

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

DEPT: Planning and Community Development M

BOARD AGENDA # 6:45 p.m.

Urgent Routine

AGENDA DATE April 20, 2010

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Public Hearing to Consider Planning Commission's Recommendation for Approval of Rezone Application No. 2009-04, Bronco Wine Co., a Request to Rezone a Parcel from A-2-40 (General Agriculture) to PD (Planned Development) on Property Located at 800 E. Keyes Road, at the Southeast Corner of E. Keyes and Bystrum Roads, in the Ceres Area

PLANNING COMMISSION RECOMMENDATIONS:

After conducting a duly advertised public hearing at its regular meeting of March 18, 2010, the Planning Commission, on a 5-0 vote, recommended the Board approve the project as follows:

1. Adopt the Mitigated Negative Declaration pursuant to CEQA Guidelines Section 15074(b), by finding that on the basis of the whole record, including the Initial Study and any comments received, that there is no substantial evidence the project will have a significant effect on the environment and that the Negative Declaration reflects Stanislaus County's independent judgement and analysis.

(Continued on page 2)

FISCAL IMPACT:

There are no fiscal impacts associated with this project. In accordance with the adopted Department of Planning and Community Development Fee Schedule, this project is subject to payment of the 'actual cost' for process. All costs associated with this project have been paid and approval of this project will have no impact on the County's General Fund.

BOARD ACTION AS FOLLOWS:

No. 2010-218

On motion of Supervisor Chiesa , Seconded by Supervisor O'Brien
and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Monteith, DeMartini, and Chairman Grover

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) Approved as recommended

2) Denied

3) Approved as amended

4) Other:

MOTION: INTRODUCED, ADOPTED, AND WAIVED THE READING OF ORDINANCE C.S. 1084 FOR REZONE APPLICATION #2009-04.

Christine Ferraro

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No. ORD-55-L17

Public Hearing to Consider Planning Commission's Recommendation for Approval of Rezone Application No. 2009-04, Bronco Wine Co., a Request to Rezone a Parcel from A-2-40 (General Agriculture) to PD (Planned Development) on Property Located at 800 E. Keyes Road, at the Southeast Corner of E. Keyes and Bystrum Roads, in the Ceres Area

Page 2

PLANNING COMMISSION RECOMMENDATION: (Continued)

2. Order the filing of a Notice of Determination with the Stanislaus County Clerk-Recorder's Office pursuant to Public Resources Code Section 21152 and CEQA Guidelines Section 15075.
3. Find that the project is consistent with the overall goals and policies of the County General Plan.
4. Find that the proposed PD zoning is consistent with the Planned Development General Plan designation.
5. The alternative to the Agricultural Buffer Standards applied to this project provides equal or greater protection than the existing buffer standards.
6. The project will increase activities in and around the project area, and increase demands for roads and services, thereby requiring dedication and improvements.
7. Approve Rezone Application No. 2009-04 - Bronco Wine Co., subject to the attached Development Standards and Development Schedule.

DISCUSSION:

This is a request to rezone a 35.78-acre parcel from A-2-40 (General Agriculture) to P-D (Planned Development) for expansion of the adjoining Bronco Wine facility by conversion of an existing house into an office, construction of two (2) new 14,400 square foot office buildings, an associated parking lot and two (2) driveways on E. Keyes Road.

The project site is located at 800 E. Keyes Road, south of Ceres, and is improved with a single-family dwelling and a vineyard. The surrounding area consists of agricultural uses, primarily orchards and vineyards. Bronco Wine Co. is south of and adjacent to the project site. There are scattered single-family dwellings in the area, with the closest off-site dwelling being approximately 60 feet from the project site's eastern property line.

The applicants are proposing to begin construction on the driveways and parking lots by fall of 2010. No development schedule was provided for the 14,000 square foot offices as the applicants are not proposing to construct those buildings at this time. They are requesting to "reserve" the footprints of the office buildings to allow the administrative portion of the business to be relocated as necessary to accommodate the expansion of the adjacent wine processing facility located at 6342 Bystrum Road.

Public Hearing to Consider Planning Commission's Recommendation for Approval of Rezone Application No. 2009-04, Bronco Wine Co., a Request to Rezone a Parcel from A-2-40 (General Agriculture) to PD (Planned Development) on Property Located at 800 E. Keyes Road, at the Southeast Corner of E. Keyes and Bystrum Roads, in the Ceres Area

Page 3

Days and hours of operation from December to June are Monday thru Friday, 24 hours a day, and from July to November, seven (7) days a week, 24 hours a day. Currently, there are 180 employees on a maximum shift, 10 customers/visitors on site at peak times, 60 truck deliveries/loadings per day off-season, and 300 truck deliveries/loadings per day during peak season. Peak seasonal operation hours are from mid-July to mid-November. The project will be served by a private well for water and on-site septic facilities will provide for sewage disposal.

On March 18, 2010, the Planning Commission considered this application at a properly advertised public hearing. No one spoke in support of the project. Alice Roche spoke in opposition to the project citing conflict between tractors crossing E. Keyes Road and additional truck and employee traffic resulting from the proposed project. The tractors are used on properties, in the immediate vicinity, which are farmed as a part of the Bronco operation.

Following the closing of the hearing, the Commission unanimously voted 5-0 (Ramos/Assali) to forward the project to the Board of Supervisors for approval. A detailed discussion of the request and staff's recommendation of approval can be found in the attached Planning Commission Staff Report.

POLICY ISSUES:

The Board should determine if approval of the proposed rezone furthers the goals of efficient delivery of government services and a well-planned infrastructure system.

STAFFING IMPACT:

There are no staffing impacts associated with this item.

CONTACT PERSON:

Kirk Ford, Planning and Community Development Director. Telephone: (209) 525-6330

ATTACHMENTS:

1. Planning Commission Staff Report, March 18, 2010
2. Planning Commission Minutes, March 18, 2010

STANISLAUS COUNTY PLANNING COMMISSION

March 18, 2010

STAFF REPORT

REZONE APPLICATION NO. 2009-04
BRONCO WINE CO.

REQUEST: TO REZONE A 35.78-ACRE PARCEL FROM A-2-40 (GENERAL AGRICULTURE) TO PLANNED DEVELOPMENT FOR EXPANSION OF THE ADJOINING BRONCO WINE FACILITY BY CONVERSION OF AN EXISTING HOUSE INTO AN OFFICE, CONSTRUCTION OF TWO NEW 14,400 SQUARE FOOT OFFICE BUILDINGS, AN ASSOCIATED PARKING LOT AND TWO DRIVEWAYS ON E. KEYES ROAD. THE PROJECT SITE IS LOCATED AT 800 E. KEYES ROAD, SOUTH OF CERES.

APPLICATION INFORMATION

Applicant:	Bronco Wine Co.
Engineer:	R.B. Welty & Associates
Location:	800 E. Keyes Road, at the southeast corner of E. Keyes and Bystrum Roads, in the Ceres area.
Section, Township, Range:	33-4-9
Supervisory District:	Two (Supervisor Chiesa)
Assessor's Parcel:	041-046-019
Referrals:	See Exhibit "I" Environmental Review Referrals
Area of Parcels:	36.62 acres
Water Supply:	Private well
Sewage Disposal:	Septic
Existing Zoning:	A-2-40 (General Agriculture)
General Plan Designation:	Agriculture
Community Plan Designation:	Not applicable
Williamson Act:	Not applicable
Environmental Review:	Mitigated Negative Declaration
Present Land Use:	Single-family dwelling and a vineyard
Surrounding Land Use:	Scattered single-family dwellings, vineyards, and orchards to the north, east, and west, Bronco Wine Co., dairies, and scattered single-family dwellings to the south

PROJECT DESCRIPTION

This is a request to rezone a 35.78-acre parcel from A-2-40 (General Agriculture) to P-D (Planned Development). The project site is north of and adjacent to the existing Bronco Wine Co. site, located at 6342 Bystrum Road. The request includes adding two (2) driveways onto E. Keyes Road, the conversion of an existing house to a shipping and receiving office, and the construction

of two (2) truck scales, a guard shack, employee and truck parking lots, a 14,400 square foot administration building, and a 14,400 square foot sales building. The proposed driveways and employee and truck parking lots will serve both the proposed and existing Bronco Wine facility. The parking lot, access roads, and driveways will be paved.

On the existing site, days and hours of operation from December to June are Monday thru Friday, 24 hours a day, and from July to November, seven (7) days a week, 24 hours a day. Currently there are 180 employees on a maximum shift, 10 customers/visitors on site at peak times, 60 truck deliveries/loadings per day off-season, and 300 truck deliveries/loadings per day during peak season. Peak seasonal operation hours are from mid-July to mid-November. The project will be served by a private well for water and on-site septic facilities will provide for sewage disposal.

SITE DESCRIPTION

The project site is located at 800 E. Keyes Road and is improved with a single-family dwelling and a vineyard. The surrounding area consists of agricultural uses, primarily orchards and vineyards. Bronco Wine Co. is south of and adjacent to the project site. There are scattered single-family dwellings in the area, with the closest off-site dwelling being approximately 60 feet from the project site's eastern property line.

DISCUSSION

According to County records, the current Bronco Wine Co. facility, located at 6342 Bystrum Road, was approved to operate as a winery and bottling facility since the 82-acre property was rezoned in 1974. The Board of Supervisors approved the rezone from A-2-10 (General Agriculture) to P-D (6) (Planned Development) based on the following factors:

1. The proposed project should not be detrimental to the existing agricultural usage of the surrounding neighborhood if developed in compliance with the recommended performance standards; and
2. The use is in compliance with the General Plan as a facility that is associated with agricultural production and complies with the provisions of Section 118.5 of the Zoning Ordinance (Planned Development zone); and
3. The project is to be located near major or collector streets and a railroad facility that would provide the necessary transportation needs of the facility; and
4. Many such winery facilities are located throughout the valley region in rural areas without apparent conflict with surrounding agricultural uses.

Since its approval in 1974, Bronco Wine Co. has produced wine and sparkling wine and has a license to produce malt beverages. Grapes are trucked to the site and crushing operations take place during the grape harvest season, generally from July to November. After crushing, the grapes are fermented in large stainless steel tanks and grape skins and seeds are pressed and discarded with the pressed grape pomace to be sold for feed. After fermenting, the wine is transferred to storage tanks where it is cooled, filtered, blended and bottled.

The project site includes an existing single-family dwelling which will be converted to a shipping and receiving office. The proposed improvements to the site will include two (2) truck scales, a guard shack, the construction of employee and truck parking lots and two (2) 14,400 square foot office buildings, new septic tanks, and landscaping. The proposed office buildings and parking lots will be located in the southern half of the property. Construction of the driveways and parking lots off

of E. Keyes Road will move vehicular traffic away from the railroad crossing currently utilized off of Bystrum Road. The applicants are proposing to begin construction on the driveways and parking lots by fall of 2010. No development schedule was provided for the offices as the applicants are not proposing to construct those buildings at this time. They are requesting to "reserve" the footprints of the office buildings to allow the administrative portion of the business to be relocated as necessary to accommodate the expansion of the wine processing facility.

In order to approve a rezone, it must be found to be consistent with the General Plan. In this case, the General Plan designation is "Agriculture." The "Agriculture" General Plan designation is consistent with a Planned Development zoning designation when, *"it is used for agriculturally-related uses or for uses of a demonstrably unique character, which due to specific agricultural needs or to their transportation needs or to needs that can only be satisfied in the agriculture designation, may be properly located within areas designated as "agricultural" on the General Plan. Such uses can include, facilities for packing fresh fruit, facilities for the processing of agricultural commodities utilized in the County's agriculture community, etc."* Staff believes that the proposed Planned Development is logical considering the unique characteristics of this site, such as the close proximity to the existing Bronco Wine Co. site. The proposed use should not be detrimental to agricultural uses and other property in the area which consists mainly of orchards, vineyards, dairies, and the existing Bronco Wine Co. Staff finds the proposal to rezone this parcel to Planned Development to be consistent with the General Plan.

The existing County parking standards require manufacturing or assembly plants and wholesale warehouses provide one (1) parking space for each employee on a maximum shift plus three (3) additional spaces. Office buildings are required to provide one (1) space for every 300 square feet of office space. The site plan identifies 345 employee parking spaces and 32 truck parking spaces. The proposed office buildings, at build out, would require a total of 94 parking spaces (see Exhibit "A" - *Maps*). If needed, additional parking spaces could be provided since the project site does have area that will remain in grape production.

The site plan for the proposed expansion indicates that a two foot by three foot directional sign will be located at the entrance to the truck and employee driveways (see Exhibit "A" - *Maps*). All final sign approvals rest with the Director of Planning and Community Development and will require the Planning Director's (or designee's) approval prior to the placement of such signs (see Exhibit "B" - *Development Standards*).

In December of 2007, Stanislaus County adopted an updated Agricultural Element which incorporated guidelines for the implementation of agricultural buffers applicable to new and expanding non-agricultural uses within or adjacent to the A-2 zoning district. The purpose of these guidelines is to protect the long-term health of agriculture by minimizing conflicts resulting from the interaction of agricultural and non-agricultural uses. Current buffer guidelines require a project that is expanding a non-agricultural use to provide a minimum building setback of 150-feet, fencing, and vegetative screening; the same is required for new non-agricultural uses.

Appendix "A" - Buffer and Setback Guidelines of the Agricultural Element allows for alternative buffers to be proposed, provided the Stanislaus County Planning Commission makes a finding that the buffer alternative is found to provide equal or greater protection to surrounding agricultural uses. Alternatives proposed by a project applicant shall be reviewed and supported by the Stanislaus County Agricultural Advisory Board prior to consideration by the Planning Commission.

On September 8, 2008 and November 2, 2009, planning staff asked the Agricultural Advisory Board to support a series of 'generic', non-project specific buffer alternatives applicable to uses such as nut hulling, shelling, dehydrating, grain warehousing, and agricultural processing facilities (without incidental tasting rooms or sales). The Agricultural Advisory Board supported these alternatives.

The supported alternatives applicable to this project include:

- Providing an overall distance of 150 feet or greater exists between the proposed use and the property line, no vegetative screening shall be required.
- When trespassing onto neighboring property is determined not to be an issue, the fencing requirement may be waived.

Based on Appendix "A" - Buffer and Setback Guidelines of the Agricultural Element, "property line" refers to the property line of any adjoining parcels for this supported alternative. The project will exceed the required 150-foot distance between the use and adjoining agricultural uses in each direction; therefore, a vegetative screen will not be required. Because the proposed use and the product produced is agricultural in nature, the applicants intend to keep as much of the property as possible planted in vineyards. An agricultural buffer two (2) feet wide and planted in evergreen trees, six (6) feet high, and five (5) feet apart will be planted along the east and north property lines. The western property line is planted in cypress trees; trespassing will not be an issue and the fencing requirement may be waived. Additional landscaping will be installed around the perimeter of the employee parking lot (see Exhibit "A" - *Maps*). Landscaping and buffer installation will be reviewed as a part of the building and/or grading permit.

