

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

DEPT: Planning & Community Development *R*

Urgent \_\_\_\_\_ Routine X

CEO Concurs with Recommendation YES \_\_\_\_\_ NO \_\_\_\_\_  
(Information Attached)

BOARD AGENDA # 9:30 A.M.

AGENDA DATE: AUGUST 28, 2001

4/5 Vote Required YES \_\_\_\_\_ NO X

**SUBJECT:**

APPROVAL OF GENERAL PLAN AMENDMENT NO. 2001-02 AND REZONE APPLICATION NO. 2001-03 - QUALITY MODULAR STRUCTURES, LLC. REQUEST TO CHANGE THE GENERAL PLAN DESIGNATION FROM AGRICULTURE TO PLANNED INDUSTRIAL AND THE ZONING FROM A-2 (GENERAL AGRICULTURE) TO PI (PLANNED INDUSTRIAL) FOR 10.87 ACRES LOCATED AT 27431 HIGHWAY 33, IN THE NEWMAN AREA (APN: 026-39-14)

**PLANNING COMMISSION RECOMMENDATION:**

ON JULY 5, 2001, THE COUNTY PLANNING COMMISSION FOLLOWED STAFF'S RECOMMENDATION AND RECOMMENDED UNANIMOUSLY WITH AN AMENDMENT OF DEVELOPMENT STANDARDS THAT THE BOARD OF SUPERVISORS APPROVE THIS PROJECT AS FOLLOWS:

1. ORDER THE FILING OF A MITIGATED NEGATIVE DECLARATION, FIND THE PROJECT TO BE "DE MINIMIS" FOR THE PURPOSES OF FISH AND GAME CODES.

(Planning Commission Recommendation Continued on Page 2)

**FISCAL IMPACT:**

None.

**BOARD ACTION AS FOLLOWS:**

No. 2001-657

On motion of Supervisor Blom, Seconded by Supervisor Caruso  
and approved by the following vote,

Ayes: Supervisors: Mayfield, Blom, Simon, Caruso, and Chair Paul

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) \_\_\_\_\_ Approved as recommended

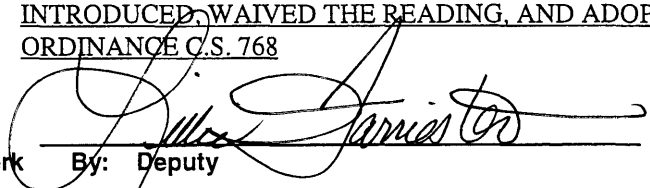
2) \_\_\_\_\_ Denied

3) X Approved as amended

**MOTION:**

AMENDED THE ITEM TO EXTEND THE HOURS OF OPERATION IN DEVELOPMENT STANDARD #17, FROM 7:00 A.M. TO 9:00 P.M

INTRODUCED, WAIVED THE READING, AND ADOPTED ORDINANCE C.S. 768



ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

By: Deputy

File No. ORD-54-I-2

SUBJECT: APPROVAL OF GENERAL PLAN AMENDMENT NO. 2001-02 AND REZONE APPLICATION NO. 2001-03 - QUALITY MODULAR STRUCTURES, LLC.

PAGE 2

**PLANNING  
COMMISSION  
RECOM-  
MENDATION  
CONTINUED:**

2. FIND THAT THE PROPOSED GENERAL PLAN AMENDMENT IS CONSISTENT WITH THE OVERALL GOALS AND POLICIES OF THE LAND USE ELEMENT OF THE COUNTY GENERAL PLAN AND THE OVERALL GENERAL PLAN.
3. APPROVE GENERAL PLAN AMENDMENT NO. 2001-02.
4. FIND THAT THE PROPOSED PLANNED INDUSTRIAL ZONING IS CONSISTENT WITH THE PLANNED INDUSTRIAL GENERAL PLAN DESIGNATION.
5. APPROVE REZONE APPLICATION NO. 2001-03, SUBJECT TO THE ATTACHED AMENDED DEVELOPMENT STANDARDS

**DISCUSSION:** This is a request to amend the general plan and zoning designation from Agriculture/A-2-10 to Planned Industrial to allow the developed portion of a 10.87 acre site to be utilized by Quality Modular Structures, a portable building fabrication business, which has been operating on the site since July of 2000. Prior to the current user, the existing structures and truck scale were utilized by the Maffei Seed Company.

Quality Modular Structures is currently using the existing structures for the storage of raw building materials and to fabricate portable construction and school buildings. The company employs between 25 and 40 persons between the usual hours of 7:00 a.m. and 5:00 p.m., Monday through Friday. Peak seasonal hours can extend from 7:00 a.m. to midnight, Monday through Saturday, with peak season consisting of good weather spring and summer months. An average of 10 portable buildings are fabricated per week and moved off-site within two to three days of completion. An average of 10 deliveries of raw materials to the site are made per week. All raw materials are stored inside the existing structures, except for the chassis of each unit which are stored alongside the exiting structures in the graveled yard.

There are no plans to develop the site for a different use, increase the intensity of the use, or modify the existing structures and/or traffic patterns. The planned industrial use of the site is specific to the proposed development plan and, as such, any change of use and/or intensity of use will require further discretionary approval in accordance with County Code Section 21.42.040(B).

The project site is located on the west side of State Highway 33, between Stuhr and Jensen Roads. The surrounding area consists of agricultural uses and ranchettes on all sides, and the City of Newman to the south. Roughly 6.74 acres of the project site are developed with various structures and a truck scale established by the Maffei Seed Company. The entire area is graveled with a chain link fence and landscaping along the frontage. The remainder of the site consists of fallow agricultural land.

SUBJECT: APPROVAL OF GENERAL PLAN AMENDMENT NO. 2001-02 AND REZONE  
APPLICATION NO. 2001-03 - QUALITY MODULAR STRUCTURES, LLC.

PAGE 3

**DISCUSSION  
CONTINUED:**

Speaking in opposition to the proposal was Tina and Todd Rocha, owners of a .93 acre property located immediately adjacent to the south of the project site. Their opposition was based on concerns relating to noise associated with the hours of operation of the proposed use and a machining business being conducted in the southern building labeled as a machine shop on the site plan. Both speakers felt that the peak season hours, allowing activity until midnight, was to late and cited noise associated with nail guns and hammers as a concern. Both speakers did, however, stated there was no problem with the proposed use if the noise issues could be addressed with a restriction on the hours of operation. In addition, Todd Rocha raised the question as to whether the machining business would be allowed to remain in operation under the requested development plan.

Robert Hanson, project agent, spoke in favor of the project. He identified the on-site machine shop, storage for a local dairy operation, and contractor's office as existing uses operating under sub-leases expiring in the fall. The lease agreements originated with the Maffei Company and the intent of Quality Modular Structures is to not renew the lease agreements. These uses were not made a part of the development plan requested by Quality Modular Structures and, as such, will not be approved uses as a result of this request. Under the proposed development plan only the Quality Modular Structures operation would be permitted. He further stated that the surrounding neighbors have been notified of the on-site general manager to contact if issues arise and that in the last year the facility operated only under the usual hours of operation, 7:00 a.m. to 5:00 p.m., without a need to operate until midnight. Following the public hearing, the Commission discussed the matter and approved a motion to amend the Development Standards to include a new standard limiting the hours of operation to 7:00 a.m. to 7:00 p.m. Monday through Saturday.

On a motion by Commissioner Crivelli, seconded by Commissioner McWilliams, the Commission unanimously recommended approval, with amended development standards.

**POLICY  
ISSUES:**

The policies for general plan amendments are outlined in the attached staff report to the Commission. The project is within the Newman Sphere of Influence. Newman has no objections to the general plan change.

**STAFFING  
IMPACT:**

None.

**ATTACHMENTS:**

Planning Commission Staff Report, July 5, 2001  
Planning Commission Minutes, July 5, 2001

# STANISLAUS COUNTY PLANNING COMMISSION

July 5, 2001

## STAFF REPORT

GENERAL PLAN AMENDMENT APPLICATION NO. 2001-02  
REZONE APPLICATION NO. 2001-03  
QUALITY MODULAR STRUCTURES, LLC

**REQUEST:** REQUEST TO AMEND THE GENERAL PLAN AND ZONING DESIGNATION FROM AGRICULTURE/A-2-10 TO PLANNED INDUSTRIAL TO ALLOW A PORTION OF A 10.87 ACRE SITE TO BE UTILIZED BY QUALITY MODULAR STRUCTURES, A PORTABLE BUILDING FABRICATION BUSINESS

### APPLICATION INFORMATION

Owners:	Maffei Company
Applicant:	Quality Modular Structures, LLC
Agent:	Robert D. Hansen
Location:	West side of Highway 33, between Stuhr Road and Jensen Road, in the Newman area. (27431 Highway 33)
Section, Township, Range:	18-7-9
Supervisorial District:	Five (Supervisor Caruso)
Assessor's Parcel:	026-39-14
Referrals:	See Exhibit "I" Environmental Review Referrals
Area of Parcel :	10.87 acres
Water Supply:	Private Well
Sewage Disposal:	Aerobic septic/leach field system
Existing Zoning:	General Agriculture (A-2-10)
General Plan Designation:	Agriculture
Community Plan Designation:	Not applicable
Williamson Act:	Not applicable
Environmental Review:	Mitigated Negative Declaration
Present Land Use:	Various structures and a truck scale established by the Maffei Seed Company and fallow agricultural land.
Surrounding Land Use:	Agricultural uses and ranchettes to the north, south, and west, State Highway 33 and agricultural uses to the east, and City of Newman to the south.

### **PROJECT DESCRIPTION**

This is a request to amend the general plan and zoning designation from Agriculture/A-2-10 to Planned Industrial to allow the developed portion of a 10.87 acre site to be utilized by Quality Modular Structures, a portable building fabrication business, which has been operating on the site since July of 2000. Prior to the current user, the existing structures and truck scale were utilized by the Maffei Seed Company.

