

# STANISLAUS COUNTY PLANNING COMMISSION

May 2, 2024

## STAFF REPORT

USE PERMIT APPLICATION NO. PLN2023-0123  
GREAT VALLEY ACADEMY

**REQUEST:** REQUEST TO EXPAND AN EXISTING CHARTER SCHOOL WITH THE ADDITION OF A GRASS ATHLETIC FIELD, PAVED PARKING LOT WITH 332 PARKING SPACES, AND TO CONSTRUCT FOUR NEW CLASSROOMS TO ALLOW UP TO 100 ADDITIONAL STUDENTS (FOR A NEW MAX OF 950 STUDENTS) ON A 23.33 ACRE PARCEL LOCATED IN THE SALIDA COMMUNITY PLAN LOW-DENSITY RESIDENTIAL ZONING DISTRICT (SCP-R-1).

### APPLICATION INFORMATION

Applicant:	Tom Anderson, Great Valley Academy, Superintendent/CEO
Property owner:	Great Valley Academy
Agent:	Dave Romano, Newman-Romano, LLC
Location:	5901 and 6019 Sisk Road, between Pirrone Road and the MID Main Canal, in the community of Salida.
Section, Township, Range:	27 & 34-2-8
Supervisory District:	Three (Supervisor Withrow)
Assessor's Parcel:	136-032-037
Referrals:	See Exhibit G Environmental Review Referrals
Area of Parcel(s):	23.33 acres
Water Supply:	City of Modesto
Sewage Disposal:	Septic
General Plan Designation:	Low-Density Residential
Community Plan Designation:	Salida Community Plan – Low-Density Residential
Existing Zoning:	Salida Community Plan – Low-Density Residential (SCP-R-1)
Sphere of Influence:	N/A
Williamson Act Contract No.:	N/A
Environmental Review:	Negative Declaration
Present Land Use:	Great Valley Academy charter school
Surrounding Land Use:	MID Main Canal, orchards, and the Stanislaus River to the north; orchards, light industrial uses, and Gregori high school to the east; orchards, residential development, and State Highway 99 to the west; and Modesto Christian School, residential development, and State Highway 219 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 recommend approval of this project, Exhibit A provides an overview of all the findings required for project approval.

## **PROJECT DESCRIPTION**

The project is a request to expand an existing charter school with the addition of a grass athletic field, paved parking lot with 332 parking spaces, and to construct four new classrooms to allow up to 100 additional students (for a new max of 950 students), grades TK-8, on a 23.33-acre parcel located in the Salida Community Plan Low-Density Residential zoning district (SCP-R-1).

The student enrollment increase is partially being requested to accommodate a recent state mandate for all elementary school sites to provide transitional kindergarten (TK) instruction. The Great Valley Academy (GVA) currently utilizes 92 parking spaces located on the adjoining Modesto Christian School (MCS) site to the south; approval of this project request would allow for the abandonment of a reciprocal parking agreement between GVA and MCS, thus allowing the 92 parking spaces to go back to being solely used by MCS. The area that will contain the new 332 space parking lot, located on the north end of the project site, is currently being used for parking, without the necessary grading and land use entitlements first being obtained, and this project would allow the school to pave and stripe the parking lot and provide dedicated drop-off and pick-up areas within the parking lot. Development of the parking lot would replace the reciprocal spaces and provide additional parking for the expanded students and athletic field games. The grass athletic field, which has also already been established without first obtaining land use permits, will be used for typical elementary and junior high events during school hours and for after school sports practices and games. No bleachers, amplified speaker system, or lighting associated with the athletic field are proposed. After school games are expected to occur up to twice a week, to end before sunset, and to have a maximum of 100 people in attendance. Five freestanding light poles, 25 feet in height, located along the southern edge of the parking lot, which illuminates both the school, and the parking lot were also installed without first obtaining building or land use permits. No new signage is proposed. Classroom buildings are proposed to be approximately 24 x 40 feet in size each. Addition of the new classrooms and expanded enrollment are proposed to occur within two to seven years of project approval. The site is served with public water by the City of Modesto, a private on-site septic system, electrical services by the Modesto Irrigation District, gas by PG&E, and has access to County-maintained Sisk Road.

## **BACKGROUND**

The existing Great Valley Academy (GVA) school site adjoins the Modesto Christian School (MCS) school site located to the south. MCS is estimated to have begun operating in 1971, on a 39.04 acre parcel with a zoning designation of A-1 (unclassified), consisting of one classroom building with a total of six classrooms. The MCS school facility expanded over the years and in 2016 all of the structures that were occupied by MCS were split between two schools; with GVA occupying the northern half and MCS occupying the southern half. Following the split, GVA acquired the 15.53 acre parcel to the north and a lot line adjustment, between the 39.04 and 15.53 acre parcels, was approved by the County in 2016 to establish the existing 23.33 acre GVA school site and the 30.87 acre MCS school site on separate parcels. Since 2016, GVA has expanded onto the northern portions of their parcel with an unpaved parking lot, athletic field, and five 25-foot tall light poles without obtaining building or land use permits. All of GVA's existing and

proposed classroom and administrative facilities are located within the footprint of the original MCS school site which was developed between 1971 and 2016.

In 1975, a use permit was approved to allow a nine-room classroom building and 5,000 square-foot storage building on the original MCS school site. In November 1977, another use permit was approved to allow a major expansion of the then private junior and senior high school from two classroom buildings and athletic fields to 14 buildings including an auditorium and gymnasium. The 1977 use permit allowed for the ultimate development of the school to reach a maximum of 1,300 students, for grades 5-12, as well as up to 50 teachers and other full-time personnel. An Environmental Impact Report was adopted for the 1977 use permit. Between 1977 and 2007 eight Staff Approval permits (SAA 87-43, SAA 88-12, SAA 90-22, SAA 94-23, SAA 96-9, SAA 98-10, SAA 2006-49, SAA 2007-42) were issued to allow slight modifications to the school's site plan; however, the student enrollment remained capped at 1,300, serving 5-12<sup>th</sup> grade.

In 2007 a new use permit (UP 2006-25) was approved to allow for the re-organization of the school and expansion of a church, operating under Modesto Christian Church on the MCS school site, by permitting construction of a 75,570 square-foot building for a multi-purpose room, gymnasium, classrooms, nursery, school, and church offices as well as two buildings (14,422 square-foot and 625 square-foot) to be utilized for a weight room, kitchen, storage rooms, and concessions stands. The 2006 use permit expanded the school to serving K-12 grades, expanded the staff numbers to 95, and allowed a church to operate on the site which included 810 attendees on Sunday service as well as 522 attendees to Wednesday and Sunday evening church events. Under the 2006 use permit the student enrollment remained capped at 1,300 students. None of the structures approved under the 2006 use permit were constructed; however later staff approvals allowed for a re-organization of the uses approved by the 2006 use permit, allowing additional portable buildings to be placed at the school site to be utilized as classrooms, a lunchroom, storage, library, and administrative offices.

Between 2007 and 2013 the school was issued three staff approval permits (SAA 2007-42, SAA 2008-13, and SAA 2013-0059) which permitted 12 modular classrooms, a portable lunchroom building, and a 3,000 square-foot storage building; no increase in student or staff numbers were approved.

The current Salida Community Plan– Low-Density Residential (SCP-R-1) zoning district was established in 2007 as part of the adoption of “The Salida Area Planning, Road Improvement, Economic Development, and Farmland Protection Initiative” (Initiative). The Initiative included amendments to the Land Use Element of the General Plan and added a new zoning ordinance for the Salida Community Plan zoning district. In accordance with Section 21.66.040 of the Salida Community Plan District zoning ordinance, development on parcels located within the Salida Community Plan Zoning District requires the adoption of a discretionary non-legislative development plan that shall be considered by the Planning Commission and the Board of Supervisors; however, because the use was legally established prior to its current zoning designation, it has been determined to be a legal nonconforming (LNC) use.

As part of the 2016 split discussed above, a Staff Approval Permit (SAA PLN2016-0039) was issued to allow the MCS school site to be divided into two separate school sites. As part of the 2016 split, MCS reduced their maximum student capacity from 1,300 students (K – 12<sup>th</sup> grade), to 450 students (Pre K – 12<sup>th</sup> grade). A Pre K – 6<sup>th</sup> grade mini campus was added to the MCS site, including the addition of a 2,880 square-foot pre-school modular building with restrooms,

seven K-6<sup>th</sup> classrooms (each 960 square feet), a 2,880 square foot administrative office/library with restrooms, a 2,880 square-foot lunch/assembly room, and a 3,800 square-foot preschool play area, all proposed to be placed on the west side of the gymnasium, just east of the track. The remaining nine acres of the site was permitted to be utilized by GVA to operate a K-8<sup>th</sup> charter school, with a maximum capacity of 850 students, utilizing existing classrooms and buildings located on the northeast corner of the site.

In 2022 MCS was issued another Staff Approval permit (SAA PLN2022-0038), which permitted the construction of three 960 square-foot modular classrooms. The student enrollment cap of 450 students, pre-K to 12<sup>th</sup> grades was not changed.

### **SITE DESCRIPTION**

The 23.33 acre project site is located at 5901 and 6019 Sisk Road, between Pirrone Road and the MID Main Canal, in the community of Salida. The site is currently improved with 39 portable classroom buildings, a 5,649 square-foot building which contains six classrooms and a library, a 5,627 square-foot building which contains five classrooms and administrative offices, two parking lots (41 existing parking spaces in the east lot and 19 in the south lot), and a playground. The site is also improved with perimeter landscaping and landscaping throughout the school facility and six-foot-tall chain link fencing on the north and west sides of the school site, as well as a five-foot-tall chain link fence along the south side of the school site separating the GVA school site from the MCS school site. A portion of the east side of the school site, which includes the entrance to the school also includes, six-foot-tall wrought iron fencing.

The MID Main Canal, orchards, and the Stanislaus River are located north of the project site; orchards, light industrial uses, and Gregori high school to the east; orchards, residential development, and State Highway 99 to the west; and Modesto Christian School, residential development, and State Highway 219 to the south.

### **ISSUES**

The following is an overview of two issues identified as part of the review of the project, including: 1) traffic and safety concerns during the school's pick-up and drop-off times, and 2) expansion of a parking lot, athletic field, and free-standing lighting on the northern portion of the project site without obtaining the necessary building, grading, or land use entitlements:

In response to the Initial Study prepared in conformance with the California Environmental Quality Act (CEQA), a comment letter was received on April 5, 2024, from Paul Van Konynenburg, representing Britton Konynenburg Partners who own property in the surrounding area. The response letter stated concern with the Great Valley Academy increasing their student enrollment without conducting a traffic study and circulation plan. In the letter Mr. Konynenburg states that traffic during the morning and afternoon is already extremely congested with high delays and adverse signal progression on Sisk Road and that the proposed increase in student capacity will increase automobile delays. The letter states support for the additional grass athletic field and paved parking lot; but requests that the expanded enrollment and construction of four new classroom buildings be denied unless a comprehensive traffic study and circulation plan is prepared (see Exhibit D - *Referral Response Received, April 5, 2024, from Britton Konynenburg Partners*).



Public Works has reviewed the project and determined that no traffic study is required; however, in response to known issues with traffic congestion during drop-off and pick-up times and to improve safety conditions for students walking to school, Public Works is requiring sidewalk and accessible ramps be installed along the westside of Sisk Road, from a point approximately 630 feet north of Sun West Drive to the north end of the project site, an approximate total length of 1,460 feet be installed. Additionally Public Works is requiring that the parking lot be paved and striped. A condition of approval applied to the project requires that the paved parking lot include dedicated drop-off and pick-up areas.

The project was referred to the Salida Municipal Advisory Council (MAC) and a presentation was provided to the MAC on April 23, 2024. In attendance at the MAC was GVA's Superintendent, Tom Anderson, and GVA's representative, Dave Romano. The focus of the comments and concerns voiced during the MAC meeting focused on safety and congestion issues that were occurring in the Sun Ridge West neighborhood, located south of GVA, during GVA's pick-up and drop-off times. Multiple community members stated problems with people's driveways being blocked by parent's vehicles as students were being dropped-off, with danger to children getting hit when exiting their parent's vehicles, with vandalism and inappropriate behavior of students as they walk through the neighborhood, and with the rude behavior of parents as they drop their children off for school. The community members stated that this problem began occurring in 2022 after the Sheriff began ticketing parents for parking on Sisk Road to drop their children off for school and has worsened due to the number of kids who have "walking passes" which allow them to walk to and from school, without any specified pick-up and drop-off areas. Community members then asked if the walking passes could be revoked and parking lot pick-up and drop-off made mandatory. GVA's Superintendent stated that he was willing to look into the way they implement their walking passes, but also noted he was reluctant to implement a program that differs from normal public school practices; further, he stated that the proposed project is an important factor in improving the existing problems with pick-up and drop-off congestion and that the new parking lot would have designated pick-up and drop-off areas and additional parking which will improve the existing situation. He continued by stating that if the project is not approved, the conditions will remain the same. A MAC member then suggested that GVA sit down with the community and with the MAC to come to an agreement on a solution that would help the situation. GVA's representative spoke about the project and explained that it was proposed to improve the drop-off and pick-up flow of the existing facility, that the school has a sibling incentive program which has resulted in approximately 50% of all families having multiple children enrolled, and that the proposed expansion in enrollment being requested is not anticipated to occur anytime soon. A summary and clarification of other questions and concerns voiced during the MAC meeting is provided below:

- Athletic field - The Superintendent clarified that the athletic field would continue to be used, as it currently is, by only Great Valley Academy athletic teams and a community soccer program. No bleachers, amplified speaker system, or lighting associated with the athletic field are proposed. After school games are expected to occur up to twice a week, to end before sunset, and to have a maximum of 100 people in attendance.
- Existing parking - GVA currently has 60 on-site parking spaces in addition to an agreement to use 92 parking spaces located on the adjacent Modesto Christian school site to the south. If this request is approved, GVA will relinquish rights to use the shared parking spaces, which will be replaced with the new paved 322 space parking lot. GVA is currently using a portion of the area that will become the paved parking lot for parking; however, it is not paved or striped and no dedicated drop-off or pick-up lanes currently exist.

- Sidewalk improvements – Public Works staff in attendance at the MAC meeting clarified that, as proposed, GVA will make improvements along the westside of Sisk Road, as discussed above. Improvements would include curb, gutter, and sidewalk. The County is unable to require sidewalk on the east side of Sisk Road due to it being private property, not under GVA's ownership, that is not a part of the project.
- Water/Waste services – GVA is currently served by the City of Modesto for water and by an on-site septic system for waste with no changes in services proposed. None of the proposed improvements will include new wastewater generating features triggering improvement to or a new septic system. While the project site is located within the Salida Sanitary District boundaries, neither the County's Department of Environmental Resources nor the Salida Sanitary District have requested the facility connect to Salida Sanitary for sewer services.

At the April 23<sup>rd</sup> meeting, the MAC voted 3-0 to support approval of the project provided a condition of approval be applied to the project requiring that GVA meet with the community and County Public Works to come up with a traffic plan for student pick-up and drop-off, including a restriction on the walking passes, which would then be considered by the MAC for approval. This condition of approval (COA) has been applied to the project, as COA No. 9, however, language has been added to clarify that the County Planning Department has final approval authority over the student traffic plan and will take the MAC's review comments into consideration (see Exhibit C – *Conditions of Approval*).

As previously discussed, GVA has a sibling incentive program which has resulted in approximately 50% of all families having multiple children enrolled. With this in place, the increase in enrollment of 100 students is anticipated to result in 100 additional vehicle trips per day, rather than 200 trips per day. This information, as well as the condition of approval requiring a traffic plan for the pick-up and drop-off of students, has been incorporated into the Initial Study prepared for the project (see Exhibit E – *Initial Study, amended April 24, 2024*).

The second issue identified with the project has to do with GVA expanding onto the northern portions of their parcel with an unpaved parking lot, athletic field, and five 25-foot tall light poles without obtaining grading, building, or land use permits. The five freestanding lights are located along the southern edge of the proposed parking lot area, which illuminates both the school and the parking lot, and are 25 feet in height. Conditions of approval have been applied to the project requiring that building and grading permits for the parking lot and light poles be applied for within three months of project approval and be finalized within 12 months of project approval. A photometric lighting plan must be submitted to demonstrate that the lighting will not spill out onto adjacent properties. The condition of approval specifies that any new or replacement free-standing lighting shall not exceed a height of 15-feet, which is the standard height limit for free-standing lighting that has been applied to other discretionary permit requests.

No other issues have been identified during the processing of this project. Standard conditions of approval, along with those discussed in this section and the *Environmental Review* section of this report, have been added to the project.

## **GENERAL PLAN CONSISTENCY**

In 2007, the site's General Plan Land Use and Community Plan designations changed to Salida Community Plan Low Density Residential with the adoption of the Salida Community Plan Initiative. The intent of the Low-density Residential designations is to provide appropriate locations and adequate areas for single-family detached homes in either conventional or clustered configurations. While schools offer general academic instruction are permitted by use permit under the County's Low Density Residential designations, the proposed expansion is being addressed as a legal nonconforming use, since the school site, to which the proposed improvements are accessory to, was legally established under prior zoning standards.

Goal 3, Policy 20 of the Land Use Element acknowledges that nonconforming uses are an integral part of the County's economy and, as such, should be allowed to continue. Under Implementation Measure 1 for Policy 20, current Zoning Ordinance provisions which permit replacement or expansion of nonconforming uses are to be maintained.

As required by the General Plan's Land Use Element Sphere of Influence Policy, all discretionary projects within the sphere of influence (SOI) 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. If the district serves an unincorporated community with a Municipal Advisory Council (MAC), the proposal shall also be referred to the MAC for comment. The southeast corner of the project site, which is approximately eight acres in size, is located within the Salida Sanitary District. The project was referred to the Salida Sanitary District and a response was received stating that the project site is not served by the Salida Sanitary District and is served by a private onsite septic system. The Salida Sanitary District's response did not request that the facility be connected to Salida Sanitary for public sewer service. As discussed in the *Issues* Section of this report, the project was referred to the Salida Municipal Advisory Council (MAC) and a condition of approval has been incorporated into the project (COA No. 9) which requires that GVA meet with the community and Public Works to come up with a traffic plan for student pick-up and drop-off, which should include a restriction on walking passes, which will be considered by the MAC and approved by the County Planning Department.

To minimize conflicts between agriculture operations and non-agricultural operations, Buffer and Setback Guidelines (Appendix A of the Agricultural Element) have been adopted. The purpose of these guidelines is to protect the long-term health of local agriculture by minimizing conflicts resulting from normal agricultural practices as a consequence of new or expanding uses approved in or adjacent to the A-2 (General Agriculture) zoning district. All surrounding properties, including the project site, have a Salida Community Plan zoning designation; accordingly, the agricultural buffer requirement does not apply. However, due to the presence of actively farmed parcels in the surrounding area and children who will be outdoors a buffer in the form of fencing at least six feet in height and trees at least 15 feet in height at maturity will be required, as a condition of approval, to be installed to buffer the athletic field from the adjacent agricultural operations to the west. A referral response received from the Modesto Irrigation District (MID) states that a six-foot-tall masonry wall be constructed along the project site's northern property line where the MID Main Canal is located.

Staff review found the project to be consistent with the County's General Plan.

## **ZONING ORDINANCE CONSISTENCY**

In 2007 the site was rezoned to Salida Community Plan Low Density Residential (SCP-R-1) with the adoption of the Salida Community Plan Initiative; because the use was legally established prior to its current zoning designation, it has been determined to be a legal nonconforming (LNC) use.

Alterations of LNC uses and enlargement of the operational activities requires a use permit, pursuant to County Code Section 21.80.070(A). Specifically, in order to approve a use permit to expand an LNC use, the Planning Commission must find that the changes:

1. Will not, under the circumstances of the particular case, be detrimental to the health, safety and general welfare of persons residing or working in the neighborhood of the use; and
2. Will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of persons residing or working in the neighborhood or to the general welfare of the County; and
3. Is logically and reasonably related to the existing use and that the size or intensity of the enlargement, expansion, restoration, or changes is not such that it would be more appropriately moved to a zoning district in which it is permitted.

Section 21.76.160 of the County's zoning ordinance requires two parking spaces per classroom for elementary schools (K-8). The site currently has a total of 51 classrooms and proposes an additional 4 classrooms, for a total of 55 classrooms. This equates to a required off-street parking requirement of 110 parking spaces. The proposed parking lot of 332 paved parking spaces exceeds the County's minimum parking standard for elementary schools.

With conditions of approval in place, staff believes the findings required for expansion of a legal non-conforming use can be made. The proposed use is reasonably and logically related to the existing onsite use, and the combination of proposed improvements and traffic plan will improve school congestion in the surrounding area, thereby not being detrimental to the surrounding area.

## **ENVIRONMENTAL REVIEW**

An environmental assessment for the project has been prepared in accordance with the California Environmental Quality Act (CEQA). The assessment included preparation of an Initial Study (IS) (see Exhibit E – *Initial Study, amended April 24, 2024*). Pursuant to CEQA, the proposed project was circulated to interested parties and responsible agencies for review and comment and no significant issues, aside from those discussed in the *Issues* section of this report, were raised (see Exhibit G – *Environmental Review Referrals*).

In response to concerns laid out in the *Issues* section of this report, Section XVII - *Transportation* of the IS has been amended to clarify that GVA has a sibling incentive program with approximately 50% of all families having multiple children enrolled and that a condition of approval requiring a traffic plan for the pick-up and drop-off of students, will be incorporated into the Conditions of Approval applied to the project. Sections VII – *Geology and Soils* and X – *Hydrology and Water Quality* have also been amended to clarify that the project proposes to install a new storm drainage basin at the northwestern corner of the project site to maintain stormwater on-site (see Exhibit E – *Initial Study, amended April 24, 2024*). The amended language in the IS is considered

to be informational in nature and to have no new significant effects. Planning staff believes that the amendments made to the IS meets CEQA Guidelines Section 15073.5(c), and that re-circulation of the IS is not required.

A Negative Declaration has been prepared for adoption prior to action on the project (see Exhibit F – *Negative Declaration*). Conditions of approval reflecting referral responses have been placed on the project (see Exhibit C – *Conditions of Approval*).

