



February 5, 2015

MEMO TO: Stanislaus County Planning Commission

FROM: Department of Planning and Community Development

SUBJECT: **USE PERMIT APPLICATION NO. 2013-0087 – SHOFFNER TRUCK PARKING**

BACKGROUND

This request was originally scheduled for the December 18, 2014, Planning Commission Meeting. At the meeting, staff requested a Continuance to February 5, 2015, on behalf of the applicant in order to provide the applicant with additional time to work with the California Department of Fish and Wildlife (CDFW) on obtaining a “No Effect” Determination for CEQA filing fee purposes. The applicant has been granted a “No Effect” Determination by CDFW.

Staff recommends that the “Note” section on page 6 of the December 18, 2014 Staff Report be amended to read as follows:

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 \$57.00** ~~for the California Department of Fish and Wildlife (formerly the Department of Fish and Game) and the Clerk Recorder filing fees~~ **to file the Notice of Determination.** The attached Conditions of Approval ensure that this will occur.

Staff also recommends the following amendment to Condition of Approval No. 2 of the proposed project:

- ~~Pursuant to Section 711.4 of the California Fish and Game Code (effective January 1, 2014), 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.”~~ **Prior to filing the Notice of Determination, Within 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 ~~\$2,238.25~~ **\$57.00**, 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.~~

As reflected in the December 18, 2014 Memorandum to the Planning Commission, the applicant has worked with staff to amend Condition of Approval No. 17 as follows (See Exhibit 4):

17. An encroachment permit shall be taken out for the relocation of the truck driveway onto Don Pedro Road ~~within two (2) months of the approval of the use permit~~ **at such time that construction will take place on the Faith Home Road corridor. The construction that will trigger the relocation of the driveway will be the widening of the Faith Home Corridor south of the Tuolumne River and/or the initiation of the construction of the bridge crossing the Tuolumne River at Faith Home Road/Garner Road.** The driveway used by the trucks on Faith Home Road will be removed at the time of the installation of the new driveway. The new driveway location and design will have to be approved by Public Works **and in coordination with the City of Ceres.**

Both amended Conditions of Approval No. 2 and 17 are reflected in Exhibit 2 – Amended Draft Conditions of Approval.

RECOMMENDATION

Staff recommends the Planning Commission approve the request based on the discussion above, including the amendments to Conditions of Approval No. 2 and 17, the discussion in the attached December 18, 2014 Planning Commission staff report and on the whole of the record provided to the County. If the Planning Commission decides to approve the project, Exhibit A of the December 18, 2014, staff report provides an overview of the findings required for project approval.

Attachments:

- Exhibit 1 - CEQA Filing Fee No Effect Determination Letter dated December 23, 2014 from the California Department of Fish and Wildlife
- Exhibit 2 - Amended Draft Conditions of Approval dated February 5, 2015
- Exhibit 3 - Planning Commission Staff Report dated December 18, 2014
- Exhibit 4 - Memorandum to the Planning Commission dated December 18, 2014



State of California - Natural Resources Agency
 DEPARTMENT OF FISH AND WILDLIFE
 1416 9th Street
 Sacramento, CA 95814
<http://www.wildlife.ca.gov>

EDMUND G. BROWN JR., Governor
 CHARLTON H. BONHAM, Director



CEQA Filing Fee No Effect Determination

Applicant Name and Address:

Gary & Dolores Shoffner
 3801 Faith Home Road
 Ceres, CA 95380

CEQA Lead Agency: Stanislaus County

Project Name: Shoffner Truck Parking; UP PLN2013-0087

CEQA Document Type: Negative Declaration

State Clearing House Number and/or local agency ID number: 2013112056

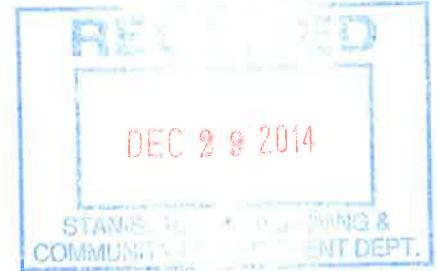
Project Location: The Project is located at 3801 Faith Home Road, on the southwest corner of the Faith Home and Don Pedro Road intersection, within the city of Ceres.

Brief Project Description: The application is a Use Permit request to establish a truck parking facility, including 11 trucks and 18 trailers, on a 2.54 acre parcel. The current and proposed future use of the Project site consists of drivers arriving in the morning, parking their personal vehicles on site, and leaving in a truck for the day. The drivers then return at the end of the day, park the truck, and go home in their personal vehicles. There are no buildings proposed or associated with the operation. The operation currently hauls dry goods/freight consisting of empty cans, plastic, and cardboard materials. The operation has been on site since 1999.

Determination: Based on a review of the project as proposed, the Department of Fish and Wildlife has determined that for purposes of the assessment of CEQA filing fees (Fish and G. Code § 711.4(c)) the project has no effect on fish, wildlife or their habitat and the project as described does not require payment of a CEQA filing fee. This determination does not in any way imply that the project is exempt from CEQA and does not determine the significance of any potential project effects evaluated pursuant to CEQA.

Please retain this original determination for your records. Local lead agencies are required to file two copies of this determination with the county clerk at time of filing of the Notice of Determination (NOD) after the project is approved. State lead agencies are required to file two copies of this determination with the Governor's Office of Planning and Research (State Clearinghouse) at the time of filing the NOD. If you do not file a copy of this determination as appropriate with the county clerk or State Clearinghouse at the time of filing of the NOD, the appropriate CEQA filing fee will be due and payable.

Without a valid CEQA Filing Fee No Effect Determination form or proof of fee payment, the project will not be operative, vested, or final and any local permits issued for the project will be invalid, pursuant to FGC Section 711.4(c)(3).



CDFW Approval By:  Date: 12/23/14
 Title: EPM I

NOTE: Approval of this application is valid only if the following conditions are met. This permit shall expire unless activated within 18 months of the date of approval. In order to activate the permit, it must be signed by the applicant and one of the following actions must occur: (a) a valid building permit must be obtained to construct the necessary structures and appurtenances; or, (b) the property must be used for the purpose for which the permit is granted. (Stanislaus County Ordinance 21.104.030)

CONDITIONS OF APPROVAL

USE PERMIT APPLICATION NO. PLN2013-0087 SHOFFNER TRUCK PARKING

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.
2. ~~Pursuant to Section 711.4 of the California Fish and Game Code (effective January 1, 2014), 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."~~ **Prior to filing the Notice of Determination, Within 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 ~~\$2,238.25~~ **\$57.00**, 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 skyglow (light spilling into the night sky) and the installation of shielded fixtures to prevent light trespass (glare and spill light that shines onto neighboring properties).

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. A sign plan for all proposed on-site signs indicating the location, height, area of the sign(s), and message must be approved by the City of Ceres prior to installation.
8. 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 stream-bed alteration agreements, permits, or authorizations, if necessary.
9. 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.
10. 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.
11. 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.
12. 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.
13. The property currently has an expired Temporary Mobile Home on site under TMHP No. 98-28 - October, Dolores & Gary Shoffner. The mobile home shall be brought into compliance within six (6) months of use permit approval.
14. The operation shall not cause an unreasonable amount of noise, odor, dust, smoke, vibration, or electrical interference detectable off the site.

15. All conditions of approval shall be completed and/or complied with. Failure to do so shall result in revocation of the use permit.

City of Ceres

16. Within 90 days of approval, the property owner/applicant shall enter into an agreement with the City of Ceres stating that the owner/applicant will not protest any future annexation proposal of the property. The agreement will allow the owner/applicant to continue to operate the use should the property be annexed.

Department of Public Works

17. An encroachment permit shall be taken out for the relocation of the truck driveway onto Don Pedro Road ~~within two (2) months of the approval of the use permit~~ **at such time that construction will take place on the Faith Home Road corridor. The construction that will trigger the relocation of the driveway will be the widening of the Faith Home Corridor south of the Tuolumne River and/or the initiation of the construction of the bridge crossing the Tuolumne River at Faith Home Road/Garner Road.** The driveway used by the trucks on Faith Home Road will be removed at the time of the installation of the new driveway. The new driveway location ~~and design will have to be approved by Public Works~~ **and in coordination with the City of Ceres.**
18. Don Pedro Road is classified as a 60-foot Local Roadway. The current right-of-way is 40-feet. If 30-feet of the road right-of-way south of the roadway centerline does not exist, then the remainder 30-feet shall be dedicated with an Irrevocable Offer of Dedication for the entire project frontage on Don Pedro Road. The Irrevocable Offer of Dedication shall be submitted and approved within two (2) months of the approval of the use permit.
19. Faith Home Road is classified as a 135-foot, 6-lane, "Class B" Expressway. "Class B" Expressways are a partially access-controlled road. The current right-of-way is 40-feet. If 67.5-feet of the road right-of-way west of the roadway centerline does not exist, then the remainder 67.5-feet shall be dedicated with an Irrevocable Offer of Dedication for the entire project frontage on Faith Home Road. The Irrevocable Offer of Dedication shall be submitted and approved within two (2) months of the approval of the use permit.
20. A grading and drainage plan for the project site shall be submitted with the grading or building permit. Public Works will review and approve the drainage calculations. The grading and drainage plan shall be designed in accordance to the 2014 County Standards and Specifications and shall include the following minimum information:
 - The plan shall contain enough information to verify that all runoff will be kept from going onto adjacent properties and the Stanislaus County road right-of-way.
 - The grading, drainage, and erosion control plan shall comply with the National Pollutant Discharge Elimination System (NPDES) General Construction Permit, including post development treatment and water quality treatment requirements.
 - A Notice of Intent (NOI) shall be submitted to the County prior to the approval of the grading permit.
 - The grading, drainage, and associated work shall be accepted by Stanislaus County Public Works prior to a final inspection or occupancy, as required by the grading/building permit.

