



## Referral Early Consultation

**Date:** August 23, 2023

**To:** Distribution List (See Attachment A)

**From:** Emily Basnight, Assistant Planner  
Planning and Community Development

**Subject:** TIME EXTENSION FOR VESTING TENTATIVE SUBDIVISION MAP APPLICATION  
NO. PLN2020-0120 – ISSACO ESTATES

**Respond By:** September 7, 2023

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**\*\*\*\*PLEASE REVIEW REFERRAL PROCESS POLICY\*\*\*\***

The Stanislaus County Department of Planning and Community Development is soliciting comments from responsible agencies under the Early Consultation process to determine: a) whether or not the project is subject to CEQA and b) if specific conditions should be placed upon project approval.

Therefore, please contact this office by the response date if you have any comments pertaining to the proposal. Comments made identifying potential impacts should be as specific as possible and should be based on supporting data (e.g., traffic counts, expected pollutant levels, etc.). Your comments should emphasize potential impacts in areas which your agency has expertise and/or jurisdictional responsibilities.

These comments will assist our Department in preparing a staff report to present to the Planning Commission. Those reports will contain our recommendations for approval or denial. They will also contain recommended conditions to be required should the project be approved. Therefore, please list any conditions that you wish to have included for presentation to the Commission as well as any other comments you may have. Please return all comments and/or conditions as soon as possible or no later than the response date referenced above.

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

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**Applicant:** Sam David, Solaria Technologies, LLC.

**Project Location:** 3317 and 3331 Story Road, between E. Monte Vista Avenue and Kristi Drive, in the Community of Denair.

**APN:** 024-025-002, 014, 052, and 053

**Williamson Act Contract:** N/A

**General Plan:** Low-Density Residential (LDR)

**Community Plan:** Low-Density Residential (LDR)

**Current Zoning:** Rural Residential (R-A)

**Project Description:** Request for a one-year time extension for Vesting Tentative Subdivision Map Application No. PLN2020-0120 – Issaco Estates. The approved map subdivided a 3.1± acre parcel into 11 parcels at least 8,000 square feet in size in the Rural Residential (R-A) zoning district. The Planning Commission approved the project on September 16, 2021, and the Board of Supervisors confirmed their decision on September 28, 2021. The applicant has requested a one-year extension to complete the remaining conditions of approval. If approved, the map would have a new expiration date of September 21, 2024.

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



**DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT**

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

**TIME EXTENSION FOR VESTING TENTATIVE SUBDIVISION MAP APPLICATION NO. PLN2020-0120  
 – ISSACO ESTATES**

Attachment A - Distribution List

|   |  |   |  |
|---|--|---|--|
|   | CA DEPT OF CONSERVATION<br>Land Resources / Mine Reclamation |   | STAN CO ALUC   |
|   | CA DEPT OF FISH & WILDLIFE                                   |   | STAN CO ANIMAL SERVICES                                  |
|   | CA DEPT OF FORESTRY (CAL FIRE)                               | X | STAN CO BUILDING PERMITS DIVISION                        |
|   | CA DEPT OF TRANSPORTATION DIST 10                            |   | STAN CO CEO  |
|   | CA OPR STATE CLEARINGHOUSE                                   |   | STAN CO CSA  |
| X | CA RWQCB CENTRAL VALLEY REGION                               | X | STAN CO DER  |
|   | CA STATE LANDS COMMISSION                                    |   | STAN CO ERC  |
|   | CEMETERY DISTRICT  |   | STAN CO FARM BUREAU                                      |
|   | CENTRAL VALLEY FLOOD PROTECTION                              |   | STAN CO HAZARDOUS MATERIALS                              |
|   | CITY OF:   | X | STAN CO PARKS & RECREATION                               |
| X | COMMUNITY SERVICES DIST: DENAIR                              | X | STAN CO PUBLIC WORKS                                     |
|   | COOPERATIVE EXTENSION  | X | STAN CO PUBLIC WORKS - SURVEY                            |
|   | COUNTY OF:   |   | STAN CO SHERIFF  |
|   | DER GROUNDWATER RESOURCES<br>DIVISION                        |   | STAN CO SUPERVISOR DIST #:                               |
|   | FIRE PROTECTION DIST:  |   | STAN COUNTY COUNSEL                                      |
|   | GSA:   |   | StanCOG  |
|   | HOSPITAL DIST:   |   | STANISLAUS FIRE PREVENTION BUREAU                        |
| X | IRRIGATION DIST: TURLOCK                                     |   | STANISLAUS LAFCO   |
|   | MOSQUITO DIST:   |   | STATE OF CA SWRCB DIVISION OF<br>DRINKING WATER DIST. 10 |
|   | MOUNTAIN VALLEY EMERGENCY<br>MEDICAL SERVICES                |   | SURROUNDING LAND OWNERS                                  |
|   | MUNICIPAL ADVISORY COUNCIL:                                  |   | TELEPHONE COMPANY: AT&T                                  |
|   | PACIFIC GAS & ELECTRIC                                       |   | TRIBAL CONTACTS<br>(CA Government Code §65352.3)         |
|   | POSTMASTER:  |   | US ARMY CORPS OF ENGINEERS                               |
|   | RAILROAD:  |   | US FISH & WILDLIFE                                       |
| X | SAN JOAQUIN VALLEY APCD                                      |   | US MILITARY (SB 1462) (7 agencies)                       |
|   | SCHOOL DIST 1:   |   | USDA NRCS  |
|   | SCHOOL DIST 2:   |   | WATER DIST:  |
|   | WORKFORCE DEVELOPMENT  |   |  |
|   | STAN CO AG COMMISSIONER                                      |   |  |
|   | TUOLUMNE RIVER TRUST   |   |  |

## STANISLAUS COUNTY CEQA REFERRAL RESPONSE FORM

**TO:** Stanislaus County Planning & Community Development  
1010 10<sup>th</sup> Street, Suite 3400  
Modesto, CA95354

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

**SUBJECT: TIME EXTENSION FOR VESTING TENTATIVE SUBDIVISION MAP  
APPLICATION NO. PLN2020-0120 – ISSACO ESTATES**

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

- \_\_\_\_\_ Will not have a significant effect on the environment.  
\_\_\_\_\_ May have a significant effect on the environment.  
\_\_\_\_\_ No Comments.

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

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

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

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

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

\_\_\_\_\_  
\_\_\_\_\_

Response prepared by:

| Name | Title | Date |
|------|-------|------|
|------|-------|------|

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

DEPT: Planning and Community Development

BOARD AGENDA:6.D.1

AGENDA DATE: September 28, 2021

**SUBJECT:**

Acceptance of the Planning Commission's September 16, 2021, Decision of Approval of Vesting Tentative Subdivision Map Application Number PLN2020-0120 - Issaco Estates, a Request to Subdivide Four Parcels Totaling 3.1± Acres into Eleven Lots of at Least 8,000 Square-Feet Each in the Rural Residential Zoning District, Located at 3317 and 3331 Story Road, Between E. Monte Vista Avenue and Kristi Drive, in the Community of Denair

**BOARD ACTION AS FOLLOWS:**

**RESOLUTION NO. 2021-0465**

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

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

Noes: Supervisors: None

Excused or Absent: Supervisors: Chiesa

Abstaining: Supervisor: None

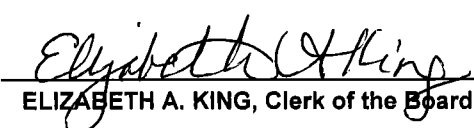
1) X Approved as recommended

2) \_\_\_\_\_ Denied

3) \_\_\_\_\_ Approved as amended

4) \_\_\_\_\_ Other:

**MOTION:**

ATTEST:  ELIZABETH A. KING, Clerk of the Board of Supervisors

File No.

**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
AGENDA ITEM**

DEPT: Planning and Community Development

BOARD AGENDA:6.D.1

AGENDA DATE: September 28, 2021

CONSENT: ☒

CEO CONCURRENCE: YES

4/5 Vote Required: No

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**SUBJECT:**

Acceptance of the Planning Commission's September 16, 2021, Decision of Approval of Vesting Tentative Subdivision Map Application Number PLN2020-0120 - Issaco Estates, a Request to Subdivide Four Parcels Totaling 3.1± Acres into Eleven Lots of at Least 8,000 Square-Feet Each in the Rural Residential Zoning District, Located at 3317 and 3331 Story Road, Between E. Monte Vista Avenue and Kristi Drive, in the Community of Denair

**STAFF RECOMMENDATION:**

1. Accept the Planning Commission's September 16, 2021 decision of approval of Vesting Tentative Subdivision Map application number PLN2020-0120 - Issaco Estates, a request to subdivide four parcels totaling 3.1± acre into eleven lots of at least 8,000 square-feet each in the Rural Residential (R-A) zoning district, located at 3317 and 3331 Story Road, between E. Monte Vista Avenue and Kristi Drive, in the community of Denair.
2. Allow the Planning Commission's September 16, 2021 decision to stand without further hearing.

**DISCUSSION:**

The project is a request to subdivide four parcels totaling 3.1± acres into eleven lots, of at least 8,000 square-feet each, in the Rural Residential (R-A) zoning district. The eleven proposed residential lots will include curb, gutter, and sidewalk along all property frontages. The subdivision will develop with a cul-de-sac, connecting to Story Road, for access. Storm water will be managed for the development through a gravity system connecting the gutter to a horizontal drain field located beneath the western most portion of the project site adjacent to Santa Fe Avenue, in the road dedication area. An eight-foot-tall masonry block wall be constructed and developed along the western boundaries of proposed Lots 5 and 6, on the east side of the horizontal drain system. A five-foot-wide landscaping strip consisting of drought tolerant shrubs or vines will be planted along the masonry wall just east of the proposed drainage system abutting Santa Fe Avenue within the road dedication area. The subdivision will include one deciduous tree along the frontage of each proposed lot for a total of 11 trees.

A complete project description, and maps of the project, as well as a detailed discussion of the general plan and zoning consistency, and environmental review conducted for the project can be found in the Planning Commission Staff Report (see Attachment 1 – *September 16, 2021 Planning Commission Staff Report*).

A similar request was previously approved by the Planning Commission on August 4, 2016 and was accepted by the Board of Supervisors on September 20, 2016 (Vesting Tentative Subdivision Map (VTSM) No. PLN2015-0105 – Issaco Estates). The approved tentative map included the same number of lots and design. Under the provisions of the Subdivision Map Act and the County's Subdivision Ordinance, final maps for a VTSM shall be filed for recording within 24 months after conditional approval or in conjunction with any extension provided by state law. A final map for the previous VTSM was never recorded and the map expired on September 20, 2018. A new map is required in order to subdivide the properties for residential development.

The Planning Commission considered this item at a public hearing on September 16, 2021. Following staff's presentation, Commissioner Durrer asked what a horizontal drainage system would look like and if it could be landscaped. A representative from the County's Department of Public Works clarified that the drainage system would store the storm water below the surface, and the area above the system could be landscaped. Commissioner Durrer commented that the drainage system appears to be a better choice than above ground drainage basins typically used within the community of Denair, but stated that she would like to see the area above the system landscaped if possible. Planning and Community Development staff expressed that they would also like to see the area landscaped, but it may not be feasible if there is not adequate soil depth to allow for shrubs and trees, but ground cover may be possible. During the public hearing, no one spoke in opposition to the project. The applicant, Sam David of Solaria Technologies, LLC., spoke in favor of the project. Mr. David spoke to the need to provide more housing units in Stanislaus County as more people are moving into the County from outside areas. The applicant also stated the project is intended to provide quality housing similar to the surrounding residential development.

After the close of the public hearing, Commissioner Willerup stated the project would be beneficial for the County as it increases the number of available housing units. On a vote of 6-0, the Planning Commission approved the project based on the staff recommendations as outlined in the September 16, 2021 Planning Commission Staff Report.

Following the Planning Commission hearing, Planning staff confirmed with Public Works staff that there will be an adequate soil depth to permit shrubs or ground cover to be installed above the drainage system. The applicant has expressed a willingness to plant the area with ground cover and plants could be maintained under the Community Services District (CSD) covering the subdivision. The landscaping would remain until the area is needed for the widening of Santa Fe Avenue over the system. County staff will work with the applicant to have the landscaping installed at the same time as the required landscaping, in the five-foot landscape area, along the westside of the masonry wall. While the applicant has expressed a willingness to plant the area, it is not a requirement of the project's conditions of approval. If not planted, the area will still be maintained by County Public Works as public street right of way.

Section 20.12.150 of the Stanislaus County Code provides that a written report of the Planning Commission's actions on a tentative map be presented to the Board of Supervisors. If the Board of Supervisors decides to review the map, or its conditions of approval, it may set a public hearing at its next scheduled meeting.

**POLICY ISSUE:**

The project as approved is consistent with the Stanislaus County General Plan designation of Low Density Residential, the R-A (Rural Residential) zoning district, and Subdivision Ordinance design standards; and is in conformance with locally adopted standards and specifications.

**FISCAL IMPACT:**

In accordance with the adopted Department of Planning and Community Development Fee Schedule, this project is subject to payment of “actual cost” for processing. All costs associated with this project have been paid by the applicant and there is no County General Fund cost impact.

**BOARD OF SUPERVISORS’ PRIORITY:**

Acceptance of the Planning Commission’s decision of the subject application supports the Board of Supervisors’ priority of *Supporting Strong & Safe Neighborhoods, Developing a Healthy Economy, and Delivering Efficient Public Services & Community Infrastructure* by providing approval of a project consistent with the Stanislaus County General Plan, Zoning Ordinance, and Subdivision Ordinance.

**STAFFING IMPACT:**

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

**CONTACT PERSON:**

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

**ATTACHMENT(S):**

1. September 16, 2021 Planning Commission Staff Report
2. September 16, 2021 Planning Commission Minutes Excerpt

## STANISLAUS COUNTY PLANNING COMMISSION

September 16, 2021

### STAFF REPORT

#### VESTING TENTATIVE SUBDIVISION MAP APPLICATION NO. PLN2020-0120 ISSACO ESTATES

**REQUEST: TO SUBDIVIDE FOUR PARCELS TOTALING 3.1± ACRES INTO ELEVEN LOTS OF AT LEAST 8,000 SQUARE-FEET EACH IN THE RURAL RESIDENTIAL (R-A) ZONING DISTRICT.**

#### APPLICATION INFORMATION

|                              |   |
|------------------------------|---|
| Applicant:                   | Sam David, Solaria Technologies, LLC.   |
| Property owner:              | Solaria Technologies, LLC. and Linda Farhadian  |
| Agent:                       | Jim Freitas, Associated Engineering Group, Inc.   |
| Location:                    | 3317 and 3331 Story Road, between E. Monte Vista Avenue and Kristi Drive, in the Community of Denair  |
| Section, Township, Range:    | 5-5-11  |
| Supervisory District:        | Two (Supervisor Chiesa)   |
| Assessor's Parcel:           | 024-025-002, 014, 052, and 053  |
| Referrals:                   | See Exhibit F<br>Environmental Review Referrals   |
| Area of Parcel(s):           | 3.1± gross acres  |
| Water Supply:                | Denair Community Service District   |
| Sewage Disposal:             | Denair Community Service District   |
| General Plan Designation:    | Low-Density Residential (LDR)   |
| Community Plan Designation:  | Low-Density Residential (LDR)   |
| Existing Zoning:             | Rural Residential (R-A)   |
| Sphere of Influence:         | N/A   |
| Williamson Act Contract No.: | N/A   |
| Environmental Review:        | Negative Declaration  |
| Present Land Use:            | Two single-family dwellings, agricultural storage building, and vacant land.  |
| Surrounding Land Use:        | Single-family dwellings in all directions; Burlington Northern Railroad and commercial developments to the west and south; and agricultural zoned parcels to the south. |

#### RECOMMENDATION

Staff recommends the Planning Commission 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 approve the project, Exhibit A provides an overview of all the findings required for project approval.



## **PROJECT DESCRIPTION**

The project is a request to subdivide four parcels totaling 3.1± acres into eleven lots, of at least 8,000 square-feet each, in the Rural Residential (R-A) zoning district. The eleven proposed residential lots will include curb, gutter, and sidewalk along all property frontages. The vesting tentative map proposes to develop a cul-de-sac, connecting to Story Road, a County-maintained road, for access. Storm water is proposed to be managed for the development through a gravity system connecting the gutter to a horizontal drain field located beneath the western most portion of the project site adjacent to Santa Fe Avenue, in the road dedication area. An 8-foot-tall masonry block wall is proposed to be constructed and developed along the western boundaries of proposed Lots 5 and 6, on the east side of the horizontal drain system. A five-foot-wide landscaping strip consisting of drought tolerant shrubs or vines will be planted along the proposed masonry wall just east of the proposed drainage system abutting Santa Fe Avenue within the road dedication area. The applicant proposes to plant one deciduous tree along the frontage of each proposed lot for a total of 11 trees (*See Exhibit B – Maps, Vesting Tentative Subdivision Map, Tree Planting Plan*).

Two single-family dwellings and an agricultural storage building currently exist on the project site; the existing dwellings will remain on proposed Lots 2 and 11 and the agricultural storage building will be removed from the project site. The project is currently within the boundaries of the Denair Community Services District (CSD) and will be served with water and sewer services from Denair CSD. The subdivision is located within the Denair Lighting Assessment District and proposes to install streetlights in compliance with Public Works Standards and Specifications.

A Vesting Tentative Subdivision Map (VTSM), was previously approved by the Planning Commission on August 4, 2016 and was accepted by the Board of Supervisors on September 20, 2016 (Vesting Tentative Subdivision Map No. PLN2015-0105 – Issaco Estates). The approved tentative map included the same number of lots and design. Under the provisions of the Subdivision Map Act and the County's Subdivision Ordinance, final maps for a VTSM shall be filed for recording within 24 months after conditional approval or in conjunction with any extension provided by state law. A final map for the previous VTSM was never recorded and the map expired on September 20, 2018. A new map is required in order to subdivide the properties for residential development.