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**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 \$2,973.75 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: Kristy Doud, Deputy Director, (209) 525-6330

Attachments:

- Exhibit A - Findings and Actions Required for Project Approval
- Exhibit B - Maps and Site Plan
- Exhibit C - Conditions of Approval
- Exhibit D - Referral Response Received, April 5, 2024, from Britton Konynenburg Partners
- Exhibit E - Initial Study, amended April 24, 2024
- Exhibit F - Negative Declaration
- Exhibit G - Environmental Review Referrals
- Exhibit H - Campaign Contribution (Levine Act) Disclosure Form(s)

## Findings and Actions Required for Project Approval

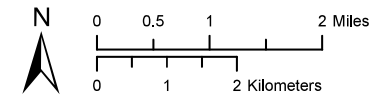
1. Adopt the Negative Declaration pursuant to CEQA Guidelines Section 15074(b), by finding that on the basis of the whole record, including the Amended Initial Study and any comments received, that there is no substantial evidence the project will have a significant effect on the environment and that the Negative Declaration reflects Stanislaus County's independent judgment and analysis.
2. Order the filing of a Notice of Determination with the Stanislaus County Clerk-Recorder pursuant to Public Resources Code Section 21152 and CEQA Guidelines Section 15075.
3. Find that:
  - a. The enlargement, expansion, restoration or changes will not, under the circumstances of the particular case, be detrimental to the health, safety and general welfare of persons residing or working in the neighborhood of the use; and
  - b. Will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of persons residing or working in the neighborhood or to the general welfare of the County; and
  - c. Is logically and reasonably related to the existing use and that the size or intensity of the enlargement, expansion, restoration or changes is not such that it would be more appropriately moved to a zoning district in which it is permitted.
  - d. The project will increase activities in and around the project area, and increase demands for roads and services, thereby requiring dedication and improvements.
4. Approve Use Permit Application No. PLN2023-0123 – Great Valley Academy, subject to the attached Conditions of Approval.

# GREAT VALLEY ACADEMY UP PLN2023-0123

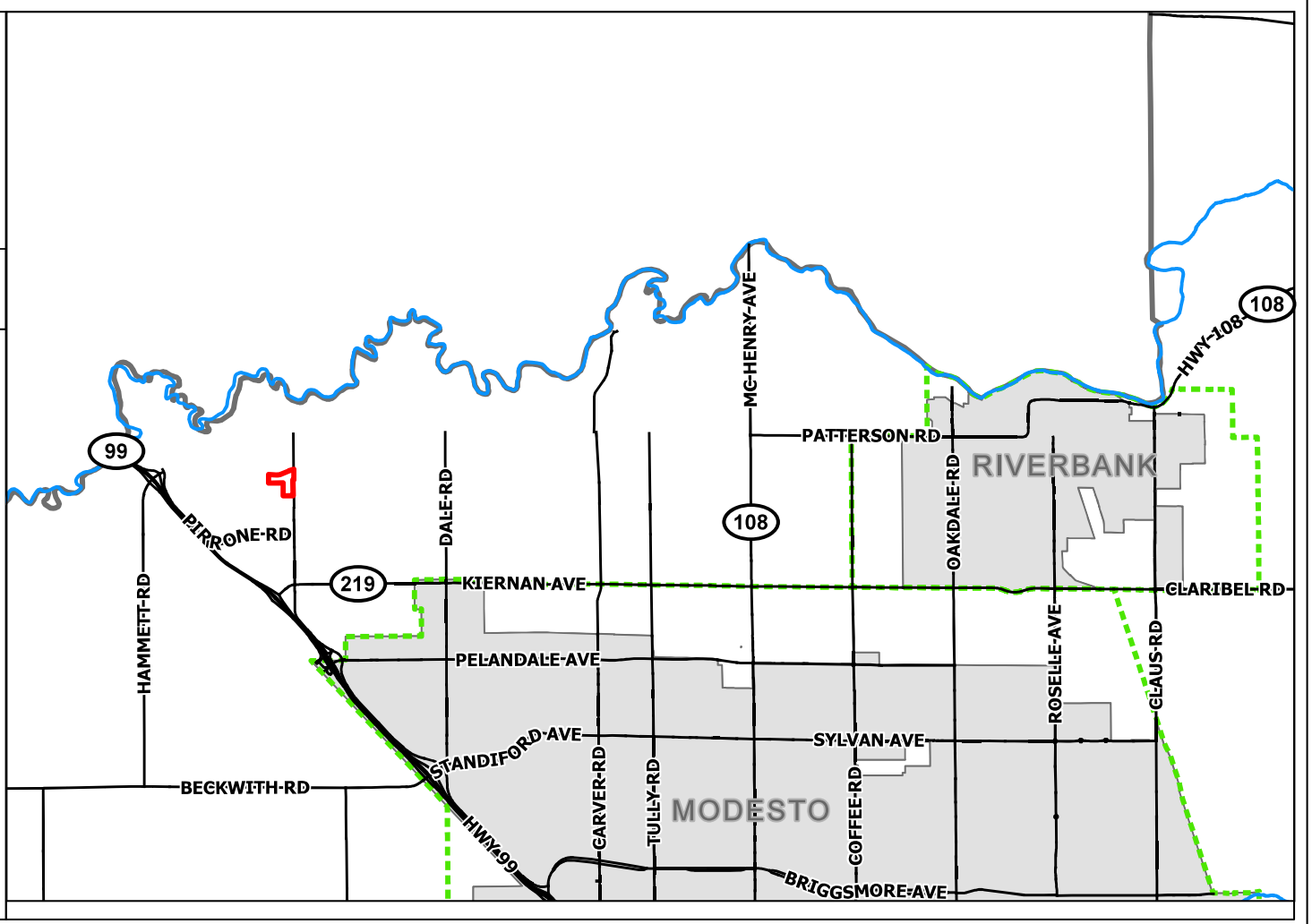
## AREA MAP

### LEGEND

- Project Site
- Sphere of Influence
- County Boundary
- Road
- Rivers


















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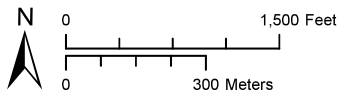


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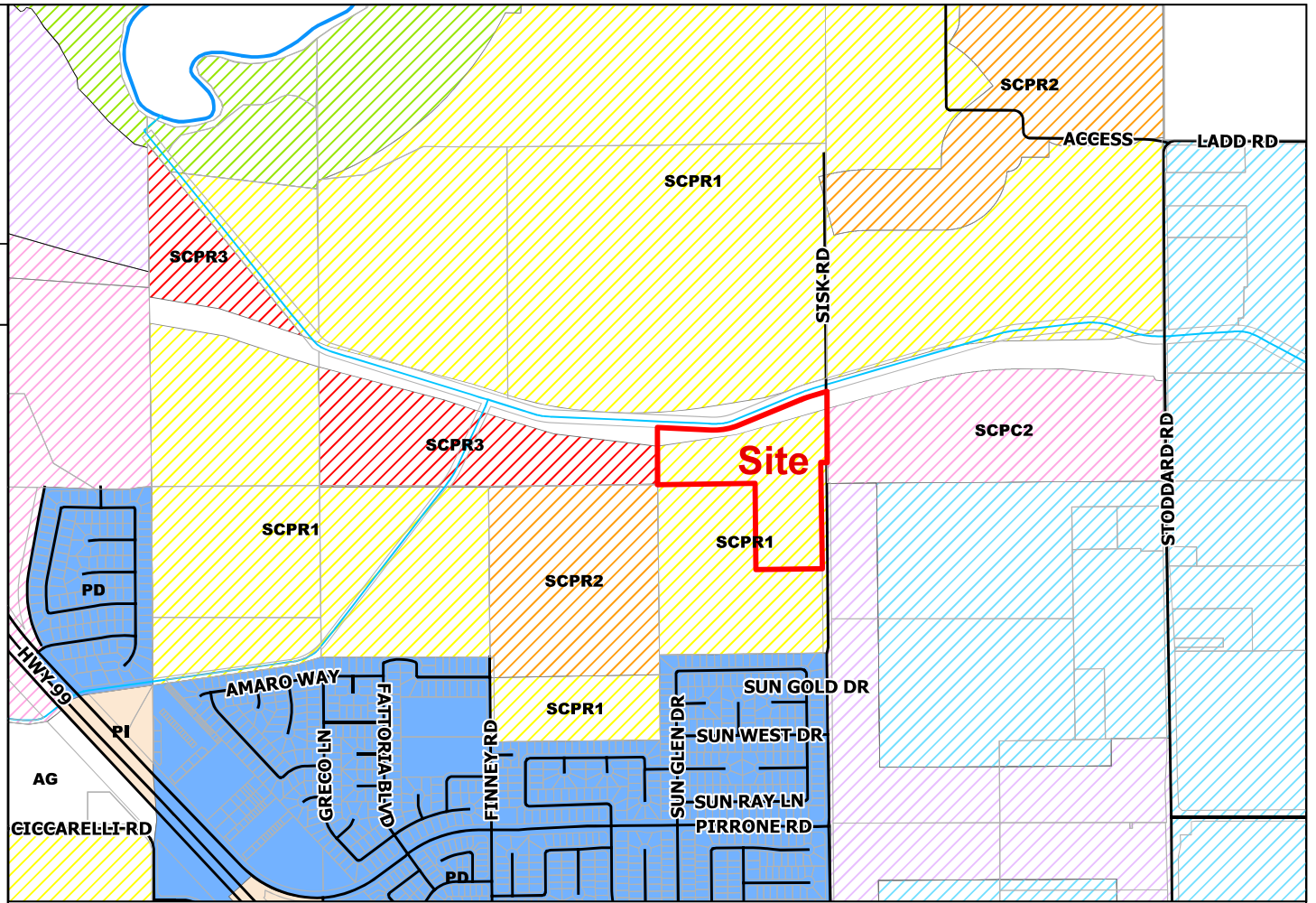
## GENERAL PLAN MAP

### LEGEND

	Project Site	<b>General Plan</b>
	Parcel	 Agriculture
	Road	 Planned Development
	Canal	 Planned Industrial
	Rivers	 SCP A-2
		 SCP C-2
		 SCP IBP
		 SCP PI
		 SCP R-1
		 SCP R-2
		 SCP R-3



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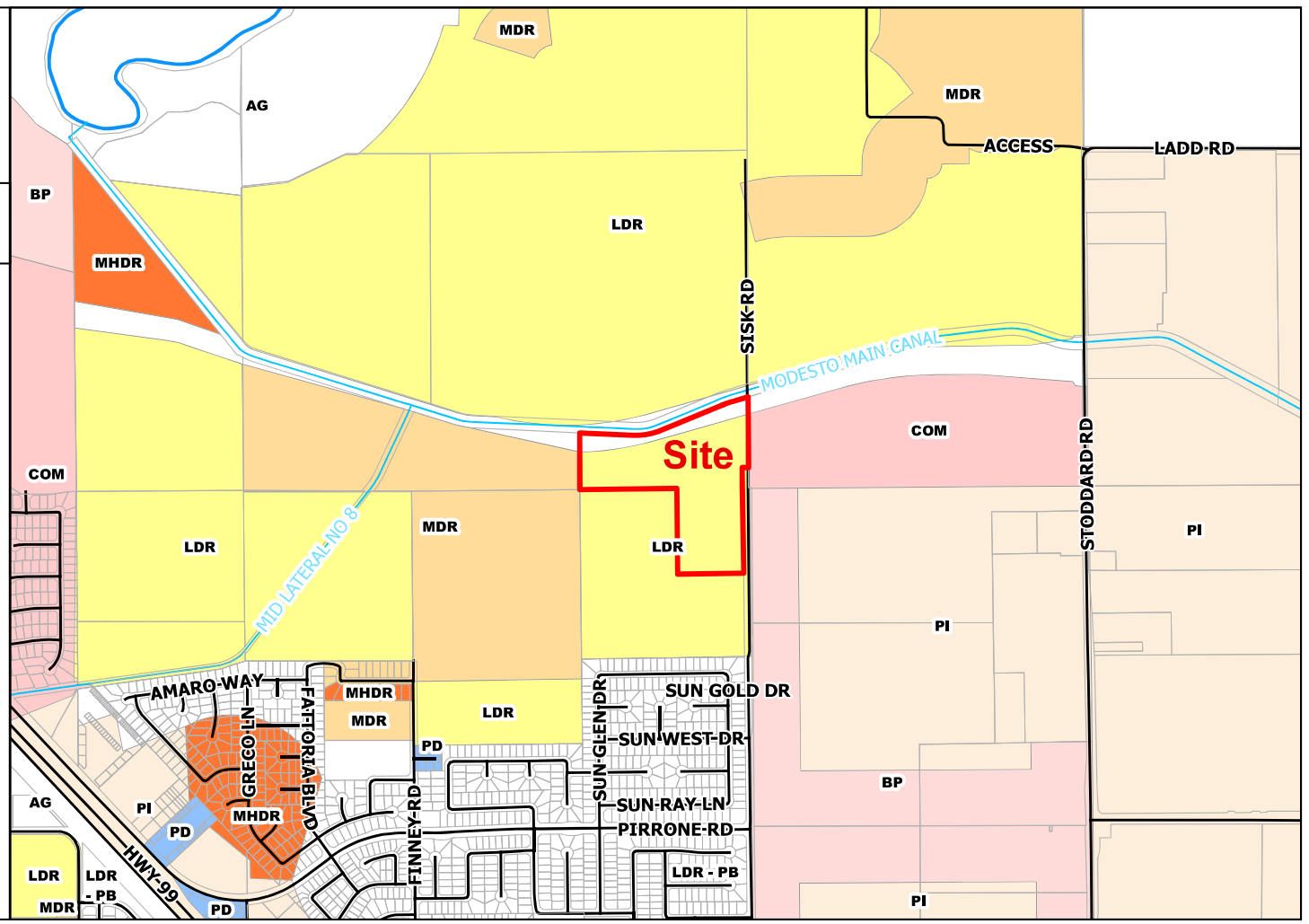
## COMMUNITY PLAN MAP

### LEGEND

- Project Site
  - Parcel
  - Sphere of Influence
  - Road
  - Canal
  - Rivers
- Community Plan**
- Business Park
  - Commercial
  - Low Density Residential
  - Medium Density Residential
  - Medium High Density Residential
  - Planned Development
  - Planned Industrial
- N

0 1,500 Feet  
0 300 Meters

Source: Planning Department GIS Date Exported: 10/17/2023



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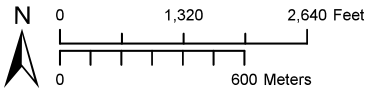
## ZONING MAP

### LEGEND

- Project Site
- Parcel
- Road
- Canal
- Rivers

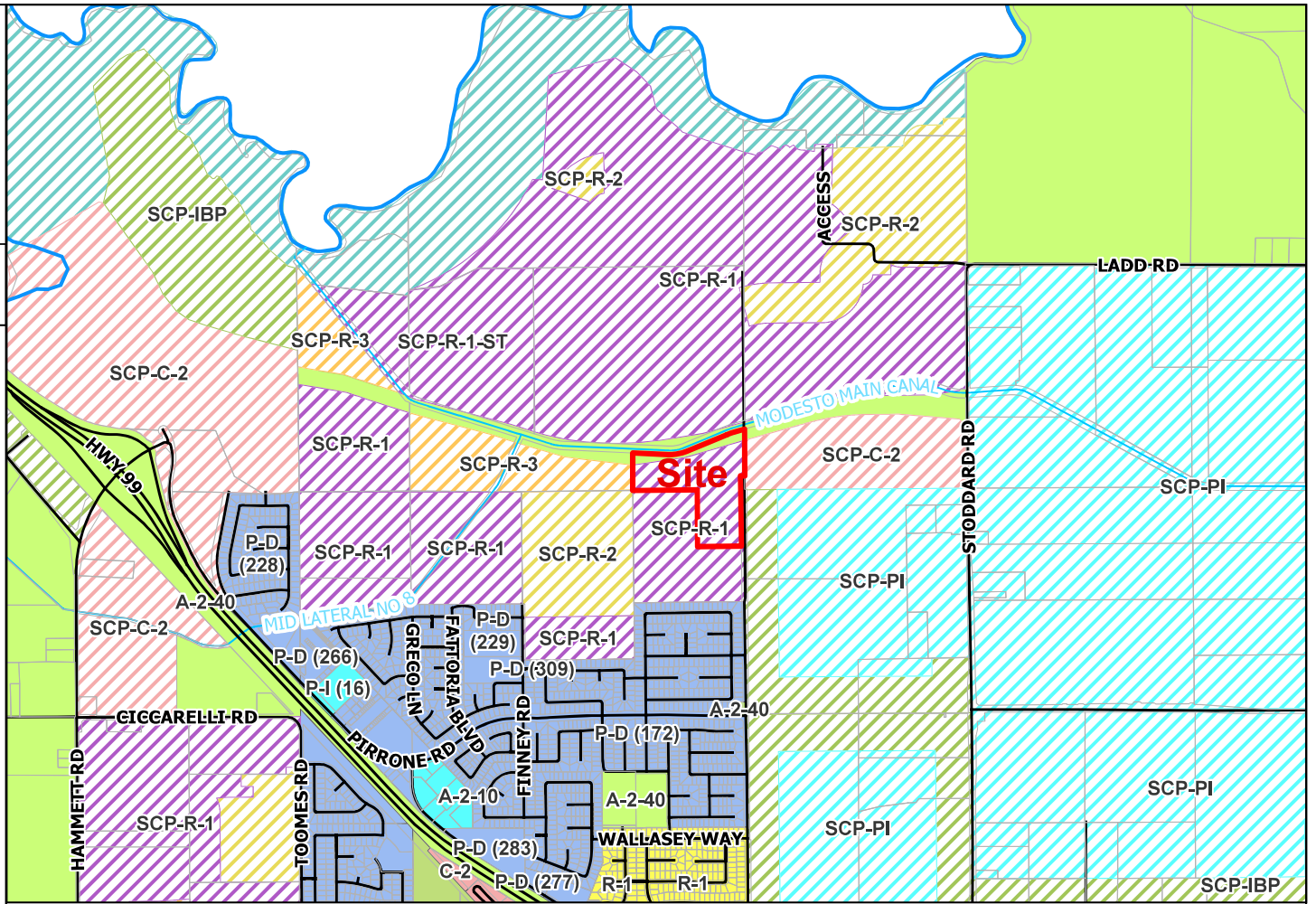
### Zoning Designation

- General AG 10 Acre
- General AG 40 Acre
- General Commercial
- Planned Development
- Planned Industrial
- Salida Community Plan A-2
- Salida Community Plan C-2
- Salida Community Plan IBP
- Salida Community Plan MDR
- Salida Community Plan MF
- Salida Community Plan PI
- Salida Community Plan SF
- Single Family Residential



Source: Planning Department GIS

Date Exported: 10/18/2023

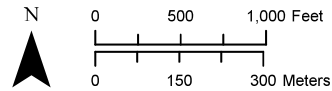


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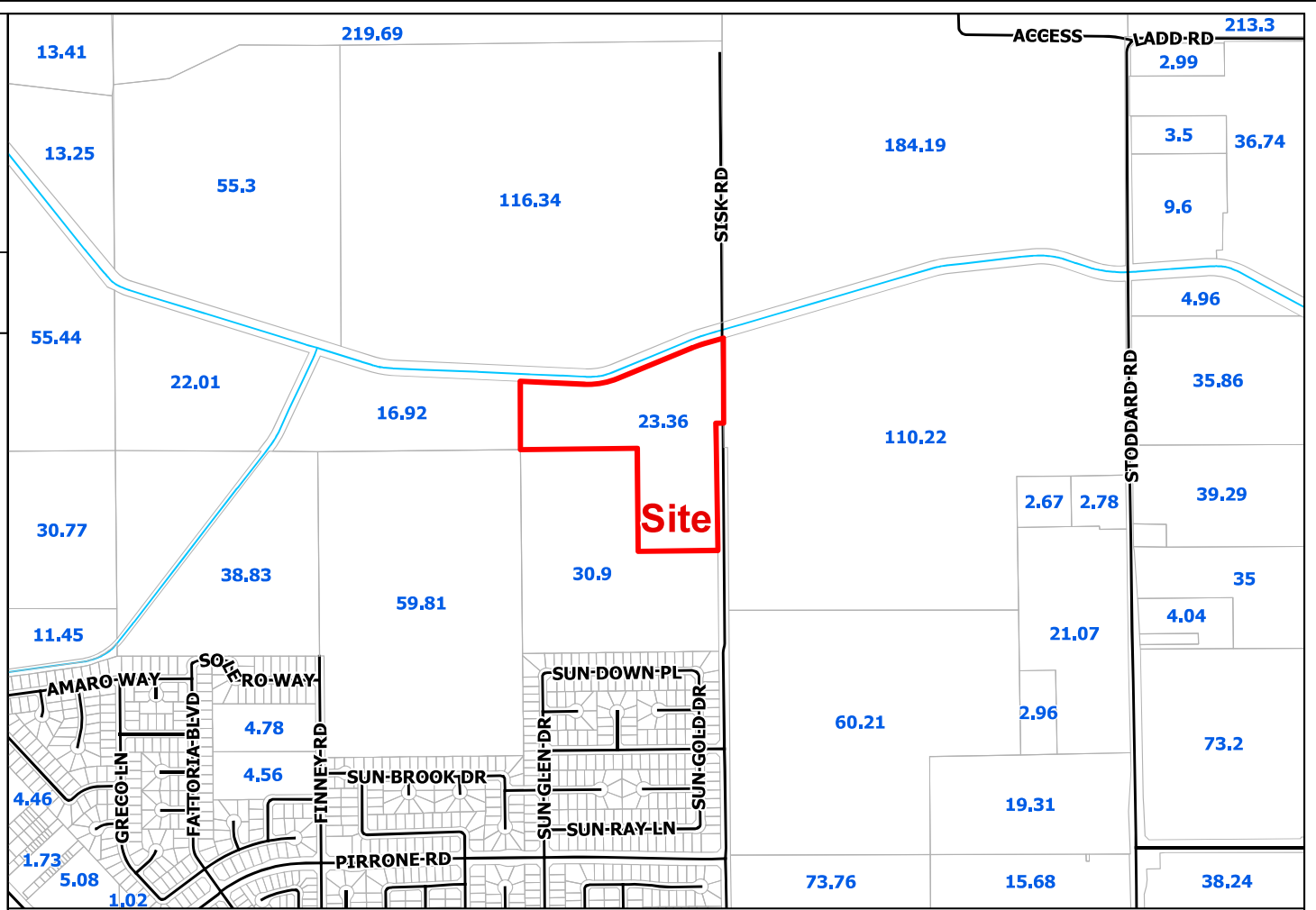
## ACREAGE MAP

