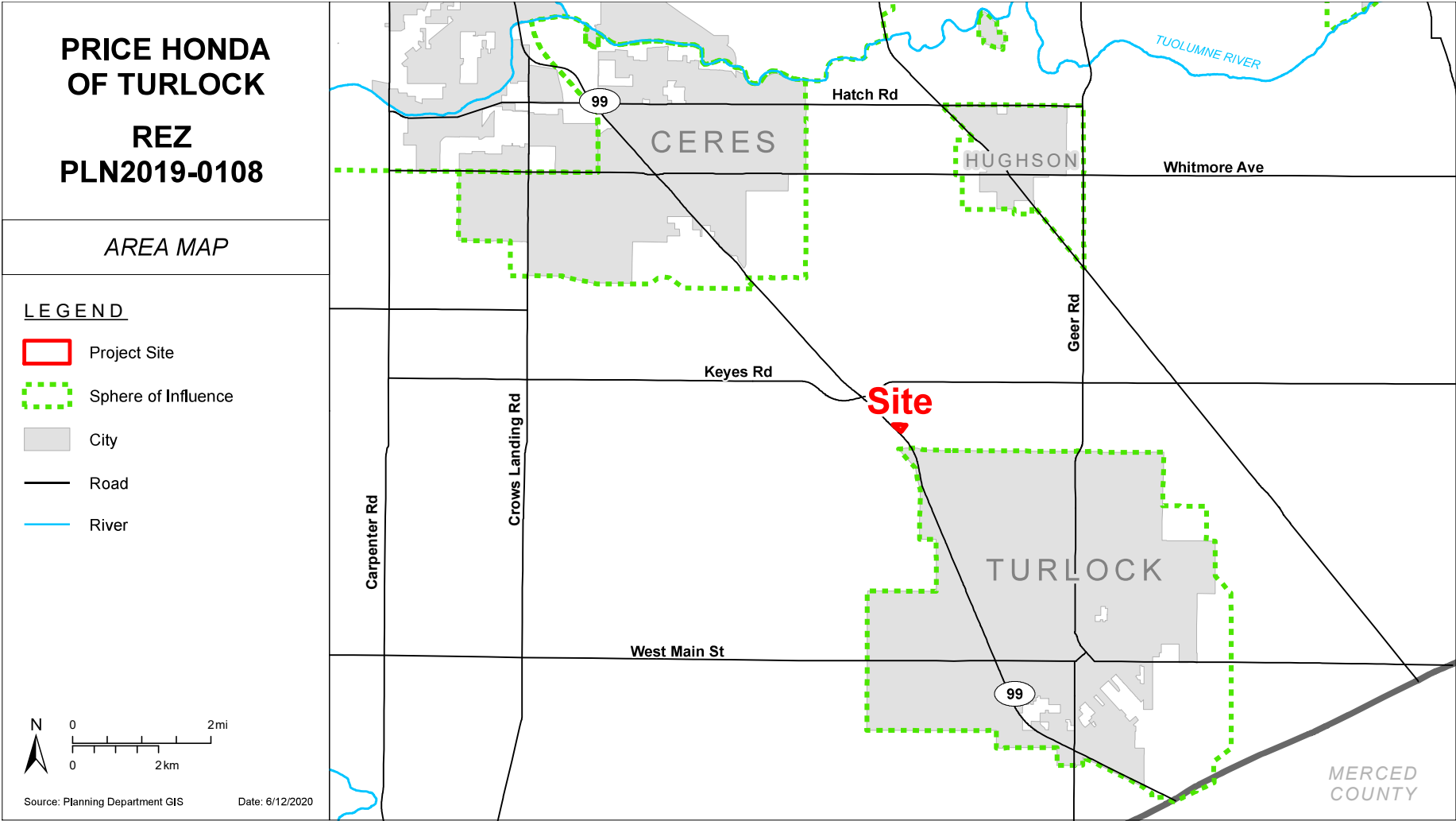
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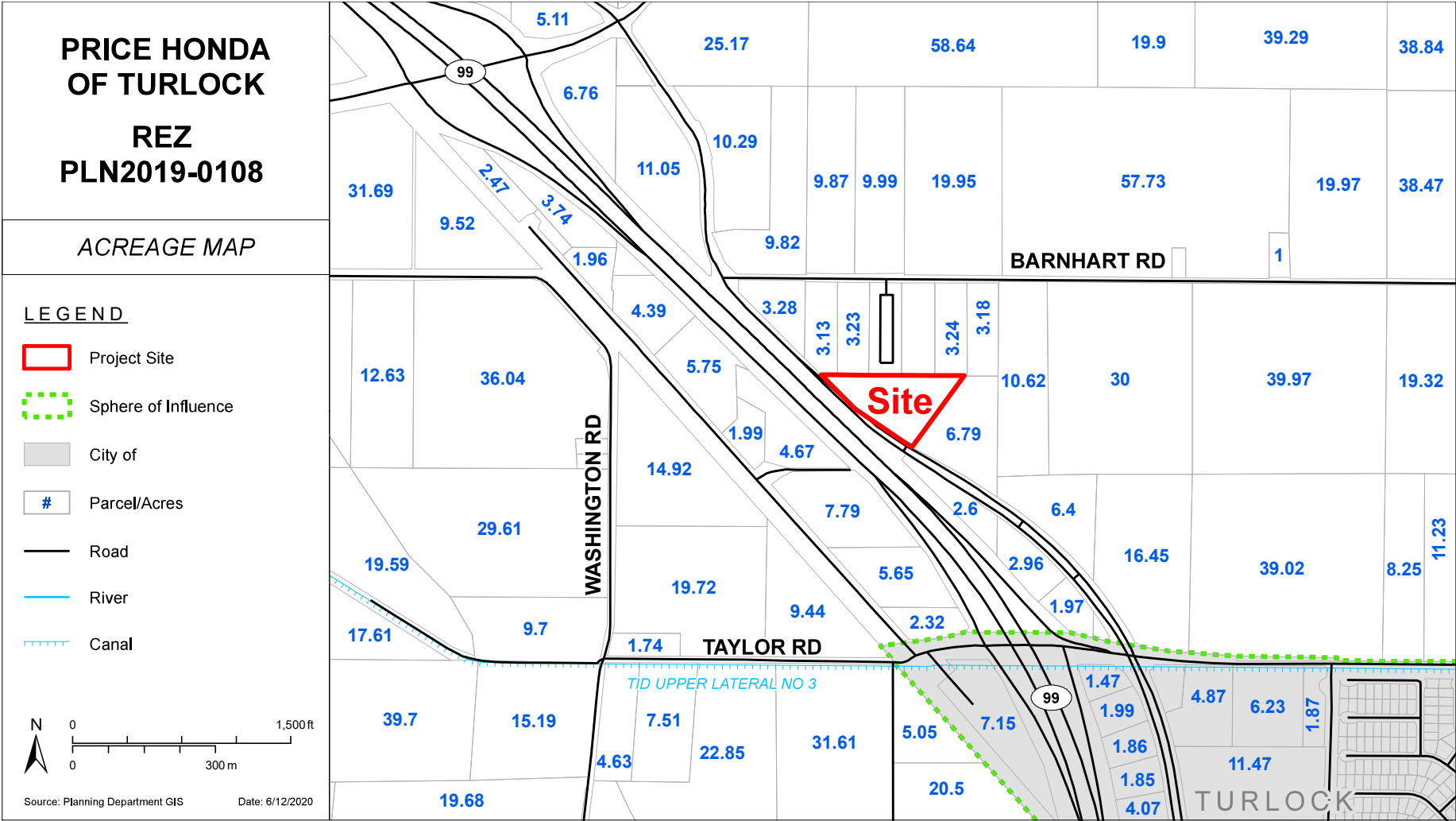
Exhibit G - Environmental Review Referral

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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 the Stanislaus County Clerk-Recorder pursuant to Public Resources Code Section 21152 and CEQA Guidelines Section 15075.
3. Find that:
 - a. The project is consistent with the overall goals and policies of the County General Plan.
 - b. The proposed Planned Development zoning is consistent with the Planned Development General Plan designation.
 - c. The alternative to the Agricultural Buffer Standards applied to this project provides equal or greater protection than the existing buffer standards.
 - d. The project will increase activities in and around the project area, and increase demands for roads and services, thereby requiring dedication and improvements.
4. Approve Rezone Application No. PLN2019 – 0108, Price Honda of Turlock, subject to the attached Development Standards.
5. Introduce, waive the reading, and adopt the ordinance for the approved Rezone.













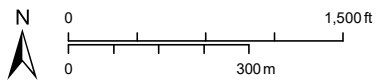
PRICE HONDA OF TURLOCK

REZ
PLN2019-0108

GENERAL PLAN MAP

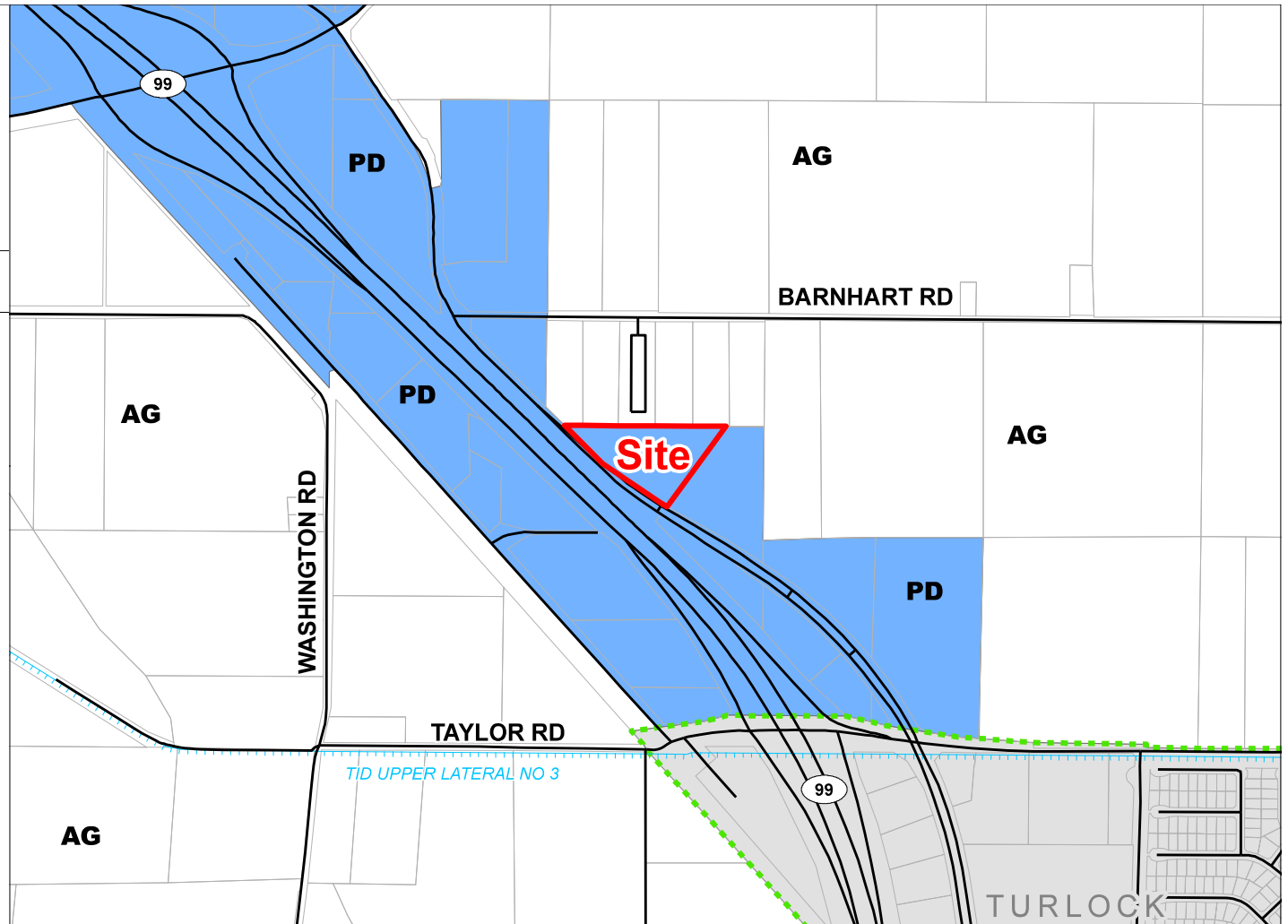
LEGEND

-  Project Site
-  Sphere of Influence
-  City of Turlock
-  Parcel
-  Road
-  Canal
- General Plan**
 -  Agriculture
 -  Planned Development



Source: Planning Department GIS

Date: 6/12/2020












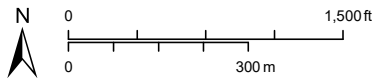
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PLN2019-0108

ZONING MAP

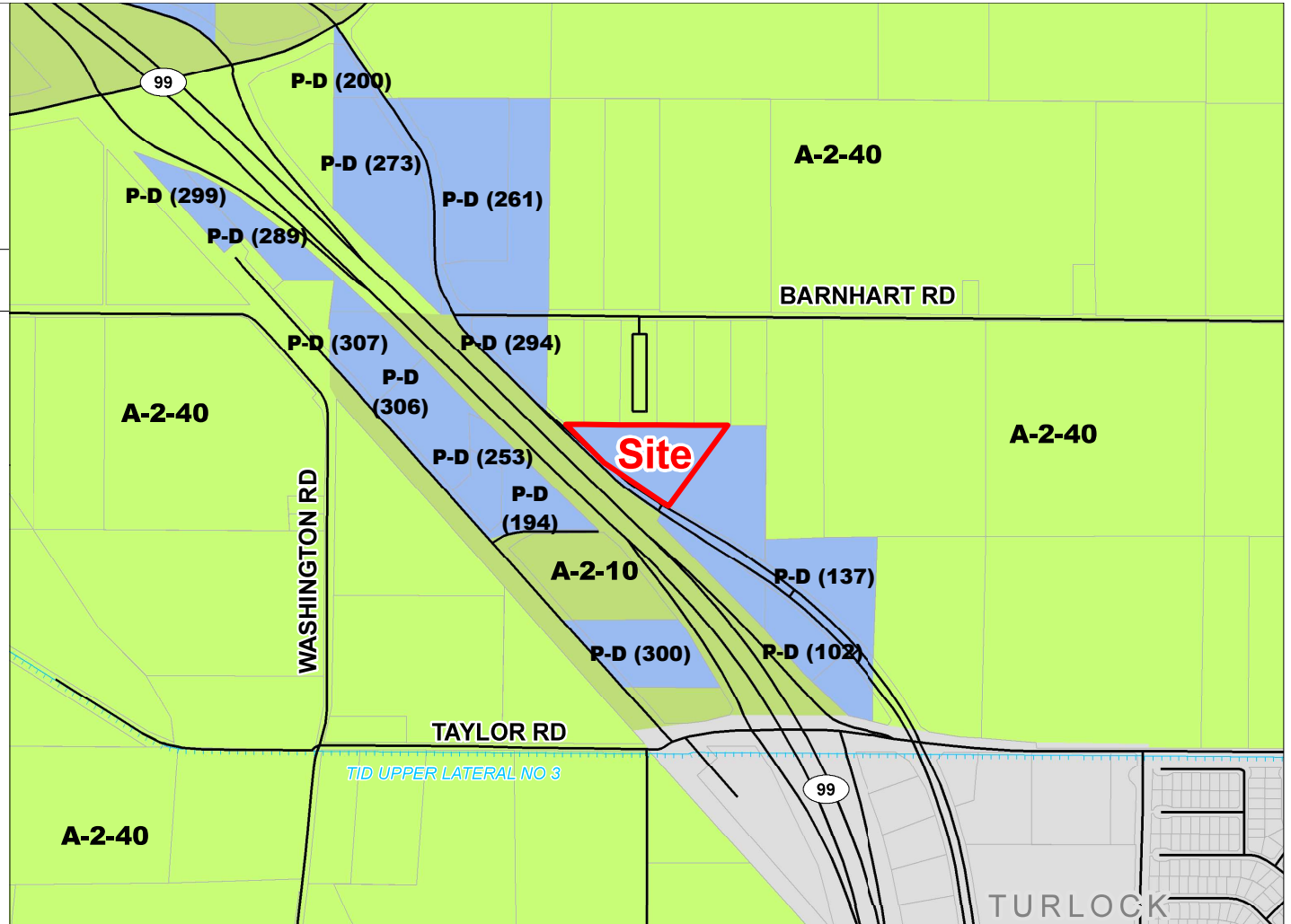
LEGEND

-  Project Site
-  Sphere of Influence
-  City of Turlock
-  Parcel
-  Road
-  Canal
- Zoning Designation**
 -  Planned Development
 -  General Agriculture 10 Acre
 -  General Agriculture 40 Acre



Source: Planning Department GIS

Date: 6/12/2020







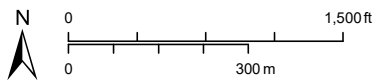
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PLN2019-0108

2017 AERIAL AREA MAP

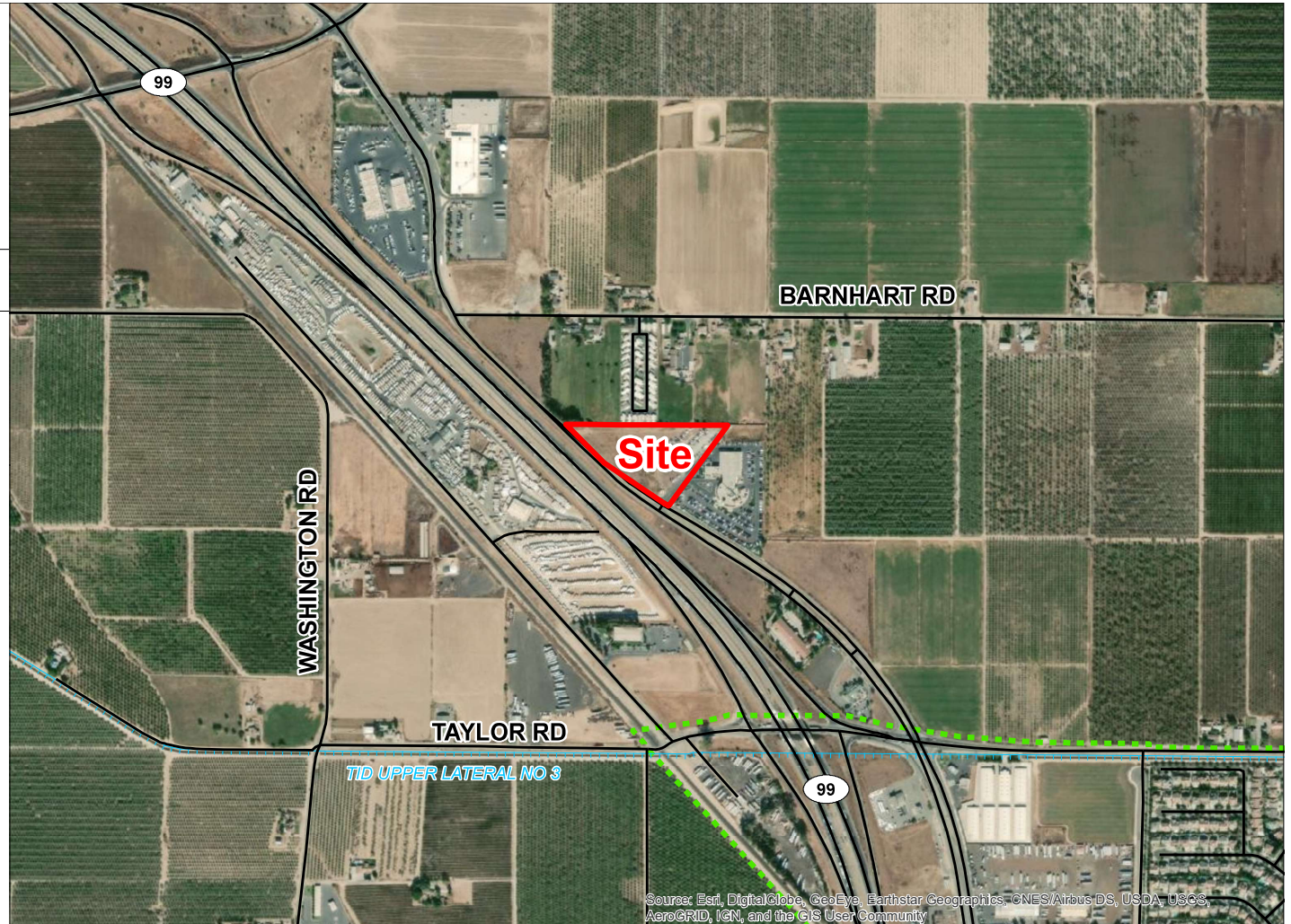
LEGEND

-  Project Site
-  Sphere of Influence
-  Road
-  Canal



Source: Planning Department GIS

Date: 6/12/2020




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


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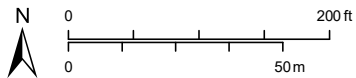
**REZ
PLN2019-0108**