Staff has received two (2) phone calls, an email, and a letter from neighboring property owners who were concerned about dust, negative impacts to air quality, the increase in traffic, traffic safety, and the impact to existing driveways (see Exhibit "H" - *Surrounding Landowner's Responses*). According to the Stanislaus County 2008 aerials, the driveways of the parcels directly north and east of the project site are located across and adjacent to the proposed Bronco driveways. The applicants are proposing to pave the proposed access roads and parking lots which will reduce dust. A referral response was received from the San Joaquin Valley Air Pollution Control District which stated that project specific emissions were not expected to exceed District significance thresholds. Therefore, the District concluded that project specific pollutant emissions would have no significant adverse impact on air quality. The project will be subject to the Indirect Source Review as reflected in the Development Standards. Finally, the Department of Public Works reviewed the proposed project and responded with conditions of approval and mitigation measures to address and mitigate impacts on traffic, driveways, and safety (see Exhibit "B" - *Development Standards*). Existing and proposed driveways and the feasibility of their locations will be reviewed as a part of the encroachment permit process.

ENVIRONMENTAL REVIEW

Pursuant to the California Environmental Quality Act (CEQA), the proposed project was circulated to all interested parties and responsible agencies for review and comment (see Exhibit "I" - *Environmental Review Referrals*). Based on the Initial Study prepared for this project, adoption of a Mitigated Negative Declaration is being recommended (see Exhibits "E" - *Initial Study* and "F" -

Mitigated Negative Declaration). The mitigation measures included in the project address light and traffic related standards; these measures include light shielding and traffic operations and improvements. Responses received from agencies and mitigation measures have been incorporated into this project as Development Standards (see Exhibit "B" - *Development Standards*).

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. Adopt the Mitigated Negative Declaration pursuant to CEQA Guidelines Section 15074(b), by finding that on the basis of the whole record, including the Initial Study and any comments received, that there is no substantial evidence the project will have a significant effect on the environment and that the Mitigated Negative Declaration reflects Stanislaus County's independent judgement and analysis.
2. Order the filing of a Notice of Determination with the Stanislaus County Clerk-Recorder's Office pursuant to Public Resources Code Section 21152 and CEQA Guidelines Section 15075.
3. Find that:
 - A. The project is consistent with the overall goals and policies of the County General Plan;
 - B. The proposed Planned Development zoning is consistent with the Agriculture General Plan designation;
 - C. The alternative to the Agricultural Buffer Standards applied to this project provides equal or greater protection than the existing buffer standards; and
 - D. The project will increase activities in and around the project area, and increase demands for roads and services, thereby requiring dedication and improvements.
4. Approve Rezone Application No. 2009-04 - Bronco Wine Co., subject to the attached Development Standards and Development Schedule.

Note: Pursuant to California Fish and Game Code Section 711.4, all project applicants subject to the California Environmental Quality Act (CEQA) shall pay a filing fee for each project. Therefore, the applicant will further be required to pay \$2,067.25 for the Department of Fish and Game, and the Clerk Recorder filing fees. The attached Development Standards ensure that this will occur.

Report written by: Rachel Wyse, Assistant Planner, March 1, 2010
Report reviewed by: Bill Carlson, Senior Planner

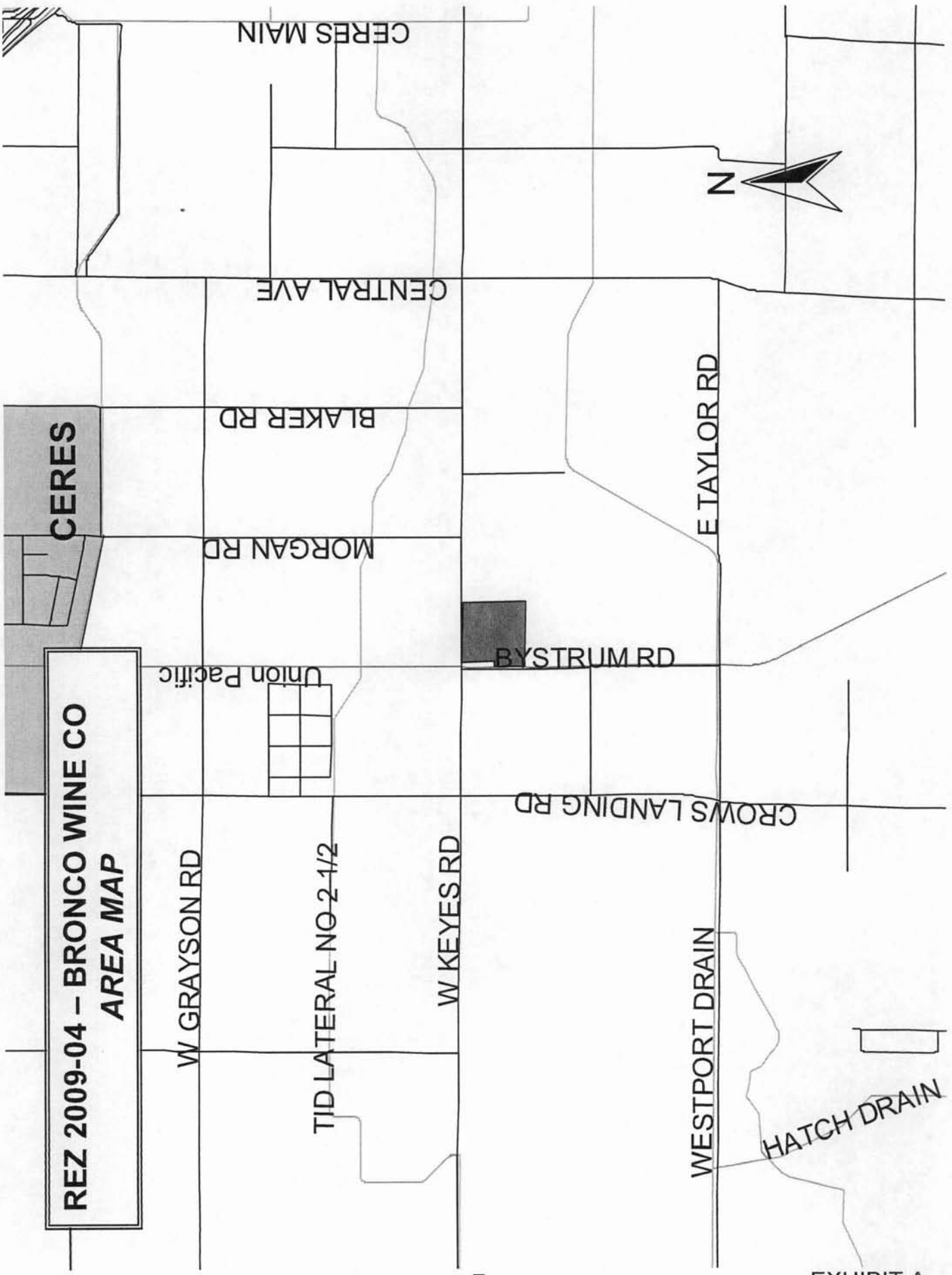
REZ 2009-04
Staff Report
March 18, 2010
Page 6

Attachments:

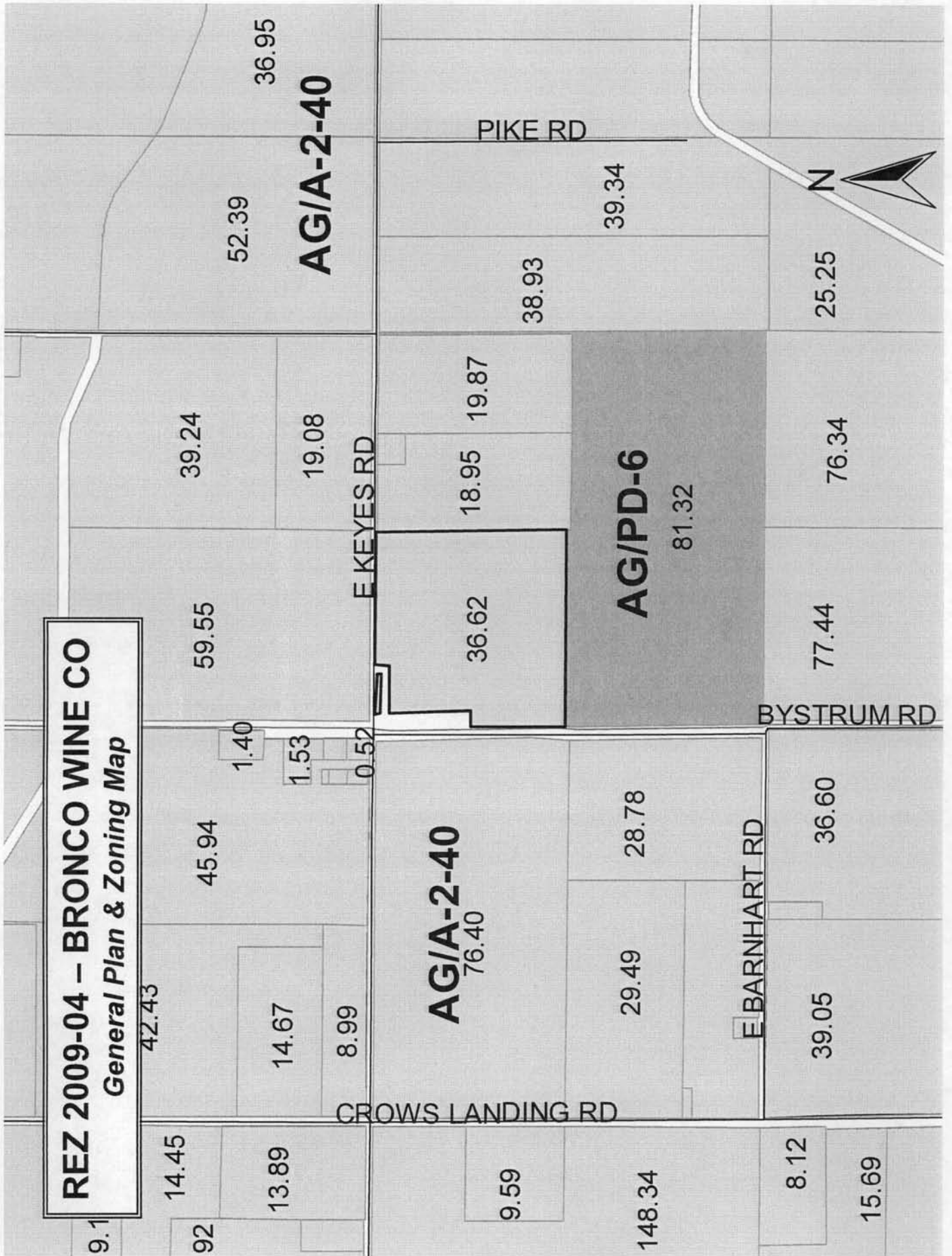
- Exhibit A - Maps
- Exhibit B - Development Standards
- Exhibit C - Development Schedule
- Exhibit D - Application Information
- Exhibit E - Initial Study
- Exhibit F - Mitigated Negative Declaration
- Exhibit G - Mitigation Monitoring Plan
- Exhibit H - Surrounding Landowner's Responses
- Exhibit I - Environmental Review Referrals

(I:\Staffrpt\REZ\2009\REZ 2009-04 - Bronco Wine Co\Staff Report\Staff Report.wpd)

**REZ 2009-04 - BRONCO WINE CO
AREA MAP**



REZ 2009-04 – BRONCO WINE CO
General Plan & Zoning Map

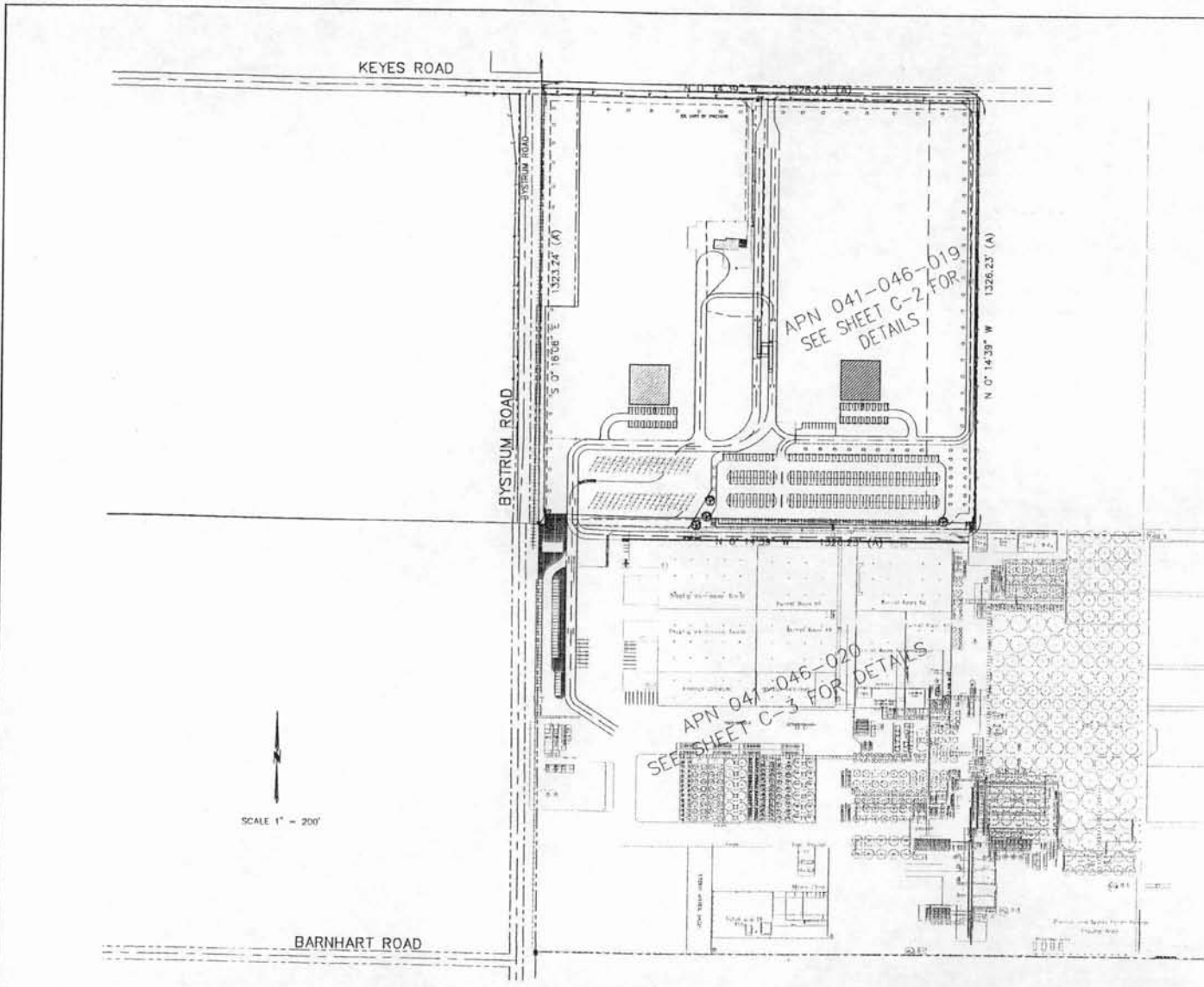


**REZ 2009-04 – BRONCO WINE CO
2008 STANISLAUS COUNTY AERIAL**

E KEYES RD

BYSTRUM RD





VICINITY MAP
N.T.S.

REFERENCES:
(A) 17-S-68 S.C.R.