### Legend

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



Source: Planning Department GIS Date Exported: 10/17/2023








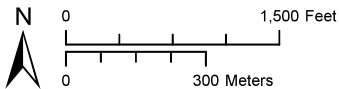


# GREAT VALLEY ACADEMY UP PLN2023-0123

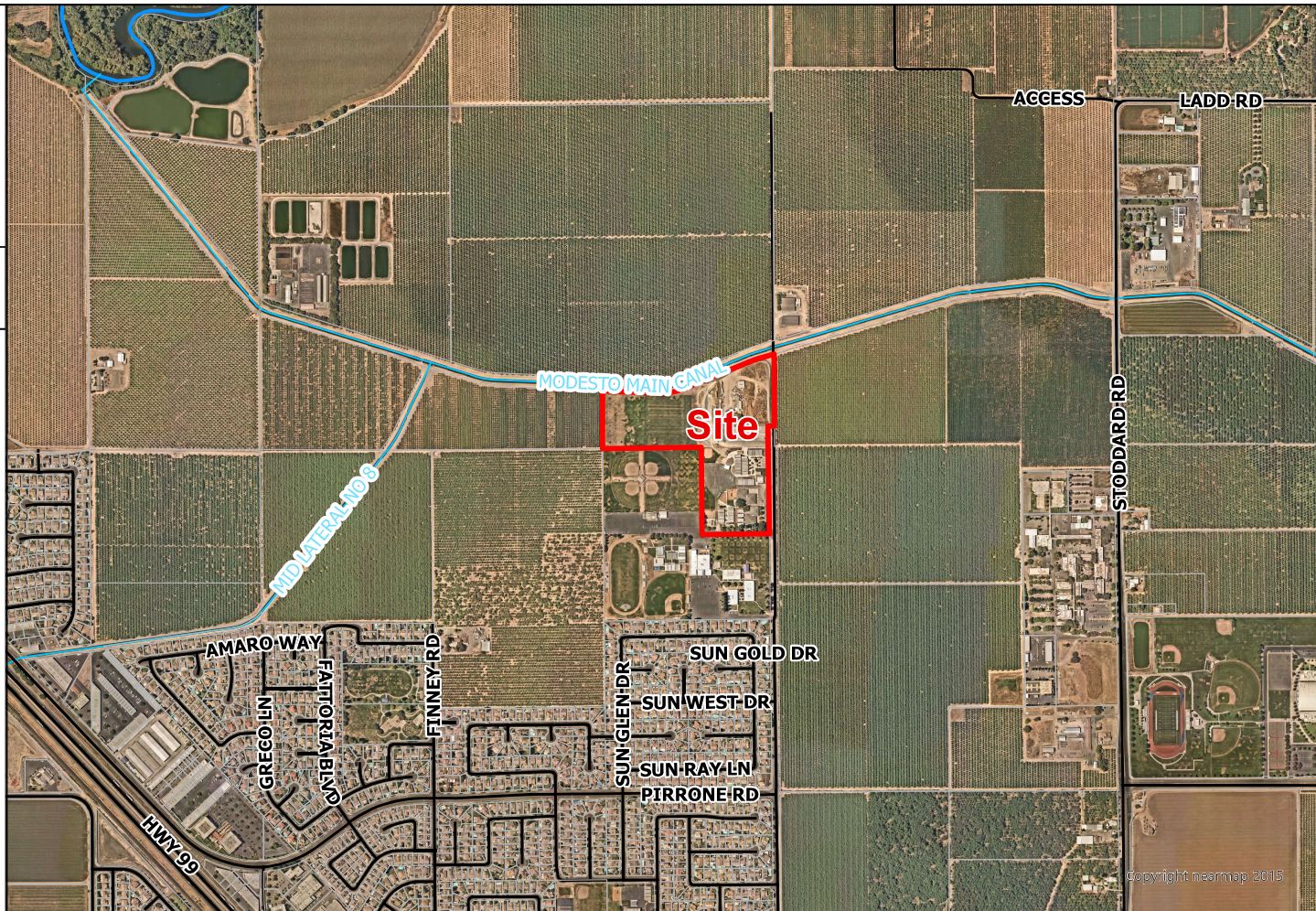
## AERIAL AREA MAP

### LEGEND

-  Project Site
-  Parcel
-  Road
-  Canal
-  Rivers



Source: Planning Department GIS Date Exported: 10/18/2023




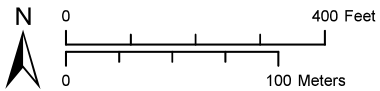


# GREAT VALLEY ACADEMY UP PLN2023-0123

## AERIAL SITE MAP

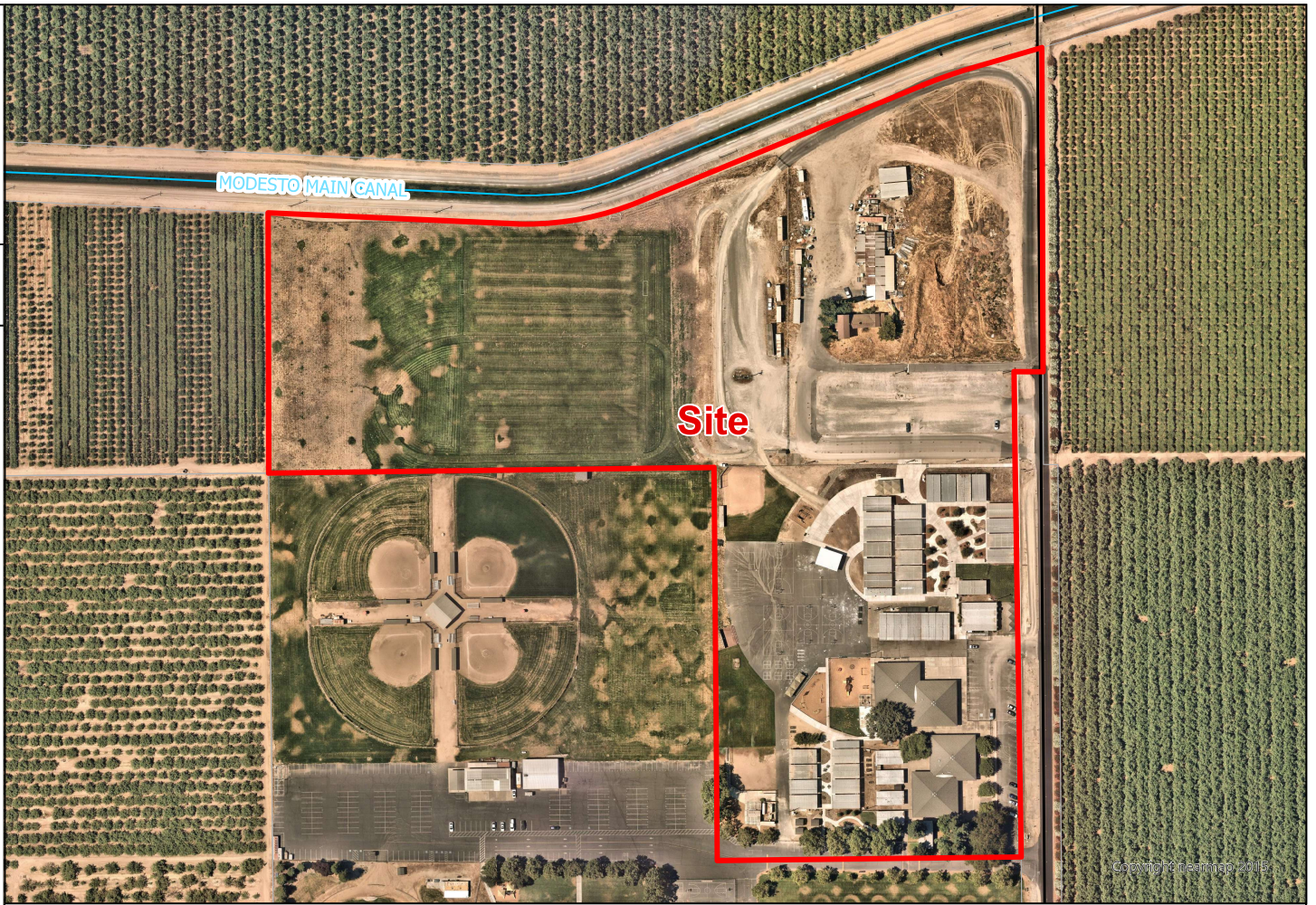
### LEGEND

-  Project Site
-  Parcel
-  Road
-  Canal
-  Rivers



Source: Planning Department GIS

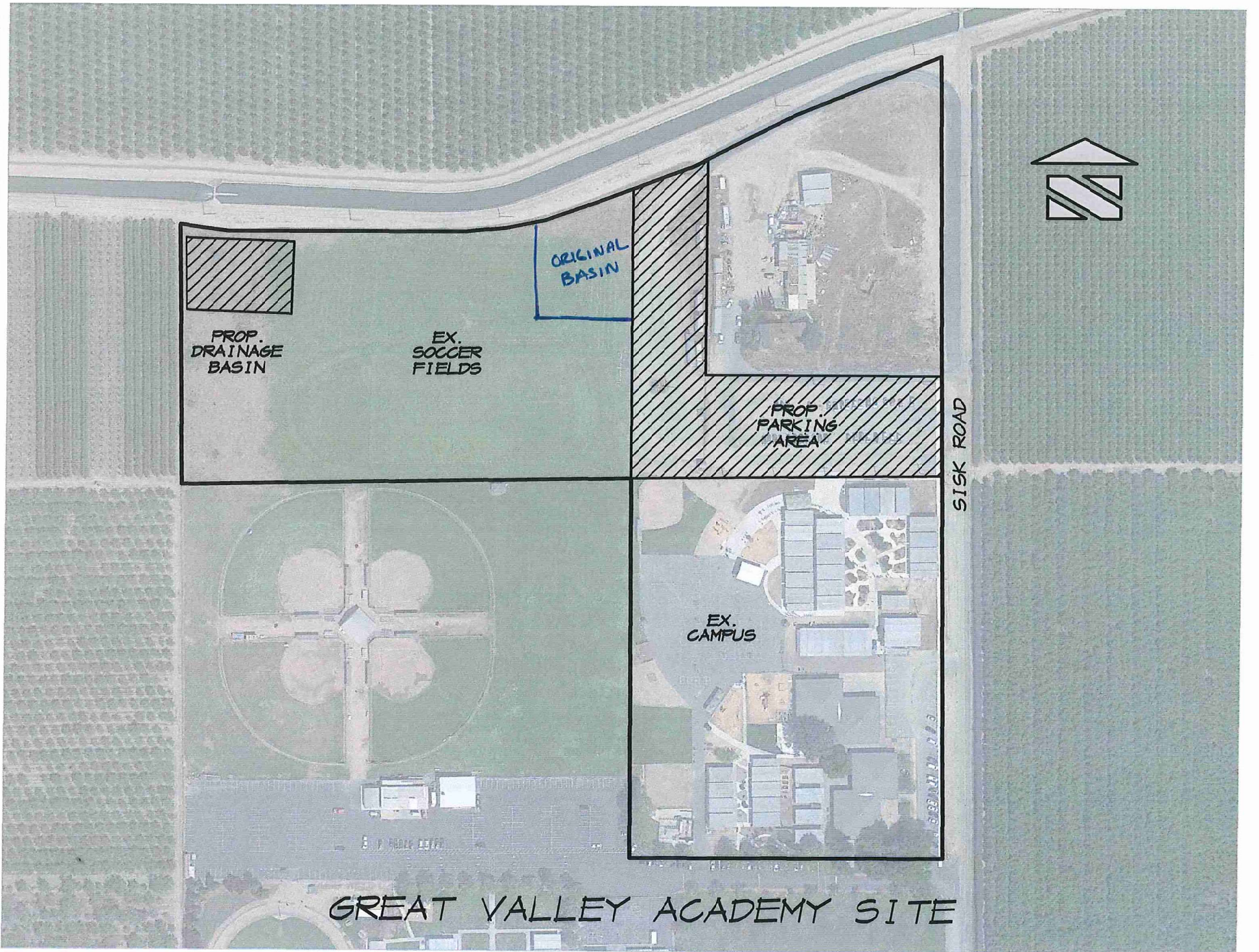
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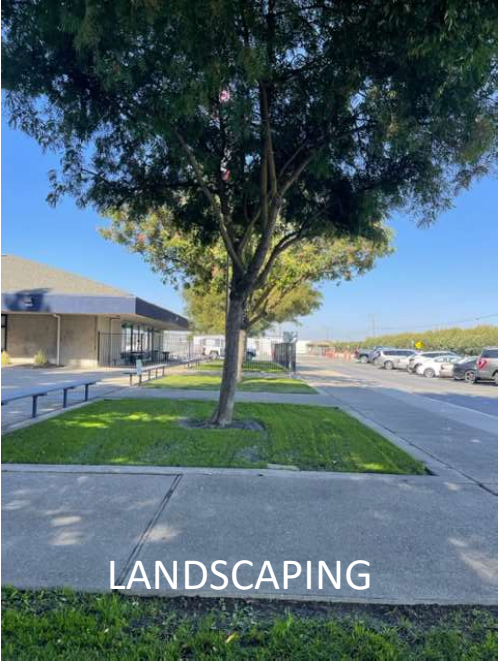




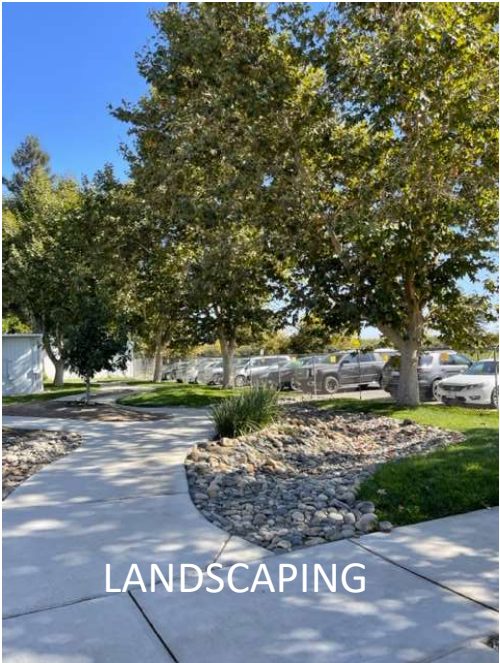
GREAT VALLEY ACADEMY SITE



SITE PHOTOS



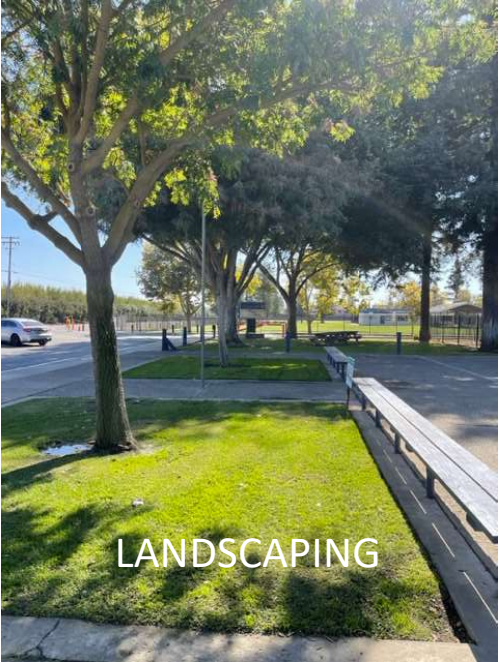
LANDSCAPING



LANDSCAPING



SIGNAGE



LANDSCAPING



MODULAR CLASSROOMS



LANDSCAPING



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

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## **CONDITIONS OF APPROVAL**

### **USE PERMIT APPLICATION NO. PLN2023-0123 GREAT VALLEY ACADEMY**

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

1. Use(s) shall be conducted as described in the application and supporting information (including the plot plan) as approved by the Planning Commission and/or Board of Supervisors and in accordance with other laws and ordinances. The Conditions of Approval for this use permit shall supersede all conditions of approval for all previous land use entitlements.
  
2. Pursuant to Section 711.4 of the California Fish and Game Code (effective January 1, 2014), the applicant is required to pay a California Department of Fish and Wildlife (formerly the Department of Fish and Game) fee at the time of filing a "Notice of Determination." Within five (5) days of approval of this project by the Planning Commission or Board of Supervisors, the applicant shall submit to the Department of Planning and Community Development a check for **\$2,973.75**, made payable to **Stanislaus County**, for the payment of California Department of Fish and Wildlife and Clerk-Recorder filing fees.  
  
Pursuant to Section 711.4 (e) (3) of the California Fish and Game Code, no project shall be operative, vested, or final, nor shall local government permits for the project be valid, until the filing fees required pursuant to this section are paid.
  
3. Developer shall pay all Public Facilities Impact Fees and Fire Facilities Fees as adopted by Resolution of the Board of Supervisors. The fees shall be payable at the time of issuance of a building permit for any construction in the development project and shall be based on the rates in effect at the time of building permit issuance.
  
4. The applicant/owner is required to defend, indemnify, or hold harmless the County, its officers, and employees from any claim, action, or proceedings against the County to set aside the approval of the project which is brought within the applicable statute of limitations. The County shall promptly notify the applicant of any claim, action, or proceeding to set aside the approval and shall cooperate fully in the defense.
  
5. No operations shall be conducted on any premises in such a manner as to cause an unreasonable amount of noise, odor, dust, smoke, vibration, or electrical interference detectable off the site.

6. During the construction phases of the project, if any human remains, significant or potentially unique, are found, all construction activities in the area shall cease until a qualified archeologist can be consulted. Construction activities shall not resume in the area until an on-site archeological mitigation program has been approved by a qualified archeologist. 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.
7. 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.
8. The Department of Planning and Community Development shall record a Notice of Administrative Conditions and Restrictions with the County Recorder's Office within 30 days of project approval. The Notice includes: Conditions of Approval/Development Standards and Schedule; any adopted Mitigation Measures; and a project area map.
9. Prior to start of the 2024-2025 school year, the Great Valley Academy staff shall meet with property owners of the Sun Ridge West subdivision and Public Works to develop a traffic plan for student drop-off and pick-up, which should include, but not be limited to, restrictions on the school's walking pass policy. The traffic plan shall be considered by the Salida MAC for a recommendation of approval or denial. The County will take all MAC comments into consideration; however, the County Planning Department has final approval authority over the traffic plan. GVA shall send invitations to participate in the meeting to all property owners within the Sun Ridge West subdivision and the meeting shall be held in a manner making it accessible, in terms of time and place, to the community.
10. Fencing at least six feet in height and trees which are at least 15 feet in height at maturity shall be installed to buffer the athletic field from the adjacent agricultural operations to the west.
11. A building permit for the existing 25-foot tall free standing parking lot lighting, located along the southern border of the parking lot, shall applied for within three (3) months of project approval and shall be finalized within 12 months of project approval. Prior to issuance of any building permit for a new building or structure with exterior lighting or the installation of any new or replacement free standing exterior lighting, a photometric lighting plan shall be submitted for review and approval by the Planning Department. All exterior lighting shall be designed (aimed down and toward the site) to provide adequate illumination without a glare effect. This shall include, but not be limited to, the use of shielded light fixtures to prevent skyglow (light spilling into the night sky) and the installation of shielded fixtures to prevent light trespass (glare and spill light that shines onto neighboring properties). Any new or replacement freestanding lighting shall be limited to 15 feet in height.
12. A grading permit for the **new** parking lot shall be applied for within three (3) months of project approval and finalized within 12 months of project approval. The parking lot shall be

paved and striped and shall have dedicated drop-off and pick-up areas. The parking lot shall also provide for a 59-foot setback from the centerline of Sisk Road and the setback area shall be landscaped. **The parking lot shall be developed as presented in Exhibit B-7 of the May 2, 2024 staff report with only two driveways and no access to the project site north of the end of County-maintained Sisk Road (located approximately 552 feet south of the project site's northern property line). A Circulation Plan shall be prepared for review and approval by the Department of Public Works prior to any modification to the parking lot layout, including driveways and/or access points.**

**The Circulation Plan shall take into account, if applicable, the 30-foot access easement which runs along the length of the northern property line and then extends along the eastern property line to the end of County-maintained Sisk Road. Use of the paved loop drive, which connects from the end of County-maintained Sisk Road to the northeast corner of the proposed parking lot, shall not be permitted without approval of a Circulation Plan. Prior to use of this loop for access to the new parking lot the following shall be met: input from all property owners utilizing the existing 30-foot wide access easement shall be obtained; a Circulation Plan shall be provided to the Department of Public Works for review and approval; and a grading permit shall be obtained.**

13. A landscaping plan shall be submitted for review and approval prior to issuance of any building and/or grading permit. Landscape plans shall indicate plant type, initial plant size (15-gallon minimum for trees), location, and method of irrigation. Landscaping must be installed and inspected prior to final of grading or building permit.
14. All landscaped areas, fences, and walls shall be maintained in an attractive condition and in compliance with the approved final landscape and irrigation plan. The premises shall be kept free of weeds, trash, and other debris. Dead or dying plants shall be replaced with materials of equal size and similar variety within 30 days, at the property owner's expense.
15. Noise levels associated with all on-site activities shall not exceed the maximum allowable noise levels as set forth in the Stanislaus County Code or the Stanislaus County General Plan. In the event of a verified noise complaint, being received by Stanislaus County, the property owner/operator shall be responsible for hiring a certified noise consultant, approved by the Stanislaus County Planning Director, to evaluate noise impacts and to identify appropriate mitigation for any identified noise impacts. The property owner/operator may arrange to pay for the County's actual costs of hiring a certified noise consultant. The property owner/operator shall implement any resulting mitigation measures required to reduce noise to allowable levels within the time frame specified by the County. The certified noise consultant's evaluation shall be completed and submitted to Stanislaus County Planning Department within 60 days of written notice being delivered to the property owner/operator. If determined necessary by the Planning Department, the property owner/operator shall pay for the County's costs to hire a third party to review the noise assessment.
16. Trash bins shall be kept in trash enclosures constructed of materials compatible with the architecture of the development. Trash enclosures shall be placed in locations as approved by the refuse collecting agency and the Planning Director.