Quality Modular Structures is currently using the existing structures for the storage of raw building materials and to fabricate portable construction and school buildings. The company employs between 25 and 40 persons between the usual hours of 7:00 a.m. and 5:00 p.m., Monday through Friday. Peak seasonal hours can extend from 7:00 a.m. to midnight, Monday through Saturday, with peak season consisting of good weather spring and summer months. An average of 10 portable buildings are fabricated per week and moved off-site within two to three days of completion. An average of 10 deliveries of raw materials to the site are made per week. All raw materials are stored inside the existing structures, except for the chassis of each unit which are stored alongside the existing structures in the graveled yard.

There are no plans to develop the site for a different use, increase the intensity of the use, or modify the existing structures and/or traffic patterns. The planned industrial use of the site is specific to the proposed development plan and, as such, any change of use and/or intensity of use will require further discretionary approval in accordance with County Code Section 21.42.040(B).

### **SITE DESCRIPTION**

The 10.87 acre project site is located on the west side of State Highway 33, between Stuhr and Jensen Roads. The surrounding area consists of agricultural uses and ranchettes on all sides, and the City of Newman to the south. Roughly 6.74 acres of the project site are developed with various structures and a truck scale established by the Maffei Seed Company. The entire area is graveled with a chain link fence and landscaping along the frontage. The remainder of the site consists of fallow agricultural land.

### **ENVIRONMENTAL REVIEW**

Pursuant to the California Environmental Quality Act (CEQA) the proposed project was circulated to all interested parties and responsible agencies, including the State Clearing House, the City of Newman, California State Department of Transportation, and the San Joaquin Valley Air Pollution Control District for review and comment. No significant impacts were raised.

As discussed in the initial study for this project, the Stanislaus County Council of Governments (StanCOG) identified an adverse impact on the environment based on the Congestion Management Program (CMP) "worst case" average daily traffic calculation of 1,272 daily vehicle trips. The 1,272 daily vehicle trips assumes full build-out of the entire 10.87 acre site. In this case development will be limited to the existing structures, which equate to an average daily traffic calculation of 74 daily vehicle trips. Any further development of the site will require approval of

additional discretionary approvals, thus requiring additional traffic analysis. Both the County Public Works Department and the California State Department of Transportation have reviewed the project and determined a less than significant traffic impact.

## **DISCUSSION**

The site is designated "Agriculture" on the Land Use Element of the General Plan and zoned General Agriculture 10-acre minimum (A-2-10). The intent of the Agricultural designation is to recognize the value and importance of agriculture by acting to preclude incompatible urban development within the agricultural area. In this case, the project site is located within the City of Newman's Local Agency Formation Commission's (LAFCO) approved Sphere of Influence, which recognizes the site's ultimate transition to urban use. Typically, land located within the SOI of cities would be designated Urban Transition, in conjunction with the General Agriculture 10-acre minimum zoning, to ensure that land remains in agricultural usage until urban development consistent with a city's (or unincorporated community's) general plan designation is approved.

As required by Policy no. 24 of the County General Plan, regarding projects within a city's sphere of influence, this project was referred to the City of Newman for preliminary approval. The City of Newman, in a referral response dated February 28, 2001, stated that "while the project site is located within an area designated for "General Commercial" uses, the manufacturing use of the site is consistent with potential uses that the City would consider in the area". The city's response further states, "... the City of Newman supports the proposed rezoning for re-use of this site." (See exhibit "A")

Development standard no. 6 addresses the project site's compliance with the City of Newman's Highway 33 Specific Plan with respect to appearance including, but not limited to, landscaping and screening of outdoor storage areas, placement of signs, etc.

## **FINDINGS/POLICIES**

With environmental impacts mitigated to insignificant levels, the keys to approval or denial of general plan amendment (and subsequent rezone) are land use issues. To evaluate this plan change we normally discuss the goals and policies of the General Plan, as adopted by the Board of Supervisors. We must also look at other findings required by the Board for approval of General Plan changes.

## **PLANNING CONSIDERATIONS**

The following comparison is made between the goals and policies of the General Plan and the proposed project. The related policies shall be considered in evaluation proposals to amend the General Plan to avoid land use conflicts which have developed in the past, and which should be avoided in the future.

The consistency of a land use proposal is viewed in light of the jurisdiction's entire General Plan. In this regard, the Office of Planning and Research has provided the following explanation of consistency:

"Having reviewed court cases involving the question of consistency and conformity, the State Attorney General opined that, "Apparently, the term 'consistent with' is used interchangeably with 'conformity with' means 'agreement with; harmonious with'. Webster defines 'conformity with' as meaning harmony, agreement when used with 'with'. The term 'conformity' means in harmony herewith or agreeable to (see 58 Cals.Ops.Atty.Gen. 21,25 (1975).

Based on the wording of the law and various legal interpretations, a general rule for consistency determinations can be stated as follows: An action, program, or project is consistent with the General Plan if, considering all its aspects, it will further the objectives and policies of the General Plan and not obstruct their attainment.

Thus, an "exact match" is not needed between a project and a General Plan, but rather there must be "agreement or harmony" between a project and a General Plan. *Greenebaum v. City of Los Angeles* (1984) 153 Cal.App.3d 391,406. Ultimately, the Board of Supervisors has the final authority and will exercise its discretion to determine whether the project "furthers" the objectives and policies of the General Plan.

The following is a discussion of staff's views on the consistency of this proposal with the General Plan's Goals and Policies. For the sake of brevity, the policies with which staff believes this project is fully consistent or which are not applicable are not discussed. Commissioners may wish to refer to their personal copies of the General Plan to ensure that staff has indeed covered all appropriate topics.

#### LAND USE

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

- Policy 1 - Land will be designated and zoned for agricultural, residential, commercial, industrial, or historical uses when such designations are consistent with other adopted goals and policies of the General Plan.
- Policy 3 - Land use designations shall be consistent with the criteria established in this element.
- Policy 10 - New areas for urban development (as opposed to expansion of existing areas) shall be limited to less productive agricultural land. (This policy is the same as the Agricultural Elements policy 2.5)

The Planned Industrial designation (PI) is intended to provide locations for light industrial development. The proposed building fabrication operation is consistent with light industrial uses permitted within the Planned Industrial zoning district and will be conducted within a developed portion of the project site with no new development proposed.

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

Policy 14 - Uses shall not be permitted to intrude into an agricultural area if they are detrimental to continued agricultural usage of the surrounding area.

The General Plan identifies agricultural land within a Local Agency Formation Commission's (LAFCO) adopted Sphere of Influence (SOI) as less productive agricultural land. It is anticipated that land located within a SOI will be annexed and eventually utilized for urban development. The project site and adjacent agricultural lands are located within the City of Newman's SOI and, as such, the development of this site will not diminish the agricultural usage of the surrounding area.

**FINDINGS REQUIRED FOR APPROVAL**

**GENERAL PLAN**

General Plan amendments affect the entire County and any evaluation must give primary concern to the County as a whole, therefore, a fundamental question must be asked in each case: "Will this amendment, if adopted, generally improve the economic, physical and social well-being of the County in general?" Additionally, the County, in reviewing general plan amendments, shall consider the additional costs to the County that might be anticipated (economic, environmental, social) and how levels of public and private service might be affected. In each case, in order to take affirmative action regarding the general plan amendment application, it must be found that:

1. The general plan amendment will maintain a logical land use pattern without detriment to existing and planned land uses.
2. The County and other affected governmental agencies will be able to maintain levels of service consistent with the ability of the governmental agencies to provide a reasonable level of service.

In the case of a proposed amendment to the diagram of the Land Use Element, an additional finding must be established.

3. The amendment is consistent with the General Plan goals and policies.

These findings are established by Board of Supervisors policy for processing general plan amendments. As proposed, staff believes all of the necessary findings can be made. The proposed project offers a logical re-use of an existing facility without detriment to existing and planned land uses. The site's location within the City of Newman's adopted SOI recognizes the site's eventual transition to non-agricultural use and the City of Newman has recognize the site as suitable for the proposed use. There is no indication the proposed use of the site will adversely impact the county and other affected governmental agencies existing level of service or ability to provide a reasonable level of services. With the earlier portions of this report in mind, staff concludes the project is, on an overall basis, consistent with the overall goals and policies of the County General Plan.



REZONE

To approve a rezone, the Planning Commission must find that it is consistent with the General Plan. In this case, Planned Industrial zoning would indeed be consistent with the Planned Industrial designation.

RECOMMENDATION

Based on the foregoing discussion, staff recommends the project for approval. Should the Commission wish to approve the project, it should recommend that the Board of Supervisors:

1. Order the filing of a Mitigated Negative Declaration, find the project to be "De Minimis" for the purposes of Fish and Game Codes.
2. Find that the proposed general plan amendment is consistent with the overall goals and policies of the Land Use Element of the County General Plan and the overall General Plan.
3. Approve General Plan Amendment No. 2001-02.
4. Find that the proposed Planned Industrial zoning is consistent with the Planned Industrial General Plan designation.
5. Approve Rezone Application No. 2001-03, subject to the attached Development Standards

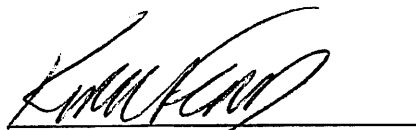
\*\*\*\*\*

GPA 2001-02and REZ 2001-03  
Staff Report  
July 5, 2001  
Page 7

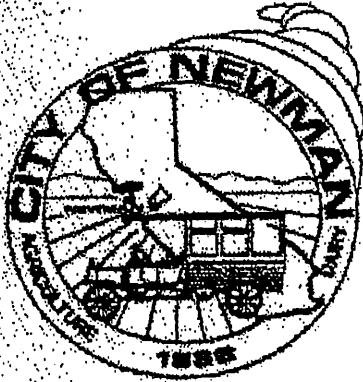
Report written by: Angela Freitas, Associate Planner

Attachments: Exhibit A : City of Newman referral response, dated February 28, 2001  
Exhibit B : Maps  
Exhibit C : Applicant's Site Photos  
Exhibit D : Development Standards/Schedule  
Exhibit E : Initial Study and Initial Study Comments  
Exhibit F : Mitigation Monitoring Plan  
Exhibit G : Mitigated Negative Declaration  
Exhibit H: Certificate of Fee Exemption  
Exhibit I: Environmental Review Referrals

Reviewed by:



Kirk Ford, Senior Planner



**Newman City Planning Department  
Staff Memorandum**

February 28, 2001

**To:** Angela Freitas, Assistant Planner  
Stanislaus County Planning and Community Development Department

**From:** Robert Borchard, AICP, Planning Director  
~~City of Newman Planning Department~~

**Subject:** Quality Modular Structures, LLC; GPA-2001-02; RZ 2001-03

With respect to the above referenced project, City staff have met with the applicant and reviewed the existing and proposed uses for the site. The Planning Commission and City Council have discussed the project site several times over the years and it has been the consensus of both bodies that it is desirable to see this facility used in a manner that creates jobs for the City and region.

