

STANISLAUS COUNTY PLANNING COMMISSION

January 15, 2015

STAFF REPORT

GENERAL PLAN AMENDMENT & REZONE APPLICATION NO. PLN2014-0080 SALIDA MARKET

REQUEST: TO AMEND THE GENERAL PLAN DESIGNATION OF MEDIUM DENSITY RESIDENTIAL TO PLANNED DEVELOPMENT AND REZONE FROM C-2 (GENERAL COMMERCIAL) TO P-D (PLANNED DEVELOPMENT) OF A .33± ACRE PARCEL TO ALLOW REPLACEMENT OF A 4,406 SQUARE FOOT BUILDING WITH AN 8,761 SQUARE FOOT BUILDING TO BE USED AS A RETAIL MARKET

APPLICATION INFORMATION

Applicant:	Robert Degrasse, L. Street Architects
Developer:	Walid Ali
Property Owner:	Cardoza Bettencourt Investment, LLC Tim and Lisa Bettencourt
Location:	4600 Broadway Avenue, at the south corner of the Broadway Avenue and Curtis Street intersection, in the Downtown Salida area
Section, Township, Range:	3-3-8
Supervisorial District:	Three (Supervisor Withrow)
Assessor's Parcel:	135-049-005
Referrals:	See Exhibit F Environmental Review Referrals
Area of Parcel(s):	.33± acres (14,338 square feet)
Water Supply:	Public Water (City of Modesto)
Sewage Disposal:	Public Sewer (Salida Sanitary District)
Existing Zoning:	C-2 (General Commercial)
Existing General Plan Designation:	Medium Density Residential
Community Plan Designation:	Commercial
Sphere of Influence:	N/A
Williamson Act Contract No.:	N/A
Environmental Review:	Negative Declaration
Present Land Use:	4,406 square foot commercial building and a 14 space parking lot
Surrounding Land Use:	Vacant lot to the southwest and commercial uses to the north, northeast, and west with single-family and multi-family housing to the southeast

RECOMMENDATION

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

PROJECT DESCRIPTION

The proposed project is a request to amend the General Plan designation of Medium Density Residential to Planned Development and rezone from C-2 (General Commercial) to P-D (Planned Development), a .33± acre parcel located at 4600 Broadway Avenue. The project will allow the replacement of a 4,406 square foot commercial building with an 8,761 square foot building to accommodate a retail market, representing lot coverage of approximately 66%. The proposed rezone to Planned Development will enable the project's design to establish unique parking and lot coverage requirements by locating a portion of the required on-site parking onto the adjacent street.

The project, as proposed, will utilize a portion of the existing structure (1,807 square feet) as part of the overall new commercial building. The market will be within walking distance of residential neighborhoods; however, on and off-site parking will be provided for customers who drive to the market. The project proposal includes two on-site parking spaces, eight (8) redesigned on-street parking spaces along Curtis Street, and eight (8) existing diagonal parking spaces along Broadway Avenue. The eight (8) parking spaces along Curtis Street will be designed and installed to straddle the property line along the Curtis Street frontage, with the front end of the parking spaces on the property and rear end of the parking spaces in the street right-of-way. Trash pick-up will be from the alley.

The proposed hours of operation are from 7:00 a.m. to 10:00 p.m. The project will have eight (8) employees on a maximum shift and approximately 30 customers during peak business hours. The market proposes to incorporate a bakery, an interior deli restaurant, and the sale of groceries including the sale of meat and produce. Customer access to the proposed commercial building will be from County maintained Broadway Avenue.

The building is proposed to be 20 feet in height and incorporate a 26 foot high front fascia. The building will incorporate the use of exterior plastered walls, 18 inch by 18 inch ceramic tiles, an aluminum storefront system, and a canopy overhang.

SITE DESCRIPTION

The project site is located at 4600 Broadway Avenue, at the south corner of the Broadway Avenue and Curtis Street intersection in the Downtown area of Salida. Currently, the project site has a vacant 4,406 square foot commercial building along with a 14 space parking lot. The project site was last used as a sheriff's substation and has been utilized for other commercial uses in the past, including a bank, and office space. The project site is surrounded by a vacant lot to the southwest and commercial uses to the north, northeast, and west with single-family and multi-family housing to the southeast. The property is bound by an alley along the rear of the site. Broadway Avenue is developed with a tree-lined, landscaped median in front of the property, west of Curtis Street, and a concrete median with parallel parking east of Curtis Street.

ISSUES

The developer is proposing to redevelop the commercial project site in the Salida downtown commercial core. Applying existing commercial development standards to "downtown" properties will result in development that is more "suburban in nature." Efforts to revitalize a community's "downtown" or "main street" present unique challenges between development standards, existing conditions, and attempts to maintain the historical nature of a downtown or main street. The applicant met with both Planning and Public Works staff to consider options for redeveloping the site while maintaining a "main street" vision for the Salida community. The section below reviews some of the challenges and issues associated with this development proposal.

1. Developing a Downtown Vision Comprehensively or on a Case-by-Case Basis

The project site is currently zoned C-2 (General Commercial), designated as Commercial in the Salida Community Plan, but designated as Medium Density Residential in the County's General Plan. The Salida Community Plan envisions the Broadway Avenue corridor to be developed with commercial uses. Downtown properties are typically developed with store front buildings providing little, if any, front, side, and rear yard setbacks. Vehicular parking is often provided off site and/or on the street. Downtown commercial areas are typically oriented to the walking public with less emphasis on vehicular traffic.

The proposed General Plan Amendment and Rezone are requested to allow the property to be developed as a downtown oriented development, with a Planned Development designation to provide for both flexibility in site design standards and certainty in building design and use.

A downtown oriented development standard has not yet been adopted or identified by the County's General Plan, Community Plan, or Zoning Ordinance; however, the General Plan does provide design guidelines, in Appendix 1-3 of the General Plan Support Documentation, for the former Redevelopment Area of Salida. The project site is within the former Redevelopment Area and is consistent with the design guidelines. The subject proposal is a step toward the direction of downtown oriented development for the Salida Community. The Commission, and ultimately the Board of Supervisors, with input from the Salida Community, should help define whether this process should be conducted on a case-by-case basis or through a proactive community-wide effort. Staff believes that, although downtown standards for the Salida Community are ideal, such standards do not presently exist. Short of adopted downtown standards, the proposed Planned Development provides the next best entitlement process and certainty to developing a downtown vision. A proposal such as this may serve as the catalyst for further economic investment in the downtown core and help provide direction in realizing a Salida Community vision for its downtown area. A related issue has to do with timing for the applicant, the community, and the County as a whole. Staff believes this project serves as the first effort for helping shape what the Salida Community and its downtown or main street should look like and that a P-D zone is the best entitlement application for facilitating such a process.

2. Precedent Setting

As mentioned previously, the proposed rezone will allow the proposed building to cover most of the project site with required parking provided partially on the street. The C-2 zoning district requires one space for every three hundred square feet of gross building area. There is a chance that allowing the project to utilize the street to help meet parking requirements will set a precedent for future development in Salida. Future developers may rely on street parking rather than provide their own on-site parking.

Historically, street parking has been commonly utilized in downtown settings. Parcels tend to be smaller and, traditionally, have been mostly occupied by a building itself, leaving parking along the street front. Current parking standards place a constraint on new development in downtown areas, which the County has not comprehensively addressed.

There are a number of examples in the County's downtown business cores, such as the one proposed, that have operated without significant issues. Salida, itself, currently has a number of examples of existing businesses utilizing street parking. For example, the United States Post Office located at 4536 Broadway Avenue, utilizes the entire parcel for operations and the street frontage for parking. Staff believes that the proposed project will work at the proposed site.