**Building Permits Division**

17. For all new construction, the applicant shall comply with the current adopted Title 24 and other Building Codes.

**Department of Public Works**

18. No parking, loading, or unloading of vehicles will be permitted within the Stanislaus County road right-of-way.
19. The developer will be required to install or pay for the installation of any signs and/or markings, if warranted.
20. An encroachment permit shall be obtained for any work being done in the Stanislaus County road right-of-way.
21. All driveway locations and widths shall be approved by the Department of Public Works. The existing south driveway shall be modified to improve sight distance for drivers exiting the site, and to improve pedestrian safety at the **Modesto Christian driveway, located just north of the Sun Ridge West subdivision/Sisk Road intersection.**
22. All facilities in the public right of way shall meet current ADA (Americans with Disabilities Act) Standards.
23. All driveways and parking areas shall be paved and striped per County Standards.
24. Prior to any plan review or inspections associated with the development, the developer shall sign a "Plan Check/Inspection Agreement" and post a minimum \$5,000 deposit with Public Works.
25. Prior to issuance of a building or grading permit, a complete set of improvement plans **for the parking lot improvements, that are** consistent with the Salida PD Guidelines and the Stanislaus County Standards and Specifications, 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 accessible ramps from a point approximately 630 feet north of Sun West Drive to the north end of the project site, an approximate total length of 1,460 feet. **Prior to final of any building or grading permit, the parking lot improvements shall be completed and the street improvement plans shall be submitted and approved; street improvements shall be completed within three months of final of the grading permit for the parking lot improvements.**
26. A positive storm drainage system, conforming to County standards, shall be installed. Prior to, or in tandem with submission of the improvement plans, the developer shall furnish the Department of Public Works three copies of a soils report. 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.

27. Sisk Road is identified as an 88-foot collector in the Salida Community Plan. The required half width dedication ~~is of~~ 44 feet ~~west~~east of the centerline of the roadway **along the entire frontage of the project site shall be dedicated as an Irrevocable Offer of Dedication prior to project development.** ~~The existing right-of-way is 44 feet for beginning at the south property line extending north approximately 805 feet. The remaining property frontage (approximately 552 feet north of said point) shall be dedicated as an Irrevocable Offer of Dedication 44 feet west of the centerline of the roadway.~~
28. An Engineer's Estimate shall be provided for the improvements **outlined in Conditions of Approval Nos. 25 and 26** so the amount of the bond/financial security can be determined. The Engineer's Estimate shall be stamped and signed by a licensed Civil Engineer.
29. The developer shall then provide a financial guarantee in the form of a deposit for the proposed improvements as outlined in ~~Public Works Conditions~~ **of Approval Nos. 25 and 26.**
30. The storage depth outside of any gate shall be adequate for trucks coming off the road. The entry vehicles shall not block any travel lane or shoulder. If the storage depth is inadequate, it may require that the fence be moved further into the property, or a deceleration lane be installed.
  - a. A deceleration lane - a lane in advance of a driveway or public street used to allow turning vehicles to exit the through traffic lane and slow before making the turn.
31. A grading and drainage plan for the project site shall be submitted before any building permit for the site is issued. Public Works will review and approve the drainage calculations. The grading and drainage plan shall include the following information:
  - a. Drainage calculations shall be prepared as per the Stanislaus County Standards and Specifications that are current at the time the permit is issued.
  - b. The plan shall contain enough information to verify that all runoff will be kept from going onto adjacent properties and Stanislaus County road right-of-way.
  - c. The grading and drainage plan shall comply with the current Stanislaus County National Pollutant Discharge Elimination System (NPDES) General Permit and the Quality Control standards for New Development and Redevelopment contained therein.
  - d. An Engineer's Estimate shall be submitted for the grading and drainage work.
  - e. The grading, drainage, and associated work shall be accepted by Stanislaus County Public Works prior to a final inspection or occupancy, as required by the building permit.

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

**Department of Environmental Resources (DER)**

32. The applicant shall determine, to the satisfaction of the DER, that a site containing (or formerly containing) residences or farm buildings, or structures, has been fully investigated (via Phase I study, and if necessary, Phase II study) prior to the issuance of any grading permit. Any discovery of underground storage tanks, former underground storage tank locations, buried chemicals, buried refuse, or contaminated soil shall be brought to the immediate attention of DER.
33. Any future expansion of the on-site septic system shall meet all applicable DER standards.

**Modesto Irrigation District (MID)**

34. A six-foot-tall masonry wall/**fencing, as specified by MID, located outside of the 30-foot access easement running along the MID Lower Main Canal**, shall be installed along the south side of ~~the MID's Lower Main Canal~~. No access shall be allowed from within MID's right-of-way. Plans shall be approved by MID prior to issuance of **any** building or grading permit and the wall shall be installed prior to final of **any** building or grading permit.
35. Should the proposed project impact or otherwise alter the existing privately-owned irrigation infrastructure, the infrastructure must be upgraded, replaced and/or relocated as required by MID. All costs associated with design, approval and analysis of relocation shall be at the Developer's expense.
36. All privately-owned facilities that will have its alignment changed or relocated must be protected by an irrigation easement dedicated by separate instrument to the downstream landowner(s) that are served by the existing private infrastructure and must be shown on the site plan.
37. There may be additional existing privately owned infrastructure not recorded by MID. If it is determined that any of the existing infrastructure will be affected by the proposed project, MID recommends consulting with affected landowners to discuss potential improvement plans for review and approval.
38. If the Applicant has no plans to use MID irrigation water, the Applicant must contact MID's Water Operations Department at (209) 526-7562 to request a Sign-Off of Irrigation Facilities form for the parcels.
39. All work that may impact irrigation facilities must be completed during the non-irrigation season (typically November 1st to March 1st).
40. High voltage is present within and adjacent to the project area. This includes 69,000 volts overhead transmission, 12,000 volts overhead and underground primary, as well as overhead and underground secondary facilities. Use extreme caution when operating heavy equipment, using a crane, ladders, scaffolding, handheld tools, or any other type of equipment near the existing MID electric lines and cables. Workers and equipment should

always maintain a distance no less than 10 feet from overhead facilities. Assume all overhead and underground electric facilities are energized.

41. The contractor shall verify actual depth and location of all underground utilities prior to start of construction. Notify "Underground Service Alert" (USA) (Toll Free 800-227-2600) before trenching, grading, excavating, drilling, pipe pushing, tree planting, post-hole digging, etc. USA will notify all utilities to mark the location of their underground facilities.
42. MID requires that any trenching maintain a 1:1 horizontal distance from any existing pole, determined by the depth of the trench. If trenching encroaches on this requirement, the Contractor needs to contact the MID Electric Engineering Department to brace any affected poles during the trenching process. The cost of any required pole bracing will be assumed by the requesting party. Estimates for bracing any existing poles will be supplied upon request.
43. Existing MID easements for protection of overhead and underground electrical facilities are to remain. Overhead secondary cable is protected by a minimum 20' wide easement centered on the overhead cable. Overhead primary cable is protected by a minimum 30' wide easement centered on the overhead cable. Underground secondary cable is protected by a minimum 5' wide easement centered on the underground cable. Underground primary cable is protected by a minimum 10' wide easement centered on the underground cable.
44. MID easements for protection of overhead and underground electrical facilities are required. MID overhead secondary cable shall be protected by a minimum 20' wide easement centered on the overhead cable. Overhead primary cable shall be protected by a minimum 30' wide easement centered on the overhead cable. MID underground secondary cable shall be protected by a minimum 5' wide easement centered on the underground cable. MID underground primary cable shall be protected by a minimum 10' wide easement centered on the underground cable. When underground cable is not located in the Road Right-of-Way or within the PUE along the street frontage a MID easement is required to protect the existing underground electrical facilities and maintain necessary safety clearances.
45. In conjunction with related site improvement requirements, existing overhead, and underground electric facilities within or adjacent to the proposed project shall be protected, relocated, or removed as required by the District's Electric Engineering Department. Any relocation or installations shall conform to the District's Electric Service Rules. Customer will be responsible for all MID's cost associated with the development.
46. Existing electric service may not be adequate for the proposed project development. Prior to any construction a full set of construction plans must be submitted to Electrical Engineering Design Group. Please contact Modesto Irrigation District at (209) 526-7337 or (888) 335-1643 and ask for the Electrical Engineering Design Group to coordinate project/cost requirements.

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

47. Any construction resulting from this project shall comply with standardized dust controls adopted by the SJVAPCD and may be subject to additional regulations/permits, as determined by the SJVAPCD.

48. Prior to final of any building permit for the proposed use, an Authority to Construct (ATC) and Permit to Operate (PTO) must be issued to the project proponent by the SJVAPCD.
49. Prior to issuance of a building permit to demolish a structure, the applicant shall contact the SJVAPCD to determine rules or permits required under Rule 4002 for a thorough inspection for asbestos.
50. Prior to the start of construction, the property owner/operator shall contact the SJVAPCD to determine if any SJVAPCD rules or permits are required, including, but not limited to, Regulation VIII, (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations), Rule 4550 (Conservation Management Practices), and Rule 4570 (Confined Animal Facilities).

**Central Valley Regional Water Quality Control Board**

51. Prior to any construction, the developer shall be responsible for contacting the California Regional Water Quality Control Board to determine if any of the following are required: a Construction Storm Water General Permit; a Storm Water Pollution Prevention Plan (SWPPP); a Dewatering Permit; Limited Threat General National Pollutant Discharge Elimination System (NPDES) Permit; NPDES Permit; a Clean Water Act Section 404 Permit; a Clean Water Act Section 401 Permit-Water Quality Certification; or Waste Discharge Requirements (WDR).

**California Department of Toxic Substance Control (DTSC)**

52. If the school plans to use California Department of Education (CDE) State funds for the project, then the district shall comply with the requirements of Education Code (EDC), Section 17210, Section 17213.1, and Section 17213.2, unless otherwise specifically exempted under section Section 17268. If the district is not using CDE State funds for the project, or is otherwise specifically exempt under section Section 17268, DTSC recommends the district continue to investigate and clean up the site, if necessary, under the oversight of Stanislaus County and in concurrence with all applicable DTSC guidance documents.
53. If buildings or other structures are to be demolished on any project sites included in the proposed project, surveys should be conducted for the presence of lead-based paints or products, mercury, asbestos containing materials, and polychlorinated biphenyl caulk. Removal, demolition, and disposal of any of the above-mentioned chemicals should be conducted in compliance with California environmental regulations and policies. In addition, sampling near current and/or former buildings should be conducted in accordance with DTSC's 2006 *Interim Guidance Evaluation of School Sites with Potential Contamination from Lead Based Paint, Termiticides, and Electrical Transformers*
54. If any projects initiated as part of the proposed project require the importation of soil to backfill any excavated areas, proper sampling should be conducted to ensure that the imported soil is free of contamination. DTSC recommends the imported materials be characterized according to DTSC's 2001 *Information Advisory Clean Imported Fill Material* webpage.

\*\*\*\*\*



*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 font, and deleted wording is in strikethrough text.*



April 5, 2024

Kristy Doud, Deputy Director  
Department Planning and Community Development  
1010 10<sup>th</sup> Street, Suite 3400  
Modesto, CA 95354

Re: Use Permit Application No. PLN2023-0123 – Great Valley Academy

Ms. Doud,

We are writing to express concerns regarding the proposed expansion plans for Great Valley Academy (GVA). While we are not opposed to the construction of athletic fields and a 332-space parking lot, we are concerned that GVA is seeking to increase its student capacity significantly without conducting a traffic study and circulation plan. To proceed with adding additional capacity to GVA without a traffic study and circulation plan runs afoul of CEQA Guidelines.

Section 15064.3 of the CEQA Guidelines explicitly requires that lead agencies analyze a project's traffic impacts to determine whether they are significant. This analysis typically involves conducting a traffic study and preparing a circulation plan to assess the project's effects on traffic flow, congestion, safety, and related factors. The (as many as 100) additional vehicles coming and going from GVA each morning and afternoon are traveling more than ½ mile resulting in the project significantly increasing "Vehicle Miles Traveled." Therefore, the CEQA Guidelines require that a traffic study be done.

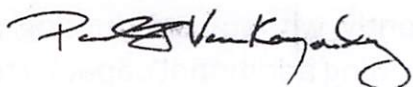
Traffic on Sisk Road during the morning and afternoon is already extremely congested with high delays and adverse signal progression on Sisk Road. The proposed increase in student capacity will increase automobile delays – constituting a significant environmental impact and generate a significant increase in traffic volume and congestion in the surrounding area. Without a proper traffic study and circulation plan, it would be impossible to accurately assess the full extent of these impacts and develop appropriate mitigation measures to address them.

We respectfully urge the Stanislaus County Planning Department to require GVA to conduct a comprehensive traffic study and prepare a circulation plan as part of the environmental review process for their 100-student expansion project.

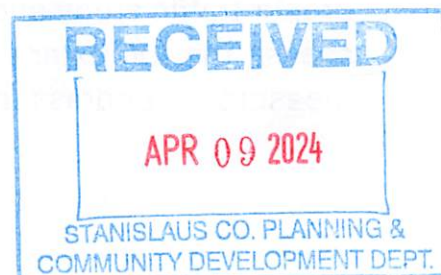
We recommend that the Stanislaus Planning Commission allow for GVA's construction of additional grass athletic fields and a paved lot with 332 parking spaces. However, without a comprehensive traffic study and circulation plan, we recommend denial of the permit to construct 4 new classrooms and add 100 additional students.

Thank you for your attention to this matter. We trust that you will give due consideration to our concerns.

Sincerely,



Paul Van Konynenburg  
Partner  
Britton Konynenburg Partners





# CEQA INITIAL STUDY

(Additional text is shown in bold and underlined and deleted text is in strikeout.)

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

- 1. **Project title:** Use Permit Application No. PLN2023-0123 – Great Valley Academy
- 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:** Kristy Doud, Deputy Director  
(209) 525-6330
- 4. **Project location:** 5901 and 6019 Sisk Road, between Pirrone Road and the MID Main Canal, in the community of Salida. (APN: 136-032-037).
- 5. **Project sponsor’s name and address:** Tom Anderson, Great Valley Academy  
5901 Sisk Road Modesto, CA 95356
- 6. **General Plan designation:** Low-Density Residential; Salida Community Plan – Low-Density Residential
- 7. **Zoning:** Salida Community Plan – Low-Density Residential
- 8. **Description of project:**

Request to expand an existing charter school with the addition of a grass athletic field, paved parking lot with 332 parking spaces, and to construct four new classrooms to allow up to 100 additional students (for a new max of 950 students) on a 23.33-acre parcel located in the Salida Community Plan Low-Density Residential zoning district (SCP–R-1). In accordance with Section 21.66.040 of the Salida Community Plan District zoning ordinance, development on parcels located within the Salida Community Plan Zoning District requires the adoption of a discretionary non-legislative Development Plan that shall be considered by the Planning Commission and the Board of Supervisors.

The site is currently improved with 40 portable classroom buildings, a 5,649 square-foot building which contains six classrooms and a library, a 5,627 square-foot building which contains five classrooms and administrative offices, two parking lots (41 existing parking spaces in the east lot and 19 in the south lot), and a playground. The site is currently improved with perimeter landscaping and landscaping throughout the school facility and six-foot-tall chain link fencing on the north and west sides of the campus, as well as a five-foot-tall chain link fence along the south side of the campus separating the Great Valley Academy from the Modesto Christian School campus. A portion of the east side of the campus, which includes the entrance to the school, also includes six-foot-tall black wrought iron fencing. Part of this project request would allow for the abandonment of the reciprocal parking agreement which allows the Great Valley Academy to utilize 92 parking spaces located on the Modesto Christian School adjacent to the south. The new proposed 332 parking lot, proposed to be located on the north end of the property, would replace the reciprocal spaces, and provide additional parking for the expanded students and athletic field games. The grass athletic field will be used for typical elementary and junior high events during school hours and for after school sports practices and games. No bleachers, amplified speaker system, or lighting associated with the athletic field are proposed. After school games are expected to occur up to twice a week, to end before sunset, and to have a maximum of 100 people in attendance. Parking lot lighting is proposed to be located throughout the parking lot at a maximum height of 25 feet. No new signage, landscaping, or fencing is proposed. Classroom buildings are proposed to be approximately 24 x 40 feet in size. Construction on the parking lot is proposed to commence within two years of project approval and classroom construction is proposed to occur within two to seven years of project approval. The site is served with public water by

the City of Modesto, a private on-site septic system, electrical services by the Modesto Irrigation District, and gas by PG&E.

- 9. Surrounding land uses and setting:** The MID Main Canal, orchards, and the Stanislaus River to the north; Orchards, Post Properties, and Gregori Highschool to the east; Orchards, residential development, and State Highway 99 to the west; and The Modesto Christian School, residential development, and State Highway 99 to the south.
- 10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.):** Stanislaus County Department of Public Works  
Department of Environmental Resources  
California Department of Toxic Substances Control
- 11. 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 Kristy Doud, Deputy Director

March 13, 2024 (Amended April 24, 2024)  
 Date

**EVALUATION OF ENVIRONMENTAL IMPACTS:**

1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.

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

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

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

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

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

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

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

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

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

9) The explanation of each issue should identify:

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

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

**ISSUES**

I. AESTHETICS – Except as provided in Public Resources Code Section 21099, could the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?			X	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			X	
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

**Discussion:** The site itself is not considered to be a scenic resource or unique scenic vista. The site is currently improved with 40 portable classroom buildings, a 5,649 square-foot building which contains six classrooms and a library, a 5,627 square-foot building which contains five classrooms and administrative offices, two parking lots (41 existing parking spaces in the east lot and 19 in the south lot), and a playground. The site is currently improved with perimeter landscaping and landscaping throughout the school facility and six-foot-tall chain link fencing on the north and west sides of the campus, as well as a five-foot-tall chain link fence along the south side of the campus separating the Great Valley Academy from the Modesto Christian School campus. A portion of the east side of the campus which includes the entrance to the school also includes six-foot-tall black wrought iron fencing. The project proposes the addition of a grass athletic field, a paved parking lot with 332 parking spaces, and construction of four new classrooms. The expansion will allow up to 100 additional students. The grass athletic field will be used for typical elementary and junior high events during school hours and for after school sports practices and games. No bleachers, amplified speaker system, or lighting associated with the athletic field are proposed. After school games are expected to occur up to twice a week, to end before sunset, and to have a maximum of 100 people in attendance. Parking lot lighting is proposed to be located throughout the parking lot at a maximum height of 25 feet. No new signage, landscaping, or fencing is proposed. Classroom buildings are proposed to be approximately 24 x 40 feet in size.

The site itself is not considered to be a scenic resource or unique scenic vista. The only scenic designation in the County is along Interstate five which is near the project site. The site is already developed with a school. Aesthetics associated with the project site are not anticipated to change as a result of this project. The project will not degrade the existing visual character or quality of the site or its surroundings. Standard conditions of approval will be added to this project to address glare from any on-site lighting. No adverse impacts to the existing visual character of the site or its surroundings are anticipated.

**Mitigation:** None.

**References:** Application information; Stanislaus County Zoning Ordinance; the Stanislaus County General Plan; and Support Documentation<sup>1</sup>.



<b>II. AGRICULTURE AND FOREST RESOURCES:</b> 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 zoned Salida Community Plan – Low Density Residential (SCP-R1). The proposed improvements will be located within the footprint of an existing men’s community care facility located within a 5.6± acre portion of a 34.94± acre project site in the General Agriculture (A-2-40) zoning district. The project is located adjacent to the Modesto Irrigation District Main Canal which is to the north of the project site. The project site and surrounding properties are zoned Salida Community Plan.

The California Revised Storie Index is a rating system based on soil properties that dictate the potential for soils to be used for irrigated agricultural production in California. This rating system grades soils with an index rating of 86 and 93 as excellent, and an index rating of 47 as fair. The project site is classified as “Prime Farmland” and “Rural Residential Land” by the California Department of Conservation’s Farmland Mapping and Monitoring Program. The parcel is not currently enrolled in a Williamson Act Contract. The California Revised Storie Index is a rating system based on soil properties that dictate the potential for soils to be used for irrigated agricultural production in California. This rating system grades soils with an index rating of 80 and above as excellent. The United States Department of Agriculture Natural Resources Conservation Service (USDA NRCS) Web Soil Survey indicates that 60 percent of the property is primarily comprised of Hanford sandy loam (HdA and HdsA), with a Storie Index rating of 95 and Grade one; and 40 percent of Tujunga loamy sand (TuA), with a Storie Index Rating of 76 and Grade two; 60 percent of the site is considered to be Prime Farmland. The majority of the project site is classified as “Urban and Built Up Land” and approximately 7.8-acres located in the northeastern

edge of the site is designated as “Semi-Agricultural and Rural Commercial Land” by the California Department of Conservation’s Farmland Mapping and Monitoring Program.

Goal Two, Policy 2.5, Implementation Measure 1, of the General Plan’s Agricultural Element, states when defining the County’s most productive agricultural areas, it is important to recognize that soil types alone should not be the determining factor. Although soil types should be considered, the designation of "most productive agricultural areas" should also be based on existing uses and their contributions to the agricultural sector of our economy. The 23.33± acre project site is currently developed with a legal but non-conforming private school. Based on this information the project site will not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to non-agricultural use and will not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use, as the existing project site is already developed with non-agricultural uses and will not be displacing any current agricultural production.

The County’s Agricultural Element’s Agricultural Buffer Guidelines states that new or expanding uses approved by discretionary permit in the A-2 zoning district or on a parcel adjoining the A-2 zoning district should incorporate a minimum 150-foot-wide agricultural buffer setback, or 300-foot-wide buffer setback for people-intensive uses, to physically avoid conflicts between agricultural and non-agricultural uses. Public roadways, utilities, drainage facilities, rivers and adjacent riparian areas, landscaping, parking lots, and similar low people-intensive uses are permitted uses within the buffer setback area. The project site is adjacent to orchards on the east, west, and north. The four new classrooms are proposed to be located 400+ feet from the nearest farmed property to the east. The proposed athletic field is located 150 feet from the orchard to the west and 100 feet from the orchard to the north. A referral response received from the Modesto Irrigation District (MID) states that a six-foot-tall masonry wall be constructed along the project site’s northern property line where the MID Main Canal is located. An additional buffer in the form of solid fencing at least six-feet in height and trees at least 15 feet in height at maturity will be required to be installed to buffer the athletic field from the adjacent agricultural operations to the west.