- The applicant of the grading/building permit shall pay the current Stanislaus County Public Works weighted labor rate for the plan review of the building and/or grading plan and all inspection fees. The Public Works inspector shall be contacted 48 hours prior to the commencement of any grading or drainage work on-site. The plans shall not be released until such time that all plan check and inspection fees have been paid.
 - The applicant shall determine the project risk level and pay the appropriate NPDES fee based on the latest Public Works Engineering fee schedule.
21. Prior to the final of any building or grading permit, the applicant shall make road frontage improvements along the entire parcel lengths on both Don Pedro Road and Faith Home Road. These improvements shall include asphalt road widening and drainage, bringing the existing road up to 12' wide paved vehicle lane, and a 4' wide paved asphalt shoulder north of the centerline of Don Pedro Road. Improvement plans will be submitted to Stanislaus County Public Works for approval. The structural section and cross slopes shall meet Stanislaus County Public Works Standards and Specifications.
 22. An acceptable financial guarantee for all road improvements shall be provided to the Department of Public Works prior to the issuance of any building or grading permit, or within six (6) months of project approval. This may be deferred if the work in the right-of-way is done prior to the issuance of any building permit or prior to project approval.
 23. An Engineer's Estimate shall be provided for the road improvements so that the amount of the financial guarantee can be determined.
 24. An encroachment permit shall be obtained and issued prior to any work being done in the County road right-of-way.
 25. No parking, loading, or unloading of vehicles shall be permitted within the right-of-way of Don Pedro Road or Faith Home Road. The property owner will be required to install or pay for the installation of any signs or markings, if warranted.

Turlock Irrigation District

26. There is an existing irrigation pipeline running north to south along the west side of the property. This facility must be protected at all times. If additional site improvements are to be constructed in the future, then District should be afforded an opportunity to review the project plans. Any improvements to this property which impact irrigation facilities shall be subject to the District's approval and meet all District standards and specifications.
27. The owner/developer must apply for a facility change for any pole or electrical facility relocation. Facility changes are performed at the developer's expense.

*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 COMMISSION

December 18, 2014

STAFF REPORT

USE PERMIT APPLICATION NO. PLN2013-0087 SHOFFNER TRUCK PARKING

REQUEST: TO ESTABLISH A TRUCK PARKING FACILITY, INCLUDING 11 TRUCKS AND 18 TRAILERS, ON A 2.54± ACRE PARCEL.

APPLICATION INFORMATION

Applicant/Owner:	Gary and Dolores Shoffner
Location:	3801 Faith Home Road, on the southwest corner of the Faith Home and Don Pedro Roads intersection, south of Roeding Road and north of E. Service Road, in the City of Ceres Sphere of Influence
Section, Township, Range:	13-4-9
Supervisorial District:	Five (Supervisor DeMartini)
Assessor's Parcel:	069-024-009
Referrals:	See Exhibit H Environmental Review Referrals
Area of Parcel(s):	2.54± acres
Water Supply:	Private Well
Sewage Disposal:	Private Septic System
Existing Zoning:	A-2-10 (General Agriculture)
General Plan Designation:	Urban Transition
Sphere of Influence:	City of Ceres
Community Plan Designation:	Not Applicable
Williamson Act Contract No.:	Not Applicable
Environmental Review:	Negative Declaration
Present Land Use:	Truck parking operation, single-family dwelling, and mobile home
Surrounding Land Use:	Orchards to the north; grains to the east; and ranchettes to the south and west including several scattered single-family dwellings on neighboring parcels and P-D (24) located directly west of the site

RECOMMENDATION

Staff recommends the Planning Commission approve this request based on the discussion below and on the whole of the record provided to this Department. If the Planning Commission decides to approve the project, Exhibit A provides an overview of all of the findings required for project approval.

BACKGROUND

Historically, the parking of tractor-trailers in the A-2 zone has been non-permitted. In 2008, approximately 20 facilities were reported to the Stanislaus County Department of Environmental Resources (DER) Code Enforcement Division and each was given a Notice and Order to Abate. The proposed operation was one of those facilities. The applicants applied for a General Plan Amendment and Rezone (GPA/REZ) to bring the facility into compliance. During the application process, the County began work on an ordinance amendment to allow the parking of tractor-trailers in the A-2 zone. As a result, the GPA/REZ application was placed on hold.

In 2012, the Stanislaus County Board of Supervisors (BOS) approved Ordinance Amendment 2009-01 – Truck Parking in the Agricultural Zone. The Ordinance Amendment allows the parking of tractor-trailer (truck) combinations in the A-2 zoning district once a Use Permit is obtained. The ordinance section provides a definition for a “tractor-trailer combination”. (See Exhibit F - *Zoning Ordinance Section 21.20.030(G) - Parking of Tractor-Trailer Combinations.*) In 2013, the applicants submitted a new application for a use permit to bring the facility into compliance.

PROJECT DESCRIPTION

The application is a request to establish a truck parking facility, including 11 trucks and 18 trailers, on a 2.54± acre parcel. The operation has 10 employees. Hours of operation are 5:00 a.m. to 7:00 p.m., Monday through Saturday, from July through October and seven days a week from November through June. Drivers arrive in the morning, park their personal vehicles on site, and leave in a truck for the day. The drivers then return at the end of the day, park the truck, and go home in their personal vehicles. The operation currently hauls dry goods/freight consisting of empty cans, plastic, and cardboard materials. Truck service and maintenance is done off-site. The applicants live on site and there are no buildings proposed or associated with the operation. All trucks are owned by and registered to the property owner.

SITE DESCRIPTION

The project is located at 3801 Faith Home Road, on the southwest corner of the Faith Home and Don Pedro Roads intersection, within the City of Ceres Sphere of Influence (SOI). The project site is surrounded by orchards to the north; grains to the east; and ranchettes to the south and west including several scattered single-family dwellings on neighboring parcels. The property directly west of the project site is zoned P-D (24) which was approved in 1976 for on-site tours and classes related to farming practices for Heifer Project International; however, the P-D has not been in operation for over five (5) years. The 2.54± acre project site contains the truck parking operation, a 2,200± square foot single-family dwelling with a 1,200± square foot attached garage, and an 800 square foot mobile home. The mobile home was allowed under Temporary Mobile Home Permit (TMHP) No. 98-28 - October which expired in February of 2013. Staff has added a condition of approval requiring that the mobile home be brought into compliance.

ISSUES

The following section is a discussion of issues identified by County staff. Staff has evaluated potential issues and provides the following comments:

Vehicular Access onto Faith Home Road - Faith Home Road is designated as a 135-foot, 6-lane, “Class B” Expressway. According to the Circulation Element of the Stanislaus County General Plan, a “Class B” Expressway is a partially access-controlled road with traffic-controlled intersections at

Major roads and other Expressways. The project site currently has a horseshoe driveway for the home, an additional driveway for the mobile home, and a driveway for the truck parking operation, all on Faith Home Road. The Stanislaus County Environmental Review Committee (ERC) has stated that truck and trailer traffic entering and exiting the project site from its current access location on Faith Home Road has the potential to create a significant hazard to the traveling public. Both the ERC and the Stanislaus County Department of Public Works are recommending that the applicant relocate the truck access from Faith Home Road to Don Pedro Road to be in accordance with road designation requirements. Staff has informed the City of Ceres of the recommendation to relocate the truck access. City staff supports the relocation.

The applicant prefers to leave the driveway on Faith Home Road, stating that there is more traffic on Don Pedro Road due to a nearby school (Whitmore Charter School) to the west and that Don Pedro Road is narrower than Faith Home Road, making it more difficult to drive on. The applicant has also stated that the Don Pedro and Faith Home Roads intersection has poor visibility for southbound traffic on Faith Home Road caused by the orchard directly north of the project site. Public Works staff has completed a site visit and is working with the neighboring property owner to remove the obstruction. Staff has added a condition of approval requiring that the truck parking driveway be moved from Faith Home Road to Don Pedro Road.

GENERAL PLAN CONSISTENCY

The site is currently designated Urban Transition in the Stanislaus County General Plan and this designation is consistent with an A-2 (General Agriculture) zoning district. The agricultural designation recognizes the value and importance of agriculture by acting to preclude incompatible urban development within agricultural areas.

The proposed project is addressed by the following goals, objectives, and policies of the Land Use Element and Agricultural Element of the General Plan:

Land Use Element

Goal Three - Foster stable economic growth through appropriate land use policies

Policy Eighteen - Accommodate the siting of industries with unique requirements.

Goal Five - Complement the general plans of cities within the County.

Policy Twenty-four - 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 has been referred to the City of Ceres for review. The project site is designated as Low Density Residential in the City of Ceres General Plan. The City of Ceres has not raised any concerns related to the project and is only requiring that the applicant enter into an agreement with the City of Ceres to waive protest to annexation proceedings should the project site be annexed in the future. (See Exhibit G – *Email from the City of Ceres dated December 11, 2013.*)

Agricultural Element

Goal One - *Strengthen the agricultural sector of our economy*

Objective No. 1.3 - *Minimizing agricultural conflicts*

Policy 1.10 - *The County shall protect agricultural operations from conflicts with non-agricultural uses by requiring buffers between proposed non-agricultural uses and adjacent agricultural operations.*

In response to Policy 1.10, Buffer and Setback Guidelines (Appendix A of the Agricultural Element) applicable to new or expanding uses approved in or adjacent to the A-2 (General Agriculture) zoning district have been adopted. Appendix A states the following:

Buffer Design Standards for New Uses:

- 1) *All projects shall incorporate a minimum 150 foot wide buffer setback. Projects which propose people intensive outdoor activities, such as athletic fields, shall incorporate a minimum 300 foot wide buffer setback.*
 - a. *Permitted uses within a buffer area shall include:*
 - i. *Public roadways, utilities, drainage facilities, rivers and adjacent riparian areas, landscaping, parking lots, and similar low people intensive uses. Walking and bike trails shall be allowed within buffers setback areas provided they are designed without rest areas.*
- 2) *A six foot high fence of uniform construction shall be installed along the perimeter of the developed area of the use to prevent trespassing onto adjacent agricultural lands. Fencing shall not be required for uses which do not directly establish the potential for increased trespassing onto adjacent agricultural lands.*

The project site currently has an approximately four (4) foot wire fence around the area where trucks are parked. The project site is a corner lot and is separated by Don Pedro and Faith Home Roads from surrounding agricultural operations.