2017 AERIAL SITE MAP

LEGEND

 Project Site

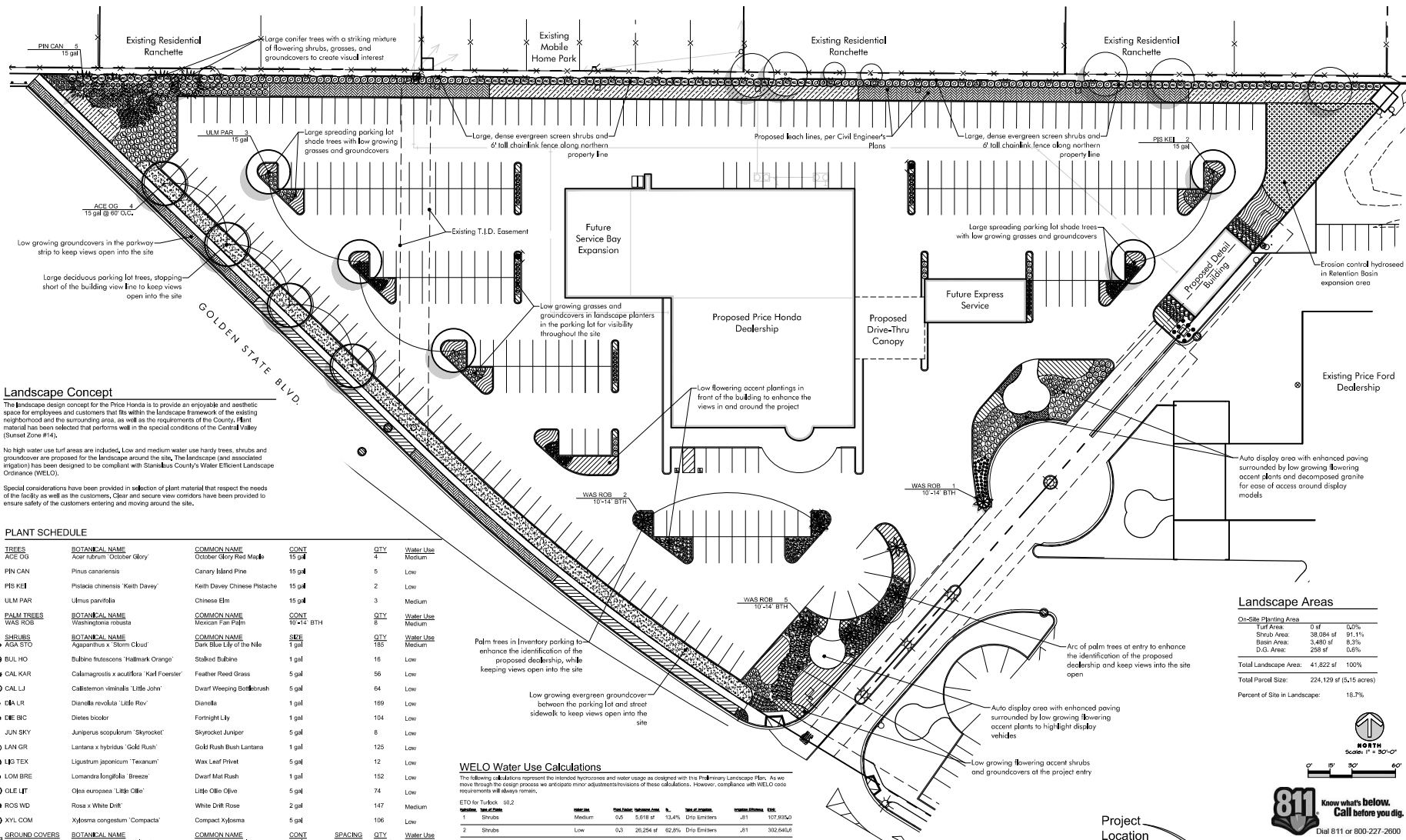
 Road



Source: Planning Department GIS

Date: 6/12/2020





Landscape Concept

The landscape design concept for the Price Honda is to provide an enjoyable and aesthetic space for employees and customers that fits within the landscape framework of the existing neighborhood and the surrounding area, as well as the requirements of the County. Plant material has been selected that performs well in the special conditions of the Central Valley (Sunset Zone #14).

No high water use turf areas are included. Low and medium water use hardy trees, shrubs and groundcover are proposed for the landscape around the site. The landscape (and associated irrigation) has been designed to be compliant with Stanislaus County's Water Efficient Landscape Ordinance (WELCO).

Special considerations have been provided in selection of plant material that respect the needs of the facility as well as the customers. Clear and secure view corridors have been provided to ensure safety of the customers entering and moving around the site.

PLANT SCHEDULE

TREES	BOTANICAL NAME	COMMON NAME	CONT	QTY	Water Use
ACE OG	<i>Acer rubrum</i> 'October Glory'	October Glory Red Maple	15 gal	4	Medium
PIN CAN	<i>Pinus canariensis</i>	Canary Island Pine	15 gal	5	Low
PIS KEI	<i>Platanus chinensis</i> 'Keith Davy'	Keith Davy Chinese Platanus	15 gal	2	Low
ULM PAR	<i>Ulmus parvifolia</i>	Chinese Elm	15 gal	3	Medium
PALM TREES	BOTANICAL NAME	COMMON NAME	CONT	QTY	Water Use
WAS ROB	<i>Washingtonia robusta</i>	Mexican Fan Palm	10-14" BTH	8	Medium
SHRUBS	BOTANICAL NAME	COMMON NAME	SIZE	QTY	Water Use
AGA STO	<i>Agave parviflora</i> 'Storm Cloud'	Dark Blue Lily of the Nile	1 gal	185	Medium
BUL HO	<i>Buddleia frutescens</i> 'Hollander Orange'	Starkeed Buddleia	1 gal	16	Low
CAL KAR	<i>Calamagrostis x acutiflora</i> 'Karl Foerster'	Feather Reed Grass	5 gal	56	Low
CAL LJ	<i>Callistemon viminalis</i> 'Little John'	Dwarf Weeping Bottlebrush	5 gal	64	Low
DIA LR	<i>Dianella revoluta</i> 'Little Rev'	Dianella	1 gal	189	Low
DIE BIC	<i>Dietes bicolor</i>	Fortnight Lily	1 gal	104	Low
JUN SKY	<i>Juniperus scopulorum</i> 'Skyrocket'	Skyrocket Juniper	5 gal	6	Low
LAN GR	<i>Lantana x hybridus</i> 'Gold Rush'	Gold Rush Bush Lantana	1 gal	125	Low
LID TEX	<i>Ligustrum japonicum</i> 'Texanum'	Wax Leaf Privet	5 gal	12	Low
LOM BRE	<i>Lomandra longifolia</i> 'Breeze'	Dwarf Mat Rush	1 gal	152	Low
OLE LT	<i>Olea europaea</i> 'Little Ole'	Little Ole Olive	5 gal	74	Low
ROS WD	<i>Rosa x White Drift</i>	White Drift Rose	2 gal	147	Medium
XYL COM	<i>Xylisma congestum</i> 'Compacta'	Compact Xylisma	5 gal	106	Low
GROUND COVERS	BOTANICAL NAME	COMMON NAME	CONT	SPACING	QTY
ASA ALB	<i>Aspermatia affinis</i> 'Albus'	White Lily of the Nile	1 gal	24" sf	Medium
BAC TWI	<i>Baccharis pilularis</i> 'Twin Peaks #2'	Twin Peaks Coyote Brush	1 gal	42" oc	4,225 sf
COT STR	<i>Cotoneaster dammeri</i> 'Strelitz Finding'	Strelitz Finding Cotoneaster	1 gal	42" oc	5,782 sf
JUN CON	<i>Juniperus conferta</i>	Shore Juniper	1 gal	36" oc	1,800 sf
MYO PAR	<i>Myoporum parvifolium</i>	Trailing Myoporum	1 gal	48" oc	1,921 sf
TEU PRO	<i>Teucrium chamaedryf</i> 'Prostratum'	Prostrate Germander	1 gal	36" oc	1,045 sf
TRA ASI	<i>Trachelium persicum asiaticum</i>	Asian Jasmine	1 gal	42" oc	1,986 sf
SOISSERS	BOTANICAL NAME	COMMON NAME	CONT	SPACING	QTY
HYD ERO	<i>Erioseba erios</i>	Erioseba Control	Hydressed	3,480 sf	Low
LP KUR	<i>Lippia nodiflora</i> Kurapia	Kurapia	Sod	5,782 sf	Low

This plan represents the design style and theme of the landscape design and planting. These plans are preliminary and may change through the design process. The final planting plan may not contain all of the above plants in the sizes as shown. Additionally some new plant species may be used in the final design. This plan does however indicate the quantity of trees and the overall level of landscape development that will be carried through with the final design.

Final landscape design shall meet Stanislaus County codes and requirements as well as Project Specific Conditions of Approval. Final design is subject to approval through the building permit review process.

WELCO Water Use Calculations

The following calculations represent the intended horticulture and water usage as designed with this Preliminary Landscape Plan. As we move through the design process we anticipate minor adjustments/revisions of these calculations. However, compliance with WELCO code requirements will always remain.

ITEM	DESCRIPTION	QTY	WATER USE (GAL)	% OF TOTAL	WATER USE (GAL)
1	Shrub	0.5	5,618 sf	13.4%	75,330.0
2	Shrub	0.3	26,254 sf	62.8%	332,840.8
3	Groundcover	Low	5,562 sf	13.5%	70,486.6
4	Basin	Low	3,480 sf	8.3%	43,324.0
5	Trees/Palms	Medium	550 sf	1.3%	6,966.8
6	D.G.	None	0	0.0%	0
TOTAL			41,822 sf		514,958.2 Gallons
	Maximum Applied Water Allowance (MAWA)		585,750.0 gallons/year		
	Estimated Total Water Usage (ETWU)		534,958.2 gallons/year		
	Average Irrigation Efficiency		.80		
	ETWU is less than MAWA, therefore water usage as designed exceeds code requirements				

Non-Living Groundcover

All shrub and groundcover areas shall be top-dressed with a 3" layer of mulch derived from recycled wood chips or arbor chips from tree trimming. Mulch shall be 2" minus in length and not greater than .35" in thickness, and shall be dark brown in color. Contractor shall provide sample for approval prior to installation. Shredded reewood or cedar bark ("Gonfi-44") is not acceptable.

D.G. edging to be Dura-Edge 316" x 4" brown steel edging by JD Russell Co., with stakes per manufacturer.

Landscape Areas

On-Site Planting Area	Turf Area	Shrub Area	Basin Area	D.G. Area	Total Landscape Area	Total Parcel Size	Percent of Site in Landscape
	0 sf	38,084 sf	3,480 sf	298 sf	41,822 sf	224,129 sf (5.15 acres)	18.7%

Project Location



Tree Root Barriers

All trees located with the root barrier symbol and/or within five (5) feet of landscape are to have DeepRoot Model #810 16" root barriers installed along the inside edge of the adjacent sidewalk or curb. Length of linear root barrier shall be 16 linear feet (8 panels) and shall be centered on tree.

Irrigation

The entire site will be irrigated using a fully automatic system and designed to meet the County's Water Efficient Landscape Ordinance (WELCO). The irrigation system will largely be low-volume design with limited use of pop-up sprays or rotators at turf/landscape areas. The system will include in-line valves, quick couplers, and gate valves. New irrigation controller will be Hunter, Rainbird, Irritrol or equal and will meet the WELCO requirements of a "Smart" controller. A complete irrigation design with these parameters will be provided with the improvement plans.



www.kla-ca.com
151 N. North St., Sonoma, CA 95370
(709)532-2856



Prepared	By

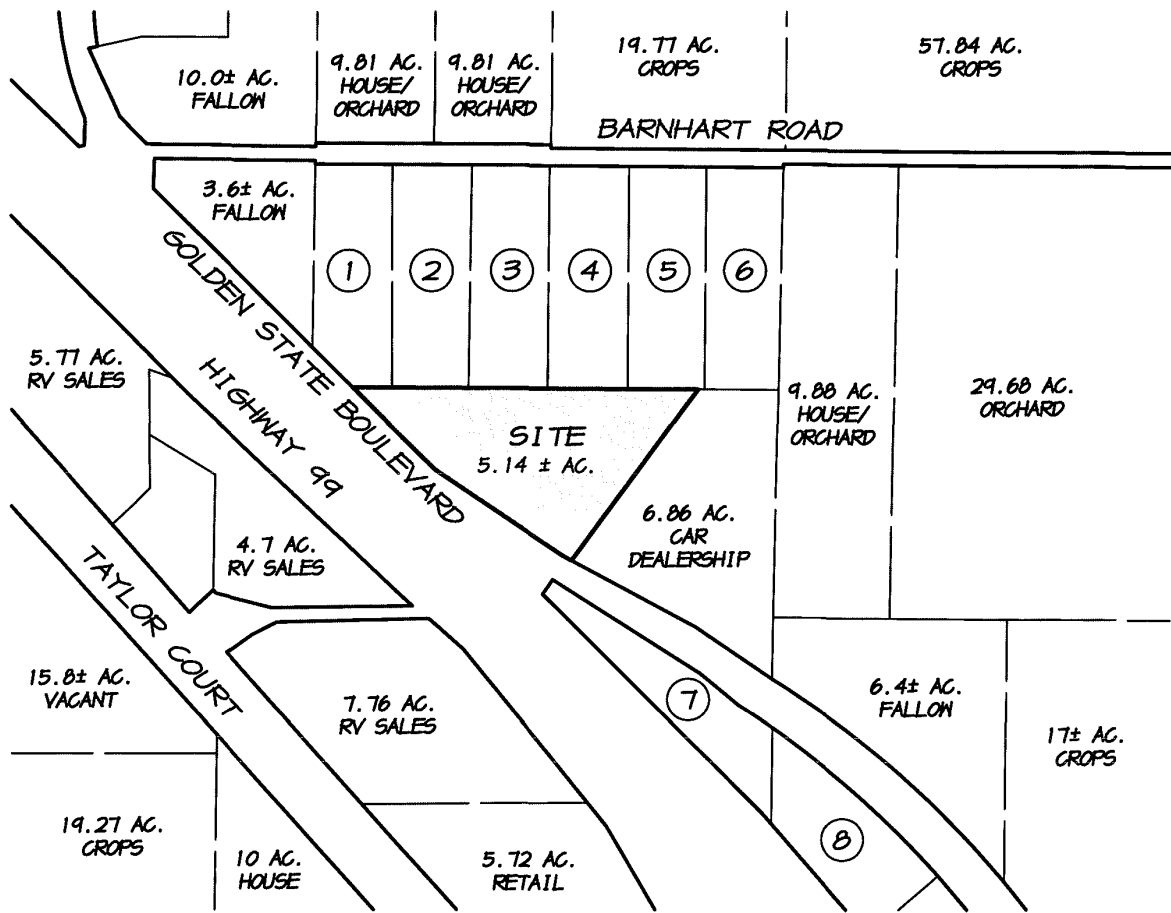
Price Honda
Turlock, CA

Simile Construction
Services, Inc.
4725 Enterprise Way, Suite 1
Modesto, CA 95358
(209) 545-6111

Preliminary Landscape Plan

Scale:
1" = 30'-0"
Date:
September 20, 2014
Drawn/Checked:
NAB / TDF / TWH
Project No.:
15-275
Sheet Number:
LO

EXHIBIT B-7



PROJECT SITE

A.P.N. 045-053-038
GOLDEN STATE BLVD
TURLOCK, CA



NO.	ACRES	USE
1	3.11	RANCHETTE
2	3.18	RANCHETTE
3	3.18	MOBILE HOMES
4	3.18	RANCHETTE
5	3.18	RANCHETTE
6	3.17	RANCHETTE
7	2.55	VACANT
8	2.98	HOTEL

DRAWN:

DATE: 9/13/19 9:24

SCALE: 1" = 500'

JOB #: 1287A-19

DWG: AREA-MAP

AREA MAP

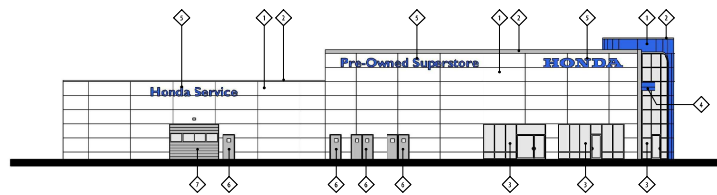
A.P.N. 045-053-038

STANISLAUS COUNTY CALIFORNIA

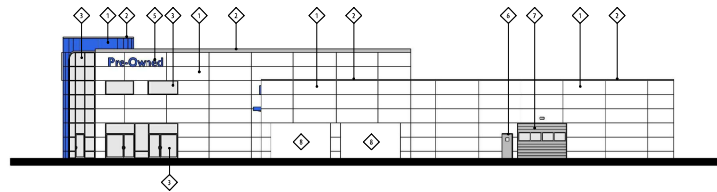


**ASSOCIATED
ENGINEERING
GROUP**

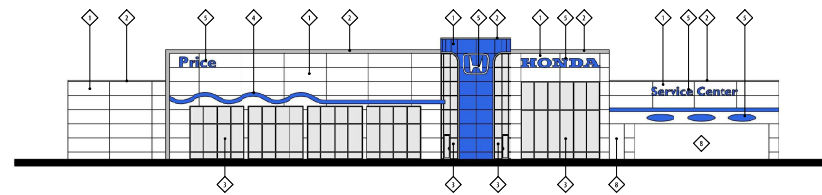
4206 TECHNOLOGY DRIVE, SUITE 4, MODESTO, CA 95356
PHONE: (209) 545-3390 FAX: (209) 545-3875 www.assoceng.com



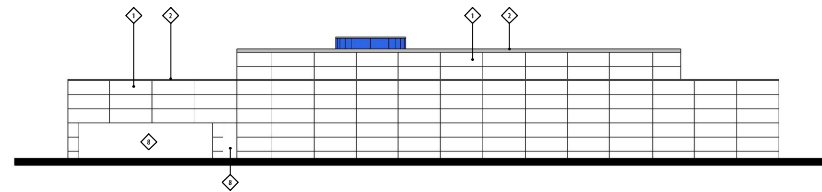
1
A5.0
WEST ELEVATION
1/8" = 1'-0"



2
A5.0
EAST ELEVATION
1/8" = 1'-0"



3
A5.0
SOUTH ELEVATION
1/8" = 1'-0"



4
A5.0
NORTH ELEVATION
1/8" = 1'-0"

KEYNOTES

- ◇ METAL PANEL
- ◇ METAL FORM
- ◇ GLASS
- ◇ METAL CANOPY
- ◇ RAILING, SEE SHEET A5.1 FOR DET
- ◇ METAL DOOR
- ◇ METAL ROLL-UP DOOR
- ◇ OPEN REINFORCED



ARCHITECT
NJA ARCHITECTURE
1101 PINE STREET, SUITE
100, LOS ANGELES, CA 90061
310.400.0000
WWW.NJAARCHITECT.COM

CLIENT
CLEMENTINE PROPERTIES, LLC
100 HANOVER DRIVE
TULOCK, CA 95122

PROJECT
PRICE HONDA OF TULOCK
1000 GILBERT DRIVE
TULOCK, CA 95122

ARCHITECT'S STAMP

REVISIONS

No.	Description	Date	By

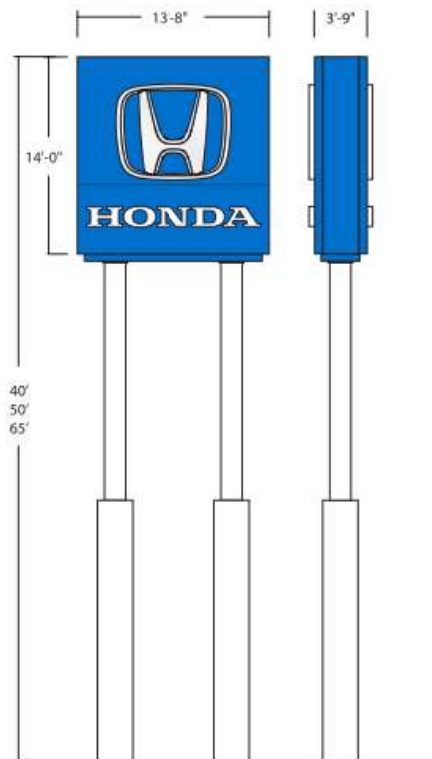
Project No.: 11003
Drawn By: AS
Checked By: JV

NOT FOR CONSTRUCTION
SITE APPROVAL
9.24.19

EXTERIOR ELEVATIONS

A5.0

EXHIBIT B-9



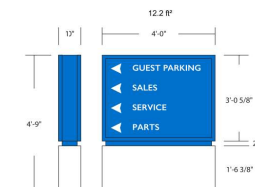
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1/4" = 1'-0"

INTERSTATE BRAND SIGN



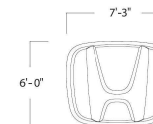
2
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1/4" = 1'-0"

PRE-OWNED BRAND SIGN



3
A0.1
1/2" = 1'-0"

DIRECTIONAL SIGN



6
A0.1
1/4" = 1'-0"

HONDA EMBLEM



4
A0.1
1/4" = 1'-0"

HONDA NAME SIGN



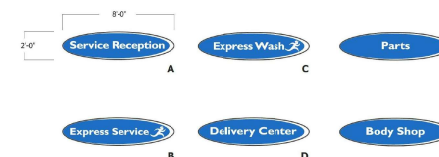
7
A0.1
1/4" = 1'-0"

SERVICE CENTER SIGN



5
A0.1
1/4" = 1'-0"

DEALER NAME SIGN



8
A0.1
1/4" = 1'-0"

OVAL SIGNS



ARCHITECT
NJ ARCHITECTURE
110 W. WALTON STREET, 2ND FLOOR
CHICAGO, IL 60604
312.462.1000
WWW.NJARCHITECTURE.COM

CLIENT
CLEMENTINE PROPERTIES, LLC
100 HAWKWOOD DRIVE
TIRRELL, CA 95022

PROJECT
PINE HONDA OF TURLOCK
5000 GARDEN CIRCLE
TURLOCK, CA 95322



ARCHITECT'S STAMP

REVISIONS			
No.	Description	Date	By

Project No.: 1020
Drawn By: RS
Checked By: JV

NOT FOR CONSTRUCTION
SITE APPROVAL
9.24.19

PRELIMINARY SIGNAGE

A0.1

EXHIBIT B-10

DEVELOPMENT STANDARDS

REZONE APPLICATION NO. PLN2019-0108 - PRICE HONDA OF TURLOCK

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, 2020), 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 **\$2,537.25**, 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. 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.
6. Any construction resulting from this project shall comply with standardized dust controls adopted by the San Joaquin Valley Air Pollution Control District (SJVAPCD) and may be subject to additional regulations/permits, as determined by the SJVAPCD.
7. The Department of Planning and Community Development shall record a Notice of Administrative Conditions and Restrictions with the County Recorder's Office within 30 days of project approval. The Notice includes: Conditions of Approval/Development Standards and Schedule; any adopted Mitigation Measures; and a project area map.