While the project site is located within an area designated for "General Commercial" uses, the manufacturing use of the site is consistent with potential uses that the City would consider in this area. At present, the City is undertaking an update of its General Plan and discussions have been held with respect to the location of business and industry relative to Highway 33 and Stuhr Road. The use of this site for planned industrial uses would be consistent with those discussions.

It should be pointed out, however, that the Stuhr Road/Highway 33 corridors represent entrances into the City of Newman whose appearance is important. The City has developed and adopted a Highway 33 Specific Plan that establishes development standards along the Highway 33 Corridor within the existing City limits. It is important that development along this entire corridor be reviewed with respect to appearance including, but not limited to, landscaping and screening of outdoor storage areas, placement of signs, etc.

In direct response to your question, the City of Newman supports the proposed rezoning for re-use of this site. Thank you for your consideration of the City's position and concerns regarding this project. If you have any questions, please give me a call at your convenience.

cc: Newman City Council  
Newman City Planning Commission  
M. Cleve Morris, Newman City Manager

GPA NO.2001-02 | REZ. NO.2001-03  
BY: QUALITY MODULAR STRUCTURES, LLC

W STUHR RD

ESTUHR RD

HWY 33

SITE

FIG LN

JENSEN RD

ORESTIMBAR RD

HOYER RD

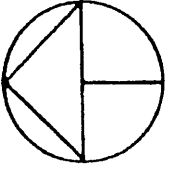
DRAPER RD

NEWMAN

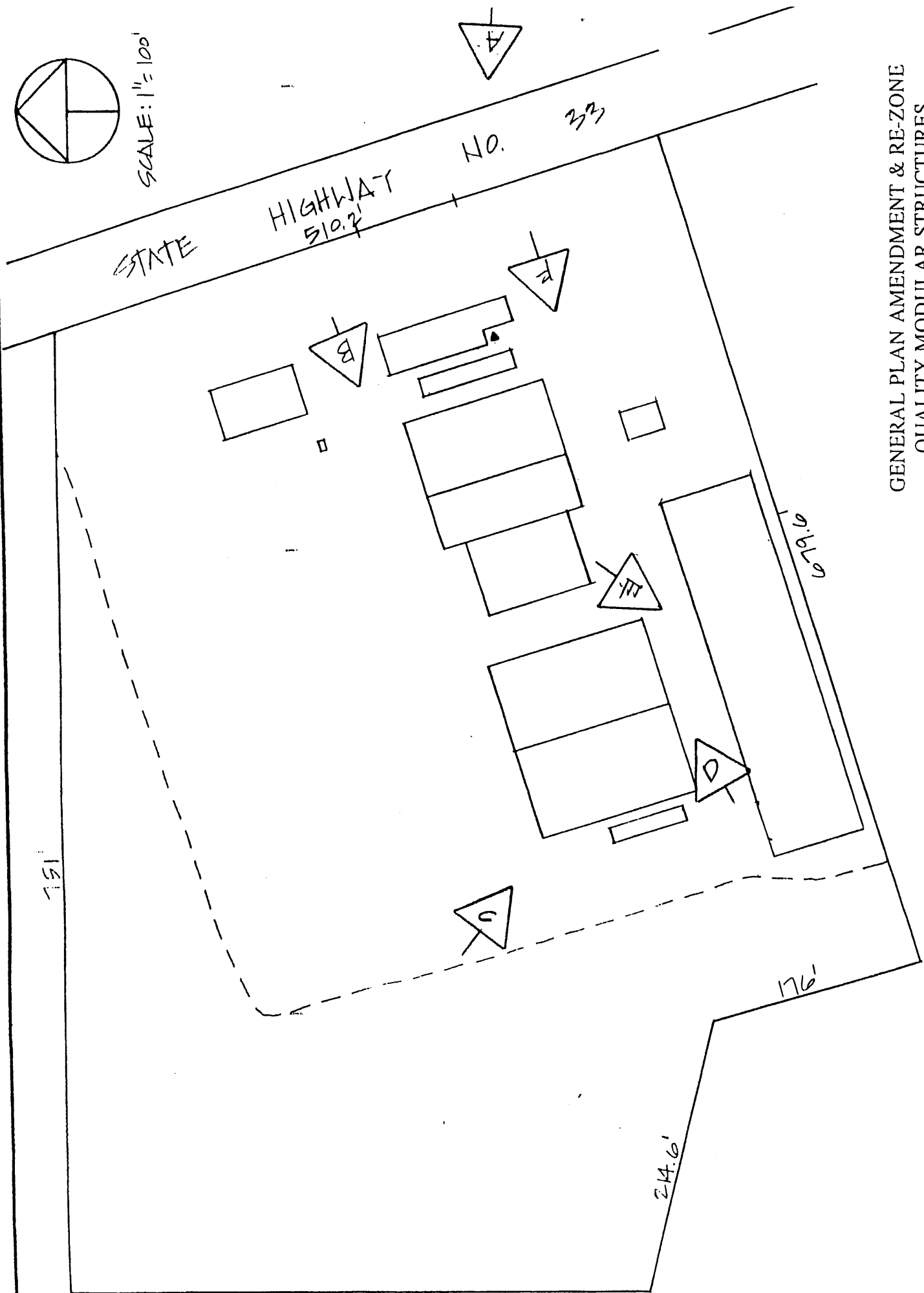
HILLS FERRY RD







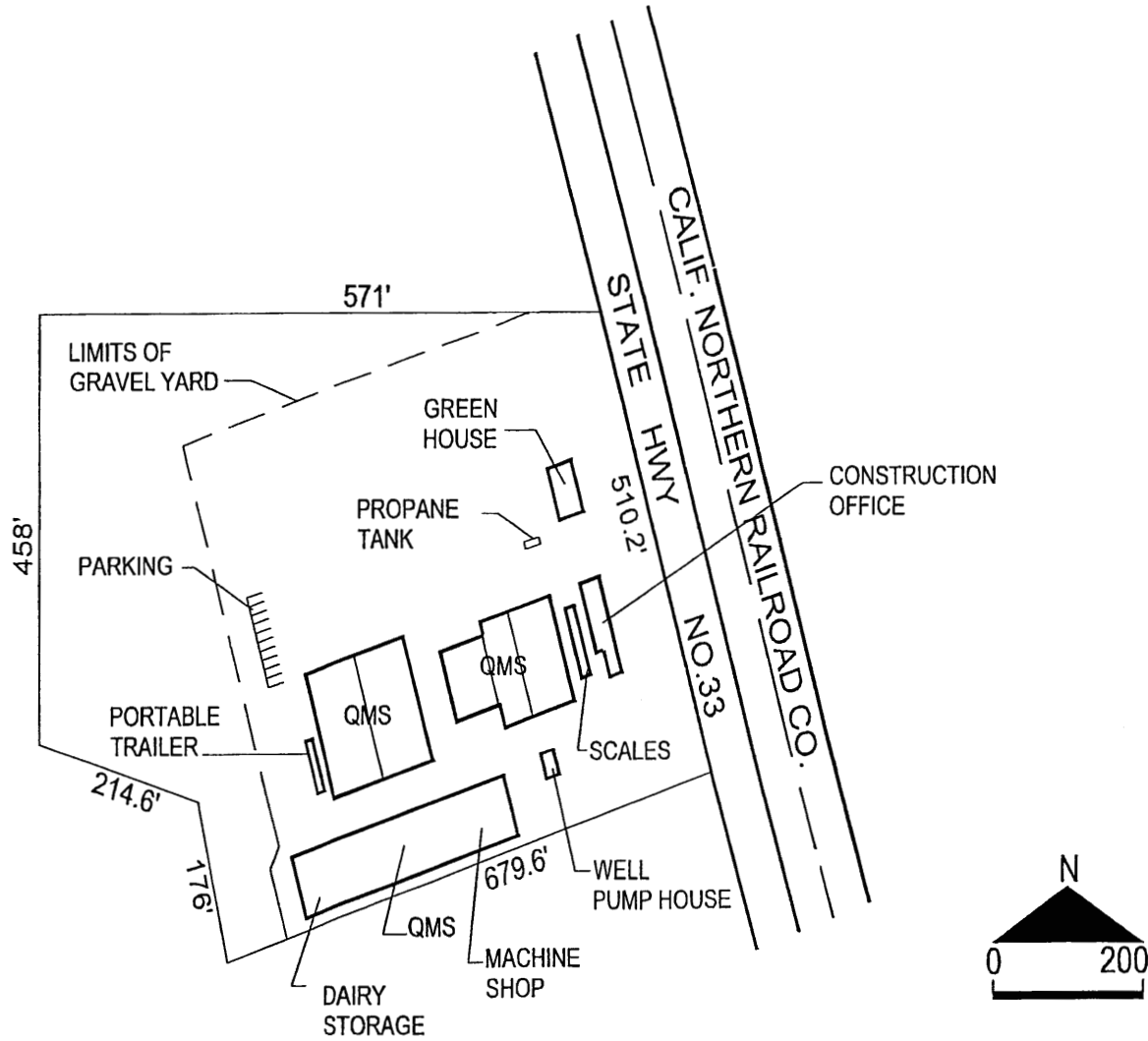
SCALE: 1" = 100'