## **SITE DESCRIPTION**

The project site is located at 3317 and 3331 Story Road, between E. Monte Vista Avenue and Kristi Drive, in the Community of Denair (*See Exhibit B – Maps, Vesting Tentative Subdivision Map, Tree Planting Plan*).

The project consists of four legal parcels. Assessor Parcel Number (APN) 024-025-053 is 2.3± acres in size and is currently vacant. APNs 024-025-002 and -014 are 10,800± square-feet and 14,951± square-feet respectively and are each improved with a single-family dwelling. APN 024-025-052 is 9,020± square-feet in size and is currently improved with an agricultural storage barn, which is proposed to be removed prior to recording of the final map.

The project is surrounded by single-family dwellings in all directions. The Burlington Northern Railroad and commercial developments are located to the west and south; and agricultural zoned parcels to the south.

There is an existing 30-foot diameter irrigation pipeline which runs along the southern property line of proposed Lot 1 and terminates into a north-south concrete lined ditch located along the western portion of Proposed Lots 1 and 2. The irrigation ditch and pipeline are currently being utilized to maintain 1-acre of irrigated pasture on the adjoining parcel to the south (APN: 024-025-004). The applicant is proposing to remove the ditch located on the project site and, as required by Turlock Irrigation District (TID) standards, prior to recording of the final map, any portion of the concrete ditch to be removed must be replaced at the developer's expense to allow the parcel to the south to maintain access to irrigation water. TID is also requesting that a condition be added which requires that all lots adjoining irrigated ground be graded so that the finished grading elevations are at least six (6) inches higher than irrigated ground. A protective berm must also be installed along the southern border of the project site to prevent irrigation water from reaching non-irrigated properties. TID's standards have been added as conditions of approval to the project.

### **ISSUES**

Development within the community of Denair typically utilizes above ground storm drain basins. With this project, storm water is proposed to be managed for the development through a gravity system connecting the gutter to a horizontal drain field located beneath the western most portion of the project site adjacent to Santa Fe Avenue, in the road dedication area. Prior to the recording of the final map, the applicant will annex to or create a County Service Area (CSA) to maintain the drainage system. The drainage plans for the previous VTSM approved for the project site (VTSM No. PLN2015-0105 – Issaco Estates) were reviewed and amended based on comments received from the Denair CSD, which required that any stormwater drainage stay outside of the proposed utility (sewer and water) easements to be located within the road right-of-way of the proposed court. The current drainage plans are the same stormwater plans approved for the previous VTSM with the Denair CSD's comments applied and have been reviewed and approved by the Department of Public Works for compliance with current standards. The current project was referred to the Denair CSD and no comments were received related to the proposed drainage system.

As part of the County's landowner notification process, the Planning Department received a phone call from a neighboring property owner who requested to remain anonymous. The property owner specified they do not support the project due to the developers involved in the request. The property owner voiced concerns over the developer's other construction projects not being completed, and houses sitting for long periods before being sold. The Planning Department is unaware of issues with the developer's other projects.

No additional issues have been identified as part of this project request.

### **GENERAL PLAN CONSISTENCY**

Consistency with the goals, objectives, and policies of the various elements of the General Plan must be evaluated when processing all discretionary project requests. The project site is designated as Low-Density Residential (LDR) in the Land Use Element of the General Plan and in the Denair Community Plan. The intent of the LDR designation is to provide appropriate locations and adequate areas for single-family detached homes in either conventional or clustered configurations. Under the LDR designation, residential building intensity, when served by a community services district or sanitary sewer district and public water district, is zero to eight units per acre. The proposed development would be consistent with the General Plan and Denair Community Plan designation of LDR, as the intent of the subdivision is to create lots for the

construction of single-family dwellings. Additionally, Goal Two, Policy 11 of the Land Use Element aims to ensure compatibility between land uses by requiring development of residential areas be adjacent to existing compatible unincorporated urban development or, in the case of remote development, included as part of a specific plan. The project site is located within an area that is currently built out with single-family dwellings to the north, east and west.

Goal Four of the Land Use Element of the General Plan requires that development ensure that an effective level of public service be maintained in unincorporated areas, including parks, sewer, water, public safety, solid waste management, road systems, schools, health care facilities, etc. The project site is located within the Denair CSD. The Denair CSD has provided a "Will-Serve" letter, to provide both public water and sewer services.

The Stanislaus County Public Works Department provided a referral response letter requiring formation of a CSA to establish a funding mechanism for maintenance of the proposed masonry block wall, storm drainage, landscaping strip consisting of drought tolerant shrubs or vines planted along the proposed masonry wall just east of the proposed drainage system, and frontage improvements for curb, gutter and sidewalk. Lighting is also required, in accordance with Public Works Standards and Specifications; the project site is located within the existing Denair Lighting Assessment District. Improvements are required to be constructed prior to recording of the final map or the developer must enter into a Subdivision Improvement Agreement with the County Public Works Department. Conditions of approval have been added to ensure these requirements are met.

Goal Four, Policy One, of the Denair Community Plan requires new development provide the residents of Denair with adequate parkland facilities to meet the County standard of 3 acres per 1,000 residents. The County's Conservation and Open Space Element of the General Plan has established goals and policies to provide open space and meet recreational needs for the residents of the County. The County has established a standardized parkland dedication and fee structure to contribute to the fulfillment of this goal by new residential development. Based on the number of lots being proposed, the developer will be subject to paying park-in-lieu fees at a rate of \$2,050.00 per single-family dwelling unit to the Parks and Recreation Department prior to the issuance of any building permit for a dwelling.

As required by the Stanislaus County General Plan's Land Use Element Sphere of Influence (SOI) Policy No. 27, projects within the sphere of influence of a sanitary sewer district, domestic water district, or community services district, shall be forwarded to the district board for comment regarding the ability of the district to provide services. As previously mentioned, the project site is located within the Denair CSD. The applicant has provided a will serve letter issued by the CSD, stating their ability to serve the proposed lots with sewer and water services. The CSD has been sent all project referrals and no additional responses have been received.

Additionally, the SOI Policy requires that projects located within a Municipal Advisory Council's (MAC) boundary be referred to the MAC and the decision-making body give consideration to any comments received from the MAC. The proposed project is located within the Denair MAC boundaries and, accordingly, has been referred to the Denair MAC. The project's early consultation referral was originally presented to the Denair MAC on March 2, 2021 as an informational item. At the meeting, the MAC requested the project be presented again for a vote at the next scheduled meeting. The project was reconsidered by the Denair MAC on April 6, 2021. The Denair MAC had questions regarding street lighting, the existing agricultural storage barn on APN 024-025-052, and a recycled water (non-potable) system for the development. Jim Brugger, the acting MAC chair, requested all street lighting meet industry standards for dark sky compliant

lighting, which consists of lighting fixtures adhering to standards that prevent sky glow and light spillage. A resident of Denair requested the barn be relocated or preserved as a historical building and not demolished; the same attendee also requested the development incorporate infrastructure for a system to recycle non-potable water for uses such as watering lawns.

Ultimately, the Denair MAC recommended approval of the project with the recommendation that streetlights be dark sky compliant. The County standards require all street lighting to be installed according to Public Works' Standards and Specifications which would be consistent with preventing light spillage and sky glow.

The existing barn on the project site is not federally or state registered as a historic structure and is not located within a historic zoning district. Accordingly, preservation or demolition of the barn is up to the discretion of the property owner. Currently, there is no system in place to provide recycled non-potable water to the community of Denair. Any waste water from the development will make its way to the Turlock Regional Water Quality Control Facility (RWQCF), which provides tertiary treatment of wastewater from the Denair CSD as well as its own water system and discharges into the San Joaquin River.

Staff believes the proposed project to be consistent with the Goals and Policies of the County's General Plan, including the Denair Community Plan, as it provides compatibility between land uses and will not expand the boundaries of unincorporated communities. The project will provide in-fill residential development within an area that has been mostly built out with similar development.

### **ZONING & SUBDIVISION ORDINANCE CONSISTENCY**

The site is currently zoned Rural Residential (R-A), which allows for minimum lot sizes based on the availability of utilities. Section 21.24.060 of the County Zoning Ordinance stipulates that parcels may be a minimum of 8,000 square-feet when serviced by public water and public sewer facilities. The project is located within the Denair CSD and will be served by the CSD for water and sewer services.

A conceptual tree planting plan was submitted as prescribed by the Subdivision Ordinance for new subdivisions; the applicant proposes to plant one Chinese Pistache (a deciduous tree) along the frontage of each proposed lot for a total of 11 trees (See Exhibit B – *Maps, Vesting Tentative Subdivision Map, Tree Planting Plan*). Conditions regarding a final tree planting and landscaping plan for the required landscaping along the west side of the masonry block wall to be submitted prior to the recording of the final map have been added to the project. As mentioned previously under the General Plan Consistency section of this report, the VTSM will form a CSA for the purpose of maintaining any installed infrastructure or improvements such as street improvements, storm drainage, the masonry block wall and landscaping.

The parcels, as proposed, are consistent with minimum lot and depth requirements of the R-A Zoning District and County's Subdivision Ordinance. The proposed VTSM proposes to develop a cul-de-sac, connecting to Story Road, a County-maintained road, for access. Public Works will require the dedication of the cul-de-sac prior to recording of the final map; along with dedication along Santa Fe Avenue. If approved by the Planning Commission, the County's Subdivision Ordinance requires confirmation of the VTSM by the Board of Supervisors within ten days of Commission approval or by the next successive meeting date of the Board.

Staff believes that the proposed project is consistent with the Zoning and Subdivision Ordinances.

## **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 D – *Initial Study*). A Negative Declaration has been prepared for approval prior to action on the project itself as the project will not have a significant effect on the environment (see Exhibit E – *Negative Declaration*). Conditions of approval reflecting referral responses have been placed on the project (see Exhibit C - *Conditions of Approval*).

\*\*\*\*\*

**Note:** Pursuant to California Fish and Game Code Section 711.4, all project applicants subject to the California Environmental Quality Act (CEQA) shall pay a filing fee for each project; therefore, the applicant will further be required to pay **\$2,537.25** 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: Emily Basnight, Assistant Planner, (209) 525-6330

### Attachments:

- Exhibit A - Findings and Actions Required for Project Approval
- Exhibit B - Maps, Vesting Tentative Subdivision Map, Tree Planting Plan
- Exhibit C - Conditions of Approval
- Exhibit D - Initial Study
- Exhibit E - Negative Declaration
- Exhibit F - Environmental Review Referral

## **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. That the proposed map is consistent with applicable general and community plans as specified in Section 65451.
  - b. The design or improvement of the proposed subdivision is consistent with applicable general and specific plans.
  - c. The site is physically suitable for the type of development.
  - d. The site is physically suitable for the proposed density of development.
  - e. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
  - f. The design of the subdivision or type of improvements are not likely to cause serious public health problems.
  - g. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the Commission may approve a map if it finds that alternate easements, for access or for use, will be provided and that these will be substantially equivalent to ones previously acquired by the public.
  - h. That 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 Vesting Tentative Subdivision Map Application No. PLN2020-0120 – Issaco Estates

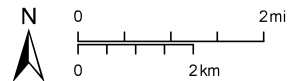
# ISAACO ESTATES

VTSM  
PLN2020-0120

## AREA MAP

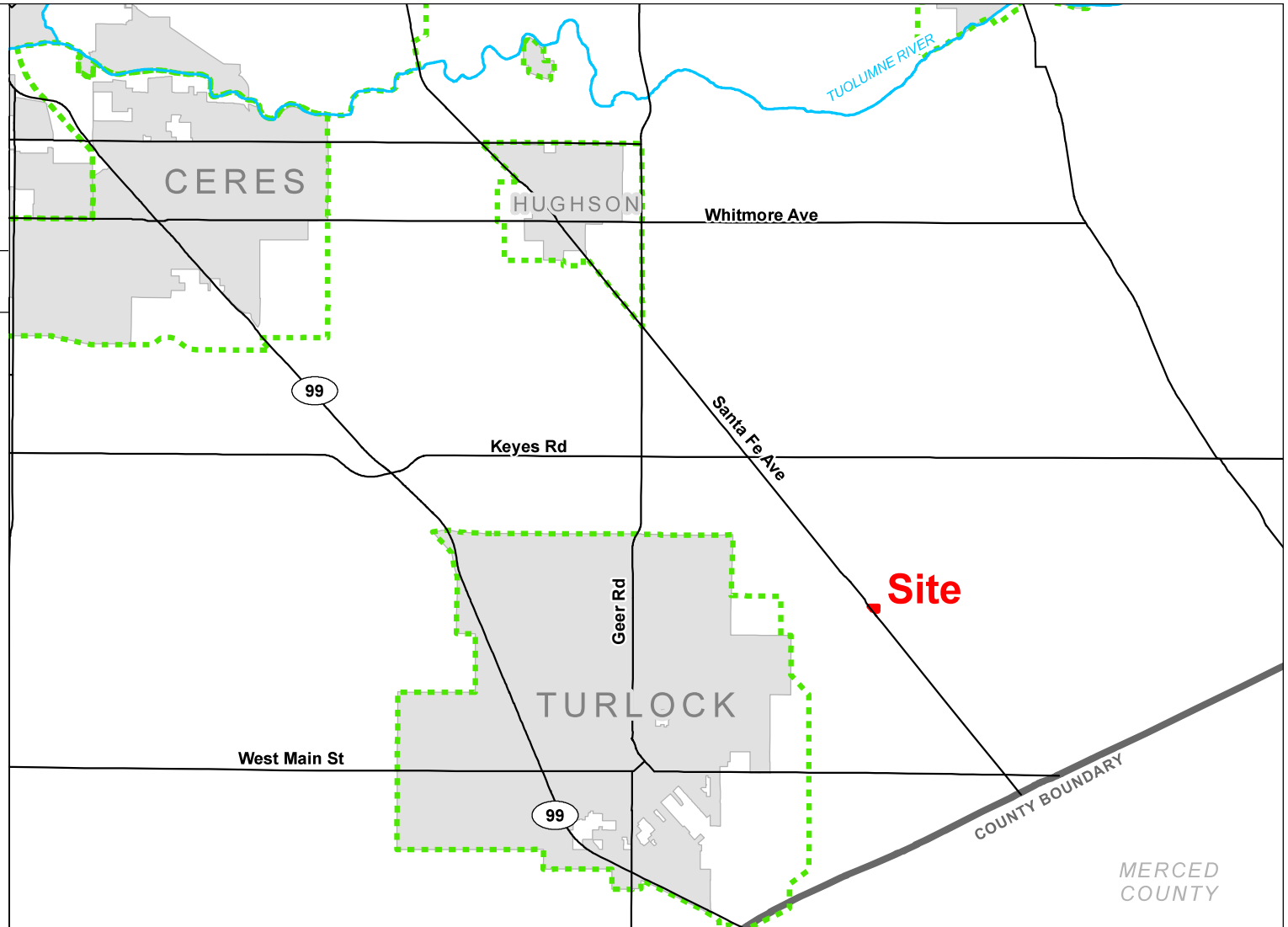
### LEGEND

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



Source: Planning Department GIS

Date: 7/1/2021




# ISAACO ESTATES







**VTSM  
PLN2020-0120**

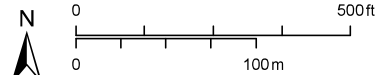
## GENERAL PLAN MAP

### LEGEND

-  Project Site
-  Parcel
-  Road
-  Canal

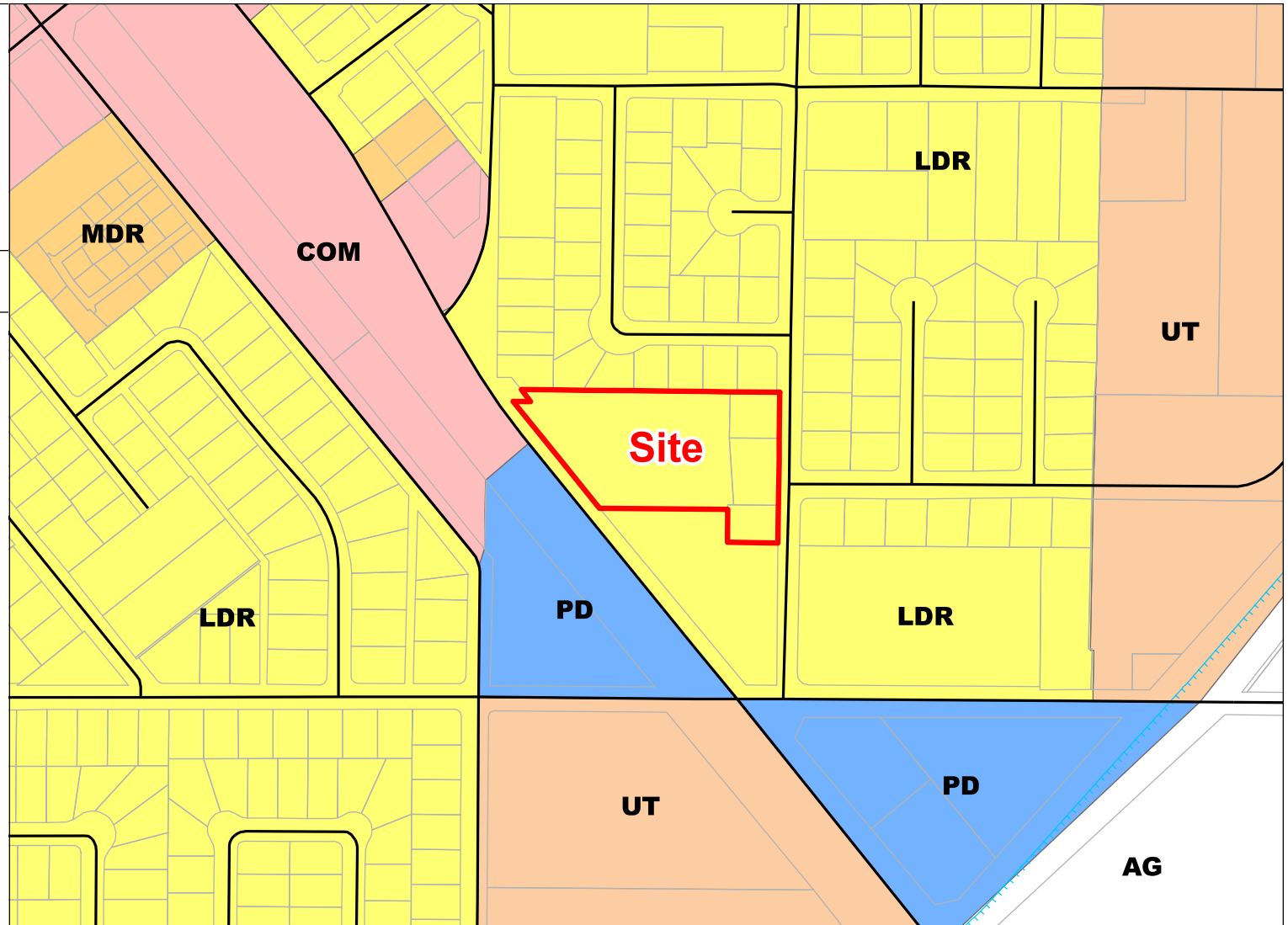
### General Plan

-  Agriculture
-  Planned Development
-  Urban Transition
-  Commercial
-  Low Density Residential
-  Medium Density Residential