A referral response received from MID states that there is a private irrigation line that runs from the MID Main Canal through the northwestern corner of the project site, which serves parcels to the southwest with irrigation water. In addition to the six-foot-tall masonry wall, MID is requiring that existing on-site irrigation infrastructure be protected and if required to be upgraded, replaced, and/or relocated that such work shall be done to MID standards at the cost of the developer. Additionally, irrigation easements are required to be dedicated by separate instrument to the downstream landowner(s) that are served by the existing private on-site infrastructure.

The project will have no impact to forest land or timberland. The project is an agricultural use and does not appear to conflict with any agricultural activities in the area and/or lands enrolled in the Williamson Act. Based on the specific features and design of this project, it does not appear this project will impact the long-term productive agricultural capability of surrounding contracted lands in the A-2 zoning district. There is no indication this project will result in the removal of adjacent contracted land from agricultural use.

**Mitigation:** None.

**References:** Application information; Referral response received from the Modesto Irrigation District, dated November 28, 2023; United States Department of Agriculture NRCS Web Soil Survey; California State Department of Conservation Farmland Mapping and Monitoring Program - Stanislaus County Farmland 2022; Stanislaus County Zoning Ordinance (Title 21); Stanislaus County Williamson Act Uniform Rules; Stanislaus County General Plan and Support Documentation<sup>1</sup>.

<b>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:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Included</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?			X	

c) Expose sensitive receptors to substantial pollutant concentrations?			X	
d) Result in other emissions (such as those odors adversely affecting a substantial number of people)?			X	

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

The project is a request to amend the use of an existing legal non-conforming charter school with the addition of a grass athletic field, paved parking lot with 332 parking spaces, and to construct four new classrooms to allow up to 100 additional students (for a new max of 950 students).

Construction activities associated with the new development can temporarily increase localized PM10, PM2.5, volatile organic compound (VOC), nitrogen oxides (NOX), sulfur oxides (SOX), and carbon monoxide (CO) concentrations within a project’s vicinity. The primary source of construction-related CO, SOX, VOC, and NOX emission is gasoline and diesel-powered, heavy-duty mobile construction equipment. Primary sources of PM10 and PM2.5 emissions are generally clearing and demolition activities, grading operations, construction vehicle traffic on unpaved ground, and wind blowing over exposed surfaces. Any construction will be required to occur in compliance with all SJVAPCD regulations.

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 San Joaquin Valley Air Pollution Control District Small Project Analysis Level (SPAL) guidance identifies thresholds of significance for criteria pollutant emissions, which are based on the District’s New Source Review (NSR) offset requirements for stationary sources. The District has pre-qualified emissions and determined a size below, which is reasonable to conclude that a project would not exceed applicable thresholds of significance for criteria pollutants. Any project falling below the thresholds identified by the District are deemed to have a less than significant impact on air quality due to criteria pollutant emissions. The District’s threshold of significance for industrial uses is identified as less than the following number of trips per-day based on vehicle type: 70 one-way heavy duty truck trips and 550 one-way trips for all fleet types not considered to be heavy duty trucks.

A referral response received from the San Joaquin Valley Air Pollution Control District stated that the emissions from construction and operation are not expected to exceed any of the significance thresholds as identified in the District’s Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI). The District originally requested that a Health Risk Assessment be prepared; however, after receiving additional information about the project the District clarified that because the construction is only expected to occur for a few months, the Health Risk Assessment comment is no longer recommended. The District also clarified that since the project square footage is less than 9,000 square feet of space, the project is not subject to Rule 9510 and an ISR application is not required.

As required by CEQA Guidelines Section 15064.3, potential impacts regarding Air Quality should be evaluated using Vehicle Miles Traveled (VMT). Stanislaus County has currently not adopted any significance thresholds for VMT, and projects are treated on a case-by-case basis for evaluation under CEQA. However, the State of California - Office of Planning and Research (OPR) has issued guidelines regarding VMT significance under CEQA. The CEQA Guidelines identify vehicle miles traveled (VMT), which is the amount and distance of automobile travel attributable to a project, as the most appropriate measure of transportation impacts. According to the same technical advisory from OPR, projects that generate or attract fewer than 110 trips per-day generally may be assumed to cause a less-than significant transportation impact. The project proposes an increase of up to 100 students, which is below the VMT threshold.

The proposed project is considered to be consistent with all applicable air quality plans. 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 to air quality.

**Mitigation:** None.

**References:** Application information; San Joaquin Valley Air Pollution Control District - Regulation VIII Fugitive Dust/PM-10 Synopsis; www.valleyair.org; Governor’s Office of Planning and Research Technical Advisory, December 2018; Referral response received from the San Joaquin Valley Air Pollution Control District, dated November 28, 2023; Email from the San Joaquin Valley Air Pollution Control District, dated December 20, 2023; San Joaquin Valley Air Pollution Control District’s Small Project Analysis Level (SPAL) Guidance, November 13, 2020; 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:** It does not appear this project will result in impacts to endangered species or habitats, locally designated species, or wildlife dispersal or mitigation corridors. There is no known sensitive or protected species or natural community located on the site. The project is located within the Salida Quad of the California Natural Diversity Database.

Based on results from the California Natural Diversity Database (CNDDDB) Quad Species List, there are six animal species which are state or federally listed or threatened that have been recorded to either occur or have occurred within the Salida Quad. These species include: the California tiger salamander; Swainson’s hawk; tricolored blackbird; steelhead; Crotch bumble bee; and the valley elderberry longhorn beetle. Five additional species are listed as species of special concerns within the Salida Quad including: the Sacramento hitch (fish); hardhead (fish); Sacramento splittail (fish); chinook salmon (fish); and the coast horned lizard.

The project is a request to amend the use of an existing legal non-conforming charter school with the addition of a grass athletic field, paved parking lot with 332 parking spaces, and to construct four new classrooms to allow up to 100 additional students (for a new max of 950 students). The site neither contains nor is adjacent to aquatic resources such as vernal pools, rivers, tributaries, creeks, lakes, or wetlands which makes the presence of any of the identified special status fish species unlikely to occur on-site. The site does not contain any elderberry bushes making the presence of the valley elderberry longhorn beetle unlikely to occur. Additionally, the project site is south of the Stanislaus River by over a half of a mile.

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:** It does not appear this project will result in significant impacts to any archaeological or cultural resources. The project is a request to amend the use of an existing legal non-conforming charter school with the addition of a grass athletic field, paved parking lot with 332 parking spaces, and to construct four new classrooms to allow up to 100 additional students (for a new max of 950 students). A condition of approval will be placed on the project, requiring that construction activities shall be halted if any resources are found, until appropriate agencies are contacted, and an archaeological survey is completed.

**Mitigation:** None.

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

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

**Discussion:** The CEQA Guidelines Appendix F states that energy consuming equipment and processes, which will be used during construction or operation such as: energy requirements of the project by fuel type and end use, energy conservation equipment and design features, energy supplies that would serve the project, 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 is a request to amend the use of an existing legal non-conforming charter school with the addition of a grass athletic field, paved parking lot with 332 parking spaces, and to construct four new classrooms to allow up to 100 additional students (for a new max of 950 students). A condition of approval will be placed on the project requiring all construction activities be in compliance with all SJVAPCD regulations and with Title 24, Green Building Code, which includes energy efficiency requirements.

A referral response received from the San Joaquin Valley Air Pollution Control District stated that the emissions from construction and operation are not expected to exceed any of the significance thresholds as identified in the District’s Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI). The District originally requested that a Health Risk Assessment be prepared; however, after receiving additional information about the project the District clarified that because the construction is only expected to occur for a few months, the Health Risk Assessment comment is no longer recommended. The District also clarified that since the project square footage is less than 9,000 square feet of space, the project is not subject to Rule 9510 and an ISR application is not required.

A referral response received from MID stated they are requiring existing overhead and underground electric facilities be protected and if required to be upgraded, replaced, and/or relocated that such work shall be done to MID standards at the cost of the developer. Additionally, electrical easements are required to remain. Conditions of approval will be added to the project addressing MID’s comments.

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

**Mitigation:** None.

**References:** Application information; CEQA Guidelines; Title 16 of County Code; CA Building Code; Stanislaus County Zoning Ordinance (Title 21); Stanislaus County 2016 General Plan EIR; Governor’s Office of Planning and Research Technical Advisory, December 2018; Referral response received from the San Joaquin Valley Air Pollution Control District, dated November 28, 2023; Email from the San Joaquin Valley Air Pollution Control District, dated December 20, 2023; Referral response received from the Modesto Irrigation District, dated November 28, 2023; Stanislaus County General Plan and Support Documentation<sup>1</sup>.

VII. GEOLOGY AND SOILS -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:			X	
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?			X	

b) Result in substantial soil erosion or the loss of topsoil?			X	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?			X	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?			X	
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	

**Discussion:** The USDA Natural Resources Conservation Service’s Eastern Stanislaus County Soil Survey indicates that the property is made up of Hanford sandy loam (HdA and HdsA) and Tujunga loamy sand (TuA). As contained in Chapter five of the General Plan and Support Documentation<sup>1</sup>, 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 along with the building permit application. Results from the soils test will determine if unstable or expansive soils are present. If such soils are present, special engineering of the structure will be required to compensate for the soil deficiency.

The project proposes to utilize an existing private septic system and the City of Modesto for water services. The application indicated that the project was served by the Salida Sanitary District for sanitary services; however, a referral response received from the Salida Sanitary District indicated that the project is not served by the District and is served by a private septic system. The project applicant is responsible to notify DER staff in the event the existing on-site wastewater treatment system (OWTS) will be modified, upgraded, or replaced, that any increase in the facility’s drainage fixtures or number of users will trigger new OWTS review and upgrading, that any new building requiring an OWTS shall be designed according to type and occupancy of the proposed structure to the estimated waste/sewage design flow rate, and that all applicable Local Agency Management Program (LAMP) standards and setbacks shall be met. **The project proposes to place a new storm drainage basin on the northwestern corner of the project site to maintain stormwater on-site.** These requirements will be added to the project as conditions of approval. The Department of Public Works will review and approve any required grading and drainage plans prior to construction. Conditions of approval will be added to the project to reflect this requirement. DER, Public Works, and the Building Permits Division review and approve any building or grading permit to ensure their standards are met. Conditions of approval regarding these standards will be applied to the project and will be triggered when a building permit is requested.

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

**Mitigation:** None.

**References:** Referral response received from the Salida Sanitary District, dated November 16, 2023; Referral response from the Department of Environmental Resources, Environmental Health Division, dated November 22, 2023; Referral response from the Stanislaus County Department of Public Works dated January 29, 2024; Stanislaus County General Plan and Support Documentation<sup>1</sup>.

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

**Discussion:** The principal Greenhouse Gasses (GHGs) are carbon dioxide (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 potentials 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 percent of 1990 levels by 2030.

The project is a request to amend the use of an existing legal non-conforming charter school with the addition of a grass athletic field, paved parking lot with 332 parking spaces, and to construct four new classrooms to allow up to 100 additional students (for a new max of 950 students).

As required by CEQA Guidelines section 15064.3, potential impacts regarding Green House Gas Emissions should be evaluated using Vehicle Miles Traveled (VMT). The calculation of VMT is the number of cars/trucks multiplied by the distance traveled by each car/truck. 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 an increase of up to 100 students, which is below the VMT threshold.

A referral response received from the San Joaquin Valley Air Pollution Control District stated that the emissions from construction and operation are not expected to exceed any of the significance thresholds as identified in the District's Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI). The District originally requested that a Health Risk Assessment be prepared; however, after receiving additional information about the project the District clarified that because the construction is only expected to occur for a few months, the Health Risk Assessment comment is no longer recommended. The District also clarified that since the project square footage is less than 9,000 square feet of space, the project is not subject to Rule 9510 and an ISR application is not required.

A condition of approval requiring the applicant to comply with all appropriate District rules and regulations and California Green Building Code will be incorporated into the project. Consequently, GHG emissions associated with this project are considered to be less than significant.

**Mitigation:** None.

**References:** Application information; Referral response received from the San Joaquin Valley Air Pollution Control District, dated November 28, 2023; Email from the San Joaquin Valley Air Pollution Control District, dated December 20, 2023; Governor's Office of Planning and Research Technical Advisory, December 2018; 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 Stanislaus County Department of Environmental Resources (DER) is responsible for overseeing hazardous materials. A referral response from the Hazardous Materials Division of DER is requiring the applicant to contact the Department regarding appropriate permitting requirements for hazardous materials and/or wastes. The applicant is required to use, store, and dispose of any hazardous materials in accordance with all applicable federal, state, and local regulations including any Hazardous Materials Business Plan with the Fire Warden, if applicable. The Hazardous Materials Division and the California Department of Toxic Substances Control (DTSC) both requested that the developer 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. DTSC also requested that lead based paint testing occur if any structures are to be demolished and that soil sampling be conducted prior to grading activity. 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. The proposed use is not recognized as a generator and/or consumer of hazardous materials, therefore, no significant impacts associated with hazards or hazardous materials are anticipated to occur as a result of the proposed project.

Pesticide exposure is a risk in areas located in the vicinity of agriculture. Sources of exposure include contaminated groundwater, which is consumed, and drift from spray applications. Application of sprays is strictly controlled by the Agricultural Commissioner and can only be accomplished after first obtaining permits. A discussion on the project and agricultural buffers is included in Section II – Agriculture and Forest Resources. The project was referred to the Stanislaus County Agricultural Commissioner, and no comments have been received to date.

The project site is not listed on the EnviroStor database managed by the CA Department of Toxic Substances Control or within the vicinity of any airport. The groundwater is not known to be contaminated in this area. The site is located in a Local Responsibility Area (LRA) for fire protection and is served by Salida Fire Protection District. The project was referred to the District, and no comments have been received to date.

The project site is not within the vicinity of any airstrip or wildlands.

**Mitigation:** None.

**References:** Application information; Referral response received from the Department of Environmental Resources, Hazardous Materials Division dated November 22, 2023; Referral response from the Ca. Department of Toxic Substances Control, dated November 17, 2023; Ca. Department of Toxic Substances Control's data management system (EnviroStar), accessed on September 19, 2023; Stanislaus County Airport Land Use Compatibility Plan; Stanislaus County General Plan and Support Documentation<sup>1</sup>.

X. HYDROLOGY AND WATER QUALITY -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?			X	
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			X	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:			X	
i) result in substantial erosion or siltation on- or off-site;			X	
ii) substantially increase the rate of amount of surface runoff in a manner which would result in flooding on- or off-site.			X	
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or			X	
iv) impede or redirect flood flows?			X	
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?			X	
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			X	

**Discussion:** Areas subject to flooding have been identified in accordance with the Federal Emergency Management Act (FEMA). The project site is located in FEMA Flood Zone X, which includes areas determined to be outside the 0.2 percent annual chance floodplains. An Early Consultation referral response received from the Department of Public Works indicated that a grading, drainage, and erosion and sediment control plan for the project will be required, if the existing building footprint for each operation is enlarged, subject to Public Works review and Standards and Specifications. Public Works also required that a positive storm drainage (storage, percolation, and treatment) system be installed. **The project proposes to place a new storm drainage basin on the northwestern corner of the project site to maintain stormwater on-site.**

The project proposes to utilize an existing private septic system and the City of Modesto for water services. The application indicated that the project was served by the Salida Sanitary District for sanitary services; however, a referral response received from the Salida Sanitary District indicated that the project is not served by the District and is served by a private septic system. The project applicant is responsible to notify DER staff in the event the existing on-site wastewater treatment system (OWTS) will be modified, upgraded, or replaced, that any increase in the facility's drainage fixtures or number of

users will trigger new OWTS review and upgrading, that any new building requiring an OWTS shall be designed according to type and occupancy of the proposed structure to the estimated waste/sewage design flow rate, and that all applicable Local Agency Management Program (LAMP) standards and setbacks shall be met. These requirements will be added to the project as conditions of approval.

The Sustainable Groundwater Management Act (SGMA) was passed in 2014 with the goal of ensuring the long-term sustainable management of California’s groundwater resources. SGMA requires agencies throughout California to meet certain requirements including forming Groundwater Sustainability Agencies (GSA), developing Groundwater Sustainability Plans (GSP), and achieving balanced groundwater levels within 20 years. The site is located in the Stanislaus and Tuolumne Rivers Groundwater Basin Association (STRGBA) GSA, which manages the Modesto Subbasin. The GSAs adopted the GSP on January 31, 2022, and submitted the GSP to the California Department of Water Resources (DWR). Currently, the GSAs are preparing for GSP implementation. A referral response was received from the Stanislaus County Department of Environmental Resources Groundwater Resources Division and from the STRGBA GSA which both indicated they had no comments on the proposed project.

The Central Valley Regional Water Quality Control Board (CVRWQCB) provided an Early Consultation referral response requesting that the applicant coordinate with their agency to determine if any permits or Water Board requirements be obtained/met prior to operation. Conditions of approval will be added to the project requiring the applicant comply with this request prior to recording of the certificate of a lot line adjustment.

A referral response received from MID states that there is a private irrigation line that runs from the MID Main Canal through the northwestern corner of the project site, which serves parcels to the southwest with irrigation water. In addition to the six-foot-tall masonry wall, MID is requiring that existing on-site irrigation infrastructure be protected and if required to be upgraded, replaced, and/or relocated that such work shall be done to MID standards at the cost of the developer. Additionally, irrigation easements are required to be dedicated by separate instrument to the downstream landowner(s) that are served by the existing private on-site infrastructure.

A referral response was received from the City of Modesto, who provides public water, indicating they had no comments on the project.

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

**Mitigation:** None.

**References:** Referral response received from the City of Modesto, dated December 21, 2023; Referral response received from the Salida Sanitary District, dated November 16, 2023; Referral response received from the Modesto Irrigation District, dated November 28, 2023; Referral response from Department of Environmental Resources, Groundwater Resources Division, dated November 28, 2023; Referral response received from the Stanislaus and Tuolumne Rivers Groundwater Basin Association (STRGBA) GSA, dated November 28, 2023; Referral Response from Central Valley Regional Water Quality Control Board, dated November 27, 2023; Referral response received from the Department of Environmental Resources, Environmental Health Division dated November 22, 2023; Stanislaus County General Plan and Support Documentation<sup>1</sup>.

XI. LAND USE AND PLANNING -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Physically divide an established community?			X	
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?			X	

**Discussion:** The project is a request to amend the use of an existing legal non-conforming (LNC) charter school with the addition of a grass athletic field, paved parking lot with 332 parking spaces, and to construct four new classrooms to allow up to 100 additional students (for a new max of 950 students).

The Salida Community Plan Chapter within Title 21 of the County was adopted in 2007 along with the Salida Community Plan, as a result of “The Salida Area Planning, Road Improvement, Economic Development, and Farmland Protection Initiative” (Initiative). The Initiative, included amendments to the then-current land use diagram and other elements of the General Plan, originally adopted in 1995, and several requirements for development of the plan area.

The facility is considered an LNC use due to being established prior to the current zoning. Consequently, an alteration of the LNC use and enlargement of the operational activities requires a Use Permit, pursuant to County Code Section 21.80.070(A). Specifically, in order to approve a Use Permit to expand an LNC use, the Planning Commission must find that the changes:

1. Will not, under the circumstances of the particular case, be detrimental to the health, safety and general welfare of persons residing or working in the neighborhood of the use; and
2. Will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of persons residing or working in the neighborhood or to the general welfare of the County; and
3. Is logically and reasonably related to the existing use and that the size or intensity of the enlargement, expansion, restoration, or changes is not such that it would be more appropriately moved to a zoning district in which it is permitted.

The County’s Agricultural Element’s Agricultural Buffer Guidelines states that new or expanding uses approved by discretionary permit in the A-2 zoning district or on a parcel adjoining the A-2 zoning district should incorporate a minimum 150-foot-wide agricultural buffer setback, or 300-foot-wide buffer setback for people-intensive uses, to physically avoid conflicts between agricultural and non-agricultural uses. Public roadways, utilities, drainage facilities, rivers and adjacent riparian areas, landscaping, parking lots, and similar low people-intensive uses are permitted uses within the buffer setback area. The project site is adjacent to orchards on the east, west, and north. The four new classrooms are proposed to be located 400+ feet from the nearest farmed property to the east. The proposed athletic field is located 150 feet from the orchard to the west and 100 feet from the orchard to the north. A referral response received from the Modesto Irrigation District (MID) states that a six-foot-tall masonry wall be constructed along the project site’s northern property line where the MID Main Canal is located. Additional buffer in the form of solid fencing at least six feet in height and trees who are at least 15 feet in height at maturity will be required to be installed to buffer the athletic field from the adjacent agricultural operations to the west.

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

**Mitigation:** None.

**References:** Application Materials; Referral response received from the Modesto Irrigation District, dated November 28, 2023; 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; and Stanislaus County General Plan and Support Documentation<sup>1</sup>.

XIII. NOISE -- Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b) Generation of excessive groundborne vibration or groundborne noise levels?			X	
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			X	

**Discussion:** The proposed project shall comply with the noise standards included in the General Plan and Noise Control Ordinance. The area surrounding the project site consists of scattered single-family dwellings and orchards in all directions. 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 site itself is impacted by traffic generated on Sisk Road and the existing school to the south. The Stanislaus County General Plan identifies noise levels up to 75 dB Ldn (or CNEL) as the normally acceptable level of noise for industrial and agricultural uses. The project is a request to amend the use of an existing legal non-conforming charter school with the addition of a grass athletic field, paved parking lot with 332 parking spaces, and to construct four new classrooms to allow up to 100 additional students (for a new max of 950 students). On-site grading and construction resulting from this project may result in a temporary increase in the area’s ambient noise levels; however, noise impacts associated with on-site activities and traffic are not anticipated to exceed the normally acceptable level of noise. The site is not located within an airport land use plan.

**Mitigation:** None.

**References:** Stanislaus County Noise Control Ordinance (Title 10); Stanislaus County General Plan, Chapter IV – Noise Element, Stanislaus County General Plan and Support Documentation<sup>1</sup>.

XIV. POPULATION AND HOUSING -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X	
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?			X	

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

**Mitigation:** None.

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

XV. PUBLIC SERVICES --	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Would the project result in the substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:			X	
Fire protection?			X	
Police protection?			X	
Schools?			X	
Parks?			X	
Other public facilities?			X	

**Discussion:** The County has adopted Public Facilities Fees, as well as Fire Facility Fees on behalf of the appropriate fire district, to address impacts to public services. County adopted Public Facilities Fees, as well as fire and school fees are required to be paid based on the development type prior to issuance of a building permit.

