

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

DEPT: Planning & Community Development *RF*

BOARD AGENDA # 9:35 A.M.

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

AGENDA DATE: August 28, 2001

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

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

**SUBJECT:**

APPROVAL OF REZONE APPLICATION NO. 2001-07 & PARCEL MAP APPLICATION NO. 2001-08 - CHRISTOPHER & CHRISTINA BASS PROPOSAL FOR A PLANNED DEVELOPMENT (PD) ZONE TO ALLOW AN 8000 SQ. FT. OFFICE COMPLEX, A CARD LOCK FUELING STATION AND A SEPTIC TANK PUMPING BUSINESS AND HOUSE, AND TO CREATE PARCELS OF 1.0, 1.0, AND 1.88 ACRES AT THE SOUTHEAST CORNER OF SANTA FE AVE., AND MONTE VISTA AVE., IN DENAIR.

**PLANNING COMMISSION RECOMMENDATION:**

BASED ON A STAFF RECOMMENDATION, ON AUGUST 2, 2001, THE COUNTY PLANNING COMMISSION RECOMMENDED UNANIMOUSLY THAT THE BOARD APPROVE THIS PROJECT AS FOLLOWS, INCLUDING AMENDED CONDITIONS OF APPROVAL #27, 28 AND 29. BASED ON ALL EVIDENCE ON THE RECORD, THE PLANNING COMMISSION RECOMMENDS THAT THE BOARD OF SUPERVISORS TAKE THE FOLLOWING ACTIONS REGARDING THIS PROJECT:

(Planning Commission Recommendation Continued on Page 2)

**FISCAL IMPACT:**

None.

**BOARD ACTION AS FOLLOWS:**

No. 2001-659

On motion of Supervisor Mayfield , Seconded by Supervisor Blom

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

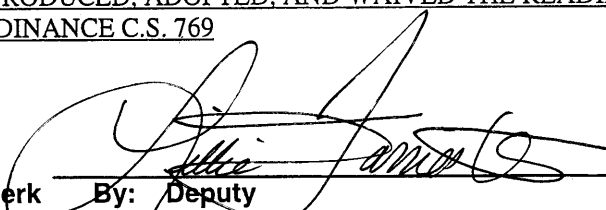
1) X Approved as recommended

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

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

Motion:

INTRODUCED, ADOPTED, AND WAIVED THE READINGS OF  
ORDINANCE C.S. 769



ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

By: Deputy

File No. ORD-54-I-3

SUBJECT: APPROVAL OF REZONE 2001-07 & PARCEL MAP 2001-08 - CHRISTOPHER & CHRISTINA BASS.

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**PLANNING  
COMMISSION  
RECOM-  
MENDATION  
CONTINUED:**

1. ISSUE A MITIGATED NEGATIVE DECLARATION, BASED ON THE INITIAL STUDY AND MITIGATION MEASURES AND FIND THE PROJECT TO BE "DE MINIMIS" FOR THE PURPOSE OF FISH AND GAME CODES;
2. FIND THAT THE PROJECT IS CONSISTENT WITH THE OVERALL GOALS AND POLICIES OF THE COUNTY GENERAL PLAN;
3. FIND THAT THE PROPOSED PD ZONING IS CONSISTENT WITH THE STANISLAUS COUNTY GENERAL PLAN DESIGNATION OF PLANNED DEVELOPMENT.
4. FIND THAT NONE OF THE PARCEL MAP FINDINGS REQUIRING DISAPPROVAL CAN BE MADE.
5. APPROVE REZONE APPLICATION NO. 2001-07 AND PARCEL MAP 2001-08, SUBJECT TO THE ATTACHED CONDITIONS OF APPROVAL.

**DISCUSSION:**

The subject site is located on the south side of Monte Vista Avenue, east of Santa Fe Avenue. The site contains a single family dwelling but otherwise is flat, undeveloped land. The parcel is surrounded by a mixture of agriculture uses, primarily to the east, and several ranchettes. The property is located near the edge of the town of Denair.

The project proposes to rezone this parcel from an expired Planned Development (PD 68) to a new Planned Development to allow for the construction of an office complex and a card lock fueling station. The approval would also legalize the applicant's existing home based septic tank pumping service. The applicant's existing home and business is planned to remain on 1.8 acre parcel on the easterly portion of the site.

The plan for the remaining two acres is to create two one acre parcels. The northerly parcel would house a card lock fueling station. The station would include four above-ground convault fuel tanks, a supply shed and two fueling islands. It will be available on a 24 hour a day basis. Driveways will be located on both E. Monte Vista and Santa Fe Avenues.

The southerly one acre parcel will front on Santa Fe Ave. The proposed Planned Development calls for it to be developed into a professional office complex. One building with suites of 1,500, 1,500, and 5,000 square feet have been shown, although no specific tenants have been identified at this time. The County Ordinance Code requires one parking space per 300 square feet of building area, or 27 spaces. The plot plan submitted shows some 16 spaces, but there is more than adequate room to provide additional paved parking when final building plans are submitted. A landscaping plan for both of the new developments has also been prepared.

SUBJECT: APPROVAL OF REZONE 2001-07 & PARCEL MAP 2001-08 - CHRISTOPHER & CHRISTINA BASS.

PAGE 3

**DISCUSSION  
CONTINUED:**

On August 2, 2001 the Planning Commission held it's Public Hearing on the project. No one spoke in opposition. Chistina Bass spoke on behalf of the project. The applicant had worked with Ron Cherrier of the Public Works Department in the week prior to the meeting to adjust three conditions regarding street improvements and drainage. Mrs. Bass indicated she was in agreement with the revised conditions. Following a brief discussion the Commission noted unanimously, on a motion by Commissioner Wetherbee, seconded by Commissioner Crivelli, to recommend that the Board of Supervisors approve the project.

**POLICY  
ISSUES:**

None.

**STAFFING  
IMPACT:**

None.

**ATTACHMENTS:**

Planning Commission Staff Report, August 2, 2001  
Planning Commission Minutes, Including Amended Condition, August 2, 2001.

# STANISLAUS COUNTY PLANNING COMMISSION

August 2, 2001

## STAFF REPORT

REZONE APPLICATION NO. 2001-07 & PARCEL MAP 2001-08  
CHRISTOPHER & CHRISTINA BASS

REQUEST: TO REZONE AN EXPIRED PLANNED DEVELOPMENT PD(68) TO A NEW PLANNED DEVELOPMENT TO ALLOW FOR AN 8000 SQUARE FOOT OFFICE FACILITY, A CARD LOCK FUELING STATION AND AN EXISTING SEPTIC TANK PUMPING BUSINESS AND HOUSE. THE PARCEL MAP WOULD SPLIT THE PROPERTY INTO PARCELS OF 1.0, 1.0 AND 1.88 ACRES. THE PROJECT IS LOCATED ON THE SOUTH SIDE OF MONTE VISTA AVE., ADJACENT TO SANTA FE AVE., IN DENAIR.

### APPLICATION INFORMATION

Owner:	Christopher & Christina Bass
Applicant:	Same
Location:	5108 E. Monte Vista Ave., Denair
Section, Township, Range:	8-5-11
Supervisory District:	Two (Supervisor Mayfield)
Assessor's Parcel:	24-39-01
Referrals:	See Exhibit "C" Environmental Review Referrals
Area of Parcels:	Currently: 3.88 acres, Proposed: 1.0, 1.0, 1.88 acres
Water Supply:	Currently: Private well. Upon development: Denair Community Services District
Sewage Disposal:	Denair Community Services District
Existing Zoning:	Expired Planned Development (PD 68)
General Plan Designation:	Planned Development
Community Plan Designation:	Estate Residential
Environmental Review:	Mitigated Negative Declaration recommended
Present Land Use:	House, partially constructed garage, shed, open land. Surrounding Land Use: T.I.D. Lateral and farmland to the east, and Santa Fe Ave. and the Burlington Northern Santa Fe Railroad to the west. Most of the area is agriculture and/or ranchettes.

**PROJECT DESCRIPTION**

The project proposes to rezone this parcel from an expired Planned Development (PD 68) to a new Planned Development to allow for the construction of an office complex and a card lock fueling station. The approval would also legalize the applicant's existing home based septic tank pumping service. The applicant's existing home and business is planned to remain on a 1.8 acre parcel on the easterly portion of the site.

The plan for the remaining two acres is to create two one acre parcels. The northerly parcel would house a card lock fueling station. The station would include four above-ground convault fuel tanks, a supply shed and two fueling islands. It will be available on a 24 hour a day basis. Driveways will be located on both E. Monte Vista and Santa Fe Avenues.

The southerly one acre parcel will front on Santa Fe Ave. The proposed Planned Development calls for it to be developed into a professional office complex. One building with suites of 1,500, 1,500, and 5,000 square feet have been shown, although no specific tenants have been identified at this time. The county ordinance code requires one parking space per 300 square feet of building area, or 27 spaces. The plot plan submitted shows some 16 spaces, but there is more than adequate room to provide additional paved parking when final building plans are submitted. A landscaping plan for both of the new developments has also been prepared.

The project site presently has a private well for water supply, and receives sewer service on an out-of-district basis from the Denair Community Services District (CSD). As this is now a project to fully develop the land, full urban level services are required and appropriate. Section 20.52.210 of the Stanislaus County Ordinance Code mandates sewer and water service connections when the subject property is within a half mile of existing lines. As indicated in the attached response from the Denair CSD, that is in fact the case here. The property is presently outside the district boundary (which is across the street on the north side of Monte Vista Avenue) but is within the Sphere of influence.

Other site improvements are typical of those found in urban settings such as this. They include full street improvements along both road frontages, paving of all parking and driveway areas and installation of street lighting.

**PROJECT SITE**

The subject site is located on the south side of Monte Vista Avenue, east of Santa Fe Avenue. The site contains a single family dwelling but otherwise is flat, undeveloped land. The subject parcels are surrounded by a mixture of agricultural uses, primarily to the east, and several ranchettes. The property is located near the edge of the town of Denair.

## **BACKGROUND**

In September of 1980, the County granted approval to then owner Mary Rodrigues for a General Plan Designation of Planned Development (PD) for the purpose of constructing mini-warehouses and a warehouse on this property. A subsequent Rezone to PD was granted in 1981. The development schedule was never met, primarily due to financial problems of the developers at that time. An "expired" PD usually remains in a form of planning limbo until such time as a request is made for a new project, as has occurred here. While the original PD is no longer useable, the underlying PD general plan designation has never changed. This proposal by Christopher and Christina Bass is the first request for development of the property since the early 1980's. Mr. And Mrs. Bass purchased this property in June of 1999.

## **DISCUSSION**

The Stanislaus County General Plan Update Land Use Element adopted in 1994 designated the subject parcel Planned Development, remaining as it had been since 1981. The proposed project is consistent with the General Plan designation for this area.

In December of 1998, the Community Plan for Denair was updated following a series of community meetings. The Community plan is a component of the over-all General plan. Unlike the designation found on the Land Use Element map, however, the Community plan is a non-entitlement designation intended to provide guidance to the county and to applicant's during actual processing of specific requests.

The map of future land uses within the Denair Community plan designates the property, and others in the vicinity as either Estate Residential, within the Sphere of Influence of the CSD, or as Agriculture in the area to the east of the TID Canal which forms both the easterly border of the property and of Denair itself.

In making the final determination as to the appropriateness of Estate Residential (single family residential uses with a three acre minimum parcel size), attention was given to the overwhelming desire in Denair to not have a great deal of new residential development. The parcel sizes found on the east side of town are already largely consistent with that designation (such as this 3.8 acre property). They also serve as a transitional type of density between farmland to the east and the town itself. Since approval of the plan, at least two requests to create lots consistent with Estate Residential have been approved, both to the north of this area.

The reason for staff supporting this request lies partly in the long-standing Planned Development General Plan designation, one which was originally approved for commercial, not residential purposes. We believe it important to recognize this designation. We did not place a commercial designation on the site during the Community plan process because the 3.8 acres containing its one house could stay as is and be consistent with Estate Residential. Or, as has occurred the owners could request to reactivate a new Planned Development. In

reviewing the original staff analysis of the 1982-83 applications for Planned Development, it was noted that the property is separated from any intensive uses due to its somewhat unique location. The triangular property is bordered on the east by the TID Canal, which is located within a 100 foot wide right of way. East of the canal is general planned, zoned and used for agriculture. To the north, across Monte Vista Ave. are just a couple of dwellings. The westerly property is bordered by both Santa Fe Ave. and the Burlington Northern Santa Fe railroad tracks and right of way. We do not believe that the proposed uses at this location would adversely effect the surrounding area.

As required by the California Environmental Quality Act (CEQA) review process, notices regarding the proposed project were sent to all responsible agencies and the State Clearing House for review and comment. Any comments that were received have been incorporated as appropriate, into the attached Mitigation Measures and/or Conditions of Approval.

### **CONCLUSION**

As is evident from the above discussion, the proposal is consistent with the General Plan designation for this area, design features have been incorporated to ensure the site develops properly, consistent with modern standards for urban use and the proposed offices, fuel station and existing septic service facility are compatible with the established uses in the vicinity.

### **RECOMMENDATION**

Based on all evidence on the record, and on the ongoing discussion, staff recommends that the Planning Commission recommend that the Board of Supervisors take the following actions regarding this project:

1. Issue a Mitigated Negative Declaration, based on the Initial Study and Mitigation Measures and find the project to be "De Minimis" for the purpose of Fish and Game Codes;
2. Find that the project is consistent with the overall goals and policies of the County General Plan;
3. Find that the proposed PD zoning is consistent with the Stanislaus County General Plan designation of Planned Development.
4. Find that none of the Parcel Map findings requiring disapproval can be made.
5. Approve Rezone Application No. 2001-07 and Parcel Map 2001-08, subject to the attached Conditions of Approval.