GENERAL PLAN AMENDMENT & RE-ZONE  
QUALITY MODULAR STRUCTURES  
27431 HIGHWAY 33, NEWMAN, CA.  
(APN 026-39-14)

PHOTO INDEX

GPA NO.2001-02 \ REZ. NO.2001-03  
BY: QUALITY MODULAR STRUCTURES , LLC



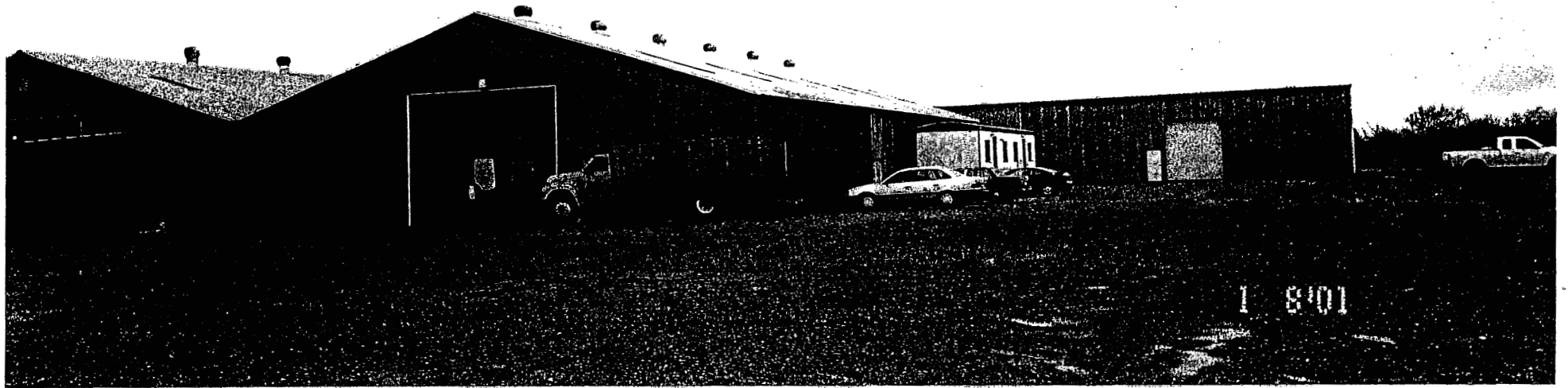


Photo C: View looking south easterly of the north and west exterior elevations of existing buildings.

Photo D: View looking east of the north, south and west exterior elevations of existing buildings.





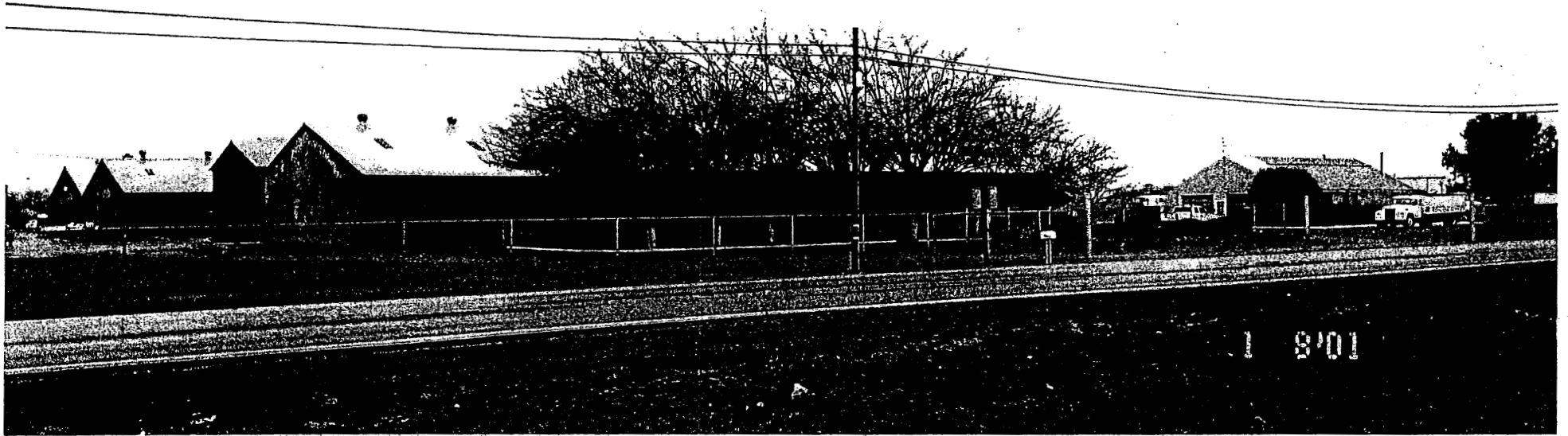
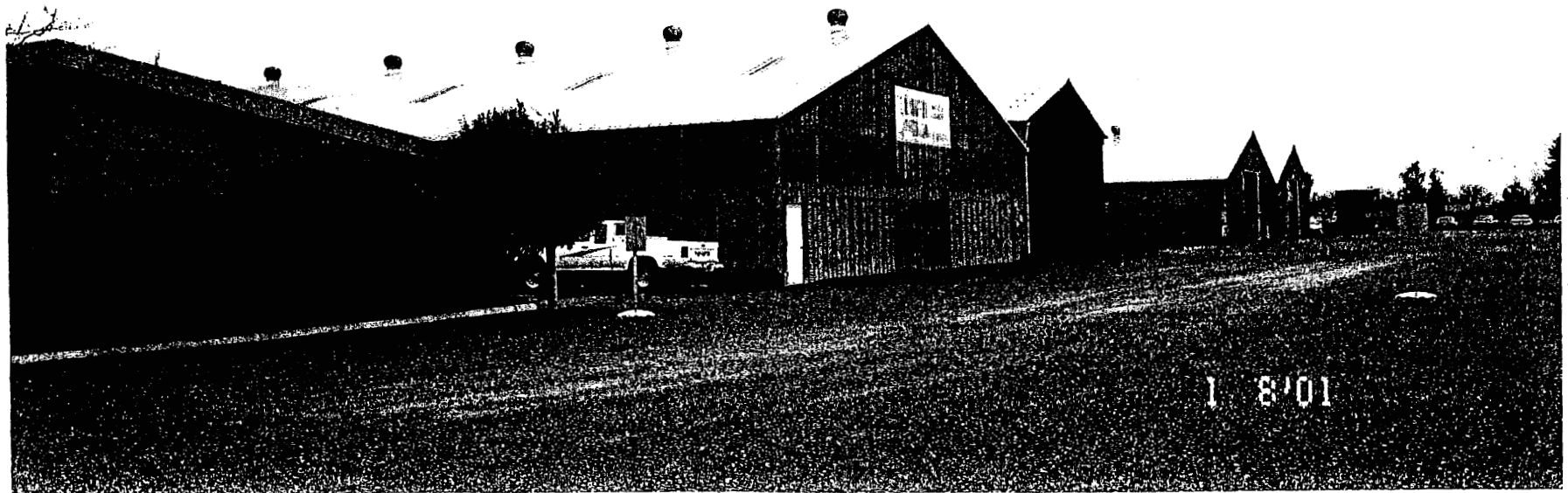


Photo A: Front view of the property looking west from Highway 33.

Photo B: View looking west of the north exterior elevations of existing buildings.



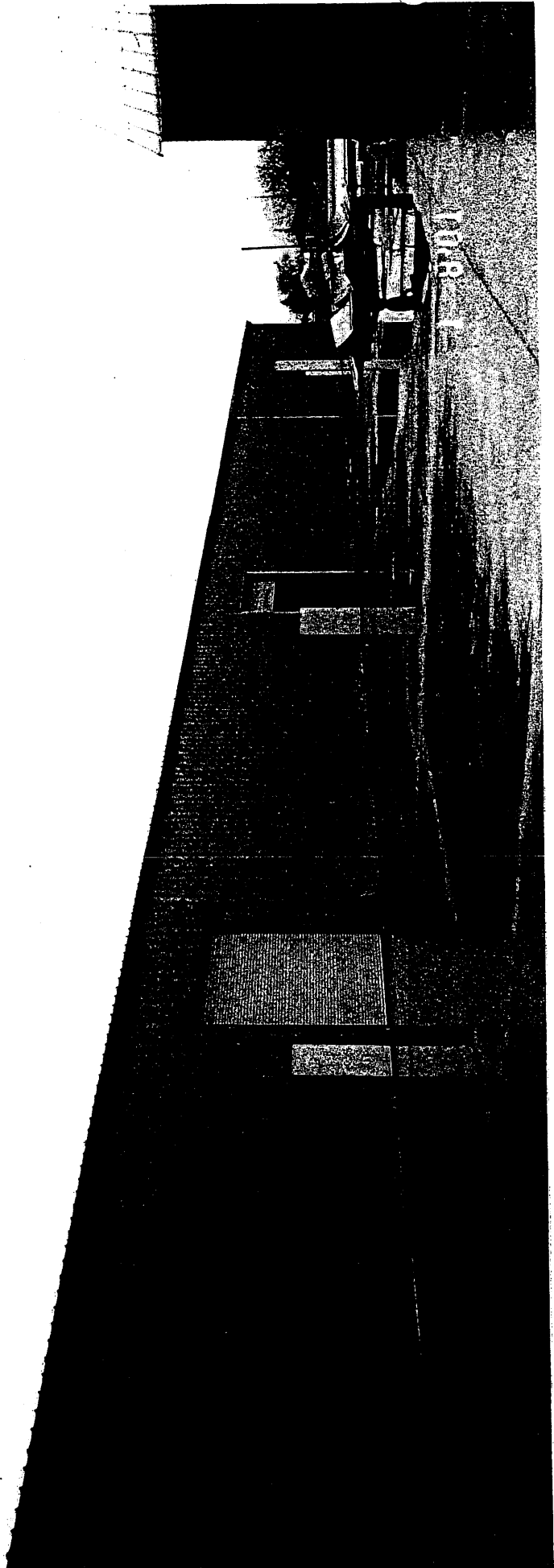


Photo E: View looking southwest of the north exterior elevation of existing building.