It should be noted that this is the first project to be processed and formally considered to utilize a half property/half street right-of-way to help meet required parking. The Planning Commission should consider whether the proposed project will set a positive or negative precedent for the downtown Salida area. Staff believes that this accommodation will not be precedent setting if its practice is limited to the “downtown” or “main street” area.

3. Community Input

Staff presented the project at two Salida Municipal Advisory Council (MAC) meetings (September 23, 2014, and December 2, 2014). At both meetings, a number of issues were raised by residents in attendance as well as by MAC members. Staff has summarized the issues identified by community residents and business owners below.

- a. **General Traffic Concerns on Broadway Avenue** – Residents in attendance, as well as members of the MAC, provided general concerns regarding traffic, traffic movements, and speeding along Broadway Avenue. Public Works staff has indicated that the proposed use will not generate a significant amount of increased traffic and traffic flow will not significantly be affected. Public Works staff has further indicated that any concerns related to speed and traffic movements are un-related to the proposed project.

Existing businesses along Broadway currently utilize street parking without significant issues. Furthermore, staff believes that traffic issues identified by residents are not directly associated with this project and fall more in the realm of enforcement of traffic regulations.

- b. **Broadway Avenue Parking Visibility** – Another concern raised at the MAC meeting was lack of visibility of oncoming traffic for vehicles backing out of parking spaces along Broadway Avenue. Public Works traffic and engineering staff visited the site, tested backing out onto Broadway Avenue from the project’s street frontage, and concluded that parking visibility is not a safety issue. When vehicles back out slowly, sufficient visibility for the vehicle backing out as well as oncoming traffic will be available.
- c. **Alley Use for Deliveries** - Concerns were raised on how deliveries would be made to the store and how deliveries will affect the alley behind the proposed store. Deliveries will be made between 7:00 a.m. and 11:00 a.m. with approximately two (2) deliveries per day. The applicant is proposing to have deliveries dropped off at a 465± square foot loading area near the south corner of the project site adjacent to the alley. The applicant plans on parking delivery trucks in the alley to receive deliveries. The alley is currently paved along the project site portion. Two small homes front on the alley, south of the site.

The concerns raised are that deliveries will block alley access and the alley will not be able to handle trucks and their weight loads. Public Works staff visited the site and has not raised any issues related to the alley or deliveries. Deliveries may block the northeast entrance of the alley, but only temporarily, and there is an additional entrance on the southwest side of the alley. In addition, delivery trucks may stop and park temporarily on Curtis Street to make deliveries. This is a common practice in downtown settings. Generally, Curtis Street does not have heavy traffic. Public Works staff has indicated trucks over seven (7) tons are prohibited in the alley. The alley will be able to handle trucks that weigh less than the limit. A sign is currently posted at the end of the alley limiting truck traffic to less than seven (7) tons.

4. Development Standards

The development standards under consideration are parking and lot coverage standards. As discussed above, a Planned Development allows a development project to be proposed that does not meet typical development standards of its zoning designation in exchange for more certainty in building and site design. An 8,800 square foot retail market requires parking at the rate of one off-street parking space for every 300 square feet of gross building area in the C-2 zone, or 29 parking spaces in this case. The project is proposing to provide two on-site parking spaces as well as provide for eight (8) redesigned parking spaces straddling the Curtis Street property line and eight (8) regular diagonal parking spaces along Broadway Avenue if the rezone to Planned Development is approved. The eight (8) parking spaces along Curtis Street are being designed so that the front half resides on the property and the rear half in the street right-of-way. A similar parking layout exists to the northeast where parking spaces straddle the property line. The proposed Planned Development zone will allow the property to develop as downtown oriented development which supports economic vibrancy of a community.

GENERAL PLAN CONSISTENCY

With General Plan amendments, a fundamental question must be asked in each case: Will this amendment, if adopted, generally improve the economic, physical, and social well-being of the County? The County, in reviewing General Plan amendments, shall also consider the additional costs to the County that might be anticipated (economic, environmental, and social) and how levels of public and private service might be affected. In each case, in order to take affirmative action regarding the General Plan amendment application, it must be found that:

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

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

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

To evaluate a proposed General Plan amendment, the goals and policies of the General Plan must be reviewed. The following comparison is made between the goals and policies of the General Plan and the proposed project:

Land Use Element

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

Policy One - Land will be designated and zoned for agricultural, residential, commercial, industrial, or historical uses when such designations are consistent with other adopted goals and policies of the general plan.

The General Plan designates the project site as Medium Density Residential, which allows for residential uses such as single-family dwellings, duplexes, triplexes, low-mass multi-family units and manufactured housing. The R-2 (Medium-Density Residential) zone is appropriate within this designation. Furthermore, the Salida Community Plan designates the Broadway Avenue corridor as Commercial. In this case, the site is zoned C-2 (General Commercial), which is not consistent with the (MDR) designation, but is consistent with the Salida Community Plan. Staff has reviewed the general plan and zoning maps and has not identified an error or reason for the inconsistency. As the site is located within a downtown commercial zone, has been developed and used commercially, and adjoins commercial uses, the C-2 zoning is appropriate. The General Plan amendment to Planned Development will allow for continued commercial use, consistent with the C-2 zoning, and restore consistency between the general plan designation and the zoning of the project site.

Policy Three - 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 Planned Development section, the designation is intended for land which, because of demonstrably unique characteristics, may be suitable for a variety of uses without detrimental effects to other property. This General Plan Amendment and Rezone application has been submitted because the proposed project does not meet the lot coverage and parking standards of the C-2 (General Commercial) zoning designation. The project site is in a downtown setting. Street parking is commonly used in these types of settings.

Goal Four - Ensure that an effective level of public service is provided in unincorporated areas.

Policy Twenty-Two - Future growth shall not exceed the capabilities/capacity of the provider of services such as sewer, water, public safety, solid waste management, road systems, schools, health care facilities, etc.

The proposed Planned Development, if approved, will establish specific standards for development of this site. This may require the payment of service and district fees required to maintain current levels of service. The project site is currently served by City of Modesto water service and Salida Sanitary District for sewer service.

The “Community Plans” section of the Land Use Element states that the Salida Community Plan’s “Existing Plan Area” provides a land use plan that reflects both existing land use patterns and gathered information to guide future land use decisions. This section states that “in the event that development is proposed within the Redevelopment Area of Salida, Appendix 1-3 of the Support Documentation (General Plan) should be consulted for development standards.” As mentioned previously, the project site is within the former Redevelopment Area and is consistent with the design guidelines.

ZONING ORDINANCE CONSISTENCY

Section 21.40.020 of the Zoning Ordinance states that the P-D zone is generally intended to apply to larger scale, integrated development as a means of providing opportunities for creative and cohesive design concepts. The district is intended to allow modification of requirements established by other districts and diversification in the relationship of different uses, buildings, structures, lot sizes, and open spaces, while ensuring compliance with, and implementation of, the general plan. Additional objectives of the P-D zone include the provision of development consistent with site

characteristics, creation of optimum quantity and use of open space, encouragement of good design, and promotion of compatible uses.

Section 21.40.050 of the Zoning Ordinance states that minimum lot size, setback, and parking requirements, and maximum height, density, and percentage of coverage shall be established for each P-D by the development plan approved by the Planning Commission.

To approve the requested rezone, the Planning Commission must find that the P-D zoning district is consistent with the General Plan for the proposed project site. Should the Planning Commission approve the General Plan amendment, the rezone will be consistent with the General Plan.

CORRESPONDENCE

Staff has not received any correspondence in favor or in opposition to the project. As mentioned previously, staff received a number of comments and concerns at the two Salida MAC meetings. Those comments have been discussed in this report.

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 and no significant issues were raised. (See Exhibit F - *Environmental Review Referrals*.) A Negative Declaration has been prepared as the project will not have a significant effect on the environment. (See Exhibit E - *Negative Declaration*.) Development standards reflecting referral responses have been placed on the project. (See Exhibit C – *Development Standards*.)