Source: Planning Department GIS

Date: 7/1/2021








# ISAACO ESTATES




VTSM  
PLN2020-0120

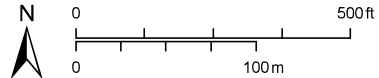
## COMMUNITY PLAN MAP

### LEGEND

-  Project Site
-  Parcel
-  Road

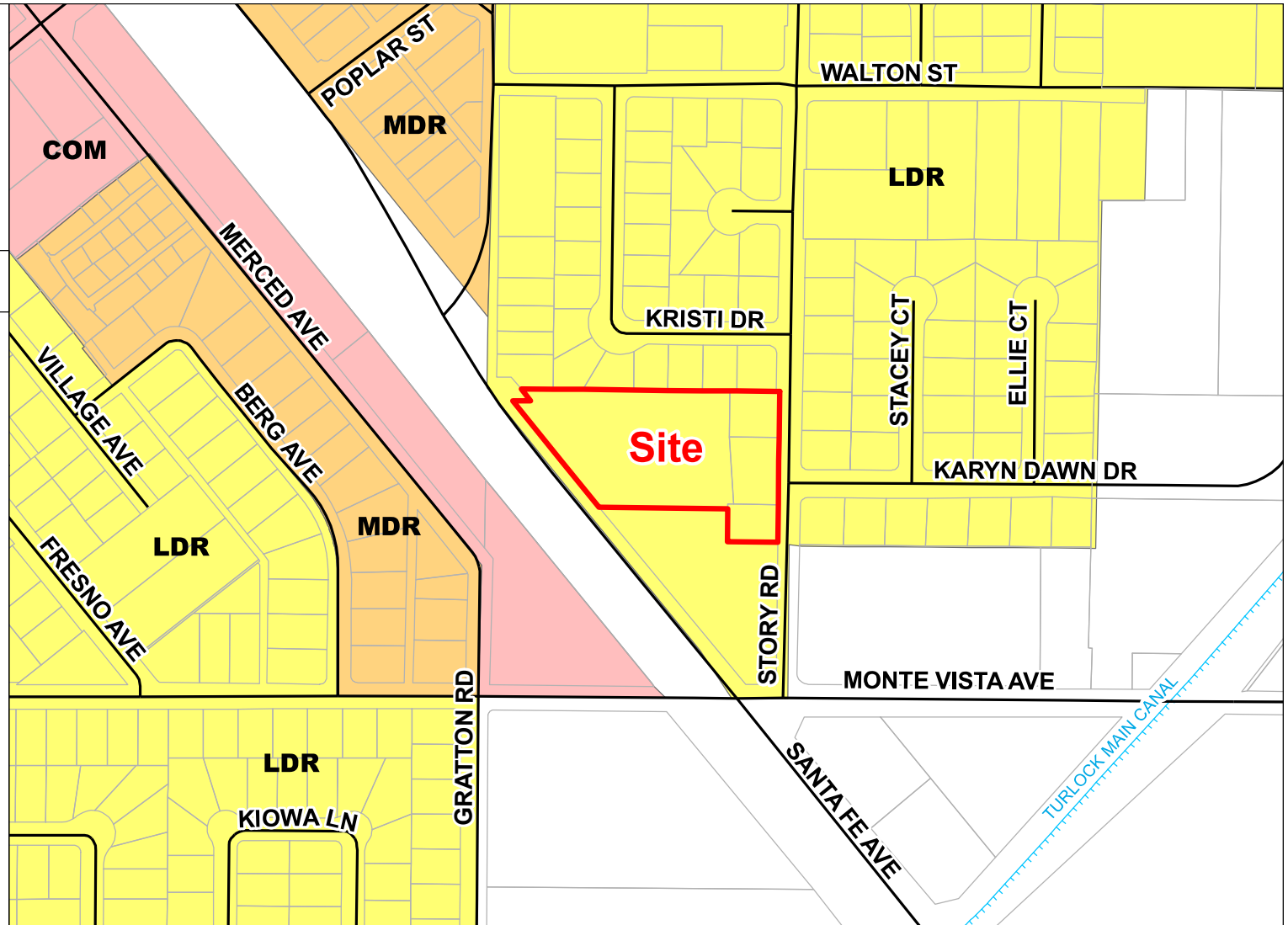
### Community Plan

-  Commercial
-  Residential - Medium
-  Residential - Low



Source: Planning Department GIS

Date: 8/16/2021



# ISAACO ESTATES











**VTSM  
PLN2020-0120**

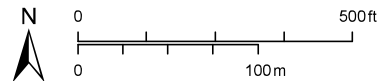
## ZONING MAP

### LEGEND

-  Project Site
-  Parcel
-  Road
-  Canal

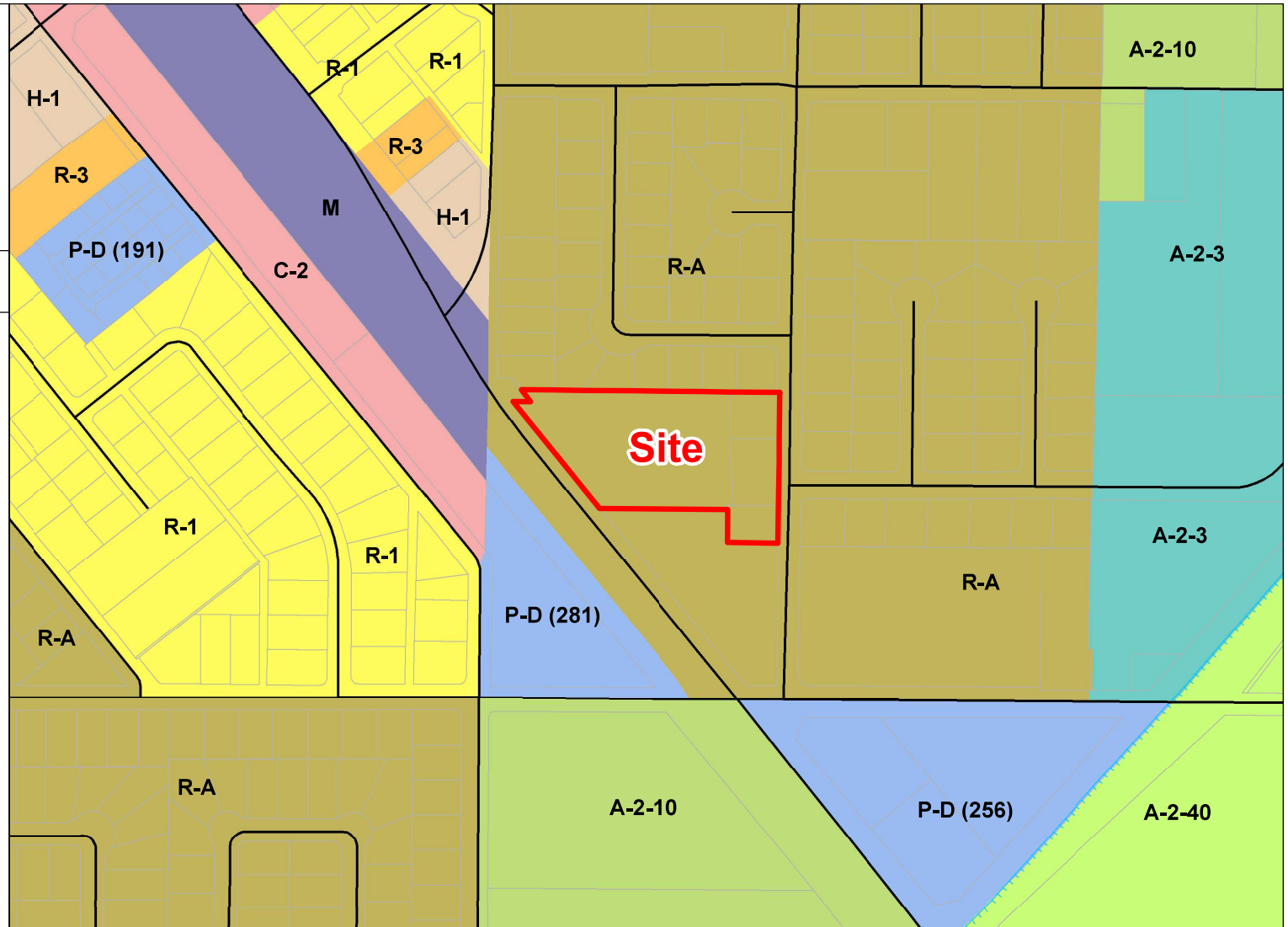
### Zoning Designation

-  General Agriculture 40 Acre
-  General Agriculture 10 Acre
-  General Agriculture 3 Acre
-  Rural Residential
-  Multiple Family
-  Single Family Residential
-  Highway Frontage
-  General Commercial
-  Industrial
-  Planned Development



Source: Planning Department GIS

Date: 7/1/2021








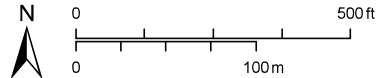
# ISAACO ESTATES

VTSM  
PLN2020-0120

2017 AERIAL AREA MAP

## LEGEND

-  Project Site
-  Road
-  Canal



Source: Planning Department GIS

Date: 7/1/2021








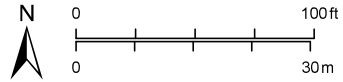
# ISAACO ESTATES

**VTSM  
PLN2020-0120**

*2017 AERIAL SITE MAP*

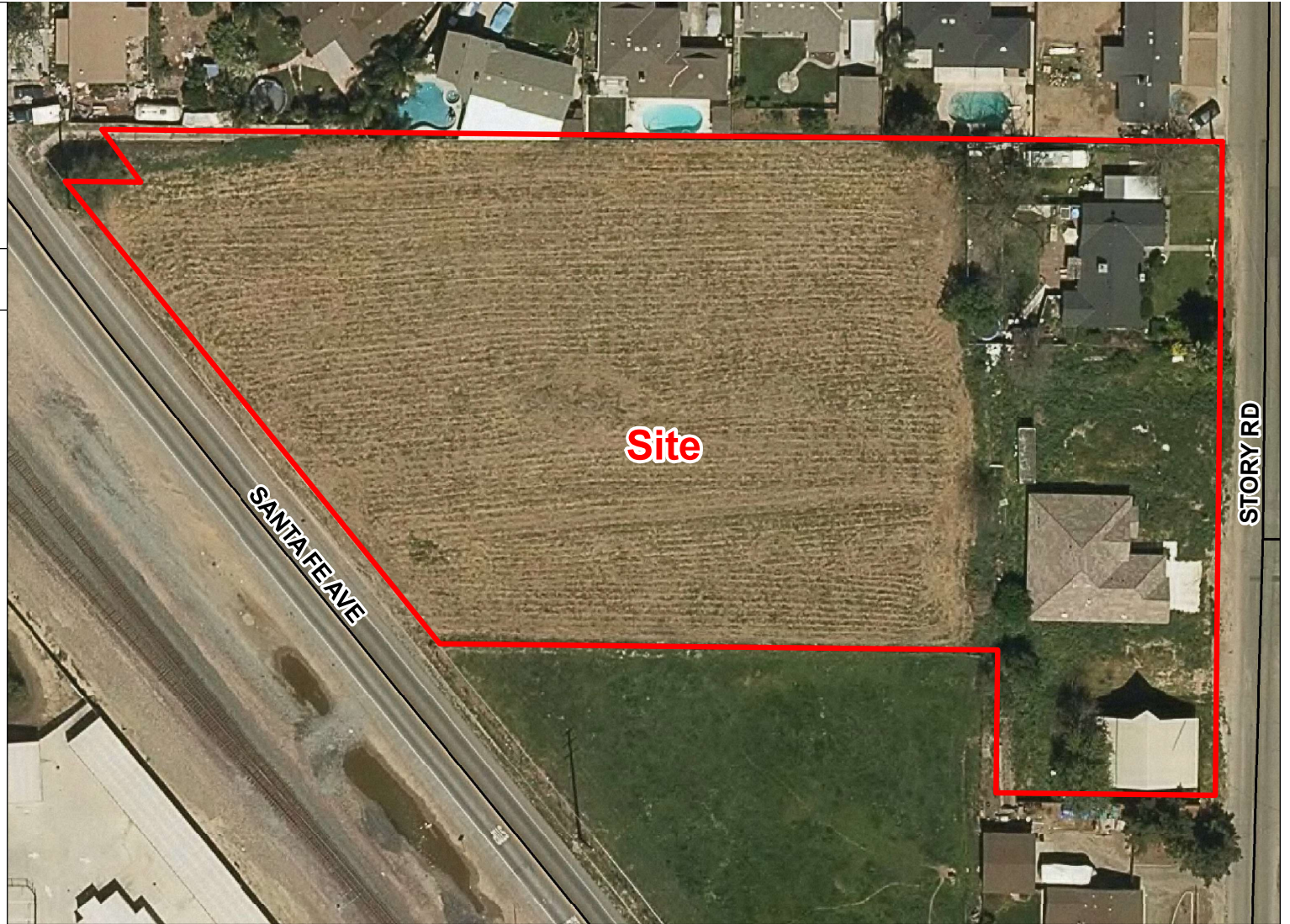
## LEGEND

-  Project Site
-  Road
-  Canal






Source: Planning Department GIS

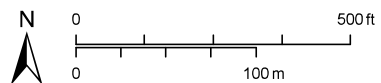
Date: 7/1/2021



**VTSM**  
**PLN2020-0120**

### LEGEND

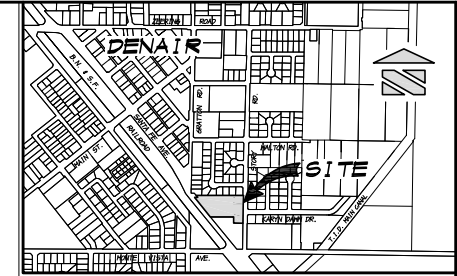
-  Project Site  
 Parcel/Acres  
 Road  
 Canal



Source: Planning Department GIS

Date: 7/1/2021



VICINITY MAP  
NO SCALE

## OWNERS &amp; SUBDIVIDERS

SOLARIA TECHNOLOGIES, LLC  
C/O SAM DAVID  
ADDRESS: P.O. BOX 2721  
TURLOCK, CALIFORNIA 95301  
PHONE: (209) 678-0101

NAME LINDA FARHADIAN  
ADDRESS: P.O. BOX 372  
TURLOCK, CALIFORNIA 95301  
PHONE: (209) 468-4238

## ENGINEER

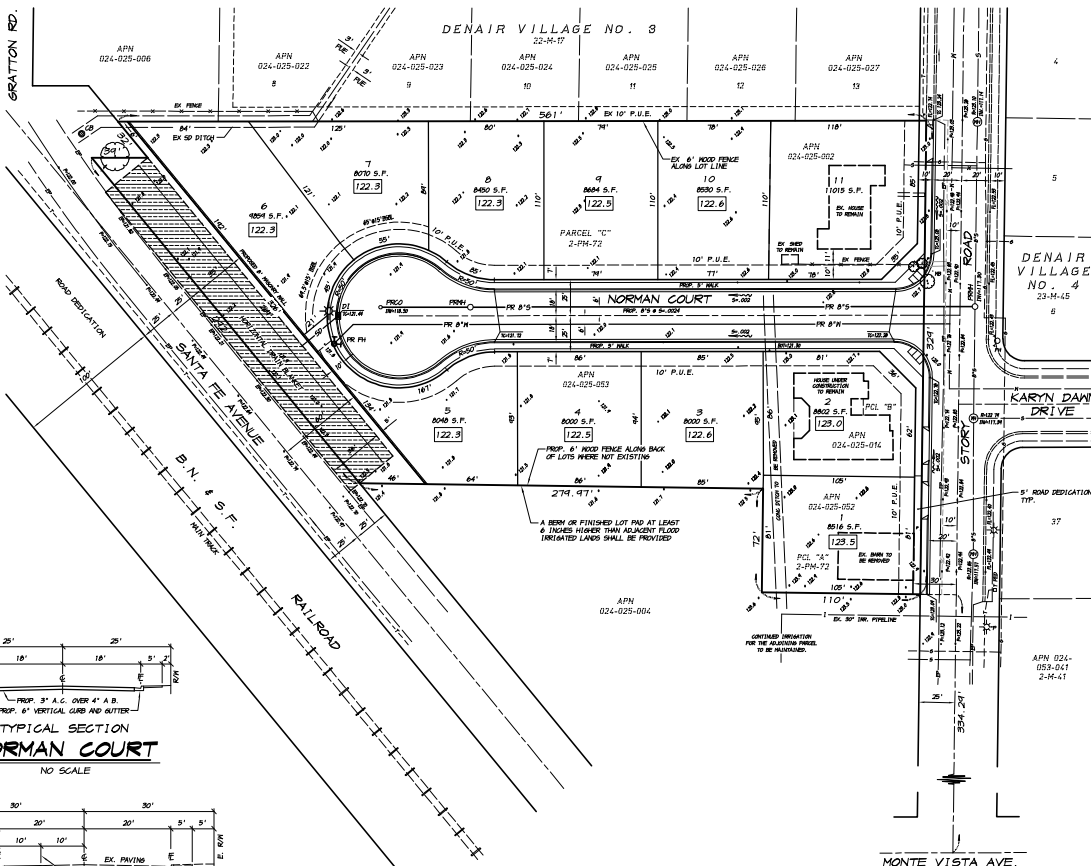
ASSOCIATED ENGINEERING GROUP, INC.  
4206 TECHNOLOGY DRIVE, SUITE 4  
MODESTO, CALIFORNIA 95356  
PHONE: (209) 545-3390