8. Prior to issuance of any building permit modifying the existing lighting, a photometric lighting plan shall be submitted for review and approval by the Planning Department. 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 the lighting fixtures should not exceed 25 feet above grade.
9. A final landscape and irrigation plan for the entire site shall be submitted to the City of Turlock and the Stanislaus County Planning Department for review and approval prior to issuance of any building permit. Landscape and Irrigation plans shall meet current State of California water use requirements and City of Turlock standards at the time of submittal. The review of the landscape plan shall be subject to applicable City and County landscape review and inspection fees in effect at the time of review and inspection.
10. Dead or dying plants shall be replaced with materials of equal size and similar variety. Any dead trees shall be replaced with a similar variety of a 15-gallon size or larger.
11. No use of any type of outdoor public announcement system shall be allowed on the project site.
12. 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.
13. All signage shall be approved by the Planning Director or appointed designee(s) prior to issuance of a building permit.

Department of Public Works

14. No parking, loading, or unloading of vehicles will be permitted within the Stanislaus 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 done in Stanislaus County right-of-way.
17. Prior to the final of any building or grading permit, whichever comes first, the property shall be annexed into the Golden State Lighting District. The applicant shall provide all necessary documents and pay all the costs associated with the annexation process. The annexation of the parcel into the Golden State Lighting District shall be completed before the final/occupancy of any building permit associated with this project.
18. Prior to the Department of Public Works doing any plan review or inspections associated with the development, the applicant shall sign a "Plan Check/Inspection Agreement" and post a \$5,000 deposit with Public Works.

19. Prior to the final of any grading or building permit, the applicant shall make road frontage improvements along the entire parcel frontage of the parcel on N. Golden State Boulevard. The improvements shall include but not limited to streetlights, curb, gutter, and sidewalk, storm drainage, matching pavement, center concrete median, and extension of a south-bound dedicated turn lane. Improvement plans shall be submitted to Public Works Department for review and approval.
20. An engineer's estimate shall be provided for the road improvements to determine the amount of the financial guarantee. This shall be submitted prior to issuance if any building permit and after the road improvements have been approved by Department of Public Works.
21. A financial guarantee in a form acceptable to the Department of Public Works shall be deposited for the street improvements installation along the frontage on N. Golden State Boulevard prior to the issuance of the first building permit.
22. A grading and drainage plan for the project site shall be submitted before any building permit for the site is issued. Public Works will review and approve the drainage calculations. The grading and drainage plan shall include the following information:
 - a. Drainage calculations shall be prepared as per the Stanislaus County Standards and Specifications that are current at the time the permit is issued.
 - b. The plan shall contain enough information to verify that all runoff will be kept from going onto adjacent properties and Stanislaus County road right-of-way.
 - c. The grading and drainage plan shall comply with the current Stanislaus County National Pollutant Discharge Elimination System (NPDES) General Permit and the Quality Control standards for New Development and Redevelopment contained therein.
 - d. An Engineer's Estimate shall be submitted for the grading and drainage work.
 - e. The grading, drainage, and associated work shall be accepted by Stanislaus County Public Works prior to a final inspection or occupancy, as required by the building permit.

The applicant of the building permit shall pay the current Stanislaus County Public Works weighted labor rate for the plan review of the building and/or grading plan.

Department of Environmental Resources

23. Prior to issuance of any building permit, the property owner must submit an executed 'Will Serve' letter for municipal water and sanitary sewer services to Stanislaus County Department of Environmental Resources.
24. This project shall not connect to the public water system 5000498, currently known as Golden State PFT Properties LLC, unless the water system 5000498 has been determined to be in compliance with all Maximum Contamination Levels as contained in California Code of Regulations, Title 22 by the Department of Environmental Resources, Environmental Health Division's Local Primacy Agency program.

25. Without a public sewer connection to City of Turlock, any new buildings with an OWTS connection shall be subject to Measure X. All Local Agency Management Program (LAMP) standards and shall be met prior to issuance of a building permit.
26. The applicant shall secure all necessary permits for the destruction/ relocation of any onsite water wells and water distribution lines, and/or septic systems at the project site under the direction of the Stanislaus County Department of Environmental Resources (SCDER).

Department of Environmental Resources (DER) - Hazardous Materials Division (Hazmat)

27. The property owner/operator shall contact the DER Hazmat regarding appropriate permitting requirements for hazardous materials, and/or wastes. The applicant and/or occupants handling hazardous material or generating wastes shall notify the department prior to operation.

Building Permits Division

28. Building permits are required and the project must conform with the California Code of Regulations, Title 24.

City of Turlock

29. Any future expansion shall be subject to review and approval by the City of Turlock.
30. The applicant shall obtain a City of Turlock encroachment permit prior to connecting to City of Turlock water and/or sewer.
31. The developer/property owner shall pay city-wide transportation, and police and fire service impact fees prior to issuance of a building permit.
32. Prior to the issuance of building permit, a landscape plan shall be submitted to the City of Turlock for approval, and shall be installed in accordance with the approved landscape plans in conjunction with the building permit.
33. Any drainage basins shall be landscaped to enhance the filtering of storm water runoff.
34. All drive aisles, vehicle parking or storage areas shall be paved.
35. A sand/oil interceptor shall be installed. Plans shall be reviewed and approved by the City of Turlock Engineering and Municipal Services Divisions prior to the issuance of any building, grading, or encroachment permits.

Turlock Irrigation District (TID)

36. Prior to issuance of a building or grading permit, the irrigation pipeline belonging to Improvement District 611 shall be upgraded to current development standards or abandoned if relinquished by the sole user on APN: 045-062-001.
37. Prior to the issuance of a building or grading permit, the ID 611 pipeline that Serves APN 045-062-001 and the private pipeline that serves APNs: 045-053-020, 045-053-021, and

045-053-028 shall be upgraded to current development standards or removed if relinquished by the users of the pipeline. If the pipeline is to remain, a 25-wide irrigation easement centered on the pipeline shall be dedicated to the benefitting parcels.

38. Developed property adjoining irrigated ground shall be graded so that finished grading elevations are at least 6 inches higher than irrigated ground. A protective berm shall be installed to prevent irrigation water from reaching non-irrigated properties.
39. The District shall review and approve all plans associated with the development. Any improvements that impact the District's irrigation facilities shall be subject to an Irrigation Improvement Agreement, subject to TID Board approval.

Local Agency Formation Commission (LAFCO)

40. Prior to connecting to the City of Turlock water and sewer system, LAFCO approval of an out-of-boundary service extension shall be obtained.

San Joaquin Valley Air Pollution Control District

41. Prior to the issuance of a building or grading permit, the property owner/operator shall contact the District's Small Business Assistance Office to determine if any Air District permits or if any other District rules or permits are required, including but not limited to an Authority to Construct (ATC).

Central Valley Regional Water Quality Control Board

42. Prior to ground disturbance or issuance of a building permit, the Central Valley Regional Quality Control Board shall be consulted to obtain any necessary permits and to implement any necessary measures, including but not limited to Construction Storm Water General Permit, Phase I and II Municipal Separate Storm Sewer System (MS4) Permits, Industrial Storm Water General Permit, Clean Water Act Section 404 Permit, Clean Water Act Section 401 Permit (Water Quality Certification), Waste Discharge Requirements, Dewatering Permit, Low or Limited Threat General NPDES Permit, NPDES Permit or any other applicable Regional Water Quality Control Board permit.

Planning Commission

43. Prior to issuance of any building permit, operator/property owner shall submit a written "Good Neighbor Policy" to be reviewed and approved by the Planning Department. The Policy shall establish a plan to provide neighbors with contact information for the dealership and steps the dealership will take to work diligently with the neighbors to address issues.

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

DEVELOPMENT SCHEDULE

REZONE APPLICATION NO. PLN2019-0108 - PRICE HONDA OF TURLOCK

PHASE 1

- Construction to begin within one year of project approval.

PHASE 2

- Construction to be begin within 10 years of project approval.

An extension of the development schedule may be granted by the Planning Director, subject to a staff approval permit to allow for modifications to Development Standards/Schedule, as determined necessary by the Planning Director.



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

1010 10TH Street, Suite 3400, Modesto, CA 95354
Planning Phone: (209) 525-6330 Fax: (209) 525-5911
Building Phone: (209) 525-6557 Fax: (209) 525-7759

CEQA INITIAL STUDY

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

1. **Project title:** Rezone Application No. PLN2019-0108 – Price Honda of Turlock
2. **Lead agency name and address:** Stanislaus County
1010 10th Street, Suite 3400
Modesto, CA 95354
3. **Contact person and phone number:** Jeremy Ballard, Associate Planner
(209) 525-6330
4. **Project location:** North Golden State Boulevard, between East Keyes and East Taylor Roads, in the Keyes area (APN:045-053-038).
5. **Project sponsor's name and address:** James Figurell DBA Price Ford, 5200 North Golden State Boulevard, Turlock, CA 95382
6. **General Plan designation:** Planned Development
7. **Zoning:** Planned Development (P-D) (209)
8. **Description of project:**

Request to rezone a 5.14-acre parcel from expired Planned Development (P-D) (209) to a new P-D to allow for development of an auto dealership in two phases. Phase 1 will include the construction of a 35-foot-tall, two story 29,300 square-foot auto dealership building. The building will include areas for a showroom, parts storage, offices, and service areas. Phase 1 will also consist of construction of a 2,048 square-foot reception canopy attached to the main dealership, a 2,100 square-foot express service center, and 1,500 square-foot car detail building. Phase 2 proposes a 3,375 square-foot expansion to the service bay, which is anticipated to take place within 10 years of project approval. The dealership activities will include sale of new and used vehicles and car service and repair of Honda vehicles. The project site will be developed with a parking lot consisting of 315 parking stalls for vehicle inventory, employees and customers, and featuring landscaping of shade trees and groundcover, and 25-foot-tall light poles. Additionally, the perimeter of the site will be improved with a 15-foot-wide landscaping strip, which will consist of various low-water use hardy trees, shrubs, and groundcover. The project also proposes an on-site drainage basin, and installation of a masonry wall and dense evergreen shrubs for screening along the northern property line. Additionally, the applicant has proposed a 65-foot-tall pole sign, a 17-foot-tall monument sign, a 5-foot-tall directional sign, and wall-mounted signage which are proposed to display the company's logo. General Plan Amendment 93-03, Rezone 93-03, and Parcel Map 93-23 – Sanders/Patchett's Motors, adopted by the Board of Supervisors on October 26, 1993 created the parcel, amended the General Plan Land Use designation of the site to Planned Development, and approved the adjacent car sales business. The project site fronts County-maintained North Golden State Boulevard and proposes to share the existing driveway with the adjacent car dealership, as required by the project that created the site. Additionally, the applicant will be required to make road frontage improvements along North Golden State Boulevard if approved. The project will operate independently of the existing Price Ford dealership adjacent to the project site. The project will be served by the City of Turlock for public water and sanitary sewer through an Out of Boundary Service agreement. The applicant anticipates one shift per day consisting of 24 employees on a maximum shift, with up to 35 customers estimated per day, and one truck trip per day. The hours of operation are proposed as Monday through Saturday 7:00 a.m. to 8:00 p.m., and Sunday 10:00 a.m. to 6:00 p.m.

STRIVING TOGETHER TO BE THE BEST!

-
- | | |
|---|---|
| 9. Surrounding land uses and setting: | Car dealership and the City of Turlock to the south; ranchettes, a mobile home park, and commercial development to the north; State Route 99 to the west; and agricultural producing parcels to the east. |
| 10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.): | Stanislaus County Department of Public Works
Department of Environmental Resources
City of Turlock
California Department of Transportation
San Joaquin Valley Air Pollution Control District |
| 11. Attachments: | Central California Information Center Records Search, dated August 21, 2019
Will Serve Letter from the City of Turlock, dated December 4, 2020. |

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 Jeremy Ballard, Associate Planner

May 19, 2021
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, than 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 site itself is not considered to be a scenic resource or unique scenic vista. The site is currently a vacant 5.94-acre parcel. The proposed building consisting of glass and steel, will be of similar character and nature to the adjacent car dealership. As part of the site development the applicant proposes, installation of a masonry wall and dense evergreen shrubs for screening along the northern property line, and landscaping along the frontage and in the proposed parking lot. Frontage landscaping will consist of shade trees, low-lying plants, groundcover, and 25-foot-tall light poles within the vehicle display area. Additionally, the perimeter of the site will be improved with a 15-foot-wide landscaping strip, which will consist of various low-water use hardy trees, shrubs, low-lying plants and groundcover. All landscaping will be required to meet the City of Turlock's landscaping standards. Additionally, the applicant has proposed a 65-foot-tall freeway sign, monument sign, directional sign, and building signs which propose to display the company's logo. A development standard will be added to the project to require a final landscape and sign plan be reviewed and approved by the City of Turlock, prior to issuance of any permit. Although, no perimeter lighting has been submitted in conjunction with this discretionary permit, a development standard will be added to the project requiring the applicant submit a photometric lighting plan to determine the areas of illumination of the any onsite lighting. Additionally, all lighting will be required to be aimed down and shielded to prevent skyglow or spillage onto adjoining properties. A development standard will be added requiring annexation into the Golden State Lighting District. With conditions of approval in place, no adverse impacts to the existing visual character of the site or its surroundings are anticipated.

Mitigation: None.

References: Application information; referral response from the Department of Public Works, dated October 12, 2020, referral response from the City of Turlock, dated March 24, 2021; Stanislaus County Zoning Ordinance; the Stanislaus County General Plan and Support Documentation.¹

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: According to the USDA Web Soil Survey, the 5.14-acre project site consists of Dinuba Sandy Loam soil, 0 to 1 percent slopes. The California Department of Conservation considers the site to be Urban and Build Up Land. The site is current vacant. It is zoned P-D (209), which was originally approved for the development of a 25,000 square-foot car dealership in 1993. The dealership was required to be completed within two years, thus the parcel's zoning has now expired and requires a rezone to a new Planned Development for any new development.

The site is adjoining to agricultural zoned ranchettes, including a mobile home park to the north. 230 feet east of the site are actively farmed parcels, also agriculturally-zoned. The parcel identified as Assessor's Parcel Number (APN) 045-053-006, located two parcels away from the project site (approximately 550 feet) is the nearest property enrolled in a Williamson Act Contract or in production agriculture. According to Appendix Seven of the Stanislaus County General Plan – Buffer and Setback Guidelines, projects that are people intensive shall include a 300-foot wide buffer setback. Exceptions to the buffer include; public roadways, utilities, drainage facilities, rivers and adjacent riparian areas, landscaping, parking lots, and similar low people intensive uses. Although the majority of the site will be utilized for storage of vehicles for sale and thus not subject to the buffer policy, the applicant has proposed a masonry wall and dense evergreen shrubs for screening along the northern property line. The proposed wall and landscaping would function as acceptable alternative to the required Agricultural Buffer.

A referral response was received from the Turlock Irrigation District (TID), which stated the District has two separate irrigation pipelines that run through the site. The District stated that the existing pipelines are to be abandoned or upgraded to District standards. Development standards will be added to address the District's comments.

There are no forest resources on the site or in the surrounding area. The site is vacant and is zoned Planned Development. The site is not actively farmed and is not surrounded by commercially farmed property. There is no indication that this project will result in the removal of adjacent contracted land from agricultural use. Impacts to agriculture and forest resources are considered to be less than significant.

Mitigation: None.

References: Application information; Natural Resources Conservation Service Soil Survey; California State Department of Conservation Farmland Mapping and Monitoring Program - Stanislaus County Farmland 2018; Turlock Irrigation District, referral response, dated October 8, 2020; Stanislaus County General Plan and Support Documentation.¹

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 PM_{2.5} (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 project will increase traffic in the area and, thereby, impacting air quality.

The project was referred to the SJVAPCD and no response has been received to date.

Potential impacts on local and regional air quality are anticipated to be less than significant, falling below SJVAPCD thresholds, as a result of the nature of the proposed project and project's operation after construction. Implementation of the proposed project would fall below the SJVAPCD significance thresholds for both short-term construction and long-term operational emissions, as discussed below. Because construction and operation of the project would not exceed the SJVAPCD significance thresholds, the proposed project would not increase the frequency or severity of existing air quality standards or the interim emission reductions specified in the air plans.

The SJVAPCD's Small Project Analysis Level (SPAL) Analysis indicates that the minimum threshold of significance for commercial projects is 1,550 trips per day. Phase 1 will include the construction of a two story 29,300 square-foot dealership building. The building will include areas for a showroom, parts storage, offices, and service areas. Phase 1 will also consist of construction of a 2,048 square-foot reception canopy attached to the main dealership, a 2,100 square-foot express service center, and 1,500 square-foot car detail building. Phase 2 proposes a 3,375 square-foot expansion to the service bay. The applicant anticipates a single shift of 24 employees on a maximum shift with up to 35 customers estimated per day, and one truck trip per day. This is below the District's thresholds of significance for emissions.

The proposed project is anticipated to be consistent with the applicable air quality plans. Also, the proposed project would not conflict with applicable regional plans or policies adopted by agencies with jurisdiction over the project and would be considered to have a less than significant impact.

Construction activities associated with new development can temporarily increase localized PM₁₀, PM_{2.5}, volatile organic compound (VOC), nitrogen oxides (NOX), sulfur oxides (SOX), and carbon monoxide (CO) concentrations 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 PM_{2.5} emissions are generally clearing and demolition activities, grading operations, construction vehicle traffic on unpaved ground, and wind blowing over exposed surfaces.

Construction activities associated with the proposed project would consist primarily of site developed and construction of the building. These activities would not require any substantial use of heavy-duty construction equipment and would require little or no demolition or grading as the site is presently unimproved and considered to be topographically flat. Consequently, emissions would be minimal. Furthermore, all construction activities would occur in compliance with all SJVAPCD regulations; therefore, construction emissions would be less than significant without mitigation.

Mitigation: None.

References: Application material; San Joaquin Valley Air Pollution Control District - Regulation VIII Fugitive Dust/PM-10 Synopsis; www.valleyair.org; and the Stanislaus County General Plan and Support Documentation.¹

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	
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Discussion: It does not appear this project will result in impacts to endangered species or habitats, locally designated species, or wildlife dispersal or mitigation corridors. There is no known sensitive or protected species or natural community located on the site. The project is located within the Ceres Quad of the California Natural Diversity Database. Some of the threatened species known to populate the Ceres Quad include: Swainson's hawk, the tricolored blackbird, Steelhead (Central Valley DPS), and the Valley Elderberry Longhorn Beetle. The site has been previously approved for commercial development and is surrounded by ranchettes, highway, and commercial development. There are no bodies of water in the vicinity. Because of this, the site would have a low probability of containing suitable habitat.

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.

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.

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

Mitigation: None.