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 **\$2,267.00** for the California Department of Fish and Wildlife (formerly the Department of Fish and Game) and the Clerk Recorder filing fees. The attached Conditions of Approval ensure that this will occur.

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

Attachments:

- Exhibit A - Findings and Actions Required for Project Approval
- Exhibit B - Maps
- Exhibit C - Development Standards
- Exhibit D - Initial Study
- Exhibit E - Negative Declaration
- 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:
 - A. The General Plan amendment will maintain a logical land use pattern without detriment to existing and planned land uses;
 - B. The County and other affected government agencies will be able to maintain levels of service consistent with the ability of the government agencies to provide a reasonable level of service; and
 - C. The amendment is consistent with the General Plan goals and policies.
4. Find that the proposed Planned Development zoning is consistent with the proposed Planned Development General Plan designation.
5. Approve General Plan Amendment and Rezone Application No. PLN2014-0080 – Salida Market and introduce, waive the reading, and adopt an ordinance for the Rezone.

**GPA & REZ PLN2014-0080
SALIDA MARKET
AREA MAP**

STANISLAUS RIVER

6 COUNTY

EXHIBIT B

HAMMETT RD

BECKWITH RD

HWY 99

SALIDA

SITE
HWY 99

LADD RD

DALE RD

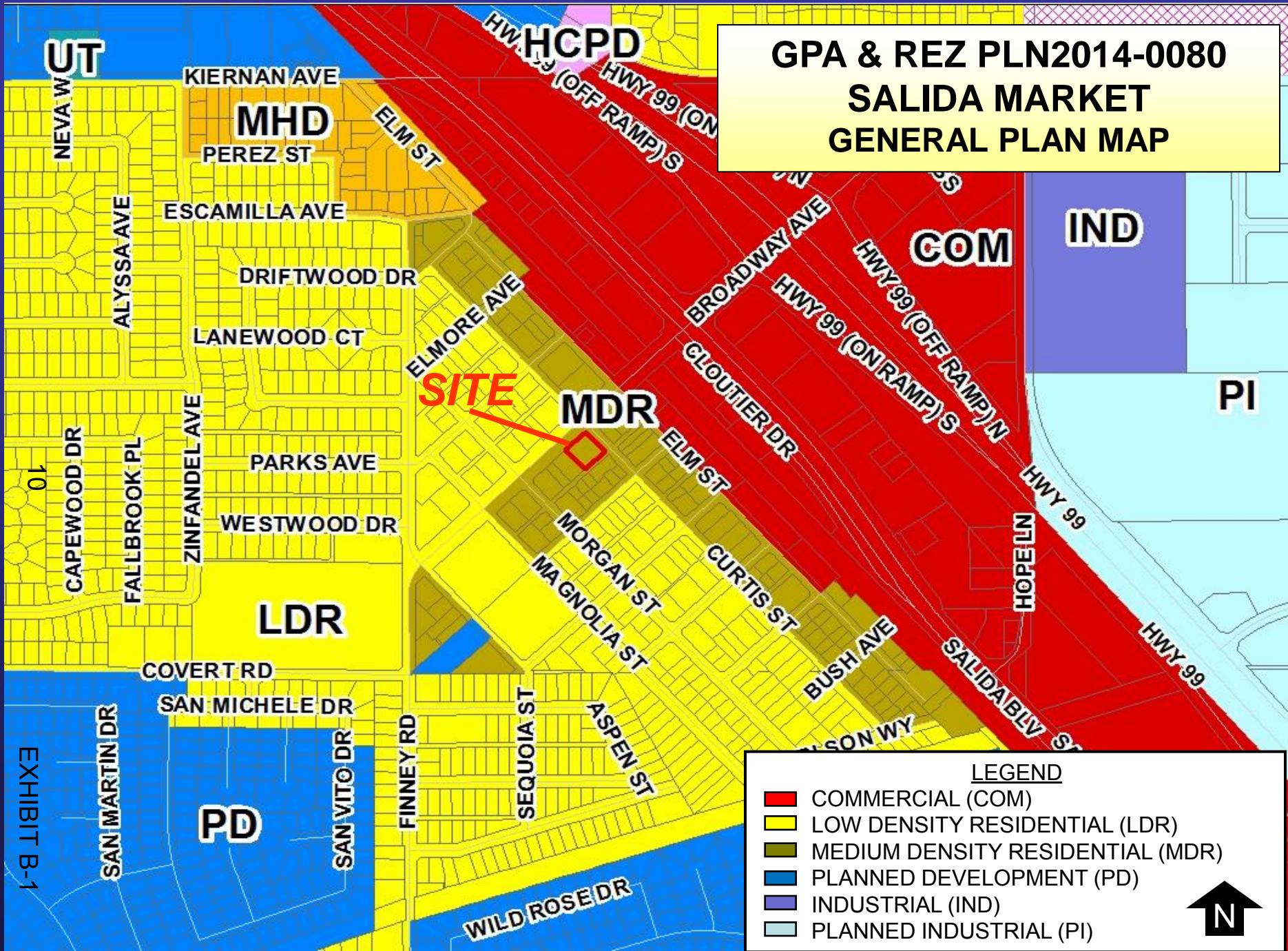
KIERNAN AVE

PELANDALE AVE

MODESTO



GPA & REZ PLN2014-0080 SALIDA MARKET GENERAL PLAN MAP



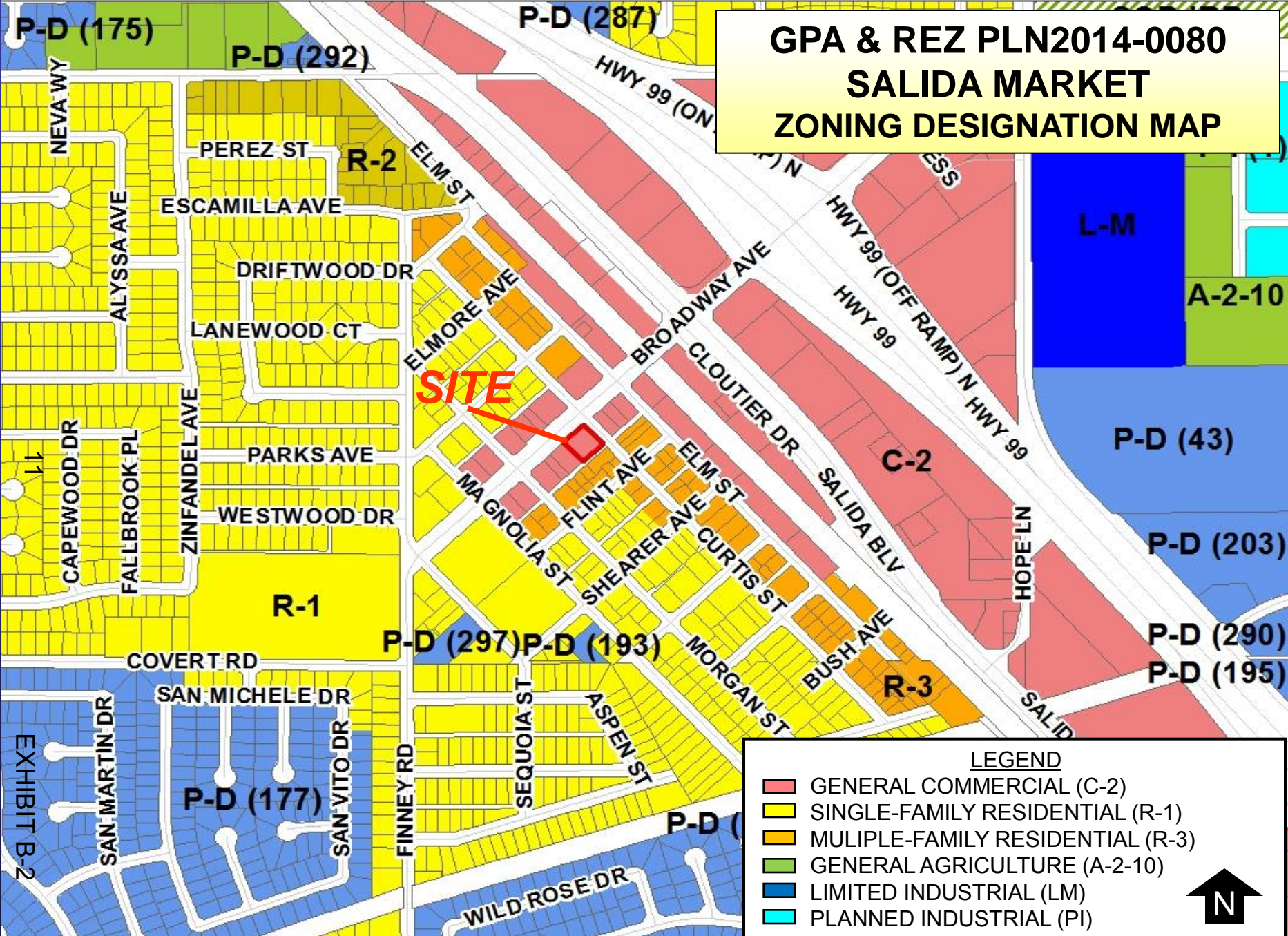
LEGEND

- COMMERCIAL (COM)
- LOW DENSITY RESIDENTIAL (LDR)
- MEDIUM DENSITY RESIDENTIAL (MDR)
- PLANNED DEVELOPMENT (PD)
- INDUSTRIAL (IND)
- PLANNED INDUSTRIAL (PI)



EXHIBIT B-1

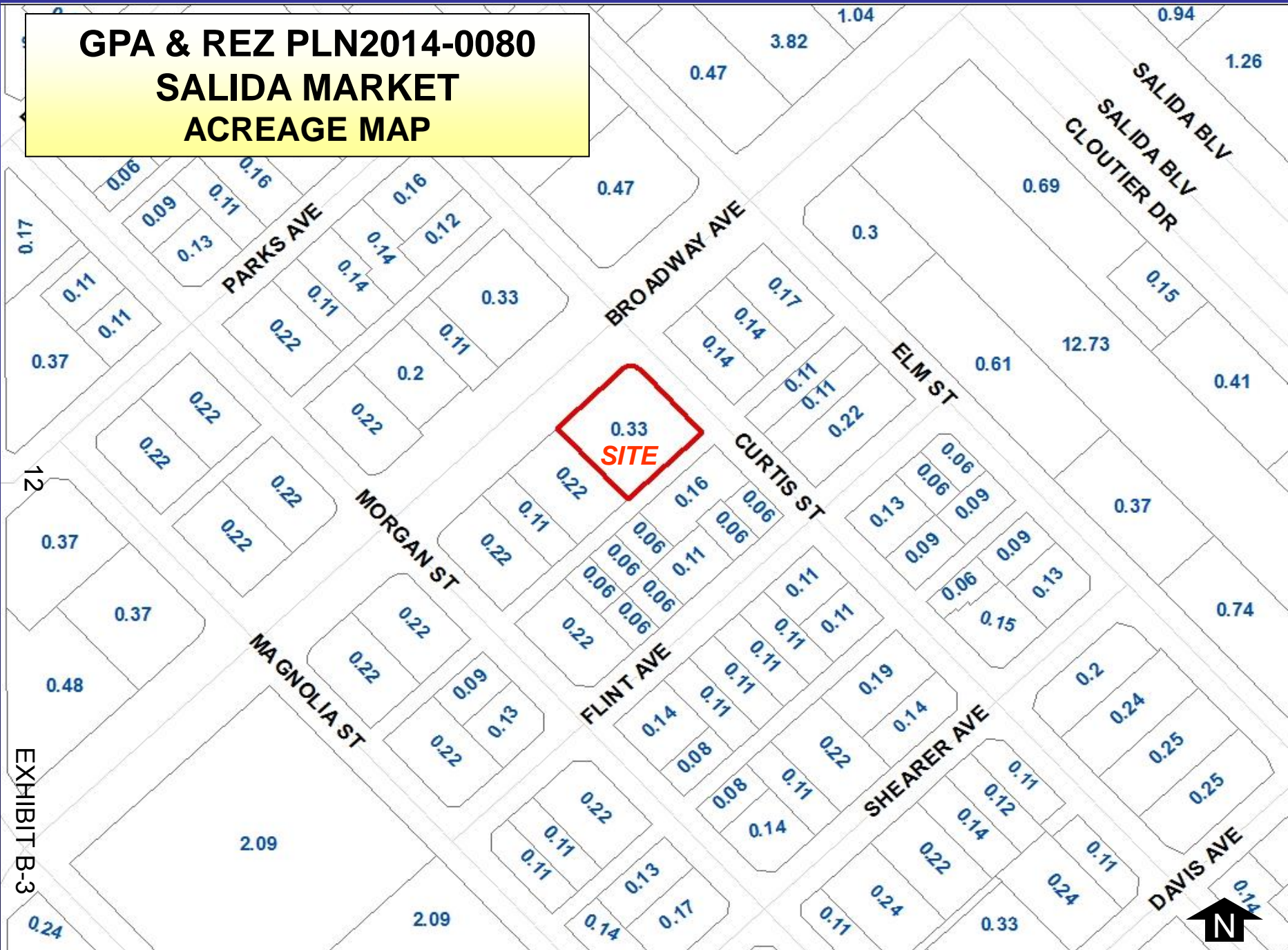
GPA & REZ PLN2014-0080 SALIDA MARKET ZONING DESIGNATION MAP



LEGEND

	GENERAL COMMERCIAL (C-2)
	SINGLE-FAMILY RESIDENTIAL (R-1)
	MULIPLE-FAMILY RESIDENTIAL (R-3)
	GENERAL AGRICULTURE (A-2-10)
	LIMITED INDUSTRIAL (LM)
	PLANNED INDUSTRIAL (PI)

