

STANISLAUS COUNTY PLANNING COMMISSION

February 18, 2016

STAFF REPORT

USE PERMIT APPLICATION NO. PLN2015-0069 FLORY INDUSTRIES

REQUEST: REQUEST TO EXPAND AN EXISTING MANUFACTURING FACILITY BY ADDING A 27,950 SQUARE-FOOT WAREHOUSE, A 16,422 SQUARE FOOT EXPANSION TO AN EXISTING FABRICATION SHOP, AND A 2,500 SQUARE-FOOT OFFICE REMODEL AND EXPANSION.

APPLICATION INFORMATION

Property Owner:	Flory Industries, Inc.
Agent:	Jason Flory, Flory Industries, Inc.
Location:	4737 Toomes Road, south of Kiernan Avenue, north of Covert Road, in Salida.
Section, Township, Range:	4-3-8
Supervisorial District:	Three (Supervisor Withrow)
Assessor's Parcel:	135-052-037
Referrals:	See Exhibit G Environmental Review Referrals
Area of Parcel(s):	39±
Water Supply:	City of Modesto
Sewage Disposal:	Salida Sanitary District
Existing Zoning:	SCP-PI (Salida Community Plan Planned Industrial)
General Plan Designation:	PI (Planned Industrial)
Community Plan Designation:	PI (Planned Industrial)
Sphere of Influence:	N/A
Williamson Act Contract No.:	N/A
Environmental Review:	Negative Declaration
Present Land Use:	Flory Industries manufacturing facility, two single-family dwellings, and an orchard.
Surrounding Land Use:	An orchard, a school, and single-family residential to the north; single-family residential, and Highway 99 to the east; orchards and open land to the south; orchards and scattered single-family dwellings to the west.

RECOMMENDATION

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

BACKGROUND

Flory Industries has been repairing and manufacturing farm equipment machinery including nut-harvesting equipment, flail mowers and vineyard equipment since 1936, as well as custom-contract machinery equipment since 1965.

In 2003, General Plan Amendment 99-07 and Rezone 99-13 applications were approved to re-designate a 16± acre portion of the 39.25 acre parcel from Agriculture to Planned Industrial and the zoning was changed from A-2-40 (General Agriculture) to P-I (13). The remaining 23 acres stayed with an Agriculture general plan and zoning designation, creating a split zoned parcel.

In 2006, General Plan Amendment 2006-03 and Rezone 2006-08 were approved, amending the General Plan designation for the whole parcel from Agriculture and Planned Industrial to Planned Development, and the zoning from A-2-40 and Planned Industrial to Planned Development P-D (308). This approval allowed expansion of the operation to allow outdoor storage and employee parking on an additional 10.8 acres of the parcel. The remaining 12± acre portion of the property would remain in agricultural production.

Prior to 2007, the 39± acre Flory Industries property was located outside of the Salida Community Plan area.

In 2007, the Stanislaus County Board of Supervisors passed an ordinance to implement the Salida Area Planning “Roadway Improvement, Economic Development and Salida Area Farmland Protection and Planning Initiative,” also known as the Salida Community Plan Initiative (hereafter called “Initiative”). With the passage of the Initiative, the Flory Industries property was included into the Salida Community Plan area with a designation of Planned Industrial, the General Plan designation was amended from Planned Development to Planned Industrial and the property was rezoned from P-D (308) to Salida Community Plan Planned Industrial (SCP-PI). (See Exhibit B – *Maps, Site Plan, Elevations.*)

The Initiative identified two geographic areas, the existing Salida Community area (for the developed areas of Salida) and an Amendment Area consisting of the undeveloped and developing properties surrounding the Salida Community. The Flory Industries property was located in the Amendment Area portion and zoned as SCP-PI. Subdivisions, new land uses and structures and changes and alterations to existing land uses and structures designated in the Salida Community Plan as SCP-PI are to be designed, constructed, and /or established consistent with the PI District standards contained in Chapter 21.42 (Planned Industrial District) of the Zoning Ordinance.

The project site was recently amended through Staff Approval PLN2015-0045, which added a 9,075 square-foot engineering shop, and a 20,000 square-foot paint shop.

PROJECT DESCRIPTION

This is a request to expand an existing agricultural equipment fabrication facility by constructing a 27,950 square-foot warehouse, a 16,422 square-foot expansion to an existing fabrication shop, and a 2,500 square-foot office remodel and expansion. The proposed warehouse is considered to be conceptual at this time, and will be built in the next five years. Flory Industries will demolish 7,870 square feet of existing structures when the new buildings are constructed. The balance of the property will remain in agricultural production.

There will be no change in the previously approved hours of operation, which are Monday through Friday 7:00 a.m. to 5:00 p.m. and Saturday 8:00 a.m. to 12:00 p.m., and seasonally, August through October 7:00 a.m. to 4:00 p.m. Although the hours of operation are listed as 7:00 a.m. to 5:00 p.m. on the past and current application, the applicant has identified that there are occasional night work shifts needed as part of the manufacturing process. Part of the project will allow Flory Industries to expand existing facilities, to make room for new equipment. The additional space and equipment will facilitate a reduction of occurrences when work is conducted after normal business hours. The number of employees will remain at 224, with a maximum of 194 employees per shift, and a minimum of 58 employees per shift.

Currently, the project site has 222 on-site parking spaces, which serve both employees and customers. As part of the expansion, the applicant has proposed to add 36 new on-site parking spaces adjacent to Toomes Road. The project will incorporate drought tolerant landscaping in the new parking lot and along Toomes Road, which complies with County and State Ordinances.

The project proposes a new access driveway onto Kiernan Avenue, along with the addition and redesign of new interior roads. The new access driveway onto Kiernan Avenue will be created with the approval of an anticipated Lot Line Adjustment application that involves the adjacent parcel to the north. The driveway onto Kiernan Avenue will serve to divert truck traffic off of Toomes Road and away from the residential neighborhood to the east, and Salida Middle School to the north. The new access point will be designed to meet Public Works Standards and Specifications.

SITE DESCRIPTION

The 39± acre project site is located on the west side of Toomes Road, south of Kiernan Avenue, north of Covert Road, and west of State Highway 99. Twelve acres of the project site is improved with an orchard, while the remaining 27± acres are developed as the Flory Industries manufacturing facility. In the 27± acre portion of the site, Flory Industries' existing operation consists of 96,190 square feet, consisting of six (6) buildings, and two single-family dwellings. A majority of the 27± acres is yard space used for the outdoor storage of materials. The project site contains five existing driveways onto Toomes Road, two of which line up with the residential local streets. There is a sales display area on the south end of the parcel along Toomes Road, displaying some of Flory Industries' equipment.

Surrounding land uses around the project site consist of an orchard immediately north of the project site, with a school, and single-family residential located further north, across Kiernan Avenue. A single-family residential subdivision is located to the east. Orchards and vacant land are located to the south. Orchards and scattered single-family dwellings are located to the west.

The Salida Community Plan Planned Industrial (SCP-PI) zone designation encompasses the parcels boarded by Kiernan Avenue to the north, Toomes Road to the east, Covert Road to the South, and Hammett Road to the west (See Exhibit B – *Maps, Site Plan, Elevations*).

ISSUES

The following two issues have been identified as part of the processing and review of this project:

1. Salida Community Plan Environmental Assessment. The initiative passed in 2007 requires that prior to new development in the Salida Community Plan (SCP) Amendment Area, the amendment area not previously included in the Salida Community Plan, that the County prepare, at the landowner's expense, a programmatic-level Environmental Impact Report (EIR) evaluating the environmental impacts associated with the development.

The development procedures of the SPC-PI zoning district require a program of implementation measures and environmental mitigation measures to be included as part of any proposed development plan.

In the case of Flory Industries, development of the site existed prior to passage of the Initiative and, as such, the manufacturing facility has vested entitlement rights under its prior P-D (308) zoning designation which essentially serves as the development plan, having undergone independent environmental review, necessary for the establishment of a new development in the SPC-PI. Changes and alterations to existing land uses and structures within the SPC-PI are subject to compliance with Chapter 21.41 – Planned Industrial District of the County Zoning Ordinance.

In accordance with Chapter 21.41 a change or alteration in a use which is not of a size or nature as to change the character of the development plan, may be processed according to a staff approval application or a use permit. The development plan for Flory Industries was amended through a staff approval in 2015. While no new use is being proposed, an expansion exceeding 25% of the originally approved development is generally the threshold for requiring of a use permit.

As reflected in the Environmental Review section of this report, environmental review prepared for this project in accordance with the California Environmental Quality Act concludes that the project will not result in any significant impacts and thus an EIR for further development of the project site is unwarranted. Based on the vested entitlement rights of the use and the conclusion of an independent environmental review, staff believes that the proposed expansion may proceed independent of the EIR requirements of the Initiative, with approval of a use permit.

2. Neighborhood Correspondence. Staff received two written letters from Ms. Julie Miller, 5440 Maximillian Drive, Salida, CA 95368. The first letter, dated January 6, 2016, was written in opposition of the proposed Use Permit to expand the existing facilities, citing noise concerns. (See Exhibit F - *Correspondence*.)