This project site is a private school and is located within the Salida Union School District, Salida Fire Protection District, Modesto Irrigation District, and is served by the Sherriff for police protection and Stanislaus County Parks and Recreation for parks.

The project proposes to utilize an existing private septic system and the City of Modesto for water services. The application indicated that the project was served by the Salida Sanitary District for sanitary services; however, a referral response received from the Salida Sanitary District indicated that the project is not served by the District and is served by a private septic system. The project applicant is responsible to notify DER staff in the event the existing on-site wastewater treatment system (OWTS) will be modified, upgraded, or replaced, that any increase in the facility’s drainage fixtures or number of users will trigger new OWTS review and upgrading, that any new building requiring an OWTS shall be designed according to type and occupancy of the proposed structure to the estimated waste/sewage design flow rate, and that all applicable Local Agency Management Program (LAMP) standards and setbacks shall be met. These requirements will be added to the project as conditions of approval. The Department of Public Works will review and approve any required grading and drainage plans prior to construction. Conditions of approval will be added to the project to reflect this requirement.

A referral response received from MID states that in addition to the six-foot-tall masonry wall, MID is requiring that existing on-site irrigation infrastructure and existing overhead, and underground electric facilities be protected and if required to be upgraded, replaced, and/or relocated that such work shall be done to MID standards at the cost of the developer. Additionally, irrigation and electrical easements are required. Conditions of approval will be added to the project addressing MID’s comments.

Referral responses were received from the City of Modesto, who provides public water, and from AT&T (Spectrum) both indicating they had no comments on the project.

The project is not anticipated to have any significant adverse impact on County services.

**Mitigation:** None.

**References:** Application information; Referral response received from the Modesto Irrigation District, dated November 28, 2023; Referral response received from AT&T (Spectrum Business), dated November 20, 2023; Referral response received from the City of Modesto, dated December 21, 2023; Referral response received from the Salida Sanitary District, dated November 16, 2023; Referral response received from the Department of Environmental Resources, Environmental Health Division dated November 22, 2023; Stanislaus County General Plan and Support Documentation<sup>1</sup>.

XVI. RECREATION --	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X	
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			X	

**Discussion:** This project will not increase demands for recreational facilities, as such impacts typically are associated with residential development. Public Facility Fees will be required to be paid with any building permit issuance, which includes fees for County Parks and Recreation facilities. The project proposes to develop a grass athletic field at an existing private charter school.

**Mitigation:** None.

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

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

**Discussion:** The project is a request to amend the use of an existing legal non-conforming charter school with the addition of a grass athletic field, paved parking lot with 332 parking spaces, and to construct four new classrooms to allow up to 100 additional students (for a new max of 950 students).

As required by CEQA Guidelines Section 15064.3, potential impacts to transportation should be evaluated using Vehicle Miles Traveled (VMT). As required by CEQA Guidelines Section 15064.3, potential impacts regarding Air Quality should be evaluated using Vehicle Miles Traveled (VMT). Stanislaus County has currently not adopted any significance thresholds for VMT, and projects are treated on a case-by-case basis for evaluation under CEQA. However, the State of California - Office of Planning and Research (OPR) has issued guidelines regarding VMT significance under CEQA. The CEQA Guidelines identify vehicle miles traveled (VMT), which is the amount and distance of automobile travel attributable to a project, as the most appropriate measure of transportation impacts. According to the same technical advisory from OPR, projects that generate or attract fewer than 110 trips per-day generally may be assumed to cause a less-than significant transportation impact. The project proposes an increase of up to 100 students; **the Great Valley Academy (GVA) has a sibling incentive program which has resulted in approximately 50% of all families having multiple children enrolled. With this in place, the increase in enrollment of 100 students is anticipated to result in 100 additional vehicle trips per day, rather than 200,** which is below the VMT threshold.

The project site currently has access from Sisk Road, a County-maintained road identified as 88 foot collector in the Salida Community Plan. The project was referred to Public Works, and a referral response was received requesting that

streetlights, curb, gutter, and sidewalk, positive storm drainage (storage, percolation, and treatment), pavement, pavement markings, road signs, and accessible ramps from a point approximately 630 feet north of Sun West Drive to the north end of the project site, an approximate total length of 1,460 feet be installed. A deposit for plan review and a financial guarantee for the proposed improvements are required to be provided to the Department of Public Works prior to issuance of a building permit. Additionally Public Works is requiring roadway dedication to equal 44 feet from the centerline of the road and that the storage depth outside of any gate shall be adequate for trucks coming off the road, which means that entry vehicles will not block any travel lane or shoulder. If the storage depth is inadequate, it may require that the fence be moved further into the property, or a deceleration lane be installed. In addition to the aforementioned comments, Public Works provided standard conditions of approval requiring that no parking, loading or unloading of vehicles will be permitted within the County road right-of-way; that an encroachment permit be obtained for any work done in the Stanislaus County Road right-of-way; that the developer will be required to install or pay for the installation of any signs and/or markings, if warranted; and that all driveways be installed as per Stanislaus County Public Work Standards and Specifications. All of Public Works' comments will be added to the project as conditions of approval. **The parking lot is required to be paved and striped and to have dedicated drop-off and pick-up areas. Additionally, a condition of approval will be applied to the project which requires that GVA meet with the community and Public Works to come up with a traffic plan for student pick-up and drop-off, which will include a restriction on how students are allowed to walk to school.**

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

**Mitigation:** None.

**References:** Referral response from the Stanislaus County Department of Public Works dated January 29, 2024; Stanislaus County General Plan and Support Documentation<sup>1</sup>.

XVIII. TRIBAL CULTURAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California native American tribe, and that is:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or			X	
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set for the in subdivision (c) of Public Resource Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.			X	

**Discussion:** In accordance with SB 18 and AB 52, this project was not referred to the tribes listed with the Native American Heritage Commission (NAHC) as the project is not a General Plan Amendment and no tribes have requested consultation or project referral noticing. Tribal notification of the project was not referred to any tribes in conjunction with AB 52 requirements, as Stanislaus County has not received any requests for consultation from the tribes listed with the NAHC. A standard condition of approval will be added to the project which requires if any cultural or tribal resources are discovered during project-related activities, all work is to stop, and the lead agency and a qualified professional are to be consulted to determine the importance and appropriate treatment of the find.



Tribal Impacts are considered to be less than significant.

**Mitigation:** None.

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

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

**Discussion:** Limitations on providing services have not been identified. The project proposes to utilize an existing private septic system and the City of Modesto for water services. The application indicated that the project was served by the Salida Sanitary District for sanitary services; however, a referral response received from the Salida Sanitary District indicated that the project is not served by the District and is served by a private septic system. The project applicant is responsible to notify DER staff in the event the existing on-site wastewater treatment system (OWTS) will be modified, upgraded, or replaced, that any increase in the facility's drainage fixtures or number of users will trigger new OWTS review and upgrading, that any new building requiring an OWTS shall be designed according to type and occupancy of the proposed structure to the estimated waste/sewage design flow rate, and that all applicable Local Agency Management Program (LAMP) standards and setbacks shall be met. These requirements will be added to the project as conditions of approval. The Department of Public Works will review and approve any required grading and drainage plans prior to construction. Conditions of approval will be added to the project to reflect this requirement.

A referral response from the Department of Public Works was received requesting that streetlights, curb, gutter, and sidewalk, positive storm drainage (storage, percolation, and treatment), pavement, pavement markings, road signs, and accessible ramps be installed. This request will be included as a condition of approval for the project.

The Central Valley Regional Water Quality Control Board (CVRWQCB) provided an Early Consultation referral response requesting that the applicant coordinate with their agency to determine if any permits or Water Board requirements be obtained/met prior to operation. Conditions of approval will be added to the project requiring the applicant comply with this request prior to issuance of a building permit.

A referral response received from MID states that in addition to the six-foot-tall masonry wall, MID is requiring that existing on-site irrigation infrastructure and existing overhead, and underground electric facilities be protected and if required to be upgraded, replaced, and/or relocated that such work shall be done to MID standards at the cost of the developer.

Additionally, irrigation and electrical easements are required. Conditions of approval will be added to the project addressing MID’s comments.

Referral responses were received from the City of Modesto, who provides public water, and from AT&T (Spectrum) both indicating they had no comments on the project.

No significant impacts related to Utilities and Services Systems have been identified.

**Mitigation:** None.

**References:** Application information; Referral response received from the Department of Environmental Resources, Environmental Health Division dated November 22, 2023 Referral response from the Stanislaus County Department of Public Works dated January 29, 2024; Referral response received from the Salida Sanitary District, dated November 16, 2023; Referral response received from AT&T (Spectrum Business), dated November 20, 2023; Referral response received from the City of Modesto, dated December 21, 2023; Referral response received from Central Valley Regional Water Quality Control Board, dated November 16, 2023; Referral response received from the Modesto Irrigation District, dated November 28, 2023; Stanislaus County General Plan and Support Documentation<sup>1</sup>.

<b>XX. WILDFIRE – If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, 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) Substantially impair an adopted emergency response plan or emergency evacuation plan?</b>			X	
<b>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?</b>			X	
<b>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?</b>			X	
<b>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?</b>			X	

**Discussion:** The Stanislaus County Local Hazard Mitigation Plan identifies risks posed by disasters and identifies ways to minimize damage from those disasters. With the Wildfire Hazard Mitigation Activities of this plan in place, impacts to an adopted emergency response plan or emergency evacuation plan are anticipated to be less than significant. The terrain of the site is relatively flat, and the site has access to a County-maintained road. The site is located in a Local Responsibility Area (LRA) for fire protection, the parcel is designated as nonurban and is served by Salida Fire Protection District. The project was referred to the District, but no response was received. California Building Code establishes minimum standards for the protection of life and property by increasing the ability of a building to resist intrusion of flame and embers. The project is a request to amend the use of an existing legal non-conforming charter school with the addition of a grass athletic field, paved parking lot with 332 parking spaces, and to construct four new classrooms to allow up to 100 additional students (for a new max of 950 students). Building permits will be required for the improvements and will be required to meet fire code, which will be verified through the building permit review process. A grading and drainage plan may be required for the proposed new structures; all fire protection and emergency vehicle access standards met. These requirements will be applied as conditions of approval for the project.

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

**Mitigation:** None.

**References:** Application information; California Fire Code Title 24, Part 9; California Building Code Title 24, Part 2, Chapter 7; Stanislaus County Local Hazard Mitigation Plan; Referral response from the Stanislaus County Department of Public Works dated January 29, 2024; 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:** The project is a request to amend the use of an existing legal non-conforming charter school with the addition of a grass athletic field, paved parking lot with 332 parking spaces, and to construct four new classrooms to allow up to 100 additional students (for a new max of 950 students).

The MID Main Canal, orchards, and the Stanislaus River to the north; Orchards, Post Properties, and Gregori Highschool to the east; Orchards, residential development, and State Highway 99 to the west; and The Modesto Christian School, residential development, and State Highway 99 to the south. The entire surrounding area is part of the Salida Community Plan. The Salida Community Plan Chapter within Title 21 of the County was adopted in 2007 along with the Salida Community Plan, as a result of “The Salida Area Planning, Road Improvement, Economic Development, and Farmland Protection Initiative” (Initiative). The Initiative, included amendments to the then-current land use diagram and other elements of the General Plan, originally adopted in 1995, and several requirements for development of the plan area. Properties enrolled in a Williamson Act Contract may develop in accordance with the General Agriculture (A-2) zoning district. All other uses must obtain land use entitlements prior to development, which would require additional environmental review.

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. The project will not physically divide an established community. Standard conditions of approval regarding the discovery of cultural resources during any future construction resulting from this request will be added to the project. Review of this project has not indicated any features which might significantly impact the environmental quality of the site and/or the surrounding area.

**Mitigation:** None.

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

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



## NEGATIVE DECLARATION

**NAME OF PROJECT:** Use Permit Application No. PLN2023-0123 – Great Valley Academy

**LOCATION OF PROJECT:** 5901 and 6019 Sisk Road, between Pirrone Road and the MID Main Canal, in the community of Salida.

**PROJECT DEVELOPERS:** Tom Anderson, Great Valley Academy  
3200 Tully Road, Modesto, CA 95350

**DESCRIPTION OF PROJECT:** Request to expand an existing charter school with the addition of a grass athletic field, paved parking lot with 332 parking spaces, and to construct four new classrooms to allow up to 100 additional students (for a new max of 950 students) on a 23.33 acre parcel located in the Salida Community Plan Low-Density Residential zoning district (SCP-R-1).

Based upon the Initial Study, dated **March 13, 2024 (Amended April 24, 2024)**, 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: Kristy Doud, Deputy Director

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

**SUMMARY OF RESPONSES FOR ENVIRONMENTAL REVIEW REFERRALS**

**PROJECT: USE PERMIT APPLICATION NO. PLN2023-0123 - GREAT VALLEY ACADEMY**

REFERRED TO:	RESPONDED		RESPONSE			MITIGATION MEASURES		CONDITIONS				
	2 WK	30 DAY	PUBLIC HEARING NOTICE	YES	NO	WILL NOT HAVE SIGNIFICANT IMPACT	MAY HAVE SIGNIFICANT IMPACT	NO COMMENT NON CEQA	YES	NO	YES	NO
CA DEPT OF FISH & WILDLIFE	X	X	X		X							
CA OPR STATE CLEARING HOUSE	X	X	X		X							
CALTRANS	X	X	X		X							
CA RWQCB CENTRAL VALLEY REGION	X	X	X	X		X				X	X	
CA STATE LANDS COMMISSION	X	X	X		X							
CA DEPT OF TOXIC SUBSTANCE CONTROL	X	X	X	X		X				X	X	
SANITARY DIST: SALIDA SANITARY	X	X	X	X		X				X		X
COOPERATIVE EXTENSION	X	X	X		X							
DER GROUNDWATER RESOURCES DIVISION	X	X	X	X		X				X		X
FIRE PROTECTION DIST: SALIDA	X	X	X		X							
GSA: WEST TURLOCK SUBBASIN	X	X	X		X							
IRRIGATION DISTRICT: MODESTO	X	X	X	X		X				X	X	
MOSQUITO DISTRICT: EASTSIDE	X	X	X		X							
STANISLAUS COUNTY EMERGENCY MEDICAL SERVICES	X	X	X		X							
MUNICIPAL ADVISORY COUNCIL: SALIDA	X	X	X	X		X				X	X	
PACIFIC GAS & ELECTRIC	X	X	X		X							
RAILROAD: UNION PACIFIC	X	X	X		X							
SAN JOAQUIN VALLEY APCD	X	X	X	X		X				X	X	
SCHOOL DISTRICT 1: SALIDA UNION	X	X	X		X							
SCHOOL DISTRICT 2: MODESTO CITY	X	X	X		X							
CITY: MODESTO	X	X	X	X		X				X		X
STAN CO AG COMMISSIONER	X	X	X	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 PARKS AND REC	X	X			X							
STAN CO FARM BUREAU	X	X	X		X							
STAN CO HAZARDOUS MATERIALS	X	X	X	X		X				X	X	
STAN CO PUBLIC WORKS	X	X	X	X		X				X	X	
STAN CO SHERIFF	X	X	X		X							
STAN CO SUPERVISOR DIST 3: WITHROW	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		X				X		X
US FISH & WILDLIFE	X	X	X		X							
SURROUNDING LAND OWNERS		X	X	X			X				X	

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

Application Number: Use Permit Application No. PLN2023-0123  
 Application Title: Great Valley Academy  
 Application Address: 5901 and 6019 Sisk Road  
 Application APN: 136-032-037

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

Yes  No

If no, please sign and date below.

If yes, please provide the following information:

Applicant's Name: \_\_\_\_\_

Contributor or Contributor Firm's Name: \_\_\_\_\_

Contributor or Contributor Firm's Address: \_\_\_\_\_

Is the Contributor:

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

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

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

Name of Member: \_\_\_\_\_

Name of Contributor: \_\_\_\_\_

Date(s) of Contribution(s): \_\_\_\_\_

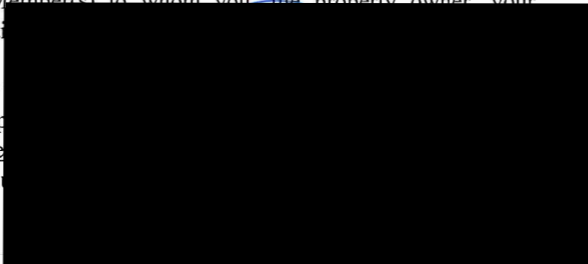
Amount(s): \_\_\_\_\_

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

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

04/25/24

Date



Signature of Applicant

Newman-Romano, LLC

Print Firm Name if applicable

David O. Romano, Managing Member

Print Name of Applicant

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

Application Number: Use Permit Application No. PLN2023-0123  
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Yes  No

If no, please sign and date below.

If yes, please provide the following information:

Applicant's Name: \_\_\_\_\_  
 Contributor or Contributor Firm's Name: \_\_\_\_\_  
 Contributor or Contributor Firm's Address: \_\_\_\_\_

Is the Contributor:

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

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

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

Name of Member: \_\_\_\_\_  
 Name of Contributor: \_\_\_\_\_  
 Date(s) of Contribution(s): \_\_\_\_\_  
 Amount(s): \_\_\_\_\_

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

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

04/25/24

Date

Great Valey Academy  
 Print Firm Name if applicable

\_\_\_\_\_  
 Signature of Applicant

Thomas Anderson, Superintendent  
 Print Name of Applicant

**UP PLN2023-0123**

# **GREAT VALLEY ACADEMY**

**Planning Commission**  
**May 2, 2024**





# Overview

- Use Permit to expand a Legal Non-Conforming Use
  - Expand an existing charter school
    - Grass athletic field
    - Paved parking lot with 332 parking spaces
    - Four new classrooms to allow up to 100 additional students (for a new max of 950 students)

# Background

- 1971 One classroom building with a total of six classrooms
- 1975 Use permit permitted a nine-room classroom & 5,000 sf storage building
- 1977 Use permit permitted athletic fields, 12 classrooms, auditorium, gymnasium
  - Student enrollment of 1,300 and up to 50 staff for grades 5-12
- 1977 -
- 2007 Staff level approvals allowed slight modifications to the school's site plan
  - Student enrollment capped at 1,300, serving 5-12<sup>th</sup> grade
  - Staff 50 max
- 2007 Use permit (UP 2007-25) permitted the re-organization of the school and expansion of a church, operating under Modesto Christian Church:
  - 75,570 square foot building for a multi-purpose room, gymnasium, classrooms, nursery, school, and church offices (not built)
  - 15,000 square feet to be utilized for a weight room, kitchen, storage rooms, and concessions stands (not built)
  - K-12 grades, expanded the staff numbers to 95
  - Permitted a church to operate on the site
  - Student enrollment remained capped at 1,300 students









# Background

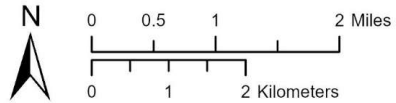
- 2007 Site was rezoned to Salida Community Plan Low Density Residential and since has been treated as a legal non-conforming use which was legally established prior to its current zoning designation.
- 2007 -  
2013 Three staff level approvals permitted 12 modular classrooms, a portable lunchroom building, and a 3,000 square foot storage building; no increase in student or staff numbers were approved.
- 2016 Staff Approval Permit permitted the school site to be divided between two school sites:
- Modesto Christian occupied the southern half and a new charter school (max 450 Pre-K – 12 students)
    - Permitted 9 new modular buildings for classrooms, administration offices, library, and lunch/assembly spaces
  - Great Valley Academy took over operations of the northern portion of the facility (max 850 K-8)
- 2022 Modesto Christian School staff level approval to add three modular classrooms.