GPA & REZ PLN2014-0080
SALIDA MARKET
ACREAGE MAP



12

EXHIBIT B-3



**GPA & REZ PLN2014-0080
SALIDA MARKET
AERIAL MAP 1 (2013)**

BROADWAY AVE

CURTIS ST

SITE

FLINT AVE

13

EXHIBIT B-4



**GPA & REZ PLN2014-0080
SALIDA MARKET
AERIAL MAP 2 (2013)**

FINNEY RD

SALIDA BLVD

SITE

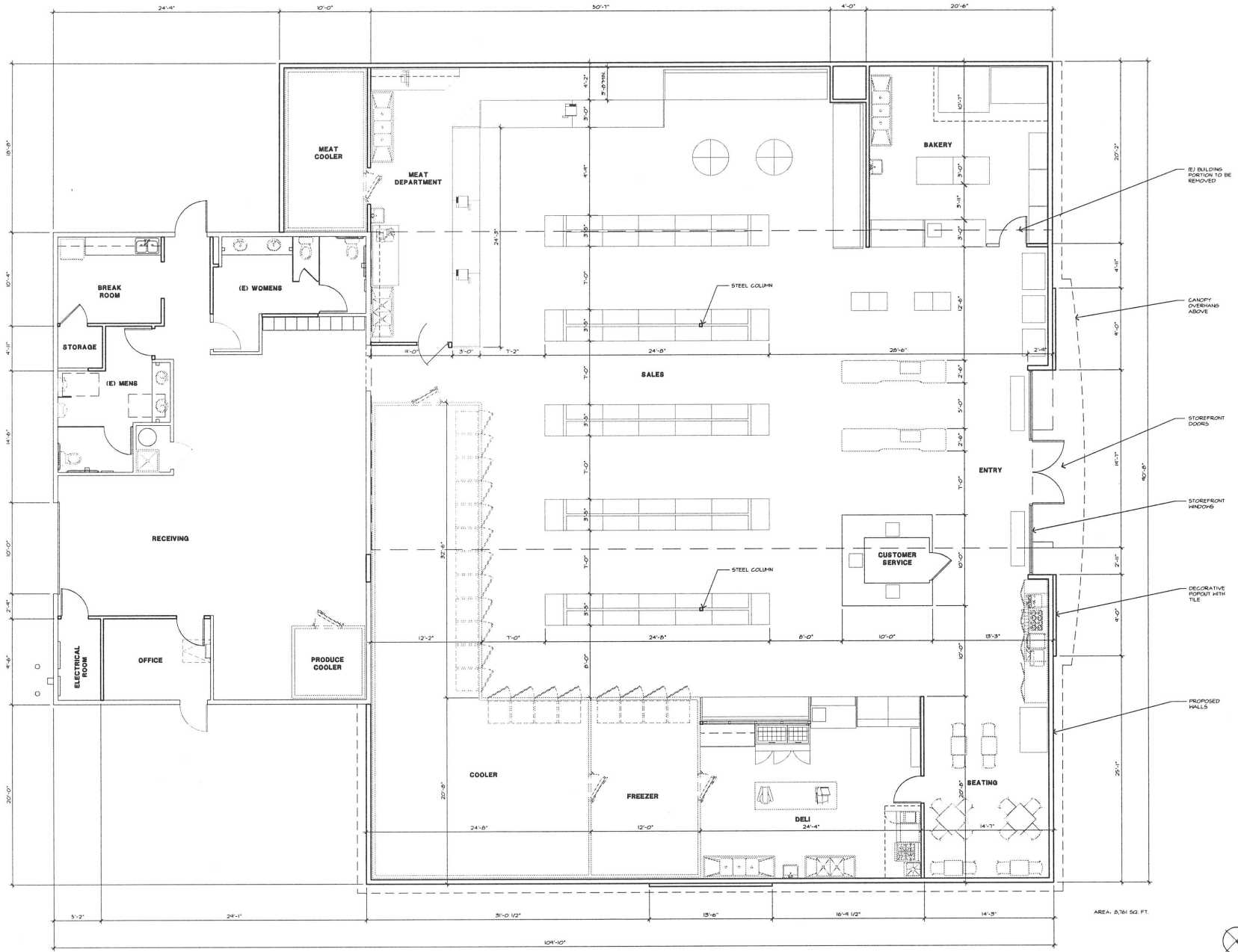
BROADWAY AVE

CURTIS ST

EXHIBIT B-5

200 m





AREA: 8,761 SQ. FT.

L Street Architects
 L I M I T E D
 1001 W. 10th St.
 Portland, Oregon 97204
 503.277.0200 / 503.277.0201 fax
 www.lstreetarch.com

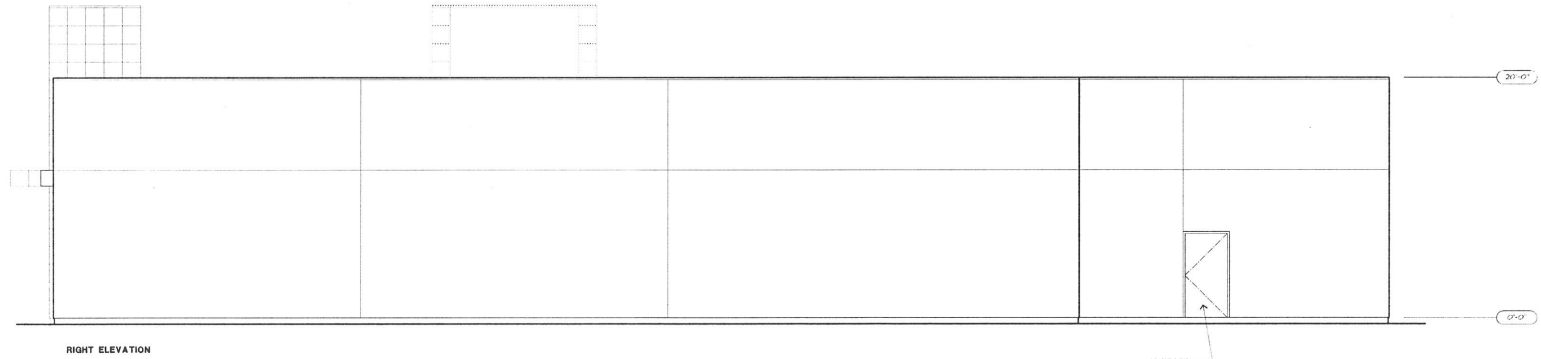
REMODEL FOR
SALIDA MARKET
 4800 BROADWAY AVE
 SALIDA, CALIFORNIA

REVISIONS:
DESIGN: G. HEJA
DATE: 08/24/2014
FILE: 241-011
JOB: 0224
PRINT DATE:

FLOOR PLAN



FRONT ELEVATION (FACING BROADWAY AVE)