DRAWING INDEX:

- C1 KEY SITE PLAN
- C2 PROPOSED SITE PLAN
- C3 EXISTING PLANT SITE PLAN

The design, planning and engineering data contained in this plan are the sole property of R. B. Daly & Associates, Inc. and shall not be used, copied or reproduced in part or in whole by any other person, corporation or company without the written permission of R. B. Daly & Associates, Inc. This drawing is not to be used for construction until it is approved, signed, sealed and dated.

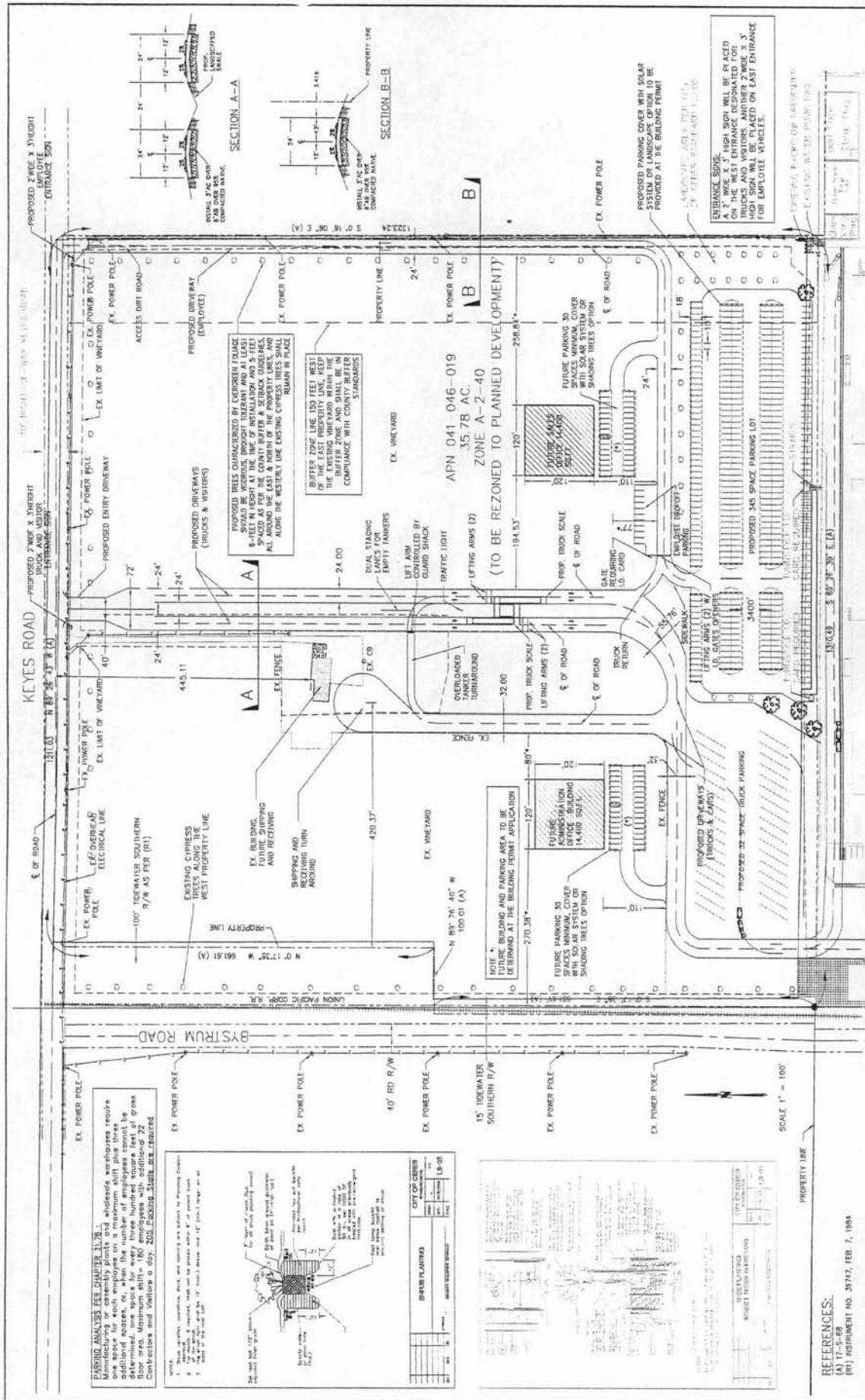
R. B.
P.O. BOX
521 131h

REZ 2009-04 – BRONCO WINE CO
Existing & Proposed Sites

DATE
DR
CK
APPROVED
6-1515

REZONING
BRONCO WINE CO
6342 BYSTRUM ROAD
CERES, CA 95307

JOB No. 1504
SHEET
C1
OF



PARKING ANALYSIS PER CHAPTER 21.33.
 Manufacturing or assembly plants and wholesale warehouses require additional spaces, or, when the number of employees cannot be determined, one space for every three hundred square feet of gross area. The number of spaces shall be determined by the following formula:
 Gross Area (sq. ft.) / 300 = Minimum Number of Spaces
 (Rounded up to the next whole number.)

CITY OF CERES	
APPLICANT	PROJECT
BRONCO WINE CO.	REZONING
15110 BYSTRUM ROAD	35.78 AC.
CERES, CA 95307	
DATE	APPROVED
1/29/04	



REFERENCES:
 (A) 17-5-88
 (P1) INSTRUMENT NO. 37172, FEB. 7, 1994

ENGINEERS
 (209) 526-1515

REZONING
 BRONCO WINE CO
 6342 BYSTRUM ROAD
 CERES, CA 95307

DATE: 1-29-04
 DR: [blank]
 CK: [blank]
 APPROVED: [blank]

JOB NO. 1008
 SHEET
C2
 OF

REZ 2009-04 - BRONCO WINE CO

Proposed Site Plan

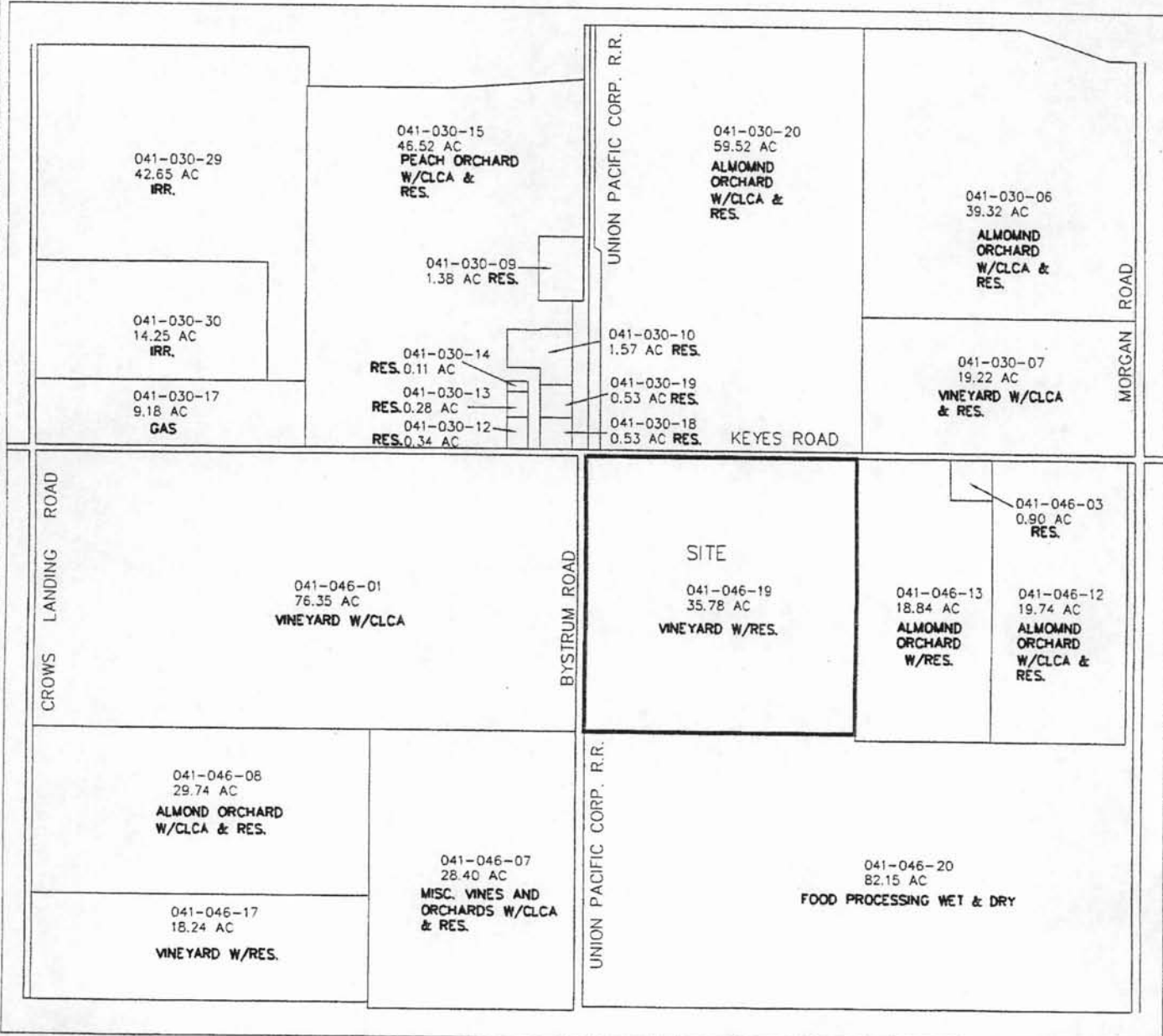
AREA MAP

NOT TO SCALE
PROJECT ADDRESS: 6342 BYSTRUM ROAD
CERES, CA 95307



KEY:
IRR. - IRRIGATED OPEN LAND
W/ CLCA & RES.
GAS - GAS STATION-AUTO
REPAIR SHOP W/ RES.
RES. - RESIDENTIAL

LEGEND:
— PROJECT SITE



R. B. WELTY & ASSOCIATES, Inc.
521 13th STREET / P.O. BOX 1724
MODESTO, CA. 95353-1724
(209) 526-1515

MAP / ILLUSTRATION
G3 PROPERTIES, INC.
502 E. WHITMORE AVENUE
MODESTO, CA 95358

JOB NO. 7809
DATE: 02/13/09
BY: DJR
SHEET
1 OF 1

DEVELOPMENT STANDARDS

**REZONE APPLICATION NO. 2009-04
BRONCO WINE CO.**

Department of Planning & Community Development

1. This use is to be conducted as described in the application and supporting information (including the plot plan), as approved by the Board of Supervisors and in accordance with other laws and ordinances.
2. Construction of the project shall comply with standardized dust controls adopted by the San Joaquin Valley Air Pollution Control District.
3. A plan for any proposed signs indicating the location, height, area of the sign, and message must be approved by the Planning Director (or their appointed designee) prior to installation.
4. 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.
5. All outside storage and mechanical equipment shall be screened from the view of any public right-of-way by a screen fence of uniform construction or landscaping as approved by the Planning Director. Any required water tanks for fire suppression shall be painted to blend with the surrounding landscape or screened with landscaping and shall not be used as a sign unless approved by the Planning Director.
6. Applicant, and/or subsequent property owner(s), must obtain building permits for all proposed structures, equipment, and utilities. Plans shall be prepared by a California licensed engineer working within the scope of their license.
7. Prior to occupancy, a landscaping plan indicating the type of plants, initial plant size, location, and method of irrigation shall be submitted to and approved by the Planning Director.
8. The 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. Any dead trees shall be replaced with a similar variety of a 15-gallon size or larger.
9. Should any archeological or human remains be discovered during development, work shall be immediately halted within 150 feet of the find until it can be evaluated by a qualified archaeologist. If the find is determined to be historically or culturally significant, appropriate mitigation measures to protect and preserve the resource shall be formulated and implemented.

10. The developer shall pay all applicable Public Facilities Impact Fees and Fire Protection Development/Impact Fees as adopted by Resolution of the Board of Supervisors. For the Public Facilities Impact Fees, the fees shall be based on the Guidelines Concerning the Fee Payment Provisions established by County Ordinance C.S. 824 as approved by the County Board of Supervisors, and shall be payable at the time determined by the Department of Public Works.
11. The applicant is required to defend, indemnify, or hold harmless the County, its officers and employees from any claim, action, or proceedings against the County to set aside the approval of the project which is brought within the applicable statute of limitations. The County shall promptly notify the applicant of any claim, action, or proceeding to set aside the approval and shall cooperate fully in the defense.
12. 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.
13. 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 stream-bed alteration agreements, permits or authorizations, if necessary.
14. 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 shall be submitted to the Department of Planning and Community Development.
15. 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.
16. Prior to issuance of a building permit, the applicant shall provide a written release from the San Joaquin Valley Air Pollution Control District confirming that the applicant has submitted an Air Impact Assessment application and paid all applicable off-site mitigation fees as required to comply with District Rule 9510.
17. Pursuant to Section 711.4 of the California Fish and Game Code (effective January 1, 2010), the applicant is required to pay a Department of Fish and Game filing fee at the time of recording a "Notice of Determination." Within five (5) days of approval of this project by the Planning Commission or Board of Supervisors, the applicant shall submit to the Department of Planning and Community Development a check for **\$2,067.00**, made payable to Stanislaus County, for the payment of Fish and Game, and Clerk Recorder filing fees.

Pursuant to Section 711.4 (e)(3) of the California Fish and Game Code, no project shall be operative, vested, or final, nor shall local government permits for the project be valid, until the filing fees required pursuant to this section are paid.

18. The Department of Planning and Community Development shall record a Notice of Administrative Conditions and Restrictions with the County Recorder's Office within 30 days of project approval. The Notice includes: Conditions of Approval/Development Standards and Schedule; any adopted Mitigation Measures; and a project area map.

Stanislaus Fire Prevention Bureau

19. Comply with California Fire Code as amended by the Keyes Fire Protection District.

Department of Environmental Resources

20. When converting the existing residence to an office for shipping and receiving, the existing septic system is to be destroyed and a new waste-water treatment system is to be installed which meets Measure X requirements. The new on-site wastewater disposal system (OSWDS) shall be by individual Primary & Secondary wastewater treatment units, operated under conditions and guidelines established by Measure X.
21. Future development of the administration office and the sales building shall require the wastewater disposal system(s) to meet Measure X requirements. The new on-site wastewater disposal system (OSWDS) shall be by individual Primary & Secondary wastewater treatment units, operated under conditions and guidelines established by Measure X.
22. The engineered on-site wastewater disposal system (OSWDS) design shall be designed for the maximum occupancy of the building. The leach field shall be designed and sized using data collected from soil profile and percolation tests performed at the location. The OSWDS designed system shall provide 100% expansion area.
23. The applicant shall determine, to the satisfaction of the Department of Environmental Resources (DER), that a site containing (or formerly containing) residences or farm buildings, or structures, has been fully investigated (via Phase I and II studies) prior to the issuance of a grading permit. Any discovery of underground storage tanks, former underground storage tank locations, buried chemicals, buried refuse, or contaminated soil shall be brought to the immediate attention of DER.
24. Any existing on-site well(s), utilized as a part of this project, shall comply with the following requirements:

Permits: Section 116550 (a) no person operating a public water system shall modify, add to or change his or her source of supply or method of treatment of, or change his or her distribution system unless the person first submits an application to the department and receives an amended permit as provided in this chapter authorizing the modification, addition, or change in his or her source of supply; and,

Technical report: A technical report for the public water system shall be submitted to the department as part of the permit application or when otherwise required by the department. This report may include, but not be limited to, detailed plans and specifications, water quality information, physical descriptions of the existing or proposed system, and financial assurance information. (A qualified registered engineer with at least three years experience in public water system design should prepare the report.)