## GENERAL NOTES

- ASSESSOR'S PARCEL NUMBER: 024-025-002, 024-025-014, 024-025-052 AND 024-025-053
- PRESENT ZONING: R-A, RURAL RESIDENTIAL DISTRICT. ALL LOTS WITHIN THIS SUBDIVISION SHALL MEET THE MINIMUM REQUIREMENTS FOR LOT WIDTH, BUILDING SITE AREA, BUILDING COVERAGE, YARD AND OPEN SPACE, PURSUANT TO SECTIONS 21.24, 25.02 THROUGH 25.02 OF STANISLAUS COUNTY ZONING ORDINANCE
- SITE SUMMARY: TOTAL SITE = 3.0 ACRES BEING DIVIDED INTO 11 SINGLE FAMILY RESIDENTIAL LOTS, 8,000 SQ. FT. MINIMUM.
- A 10 FOOT PUBLIC UTILITY EASEMENT WILL BE DEDICATED AT THE FRONT OF ALL LOTS
- THE PROPERTY LINE DISTANCES, BEARINGS, AND ALL OTHER DIMENSIONS SHOWN ON THIS MAP ARE TAKEN FROM DEEDS, ASSESSOR'S MAPS, OR BOTH, AND PRELIMINARY FIELD OBSERVATIONS BY OFFICE PERSONNEL AND DO NOT REFLECT AN ACTUAL FIELD SURVEY
- PURSUANT TO SECTION 66469.1 OF THE SUBDIVISION MAP ACT, THE OWNER-SUBDIVIDER HEREBY RESERVES THE RIGHT TO FILE MULTIPLE SUBDIVISION MAPS.
- THIS PROJECT SITE IS NOT SUBJECT TO INUNDATION AS PER THE NATIONAL FLOOD INSURANCE PROGRAM FIRM FLOOD INSURANCE RATE MAP FOR STANISLAUS COUNTY, CALIFORNIA, AND UNINCORPORATED AREAS, COMMUNITY PANEL NO. 06049C0000E, DATED SEPTEMBER 26, 2008.
- IF DURING CONSTRUCTION, THE DISCOVERY OF ANY UNDERGROUND STORAGE TANKS, FORMER UNDERGROUND STORAGE TANK LOCATIONS, BURIED CISTERNS, BURIED REFUSE, OR CONTAMINATED SOIL, SHALL BE BROUGHT TO THE IMMEDIATE ATTENTION OF THE STANISLAUS COUNTY DEPT. OF ENVIRONMENTAL RESOURCES.

## STATEMENT OF SUBDIVIDER

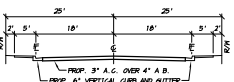
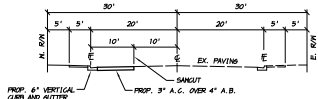
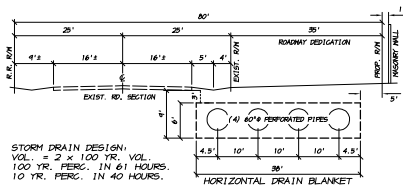
- ALL IMPROVEMENTS TO BE INSTALLED SHALL BE INSTALLED IN ACCORDANCE WITH THE STANISLAUS COUNTY STANDARDS AND SPECIFICATIONS.
- STORM DRAINAGE: GRAVITY BY GUTTER TO PROPOSED HORIZONTAL DRAIN FIELDS, AS SHOWN ON THE MAP. STORM DRAINS WILL BE INSTALLED TO CONFORM WITH THE STANISLAUS COUNTY STANDARDS AND SPECIFICATIONS.
- SANITARY SEWER: SEWER WILL CONNECT TO THE EXISTING DENAIR COMMUNITY SERVICE DISTRICT SYSTEM.
- WATER SUPPLY: DOMESTIC WATER WILL CONNECT TO THE EXISTING DENAIR COMMUNITY SERVICE DISTRICT SYSTEM. THERE WILL BE NO EXISTING OR PROPOSED WATER WELLS.
- NO PUBLIC AREAS ARE PROPOSED WITH THIS DEVELOPMENT.
- STREET LIGHTING: STREET LIGHTING SHALL BE IN ACCORDANCE WITH THE STANISLAUS COUNTY STANDARDS AND SPECIFICATIONS.
- GENERAL CONSISTENCY FOR NEIGHBORHOOD PARKS: IN LIEU FEES BASED ON PUBLIC FACILITIES FEES IN PLACE AT TIME OF APPROVAL OF THIS PROJECT AND PAYABLE AT BUILDING PERMIT FOR EACH LOT. SITE IS NOT LARGE ENOUGH TO SUPPORT COUNTY MAINTENANCE OF PARK.



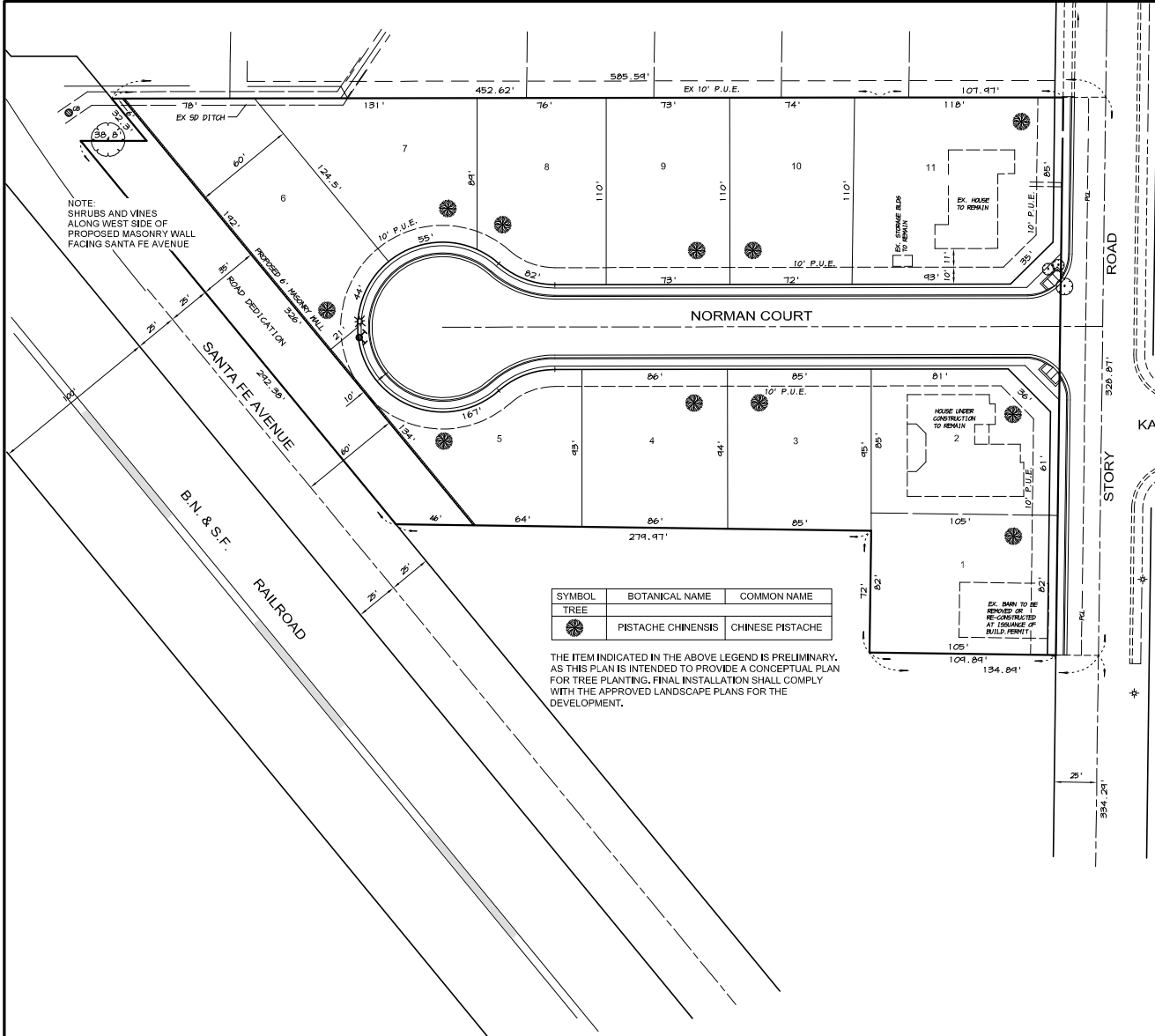
SCALE: 1"=40'

## LEGEND

|                                |                               |
|--------------------------------|-------------------------------|
| EX. GROUND ELEVATION           | PROP. CURB, GUTTER & SIDEWALK |
| EX. TOP OF CURB ELEVATION      | PROP. SANITARY SEWER PIPELINE |
| EX. FLOWLINE ELEVATION         | PROP. MANHOLE                 |
| EX. EDGE OF PAVEMENT ELEVATION | PROP. SEWER CLEANOUT          |
| EX. A.C. PAVEMENT ELEVATION    | PROP. WATER PIPELINE          |
| EX. RIM ELEVATION              | PROP. DCSO STD FIRE HYDRANT   |
| EX. INVERT ELEVATION           | PROP. STORM DRAIN             |
| EX. CURB, GUTTER & SIDEWALK    | PROP. CATCH BASIN             |
| EX. SANITARY SEWER PIPELINE    | PROP. STORM HORIZONTAL DRAIN  |
| EX. MANHOLE                    | PROP. TOP OF CURB GRADE       |
| EX. WATER PIPELINE             | PROP. LOT GRADE               |
| EX. FIRE HYDRANT               | PROP. PAVEMENT OUTLINE        |
| EX. EDGE OF PAVEMENT           | SLOPE AND DIRECTION OF FLOW   |
| EX. GAS LINE                   |                               |
| EX. ELECTROLIER                |                               |

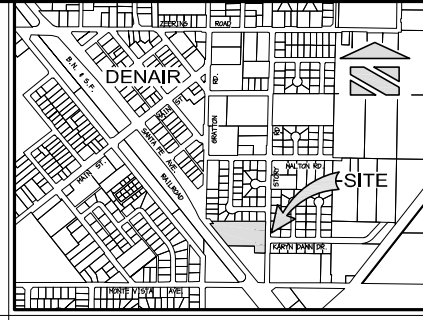
TYPICAL SECTION  
NORMAN COURT  
NO SCALETYPICAL SECTION  
STORY ROAD  
NO SCALETYPICAL SECTION  
SANTA FE AVENUE  
NO SCALE

STORM DRAIN DESIGN:  
VOL. = 2 x 100 YR. VOL.  
100 YR. PERC. IN 61 HOURS.  
10 YR. PERC. IN 40 HOURS.



| SYMBOL | BOTANICAL NAME     | COMMON NAME      |
|--------|--------------------|------------------|
|        | PISTACHE CHINENSIS | CHINESE PISTACHE |

THE ITEM INDICATED IN THE ABOVE LEGEND IS PRELIMINARY, AS THIS PLAN IS INTENDED TO PROVIDE A CONCEPTUAL PLAN FOR TREE PLANTING, FINAL INSTALLATION SHALL COMPLY WITH THE APPROVED LANDSCAPE PLANS FOR THE DEVELOPMENT.



SCALE: 1" = 40'

| REVISION | DATE | DESCRIPTION | BY |
|----------|------|-------------|----|
|          |      |             |    |
|          |      |             |    |
|          |      |             |    |

**GREGG & ASSOCIATES**  
 628 CRANE AVENUE, TURLOCK, CA 95380 PH: (209) 632-2271  
 LAND SURVEYING - CIVIL ENGINEERING - LAND PLANNING  
 A DIVISION OF ASSOCIATED ENGINEERING GROUP, INC.  
 4204 TECHNOLOGY DRIVE, SUITE 4, MODESTO, CA 95356  
 PHONE: (209) 545-5380 FAX: (209) 545-5875 WWW.AEGINC.COM

PROPOSED TREE PLANTING GUIDE  
**ISSACO ESTATES**  
 DENAIR STANISLAUS COUNTY CALIFORNIA

DRAWN BY: DLS  
 DATE: 11/09/15  
 SCALE: 1" = 40'  
 DWG: Issaco\_Tree  
 CHECKED: RLG  
 JOB #: 1071(G)-15

SHEET  
**1**  
 OF 1

## **CONDITIONS OF APPROVAL**

### **VESTING TENTATIVE SUBDIVISION MAP APPLICATION NO. PLN2020-0120 ISSACO ESTATES**

#### **Department of Planning and Community Development**

1. 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.

2. 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 the vesting date of **December 3, 2020**.
3. 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.
4. 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.
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. The recorded parcel map shall contain the following statement:  
  
"All persons purchasing lots within the boundaries of this approved map should be prepared to accept the inconveniences associated with the agricultural operations, such as noise, odors, flies, dust, or fumes. Stanislaus County has determined that such inconveniences shall not be considered to be a nuisance if agricultural operations are consistent with accepted customs and standards."



7. A final landscaping plan, including a tree planting plan and landscaping west of the masonry block wall shall be approved by the Director of Planning and Community Development or his/her designee prior to the recording of the final map. The Parks and Recreation Department shall be consulted prior to approval of the final landscape plan. The final landscaping plan shall meet all requirements of State or Local Ordinance and all requirements of California Code of Regulations Title 23 Division 2, Chapter 2.7. Model Water Efficient Landscape Ordinance. The trees associated with the tree planting plan shall be planted prior to the issuance of any certificate of occupancy for a dwelling.

**Department of Public Works**

8. The final map shall be prepared by a licensed land surveyor or a registered civil engineer licensed to practice land surveying in California.
9. Prior to the final map being recorded, all existing structures not shown on the tentative map shall be removed.
10. Prior to the recording of the final map, the new parcels shall be surveyed and fully monumented.
11. Prior to recording of the final map, road right-of-way shall be dedicated to Stanislaus County to provide for 50-feet of right-of-way for Norman Court.
12. Prior to recording of the final map, road right-of-way shall be dedicated to Stanislaus County to provide for a 30-foot half width west of the centerline of Story Road. The existing half width of Story Road is 25 feet wide.
13. Prior to recording of the final map, road right-of-way shall be dedicated to Stanislaus County to provide for 85 feet on Santa Fe Avenue east and north of the Burlington Northern and Santa Fe Railroad right-of-way. The existing right-of-way of Santa Fe Avenue is 50 feet wide.
14. Prior to the recording of the final map, a complete set of improvement plans that are consistent with the Stanislaus County Standards and Specifications and the tentative map shall be submitted and approved by Stanislaus County Public Works. The improvement plans shall include, but not be limited to streetlights, curb, gutter, and sidewalk, positive storm drainage (storage, percolation, and treatment), pavement, pavement markings, road signs, and handicap ramps. A positive storm drainage system, conforming to County standards, shall be installed. Prior to, or in tandem with submission of the improvement plans, the subdivider shall furnish the Department of Public Works three copies of a soils report for the area being subdivided. The report shall also include: (a) sufficient R-value test to establish appropriate road sections, (b) should include slope stability, (c) backfill recommendations, (d) retaining wall recommendations, (e) cut/fill transitions, and (f) sufficient test boring to log the soil strata, determine the static water level, and the percolation rate of the infiltration gallery. The boring shall be made at the location of the proposed storm drain infiltration gallery. The report shall be signed by a California registered civil engineer or registered geotechnical engineer.
15. An Engineer's Estimate shall be provided for the subdivision improvements so the amount of the bond/financial security can be determined if a Subdivision Improvement Agreement

is required. The Engineer's Estimate shall be stamped and signed by a licensed civil engineer.