Photo F: View looking west of the south and east exterior elevations of existing buildings.



**DEVELOPMENT STANDARDS/SCHEDULE**

GENERAL PLAN AMENDMENT APPLICATION NO. 2001-02  
REZONE APPLICATION NO. 2001-03  
QUALITY MODULAR STRUCTURES, LLC

**DEVELOPMENT STANDARDS:**

**Department of Planning and Community Department**

1. This project is to be constructed and operated as described in the application information submitted including submittals modifying the project in accordance with other laws and ordinances.
2. All uses within the Planned Industrial zone shall be consistent with the approved development plan.
3. The project shall comply with all development standards of the Planned Industrial zone, unless the Planning Commission grants specified exemptions based on justifiable reasoning and evidence presented by the applicant.
4. All exterior lighting shall be designed (aimed down and towards the site) to provide adequate illumination without a glare effect.
5. Any subsequent uses proposed on this property shall be subject to further discretionary approval in accordance with County Code Section 21.42.040(B).
6. The project shall comply with the City of Newman's adopted Highway 33 Specific Plan with respect to appearance along the Highway 33 corridor.
7. A plan for any proposed signs indicating the location, height, area of the sign, and message must be approved by the Director of Planning prior to installation.
8. Developer shall pay all applicable 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 the 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.
9. The subdivider 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 map as set forth in Government Code Section 66474.9. The County shall promptly notify the subdivider of any claim, action, or proceeding to set aside the approval and shall cooperate fully in the defense.
10. Prior to the issuance of the Notice of Determination, the applicant shall pay, within 5 days of Planning Commission approval, a filing fee of \$50.00 to "Stanislaus County Clerk/Recorder" care of the Planning Department. Should the "De Minimis" finding be found invalid for any reason, the applicant/developer shall be responsible for payment of Department of Fish and Game Fees.

**Public Works Department**

11. An encroachment permit shall be obtained from Caltrans for any new driveway approaches and/or modifications to the existing driveway at State Highway 33.
12. No parking, loading or unloading of vehicles shall be permitted within the right-of-way of State Highway 33. The developer will be required to install or pay for the installation of any signs and/or markings, if warranted.
13. Any additional development of the property will require a Grading and Drainage Plan signed by a licensed civil engineer to be submitted that provides sufficient information to verify all runoff will be kept from going onto adjacent properties and the State Highway 33 right-of-way.
14. The entire property is located within the 100-year flood plan (Zone AO) with a projected two (2) foot depth of flooding. All future structures and substantial improves shall comply with regulations of the Flood Damage Prevention Ordinance, Stanislaus County Code Section 16.50.

**Development Services**

15. Buildings identified on the applicant's plot plan as numbers 1, 2, 3, and 7 shall require 3'-0" x 6'-8" Main Doors with 36" square flat hard landing, placed diagonally in buildings. The portable trailer identified as number 8 shall obtain all applicable building permits.

**Stanislaus Consolidated Fire**

16. Fire department access and water for fire protection shall be maintained in accordance with all applicable codes and ordinances.

**Planning Commission**

17. Hours of operation shall be limited to 7:00 a.m. to 7:00 p.m. Monday through Saturday.

\*\*\*\*\*

**DEVELOPMENT SCHEDULE**

- None specified.

# Stanislaus County

## Planning and Community Development

1010 10th Street, Suite 3400  
Modesto, CA 95354

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

---

### CEQA INITIAL STUDY

Adapted from CEQA Guidelines APPENDIX G Environmental Checklist Form, Final Text, October 26, 1998

1. **Project title:** General Plan Amendment Application No. 2001-02 and Rezone Application No. 2001-03- Quality Modular Structures, LLC
2. **Lead agency name and address:** Stanislaus County Planning Department  
1010 10th Street, Suite 3400  
Modesto, CA 95354
3. **Contact person and phone number:** Angela Freitas, Associate Planner  
(209) 525-6330
4. **Project location:** North side of Highway 33, between Stuhr Road and Jensen Road, in the Newman area. (27431 Highway 33, Newman)
5. **Project sponsor's name and address:** Robert D. Hansen  
111 West St. John Street, Suite 400  
San Jose, CA 95113
6. **General plan designation:** Agriculture
7. **Zoning:** A-2-10 (General Agriculture)
8. **Description of project:**

This is a request to amend the general plan and zoning designation from Agriculture/A-2-10 to Planned Industrial to allow a portion of a 10.87 acre site to be utilized by Quality Modular Structures (QMS), a portable building fabrication business, which has been operating on the site since July of 2000. Prior to the current user, the existing structures and truck scale were utilized by the Maffei Seed Company.

The proposed development plan will allow QMS to continue utilizing the existing structures for the storage of raw building materials and the fabrication of portable construction and school buildings. The company employees between 25 and 40 persons between the usual hours of 7:00 a.m. and 5:00 p.m., Monday through Friday. Peak seasonal hours can extend from 7:00 a.m. to midnight, Monday through Saturday, with peak season consisting of good weather spring and summer months. An average of 10 portable buildings are fabricated per week and moved off-site within two to three days of completion. An average of 10 deliveries of raw materials to the site are made per week. All raw materials are stored inside the existing structures, except for the chassis which are stored alongside the existing structures in the graveled yard.

There are no plans to develop the site for a different use, increase the intensity of the use, or modify the existing structures and traffic patterns. The planned industrial use of the site is specific to the proposed development plan and, as such, any change of use and/or intensity of use will require further discretionary approval in accordance with County Code Section 21.42.040(B).

9. **Surrounding land uses and setting:** Agricultural uses and ranchettes to the north, south, and west, State Highway 33 and agricultural uses to the east, and City of Newman to the south.

10. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)**

California State Department of Transportation  
Stanislaus County Public Works Department  
City of Newman

**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.

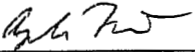
- |  |   |   |
|--|---|---|
| <input checked="" type="checkbox"/> Aesthetics         | <input type="checkbox"/> Agriculture Resources              | <input type="checkbox"/> Air Quality            |
| <input type="checkbox"/> Biological Resources          | <input type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Geology /Soils         |
| <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 checked="" type="checkbox"/> Public Services    | <input type="checkbox"/> Recreation                         | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities / Service Systems   | <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

April 9, 2001  
\_\_\_\_\_  
Date

Angela Freitas  
\_\_\_\_\_  
Printed name

\_\_\_\_\_  
For

## 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). Reference 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 significance 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 significance.



	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
--	--------------------------------	--	------------------------------	-----------

**ISSUES**

**I. AESTHETICS** -- Would the project:

- |  |                          |                          |                                     |                                     |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Have a substantial adverse effect on a scenic vista?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?                                    | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

**Discussion:** The site itself is not considered to be a scenic resource or a unique scenic vista. Development of the site will be consistent with the Planned Industrial zoning district, which establishes development standards addressing landscaping, screening, and fencing, and with the City of Newman's adopted Highway 33 Specific Plan. This project will continue to utilize existing exterior lighting which may introduce a source of light and glare, with the potential to adversely impacting adjacent properties and travelers along State Highway 33, if not properly installed and maintained. A mitigation measure is being added to insure the lighting is designed to provide adequate illumination without a glare effect.

**Mitigation:**

1. All exterior lighting shall be designed (aimed down and towards the site) to provide adequate illumination without a glare effect.

**References:** County policies and staff experience.

**II. AGRICULTURE RESOURCES:** In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

- |  |                          |                          |                                     |                                     |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

**Discussion:** The site is located within the Local Agency Formation Commission's (LAFCO) adopted sphere of influence of the City of Newman. The County Zoning Ordinance specifically excludes land within spheres of influence as being "most productive agricultural areas." It is the understanding that land within a sphere of influence will someday be

Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
--------------------------------------	--	------------------------------------	--------------

annexed and as such the conversion of farmland is unavoidable. The portion of the site where non-agricultural use is being proposed is already developed with numerous accessory structures and graveled driveways, and, as a result, this portion of the site is not agriculturally viable. The undeveloped portion of the site is currently fallow and will remain as such under this proposal. However, undeveloped portion of the site may be utilized for agricultural activities if desired by the property owner. The site is not enrolled under a Williamson Act Contract.

The greatest agricultural impact is associated with normal farming activities such as spraying, plowing, fertilizing, etc., which may create dust, noise, and odors which may not be appreciated by the users of the project site. The County has a Right-to-Farm Ordinance in place to protect the agricultural users from unjust nuisance complaints. While the potential for urban/rural conflict exists, the impacts are less than significant and may diminish in the future as the City of Newman expands its City limits towards adjacent agricultural lands.

**Mitigation:** None.

**References:** Stanislaus County General Plan - Adopted October 1994 and the Stanislaus County General Plan Support Documentation - Adopted June 1987 and Stanislaus County Zoning Ordinance.

**III. AIR QUALITY** -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- |   |                          |                          |                                     |                                     |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| c) 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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d) Expose sensitive receptors to substantial pollutant concentrations?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| e) Create objectionable odors affecting a substantial number of people?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

**Discussion:** The project site is located within the San Joaquin Valley Air Basin, which has been classified as "serious non-attainment" for ozone and respirable particular matter (PM-10) as defined by the Federal Clean Air Act. The San Joaquin Valley Air Pollution Control District (SJVAPCD) has been established by the State in an effort to control and minimize air pollution. As such, the District maintains permit authority over stationary sources of pollutants.