REZ 2001-07 & PM 2001-08  
Staff Report  
August 2, 2001  
Page 5

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Report written by: Bob Kachel, Senior Planner, July 17, 2001

Attachments:

- Exhibit A - Maps
- Exhibit B - Conditions of Approval
- Exhibit C - Initial Study and Environmental Review Referrals
- Exhibit D - Mitigation Monitoring Plan
- Exhibit E - Mitigated Negative Declaration
- Exhibit F - Certificate of Fee Exemption
- Exhibit G - Findings Requiring Denial

Reviewed by:

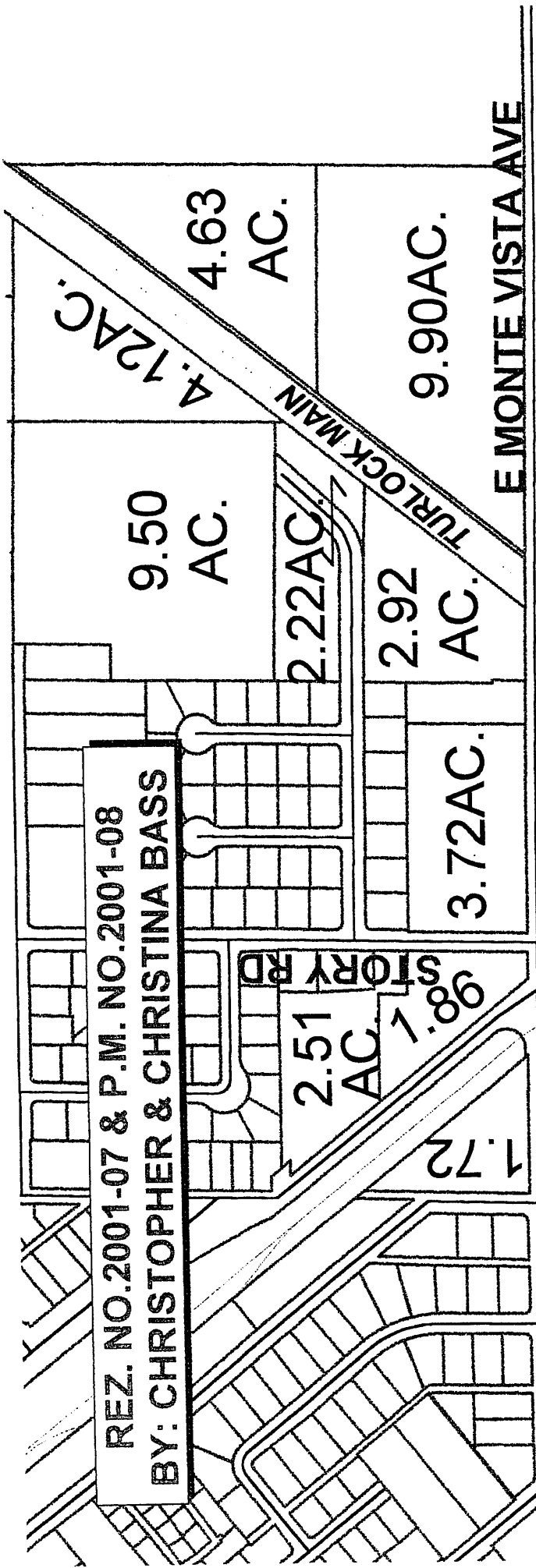
  
Bob Kachel, Senior Planner

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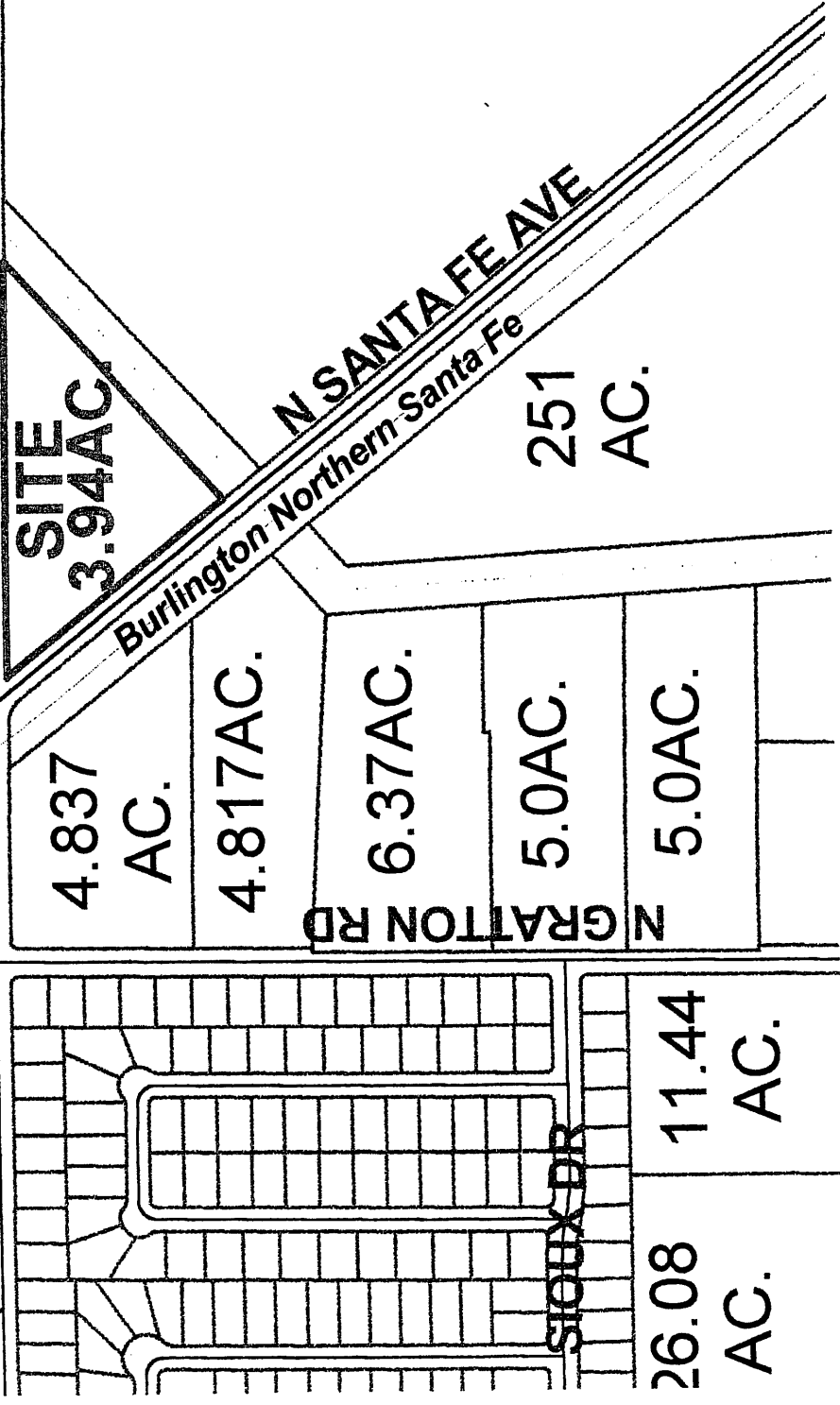


REZ. NO.2001-07 & P.M. NO.2001-08  
BY: CHRISTOPHER & CHRISTINA BASS

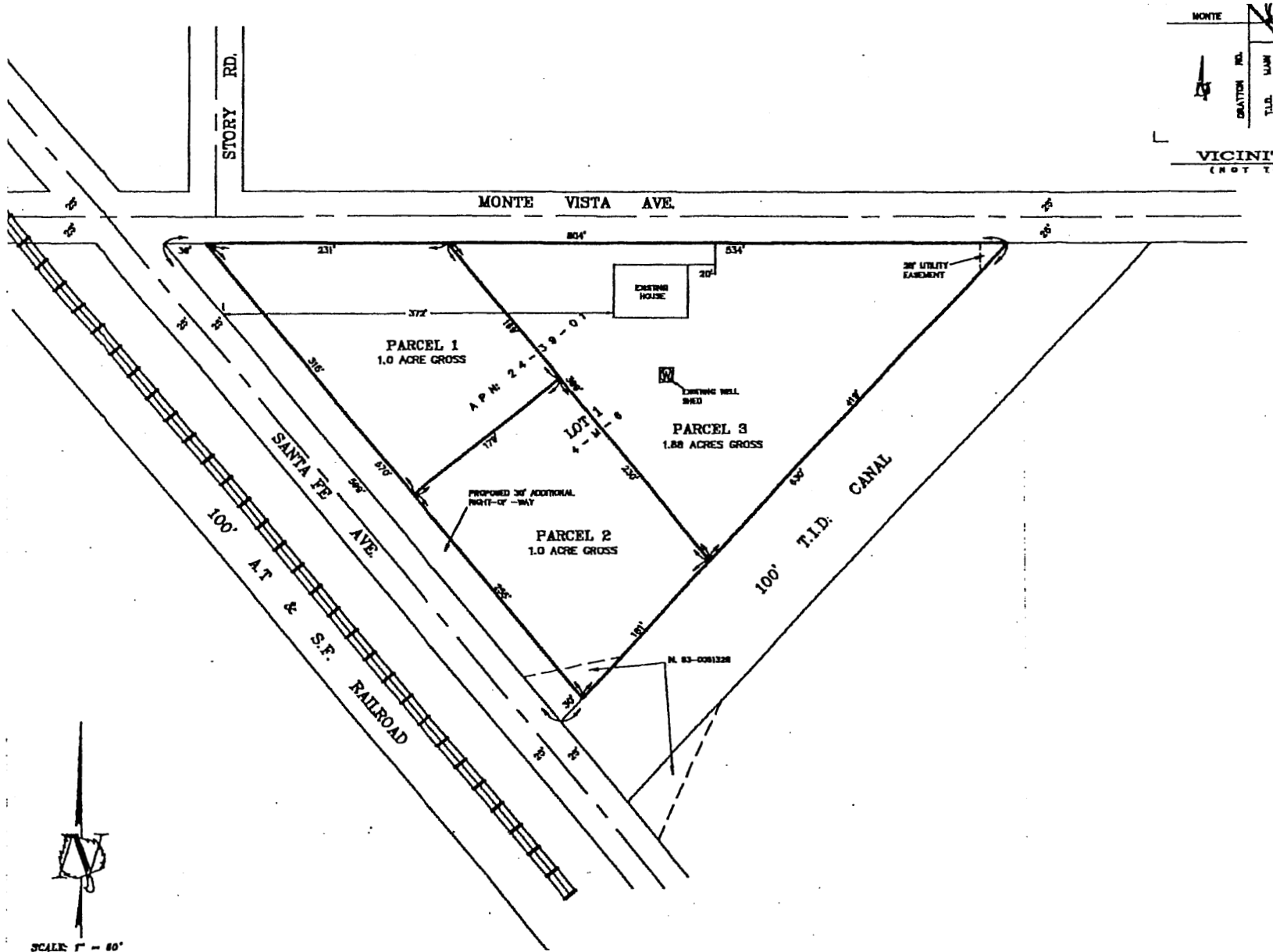


**SITE**  
3.94AC.

156.93AC.

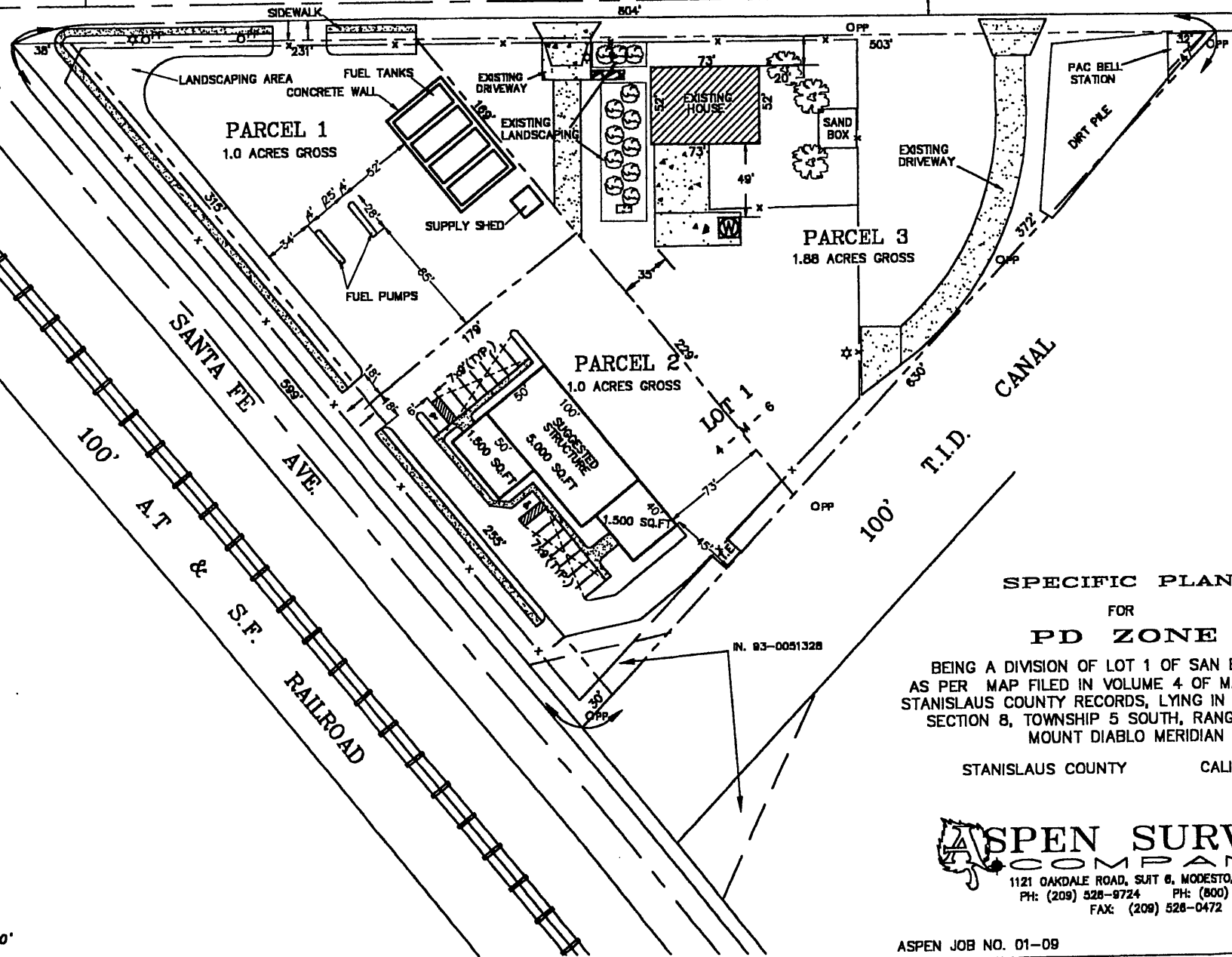


**REZ. NO.2001-07 & P.M. NO.2001-08  
BY: CHRISTOPHER & CHRISTINA BASS**



STORY RD.

MONTE VISTA AVE.