25. If an additional well is required as a part of this project then water supply for the project is defined by State regulations as a public water system. Water system owner must submit plans for the water system construction or addition and obtain approval from this Department prior to construction. Prior to construction, the Supply Permit Application must include a technical report, prepared by a qualified professional engineer, that demonstrates compliance with State regulations and includes the technical, managerial, and financial capabilities of the owner to operate a public water system. Contact DER for the required submittal information.

Department of Public Works

26. A grading and drainage plan for the property shall be approved by the Department of Public Works prior to the issuance of any building permit. This plan shall verify all runoff is being kept on-site and not draining onto neighboring properties, railroad, or road rights-of-way. After the plan is determined to be acceptable to the Department of Public Works, the plans shall be implemented prior to the final and/or occupancy of any building.
27. If the street improvements are completed and accepted by the Department of Public Works before the issuance of a building permit, then a financial guarantee will not be required.
28. Prior to approval of the off-site improvement plans, the developer shall file a Notice of Intention (NOI) with the California Regional Water Quality Control Board and a Waste Discharge Identification Number must be obtained and provided to the Department of Public Works prior to building occupancy.
29. An Encroachment Permit must be obtained for any work in the County right-of-way.
30. No parking, loading, or unloading of vehicles shall be permitted within the right-of-way of Keyes Road.
31. Any new driveway locations and widths shall be approved by this Department.

Building Permits Division

32. Building permits are required for all structures and must comply with California Code of Regulations Title 24. Handicap accessibility to the entire site and all structures is required.

Turlock Irrigation District

33. District electric utility maps show existing distribution and transmission facilities within or near the proposed project. The owner/developer must apply for a facility change for any pole or electrical facility relocation. Facility changes are performed at developer's expense.

San Joaquin Valley Air Pollution Control District

34. Based on information provided to the District, the proposed project would equal or exceed 25,000 square feet of light industrial space. Therefore, the District concludes that the proposed project is subject to District Rule 9510 (Indirect Source Review).
35. Prior to issuance of any building permit the applicant shall demonstrate compliance with District Rule 9510, including payment of all applicable fees before issuance of a building permit.
36. The proposed project may require District permits. Prior to the start of construction, the project proponent should contact the District's Small Business Assistance Office to determine if an Authority to Construct (ATC) is required.
37. The proposed project may be subject to the following District rules:
- Regulation VIII (Fugitive PM 10 Prohibitions)
 - Rule 4102 (Nuisance)
 - Rule 4601 (Architectural Coatings)
 - Rule 4641 (Cutback, Slow Cure, Emulsified Asphalt, Paving and Maintenance Operations)
38. In the event an existing building will be renovated, partially demolished or removed, the project may be subject to District Rule 4002 (National Emission Standards for Hazardous Air Pollutants).

Mitigation Measures

(Pursuant to California Public Resources Code 15074.1: Prior to deleting and substituting for a mitigation measure, the lead agency shall do both of the following:
1) Hold a public hearing to consider the project; and
2) Adopt a written finding that the new measure is equivalent or more effective in mitigating or avoiding potential significant effects and that it in itself will not cause any potentially significant effect on the environment.)

39. All exterior lighting shall be designed (aimed down and toward the site) to provide adequate illumination without a glare effect. This shall include but not be limited to the use of shielded light fixtures to prevent skyglow (light spilling into the night sky) and the installation of shielded fixtures to prevent light trespass (glare and spill light that shines onto neighboring properties).

40. Roadway improvement plans shall be submitted to Public Works prior to the issuance of a building or grading permit, whichever comes first. The improvement plans shall include left turn acceleration and deceleration lanes for the proposed main (truck) entrance and a left turn lane for the employees entrance on the east side of the property from Keyes Road. The plans shall use CalTrans Traffic Manual and Stanislaus County Standards and Specifications. A four-foot asphalt shoulder, as per Stanislaus County Standards and Specifications, will be included on Keyes Road. The roadway improvement plans shall be approved and installed prior to occupancy of any building permit associated with this site.
41. Keyes Road is classified as a 60-foot collector in this area. The applicant's engineer or surveyor shall prepare an Easement Deed for 30-feet south of the centerline of Keyes Road along the entire frontage of the project's parcel. If additional road right-of-way is needed for Keyes Road along the parcel frontage as per the approved roadway improvement plans, that additional width shall be included in the Easement Deed. The Easement Deed shall be submitted to Public Works after the roadway improvement plans are approved and prior to occupancy of any building associated with this site.
42. An Engineer's Estimate shall be provided so the amount of the financial guarantee can be determined. This will be based on the County approved street improvement plans. This shall be submitted prior to issuance of a building permit and once the improvement plans have been approved by the County.
43. A Financial Guarantee in a form acceptable to the Department of Public Works shall be deposited for the street improvement installation along the frontage on Keyes Road with the department prior to the issuance of the first building permit.

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

As Approved by the Planning Commission
March 18, 2010

DEVELOPMENT SCHEDULE

REZONE APPLICATION NO. 2009-04
BRONCO WINE CO.

The conversion of the single-family dwelling to a shipping and receiving office, construction of the employee and truck parking lots and access roads, and compliance with all applicable development standards shall begin within 18 months of project approval.

(I:\Staffrpt\REZ\2009\REZ 2009-04 - Bronco Wine Co\Staff Report\Staff Report.wpd)

APPLICANT'S NAME:

Mailing Address

ENGINEER / APPLICANT:

Mailing Address

PROJECT DESCRIPTION: (Describe the project in detail, including physical features of the site, proposed improvements, proposed uses or business, operating hours, number of employees, anticipated customers, etc. – Attach additional sheets as necessary)

**Please note: A detailed project description is essential to the reviewing process of this request. In order to approve a project, the Planning Commission or the Board of Supervisors must decide whether there is enough information available to be able to make very specific statements about the project. These statements are called "Findings". It is your responsibility as an applicant to provide enough information about the proposed project, so that staff can recommend that the Commission or the Board make the required Findings. Specific project Findings are shown on pages 18 – 20 and can be used as a guide for preparing your project description. (If you are applying for a Variance or Exception, please contact staff to discuss special requirements).*

Adding two driveways on Keyes Road to provide access to a new parking lot that will be constructed on parcel

041-046-019. The Westerly driveway will designated for truck and visitors and the Easterly driveway will be

designated for employees. The parking lot is to become the main parking lot for both parcels 041-046-019,

041-046-020 due to future expansion of the wine processing plant that is located on 041-046-020.

There are two future buildings 14,400 square feet each building, reserving foot print for the building with the

design to be reviewed a later date as needed, therefore there is no development schedule at this time.

Along the easterly property line it is proposed to plant evergreen trees at 5 feet spaced, furthermore the existing

vineyard will remain within said 150 feet buffer zone and shall be in compliance with buffer standards.

The proposed landscape shall be in compliance with the Stanislaus County Standards.

PROJECT SITE INFORMATION

Complete and accurate information saves time and is vital to project review and assessment. Please complete each section entirely. If a question is not applicable to your project, please indicated this to show that each question has been carefully considered. Contact the Planning & Community Development Department Staff, 1010 10th Street – 3rd Floor, (209) 525-6330, if you have any questions. Pre-application meetings are highly recommended.

ASSESSOR'S PARCEL NUMBER(S): Book 041 Page 046 Parcel 019

Additional parcel numbers: _____
Project Site Address _____
or Physical Location: _____

Property Area: Acres: 35.78 or Square feet: _____

Current and Previous Land Use: (Explain existing and previous land use(s) of site for the last ten years)

Vineyard with Residential

List any known previous projects approved for this site, such as a Use Permit, Parcel Map, etc.: (Please identify project name, type of project, and date of approval)

Record of Survey, November 20, 1987

Existing General Plan & Zoning: A-2-40

Proposed General Plan & Zoning: Planned Development
(if applicable)

ADJACENT LAND USE: (Describe adjacent land uses within 1,320 feet (1/4 mile) and/or two parcels in each direction of the project site)

East: Grape Vineyard w/ CLCA (APN. 041-046-001)

West: Almond Orchard w/CLCA & Res. (APN. 041-046-012), Almond Orchard w/CLCA & Res. (APN. 041-046-013)

North: Grape Vineyard w/CLCA & Res. (APN. 041-030-020)

South: Food Processing- wet & dry (APN. 041-046-020), Misc. Vines & Orchards w/CLCA & Res(APN. 041-046-007)

WILLIAMSON ACT CONTRACT:

Yes No

Is the property currently under a Williamson Act Contract?

Contract Number: _____

If yes, has a Notice of Non-Renewal been filed?

Date Filed: _____

Yes No

Do you propose to cancel any portion of the Contract?

Yes No

Are there any agriculture, conservation, open space or similar easements affecting the use of the project site. (Such easements do not include Williamson Act Contracts)

If yes, please list and provide a recorded copy: _____

SITE CHARACTERISTICS: (Check one or more)

Flat

Rolling

Steep

VEGETATION: What kind of plants are growing on your property? (Check one or more)

Field crops

Orchard

Pasture/Grassland

Scattered trees

Shrubs

Woodland

River/Riparian

Other

Explain Other: ***Grape Vineyard***

Yes No

Do you plan to remove any trees? (If yes, please show location of trees planned for removal on plot plan and provide information regarding transplanting or replanting.)

GRADING:

Yes No

Do you plan to do any grading? (If yes, please indicate how many cubic yards and acres to be disturbed. Please show areas to be graded on plot plan.) ***When the application and building***

permit is approved for the proposed parking lot.

STREAMS, LAKES, & PONDS:

Yes No

Are there any streams, lakes, ponds or other watercourses on the property? (If yes, please show on plot plan)

Yes No

Will the project change any drainage patterns? (If yes, please explain – provide additional sheet if needed) ***The new improvement will increase the impervious surface.***

Yes No

Are there any gullies or areas of soil erosion? (If yes, please show on plot plan)

Yes No

Do you plan to grade, disturb, or in any way change swales, drainages, ditches, gullies, ponds, low lying areas, seeps, springs, streams, creeks, river banks, or other area on the site that carries or holds water for any amount of time during the year? (If yes, please show areas to be graded on plot plan)

Please note: If the answer above is yes, you may be required to obtain authorization from other agencies such as the Corps of Engineers or California Department of Fish and Game.

STRUCTURES:

Yes No Are there structures on the site? (If yes, please show on plot plan. Show a relationship to property lines and other features of the site.)

Yes No Will structures be moved or demolished? (If yes, indicate on plot plan.)

Yes No Do you plan to build new structures? (If yes, show location and size on plot plan.)

Yes No Are there buildings of possible Historical significance? (If yes, please explain and show location and size on plot plan.) _____

PROJECT SITE COVERAGE:

Existing Building Coverage: 2,300 Sq. Ft.

Landscaped Area: 71,787 Sq. Ft.

Proposed Building Coverage: 28,800 Sq. Ft.

Paved Surface Area: 10,436 Sq. Ft.

BUILDING CHARACTERISTICS:

Size of new structure(s) or building addition(s) in gross sq. ft.: (Provide additional sheets if necessary) _____

Future 2 Buildings at 14,400 square feet each.

Number of floors for each building: 1

Building height in feet (measured from ground to highest point): (Provide additional sheets if necessary) N/A

Height of other appurtenances, excluding buildings, measured from ground to highest point (i.e., antennas, mechanical equipment, light poles, etc.): (Provide additional sheets if necessary) N/A

Proposed surface material for parking area: (Provide information addressing dust control measures if non-asphalt/concrete material to be used) ***Asphalt Concrete over aggregate base***

UTILITIES AND IRRIGATION FACILITIES:

Yes No Are there existing public or private utilities on the site? Includes telephone, power, water, etc. (If yes, show location and size on plot plan)

Who provides, or will provide the following services to the property?

Electrical: Turlock Irrigation District

Sewer*: Private On-site

Telephone: SBC

Gas/Propane: Pacific Gas and Electric

Water**: Private On-site

Irrigation: Turlock Irrigation District

*Please Note: A "will serve" letter is required if the sewer service will be provided by City, Sanitary District, Community Services District, etc.

**Please Note: A "will serve" letter is required if the water source is a City, Irrigation District, Water District, etc., and the water purveyor may be required to provide verification through an Urban Water Management Plan that an adequate water supply exists to service your proposed development.

Will any special or unique sewage wastes be generated by this development other than that normally associated with resident or employee restrooms? Industrial, chemical, manufacturing, animal wastes? (Please describe:)

N/A

Please Note: Should any waste be generated by the proposed project other than that normally associated with a single family residence, it is likely that Waste Discharge Requirements will be required by the Regional Water Quality Control Board. Detailed descriptions of quantities, quality, treatment, and disposal may be required.

Yes No Are there existing irrigation, telephone, or power company easements on the property? (If yes, show location and size on plot plan.)

Yes No Do the existing utilities, including irrigation facilities, need to be moved? (If yes, show location and size on plot plan.)

Yes No Does the project require extension of utilities? (If yes, show location and size on plot plan.)

AFFORDABLE HOUSING/SENIOR:

Yes No Will the project include affordable or senior housing provisions? (If yes, please explain)

RESIDENTIAL PROJECTS: (Please complete if applicable – Attach additional sheets if necessary)

Total No. Lots: N/A Total Dwelling Units: N/A Total Acreage: N/A

Net Density per Acre: N/A Gross Density per Acre: N/A

(complete if applicable)	Single Family	Two Family Duplex	Multi-Family Apartments	Multi-Family Condominium/Townhouse
Number of Units:	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
Acreage:	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>

COMMERCIAL, INDUSTRIAL, MANUFACTURING, RETAIL, USE PERMIT, OR OTHER PROJECTS: (Please complete if applicable – Attach additional sheets if necessary)

Square footage of each existing or proposed building(s): Existing structure 2,300 Sq. Ft.

Proposed future 2-Buildings at 14,400 sq.ft. each

Type of use(s): Business Office

Days and hours of operation: Monday-Friday, 24 hrs. 7 days a week, 24 hrs (Seasonal)

Seasonal operation (i.e., packing shed, huller, etc.) months and hours of operation: Winerys seasonal operation from mid-July to mid-November.

Occupancy/capacity of building: _____

Number of employees: (Maximum Shift): 180 (Minimum Shift): 80

Estimated number of daily customers/visitors on site at peak time: 10

Other occupants: Contactory Employees, 12 (varies seasonally)

Estimated number of truck deliveries/loadings per day: 60 : 300 seasonally

Estimated hours of truck deliveries/loadings per day: 24 hrs, 5 days a week; 24/7 seasonally

Estimated percentage of traffic to be generated by trucks: 12%

Estimated number of railroad deliveries/loadings per day: 0%

Square footage of:

Office area: _____ Warehouse area: _____

Sales area: _____ Storage area: _____

Loading area: _____ Manufacturing area: _____

Other: (explain type of area) _____

Yes No Will the proposed use involve toxic or hazardous materials or waste? (Please explain)

ROAD AND ACCESS INFORMATION:

What County road(s) will provide the project's main access? (Please show all existing and proposed driveways on the plot plan)

E. Keyes Road

Yes No Are there private or public road or access easements on the property now? (If yes, show location and size on plot plan)

Yes No Do you require a private road or easement to access the property? (If yes, show location and size on plot plan)

Yes No Do you require security gates and fencing on the access? (If yes, show location and size on plot plan)

Please Note: Parcels that do not front on a County-maintained road or require special access may require approval of an Exception to the Subdivision Ordinance. Please contact staff to determine if an exception is needed and to discuss the necessary Findings.