The second letter, dated January 13, 2016, states that, current hours of operation are beginning around 6:00 a.m. and ending through 2:00 a.m. Ms. Miller no longer is in opposition of the proposed expansion, but would like to see the hours of operation kept between 9:00 a.m. and 5:00 p.m.

During a site visit on January 25, 2016, the project site did not appear to be creating a significant level of noise into the neighborhood. The applicant explained some parts of the proposed expansion will reduce the existing noise on site. Currently, there is a storage area along Toomes Road, which the applicant has identified as the “steel yard”. The applicant explained that this area may get a little noisy because forklifts will pick up materials on an unpaved surface. Flory Industries is planning to pave this area, to reduce noise along Toomes Road. A second way to reduce noise is that Flory Industries is proposing a new 27,950 square-foot warehouse to reduce the amount of work and storage that is done outside.

GENERAL AND COMMUNITY PLAN CONSISTENCY

The Stanislaus County General Plan land use designation is Planned Industrial (PI) (See Exhibit B – *Maps, Site Plan, Elevations*.) The intent of the Planned Industrial designation is to provide locations for light industrial development. The Planned Industrial designation is preferred to the Industrial

designation as it allows more control of development to ensure that impacts on adjoining properties are reduced. It shall be used largely in areas without public sewer and/or water service but shall only be used if it is practical, both physically and financially, to provide sewage disposal and water service as needed by the proposed development.

The Salida Community Plan (Community Plan) provides land use planning and guidance for development of approximately 4,600 acres of land in the Salida area. The Community Plan encompasses both the urbanized portion of Salida and an undeveloped area (the "Amendment Area") encompassing approximately 3,383 acres around the Salida urbanized area.

Approximately 1,259 acres of land are designated as Planned Industrial, which represents approximately 37.2 percent of the Amendment Area. The majority of these lands are located in the northeastern portion of the Amendment Area. An area designated as Planned Industrial is located in the southwestern portion of the Amendment Area on land that includes an existing industrial use (Flory Industries). Intended uses within the Planned Industrial designation are consistent with those defined in the General Plan.

ZONING ORDINANCE CONSISTENCY

The site is currently zoned Salida Community Plan Planned Industrial (SCP-PI). According to the Stanislaus County Zoning Ordinance, changes and alterations to existing land uses and structures designated in the Salida Community Plan as SCP-PI shall be designed, constructed, and/or established consistent with the Planned Industrial (PI) district standards.

Since the project site has been partially developed and entitled under previously approved Planned Industrial and Planned Development zoning districts, prior to the creation of the Salida Community Plan Amendment Area, it has some vested entitlement rights. The subject site is able to develop further as provided for by Section 21.42.040.B.2 of the Planned Industrial zoning district – Amendments to the Development Plan under procedures set forth for use permits.

In order to approve the use permit, the applicant must present evidence in support of the application sufficient to enable the Planning Commission to find that:

- A. The establishment, maintenance, and operation of the proposed use or building applied for, as amended, is consistent with the General Plan designation of "Planned Industrial" 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.

The current SCP PI District is intended to implement the general plan's stated vision for the development of the Salida community plan amendment area. The SCP district shall encourage the use of flexible development standards designed to ensure the development of the district as a master planned community. The previously approved Planned Development (308) provided the opportunity for fulfilling this intent. Staff believes that this use permit application further carries out this direction under the Planned Industrial zoning.

ENVIRONMENTAL REVIEW

Pursuant to the California Environmental Quality Act (CEQA), the proposed project was circulated to all interested parties and responsible agencies for review and comment and no significant issues were raised. (See Exhibit G- *Environmental Review Referrals*.) A Negative Declaration has been

prepared for approval prior to action on the Use Permit itself 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 **\$2,267.25** 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: Timothy Vertino, Assistant Planner, (209) 525-6330

Attachments:

- Exhibit A - Findings and Actions Required for Project Approval
- Exhibit B - Maps, Site Plan, Elevations
- Exhibit C - Conditions of Approval
- Exhibit D - Initial Study
- Exhibit E - Negative Declaration
- Exhibit F- Correspondence
- Exhibit G - Environmental Review Referral

Exhibit A
Findings and Actions Required for Project Approval

1. Adopt the Negative Declaration pursuant to CEQA Guidelines Section 15074(b), by finding that on the basis of the whole record, including the Initial Study and any comments received, that there is no substantial evidence the project will have a significant effect on the environment and that the Negative Declaration reflects Stanislaus County's independent judgment and analysis.
2. Order the filing of a Notice of Determination with the Stanislaus County Clerk-Recorder pursuant to Public Resources Code Section 21152 and CEQA Guidelines Section 15075.
3. Find that:
 - (a) The establishment, maintenance and operation of the proposed use or building applied for is consistent with the General Plan designation of Planned Industrial 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; and
 - (b) The project is substantially consistent with the Stanislaus County General Plan Goals and Policies and the Stanislaus County Zoning Ordinance; and
 - (c) The project will increase activities in and around the project area, and increase demands for roads and services, thereby requiring dedication and improvements.
4. Approve Use Permit Application No. 2015-0069 – Flory Industries, subject to the attached Conditions or Approval.

**UP PLN2015-0069
FLORY INDUSTRIES
AREA MAP**

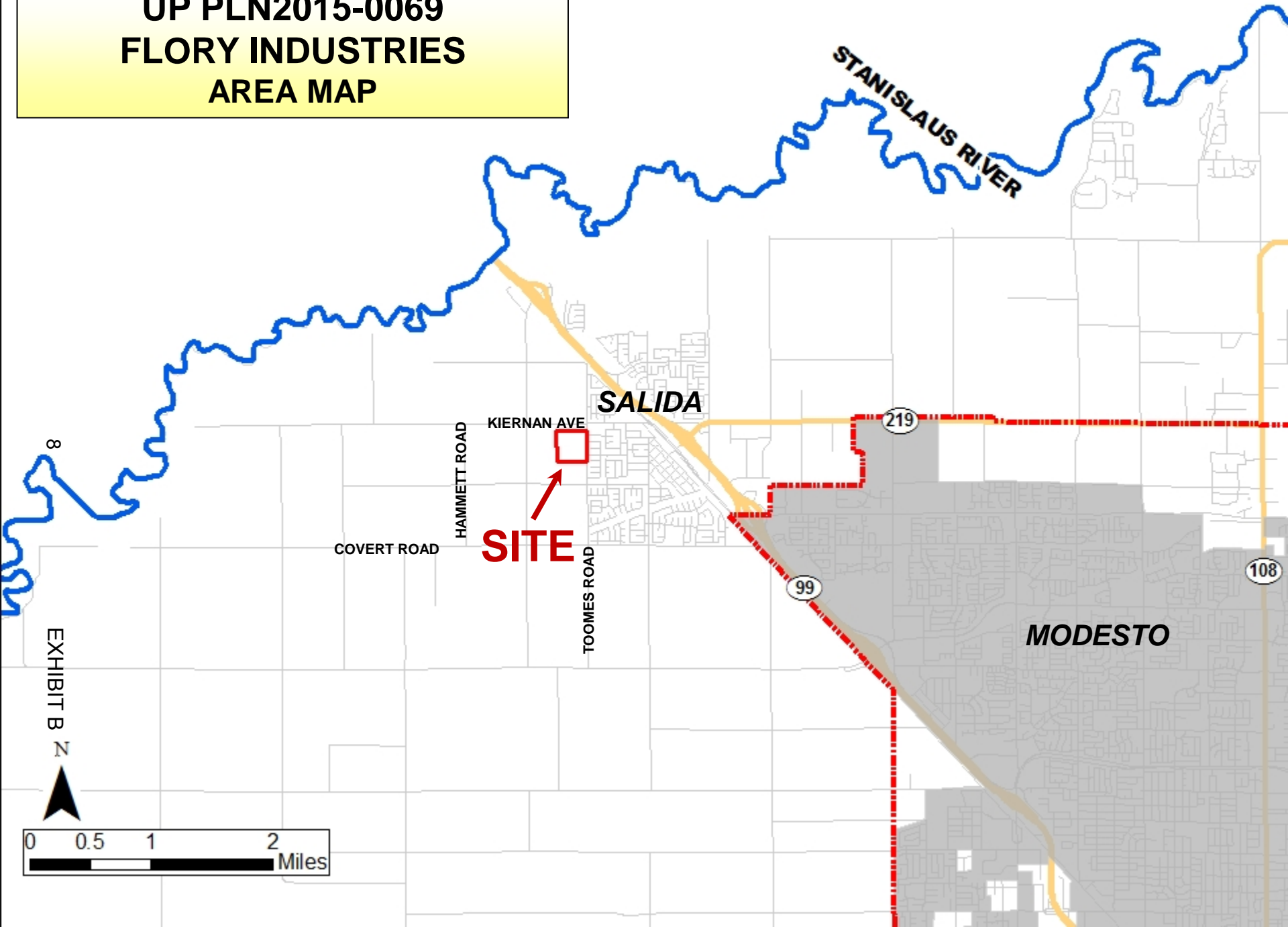
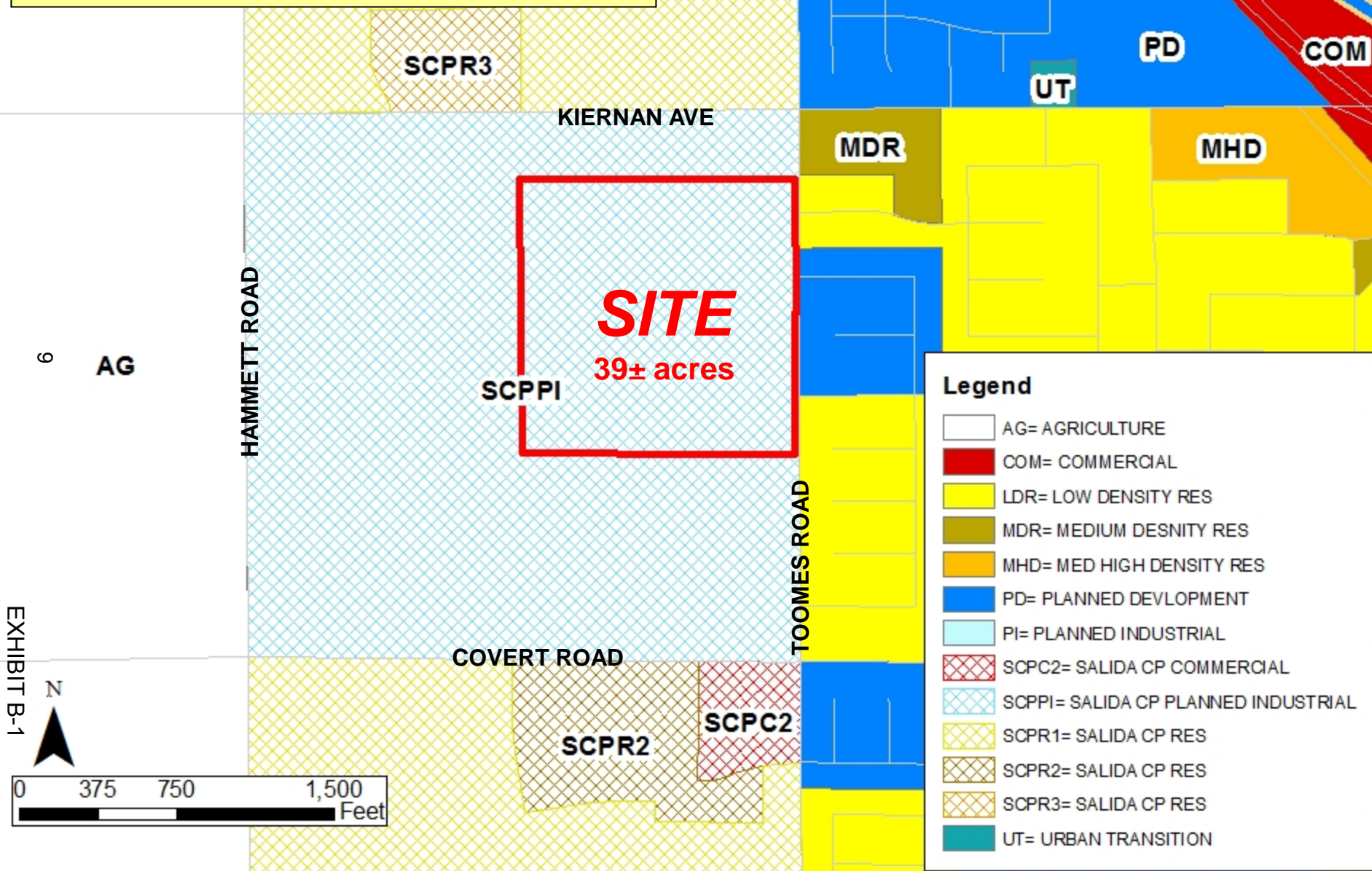