References: Application material; California Department of Fish and Wildlife's Natural Diversity Database Quad Species List; 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: A records search conducted by the Central California Information Center for the project site indicated that there are no historical, cultural, or archeological resources recorded on-site and that the site has a low sensitivity for the discovery of such resources. It does not appear that this project will result in significant impacts to any archaeological or cultural resources. Although vacant, the site is not near areas of high sensitivity and previous agricultural production on the site has left the site disturbed. However, standard conditions of approval/development standards regarding the discovery of cultural resources during the construction process will be added to the project.

Mitigation: None.

References: Application material; Central California Information Center Report for the project site, dated August 21, 2019; 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 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; and 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.

The proposed project will include the construction of a two story 29,300 square-foot automotive dealership. The building will include areas for a showroom, parts storage, offices, and service areas. Phase 1 will also consist of construction of a 2,048 square-foot reception canopy attached to the main dealership, a 2,100 square-foot express service center, and 1,500 square-foot car detail building. Phase 2 proposes a 3,375 square-foot expansion to the service bay, which is anticipated to take place within 10 years of project approval. All construction associated with the proposed project will be required to comply with Title 24, Green Building Code, which includes energy efficiency requirements. It does not appear this project will result in significant impacts to the wasteful, inefficient, or unnecessary consumption of energy resources.

Mitigation: None.

References: Application material; Stanislaus County General Plan EIR.

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:			X	
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: According to the USDA web soil survey, the 5.94-acre project site consists of Dinuba Sandy Loam soil, 0 to 1 percent slopes. As contained in Chapter 5 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. Any structures resulting from this project will be designed and built according to building standards appropriate to withstand shaking for the area in which they are constructed. A stormwater drainage basin is proposed as part of this project. 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 will be required, subject to Public Works review and Standards and Specifications. No septic tanks will be installed on-site as the proposed project will be served by the City of Turlock from public water and sanitary sewer services. However, DER responded to the early consultation referral, stating that if the connection to the City of Turlock were not to take place, the on-site wastewater treatment system would be required to be compliant with Measure X, which would require the approval of the Department of Environmental Resources (DER) through the building permit process, which takes soil type into consideration within the specific design requirements. A development standard will be added to the project to include this response.

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.

DER, Public Works, and the Building Permits Division review and approve any building or grading permit to ensure their standards are met. Development standards regarding these requirements will be applied to the project and will be triggered when a building permit is requested.

Impacts specific to geology and soils are considered to be less than significant.

Mitigation: None.

References: Referral response from the Department of Environmental Resources (DER), dated October 5, 2020; referral response from the Stanislaus County Department of Public Works, dated October 12, 2020; 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.

The 2016 California Green Building Standards Code (CALGreen Code) went into effect on January 1, 2017, and includes mandatory provisions applicable to all new residential, commercial, and school buildings. The intent of the CALGreen Code is to establish minimum statewide standards to significantly reduce the greenhouse gas emissions from new construction. The Code includes provisions to reduce water use, wastewater generation, and solid waste generation, as well as requirements for bicycle parking and designated parking for fuel-efficient and carpool/vanpool vehicles in commercial development. The code also requires mandatory inspections of building energy systems for non-residential buildings over 10,000 square feet to ensure that they are operating at their design efficiencies. It is the intent of the CALGreen Code that buildings constructed pursuant to the Code achieve at least a 15 percent reduction in energy usage when compared to the state's mandatory energy efficiency standards contained in Title 24. The Code also sets limits on VOCs (volatile organic compounds) and formaldehyde content of various building materials, architectural coatings, and adhesives. With the requirements of meeting the Title 24, Green Building Code energy impacts from the project are considered to be less-than significant. A development standard will be added to this project to address compliance with Title 24, Green Building Code, which includes energy efficiency requirements.

Senate Bill 743 (SB743) requires that the transportation impacts under the California Environmental Quality Act (CEQA) evaluate impacts by using Vehicle Miles Traveled (VMT) as a metric. 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. One of the guidelines, presented in the December 2018 document Technical Advisory on Evaluating Transportation Impacts in CEQA, states that locally serving retail would generally redistribute trips from other local uses, rather than generate new trips.

The applicant anticipates a single shift of between eight to 24 employees, up to 35 customers and 10 visitors at peak time, and four truck deliveries per day from 8:00 a.m. to 5:00 p.m. Additionally, the applicant states the over 70% of daily vehicle trips associated with the proposed use would be associated with the vehicle service side of the business. Per the applicant, customers for vehicle service will comprise of 95% from within the local community. The stated trip generation would be consistent with a locally serving retail classification for the purposes of analyzing VMT and per the 2018 OPR guidelines, locally serving retail would not be considered a significant impact.

The SJVAPCD's Small Project Analysis Level (SPAL) Analysis indicates that the minimum threshold of significance for industrial projects is 1,550 trips per day. Phase 1 will include the construction of a two story 29,300 square-foot dealership building. The building will include areas for a showroom, parts storage, offices, and service areas. Phase 1 will also consist of construction of a 2,048 square-foot reception canopy attached to the main dealership, a 2,100 square-foot express service center, and 1,500 square-foot car detail building. Phase 2 proposes a 3,375 square-foot expansion to the service bay. The applicant anticipates 24 employees on a maximum shift with up to 35 customers estimated per day, and one truck trip per day. This is below the District's thresholds of significance for emissions. The Air District was referred the project but have not responded. The proposed project may be subject to the following District Rules: Regulation VIII, Rule 4102, Rule 4601, Rule 4641, Rule 4002, Rule 4102, Rule 4550, and Rule 4570, therefore, staff will include a development standard for the project to consult with the District regarding compliance with the District's rules and regulations prior to issuance of a building permit.

Impacts associated with Greenhouse Gas Emissions are expected to have a less-than significant impact.

Mitigation: None.

References: San Joaquin Valley Air Pollution Control District - Regulation VIII Fugitive Dust/PM-10 Synopsis; www.valleyair.org; 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	
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?			X	
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?			X	

Discussion: The proposed project will consist of construction of a two story 29,300 square-foot auto sales dealership building. The building will include areas for a showroom, parts storage, offices, and service areas. Phase 1 will also consist of construction of a 2,048 square-foot reception canopy attached to the main dealership, a 2,100 square-foot express service center, and 1,500 square-foot car detail building. Phase 2 proposes a 3,375 square-foot expansion to the service bay. The service center, will include potential storage of motor oil or other hazardous materials. Chapter 6.95 of the California Health and Safety Code requires businesses that use, handle, or store hazardous materials above an identified threshold to submit a Hazardous Materials Business Plan. The applicant is required to use, store, and dispose of any hazardous materials in accordance with all applicable federal, state, and local regulations. A referral response was received from the Department of Environmental Resources (DER) Hazardous Materials Division stating, that the proposed project will be required to obtain permits from the Division for the treatment of hazardous waste, development of under or above ground storage of hazardous materials, and requirements for registration of business plans. Additionally, the City of Turlock responded to the project referral, stating that if hazardous materials were to be stored, the applicant will be required to meet requirements for storage, containment, and record keeping. The City also stated that a sand/oil interceptor shall be installed on-site. These requirements will be added as development standards. Additionally, the project was referred to the Stanislaus County Environmental Review Committee (ERC), which responded with no comments. Therefore, 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, which can 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. The applicant has proposed an eight-foot-tall masonry wall with accompanying landscaping along the entire northern parcel line, which abuts agriculturally zoned parcels. However, the agriculturally zoned parcels are ranchettes that are not commercially farmed. The proposed wall and landscaping would function as acceptable alternative to the required Agricultural Buffer. The project was referred to the Stanislaus County Agricultural Commissioner and no comments have been received to date.

The project site is not listed on the EnviroStor database managed by the CA Department of Toxic Substances Control (DTSC) or within the vicinity of any airport. The groundwater is not known to be contaminated in this area. The site is located in a Local Responsibility Area (LRA) for fire protection and is served by Keyes Fire Protection District. The project was referred to the District, who have not provided a response to the project. The City of Turlock provided a referral response requiring compliance with DTSC standards for oil containment and installation of a sand/oil interceptor, with plans for which to be reviewed by the City's Engineering and Municipal Services Divisions.

Mitigation: None.

References: Application information; referral response from the Department of Environmental Resources Hazardous Materials Division, dated October 12, 2020; referral response from the Stanislaus County Environmental Review Committee (ERC), dated October 12, 2020; referral response from the City of Turlock, dated March 24, 2021; Department of Toxic Substances Control's data management system (EnviroStor); California Health and Safety Code; Stanislaus County Airport Land Use Compatibility Plan; 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:			X	
(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. All flood zone requirements will be addressed by the Building Permits Division during the building permit process.

By virtue of the proposed construction, the current absorption patterns of water upon this property will be altered; however, current standards require that all of a project's storm water be maintained on-site. The applicant proposes development of storm water basin on-site that would be adjoining to the basin previously developed for the adjacent auto dealership, which is under common ownership. The Department of Public Works referral response requested a Grading and Drainage Plan,

to be included in this project's development standards. A development standard will also be added to ensure that a utility easement is recorded on the property for any shared storm water facilities.

A referral response received from the Central Valley Regional Water Quality Control Board (RWQCB) provided a list of the Board's permits and programs that may be applicable to the proposed project. The developer will be required to contact RWQCB to determine which permits/standards must be met prior to construction as a condition of approval.

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 Turlock Sub-basin under the jurisdiction of the West Turlock Sub-basin GSA. As the Turlock Sub-basin is considered a high and medium priority basin not currently in overdraft, the GSP has not been drafted and is not required to be adopted until January 31, 2022. The City of Turlock will be subject to meeting the requirements of the forthcoming GSP.

As stated in the project description, the proposed development of an automotive dealership will be served by the City of Turlock for public water services. The City has provided the applicant a will serve letter. As stipulated by the will serve letter, connection will require an out of boundary service agreement, subject to approval by the Local Agency Formation Commission (LAFCO). The will serve letter also requires the water connection meet City standards. Development standards will be added to the project to ensure these requirements are met.

A referral response from DER, stated that the proposed project meets the definition of a Public Water System, and if water is not obtained from the City of Turlock, the project would be subject to the requirements of SB1263. The California Safe Drinking Water Act (CA Health and Safety Code 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.

In the event the applicant drills a new well, the applicant will be required to comply with Stanislaus County's Groundwater Ordinance and will need to obtain a well construction permit through DER. If the developer utilizes an on-site well as the water source for the project and it does not meet water quality standards, then they may need to install a water treatment system.

The landscaping associated with the project will need to meet state standards for water efficiency and is not expected to have significant effects on groundwater supplies.

As a result of the development standards 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 from the Department of Environmental Resources (DER), dated October 5, 2020; referral response from the Department of Public Works, dated October 12, 2020; referral response from the Central Valley Regional Water Quality Control Board (RWQCB), dated October 13, 2020; Will Serve Letter from the City of Turlock, dated December 4, 2020; West Turlock Groundwater Basin Association GSA; 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 site is currently vacant. It is zoned P-D (209), which was originally approved for the development of a 25,000 square-foot car dealership in 1993. The dealership was required to be completed within two years of the project's approval, thus the parcel's zoning has now expired and requires a rezone to a new Planned Development for any new development. Therefore, the applicant has requested to rezone a 5.14-acre parcel from expired P-D 209 to a new Planned Development for an auto dealership in two phases. The project will be served by the City of Turlock for public water and sanitary sewer through an Out of Boundary Service agreement. Upon project submittal, the project site was encumbered with a development restriction easement held by the City of Turlock and entered into by the project site property owner as of December 1996 which restricted use of the site for automotive uses until 2033. During project review, the City has determined that the terms and conditions of the easement deed are no longer in the interest of either the City or the current property owner; consequently, executed as of March 24, 2021, the City filed a quitclaim/termination of the restriction easement.

To approve a Rezone, the Planning Commission must find that it is consistent with the General Plan. Pursuant to the General Plan, land within a Planned Development designation should be zoned A-2 (General Agriculture) until development occurs through Planned Development zoning. The request to rezone the expired Planned Development to a new Planned Development to accommodate the proposed auto dealership, would be consistent with the County's General Plan.

The project site is located a ¼ mile from City of Turlock city limits but is not located within Turlock's Sphere of Influence. The Stanislaus County General Plan Land Use Element Policy 27 requires all discretionary projects outside the sphere of influence of a city but located within one mile of the city's adopted sphere of influence be referred to and application of that city's development standards. Consequently, the project was referred to the City of Turlock, who provided a referral response requiring city development fees to be paid and standards for landscaping, drive aisles, stormwater, signage, and sand/oil interceptors be met. Development standards will be added to the project requiring city standards in these areas.

The site is adjoining to agricultural zoned ranchettes, including a mobile home park to the north. 230 feet east of the site are actively farmed parcels, also agriculturally-zoned. The parcel identified as Assessor's Parcel Number 045-053-006, located two parcels away from the project site (approximately 550 feet) is the nearest property enrolled in a Williamson Act Contract or in production agriculture. According to Appendix Seven of the Stanislaus County General Plan – Buffer and Setback Guidelines, projects that are people intensive shall include a 300-foot wide buffer setback. Exceptions to the buffer include; public roadways, utilities, drainage facilities, rivers and adjacent riparian areas, landscaping, parking lots, and similar low people intensive uses. Although, the majority of the site will be utilized for storage of vehicles for sale and thus not subject to the buffer policy, the applicant has proposed an eight-foot-tall masonry wall and dense evergreen shrubs for screening along the northern property line. The proposed wall and landscaping would function as acceptable alternative to the required Agricultural Buffer.

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

Mitigation: None.

References: Application; referral response from the City of Turlock, dated March 24, 2021; Stanislaus County General Plan Land Use Element 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: 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	
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?			X	

Discussion: The Stanislaus County General Plan identifies noise levels up to 65 dB Ldn (or CNEL) as the normally acceptable level of noise for commercial and professional buildings. 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. The site itself is impacted by the noise generated from State Route 99. The applicant anticipates 24 employees on a maximum shift, with up to 35 customers estimated per day, and one truck trip per day. The hours of operation are proposed as Monday through Saturday, 7:00 a.m. to 8:00 p.m., and Sunday 10:00 a.m. to 6:00 p.m. The majority of activities will take place indoors and the applicant has proposed to construct an eight-foot-tall masonry wall with landscaping for the purposes of noise attenuation and screening from the adjacent agricultural and residential development. Additionally, a development standard will be added to the project prohibiting the placement or use of a Public Announcement (PA) system on-site to further decrease any noise impacts.

The site is not located within an airport land use plan.

Mitigation: None.

References: Application material; Stanislaus County General Plan Noise Element 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
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)?			X	
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?			X	

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: 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 School, Public Facilities Fees, as well as Fire Facility Fees on behalf of the appropriate fire district, to address impacts to public services. All adopted public facility fees will be required to be paid at the time of building permit issuance. As required by the Department of Public Works, the site will be required to be annexed into the Golden State Lighting District for any required street lighting.

This project was circulated to all applicable: school, fire, police, irrigation, public works departments, and districts during the Early Consultation referral period, and no concerns were identified with regard to public services. As stated in the project description the proposed development of an automotive dealership will be served by the City of Turlock for public water services. The City has provided the applicant a Will Serve letter. As stipulated by the Will Serve letter, connection will require an Out of Boundary Service agreement, subject to approval by the Local Agency Formation Commission (LAFCO). The Will Serve Letter also requires the water connection to meet City standards. Development standards will be added to the project to ensure these requirements are met.

A referral response was received from the Turlock Irrigation District (TID), which stated the District has two separate irrigation pipelines that run through the site. The District stated that the existing pipelines are required to either be abandoned or upgraded to District standards. Development standards will be added to address the District's comments.

Mitigation: None.

References: Referral response from Turlock Irrigation District (TID), dated October 8, 2020; Will Serve Letter from the City of Turlock, dated December 4, 2020; 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: 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: Access for the site will be taken off County-maintained North Golden State Boulevard, via a driveway located within a 40-foot-wide access easement shared with the adjacent parcel to the south. North Golden State Boulevard is identified as a 110-foot-wide Minor Arterial in the Circulation Element of the General Plan.

Senate Bill 743 (SB743) requires that the transportation impacts under the California Environmental Quality Act (CEQA) evaluate impacts by using Vehicle Miles Traveled (VMT) as a metric. 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. One of the guidelines, presented in the December 2018 document Technical Advisory on Evaluating Transportation Impacts in CEQA, states that locally serving retail would generally redistribute trips from other local uses, rather than generate new trips.

The applicant anticipates a single shift of between eight to 24 employees, up to 35 customers and 10 visitors at peak time, and four truck deliveries per day from 8:00 a.m. to 5:00 p.m. Additionally, the applicant states that over 70% of daily vehicle trips associated with the proposed use would be associated with the vehicle service side of the business. Per the applicant, customers for vehicle service will comprise of 95% from within the local community. The stated trip generation would be

consistent with a locally serving retail classification for the purposes of analyzing VMT and per the 2018 OPR guidelines, locally serving retail would not be considered a significant impact.

This project was referred to the Department of Public Works, City of Turlock, and the California Department of Transportation (Caltrans), all of which had no comments related to impacts to traffic the proposed project. The Department of Public Works stated the proposed project will be required to install frontage improvements including curb, gutter, sidewalks, concrete median, lighting, and extension of a south-bound dedicated turn lane. Prior to plan review, the applicant shall sign a "Plan Check/Inspections Agreement" and post a \$5,000 deposit with Public Works, as well as a financial guarantee deposit for the street improvements installation along the road frontage. Public Works also requested the property annex into the Golden State Lighting District, and pay all fees associated for the annexation into the district prior to the final of any building or grading permit, whichever comes first. The annexation shall be completed prior to the final/occupancy of any building permit associated with this project. The comments received from Public Works will be applied to the project as development standards.

As stated in Section Fifteen, the County has adopted Public Facilities Fees, to address impacts to public services. Fees paid on behalf of the proposed dealership will be utilized for improvements to existing County road networks affected by the project. Therefore, impacts to traffic are anticipated to be less than significant for the proposed project.

Mitigation: None.

References: Referral response from the Department of Public Works, dated October 12, 2020; referral response from the City of Turlock, dated March 24, 2021; 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: The rezone a 5.14-acre parcel from expired P-D 209 to a new Planned Development for an auto dealership in two phases. 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. As stated in Section Five, a records search conducted by the Central California Information Center for the project site indicated that there are no historical, cultural, or archeological resources recorded on-site and that the site has a low sensitivity for the discovery of such resources. It does not appear that this project will result in significant impacts to any archaeological or cultural resources. Although vacant, the site is not near areas of high sensitivity and previous agricultural production on the site has left the site disturbed. However, standard conditions of

approval/development standards regarding the discovery of cultural resources during the construction process will be added to the project.

Mitigation: None.

References: Application material; Central California Information Center Report for the project site, dated August 21, 2019; 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. As stated in the project description the proposed development of an automotive dealership will be served by the City of Turlock for public water and sanitary services. The City has provided the applicant a Will Serve letter. As stipulated by the Will Serve letter, connection will require an Out of Boundary Service agreement, subject to approval by the Local Agency Formation Commission (LAFCO). The Will Serve letter also requires the water and sewer connections meet City standards. Development standards will be added to the project to ensure these requirements are met.

The project was referred to the Department of Public Works and conditions of approval addressing their comments will be applied to the project. The Department of Public Works will review and approve grading and drainage plans prior to construction. Per the City's referral response, the on-site drainage basin shall be landscaped to enhance the filtering of stormwater runoff. This comment will also be added to the project as a development standard.

A referral response was received from the Turlock Irrigation District (TID), which stated the District has two separate irrigation pipelines that run through the site. The District stated that the existing pipelines are to either be abandoned or upgraded to District standards. Development standards will be added to address the District's comments.

Mitigation: None.

References: Referral response from Turlock Irrigation District (TID), dated October 8, 2020; referral response from the Department of Public Works, dated October 12, 2020; referral response from the City of Turlock, dated March 24, 2021; Will Serve Letter from the City of Turlock, dated December 4, 2020; 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. With the Wildfire Hazard Mitigation Activities of this plan in place, impacts to an adopted emergency response plan or emergency evacuation plan are anticipated to be less than significant. The terrain of the site is relatively flat, and the site has access to a County-maintained road. The site is located in a Local Responsibility Area (LRA) for fire protection and is served by Keyes Fire Protection District. The project was referred to the District who have not provided any comments on the project. California Building Code establishes minimum standards for the protection of life and property by increasing the ability of a building to resist intrusion of flame and embers. The proposed project will be required to meet these standards.

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

Mitigation: None.

References: 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	
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Discussion: Review of this project has not indicated any features which might significantly impact the environmental quality of the site and/or the surrounding area, as the site was previously zoned for an automotive dealership. The site is predominantly surrounded by commercial development to the south, west and northwest of the site. The agriculturally zoned parcels to the north and east of the site are limited to development to uses consistent with the A-2 (General Agricultural) zoning district. While not proposed as part of the requested project, commercial development of parcels located in the A-2 zoning district as well as expansions or alterations to the existing commercial development adjacent to the project site, would require discretionary land use permits that are subject to CEQA in each instance. An analysis of any potential cumulative impacts with take place with each individual project.