Goal Two - *Conserve our agricultural lands for agricultural uses.*

Policy 2.5 - *To the greatest extent possible, development shall be directed away from the County's most productive agricultural areas.*

Implementation Measure 1 – *Until the term "Most Productive Agricultural Areas" is defined on a countywide basis, the term will be determined on a case-by-case basis when a proposal is made for the conversion of agricultural land. Factors to be considered include but are not limited to soil types and potential for agricultural production; the availability of irrigation water; ownership and parcelization patterns; uniqueness and flexibility of use; the existence of Williamson Act contracts;*

existing uses and their contributions to the agricultural sector of the local economy. As an example, some grazing lands, dairy regions and poultry-producing areas as well as farmlands can be considered "Most Productive Agricultural Areas." Failure to farm specific parcels will not eliminate them from being considered "Most Productive Agricultural Areas." Areas considered to be "Most Productive Agricultural Areas" will not include any land within LAFCO-approved Spheres of Influence of cities or community services districts and sanitary districts serving unincorporated communities.

The project site is located within the City of Ceres SOI.

ZONING ORDINANCE CONSISTENCY

The parking of tractor-trailer combinations may be allowed in the A-2 (General Agriculture) zoning district under section 21.20.030(G) if a use permit is first obtained. In order to approve the use permit, the Planning Commission must make the following findings.

1. *The establishment, maintenance and operation of the proposed use or building applied for is consistent with the general plan and will not, under the circumstances of the particular case, be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood of the use and that it will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the county;*
2. *The establishment as proposed will not be substantially detrimental to or in conflict with agricultural use of other property in the vicinity; and*
3. *The establishment as proposed will not create a concentration of commercial and industrial uses in the vicinity.*

In addition to these findings, the project must also meet project site and operations related requirements listed in section 21.20.030(G) part 3(a) of the A-2 Zoning Ordinance. (See Exhibit F – *Zoning Ordinance Section 21.20.030(G) - Parking of Tractor-Trailer Combinations.*) The proposed project meets all required criteria listed in this section.

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 environmental issues were raised. (See Exhibit H - *Environmental Review Referrals.*)

Staff received a letter from the ERC dated October 8, 2014, regarding the project. The ERC recommends that the project incorporate on-site landscaping consisting of trees and bushes to obstruct and soften the visual impacts of a truck parking lot; however, staff has discussed this item with the City of Ceres and the City has indicated that, due to the project site's location on the periphery of the City's SOI and the fact that there are no other properties in the area that have significant amounts of landscaping along their frontages, the City is not requiring any landscaping for the project.

The ERC also listed concerns with dust from the parking lot having the potential to violate air quality standards and create hazardous conditions due to reduced visibility on adjacent roads. The project was referred to the San Joaquin Valley Air Pollution Control District (SJVAPCD) for review and comment. No response has been received to date. The project site is currently graveled. Staff has

added a condition of approval requiring that the operation be conducted in such a manner as to not create a nuisance, including dust. (See Exhibit C – *Conditions of Approval*.)

A Negative Declaration has been prepared for approval as the project will not have a significant effect on the environment. (See Exhibit E - *Negative Declaration*.) Conditions of approval reflecting referral responses have been placed on the project. (See Exhibit C - *Conditions of Approval*.)

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. 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 - Conditions of Approval
- Exhibit D - Initial Study
- Exhibit E - Negative Declaration
- Exhibit F - Zoning Ordinance Section 21.20.030(G) - Parking of Tractor-Trailer Combinations
- Exhibit G - Email from City of Ceres dated December 11, 2013
- Exhibit H - 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 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 project is consistent with the Stanislaus County General Plan as described in the staff report.
4. Find that:
 - (a) The establishment, maintenance, and operation of the proposed use or building applied for is consistent with the General Plan designation of "Urban Transition" and will not, under the circumstances of the particular case, be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood of the use and that it will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County;
 - (b) The use as proposed will not be substantially detrimental to or in conflict with agricultural use of other property in the vicinity; and
 - (c) The establishment as proposed will not create a concentration of commercial and industrial uses in the vicinity.
5. Approve Use Permit Application No. PLN2013-0087 – Shoffner Truck Parking, subject to the attached conditions of approval.