**SPECIFIC PLAN  
FOR  
PD ZONE**

BEING A DIVISION OF LOT 1 OF SAN BERNARDINO  
AS PER MAP FILED IN VOLUME 4 OF MAPS, PAGE 6,  
STANISLAUS COUNTY RECORDS, LYING IN A PORTION OF  
SECTION 8, TOWNSHIP 5 SOUTH, RANGE 11 EAST,  
MOUNT DIABLO MERIDIAN

STANISLAUS COUNTY CALIFORNIA

**ASPEN SURVEY  
COMPANY**  
1121 OAKDALE ROAD, SUIT 6, MODESTO, CA 95355  
PH: (209) 528-9724 PH: (800) 528-9724  
FAX: (209) 528-0472





1" = 100'

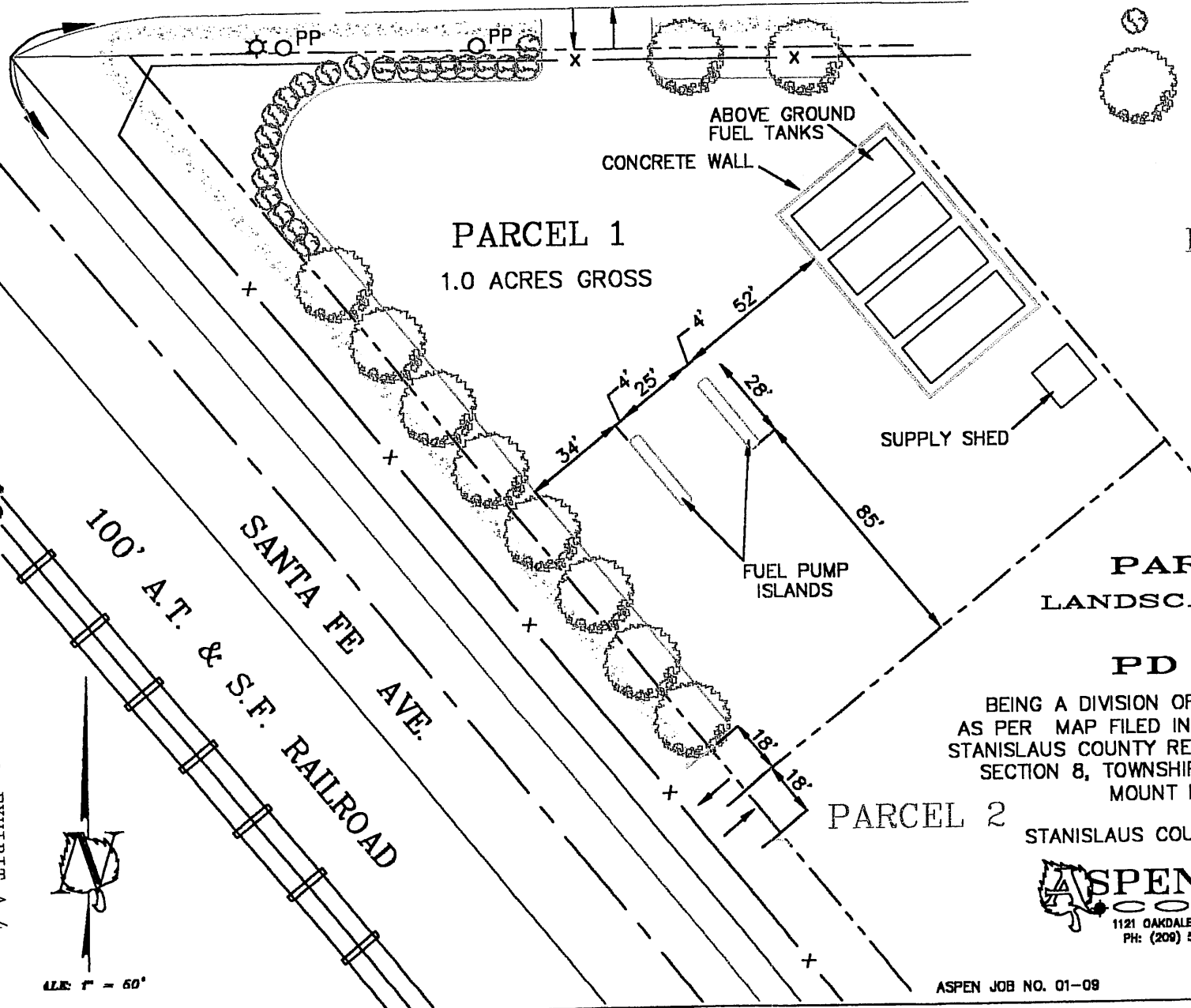
ASPEN JOB NO. 01-09

EXHIBIT A-3

MONTE VISTA AVE.

**LEGEND:**

-  - SHRUBS
-  - EVERGREEN TREE



PARCEL 1  
1.0 ACRES GROSS

PARCEL 3

**PARCEL 1**  
**LANDSCAPING PLAN**  
 FOR  
**PD ZONE**

BEING A DIVISION OF LOT 1 OF SAN BERNARDINO  
 AS PER MAP FILED IN VOLUME 4 OF MAPS, PAGE 6,  
 STANISLAUS COUNTY RECORDS, LYING IN A PORTION OF  
 SECTION 8, TOWNSHIP 5 SOUTH, RANGE 11 EAST,  
 MOUNT DIABLO MERIDIAN

STANISLAUS COUNTY CALIFORNIA

**ASPEN SURVEY**  
**COMPANY**  
 1121 OAKDALE ROAD, SUIT 8, MODESTO, CA 95355  
 PH: (209) 528-9724 PH: (800) 528-9724  
 FAX: (209) 528-0472

ASPEN JOB NO. 01-08

EXHIBIT A-4



1/8" = 60'

PARCEL 1

PARCEL 3

PARCEL 2

1.0 ACRES GROSS

**LEGEND:**



- SHRUBS



- EVERGREEN TREE

SUGGESTED  
STRUCTURE  
5,000 SQ.FT

1,500  
SQ.FT

1,500 SQ.FT

OPP

PARCEL 2

LANDSCAPING PLAN

FOR

PD ZONE

BEING A DIVISION OF LOT 1 OF SAN BERNARDINO  
AS PER MAP FILED IN VOLUME 4 OF MAPS, PAGE 6,  
STANISLAUS COUNTY RECORDS, LYING IN A PORTION OF  
SECTION 8, TOWNSHIP 5 SOUTH, RANGE 11 EAST,  
MOUNT DIABLO MERIDIAN

STANISLAUS COUNTY

CALIFORNIA



1121 OAKDALE ROAD, SUIT 6, MODESTO, CA 95355  
PH: (209) 526-9724 PH: (800) 526-9724  
FAX: (209) 526-0472

ASPEN JOB NO. 01-09

100' A.T. & S.F. RAILROAD  
SANTA FE AVE.

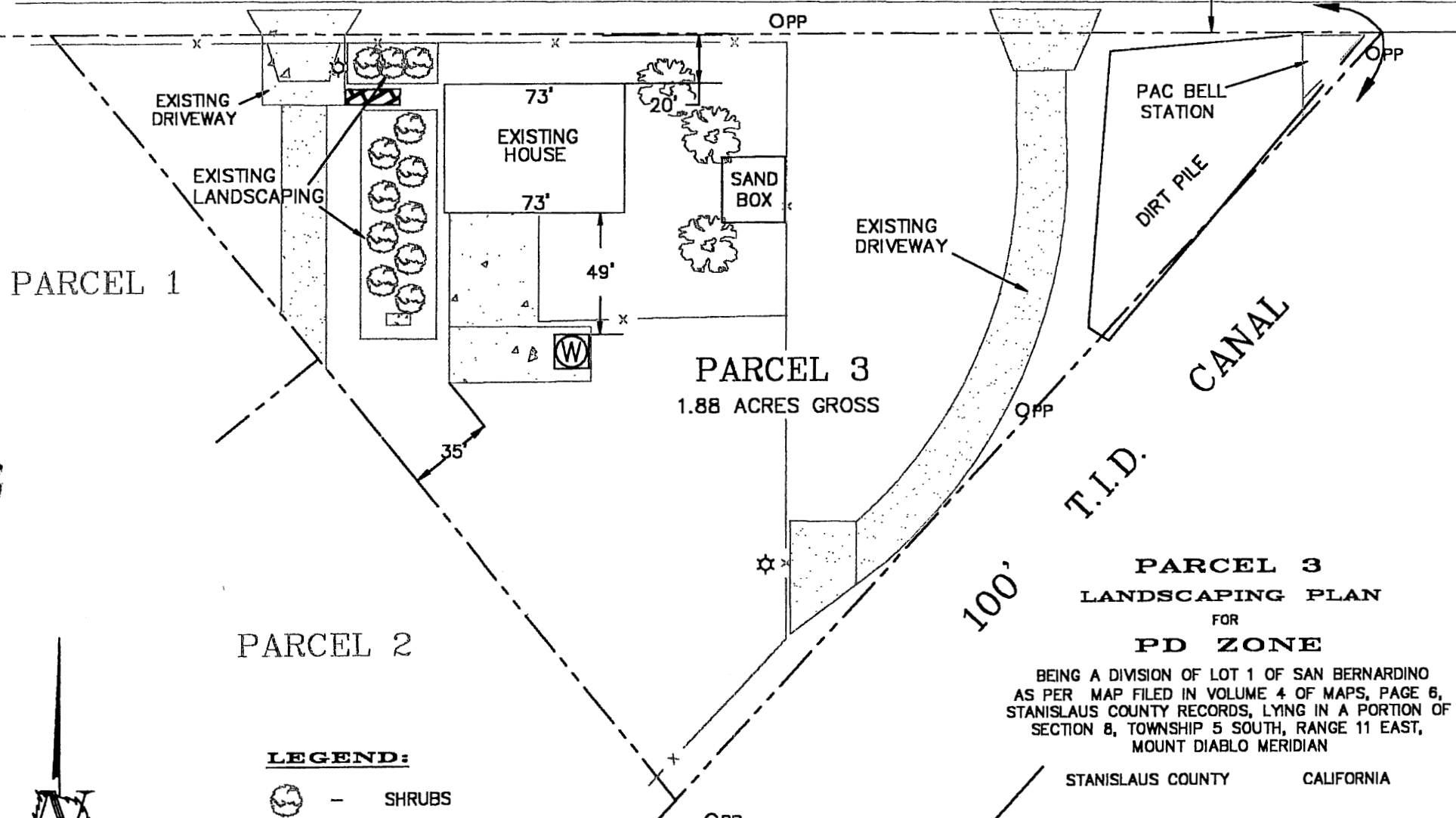
100' T.I.D. CANAL

OPP

SCALE: 1" = 60'

EXHIBIT A-5

MONTE VISTA AVE.



PARCEL 1

PARCEL 2



PARCEL 3  
1.88 ACRES GROSS

**PARCEL 3  
LANDSCAPING PLAN  
FOR  
PD ZONE**

BEING A DIVISION OF LOT 1 OF SAN BERNARDINO  
AS PER MAP FILED IN VOLUME 4 OF MAPS, PAGE 6,  
STANISLAUS COUNTY RECORDS, LYING IN A PORTION OF  
SECTION 8, TOWNSHIP 5 SOUTH, RANGE 11 EAST,  
MOUNT DIABLO MERIDIAN

STANISLAUS COUNTY CALIFORNIA

**LEGEND:**

-  - SHRUBS
-  - TREE

**ASPEN SURVEY**  
COMPANY  
1121 OAKDALE ROAD, SUIT 8, MODESTO, CA 95358  
PH: (209) 526-9724 PH: (800) 526-9724  
FAX: (209) 526-0472

ASPEN JOB NO. 01-09

EXHIBIT A-6



# Denair

## COMMUNITY PLAN

### Land Use Designations

- AG** Agriculture
- ER** Estate Residential (1 to 7.5 acres)
- LDR** Low Density Residential (0.7 to 1 acre)
- MDR** Medium Density Residential (0.14 to 1 acre)
- MDDR** Medium-High Density Residential (0.05 to 1 acre)
- C** Commercial
- I** Industrial

### Parks and Schools

- ▲** Neighborhood Park
- ◆** Community Park
- Elementary School
- Middle School
- ◆** High School
- ◆** Special services general location

### Circulation

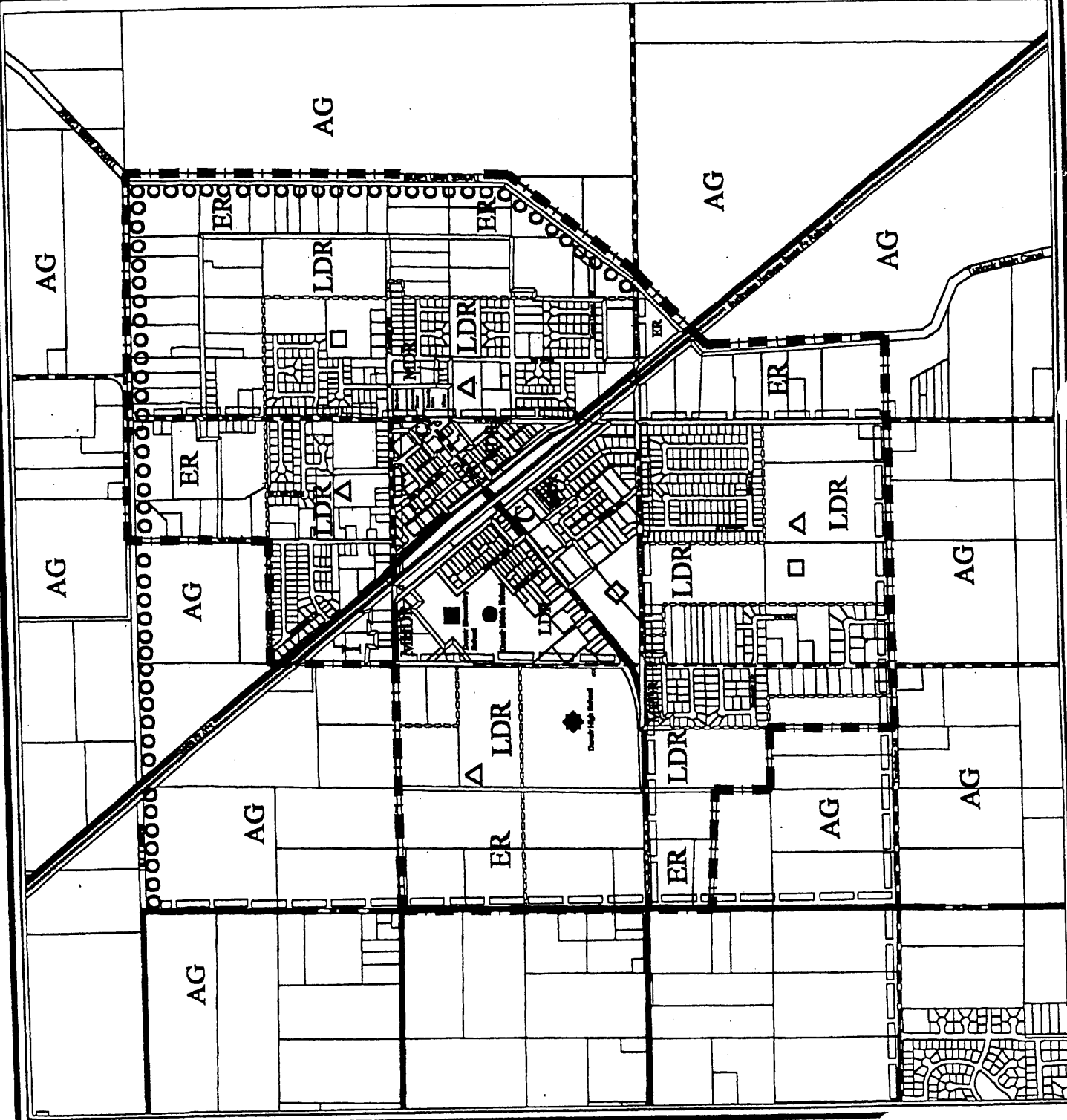
- Major Road
- - - -** Collector Road
- +++++** Roadway
- Class II Mile Lane
- Multi-purpose Trail

### Relevant

- ▬** Community Boundary
- Community Service District



**R.R.M. DESIGN GROUP**  
 1000 North 1st Street, Suite 100, Denair, CA 95019  
 Phone: (209) 335-1111  
 November 15, 1988