Any 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 standards for vehicles, and acts on issues regarding cleaner burning fuels and alternative fuel technologies. As such, the SJVAPCD has addressed most criteria air pollutants through basin wide programs and policies to prevent cumulative deterioration of air quality within the Basin. This project was referred to the SJVAPCD for comments, but none were received.

Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
--------------------------------------	--	------------------------------------	--------------

**Mitigation:** None

**References:** San Joaquin Valley Air Pollution Control District - Regulation VIII Fugitive Dust/PM-10 Synopsis and Stanislaus County General Plan - Adopted October 1994.

**IV. BIOLOGICAL RESOURCES** -- Would the project:

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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 US Fish and Wildlife Service?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**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 are no known sensitive or protected species or natural communities located on the site and/or in the surrounding area.

**Mitigation:** None.

**References:** Stanislaus County General Plan - Adopted October 1994 and the Stanislaus County General Plan Support Documentation - Adopted June 1987.

	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
<b>V. CULTURAL RESOURCES --</b> Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in $\alpha$ 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to $\alpha$ 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:** The site has been farmed for many years and there are no unique paleontological or geological fixtures known to exist on the site. The project will not involve construction activities which could result in the unearthing of human remains or potentially unique cultural resources.

**Mitigation:** None

**References:** Stanislaus County General Plan - Adopted October 1994 and the Stanislaus County General Plan Support Documentation - Adopted June 1987.

<b>VI. GEOLOGY AND SOILS --</b> Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
--------------------------------------	--	------------------------------------	--------------

of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

**Discussion:** As contained on page 247 of the General Plan Support Document (June 1987), the areas of the County subject to significant geologic hazard are located in the Diablo Range, west of Interstate 5. Existing structures have been built according to building standards appropriate to withstand shaking for the area in which they are constructed. Any future modifications to existing structures, or the construction of new structures, will be subject to all applicable county policies and ordinances.

**Mitigation:** None.

**References:** Stanislaus County General Plan - Adopted October 1994, Stanislaus County General Plan Support Documentation - Adopted June 1987, and the Uniform Building Code (1997).

**VII. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:**

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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?                                   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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 for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Expose people or structures to a significant risk of loss,  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
--------------------------------------	--	------------------------------------	--------------

injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

**Discussion:** The County Department of Environmental Resources is responsible for overseeing hazardous materials and has not indicated any particularly concerns in this area. A private airstrip is located northwest of the Villa Manucha and Stuhr Roads intersection; roughly a quarter mile northwest of the site. The airstrip was established prior to 1980 and serves a crop dusting business and small aircraft repair facility. There is no indication, based on the history of both the project sites past use and the airstrips history, that the project site will be adversely impacted by the airstrip.

Pesticide exposure is a risk in areas located in the vicinity of agricultural uses. Sources of exposure include contaminated groundwater which is consumed and drift from spray applications. Application of sprays are strictly controlled by the Agricultural Commissioner and can only be accomplished after first obtaining permits. The groundwater is not known to be contaminated in this area.

**Mitigation:** None.

**References:** Stanislaus County General Plan - Adopted October 1994 and the Stanislaus County General Plan Support Documentation - Adopted June 1987.

**VIII. HYDROLOGY AND WATER QUALITY --** Would the project:

- |   |                          |                          |                                     |                                     |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Violate any water quality standards or waste discharge requirements?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| e) 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?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| f) Otherwise substantially degrade water quality?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
map?				
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:** Areas subject to flooding have been identified in accordance with the Federal Emergency Management Act. The entire project site is located within the 100-year flood plain (Zone AO) with a projected two (2) foot depth of flooding. The existing structures have been constructed in accordance with county flood damage prevention ordinances. Any future modifications to existing structures, or the construction of new structures, will be subject to all applicable county policies and ordinances.

**Mitigation:** None

**References:** Stanislaus County Public Works - referral response dated February 15, 2001 and April 4, 2001, Stanislaus County General Plan - Adopted October 1994, and the Stanislaus County General Plan Support Documentation - Adopted June 1987.

**IX. LAND USE AND PLANNING** - Would the project:

a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:** There is no possibility of dividing any community in this case, nor are there any conservation plans in effect in the area. The site is designated Agriculture and zoned General Agriculture. If this project is approved the project site will be designated and zoned Planned Industrial (PI). The PI zoning district permits only uses consistent with an adopted development plan. In this case, the proposed development plan will allow only the existing portable building fabrication business to operate within the sites existing structures. The City of Newman has reviewed the project and found it to be consistent with potential uses that the City would consider for the area.

**Mitigation:** None.

**References:** City of Newman - referral response dated February 28, 2001, Stanislaus County General Plan - Adopted October 1994 and the Stanislaus County General Plan Support Documentation - Adopted June 1987.

	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
--	--------------------------------	--	------------------------------	-----------

**X. MINERAL RESOURCES** -- Would the project:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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?                                | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**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 in or around the project area.

**Mitigation:** None.

**References:** State Division of Mining & Geology-Special Report 173 (1993), Stanislaus County General Plan - Adopted October 1994, and the Stanislaus County General Plan Support Documentation - Adopted June 1987.

**XI. NOISE** -- Would the project result in:

- |   |                          |                          |                                     |                                     |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 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 expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

**Discussion:** The General Plan identifies 75 Ldn as the normally acceptable level of noise for agriculture, industrial, manufacturing, and other similar land uses. Noise impacts associated with on-site activities and associated traffic is not



Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
--------------------------------------	--	------------------------------------	--------------

anticipated to exceed the normally acceptable level of noise. There was no indication of a significant noise impact observed by staff during a cursory site visit conducted during normal business hours. There are no complaints of significant noise on record from the occupants of adjoining properties.

**Mitigation:** None

**References:** California Office of Noise Control - Land Use Compatibility for Community Noise Environments, Stanislaus County General Plan - Adopted October 1994, Stanislaus County General Plan Support Documentation - Adopted June 1987, and staff experience.

**XII. POPULATION AND HOUSING --** Would the project:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Induce substantial 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)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**Discussion:** No substantial numbers of housing or persons will be displaced by the project. The proposed use of the site will not create significant service extensions that could be considered as growth inducing.

**Mitigation:** None.

**References:** Stanislaus County General Plan - Adopted October 1994 and the Stanislaus County Zoning Ordinance.

**XIII. PUBLIC SERVICES**

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

- |                          |                          |                                     |                                     |                          |
|--------------------------|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| Fire protection?         | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| Police protection?       | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| Schools?                 | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Parks?                   | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Other public facilities? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |

Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
--------------------------------------	--	------------------------------------	--------------

**Discussion:** As a condition of approval, a Change of Occupancy will be required for all existing structures, once utilized by Maffei Seed. Review of the building permit records identify that the former use type of the existing structures are consistent with the use type proposed by the Quality Modular Structures operation and, as such, payment of Public Facilities Impact Fees will not be required. However, all permitted users of the structures will be subject to a case-by-case review at the time any Change of Occupancy is required and may be subject to additional Public Facilities Fees based on the use type. The County has adopted a standardized mitigation measure requiring payment of all applicable Public Facilities Fees, as well as one for the Fire Facility Fees on behalf of the appropriate fire district, to address impacts to public services and this measure has been included. The applicant has been made aware of the need to obtain a building permit for the portable trailer which has been placed on the site and is being utilized as both an office and demonstration model for Quality Modular Structures. Any building permit issued for the portable trailer will be subject to all applicable Public Facilities Impact Fees and Fire Facilities Fees. A mitigation measure has been added to insure that the development is kept in compliance with fire department standards with respect to access and water for fire protection.

**Mitigation:**

2. *The developer shall pay all applicable 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 the building permit for any construction in the development project and be based on the rates in effect at the time of building permit issuance.*
  
3. *Fire department access and water for fire protection shall be maintained in accordance with all applicable codes and ordinances.*

**References:** Stanislaus Consolidated Fire, referral response dated February 14, 2001, County Policies, Stanislaus County General Plan - Adopted October 1994, and the Stanislaus County General Plan Support Documentation - Adopted June 1987.

**XIV. RECREATION --**

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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?                        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**Discussion:** The project is not anticipated to increase significant demands for recreational facilities, as such impacts typically are associated with residential development.

**Mitigation:** None.

**References:** County Policies, Stanislaus County General Plan - Adopted October 1994, and the Stanislaus County General Plan Support Documentation - Adopted June 1987.

	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
<b>XV. TRANSPORTATION/TRAFFIC --</b> Would the project:				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:** Both the County Public Works Department and the California State Department of Transportation have reviewed the project and determined a less than significant traffic impact. The Stanislaus County Council of Governments (StanCOG) has reviewed the project and indicated it may have an adverse impact on the environment based on the Congestion Management Program (CMP) "worst case" average daily traffic calculation of 1,272 daily vehicle trips. The 1,272 daily vehicle trips assumes full build-out of the entire 10.87 acre site. However, in this case development will be limited to the existing structures, which equate to an average daily traffic calculation of 74 daily vehicle trips. Any further development of the site will require approval of additional discretionary approvals, thus requiring additional traffic analysis.

**Mitigation:** None

**References:** California State Department of Transportation - referral response dated February 20, 2001, Stanislaus County Dept of Public Works - referral responses dated February 15, 2001 and April 4, 2001, Stanislaus Council of Governments - referral response dated February 23, 2001, Stanislaus County General Plan - Adopted October 1994, Stanislaus County General Plan Support Documentation - Adopted June 1987.

**XVI. UTILITIES AND SERVICE SYSTEMS --**

Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
facilities, the construction of which could cause significant environmental effects?				<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:** Limitations on providing services have not been identified. The site will continue to be served by the existing on-site well and septic system. Any future modifications to existing structures, or the construction of new structures, will be subject to all applicable county policies and ordinances.

