

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

DEPT: Planning and Community Development

BOARD AGENDA # 9:05 a.m.

Urgent  Routine

AGENDA DATE February 25, 2014

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. PLN2013-0092, E & J Gallo Winery

PLANNING COMMISSION RECOMMENDATIONS:

After conducting a duly advertised public hearing at its regular meeting of January 16, 2014, the Planning Commission, on a 5-1 vote, recommended the Board approve the project as follows:

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

(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. 2014-88

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

Ayes: Supervisors: O'Brien, Chiesa, Monteith

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: Withrow and Chairman De Martini

1) X Approved as recommended

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

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

4) \_\_\_\_\_ Other: INTRODUCED, ADOPTED AND WAIVED THE READING OF ORDINANCE C.S.1143 FOR REZONE APPLICATION PLN2013-0092.

MOTION:



ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No. ORD-55-S-3

**PLANNING COMMISSION RECOMMENDATIONS: (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 proposed Industrial zoning is consistent with the Industrial General Plan designation.
4. Approve Rezone Application No. PLN2013-0092, E & J Gallo Winery.
5. Introduce, waive the reading and adopt an ordinance for the approved Rezone Application No. PLN2013-0092, E & J Gallo Winery.

**DISCUSSION:**

This is a request to amend the zoning designation of 4.59± acres from R-2 (Medium Density Residential) to M (Industrial). If approved, the rezone would enable the applicant to construct parking lots in support of an approved future 116,000 square foot office building on the E & J Gallo Winery campus within the City of Modesto. The parking lot project also encompasses abandonment of adjacent alley rights-of-way.

The project site is within the City of Modesto Sphere of Influence (SOI) and is surrounded by Yosemite Boulevard (State Highway 132), the City of Modesto, a commercial area and residential area to the north; a residential neighborhood to the east; E & J Gallo Winery and Glass Company to the south; and E & J Gallo Winery to the west. The project site consists of single-family dwellings with scattered vacant lots.

Gallo owns almost all parcels within the proposed project site except for three, two of which are currently in escrow. Once escrow is completed, Gallo will own all parcels, except for one. Gallo is currently in negotiations with the final property owner to acquire the remaining parcel. A revised project map showing parcel ownership is available in Attachment "3".

The County has the ultimate authority to designate and rezone property and can include non-Gallo properties as part of the Rezone application if the County determines that the inclusion is consistent with the General Plan. Should the project area be re-designated to Industrial and rezoned to M (Industrial), the single-family dwelling on the non-Gallo property would be allowed to remain occupied and would be identified as legal non-conforming (LNC), as single-family dwellings are not an allowable use in the M (Industrial) zone.

On January 16, 2014, the Stanislaus County Planning Commission heard Rezone Application No. PLN2013-0092, E & J Gallo Winery.

No one spoke in opposition from the public. Staff received a phone call the day prior to the Planning Commission meeting from a neighboring resident. He stated that he had concerns with traffic, noise, crime, and declines in property values but did not provide specific information.

The applicant's representative spoke in favor of the project and addressed the concerns that were mentioned in the neighbor's phone call. He explained that a traffic analysis has been presented to the City of Modesto and no issues have been raised. With respect to noise, he noted that because the proposed parking lots are to support a future office building, typically the office hours will be from 8am to 5pm, thus noise will be minimal and limited to normal business hours. With respect to crime, the representative stated that he does not believe adding a parking lot would add crime to the area. It will likely improve the area due to the state that some of the properties are in. Last, he pointed out that property values will not be affected because the project is an expansion of an existing facility. Gallo has existed in the area for a number of years.

A project manager for Gallo also spoke in favor of the project. He explained that the final property needing to be acquired was taking a little longer because it is owned by a church. Any decisions about the property must first be approved through a committee. He noted that Gallo is currently in negotiations with the church committee and the process has been very positive. He mentioned that the church location is nearby and they have had discussions regarding the sharing of parking in the future for the benefit of the church.

The Planning Commission voted 5-1 to recommend approval of the rezone to the Board of Supervisors. One Commissioner mentioned concerns about the remaining non-Gallo property being included to the project, without having an agreement in place with Gallo. Therefore, the commissioner did not vote in favor of the project. Another Commissioner mentioned that the applicant is currently in negotiations with the final property owner. The Commissioner does not believe the property owner is concerned with the project because the owner is not opposing the project.

Planning Staff believes that the Rezone for the proposed use on this specific site is consistent with the goals and policies of the County's General Plan. For a discussion on the proposed project's General Plan consistency see Attachment 1 - *Planning Commission Staff Report, January 16, 2014*.

**POLICY ISSUES:**

The proposed rezone furthers the Board's priorities of A Well Planned Infrastructure System and A Strong Local Economy by providing a land use determination consistent with the overall goals and policies of the Stanislaus County General Plan.

**STAFFING IMPACT:**

Planning and Community Development Department staff is responsible for preparing all reports and attending meetings associated with the proposed rezone application.

**CONTACT PERSONS:**

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

**ATTACHMENTS:**

1. Planning Commission Staff Report, January 16, 2014
2. Planning Commission Minutes, January 16, 2014
3. Revised Ownership Map
4. Draft Ordinance and Sectional District Map

# STANISLAUS COUNTY PLANNING COMMISSION

January 16, 2014

## STAFF REPORT

REZONE APPLICATION NO. PLN2013-0092  
E & J GALLO WINERY

**REQUEST:** TO AMEND THE ZONING DESIGNATION OF 4.59± ACRES FROM R-2 (MEDIUM DENSITY RESIDENTIAL) TO M (INDUSTRIAL). IF APPROVED, THE REZONE WOULD ENABLE THE APPLICANT TO CONSTRUCT PARKING LOTS IN SUPPORT OF A NEW OFFICE BUILDING ON THE E & J GALLO WINERY CAMPUS.

### APPLICATION INFORMATION

Applicant/Owner:	Michael Roland, Vice President, E & J Gallo Winery
Agent:	Michael Hayes, Stantec Consulting Services, Inc.
Location:	Various parcels on the west side of Santa Rita Avenue, south of Yosemite Boulevard (Hwy 132) and north of Tenaya Drive, in the Sphere of Influence of the City of Modesto
Section, Township, Range:	33-3-9
Supervisory District:	Four (Supervisor Monteith)
Assessor's Parcel:	035-003-007 thru 011 & 035-004-011 thru 023
Referrals:	See Exhibit F Environmental Review Referrals
Area of Parcel(s):	4.59±
Water Supply:	Public Water – City of Modesto
Sewage Disposal:	On-site septic
Existing Zoning:	R-2 (Medium Density Residential)
Proposed Zoning:	M (Industrial)
General Plan Designation:	Industrial
Sphere of Influence:	Modesto
Environmental Review:	Negative Declaration
Present Land Use:	Single-family dwellings and vacant lots
Surrounding Land Use:	Yosemite Boulevard (Hwy 132), City of Modesto, commercial parcels, and residential areas to the north; residential neighborhood to the east; E & J Gallo Winery and Glass Company to the south; and E & J Gallo Winery to the west

## **RECOMMENDATION**

Based on the entirety of the evidence on the record, and this staff report and its attachments, and on the General Plan, staff recommends that the Planning Commission recommend the Board of Supervisors approve the project. Exhibit A provides an overview of the findings and actions required for project approval.

## **PROJECT DESCRIPTION**

E & J Gallo Winery currently has a Development Plan Review (DPR) application in with the City of Modesto for a new 116,000 square foot office building at its campus located at 724 Yosemite Boulevard within the City of Modesto. The project also includes the abandoning of Grand Street west of the campus for public use. The proposed building will be placed on an existing Gallo parking lot.

This is a request to amend the zoning designation of 4.59± acres from R-2 (Medium Density Residential) to M (Industrial). If approved, the rezone would enable the applicant to construct parking lots in support of the new office building on the E & J Gallo Winery campus. The parking lot project also encompasses abandonment of adjacent alley rights-of-way.

## **SITE DESCRIPTION**

The project site is located in an unincorporated portion of Modesto within an area commonly referred to as the "Airport" neighborhood. The project site is within the City of Modesto Sphere of Influence (SOI). The site is surrounded by Yosemite Boulevard (State Highway 132), the City of Modesto, a commercial area, and a residential area to the north; a residential neighborhood to the east; E & J Gallo Winery and Glass Company to the south; and E & J Gallo Winery to the west. The project site consists of single-family dwellings with scattered vacant lots.

## **ISSUES**

E & J Gallo Winery (Gallo) has been approved for multiple General Plan Amendment and Rezone requests dating back to the 1980s resulting in blocks of land surrounding their facilities to be re-designated from Industrial Transition to Industrial and from various residential and Planned Development zoning designations to Industrial. (See Exhibit B – *Maps*.)

In support of its ongoing expansion efforts, Gallo has been purchasing adjacent parcels located within the project site. At this time, Gallo owns almost all parcels within the proposed site except for four (4). Gallo is currently working with property owners to acquire the remaining parcels. Due to the fact that Gallo does not own all of the parcels, it cannot force the non-Gallo property owners to include their property as part of the project; however, the County has the ultimate authority to designate and rezone property and can include the non-Gallo properties as part of the Rezone application when the County determines that inclusion is consistent with the General Plan and required findings. The environmental review and staff report include the non-Gallo properties as part of the project site area. The findings required for approval are provided in the "General Plan Consistency" and "Zoning Consistency" sections of this report.

Planning staff has contacted the owners of the non-Gallo properties by mail to discuss the project but has not received any responses. The letter sent to the property owners included an overview of how the Rezone would impact their properties and staff's contact information.

Currently, the four (4) non-Gallo properties contain occupied single-family dwellings. Should the project area be rezoned to M (Industrial), the single-family dwellings would be allowed to remain occupied and would be identified as legal non-conforming (LNC), as single-family dwellings are not an allowable use in the M (Industrial) zone. Further, Stanislaus County Code allows LNC uses to continue in conformance with Chapter 21.80 of the Zoning Ordinance. If a home were to burn down or be destroyed, the owner would have six (6) months to obtain a building permit to re-build the home and maintain the LNC status.

In addition, re-designating the block would allow the four (4) non-Gallo properties the uses outlined in the M (Industrial) zone as long as development standards are met.

### **GENERAL PLAN CONSISTENCY**

#### **Land Use Element**

The project site is currently designated Industrial in the General Plan. The Land Use Element of the General Plan states that the intent of the Industrial designation is to indicate areas for various forms of light or heavy industrial uses.

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

*Policy 3 – Land use designations shall be consistent with the criteria established in this element.*

The implementation of this policy requires that the criteria described in the DESIGNATIONS section of the Land Use Element be applied to this policy. Under the Industrial section, the designation is intended for light or heavy industrial uses. This section also states that the M (Industrial) zone shall be consistent with this designation.

*Goal Three – Foster stable economic growth through appropriate land use policies.*

*Policy 18 – Accommodate the siting of industries with unique requirements.*

The amount of land designated as Industrial in the County has changed very little in the past 10 years, decreasing slightly through annexation to cities. The project site is located adjacent to the existing winery, making the site uniquely suited for an expansion of their operations.

*Goal Five – Compliment the general plans of cities within the County.*

*Policy 24 - Development, other than agricultural uses and churches, which requires discretionary approval and is within the sphere of influence of cities or in areas of specific designation created by agreement (e.g., Sperry Avenue and East Las Palmas Corridors), shall not be approved unless first approved by the city within whose sphere of influence it lies or by the city for which areas of specific designation were agreed. Development requests within the spheres of influence or areas of specific designation of any incorporated city shall not be approved unless the development is consistent with agreements with the cities which are in effect at the time of project consideration. Such development must meet the applicable development standards of the affected city as well as any public facilities fee collection agreement in effect at the time of project consideration. (Comment: This policy refers to those development standards that are transferable, such as street improvement*

*standards, landscaping, or setbacks. It does not always apply to standards that require connection to a sanitary sewer system, for example, as that is not always feasible.)*

The project site is located within the City of Modesto's Sphere of Influence (SOI). The Implementation Measures for Policy 24 require that all discretionary development proposals within the SOI or areas of specific designation of a city shall be referred to that city to determine whether or not the proposal shall be approved and whether it meets development standards. Currently, the project site is designated Residential (R) in the Modesto Urban Area General Plan. The City of Modesto has reviewed, and is in support of, the project. As mentioned previously in this report, the City of Modesto is currently processing a Development Plan Review (DPR) application for an office complex on the Gallo campus. This project will enable Gallo to provide parking for the office complex. The City of Modesto has requested, but is not requiring, that any development of the site, including parking lots, meet City standards. The applicant's representative has stated that development of the site will be in compliance with City standards.

## **Noise**

*Goal Two – Protect the citizens of Stanislaus County from the harmful effects of exposure to excessive noise.*

*Policy 2 - It is the policy of Stanislaus County to develop and implement effective measures to abate and avoid excessive noise exposure in the unincorporated areas of the County by requiring that effective noise mitigation measures be incorporated into the design of new noise generating and new noise sensitive land uses.*

Any noise impacts associated with increased on-site activities and traffic are not anticipated to exceed the area's existing noise levels. The operation will still be required to adhere to industrial noise standards in accordance with the County's Noise Ordinance.