**UP PLN2013-0087
SHOFFNER TRUCK PARKING
AREA MAP**

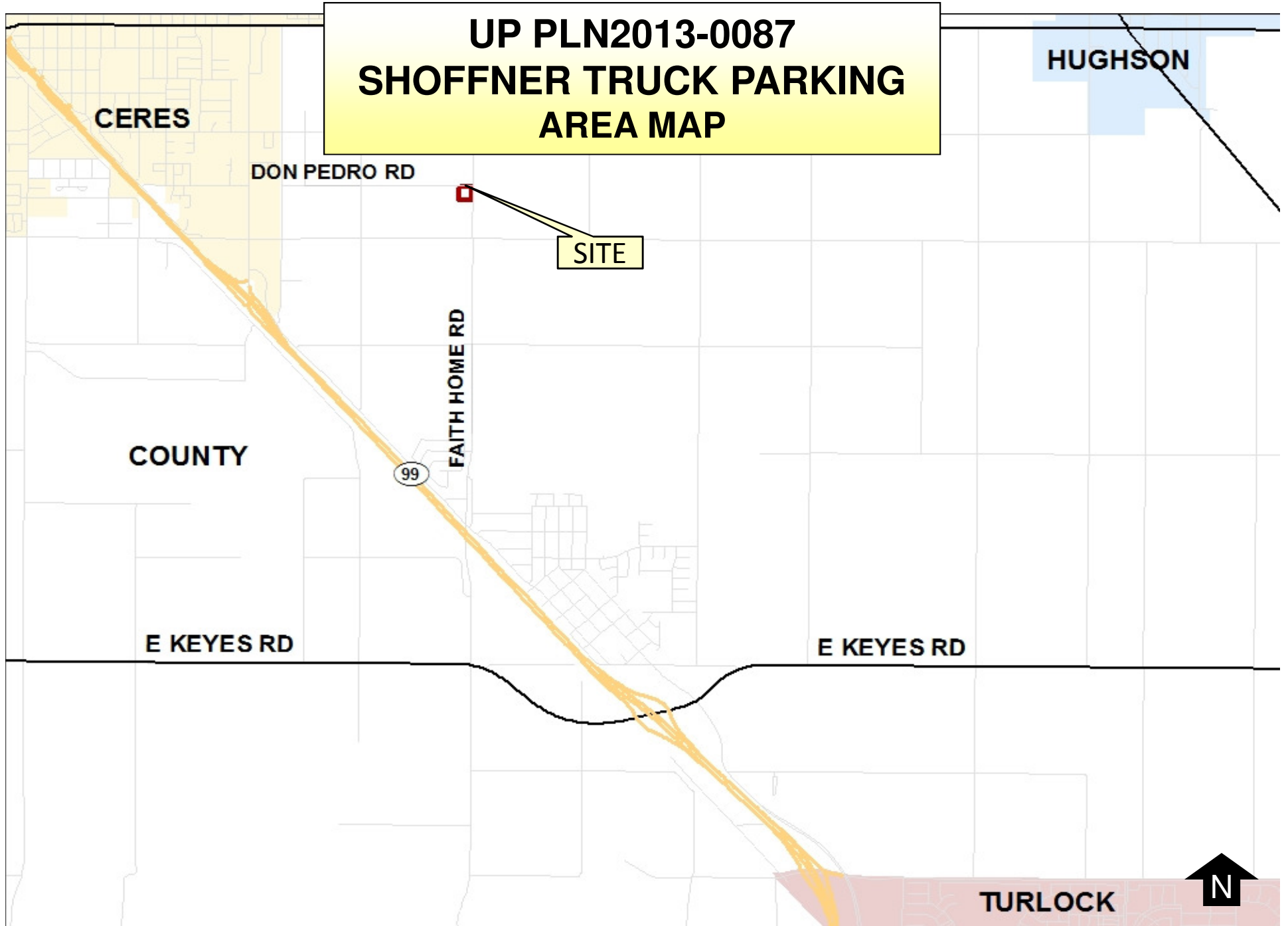


EXHIBIT B

**UP PLN2013-0087
SHOFFNER TRUCK PARKING
GENERAL PLAN MAP**

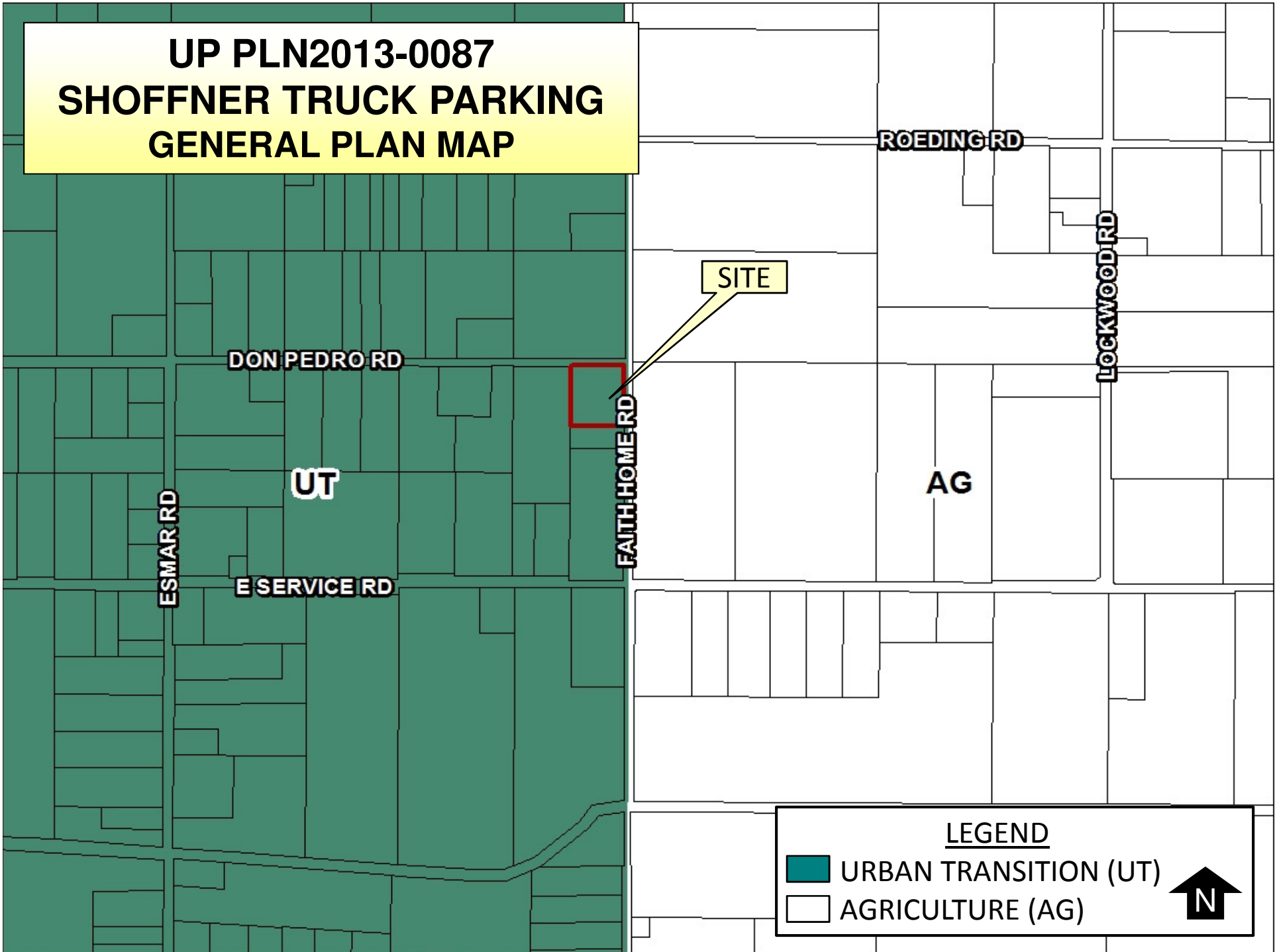
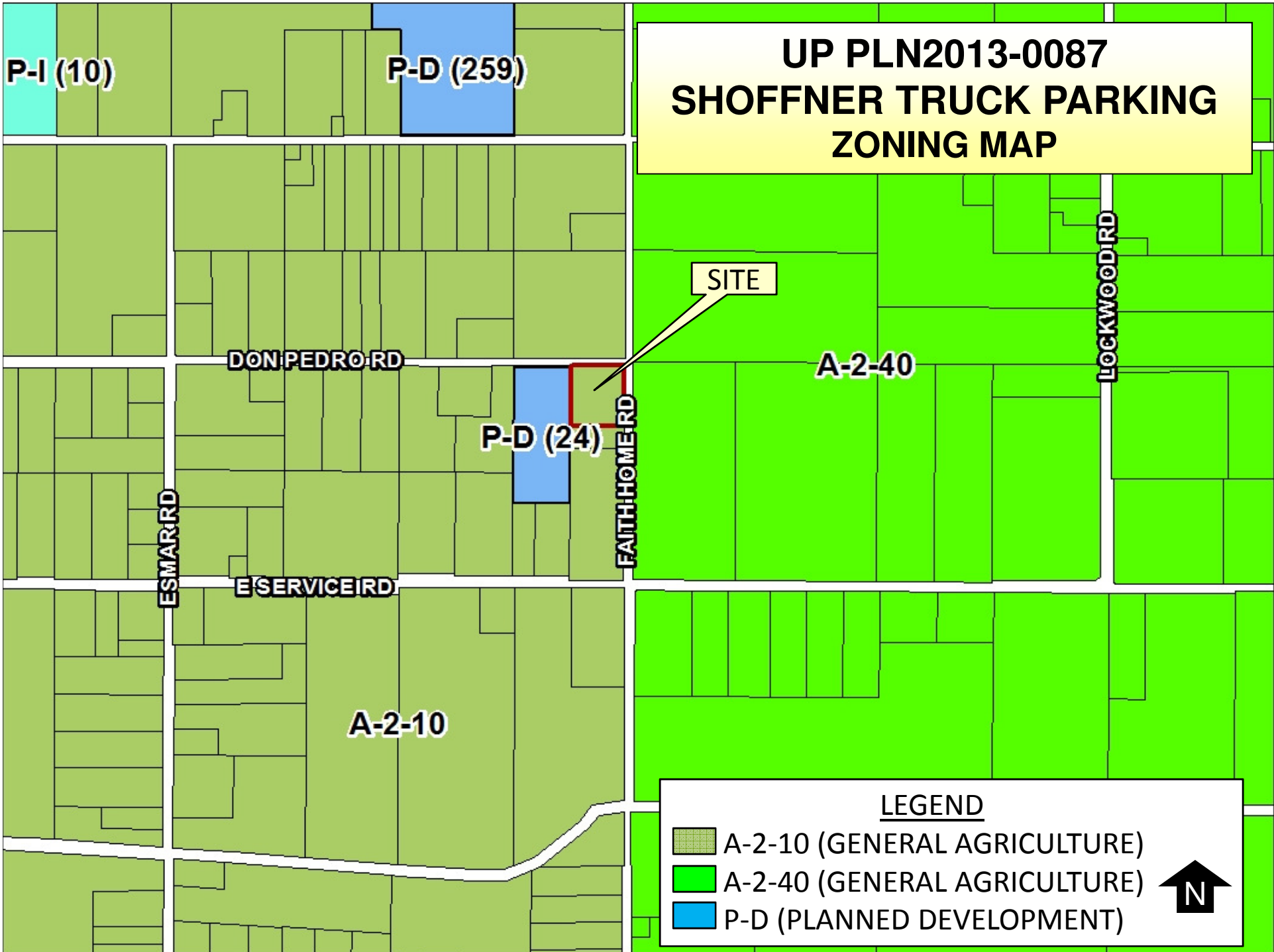