EXHIBIT B

N

0 0.5 1 2 Miles

**UP PLN2015-0069
FLORY INDUSTRIES
GENERAL PLAN DESIGNATION MAP**



6 AG

SCPR3

KIERNAN AVE

PD

COM

UT

MDR

MHD

SITE

39± acres

SCPPPI

HAMMETT ROAD

TOOMES ROAD

COVERT ROAD

SCPR2

SCPC2

Legend











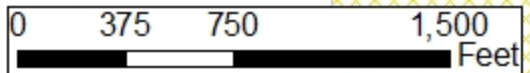
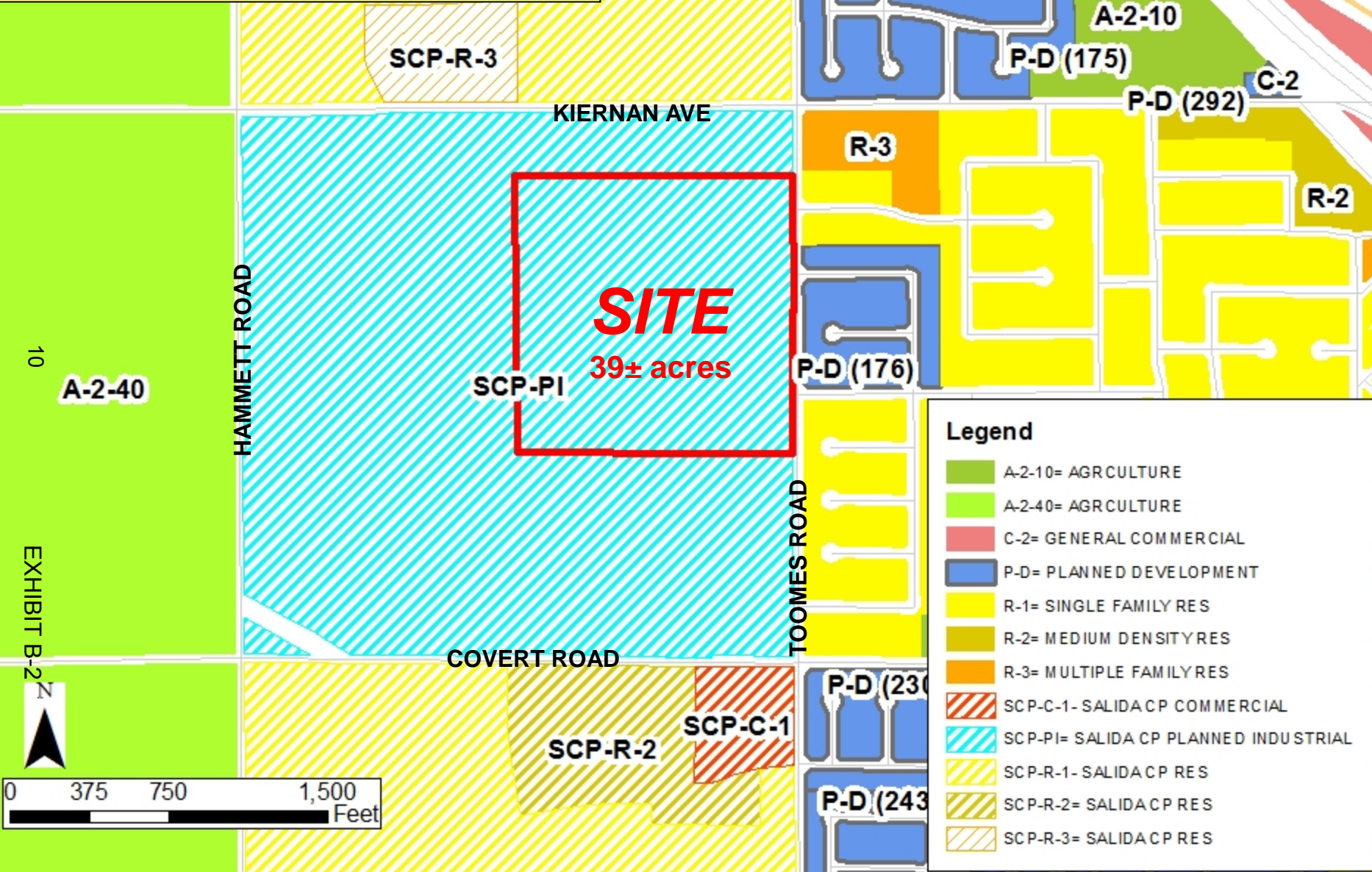
-  AG= AGRICULTURE
-  COM= COMMERCIAL
-  LDR= LOW DENSITY RES
-  MDR= MEDIUM DESNITY RES
-  MHD= MED HIGH DENSITY RES
-  PD= PLANNED DEVELOPMENT
-  PI= PLANNED INDUSTRIAL
-  SCPC2= SALIDA CP COMMERCIAL
-  SCPPPI= SALIDA CP PLANNED INDUSTRIAL
-  SCPR1= SALIDA CP RES
-  SCPR2= SALIDA CP RES
-  SCPR3= SALIDA CP RES
-  UT= URBAN TRANSITION