## **ZONING ORDINANCE CONSISTENCY**

To approve the requested rezone, the Planning Commission must find that the M (Industrial) zoning district is consistent with the General Plan for the proposed project site. As mentioned previously, the Land Use Element of the General Plan states that the M (Industrial) zone is consistent with the Industrial designation.

## **CORRESPONDENCE**

Staff has not received any correspondence in favor or in opposition to the project.

## **ENVIRONMENTAL REVIEW**

Staff received comment letters from several responsible agencies relating to the project. The proposed project will rezone the project site from R-2 (Medium Density Residential) to M (Industrial), which has established development standards. Rezones, in and of themselves, are not development proposals; consequently staff is unable to place conditions of approval on the rezone proposal. However, the comments received provide requirements that are generally applied through the building, grading, and encroachment permit review process as standard conditions of approval. Responses from the Stanislaus County Departments of Public Works and Environmental Resources, Modesto Irrigation District, and San Joaquin Valley Air Pollution Control District all included standard conditions of approval.



Staff has received a letter from the California Public Utilities Commission (CPUC) requesting American Disabilities Act (ADA) compliant sidewalks, rail crossing warning devices, fencing, and signage. Compliance with ADA requirements will be ensured, as standard practice through the building or grading permit process. In response to the CPUC's comments, the applicant's representative has indicated that the project will incorporate CPUC requirements.

Pursuant to the California Environmental Quality Act (CEQA), the proposed project was circulated to all interested parties and responsible agencies for review and comment and no significant issues were raised. (See Exhibit F - *Environmental Review Referrals*.) A Negative Declaration has been prepared for approval prior to action on the map itself as the project will not have a significant effect on the environment. (See Exhibit D - *Negative Declaration*.)

\*\*\*\*\*

**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 \$2,238.25 for the California Department of Fish and Wildlife (formerly the Department of Fish and Game) and the Clerk Recorder filing fees. Planning staff will ensure that this will occur.

Contact Person: Javier Camarena, Assistant Planner, (209) 525-6330

Attachments:

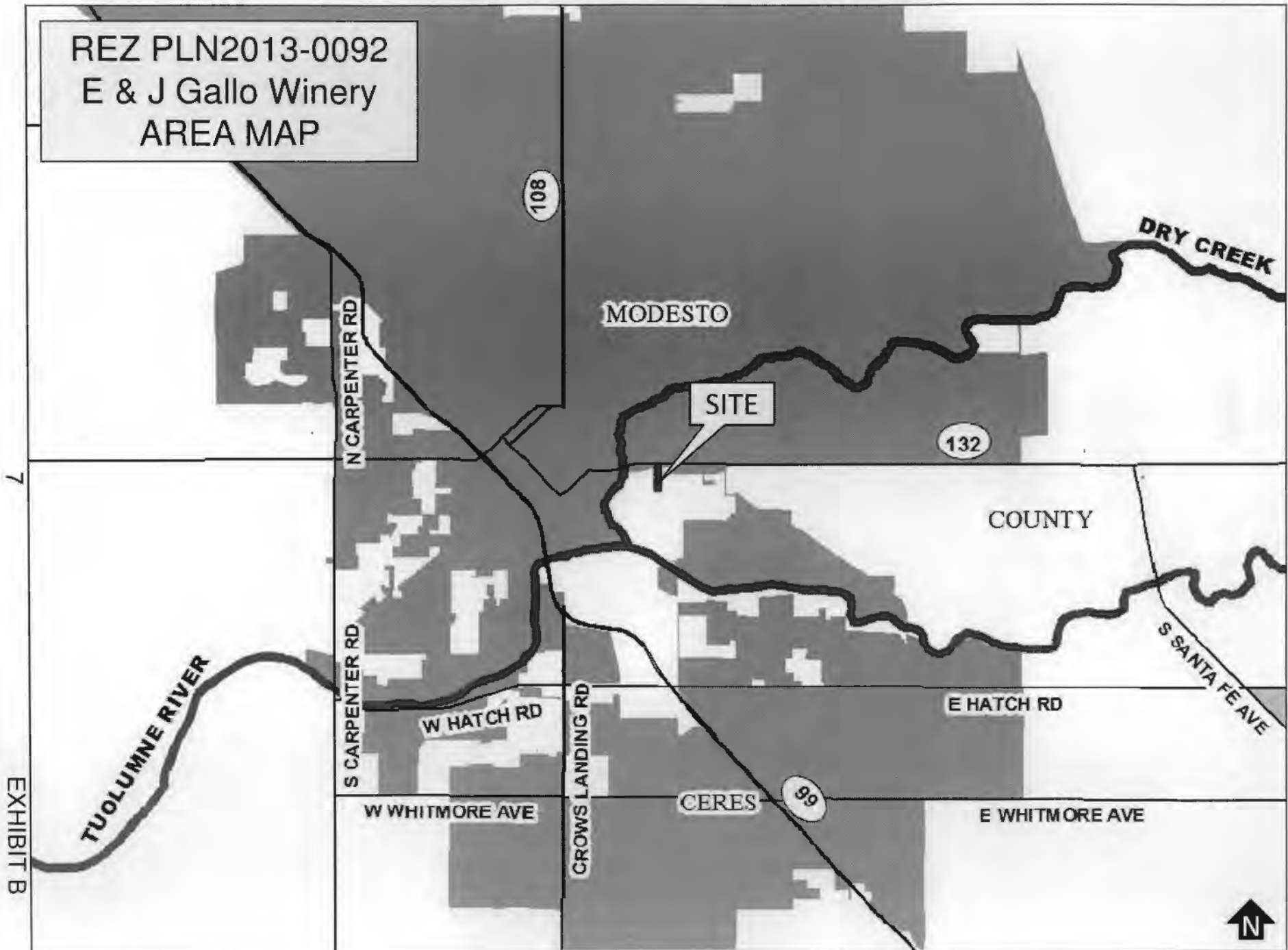
- Exhibit A - Findings and Actions Required for Project Approval
- Exhibit B - Maps
- Exhibit C - Initial Study
- Exhibit D - Negative Declaration
- Exhibit E - Comment Letters
  - Letter from the City of Modesto dated January 8, 2014*
  - Letter from the California Public Utilities Commission dated December 19, 2013*
- Exhibit F - Environmental Review Referrals

## **Exhibit A**

### **Findings and Actions Required for Project Approval**

1. Adopt the Negative Declaration pursuant to CEQA Guidelines Section 15074(b), by finding that on the basis of the whole record, including the Initial Study and any comments received, that there is no substantial evidence the project will have a significant effect on the environment and that the Negative Declaration reflects Stanislaus County's independent judgment and analysis;
2. Order the filing of a Notice of Determination with the Stanislaus County Clerk Recorder pursuant to Public Resources Code Section 21152 and CEQA Guidelines Section 15075;
3. Find that the proposed Industrial zoning is consistent with the Industrial General Plan designation; and
4. Approve Rezone Application No. PLN2013-0092 – E & J Gallo Winery and introduce, waive the reading, and adopt an ordinance for the Rezone.

REZ PLN2013-0092  
E & J Gallo Winery  
AREA MAP



7

EXHIBIT B

REZ PLN2013-0092  
E & J Gallo Winery  
GENERAL PLAN MAP

132

YOSEMITE BLV

S SANTA ROSA AVE

SANTA RITA AVE

HYDE ST

S SANTA ANA AVE

S SANTA CRUZ AVE

MONO DR

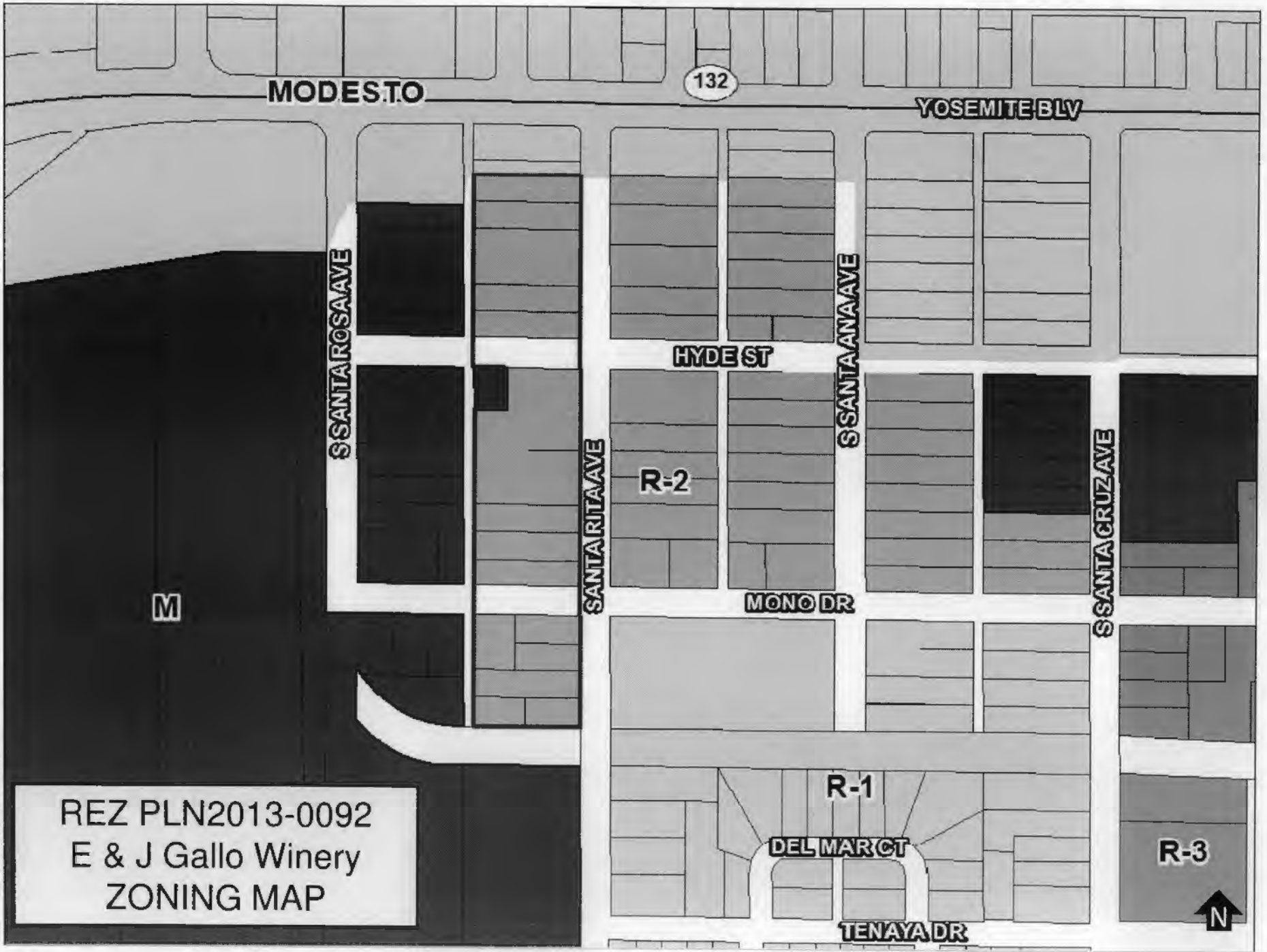
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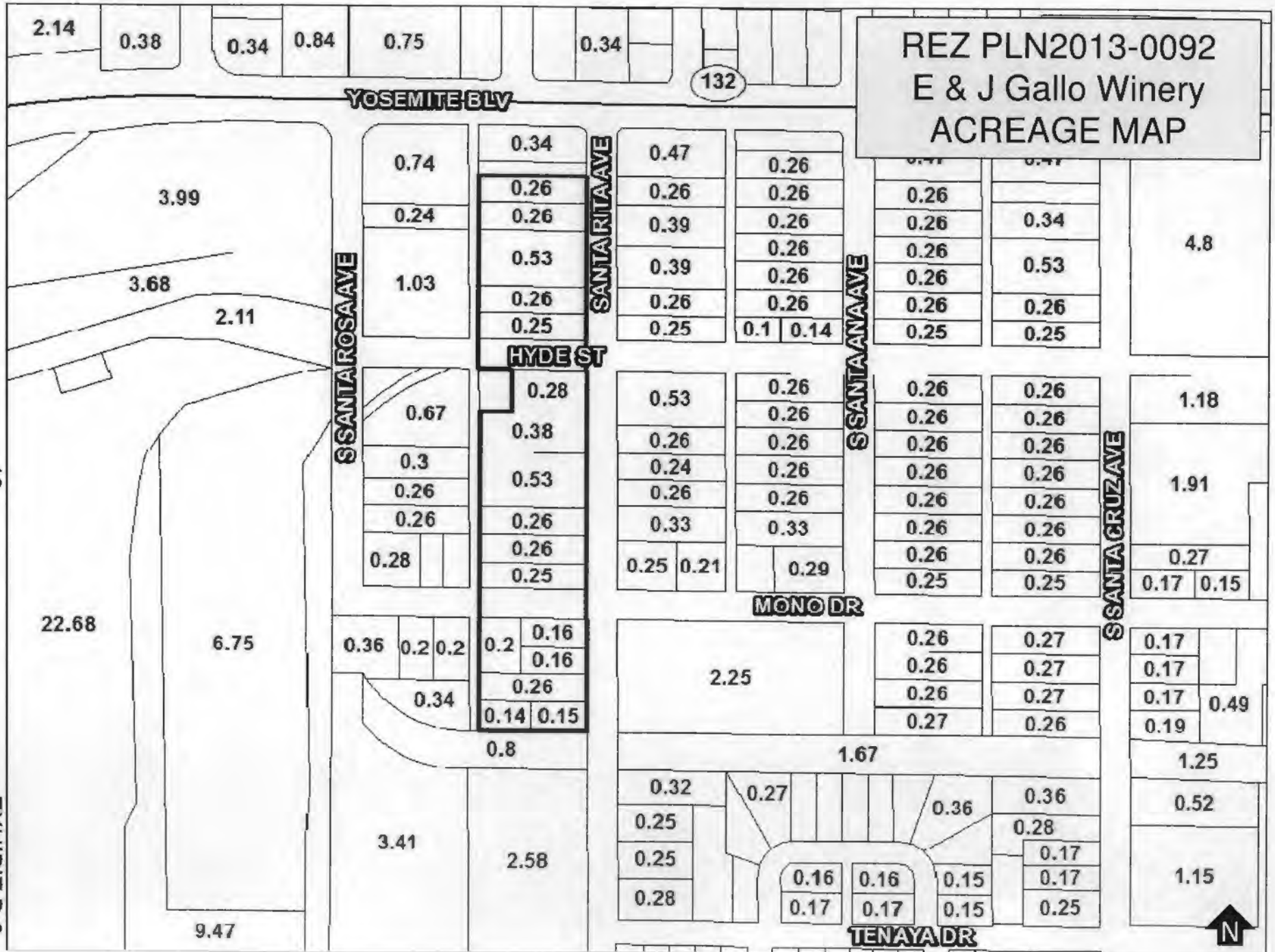
TENAYA DR