EXHIBIT B-1



**UP PLN2013-0087
SHOFFNER TRUCK PARKING
SPHERE OF INFLUENCE MAP**

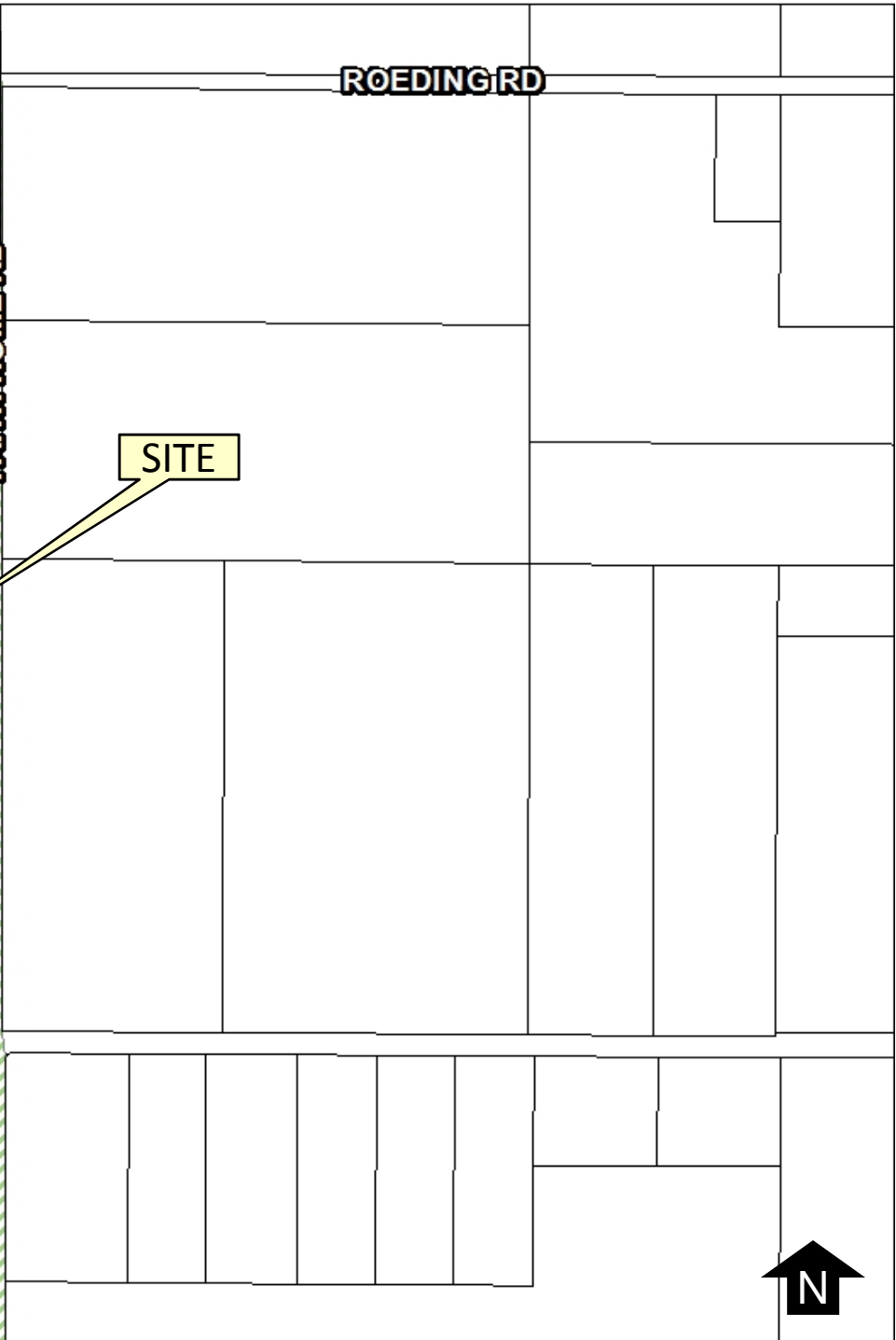
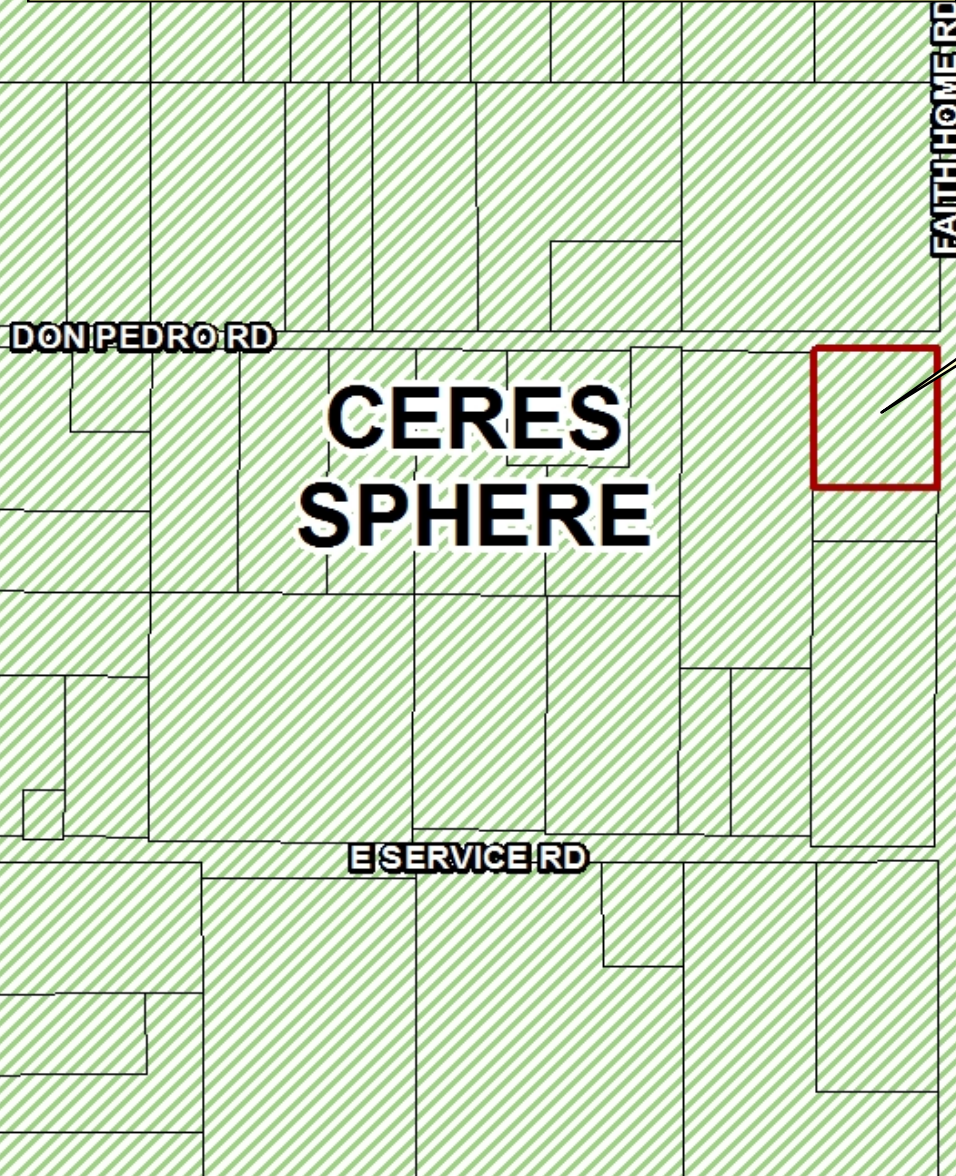