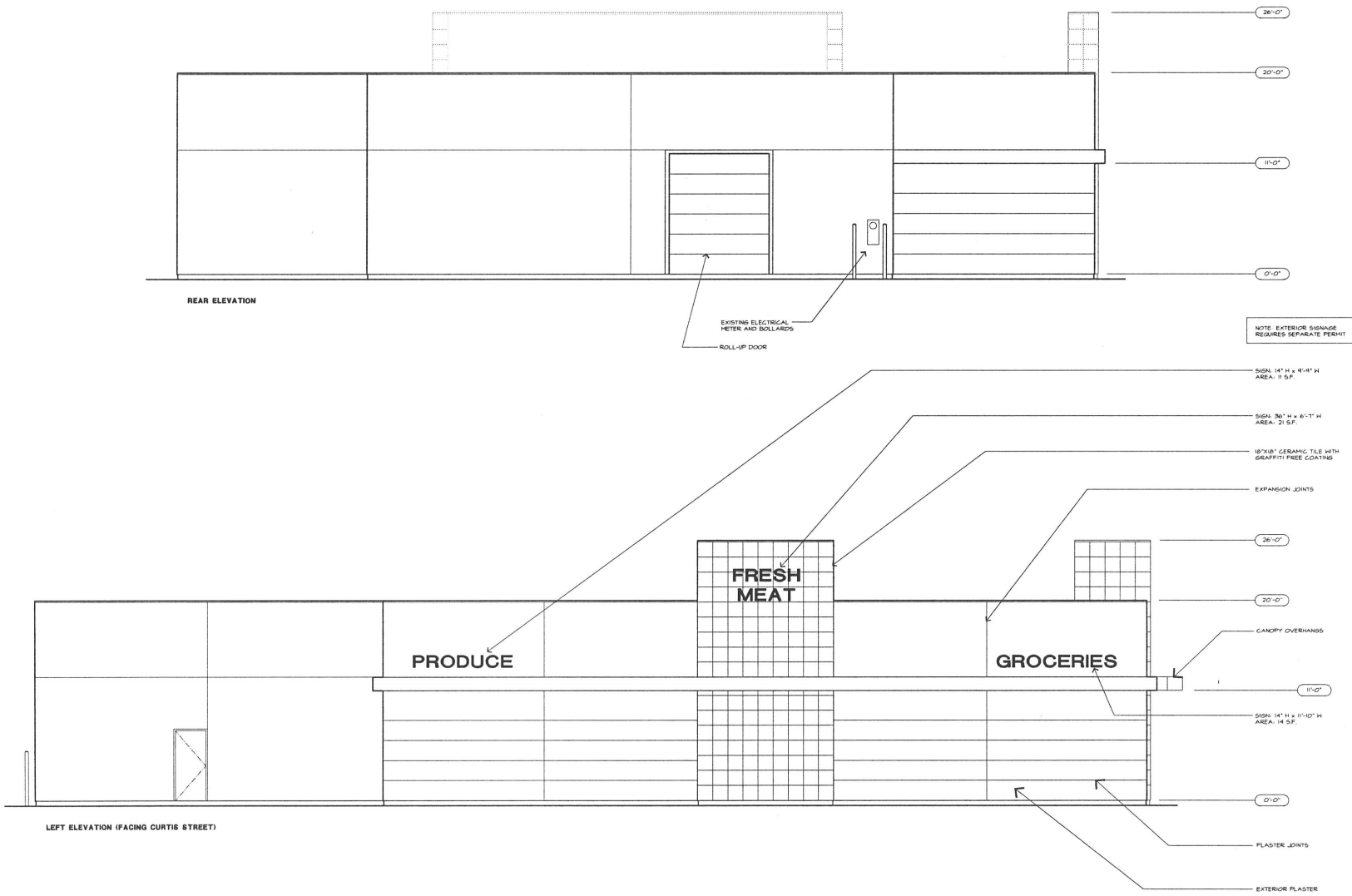
RIGHT ELEVATION

L Street Architects
 L I M I T E D
 1021 N. Vermont Ave.
 Pasadena, California 91103
 Tel: 626-791-1111
 Fax: 626-791-1112

HANDICAP FOR
SALIDA MARKET
 3000 BROADWAY
 SALIDA, CALIFORNIA

NO.:	
DATE:	01.17.14
FILE:	0804004
REV:	01.16.14
DATE:	02.24.14
NO.:	

EXTERIOR ELEVATIONS



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 www.lstreetarchitects.com

SALIDA MARKET
 4800 BEAUBIEN AVE
 DENVER, CO 80212

REVISIONS:

NO.	DATE	DESCRIPTION

DESIGNER: PJK
 DRAWN: G. H. J. A.
 DATE: 08/04/2014
 FILE: 241742
 JOB: 82241
 PRINT DATE:
EXTERIOR ELEVATIONS
 A6.2

DEVELOPMENT STANDARDS

GENERAL PLAN AMENDMENT & REZONE APPLICATION NO. PLN2014-0080 SALIDA MARKET

Department of Planning and Community Development

1. Use(s) shall be conducted as described in the application and supporting information (including the plot plan) as approved by the Planning Commission and/or Board of Supervisors and in accordance with other laws and ordinances. All permitted uses as listed in Section 21.56.020 of the Zoning Ordinance (C-2 [General Commercial]) are approved for this Planned Development zone.
2. Pursuant to Section 711.4 of the California Fish and Game Code (effective January 1, 2015), the applicant is required to pay a California Department of Fish and Wildlife (formerly the Department of Fish and Game) fee at the time of filing a "Notice of Determination". Within five (5) days of approval of this project by the Planning Commission or Board of Supervisors, the applicant shall submit to the Department of Planning and Community Development a check for **\$2,267.00**, made payable to **Stanislaus County**, for the payment of California Department of Fish and Wildlife and Clerk Recorder filing fees.

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

3. Developer shall pay all Public Facilities Impact Fees and Fire Facilities Fees as adopted by Resolution of the Board of Supervisors. The fees shall be payable at the time of issuance of a building permit for any construction in the development project and shall be based on the rates in effect at the time of building permit issuance.
4. The applicant/owner is required to defend, indemnify, or hold harmless the County, its officers, and employees from any claim, action, or proceedings against the County to set aside the approval of the project which is brought within the applicable statute of limitations. The County shall promptly notify the applicant of any claim, action, or proceeding to set aside the approval and shall cooperate fully in the defense.
5. 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 sky glow (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).
6. 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.

7. Any construction resulting from this project shall comply with standardized dust controls adopted by the San Joaquin Valley Air Pollution Control District (SJVAPCD) and may be subject to additional regulations/permits, as determined by the SJVAPCD.
8. All C-2 (General Commercial) development standards related to nuisance, screening, landscaping and signs shall be applied to the use.
9. Pursuant to Sections 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 Wildlife (formerly the Department of Fish and Game) and shall be responsible for obtaining all appropriate streambed alteration agreements, permits, or authorizations, if necessary.
10. 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.
11. 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 Wildlife (formerly the 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.
12. Pursuant to State Water Resources Control Board Order 99-08-DWQ and National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000002, prior to construction, the developer shall be responsible for contacting the California Regional Water Quality Control Board to determine if a "Notice of Intent" is necessary, and shall prepare all appropriate documentation, including a Storm Water Pollution Prevention Plan (SWPPP). Once complete, and prior to construction, a copy of the SWPPP shall be submitted to the Stanislaus County Department of Public Works.
13. Should any archeological or human remains be discovered during development, work shall be immediately halted within 150 feet of the find until it can be evaluated by a qualified archaeologist. If the find is determined to be historically or culturally significant, appropriate mitigation measures to protect and preserve the resource shall be formulated and implemented. The Central California Information Center shall be notified if the find is deemed historically or culturally significant.

Department of Public Works

14. The developer will be required to install or pay for the installation of any signs and/or markings for the parking areas on Broadway Avenue and Curtis Street.
15. An Encroachment Permit shall be obtained for any work done in the Stanislaus County road right-of-way.
16. The applicant shall coordinate with the Department of Public Works on the design and construction of the corner bulb-out (curb, gutter, sidewalk, and curb ramp). Improvements

shall provide access in accordance with the Americans with Disabilities Act (ADA) and meet all other applicable design standards. The bulb-out will be similar, but not identical to, the curb ramp and bulb-out at Elm and Broadway, adjacent to the Post Office.

17. The applicant shall coordinate with the Department of Public Works and shall be responsible for the costs of staff time associated with approval of a designated blue parking zone and access in accordance with the Americans with Disabilities Act.
18. Prior to the final of any building permit for the property, the applicant shall make road frontage improvements along the entire frontage length of the project on Curtis Street. The applicant shall coordinate these plans with the Department of Public Works. Improvement plans are to be submitted to the Public Works department for approval.
19. An acceptable financial guarantee for the road improvements shall be provided to the Department of Public Works prior to the issuance of any grading or encroachment permit. This may be deferred if the work in the right-of-way is done prior to the issuance of any grading or building permit or issuance of a business license.
20. A signed Engineer's Estimate shall be provided for the road improvements so that the amount of the financial guarantee can be determined.

Salida Fire Protection District

21. The project will be subject to Fire Service Impact Mitigation Fees as adopted by the District Board of Directors and currently in place at the time of issuance of construction permits.
22. This project shall meet the District's requirements of on-site water for fire protection prior to construction of combustible materials. Fire hydrant(s) and static source locations, connections, and access shall be approved by the District.
23. Prior to, and during, combustible construction, the District shall approve provisions for serviceable fire vehicle access and fire protection water supplies.
24. A District specified Rapid Entry System (Knox) shall be installed and serviceable prior to final inspection allowing fire department access into gated areas, limited access points, and or buildings.
25. Buildings of 5,000 square feet and greater shall be required to have fire sprinklers meeting the standards listed within the adopted California Fire Code and related amendments. In addition, there may be revisions to the fire sprinkler requirements in future fire code adoptions. At the time of construction, the most current, adopted fire code will be required and must be adhered to.
26. For buildings of 30 feet or three (3) or more stories in height, gated 2 ½" hose connections (Class III) for fire department use shall be installed on all floors in each required exit stairwell.
27. The project shall meet fire apparatus access standards. Two ingress/egress accesses to each parcel meeting the requirements listed within the California Fire Code.