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REZ PLN2013-0092  
E & J Gallo Winery  
ACREAGE MAP



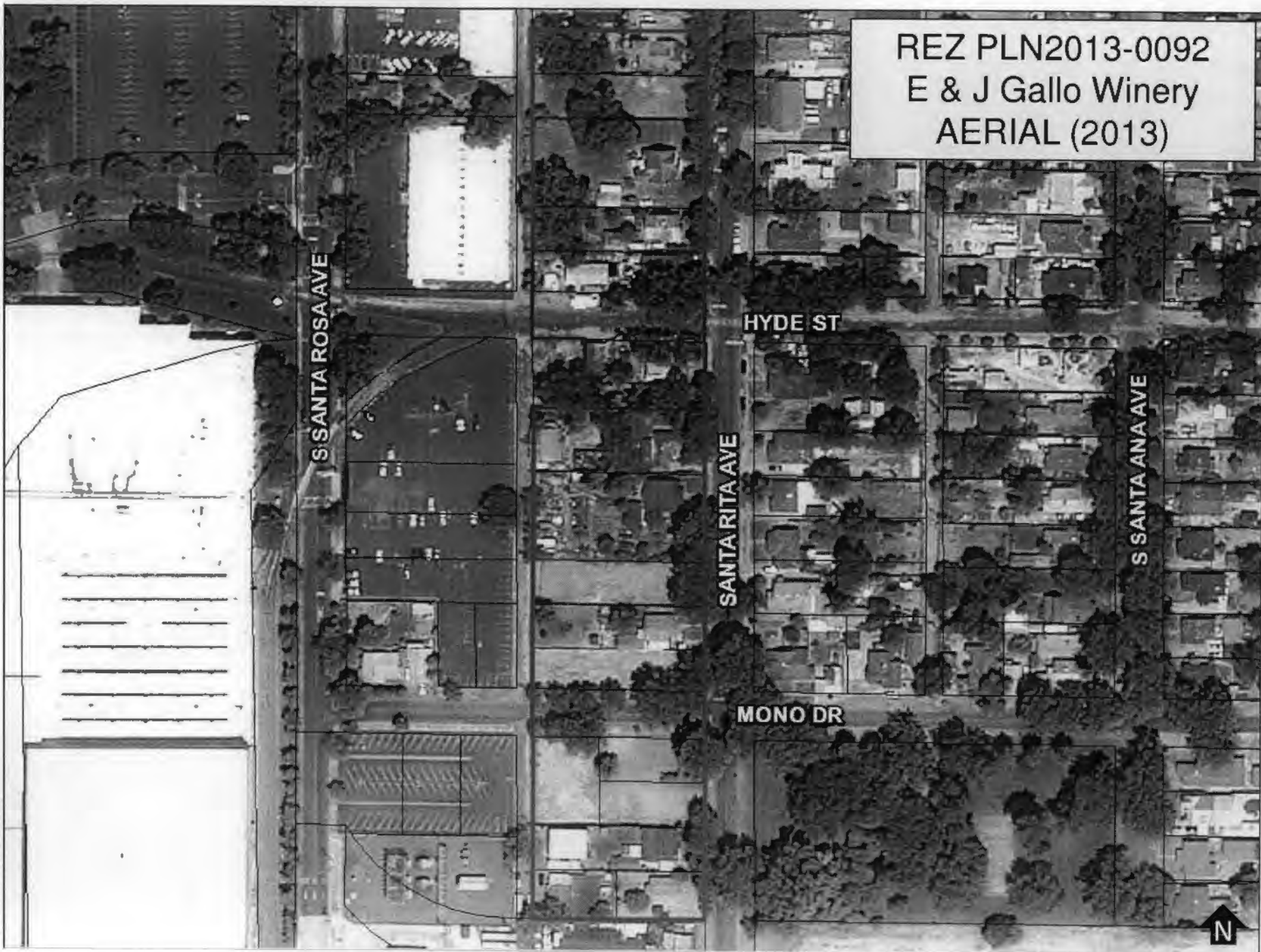
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EXHIBIT B-3





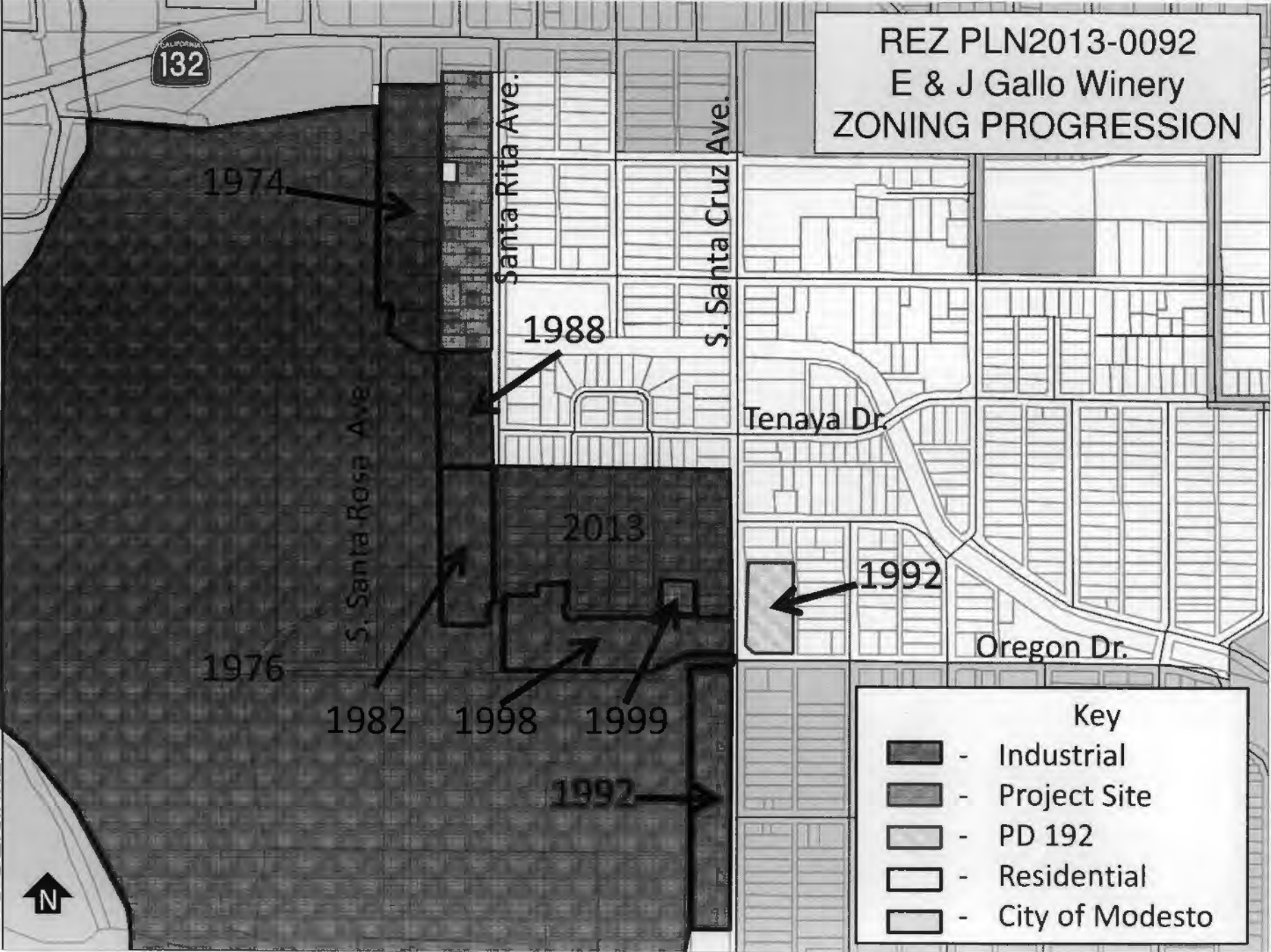
REZ PLN2013-0092  
E & J Gallo Winery  
AERIAL (2013)



11

EXHIBIT B-4

REZ PLN2013-0092  
 E & J Gallo Winery  
 ZONING PROGRESSION



Key	
	- Industrial
	- Project Site
	- PD 192
	- Residential
	- City of Modesto



REZ PLN2013-0092  
E & J Gallo Winery  
OWNERSHIP

035-003-011  
035-003-010  
035-003-009  
035-003-008  
035-003-007

035-004-022  
035-004-021  
035-004-020  
035-004-019  
035-004-018  
035-004-017

035-004-015  
035-004-016  
035-004-014  
035-004-013  
035-004-011  
035-004-012

HYDE ST.



MONO DR.

S. SANTA ROSA AVE.

SANTA RITA AVE.



Key

-  - Gallo Owned
-  - Non-Gallo



## Stanislaus County Planning and Community Development

1010 10<sup>th</sup> 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, December 30, 2009

1. **Project title:** Rezone Application No. PLN2013-0092 - E & J Gallo Winery
2. **Lead agency name and address:** Stanislaus County  
1010 10th Street, Suite 3400  
Modesto, CA 95354
3. **Contact person and phone number:** Javier Camarena, Assistant Planner  
(209) 525-6330
4. **Project location:** Various parcels on the west side of Santa Rita Avenue, south of Yosemite Boulevard (Hwy 132) and north of Tenaya Drive, in the Sphere of Influence of the City of Modesto. APNs: 035-003-007, 010, & 011; & 035-004-012, 014, 015, 016, 017, 018, 019, 020, & 021
5. **Project sponsor's name and address:** Michael Roland, Vice President  
E & J Gallo Winery  
600 Yosemite Boulevard  
Modesto, CA 95354
6. **General Plan designation:** Industrial
7. **Zoning:** R-2 (Medium Density Residential)
8. **Description of project:**

Request to amend the zoning designation of 4.59± acres from R-2 (Medium Density Residential) to M (Industrial). If approved, the rezoning would enable the applicant to construct parking lots in support of a new office building on the E & J Gallo Winery campus. The parking lot project also encompasses abandonment of adjacent alley rights-of-way.
9. **Surrounding land uses and setting:** State Highway 132 (Yosemite Boulevard), City of Modesto, commercial, and residential areas to the north; residential neighborhood to the east; E & J Winery and Glass Company to the south; and E & J Gallo Winery to the west.
10. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.):** City of Modesto  
Stanislaus County Department of Public Works

**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 & Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology /Soils
- Greenhouse Gas Emissions
- 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.