EXHIBIT B-3



**UP PLN2013-0087
SHOFFNER TRUCK PARKING
ACREAGE MAP**

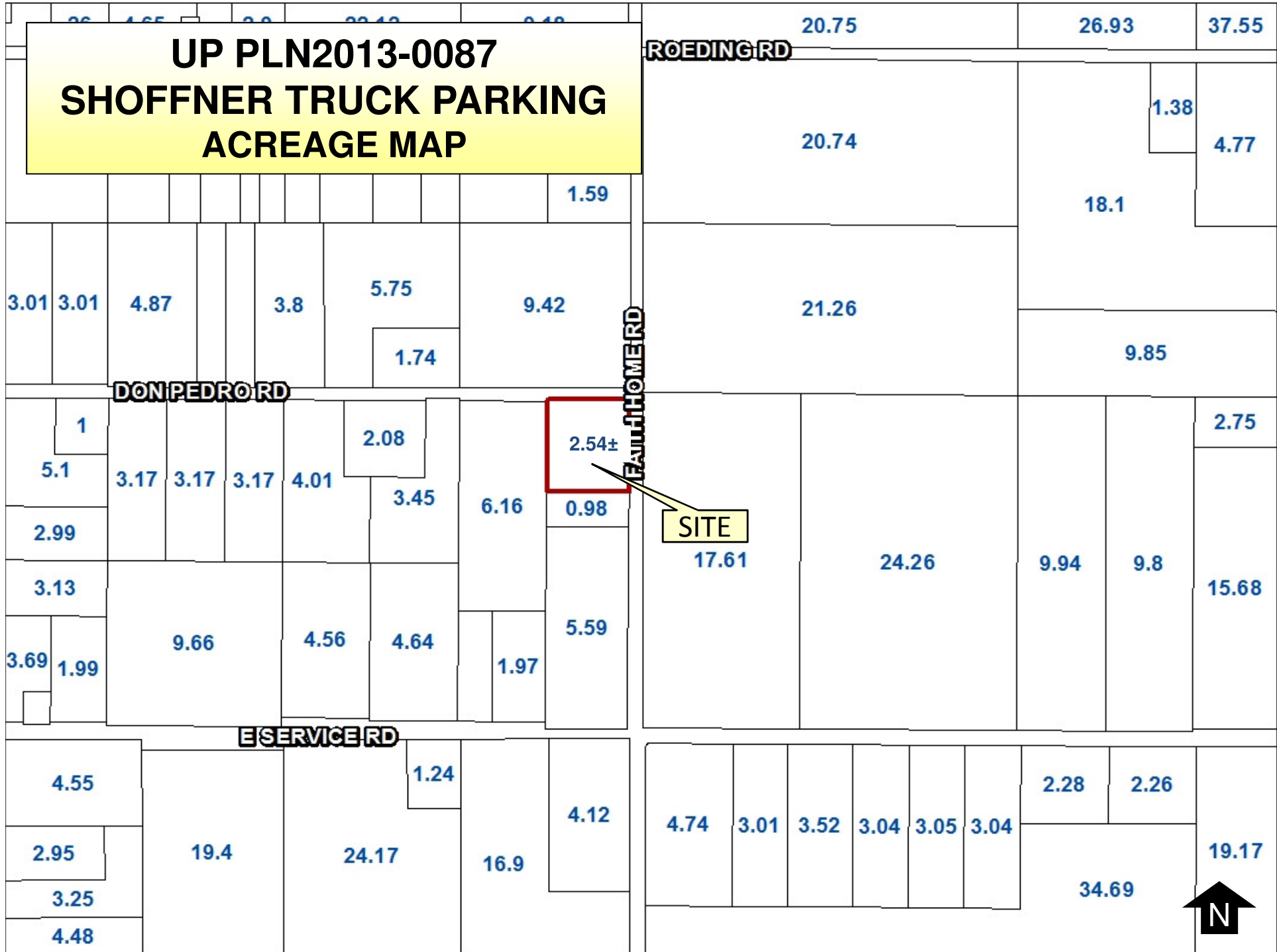


EXHIBIT B-4



DON PEDRO RD

FAITH HOME RD

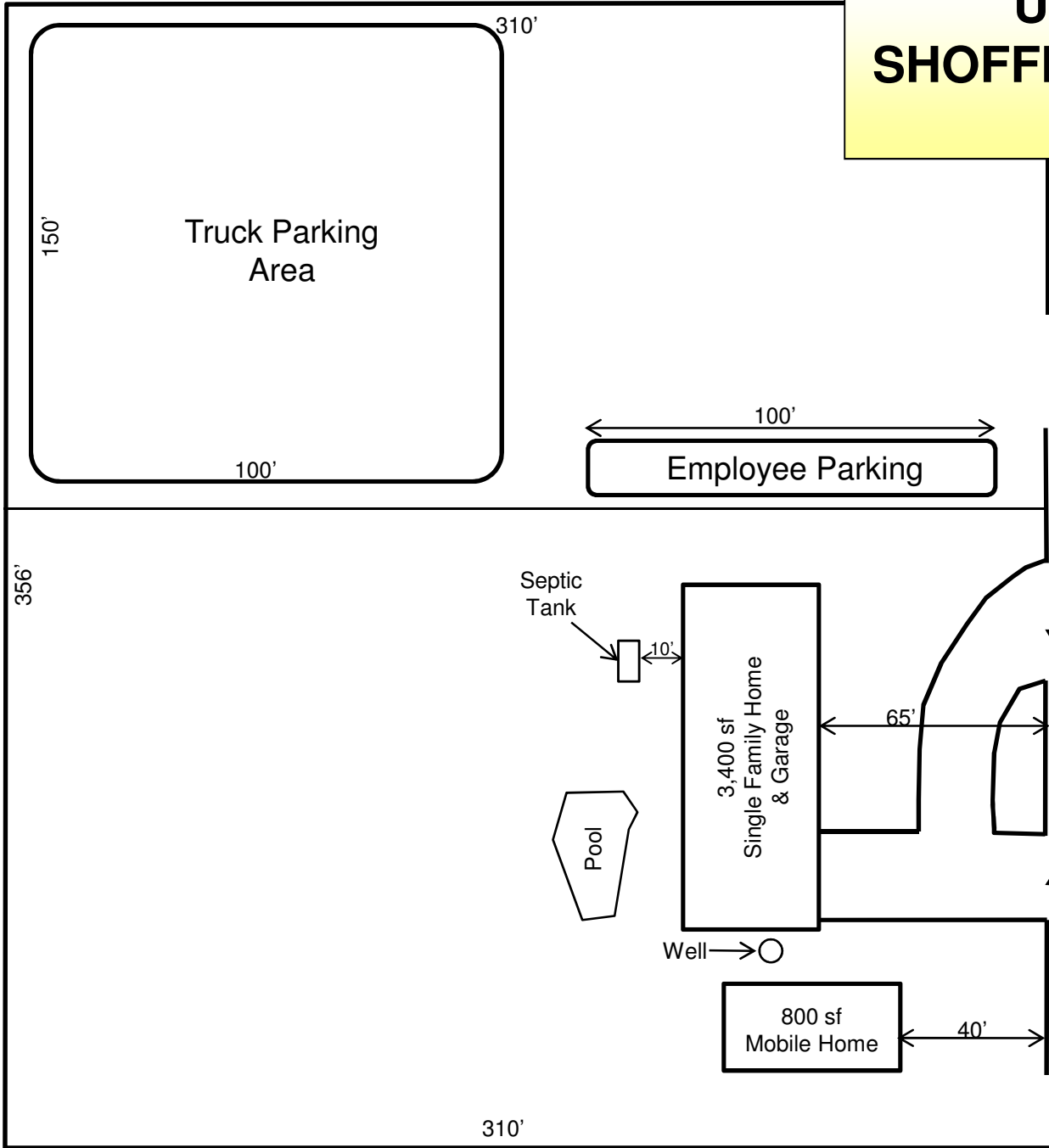
**UP PLN2013-0087
SHOFFNER TRUCK PARKING
AERIAL 2013**



EXHIBIT B-5

DON PEDRO RD.

UP PLN2013-0087 SHOFFNER TRUCK PARKING SITE PLAN



FAITH HOME RD.

Existing Truck Driveway

Existing Residential Driveways

EXHIBIT B-6



NOTE: Approval of this application is valid only if the following conditions are met. This permit shall expire unless activated within 18 months of the date of approval. In order to activate the permit, it must be signed by the applicant and one of the following actions must occur: (a) a valid building permit must be obtained to construct the necessary structures and appurtenances; or, (b) the property must be used for the purpose for which the permit is granted. (Stanislaus County Ordinance 21.104.030)

CONDITIONS OF APPROVAL

USE PERMIT APPLICATION NO. PLN2013-0087 SHOFFNER TRUCK PARKING

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.
2. ~~Pursuant to Section 711.4 of the California Fish and Game Code (effective January 1, 2014), 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."~~ **Prior to filing the Notice of Determination, Within 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 ~~\$2,238.25~~ **\$57.00**, 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 skyglow (light spilling into the night sky) and the installation of shielded fixtures to prevent light trespass (glare and spill light that shines onto neighboring properties).

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. A sign plan for all proposed on-site signs indicating the location, height, area of the sign(s), and message must be approved by the City of Ceres prior to installation.
8. 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 stream-bed alteration agreements, permits, or authorizations, if necessary.
9. 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.
10. 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.
11. 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.
12. 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.
13. The property currently has an expired Temporary Mobile Home on site under TMHP No. 98-28 - October, Dolores & Gary Shoffner. The mobile home shall be brought into compliance within six (6) months of use permit approval.
14. The operation shall not cause an unreasonable amount of noise, odor, dust, smoke, vibration, or electrical interference detectable off the site.

15. All conditions of approval shall be completed and/or complied with. Failure to do so shall result in revocation of the use permit.

City of Ceres

16. Within 90 days of approval, the property owner/applicant shall enter into an agreement with the City of Ceres stating that the owner/applicant will not protest any future annexation proposal of the property. The agreement will allow the owner/applicant to continue to operate the use should the property be annexed.

Department of Public Works

17. An encroachment permit shall be taken out for the relocation of the truck driveway onto Don Pedro Road ~~within two (2) months of the approval of the use permit~~ **at such time that construction will take place on the Faith Home Road corridor. The construction that will trigger the relocation of the driveway will be the widening of the Faith Home Corridor south of the Tuolumne River and/or the initiation of the construction of the bridge crossing the Tuolumne River at Faith Home Road/Garner Road.** The driveway used by the trucks on Faith Home Road will be removed at the time of the installation of the new driveway. The new driveway location ~~and design will have to be approved by Public Works~~ **and in coordination with the City of Ceres.**
18. Don Pedro Road is classified as a 60-foot Local Roadway. The current right-of-way is 40-feet. If 30-feet of the road right-of-way south of the roadway centerline does not exist, then the remainder 30-feet shall be dedicated with an Irrevocable Offer of Dedication for the entire project frontage on Don Pedro Road. The Irrevocable Offer of Dedication shall be submitted and approved within two (2) months of the approval of the use permit.
19. Faith Home Road is classified as a 135-foot, 6-lane, "Class B" Expressway. "Class B" Expressways are a partially access-controlled road. The current right-of-way is 40-feet. If 67.5-feet of the road right-of-way west of the roadway centerline does not exist, then the remainder 67.5-feet shall be dedicated with an Irrevocable Offer of Dedication for the entire project frontage on Faith Home Road. The Irrevocable Offer of Dedication shall be submitted and approved within two (2) months of the approval of the use permit.
20. A grading and drainage plan for the project site shall be submitted with the grading or building permit. Public Works will review and approve the drainage calculations. The grading and drainage plan shall be designed in accordance to the 2014 County Standards and Specifications and shall include the following minimum information:
 - The plan shall contain enough information to verify that all runoff will be kept from going onto adjacent properties and the Stanislaus County road right-of-way.
 - The grading, drainage, and erosion control plan shall comply with the National Pollutant Discharge Elimination System (NPDES) General Construction Permit, including post development treatment and water quality treatment requirements.
 - A Notice of Intent (NOI) shall be submitted to the County prior to the approval of the grading permit.
 - The grading, drainage, and associated work shall be accepted by Stanislaus County Public Works prior to a final inspection or occupancy, as required by the grading/building permit.

- The applicant of the grading/building permit shall pay the current Stanislaus County Public Works weighted labor rate for the plan review of the building and/or grading plan and all inspection fees. The Public Works inspector shall be contacted 48 hours prior to the commencement of any grading or drainage work on-site. The plans shall not be released until such time that all plan check and inspection fees have been paid.
 - The applicant shall determine the project risk level and pay the appropriate NPDES fee based on the latest Public Works Engineering fee schedule.
21. Prior to the final of any building or grading permit, the applicant shall make road frontage improvements along the entire parcel lengths on both Don Pedro Road and Faith Home Road. These improvements shall include asphalt road widening and drainage, bringing the existing road up to 12' wide paved vehicle lane, and a 4' wide paved asphalt shoulder north of the centerline of Don Pedro Road. Improvement plans will be submitted to Stanislaus County Public Works for approval. The structural section and cross slopes shall meet Stanislaus County Public Works Standards and Specifications.
 22. An acceptable financial guarantee for all road improvements shall be provided to the Department of Public Works prior to the issuance of any building or grading permit, or within six (6) months of project approval. This may be deferred if the work in the right-of-way is done prior to the issuance of any building permit or prior to project approval.
 23. An Engineer's Estimate shall be provided for the road improvements so that the amount of the financial guarantee can be determined.
 24. An encroachment permit shall be obtained and issued prior to any work being done in the County road right-of-way.
 25. No parking, loading, or unloading of vehicles shall be permitted within the right-of-way of Don Pedro Road or Faith Home Road. The property owner will be required to install or pay for the installation of any signs or markings, if warranted.

Turlock Irrigation District

26. There is an existing irrigation pipeline running north to south along the west side of the property. This facility must be protected at all times. If additional site improvements are to be constructed in the future, then District should be afforded an opportunity to review the project plans. Any improvements to this property which impact irrigation facilities shall be subject to the District's approval and meet all District standards and specifications.
27. The owner/developer must apply for a facility change for any pole or electrical facility relocation. Facility changes are performed at the developer's expense.