28. If traffic signals are installed and/or retrofitted for the project, signal preemption devices shall be paid for or installed by the developer/owner and shall conform to the District's standards and requirements.
29. Prior to recording the final map, issuance of a permit, and/or development, the owner(s) of the property will be required to form or annex into a community facilities district for operational services with the Salida Fire Protection District. Due to the fact this process may take 60-120 days to complete, it is recommended that advanced consideration be given to initiate this requirement early in the project.

Building Permits Division

30. Building permits are required and the project must comply with the California Code of Regulations, Title 24. Site and structure must conform to ADA standards.

Central Valley Regional Water Quality Control Board (RWQCB)

31. Prior to any ground disturbing activities or building permit issuance, the applicant/owner shall be responsible for contacting the RWQCB to ensure compliance with all RWQCB standards and obtain any required permits, including but not limited to:
 - a) Construction Storm Water General Permit
 - b) Phase I and II Municipal Separate Storm Sewer System (MS4) Permits
 - c) Industrial Storm Water General Permit
 - d) Clean Water Act Section 404 Permit
 - e) Clean Water Act Section 401 Permit – Water Quality Certification
 - f) Waste Discharge Requirements
 - g) Low or Limited Threat General (NPDES) Permit

San Joaquin Valley Air Pollution Control District (SJVAPCD)

32. The proposed project is subject to District Rule 9510 (Indirect Source Review). The developer shall submit an Air Impact Assessment (AIA) and pay all applicable District fees to SJVAPCD prior to obtaining a building permit.
33. Development of the project site may be subject to the following District Rules and may be subject to additional regulations/permits, as determined by the SJVAPCD.
 - a) Regulation VIII (Fugitive PM10 Prohibitions);
 - b) Rule 4102 (Nuisance);
 - c) Rule 4601 (Architectural Coatings); and
 - d) Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations).

Modesto Irrigation District (MID)

34. In conjunction with related project improvement requirements, existing electric facilities within or adjacent to the proposed site shall be protected, relocated, or removed as required by the District's Electric Engineering Department.

35. Costs for relocation of the District's facilities at the request of others will be borne by the requesting party. Estimates for relocating existing facilities will be supplied upon request.
36. Relocation or installation of electric facilities shall conform to the District's Electric Service Rules.
37. Verify actual depth and location of existing high voltage underground electric cable along Curtis Street. Notify "Underground Service Alert" (USA) before trenching, grading, excavating, drilling, pipe pushing, etc.
38. New construction adjacent to existing overhead high voltage electric lines requires a 15 foot clearance in order to protect the existing overhead electric facilities and to maintain necessary safety clearances.
39. The customer must contact the District's Electric Engineering Design Department in order to coordinate project requirements. The customer must provide a set of construction plans for review. Appropriate easements for electric facilities shall be granted as required.

Modesto City Schools

40. Applicable school impact fees will be assessed on all construction.

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



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, December 30, 2009

1. **Project title:** General Plan Amendment & Rezone Application No. PLN2014-0080 - Salida Market
2. **Lead agency name and address:** Stanislaus County
1010 10th Street, Suite 3400
Modesto, CA 95354
3. **Contact person and phone number:** Javier Camarena, Associate Planner
(209) 525-6330
4. **Project location:** 4600 Broadway Avenue, at the south corner of the Broadway Avenue and Curtis Street intersection, in the Downtown Salida area.
APN: 135-049-005
5. **Project sponsor's name and address:** Robert Degrasse
L Street Architects
1414 L Street
Modesto, CA 95354
6. **General Plan designation:** Medium Density Residential
7. **Zoning:** C-2 (General Commercial)
8. **Description of project:**

Request to amend the General Plan designation of Medium Density Residential to Planned Development and rezone from C-2 (General Commercial) to P-D (Planned Development) on a .33± acre parcel in order to replace a 4,406 square foot building with an 8,761 square foot building to be used as a retail market. The proposed rezone will facilitate the project's ability to meet parking requirements and allow additional lot coverage. Proposed hours of operation are daily, from 7:00 a.m. to 10:00 p.m., year round. The project will have eight (8) employees on a maximum shift and approximately 30 customers during peak times.
9. **Surrounding land uses and setting:** The project site is in a downtown setting, surrounded by commercial uses to the northwest, northeast, southwest, and west with single-family and multi-family housing to the southeast.
10. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.):** Department of Public Works
Salida Fire Protection 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 & 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, Associate Planner
Prepared By

November 4, 2014
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>Discussion: The site itself is not considered to be a scenic resource or a unique scenic vista. The project site is in an urban downtown area. The proposed building will not degrade the existing visual character of the area and will be architecturally consistent with structures commonly found in a downtown setting.</p>				
<p>Mitigation: None.</p>				
<p>References: Stanislaus County General Plan and Support Documentation¹.</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
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				X

Discussion: The project site currently consists of an existing 4,406 square foot commercial building and parking lot and is within a downtown setting. The proposed General Plan Amendment and Rezone to Planned Development (P-D) will enable the applicant to construct an 8,761 square foot market. 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.

Mitigation: None.

References: California State Department of Conservation Farmland Mapping and Monitoring Program - Stanislaus County Farmland 2012 and the Stanislaus County General Plan and Support Documentation¹.

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.

This project has been referred to the SJVAPCD and they concluded that the project is subject to District Rule 9510 (Indirect Source Review). A condition of approval will be added to the project requiring that the applicant submit an Air Impact Assessment (AIA) and pay all applicable District fees prior to obtaining a building permit.

Mitigation: None.				
References: Referral response from the San Joaquin Valley Air Pollution Control District dated September 15, 2014; San Joaquin Valley Air Pollution Control District - Regulation VIII Fugitive Dust/PM-10 Synopsis; and the 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: 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 downtown area of the town of Salida which is urbanized. The project was referred to the California Department of Fish and Wildlife, but no comments have been received to date.				
Mitigation: None.				
References: California Department of Fish and Wildlife (formerly the Department of Fish and Game) California Natural Diversity Database and the Stanislaus County General Plan and Support Documentation ¹ .				

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>Discussion: 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 August 26, 2014, indicates that there are three historic buildings identified within the town of Salida and the project site is not one of them. A standard condition of approval will be added to the project requiring that, should any archaeological or cultural resources be found during construction, construction will stop until a qualified archaeologist can survey the site.</p>				
<p>Mitigation: None.</p>				
<p>References: Records search from the Central California Information Center dated August 26, 2014, and the 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 creating substantial risks to life or property?			X	

<p>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?</p>				<p>X</p>
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Discussion: As contained in Chapter Five 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 as part of the building permit process. 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 consider the potential for erosion and run-off prior to permit approval.

Mitigation: None.

References: California Building Code and the Stanislaus County General Plan and Support Documentation - Safety Element¹.

<p>VII. GREENHOUSE GAS EMISSIONS -- 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>
<p>a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?</p>			<p>X</p>	
<p>b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?</p>			<p>X</p>	

Discussion: The proposed project will 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 Documentation¹.

<p>VIII. HAZARDS AND HAZARDOUS MATERIALS -- 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>
<p>a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</p>			<p>X</p>	
<p>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?</p>			<p>X</p>	
<p>c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?</p>			<p>X</p>	

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. The Stanislaus County Department of Environmental Resources (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.

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation¹.

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 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 (FEMA). Per FEMA Map No. 06099C0305E, 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 to the Central Valley Regional Water Quality Control Board (RWQCB) through the State Clearinghouse. Public Works did not have any comments related to hydrology & water quality; however, the proposed project will be required to meet Public Works standards for grading and drainage requirements. RWQCB is requiring that the applicant (if required) obtain all necessary RWQCB permits for construction. RWQCB's comments will be incorporated into the project's conditions of approval.