16. Prior to the final map being recorded, the subdivider shall either:
  - a. Sign a 'Subdivision Improvement Agreement' and post the required certificates of insurance and subdivision bonds with the Department of Public Works; or
  - b. Construct all subdivision improvements and have the improvements accepted by the Stanislaus County Board of Supervisors.
17. Street improvements on Santa Fe Avenue, Norman Court, and Story Road, shall be consistent with the vesting tentative map and the accepted improvement plans.
18. Prior to any plan review or inspections associated with the development, the subdivider shall sign a "Subdivision Processing/Inspection Agreement" and post a \$10,000 deposit with Public Works.
19. A grading, drainage, and erosion/sediment control plan for the project site shall be submitted for any building permit that will create a larger or smaller building footprint. The grading and drainage plan shall include the following information:
  - a. The plan shall contain drainage calculations and enough information to verify that runoff from project will not flow onto adjacent properties and Stanislaus County road right-of-way, except for the storm drain infiltration gallery proposed for Santa Fe Avenue. Public Works will review and approve the drainage calculations.
  - b. For projects greater than one acre in size, the grading drainage and erosion/sediment control plan shall comply with the current State of California National Pollutant Discharge Elimination System (NPDES) General Construction Permit. A Waste Discharge Identification Number (WDID) and a copy of the Notice of Intent (NOI) and the project's Storm Water Pollution Prevention Plan (SWPPP) shall be provided prior to the approval of any grading, if applicable.
  - c. The applicant of the grading permit shall pay the current Stanislaus County Public Works weighted labor rate for review of the grading plan.
  - d. The applicant of the grading permit shall pay the current Stanislaus County Public Works weighted labor rate for all on-site inspections. The Public Works inspector shall be contacted 48 hours prior to the commencement of any grading or drainage work on-site.
  - e. The storm drain infiltration gallery proposed for Santa Fe Avenue shall be designed for H-20 traffic loading.
20. Prior to the acceptance of the subdivision improvements, the lot grades shall conform to the approved grading plan. Written certification by a civil engineer or geotechnical engineer is required by the Department of Public Works.

21. All new utilities shall be underground and located in public utility easements. A 10-foot wide public utility easement (P.U.E.) shall be located adjacent to the right-of-way of Norman Court and Story Road. The P.U.E. shall be shown on the final map.
22. An Encroachment Permit shall be obtained for any work done in Stanislaus County road right-of-way.
23. All public roads shall have a fog seal applied prior to the end of the one-year maintenance period and final acceptance by Stanislaus County.
24. All existing irrigation lines within the area to be subdivided shall be removed or relocated into easements along lot lines. The irrigation lines shall be reinforced at road crossings and driveways. All irrigation lines or structures which are to be abandoned shall be removed. All work shall be done in accordance with the requirement of the Department of Public Works and the Turlock Irrigation District. If a private irrigation line crossed public road right-of-way, a Road Maintenance Agreement shall be taken out with the Department of Public Works.
25. All streetlights shall be installed in compliance with County Public Works Standards and Specifications.
26. Prior to the final map being recorded, the subdivider shall deposit the first year's operating and maintenance cost of the streetlights with the Department of Public Works. Since the project already falls into the Denair Lighting District, the funds shall be deposited into that account.
27. Prior to recording of the final map, a final design for an 8-foot-high masonry block wall along Santa Fe Avenue frontage, and a landscaping plan for landscaping along the west side of the masonry block wall, shall be approved by the Department of Public Works and by the Director of Planning and Community Development or his/her designee. The Parks and Recreation Department shall be consulted prior to approval of the final landscape plan.
28. Prior to recording of the final map, a county service area (CSA) shall be formed to provide funds to ensure future maintenance and eventual replacement of the storm drainage system, block wall, and any landscaped areas. The developer shall provide all necessary documents and pay all fees associated with the formation of the CSA. As part of the formation, a formula or method for the calculation of the annual assessment shall be approved.
29. Prior to acceptance of the subdivision improvements, as specified in the County standards, a set of Record Drawings (mylars), and electronically scanned files for each sheet in a PDF format shall be provided to and approved by the Department of Public Works.
30. Prior to acceptance of the subdivision improvements, one bench mark (brass cap) shall be established within the subdivision on a brass cap and the elevation shall be shown on the Record Drawing. A completed Bench Mark card shall be furnished to the Department of Public Works. North American Vertical Datum shall be used. If available, 1988 data shall be used.

31. Prior to acceptance of the improvements, street monuments and covers shall be installed to County standards.
32. The required subdivision improvements shall be accepted by the Board of Supervisors. No final inspection and/or occupancy permit will be issued unless the required subdivision improvements have been accepted by the Board of Supervisors.

**Department of Environmental Resources**

33. Prior to final of any building permit, if an existing onsite wastewater treatment system (OWTS) or water well is encountered, the applicant shall contact the Department of Environmental Resources for guidance, and submit for, and secure any required permits for the destruction of any existing OWTS or water well on the subject properties.
34. Prior to recording of the final map, a current Will-Serve letter is required to be provided from the Denair Community Services District for water and sewer services to serve the development.

**Building Permits Division**

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

**Department of Parks and Recreation**

36. Park in-lieu fees will be required prior to the issuance of any building permit for a dwelling at a rate of \$2,050.00 per single-family dwelling unit.

**Denair Community Services District**

37. The owner/developer shall enter into an Agreement to construct and pay for necessary infrastructure to enable the District to provide water and sewer services to the project. The Agreement will require the infrastructure be constructed to District specifications, and that security be given to the District to guarantee performance and payment for the infrastructure, and that all current connection fees be paid in full prior to issuance of a formal Will-Serve letter.

**Turlock Irrigation District**

38. The District shall review and approve all maps and plans on the project. Any improvements to the subdivision which impact irrigation facilities shall be subject to the District's approval and shall meet all District standards and specifications.
39. The applicant shall provide irrigation improvement plans and enter into an Irrigation Improvements Agreement for any required irrigation facility modification. There is a District Board approved time and material fee associated with this review.
40. There is an existing 30" diameter irrigation pipeline located parallel to, and approximately 15 feet south of proposed Lot 1. This pipe flows into the north-south concrete lined ditch located within the proposed project, which runs through proposed Lot 1 and 2. The southern portion of the ditch along the west boundary of proposed Lot 1 is currently being

utilized by the adjacent parcel (APN 024-025-004) to deliver irrigation water westerly from the ditch through small distribution pipes that flow into the adjacent pasture. While this concrete lined ditch must be removed in its entirety within the limits of the subdivision, the developer will be responsible for modifying and extending the 30" pipeline westerly to restore irrigation service to the pasture.

41. Work on irrigation facilities can only be performed during the non-irrigation season.
42. Developed property adjoining irrigated ground must be graded so that finished grading elevations are at least 6 inches higher than irrigated ground. A protective berm must be installed to prevent irrigation water from reaching non-irrigated properties.
43. A 10-foot Public Utility Easement must be dedicated along all street frontages.
44. The owner/developer must apply for a facility change for any pole or electrical facility relocation. Facility changes are performed at developer's expense.
45. The front building setback is to be a minimum of 15-feet from the property line and a minimum of 15-feet from the back-of-sidewalk to enable the safe placement of utilities.
46. All improvements required by the Turlock Irrigation District shall be accepted prior to recording of the final map, and shall be completed in tandem with other required subdivision improvements.

**San Joaquin Valley Air Pollution Control District**

47. Prior to ground disturbance or issuance of a grading or building permit, the developer shall contact the District to determine if any District rules or permits are required.
48. 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.

**Central Valley Regional Water Quality Control Board**

49. Prior to ground disturbance or issuance of a grading or 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, Low or Limited Threat General NPDES Permit, and any other applicable Regional Water Quality Control Board permit.

\*\*\*\*\*

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



## CEQA INITIAL STUDY

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

1. **Project title:** Vesting Tentative Subdivision Map Application  
No. PLN2020-0120 – Issaco Estates
2. **Lead agency name and address:** Stanislaus County  
1010 10<sup>th</sup> Street, Suite 3400  
Modesto, CA 95354
3. **Contact person and phone number:** Emily Basnight, Assistant Planner  
(209) 525-6330
4. **Project location:** 3317 and 3331 Story Road, between E. Monte  
Vista Avenue and Kristi Drive, in the  
Community of Denair (APN: 024-025-002, 014,  
052 and 053).
5. **Project sponsor's name and address:** Sam David dba Solaria Technologies, LLC.  
P.O. Box 2721, Turlock, CA 95381
6. **General Plan designation:** Low-Density Residential (LDR)
7. **Community Plan designation:** Residential – Low
8. **Zoning:** Rural Residential (R-A)
9. **Description of project:**

This is a request to subdivide four parcels totaling 3.1± acres into 11 lots of at least 8,000 square-feet each in the Rural Residential (R-A) zoning district. The vesting tentative map proposes to develop a cul-de-sac, connecting to Story Road, a County-maintained road, for access. Frontage improvements are proposed for the development and will include curb, gutter, and sidewalk throughout the subdivision. An 8-foot-tall masonry block wall is proposed to be constructed along the western boundaries of proposed Lots 5 and 6. A Will-Serve letter for water and sewer services has been issued from the Denair Community Services District. Storm water is proposed to be conveyed to a horizontal drain located on the western most portion of the project site, adjacent to Santa Fe Road. Two single-family dwellings and an agricultural storage building currently exist on the project site; the applicant proposes to remove the existing barn; however, the dwellings will remain on proposed Lots 2 and 11. Previously, a Vesting Tentative Subdivision Map was approved for the project site on September 20, 2016. Consequently, the map expired in 2018.
10. **Surrounding land uses and setting:** Single-family dwellings in all directions;  
Burlington Northern Railroad to the west and  
south; storage facility and commercial  
developments along Santa Fe Avenue to the  
west; and agricultural properties to the south  
and east of the project site.
11. **Other public agencies whose approval is required (e.g.,  
permits, financing approval, or participation agreement.):** Denair CSD, Stanislaus County Department of  
Public  
Works, Denair Rural Fire District, Stanislaus

**12. Attachments:** None

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

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

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

**DETERMINATION: (To be completed by the Lead Agency)**

On the basis of this initial evaluation:

- ☒ I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- ☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- ☐ I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- ☐ I find that the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

**Signature on file.**

Prepared by Emily Basnight, Assistant Planner

**July 13, 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, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.

4) “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, “Earlier Analyses,” may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration.

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

a) Earlier Analysis Used. Identify and state where they are available for review.

b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). References to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected.

9) The explanation of each issue should identify:

a) the significant criteria or threshold, if any, used to evaluate each question; and

b) the mitigation measure identified, if any, to reduce the impact to less than significant.

**ISSUES**

| <b>I. AESTHETICS – Except as provided in Public Resources Code Section 21099, could the project:</b>   | <b>Potentially Significant Impact</b> | <b>Less Than Significant With Mitigation Included</b> | <b>Less Than Significant Impact</b> | <b>No Impact</b> |
|--|---------------------------------------|---|-------------------------------------|------------------|
| <b>a) Have a substantial adverse effect on a scenic vista?</b>   |                                       |   | <b>X</b>                            |                  |
| <b>b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?</b>  |                                       |   | <b>X</b>                            |                  |
| <b>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?</b> |                                       |   | <b>X</b>                            |                  |
| <b>d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?</b>   |                                       |   | <b>X</b>                            |                  |

**Discussion:** The site is not considered to be a scenic resource or a unique scenic vista. Community standards generally do not dictate the need or desire for architectural review of agricultural or residential subdivisions. The proposed VTSM will subdivide four parcels totaling 3.1± acres into 11 lots of at least 8,000 square-feet each in the Rural Residential (R-A) zoning district. The proposed lots will be of similar size and nature as the surrounding residential development. Two single-family dwellings and an agricultural storage building currently exist on the project site; the applicant proposes to remove the existing barn; however, the dwellings will remain on proposed Lots 2 and 11.

As part of the overall development plan, the proposed project includes a tree planting plan. The applicant proposes to plant one tree along the frontage of each proposed lot for a total of 11 trees as part of this request. These project features will enhance the site's overall visual character as well as blending with the existing surrounding development.

The project is surrounded by single-family dwellings in all directions. The Burlington Northern Railroad is to the west and south of the project site. A storage facility and commercial developments along Santa Fe Avenue are located to the west; and ranchette and agricultural properties to the south and east of the project site.

Storm water is proposed to be conveyed by gutter to a horizontal drain located on the western most portion of the project site, adjacent to Santa Fe Road. Frontage improvements proposed for the development include curb, gutter, and sidewalk for the entire subdivision. An 8-foot-tall masonry block wall is proposed to be constructed along the western boundaries of proposed Lots 5 and 6.

The project is not expected to degrade any existing visual character of the site or surrounding area. Any lighting installed with the subdivision shall be designed to reduce any potential impacts of glare per the County's Public Works adopted Standards and Specifications.

**Mitigation:** None.

**References:** Application Materials; Stanislaus County Zoning Ordinance (Title 21); Stanislaus County Department of Public Works Standards and Specifications, 2014; the Stanislaus County General Plan and Support Documentation<sup>1</sup>.

| II. AGRICULTURE AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. -- Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-----------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?  |                                |  | X                            |           |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?  |                                |  | X                            |           |
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?  |                                |  | X                            |           |
| d) Result in the loss of forest land or conversion of forest land to non-forest use?  |                                |  | X                            |           |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?  |                                |  | X                            |           |

**Discussion:** The project site is 3.1± acres in size and is improved with two single-family dwellings, and an agricultural storage building. The project site has soils classified by The California Department of Conservation Farmland Mapping and Monitoring Program as "Urban and Built-Up Land". The United States Department of Agriculture (USDA) Natural Resources Conservation Service's (NRCS) Eastern Stanislaus County Soil Survey, shows that the dominant soils present are Madera sandy loam, 0 to 2 percent slopes, and grade four with a Storie Index rating of 30, and Dinuba sandy loam, 0 to 1 percent slopes and grade one with a Storie Index of 86. A Storie Index rating from 80-100 and Grade I and II are considered to be prime farmland; however, this site is zoned Rural Residential with a General Plan and Community Plan designation of Low-Density Residential. Because the site has already been developed and has been planned for residential uses, the proposed project will not convert any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use.

The project site is designated Low-Density Residential (LDR) in the County's General Plan and Denair Community Plan and is zoned Rural Residential (R-A), which permits residential uses. Surrounding uses include single-family dwellings in all directions; Burlington Northern Railroad to the west and south; a mini storage facility and commercial developments along Santa Fe Avenue to the west; and ranchette and agricultural properties to the south and east of the project site. The parcel immediately south of the project site is zoned Rural Residential (R-A) and developed with a single-family dwelling and currently farms a 1± acre pasture located behind the existing dwelling. The property receives the irrigated water from Turlock Irrigation District (TID) by way of a 30-inch pipeline and concrete ditch; however, a portion of the concrete irrigation ditch lies within the project site of the proposed subdivision. A referral letter received from the Turlock Irrigation District

requires the portion of the concrete ditch to be removed from the project site, and that the developer be responsible for extending the existing 30-inch pipeline westerly to restore irrigation service to the pasture to the south prior to recording of the final map. TID's comments will be added as conditions of approval for the project.

If approved, the proposed project will not convert farmland to non-agriculture uses as the project site and surrounding area is built-out with residential uses; nor will it conflict with existing zoning or a Williamson Act Contract.

The project site is considered an in-fill development and will not contribute to the loss of farmland or forest land.

**Mitigation:** None.

**References:** Application Materials; California State Department of Conservation Farmland Mapping and Monitoring Program - Stanislaus County Farmland 2018; USDA – NRCS Web Soil Survey; Referral response from Turlock Irrigation District, dated January 20, 2021; Stanislaus County Zoning Ordinance (Title 21); Stanislaus County General Plan and Support Documentation<sup>1</sup>.

| 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 PM<sub>10</sub> (respirable particulate matter) Maintenance Plan, the 2008 PM<sub>2.5</sub> (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 District's Small Project Analysis Level (SPAL) guidance identifies thresholds of significance for criteria pollutant emissions, which are based on the District's New Source Review (NSR) offset requirements for stationary sources. Using project type and size, the District has pre-qualified emissions and determined a size below which it is reasonable to conclude that a project would not exceed applicable thresholds of significance for criteria pollutants. In the interest of streamlining CEQA requirements, projects that fit the descriptions and are less than the project sizes provided by the District are deemed to have a less-than-significant impact on air quality due to criteria pollutant emissions and as such are excluded from quantifying criteria pollutant emissions for CEQA purposes. The District's threshold of significance for residential projects is identified as 155 units, and less than 800 additional trips per-day. The project proposes 11 residential lots, two of which are already developed with single-family dwellings. The proposed project has the potential to develop a maximum of 20

new dwelling units, with each new lot able to be developed with one single-family dwelling, and one accessory dwelling unit (ADU), and the existing two lots able to be developed with an ADU on each lot. One junior accessory dwelling unit (JADU) per lot is also permitted under the Rural Residential (R-A) zoning district; however, the JADU would not count as a separate dwelling unit as the JADU consists of converted living space within the primary home. According to the Federal Highway Administration the average daily vehicle trips per household is 5.11, which would equal approximately 102 additional trips per-day as a result of project approval (20 new units x 5.11 = 102.2). As this is well below the District's threshold of significance, no significant impacts to air quality are anticipated.

Construction activities associated with new development can temporarily increase localized PM<sub>10</sub>, PM<sub>2.5</sub>, volatile organic compound (VOC), nitrogen oxides (NOX), sulfur oxides (SOX), and carbon monoxide (CO) concentrations within a project's vicinity. The primary source of construction-related CO, SOX, VOC, and NOX emission is gasoline and diesel-powered, heavy-duty mobile construction equipment. Primary sources of PM<sub>10</sub> and PM<sub>2.5</sub> 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 constructing the dwelling units and installing road and sidewalk improvements. 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. 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 potential construction of up to 20 residential units 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 above. 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 project was referred to the Air District; however, no response has been received to date.