*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:** Use Permit Application No. PLN2013-0087 - Shoffner Truck Parking
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:** 3801 Faith Home Road, on the southwest corner of the Faith Home and Don Pedro Roads intersection, south of Roeding Road and north of E. Service Road, in the City of Ceres Sphere of Influence (SOI). APN: 069-024-009
5. **Project sponsor's name and address:** Gary & Dolores Shoffner
3801 Faith Home Road
Ceres, CA 95380
6. **General Plan designation:** Urban Transition
7. **Zoning:** A-2-10 (General Agriculture)
8. **Description of project:**
Request to establish a truck parking facility, including 11 trucks and 18 trailers, on a 2.54± acre parcel. The operation has 10 employees and the hours of operation are 5:00 a.m. to 7:00 p.m., Monday through Saturday, from July through October and seven days a week from November through June.
9. **Surrounding land uses and setting:** Orchards to the north; grains to the east; and ranchettes to the south and west with several scattered single-family dwellings on neighboring parcels
10. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.):** City of Ceres
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, Associate Planner
Prepared By

August 22, 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. Community standards generally do not dictate the need or desire for architectural review of residential subdivisions or uses allowed in the A-2 zoning district. Any development resulting from this project will be consistent with existing area developments.</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 is approximately 2.54± acres in size, is not currently enrolled in a Williamson Act Contract, and has soils classified as Rural Residential land by the California State Department of Conservation Farmland Mapping and Monitoring Program.

A 1957 Soil Survey classifies the entire project site as having soils of HdA, Hanford sandy loam, 0 to 3 percent slopes, Index Rating of 91, and a grade of 1.

Within the A-2 (General Agriculture) zoning district, the County has determined that certain uses related to agricultural production are “necessary for a healthy agricultural economy.” The County allows the parking of tractor-trailer combinations if specific criteria can be met and if specific findings can be made. Those findings include that the establishment, as proposed, will not be substantially detrimental to, or in conflict with, the agricultural use of other property in the vicinity and that it will not create a concentration of commercial and industrial uses in the vicinity. In addition, the Planning Commission must find that the establishment, maintenance, and operation of the proposed use is consistent with the general plan and will not be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood of the use and that it will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the county.

The project is not expected to result in a significant amount of conversion of farmland to non-agricultural use because the site is only 2.54± acres in size. Also, the site is located in an Urban Transition area, as designated in the General Plan, and is within the City of Ceres SOI which is considered part of the least productive land in the County.

On December 20, 2011, General Plan Amendment No. 2011-01 - Revised Agricultural Buffers was approved by the Board of Supervisors to revise the County’s agricultural buffer requirements for projects. The Design standards require that projects incorporate a minimum 150 foot wide buffer setback and that projects proposing people intensive activities incorporate a minimum 300 foot wide setback; however, parking lots are uses that are permitted within buffer setbacks.

This project will have no impact to forest land or timberland.

Mitigation: None.

References: California State Department of Conservation Farmland Mapping and Monitoring Program; Soil Survey for Eastern Stanislaus Area dated 1957; and the Stanislaus County General Plan and Support Documentation¹.

	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. -- Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?			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 district, but no comments have been received.

Mitigation: None.

References: San Joaquin Valley Air Pollution Control District - Regulation VIII Fugitive Dust/PM-10 Synopsis and the Stanislaus County General Plan and Support Documentation¹.

IV. BIOLOGICAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X	
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?			X	
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			X	
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X	

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?			X	
--	--	--	---	--

Discussion: It does not appear this project will result in impacts to endangered species or habitats, locally designated species, or wildlife dispersal or mitigation corridors. According to the California Natural Diversity Database (CNDDB), the project site is just southeast of an area where Valley Elderberry Longhorn Beetle (VELB) (*Desmocerus Californicus Dimorphus*) is present; however, the site does not contain suitable habitat for VELB and will not have a significant affect on any other species or habitat. The project was referred to the California Department of Fish and Wildlife (formerly the Department of Fish and Game) for comments but a response has not 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 Documentation¹.

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	

Discussion: It does not appear this project will result in significant impacts to any archaeological or cultural resources. The proposed project includes the parking of tractor-trailer combinations. There is no proposed construction at this time.

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation¹.

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	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?			X	

Discussion: As contained in Chapter 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 potential future 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. 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 Element¹.

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. The use in and of itself will not increase the amount of greenhouse gases in the environment.

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation¹.

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	
<p>Discussion: No known hazardous materials are on site. Pesticide exposure is a risk in agricultural areas. Sources of exposure include contaminated groundwater, which is consumed, and drift from spray applications. Application of sprays is strictly controlled by the Agricultural Commissioner and can only be accomplished after first obtaining permits. DER is responsible for overseeing hazardous materials in this area.</p>				
<p>Mitigation: None.</p>				
<p>References: Stanislaus County General Plan and Support Documentation¹.</p>				
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. 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.

Mitigation: None.

References: 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	

<p>c) Conflict with any applicable habitat conservation plan or natural community conservation plan?</p>			<p>X</p>	
<p>Discussion: This project is consistent with the Agriculture designation and A-2-10 (General Agriculture) zoning of the site. The features of this project will not physically divide an established community or conflict with any habitat conservation plan or natural community conservation plan.</p> <p>The proposed project has been referred to the City of Ceres because it is within the City's SOI. The City of Ceres does not oppose the project but is requiring that the applicant enter into an agreement with the City of Ceres stating that the applicant will not protest any annexation proposal of the property if the City were to consider annexing it into the City in the future. This requirement will be required as a condition of approval on the project.</p>				
<p>Mitigation: None.</p>				
<p>References: Referral response from the City of Ceres dated December 11, 2013, and the Stanislaus County General Plan and Support Documentation¹.</p>				
<p>XI. MINERAL RESOURCES -- 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) 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?</p>				<p>X</p>
<p>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?</p>				<p>X</p>
<p>Discussion: The location of all commercially viable mineral resources in Stanislaus County has been mapped by the State Division of Mines and Geology in Special Report 173. There are no known significant resources on the site.</p>				
<p>Mitigation: None.</p>				
<p>References: Stanislaus County General Plan and Support Documentation¹.</p>				
<p>XII. NOISE -- Would the project result in:</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) 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?</p>			<p>X</p>	
<p>b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?</p>			<p>X</p>	
<p>c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?</p>			<p>X</p>	
<p>d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?</p>			<p>X</p>	

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: The Stanislaus County General Plan¹ identifies noise levels up to 75 dB L_{dn} (or CNEL) as the normally acceptable level of noise for industrial, manufacturing, utility, and agricultural uses. Many of the on-site activities include the trucks entering and exiting the property and the idling of engines which, if operated in a respectful manner, will be under the threshold established by the General Plan. Although the applicant would not be restricted on the number of truck trips for the operation, a condition requiring that the idling of trucks be prohibited for any period of time beyond the absolute minimum necessary to bring engines to safe operating conditions will be added to the project to ensure that the operation does not exceed the 75 dB L_{dn} (or CNEL). The site is not located within an airport land use plan.

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 use of the site will not create significant service extensions or new infrastructure which could be considered as growth inducing. 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 one for the Fire Facility Fees on behalf of the appropriate fire district, to address impacts to public services. Such fees are required to be paid at the time of building permit issuance. The project was referred to the Ceres Fire Protection District. No response has been received.

Mitigation: None.

References: 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: The project is not anticipated to significantly increase demands for recreational facilities as such impacts are typically 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	
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	

Discussion: The project is located at the intersection of Faith Home and Don Pedro Roads with frontage along both roads. The project will park 11 trucks with employees reporting in the morning and leaving their vehicles on site. Trucks will exit the project site in the morning and return to the project site at the end of each day. No deliveries will be made to the project site. The project was referred to the Stanislaus County Department of Public Works. Public Works has not identified any significant impacts related to traffic and transportation; however, because Faith Home Road is classified as a 135-foot, 6-lane, Class B Expressway, Public Works is requiring that the current truck driveway along Faith Home Road be re-located to Don Pedro Road. Public Works is also requiring irrevocable offers of dedication along Don Pedro Road and Faith Home Road where needed.

Mitigation: None.

References: Referral response from the Stanislaus County Department of Public Works dated February 10, 2014, and the Stanislaus County General Plan and Support Documentation¹.

XVII. UTILITIES AND SERVICE SYSTEMS -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X	
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X	
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X	

<p>g) Comply with federal, state, and local statutes and regulations related to solid waste?</p>			<p>X</p>	
<p>Discussion: Limitations on providing services have not been identified and no referral responses have been received noting any issues with this proposed project. Employees will park their personal vehicles on site and leave in trucks. A restroom is not proposed as part of this project. Employees will use off-site facilities. The site is currently, and will continue to be, served by private well, septic system, and on-site drainage. The project was referred to the Stanislaus County Department of Public Works and DER for comments. Public Works is requiring a grading and drainage plan as part of its conditions of approval and DER is requiring protective measures to prevent hazardous materials and waste from contaminating any storm drain systems.</p>				
<p>Mitigation: None.</p>				
<p>References: Referral response from the Department of Environmental Resources dated December 4, 2013; referral response from the Stanislaus County Department of Public Works dated February 10, 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>				

I:\Planning\Staff Reports\UP\2013\UP PLN2013-0087 - Shoffner Truck Parking\CEQA-30-Day-Referral\Initial Study.wpd

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: Use Permit Application No. PLN2013-0087 - Shoffner Truck Parking

LOCATION OF PROJECT: 3801 Faith Home Road, on the southwest corner of the Faith Home and Don Pedro Roads intersection, south of Roeding Road and north of E. Service Road, in the City of Ceres Sphere of Influence (SOI). APN: 069-024-009

PROJECT DEVELOPERS: Gary & Dolores Shoffner
3801 Faith Home Road
Ceres, CA 95380

DESCRIPTION OF PROJECT: Request to establish a truck parking facility, including 11 trucks and 18 trailers, on a 2.54± acre parcel. The operation has 10 employees and the hours of operation are 5:00 a.m. to 7:00 p.m., Monday through Saturday, from July through October and seven days a week from November through June.