STORY RD

KARYN DAWN DR

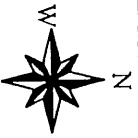
E MONTE VISTA AVE

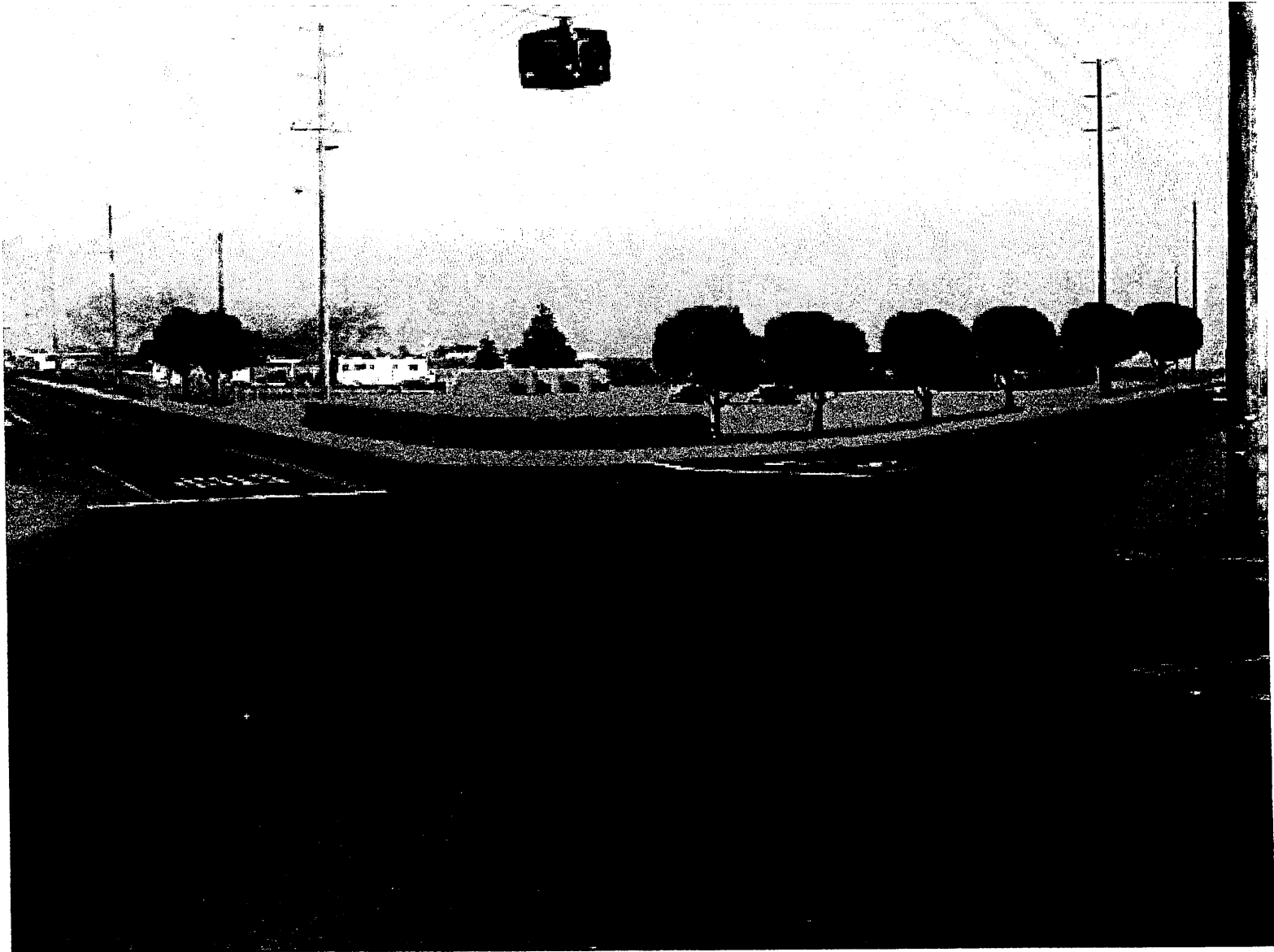
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N SANTA FE AVE

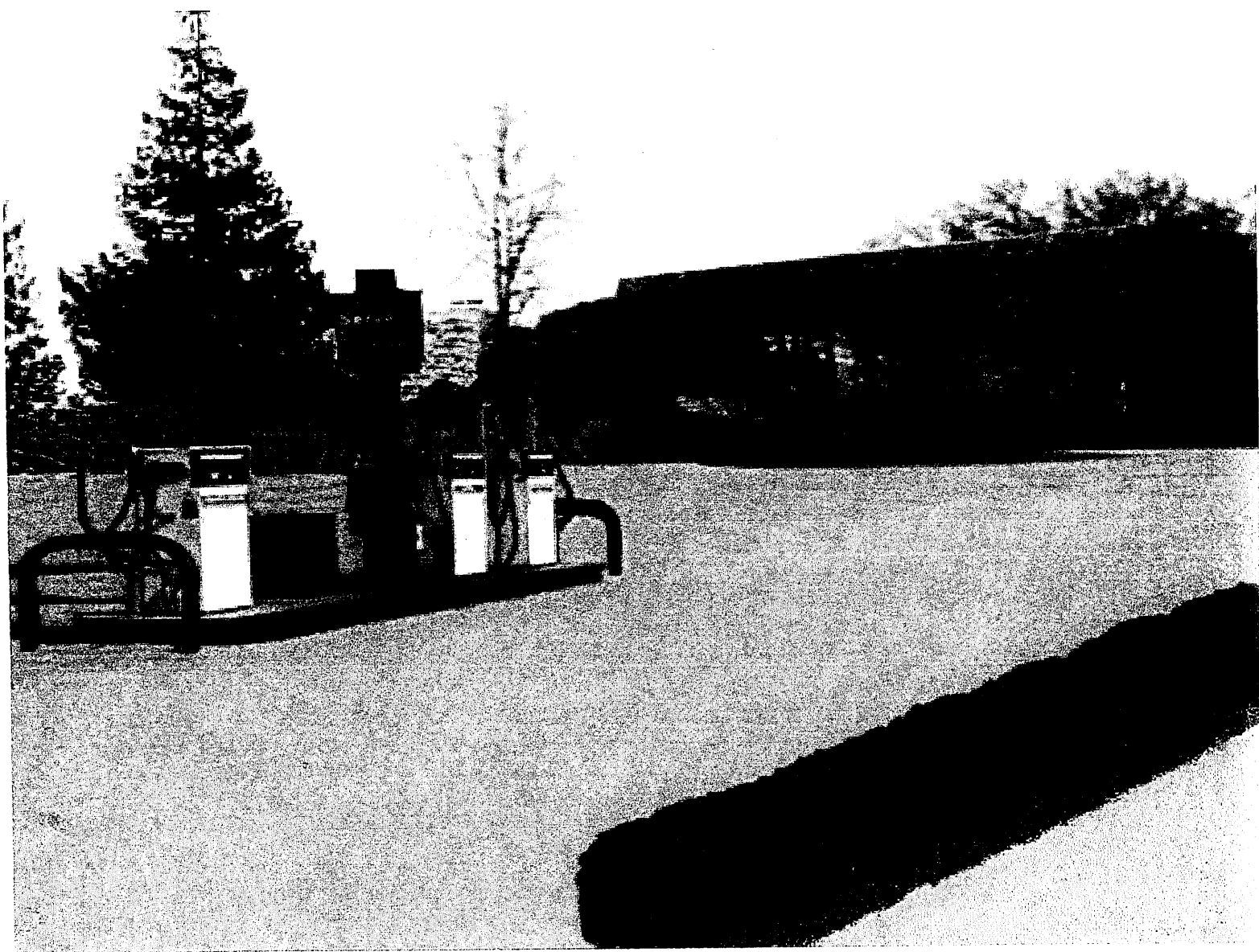
106 0 106 212 Feet

14 This map is for display purposes only.









**CONDITIONS OF APPROVAL**

**REZONE APPLICATION NO. 2001-07**  
**PARCEL MAP APPLICATION NO. 2001-08**  
**CHRISTOPHER & CHRISTINA BASS**

**Department of Planning and Community Development**

1. Building permits must be obtained from the Building Inspection Division (UBC Section 301 and Title 16, Stanislaus County Ordinance Code). No building permits shall be issued until the Department of Environmental Resources has indicated that adequate water and sewage treatment facilities will be available prior to occupancy.
2. Prior to the occupancy of any building or operation of the approved use, the applicant shall meet all the requirements of the Department of Fire Safety.
3. A Certificate of Occupancy shall be obtained from the Building Inspection Division prior to occupancy of any and all buildings (UBC Section 307).
4. That all businesses operating from this site shall obtain and maintain current Stanislaus County Business Licenses.
5. Sufficient paved and marked parking spaces shall be provided for all uses as required by Chapter 21.76 of the Stanislaus County Code.
6. Prior to development, a landscaping plan, indicating type of plants, initial plant size, location and method of irrigation shall be submitted and approved by the County Planning Director for each property. Landscaping must be installed prior to occupancy.
7. Applicant, or subsequent property owner, shall be responsible for maintaining landscape plants in a healthy and attractive condition. Dead or dying plants shall be replaced with materials of equal size and similar variety.
8. All exterior lighting of the facility shall be designed (aimed down and towards the site), to provide adequate illumination without a glaring effect on adjacent landowners.
9. A plan for any proposed signs indicating the location, height, area of the sign, and message, must be approved by the Planning Director before installation.
10. All construction resulting from this project shall comply with the standardized dust controls adopted by the San Joaquin Valley Air Pollution Control District.
11. Prior to the occupancy of the property with the approved use the owner/developer shall coordinate with a solid waste disposal service for the pick-up of recycled waste products. Individual waste containers for paper/plastic and cans/bottles shall be placed at convenient locations to encourage the recycling of waste products.
12. Trash bins shall be kept in trash enclosures constructed of materials compatible with the architecture of the development. Trash enclosures shall be placed in locations as approved by the refuse collecting agency and the Planning Director.

13. Fences and landscaping adjacent to roadways shall be in compliance with the County's "Visibility and Obstructions at Public Intersections" Ordinance.
14. The project shall comply with all development standards specified in Section 21.40.050 - Planned Development District, unless the Planning Commission grants specified exemptions based on justifiable reasoning and evidence presented by the applicant.
15. Developer shall pay all Public Facilities Impact Fees, and Fire Facilities Fees as adopted by resolution by the Board of Supervisors. The fees shall be payable at the time of issuance of building permits for any construction in the development project and shall be based on the rates in effect at the time of building permit issuance.
16. The applicant is required to defend, indemnify, or hold harmless the County, its officers and employees from any claim, action, or proceeding against the County to set aside the approval of the project which is brought within the applicable statute of limitations. The County shall promptly notify the applicant of any claim, action or proceeding to set aside the approval and shall cooperate fully in the defense.
17. Prior to the issuance of the Notice of Determination, the applicant shall pay, within two weeks 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.
18. That the property be used as described in the attached staff report, and subject to the Conditions of Approval and Mitigation Monitoring Plan as approved by the County. Any uses aside from those listed in the approval shall be subject to further County review for determination as to the proper method to modify the Planned Development.
19. Pursuant to Section 404 of the Clean Water Act, prior to construction, the developer shall be responsible for contacting the US Army Corps of Engineers to determine if any "wetlands," "waters of the United States," or other areas under the jurisdiction of the Corps of Engineers are present on the project site, and shall be responsible for obtaining all appropriate permits or authorizations from the Corps, including all necessary water quality certifications, if necessary.
20. Pursuant to the federal and state Endangered Species Acts, prior to construction, the developer shall be responsible for contacting the US Fish and Wildlife Service and California Department of Fish and Game to determine if any special status plant or animal species are present on the project site, and shall be responsible for obtaining all appropriate permits or authorizations from these agencies, if necessary.
21. Pursuant to Section 1600 and 1603 of the California Fish and Game Code, prior to construction, the developer shall be responsible for contacting the California Department of Fish and Game and shall be responsible for obtaining all appropriate streambed alteration agreements, permits or authorizations, if necessary.



22. Pursuant to State Water Resources Control Board Order 99-08-DWQ and National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000002, prior to construction, the developer shall be responsible for contacting the California Regional Water Quality Control Board to determine if a "Notice of Intent" is necessary, and shall prepare all appropriate documentation, including a Storm Water Pollution Prevention Plan (SWPPP). Once complete, and prior to construction, a copy of the SWPPP Pollution Prevention Plan shall be submitted to the Stanislaus County Department of Public Works.

**Department of Public Works**

23. The recorded parcel map shall be prepared by a licensed land surveyor or a registered civil engineer.
24. All existing non-public facilities and/or utilities that do not have lawful authority to occupy the road right-of-way shall be relocated onto private property upon request of the Department of Public Works.
25. All structures not shown on the tentative parcel map shall be removed prior to the parcel map being recorded.
26. Road right-of-way shall be deeded to Stanislaus County to provide:
- A. 30 feet of right-of-way south of the centerline of Monte Vista Ave. adjacent to Parcels "1" and "3";
  - B. 90 feet of right-of-way on Santa Fe Ave east of the Burlington Northern Santa Fe Railroad easterly right-of-way line; and,
  - C. The chord of distance of a 25 foot radius at the Santa Fe/Monte Vista intersection.
- ~~27. That curb, gutter, sidewalk, drainage facilities, street lights, pavement markings, and street pavement shall be constructed along the entire frontages of Parcel "1" and "3" on Monte Vista Ave and along the frontage of Parcels "1" and "2" on Santa Fe Ave prior to the final map being recorded. Off-site improvement plans shall be approved by the Department of Public Works and an encroachment permit issued for the construction of the improvements.~~
27. That curb, gutter, sidewalk, drainage facilities, street lights, pavement markings, signs, and street pavement shall be constructed along the entire frontages of Parcel "1" and "3" on Monte Vista Ave. and along the frontages of Parcels "1" and "2" on Santa Fe Ave. The street improvements adjacent to Parcel "1" shall be constructed at the time Parcel "1" is developed and shall be completed prior to final and/or occupancy of the proposed use. The improvements adjacent to Parcel "2" shall be constructed at the time Parcel "2" is developed and shall be completed prior to final and/or occupancy of the proposed building. The street improvements adjacent to Parcel "3" shall be constructed when the existing driveway is relocated or a new driveway is installed at Parcel "3", or when Parcel "2" is developed, whichever comes first.

**Off-site improvement plans for the frontage of all parcels shall be approved by the Department of Public Works prior to the final parcel map being recorded. An encroachment permit shall be obtained prior to the start of any work within the County right-of-ways.**

**Financial Guarantee for the street improvements shall be provided to the Department of Public Works prior to issuance of any building permit for the particular parcel being developed.**

- ~~28. All driveway locations and widths shall be approved by the Department of Public Works.~~
28. All driveway locations and widths shall be approved by the Department of Public Works. Access on Santa Fe Avenue shall be limited to one shared driveway located at the common lot line between Parcels "1" and "2".
29. That a 10 foot Public Utility Easement along all street frontages adjacent to Parcels "1", "2", and "3" shall be shown on the map to be recorded.
- ~~30. An on-site Grading and Drainage Plan shall be submitted that meets County standards. The plan shall be implemented prior to the final and/or occupancy of any building permit for the development.~~
30. An on-site Grading and Drainage Plan for Parcels "1", "2" and "3" that meets County standards shall be reviewed and found acceptable to the Department of Public Works prior to the final map being recorded. Percolation test results shall be provided that determine perched and ground water depths along with the percolation rate. The Grading and Drainage Plan shall be implemented prior to final and/or occupancy of any building or approved use for each parcel.
31. All parking and driveways to the parking shall be paved and parking striped per County standards.
32. No parking, loading or unloading of vehicles shall be permitted within the right-of-ways of Monte Vista Ave and Santa Fe Ave. for the proposed development. The owner/developer will be required to install or pay for the installation of any signs and/or markings, if warranted.
33. Prior to the final map being recorded, Parcels "1", "2", and "3" shall be annexed to the Denair Highway Lighting District, or if annexation is not possible, a new district shall be formed. The developer shall provide all necessary documents and pay all costs associated with the annexation or formation of a new district.
34. All street lights shall be installed on steel poles. Prior to the final map being recorded, the owner/developer shall deposit the first year's operating and maintenance cost of the street lights with the Department of Public Works.