**Mitigation:** None.

**References:** County Public Works Department, Stanislaus County General Plan - Adopted October 1994 and the Stanislaus County General Plan Support Documentation - Adopted June 1987 Application Information.

**XVII. MANDATORY FINDINGS OF SIGNIFICANCE --**

a) Does the project have the potential to 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, 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:** Review of this project has not indicated any feature(s) which might significantly impact the environmental quality of the site and/or adjacent areas. As such, all identified project-significant impacts have been mitigated to a level of less than significant.

# Stanislaus County

## Planning and Community Development

1010 10th Street, Suite 3400  
Modesto, CA 95354

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

---

### Mitigation Monitoring Plan

Adapted from CEQA Guidelines sec. 15097 Final Text, October 26, 1998

April 9, 2001

1. **Project title and location:** General Plan Amendment Application No. 2001-02 and Rezone Application No. 2001-03- Quality Modular Structures, LLC
2. **Project Applicant name and address:** Robert D. Hansen  
111 West St. John Street, Suite 400  
San Jose, CA 95113
3. **Person Responsible for Implementing Mitigation Program (Applicant Representative):** Robert D. Hansen
4. **Contact person at County:** Angela Freitas, Associate Planner  
(209)525-6330

#### MITIGATION MEASURES AND MONITORING PROGRAM:

List all Mitigation Measures by topic as identified in the Mitigated Negative Declaration and complete the form for each measure.

##### I. AESTHETICS

- No. 1 Mitigation Measure: All exterior lighting shall be designed (aimed down and towards the site) to provide adequate illumination without a glare effect.
- Who Implements the Measure: Applicant.
- When should the measure be implemented: Upon project approval.
- When should it be completed: Continuous.
- Who verifies compliance: Stanislaus County Planning Department
- Other Responsible Agencies: None.

##### XIII. PUBLIC SERVICES

- No. 2 Mitigation Measure: The developer shall pay all applicable Public Facilities Impact Fees and Fire Facilities Fees as adopted by Resolution of the Board of

**Stanislaus County Mitigation Monitoring Plan**  
**GPA 2001-02 & RFZ 2001-03 - Quality Modular Structures, LLC**

**Page 2**  
**April 9, 2001**

Supervisors. The Fees shall be payable at the time of issuance of the building permit for any construction in the development project and be based on the rates in effect at the time of building permit issuance.

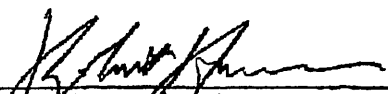
Who Implements the Measure:	Applicant.
When should the measure be implemented:	Upon project approval.
When should it be completed:	Continuous.
Who verifies compliance:	Development Services - Building Department.
Other Responsible Agencies:	Stanislaus Consolidated Fire and Planning Department.

**No. 3 Mitigation Measure:**

Fire department access and water for fire protection shall be maintained in accordance with all applicable codes and ordinances

Who Implements the Measure:	Applicant.
When should the measure be implemented:	Upon project approval.
When should it be completed:	Continuous.
Who verifies compliance:	Stanislaus Consolidated Fire.
Other Responsible Agencies:	Development Services - Building Department and Planning Department.

I the undersigned, do hereby certify that I understand and agree to be responsible for implementing the Mitigation Program for the above listed project.

  
 \_\_\_\_\_  
 Person Responsible for Implementing  
 Mitigation Program

5-10-01  
 \_\_\_\_\_  
 Date

Robert D. Hansen, for  
Quality Modular Structures, LLC

## MITIGATED NEGATIVE DECLARATION

- NAME OF PROJECT:** General Plan Amendment 2001-02 and Rezone 2001-03 - Quality Modular Structures, LLC
- LOCATION OF PROJECT:** West side of Highway 33, between Stuhr Road and Jensen Road, in the Newman area.  
(27431 Highway 33)
- PROJECT DEVELOPER:** Robert D. Hansen  
Quality Modular Structures, LLC  
111 West St. John Street, Suite 400  
San Jose, CA 95113
- DESCRIPTION OF PROJECT:** This is a request to amend the General Plan and Zoning Designation from Agriculture/A-2-10 to Planned Industrial to allow a portion of a 10.87 acre site to be utilized by Quality Modular Structures, a portable building fabrication business.

Based upon the Initial Study, dated April 9, 2001, 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 aforementioned findings are contingent upon the following mitigation measures (if indicated) which shall be incorporated into this project:

1. All exterior lighting shall be designed (aimed down and towards the site) to provide adequate illumination without a glare effect.
2. Developer shall pay all Public Facilities Fees and Fire 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.



3. Fire department access and water for fire protection shall be maintained in accordance with all applicable codes and ordinances.

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: Angela Freitas, Associate Planner

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

(I:\Staffrpt\Gpa-2001.sr\gpa2001-02mitneg.wpd)

CALIFORNIA DEPARTMENT OF FISH AND GAME

CERTIFICATE OF FEE EXEMPTION

De Minimis Impact Finding

**Project Title/Location (include county):**

General Plan Amendment 2001-02 and Rezone 2001-03 - Quality Modular Structures, LLC, located at 27431 Highway 33, in Newman, Stanislaus County

**Project Description:** This is a request to amend the General Plan and Zoning Designation from Agriculture/A-2-10 to Planned Industrial to allow a portion of a 10.87 acre site to be utilized by Quality Modular Structures, a portable building for fabrication business

**Findings of Exemption (attach as necessary):**

The Stanislaus County Planning Commission make a finding of "De Minimis" on this project for the following reasons:

- 1) The site is not in a riparian corridor;
- 2) The site is not identified on the Natural Diversity Data Base as having any threatened or endangered animals or plants or any sensitive habitat; and
- 3) This division will not result in the ability to construct additional residences.

**Certification:**

I hereby certify that the public agency has made the above finding and that the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.

\_\_\_\_\_  
(Chief Planning Official)

Title: Planning Director  
Lead Agency: Stanislaus County  
Date: \_\_\_\_\_

**SUMMARY OF RESPONSES: ENVIRONMENTAL REVIEW  
REFERRALS PROJECT: GENERAL PLAN AMENDMENT 2001-02  
AND REZONE 2001-03 - QUALITY MODULAR STRUCTURES, LLC**

REFERRED TO:	PUBLIC HEARING NOTICE	RESPONDED		RESPONSE			MITIGATION MEASURES		Conditions		
		YES	NO	WILL NOT HAVE SIGNIFICANT IMPACT	MAY HAVE SIGNIFICANT IMPACT	NO COMMENT NON CEQA	YES	NO	YES	No	
DATE: May 16, 2001											
AGRICULTURE COMMISSIONER	X		X								
AIRPORT LANDS COMMISSION											
CA DEPT OF FORESTRY											
CALTRANS	X	X				X		X			X
CITY OF NEWMAN	X	X		X				X		X	
COMMUNITY SERVICES/SANITARY DISTRICT											
CORPS OF ENGINEERS											
COUNTY COUNSEL	X		X								
DEVELOPMENT SERVICES	X	X				X		X		X	
ENVIRONMENTAL RESOURCES	X		X								
FIRE PROTECTION DISTRICT: WEST STANISLAUS	X	X	X			X		X			X
CONSOLIDATED FIRE PROTECTION DISTRICT	X		X	X			X		X		
FISH & GAME	X		X								
HOSPITAL DISTRICT											
IRRIGATION DISTRICT											
LAFCO											
MOSQUITO DISTRICT - TURLOCK		X		X							
MOUNTAIN VALLEY EMERGENCY MEDICAL SERVICES	X	X		X							
MUNICIPAL ADVISORY COUNCIL											
PARKS & FACILITIES	X			X							
P.G. & E.	X	X		X							
PUBLIC WORKS	X		X		X			X		X	
REDEVELOPMENT	X			X							
REGIONAL WATER QUALITY											
RISK MANAGEMENT	X		X		X			X			X
StanCOG	X		X			X		X			X
SCHOOL DISTRICT 1: NEWMAN-CROWS LANDING	X	X		X							
SCHOOL DISTRICT 2: NEWMAN - CROWS LANDING	X	X		X							
SHERIFF	X	X	X					X			
STANISLAUS COUNTY FARM BUREAU	X			X							
STANISLAUS FRC	X		X								
STATE CLEARINGHOUSE	X		X					X			
STATE LANDS BOARD											
SUPERVISORIAL DISTRICT: FIVE (CARUSO)	X			X							
TELEPHONE COMPANY - EVANS	X	X		X							
TUOLUMNE RIVER PRESERVATION TRUST											
US FISH & WILDLIFE	X			X							
VALLEY AIR DISTRICT	X			X							
WATER DISTRICT											
DEPT. OF WATER RESOURCES											

**D. GENERAL PLAN AMENDMENT APPLICATION NO. 2001-02 AND  
REZONE APPLICATION NO. 2001-03 - QUALITY MODULAR  
STRUCTURES, LLC.**

Request to amend the General Plan and Zoning designation from Agriculture/A-2-10 to Planned Industrial to allow a portion of a 10.87 acre site to be utilized by Quality Modular Structures, a portable building fabrication business. The property is located at 27431 Highway 33, in the Newman area. A Mitigated Negative Declaration will be considered.

APN: 026-39-14

Staff Report: Kirk Ford Recommends **APPROVAL**.

Public hearing opened.

**OPPOSITION:** Todd Rocha, 27513 Highway 33, Newman

**FAVOR:** Bob Hansen, 27431 S. Highway 33, Newman

Public hearing closed.

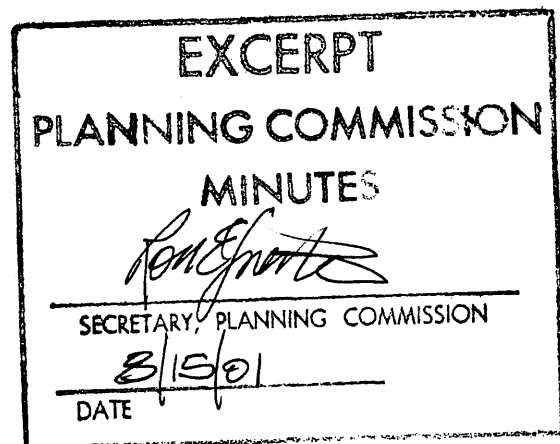
Public hearing re-opened.