Mitigation: None.

References: Referral response from the Stanislaus County Department of Public Works dated October 21, 2014; referral response from the Central Valley Regional Water Quality Control Board dated September 19, 2014; and the Stanislaus County General Plan and Support Documentation¹.

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 designated Medium Density Residential (MDR) in the Stanislaus County General Plan and zoned C-2 (General Commercial). The proposed project will amend the site's General Plan designation to Planned Development and rezone the site to P-D. The proposed use is allowed in the C-2 zone; however, as proposed, the project does not meet C-2 requirements for off-street parking or lot coverage. The General Plan Amendment and Rezone are being requested to address these items. 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 ¹ .				
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
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 mineral resources on the site.				
Mitigation: None.				
References: Stanislaus County General Plan and Support Documentation ¹ .				
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	
Discussion: 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 commercial uses.				

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation¹.

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. No housing or persons will be displaced by this project.

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation¹.

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. The proposed retail market will be required to comply with all applicable fire department standards with respect to access and water for fire protection. The project was referred to the Salida Fire Protection District which is requiring impact fees, on-site water and sprinkler requirements, access requirements, and annexation into, or formation of, a community facilities district for operational services with the District. The Fire District's comments will be incorporated into the project's conditions of approval.

Mitigation: None.

References: Referral response from the Salida Fire Protection District dated September 4, 2014, and the Stanislaus County General Plan and Support Documentation¹.

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

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

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation¹.

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	

<p>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?</p>			<p>X</p>	
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Discussion: The proposed project will not conflict with any street, highway, or circulation plans nor will it significantly affect any levels of service. The project site is located in a commercial area.

As part of the project, the applicant is proposing to move the curb 10 feet inward towards the property along Curtis Street to allow for diagonal parking along the frontage. The proposed project will include curb, gutter, and sidewalk along Curtis Avenue, and a handicap accessible parking stall. The project will utilize street parking along the Broadway Avenue and Curtis Street frontages and two spaces on site. All improvements will be completed to Stanislaus County Department of Public Works standards and specifications.

Staff attended the Salida Municipal Advisory Council (MAC) meeting held on September 23, 2014, and presented the project to the community in attendance. One member of the MAC asked about the possibility of installing a parklet as a means of improving pedestrian safety at the intersection of Broadway Avenue and Curtis Street.

Public Works has stated that there is an existing landscaped median on Broadway Avenue. The median provides not only a refuge for pedestrians crossing Broadway Avenue, but a walk way through portions of downtown Salida. The median is located directly in front of the proposed project site. In addition, Public Works is requiring the installation of signs and markings along project frontage and a financial guarantee for road improvements.

Mitigation: None.

References: Referral response from the Stanislaus County Department of Public Works dated October 21, 2014, and the Stanislaus County General Plan and Support Documentation¹.

<p>XVII. UTILITIES AND SERVICE SYSTEMS -- 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>
<p>a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?</p>			<p>X</p>	
<p>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?</p>			<p>X</p>	
<p>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?</p>			<p>X</p>	
<p>d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?</p>			<p>X</p>	
<p>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?</p>			<p>X</p>	
<p>f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?</p>			<p>X</p>	

<p>g) Comply with federal, state, and local statutes and regulations related to solid waste?</p>			<p>X</p>	
<p>Discussion: Impacts to the existing utility and service systems will be minimal as a result of this project. The project site has historically been used for commercial purposes. The project was referred to the Modesto Irrigation District (MID) for comments. MID is requiring protection of the District’s facilities through standard conditions of approval. The project was also referred to the Salida Sanitary District but no response has been received to date.</p>				
<p>Mitigation: None.</p>				
<p>References: Referral response from Modesto Irrigation District dated September 17, 2014, and the Stanislaus County General Plan and Support Documentation¹.</p>				
<p>XVIII. MANDATORY FINDINGS OF SIGNIFICANCE --</p>	<p>Potentially Significant Impact</p>	<p>Less Than Significant With Mitigation Included</p>	<p>Less Than Significant Impact</p>	<p>No Impact</p>
<p>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?</p>			<p>X</p>	
<p>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)?</p>			<p>X</p>	
<p>c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</p>			<p>X</p>	
<p>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.</p>				

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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 August 28, 2012; **Circulation Element** and **Noise Element** adopted on April 18, 2006.

NEGATIVE DECLARATION

NAME OF PROJECT: General Plan Amendment & Rezone Application No. PLN2014-0080 - Salida Market

LOCATION OF PROJECT: 4600 Broadway Avenue, at the south corner of the Broadway Avenue and Curtis Street intersection, in the Downtown Salida area. APN: 135-049-005

PROJECT DEVELOPERS: Robert Degrasse
L Street Architects
1414 L Street
Modesto, CA 95354

DESCRIPTION OF PROJECT: Request to amend the General Plan designation of Medium Density Residential to Planned Development and rezone from C-2 (General Commercial) to P-D (Planned Development) on a .33± acre parcel in order to replace a 4,406 square foot building with an 8,761 square foot building to be used as a retail market. The proposed rezone will facilitate the project's ability to meet parking requirements and allow additional lot coverage. Proposed hours of operation are daily, from 7:00 a.m. to 10:00 p.m., year round. The project will have eight (8) employees on a maximum shift and approximately 30 customers during peak times.

Based upon the Initial Study, dated **November 4, 2014**, 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, Associate Planner

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

SUMMARY OF RESPONSES FOR ENVIRONMENTAL REVIEW REFERRALS

PROJECT: GENERAL PLAN AMENDMENT & REZONE APPLICATION NO. PLN2014-0080 - SALIDA MARKET

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 OPR STATE CLEARINGHOUSE	X	X	X	X		X				X	X	
CA RWQCB CENTRAL VALLEY REGION	X	X	X	X		X				X	X	
SANITARY DIST: SALIDA	X	X	X		X							
COOPERATIVE EXTENSION	X	X			X							
FIRE PROTECTION DIST: SALIDA	X	X	X	X		X				X	X	
IRRIGATION DISTRICT: MODESTO	X	X	X	X		X				X	X	
MOSQUITO DISTRICT: EASTSIDE	X	X	X		X							
MT VALLEY EMERGENCY MEDICAL	X	X	X		X							
MUNICIPAL ADVISORY COUNCIL: SALIDA	X	X	X		X							
PACIFIC GAS & ELECTRIC	X	X	X		X							
RAILROAD: UNION PACIFIC	X	X	X		X							
SAN JOAQUIN VALLEY APCD	X	X	X	X		X				X	X	
SCHOOL DISTRICT 1: MODESTO	X	X	X	X		X				X	X	
SCHOOL DISTRICT 2: SALIDA	X	X	X		X							
STAN CO AG COMMISSIONER	X	X	X		X							
STAN CO BUILDING PERMITS DIVISION	X	X		X				X		X	X	
STAN CO CEO	X	X			X							
STAN CO DER	X	X		X		X				X	X	
STAN CO ERC	X	X		X				X		X		X
STAN CO HAZARDOUS MATERIALS	X	X			X							
STAN CO PUBLIC WORKS	X	X		X		X				X	X	
STAN CO SHERIFF	X	X			X							
STAN CO SUPERVISOR DIST 3: WITHROW	X	X			X							
STAN COUNTY COUNSEL	X	X			X							
STANISLAUS FIRE PREVENTION BUREAU	X	X			X							
STANISLAUS LAFCO	X	X	X		X							
SURROUNDING LAND OWNERS			X									
TELEPHONE COMPANY: AT&T	X	X	X		X							
TRIBAL CONTACTS (CA Government Code §65352.3)	X	X	X		X							
US MILITARY AGENCIES (SB 1462) (5 agencies)	X	X	X		X							