**Turlock Irrigation District (TID)**

- 35. The district shall review and approve all maps and plans of this project. Any improvements to this property shall be subject to District's approval and meet all District's standards and specifications.
- 36. As this project develops, Sidegate 7-2 located along the Turlock Main Canal bank, approximately 190 feet northeast of Santa Fe Avenue, will have to be removed and sealed. The pipe should be removed from the canal bank. This work will be done by Turlock Irrigation District, and the developer billed. The work will be scheduled at the end of the current irrigation season. When the developer is prepared to proceed please contact the District and an estimate for the work will be prepared.
- 37. There is an existing 100 foot right-of-way along the Turlock Main Canal, this right-of-way must remain.
- 38. The Final Map Signature Block is as follows:  
As to Irrigation Tax,

\_\_\_\_\_  
Todd Troglin  
Deputy Collector,  
Turlock Irrigation District

\_\_\_\_\_  
Date

- 39. A ten foot Public Utility Easement must be dedicated along all street frontages.
- 40. Owner/developer must apply for a facility change for any pole or facility relocation. Facility changes are performed at developer's expense.

**Denair Community Services District**

- 41. Prior to new development of the property, the developer shall install public sewer and water facilities and shall pay all Public Facilities Fees adopted by the Board of Directors of the Denair Community Services district.

**San Joaquin Valley Air Pollution Control District**

- 42. That development and operation of the project comply with all requirements of the San Joaquin Valley Air Pollution Control District, including those addressing fugitive dust, Authority to Construct and Permit To Operate regulations as discussed in the April 25, 2001 letter from the District.

**Environmental Resources**

- 43. If public sewer is not available from Denair Community Service District, the sewage disposal system shall be an approved aerobic treatment system so as to comply with the Primary and Secondary Sewage Treatment Initiative (Measure X).

44. A minimum of 3 acres required when ground water is less than 5 feet from surface; a minimum of 2 acres is required when ground water is between 5 feet and 12 feet, when a private water well and on-site sewage disposal is used.
45. The project shall not create odors, dust or noise levels which would constitute a public nuisance.
46. Subscription to weekly refuse collection service, with the appropriate franchised refuse collector, is required within all unincorporated areas defined as "mandatory collection service areas" in the Stanislaus County Ordinance Code.

**County Fire**

47. Pay fire service impact / development fees.
48. No development without water for fire protection and approved fire truck access.
49. Project shall comply with current California Fire Code Requirements.

# Stanislaus County

## Planning and Community Development

1010 10th Street, Suite 3400  
Modesto, CA 95354

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

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### CEQA INITIAL STUDY

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

1. **Project title:** Rezone 2001-07 and Parcel Map 2001-08  
Christopher and Christina Bass
2. **Lead agency name and address:** Stanislaus County Planning Department  
1010 10<sup>th</sup> Street, Suite 3400  
Modesto, CA 95353
3. **Contact person and phone number:** Bob Kachel  
(209) 525-6330
4. **Project location:** Southeast corner of the intersection of E. Monte  
Vista Ave and Santa Fe Ave, in Denair. (5108 E.  
Monte Vista)
5. **Project sponsor's name and address:** Christopher and Christina Bass  
5108 E. Monte Vista  
Denair, CA 95316
6. **General plan designation:** Agriculture
7. **Zoning:** Planned Development # 68 (expired)
8. **Description of project:** This is a proposal for a new planned development  
zone. It would allow creation of three parcels of  
1.0, 1.0, and 1.88 acres. Uses would include the  
applicant's dwelling and a soon to be constructed  
garage building to house their RV. Commercial  
uses on site are to be the applicant's existing  
septic tank service, and new professional offices.
9. **Surrounding land uses and setting:** Agricultural uses and scattered single-family  
dwellings on ranchette-type properties.
10. **Other public agencies whose approval is required (e.g., permits, financing approval, or  
participation agreement.)**

Stanislaus County Public Works Department - Development Services/Building Inspection Division.  
Department of Environmental Resources.

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

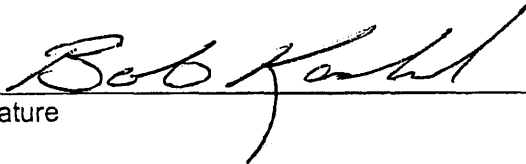
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- Aesthetics
- Agriculture Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology /Soils
- Hazards & Hazardous Materials
- Hydrology / Water Quality
- Land Use / Planning
- Mineral Resources
- Noise
- Population / Housing
- Public Services
- Recreation
- Transportation/Traffic
- Utilities / Service Systems
- 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

June 1, 2001  
 \_\_\_\_\_  
 Date

Bob Kachel  
 \_\_\_\_\_  
 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

**ISSUES**

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

	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<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. The structure in question consists of a house, a building under construction, and various vehicles, equipment and other items commonly found throughout the rural landscape. A condition will be added to insure that any exterior lighting associated with this project is designed to provide adequate illumination without a glare effect. Screen fencing will also be required around all outdoor storage areas.

**Mitigation:** None

**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 type="checkbox"/>	<input checked="" 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 only 4.28 acres in size, is very near the developed portion of Denair, and has long been zoned for non-agricultural use. It contains a house, yard, and parking areas with the remainder being fallow.

Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
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Mitigation: None

**References:** Stanislaus County General Plan - Adopted June 1994, Stanislaus County General Plan Support Documentation - Adopted June 1987, Stanislaus County Agricultural Element - Adopted April 1992, Stanislaus County Zoning Ordinance, California State Department of Conservation Farmland Mapping and Monitoring Program - Stanislaus County Farmland 1996.

**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 particulate 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. The district suggested several conditions of approval, but found that the project will have a less-than-significant effect on the environment in the category of air quality.

Mitigation: None

**References:** San Joaquin Valley Air Pollution Control District - Regulation VIII Fugitive Dust/PM-10 Synopsis, Stanislaus County General Plan - Adopted June 1994 and 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>IV. BIOLOGICAL RESOURCES --</b> 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. The site is immediately adjacent to the developed portions of the town of Denair.

**Mitigation:** None

**Resources:** Stanislaus County General Plan - Adopted June 1994 and Stanislaus County General Plan Support Documentation - Adopted June 1987. No referral responses from USF&G or CDFG.

**V. CULTURAL RESOURCES --** Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §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:** It does not appear this project will result in significantly impact to any archaeological or cultural resources.

**Mitigation:** None

**Resources:** Stanislaus County General Plan - Adopted June 1994 and Stanislaus County General Plan Support Documentation - Adopted June 1987. Field review of site by project planner.

**VI. GEOLOGY AND SOILS --** 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 type="checkbox"/>	<input checked="" 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 of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**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. The structures in question here will be designed and built according to all applicable building codes and ordinances.

Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
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**Mitigation:** None

**Resources:** Stanislaus County General Plan - Adopted June 1994 and Stanislaus County General Plan Support Documentation - Adopted June 1987.

**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, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**Discussion:** The County Department of Environmental Resources is responsible for overseeing hazardous materials and has not indicated any particular concerns regarding either the septic tank business (pumped material is not brought to or disposed of at this location).

Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
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Pesticide exposure is a risk in and near agricultural areas. Sources of exposure include contaminated groundwater which is consumed and drift from spray applications. The groundwater is not known to be contaminated in this area. Application of sprays is strictly controlled by the Agricultural Commissioner and can only be accomplished after first obtaining permits. The County has a Right-to-Farm Ordinance in place to protect adjacent neighbors from any unjust nuisance complaints.

**Mitigation:** None

**Resources:** DER response letter. County Policies, Stanislaus County General Plan - Adopted June 1994 and 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 type="checkbox"/>            | <input checked="" 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 type="checkbox"/>            | <input checked="" 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 type="checkbox"/>            | <input checked="" 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 storm water drainage systems or provide substantial additional sources of polluted runoff?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| f) Otherwise substantially degrade water quality?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" 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 map?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" 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 type="checkbox"/>            | <input checked="" type="checkbox"/> |
| j) Inundation by seiche, tsunami, or mudflow?   | <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
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Discussion: The project site is not located in an area subject to flooding as identified in accordance with the Federal Emergency Management Act. Impacts regarding run-off will be addressed in the Grading and Drainage Plan required prior to issuance of the building permit for any structures. The Department of Environmental Resources has commented on the relatively high groundwater in the project area. Conditions of approval will be placed on the project to ensure that no adverse impacts will occur in this regard. As a condition of approval, complete implementation of the plan will be required prior to final and/or occupancy of the structures.

Mitigation: None

Resources: Stanislaus County Public Works, Stanislaus County General Plan - Adopted June 1994 and the Stanislaus County General Plan Support Documentation - Adopted June 1987. DER comment letter.

**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 type="checkbox"/> | <input checked="" 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: The site is designated and zoned Planned Development, albeit for the now expired plan to construct mini-warehouses on the site.. The features of this project will not physically divide an established community and/or conflict with any habitat conservation plan or natural community conservation plan.

Mitigation: None

Resources: Stanislaus County General Plan - Adopted June 1994 and Stanislaus County General Plan Support Documentation - Adopted June 1987.

**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

Resources: Stanislaus County General Plan - Adopted June 1994 and Stanislaus County General Plan Support Documentation - Adopted June 1987. Special Report #173.

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

	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 this project is not anticipated to exceed the normally acceptable level of noise.  
Mitigation: None

Resources: Stanislaus County General Plan - Adopted June 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"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
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: This project does not propose any type of growth inducing features, therefore, adverse affects created by population growth should not occur. The proposed uses are more in line with being responses to growth than any that will generate growth off-site.

Mitigation: None

Resources: Stanislaus County General Plan - Adopted June 1994 and Stanislaus County General Plan Support Documentation - Adopted June 1987. Staff experience.

**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"/>

Discussion: 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. In this case, all applicable Facility Fees were collected at the time the building permit for the structure in question was constructed. However, the standardized mitigation measure has been included to address any future modifications to the structure.

Improvements relating to access and water for fire protection were required as part of the building permit issued for the structure in question. 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.

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

1. Developer shall pay all Public Facilities Impact Fees and Fire Facilities Fees as adopted by Resolution of the Board of Supervisors. The Fees shall be payable at the time of issuance of 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.
2. Fire department access and water for fire protection shall be maintained in accordance with all applicable codes and ordinances.

Resources: County Policy, Stanislaus County General Plan - Adopted June 1994 and 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: This project is not anticipated to increase significant demands for recreational facilities, as such impacts typically are associated with residential development.

Mitigation: None

Resources: Stanislaus County General Plan - Adopted June 1994 and Stanislaus County General Plan Support Documentation - Adopted June 1987..

**XV. TRANSPORTATION/TRAFFIC -- 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"/> |

	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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: The Stanislaus County Public Works Department has reviewed this project and has indicated it will not create a significant traffic impact. Standard dedication and improvement conditions added to the proposed Planned Development will provide for road widening adjacent to the subject parcel.

Mitigation: None

Resources: Stanislaus County Public Works Department - referral response dated April 18, 2001, Stanislaus County General Plan - Adopted June 1994 and 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 type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment 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"/>
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 type="checkbox"/>	<input checked="" 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"/>



Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
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Discussion: Limitations on public utilities and service systems have not been identified. This project will be served by private water well and septic systems. However, should the proponents so desire, they may request service from the Denair Community Services district. This could be needed to finalize the parcel map, depending on the depth to groundwater at this particular location. Less than significant impacts associated with public utility and irrigation easement(s) will be reflected in the project's conditions of approval.

Mitigation: None

Resources: Stanislaus County General Plan - Adopted June 1994 and Stanislaus County General Plan Support Documentation - Adopted June 1987. DER referral response dated April 19, 2001.

**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"/>            |
| 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.

**SUMMARY OF RESPONSES: ENVIRONMENTAL REVIEW  
 REFERRALS PROJECT: REZONE APPLICATION NO. 2001-07 &  
 PARCEL MAP APPLICATION NO. 2001-08 - CHRISTOPHER &  
 CHRISTINA BASS**

REFERRED TO:	RESPONDED		RESPONSE			MITIGATION MEASURES		Conditions		
	PUBLIC HEARING NOTICE	YES	NO	WILL NOT HAVE SIGNIFICANT IMPACT	MAY HAVE SIGNIFICANT IMPACT	NO COMMENT NON CEQA	YES	NO	YES	No
DATE: March 27, 2001										
AGRICULTURE COMMISSIONER	X		X							
AIRPORT LANDS COMMISSION										
CA DEPT OF FORESTRY										
CALTRANS										
CITY OF										
COMMUNITY SERVICES/SANITARY DISTRICT:	X	X							X	
CORPS OF ENGINEERS										
COUNTY COUNSEL	X		X							
DEVELOPMENT SERVICES	X	X				X				
ENVIRONMENTAL RESOURCES	X	X							X	
FIRE PROTECTION DISTRICT: DENAIR	X	X	X							
CONSOLIDATED FIRE PROTECTION DISTRICT	X		X		X		X			
FISH & GAME	X		X							
HOSPITAL DISTRICT		X	X							
IRRIGATION DISTRICT: TURLOCK	X	X	X						X	
LAFCO	X		X							
MOSQUITO DISTRICT		X								
MOUNTAIN VALLEY EMERGENCY MEDICAL SERVICES	X	X	X							
MUNICIPAL ADVISORY COUNCIL: DENAIR	X		X							
PARKS & FACILITIES	X		X							
P.G. & E.	X	X	X							
PUBLIC WORKS	X		X						X	
REDEVELOPMENT	X		X							
REGIONAL WATER QUALITY	X		X			X				
RISK MANAGEMENT	X		X			X				
StanCOG	X		X							
SCHOOL DISTRICT 1: DENAIR UNIFIED	X	X	X							
SCHOOL DISTRICT 2:										
SHERIFF	X	X	X							
STANISLAUS COUNTY FARM BUREAU	X		X							
STANISLAUS ERC	X		X						X	
STATE CLEARINGHOUSE	X		X			X				
STATE LANDS BOARD										
SUPERVISORIAL DISTRICT: TWO (MAYFIELD)	X		X							
TELEPHONE COMPANY: PACIFIC BELL	X	X	X							
TUOLUMNE RIVER PRESERVATION TRUST										
US FISH & WILDLIFE	X		X							
VALLEY AIR DISTRICT	X		X						X	
WATER DISTRICT										
DEPT. OF WATER RESOURCES										

**STANISLAUS COUNTY ENVIRONMENTAL REVIEW COMMITTEE  
REFERRAL RESPONSE FORM**

**TO:** Stanislaus County Planning & Community Development  
1010 10<sup>th</sup> Street, Suite 3400  
Modesto, CA 95354

**FROM:** Stanislaus Consolidated Fire

**PROJECT:**

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

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

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

1. Increased impact on fire & ems services.
2. water for fire protection & fire truck
3. access.
- 4.

Listed below are possible mitigation measures for the above-listed impacts:

1. Pay fire service impact / development fees.
2. no development without water for fire
3. protection & approved fire truck access.
- 4.

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

Project shall comply with current  
California Fire Code requirements.

Response prepared by:

Shirley Koelmans, Fire Prevention Specialist,  
Name Title Date April 5, 2001



TO: STANISLAUS COUNTY PLANNING & COMMUNITY DEV.  
FROM: DEPARTMENT OF ENVIRONMENTAL RESOURCES  
RE: ENVIRONMENTAL REVIEW COMMENTS  
PROJECT TITLE: REZONE APPLICATION NO. 2001-07 AND PARCEL MAP APPLICATION NO. 2001-08 – CHRISTOPHER AND CHRISTINA BASS

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

- Will not have a significant effect on the environment.
- May have a significant effect on the environment.
- No comments.
- See comments below

Listed below are specific impacts which support our determination (e.g., traffic generation, carrying capacity, soil types, air quality, etc.). Attached are additional sheets if necessary.