Based upon the Initial Study, dated **August 22, 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

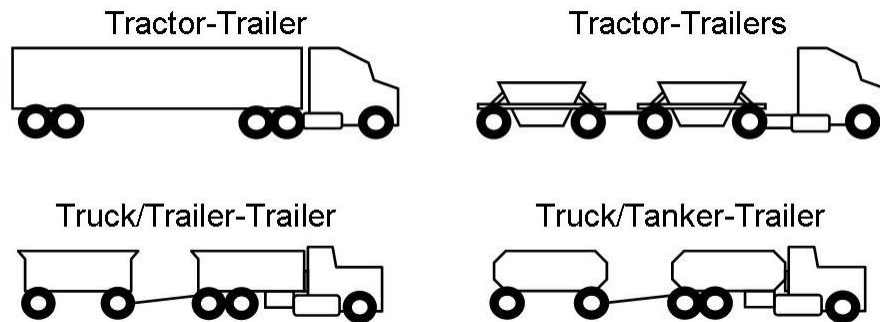
Submit comments to: Stanislaus County
Planning and Community Development Department
1010 10th Street, Suite 3400
Modesto, California 95354

Exhibit G

21.20.030 Uses requiring use permit

G. Parking of tractor-trailer combinations may be allowed when the Planning Commission finds that, in addition to the findings required under Section 21.96.050:

1. The establishment as proposed will not be substantially detrimental to or in conflict with agricultural use of other property in the vicinity;
2. The establishment as proposed will not create a concentration of commercial and industrial uses in the vicinity; and
3. All the following criteria are met:
 - a) For the purpose of this ordinance, a tractor-trailer combination shall include a tractor-trailer, truck/trailer-trailer, or truck/tanker-trailer combination with a minimum of five (5) axles and capable of hauling a combined gross vehicle weight (GVW) of 80,000 pounds. The following illustrates the type of permitted combinations:



- b) At least one of the combinations shall be registered to the property owner and the property owner shall live on the parcel.
- c) The total number of tractors, truck/trailers and truck/tankers shall not exceed twelve (12) and the total number of trailers shall not exceed two (2) per tractor, truck/trailer, or truck/tanker. For the purpose of this ordinance, a set of double trailers shall be equivalent to one trailer.
- d) The parcel on which parking will occur is one acre or more in size, the total area of the parcel used for the parking operation does not exceed 1.5 acres in size, and the area used for parking, including employee parking, shall not exceed fifty percent of the entire parcel.
- e) No off-loading of trailers shall occur on-site.

- f) All tractors, truck/trailers, truck/tankers and trailers parking on-site shall be in full operable condition for at least six consecutive months of every year.
- g) One on-site office, accessory to the parking operation, not to exceed 1,200 square feet in size, may be maintained within an on-site dwelling or within an accessory structure provided all applicable building permits are obtained and public facility fees paid, if applicable.
- h) Access to the site shall be available without violation of any state, county, or city roadway weight restrictions, and a driveway approach acceptable to the Department of Public Works is provided.
- i) Parking areas, including employee parking, and driveways shall be adequately graveled to reduce dust emissions and all parking areas shall be located outside any required front yard or corner lot side yard and delineated through fencing or vegetative landscaping to distinguish the authorized parking area.
- j) On-site maintenance shall be limited to oil and tire changes, light and windshield wiper replacements, and checking fluids.
- k) No signs advertising parking shall be placed on the property.
- l) On-site storage and use of related equipment may be considered by the Planning Commission as part of the application consideration.

This subsection is intended to allow for the parking of tractor-trailer, truck/trailer-trailer, and truck/tanker-trailer combinations used to transport goods and materials and requiring a California commercial A license for operation on a public roadway. This subsection is not intended to allow the parking of commercial vehicles used for the transportation of people or pick-up trucks, tow trucks, delivery trucks, box trucks, fleet vehicles or other similar vehicles. Trucks used solely for permitted agricultural operations on site are exempt from this provision. (Ord. CS 1117 Section 1, 2012)

Javier Camarena - Stanislaus County Referral - Use Permit (PLN 2013-0087 - Shoffner Truck Parking)

From: "James Michaels" <James.Michaels@ci.ceres.ca.us>
To: <camarenaj@stancounty.com>
Date: 12/11/2013 9:47 AM
Subject: Stanislaus County Referral - Use Permit (PLN 2013-0087 - Shoffner Truck Parking)
CC: "Tom Westbrook" <Tom.Westbrook@ci.ceres.ca.us>

Hello Javier,

On Monday, December 9, 2013, I left a detailed voicemail for you in regards to the proposed use permit for the Shoffner Truck Parking operation at 3801 Faith Home Road.

Although the City would normally require this type of use to be located on an industrial zoned property, the City does not necessarily have an objection to the applicant's proposal provided that the applicant would be willing to enter into an agreement with the City stating the applicant would not protest any annexation proposal of his property if the City were to consider annexing it into the City in the future. The agreement allows the applicant to continue to operate the use should his property be annexed. This could be addressed through a Condition of Approval placed on the project. Let me know if you have any questions. Thanks.

Sincerely,

James Michaels, Associate Planner
City of Ceres
Planning and Building Division
2220 Magnolia Street
Ceres, CA 95307
Phone: 209.538.5789 Fax: 209.538.5759
www.ci.ceres.ca.us

SUMMARY OF RESPONSES FOR ENVIRONMENTAL REVIEW REFERRALS

PROJECT: USE PERMIT APPLICATION NO. PLN2013-0087 - SHOFFNER TRUCK PARKING

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
CENTRAL VALLEY FLOOD PROTECTION	X	X	X		X							
CITY OF: CERES	X	X	X	X		X				X	X	
COOPERATIVE EXTENSION	X	X			X							
FIRE PROTECTION DIST: CERES	X	X	X		X							
IRRIGATION DISTRICT: TURLOCK	X	X	X	X		X				X	X	
MODESTO REGIONAL FIRE AUTHORITY	X				X							
MOSQUITO DISTRICT: TURLOCK	X	X	X		X							
MT VALLEY EMERGENCY MEDICAL	X	X	X		X							
PACIFIC GAS & ELECTRIC	X	X	X		X							
SAN JOAQUIN VALLEY APCD	X	X	X		X							
SCHOOL DISTRICT 1: CERES	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 FARM BUREAU	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 5: DeMARTINI	X	X			X							
STAN COUNTY COUNSEL	X	X			X							
STANISLAUS FIRE PREVENTION BUREAU		X			X							
STANISLAUS LAFCO	X	X	X		X							
SURROUNDING LAND OWNERS			X		X							
TELEPHONE COMPANY: AT&T	X	X	X		X							
US MILITARY AGENCIES (SB 1462) (7 agencies)	X	X	X		X							



December 18, 2014

MEMO TO: Stanislaus County Planning Commission
FROM: Department of Planning and Community Development
SUBJECT: **USE PERMIT APPLICATION NO. PLN2013-0087 – SHOFFNER TRUCK PARKING**

The applicant has worked with Public Works and Planning staff to modify Condition of Approval No. 17. As a result, Public Works staff submitted a memorandum modifying the subject Condition of Approval. (See Attachment 1 – *Public Works memo dated December 12, 2014.*) Consequently, Condition of Approval No. 17 shall be amended as follows:

Department of Public Works

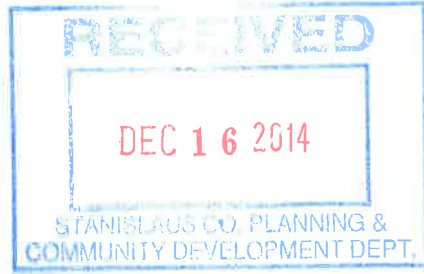
17. An encroachment permit shall be taken out for the relocation of the truck driveway onto Don Pedro Road ~~within two (2) months of the approval of the use permit~~ **at such time that construction will take place on the Faith Home Road corridor. The construction that will trigger the relocation of the driveway will be the widening of the Faith Home Corridor south of the Tuolumne River and/or the initiation of the construction of the bridge crossing the Tuolumne River at Faith Home Road/Garner Road.** The driveway used by the trucks on Faith Home Road will be removed at the time of the installation of the new driveway. The new driveway location ~~and design will have to be approved by Public Works~~ **and in coordination with the City of Ceres.**

RECOMMENDATION

As outlined in Exhibit A of the staff report, dated December 18, 2014, staff recommends approval of the subject project with amended Condition of Approval No. 17, as reflected in this memo.

Attachments:

- 1 – Public Works memo dated December 12, 2014



DEPARTMENT OF PUBLIC WORKS

Matt Machado, PE, LS
Director, County Surveyor

Chris Brady, PE
Deputy Director - Construction/Roads/Bridges


Colt Esenwein, PE
Deputy Director - Engineering/Survey/Fleet

David Leamon, PE
Deputy Director - Development/Traffic

Kathy Johnson
Assistant Director - Finance/GIS/HR/Transit

www.stancounty.com/publicworks

December 12, 2014

To: Javier Camarena, Associate Planner, Planning and Community Development
From:  Angie Halverson, Senior Land Development Coordinator
Subject: PLN 2013-0087 Use Permit Shoffner Truck Parking

Public Works would like to update condition of approval #1 for the Shoffner Truck Parking project. The original conditions were submitted on February 10, 2014. Public Works recommends the following change for the condition regarding the location of the driveway for the project:

The original condition read:

1. An encroachment permit shall be taken out for the relocation of the truck driveway onto Don Pedro Road within 2 months of the approval of the use permit. The driveway used by the trucks on Faith Home Road will be removed at the time of the installation of the new driveway. The new driveway location will have to be approved by Public Works.

The modified condition shall read:

1. An encroachment permit shall be taken out for the relocation of the truck driveway onto Don Pedro Road at such time that construction will take place on the Faith Home Road corridor. The construction that will trigger the relocation of the driveway will be the widening of the Faith Home Corridor south of the Tuolumne River and/or the initiation of the construction of the bridge crossing the Tuolumne River at Faith Home Road/Garner Road. The driveway used by the trucks on Faith Home Road will be removed at the time of the installation of the new driveway. The new driveway location will be approved by Public Works and in coordination with the City of Ceres.