For these reasons, the proposed project would 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.

**Mitigation:** None.

**References:** Application Materials; San Joaquin Valley Air Pollution Control District's Small Project Analysis Level (SPAL) guidance, November 13, 2020; Federal Highway Administration, Summary of Travel Trends: 2017 National Household Travel Survey; San Joaquin Valley Air Pollution Control District - Regulation VIII Fugitive Dust/PM-10 Synopsis; [www.valleyair.org](http://www.valleyair.org); and the Stanislaus County General Plan and Support Documentation<sup>1</sup>.

| IV. BIOLOGICAL RESOURCES -- Would the project:   | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? |                                |  | X                            |           |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?  |                                |  | X                            |           |

|  |  |  |   |  |
|--|--|--|---|--|
| c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?       |  |  | X |  |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? |  |  | X |  |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?  |  |  | X |  |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?   |  |  | X |  |

**Discussion:** The project is located within the Denair Quad of the California Natural Diversity Database based on the U.S. Geographical quadrangle map series. According to aerial imagery and application materials, the surrounding area is almost entirely built up with urban uses.

Based on results from the California Natural Diversity Database (CNDDDB), there are two animals, two insects and one plant species which are state or federally listed, threatened, or identified as species of special concern or a candidate of special concern within the Denair California Natural Diversity Database Quad. These species include the Swainson's hawk, steelhead – Central Valley DPS, Crotch bumble bee, valley elderberry longhorn beetle and San Joaquin Valley Orcutt grass. There is a very low likelihood that these species are present on the project site. The proposed vesting tentative subdivision map is made up of four existing parcels. Three of the four parcels are currently developed, two with single-family dwellings, and one with a barn. The remaining portion of the parcel is vacant. The project site is surrounded by small lots, typically 8,000 square-feet in size, developed with single-family dwellings.

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.

**Mitigation:** None.

**References:** California Department of Fish and Wildlife's Natural Diversity Database Quad Species List; Stanislaus County General Plan and Support Documentation<sup>1</sup>.

| 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 for the project site formulated by the Central California Information Center (CCIC) indicated that there was a low probability of discovery of prehistoric resources, but there may be discovery of historical resources as it is possible the project will impact existing structures that are over 45 years old, and possibly subsurface

historic-era refuse and artifact under the surface which may be found during excavation and trenching. No records were found that indicated the site contained prehistoric or archeologic resources previously identified onsite; however, the records search report stated historic maps on file indicated at least one building existed on the property as early as 1939. An existing tank house, barn, and concrete ditch may be over 45 years old and may be considered potential historical resources that have not yet been formally documented and evaluated by a historical resource professional. The CCIC recommended that a qualified historical resources consultant, prior to implementation of the project or issuance of any discretionary permit, evaluate and formally record any building to be removed if it is 45 years old or older, prior to implementation of the project or issuance of any discretionary permit. If Native American remains are found, the County Coroner and the Native American Heritage Commission are to be notified immediately for recommended procedures. If human remains are uncovered, all work within 100 feet of the find should halt in compliance with Section 15064.5(e) (1) of the CEQA Guidelines and Public Resources Code Section 7060.5. Conditions of approval will be added to the project to ensure these requirements are met.

The County does not use age as an indication of historic resources. The barn on the project site is not federally or state registered as a historic structure and is not located within a historic zoning district. Accordingly, the demolition of the barn is not considered a significant impact to cultural resources.

**Mitigation:** None.

**References:** Central California Information Center Report for the project site, June 26, 2015; Stanislaus County General Plan and Support Documentation<sup>1</sup>.

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

**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, 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 project proposes to subdivide four parcels totaling 3.1± acres, into 11 lots of at least 8,000 square-feet each. All subsequent building permits for single-family dwellings would need to be in compliance with Title 24, Green Building Code, which includes energy efficiency requirements.

The project was referred to the Denair Municipal Advisory Council (MAC) who requested all streetlights for the development meet industry standards for energy efficiency. Public Works standards and specifications provide for energy efficient lighting. Any street lighting will be required to meet Public Works' standards and specifications as part of the improvement plans prior to acceptance of the improvement plans.

A referral response received from TID indicated that any existing TID infrastructure that must be relocated as a result of the project shall be approved by TID and completed at the developer's expense. A condition of approval will be added to the project to reflect TID's requirement.

It does not appear this project will result in significant impacts to the wasteful, inefficient, or unnecessary consumption of energy resources. A condition of approval will be added to this project to address compliance with Title 24, Green Building Code, for projects that require energy efficiency.

**Mitigation:** None.

**References:** Application Materials; CEQA Guidelines; Title 16 of County Code; CA Building Code; Stanislaus County Zoning Ordinance (Title 21); Referral response from Turlock Irrigation District, dated January 20, 2021; Stanislaus County 2016 General Plan EIR; Stanislaus County General Plan and Support Documentation<sup>1</sup>.

| <b>VII. GEOLOGY AND SOILS -- Would the project:</b>  | <b>Potentially Significant Impact</b> | <b>Less Than Significant With Mitigation Included</b> | <b>Less Than Significant Impact</b> | <b>No Impact</b> |
|--|---------------------------------------|---|-------------------------------------|------------------|
| <b>a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:</b>  |                                       |   | <b>X</b>                            |                  |
| 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. |                                       |   | <b>X</b>                            |                  |
| ii) Strong seismic ground shaking?   |                                       |   | <b>X</b>                            |                  |
| iii) Seismic-related ground failure, including liquefaction?   |                                       |   | <b>X</b>                            |                  |
| iv) Landslides?  |                                       |   | <b>X</b>                            |                  |
| <b>b) Result in substantial soil erosion or the loss of topsoil?</b>   |                                       |   | <b>X</b>                            |                  |
| <b>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?</b>  |                                       |   | <b>X</b>                            |                  |
| <b>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?</b>   |                                       |   | <b>X</b>                            |                  |
| <b>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?</b>  |                                       |   | <b>X</b>                            |                  |
| <b>f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</b>   |                                       |   | <b>X</b>                            |                  |

**Discussion:** The United States Department of Agriculture (USDA) Natural Resources Conservation Service's (NRCS) Eastern Stanislaus County Soil Survey, shows that the dominant soils present are Madera sandy loam, 0 to 2 percent slopes and Dinuba sandy loam, 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. DER, Public Works, and the Building Permits Division review and approve any building permit to ensure their standards are met. The applicant provided a soils report generated in 2016 for a prior VTSM previously approved for the project area for Public Works review. Storm water is proposed to be conveyed by gutter to a horizontal drain field located on the western most portion of the project site, adjacent to Santa Fe Road. After reviewing the soils report, the Stanislaus County Public Works Department approved the proposed stormwater plan. Any earth moving must be approved by Public Works as complying with adopted Standards and Specifications, which consider the potential for erosion and run-off prior to permit approval. The project was referred to Public Works who responded that prior to the recording of the final map, a complete set of improvement plans that are consistent with the Stanislaus County Standards and Specifications and the tentative map shall be submitted and approved by Stanislaus County Public Works; additionally, a current soils report for the area to be subdivided and a grading, drainage, and erosion/sediment control plan shall be submitted prior to acceptance of the improvement plans. Public Works' requirements will be placed on the project as conditions of approval.

The Building Division may utilize the results from the soils test, or require additional soils tests, to determine if unstable or expansive soils are present. If such soils are present, special engineering of any structures will be required to compensate



for the soil deficiency. Any structures resulting from this project will be required to be designed and built according to building standards appropriate to withstand shaking for the area in which they are constructed.

The project proposes 11 lots for single-family dwelling uses, two of which are already developed with single-family dwellings. The applicant also proposes frontage improvements for the development consisting of curb, gutter and sidewalk for each lot. The site will be served public water and sewer by the Denair Community Services District (CSD). The Denair CSD provided a letter indicating their ability to serve the project site with public water and sewer. The letter indicated that the CSD will require the owner/developer to enter into an Agreement with the Denair CSD to construct and pay for necessary infrastructure to enable the District to provide water and sewer services to the project. The Agreement will require the infrastructure be constructed to District specifications, and that security be given to the District to guarantee performance and payment for the infrastructure, and that all current connection fees be paid in full prior to a issuance of a formal Will-Serve letter to the property owner/developer. The Will-Serve letter must be presented to the Stanislaus County Building Permits Division prior to issuance of a building permit for any residential structure. No septic tanks are proposed as part of the project request. A referral response was received from the Department of Environmental Resources requiring the development obtain a formal Will-Serve letter from the Denair Community Services District for sewer and water. If an existing onsite wastewater treatment system (OWTS) is encountered, the applicant shall contact the DER for guidance and submit for and secure any required permits for the destruction of any existing OWTS on the subject properties.

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. Compliance with the Storm Water Pollution Prevention Program (SWPPP), with the Alquist-Priolo Earthquake Fault Zoning Act, and the California Building Code are all required through the building and grading permit review process which would reduce the risk of loss, injury, or death due to earthquake or soil erosion to less than significant.

**Mitigation:** None.

**References:** Application Materials; USDA – NRCS Web Soil Survey; Referral response from Stanislaus County Public Works Department, May 5, 2021; Letter from Denair Community Services District, dated March 12, 2020; Referral response from Stanislaus County Department of Environmental Resources, dated January 28, 2021; Stanislaus County General Plan and Support Documentation<sup>1</sup>.

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

**Discussion:** The principal Greenhouse Gasses (GHGs) are carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), sulfur hexafluoride (SF<sub>6</sub>), perfluorocarbons (PFCs), hydrofluorocarbons (HFCs), and water vapor (H<sub>2</sub>O). CO<sub>2</sub> 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 CO<sub>2</sub> equivalents (CO<sub>2</sub>e). 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. GHGs emissions resulting from residential projects include emissions from temporary construction activities, energy consumption, and additional vehicle trips.

This is a request to subdivide four parcels totaling 3.1± acres into 11 lots of at least 8,000 square-feet each in the Rural Residential (R-A) zoning district. Two single-family dwellings and an ag storage barn currently exist on the project site; the applicant proposes to remove the existing barn; however, the dwellings will remain on proposed Lots 2 and 11. Front

improvements proposed for the development include curb, gutter, and sidewalk for each lot. An 8-foot-tall masonry block wall is proposed to be constructed along the western boundaries of proposed Lots 5 and 6.

As required by CEQA Guidelines Section 15064.3, potential impacts regarding Green House Gas Emissions should be evaluated using Vehicle Miles Traveled (VMT). Stanislaus County has currently not adopted any significance thresholds for VMT, and projects are treated on a case-by-case basis for evaluation under CEQA. However, the State of California – Office of Planning and Research (OPR) has issued guidelines regarding VMT significance under CEQA. The CEQA Guidelines identify vehicle miles traveled (VMT), which is the amount and distance of automobile travel attributable to a project, as the most appropriate measure of transportation impacts. According to the same technical advisory from OPR, projects that generate or attract fewer than 110 trips per-day generally may be assumed to cause a less-than-significant transportation impact. The project proposes 11 residential lots, two of which are already developed with single-family dwellings, and has the potential to develop a maximum of 20 new dwelling units, with each new lot able to be developed with up to two separate dwelling units each, consisting of one single-family dwelling, and one accessory dwelling unit (ADU), and the existing two lots able to be developed with an ADU on each lot. One junior accessory dwelling unit (JADU) per lot is also permitted under the Rural Residential (R-A) zoning district; however, the JADU would not count as a separate dwelling unit as the JADU consists of converted living space within the primary home. According to the Federal Highway Administration the average daily vehicle trips per household is 5.11, which would equal approximately 102 additional trips per-day as a result of project approval (20 new units x 5.11 = 102.2). The VMT increase associated with the proposed project is less than significant as the number of vehicle trips will not exceed 110 per-day. Additionally, projects within one-half mile of either an existing major transit stop or a stop along an existing high-quality transit corridor should be presumed to cause a less-than-significant transportation impact. A major transit stop is defined as a site containing an existing rail transit station. The Turlock-Denair Amtrak station is located .3 miles to northwest of the project site.

The proposed project will result in short-term emissions of GHGs during construction. These emissions, primarily CO<sub>2</sub>, CH<sub>4</sub>, and N<sub>2</sub>O, are the result of fuel combustion by construction equipment and motor vehicles. The other primary GHGs (HFCs, PFCs, and SF<sub>6</sub>) are typically associated with specific industrial sources and are not expected to be emitted by the proposed project. As described above in Section III - Air Quality of this report, the use of heavy-duty construction equipment would be very limited; therefore, the emissions of CO<sub>2</sub> from construction would be less than significant. Additionally, the construction of the proposed buildings is subject to the mandatory planning and design, energy efficiency, water efficiency and conservation, material conservation and resources efficiency, and environmental quality measures of the California Green Building Standards (CALGreen) Code (California Code of Regulations, Title 24, Part 11). All proposed construction activities associated with this project are considered to be less-than-significant as they are temporary in nature and are subject to meeting SJVAPCD standards for air quality control.

The project was referred to SJVAPCD and no response was received. However, the District's Small Project Analysis Level (SPAL) guidance identifies thresholds of significance for criteria pollutant emissions, which are based on the District's New Source Review (NSR) offset requirements for stationary sources. Using project type and size, the District has pre-qualified emissions and determined a size below which it is reasonable to conclude that a project would not exceed applicable thresholds of significance for criteria pollutants. In the interest of streamlining CEQA requirements, projects that fit the descriptions and are less than the project sizes provided by the District are deemed to have a less-than-significant impact on air quality due to criteria pollutant emissions and as such are excluded from quantifying criteria pollutant emissions for CEQA purposes. The analysis of mobile source pollution based on SPAL within Section III – Air Quality of this report would apply in regard to Greenhouse Gas Emissions as well. The District's threshold of significance for residential projects is identified as 155 units, and less than 800 additional trips per-day. As mentioned above in this section, this request has the potential to result in the development of up to 20 new dwelling units as a result of the proposed project. According to the Federal Highway Administration the average daily vehicle trips per household is 5.11, which would equal approximately 102 additional trips per-day as a result of project approval (20 new units x 5.11 = 102.2). As this is well below the District's threshold of significance, no significant impacts to GHG emissions are anticipated.

**Mitigation:** None.

**References:** San Joaquin Valley Air Pollution Control District's Small Project Analysis Level (SPAL) guidance, California Air Pollution Control Officers Association Quantifying Greenhouse Gas Mitigation Measures (August 2010); Federal Highway Administration, Summary of Travel Trends: 2017 National Household Travel Survey; Stanislaus County General Plan and Support Documentation<sup>1</sup>.

| 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 County Department of Environmental Resources is responsible for overseeing hazardous materials and has not indicated any particular concerns in this area. The project was referred to the Department of Environmental Resources (DER) Hazardous Materials Division, which is responsible for overseeing hazardous materials. A response was received indicating that the developer shall conduct a Phase I or Phase II study prior to the issuance of a grading permit to determine if organic pesticides or metals exist on the project site. Any existing well or septic facilities are required to be destroyed through a permit issued by DER. Additionally, the Hazardous Materials Division requested that they be contacted should any underground storage tanks, buried chemicals, buried refuse, or contaminated soil be discovered during grading or construction. These comments will be reflected through the application of a condition of approval.

Pesticide exposure is a risk in areas located in the vicinity of agricultural uses. Sources of exposure include contaminated groundwater, which is consumed and drift from spray applications. Application of sprays are strictly controlled by the Agricultural Commissioner and can only be accomplished after first obtaining permits. The project site is not adjacent to any agriculturally zoned properties. The project was referred to the Agricultural Commissioner's Office; however, no response was received.

The site is located in a Local Responsibility Area (LRA) for fire protection and is served by Denair Fire Protection District. The project was referred to the District; however, no response has been received to date. Each subsequent building permit for the residential development will be required to meet any relevant State of California Fire Code requirement prior to issuance.

The project site is not listed on the EnviroStor database managed by the CA Department of Toxic Substances Control or within the vicinity of any airport. The groundwater is not known to be contaminated in this area. The project will be served by the Denair Community Services District for their domestic water and sewer services.

The project site is not within the vicinity of any airstrip or wildlands. No significant impacts associated with hazards or hazardous materials are anticipated to occur as a result of the proposed project.

**Mitigation:** None.

**References:** Application Materials; Email received from the Stanislaus County Department of Environmental Resources – Hazardous Materials Division, dated June 18, 2021; Stanislaus County Zoning Ordinance (Title 21); Stanislaus County General Plan and Support Documentation<sup>1</sup>.

| <b>X. HYDROLOGY AND WATER QUALITY -- Would the project:</b>   | <b>Potentially Significant Impact</b> | <b>Less Than Significant With Mitigation Included</b> | <b>Less Than Significant Impact</b> | <b>No Impact</b> |
|---|---------------------------------------|---|-------------------------------------|------------------|
| <b>a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?</b>   |                                       |   | <b>X</b>                            |                  |
| <b>b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?</b>                                  |                                       |   | <b>X</b>                            |                  |
| <b>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:</b> |                                       |   | <b>X</b>                            |                  |
| <b>(i) result in substantial erosion or siltation on – or off-site;</b>   |                                       |   | <b>X</b>                            |                  |
| <b>(ii) substantially increase the rate of amount of surface runoff in a manner which would result in flooding on- or off-site;</b>   |                                       |   | <b>X</b>                            |                  |
| <b>(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</b>                            |                                       |   | <b>X</b>                            |                  |
| <b>(iv) impede or redirect flood flows?</b>   |                                       |   | <b>X</b>                            |                  |
| <b>d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?</b>  |                                       |   | <b>X</b>                            |                  |
| <b>e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?</b>  |                                       |   | <b>X</b>                            |                  |

**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 are addressed by the Building Permits Division during the building permit process.