EXHIBIT B-1



**UP PLN2015-0069
FLORY INDUSTRIES
ZONING DESIGNATION MAP**



Legend

	A-2-10= AGR CULTURE
	A-2-40= AGR CULTURE
	C-2= GENERAL COMMERCIAL
	P-D= PLANNED DEVELOPMENT
	R-1= SINGLE FAMILY RES
	R-2= MEDIUM DENSITY RES
	R-3= MULTIPLE FAMILY RES
	SCP-C-1= SALIDA CP COMMERCIAL
	SCP-PI= SALIDA CP PLANNED INDUSTRIAL
	SCP-R-1= SALIDA CP RES
	SCP-R-2= SALIDA CP RES
	SCP-R-3= SALIDA CP RES



LEGEND

Description	Description
Business Park	Public Uses
High Visibility Business Park	Private School
Commercial	Parks & Open Spaces
Planned Industrial	LDR
PI Reserve	MDR
Existing Salida Community	MHDR

SALIDA COMMUNITY PLAN

SALIDA, CA

ILLUSTRATION 1

KIERNAN AVE

**UP PLN2015-0069
FLORY INDUSTRIES
2015 COUNTY AERIAL MAP**



SITE

JEPPSON DR

TOBIO WY

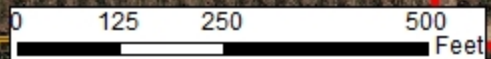
MAXIMILLIAN DR

DANIELLE CT

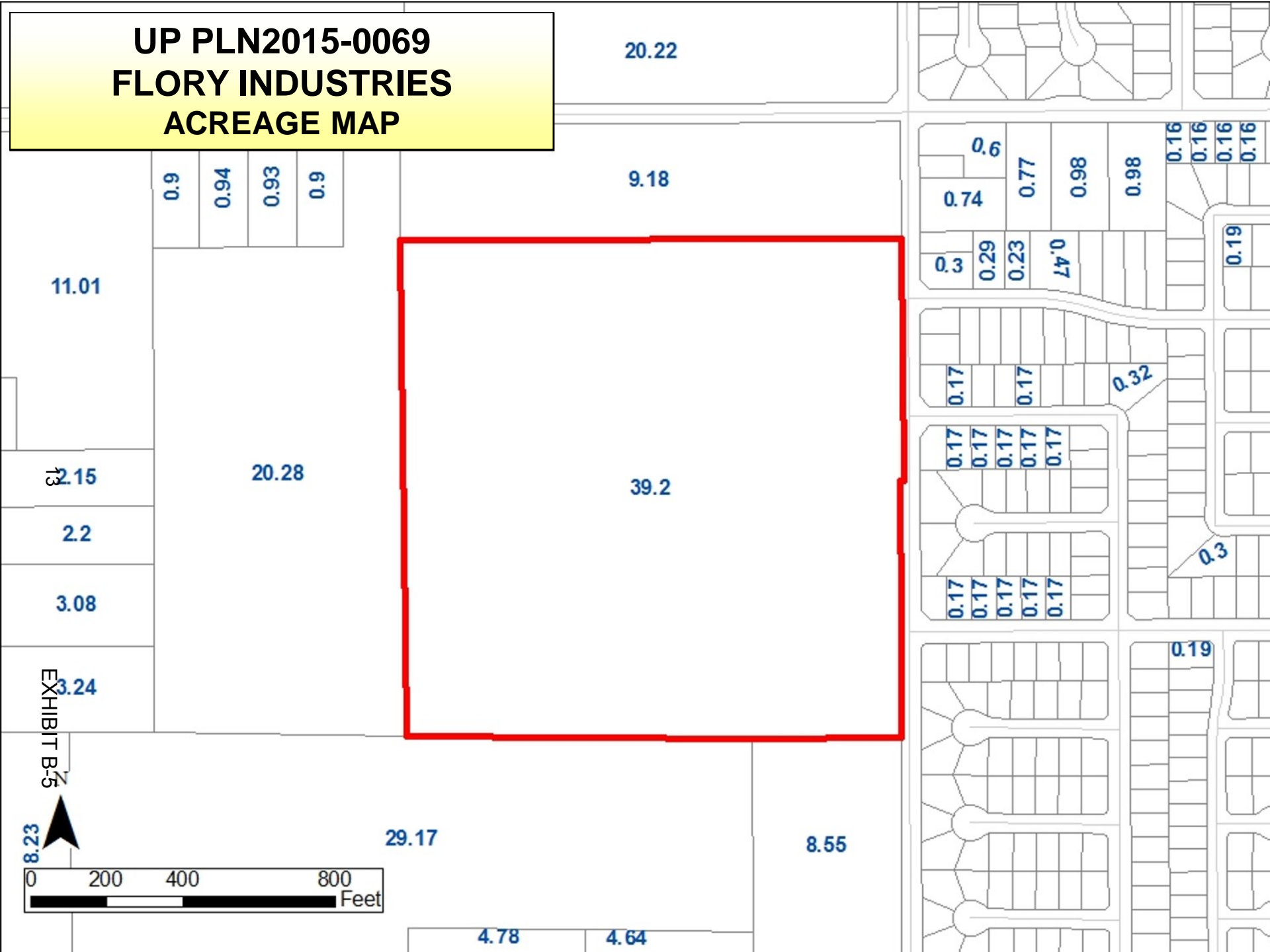
TOOMES RD

12

EXHIBIT B-4



**UP PLN2015-0069
FLORY INDUSTRIES
ACREAGE MAP**



APN 138-02-38
NOT-A-PART

UP PLN2015-0069 FLORY INDUSTRIES SITE PLAN

1/8" SCALE

OWNER/APPLICANT:
FLORY INDUSTRIES, INC.
4377 TOOMES ROAD
SALIDA, CA 95368

GENERAL NOTES:

- ASSESSOR'S PARCEL NUMBER: 138-02-387
- SITE SUMMARY: TOTAL SITE 11.25 ± AC
- SITE LOCATION: 4377 TOOMES ROAD, SALIDA, CA 95368
- PRESENT ZONING: S04-P1
- ALL IMPROVEMENTS TO BE INSTALLED SHALL BE IN ACCORDANCE WITH STANISLAUS COUNTY STANDARDS. THE PROPERTY LINE DISTANCE, SECTIONS AND ALL OTHER DIMENSIONS SHOWN ON THIS MAP ARE TAKEN FROM RECORDED ASSESSOR'S MAPS, OR BOTH, AND PRELIMINARY FIELD OBSERVATIONS BY OFFICE PERSONNEL AND DO NOT REFLECT AN ACTUAL FIELD SURVEY.

SITE SUMMARY

EXISTING BUILDINGS:

① P A S S BUILDING	30,275 S.F.
② FABRICATION BUILDING	30,435 S.F.
③ CONTRACT DG BUILDING	2,400 S.F.
④ PAINT BUILDING	3,780 S.F.
⑤ BARN BUILDING	7,090 S.F.
⑥ WELD SHOP BUILDING	17,200 S.F.
⑦ RESIDENCES	5,070 S.F.
EXISTING BUILDINGS	46,140 ± S.F.

PROPOSED BUILDINGS: PHASE I (1-5 YEARS)

④ PAINT SHOP BUILDING	20,000 S.F.
⑩ FABRICATION EXPANSION	16,422 S.F.
⑪ OFFICE REMODEL/EXPANSION	2,500 S.F.
⑫ ENGINEERING SHOP BUILDING	4,075 S.F.
⑬ WAREHOUSE BUILDING	27,450 S.F.
PROPOSED BUILDINGS	75,447 ± S.F.

BUILDING SUMMARY:

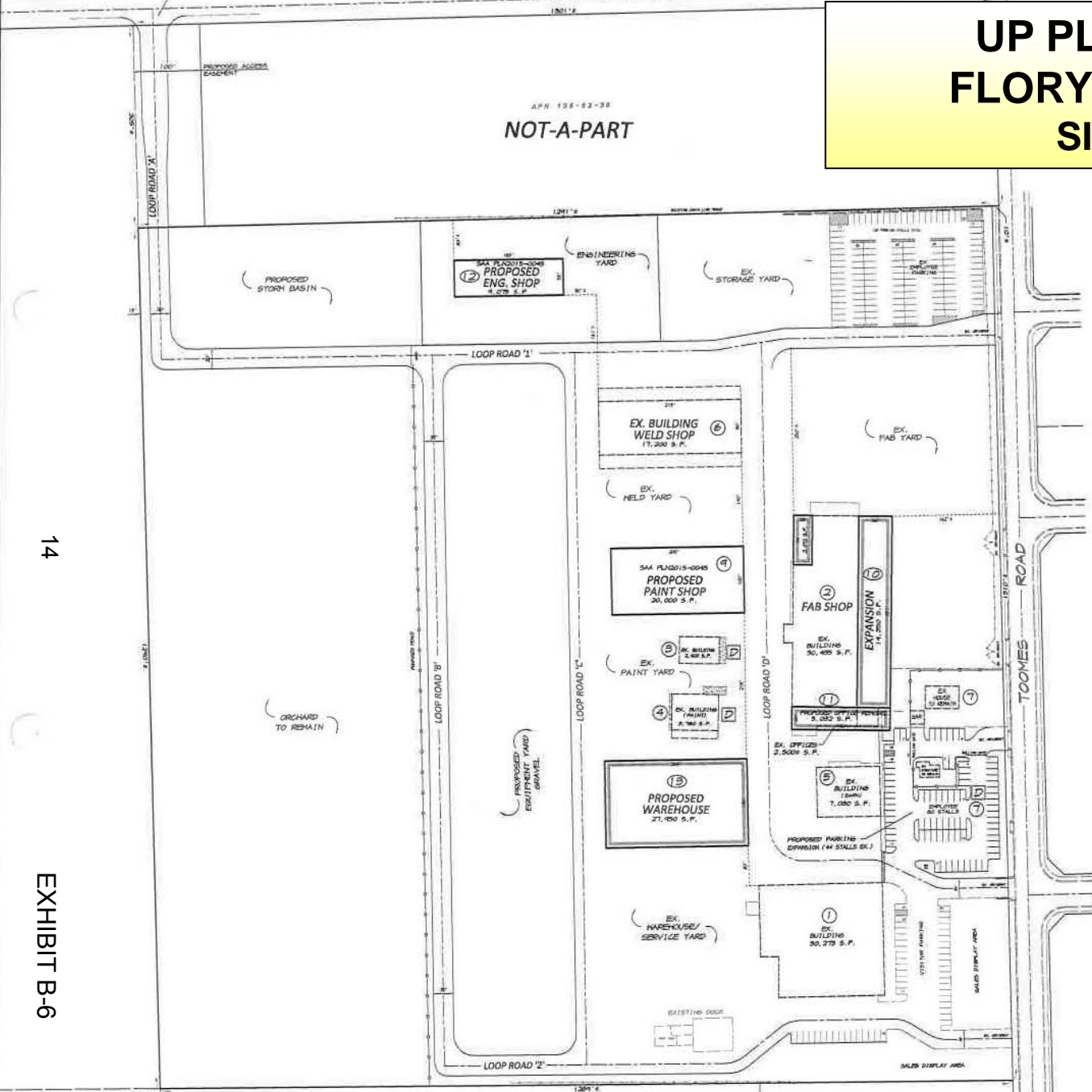
EXISTING BUILDINGS	46,140 ± S.F.
PROPOSED BUILDINGS	75,447 ± S.F.
PROPOSED DEMOLITION*	7,870 ± S.F.
TOTAL BUILDINGS	164,267 ± S.F.

*NOTE: TIMING OF PROPOSED DEMOLITION IS BASED ON CONSTRUCTION OF NEW FACILITIES THAT ARE NEEDED TO ACCOMMODATE THE EXISTING DISPLACED LOADS.

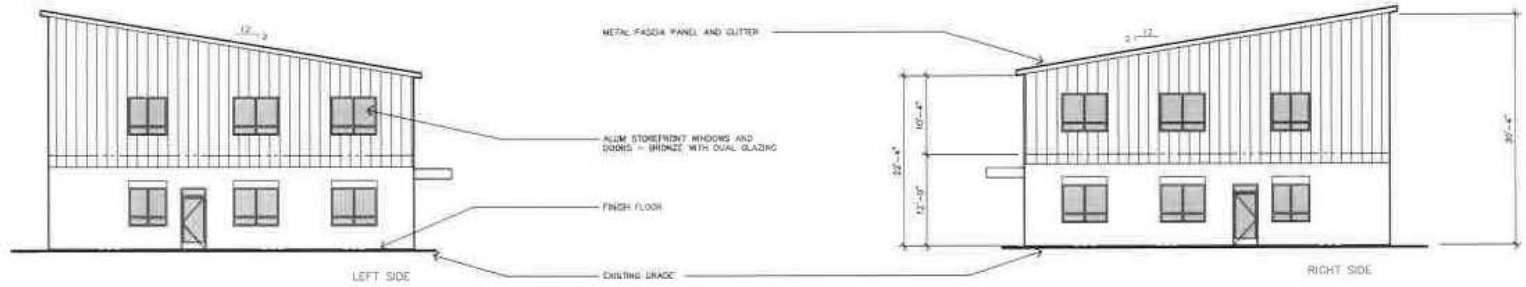
PARKING SUMMARY

EXISTING PARKING	222 STALLS
FUTURE PARKING	36 STALLS
TOTAL	258 STALLS

NOTE: PARKING WILL BE PROVIDED PURSUANT TO PHASED DEVELOPMENT AND/OR AS NECESSARY PURSUANT TO BUILDING OCCUPANCY REQUIREMENTS.



UP PLN2015-0069 FLORY INDUSTRIES OFFICE ELEVATIONS



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EXHIBIT B-7

UP PLN2015-0069 FLORY INDUSTRIES LANDSCAPE PLAN

PLN CAN	Pinus canescens	Canary Island Pine	24"box	5	Low	
PLN KIP	Platane chinensis 'Keith Devey'	Keith Devey Chinese Platane	24"box	5	Low	
QUE AGR	Quercus agrifolia	Coast Live Oak	24"box	5	Low	
SRBURS	BOTANICAL NAME	COMMON NAME	SIZE	QTY	Water Use	
ARC NOW	Arctostaphylos uva-ursi 'Howard Holbrook'	Howard Holbrook Manzanita	5 gal	19	Low	
DIE SIC	Dioscorea	Fortnight Lily	1 gal	37	Low	
HEM MON	Hemlockia x 'Monod'	Starburst Yellow Evergreen Daylily	1 gal	14	Low	
LIG COM	Ligularia tomentosa 'Compacta'	Yucca Pinnat	5 gal	71	Low	
RVA BAL	Rheptolepis India 'Baleria'	Baleria Indian Hawthorn	1 gal	10	Low	
RVA WE	Rheptolepis India 'White Enchantress'	White Enchantress Indian Hawthorne	5 gal	17	Low	
GRAND COVERS	BOTANICAL NAME	COMMON NAME	CONT	SPACING <th>QTY</th> <th>Water Use</th>	QTY	Water Use
ASA QUE	Asplenium adnigrum 'Queen Anne'	Queen Anne Lily of the Nile	1 gal	30" o.c.	244	Low
COT LOW	Coccoloba demissa 'Lowland'	Lowland Strawberry Cocoscedar	1gal	42" o.c.	368	Low
HEM CRA	Hemlockia x 'Cranberry Baby'	Dwarf Red Daylily	1gal	38" o.c.	130	Low
JUN COD	Juniperus conferta	Shore Juniper	1gal	30" o.c.	138	Low
JUN PRO	Juniperus procumbens 'Green Mound'	Green Mound Juniper	1gal	42" o.c.	387	Low
TRA ASI	Trachopogon setosum	Asian	1gal	38" o.c.	81	Low
SDSOSEE	BOTANICAL NAME	COMMON NAME	CONT	SPACING <th>QTY</th> <th>Water Use</th>	QTY	Water Use
LIP KUR	Lipia nodiflora Kurupia	Kurupia	Planted	12" o.c.	3,742	Low

NON-LIVING GROUNDCOVER
Organic bark mulch to be evenly distributed throughout all shrub and groundcover areas unless otherwise noted on plans. Aggregate mulch to be 3" layer. Contractor to provide sample for approval prior to installation.

D.G. Install 3" layer of tan decomposed granite with Stabilizer and steel edging. Contractor to submit sample to Landscape Architect and Owner for approval prior to installation.
D.G. edging to be Dura-Edge (800-889-7428) 1/8" thick x 4" steel edging with stakes per manufacturer. Color to be brown.

General Planting Notes

- The contractor shall examine the conditions of the site prior to commencement of work. Any conditions that differ from what is shown on the plans that will affect the installation process shall be brought to the attention of the Owner or Landscape Architect prior to work. Commencement of work implies acceptance of the conditions of the site.
- The contractor shall verify all plant quantities prior to installation. Plant quantities are listed for the convenience of the contractor; number of symbols shall have priority over quantity given.
- The contractor shall be responsible for the purchasing of all materials to meet the specifications of the plants including plants, soil, fertilizer, stakes, and root. The contractor shall be responsible for the protection of these materials until the project has been completely turned over to the owner.
- All plant material shall be subject to approval or rejection by the Landscape Architect or Owner's Representative prior to installation. Installed and then rejected material shall be replaced by the contractor at his/her expense.
- All soil preparation shall be installed per the soil agronomy report to be provided and paid for by the Landscape Contractor. The report is to be immediately forwarded to the Land. Arc upon completion.
- All planter areas to receive a 2" thick layer of 3/4" minus nitrogen stabilized recycled wood mulch.
- The planting pits for boxed trees shall be excavated below the diameter of the rootball and well with existing grade at the bottom of the root ball. The bedrock risks for use in all trees and shrub pits shall consist of native soil.
- Fertilizer tablets shall be Osmo-Flo, 7 gram fertilizer tablets (12-8-8) placed in all planting pits in quantities as follows:
1 gallon 3 tablets
5 gallon 8 tablets
15 gallon 14 tablets
39"box 16 tablets
39"box 20 tablets
- Thirty (30) days after installation all landscape shall be fertilized with 15-8-8 Fertilizer applied at the rate of 5 lbs./1000 sq. ft. Fertilizer application shall be continued thereafter at 12-month intervals.
- For weed control prior to planting, the Landscape Contractor shall thoroughly irrigate the site to promote germination of weed seeds that may be in the soil. After germination this area shall be sprayed with Round-Up (or equal) in the amount, and at the time specified by the manufacturer. Re-spray Round-Up if needed. After all green weeds have been eradicated, apply Round-Up (or equal) Pre-Emergent weed control in the amounts specified by the manufacturer.
- For staking of trees see detail, the sheet.
- All steel material to be nursery grown to similar climate. All plant material shall be vigorous and of normal habit of growth and shall be free of grilling, roots, sun scald, abscesses, diseases, insects, insect eggs and larvae. Plants shall meet or exceed the standards set forth by the American Standards for Nursery Stock and applicable California Agriculture Code.