# GREAT VALLEY ACADEMY USE PERMIT PLN2023-0123

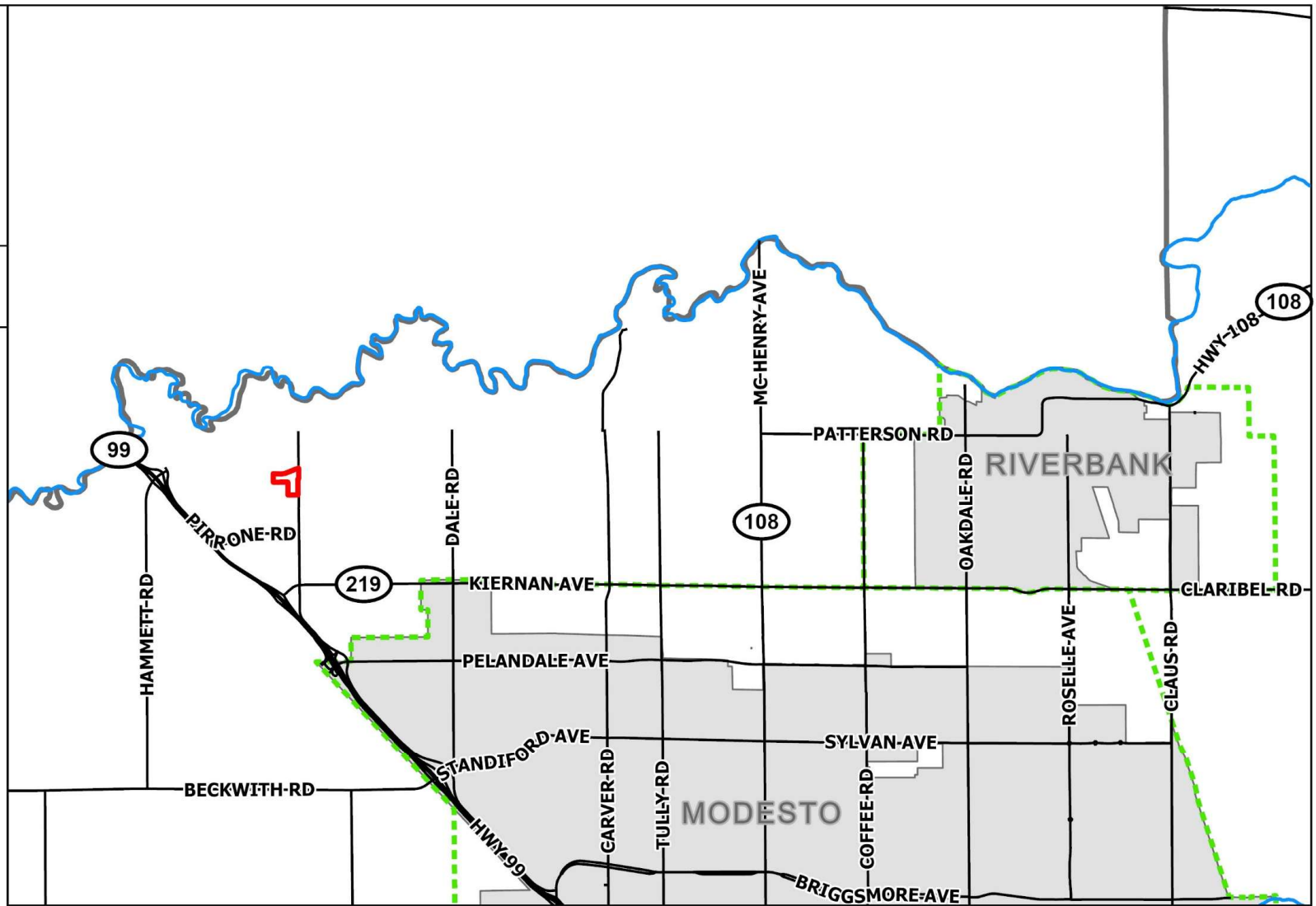
## AREA MAP

### LEGEND

-  Project Site
-  Sphere of Influence
-  County Boundary
-  City
-  Road
-  Rivers



Source: Planning Department GIS Date Exported: 10/17/2023



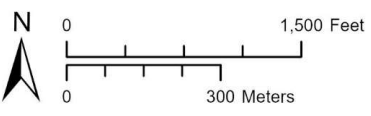


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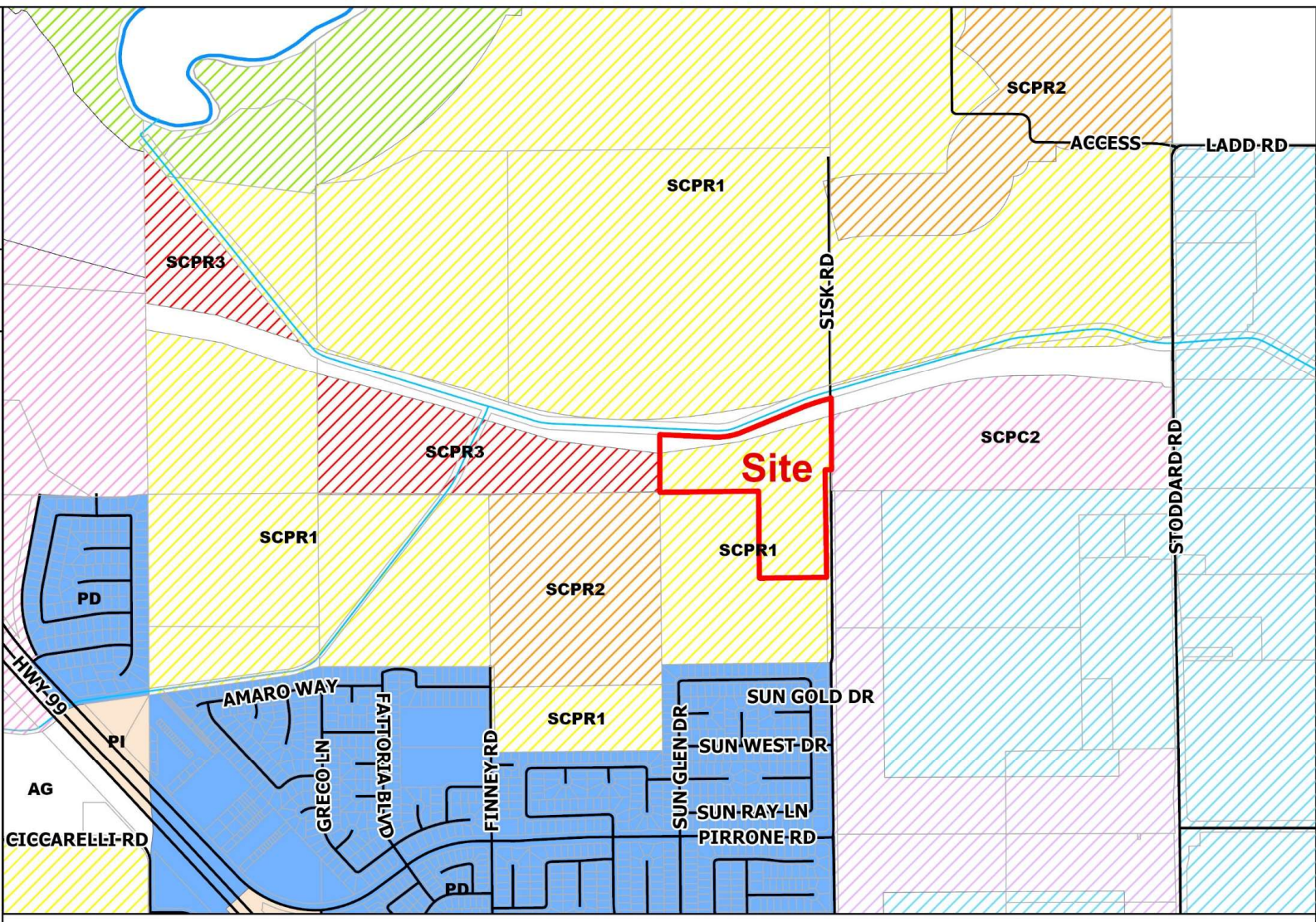
## GENERAL PLAN MAP

### LEGEND

- |   |              |   |                     |
|---|--------------|---|---------------------|
|  | Project Site |  | <b>General Plan</b> |
|  | Parcel       |  | Agriculture         |
|  | Road         |  | Planned Development |
|  | Canal        |  | Planned Industrial  |
|  | Rivers       |  | SCP A-2             |
|   |              |  | SCP C-2             |
|   |              |  | SCP IBP             |
|   |              |  | SCP PI              |
|   |              |  | SCP R-1             |
|   |              |  | SCP R-2             |
|   |              |  | SCP R-3             |



Source: Planning Department GIS Date Exported: 10/17/2023



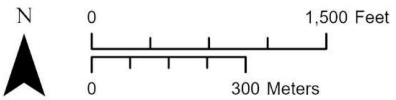


# GREAT VALLEY ACADEMY UP PLN2023-0123

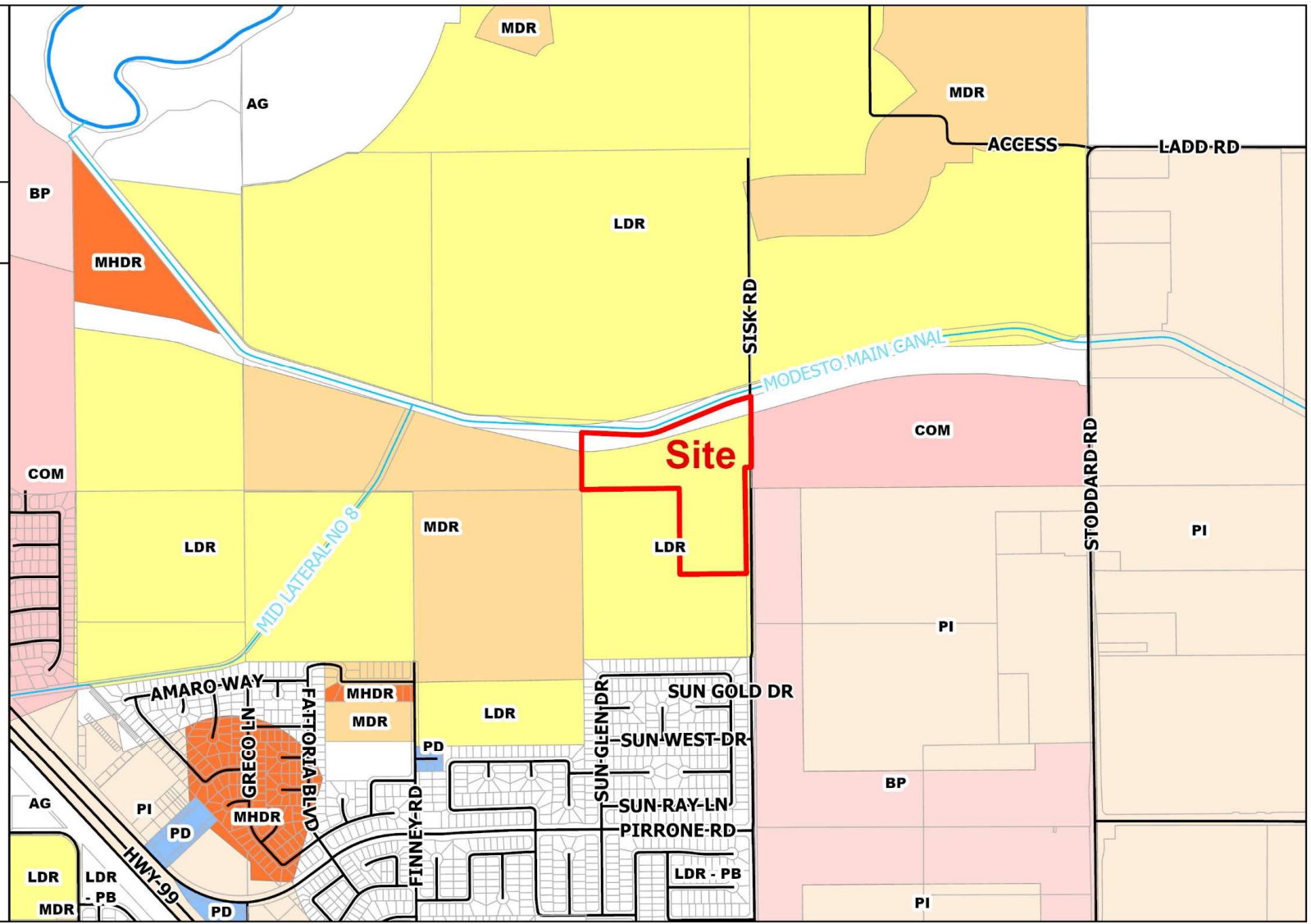
## COMMUNITY PLAN MAP

### LEGEND

- Project Site
  - Parcel
  - Sphere of Influence
  - Road
  - Canal
  - Rivers
- Community Plan**
- Business Park
  - Commercial
  - Low Density Residential
  - Medium Density Residential
  - Medium High Density Residential
  - Planned Development
  - Planned Industrial



Source: Planning Department GIS Date Exported: 10/17/2023














# GREAT VALLEY ACADEMY USE PERMIT PLN2023-0123

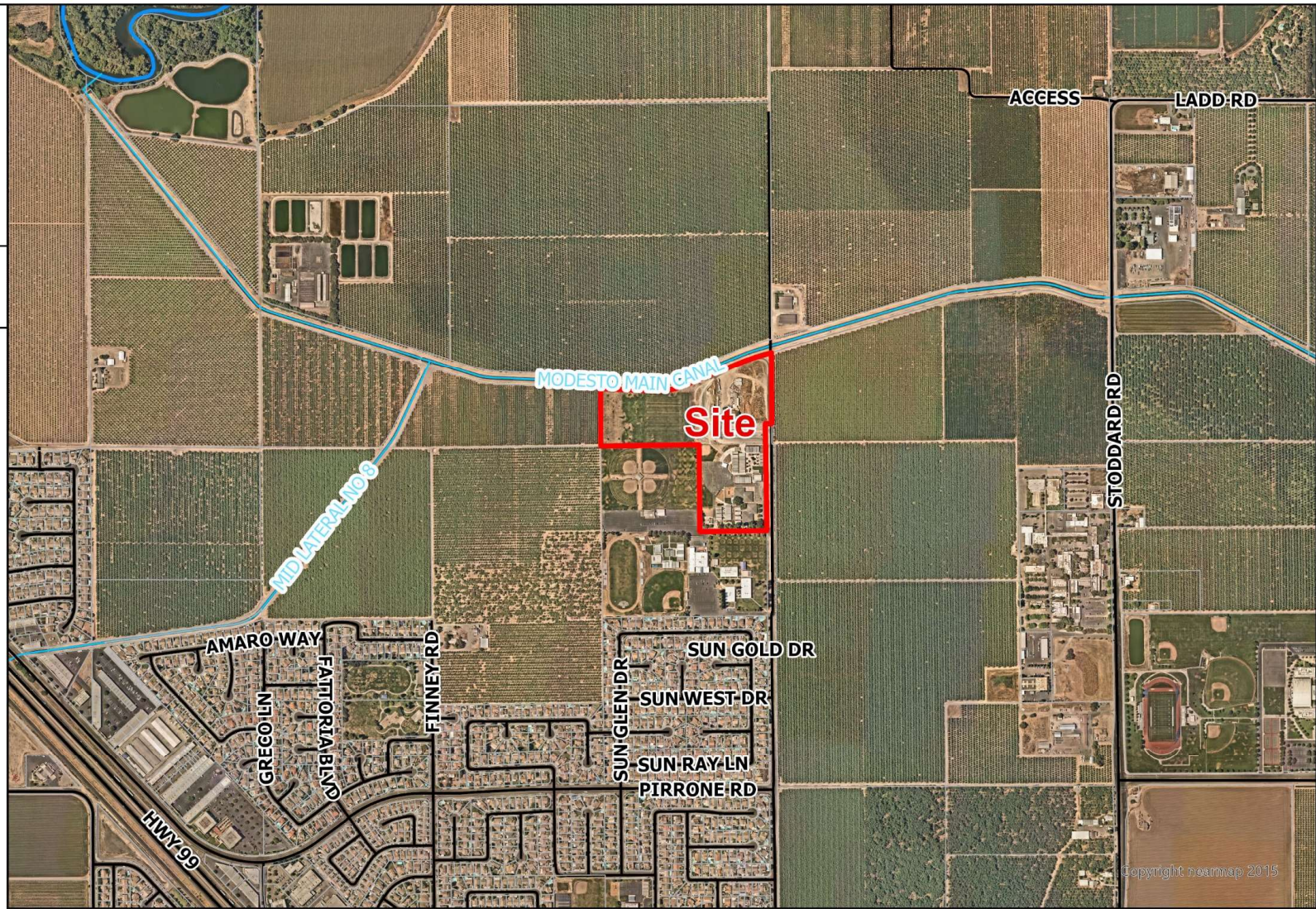
## AERIAL AREA MAP

### LEGEND

-  Project Site
-  Parcel
-  Road
-  Canal
-  Rivers



Source: Planning Department GIS Date Exported: 10/18/2023








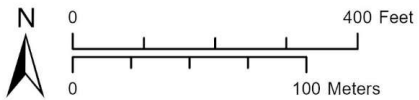


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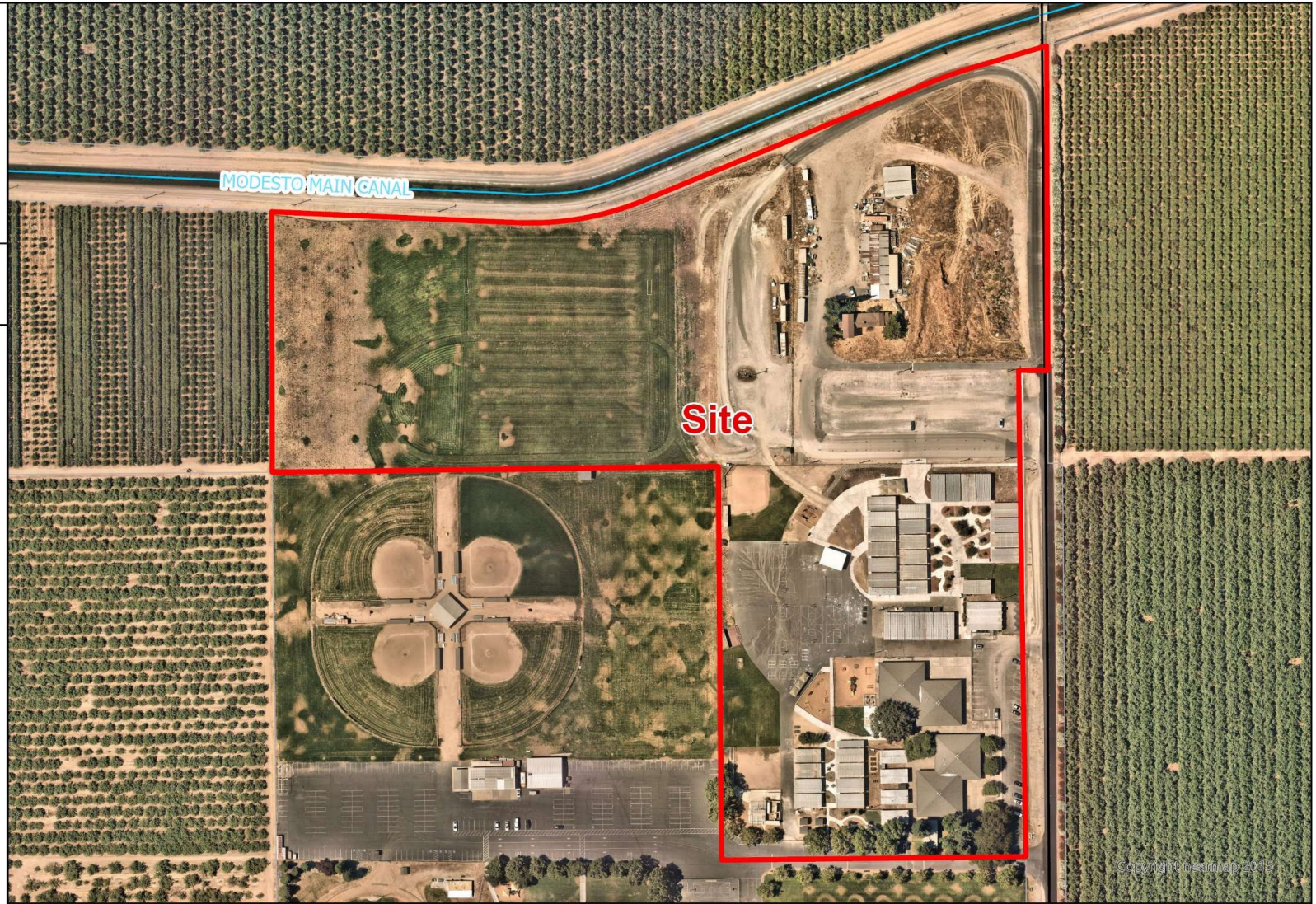
## AERIAL SITE MAP

### LEGEND

-  Project Site
-  Parcel
-  Road
-  Canal
-  Rivers



Source: Planning Department GIS      Date Exported: 10/18/2023












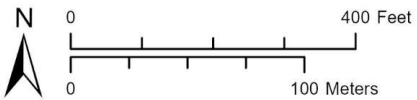


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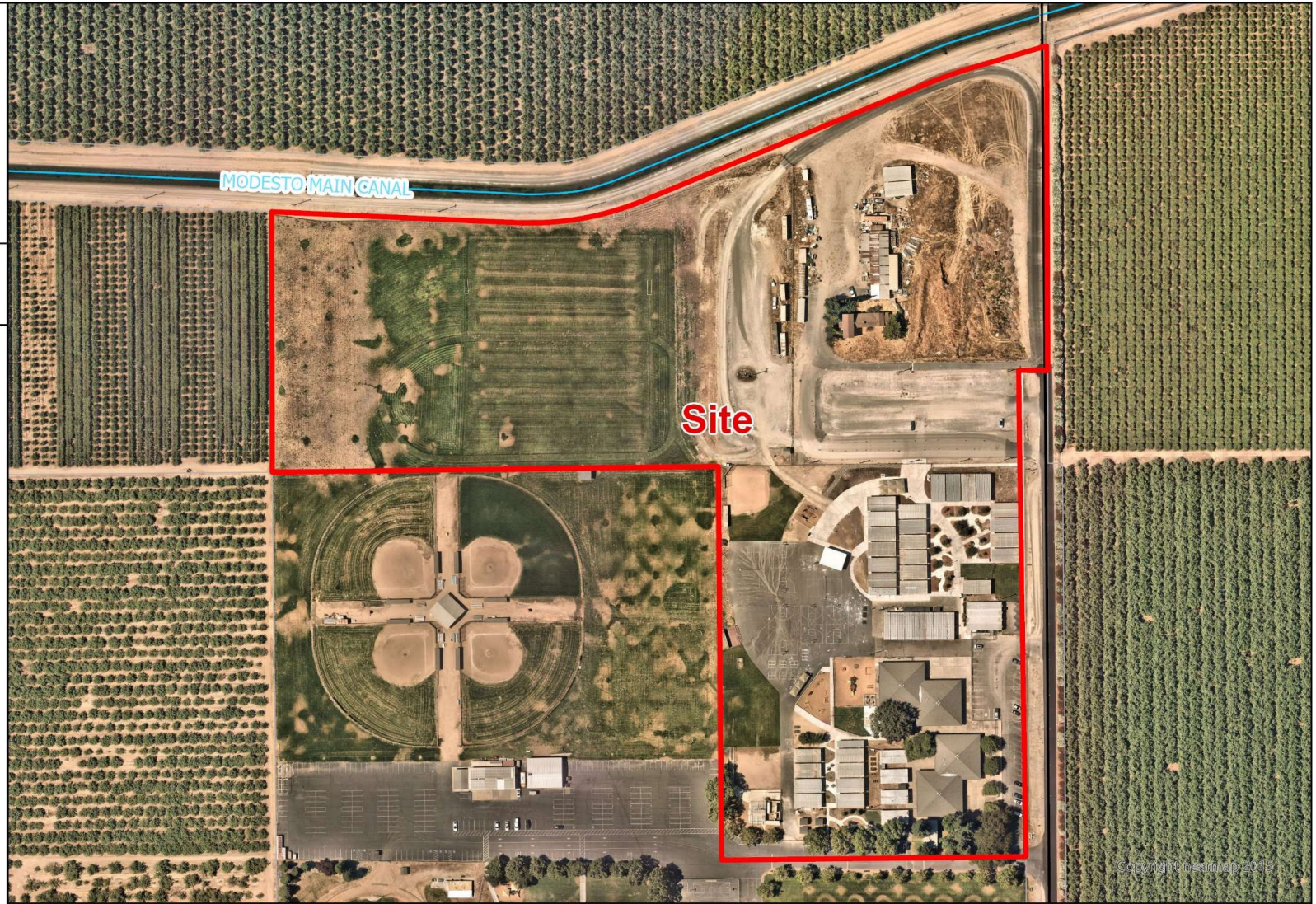
## AERIAL SITE MAP