The project site will be served water and sewer services by the Denair Community Services District (CSD). The Denair CSD provided a letter indicating their ability to serve water and sewer to the project site. A condition of service, the CSD will require the owner/developer to enter into an Agreement to construct and pay for necessary infrastructure to enable the District to provide water and sewer services to the project. The Agreement will require the infrastructure be constructed to District specifications, and that security be given to the District to guarantee performance and payment for the infrastructure, and that all current connection fees be paid in full. Development standards will be added to the project to ensure these requirements are met. Additionally, a referral response was received from the Department of Environmental Resources who will require the project site obtain a Will-Serve letter for water and sewer services to serve the development issued from the Denair CSD. These requirements will be reflected in the conditions of approval for this project.

Water quality in Stanislaus County is regulated by the Regional Water Quality Control Board, Central Valley Region, (RWQCB) under a Water Quality Control Plan (Basin Plan) for the Sacramento and San Joaquin River Basins. Under the Basin Plan, the RWQCB issues Waste Discharge Requirements (WDRs) to regulate discharges with the potential to degrade surface water and/or groundwater quality. In addition, the RWQCB issues orders to cease and desist, conduct water quality investigations, or implement corrective actions. The Stanislaus County Department of Environmental Resources (DER) manages compliance with WDRs for some projects under a Memorandum of Understanding with the RWQCB. The project was referred to RWQCB; however, no response has been received to date. A condition of approval will be added to the project requiring the applicant contact and coordinate with RWQCB to determine if any permits or Water Board requirements be obtained/met prior to issuance of a building permit.

By virtue of the proposed paving for the roadway, building pads, driveways, sidewalk improvements, and 8-foot-tall masonry block wall along the western boundaries of proposed Lots 5 and 6, the current absorption patterns of water upon this property will be altered, and as such, a Grading and Drainage Plan shall be approved prior to issuance of any building permit as required by Public Works. Storm water is proposed to be conveyed by gutter to a horizontal drain field located on the western most portion of the project site, adjacent to Santa Fe Road. Consequently, the Public Works Department provided a referral letter requesting that prior to recording of the final map, a county service area (CSA) shall be formed to provide funds to ensure future maintenance and eventual replacement of the storm drainage system, block wall, and any landscaped areas. The developer shall provide all necessary documents and pay all fees associated with the formation of the CSA. As part of the formation, a formula or method for the calculation of the annual assessment shall be approved. Public Works' request will be added to the project as conditions of approval. Prior to the recording of the final map, a complete set of improvement plans that are consistent with the Stanislaus County Standards and Specifications and the tentative map shall be submitted and approved by Stanislaus County Public Works; additionally, a current soils report for the area to be subdivided and grading, drainage, and erosion/sediment control plan shall be submitted prior to acceptance of the improvement plans. Public Works' requirements will be placed on the project as conditions of approval.

Groundwater management in California is regulated under the 2014 California Sustainable Groundwater Management Act (SGMA), which requires the formation of local Groundwater Sustainability Agencies (GSAs) to oversee the development and implementation of Groundwater Sustainability Plans (GSPs). SGMA defines sustainable groundwater management as the prevention of "undesirable results," including significant and unreasonable chronic groundwater levels, reduction of groundwater storage, degraded water quality, land subsidence, and/or depletions of interconnected surface water. GSPs define minimum thresholds and measurable objectives for sustainable groundwater management, designate monitoring networks to assess compliance with these management criteria and prescribe management actions and projects to achieve sustainability objectives within 20 years of their adoption.

Public and private water agencies and user groups within each of the four groundwater subbasins underlying the County work together as GSAs to implement SGMA. DER is a participating member in five GSAs. GSPs were adopted in January 2020 for the portions of the County underlain by the Eastern San Joaquin and Delta-Mendota Groundwater Subbasins and will be adopted for the Turlock and Modesto Subbasins by January 31, 2022. The subject project is located within the West Turlock Groundwater Subbasin and the jurisdiction of the East Turlock Subbasin GSA.

Groundwater management in Stanislaus County is also regulated under the County Groundwater Ordinance, adopted in 2014. The Groundwater Ordinance is aligned with SGMA in its objective to prevent "undesirable results". To this end, the Groundwater Ordinance requires that applications for new wells that are not exempt from the Ordinance are accompanied by substantial evidence that operation of the new well will not result in unsustainable groundwater extraction. Further, the owner of any well from which the County reasonably concludes groundwater may be unsustainably withdrawn, is required to provide substantial evidence of sustainable extraction. No new wells are anticipated to be installed as a result of this project. However, if a new well were required in the future, the drilling of a new well would be regulated by the County's Groundwater Ordinance and thus require CEQA-compliance.

In addition to GSPs and the Groundwater Ordinance, the County General Plan includes goals, policies, and implementation measures focused on protecting groundwater resources. Projects with a potential to affect groundwater recharge or that involve the construction of new wells are referred to the DER for review. The DER evaluates these projects for compliance with the County Groundwater Ordinance and refers projects to the applicable GSAs for determination whether or not they are compliance with an approved GSP.

No new septic systems are proposed under this request.

The parcel immediately south of the project site is zoned Rural Residential (R-A) and developed with a single-family dwelling and currently farms a 1± acre pasture located behind the existing dwelling. The property receives the irrigated water for Turlock Irrigation District (TID) by way of a 30-inch pipeline and concrete ditch; however, a portion of the concrete irrigation ditch lies within the project site of the proposed subdivision. A referral letter received from the Turlock Irrigation District requires the portion of the concrete ditch to be removed from the project site, and that the developer be responsible for extending the existing 30-inch pipeline westerly to restore irrigation service to the pasture to the south prior to recording of the final map. TID's comments will be added as conditions of approval for the project.

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 Materials; Stanislaus County Geographical Information System (GIS); Letter from Denair Community Services District, dated March 12, 2020; Referral response received from Stanislaus County Public Works Department, dated May 5, 2021; Referral response received from Stanislaus County Department of Environmental Resources, dated January 28, 2021; Sustainable Groundwater Management Act; Stanislaus County Code Title 9 Chapter 9.37 Groundwater; Referral response received from Turlock Irrigation District, dated January 20, 2021; Stanislaus County Zoning Ordinance (Title 21); Stanislaus County General Plan and Support Documentation<sup>1</sup>.

| <b>XI. LAND USE AND PLANNING -- Would the project:</b>  | <b>Potentially Significant Impact</b> | <b>Less Than Significant With Mitigation Included</b> | <b>Less Than Significant Impact</b> | <b>No Impact</b> |
|---|---------------------------------------|---|-------------------------------------|------------------|
| <b>a) Physically divide an established community?</b>   |                                       |   | <b>X</b>                            |                  |
| <b>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?</b> |                                       |   | <b>X</b>                            |                  |

**Discussion:** The project site is designated Low-Density Residential by the Stanislaus County General Plan and Denair Community Plan and zoned R-A (Rural Residential). The applicant is requesting to subdivide four parcels totaling 3.1± acres in size into 11 lots of at least 8,000 square-feet. The proposed VTSM proposes to develop a cul-de-sac, connecting to Story Road, a County-maintained road, for access. Storm water is proposed to be conveyed to a horizontal drain field located on the western most portion of the project site, adjacent to Santa Fe Road. Frontage improvements proposed for the development include curb, gutter, and sidewalk for each lot. An 8-foot-tall masonry block wall is proposed to be constructed along the western boundaries of proposed Lots 5 and 6. As part of the overall development plan, the proposed project includes a tree planting plan. The applicant proposes to plant one tree along the frontage of each proposed lot for a total of 11 trees as part of this request. These project features will enhance the site's overall visual character as well as blending with the existing surrounding development.

The proposed project will not physically divide an established community. The project is a residential infill project located within the community of Denair. The project site has a zoning designation of Rural Residential (R-A), which allows for a minimum parcel size of 8,000 square-feet when serviced by public water and sewer. Existing land use designations for the project site include a General Plan designation of Low-Density Residential (LDR) and a Denair Community Plan Designation of LDR, which allows for zero to eight units per net acre; however, maximum density restrictions are not considered when developing accessory dwelling units in accordance with Senate Bill (SB) 13 which states that an ADU meeting State standards shall not be considered to exceed the allowable density for the lot upon which it is located, and shall be deemed to be a residential use that is consistent with the existing general plan and zoning designation for the lot. The project proposes to create 11 lots of at least 8,000 square-feet each on 3.1± acres, near the southeastern border of the community of Denair, which equates to a density of 3.55 units per acre. The proposed lot configuration is consistent with the General Plan, Community Plan, and zoning designations of LDR and R-A zoning district.

Each lot will be served with public water and sewer services from the Denair CSD, as indicated by the Will-Serve letter submitted with the application. The Denair Community Services District (CSD) provided a letter indicating the ability of the CSD to serve water and sewer to the project site. As a condition of service, the CSD will require the owner/developer to

enter into an Agreement to construct and pay for necessary infrastructure to enable the District to provide water and sewer services to the project. The Agreement will require the infrastructure be constructed to District specifications, and that security be given to the District to guarantee performance and payment for the infrastructure, and that all current connection fees be paid in full prior to the issuance of a formal Will-Serve letter. The formal Will-Serve letter must be presented to the Stanislaus County Building Permits Division prior to issuance of any building permit. Conditions of approval will be added to the project to ensure these requirements are met. The project site is located within the service boundary of the Denair Community Service District. The proposed parcels can be developed only after connecting to services provided by a sanitary district or community services district.

The General Plan and the Denair Community Plan requires at least three net acres of developed neighborhood parks, or the maximum number allowed by law, to be provided for every 1,000 residents. Consequently, the Stanislaus County Department of Parks and Recreation has calculated in-lieu fees per single-family dwelling unit to be paid by the developer to accommodate increased recreation needs occurring as a result of the residential development. Based on the number of lots being created, conditions of approval will be added to the project to require in-lieu park fees. These fees will be required at the issuance of a building permit for each dwelling unit at a rate of \$2,050.00 per single-family dwelling unit.

The proposed project was presented to the Stanislaus County Subdivision Committee which is composed of the Stanislaus County Department of Public Works, Department of Environmental Resources, Fire Prevention Bureau and Planning Department; all of the committee's concerns were addressed by their respective departments submittal of comments during the referral process and have been incorporated into the project.

The proposed project will not conflict with any applicable habitat conservation plan or natural community conservation plan.

**Mitigation:** None.

**References:** Application Materials; CA SB 13, Wieckowski. Accessory dwelling units, October 9, 2019; Letter from Denair Community Services District, dated March 12, 2020; Referral response received from Stanislaus County Department of Environmental Resources, dated January 28, 2021; Referral response received from Stanislaus County Public Works Department, dated May 5, 2021; Stanislaus County Zoning Ordinance (Title 21); Stanislaus County General Plan and Support Documentation<sup>1</sup>.

| XII. MINERAL RESOURCES -- Would the project:  |                                |  |                              |           |
|---|--------------------------------|--|------------------------------|-----------|
|   | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?                                |                                |  | X                            |           |
| b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? |                                |  | X                            |           |

**Discussion:** The location of all commercially viable mineral resources in Stanislaus County has been mapped by the State Division of Mines and Geology in Special Report 173. There are no known significant resources on the site, nor is the project site located in a geological area known to produce resources.

**Mitigation:** None.

**References:** Application Materials; Stanislaus County General Plan and Support Documentation<sup>1</sup>.

| <b>XIII. NOISE -- Would the project result in:</b>   | <b>Potentially Significant Impact</b> | <b>Less Than Significant With Mitigation Included</b> | <b>Less Than Significant Impact</b> | <b>No Impact</b> |
|--|---------------------------------------|---|-------------------------------------|------------------|
| <b>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?</b>   |                                       |   | <b>X</b>                            |                  |
| <b>b) Generation of excessive groundborne vibration or groundborne noise levels?</b>   |                                       |   | <b>X</b>                            |                  |
| <b>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?</b> |                                       |   | <b>X</b>                            |                  |

**Discussion:** The Stanislaus County General Plan identifies noise levels up to 55 dB Ldn (or CNEL) as the normally acceptable level of noise for Residential uses. The proposed project is required to comply with the noise standards included in the General Plan and Noise Control Ordinance. On-site grading and construction resulting from this project may result in a temporary increase in the area's ambient noise levels. As such, the project will be conditioned to abide by County regulations related to hours and days of construction. Based on the proximity to Santa Fe Avenue, classified in the Circulation Element of the General Plan as an 85-foot Major 4-Lane Roadway, the proposed project includes an 8-foot-high block wall along Santa Fe Avenue on the western boundary of the project site, both for safety purposes and to reduce roadway noise exposure. Noise impacts associated with on-site activities and traffic are not anticipated to exceed the normally acceptable level of noise. Impacts associated with noise are considered to be less than significant.

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

**Mitigation:** None.

**References:** Application Materials; Stanislaus County Zoning Ordinance (Title 21); Stanislaus County General Plan, Chapter IV – Noise Element; Stanislaus County General Plan, Chapter II – Circulation Element, and Support Documentation<sup>1</sup>.

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

**Discussion:** The proposed project will not create significant service extensions or new infrastructure which could be considered as growth inducing, as services are available to neighboring properties. Additionally, in accordance with the implementation measures listed under Goal Two, Policy Two of the Denair Community Plan, the sizing of sewer and water lines should be reduced as they approach the northerly, westerly and easterly periphery of the Denair Community Plan area to limit growth influences beyond the Plan area. The maximum number of residential units the proposed project could develop is 20 units, with each new lot able to be developed with a single-family dwelling and an accessory dwelling unit, and the two existing lots able to be developed with an ADU on each lot; as mentioned in Section XI – Land Use and Planning, maximum density restrictions are not considered when developing accessory dwelling units in accordance with Senate Bill



(SB) 13. The extension of Denair CSD water and sewer services will not induce any further growth as the development is an infill project. The site is surrounded by similar low to medium density residential development.

**Mitigation:** None.

**References:** Application Materials; CA SB 13, Wieckowski. Accessory dwelling units, October 9, 2019; Stanislaus County General Plan, Appendix I-A3: Denair Community Plan, and Support Documentation<sup>1</sup>.

| <b>XV. PUBLIC SERVICES --</b>  | <b>Potentially Significant Impact</b> | <b>Less Than Significant With Mitigation Included</b> | <b>Less Than Significant Impact</b> | <b>No Impact</b> |
|--|---------------------------------------|---|-------------------------------------|------------------|
| <b>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:</b> |                                       |   | <b>X</b>                            |                  |
| <b>Fire protection?</b>  |                                       |   | <b>X</b>                            |                  |
| <b>Police protection?</b>  |                                       |   | <b>X</b>                            |                  |
| <b>Schools?</b>  |                                       |   | <b>X</b>                            |                  |
| <b>Parks?</b>  |                                       |   | <b>X</b>                            |                  |
| <b>Other public facilities?</b>  |                                       |   | <b>X</b>                            |                  |

**Discussion:** The County has adopted Public Facilities Fees (PFF), School as well as Fire Facility Fees on behalf of the appropriate district, to address impacts to public services. All new dwellings will be required to pay the applicable Public Facility Fees through the building permit process. The Sheriff's Department also uses a standardized fee for new dwellings that will be incorporated into the Conditions of Approval. As discussed in Section XI – Land Use and Planning, the General Plan and the Denair Community Plan requires at least three net acres of developed neighborhood parks, or the maximum number allowed by law, to be provided for every 1,000 residents. Consequently, the Stanislaus County Department of Parks and Recreation has calculated in-lieu fees per single-family dwelling unit to be paid by the developer to accommodate increased recreation needs occurring as a result of the residential development. Based on the number of lots being created, conditions of approval will be added to the project to require in-lieu park fees. These fees will be required at the issuance of a building permit for each dwelling unit at a rate of \$2,050.00 per single-family dwelling unit.

The Turlock Irrigation District provided a referral response to the project indicating that electric service can be provided to the proposed lots. TID indicated that the owner/developer must apply for a facility change for any pole or electrical facility relocation, and that any facility changes be performed at the developer's expense. TID's request will be added to the project as a condition of approval should any facility changes be required prior to issuance of a building permit.

Storm water is proposed to be conveyed to a horizontal drain field located on the western most portion of the project site, adjacent to Santa Fe Road. Consequently, the Public Works Department provided a referral letter requesting that prior to recording of the final map, a county service area (CSA) shall be formed to provide funds to ensure future maintenance and eventual replacement of the storm drainage system, block wall, and any landscaped areas. The developer shall provide all necessary documents and pay all fees associated with the formation of the CSA. As part of the formation, a formula or method for the calculation of the annual assessment shall be approved. Public Works' request will be added to the project as conditions of approval.

Water and sewer for the proposed project will be served by the Denair Community Services District (CSD). As discussed in Section XI – Land Use and Planning, the Denair CSD provided a letter indicating the ability of the CSD to serve water and sewer to the project site.

**Mitigation:** None.

**References:** Application Materials; Referral response received from the Turlock Irrigation District, dated January 20, 2021; Referral response received from Stanislaus County Public Works Department, dated May 5, 2021; Letter received from Denair Community Services District, dated March 12, 2020; Stanislaus County Zoning Ordinance (Title 21); Stanislaus County General Plan and Support Documentation<sup>1</sup>.

| <b>XVI. RECREATION --</b>   | <b>Potentially Significant Impact</b> | <b>Less Than Significant With Mitigation Included</b> | <b>Less Than Significant Impact</b> | <b>No Impact</b> |
|---|---------------------------------------|---|-------------------------------------|------------------|
| <b>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?</b> |                                       |   | <b>X</b>                            |                  |
| <b>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?</b>                        |                                       |   | <b>X</b>                            |                  |

**Discussion:** The General Plan and the Denair Community Plan requires at least three net acres of developed neighborhood parks, or the maximum number allowed by law, to be provided for every 1,000 residents. Based on the number of lots being created, development standards will be added to the project to require in-lieu park fees. These fees will be required at the issuance of a building permit for each dwelling unit at a rate of \$2,050.00 per single-family dwelling unit.