Tree Root Barriers

All trees created with the root barrier symbol are to have a three DeepRoot Model RUB 18-2 root barriers installed during tree installation along the outside edge of the adjacent curb or sidewalk. The following minimum number of panels are to be installed with each one on each side of the tree that has sidewalk or curb as detailed on the plans:
15 gallon trees 5 panels
24" box trees 8 panels

Landscape Areas

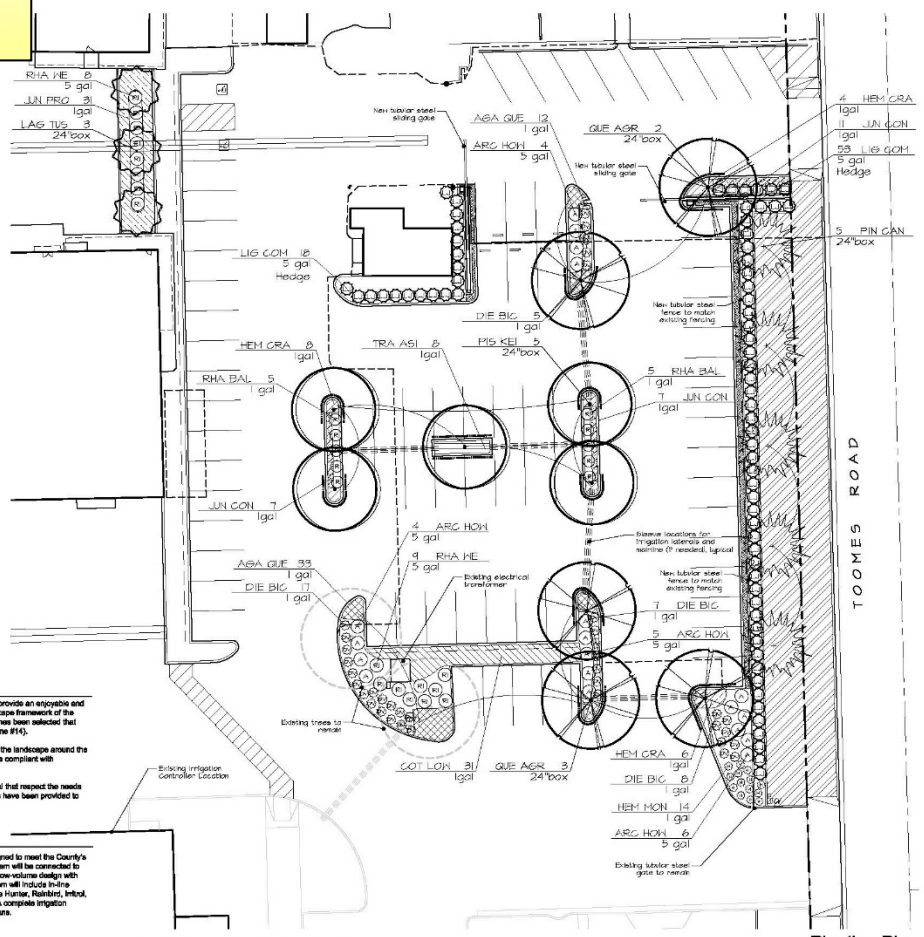
Shrub:	7,720 sq	96.6%
DOC:	298 sq	3.9%
Total Landscape:	8,018 sq	100%

Landscape Concept

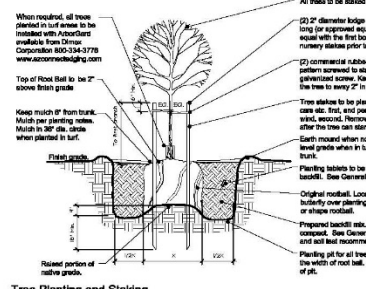
The landscape design concept for the Flory Industries parking lot is to provide an enjoyable and aesthetic space for employees and customers that fits within the landscape framework of the existing site, as well as the requirements of the County. Plant material has been selected that performs well in the special conditions of the Central Valley (Sunset Zone #14).
Low water use heavy trees, shrubs and groundcovers are proposed for the landscape around the site. The landscape (and associated irrigation) has been designed to be compliant with Stanislaus County's Water Efficient Landscape Ordinance (WELCO).
Special considerations have been provided in selection of plant material that respect the needs of the facility as well as the customers. Clear and secure view corridors have been provided to ensure safety of the customers entering and moving around the site.

Irrigation

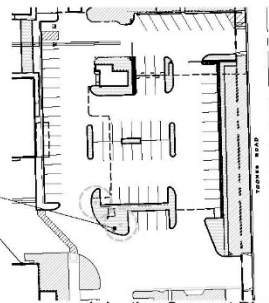
The entire site will be irrigated using a fully automatic system and designed to meet the County's Water Efficient Landscape Ordinance (WELCO). The new irrigation system will be connected to the existing irrigation that currently services the site and will largely be low-volume designs with limited use of pump-up rotary or rotators in larger shrub areas. The system will include inline valves, quick couplers, and gate valves. New irrigation controller will be Hunter, Rainbird, Inbra, or equal and will meet the WELCO requirements of a Smart controller. A complete irrigation design with these parameters will be provided with the improvement plans.



Planting Plan



Tree Planting and Staking



Irrigation Concept Legend

- Existing irrigation to remain
- New Drip Irrigation
- New Rotary/Rotator Irrigation



Irrigation Concept Plan

16

EXHIBIT B-8



www.klaia.com
161 N. Norris St., Sonoma, CA 95370
(209) 932-2858 (209) 932-8910



Revision	Date	By
1		
2		

Flory Parking Lot Expansion
4737 Toomes Road
Selma, CA 95368

Huff Construction Company, Inc.
4617 Stockdale Road
Modesto, CA 95308
(209) 945-7055
(209) 945-1787 fax

Preliminary Landscape Plan

Scale: 1/8" = 1'-0"
Date: December 2, 2010
Drawn/Checked: MHW / JTB
Project No.: 15-1154
Sheet Number:

LO
Dial 811 or 800-227-2000

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. PLN2015-0069 FLORY INDUSTRIES

Department of Planning and Community Development

1. The use 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, 2016), the applicant is required to pay a California Department of Fish and Wildlife (formerly the Department of Fish and Game) fee at the time of filing a "Notice of Determination." Within five (5) days of approval of this project by the Planning Commission or Board of Supervisors, the applicant shall submit to the Department of Planning and Community Development a check for **\$2,267.25**, 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. Any construction resulting from this project shall comply with standardized dust controls adopted by the San Joaquin Valley Air Pollution Control District (SJVAPCD) and may be subject to additional regulations/permits, as determined by the SJVAPCD.

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 Planning Director or appointed designee(s) prior to installation.
8. 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.
9. Should any archeological or human remains be discovered during development, work shall be immediately halted within 150 feet of the find until it can be evaluated by a qualified archaeologist. If the find is determined to be historically or culturally significant, appropriate mitigation measures to protect and preserve the resource shall be formulated and implemented. The Central California Information Center shall be notified if the find is deemed historically or culturally significant.
10. A landscaping plan indicating plan species, initial size, location and method of irrigation shall be approved by the planning director, or designee, prior to issuance of any building permit. All landscaping shall be in compliance with County Code and California Model Water Efficiency Landscape Ordinance.

The applicant, or subsequent property owner(s), shall be responsible for maintaining landscape plants in a healthy and attractive condition. Dead or dying plants shall be replaced with materials of equal size and similar variety.
11. Any on-site noise generation shall comply with adopted County noise control standards.
12. A plan for any proposed signs indicating the location, height, area of the sign, and message must be approved by the Planning Director prior to installation.
13. Trash bins shall be kept in trash enclosures constructed of materials compatible with the architecture of the development. Trash enclosures shall be placed in locations as approved by the refuse collecting agency and the Planning Director.
14. A landscape plan consistent with Section 21.102, landscape and irrigation standards, of the Stanislaus County Zoning Ordinance, shall be submitted and approved by the Planning Director concurrent with the building permit approval.
15. The applicant, or subsequent property owner, shall be responsible for maintaining landscape plants in a healthy and attractive condition. Dead or dying plants shall be replaced with materials of equal size and similar variety. Any dead trees shall be replaced with a similar variety of a 15-gallon size or larger.
16. All businesses operating on-site shall obtain and maintain a valid business license. Application may be made with the Planning Department. (Section 6.04 of the Stanislaus County Ordinance Code)
17. The applicant shall install a six foot high chain link fence along the non-agricultural use areas of the northern and southern property lines
18. A Lot Line Adjustment shall be recorded prior to issuance of an encroachment permit for a driveway on Kiernan Avenue.