1. Sewage disposal system may effect ground water quality.

Listed below are possible mitigation measures for the above-listed impacts:

1. If public sewer is not available from Denair Community Service District, the sewage disposal system shall be an approved aerobic treatment system so as to comply with the Primary and Secondary Sewage Treatment Initiative (Measure X).

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

1. A minimum of 3 acres required when ground water is less than 5 feet from surface; a minimum of 2 acres is required when ground water is between 5 feet and 12 feet, when a private water well and on-site sewage disposal is used.
2. The project shall not create odors, dust or noise levels which would constitute a public nuisance.
3. Subscription to weekly refuse collection service, with the appropriate franchised refuse collector, is required within all unincorporated areas defined as "mandatory collection service areas" in the Stanislaus County Ordinance Code.

Response prepared by:

BRYAN KUMIMOTO, Sr.  
REGISTERED ENVIRONMENTAL HEALTH SPECIALIST

April 19, 2001

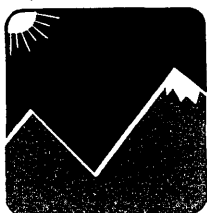
Date

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San Joaquin Valley  
Air Pollution Control District

DECL  
APR 25 2001  
STANISLAUS COUNTY  
PLANNING AND COMMUNITY DEVELOPMENT L.

April 25, 2001

Carole Maben  
Stanislaus County  
Planning and Community Development  
1010 10<sup>th</sup> Street Suite 3400  
Modesto, CA 95354

SUBJECT: REZONE APPLICATION # 2001-07 AND PARCEL MAP APPLICATION # 2001-08

Dear Ms Maben:

The San Joaquin Valley Air Pollution Control District (District) has reviewed the proposed project and offers the following comments:

The San Joaquin Valley's air quality has been designated nonattainment by the EPA and by the Air Resources Board (ARB) for O<sub>3</sub> (ozone) and PM-10 (fine particulate matter, dust). The Federal Clean Air Act (CAA) and the California Clean Air Act require areas that are designated nonattainment to reduce emissions until standards are met.

Based on the information provided, it appears that this project will have a less-than-significant impact on the ambient air quality. However, the construction phase of this project can generate emissions from the movement of soil, use of heavy equipment, bulk materials handling, asphalt paving and other related activities. As a result, this project is subject to District Regulation VIII (Fugitive Dust Prohibitions). The purpose of Regulation VIII is to reduce the amount of fine particulate matter (PM-10) entrained into the ambient air from man-made sources. The attached Synopsis highlights many of the requirements contained within Regulation VIII. The Synopsis is not meant to be all-inclusive, but it can be a useful compliance aid in the field and office alike.

Additionally, if the project site contains any buildings needing demolition or renovation the applicant will need to be in compliance with the National Emission Standards for Hazardous Air pollutants (NESHAPS). Specifically, the primary air pollutant of concern is asbestos. To ascertain whether this project is subject to NESHAPS, the project applicant is advised to review the enclosed Asbestos – Compliance Assistance Bulletin, dated December 1994. Leaf Sexton is the Northern Region's District contact for the program and is available should you need further assistance.

David L. Crow  
Executive Director/Air Pollution Control Officer

Northern Region Office  
4230 Kiernan Avenue, Suite 130  
Modesto, CA 95356-9322  
(209) 557-6400 ♦ FAX (209) 557-6475

Central Region Office  
1990 E. Gettysburg Avenue  
Fresno, CA 93726-0244  
(559) 230-6000 ♦ FAX (559) 230-6061

Southern Region Office  
2700 M Street, Suite 275  
Bakersfield, CA 93301-2370  
(661) 326-6900 ♦ FAX (661) 326-6985

This facility could be subject to District Rule 4102 (Nuisance). The purpose of this rule is to protect the health and safety of the public and applies to any source operation which emits or may emit air contaminants or other material. A possible violation could occur if the project proponent discharges quantities of air contaminant that result in the following nuisances:

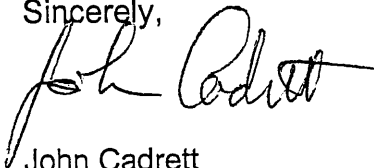
- Injury, detriment, or annoyance to any considerable number of persons or to the public.
- Endangers the comfort, repose, health, or safety of any such person or the public.
- Has a natural tendency to cause injury or damage to business or property.

Finally, this project, will most likely be subject to the permitting requirements of the District. Any equipment subject to the District's Permit to Operate requirements must obtain an Authority to Construct (ATC) from the District. Construction of equipment that requires an ATC or construction of any intimately related appurtenances, such as foundations and utility hookups for the equipment, cannot begin until an ATC is obtained. This process can take up to 180 days. Construction of equipment not requiring a District permit is not subject to this ATC requirement.

To determine specific permit requirements, the applicant should contact the District's Small Business Assistance Office at (209) 557-6446, or our Permit Services Section at (209) 557-6400. To avoid unnecessary delays in the project, this should be done as soon as the applicant has determined the scope of the project.

Thank you for the opportunity to comment. If you have any questions, please feel free to contact me at (209) 557-6400.

Sincerely,



John Cadrett  
Air Quality Planner  
Northern Region

APCD REF # 20010060

# SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT

## Regulation VIII Fugitive Dust/PM-10 Synopsis

Rule 8010 Administrative Requirements		
Section	Applicability	Requirements/Implementation
2.0	<i>Applicability:</i> This regulation applies to specified outdoor man-made sources of fugitive dust for the purpose of attaining health-based standards for fine particulate matter (PM-10). [For the purpose of this regulation, visible dust emissions (VDE) is defined as: visible dust of such opacity as to obscure an observer's view to a degree equal to or greater than an opacity of 40%, for a period or periods aggregating more than three minutes in any one hour, except as set forth in Rule 8030, 5.1.]	
4.0	<i>Exemptions: (All Regulation VIII Rules)</i> Actions required by law to protect the environment; current District permitted activities with PM-10 control measures greater than or equal to this regulation; public health & safety emergency operations lasting less than 30 days; vegetative reduction required by a Federal, State or local agency for fire prevention; and activities conducted above the elevation of 3000 feet (but not including reporting requirements specified in Rule 8060), or during freezing conditions.	
5.1	Chemical Stabilizing Agents.	Must meet ARB/EPA acceptability and air/water quality standards.
5.4	Dust Palliative and Asphalt Paving.	Shall comply with other applicable District Rules (i.e. Rule 4641).
5.5	Mud and Dirt Trackout.	Requirements in this regulation do not exempt owners/operators from other agencies' required permits for dirt and mud cleanup.
Rule 8020 Construction, Demolition, Excavation, Extraction		
2.0	<i>Applicability:</i> Any construction, demolition, excavation, extraction, water mining related disturbances of soil, and the initial construction of landfills prior to commencement of landfill operations.	
4.0	<i>Exemptions:</i> Land preparation for agriculture, not including land preparation for construction of structures intended for agricultural use;; blasting activities; maintenance or remodeling activities when total building area is not increased more than 50% or 10,000 sq. ft. (but not including ancillary construction such as expanding parking lots); renovation of ground water recharge basins; activities approved prior to October 21, 1993; and solar drying & harvesting of sedimentary calcium carbonate precipitates. Compliance with Section 5.1 of this rule is not required where soil moisture or natural crusting is sufficient to limit VDE;.	
5.1	Land clearing, grubbing, scraping, excavation, land leveling, grading, cut & fill, and demolition activities.  Operation of wrecking balls or wrecking equipment.	Effective dust suppression utilizing water, presoaking, wetting agent, or other surfactant.  All exterior surfaces of a building up to six stories in height shall be wetted during demolition. Materials resulting from razing or demolition shall be wetted during off-site removal.
5.2	All disturbed areas of a construction site, including storage piles, not used for seven or more days.	Effective stabilization to limit VDE (40%) by utilizing water, a chemical stabilizer/suppressant, or planting vegetative ground cover.
5.3	On-site unpaved roads and off-site unpaved access roads.	Effective control of fugitive dust to limit VDE (40%) by utilizing water or a chemical stabilizer/suppressant.
5.4	Public paved roads, shoulders, and access ways adjacent to the site.	Limit or promptly remove any accumulation of mud or dirt at the end of work day or once every 24 hours. Recommend use of paved aprons, gravel strips, or wheel washers. The use of blower devices for the removal of accumulations is prohibited. The use of dry rotary brushes is prohibited, except where preceded or accompanied by wetting to limit dust emissions.
Rule 8030 Storage, Handling and Transport of Bulk Materials		
2.0	<i>Applicability:</i> Outdoor handling/storage of bulk material emitting visible dust. Additional requirements may apply if compliance with this Rule requires the installation or modification of equipment under existing District permit.	
4.0	<i>Exemptions:</i> Conditions where moisture content of the material is sufficient to limit VDE; agricultural harvesting and open area drying of agricultural crop materials; timber harvesting and storage of logs; dust free materials; materials less than 250 cubic yards at a single site; and materials subject to damage by wetting.	
5.1	Transport of bulk materials in an outdoor area for a distance of twelve feet or greater with the use of a chute or conveyer device.	Chute/conveyer must be fully enclosed, or spray equipment wets materials to limit VDE (20% opacity) as defined in District Rule 4101-Visible Emissions, or materials conveyed are washed, separated, or screened to remove PM-10.
5.2	Materials transported by vehicle, except equipment on site adding to or removing from storage piles.	Limit or promptly remove any accumulation of mud or dirt at the end of work day or once every 24 hours. Wet material to limit VDE (40%), or provide at least six inches of freeboard space from the top of the transport container, or cover the container.
5.3	Outdoor storage of materials greater than 250 cubic yards.	Cover materials or stabilize to limit to VDE to 40% utilizing water, a chemical stabilizer/suppressant, or a vegetative cover within seven days after the addition or removal of materials.

<b>Rule 8040 Landfills</b>		
2.0	<i>Applicability:</i> All operational landfill sites, landfill closure activities, and activities conducted at closed landfill sites which disturb surface soils covering an area of more than one acre.	
5.1	Construction of a landfill site.	Requirements of District Rule 8020 and the California Code of Regulations (CCR) Sections 17616 and 18222 apply.
5.2	Adjacent public paved roads, shoulders & accesses.	Limit or promptly remove any accumulation of mud or dirt at the end of work day or once every 24 hours. Recommend use of paved aprons, gravel strips, or wheel washers. The use of blower devices for the removal of accumulations is prohibited. The use of dry rotary brushes is prohibited, except where preceded or accompanied by wetting to limit dust emissions.
5.2.1	Interior roads of the landfill site.	Landfill roads connected to off-site adjacent paved public roads must be paved for a sufficient distance to allow mud and dirt accumulation to drop off. Sufficient cleaning of interior roads to limit carry out onto the off-site public roads. The use of blower devices for removal of accumulations is prohibited. Use of dry rotary brushes is prohibited, except when preceded or accompanied by sufficient wetting.
5.4	Storage of construction vehicles, equipment, and materials.	Rule 8070 applies.
6.1	Report of Disposal Site Information (RDSI).	Keep a copy of RDSI at the landfill site or other site approved by District, for inspection by authorized District employees upon request.
<b>Rule 8060 Paved and Unpaved Road</b>		
2.0	<i>Applicability:</i> Any paved, or unpaved public or private road, street, highway, freeway, alley, way, access drive, access easement, or driveway constructed or modified after December 10, 1993. Road construction and repair activities are subject to requirements set forth in Rule 8020.	
4.0	<i>Exemptions:</i> Easements and roads providing access for not more than ten residences; paved roads less than three miles in length, and unpaved roads less than ½ mile in length; agricultural access roads; gated roads owned by a public agency, special district, or public utility on which public access is prohibited; road maintenance and resurfacing activities, not including reconstruction or modifications that add travel lanes or traffic capacity; and roads which have been approved, or for which construction bids have been awarded, prior to December 10, 1993.	
5.1.1	New construction, modifications, or approvals of <u>paved</u> roads with projected average daily vehicle trips of 500 vehicles or more.	Comply with American Association of State Highway and Transportation Officials (AASHTO) guidelines for the width of shoulders and median shoulders. Additional requirements, exemptions or alternative compliance measures may apply.
5.2	Construction and use of new <u>unpaved</u> roads or road segments (except where natural moisture is sufficient to limit VDE).	At least 50% of the length of the new unpaved road surface is controlled by application of chemical dust suppressant/stabilizer, or the entire unpaved surface is controlled by application of water at least one time per week as necessary, or at least 25% of the length of the new unpaved road is paved to provide a permanent stable surface.
6.1	Government Agencies with jurisdiction over publicly maintained paved roads open to public access.	Require preparation and submittal of a written report to the SJVUAPCD documenting compliance with the provisions of this Rule. Initial report prepared for the year 1994 and biennially thereafter. Additional requirements apply.
<b>Rule 8070 Parking, Shipping, Receiving, Transfer, Fueling and Service Areas</b>		
2.0	<i>Applicability:</i> All unpaved vehicle and/or equipment parking areas, fueling and service areas; and shipping, receiving, and transfer areas which are of one acre or larger in size.	
3.0	<i>Exemptions:</i> Activities described above which are conducted on sites less than one acre in size; agricultural activities, including storage, maintenance, and parking of agricultural equipment associated with those activities; temporary areas used for timber harvesting activities; and exposed surfaces of lake and river beds.	
4.1	On days the area is used (except where natural moisture is sufficient to limit VDE).	Application of either water at least once daily, a chemical dust suppressant/stabilizer in accordance with manufacturer's recommendations for road applications, or gravel to the entire surface.
4.2	Public paved roads, shoulders, and access ways adjacent to the site.	Limit or promptly remove any accumulation of mud or dirt at the end of work day or once every 24 hours. Recommend use of paved aprons, gravel strips, or wheel washers. The use of blower devices for the removal of accumulations is prohibited. The use of dry rotary brushes is prohibited, except where preceded or accompanied by wetting to limit dust emissions.

For additional information, please contact the Compliance Division of your nearest regional office:

**Northern Region**  
4230 Kiernan Avenue, Suite 130  
Modesto CA 95356-9321  
(209) 557-6400

**Central Region**  
1990 East Gettysburg Ave.  
Fresno CA 93726  
(559) 230-5950

**Southern Region**  
2700 M Street, Suite 275  
Bakersfield CA 93301-2370  
(661) 326-6900



**SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT**  
**Compliance Assistance Bulletin- December, 1994**  
**Asbestos Synopsis**

**Asbestos Demolition/Renovation Summary:**

**Prior to any renovation or demolition of a facility**

**Inspect: Conduct an asbestos inspection of the site before:**

- Any renovation in which 160 sq. ft. of building materials, or 260 linear feet of pipe insulation will be disturbed, or
- Any demolition of a facility with or without asbestos-containing materials

**Notify:** Submit an asbestos notification form for any regulated renovation or demolition, 10 working days before the activity.

**Fees:** Fees must be paid to the District with the notification for all regulated renovations and demolitions.

**Demolition Release Form:** Prior to any demolition, you must have completed a demolition release form. Upon its approval by the District this signed form may be used as proof (needed by the building official) of compliance with, or exemption from, the NESHAP notification requirements.

Submit this form to the building department with your application for a demolition permit.