**Mitigation:** None.

**References:** Email received from Stanislaus County Parks and Recreation Department, dated May 27, 2021; Stanislaus County General Plan and Support Documentation<sup>1</sup>.

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

**Discussion:** This is a request to subdivide four parcels totaling 3.1± acres, into 11 lots of at least 8,000 square-feet each in the Rural Residential (R-A) zoning district. The vesting tentative map proposes to develop a cul-de-sac, connecting to Story Road, a County-maintained road, for access. Two single-family dwellings and an ag storage barn currently exist on the project site; the applicant proposes to remove the existing barn; however, the dwellings will remain on proposed Lots 2 and 11. Frontage improvements proposed for the development include curb, gutter, and sidewalk for each lot. An 8-foot-tall masonry block wall is proposed to be constructed along the western boundaries of proposed Lots 5 and 6 to reduce potential safety and noise impacts from Santa Fe Avenue.

As required by CEQA Guidelines Section 15064.3, potential impacts to transportation should be evaluated using Vehicle Miles Traveled (VMT). Stanislaus County has currently not adopted any significance thresholds for VMT, and projects are treated on a case-by-case basis for evaluation under CEQA. However, the State of California – Office of Planning and Research (OPR) has issued guidelines regarding VMT significance under CEQA. The CEQA Guidelines identify vehicle miles traveled (VMT), which is the amount and distance of automobile travel attributable to a project, as the most appropriate

measure of transportation impacts. According to the same technical advisory from OPR, projects that generate or attract fewer than 110 trips per-day generally may be assumed to cause a less-than-significant transportation impact. The project proposes 11 residential lots, two of which are already developed with single-family dwellings. The proposed project has the potential to develop a maximum of 20 new dwelling units, with each new lot able to be developed with up to two separate dwelling units each, consisting of one single-family dwelling, and one accessory dwelling unit (ADU), and the existing two lots able to be developed with an ADU on each lot. According to the Federal Highway Administration the average daily vehicle trips per household is 5.11, which would equal approximately 102 additional trips per-day as a result of project approval ( $20 \text{ new units} \times 5.11 = 102.2$ ). The VMT increase associated with the proposed project is less-than-significant as the number of vehicle trips will not exceed 110 per-day. Additionally, projects within one-half mile of either an existing major transit stop or a stop along an existing high-quality transit corridor should be presumed to cause a less-than-significant transportation impact. A major transit stop is defined as a site containing an existing rail transit station. The Turlock-Denair Amtrak station is located .3 miles west of the project site.

Level of service (LOS) is a standard measure of traffic service along a roadway or at an intersection for vehicles. It ranges from A to F, with LOS A being best and LOS F being worst. As a matter of policy, Stanislaus County strives to maintain LOS D or better for motorized vehicles on all roadway segments and a LOS of C or better for motorized vehicles at all roadway intersections. When measuring levels of service, Stanislaus County uses the criteria established in the Highway Capacity Manual published and updated by the Transportation Research Board. The project proposes to create a new cul-de-sac (Norman Court), which will take access from the existing County-maintained Story Road. Story Road along the property frontage is classified as 60-foot wide local road. The LOS threshold for a Local Road to operate at a LOS C is 1,700 vehicles per-lane, per-day, respectively.

No direct access is proposed from Santa Fe Avenue, which is located along the western boundary of the project site. The proposed project also includes front improvements including curb, gutter, and sidewalk for each lot, and an 8-foot-tall block wall to be constructed along the western boundaries of proposed Lots 5 and 6 to reduce potential safety and noise impacts from Santa Fe Avenue.

A referral response from Public Works was received requiring the property owner/developer to dedicate 50-feet of right-of-way for the proposed court (Norman Court). In addition to the dedication of the proposed court, Public Works requested an irrevocable offer of dedication (IOD) for the remaining 5-feet west of the centerline of Story Road; and an IOD for the remaining 35-feet northeast of the centerline of Santa Fe Avenue. A complete set of improvement plans for improvements on Santa Fe Avenue, Story Road, and the proposed court (Norman Court) shall be submitted and approved by Public Works for the sidewalk improvements, paving and positive storm drainage. Additionally, a current soils report for the area to be subdivided and grading, drainage, and erosion/sediment control plan shall be submitted prior to acceptance of the improvement plans. Prior to plan review or inspections associated with the development, the applicant shall sign a "Plan Check/Inspections Agreement" and post a \$10,000 deposit with Public Works. Public Works' requests will be added to the project as conditions of approval.

All development onsite will be required to pay applicable County PFF fees, which will be utilized for maintenance and traffic congestion improvements to all County roadways prior to issuance of a building permit.

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

**Mitigation:** None.

**References:** Application Materials; Governor's Office of Planning and Research Technical Advisory, December 2018; Federal Highway Administration, Summary of Travel Trends: 2017 National Household Travel Survey; Referral response from Stanislaus County Public Works Department, dated May 5, 2021; Stanislaus County Zoning Ordinance (Title 21); Stanislaus County General Plan and Support Documentation<sup>1</sup>.

| <b>XVIII. TRIBAL CULTURAL RESOURCES -- Would the project:</b>  | <b>Potentially Significant Impact</b> | <b>Less Than Significant With Mitigation Included</b> | <b>Less Than Significant Impact</b> | <b>No Impact</b> |
|--|---------------------------------------|---|-------------------------------------|------------------|
| <b>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:</b>  |                                       |   | <b>X</b>                            |                  |
| <b>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</b>  |                                       |   | <b>X</b>                            |                  |
| <b>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.</b> |                                       |   | <b>X</b>                            |                  |

**Discussion:** It does not appear this project will result in significant impacts to any tribal cultural resource. The site is currently developed with two single-family dwellings and an ag storage barn; the applicant proposes to remove the existing barn; however, the dwellings will remain on Lots 2 and 11 of the proposed subdivision map. The rest of the project site is vacant; however, the surrounding area has been developed with single-family dwellings and urban uses. A records search for the project site formulated by the Central California Information Center (CCIC) indicated that there was a low probability of discovery of prehistoric resources; nor have any resources that are known to have value to local cultural groups have been discovered or reported in the immediate vicinity. As discussed in Section V – Cultural Resources of this report, the records search indicated there may be discovery of historical resources such as standing buildings 45 years or older, and possibly subsurface historic-era archaeological features, such as domestic refuse and artifact deposits or building foundations, associated with earlier use on the project site. The CCIC recommendations as mentioned in the “Cultural Resources” section of this report will be applied to the project. The project was referred to tribal governments, as required by SB 18 and AB 52, and no responses have been received to date. A development standard regarding the discovery of cultural resources during the construction process will be added to the project.

**Mitigation:** None.

**References:** Central California Information Center Report for the project site, dated June 26, 2015; Stanislaus County General Plan and Support Documentation<sup>1</sup>.

| <b>XIX. UTILITIES AND SERVICE SYSTEMS -- Would the project:</b>   | <b>Potentially Significant Impact</b> | <b>Less Than Significant With Mitigation Included</b> | <b>Less Than Significant Impact</b> | <b>No Impact</b> |
|---|---------------------------------------|---|-------------------------------------|------------------|
| <b>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?</b> |                                       |   | <b>X</b>                            |                  |
| <b>b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?</b>  |                                       |   | <b>X</b>                            |                  |

|   |  |  |   |  |
|---|--|--|---|--|
| 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. This is a request to subdivide four parcels totaling 3.1± acres, into 11 lots of at least 8,000 square-feet each in the Rural Residential (R-A) zoning district. The vesting tentative map proposes to develop a cul-de-sac, connecting to Story Road, a County-maintained road, for access. A Will-Serve letter for water and sewer services has been issued from the Denair Community Services District. Storm water is proposed to be conveyed to a horizontal drain field located on the western most portion of the project site, adjacent to Santa Fe Road. Public Works provided a referral letter requesting that prior to recording of the final map, a county service area (CSA) shall be formed to provide funds to ensure future maintenance and eventual replacement of the storm drainage system, block wall, and any landscaped areas. The developer shall provide all necessary documents and pay all fees associated with the formation of the CSA. As part of the formation, a formula or method for the calculation of the annual assessment shall be approved. Public Works' request will be added to the project as conditions of approval. Frontage improvements proposed for the development include curb, gutter, and sidewalk for each lot. An 8-foot-tall masonry block wall is proposed to be constructed along the western boundaries of proposed Lots 5 and 6.

A referral response was received from TID regarding the existing and proposed electrical utilities. TID indicated that electric service can be provided to the development. Any facility changes are to be performed at the developer's expense. Development standards reflecting TID's comments will be placed on the project.

The Denair Community Services District (CSD) provided a letter indicating the capacity of the CSD to serve water and sewer to the project site. The letter indicated that the CSD will require the owner/developer to enter into an Agreement with the Denair CSD to construct and pay for necessary infrastructure to enable the District to provide water and sewer services to the project. The Agreement will require the infrastructure be constructed to District specifications, and that security be given to the District to guarantee performance and payment for the infrastructure, and that all current connection fees be paid in full.

A referral response was received from the Department of Environmental Resources which will require the project site to obtain a Will-Serve letter for water and sewer services to serve the development issued from the Denair Community Services District. These requirements will be reflected in the development standards for this project. The Department of Public Works will review and approve grading and drainage plans prior to construction. Development standards will be added to the project to reflect these requirements.

**Mitigation:** None.

**References:** Application Materials; Referral response received from Stanislaus County Public Works Department, dated May 5, 2021; Referral response received from Turlock Irrigation District, dated January 20, 2021; Letter from Denair Community Services District, dated March 12, 2021; Referral response received from Stanislaus County Department of Environmental Resources, dated January 28, 2021; Stanislaus County General Plan and Support Documentation<sup>1</sup>.

| 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 from the Department of Emergency Services, 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 the Denair Fire Protection District. The project was referred to the District, but no comments have been received to date. All improvements will be reviewed by the Stanislaus County Fire Prevention Bureau and will be required to meet all State and Local fire code requirements.

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<sup>1</sup>.

| XXI. MANDATORY FINDINGS OF SIGNIFICANCE --   | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
| a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? |                                |  | X                            |           |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)   |                                |  | X                            |           |
| c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?  |                                |  | X                            |           |

**Discussion:** Review of this project has not indicated any features which might significantly impact the environmental quality of the site and/or the surrounding area. Surrounding uses include single-family dwellings in all directions; Burlington Northern Railroad to the west and south; a mini storage facility and commercial developments along Santa Fe Avenue to the west; and ranchette and agricultural properties to the south and east of the project site. Any development of the

surrounding area would be subject to the permitted uses of the applicable zoning district the property is located within or would require additional land use entitlements and environmental review. The project site is designated Low-Density Residential (LDR) in the County's General Plan and Denair Community Plan and is zoned Rural Residential (R-A), which permits residential uses. If approved, the proposed project will not convert farmland to non-agriculture uses as the project site and surrounding area is built-out with residential uses; nor will it conflict with existing zoning or a Williamson Act Contract.

The project proposes to create 11 lots of at least 8,000 square-feet each on 3.1± acres, near the southeastern border of the community of Denair. The proposed lot configuration is consistent with the General Plan, Community Plan, and zoning designations of LDR and R-A zoning district. No cumulative impacts are anticipated as a result of this project. The proposed project will not create significant service extensions or new infrastructure which could be considered as growth inducing, as services are available to neighboring properties. Additionally, in accordance with the implementation measures listed under Goal Two, Policy Two of the Denair Community Plan, the sizing of sewer and water lines should be reduced as they approach the northerly, westerly and easterly periphery of the Denair Community Plan area to limit growth influences beyond the Plan area.

**Mitigation:** None.

**References:** Initial Study; Stanislaus County General Plan and Support Documentation<sup>1</sup>.

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



## NEGATIVE DECLARATION

**NAME OF PROJECT:** Vesting Tentative Subdivision Map Application No. PLN2020-0120 – Issaco Estates

**LOCATION OF PROJECT:** 3317 and 3331 Story Road, between E. Monte Vista Avenue and Kristi Drive, in the community of Denair. APN: 024-025-002, 024-025-014, 024-025-052, 024-025-053.

**PROJECT DEVELOPERS:** Sam David dba Solaria Technologies, LLC.  
P.O. Box 2721  
Turlock, CA 95381

**DESCRIPTION OF PROJECT:** Request to subdivide four parcels totaling 3.1± acres into eleven lots of at least 8,000 square-feet each in the rural residential (R-A) zoning district.

Based upon the Initial Study, dated **July 13, 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: Emily Basnight, Assistant Planner

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



| SUMMARY OF RESPONSES FOR ENVIRONMENTAL REVIEW REFERRALS                                  |      |        |                       |           |    |                                  |                             |                     |                     |    |            |    |
|--|------|--------|-----------------------|-----------|----|----------------------------------|-----------------------------|---------------------|---------------------|----|------------|----|
| PROJECT: VESTING TENTATIVE SUBDIVISION MAP APPLICATION NO. PLN2020-0120 - ISSACO ESTATES |      |        |                       |           |    |                                  |                             |                     |                     |    |            |    |
| 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  |                                  |                             |                     |                     |    |            |    |
| CA OPR STATE CLEARINGHOUSE   |      | X      | X                     |           | X  |                                  |                             |                     |                     |    |            |    |
| CA RWQCB CENTRAL VALLEY REGION   | X    | X      | X                     | X         |    |                                  |                             | X                   |                     | X  | X          |    |
| COMMUNITY SERVICE DISTRICT: DENAIR   | X    | X      | X                     | X         |    |                                  |                             | X                   |                     | X  | X          |    |
| COOPERATIVE EXTENSION  | X    | X      | X                     |           | X  |                                  |                             |                     |                     |    |            |    |
| DISPOSAL DIST: TURLOCK SCAVENGER   | X    | X      | X                     |           | X  |                                  |                             |                     |                     |    |            |    |
| FIRE PROTECTION DIST: DENAIR   | X    | X      | X                     |           | X  |                                  |                             |                     |                     |    |            |    |
| GSA: WEST TURLOCK SUBBASIN   | X    | X      | X                     |           | X  |                                  |                             |                     |                     |    |            |    |
| IRRIGATION DISTRICT: TURLOCK   | X    | X      | X                     | X         |    |                                  |                             | X                   |                     | X  | X          |    |
| MOSQUITO DISTRICT: TURLOCK   | X    | X      | X                     |           | X  |                                  |                             |                     |                     |    |            |    |
| MT VALLEY EMERGENCY MEDICAL  | X    | X      | X                     |           | X  |                                  |                             |                     |                     |    |            |    |
| PACIFIC GAS & ELECTRIC   | X    | X      | X                     |           | X  |                                  |                             |                     |                     |    |            |    |
| POSTMASTER: DENAIR   | X    | X      | X                     |           | X  |                                  |                             |                     |                     |    |            |    |
| RAILROAD: BURLINGTON NORTHERN SANTA FE   | X    | X      | X                     |           | X  |                                  |                             |                     |                     |    |            |    |
| SAN JOAQUIN VALLEY APCD  | X    | X      | X                     | X         |    |                                  |                             | X                   |                     | X  | X          |    |
| SCHOOL DISTRICT 1: DENAIR UNIFIED  | X    | X      | X                     |           | X  |                                  |                             |                     |                     |    |            |    |
| STAN CO AG COMMISSIONER  | X    | X      | X                     |           | X  |                                  |                             |                     |                     |    |            |    |
| STAN CO BUILDING PERMITS DIVISION  | X    | X      | X                     |           | X  |                                  |                             |                     |                     |    |            |    |
| STAN CO CEO  | X    | X      | X                     |           | X  |                                  |                             |                     |                     |    |            |    |
| STAN CO DER  | X    | X      | X                     | X         |    | X                                |                             |                     |                     | X  | X          |    |
| STAN CO ERC  | X    | X      | X                     | X         |    |                                  |                             | X                   |                     | X  |            | X  |
| STAN CO HAZARDOUS MATERIALS  | X    | X      | X                     |           | X  |                                  |                             |                     |                     |    |            |    |
| STAN CO PARKS & RECREATION   | 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  |                                  |                             |                     |                     |    |            |    |
| TELEPHONE COMPANY: AT&T  | X    | X      | X                     |           | X  |                                  |                             |                     |                     |    |            |    |
| SURROUNDING LAND OWNERS  |      | X      | X                     | X         |    |                                  |                             | X                   |                     | X  |            | X  |

**A. VESTING TENTATIVE SUBDIVISION MAP PLN2020-0120 – ISSACO ESTATES**

- This is a request to subdivide four parcels totaling 3.1± acres into eleven lots of at least 8,000 square-feet each in the Rural Residential (R-A) zoning district. The property is located at 3317 and 3331 Story Road, between E. Monte Vista Avenue and Kristi Drive, in the community of Denair. The Planning Commission will consider a CEQA Negative Declaration. APNs: 024-025-002,014, 052, and 053. Staff Report: Emily Basnight, Assistant Planner, Recommends **APPROVAL**.

Public hearing opened.

**OPPOSITION:** None

**FAVOR:** Sam David, applicant.

Public hearing closed.

Willerup/Mott (6/0) **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT.**

**EXCERPT**

**PLANNING COMMISSION**

**MINUTES\***

Signature on file.

Angela Freitas

Planning Commission Secretary

September 20, 2021

Date

*\*Pending Planning Commission approval.*

6/27/23

I would like to  
Extend The map Recording  
on Issaco ESTATES in  
Denain, CA (STORY Rd.)

SAM DAVID

SHW D

Finishing up Requirements