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.



CENTRAL CALIFORNIA INFORMATION CENTER

California Historical Resources Information System
 Department of Anthropology – California State University, Stanislaus
 One University Circle, Turlock, California 95382
 (209) 667-3307

Alpine, Calaveras, Mariposa, Merced, San Joaquin, Stanislaus & Tuolumne Counties

Date: August 21, 2019

CCaIC Records Search File #: 11171N

Re: Project: Rezone Application for APN 045-053-038, 5200 N. Golden State Blvd., Turlock, CA

Jim Freitas
 Associated Engineering Group, Inc.
 4206 Technology Drive, Ste. 4
 Modesto, CA 95356

Email: jim@assoceng.com

Dear Mr. Freitas,

We have conducted a records search as per your request for the above-referenced project area located on the Ceres USGS 7.5-minute quadrangle map in Stanislaus County.

Search of our files includes review of our maps for the specific project area and the immediate vicinity of the project area, and review of the National Register of Historic Places (NRHP), the California Register of Historical Resources (CRHR), the *California Inventory of Historic Resources* (1976), the *California Historical Landmarks* (1990), and the California Points of Historical Interest listing (May 1992 and updates), the Directory of Properties in the Historic Property Data File (HPDF) and the Archaeological Determinations of Eligibility (ADOE) (Office of Historic Preservation current electronic files dated 03-20-2014 and 04-05-2012, respectively), the *Survey of Surveys* (1989), the Caltrans State and Local Bridges Inventory, GLO Plats, and other pertinent historic data available at the CCaIC for each specific county.

The following details the results of the records search:

Prehistoric or historic resources within the project area:

No prehistoric or historic-era archaeological resources or historic properties have been reported to the CCaIC.

Other information:

- GLO Plat map T4S/R10E Sheet #44-245, dated 1853-1854: no cultural features or references noted in Section 32.
- *Official Map of Stanislaus County* (1906): project area property at that time fell within the larger land holdings of O. McHenry.
- 1916 Ceres USGS 7.5' (1:31680) and 1939 Modesto East USACE 15' (1:62500) maps do not indicate any buildings or structures on the property at that time.

- The 1953 and 1969 Ceres USGS 7.5' maps (1:24000) both show one building on or at the edge of the property at that time, which was removed for the SR 99 freeway interchange construction that took place later.

Prehistoric or historic resources within the immediate vicinity of the project area:

None have been reported to the CCalIC

Resources that are known to have value to local cultural groups:

None have been formally reported to the Information Center.

Previous investigations within the project area:

None have been reported to the CCalIC in the project area, although it is possible that there is a Caltrans study report prior to 1976 that we never received for the freeway interchange project.

One Caltrans survey report has been reported in the immediate vicinity:

CCaIC report #ST-07537

Kuzak (2011)

Historic Property Survey Report, 10-STA-99, P.M. 0.0/24.7, 2576 E-FIS1000020344, Stanislaus County, California.

Recommendations/Comments: Based on existing data in our files the project area has a low sensitivity for the possible discovery of prehistoric or historic-era archaeological resources or historic properties. No recommendations for further study are offered at this time.

Please be advised that a historical resource is defined as a building, structure, object, prehistoric or historic archaeological site, or district possessing physical evidence of human activities over 45 years old. Since the project area has not been subject to previous investigations, there may be unidentified features involved in your project that are 45 years or older and considered as historical resources requiring further study and evaluation by a qualified professional of the appropriate discipline.

If archaeological resources are encountered, work should be temporarily halted in the vicinity of the discovered materials and workers should avoid altering the materials and their context until a qualified professional archaeologist has evaluated the situation and provided appropriate recommendations. Project personnel should not collect cultural resources.

If at any time you might require the services of a qualified professional the Statewide Referral List for Historical Resources Consultants is posted for your use on the internet at <http://chrisinfo.org>

If human remains are discovered, California Health and Safety Code Section 7050.5 requires you to protect the discovery and notify the county coroner, who will determine if the find is Native American. If the remains are recognized as Native American, the coroner shall then notify the Native American Heritage Commission (NAHC). California Public Resources Code Section 5097.98 authorizes the NAHC to appoint a Most Likely Descendant (MLD) who will make recommendations for the treatment of the discovery.

We further advise you that if you retain the services of a historical resources consultant, the firm or individual you retain is responsible for submitting any report of findings prepared for you to the Central California Information Center, including one copy of the narrative report and copies of any records that document historical resources found as a result of field work, preferably in PDF format. If the consultant wishes to obtain copies of materials not included with this records search reply, additional copy or records search fees may apply.

Due to processing delays and other factors, not all of the historical resource reports and resource records that have been submitted to the State Office of Historic Preservation are available via this records search. Additional information may be available through the federal, state, and local agencies that produced or paid for historical resource management work in the search area. Additionally, Native American tribes have historical resource information not in the CHRIS Inventory, and you should contact the California Native American Heritage Commission for information on local/regional tribal contacts.

The California Office of Historic Preservation (OHP) contracts with the California Historical Resources Information System's (CHRIS) regional Information Centers (ICs) to maintain information in the CHRIS inventory and make it available to local, state, and federal agencies, cultural resource professionals, Native American tribes, researchers, and the public. Recommendations made by IC coordinators or their staff regarding the interpretation and application of this information are advisory only. Such recommendations do not necessarily represent the evaluation or opinion of the State Historic Preservation Officer in carrying out the OHP's regulatory authority under federal and state law.

We thank you for contacting this office regarding historical resource preservation. Please let us know when we can be of further service. Please sign and return the attached **Access Agreement Short Form** (which can be returned by email).

Note: Billing will be transmitted separately via email from the Financial Services office (\$150.00), payable within 60 days of receipt of the invoice.

Sincerely,



Robin Hards, Assistant Research Technician
Central California Information Center

California Historical Resources Information System

Copy of invoice to Laurie Marroquin, Financial Services (lamarroquin@csustan.edu)



OFFICE OF THE CITY ENGINEER
DEVELOPMENT SERVICES
ENGINEERING DIVISION

156 S. BROADWAY, SUITE 150 | TURLOCK, CALIFORNIA 95380 | PHONE 209-668-5520 | FAX 209-668-5563 | TDD 800-735-2929

December 4, 2020

James Figurell dba Price Ford
5200 N Golden State Blvd
Turlock, CA 95382

RE: Will Serve Letter for 5200 and 5202 N Golden State Blvd., APN: 045-053-039 and 045-053-038

Dear Mr. Figurell,

Please accept this document as a response to your will serve letter request for potable water and sanitary sewer services. The City can and will provide potable water and sanitary sewer services to the subject property, pending Stanislaus County Local Agency Formation Commission approval, provided the following conditions are met:

1. Developer shall apply and pay all fees associated with the execution of an out-of-boundary service agreement with the City of Turlock for the proposed utility services.
2. An Out-of-Boundary Service Agreement must be fully executed between the City of Turlock and the property owners.
3. Developer shall pay all application fees to the Stanislaus County Local Agency Formation Commission (LAFCO) to consider and authorize the City of Turlock to provide utility services to the property.
4. The developer shall pay all City of Turlock water and sewer fees prior to the installation of any utility services.
5. All water and sewer work shall be constructed in accordance with the City of Turlock Standard Specifications and Drawings.

If you have any questions, I can be reached at 668-5599 ext. 4435.

Sincerely,

Nathan Bray, PE
Interim Director of Development Services / City Engineer



NEGATIVE DECLARATION

NAME OF PROJECT: REZONE APPLICATION NO. PLN2019-0108 – PRICE HONDA

LOCATION OF PROJECT: North Golden State Boulevard, between East Keyes and East Taylor Roads, in the Keyes/Turlock area. APN: 045-053-008

PROJECT DEVELOPERS: James Figurell, Price Honda of Turlock
5200 N. Golden State Boulevard
Turlock, CA 95382

DESCRIPTION OF PROJECT: The project is a request to rezone a 5.14-acre parcel from expired Planned Development (P-D) (209), to a new P-D to allow for development of an auto dealership in two phases.

Based upon the Initial Study, dated **May 19, 2021**, 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: Jeremy Ballard, Associate 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: REZ APP. NO PLN2019-0108 - PRICE HONDA

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 DEPT OF TRANSPORTATION DIST 10	X	X	X		X							
CA SWQCB: DRINKING WATER DIVISION	X	X	X		X							
CA OPR STATE CLEARINGHOUSE	X	X	X	X				X		X		X
CA RWQCB CENTRAL VALLEY REGION	X	X	X	X				X		X	X	
CITY OF: TURLOCK	X	X	X	X				X		X	X	
COOPERATIVE EXTENSION	X	X	X		X							
FIRE PROTECTION DIST: KEYES	X	X	X		X							
GSA: WEST TURLOCK	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		X							
MUNICIPAL ADVISORY COUNCIL: KEYES	X	X	X	X				X		X		X
PACIFIC GAS & ELECTRIC	X	X	X		X							
RAILROAD: UNION PACIFIC	X	X	X		X							
SAN JOAQUIN VALLEY APCD	X	X	X	X				X		X	X	
SCHOOL DISTRICT 1:KEYES UNION	X	X	X		X							
SCHOOL DISTRICT 2: TURLOCK UNIFIED	X	X	X		X							
STAN CO AG COMMISSIONER	X	X	X		X							
STAN CO BUILDING PERMITS DIVISION	X	X	X	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 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							
STANISLAUS FIRE PREVENTION BUREAU	X	X	X		X							
STANISLAUS LAFCO	X	X	X	X				X		X	X	
SURROUNDING LAND OWNERS		X	X		X							
TELEPHONE COMPANY: ATT	X	X	X		X							

NON-CONSENT ITEMS

C. REZONE APPLICATION NO. PLN2019-0108 – PRICE HONDA OF TURLOCK -

Request to rezone a 5.14-acre parcel from expired Planned Development (P-D) (209) to a new PD for the development of an auto dealership in two phases. The project site is located on North Golden State Boulevard, between West Barnhart and West Taylor Roads, in the Keyes/Turlock area. The Planning Commission will consider adoption of a California Environmental Quality Act Negative Declaration for this project. APN: 045-053-038.

Staff Report: Jeremy Ballard, Associate Planner, Recommends **APPROVAL**.

Public hearing opened.

OPPOSITION: Sharon Turnbull, resident.

FAVOR: Nick Seward, project architect; and James Figurell, project applicant.

Public hearing closed.

Buehner/Munoz (5/0) **RECOMMENDED APPROVAL TO THE BOARD OF SUPERVISORS AS OUTLINED IN THE STAFF REPORT AND WITH THE DELETION OF DEVELOPMENT STANDARD NO. 36 AND WITH THE ADDITION OF DEVELOPMENT STANDARD NO. 44 TO READ AS FOLLOWS:**

~~36. Prior to issuance of a building permit for any sign, the applicant shall submit signage plans to the City of Turlock for review and approval. All signage visible from SR 99 or Golden State Boulevard shall meet City standards.~~

44. Prior to issuance of any building permit, operator/property owner shall submit a written "Good Neighbor Policy" to be reviewed and approved by the Planning Department. The Policy shall establish a plan to provide neighbors with contact information for the dealership and steps the dealership will take to work diligently with the neighbors to address issues.

Roll Call Vote: Ayes – Buehner, Maring, Munoz, Willerup, Zipser
 Noes – None
 Absent – Beekman, Durrer, Mott, Pacheco

EXCERPT

PLANNING COMMISSION

MINUTES*

Signature on file.

Angela Freitas

Planning Commission Secretary

**Pending Planning Commission approval.*

August 10, 2021

Date

William C McClure


To Whom it May Concern:

This letter addresses the Rezone Application No PLN2019-0108
Price Honda of Turlock.

I have lived here for four generations.

When Price Ford moved in they made promises that were never kept
and we have suffered because of it.

We need to have a concrete fence installed on the property line to
control dust and noise.

They park the cars on the dirt with any dusk abatement.


That has been a constant problem.

The lights also lights up our residences at night.

The lights also needs to be addressed.

Mechanics while testing there cars speed up and down Barnhart.

Thank You for considering the residents who will be effected by this
rezoning.


William C. McClure

Rezone application no. pIn2019-0108 Price Honda of Turlock

August 5, 2021

ATT ;Planning Department

When Patchett Ford and Sanders Cadillac first approached our rural community about the car dealerships we were given several promises;

Would not use Barnhart Road for test drives or mechanics testing vehicles (they would use Hwy 99 on at Taylor an off at Golden State or Keyes Road to Geer off at Taylor making a loop)

Peterbuilt had this same agreement an kept their word. Very seldom do you see their truck's on Barnhart Road.

Know we have PRICE FORD

We call and ask for the company drivers to slow down PLEASE I know it's a 55 mph are BUT not a 90 mph. They asked how do you know its our drivers? The tag in the window, paper tag on side window or their shirt's. Two new Ford trucks drag racing down the road This is not a good neighbor. WE call and are told they pay taxes to use the road just like us!! We are not able to walk or ride bikes on this road any more what a shame some of us, are 5 generations on this street. Look out getting your mail from the box you're a target. Our only recourse is to call the Hwy Patrol which many of us have done multiple times or the sheriff dept.

This does not include the dirt from the field area you propose the Price Honda dealership, loading and unloading of vehicles anytime of night or day. Slamming of door's, revving of engines, loud music at all hours. With No consideration for the home owners in the Mobile home park or homes behind this area. No water trucks to keep dirt down. This is not a good thing.

Know you ask me about PRICE HONDA coming in No No.

They have no consideration for our community. If you ok this venture I hope the same will apply as before with Patchett Ford

1 block wall

2 lights shinning only on there property

3 NO outside speakers

4 No test driving or mechanic test on Barnhart Road

5 Not open 24 hours a day (sales or repairs)

Sharon Turnbull



Joyce McClure

[REDACTED]

To Whom It May Concern:

This letter addresses the Rezone Application No. PLN2019-0108 Price Honda of Turlock.

When Price Ford moved in, we were told that a retainer wall would be put in place. This has not happened. A concrete wall needs to be put in place to control dust and noise.

Cars are parked on the dirt alongside and behind the Price Ford building, and dust is constantly kicked up. Because there is no solid wall separating Price Ford's property and that of Countryside Mobile Home estates, we get the brunt of the dust.

Cars are loaded and unloaded day and night. The noise and lights disturb our residences, especially at night. We are often kept up, and woken up, late in the night.

In addition to the disturbances caused on the Price Ford property, there are also issues along West Barnhart Rd. due to Price Ford. While test driving cars, they often speed down West Barnhart Rd and in doing so become a safety hazard. Because of the speeds with which they drive, they make it dangerous to turn onto West Barnhart Rd. from Countryside Mobile Home Estates.

I have lived here for over forty years, and the quality of life in this park has diminished since Price Ford has taken over that property due to the noise, lights, dust, and safety hazards that they bring.

Thank you

[REDACTED]
Joyce McClure

To Whom it may concern:

As a resident of Barnhart Road, since 1971, my family and I have been very concerned with the high traffic volume and very fast driving on this road since the Price Ford dealership has opened. We have grandchildren that play outside and a family pet that also plays outside. Despite putting signs up to warn drivers of children, the cars still drive extremely fast, knocking over our signs, and sometimes turning around very fast in our driveway. The fast vehicles that are noticed have dealership plates and sometimes the mechanics are actually driving the car looking down and not paying attention to the road. The dealership does not seem to take our concerns seriously, ignoring our requests. We do not want to see anymore auto dealerships moving in around us making our family unsafe.

Thank you,

Concerned resident

From: [TONY HEGARTY](#)
To: [Planning](#)
Subject: Price Honda
Date: Wednesday, August 4, 2021 3:58:18 PM

*** WARNING: This message originated from outside of Stanislaus County. DO NOT click links or open attachments unless you recognize the sender and know the content is safe ***

Rezone app. Pln2019-0108

Living in Countryside MH park behind this property we have already endured the rude obstinate behavior of Price Ford, over the intrusive lighting (solar lights not coming on) aimed @ the MH park making it unbearable, the dust and noise of them driving on the dirt instead if using their paved driveways, the noise of vehicle alarms 24hours a day constantly, the added traffic of them racing down Barnhart rd. Total disregard for safety of people entering or exiting the MH park. Price Ford has an attitude that all is fair for them “ their business, their rules” this Adult park has been here since the mid 1960’s and should have some consideration when it comes to Noise, Lighting, Traffic. They should have restrictions on hours of operation and deliveries regarding noise and lighting to not be a nuisance to neighbors just as they are limited on lighting that impedes traffic on the freeway. My experience with Price Ford has not been an amicable one and i do not look forward to dealing with them being 50 feet from the back of my home, not with their track record, without stipulations put in place before they start any and all construction and operation, to help keep them in legal line to be a considerate neighbor.

Sincerely William Hegarty [REDACTED]

From: [Lena Van Beek](#)
To: [Planning](#)
Subject: Public Hearing - Thursday August 5, 2021
Date: Thursday, August 5, 2021 11:23:50 AM
Attachments: [image003.png](#)

***** WARNING:** This message originated from outside of **Stanislaus County**. **DO NOT** click links or open attachments unless you recognize the sender and know the content is safe *******

Stanislaus County Planning Commission

RE: Assessor Parcel Number 045-053-038

Rezoning application PLN2019-2018 – PRICE HONDA OF TURLOCK

As citizens on W Barnhart Road, this expansion is concerning due to the current reckless driving, excessive speed and traffic that already is a problem.

This expansion going forward without addressing this issue should be placed on hold until the owner of FORD develops a plan, and proposal, for routes in test driving vehicles.

This should be put into part of the proposal and addressed with public disclosure.

The Stanislaus County Sheriff Jeff Dirkse has been apprised of this concern.

Email Sheriff Jeff Dirkse

Your Email:

Subject:

Message:

Thank you for your concern and follow up in this matter.

Sincerely

Lena Van Beek

resident

Price Honda of Turlock & Price Ford of Turlock Good Neighbor Policy

In effort to conduct business at Price Honda and Price Ford of Turlock in a manner that promotes harmonious relationships with their neighbors, Price Honda of Turlock and Price Ford of Turlock hereby implements the following “Good Neighbor Policy.”

I. Test Drive Procedures:

- a. Test drive routes for Sales and Service will not include Barnhart Road (see attached map)

II. Mowing of parcel No. 045-053-038

- a. Prior to construction of the Honda dealership, we will use a water truck prior to mowing the vacant lot to reduce dust as needed.