**Applicability**

**Facilities** subject to the NESHAP (regulated facilities) include all commercial buildings, apartments with more than 4 units, other structures and non-portable equipment. Single family dwellings may be exempt, but only on a case by case basis.

**Demolitions** subject to the NESHAP (regulated demolitions) are demolitions of facilities described above, whether or not asbestos is present.

**Regulated renovation** applies to any activity in which 160 sq. ft. of regulated asbestos-containing building materials or 260 linear feet of asbestos-containing pipe insulation is disturbed at a regulated facility.

**Asbestos Notification and Inspection Requirements**

**Definitions:**

<i>Facilities:</i>	Facilities subject to the rule include "all structures, installations, buildings and equipment, except for single family dwellings and apartments with four or fewer dwelling units." Single family dwellings and apartments are also subject to the regulation if: <ul style="list-style-type: none"> <li>■ There is more than one building at a site being renovated or demolished, or</li> <li>■ The building had been used for, or is being removed for a commercial or public use, or is to be used as a training burn exercise.</li> </ul>
<i>Demolition:</i>	In addition to the total destruction of a structure, demolitions include "the removal of any structural load-bearing member from a facility together with any related handling operations or the intentional burning of a building" (training burns conducted by a fire fighting agency). Also, the separation of a structure from its foundation prior to relocation is a demolition.
<i>Renovation:</i>	Altering a facility or one or more facility components in any way, including the stripping or removal of regulated asbestos-containing material (RACM) from a facility component. Renovations include all activities in which asbestos could be disturbed at a regulated facility, including the clean up and removal of debris from buildings which have burned.

**SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT**  
**Compliance Assistance Bulletin- December, 1994**  
**Asbestos Synopsis**

<p><b>Definitions, Continued</b></p> <p><i>Regulated Asbestos-Containing Materials (RACM) include:</i></p> <p><i>Friable Asbestos-Containing Material (ACM):</i></p> <p><i>Category I nonfriable ACM:</i></p> <p><i>Category II nonfriable ACM:</i></p>	<p>(1) Friable asbestos-containing material (ACM).  (2) Category 1 nonfriable ACM in poor condition and "has become friable" or that has or will be subjected to sanding, grinding, cutting, or abrading.  (3) Category II nonfriable ACM that has a high probability of becoming, or as become, crumbled, pulverized, or reduced to powder by the forces expected to act on the material in the course of demolition or renovation.</p> <p>Any material containing more than 1 percent asbestos, as determined by Polarized Light Microscopy (PLM) testing, which, when dry, can be crumbled, pulverized, or reduced to powder by hand pressure.</p> <p>Any asbestos-containing packings, gaskets, resilient floor coverings, and asphalt roofing products containing more than 1 percent asbestos as determined by PLM testing.</p> <p>Any asbestos-containing materials, excluding Category 1 ACM, containing more than 1 percent asbestos as determined by PLM testing, which when dry, cannot be crumbled, pulverized, or reduced to powder by hand pressure.</p>
<p><b>Inspection:</b> done by, or under the direction of a Cal-OSHA certified consultant prior to:</p> <ul style="list-style-type: none"> <li>• Any regulated demolition.</li> <li>• Any renovation activity in which more than 160 sq. ft. of any building material or 260 linear feet of pipe insulation will be disturbed. An inspection is not required if the material to be disturbed is stipulated to be asbestos-containing and will be removed in accordance with the NESHAP.</li> </ul> <p><b>Inspection Report Must Include:</b></p> <ul style="list-style-type: none"> <li>• A schematic showing the location of all tested materials.</li> <li>• The following data for all asbestos-containing materials: <ol style="list-style-type: none"> <li>1. The amount and description of each material.</li> <li>2. Percent asbestos content.</li> <li>3. Whether or not the material is friable.</li> </ol> </li> </ul>	
<p><b>Notification:</b> An asbestos notification must be submitted to the District <u>at least 10 working days prior to:</u></p> <ol style="list-style-type: none"> <li>1. Any regulated demolition</li> <li>2. Any renovation in which more than 160 sq. ft. or 260 linear ft. of RACM will be disturbed.</li> </ol> <p><b>A copy of the Asbestos Inspection Report must be included with the Notification.</b></p> <p>Notification will not be considered complete, nor will the 10 working day notice period begin until all required information and fees and fees have been submitted to the District.</p>	
<p><b>Fees:</b> District Rule 3050 requires that nonrefundable asbestos fees be received along with asbestos job notifications. Fees must be paid for regulated asbestos abatement projects and regulated demolition projects, <u>whether or not asbestos is present.</u></p>	
<p><b>Demolition Release Form:</b> The California Health and Safety Code requires that the city or county building official have proof of compliance with, or exemption from, the asbestos notification requirement before he or she issues a demolition permit.</p> <p>After the District has received a demolition notification and is satisfied that the NESHAP notification requirements have been complied with, the District will issue a Demolition Release Form to the person who submitted the notification.</p>	
<p><b>Recycling and Waste Disposal.</b> The asbestos notification must also identify any building materials which will be recycled after removal from a project. The name of the recycling contractor and location of such activity must be identified.</p>	

**For additional information, please contact the Compliance Division of your nearest regional office:**

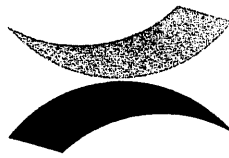
**Northern Region**  
4230 Kiernan Avenue, Suite 130  
Modesto CA 95356-9321  
(209) 557-6400

**Central Region**  
1990 East Gettysburg Ave.  
Fresno CA 93726  
(559) 230-5950

**Southern Region**  
2700 M Street, Suite 275  
Bakersfield CA 93301-2370  
(661) 326-6900

**GEORGE STILLMAN**  
**Director**

Administration  
Engineering  
Development Services  
Transit  
Facilities Services  
Road Maintenance  
Landfill



# Public Works

STANISLAUS COUNTY

April 18, 2001

MEMO TO: Department of Planning and Community Development

FROM: *Ron Cherrier*  
Ron Cherrier, Senior Land Development Coordinator

SUBJECT: Tentative Parcel Map PM 2001-08 and Rezone No. 2001-07

Owner: Christopher and Christina Bass

Agent: Aspen Survey

Number of Parcels: 3

Location: 5108 E. Monte Vista Ave, Denair

This Department hereby recommends the following conditions:

1. The recorded parcel map shall be prepared by a licensed land surveyor or a registered civil engineer.
2. All existing non-public facilities and/or utilities that do not have lawful authority to occupy the road right-of-way shall be relocated onto private property upon request of the Department of Public Works.
3. All structures not shown on the tentative parcel map shall be removed prior to the parcel map being recorded.
4. Road right-of-way shall be deeded to Stanislaus County to provide:
  - A. 30 feet of right-of-way south of the centerline of Monte Vista Ave adjacent to Parcels "1" and "3";
  - B. 90 feet of right-of-way on Santa Fe Ave east of the Burlington Northern Santa Fe Railroad easterly right-of-way line; and,
  - C. The chord of distance of a 25 foot radius at the Santa Fe/Monte Vista intersection.
5. That curb, gutter, sidewalk, drainage facilities, street lights, pavement markings, and street pavement shall be constructed along the entire frontages of Parcel "1" and "3" on Monte Vista Ave and along the frontage of Parcels "1" and "2" on Santa Fe Ave prior to the final map being recorded. Off-site improvement plans shall be approved by the Department of Public Works and an encroachment permit issued for the construction of the improvements.

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6. All driveway locations and widths shall be approved by the Department of Public Works.
  7. That a 10 foot Public Utility Easement along all street frontages adjacent to Parcels "1", "2", and "3" shall be shown on the map to be recorded.
  8. An on-site Grading and Drainage Plan shall be submitted that meets County standards. The plan shall be implemented prior to the final and/or occupancy of any building permit for the development.
  9. All parking and driveways to the parking shall be paved and parking striped per County standards.
  10. No parking, loading or unloading of vehicles shall be permitted within the right-of-ways of Monte Vista Ave and Santa Fe Ave for the proposed development. The owner/developer will be required to install or pay for the installation of any signs and/or markings, if warranted.
  11. Prior to the final map being recorded, parcels "1", "2", and "3" shall be annexed to the Denair Highway Lighting District, or if annexation is not possible, a new district shall be formed. The developer shall provide all necessary documents and pay all costs associated with the annexation or formation of a new district.
  12. All street lights shall be installed on steel poles. Prior to the final map being recorded, the owner/developer shall deposit the first year's operating and maintenance cost of the street lights with the Department of Public Works.
-



**CHIEF EXECUTIVE OFFICE**

**Reagan M. Wilson**  
Chief Executive Officer

1010 10TH Street, Suite 6800, Modesto, CA 95354  
PO Box 3404, Modesto, CA 95353-3404

**Patricia Hill Thomas**  
Assistant Executive Officer

Phone: 209.525.6333 Fax: 209.544.6226

May 7, 2001

Carole Maben  
Planning Dept.  
1010 10<sup>th</sup> Street, Suite #3400  
Modesto, CA 95354

**SUBJECT: ENVIRONMENTAL REFERRALS- REZONE APPLICATION NO. 2001-07 AND PARCEL  
MAP APPLICATION NO. 2001-08-CHRISTOPHER AND CHRISTINA BASS**

Ms. Maben:

The Stanislaus County Environmental Review Committee (ERC) has reviewed the subject project and has the following comment:

1. If public sewer is not available from Denair Community Service District, the sewage disposal system shall be an approved aerobic treatment system so as to comply with the Primary and Secondary Treatment Initiative (Measure X).
2. A minimum of 3 acres is required when ground water is less than 5 feet from the surface; a minimum of 2 acres is required when ground water is between 5 feet and 12 feet, when a private water well and on-site sewage disposal is used.
3. The project shall not create odors, dust or noise level which would constitute a public nuisance.
4. Subscription to weekly refuse collection service, with the appropriate franchised refuse collector, is required within all unincorporated areas defined as "mandatory collection service areas" in the Stanislaus County Ordinance Code.

The ERC appreciates the opportunity to comment on this project.

Sincerely,

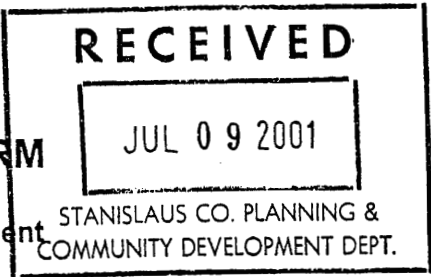
W. Richard Jantz, Deputy Executive Officer  
Keith D. Boggs, Senior Management Consultant  
Environmental Review Committee

cc: ERC Members  
KDB:lbh

RECEIVED

PLANNING DEPT.

STANISLAUS COUNTY  
CEQA REFERRAL RESPONSE FORM



TO: Stanislaus County Planning & Community Development  
1010 10<sup>th</sup> Street, Suite 3400  
Modesto, CA 95354

FROM: Denair Community Services District

PROJECT: REZONE APPLICATION NO. 2001-07 AND PARCEL MAP APPLICATION NO.  
2001-08 - CHRISTOPHER AND CHRISTINA BASS

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

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

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

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

Listed below are possible mitigation measures for the above-listed impacts:

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

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

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

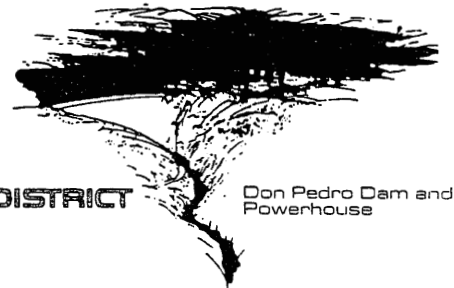
Response prepared by:

<u><i>[Signature]</i></u>	<u><i>Manager</i></u>	<u><i>06-27-01</i></u>
Name	Title	Date

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The proposed rezone located at 5108 E. Monte Vista Avenue in Denair is within the Stanislaus County's Community Plan's sphere on influence and is adjacent to the boundaries of the Denair Community Services District. This property is now being served with sewer from the Denair Community Services District for the existing home. The water is being provided from a private, domestic well on site.

The proposed planned development is well within the 2,640 feet of the sewer and water lines of the Denair Community Services District as per Section 20.52.210 of the Stanislaus County Code. The District would recommend consideration for installing water and sewer for any new development and that the Developer pay all Public Facilities Fees adopted by the Board of Directors of the Denair Community Services District.

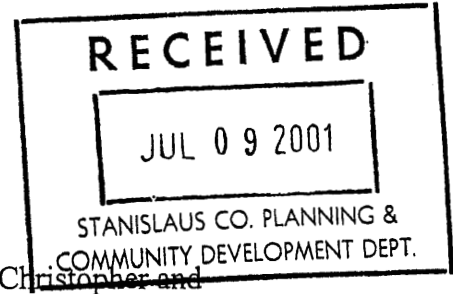


**TURLOCK IRRIGATION DISTRICT**  
333 EAST CANAL DRIVE  
POST OFFICE BOX 949  
TURLOCK, CALIFORNIA 95381  
(209) 883-8300

Don Pedro Dam and  
Powerhouse

July 5, 2001

Stanislaus County  
Department of Planning and Community Development  
1010 10<sup>th</sup> Street, Suite 3400  
Modesto, CA 95354



Dear Sir or Madam:

RE:Rezone App. No. 2001 07 and Parcel Map App No. 2001 08 Christopher and  
Christina Bass

The Engineering Department of the Turlock Irrigation District (District) appreciates the opportunity to review and comment on the referenced project. District standards require development that occurs within the District's boundary, that impacts irrigation and electric facilities, to meet the District's requirements.

As per my phone call to the County on June 18, 2001, there are no changes to this project from the original one submitted on April 2, 2001. Under these circumstances, our comments remain unchanged.

- The district shall review and approve all maps and plans of this project. Any improvements to this property shall be subject to District's approval and meet all District's standards and specifications.
- As this project develops, Sidegate 7-2 located along the Turlock Main Canal bank, approximately 190 feet northeast of Santa Fe Avenue, will have to be removed and sealed. The pipe should be removed from the canal bank. This work will be done by Turlock Irrigation District, and the developer billed. The work will be scheduled at the end of the current irrigation season. When the developer is prepared to proceed please contact the District and an estimate for the work will be prepared.
- There is an existing 100 foot right of way along the Turlock Main Canal, this right-of-way must remain.

The Final Map Signature Block is as follows:  
As to Irrigation Tax,

\_\_\_\_\_  
Todd Troglin  
Deputy Collector,  
Turlock Irrigation District

\_\_\_\_\_  
Date



- A ten foot Public Utility Easement must be dedicated along all street frontages.
- Owner/developer must apply for a facility change for any pole or facility relocation. Facility changes are performed at developer's expense.

If you have any questions concerning irrigation system requirements or electric utility requirements, please contact me at (209) 883-8384 or Paul Rodriguez at (209) 883-8438 respectively.