STORM DRAINAGE:

How will your project handle storm water runoff? (Check one) Drainage Basin Direct Discharge Overland

Other: (please explain) _____

If direct discharge is proposed, what specific waterway are you proposing to discharge to? _____

Please Note: If direct discharge is proposed, you will be required to obtain a NPDES permit from the Regional Water Quality Control Board, and must provide evidence that you have contacted them regarding this proposal with your application.

EROSION CONTROL:

If you plan on grading any portion of the site, please provide a description of erosion control measures you propose to implement.

Typical State and County Standard Requirements

Please note: You may be required to obtain an NPDES Storm Water Permit from the Regional Water Quality Control Board and prepare a Storm Water Pollution Prevention Plan.

ADDITIONAL INFORMATION:

Please use this space to provide any other information you feel is appropriate for the County to consider during review of your application. (Attach extra sheets if necessary)

There will be no sign for the new entry way. Construction will begin in Fall of 2010 approximately in August.

Construction will be completed 4 months after the initial approval from Stanislaus County.



Stanislaus County

Planning and Community Development

1010 10th Street, Suite 3400
 Modesto, California 95354

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

CEQA INITIAL STUDY

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

- | | | |
|------------|---|---|
| 1. | Project title: | Rezone Application No. 2009-04 - Bronco Wine Co. |
| 2. | Lead agency name and address: | Stanislaus County
1010 10th Street, Suite 3400
Modesto, CA 95354 |
| 3. | Contact person and phone number: | Rachel Wyse, Assistant Planner
(209) 525-6330 |
| 4. | Project location: | 800 E. Keyes Road, at the southeast corner of E. Keyes and Bystrum Roads, in the Ceres area.
APN: 041-046-019 |
| 5. | Project sponsor's name and address: | Bronco Wine Co.
6342 Bystrum Road
Ceres, CA 95307 |
| 6. | General Plan designation: | Agriculture |
| 7. | Zoning: | A-2-40 (General Agriculture) |
| 8. | Description of project: | Request to rezone the 35.78-acre parcel north of the existing Bronco Wine Co. site, located at 6342 Bystrum Road. The proposed project would include adding two (2) driveways onto E. Keyes Road to serve both planned developments, the conversion of an existing house to a shipping and receiving office, the construction of employee and truck parking lots and the construction of a 14,400 square foot administration building and a 14,400 square foot sales building. Days and hours of operation are expected to be Monday thru Friday, 24 hours a day, and seasonally seven (7) days a week, 24 hours a day. The applicant expects 180-employees on a maximum shift, ten (10) customers/visitors on site at peak times, 60-truck deliveries/loadings per day off-season and 300-truck deliveries/loadings per day during peak season. Peak seasonal operation hours are from mid-July to mid-November. |
| 9. | Surrounding land uses and setting: | Vineyards and ranchettes to the north; orchards, vineyards and homesites to the east; Bronco Winery to the south; and vineyards to the west. |
| 10. | Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.): | Stanislaus County Department of Public Works
Department of Environmental Resources
San Joaquin Valley Air Pollution Control District |

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.

R. Wyse
Signature

November 30, 2009
Date

Rachel Wyse, Assistant Planner
Printed name

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 significant criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significant.

ISSUES

I. AESTHETICS -- 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?			X	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			X	
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?		X		
<p>Discussion: The site itself is not considered to be a scenic resource or a unique scenic vista. Community standards generally do not dictate the need or desire for architectural review. A mitigation measure will be added to this project to address glare from any proposed on-site lighting.</p>				
<p>Mitigation: 1. All exterior lighting shall be designed (aimed down and toward the site) to provide adequate illumination without a glare effect. This shall include but not be limited to the use of shielded light fixtures to prevent skyglow (light spilling into the night sky) and the installation of shielded fixtures to prevent light trespass (glare and spill light that shines onto neighboring properties).</p>				
<p>References: Stanislaus County General Plan and Support Documentation¹.</p>				
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 Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?			X	
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?			X	
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?			X	
<p>Discussion: The project parcel is classified as "Prime Farmland" by the California State Department of Conservation Farmland Mapping and Monitoring Program. There are three (3) types of soil on the subject parcel: Hanford sandy loam, Index Rating of 92, and Grade of 1; Dinuba sandy loam, Index Rating of 82, and Grade of 1; Tujunga loamy sand, Index Rating of 62, and Grade of 2.</p>				

The project will result in the paving over of prime farmland, however the County recognizes that the proposed project is directly related to the production of commercial agricultural product on the subject parcel and adjacent southern parcel. Compatible uses include activities such as harvesting, processing, and shipping. The rezoning of this parcel constitutes an expansion of the existing operation which processes grapes and produces wine. The expansion onto this parcel will streamline truck and vehicle circulation and relocate the administrative portion of the business onto the project parcel. Neither the project parcel nor the existing Bronco Wine Co. site are enrolled in a Williamson Act Contract.

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation¹, Stanislaus County Agricultural Element¹, Stanislaus County Zoning Ordinance, California State Department of Conservation Farmland Mapping and Monitoring Program - Stanislaus County Farmland 1996, United States Department of Agriculture Soil Survey 1964 - Eastern Stanislaus Area, California.

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:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X	
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)?			X	
d) Expose sensitive receptors to substantial pollutant concentrations?			X	
e) Create objectionable odors affecting a substantial number of people?			X	

Discussion: The project site is within the San Joaquin Valley Air Basin, which has been classified as "severe 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.

The primary source of air pollutants generated by this project would be classified as being generated from "mobile" sources. Mobile sources would generally include dust from roads, farming, and automobile exhausts. Mobile sources are generally regulated by the Air Resources Board of the California EPA which sets emissions for vehicles and acts on issues regarding cleaner burning fuels and alternative fuel technologies. As such, the District has addressed most criteria air pollutants through basin wide programs and policies to prevent cumulative deterioration of air quality within the Basin. A referral response from the SJVAPCD indicated that the project would have less than significant impacts. However, the SJVAPCD has determined that the project is subject to District Rule 9510 (Indirect Source Review). Consequently, the applicant will be required to submit an Air Impact Assessment (AIA) application to the SJVAPCD no later than applying for final discretionary approval, and to pay any applicable off-site mitigation fees before issuance of the first building permit. Conditions provided by the SJVAPCD, including applicable off-site mitigation fee requirements, will be incorporated into the project's conditions of approval.

Mitigation: None.				
References: Referral response dated November 3, 2009 from the San Joaquin Valley Air Pollution Control District, San Joaquin Valley Air Pollution Control District - Regulation VIII Fugitive Dust/PM-10 Synopsis, Stanislaus County General Plan and Support Documentation ¹ .				
IV. BIOLOGICAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?				X
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?			X	
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X
Discussion: It does not appear this project will result in impacts to endangered species or habitats, locally designated species, or wildlife dispersal or mitigation corridors. There are no known sensitive or protected species or natural communities located on the site. However, the California Natural Diversity Database has record of Valley Elderberry Longhorn Beetle (<i>desmocerus californicus dimorphus</i>) existing 1,800 feet to the north of the project site. The project site is located 1 ½ miles south of the City of Ceres. The project was referred to Fish and Game, but no comments were received.				
Mitigation: None.				
References: Stanislaus County General Plan and Support Documentation ¹ , California Department of Fish and Game California Natural Diversity Database.				

V. CULTURAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?			X	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?			X	
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
d) Disturb any human remains, including those interred outside of formal cemeteries?			X	
<p>Discussion: It does not appear this project will result in significant impacts to any archaeological or cultural resources. The applicant submitted a records search from the Central California Information Center (CCIC) which indicates that the project area has a low sensitivity for the possible discovery of prehistoric resources, due to the distance from a natural water source, as well as a low sensitivity for historic archaeological resources. A Sacred Lands File Check, completed by the Native American Heritage Commission, indicated that no sacred sites were present within the project site. Conditions of approval will be placed on the project requiring that construction activities will be halted if any resources are found, until appropriate agencies are contacted and an archaeological survey is completed.</p>				
<p>Mitigation: None.</p>				
<p>References: Records search dated May 27, 2009 from the Central California Information Center, referral response dated November 17, 2009 from the Native American Heritage Commission, Stanislaus County General Plan and Support Documentation¹.</p>				
VI. GEOLOGY AND SOILS -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
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.				X
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?			X	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X

d) Be located on expansive soil, as defined in Table 1804.2 of the California Building Code (2007), creating substantial risks to life or property?				X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X

Discussion: As contained in Chapter 5 of the General Plan Support Documentation, the areas of the County subject to significant geologic hazard are located in the Diablo Range, west of Interstate 5. However, as per the 2007 California Building Code, all of Stanislaus County is located within a geologic hazard zone (Seismic Design Category D, E, or F) and a soils test may be required at building permit application. Results from the soils test will determine if unstable or expansive soils are present. If such soils are present, special engineering of the structure will be required to compensate for the soil deficiency. Any structures resulting from this project will be designed and built according to building standards appropriate to withstand shaking for the area in which they are constructed. Any earth moving is subject to Public Works Standards and Specifications which considers the potential for erosion and run-off prior to permit approval. Likewise, any addition of a septic tank or alternative waste water disposal system would require the approval of the Department of Environmental Resources through the building permit process, which also takes soil type into consideration within the specific design requirements.

Mitigation: None.

References: California Building Code (2007), Stanislaus County General Plan and Support Documentation - Safety Element¹.

VII. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
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?				X

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
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?				X
<p>Discussion: No known hazardous materials are on site. Pesticide exposure is a risk in agricultural areas. Sources of exposure include contaminated groundwater which is consumed and drift from spray applications. Application of sprays is strictly controlled by the Agricultural Commissioner and can only be accomplished after first obtaining permits. The County Department of Environmental Resources (DER) is responsible for overseeing hazardous materials in this area. An early consultation referral response from DER requested conditions which will be incorporated into the project's conditions of approval.</p>				
<p>Mitigation: None.</p>				
<p>References: Referral response dated November 3, 2009 from the Stanislaus County Department of Environmental Resources, Stanislaus County General Plan and Support Documentation¹.</p>				
<p>VIII. HYDROLOGY AND WATER QUALITY -- Would the project:</p>	<p>Potentially Significant Impact</p>	<p>Less Than Significant With Mitigation Included</p>	<p>Less Than Significant Impact</p>	<p>No Impact</p>
a) Violate any water quality standards or waste discharge requirements?			X	
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)?			X	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?				X
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?				X
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
f) Otherwise substantially degrade water quality?			X	
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?				X

h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
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?				X
j) Inundation by seiche, tsunami, or mudflow?				X

Discussion: Run-off is not considered an issue because of several factors which limit the potential impact. These factors include a relative flat terrain of the subject site, and relatively low rainfall intensities. Areas subject to flooding have been identified in accordance with the Federal Emergency Management Act. The project site itself is not located within a recognized flood zone and, as such, flooding is not an issue with respect to this project. However, the Stanislaus County Department of Public Works has provided a condition of approval, which will be incorporated into the Staff Report, requiring that the applicant file a Notice of Intention (NOI) with the California Regional Water Quality Control Board and obtain a Waste Discharge Identification Number prior to building occupancy. The project was referred to the California Regional Water Quality Control Board, but no response has been received to date.

Mitigation: None.

References: Referral response dated November 12, 2009 from the Stanislaus County Department of Public Works, Stanislaus County General Plan and Support Documentation¹.



IX. LAND USE AND PLANNING -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Physically divide an established community?				X
b) 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?			X	
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

Discussion: The project site is designated Agriculture and zoned General Agriculture 40-acre minimum (A-2-40). The project, if approved, would reclassify the zoning district to Planned Development while maintaining a General Plan designation of Agriculture. The applicants are proposing to change the zoning district from A-2-40 to P-D so as to expand and relocate the administrative and shipping operations from the existing Bronco Winery (P-D (6)) to the adjacent site. The applicant is proposing to construct two (2) driveways (one (1) for trucks and one (1) for employees), two (2) 14,000 square foot office buildings, employee and truck parking lots and a shipping and receiving office. The existing house will be converted to the shipping and receiving office. The proposed project will not conflict with any applicable habitat conservation plan or natural community conservation plan and will not physically divide an established community.

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation¹.



X. MINERAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X
<p>Discussion: The location of all commercially viable mineral resources in Stanislaus County has been mapped by the State Division of Mines and Geology in Special Report 173. There are no known significant resources on the site.</p>				
<p>Mitigation: None.</p>				
<p>References: State Division of Mining & Geology - Special Report 173 (1993), Stanislaus County General Plan and Support Documentation¹.</p>				
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?			X	
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			X	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
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?				X
<p>Discussion: There is no indication that approval of this project will result in a significant permanent increase in ambient noise levels. The applicants are not proposing an increase in truck traffic, but a safer access and circulation plan for moving trucks thru the project site and adjacent Bronco Winery Planned Development. Noise levels will increase at full build out due to the presence of employees, however, staff believes that the noise levels will be less than significant. A landscape buffer will be installed adjacent to the employee parking lot and along the eastern property line. A temporary noise increase will be associated with construction of the proposed office buildings. Days and hours of operation are expected to be Monday thru Friday, 24 hours a day, and seasonally seven (7) days a week, 24 hours a day. The applicant expects 180-employees on a maximum shift, ten (10) customers/visitors on site at peak time, 60-truck deliveries/loadings per day off-season and 300-truck deliveries/loadings per day during peak season. Peak seasonal operation hours are from mid-July to mid-November. Scattered single-family dwellings do exist in the immediate area. The closest dwelling is approximately 750 feet east of the project site on the adjacent parcel.</p>				

Mitigation: None.				
References: Stanislaus County General Plan and Support Documentation ¹ .				
XII. POPULATION AND HOUSING -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
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)?			X	
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X
<p>Discussion: The proposed use of the site will not create significant service extensions or new infrastructure which could be considered as growth inducing, as services are already available to this property. No housing or persons will be displaced by this project. An increased ability to hire additional employees may result in the relocation of working families closer to the site. However, as the project site is surrounded by agricultural land it is unlikely that residential development will occur due to the fact that County voters passed the Measure E vote in February of 2008. Measure E, which was incorporated into Zoning Ordinance Chapter 21.118 (the 30-Year Land Use Restriction), requires that redesignation or rezoning of land from agricultural/open space to residential use shall require approval by a majority vote of the County voters at a general or special local election.</p>				
Mitigation: None.				
References: Stanislaus County Zoning Ordinance, Stanislaus County General Plan and Support Documentation ¹ .				
XIII. PUBLIC SERVICES:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
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?			X	
Police protection?			X	
Schools?				X
Parks?				X

Other public facilities?			X	
<p>Discussion: The County has adopted Public Facilities Fees, as well as Fire Facility Fees on behalf of the appropriate fire district, to address impacts to public services. Such fees are required to be paid at the time of building permit issuance. Conditions of approval will be added to this project to insure the proposed development complies with all applicable fire department standards with respect to access and water for fire protection. On-site water storage for fire protection and fire apparatus access roads will be further evaluated as part of the building permit process.</p>				
<p>Mitigation: None.</p>				
<p>References: Referral response dated November 4, 2009 from the Stanislaus Fire Prevention Bureau, Stanislaus County General Plan and Support Documentation¹.</p>				
XIV. RECREATION:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X
<p>Discussion: This project is not anticipated to increase significant demands for recreational facilities, as such impacts typically are associated with residential development. The project was referred to the Stanislaus County Department of Parks and Recreation, however, no response was received.</p>				
<p>Mitigation: None.</p>				
<p>References: Stanislaus County General Plan and Support Documentation¹.</p>				
XV. TRANSPORTATION/TRAFFIC -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
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)?			X	
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?			X	
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?		X		
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?		X		

e) Result in inadequate emergency access?			X	
f) Result in inadequate parking capacity?			X	
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?			X	

Discussion: The subject project was referred to the Stanislaus County Department of Public Works and the California Department of Transportation (Caltrans) for review. Caltrans did not respond. The Stanislaus County Department of Public Works responded with comments that will be incorporated into the conditions of approval and mitigation measures for the project. The project may result in an increase in truck traffic and will increase vehicular traffic levels once the proposed office buildings are constructed. The applicant expects 180-employees on a maximum shift, ten (10) customers/visitors on site at peak time, 60-truck deliveries/loadings per day off-season and 300-truck deliveries/loadings per day during peak season. The purpose of relocating the driveways from Bystrum Road to Keyes Road is to provide a safer route for truck and passenger vehicle traffic. The existing driveway on Bystrum is intersected by the Union Pacific Railroad, which poses a safety concern. The mitigation measures, as required by the Stanislaus County Department of Public Works, are intended to mitigate safety risks caused by relocation of the driveways onto Keyes Road.