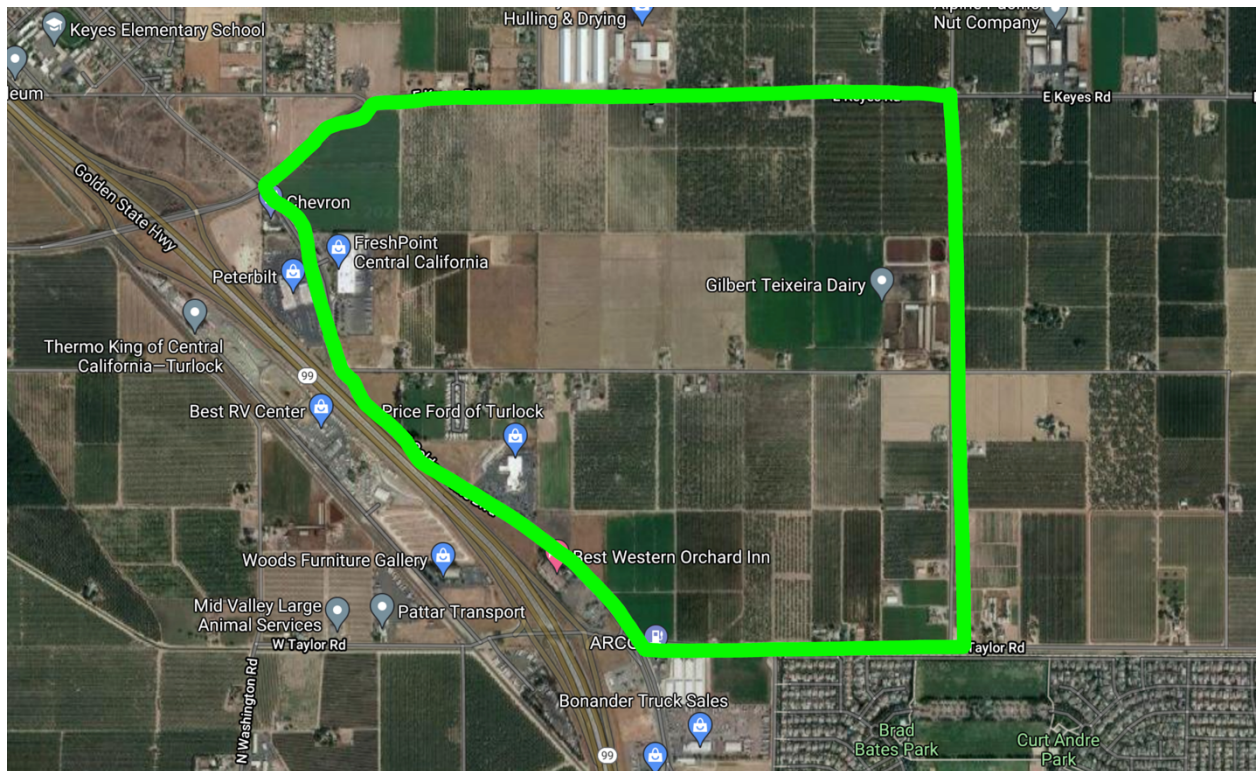
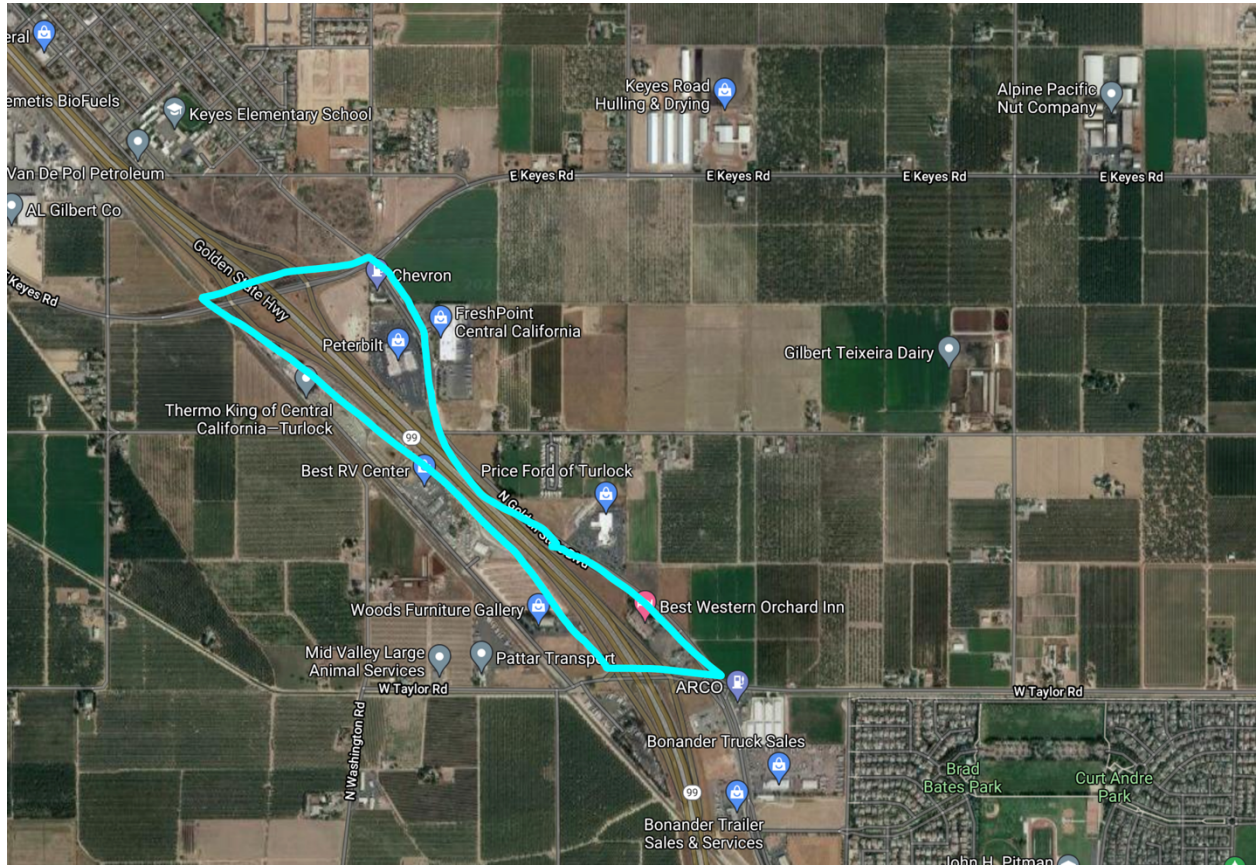
III. Complaint Procedures

- a. Residents may call 209.633.4119 to report any issues with employees violating the policy and driving down Barnhart

Road. This line goes directly to the Controller of Price Honda of Turlock and will be directly related to ownership and addressed immediately

- b. If after business hours, residents may leave a message at 209.633.4119 and a representative from Price Honda or Price Ford of Turlock will return the call no later than the following business day.
- c. As an alternative, residents may email james@pricedealerships.com for assistance.
- d. In the event of any complaints regarding the violation of the proposed test drive routes, James Figurell (Owner) and senior management will investigate the violation, take disciplinary action against the employee if warranted, and report the results of the investigation to the complainant within 72 hours.

Per Stanislaus County request, if any change to the test drive policy were ever considered, Price Honda and Price Ford of Turlock will notify all residents with property bordering Barnhart Road of proposed changes in writing and not proceed with any changes unless all parties agree.





ARCHITECT
NJA ARCHITECTURE
212 W PINE STREET, STE #1
LOS ANGELES, CA 90012
209.400.6000
www.njaarchitecture.com

CLIENT
CLEMENTINE PROPERTIES, LLC
1800 HAMMOND DRIVE
TURLOCK, CA 95352

PROJECT
PRICE HONDA OF TURLOCK
5200 N GOLDEN STATE BLVD.
TURLOCK, CA 95352

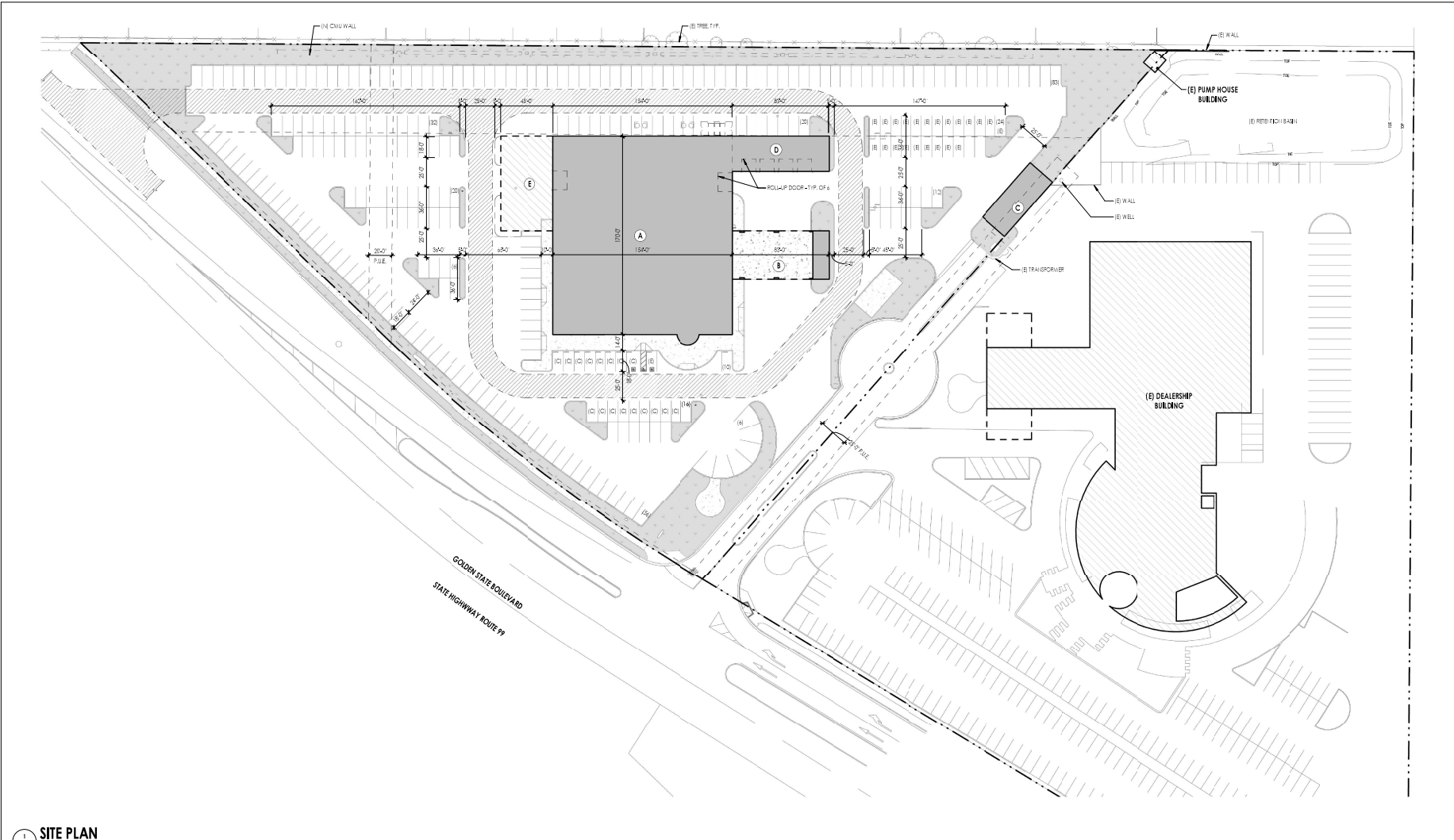
REVISIONS		
No.	Description	Date



SITE APPROVAL
08.12.21

SITE PLAN

A0.0

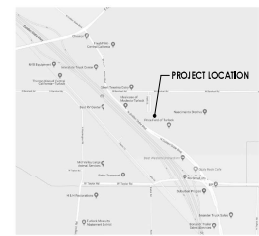


SITE PLAN
A0.0
1" = 40'-0"

PARCEL MAP:



VICINITY MAP:



PARKING ANALYSIS:

EMPLOYEE (B) PARKING	23 STANDARD STALLS (8 ICL. 1 ACCESSIBLE STALL)
CUSTOMER (C) PARKING	17 STANDARD STALLS (8 ICL. 1 ACCESSIBLE STALL)
UTILITY/REPAIR PARKING	23 STANDARD STALLS
TOTAL	293 STALLS

GENERAL NOTES:

1. ASSUMES PARCEL NUMBER 04848038
2. SITE SUMMARY: TOTAL SITE 5.14 AC.
3. SITE LOCATION: 5200 GOLDEN STATE BLVD., TURLOCK, CA 95352
4. CURRENT ZONING: (C) PD (200)
5. ALL IMPROVEMENTS TO BE INSTALLED SHALL BE IN ACCORDANCE WITH STANISLAUS COUNTY STANDARDS
6. THE PROPERTY LINE SETBACKS, BEARINGS AND ALL OTHER DIMENSIONS SHOWN ON THIS SITE PLAN DO NOT REFLECT ANY ACTUAL FIELD SURVEY AND MUST BE FIELD VERIFIED BY CONTRACTOR
7. PARKING SPACES TO BE MINIMUM 14'-0" WIDE BY 18'-0" DEEP TYPICAL
8. EMPLOYEE PARKING TO BE REQUIRED FOR EACH EMPLOYEE ON A 1:1 BASIS (1:1 EMPLOYEE TO 1:1 VEHICLE)
9. ONE CUSTOMER PARKING SPACE REQUIRED FOR EVERY 20 VEHICLES FOR SALES PER SECTION 21.76.10

LEGEND:

	PROPOSED BUILDING
	FUTURE BUILDING
	EXISTING BUILDING
	NEW CONCRETE/PLATWORK
	NEW ASPHALT
	20 FT. FIRE ACCESS LANE
	PROPERTY LINE

STRUCTURE LEGEND:

KEYNOTE	USE	AREA	PHASE/TYPE	HGT./STORIES
(A)	DEALERSHIP	33,410 SF	PHASE 1 / 12 MO/ENG	38 FT. / 2 STORIES
(B)	SERVICE RECEPTION CANOPY	3,456 SF	PHASE 1 / 12 MO/ENG	23 FT. / 1 STORY
(C)	DETAIL BUILDING	1,970 SF	PHASE 1 / 12 MO/ENG	23 FT. / 1 STORY
(D)	EXPRESS SERVICE CENTER	2,490 SF	PHASE 1 / 12 MO/ENG	23 FT. / 1 STORY
(E)	SERVICE BAY / EMP. WAREHOUSE	3,660 SF	PHASE 2 / 12 MO/ENG	23 FT. / 1 STORY



ARCHITECT
NJA ARCHITECTURE
212 W PINE STREET, STE #1
LOS ANGELES, CA 90040
209.400.6060
www.njaarchitecture.com

CLIENT
CLEMENTINE PROPERTIES, LLC
1800 HAMMACH DRIVE
TURLOCK, CA 95352

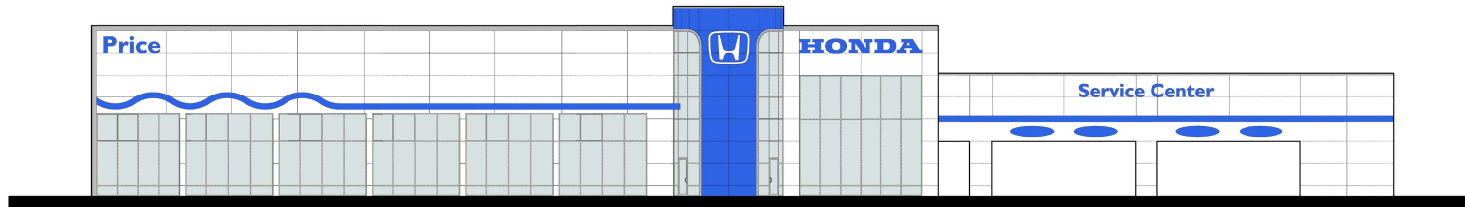
PROJECT
PRICE HONDA OF TURLOCK
5200 N GOLDEN STATE BLVD.
TURLOCK, CA 95352

REVISIONS		
No.	Description	Date

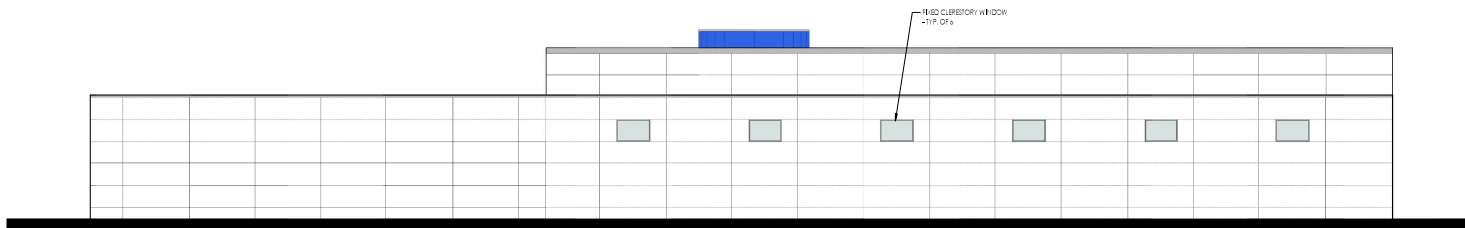
SITE APPROVAL
08.12.21

EXTERIOR ELEVATIONS

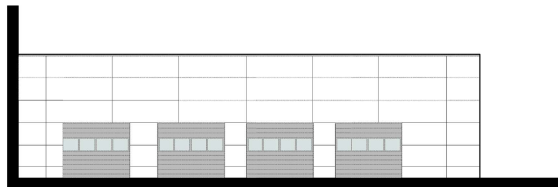
SD5.0



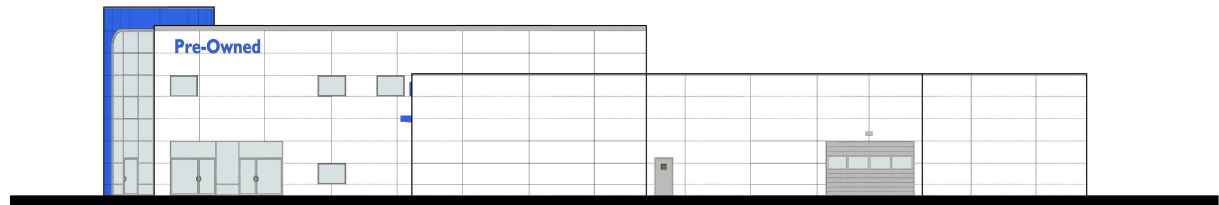
SOUTH ELEVATION
1/100 3/32" = 1'-0"



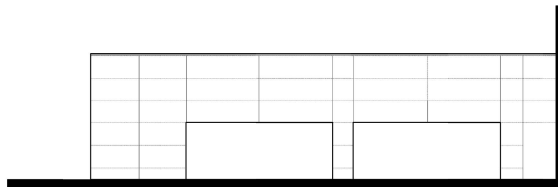
NORTH ELEVATION
1/100 3/32" = 1'-0"



PARTIAL ELEVATION - EXPRESS SERVICE
1/100 3/32" = 1'-0"



EAST ELEVATION
1/100 3/32" = 1'-0"



PARTIAL ELEVATION - SERVICE RECEPTION
1/100 3/32" = 1'-0"



WEST ELEVATION
1/100 3/32" = 1'-0"

From: [Jeremy Ballard](#)
To: [Jeremy Ballard](#)
Subject: RE: Price Honda
Date: Monday, August 23, 2021 11:07:14 AM

-----Original Message-----

From: TONY HEGARTY [REDACTED]
Sent: Saturday, August 21, 2021 7:48 AM
To: Jeremy Ballard <BALLARDJ@stancounty.com>
Subject: Re: Price Honda

*** WARNING: This message originated from outside of Stanislaus County. DO NOT click links or open attachments unless you recognize the sender and know the content is safe ***

Jeremy, good morning, Price Ford continues to use a dirt road behind our mobile home park as a driveway, they have adequate paved driveways but seem to enjoy kicking up dust clouds as they hotrod in the dirt. This is just an example of their continuing disregard for their surrounding neighbors, is there any way to curb this nuisance? I appreciate your time, sincerely William Hegarty

Sent from my iPhone

STANISLAUS COUNTY ORDINANCE NO. C.S. 1309

AN ORDINANCE ADOPTING SECTIONAL DISTRICT MAP NO. 9-110-1035 FOR THE PURPOSE OF REZONING A 5.14 ACRE PARCEL FROM EXPIRED PLANNED DEVELOPMENT (P-D) (209), TO A NEW P-D TO ALLOW FOR DEVELOPMENT OF AN AUTO DEALERSHIP IN TWO PHASES, LOCATED ON NORTH GOLDEN STATE BOULEVARD, BETWEEN WEST BARNHART AND WEST TAYLOR ROADS, IN THE KEYES/TURLOCK AREA. APN: 045-053-038.

The Board of Supervisors of the County of Stanislaus, State of California, ordains as follows:


Section 1. Sectional District Map No. 9-110-1035 is adopted for the purpose of designating and indicating the location and boundaries of a District, such map to appear as follows:

(Map to be inserted upon rezone approval)

Section 2. This ordinance shall take effect and be in full force thirty (30) days from and after the date of its passage and before the expiration of fifteen (15) days after its passage it shall be published once, with the names of the members voting for and against same, in the Modesto Bee, a newspaper of general circulation published in Stanislaus County, State of California.