Javier Camarena, Assistant Planner  
Prepared By

November 21, 2013  
Date

**EVALUATION OF ENVIRONMENTAL IMPACTS:**

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

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

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

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

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

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

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

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

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

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). 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><b>Discussion:</b> 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.</p>				
<p><b>Mitigation:</b> None.</p>				
<p><b>References:</b> Stanislaus County General Plan and Support Documentation<sup>1</sup>.</p>				
II. AGRICULTURE AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. – Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?			X	
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?			X	
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?			X	
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X

<p><b>e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?</b></p>				X
<p><b>Discussion:</b> The project site is currently comprised of vacant lots and residential dwellings. The proposed rezone to M (Industrial) will enable the applicant to construct parking lots in support of a new office building on the E &amp; J Gallo Winery campus. The project site and surrounding area are classified as "Urban and Built Up" land by the Farmland Mapping and Monitoring Program. Agricultural and forest resources will not be affected by this project.</p>				
<p><b>Mitigation:</b> None.</p>				
<p><b>References:</b> California State Department of Conservation Farmland Mapping and Monitoring Program - Stanislaus County Farmland 2010 and the Stanislaus County General Plan and Support Documentation<sup>1</sup>.</p>				
<p><b>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:</b></p>	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
<p><b>a) Conflict with or obstruct implementation of the applicable air quality plan?</b></p>			X	
<p><b>b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?</b></p>			X	
<p><b>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)?</b></p>			X	
<p><b>d) Expose sensitive receptors to substantial pollutant concentrations?</b></p>			X	
<p><b>e) Create objectionable odors affecting a substantial number of people?</b></p>			X	
<p><b>Discussion:</b> 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 (the District) 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.</p>				
<p>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. This project has been reviewed by the District and their response stated that the project will have no significant adverse impact on air quality. The project will be required to comply with standard district rules and regulations with respect to development of the site.</p>				
<p><b>Mitigation:</b> None.</p>				
<p><b>References:</b> Referral response from the San Joaquin Valley Air Pollution Control District dated November 12, 2013; SJVAPCD - Regulation VIII Fugitive Dust/PM-10 Synopsis; and the Stanislaus County General Plan and Support Documentation<sup>1</sup>.</p>				

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
<p><b>Discussion:</b> The proposed project will not result in significant 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. The project site is located in the City of Modesto Sphere of Influence and is within an area that has been urbanized for over 75 years. The project was referred to the California Department of Fish and Wildlife, but no comments have been received to date.</p>				
<p><b>Mitigation:</b> None.</p>				
<p><b>References:</b> California Department of Fish and Wildlife (previously California Department of Fish and Game) California Natural Diversity Database and the Stanislaus County General Plan and Support Documentation<sup>1</sup>.</p>				

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 § 15064.5?			X	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 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><b>Discussion:</b> It does not appear this project will result in significant impacts to any archaeological or cultural resources. A records search from the Central California Information Center (CCIC) dated November 8, 2012, indicates that there are existing residential structures over 45 years of age which is common in this area. The report also states that the area has a low-to-moderate sensitivity for the possible discovery of prehistoric resources as well as a low-to-moderate sensitivity for historic archaeological resources.</p>				
<p><b>Mitigation:</b> None.</p>				
<p><b>References:</b> Records search from Central California Information Center (CCIC) dated November 8, 2012, and the Stanislaus County General Plan and Support Documentation<sup>1</sup>.</p>				
<b>VI. GEOLOGY AND SOILS -- Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Included</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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 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
<p><b>Discussion:</b> As contained in Chapter 5 of the General Plan Support Documentation, the areas of the County subject to significant geologic hazard are located in the Diablo Range, west of Interstate 5; however, as per the California Building Code, all of Stanislaus County is located within a geologic hazard zone (Seismic Design Category D, E, or F) and a soils test may be required at building permit application. 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</p>				



to withstand shaking for the area in which they are constructed. Any earth moving is subject to Public Works Standards and Specifications which consider 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 (DER) through the building permit process, which also takes soil type into consideration within the specific design requirements.

**Mitigation:** None.

**References:** California Building Code and the Stanislaus County General Plan and Support Documentation - Safety Element<sup>1</sup>.

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

**Discussion:** The proposed project should not generate significant greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment or conflict with any plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

**Mitigation:** None.

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

VIII. 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

**Discussion:** No known hazardous materials are on site nor will any exposure to hazardous materials be a part of this project. DER is responsible for overseeing hazardous materials in this area. The project has been referred to DER but no comments have been received related to hazardous materials. The project site is near an airport; however, the project itself will not pose a safety hazard.

**Mitigation:** None.

**References:** Referral response from the Stanislaus County Department of Environmental Resources dated November 1, 2013, and the Stanislaus County General Plan and Support Documentation<sup>1</sup>.



IX. HYDROLOGY AND WATER QUALITY -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?			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 relatively 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 (FEMA). Per FEMA Map No. 06099C0340E, 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. The project was referred to the Stanislaus County Department of Public Works and the California Regional Water Quality Control Board (RWQCB). No comments have been received from either agency with respect to hydrology or water quality. The project was also referred to DER and their referral response is recommending that any water wells or dry wells existing on the project site be destroyed and required permits be obtained prior to construction of the parking lots. The proposed project will be required to meet Public Works standards for grading and drainage requirements.

**Mitigation:** None.

**References:** Referral response from the Stanislaus County Department of Environmental Resources dated November 1, 2013, and the Stanislaus County General Plan and Support Documentation<sup>1</sup>.



X. 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 currently zoned R-2 (Medium Density Residential). The proposed project will rezone the site to M (Industrial) which is consistent with the Stanislaus County General Plan. 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 Documentation<sup>1</sup>.



XI. 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
<b>Discussion:</b> 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.				
<b>Mitigation:</b> None.				
<b>References:</b> Stanislaus County General Plan and Support Documentation <sup>1</sup> .				
XII. 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	
<b>Discussion:</b> Any noise impacts associated with increased on-site activities and traffic are not anticipated to exceed the area's existing noise levels. Any activity on site will be required to comply with the Noise Element of the General Plan for industrial uses.				
<b>Mitigation:</b> None.				
<b>References:</b> Stanislaus County General Plan and Support Documentation <sup>1</sup> .				

XIII. 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

**Discussion:** The proposed project will not create significant service extensions or new infrastructure which could be considered as growth inducing as services are already available to the project area. E & J Gallo Winery currently owns all but three properties in the project area. If the project is approved, Stanislaus County Code §21.80 - *Nonconforming uses* allows lawful non-conforming uses to be continued provided that they not be enlarged, increased, or extended to occupy a greater area than that occupied by such use prior to the date the use became non-conforming. If any such use is abandoned, the subsequent use shall conform to the Industrial zoning district. No housing or persons will be displaced by this project.

**Mitigation:** None.

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

XIV. 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	

**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. Should any new construction occur on site, such fees will be required to be paid at the time of building permit issuance. Any development of the property will be required to comply with all applicable fire department standards with respect to access and water for fire protection.

**Mitigation:** None.

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

XV. 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
<b>Discussion:</b> This project is not anticipated to increase significant demands for recreational facilities as such impacts typically are associated with residential development.				
<b>Mitigation:</b> None.				
<b>References:</b> Stanislaus County General Plan and Support Documentation <sup>1</sup> .				
XVI. TRANSPORTATION/TRAFFIC -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?			X	
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards 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) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?			X	
<b>Discussion:</b> The proposed rezone will not conflict with any street, highway, or circulation plans nor will it significantly affect any levels of service. The applicant plans on abandoning South Santa Rosa Street, directing all traffic to Santa Rita Avenue, which is currently used to access the Gallo Glass Plant to the south. The subject project was referred to the Stanislaus County Department of Public Works and the California Department of Transportation (Caltrans). No comments have been received from either agency. Any development of the project site will be required to meet Public Works standards and requirements for access.				

<b>Mitigation:</b> None.				
<b>References:</b> Stanislaus County General Plan and Support Documentation <sup>1</sup> .				
<b>XVII. UTILITIES AND SERVICE SYSTEMS -- Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Included</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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	
<b>Discussion:</b> Impacts to the existing utility and service systems will be minimal as a result of this project. The applicant is planning on constructing parking lots which require minimal utilities. Should the project be approved, uses allowed in the M (Industrial) zone will be permitted; however, any new development requiring services will be required to meet public utility requirements for service and will be required to obtain any necessary permits from each applicable agency. The project was referred to the Modesto Irrigation District (MID) for comments. MID provided standard requirements for development within or adjacent to MID facilities. Such requirements are standard on all projects and will be required during development of this site.				
<b>Mitigation:</b> None.				
<b>References:</b> Referral response from Modesto Irrigation District dated November 14, 2013, and the Stanislaus County General Plan and Support Documentation <sup>1</sup> .				

XVIII. 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	
<p><b>Discussion:</b> Review of this project has not indicated any features which might significantly impact the environmental quality of the site and/or the surrounding area.</p>				

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<sup>1</sup>Stanislaus 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 August 28, 2012; **Circulation Element** and **Noise Element** adopted on April 18, 2006.



## NEGATIVE DECLARATION

**NAME OF PROJECT:** Rezone Application No. PLN2013-0092 - E & J Gallo Winery

**LOCATION OF PROJECT:** Various parcels on the west side of Santa Rita Avenue, south of Yosemite Boulevard (Hwy 132) and north of Tenaya Drive, in the Sphere of Influence of the City of Modesto. APNs: 035-003-007, 010, & 011; & 035-004-012, 014, 015, 016, 017, 018, 019, 020, & 021

**PROJECT DEVELOPERS:** Michael Roland, Vice President  
E & J Gallo Winery  
600 Yosemite Boulevard  
Modesto, CA 95354

**DESCRIPTION OF PROJECT:** Request to amend the zoning designation of 4.59± acres from R-2 (Medium Density Residential) to M (Industrial). If approved, the rezoning would enable the applicant to construct parking lots in support of a new office building on the E & J Gallo Winery campus. The parking lot project also encompasses abandonment of adjacent alley rights-of-way.

Based upon the Initial Study, dated **November 21, 2013**, the Environmental Coordinator finds as follows:

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

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

Initial Study prepared by: Javier Camarena, Assistant Planner

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



City of Modesto  
Community and Economic  
Development Department/Planning Division  
*1010 Tenth Street, Third Floor*  
*Modesto, CA 95354*

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January 8, 2014

Javier Camarena  
Stanislaus County Planning  
1010 Tenth St., Suite 3400  
Modesto, CA 95354

Re: Rezone of properties on South Santa Rosa and South Santa Rita Avenues for parking lots for E & J Gallo Winery

Dear Mr. Camarena:

Upon review of the proposed rezone for the parking lot to serve the professional office building to be located at 724 Yosemite Boulevard, the Planning staff of the City of Modesto has no objections to the proposal. The City requests that design and improvements to the parking lots (ie: aisle width and space dimensions, provision of shade trees) be constructed to the standards outlined in Section 10-5.105 of the City's Municipal Code.

Thank you for the opportunity to comment on the project. If you have any questions about this letter, please contact me at 209-577-5267.

Sincerely,

Steve Mitchell, Principal Planner

SM:kam

## PUBLIC UTILITIES COMMISSION

180 Promenade Circle, SUITE 115  
Sacramento, CA 95834



December 19, 2013

Mr. Javier Camarena  
Stanislaus County  
Planning & Community Development  
1010 10<sup>th</sup> Street, Suite 3400  
Modesto, CA 95354

**Re: SCH 2013112007 Stanislaus County E&J Gallo Winery Parking Lot – DND**

Dear Mr. Camarena:

The California Public Utilities Commission (Commission) has jurisdiction over the safety of highway-rail crossings (crossings) in California. The Public Utilities Code requires Commission approval for the construction or alteration of crossings and grants the Commission exclusive power regarding the design, alteration, and closure of crossings. The Commission's Rail Crossings Engineering Section (RCES) is in receipt of a draft *Negative Declaration (ND)* from the State Clearinghouse (SCH #2013112007) for the proposed E & J Gallo Winery (Gallo) Campus Parking Lot project. The Stanislaus County (County) is the lead agency for the project.

The project is near three (3) public crossings of the Modesto and Empire Traction Company (METC), the Santa Rosa Avenue mainline track crossing (DOT No. 853788M), the Santa Rosa Avenue spur track crossing (DOT No. 853789U), and the Santa Rita Avenue mainline track crossing (DOT No. 853795X). There may also be private crossings on the Gallo campus impacted by this project.

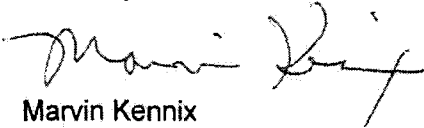
This project may have impacts on safety at the above noted public crossings, the adjacent alley right-of-ways, and perhaps some private crossings on the Gallo campus; therefore, we request that the County performs the following tasks:

1. Install Americans with Disabilities Act (ADA) compliant standard detectable warning tactile strips on the sidewalk approaches to both Santa Rosa Avenue crossings, one (1) foot in advance of the rail crossing warning devices and at least 12 foot minimum from the nearest rail in the off-quadrants (quadrants opposite those containing warning devices) of the crossings.
2. Construct proper sidewalk approaches to the Santa Rita Avenue crossing and install ADA compliant standard detectable warning tactile strips on the sidewalk approaches, one (1) foot in advance of the rail crossing warning devices and at least 12 foot minimum from the nearest rail in the off-quadrants.
3. Require as a condition for abandoning alley right-of-ways, the installation of fences to prevent trespassers from crossing the track and to serve as a barrier between the railway and the proposed parking lots.
4. Refer METC and Gallo to the Commission's General Order (GO) 75-D (available on the Commission's website) which requires (in this case) installation at the approaches to all private roadway crossings on the Gallo campus, a STOP (R1-1) sign with a 1-X (private crossing) sign mounted below it on a post, and for all approaches to pedestrian-only private crossings on the Gallo campus, a 1-X sign mounted on a post. A "LOOK" both ways (R15-8) sign may be installed above the 1-X sign at the pedestrian-only private crossings to remind pedestrians to look both ways for trains approaching before crossing the track.