Mitigation:

2. Roadway improvement plans shall be submitted to Public Works prior to the issuance of a building or grading permit, whichever comes first. The improvement plans shall include left turn acceleration and deceleration lanes for the proposed main (truck) entrance and a left turn lane for the employees entrance on the east side of the property from Keyes Road. The plans shall use CalTrans Traffic Manual and Stanislaus County Standards and Specifications. A four-foot asphalt shoulder, as per Stanislaus County Standards and Specifications, will be included on Keyes Road. The roadway improvement plans shall be approved and installed prior to occupancy of any building permit associated with this site.
3. Keyes Road is classified as a 60-foot collector in this area. The applicant's engineer or surveyor shall prepare an Easement Deed for 30-feet south of the centerline of Keyes Road along the entire frontage of the project's parcel. If additional road right-of-way is needed for Keyes Road along the parcel frontage as per the approved roadway improvement plans, that additional width shall be included in the Easement Deed. The Easement Deed shall be submitted to Public Works after the roadway improvement plans are approved and prior to occupancy of any building associated with this site.
4. An Engineer's Estimate shall be provided so the amount of the financial guarantee can be determined. This will be based on the County approved street improvement plans. This shall be submitted prior to issuance of a building permit and once the improvement plans have been approved by the County.
5. A Financial Guarantee in a form acceptable to the Department of Public Works shall be deposited for the street improvement installation along the frontage on Keyes Road with the department prior to the issuance of the first building permit.

References: Referral response dated November 12, 2009 from the Stanislaus County Department of Public Works, Stanislaus County General Plan and Support Documentation¹.

XVI. UTILITIES AND SERVICE SYSTEMS -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
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?			X	

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?			X	
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X	
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?				X
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X	
g) Comply with federal, state, and local statutes and regulations related to solid waste?			X	

Discussion: Limitations on providing services have not been identified. Impacts to the existing utility and service systems are anticipated to be minimal as a result of this project. Less than significant impacts associated with public utilities, private water and sewage treatment facilities, irrigation easement(s) and storm water retention will be reflected in the project's conditions of approval.

Mitigation: None.

References: Referral response dated November 5, 2009 from the Turlock Irrigation District, Stanislaus County General Plan and Support Documentation¹.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE:

	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Does the project have the potential to 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?			X	
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		X		

Discussion: Review of this project has not indicated any features which might significantly impact the environmental quality of the site and/or the surrounding area. Any potential impacts from this project have been mitigated to a level of less than significant.

¹Stanislaus County General Plan and Support Documentation adopted in October 1994, as amended. Optional and updated elements of the General Plan and Support Documentation: **Agricultural Element** adopted on December 18, 2007; **Housing Element** adopted on December 12, 2003 and certified by the California Department of Housing and Community Development Department on March 26, 2004; **Circulation Element** and **Noise Element** adopted on April 18, 2006.

MITIGATED NEGATIVE DECLARATION

NAME OF PROJECT: Rezone Application No. 2009-04 - Bronco Wine Co.

LOCATION OF PROJECT: 800 E. Keyes Road, at the southeast corner of E. Keyes and Bystrum Roads, in the Ceres area. APN: 041-046-019

PROJECT DEVELOPER: Bronco Wine Co.
6342 Bystrum Road
Ceres, CA 95307

DESCRIPTION OF PROJECT: Request to rezone the 35.78-acre parcel north of the existing Bronco Wine Co. site, located at 6342 Bystrum Road. The proposed project would include adding two (2) driveways onto E. Keyes Road to serve both planned developments, the conversion of an existing house to a shipping and receiving office, the construction of employee and truck parking lots and the construction of a 14,400 square foot administration building and a 14,400 square foot sales building. Days and hours of operation are expected to be Monday thru Friday, 24 hours a day, and seasonally seven (7) days a week, 24 hours a day. The applicant expects 180-employees on a maximum shift, ten (10) customers/visitors on site at peak times, 60-truck deliveries/loadings per day off-season and 300-truck deliveries/loadings per day during peak season. Peak seasonal operation hours are from mid-July to mid-November.

Based upon the Initial Study, dated **November 30, 2009**, the Environmental Coordinator finds as follows:

1. This project does not have the potential to degrade the quality of the environment, nor to curtail the diversity of the environment.
2. This project will not have a detrimental effect upon either short-term or long-term environmental goals.
3. This project will not have impacts which are individually limited but cumulatively considerable.
4. This project will not have environmental impacts which will cause substantial adverse effects upon human beings, either directly or indirectly.

The aforementioned findings are contingent upon the following mitigation measures (if indicated) which shall be incorporated into this project:

1. *All exterior lighting shall be designed (aimed down and toward the site) to provide adequate illumination without a glare effect. This shall include but not be limited to the use of shielded light fixtures to prevent skyglow (light spilling into the night sky) and the installation of shielded fixtures to prevent light trespass (glare and spill light that shines onto neighboring properties).*
2. *Roadway improvement plans shall be submitted to Public Works prior to the issuance of a building or grading permit, whichever comes first. The improvement plans shall include left turn acceleration and deceleration lanes for the proposed main (truck) entrance and a left turn lane for the employees entrance on the east side of the property from Keyes Road. The plans shall use CalTrans Traffic Manual and Stanislaus County Standards and Specifications. A four-foot asphalt shoulder, as per Stanislaus County Standards and Specifications, will be included on Keyes Road. The roadway improvement plans shall be approved and installed prior to occupancy of any building permit associated with this site.*
3. *Keyes Road is classified as a 60-foot collector in this area. The applicant's engineer or surveyor shall prepare an Easement Deed for 30-feet south of the centerline of Keyes Road along the entire frontage of the project's parcel. If additional road right-of-way is needed for Keyes Road along the parcel frontage as per the approved roadway improvement plans, that additional width shall be included in the Easement Deed. The Easement Deed shall be submitted to Public Works after the roadway improvement plans are approved and prior to occupancy of any building associated with this site.*

4. *An Engineer's Estimate shall be provided so the amount of the financial guarantee can be determined. This will be based on the County approved street improvement plans. This shall be submitted prior to issuance of a building permit and once the improvement plans have been approved by the County.*
5. *A Financial Guarantee in a form acceptable to the Department of Public Works shall be deposited for the street improvement installation along the frontage on Keyes Road with the department prior to the issuance of the first building permit.*

The Initial Study and other environmental documents are available for public review at the Department of Planning and Community Development, 1010 10th Street, Suite 3400, Modesto, California.

Initial Study prepared by: Rachel Wyse, Assistant Planner

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

Stanislaus County
Planning and Community Development

1010 10th Street, Suite 3400
Modesto, CA 95354

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

Mitigation Monitoring Plan

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

November 30, 2009

- | | |
|---|--|
| 1. Project title and location: | Rezone Application No. 2009-04 - Bronco Wine Co.

800 E. Keyes Road, at the southeast corner of E. Keyes and Bystrum Roads, in the Ceres area.
APN: 041-046-019 |
| 2. Project Applicant name and address: | Bronco Wine Co.
6342 Bystrum Road
Ceres, CA 95307 |
| 3. Person Responsible for Implementing Mitigation Program (Applicant Representative): | John Franzia |
| 4. Contact person at County: | Rachel Wyse, Assistant Planner (209) 525-6330 |

MITIGATION MEASURES AND MONITORING PROGRAM:

I. AESTHETICS

- No. 1 Mitigation Measure: All exterior lighting shall be designed (aimed down and toward the site) to provide adequate illumination without a glare effect. This shall include but not be limited to the use of shielded light fixtures to prevent skyglow (light spilling into the night sky) and the installation of shielded fixtures to prevent light trespass (glare and spill light that shines onto neighboring properties).

Who Implements the Measure:	Applicant
When should the measure be implemented:	Upon installation of any exterior lighting
When should it be completed:	On-going throughout the life of the operation
Who verifies compliance:	Stanislaus County Planning Department
Other Responsible Agencies:	None

XV. TRANSPORTATION/TRAFFIC

- No. 2 Mitigation Measure: Roadway improvement plans shall be submitted to Public Works prior to the issuance of a building or grading permit, whichever comes first. The improvement plans shall include left turn acceleration and deceleration lanes for the proposed main (truck) entrance and a left turn lane for the employees entrance on the east side of the property from Keyes Road. The plans shall

use CalTrans Traffic Manual and Stanislaus County Standards and Specifications. A four-foot asphalt shoulder, as per Stanislaus County Standards and Specifications, will be included on Keyes Road. The roadway improvement plans shall be approved and installed prior to occupancy of any building permit associated with this site.

Who Implements the Measure: Applicant
When should the measure be implemented: Prior to issuance of a building or grading permit
When should it be completed: Prior to issuance of an occupancy permit for any building permit
Who verifies compliance: Stanislaus County Public Works
Other Responsible Agencies: Stanislaus County Planning Department

No. 3 Mitigation Measure: Keyes Road is classified as a 60-foot collector in this area. The applicants engineer or surveyor shall prepare an Easement Deed for 30-feet south of the centerline of Keyes Road along the entire frontage of the project's parcel. If additional road right-of-way is needed for Keyes Road along the parcel frontage as per the approved roadway improvement plans, that additional width shall be included in the Easement Deed. The Easement Deed shall be submitted to Public Works after the roadway improvement plans are approved and prior to occupancy of any building associated with this site.

Who Implements the Measure: Applicant
When should the measure be implemented: After approval of roadway improvement plans, prior to issuance of an occupancy permit
When should it be completed: Prior to issuance of an occupancy permit for any building on-site
Who verifies compliance: Stanislaus County Public Works
Other Responsible Agencies: Stanislaus County Planning Department

No. 4 Mitigation Measure: An Engineer's Estimate shall be provided so the amount of the financial guarantee can be determined. This will be based on the County approved street improvement plans. This shall be submitted prior to issuance of a building permit and once the improvement plans have been approved by the County.

Who Implements the Measure: Applicant
When should the measure be implemented: Prior to issuance of a building permit
When should it be completed: Upon approval of the improvement plans by the County
Who verifies compliance: Stanislaus County Public Works
Other Responsible Agencies: Stanislaus County Planning Department

No. 5 Mitigation Measure: A Financial Guarantee in a form acceptable to the Department of Public Works shall be deposited for the street improvement installation along the frontage on Keyes Road with the department prior to the issuance of the first building permit.

Who Implements the Measure:	Applicant
When should the measure be implemented:	Upon approval of the improvement plans by the County
When should it be completed:	Prior to issuance of the first building permit.
Who verifies compliance:	Stanislaus County Public Works
Other Responsible Agencies:	Stanislaus County Planning Division

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

Signature on file _____
Person Responsible for Implementing
Mitigation Program

January 4, 2010 _____
Date

(I:\Staff\p\REZ\2009\REZ 2009-04 - Bronco Wine Co\CEQA\MMP.Bronco.wpd)

TO WHOM IT MAY CONCERN;

-REGARDING REZONING OF BRONCO WINE CO.

I AM EVELYN BURNS AND I OWN THE PROPERTY ON THE EAST SIDE OF PROPOSED REZONING. MY SON NICK DOES THE FARMING. MY CONCERN IS THE ROAD THAT WILL RUN IN FRONT OF MY HOUSE. MY BEDROOM IS ABOUT 30 FEET FROM THE PROPOSED ROAD. IT WILL BE LIKE CARS DRIVING IN MY BEDROOM,.. BUSHES ARE NOT THE ANSWER TO THIS PROBLEM. A SOUND BARRIER WALL MIGHT HELP. I AM 75 YEARS OLD AND SHOULD BE ABLE TO ENJOY MY LAST YEARS HERE. THE TRAFFIC WILL BE LIKE KEYES RD,

NOW THE ROAD ISSUE. THERE WILL BE 3 DRIVEWAYS MAKING AN ENTRANCE AND EXIT AT KEYES RD.. I THINK THAT IS A LITTLE BIT MUCH FOR THAT AREA. WE HAVE TROUBLE GETTING ON THE ROAD NOW AT QUITTING TIME AND IT IS A HALF A MILE AWAY AND NOW THEY WILL BE CLOSE COMING AND GOING.,NOT TO SAY A MADHOUSE AND DANGEROUS AND UNSAFE. HEAVEN HELP US.

RECEIVED

SEP 12 2010

STANISLAUS CO. PLANNING &
COMMUNITY DEVELOPMENT DEPT

THE LAST ISSUE IS THE REZONING OF FARM GROUND
TO WAREHOUSE STATUS. IF YOU WANT A WAREHOUSE
FACILITY GO TO THE BEARD TRACT AND LEAVE THE
FARM GROUND FOR FARMING AS IT SHOULD BE.

Evelyn Burns

From: Planning Planning
To: Wyse, Rachel
CC: Ford, Kirk
Date: 3/5/10 8:03 AM
Subject: Fwd: REZONE APPLICATION NO. 2009-04-BRONCO WINE CO.

-- -- -- Let Us Know How We Are Doing -- -- --

Please take a moment and complete the Customer Satisfaction Survey by clicking on the following link:

<http://www.co.stanislaus.ca.us/SurveyChoice.htm>

>>> "Pat Titus" <patpilot@clearwire.net> 3/4/10 6:37 PM >>>

To whom it might concern:

We are residents at 1112 E. Keyes Rd., directly in front of Bronco Winery. In the 40 plus years we have lived here this road has gone from one where our children could ride bikes and run their 4-H sheep down the road to one where you take your life into your hands to try to get out of the driveway. After the Highway 99 and Keyes Rd. overpass was completed the traffic increased at least threefold. With the addition of the winery the traffic again increased greatly. The hundreds of trucks and vehicles entering and existing the road create severe congestion and dangerous conditions.