Upon motion of Supervisor Withrow, seconded by Supervisor B. Condit, the foregoing ordinance was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, this 31st day of August, 2021, by the following called vote:

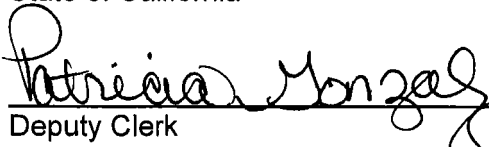
AYES:	Supervisors:	B. Condit, Withrow, Grewal, C. Condit, and Chairman Chiesa
NOES:	Supervisors:	None
ABSENT:	Supervisors:	None
ABSTAINING:	Supervisors:	None



Vito Chiesa
CHAIRMAN OF THE BOARD OF SUPERVISORS
of the County of Stanislaus,
State of California

ATTEST: ELIZABETH A. KING, Clerk of
the Board of Supervisors of
the County of Stanislaus,
State of California

BY:

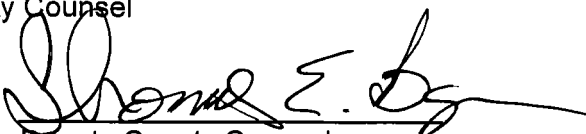


Deputy Clerk

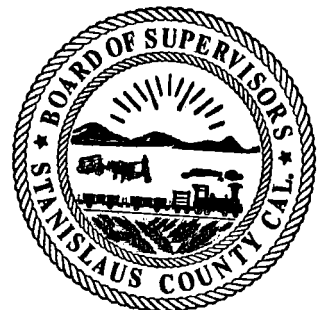
APPROVED AS TO FORM:

Thomas E. Boze
County Counsel

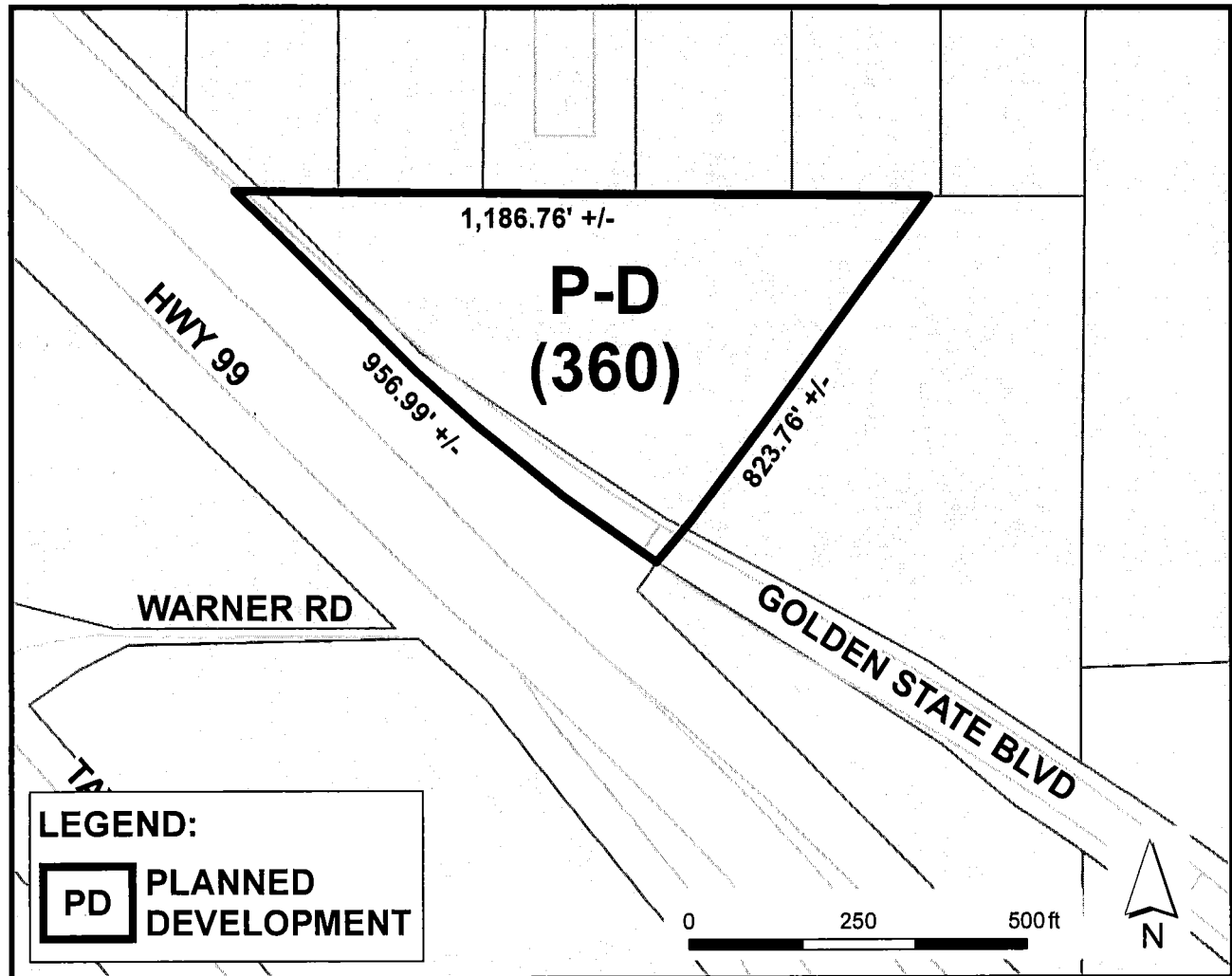
By



Deputy County Counsel



SECTIONAL DISTRICT MAP NO. 9-110-1035



EFFECTIVE DATE: 9/29/2021

PREVIOUS MAPS: 453, 499, 508, 521-AA, 558, 626, 671-I, 839, 979



CITY OF TURLOCK - DEVELOPMENT IMPACT FEES

156 S. Broadway, Suite 150 - Turlock, CA 95380 - (209) 668-5520

Building Permit #	County PLN2019-010	Project Name	Price Honda of Turlock
Date of BP Application	N/A	Address of Work	5220 N Golden State Blvd
Date Fees Calc'd	08/01/24	APN #	045-053-038

Fee Code	Category	Amount	Comments
	Street Light Fee	\$ -	
	Sewer Trunk Line Construction Fee	\$ -	
	Sewer Trunk Line Admin. Fee	\$ -	
	Sewer Capital Expansion Fee	\$ -	
	Sewer Frontage Fee	\$ -	
	Water Grid Fee	\$ -	
	Water Frontage Fee	\$ -	
	Water Meter	\$ -	
	Master Storm Drainage Fee	\$ -	
	Master Storm Drainage Admin. Fee	\$ -	
	Engineering	\$ -	
	Engineering Blue Sheet Sign-off	\$ -	
	Water Well Tax	\$ -	
	Transportation Tax	\$ -	
	Traffic Signals Tax	\$ -	
	Public Safety Tax	\$ -	
	Park Development Tax	\$ -	
E-BP CFF ROAD	Cap. Fac. Fee Road	\$ 558,438.87	
E-BP CFF POLICE	Cap. Fac. Fee P.D.	\$ 4,978.71	
	Cap. Fac. Fee General Government	\$ -	
E-BP CFF FIRE	Cap. Fac. Fee Fire	\$ 3,123.78	
E-BP CFF ADMIN	Cap. Fac. Fee Administration	\$ 16,996.24	
	N.W.T.S.P. Fee Sewer	\$ -	
	N.W.T.S.P. Fee Water	\$ -	
	N.W.T.S.P. Fee Admin	\$ -	
	North Area Master Plan Transp. Fee	\$ -	
	North Area Master Plan Sewer Fee	\$ -	
	North Area Master Plan Drainage Fee	\$ -	
	North Area Master Plan Admin Fee	\$ -	
	NE Trlk Master Plan Transportation Fee	\$ -	
	NE Trlk Master Plan Sewer Fee	\$ -	
	NE Trlk Master Plan Drainage Fee	\$ -	
	NE Trlk Master Plan Water Fee	\$ -	
	NE Trlk Master Plan Admin Fee	\$ -	
	E. Tuolumne Master Plan Transp. Fee	\$ -	
	E. Tuolumne Master Plan Sewer Fee	\$ -	
	E. Tuolumne Master Plan Drainage Fee	\$ -	
	E. Tuolumne Master Plan Water Fee	\$ -	
	E. Tuolumne Master Plan Admin. Fee	\$ -	
	Morgan Ranch Master Plan Transp. Fee	\$ -	
	Morgan Ranch Master Plan Sewer Fee	\$ -	
	Morgan Ranch Master Plan Water Fee	\$ -	
	Morgan Ranch Master Plan Admin. Fee	\$ -	
	W.I.S.P. Sewer Fee	\$ -	
	W.I.S.P. Potable Water Fee	\$ -	
	W.I.S.P. Administration Fee	\$ -	
	Park Improvement Fee (Neighborhood)	\$ -	
	Park Improvement Fee (Community)	\$ -	
	Park Land Fee (Neighborhood)	\$ -	
	Park Land Fee (Community)	\$ -	
	Landscape Inspection Fee	\$ -	
	GIS Development Charges	\$ -	
	Traffic Signal Assessment Fee	\$ -	
	Septic Tank/Pool Demolition & Backfill	\$ -	
	Assessment District Formation Fee	\$ -	
	Res. Def. Agreement Fee Engineering	\$ -	
	TOTAL	\$ 583,537.60	



REAGAN M. WILSON
CITY MANAGER

OFFICE OF THE CITY MANAGER
RWILSON@TURLOCK.CA.US

156 S. BROADWAY, SUITE 230 | TURLOCK, CALIFORNIA 95380 | PHONE 209-668-5540 | FAX 209-668-5668 | TDD 1-800-735-2929

December 12, 2024

Jeremy Ballard, Senior Planner
Stanislaus County
Planning & Community Development
1010 10th Street, Suite 3400
Modesto, CA 95354

Dear Mr. Ballard:

Subject: Development Standard Amendment for Rezone No. PLN 2019-0108 – Price Honda of Turlock – Request to remove Development Standard No. 31 from the Planned Development (P-D (360) zoning district, which requires payment of City of Turlock Capital Facilities Fees.

Please consider this notice of the City of Turlock's opposition and objection to the applicant's request to remove Development Standard #31 from the Rezone Application No. PLN2019-00108 - Price Honda of Turlock.

PROJECT DESCRIPTION/CONDITION OF APPROVAL

The original application was to rezone the 5.94-acre parcel from expired PD 209 to a new PD for an auto dealership to be developed in two phases. Phase 1 includes construction of a two-story 29,300 square foot dealership building that would include a showroom, offices, parts storage, service areas and a 2,048 square foot outdoor service canopy and 1,500 square foot building of auto dealing. Three hundred and fifteen parking stalls for sales inventory, customer and employee parking was to be installed with phase one. Phase 2 was to include a new 2,100 square foot expansion to the outdoor service canopy and 3,375 square foot expansion to the service bay. There are to be a maximum of 24 employees on a shift with up to 35 customers and one truck trip per day.

As part of the application process the City of Trulock submitted comments arising out of the project's impacts and consistent with the Stanislaus County General Plan Policy Twenty-Seven that the project which is located outside the City's Sphere of Influence, but within a one-mile buffer of the City Limits and within the City's General Plan study area be held to city development standards and design guidelines and requested conditions of approval be incorporated into the permits one of which was payment of "...city-wide transportation, and police and fire service impact fees prior to issuance of a building permit." The County's

ATTACHMENT D

approved application included as Development Standard #31 that the developer/property owner pay city-wide transportation, and police and fire service impact fee prior to issuance of a building permit.

THE APPLICATION INITIAL STUDY AND NEGATIVE DECLARATION MANDATES PAYMENT OF THE CITY'S CAPITAL FACILITIES FEES

The project's relationship and impact is intertwined with the City of Turlock notwithstanding it being just outside the city's sphere of influence. The project will be served by the City of Turlock for public water and sewer. The project area was at one time encumbered with a development restriction easement which was terminated by the City of Turlock with the adoption of a City/County tax sharing agreement primarily designed to accumulate one million dollars combined (five hundred thousand from each entity) over the initial 10 year period seed funding for the planning and development of improvements that may be required for the Taylor Road Interchange project at Highway 99. The tax sharing agreement does not address the project's fair share of the costs of impacts on City transportation infrastructure.

The County environmental work on this project and subsequent adoption of the Negative Declaration based on a finding that based on the whole record, including the Initial Study and comments received there was no substantial evidence the project would have a significant effect on the environment, is fatally flawed without addressing the conceded project impacts on the City of Turlock Transportation facilities and infrastructure. The CEQA INITIAL STUDY Issue XI. Land Use and Planning concludes the project would have a less than significant impact because the City of Turlock Development Standards would be added to the project requiring City of Turlock Standards be complied with including the payment of the subject fees. Without this condition the finding of less than significant impact cannot be made, compromising the entire CEQA process.

Stanislaus County General Plan Policy Twenty-Seven provides in part that Development which requires discretionary approval and is outside the sphere of influence of cities but located within one mile of a city's adopted sphere of influence, and within a city's adopted general plan area, shall be referred out to the city for consideration. This policy logically is because of the direct impact a project in such proximity to a city is going to have on a city. Under the policy implementation measures referral to the city is mandatory as is consideration of the application of city development standards. The subsequent General Plan policy mandates supporting a County-wide growth management strategy that is equitable to the needs of the County and all nine cities. In short, without the project paying its fair share of transportation impact on the City of Turlock the proposed project is in violation of both policies of the Stanislaus County General Plan.

The City of Turlock General Plan policy 5-2-1, Funding for improvements states: ensure that new development pays its fair share of the costs of transportation facilities, The policy requires development in adjacent unincorporated areas to pay its fair share of impacts on city transportation infrastructure. The City of Turlock's capital facilities fees for road police, fire and administration are based on the city's fee/rate study (attached) and calculated on a building square footage basis with different rates used for different uses for example warehouse, office and retail commercial in this case. Because the applicant did not provide any explanation as to the intended split of the building square footage the city's calculation was based on 33,000 square footage of retail commercial services.

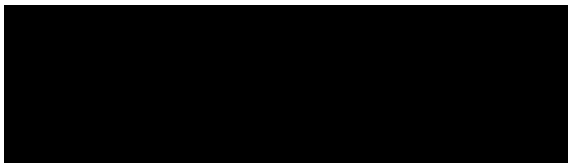
DISCUSSION WITH APPLICANT

Upon being presented with the subject development impact fee calculation from the City of Turlock the applicant objected and claimed that it should be eliminated basically because of the tax sharing agreement to collect 50% of the tax revenue from project sales and because there was a seven-year-old traffic study for the RV Center across the highway which supported a lower fee. While the City gave consideration to the arguments, the City felt the arguments if accepted would leave very real impacts that the City would have to address at the expense of its taxpayers and other developers if the fee were to be eliminated in its entirety. The City requested the applicant do its own traffic study (as the RV center had done) which the applicant rejected. The City even offered to participate in the expense of a new project specific traffic study. The City also requested that the applicant provide a more detailed description of the building to see if splitting the structure to uses other than all Retail Commercial Services would reduce the fee. For example, the city staff including planning and engineering have calculated that if the build use square footage was split to $\frac{1}{4}$ office, $\frac{1}{4}$ retail commercial and $\frac{1}{2}$ warehouse the entire fee would be cut in half. Discussions on how to work on a reduced fee that still had a reasonable relationship to development impacts ceased with the applicant's submittal to the County to remove Development Standard #31, payment of the City of Turlock Transportation, Police and Fire services fees, for the applicant project, Price Honda of Turlock.

CONCLUSION

While the City appreciates its fees are substantial so too are the impacts this project will have on City Transportation Police and Fire service facilities and infrastructure. The fees are based on a rate study establishing the nexus or relationship between the proposed use(s) and development impacts. Based on all the studies the City has available to it, the impact on the City of Turlock will not be addressed by its share of sales tax from the tax sharing agreement. The tax sharing agreement was not intended to address Transportation Police and/or Fire impacts on the City of Turlock it was designed to address the City's portion of the Taylor Road Interchanges project at Highway 99. The City of Turlock remains ready to work with the applicant on a reasonable reduction of the fee based on a reasonable evaluation of the project impacts like a project specific traffic study or a recalculation with more detail of the building usage.

Sincerely,



Reagan M. Wilson
City Manager

AMENDED DEVELOPMENT STANDARDS

REZONE NO. PLN2019-0108 - PRICE HONDA OF TURLOCK

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, 2020), 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 **\$2,537.25**, 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. 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.
6. Any construction resulting from this project shall comply with standardized dust controls adopted by the San Joaquin Valley Air Pollution Control District (SJVAPCD) and may be subject to additional regulations/permits, as determined by the SJVAPCD.
7. The Department of Planning and Community Development shall record a Notice of Administrative Conditions and Restrictions with the County Recorder's Office within 30 days of project approval. The Notice includes: Conditions of Approval/Development Standards and Schedule; any adopted Mitigation Measures; and a project area map.

8. Prior to issuance of any building permit modifying the existing lighting, a photometric lighting plan shall be submitted for review and approval by the Planning Department. 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 the lighting fixtures should not exceed 25 feet above grade.
9. A final landscape and irrigation plan for the entire site shall be submitted to the City of Turlock and the Stanislaus County Planning Department for review and approval prior to issuance of any building permit. Landscape and Irrigation plans shall meet current State of California water use requirements and City of Turlock standards at the time of submittal. The review of the landscape plan shall be subject to applicable City and County landscape review and inspection fees in effect at the time of review and inspection.
10. Dead or dying plants shall be replaced with materials of equal size and similar variety. Any dead trees shall be replaced with a similar variety of a 15-gallon size or larger.
11. No use of any type of outdoor public announcement system shall be allowed on the project site.
12. 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.
13. All signage shall be approved by the Planning Director or appointed designee(s) prior to issuance of a building permit.

Department of Public Works

14. No parking, loading, or unloading of vehicles will be permitted within the Stanislaus 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 done in Stanislaus County right-of-way.
17. Prior to the final of any building or grading permit, whichever comes first, the property shall be annexed into the Golden State Lighting District. The applicant shall provide all necessary documents and pay all the costs associated with the annexation process. The annexation of the parcel into the Golden State Lighting District shall be completed before the final/occupancy of any building permit associated with this project.
18. Prior to the Department of Public Works doing any plan review or inspections associated with the development, the applicant shall sign a "Plan Check/Inspection Agreement" and post a \$5,000 deposit with Public Works.

19. Prior to the final of any grading or building permit, the applicant shall make road frontage improvements along the entire parcel frontage of the parcel on N. Golden State Boulevard. The improvements shall include but not limited to streetlights, curb, gutter, and sidewalk, storm drainage, matching pavement, center concrete median, and extension of a south-bound dedicated turn lane. Improvement plans shall be submitted to Public Works Department for review and approval.
20. An engineer's estimate shall be provided for the road improvements to determine the amount of the financial guarantee. This shall be submitted prior to issuance if any building permit and after the road improvements have been approved by Department of Public Works.
21. A financial guarantee in a form acceptable to the Department of Public Works shall be deposited for the street improvements installation along the frontage on N. Golden State Boulevard prior to the issuance of the first building permit.
22. A grading and drainage plan for the project site shall be submitted before any building permit for the site is issued. Public Works will review and approve the drainage calculations. The grading and drainage plan shall include the following information:
 - a. Drainage calculations shall be prepared as per the Stanislaus County Standards and Specifications that are current at the time the permit is issued.
 - b. The plan shall contain enough information to verify that all runoff will be kept from going onto adjacent properties and Stanislaus County road right-of-way.
 - c. The grading and drainage plan shall comply with the current Stanislaus County National Pollutant Discharge Elimination System (NPDES) General Permit and the Quality Control standards for New Development and Redevelopment contained therein.
 - d. An Engineer's Estimate shall be submitted for the grading and drainage work.
 - e. The grading, drainage, and associated work shall be accepted by Stanislaus County Public Works prior to a final inspection or occupancy, as required by the building permit.

The applicant of the building permit shall pay the current Stanislaus County Public Works weighted labor rate for the plan review of the building and/or grading plan.

Department of Environmental Resources

23. Prior to issuance of any building permit, the property owner must submit an executed 'Will Serve' letter for municipal water and sanitary sewer services to Stanislaus County Department of Environmental Resources.
24. This project shall not connect to the public water system 5000498, currently known as Golden State PFT Properties LLC, unless the water system 5000498 has been determined to be in compliance with all Maximum Contamination Levels as contained in California Code of Regulations, Title 22 by the Department of Environmental Resources, Environmental Health Division's Local Primacy Agency program.

25. Without a public sewer connection to City of Turlock, any new buildings with an OWTS connection shall be subject to Measure X. All Local Agency Management Program (LAMP) standards and shall be met prior to issuance of a building permit.
26. The applicant shall secure all necessary permits for the destruction/ relocation of any onsite water wells and water distribution lines, and/or septic systems at the project site under the direction of the Stanislaus County Department of Environmental Resources (SCDER).

Department of Environmental Resources (DER) - Hazardous Materials Division (Hazmat)

27. The property owner/operator shall contact the DER Hazmat regarding appropriate permitting requirements for hazardous materials, and/or wastes. The applicant and/or occupants handling hazardous material or generating wastes shall notify the department prior to operation.

Building Permits Division

28. Building permits are required and the project must conform with the California Code of Regulations, Title 24.

City of Turlock

29. Any future expansion shall be subject to review and approval by the City of Turlock.
30. The applicant shall obtain a City of Turlock encroachment permit prior to connecting to City of Turlock water and/or sewer.
- ~~31. The developer/property owner shall pay city-wide transportation, and police and fire service impact fees prior to issuance of a building permit.~~
32. Prior to the issuance of building permit, a landscape plan shall be submitted to the City of Turlock for approval, and shall be installed in accordance with the approved landscape plans in conjunction with the building permit.
33. Any drainage basins shall be landscaped to enhance the filtering of storm water runoff.
34. All drive aisles, vehicle parking or storage areas shall be paved.
35. A sand/oil interceptor shall be installed. Plans shall be reviewed and approved by the City of Turlock Engineering and Municipal Services Divisions prior to the issuance of any building, grading, or encroachment permits.

Turlock Irrigation District (TID)

36. Prior to issuance of a building or grading permit, the irrigation pipeline belonging to Improvement District 611 shall be upgraded to current development standards or abandoned if relinquished by the sole user on APN: 045-062-001.
37. Prior to the issuance of a building or grading permit, the ID 611 pipeline that Serves APN 045-062-001 and the private pipeline that serves APNs: 045-053-020, 045-053-021, and

045-053-028 shall be upgraded to current development standards or removed if relinquished by the users of the pipeline. If the pipeline is to remain, a 25-wide irrigation easement centered on the pipeline shall be dedicated to the benefitting parcels.