Javier Camarena  
December 19, 2013  
Page 2 of 2

RCES engineers are available for consultation on any potential safety impacts or concerns regarding the crossings noted above. When necessary, the County should arrange a diagnostic meeting with METC and RCES staff to discuss relevant safety issues and requirements for authorization to alter any of the existing public crossings noted. You may consult the Commission's GO 88-B (also available on the Commission's website), *Rules For Altering Public Highway-Rail Crossings*, for additional guidance. Please continue to keep RCES informed of the project's development. If you have any questions, please contact Marvin Kennix at 916-928-3809 or email at [mlk@cpuc.ca.gov](mailto:mlk@cpuc.ca.gov).

Sincerely,



Marvin Kennix  
Utilities Engineer  
Rail Crossings Engineering Section  
Safety and Enforcement Division


CC: State Clearinghouse, 1400 Tenth Street, Sacramento, CA 95814

**SUMMARY OF RESPONSES FOR ENVIRONMENTAL REVIEW REFERRALS**

**PROJECT: REZONE APPLICATION NO. PLN2013-0092 - E & J GALLO WINERY**

REFERRED TO:				RESPONDED		RESPONSE			MITIGATION MEASURES		CONDITIONS	
	2 WK	30 DAY	PUBLIC HEARING NOTICE	YES	NO	WILL NOT HAVE SIGNIFICANT IMPACT	MAY HAVE SIGNIFICANT IMPACT	NO COMMENT NON CEQA	YES	NO	YES	NO
CA DEPT OF FISH & WILDLIFE	X	X	X		X							
CA DEPT OF TRANSPORTATION DIST 10	X	X	X		X							
CA PUBLIC UTILITIES COMMISSION				X		X				X		
CA OPR STATE CLEARINGHOUSE	X	X	X	X		X				X		
CA RWQCB CENTRAL VALLEY REGION	X	X	X		X							
CITY OF: MODESTO	X	X	X	X		X				X		
COOPERATIVE EXTENSION	X	X			X							
FIRE PROTECTION DIST: STAN CONS.	X	X	X	X				X		X		
IRRIGATION DISTRICT: MODESTO	X	X	X	X		X				X		
MODESTO REGIONAL FIRE AUTHORITY	X	X			X							
MOSQUITO DISTRICT: EASTSIDE	X	X	X		X							
MT VALLEY EMERGENCY MEDICAL	X	X	X		X							
PACIFIC GAS & ELECTRIC	X	X	X		X							
RAILROAD: MOD & EMPIRE TRACTION	X	X	X		X							
SAN JOAQUIN VALLEY APCD	X	X	X	X		X				X		
SCHOOL DISTRICT 1: MODESTO	X	X	X	X		X				X		
STAN ALLIANCE	X	X	X		X							
STAN CO AG COMMISSIONER	X	X			X							
STAN CO ALUC	X	X			X							
STAN CO BUILDING PERMITS DIVISION	X	X		X		X				X		
STAN CO CEO	X	X			X							
STAN CO DER	X	X		X		X				X		
STAN CO ERC	X	X		X		X				X		
STAN CO HAZARDOUS MATERIALS	X	X			X							
STAN CO PUBLIC WORKS	X	X		X		X				X		
STAN CO SHERIFF	X	X										
STAN CO SUPERVISOR DIST 4: MONTEITH	X	X										
STAN COUNTY COUNSEL	X	X										
STANISLAUS LAFCO	X	X	X		X							
SURROUNDING LAND OWNERS			X		X							
US MILITARY AGENCIES (SB 1462) (5 agencies)	X	X	X		X							

- B. REZONE APPLICATION NO. PLN2013-0092 – E & J GALLO WINERY -**  
Request to amend the zoning designation of 4.59± acres from R-2 (Medium Density Residential) to M (Industrial). If approved, the rezone would enable the applicant to construct parking lots in support of a new office building on the E & J Gallo Winery campus. The project site is located on various parcels on the west side of Santa Rita Avenue, south of Yosemite Boulevard (Highway 132) and north of Tenaya Drive, in the Modesto area. The Planning Commission will consider a CEQA Negative Declaration on this project.  
APNs: 035-003-007 thru 011 & 035-004-011 thru 022  
Staff Report: Javier Camarena Recommends **APPROVAL**.  
Public hearing opened.  
**OPPOSITION:** No one spoke.  
**FAVOR:** Chris Vierra, Stantec, 1016 12<sup>th</sup> Street, Modesto; Andrew Layland, Senior Facilities Project Manager, E & J Gallo Winery.  
Public hearing closed.  
Motion by Commissioner Crabtree to recommend approval with the exclusion of the parcel not currently owned by Gallo. No second.  
Etchebarne/Peterson, 5/1 (Crabtree) **RECOMMENDED APPROVAL TO THE BOARD OF SUPERVISORS**

<p style="text-align: center;"><b>EXCERPT</b></p> <p style="text-align: center;"><b>PLANNING COMMISSION</b></p> <p style="text-align: center;"><b>MINUTES</b></p> <p style="text-align: center;"></p> <p>Secretary, Planning Commission</p> <p style="text-align: center;"><i>2-11-2014</i></p> <p>Date</p>
---

REZ PLN2013-0092  
 E & J Gallo Winery  
 OWNERSHIP REVISED

S. SANTA ROSA AVE.

SANTA RITA AVE.

HYDE ST.

MONO DR.

035-003-011

035-003-010

035-003-009

035-003-008

035-003-007

035-004-022

035-004-021

035-004-021

035-004-020

035-004-019

035-004-018

035-004-017

035-004-015

035-004-016




035-004-014

035-004-013

035-004-011

035-004-012

Key

-  - Gallo Owned
-  - Non-Gallo
-  - In Escrow

ATTACHMENT 3



**DRAFT**

STANISLAUS COUNTY ORDINANCE NO. C.S. \_\_\_\_\_

AN ORDINANCE ADOPTING SECTIONAL DISTRICT MAP NO. \_\_\_\_\_ FOR THE PURPOSE OF REZONING 4.59± ACRES FROM R-2 (MEDIUM DENSITY RESIDENTIAL) TO M (INDUSTRIAL). THE PROJECT SITE IS LOCATED ON THE WEST SIDE OF SANTA RITA AVENUE, SOUTH OF YOSEMITE BOULEVARD (HWY 132) AND NORTH OF TENAYA DRIVE, IN THE MODESTO AREA. THE PROJECT SITE IS FURTHER IDENTIFIED AS ASSESSOR PARCEL NUMBERS; 035-003-007 THRU 011, 035-004-011 THRU 023.

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

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

(Insert Sectional District Map)

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 \_\_\_\_\_, seconded by Supervisor \_\_\_\_\_, foregoing ordinance was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, this 25<sup>th</sup> day of February, 2014, by the following called vote:

- AYES: Supervisors:
- NOES: Supervisors:
- ABSENT: Supervisors:
- ABSTAINING: Supervisors:

\_\_\_\_\_  
 Jim De Martini  
 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

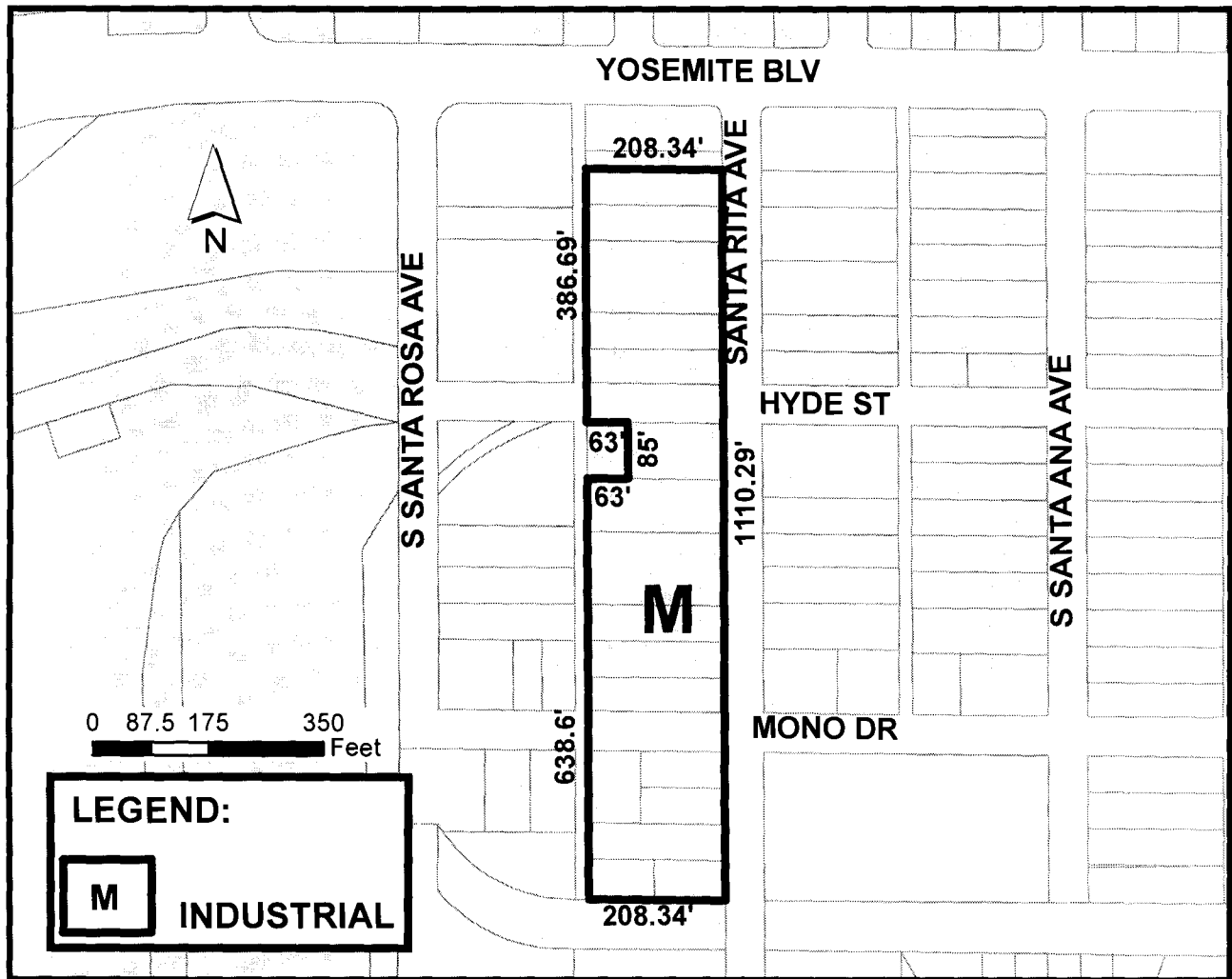


APPROVED AS TO FORM:

JOHN P. DOERING  
County Counsel

By   
Thomas E. Boze  
Deputy County Counsel

# SECTIONAL DISTRICT MAP NO.



EFFECTIVE DATE:

PREVIOUS MAPS: 6, 8, 880

STANISLAUS COUNTY ORDINANCE NO. C.S. 1143

AN ORDINANCE ADOPTING SECTIONAL DISTRICT MAP NO. 9-110-999 FOR THE PURPOSE OF REZONING 4.59± ACRES FROM R-2 (MEDIUM DENSITY RESIDENTIAL) TO M (INDUSTRIAL). THE PROJECT SITE IS LOCATED ON THE WEST SIDE OF SANTA RITA AVENUE, SOUTH OF YOSEMITE BOULEVARD (HWY 132) AND NORTH OF TENAYA DRIVE, IN THE MODESTO AREA. THE PROJECT SITE IS FURTHER IDENTIFIED AS ASSESSOR PARCEL NUMBERS; 035-003-007 THRU 011, 035-004-011 THRU 023.