### LEGEND

-  Project Site
-  Parcel
-  Road
-  Canal
-  Rivers



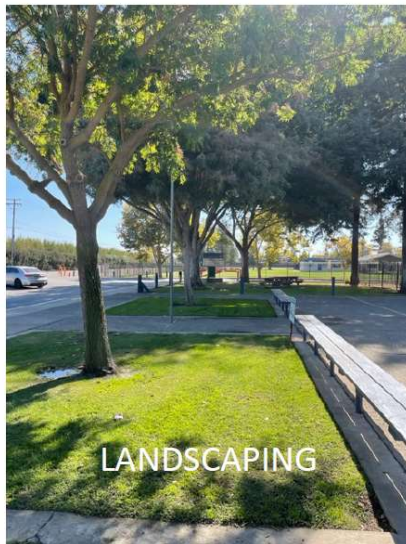
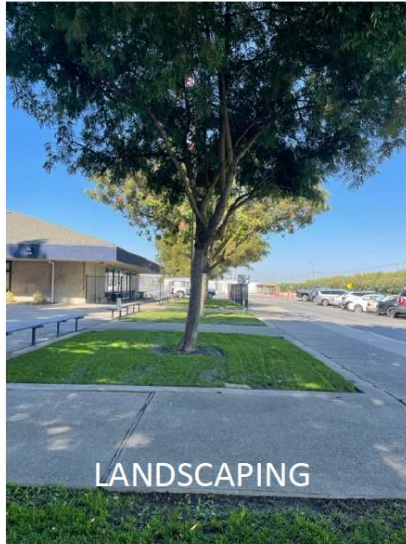
Source: Planning Department GIS Date Exported: 10/18/2023





**GREAT VALLEY  
ACADEMY  
USE PERMIT  
PLN2023-0123**

*SITE PHOTOS*



# Project Review

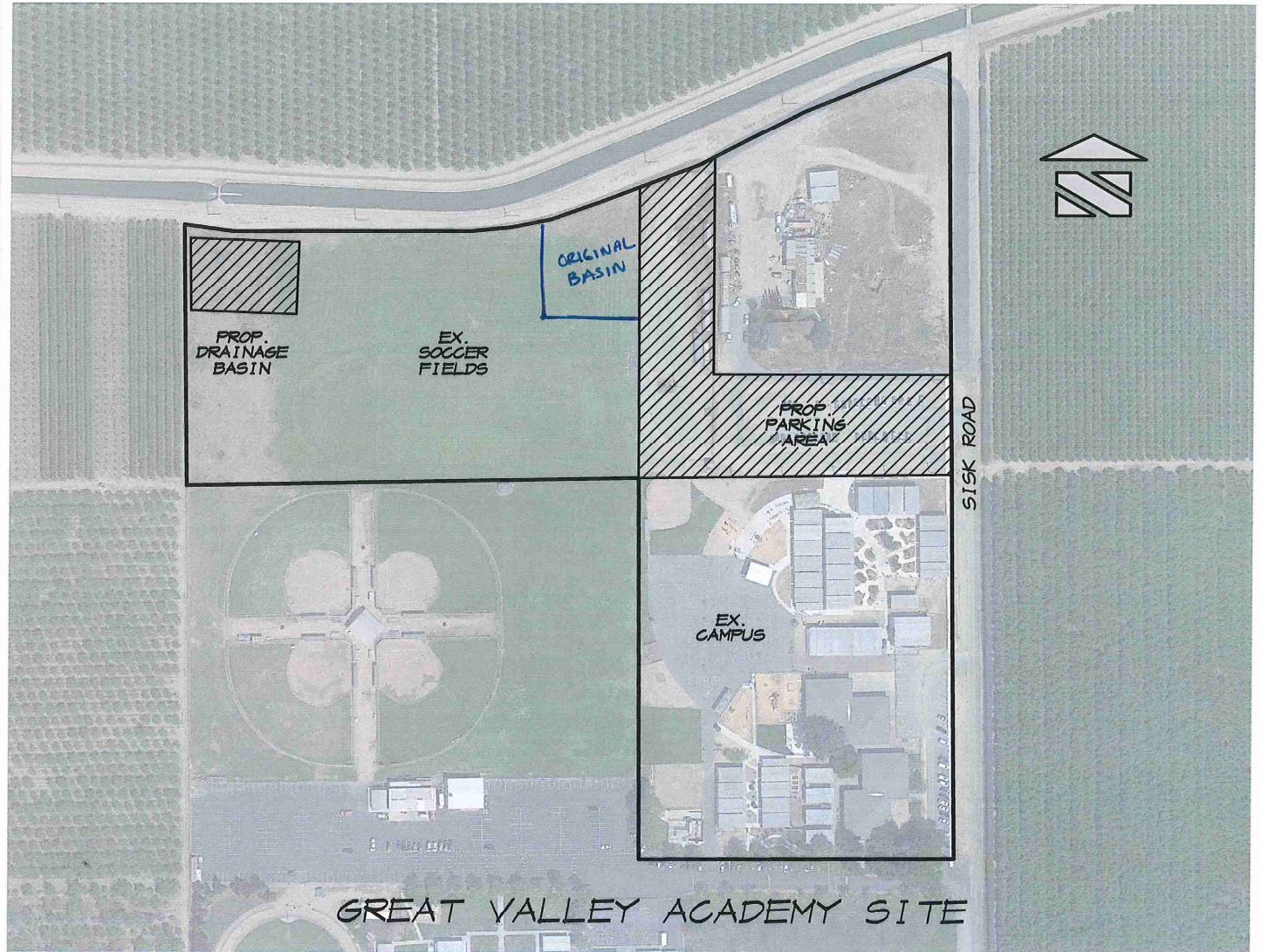
- Department of Public Works
  - Improvements required:
    - Streetlights
    - Curb, gutter, accessible ramps, and completion of the sidewalk (to the southeast corner of Modesto Christian School)
    - Positive storm drainage (storage, percolation, and treatment)
    - Parking lot pavement, pavement markings
    - Road signs





**GREAT VALLEY  
ACADEMY  
USE PERMIT  
PLN2023-0123**

*STORM DRAINAGE  
BASIN*



# Issues






- Expansion without obtaining grading, building, or land use permits
  - Athletic field
  - Parking lot with some paving
  - Pole lighting

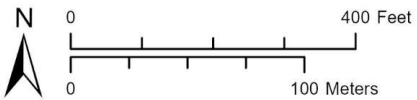


# GREAT VALLEY ACADEMY USE PERMIT PLN2023-0123

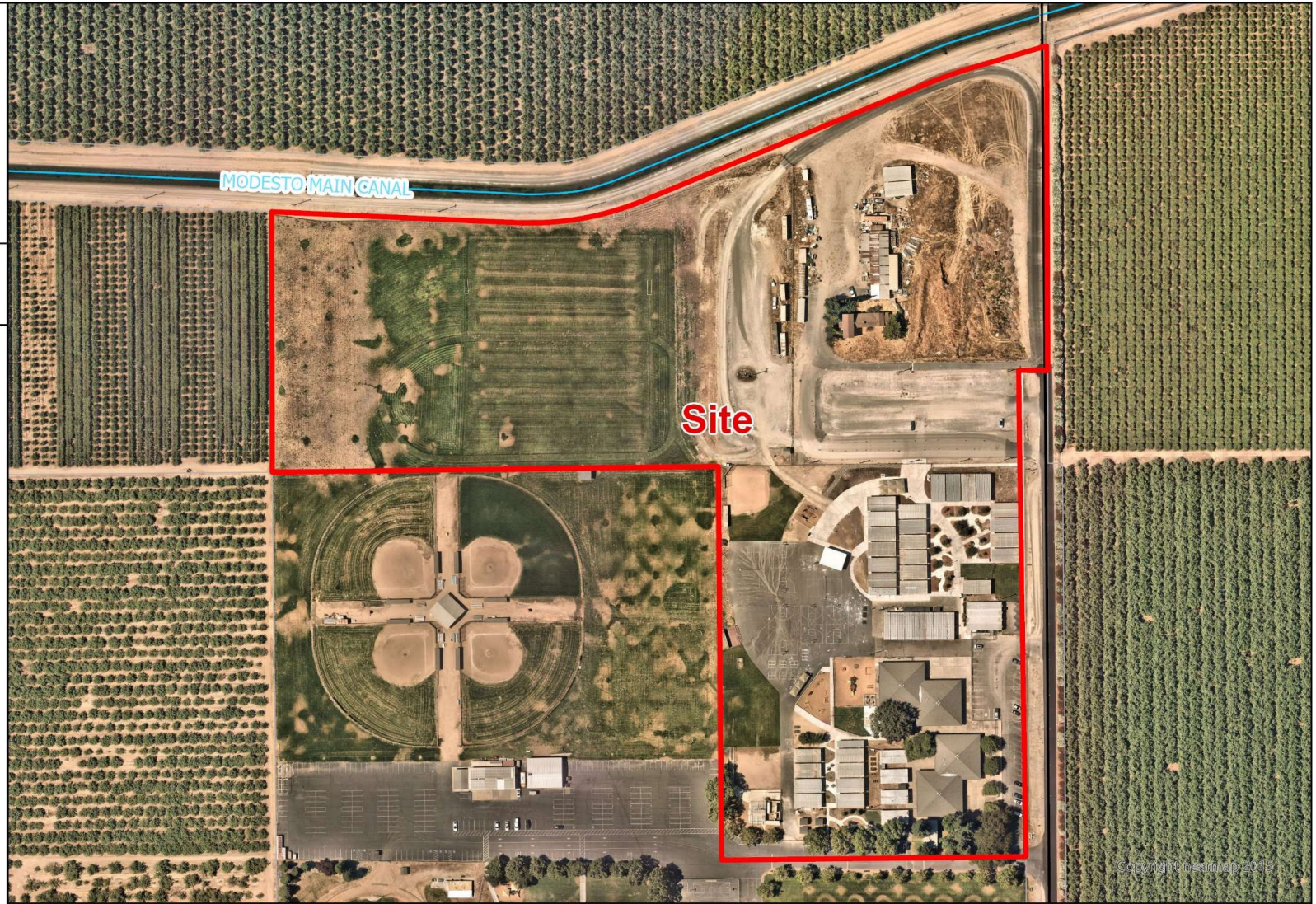
## AERIAL SITE MAP

### LEGEND

-  Project Site
-  Parcel
-  Road
-  Canal
-  Rivers



Source: Planning Department GIS Date Exported: 10/18/2023





**GREAT VALLEY  
ACADEMY  
USE PERMIT  
PLN2023-0123**

*PAVING*



**GREAT VALLEY  
ACADEMY  
USE PERMIT  
PLN2023-0123**

*LIGHTING*



# Issues

- Traffic and Safety Concerns
  - Salida MAC (April 23, 2024)
    - Sun Ridge West Subdivision
    - Walking passes
    - 3-0 recommend approval provided a Traffic Plan is developed with input from Sun Ridge West Subdivision, to go to Salida MAC for consideration
  - Opposition letter
    - 30-foot access easement traffic issues
    - Requested no approval of increased enrollment until a TIA is done



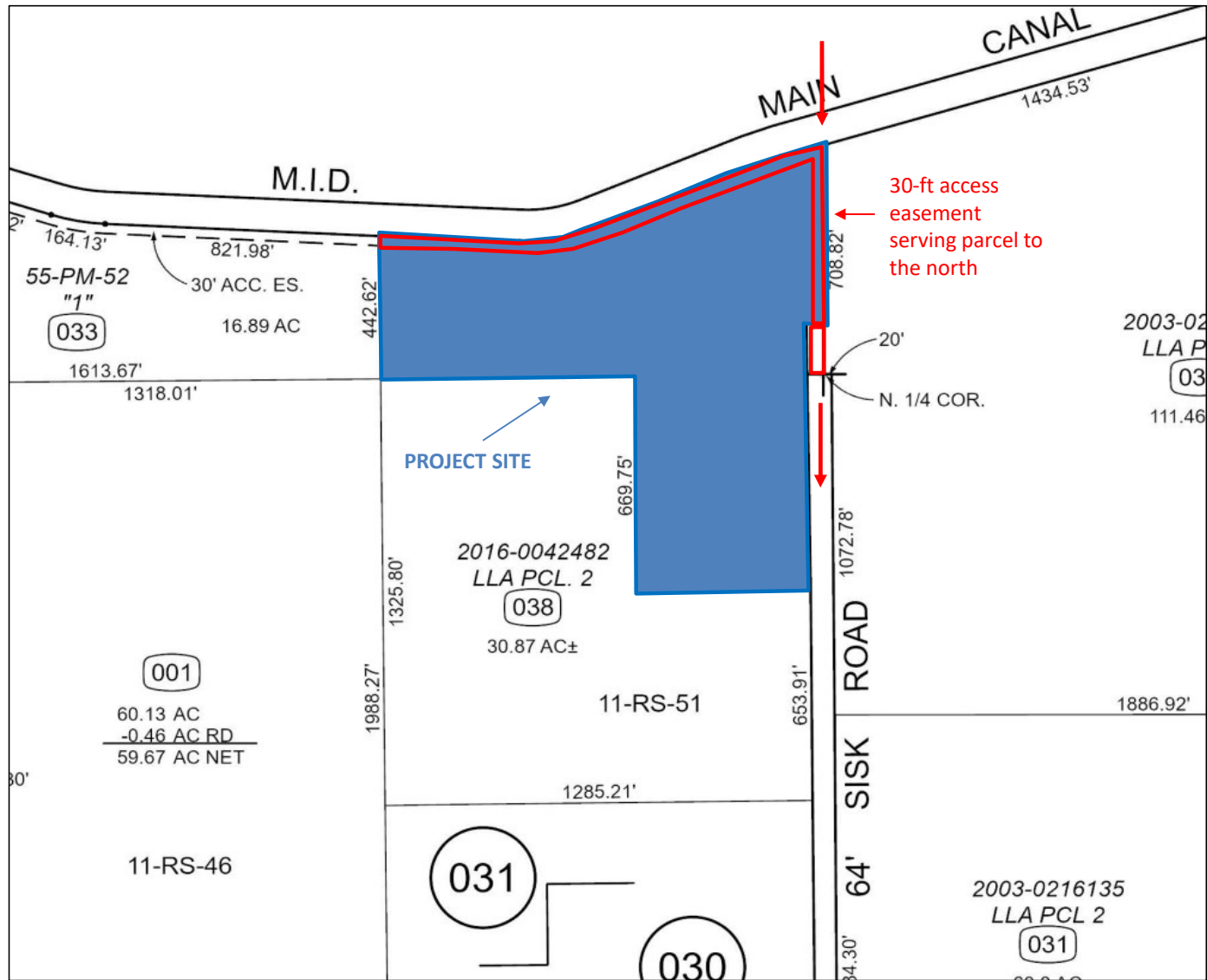
# Planning Commission Memo

- Amendment to Condition of Approval (COA) No. 12
  - Requires Circulation Plan prior to use of the northern drop-off pick-up loop
    - Input from easement users
    - Public Works Review and Approval
    - Grading permit
- Clarifications on improvements
  - Parking lot and street improvements
    - Amendments to COA No. 21, 25, 27-29
  - Wall along MID Main Canal
    - Amendment to COA 34



**GREAT VALLEY  
ACADEMY  
USE PERMIT  
PLN2023-0123**

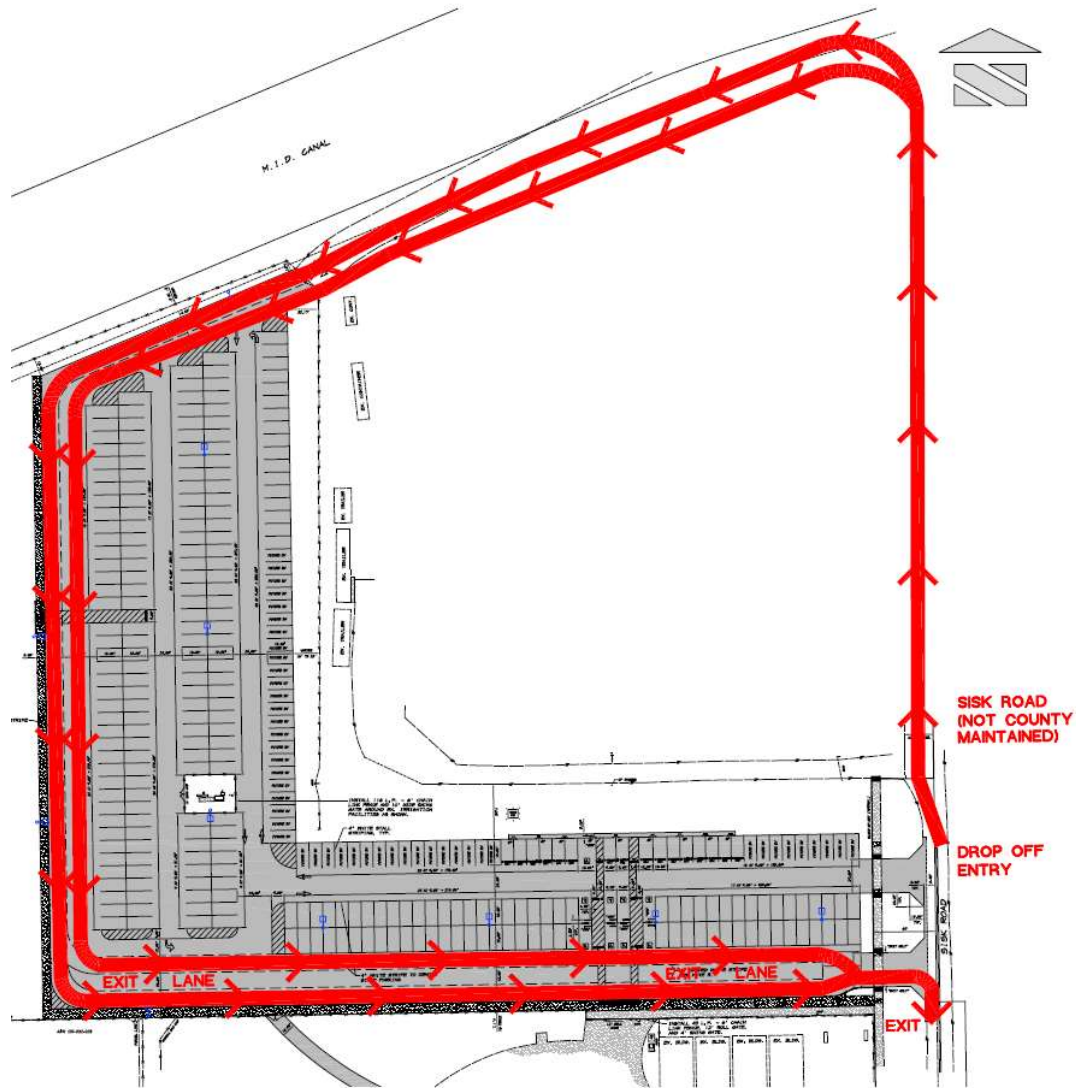
*ACCESS EASEMENT*





# GREAT VALLEY ACADEMY USE PERMIT PLN2023-0123

EXHIBIT 1 – PROPOSED NORTHERN  
PICK-UP DROP-OFF LOOP





**GREAT VALLEY  
ACADEMY  
USE PERMIT  
PLN2023-0123**

*PAVING*



# Planning Commission Memo

- Amendment to Condition of Approval (COA) No. 12
  - Requires Circulation Plan prior to use of the northern drop-off pick-up loop
    - Input from easement users
    - Public Works Review and Approval
    - Grading permit
- Clarifications on improvements
  - Parking lot and street improvements
    - Amendments to COA No. 21, 25, 27-29
  - Wall along MID Main Canal
    - Amendment to COA 34



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- Amendment to Condition of Approval (COA) No. 12

12. A grading permit for the new parking lot shall be applied for within three (3) months of project approval and finalized within 12 months of project approval. The parking lot shall be paved and striped and shall have dedicated drop-off and pick-up areas. The parking lot shall also provide for a 59-foot setback from the centerline of Sisk Road and the setback area shall be landscaped. **The parking lot shall be developed as presented in Exhibit B-7 of the May 2, 2024 staff report with only two driveways and no access to the project site north of the end of County-maintained Sisk Road (located approximately 552 feet south of the project site's northern property line). A Circulation Plan shall be prepared for review and approval by the Department of Public Works prior to any modification to the parking lot layout, including driveways and/or access points.**

**The Circulation Plan shall take into account, if applicable, the 30-foot access easement which runs along the length of the northern property line and then extends along the eastern property line to the end of County-maintained Sisk Road. Use of the paved loop drive, which connects from the end of County-maintained Sisk Road to the northeast corner of the proposed parking lot, shall not be permitted without approval of a Circulation Plan. Prior to use of this loop for access to the new parking lot the following shall be met: input from all property owners utilizing the existing 30-foot wide access easement shall be obtained; a Circulation Plan shall be provided to the Department of Public Works for review and approval; and a grading permit shall be obtained.**



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# General Plan and Zoning Consistency

- Land Use, Community Plan, and Zoning Designation Salida Community Plan
  - Established prior to 2007 Salida Initiative
    - Legal Non-Conforming
  - Salida MAC
  - Not subject to Ag Buffer
    - Adding trees along the western property line
- Legal Non-Conforming Uses may be expanded (Section 21.80.070. Enlargement or alteration) provided the Planning Commission finds it will not be detrimental to the surrounding neighborhood or the County or more appropriately moved to a zoning district in which it is permitted.





# Environmental Review

- CEQA
  - Amended Initial Study
    - Transportation Section
      - Sibling program
    - Storm drainage basin
    - No recirculation required when providing clarifying information
  - Negative Declaration



# Staff Recommendation

- Staff Recommends the Planning Commission Approve Use Permit Application No. PLN2023-0123 – Great Valley Academy
  - Subject to the findings included as Exhibit A of your Staff Report
  - Including the amendments to Conditions of Approval No. 12, 21, 25, 27, 28, 29, and 34 as outlined in the May 2, 2024 Planning Commission Memo



# Questions?