The speed limit has not changed and passing is still allowed on most of Keyes Road and I'm certain you would find that most of the traffic is going faster than 55 mph. The commuters to the bay area treat this road like a freeway. They don't treat it as a country road. Yet, it is a two lane country road and a dangerous one. There needs to be a posted 45 mph zone with no passing where ever these trucks and other vehicles are accessing the road.

Putting a employee road on the East side of the property with 180 or more vehicles will create a serious noise problem for the residents living adjacent to it. They built that house well off the road to avoid noise. Now they have the noise of the winery and if the winery has its way they will have 180 vehicles driving right by their bedroom. How would you like that? Day and night!

Mrs. Patricia Titus

SUMMARY OF RESPONSES FOR ENVIRONMENTAL REVIEW REFERRALS



PROJECT: REZONE APPLICATION NO. 2009-04 - BRONCO WINE CO.

REFERRED TO:				RESPONDED		RESPONSE			MITIGATION MEASURES		CONDITIONS	
	2 WK	30 DAY	PUBLIC HEARING NOTICE	YES	NO	WILL NOT HAVE SIGNIFICANT IMPACT	MAY HAVE SIGNIFICANT IMPACT	NO COMMENT NON CEQA	YES	NO	YES	NO
AGRICULTURE COMMISSIONER	X	X			X							
AIRPORT LAND USE COMMISSION	X	X			X							
ALLIANCE	X	X	X		X							
BUILDING PERMITS DIVISION	X	X		X		X				X	X	
CALTRANS DISTRICT 10	X	X	X		X							
CHIEF EXECUTIVE OFFICE	X	X			X							
COOPERATIVE EXTENSION	X	X			X							
COUNTY COUNSEL	X	X			X							
ENVIRONMENTAL RESOURCES	X	X		X		X				X	X	
FIRE PROTECTION DIST: KEYES	X	X	X		X							
FISH & GAME, DEPT OF	X	X	X		X							
HAZARDOUS MATERIALS	X	X		X		X				X	X	
IRRIGATION DISTRICT: TURLOCK	X	X	X	X		X				X	X	
LAFCO	X	X	X		X							
MOSQUITO DISTRICT: TURLOCK	X	X	X		X							
MT VALLEY EMERGENCY MEDICAL	X	X	X		X							
NATURAL RESOURCES CONSERVATION	X	X	X		X							
PACIFIC GAS & ELECTRIC	X	X	X		X							
PARKS & FACILITIES	X	X		X				X				
PUBLIC WORKS	X	X		X		X			X		X	
PUBLIC WORKS - TRANSPORTATION	X	X			X							
RAILROAD: UNION PACIFIC	X	X	X		X							
REGIONAL WATER QUALITY CONTROL	X	X	X		X							
SAN JOAQUIN VALLEY APCD	X	X	X	X		X				X	X	
SCHOOL DISTRICT 1:CERES	X	X	X		X							
SHERIFF	X	X			X							
StanCOG	X	X			X							
STANISLAUS COUNTY FARM BUREAU	X	X	X		X							
STANISLAUS ERC	X	X		X		X				X		X
STANISLAUS FIRE PREVENTION BUREAU	X	X		X		X				X	X	
STATE CLEARINGHOUSE	X	X	X	X						X		X
SUPERVISORIAL DISTRICT 2:CHIESA	X	X			X							
SURROUNDING LAND OWNERS			X									
TELEPHONE COMPANY: AT&T	X	X	X		X							
UNITED STATES MILITARY AGENCIES (SB 1462) (5 agencies)	X	X	X		X							
US FISH & WILDLIFE	X	X	X		X							

Chair Navarro and Commissioners Layman and Pires left the Chambers.

- D. REZONE APPLICATION NO. 2009-04 - BRONCO WINE CO. - Request to rezone**
a 35.78 acre parcel from A-2-40 (General Agriculture) to P-D (Planned Development) to allow expansion of the adjoining Bronco Wine facility by conversion of an existing house into an office, construction of two (2) new 14,400 square foot office buildings, an associated parking lot and two (2) driveways on E. Keyes Road. The project site is located at 800 E. Keyes Road, at the southeast corner of E. Keyes and Bystrum Roads, in the Ceres area. The Planning Commission will consider a CEQA Mitigated Negative Declaration on this project.
APN: 041-046-019
Staff Report: Rachel Wyse Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: Alice Roche, 1130 E Keyes Road, Ceres.
FAVOR: No one spoke.
Public hearing closed.
Ramos/Assali, 5-0, **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT.**

Chair Navarro and Commissioners Layman and Pires returned to the Chambers.

<p style="text-align: center;">EXCERPT</p> <p style="text-align: center;">PLANNING COMMISSION</p> <p style="text-align: center;">MINUTES</p> <p style="text-align: center;"> _____ Secretary, Planning Commission</p> <p style="text-align: center;"> _____ Date</p>

4/20/10 PowerPoint Presentation

**REZONE 2009-04 –
Bronco Wine Co.**



Planning & Community Development

Project Description

- Request to Rezone a 38 acre parcel from A-2-40 to PD for expansion of the adjoining Bronco Wine facility by conversion of an existing house into an office, construction of 2 new 14,400 sq. ft office buildings, an associated employee and truck parking lot, a guard shack, 2 truck scales and 2 driveways on E. Keyes Road.