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

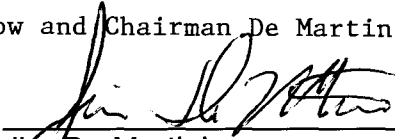
Section 1. Sectional District Map No. 9-110-999 is adopted for the purpose of designating and indicating the location and boundaries of a District, such map to appear as follows:

(Insert Sectional District Map)

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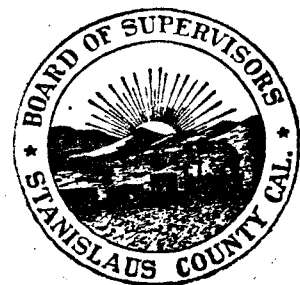
Upon motion of Supervisor Monteith, seconded by Supervisor O'Brien, foregoing ordinance was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, this 25<sup>th</sup> day of February, 2014, by the following called vote:

AYES: Supervisors: O'Brien, Chiesa, Monteith  
NOES: Supervisors: None  
ABSENT: Supervisors: None  
ABSTAINING: Supervisors: Withrow and Chairman De Martini

  
\_\_\_\_\_  
Jim De Martini  
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

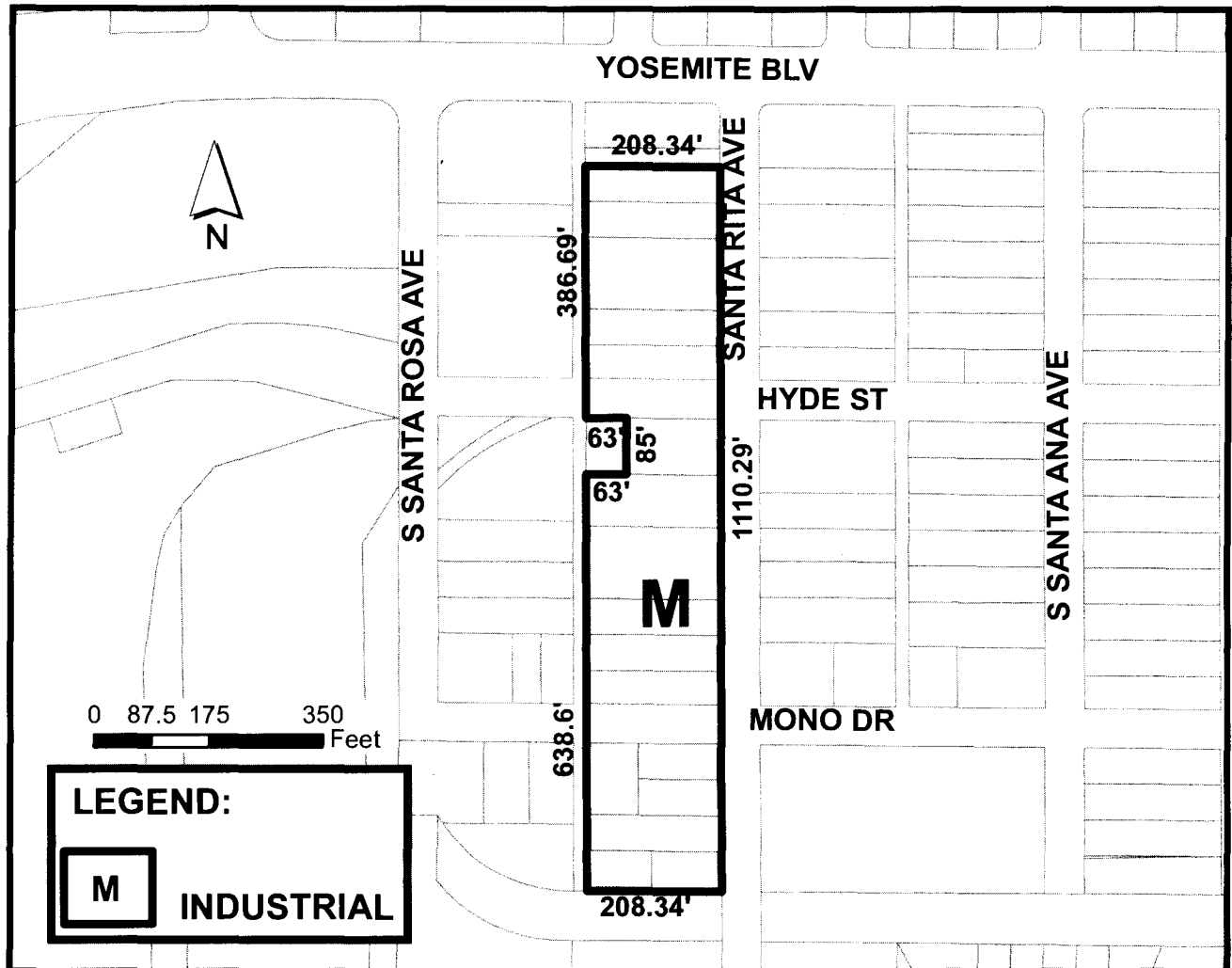


APPROVED AS TO FORM:

JOHN P. DOERING  
County Counsel

By   
Thomas E. Boze  
Deputy County Counsel

# SECTIONAL DISTRICT MAP NO. 9-110-999



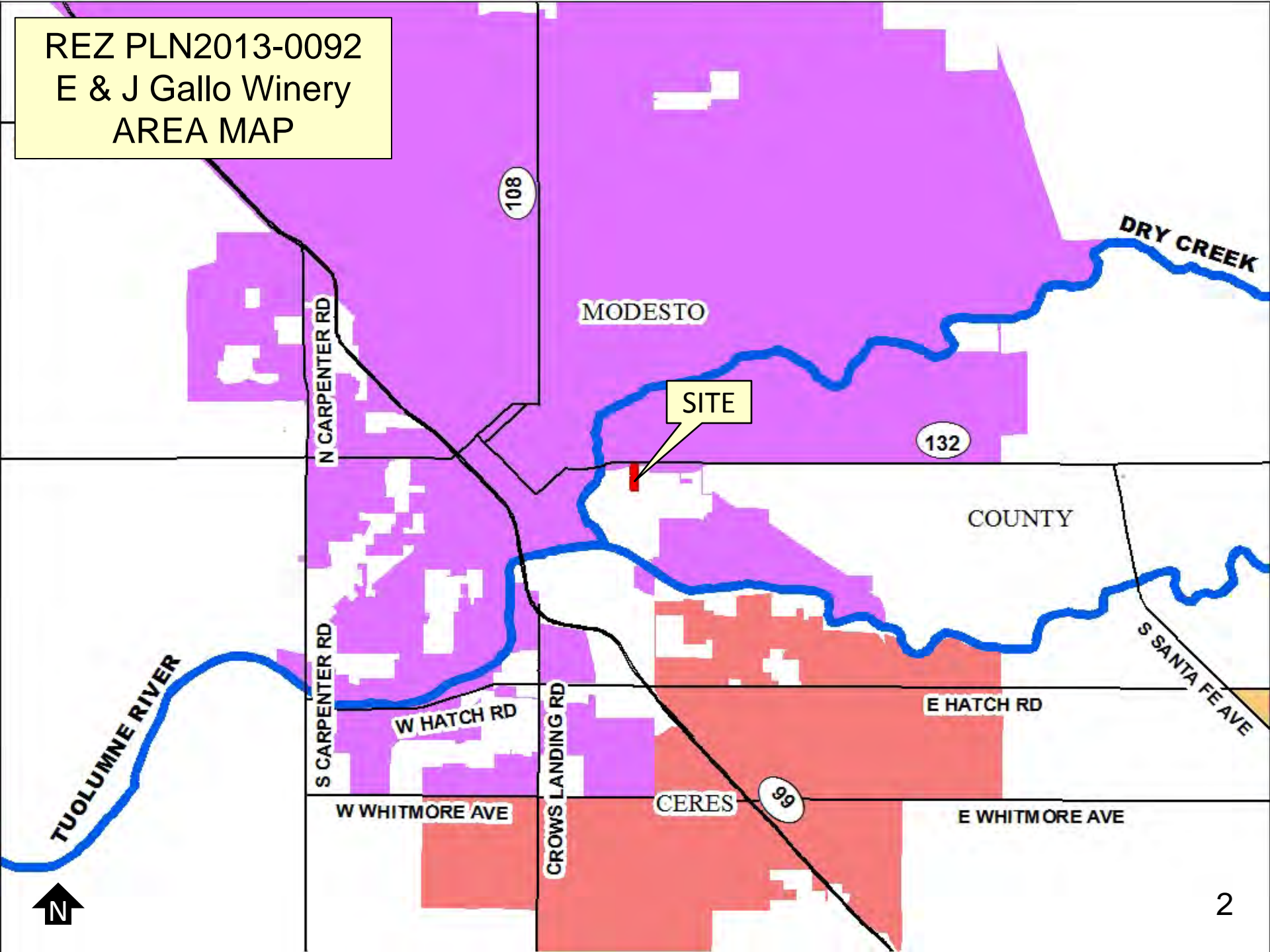
EFFECTIVE DATE: 03.27.2014

PREVIOUS MAPS: 6, 8, 880

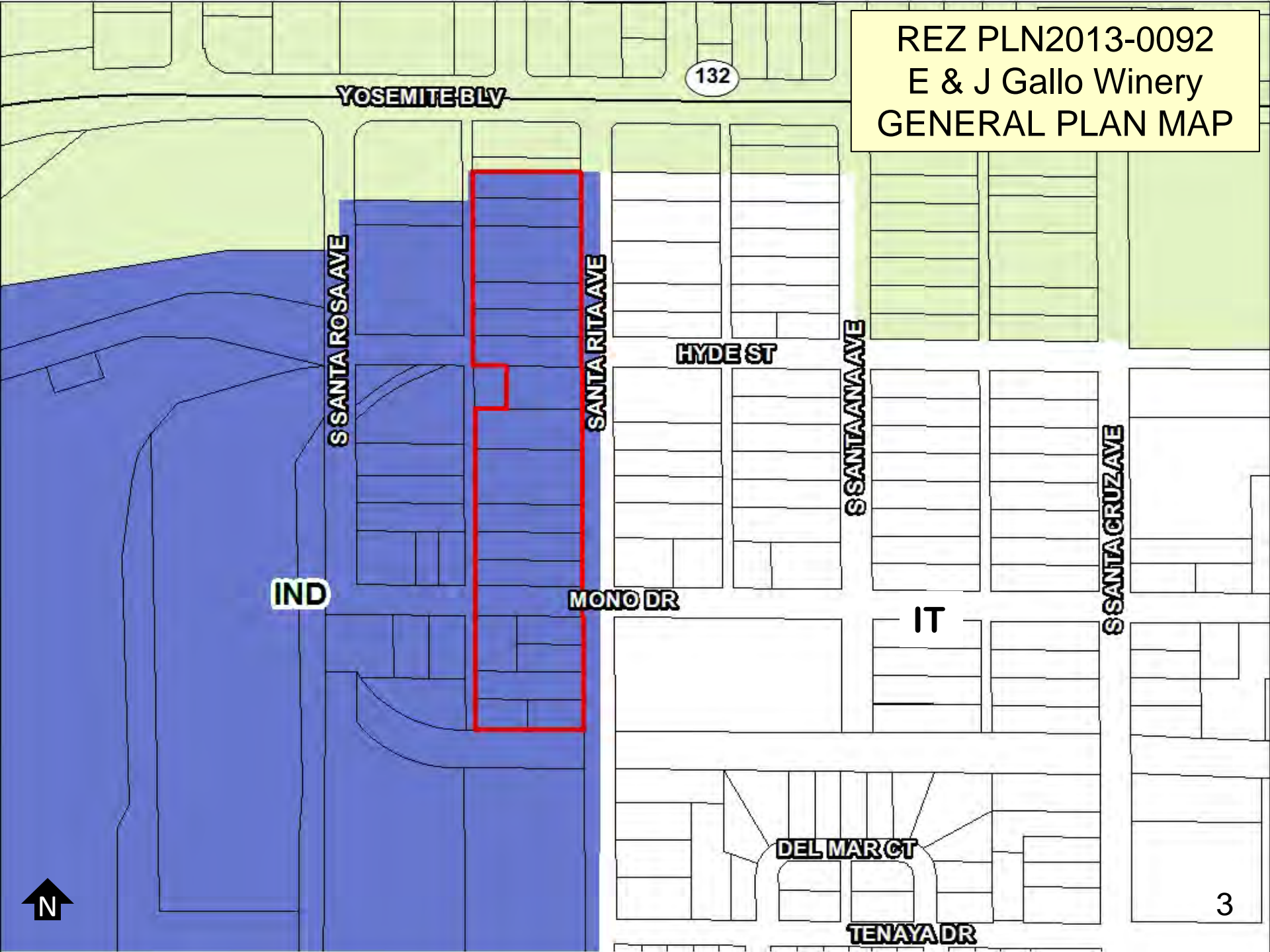
REZONE APPLICATION  
NO. PLN2013-0092

E & J GALLO WINERY

REZ PLN2013-0092  
E & J Gallo Winery  
AREA MAP



REZ PLN2013-0092  
E & J Gallo Winery  
GENERAL PLAN MAP



132

YOSEMITE BLV

S SANTA ROSA AVE

SANTA RITA AVE

HYDE ST

S SANTA ANA AVE

S SANTA CRUZ AVE

IND

MONO DR

IT

DEL MAR CT

TENAYA DR





REZ PLN2013-0092  
E & J Gallo Winery  
ZONING MAP

MODESTO

132

SSANTAROSA AVE

SANTARITA AVE

SSANTANA AVE

SSANTACRUZ AVE

HYDE ST

MONO DR

DEL MAR CT

TENAYA DR

R-2

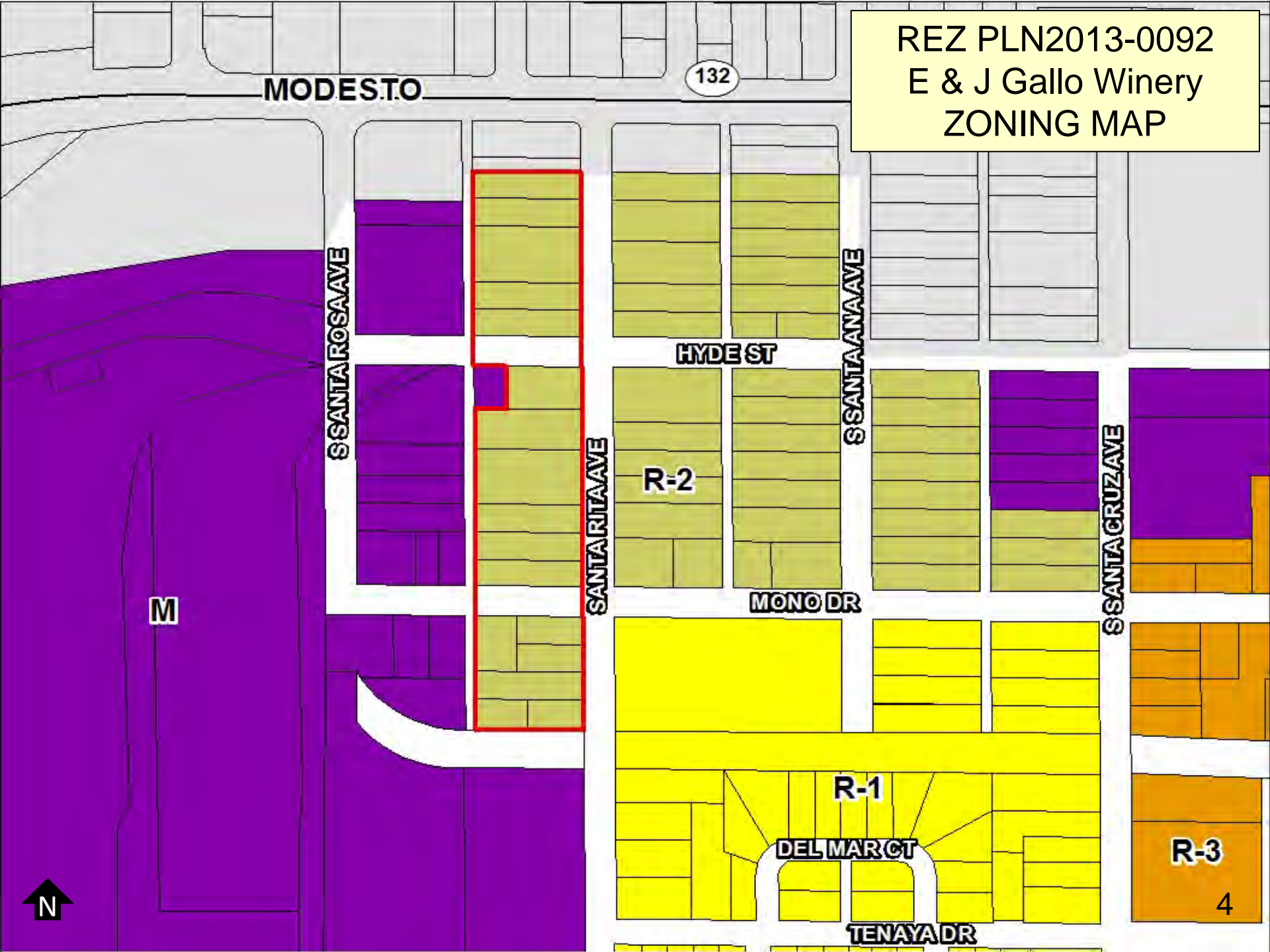
R-1

R-3

4

M

N





REZ PLN2013-0092  
E & J Gallo Winery  
AERIAL 1 (2013)



CALIFORNIA  
132

GRAND ST.

HYDE ST.

Modesto & Empire Railroad

MONO DR.

TENAYA DR.

OREGON DR.

S. SANTA ROSA AVE.

S. SANTA RITA AVE.

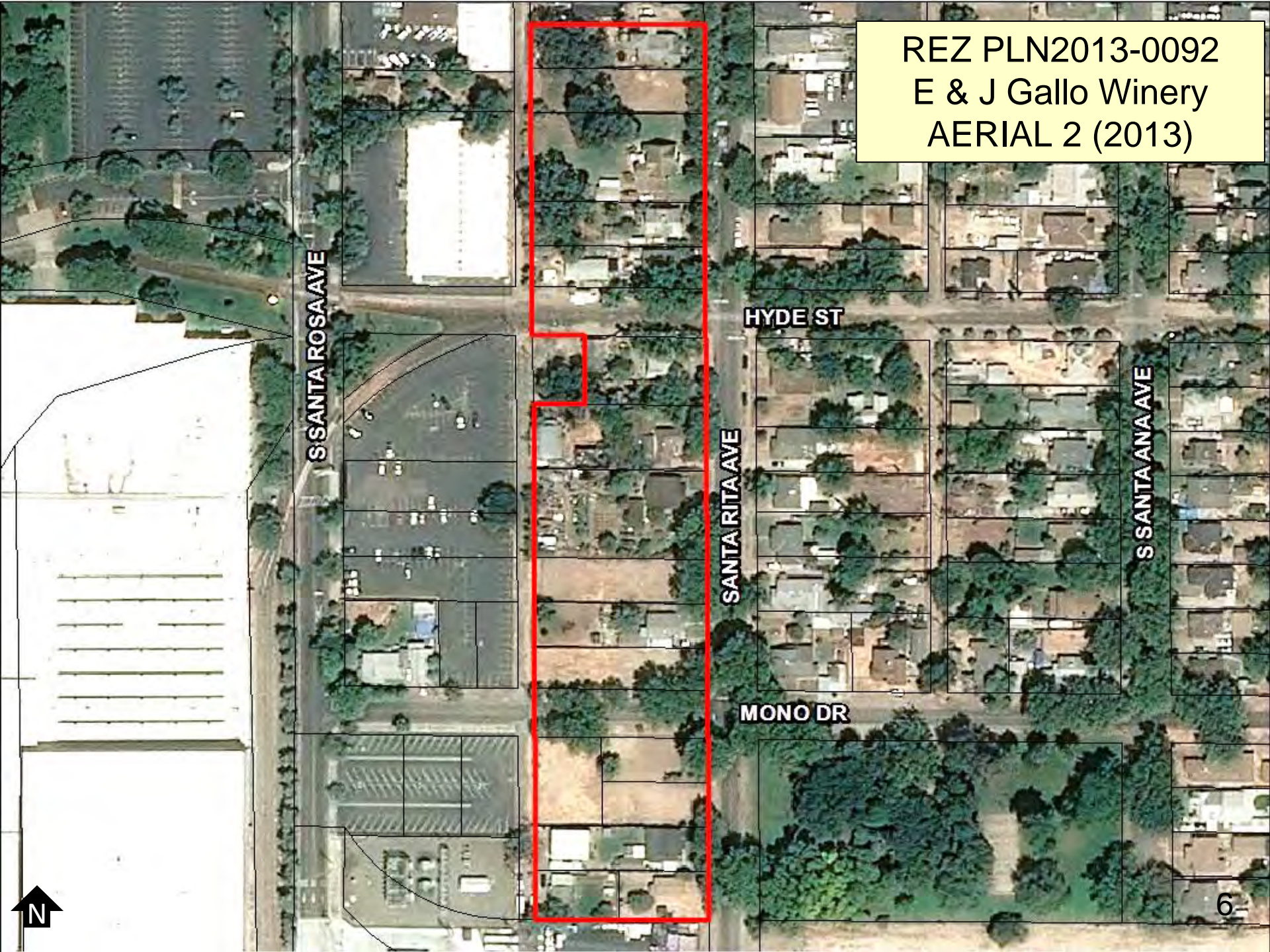
S. SANTA ANA AVE.

S. SANTA CRUZ AVE.

KERR AVE.



REZ PLN2013-0092  
E & J Gallo Winery  
AERIAL 2 (2013)



S SANTA ROSA AVE

HYDE ST

SANTA RITA AVE

S SANTA ANA AVE

MONO DR



















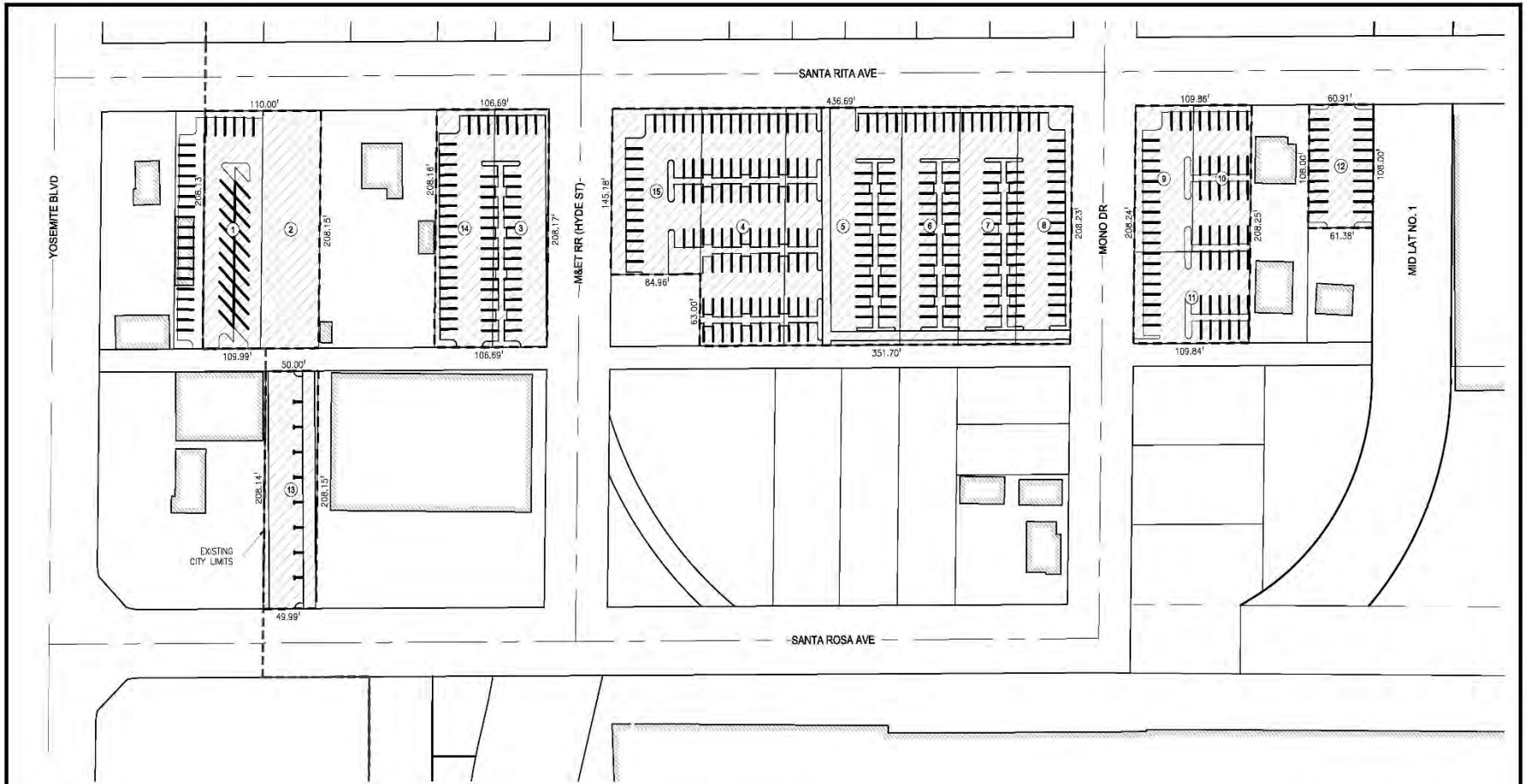






# Proposal

- Rezone 4.59± acres from R-2 (MDR) to M (Ind)
- Parking lots will support a future 116,000 square foot office in the City of Modesto.