Department of Public Works

19. A 10-foot wide public utility easement (PUE) shall be provided adjacent to and along the Toomes Road frontage. This PUE shall be recorded prior to the issuance of any grading permit.
20. Street improvements per County standards shall be installed on Toomes Road along the project's frontage to connect to existing curb and gutter prior to final and/or occupancy of any building. The improvements shall include, but not be limited to curb, gutter, sidewalk, drainage facilities, signs, pavement marking, and street pavement. With the property owners signing a Street Improvement Agreement, the sidewalk may be deferred until such time as the property to the south is developed. This agreement shall be executed prior to the issuance of the encroachment permit for the construction of the street improvements. Drainage facilities within the road right-of-way will be permitted to connect to the Salida storm drain system.
21. All driveway locations and widths shall be approved by the Department of Public Works.
22. An encroachment permit shall be obtained from the Department of Public Works prior to the start of any work within the road right-of-way.
23. No parking, loading, or unloading of vehicles shall be permitted within the County road right-of-way.
24. A grading and drainage plan for the project site shall be submitted before any building permit for the site is issued. Public Works will review and approve the drainage calculations. The grading and drainage plan shall include the following information:
 - A. The plan shall contain enough information to verify that all runoff will be kept from going onto adjacent properties and Stanislaus County road right-of-way.
 - B. The grading drainage and erosion/sediment control plan shall comply with the National Pollutant Discharge Elimination System (NPDES) General Construction Permit.
 - C. 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.
 - D. The applicant of the building permit shall pay the current Stanislaus County Public Works weighted labor rate for the plan review of the building and/or grading plan.
 - E. The applicant of the building permit shall pay the current Stanislaus County Public Works weighted labor rate for all on-site inspections. The Public Works inspector shall be contacted 48 hours prior to the commencement of any grading or drainage work on-site.
25. On-site parking areas and driveways from Toomes Road to the parking areas shall be paved per County standards. All parking spaces shall be double striped per County standards.
26. A Grading Permit shall be obtained from the Department of Public Works prior to the start of importing, exporting, or otherwise moving any dirt.

Department of Environmental Resources – Hazardous Materials

27. The applicant shall determine, to the satisfaction of the Department of Environmental Resources (DER), that the site has been fully investigated (via Phase I study, and Phase II study) prior to the issuance of a grading permit. Any discovery of underground storage tanks, former underground storage tank locations, buried chemicals, buried refuse, or contaminated soil shall be remediated as approved by DER prior to the issuance of any certificate of occupancy associated with this expansion.
28. Any existing on-site well and/or septic tank shall be destroyed under permit from the Department of Environmental Resources and in accordance with all laws and policies (Stanislaus County and California State Model Well Standards).
29. The Stanislaus County Source Reduction and Recycling Element (SRRE) contains descriptions of the programs the County has implemented to reduce solid waste disposal in the County by 50%, as mandated by AB939. Such programs include source reduction, recycling and composting. The following measures, consistent with the SRRE, shall be incorporated into the project when possible:
 - A. Minimizing, through source reduction, reuse and recycling, the amount of waste from the product, which will require disposal.
 - B. During the construction phase, provisions should be made to separate recyclable material from the construction debris. Recovered materials such as wood, sheetrock, metal, and concrete, should be diverted to approved use sites or to recyclers.
 - C. Incorporate into the project, when possible, products that contain post-consumer recycled materials. Construction materials that have post-consumer content include steel framing, plastic, lumber, carpeting, floor mats, parking bumpers, paint, lubricating oil products, glass and window products.
 - D. Compost and other soil amendments necessary for project landscaping can be obtained from permitted composting facilities within Stanislaus County, provided such landscaping material is available and meets specifications. Consider xeriscape practices for landscaped areas within the project. Xeriscaping is landscaping with slow-growing, drought tolerant plants to conserve water and reduce yard trimmings.
 - E. A designated area should be provided that would facilitate the storage of recyclable material containers.

Building Permits Division

30. Building permits are required and the project must conform with the California Code of Regulations, Title 24.

Modesto Irrigation District

31. Should the proposed project impact or otherwise alter the existing improvement district infrastructure, the pipeline must be upgraded, replaced and/or relocated as required by MID. All costs associated with design, approval and analysis of relocation shall be at the Developer's expense.

32. A 15' clearance shall be maintained adjacent to the existing 12kv overhead high voltage lines in order to protect the existing electric facilities and to maintain necessary safety clearances.
33. A 10' Public Utility Easement (PUE) is required along the Toomes Road street frontage.
34. In conjunction with related site/road improvement requirements, existing overhead and underground electric facilities within or adjacent to the proposed project shall be protected, relocated or removed as required by the District's Electric Engineering Department. Appropriate easements for electric facilities shall be granted as required.
35. Relocation or installation of electric facilities shall conform to the District's Electric Service Rules.
36. Costs for relocation and/or under grounding the District's facilities at the request of others will be borne by the requesting party. Estimates for relocating or under grounding existing facilities will be supplied upon request.
37. Customer should contact the District's Electrical Engineering Department to arrange for electric service to the project.

Salida Union School District

38. The appropriate school feels be assessed on all construction to mitigate any impact on the district.

California Regional Water Quality Control Board (RWQCB)

39. Prior to construction, the developer shall be responsible for contacting the California Regional Water Quality Control Board to determine if any of the following are required: a Construction Storm Water General Permit; a Storm Water Pollution Prevention Plan (SWPPP); a Phase I and II Municipal Separate Storm Sewer System (MS4) Permit; an Industrial Storm Water General Permit; a Clean Water Act Section 404 Permit; a Clean Water Act Section 401 Permit-Water Quality Certification; or Waste Discharge Requirements (WDR). If a SWPPP is required, it shall be completed prior to construction and a copy shall be submitted to the Stanislaus County Department of Public Works.

San Joaquin Valley Air Pollution Control District (SJVAPCD)

40. The proposed project may be subject to District Rules and Regulations, including Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving, and Maintenance Operations). The above list of rules is neither exhaustive nor exclusive. To identify other District rules or regulations that apply to this project or to obtain information about District permit requirements, the applicant is strongly encouraged to contact the District's Small Business Assistance office. Current District rules can be found online at: www.valleyair.org/rules/1ruleslist.htm.
41. Prior to the issuance of any building permits, the applicant shall preform a Health Risk Assessment (HRA) to evaluate the impact to sensitive receptors. The applicant shall address any X impacts to sensitive receptors prior to the certificate of occupancy as approved by the Air District.

Salida Fire Protection District

42. The project shall meet fire apparatus access standards.
43. Prior to, and during, combustible construction, the District shall approve provisions for serviceable fire vehicle access and fire protection water supplies.

*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~~.*



CEQA INITIAL STUDY

Adapted from CEQA Guidelines APPENDIX G Environmental Checklist Form, Final Text, December 30, 2009

1. **Project title:** Use Permit Application No. PLN2015-0069 – Flory Industries. SCH No. 2015082064
2. **Lead agency name and address:** Stanislaus County
1010 10th Street, Suite 3400
Modesto, CA 95354
3. **Contact person and phone number:** Timothy Vertino, Assistant Planner
4. **Project location:** 4737 Toomes Road, south of Kiernan Avenue, north of Covert Road, in Salida. APN:135-052-037
5. **Project sponsor's name and address:** Jason Flory, Flory Industries
P.O. Box 908
Salida, CA, 95368
6. **General Plan designation:** SCPPI (Salida Community Plan Planned Industrial)
7. **Zoning:** SCP-PI (Salida Community Plan Planned Industrial)
8. **Description of project:**

Request to expand an existing manufacturing facility by adding a 27,950 square foot warehouse, a 16,422 square foot expansion of an existing fabrication shop, and a 2,500 square foot office remodel and expansion. The project site originally approved as PD-308 was recently amended through Staff Approval PLN2015-0045, adding a 9,075 square foot engineering shop, and a 20,000 square foot paint shop. Flory Industries will demolish 7,870 square feet of existing structures, when the new replacement buildings are constructed. A 12± acre portion of the 39± acre parcel is improved as an orchard, which will remain in production. A private access driveway is proposed at the northwest corner of the project site, creating access to Kiernan Avenue. The proposed private access driveway will direct truck traffic away from Toomes Road.

9. **Surrounding land uses and setting:** A school, orchards, and single family residential to the north; Single family residential, and Highway 99 to the east; orchards and open land to the south; orchards and scattered single family dwellings to the west.
10. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.):** Building Permits Division
Department of Environmental Resources
Department of Public Works
Salida Municipal Advisory Council
Regional Water Quality Control Board
San Joaquin Valley Air Pollution Control District

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

- Aesthetics
- Agriculture & 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.

Timothy Vertino, Assistant Planner
Prepared by

November 24, 2015
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, than 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). References 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	

Discussion: The project site is bordered by Toomes Road to the east, Kiernan Avenue to the north, and Hammett Road to the west, in the Salida area. The project site is designated as Salida Community Plan - Planned Industrial within the Salida Community Plan boundaries.