**REZ 2009-04 – BRONCO WINE CO
AREA MAP**

CERES

W GRAYSON RD

TID LATERAL NO 2 1/2

W KEYES RD

WESTPORT DRAIN

HATCH DRAIN

CROW'S LANDING RD

Union Pacific

BYSTRUM RD

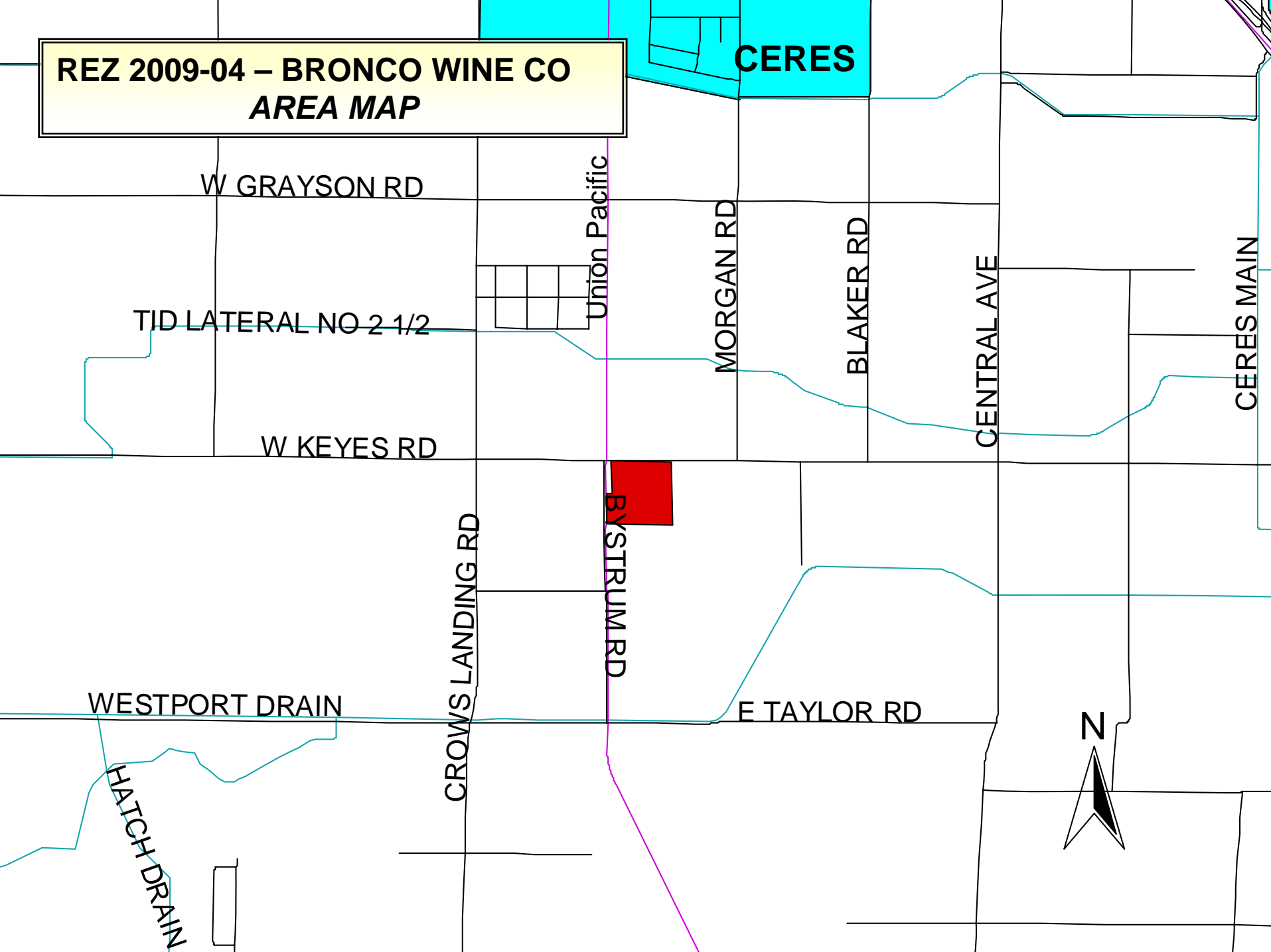
MORGAN RD

BLAKER RD

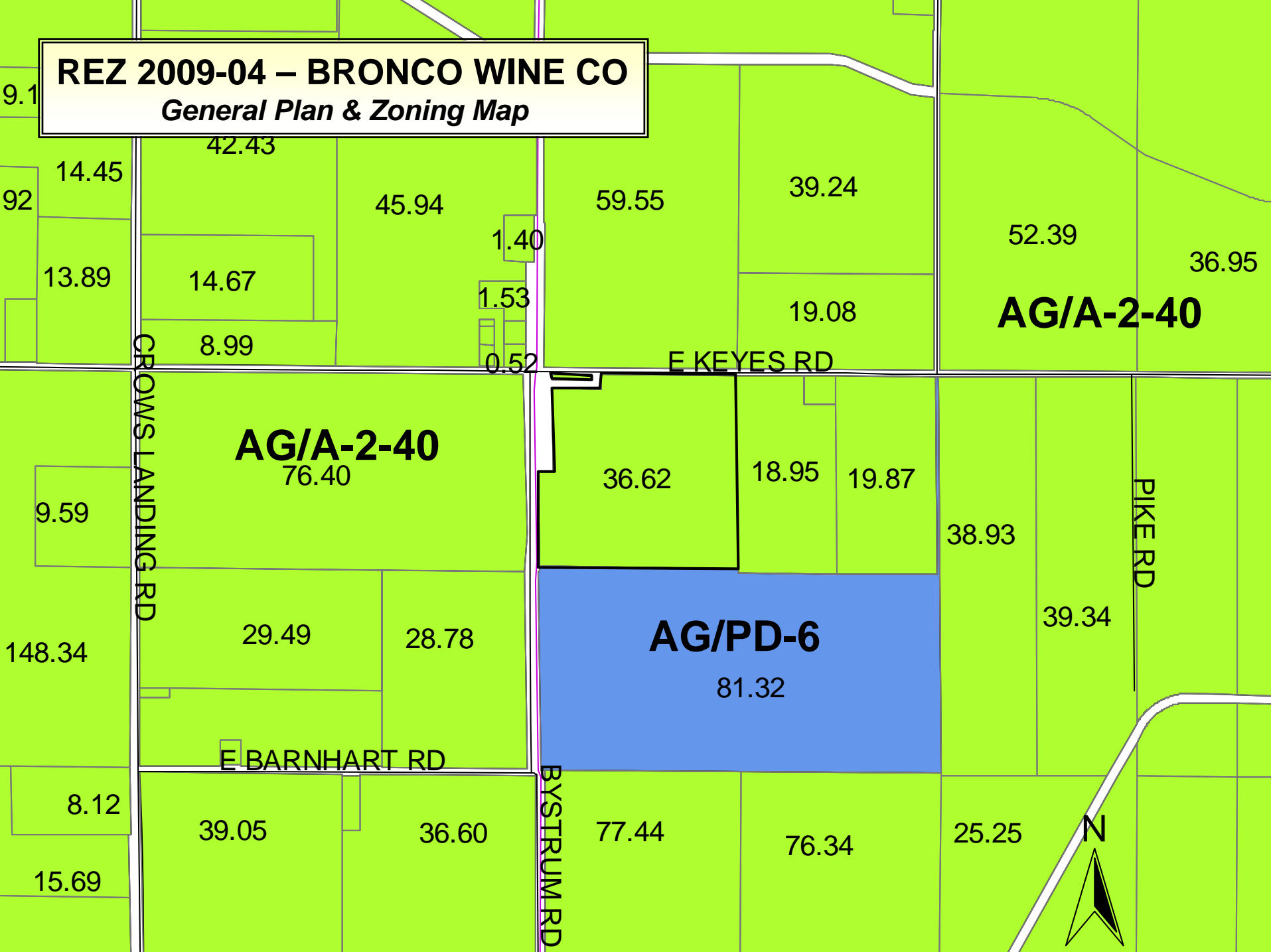
E TAYLOR RD

CENTRAL AVE

CERES MAIN



REZ 2009-04 – BRONCO WINE CO
General Plan & Zoning Map



REZ 2009-04 – BRONCO WINE CO
2008 STANISLAUS COUNTY AERIAL

E KEYES RD

BYSTRUM RD

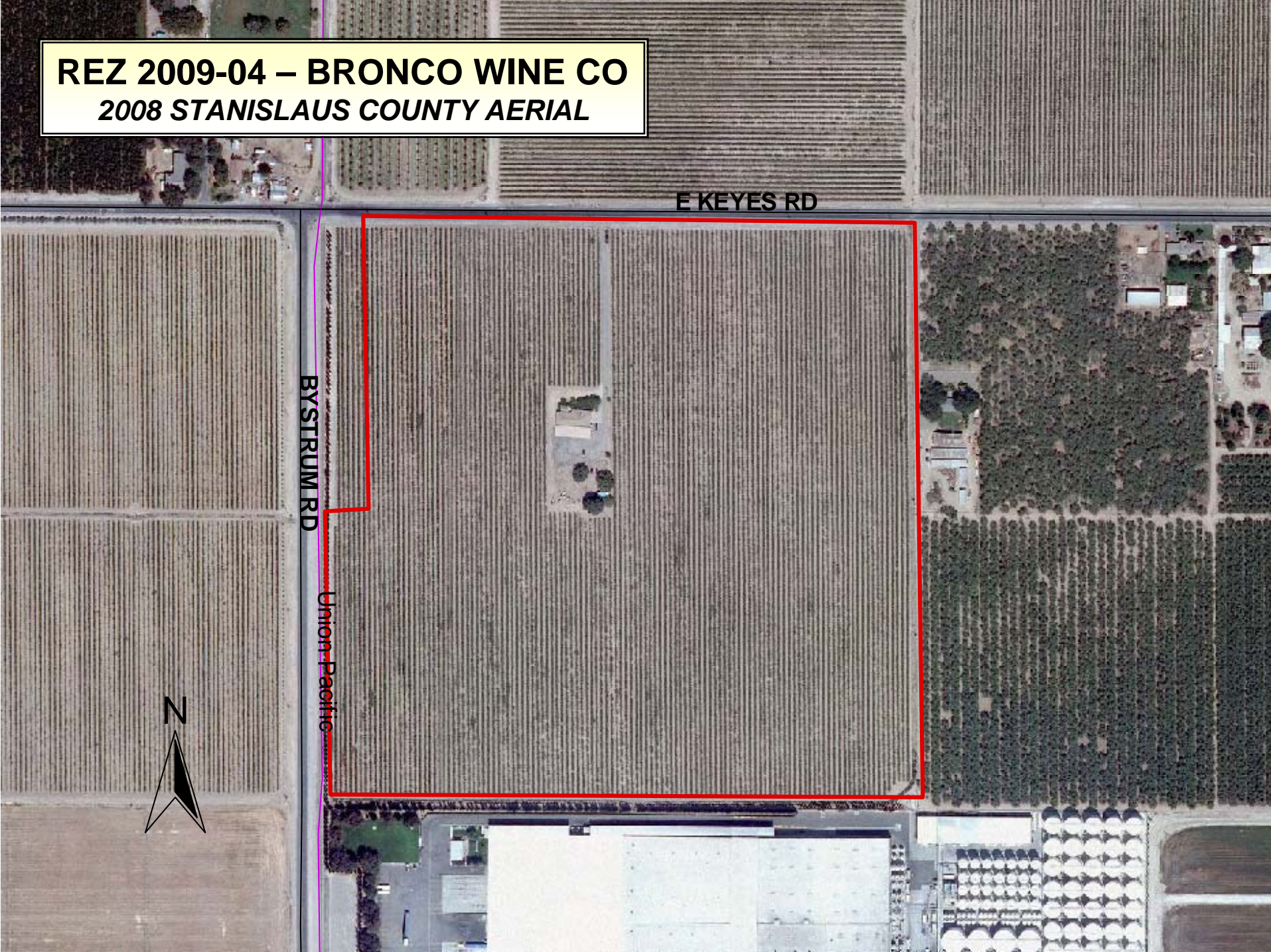


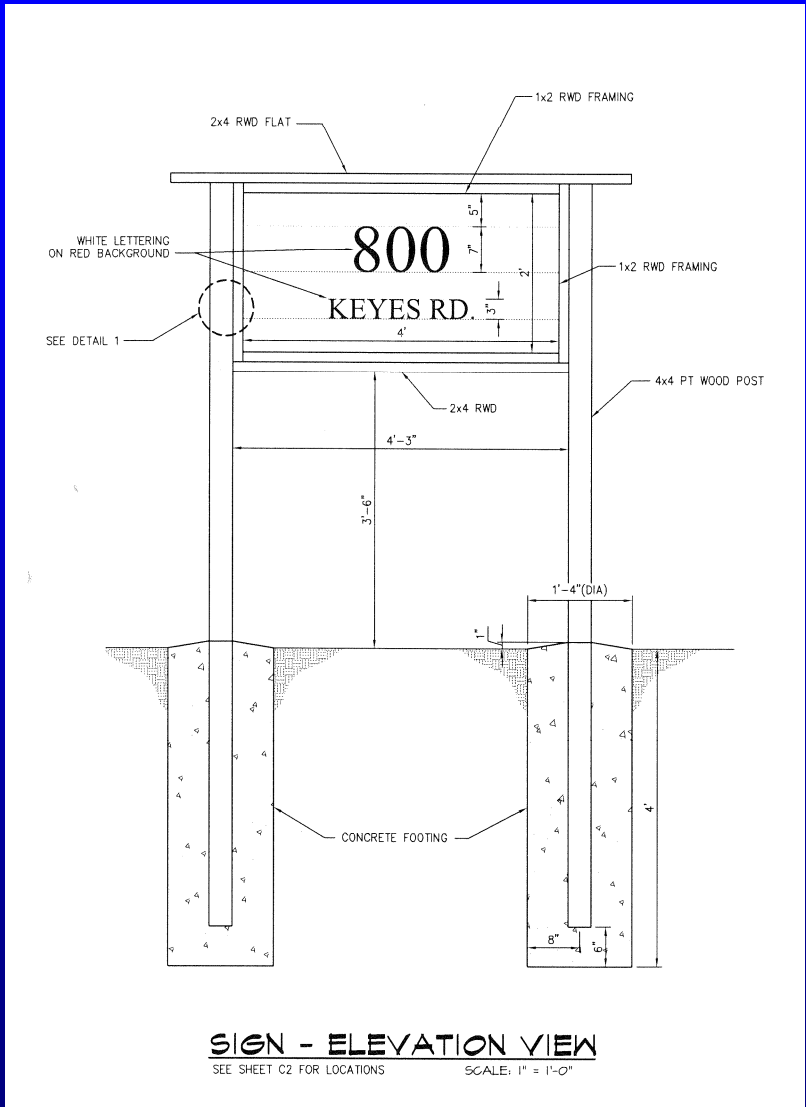
REZ 2009-04 – BRONCO WINE CO
2008 STANISLAUS COUNTY AERIAL

E KEYES RD

BYSTRUM RD

Union Pacific





Proposed Signage for Truck and Employee Entrances

- 5 ½ feet tall
- Sign Facia: 2' x 3'



Days & Hours of Operation

- December to June: Monday – Friday, 24 hours a day.
- July to December: 7 days a week, 24 hours a day.



Development Schedule

- The conversion of the single-family dwelling to a shipping and receiving office, construction of the employee and truck parking lots and access roads and compliance with all applicable development standards shall begin within 18 months of project approval.
- The 14,000 sq.ft. office buildings will be constructed as needed to accommodate expansion of the processing facility on the existing PD 6.



Rezone Finding

- To approve a rezone, the Board of Supervisors must find that it is consistent with the General Plan. In this case, Planned Development zoning would indeed be consistent with the Agricultural designation.



March 18, 2010 Public Hearing

- A neighbor spoke in opposition citing conflicts between tractors crossing E. Keyes Road and additional truck and employee traffic resulting from the proposed expansion.



Recommendation

- After a public hearing, on March 18 2010, the Planning Commission, on a 5-0 vote, recommended Approval of Rezone Application No. 2009-04, Bronco Wine Co., to the Board of Supervisors based on the Development Standards and Actions outlined on page 5 of the Staff Report.



STANISLAUS COUNTY ORDINANCE NO. C.S. 1084

AN ORDINANCE ADOPTING SECTIONAL DISTRICT MAP NO. 9-110.991 FOR THE PURPOSE OF REZONING A 35.78 ACRE PARCEL FROM A-2-40 (GENERAL AGRICULTURE) TO PD (PLANNED DEVELOPMENT) TO ALLOW EXPANSION OF THE ADJOINING BRONCO WINE FACILITY BY CONVERSION OF AN EXISTING HOUSE INTO AN OFFICE, CONSTRUCTION OF TWO (2) NEW 14,400 SQUARE FOOT OFFICE BUILDINGS, AN ASSOCIATED PARKING LOT AND TWO (2) DRIVEWAYS ON E. KEYES ROAD. THE PROJECT SITE IS LOCATED AT 800 E. KEYES ROAD, AT THE SOUTHEAST CORNER OF E. KEYES AND BYSTRUM ROADS, IN THE CERES AREA. APN: 041-046-019.

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

Section 1. Sectional District Map No. 9-110.991 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 Modesto Bee, a newspaper of general circulation published in Stanislaus County, State of California.

Upon motion of Supervisor Chiesa, seconded by Supervisor O'Brien, 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 20th day of April, 2010, by the following called vote:

AYES: Supervisors: O'Brien, Chiesa, Monteith, DeMartini and Chairman Grover

NOES: Supervisors: None

ABSENT: Supervisors: None

ABSTAINING: Supervisors: None



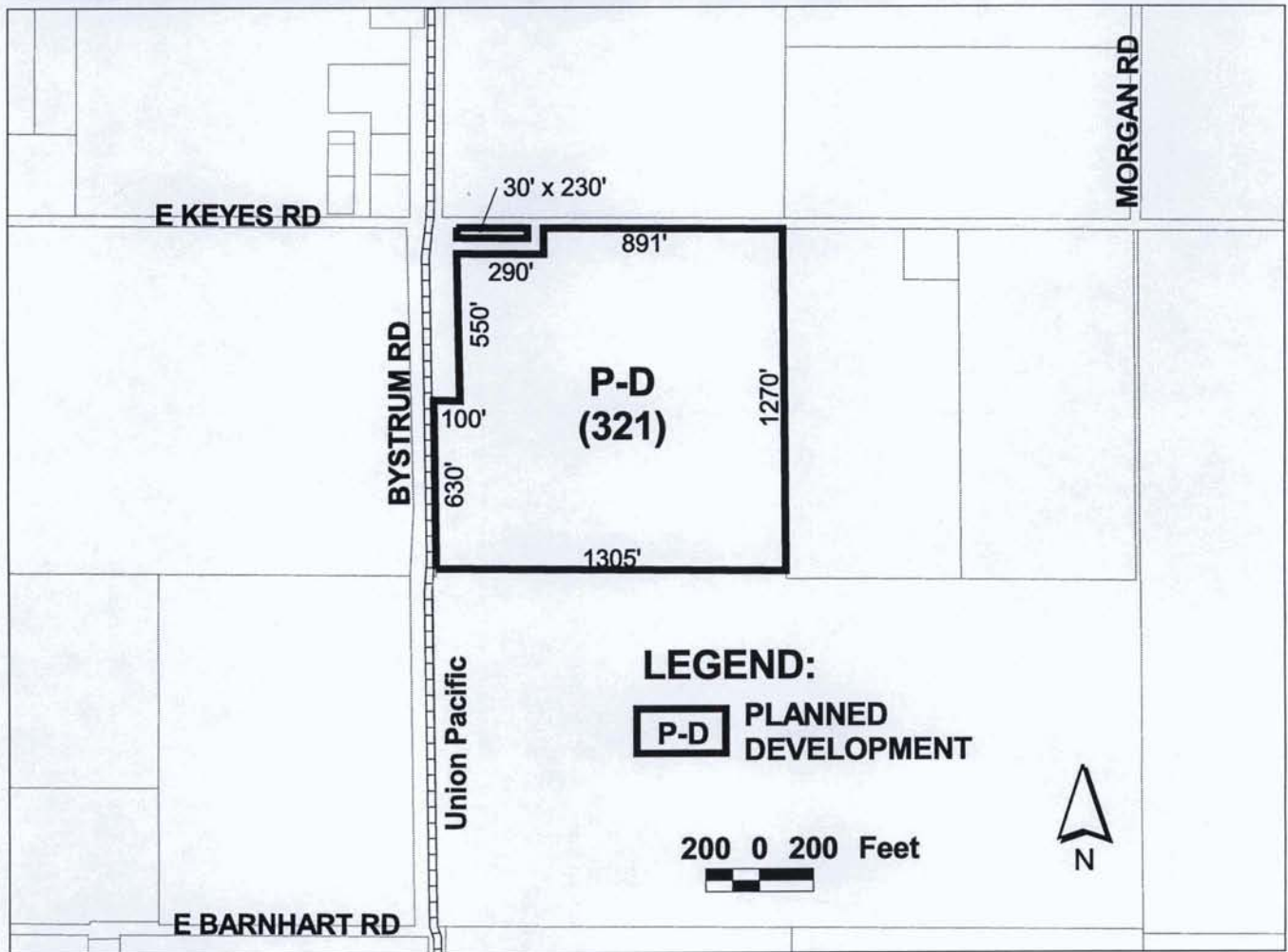
CHAIRMAN OF THE BOARD OF SUPERVISORS
of the County of Stanislaus,
State of California

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



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

SECTIONAL DISTRICT MAP NO. 9-110.991



EFFECTIVE DATE: 05.20.2010

PREVIOUS MAP: 671 E

DECLARATION OF PUBLICATION
(C.C.P. S2015.5)


COUNTY OF STANISLAUS
STATE OF CALIFORNIA

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am a printer and principal clerk of the publisher of **THE MODESTO BEE**, which has been adjudged a newspaper of general circulation by the Superior Court of the County of STANISLAUS, State of California, under the date of **February 25, 1951, Action No. 46453**. The notice of which the annexed is a printed copy has been published in each issue thereof on the following dates, to wit:

APRIL 27, 2010

I certify (or declare) under penalty of perjury that the foregoing is true and correct and that this declaration was executed at **MODESTO, California** on

APRIL 27, 2010

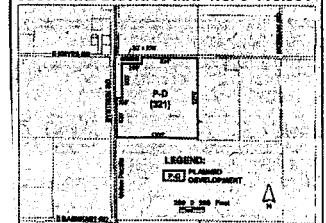

(Signature)

STANISLAUS COUNTY
ORDINANCE NO. C.S. 1084

AN ORDINANCE ADOPTING SECTIONAL DISTRICT MAP NO. 9-110.991 FOR THE PURPOSE OF REZONING A 35.78 ACRE PARCEL FROM A-2-40 (GENERAL AGRICULTURE) TO PD (PLANNED DEVELOPMENT) TO ALLOW EXPANSION OF THE ADJOINING BRONCO WINE FACILITY BY CONVERSION OF AN EXISTING HOUSE INTO AN OFFICE, CONSTRUCTION OF TWO (2) NEW 14,400 SQUARE FOOT OFFICE BUILDINGS, AN ASSOCIATED PARKING LOT AND TWO (2) DRIVEWAYS ON E. KEYES ROAD. THE PROJECT SITE IS LOCATED AT 800 E. KEYES ROAD, AT THE SOUTHEAST CORNER OF E. KEYES AND BYSTRUM ROADS, IN THE CERES AREA. APN: 041-046-019. The Board of Supervisors of the County of Stanislaus, State of California, ordains as follows:

Section 1. Sectional District Map No. 9-110.991 is adopted for the purpose of designating and indicating the location and boundaries of a District, such map to appear as follows:

SECTIONAL DISTRICT MAP NO. 9-110.991



EFFECTIVE DATE: 05.20.2010
PREVIOUS MAP: 671 F

Section 2. This ordinance shall take effect and be in full force thirty (30) days from and after the date of its passage and before the expiration of fifteen (15) days after its passage it shall be published once, with the names of the members voting for and against same, in the Modesto Bee, a newspaper of general circulation published in Stanislaus County, State of California. Upon motion of Supervisor Chiesa, seconded by Supervisor O'Brien, 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 20th day of April, 2010, by the following called vote: AYES: Supervisors: O'Brien, Chiesa, Monteith, DeMartini and Chairman Grover. NOES: Supervisors: None. ABSENT: Supervisors: None. ABSTAINING: Supervisors: None. Jeff Grover, Chairman of the Board of Supervisors of the County of Stanislaus, State of California. Attest: Christine Ferraro Tallman, Clerk of the Board of Supervisors of the County of Stanislaus, State of California. By: Elizabeth A. King, Assistant Clerk of the Board