**OPPOSITION:** Tina Rocha, 27513 Highway 33, Newman

**FAVOR:** Bob Hansen, 27431 S. Highway 33, Newman

Public hearing closed.

Crivelli/McWilliams, Unanimously, **RECOMMENDED APPROVAL TO  
THE BOARD OF SUPERVISORS, WITH AMENDED CONDITIONS.**



ORDINANCE NO. C.S. - 768

AN ORDINANCE ADOPTING SECTIONAL DISTRICT MAP NO. 9-110.910 FOR THE PURPOSE OF REZONING A 10.87 ACRE SITE FROM AGRICULTURE/A-2-10 TO PLANNED INDUSTRIAL TO ALLOW THE DEVELOPED PORTION OF THE SITE TO BE UTILIZED BY QUALITY MODULAR STRUCTURES, A PORTABLE BUILDING FABRICATION BUSINESS. LOCATED ON THE WEST SIDE OF STATE HIGHWAY 33, BETWEEN STUHR AND JENSEN ROADS, IN THE NEWMAN AREA. APN: 026-39-14

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

Section 1. Sectional District Map No. 9-110.910 is adopted for the purpose of designating and indicating the location and boundaries of a District, such map to appear as follows:

(Insert Map Here)

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

Upon motion of Supervisor Blom, seconded by Supervisor Caruso, the foregoing ordinance was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, this 28th day of August, 2001, by the following called vote:

AYES: Supervisors: Mayfield, Blom, Simon, Caruso and Chair Paul

NOES: Supervisors: None

ABSENT: Supervisors: None

ABSTAINING: Supervisors: None

*Bob Paul*

CHAIR OF THE BOARD OF SUPERVISORS  
OF THE County of Stanislaus, State of  
California

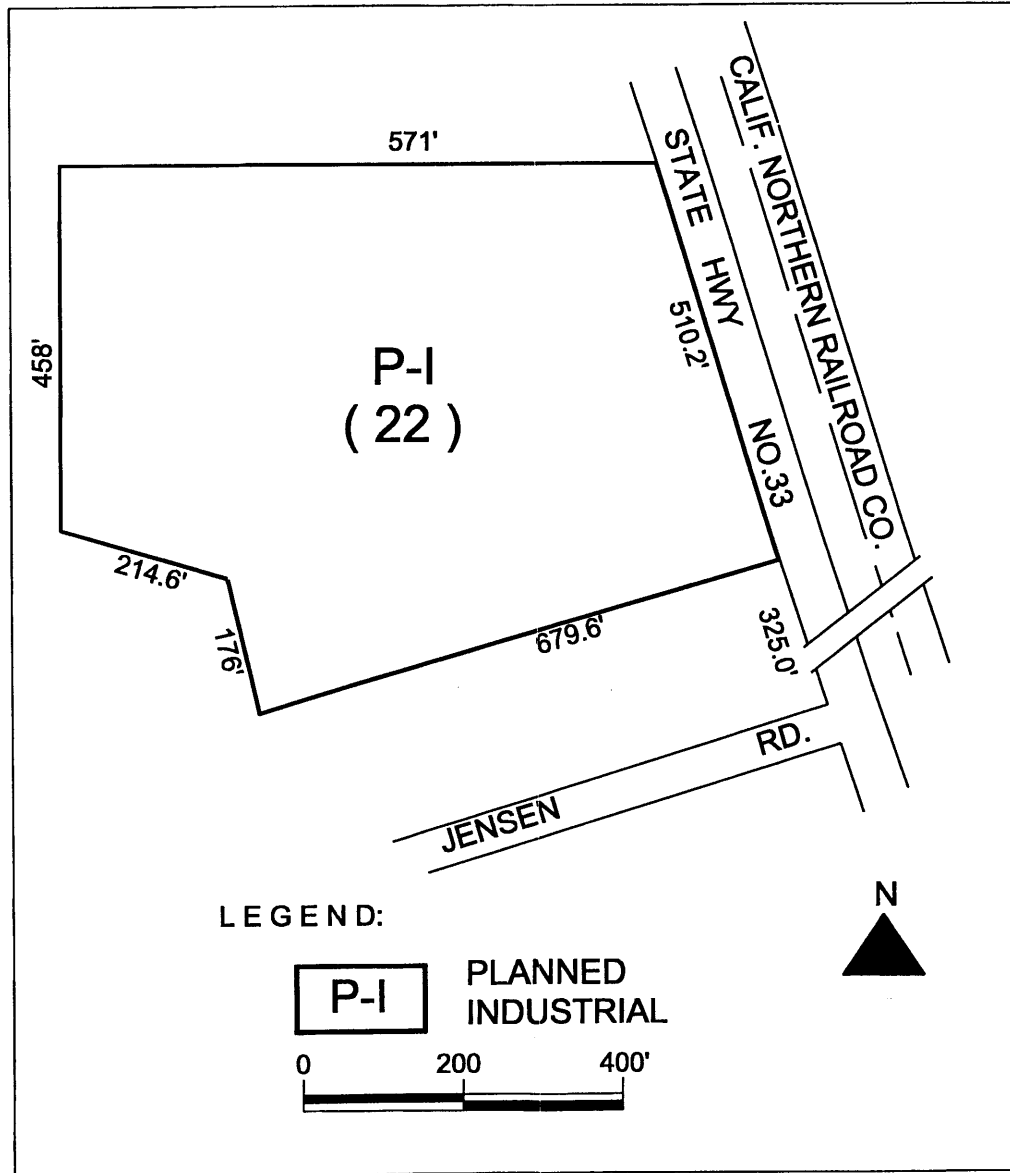
ATTEST: CHRISTINE FERRARO TALLMAN, Clerk of  
the Board of Supervisors of  
the County of Stanislaus,  
State of California

BY:

*[Signature]*  
Deputy Clerk of the Board



SECTIONAL DISTRICT MAP NO. 9-110. 910



# PROOF OF PUBLICATION

(2015.5 C.C.P.)

STATE OF CALIFORNIA  
County of Stanislaus

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the printer, foreman or principal clerk of THE WEST SIDE INDEX a newspaper of general circulation, printed and published weekly in the City of Newman, County of Stanislaus, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Stanislaus, State of California, under the date of April 25, 1952, Case Number 46882; that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

September 6

all in the year 2001.

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Newman, California, this 6th day of

September, 2001.

*Suzi Seibert*  
Signature

This space is for the County Clerk's Filing Stamp

## PUBLIC NOTICE • PUBLIC NOTICE

2001-658

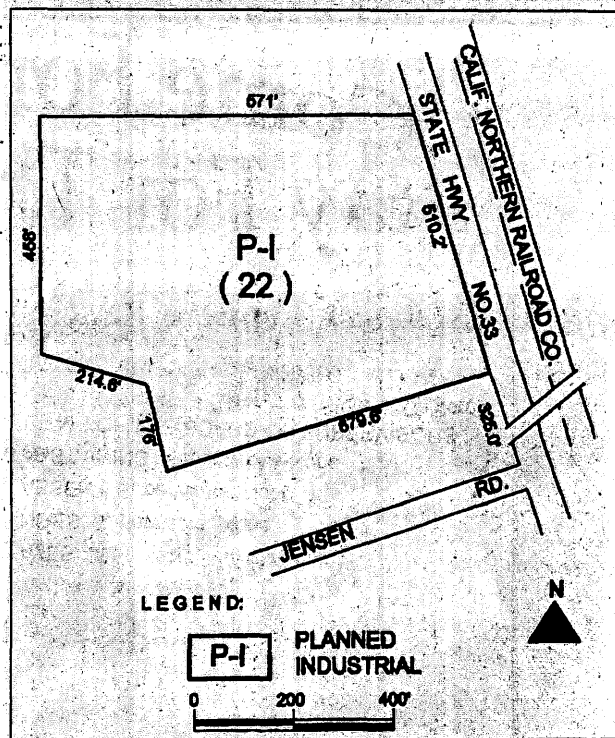
ORDINANCE NO. C.S. - 768

AN ORDINANCE ADOPTING SECTIONAL DISTRICT MAP NO. 9-110.910 FOR THE PURPOSE OF REZONING A 10.87 ACRE SITE FROM AGRICULTURE/A-2-10 TO PLANNED INDUSTRIAL TO ALLOW THE DEVELOPED PORTION OF THE SITE TO BE UTILIZED BY QUALITY MODULAR STRUCTURES, A PORTABLE BUILDING FABRICATION BUSINESS. LOCATED ON THE WEST SIDE OF STATE HIGHWAY 33, BETWEEN STUHR AND JENSEN ROADS, IN THE NEWMAN AREA. APN: 026-39-14

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

Section 1. Sectional District Map No. 9-110.910 is adopted for the purpose of designating and indicating the location and boundaries of a District, such map to appear as follows:

### SECTIONAL DISTRICT MAP NO. 9-110.910



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

Upon motion of Supervisor Blom, seconded by Supervisor Caruso, the foregoing ordinance was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, this 28th day of August, 2001, by the following called vote:

AYES: Supervisors: Mayfield, Blom, Simon, Caruso and Chair Paul

NOES: Supervisors: None

ABSENT: Supervisors: None

ABSTAINING: Supervisors: None

CHAIR OF THE BOARD OF SUPERVISORS  
OF THE County of Stanislaus, State of California

ATTEST: CHRISTINE FERRARO TALLMAN,  
Clerk of the Board of Supervisors of  
the County of Stanislaus,  
State of California

BY: Suzi Seibert  
Deputy Clerk of the Board

PROOF OF PUBLI

DR0-54-I-2  
CS 768