38. Developed property adjoining irrigated ground shall be graded so that finished grading elevations are at least 6 inches higher than irrigated ground. A protective berm shall be installed to prevent irrigation water from reaching non-irrigated properties.
39. The District shall review and approve all plans associated with the development. Any improvements that impact the District's irrigation facilities shall be subject to an Irrigation Improvement Agreement, subject to TID Board approval.

Local Agency Formation Commission (LAFCO)

40. Prior to connecting to the City of Turlock water and sewer system, LAFCO approval of an out-of-boundary service extension shall be obtained.

San Joaquin Valley Air Pollution Control District

41. Prior to the issuance of a building or grading permit, the property owner/operator shall contact the District's Small Business Assistance Office to determine if any Air District permits or if any other District rules or permits are required, including but not limited to an Authority to Construct (ATC).

Central Valley Regional Water Quality Control Board

42. Prior to ground disturbance or issuance of a building permit, the Central Valley Regional Quality Control Board shall be consulted to obtain any necessary permits and to implement any necessary measures, including but not limited to Construction Storm Water General Permit, Phase I and II Municipal Separate Storm Sewer System (MS4) Permits, Industrial Storm Water General Permit, Clean Water Act Section 404 Permit, Clean Water Act Section 401 Permit (Water Quality Certification), Waste Discharge Requirements, Dewatering Permit, Low or Limited Threat General NPDES Permit, NPDES Permit or any other applicable Regional Water Quality Control Board permit.

Planning Commission

43. Prior to issuance of any building permit, operator/property owner shall submit a written "Good Neighbor Policy" to be reviewed and approved by the Planning Department. The Policy shall establish a plan to provide neighbors with contact information for the dealership and steps the dealership will take to work diligently with the neighbors to address issues.

Please note: If Conditions of Approval/Development Standards are amended by the 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.

STANISLAUS COUNTY
DEPARTMENT OF PLANNING AND
COMMUNITY DEVELOPMENT
1010 10th Street, Suite 3400
Modesto, California 95354

NOTICE OF EXEMPTION

Project Title: DEVELOPMENT STANDARD MODIFICATION FOR REZONE NO. 2019-0108 – PRICE HONDA OF TURLOCK

Applicant Information: James Figurell, Price Honda of Turlock Phone No: (209) 633-4115

Project Location: 5220 Golden State Boulevard, between West Barnhart and West Taylor Roads, in the Keyes/Turlock area

Description of Project: Modification to the development standards for Planned Development (P-D) (360), by way of deletion of Development Standard (DS) No. 31, which requires the payment of City of Turlock fees.

Name of Agency Approving Project: Stanislaus County Planning Commission

Lead Agency Contact Person: Jeremy Ballard, Senior Planner

Telephone: (209) 525-6330

Exempt Status: (check one)

- ☐ Ministerial (Section 21080(b)(1); 15268);
- ☐ Declared Emergency (Section 21080(b)(3); 15269(a));
- ☐ Emergency Project (Section 21080(b)(4); 15269(b)(c));
- ☐ Categorical Exemption. State type and section number: _____
- ☐ Statutory Exemptions. State code number: _____
- ☒ Common Sense Exemption. 15061 (b)(3)

Reasons why project is exempt: Development Standard did not support environmental determination. Removal will not induce any new impacts not previously analyzed in adopted negative declaration for the project.

Dated

Kristen Anaya
Senior Planner

SUMMARY OF RESPONSES FOR ENVIRONMENTAL REVIEW REFERRALS												
PROJECT: DEVELOPMENT STANDARD MODIFICATION FOR REZONE NO. 2019-0108 – PRICE HONDA OF TURLOCK												
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 RWQCB CENTRAL VALLEY REGION	X		X		X							
CITY OF: TURLOCK	X		X		X							
IRRIGATION DISTRICT:	X		X					X		X		X
SAN JOAQUIN VALLEY APCD	X		X		X							
STAN CO BUILDING PERMITS DIVISION	X		X		X							
STAN CO DER	X		X		X							
STAN CO HAZARDOUS MATERIALS	X		X	X				X		X		X
STAN CO PUBLIC WORKS	X		X		X							
STANISLAUS LAFCO	X		X		X							
SURROUNDING LAND OWNERS	X		X		X							

\\ITCDFS-PL\planning\Planning\Staff Reports\REZ\2019\PLN2019-0108 - Price Honda of Turlock\Development Standard Amendment 2024\Planning Commission\December 19, 2024\Staff Report\Attachment G - Summary of Responses - Enviro Review Referrals.xls

**COUNTY OF STANISLAUS CAMPAIGN CONTRIBUTION DISCLOSURE FORM
PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT**

Application Number: DEV STND MOD for REZ PLN2019-0108
Application Title: Price Honda of Turlock
Application Address: N, Golden State Blvd, btw W. Taylor & Barnhart Rds
Application APN: 045-053-038

Was a campaign contribution, regardless of the dollar amount, made to any member of a decision-making body involved in making a determination regarding the above application (i.e. Stanislaus County Board of Supervisors, Planning Commission, Airport Land Use Commission, or Building Code Appeals Board), hereinafter referred to as Member, during the 12-month period preceding the filing of the application, by the applicant, property owner, or, if applicable, any of the applicant's proposed subcontractors or the applicant's agent or lobbyist?

Yes ☐ No ☒

If no, please sign and date below.

If yes, please provide the following information:

Applicant's Name: _____

Contributor or Contributor Firm's Name: _____

Contributor or Contributor Firm's Address: _____

Is the Contributor:

The Applicant	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
The Property Owner	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
The Subcontractor	Yes <input type="checkbox"/>	No <input type="checkbox"/>
The Applicant's Agent/ Lobbyist	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

Note: Under California law as implemented by the Fair Political Practices Commission, campaign contributions made by the Applicant and the Applicant's agent/lobbyist who is representing the Applicant in this application or solicitation must be aggregated together to determine the total campaign contribution made by the Applicant.

Identify the Member(s) to whom you, the property owner, your subcontractors, and/or agent/lobbyist made campaign contributions during the 12-month period preceding the filing of the application, the name of the contributor, the dates of contribution(s) and dollar amount of the contribution. Each date must include the exact month, day, and year of the contribution.

Name of Member: _____

Name of Contributor: _____

Date(s) of Contribution(s): _____

Amount(s): _____

(Please add an additional sheet(s) to identify additional Member(s) to whom you, the property owner, your subconsultants, and/or agent/lobbyist made campaign contributions.)


By signing below, I certify that the statements made herein are true and correct, and that I will not make any future contributions made to Member(s) by the applicant, property owner, or, if applicable, any of the applicant's proposed subcontractors or the applicant's agent or lobbyist after the expiration of the 12-month period following the approval, renewal, or extension of the request.

12/6/24

Date

Newman-Romano, LLC

Print Firm Name if applicable


Signature of Applicant

David O. Romano

Print Name of Applicant

ATTACHMENT H

**COUNTY OF STANISLAUS CAMPAIGN CONTRIBUTION DISCLOSURE FORM
PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT**

Application Number: DEV STND MOD for REZ PLN2019-0108
Application Title: Price Honda of Turlock
Application Address: N, Golden State Blvd, btw W. Taylor & Barnhart Rds
Application APN: 045-053-038

Was a campaign contribution, regardless of the dollar amount, made to any member of a decision-making body involved in making a determination regarding the above application (i.e. Stanislaus County Board of Supervisors, Planning Commission, Airport Land Use Commission, or Building Code Appeals Board), hereinafter referred to as Member, during the 12-month period preceding the filing of the application, by the applicant, property owner, or, if applicable, any of the applicant's proposed subcontractors or the applicant's agent or lobbyist?

Yes ☐ No ☒

If no, please sign and date below.

If yes, please provide the following information:

Applicant's Name: _____

Contributor or Contributor Firm's Name: _____

Contributor or Contributor Firm's Address: _____

Is the Contributor:

The Applicant	Yes <input type="checkbox"/>	No <input type="checkbox"/>
The Property Owner	Yes <input type="checkbox"/>	No <input type="checkbox"/>
The Subcontractor	Yes <input type="checkbox"/>	No <input type="checkbox"/>
The Applicant's Agent/ Lobbyist	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

Note: Under California law as implemented by the Fair Political Practices Commission, campaign contributions made by the Applicant and the Applicant's agent/lobbyist who is representing the Applicant in this application or solicitation must be aggregated together to determine the total campaign contribution made by the Applicant.

Identify the Member(s) to whom you, the property owner, your subcontractors, and/or agent/lobbyist made campaign contributions during the 12-month period preceding the filing of the application, the name of the contributor, the dates of contribution(s) and dollar amount of the contribution. Each date must include the exact month, day, and year of the contribution.

Name of Member: _____

Name of Contributor: _____

Date(s) of Contribution(s): _____

Amount(s): _____

(Please add an additional sheet(s) to identify additional Member(s) to whom you, the property owner, your subconsultants, and/or agent/lobbyist made campaign contributions)


By signing below, I certify that the statements made herein are true and correct. I also agree to disclose to the County any future contributions made to Member(s) by the applicant, property owner, or, if applicable, any of the applicant's proposed subcontractors or the applicant's agent or lobbyist after the date of signing this disclosure form, and within 12 months following the approval, renewal, or extension of the requested license, permit, or entitlement to use.

December 6th, 2024

Date

Price Ford of Turlock

Print Firm Name if applicable


Signature of Applicant

James Figurell

Print Name of Applicant

**DEVELOPMENT STANDARD MODIFICATION
FOR REZ NO. 2019-0108**

PRICE HONDA OF TURLOCK

**Planning Commission
December 19, 2024**

Overview

- Request to remove Development Standard No. 31 from Planned Development (P-D)(360)
 - Requirement to pay City of Turlock Capital Facility Fees

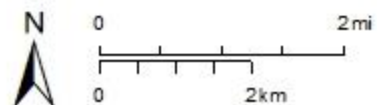
PRICE HONDA OF TURLOCK

REZ
PLN2019-0108

AREA MAP

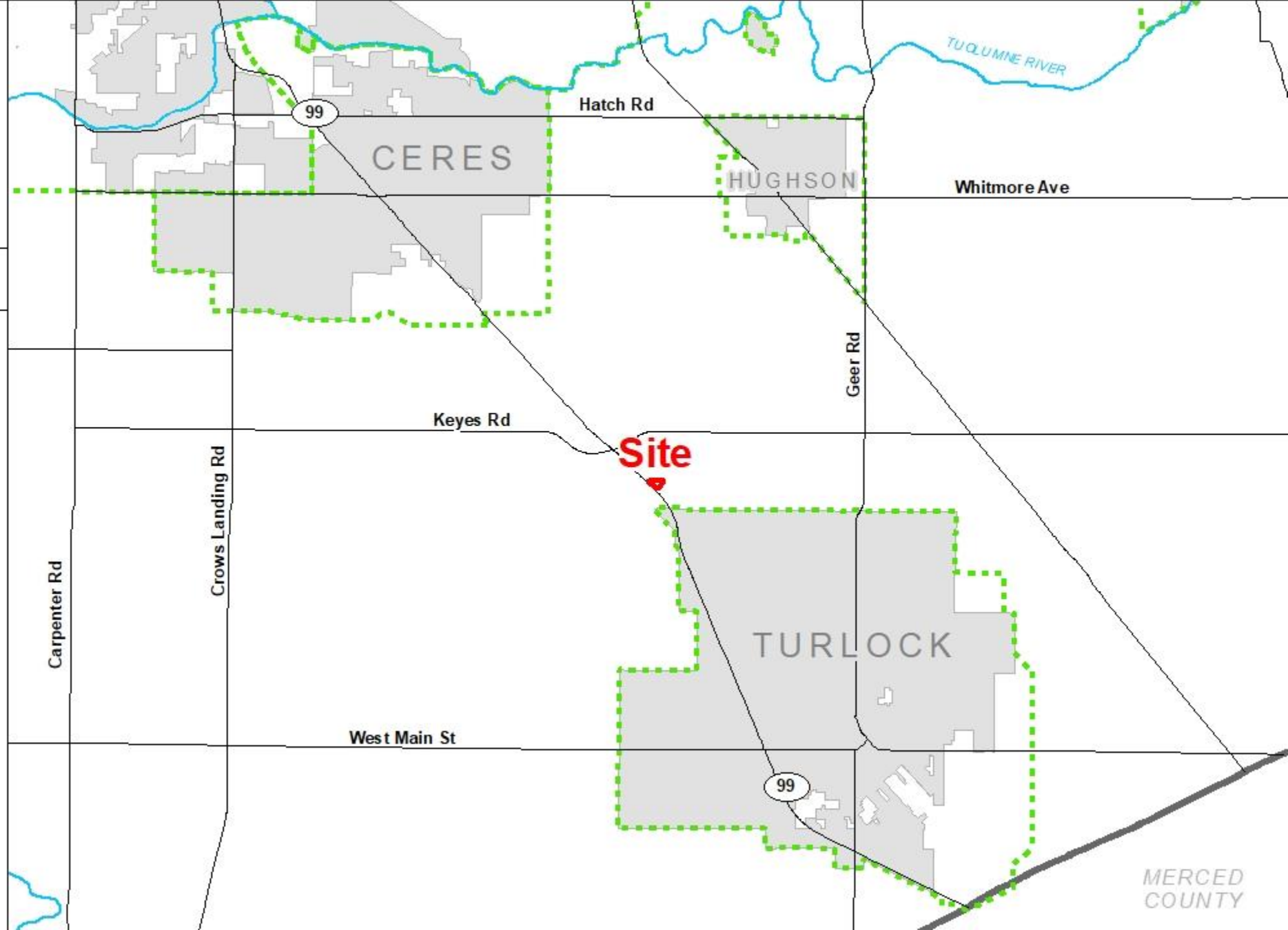
LEGEND

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



Source: Planning Department GIS

Date: 6/12/2020



REZ
PLN2019-0108

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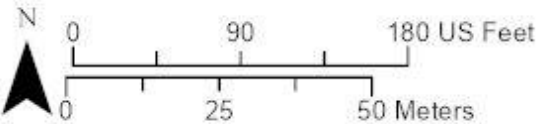
PRICE HONDA OF TURLOCK

REZ
PLN2019-0108

2023 AERIAL SITE MAP

LEGEND

-  Project Site
-  Parcel
-  Highway
-  Street



Development Standard No. 31

31. The developer/property owner shall pay city-wide transportation, and police and fire service impact fees prior to issuance of a building permit.

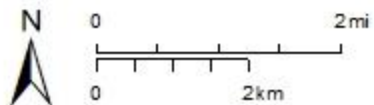
Sales Tax Agreement

- Project site previously encumbered
 - Restriction of future development of car dealership
- 2021 City and County tax sharing agreement
 - Even split of sales tax share between City and County
 - Up to \$1,000,000 of sales tax revenue reserved (\$500,000 each) between City and County to be spent on future SR99/Taylor Road interchange
 - Both Price Honda and Price Ford to be served by the City for public water and sewer

REZ
PLN2019-0108

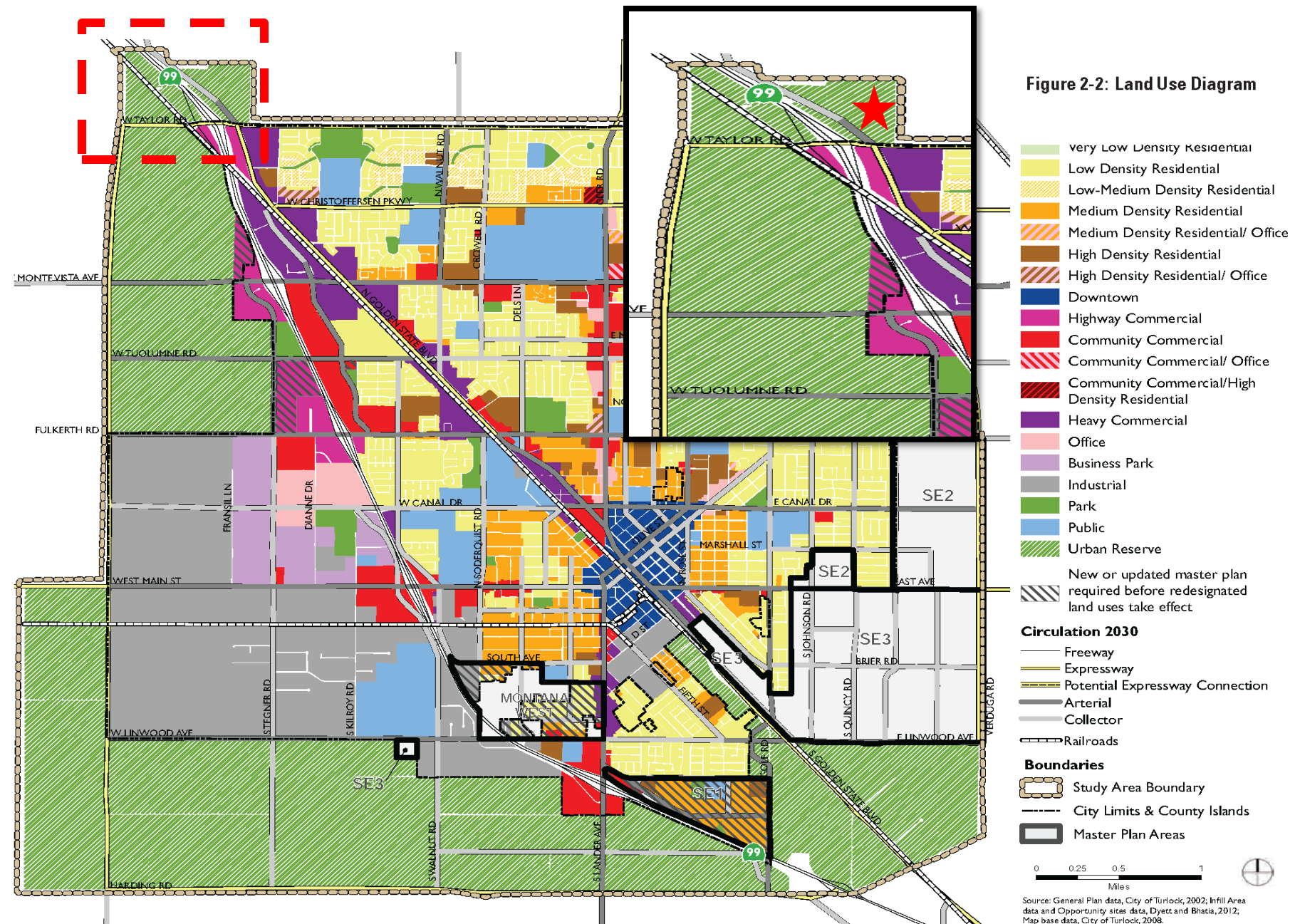
LEGEND

-  Project Site
 Sphere of Influence
 City
 Road
 River



Date: 6/12/2020

EXHIBIT F



2-6 | TURLOCK GENERAL PLAN

City of Turlock Opposition

- Referral response received from the City on December 12, 2024.
 - Objected to the removal of D.S. 31 based on
 - Environmental determination based on payment of CFF fees
 - Tax sharing agreement does address impacts to City transportation infrastructure
 - Removal of D.S. would not be consistent with County policy
 - Possible to charge a lower fee based on their fair share, if a traffic impact analysis is completed
 - Alternative: modification of how CFF is calculated

Similar Projects

- **Best RV Center - (P-D) 351**
 - Located at 5100 Taylor Court, west of SR 99
 - rezoned eight parcels (subsequently added a 9th) to allow for expansion of an existing recreational vehicle (RV) sales business
- **Pattar Trucking – Still in process**
 - Located at 4325 West Taylor Road, west of SR 99
 - Application to amend General Plan and Rezone a 10-acre parcel for an 80-space commercial truck parking facility

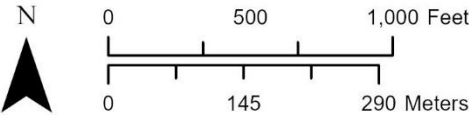
PRICE HONDA OF
TURLOCK

REZ
PLN2019-0108

2023 AERIAL AREA MAP

LEGEND

- Project Site
- Best RV Center
- Pattar Trucking
- Parcel
- Sphere of Influence
- Highway
- Street
- Canal



Response to the City of Turlock

- Negative Declaration adopted for Project
 - Did not speak to collection of CFF fees as a way to mitigate project impacts
 - CFF fees only reference in Land Use and Planning Section
 - In context to the County's General Plan Policy 27
- Staff found:
 - Project improvements, tax sharing agreement, and mutual aid agreements sufficient to ensure any project impacts are addressed
 - CFF 2013 Nexus Study did not include the project site

Environmental Review

- CEQA
 - Previous Negative Declaration
 - Notice of Exemption
 - No new environmental impacts

Planning Commission Determination

- Staff Recommendations
 - Deletion of Development Standard No. 31
 - Find no new significant impacts have been identified
 - Filing of the Notice of Exemption

Questions?