Sincerely,

*Andrea Nicastro*

Andrea Nicastro  
Engineering Technician  
CF: Bass 2001045a





Gray Davis  
GOVERNOR

STATE OF CALIFORNIA

Governor's Office of Planning and Research  
State Clearinghouse



Steve Nissen  
DIRECTOR

ACKNOWLEDGEMENT OF RECEIPT



DATE: June 20, 2001

TO: Bob Kachel  
Stanislaus County Planning Department  
1010 10th Street, Suite 3400  
Modesto, CA 95354

RE: Rezone No. 2001-07 and Parcel Map No. 2001-08 - Christopher & Christina Bass  
SCH#: 2001062062

This is to acknowledge that the State Clearinghouse has received your environmental document for state review. The review period assigned by the State Clearinghouse is:

Review Start Date: June 14, 2001  
Review End Date: July 13, 2001

We have distributed your document to the following agencies and departments:

- Caltrans, District 10
- Department of Fish and Game, Region 4
- Department of Health Services
- Department of Parks and Recreation
- Native American Heritage Commission
- Public Utilities Commission
- Regional Water Quality Control Bd., Region 5 (Sacramento)
- Resources Agency
- State Lands Commission
- State Water Resources Control Board, Clean Water Program

The State Clearinghouse will provide a closing letter with any state agency comments to your attention on the date following the close of the review period.

Thank you for your participation in the State Clearinghouse review process.

**STANISLAUS COUNTY  
CEQA REFERRAL RESPONSE FORM**

**TO:** Stanislaus County Planning & Community Development  
1010 10<sup>th</sup> Street, Suite 3400  
Modesto, CA 95354

**FROM:** DAVID L. DOLENER, CEO - Risk Management Division

**PROJECT:** REZONE APPLICATION NO. 2001-07 AND PARCEL MAP APPLICATION NO. 2001-08 - CHRISTOPHER AND CHRISTINA BASS

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

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

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

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

Listed below are possible mitigation measures for the above-listed impacts:

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

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

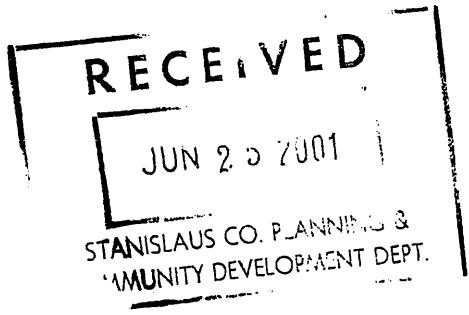
Subject to Mitigation Monitoring Plan and  
Mitigated Negative Declaration

Response prepared by:

David L. Dolener, Deputy Executive Officer, 6/24/01

Name Title Date

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# California Regional Water Quality Control Board

## Central Valley Region

Robert Schneider, Chair



Gray Davis  
Governor

Winston H. Hickox  
Secretary for  
Environmental  
Protection

Sacramento Main Office  
Internet Address: <http://www.swrcb.ca.gov/rwqcb5>  
3443 Routier Road, Suite A, Sacramento, California 95827-3003  
Phone (916) 255-3000 • FAX (916) 255-3015

9 July 2001

Bob Kachel  
Stanislaus County Planning Department  
1010 10<sup>th</sup> Street, Suite 3400  
Modesto, CA 95354

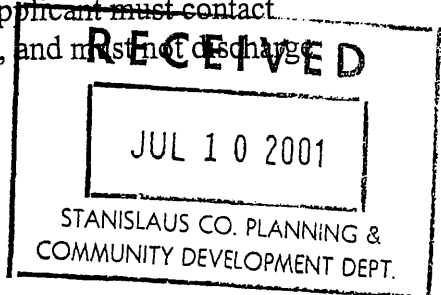
**INITIAL STUDY AND PROPOSED MITIGATED NEGATIVE DECLARATION  
SCH NO. 2001062062, REZONE APPLICATION NO. 2001-07 AND PARCEL MAP  
APPLICATION NO. 2001-08 (BASS), STANISLAUS COUNTY**

Pursuant to the State Clearinghouse's request dated 14 June 2001, I have reviewed the subject document. Based on the information provided, we cannot assess the adequacy of the proposed Mitigated Negative Declaration because the project description does not provide sufficient information regarding the proposed facilities and the method of wastewater treatment and disposal.

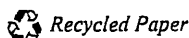
If the project involves conveyance systems to transport wastewater to an existing publicly owned treatment works, then the Initial Study should disclose potential impacts on sewer capacity, treatment plant capacity, and water quality resulting from the proposed project.

Alternatively, if on-site treatment and disposal is in use or planned, the proposed Mitigated Negative Declaration should disclose the nature of the proposed system. Any on-site wastewater treatment and disposal system is considered a potential threat to water quality, and is subject to Waste Discharge Requirements (WDRs) adopted by the Board. We are particularly concerned about the shallow water table depth reported in the checklist.

Ordinarily, full compliance with the WDRs would be considered sufficient mitigation for potential water quality impacts associated with wastewater management for industrial and commercial developments. If on-site treatment/disposal is planned, the applicant must contact the Regional Water Quality Control Board to ask for a permit application, and must not discharge any wastewater to the system until facility-specific WDRs are adopted.



**California Environmental Protection Agency**



Mr. Bob Kachel  
Stanislaus County Planning Department

- 2 -

9 July 2001

Thank you for allowing us the opportunity to comment on this proposed project. If you have any questions, please call me at (916) 255-3140.



ANNE L. OLSON, P.E.  
Associate Water Resources Control Engineer

cc: Brian Grattidge, State Clearinghouse, Sacramento  
Denise Wood, Stanislaus Count Environmental Resources Department, Modesto  
Christopher and Christina Bass, Denair

# Stanislaus County

## Planning and Community Development

1010 10 th 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

**JUNE 5, 2001**

1. **Project title and location:** Rezone 2001-07 & Parcel Map 2001-08  
Christopher & Christina Bass, 5108 E. Monte Vista  
Ave., Denair, CA
2. **Project Applicant name and address:** Christopher & Christina Bass  
5108 E. Monte Vista Ave  
Denair, CA 95316
3. **Person Responsible for Implementing  
Mitigation Program (Applicant Representative):** Christopher & Christina Bass
4. **Contact person at County:** Bob Kachel, Senior 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.

#### XIII. PUBLIC SERVICES

No. 1 Mitigation Measure:

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.

Who Implements the Measure:

Applicant.

When should the measure be implemented:

At the time of building permit issuance.

When should it be completed:

Prior to issuance of building permit.

Who verifies compliance:

Building Department.

Other Responsible Agencies:

None.

No. 2 Mitigation Measure:

No development shall occur without an approved fire department access and water for fire protection. Both the existing and proposed structures shall comply with current California Fire Code requirements.

Who Implements the Measure:

Applicant.

When should the measure be implemented:

At the time of building permit issuance.

When should it be completed:

Prior to issuance of building permit.

Who verifies compliance:

Consolidated Fire Department.

Other Responsible Agencies:

None.

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

\_\_\_\_\_  
Date

/cm  
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## MITIGATED NEGATIVE DECLARATION

**NAME OF PROJECT:** Rezone 2001-07 and Parcel Map 2001-08 by Christopher and Christina Bass

**LOCATION OF PROJECT:** 5108 E. Monte Vista Ave., at the SE corner of Monte Vita and Santa Fe in Denair

**PROJECT DEVELOPER:** Christopher & Christina Bass  
5108 E. Monte Vista  
Denair, CA 95316

**DESCRIPTION OF PROJECT:** This is a proposal for a new planned development zone. It would allow creation of three parcels of 1.0, 1.0, and 1.88 acres. Uses would include the applicant's dwelling and a soon to be constructed garage building to house their RV. Commercial uses on site are to be the applicant's existing septic tank service, and new professional offices

Based upon the Initial Study, dated June 1, 2001 the County 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. Developer shall pay all Public Facilities Impact Fees and Fire Facilities Fees as adopted by Resolution of the Board of Supervisors. The Fees shall be payable at the time of issuance of 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.

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Mitigated Negative Declaration  
May 1, 2001  
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2. 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 10<sup>th</sup> Street, Suite 3400, Modesto, California.

Initial Study prepared by: Bob Kachel, Senior Planner

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

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CALIFORNIA DEPARTMENT OF FISH AND GAME

CERTIFICATE OF FEE EXEMPTION

De Minimis Impact Finding

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

**Rezone 2001-07 and Parcel Map 2001-08 Christopher & Christina Bass, located at 5108 E. Monte Vista Ave in Denair, Stanislaus County**

**Project Description:** This is a proposal for a new planned development zone. It would allow creation of three parcels of 1.0, 1.0, and 1.88 acres. Uses would include the applicant's dwelling and a soon to be constructed garage building to house their RV. Commercial uses on site are to be the applicant's existing septic tank service, and new professional offices

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

**The Stanislaus County Planning Commission make a finding of "De Minimis" on this project for the following reason(s):**

- 1. This project does not have the potential to degrade the quality of the environment, nor to curtail the diversity of the environment as there is no wildlike habitat on this project location in the town of Denair.**
- 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.**

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

**FINDINGS REQUIRING DENIAL**

**VESTING TENTATIVE PARCEL MAP APPLICATION NO. 2001-08  
CHRISTINA & CHRISTOPHER BASS**

**FINDINGS**

As per Section 66474. of the Subdivision Map Act:

A legislative body of a city or county shall deny approval of a tentative map, or a parcel map for which a tentative map was not required, if it makes any of the following findings:

- (a) That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.
- (b) That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.
- (c) That the site is not physically suitable for the type of development.
- (d) That the site is not physically suitable for the proposed density of development.
- (e) That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
- (f) That the design of the subdivision or type of improvements is likely to cause serious public health problems.
- (g) That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public.

Staff has not been presented with any evidence to indicate any of the above findings should be made.

**B. REZONE APPLICATION NO. 2001-07 AND PARCEL MAP APPLICATION NO. 2001-08 - CHRISTOPHER AND CHRISTINA BASS**

Request to rezone an expired Planned Development PD (68) to a new Planned Development to allow for an 8000 square foot office facility, a card lock fueling station and an existing septic tank pumping business and house. The Parcel Map would split the property into parcels of 1.0, 1.0 and 1.88 acres. The property is on the south side of Monte Vista Ave., adjacent to Santa Fe Ave., in the Denair area. A Mitigated Negative Declaration will be considered.

APN: 024-39-01

Staff report: Bob Kachel Recommends **APPROVAL**.

Public hearing opened.

**OPPOSITION:** No one spoke.

**FAVOR:** Christina Bass, 5108 Monte Vista, Denair.

Public hearing closed.

Wetherbee/Crivelli, Unanimous (8-0), **RECOMMEND APPROVAL TO THE BOARD OF SUPERVISORS WITH THE FOLLOWING AMENDED CONDITIONS:**

**CONDITION NO. 27:**

**"THAT CURB, GUTTER, SIDEWALK, DRAINAGE FACILITIES, STREET LIGHTS, PAVEMENT MARKINGS, SIGNS, AND STREET PAVEMENT SHALL BE CONSTRUCTED ALONG THE ENTIRE FRONTAGES OF PARCEL "1" AND "3" ON MONTE VISTA AVE. AND ALONG THE FRONTAGES OF PARCELS "1" AND "2" ON SANTA FE AVE. THE STREET IMPROVEMENTS ADJACENT TO PARCEL "1" SHALL BE CONSTRUCTED AT THE TIME PARCEL "1" IS DEVELOPED AND SHALL BE COMPLETED PRIOR TO FINAL AND/OR OCCUPANCY OF THE PROPOSED USE. THE IMPROVEMENTS ADJACENT TO PARCEL "2" SHALL BE CONSTRUCTED AT THE TIME PARCEL "2" IS DEVELOPED AND SHALL BE COMPLETED PRIOR TO FINAL AND/OR OCCUPANCY OF THE PROPOSED BUILDING. THE STREET IMPROVEMENTS ADJACENT TO PARCEL "3" SHALL BE CONSTRUCTED WHEN THE EXISTING DRIVEWAY IS RELOCATED OR A NEW DRIVEWAY IS INSTALLED AT PARCEL "3", OR WHEN PARCEL "2" IS DEVELOPED, WHICHEVER COMES FIRST.**

**OFF-SITE IMPROVEMENT PLANS FOR THE FRONTAGE OF ALL PARCELS SHALL BE APPROVED BY THE DEPARTMENT OF PUBLIC WORKS PRIOR TO THE FINAL PARCEL MAP BEING RECORDED. AN ENCROACHMENT PERMIT SHALL BE OBTAINED PRIOR TO THE START OF ANY WORK WITHIN THE COUNTY RIGHT-OF-WAYS.**

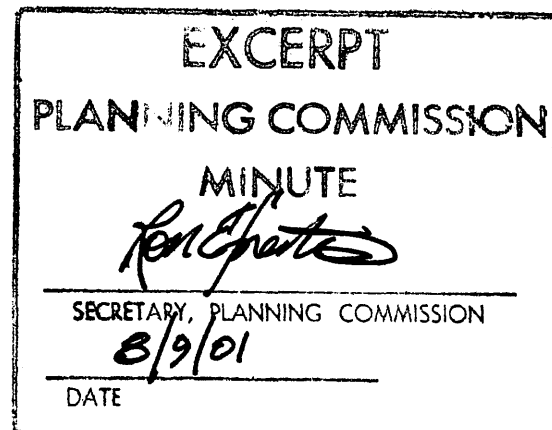
A FINANCIAL GUARANTEE FOR THE STREET IMPROVEMENTS SHALL BE PROVIDED TO THE DEPARTMENT OF PUBLIC WORKS PRIOR TO ISSUANCE OF ANY BUILDING PERMIT FOR THE PARTICULAR PARCEL BEING DEVELOPED."

CONDITION NO. 28:

"ALL DRIVEWAY LOCATIONS AND WIDTHS SHALL BE APPROVED BY THE DEPARTMENT OF PUBLIC WORKS. ACCESS ON SANTA FE AVENUE SHALL BE LIMITED TO ONE SHARED DRIVEWAY LOCATED AT THE COMMON LOT LINE BETWEEN PARCELS "1" AND "2"."

CONDITION NO. 30:

"AN ON-SITE GRADING AND DRAINAGE PLAN FOR PARCELS "1", "2" AND "3" THAT MEETS COUNTY STANDARDS SHALL BE REVIEWED AND FOUND ACCEPTABLE TO THE DEPARTMENT OF PUBLIC WORKS PRIOR TO THE FINAL MAP BEING RECORDED. PERCOLATION TEST RESULTS SHALL BE PROVIDED THAT DETERMINE PERCHED AND GROUND WATER DEPTHS ALONG WITH THE PERCOLATION RATE. THE GRADING AND DRAINAGE PLAN SHALL BE IMPLEMENTED PRIOR TO FINAL AND/OR OCCUPANCY OF ANY BUILDING OR APPROVED USE FOR EACH PARCEL."



ORDINANCE NO. C.S. - 769

AN ORDINANCE ADOPTING SECTIONAL DISTRICT MAP NO. 9-110.912 FOR THE PURPOSE OF REZONING AN EXPIRED PLANNED DEVELOPMENT PD (68) TO A NEW PLANNED DEVELOPMENT TO ALLOW FOR AN 8000 SQUARE FOOT OFFICE FACILITY, A CARD LOCK FUELING STATION AND AN EXISTING SEPTIC TANK PUMPING BUSINESS AND HOUSE. THE PROJECT IS LOCATED ON THE SOUTH SIDE OF MONTE VISTA AVE., ADJACENT TO SANTA FE AVE., IN THE DENAIR AREA. APN: 024-39-01

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

Section 1. Sectional District Map No. 9-110.912 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 Denair Dispatch, a newspaper of general circulation published in Stanislaus County, State of California.

Upon motion of Supervisor Mayfield, seconded by Supervisor Blom, 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



*Elizabeth King*

BY: Elizabeth A. King, Deputy Clerk of the Board

SECTIONAL DISTRICT MAP NO. 9-110.912