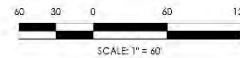
**PARCEL LIST:**

1. APN 035-003-11, FUTURE PARKING LOT (49 SPACES TOTAL BETWEEN PARCELS 1 AND 2)
2. APN 035-003-10, FUTURE PARKING LOT (49 SPACES TOTAL BETWEEN PARCELS 1 AND 2)
3. APN 035-003-07, FUTURE PARKING LOT (63 SPACES TOTAL BETWEEN PARCELS 3 AND 14)
4. APN 035-004-21, FUTURE PARKING LOT (257 SPACES TOTAL BETWEEN PARCELS 4, 5, 6, 7, 8 AND 15)
5. APN 035-004-20, FUTURE PARKING LOT (257 SPACES TOTAL BETWEEN PARCELS 4, 5, 6, 7, 8 AND 15)
6. APN 035-004-19, FUTURE PARKING LOT (257 SPACES TOTAL BETWEEN PARCELS 4, 5, 6, 7, 8 AND 15)



TOTAL AREA TO BE RE-ZONED FROM R-2 TO M - 3.91 ACRES

REZ PLN2013-0092  
 E & J Gallo Winery  
 SITE PLAN



REZONE PLAT

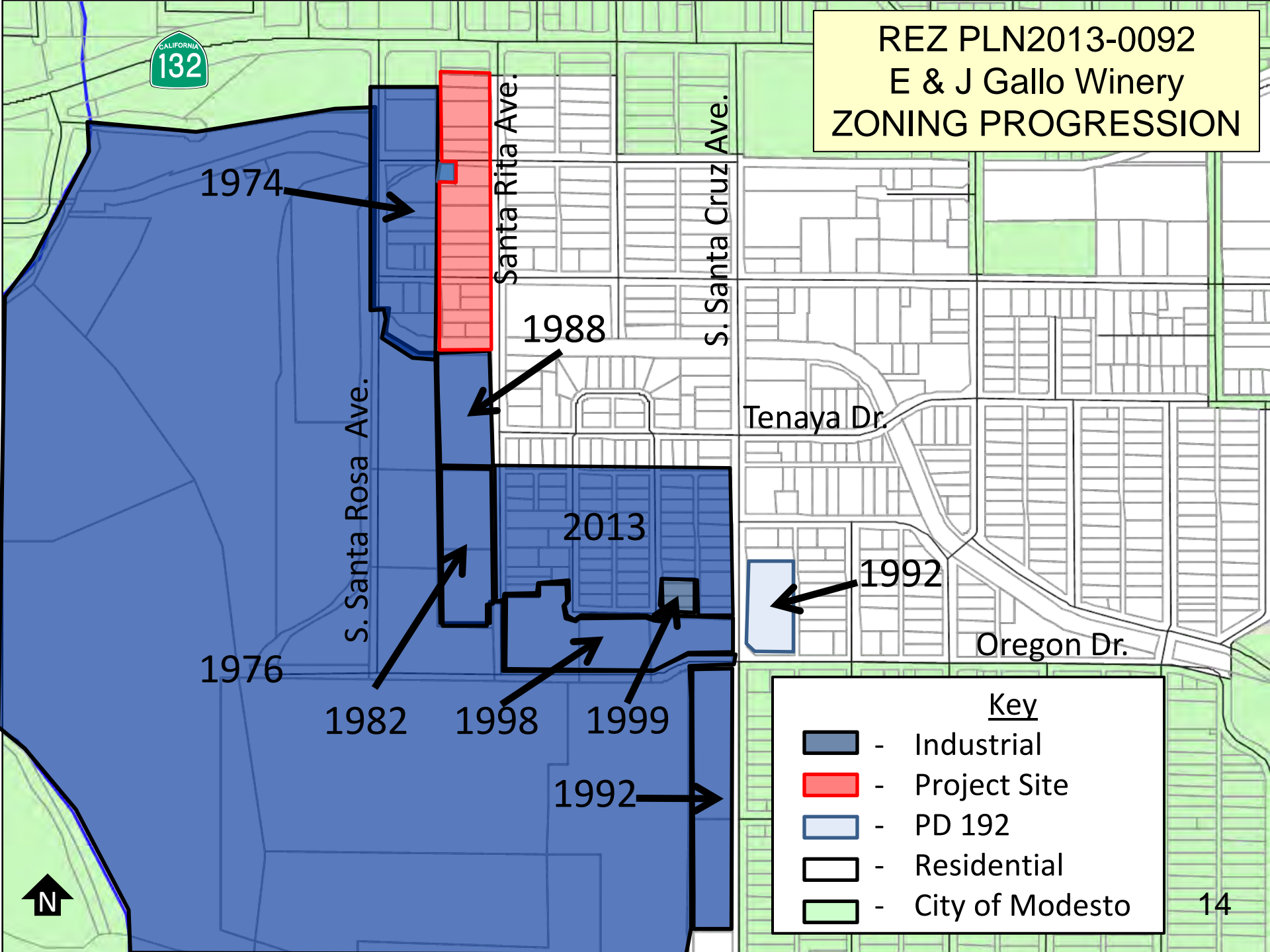
E. & J. GALLO WINERY REZONE  
FROM R-2 TO M



1016 12th STREET    MODESTO, CALIFORNIA  
OCTOBER, 2013

SHEET 1 OF 1

REZ PLN2013-0092  
 E & J Gallo Winery  
 ZONING PROGRESSION



1974

Santa Rita Ave.

S. Santa Cruz Ave.

1988

Tenaya Dr.

2013

1992

Oregon Dr.

1976

S. Santa Rosa Ave.






1982

1998

1999

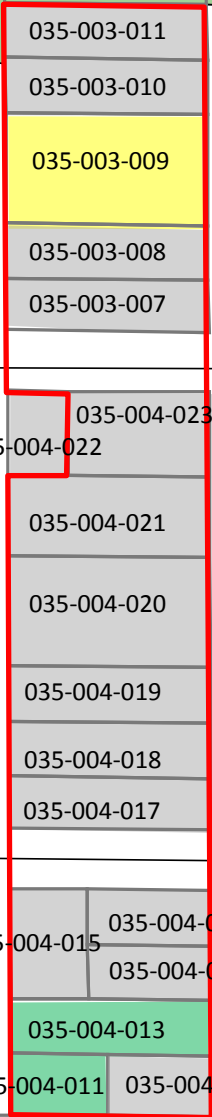
1992

Key

-  - Industrial
-  - Project Site
-  - PD 192
-  - Residential
-  - City of Modesto



REZ PLN2013-0092  
E & J Gallo Winery  
OWNERSHIP REVISED



S. SANTA ROSA AVE.




SANTA RITA AVE.

HYDE ST.

MONO DR.



**Key**

-  - Gallo Owned
-  - Non-Gallo
-  - In Escrow

# Non-Gallo Properties

- Homes will be allowed to remain as legal-non-conforming.
- Industrial uses will be allowed on the non-Gallo properties.

# General Plan Consistency

- Goal One Policy 3: Land use designations shall be consistent with the Land Use Element.
- Goal Five Policy 24: Projects within a City SOI requires City approval.

# Comments Received

- Conditions of approval cannot be placed on the project.
- Comments received provide requirements that are generally applied through the permit process.
- The project will incorporate CPUC requirements.

# Planning Commission

- Project was heard by the PC on January 16, 2014.
- No one spoke in opposition.
- Staff received a call from a neighbor with concerns.



# Planning Commission (Cont.)

- Applicant's representative addressed the concerns raised.
- Gallo is currently in negotiations to purchase the final property.

# Planning Commission (Cont.)

- The PC voted 5-1 to recommend approval.
- Concerns about including the non-Gallo property into the project were raised.
- The final property owner has not opposed the project nor raised concerns.

# CEQA

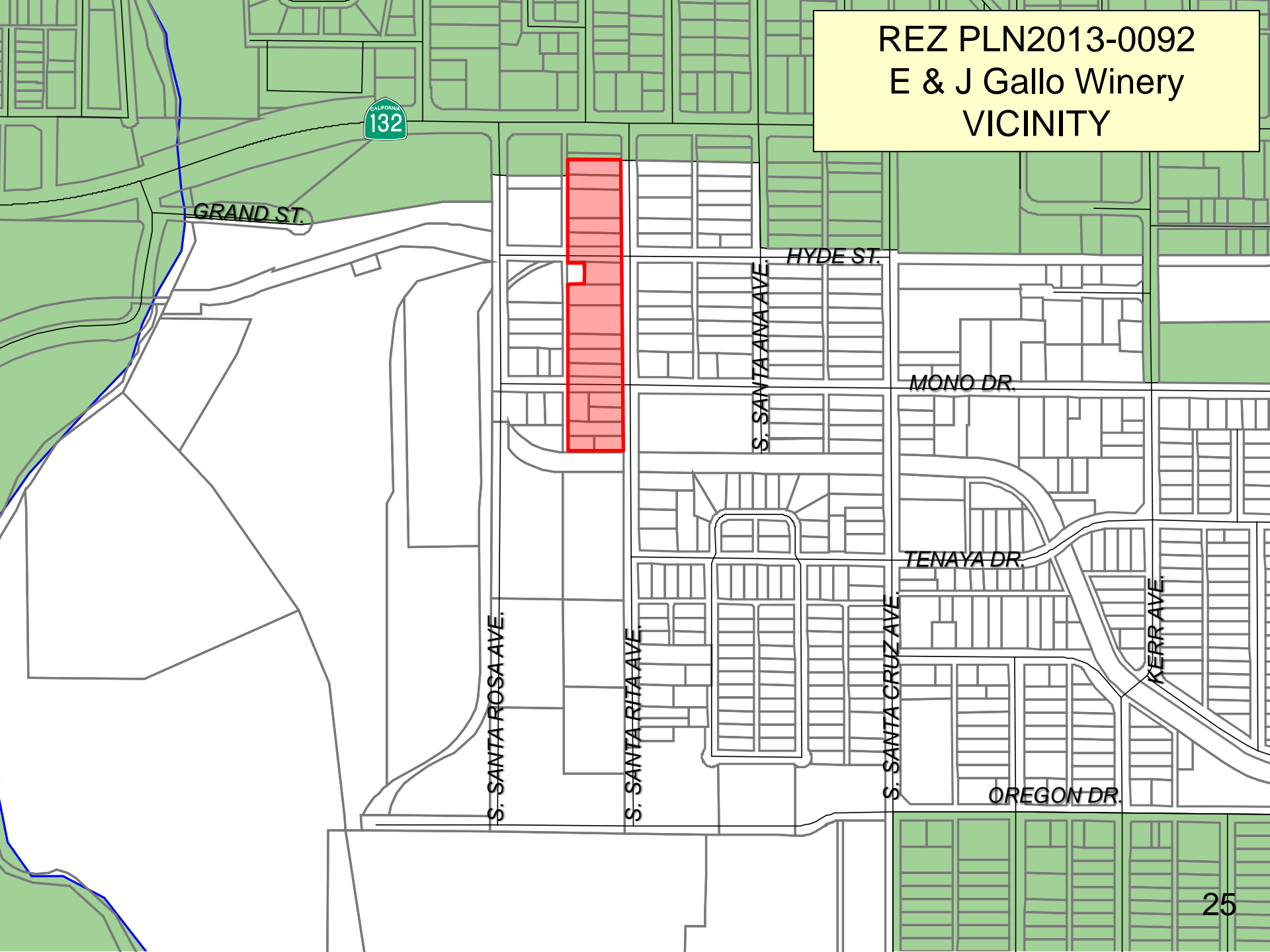
- The proposed project was circulated to all responsible agencies for review.
- A Negative Declaration has been prepared.

# Recommendation & Questions

- Staff recommends approval.
  - Questions?



REZ PLN2013-0092  
E & J Gallo Winery  
VICINITY







**PROJECT SIGN**

**REZ PLN2013-0092**  
**E & J Gallo Winery**  
**Future Office**

**TREES**

-  Existing Trees to Remain
-  Proposed Trees

Issue	Date	Issue Description
02/23/13		REDEVELOPMENT PLAN REVIEW SET

Seal/Signature

Project Name  
E&J GALLO WINERY

Project Number  
01-0002-000

Description  
ILLUSTRATIVE SITE PLAN

Scale 1" = 60'

DP-2

0 30 60 90 120

**26**

© 2013 Gensler SCALE: 1" = 60'





PERMIT  
PARKING  
ONLY

7





**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:

**MARCH 4, 2014**

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

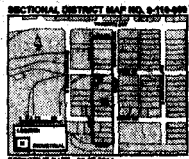
**MARCH 4, 2014**

*Maggie P. J.*  
(Signature)

**STANISLAUS COUNTY  
ORDINANCE NO. C.S. 1143**

AN ORDINANCE ADOPTING SECTIONAL DISTRICT MAP NO. 9-110-999 FOR THE PURPOSE OF REZONING 4.59± ACRES FROM R-2 (MEDIUM DENSITY RESIDENTIAL) TO M (INDUSTRIAL). THE PROJECT SITE IS LOCATED ON THE WEST SIDE OF SANTA RITA AVENUE, SOUTH OF YOSEMITE BOULEVARD (HWY 132) AND NORTH OF TENAYA DRIVE, IN THE MODESTO AREA. THE PROJECT SITE IS FURTHER IDENTIFIED AS ASSESSOR PARCEL NUMBERS: 035-003-007 THRU 011, 035-004-011 THRU 023. The Board of Supervisors of the County of Stanislaus, State of California, ordains as follows:

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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.

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Mod-3547 3/4/2014 C3547\_3

ORD-55-8-3