The site itself is not considered to be a scenic resource or a unique scenic vista. The proposed development is an expansion of an existing manufacturing facility. The proposed shop, and paint building have a maximum height of 20± feet, while the proposed office expansion has a height of 30± feet. The current hours of operation are Monday-Friday 7:00 am to 5:00 pm, and Saturdays 8:00 am to 12:00 pm. Seasonally, August through October Saturday, hours of operation will change to 7:00 am to 4:00 pm. These hours will not change with the proposed expansion of the facilities, therefore the impact from lighting is expected to be less than significant. A Condition of Approval will be added to insure that any exterior lighting associated with this project is designed to provide adequate illumination without a glare effect.

Mitigation: None.

References: Application information; and the Stanislaus County General Plan and Support Documentation¹.

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 has soils classified by the Farmland Mapping and Monitoring Program as being “Urban and Built-Up Land”. The project site is currently developed with 96,190 square feet of structures supporting the manufacturing facility. The western portion of the project site is also developed with 12± acres of almond trees. In the process of expanding the exiting use, the applicant has proposed to create a new vehicle access road to Kiernan Avenue. To create the new 30 foot wide access road, some almond trees will be removed on the northern property line. The project site is not enrolled in a Williamson Act Contract.

The Environmental Review Committee (ERC) responded in a referral letter that “the proposed project is adjacent to production agricultural properties and would likely need to comply with the County’s Agriculture Element, specifically the buffer/setback provisions.” The County’s Buffer and Setback Guidelines are only applicable to discretionary projects in the A-2 (General Agriculture) zoning district, and for uses located within a LAFCO adopted Sphere of Influence if it is located within 300 feet of an agriculture operation. The project site is not located within a LAFCO adopted Sphere of Influence, and is zoned SCP-PI (Planned Industrial), therefore, this project is exempt from Agricultural Buffer Guidelines.

Mitigation: None.

References: Application information; Referral response from Environmental Review Committee dated September 14, 2015; State of California Department of Conservation Farmland Mapping and Monitoring Program-Stanislaus County Farmland 2010 [ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2014/sta14_no.pdf](http://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2014/sta14_no.pdf); and the Stanislaus County General Plan and Support Documentation¹.

III. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X	
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X	
d) Expose sensitive receptors to substantial pollutant concentrations?			X	
e) Create objectionable odors affecting a substantial number of people?			X	

Discussion: The proposed project is located within the San Joaquin Valley Air Basin (SJVAB) and, therefore, falls under the jurisdiction of the San Joaquin Valley Air Pollution Control District (SJVAPCD). In conjunction with the

Stanislaus Council of Governments (StanCOG), the SJVAPCD is responsible for formulating and implementing air pollution control strategies. The SJVAPCD’s most recent air quality plans are the 2007 PM10 (respirable particulate matter) Maintenance Plan, the 2008 PM2.5 (fine particulate matter) Plan, and the 2007 Ozone Plan. These plans establish a comprehensive air pollution control program leading to the attainment of state and federal air quality standards in the SJVAB, which has been classified as “extreme non-attainment” for ozone, “attainment” for respirable particulate matter (PM-10), and “non-attainment” for PM 2.5, as defined by the Federal Clean Air Act.

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.

Potential impacts on local and regional air quality are anticipated to be less than significant, falling below SJVAPCD thresholds, as a result of the nature of the proposed project and project’s operation after construction. Implementation of the proposed project would fall below the SJVAPCD significance thresholds for both short-term construction and long-term operational emissions, as discussed below. Because construction and operation of the project would not exceed the SJVAPCD significance thresholds, the proposed project would not increase the frequency or severity of existing air quality standards or the interim emission reductions specified in the air plans.

For these reasons, the proposed project would be consistent with the applicable air quality plans. Also, the proposed project would not conflict with applicable regional plans or policies adopted by agencies with jurisdiction over the project and would be considered to have a less than significant impact.

Construction activities associated with new development can temporarily increase localized PM10, PM2.5, volatile organic compound (VOC), nitrogen oxides (NOX), sulfur oxides (SOX), and carbon monoxide (CO) concentrations a project’s vicinity. The primary source of construction-related CO, SOX, VOC, and NOX emission is gasoline and diesel-powered, heavy-duty mobile construction equipment. Primary sources of PM10 and PM2.5 emissions are generally clearing and demolition activities, grading operations, construction vehicle traffic on unpaved ground, and wind blowing over exposed surfaces.

This project has been referred to SJVAPCD, but no response has been received to date.

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 U.S. 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: This project was referred to the State of California Department of Fish and Wildlife, and the US Department of Fish and Wildlife, but no referral responses have been received to date.

There is no evidence to suggest that this project would result in impacts to sensitive and endangered species or habitats, locally designated species, or wildlife dispersal or mitigation corridors. There are no known sensitive or protected species or natural communities located on the site and/or in the surrounding area. The project will not conflict with a Habitat Conservation Plan, a Natural Community Conservation Plan, or other locally approved conservation plans.

Mitigation: None.

References: 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: The proposed use is an expansion of the existing manufacturing facility, therefore it does not appear this project will result in significant impacts to any archaeological or cultural resources. The project was referred to the Native American Heritage Commission (NAHC), but no comments were received to date. A condition of approval will be placed on the project that requires that if any resources are found, construction activities will halt at that time and investigated further.

Mitigation: None.

References: California Building Code; and the 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?				
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 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: Stanislaus County General Plan and Support Documentation¹

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	
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Discussion: The principal Greenhouse Gasses (GHGs) are carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), sulfur hexafluoride (SF₆), perfluorocarbons (PFCs), hydrofluorocarbons (HFCs), and water vapor (H₂O). CO₂ is the reference gas for climate change because it is the predominant greenhouse gas emitted. To account for the varying warming potential of different GHGs, GHG emissions are often quantified and reported as CO₂ equivalents (CO₂e). In 2006, California passed the California Global Warming Solutions Act of 2006 (Assembly Bill [AB] No. 32), which requires the California Air Resources Board (ARB) to design and implement emission limits, regulations, and other measures, such that feasible and cost-effective statewide GHG emissions are reduced to 1990 levels by 2020. As a requirement of AB 32, the ARB was assigned the task of developing a Climate Change Scoping Plan that outlines the state’s strategy to achieve the 2020 GHG emissions limits. This Scoping Plan includes a comprehensive set of actions designed to reduce overall GHG emissions in California, improve the environment, reduce the state’s dependence on oil, diversify the state’s energy sources, save energy, create new jobs, and enhance public health. The Climate Change Scoping Plan was approved by the ARB on December 22, 2008. According to the September 23, 2010, AB 32 Climate Change Scoping Plan Progress Report, 40 percent of the reductions identified in the Scoping Plan have been secured through ARB actions and California is on track to its 2020 goal.

The proposed expansion anticipates a decrease in two truck trips per day, from 38 to 36. The overall employee count will remain the same after full build out, with 194 maximum per day shift, and 58 minimum per night shift. Customers on site are expected to decrease from 15 to 10 during peak time at full build out due to improved warehouse operations.

The proposed project would result in short-term emissions of GHGs during construction. These emissions, primarily CO₂, CH₄, and N₂O, are the result of fuel combustion by construction equipment and motor vehicles. The other primary GHGs (HFCs, PFCs, and SF₆) are typically associated with specific industrial sources and are not expected to be emitted by the proposed project. As described above in Section III - Air Quality, the use of heavy-duty construction equipment would be very limited; therefore, the emissions of CO₂ from construction would be less than significant.

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

Discussion: DER’s Hazardous Materials Division is responsible for overseeing hazardous materials, and requested a Phase 1 study be submitted prior to the issuance of a grading permit. The applicant submitted a CD of the Phase 1 study, which was mailed to the Hazardous Materials Division on November 18, 2015. An email response from the Hazardous Material Division, that the Phase I ESA recommends conducting a Phase II ESA based on the storage and handling of the chemicals and the wastewater treatment system.

The Envirostor database was accessed to determine if any of the properties were listed as potential hazardous waste or superfund sites, and 4737 Toomes Road was not identified as a hazardous site.

Mitigation: None.

References: Referral response from Hazardous Materials Division, dated September 2, 2015; E-mail response from Hazardous Material Division dated November 23, 2015; Department of Toxic Substances Control (<http://www.envirostor.dtsc.ca.gov>); and the Stanislaus County General Plan and Support Documentation¹

IX. HYDROLOGY AND WATER QUALITY -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?			X	
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			X	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			X	
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?				X

e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
f) Otherwise substantially degrade water quality?				X
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
j) Inundation by seiche, tsunami, or mudflow?				X

Discussion: Run-off is not considered an issue because of several factors which limit the potential impact. These factors include the relatively flat terrain of the subject site, and relatively low rainfall intensities in the Central Valley. Areas subject to flooding have been identified in accordance with the Federal Emergency Management Act. The project site itself is located in Zone X (outside the 0.2% floodplain) and, as such, exposure to people or structures to a significant risk of loss/injury/death involving flooding due levee/dam failure and/or alteration of a watercourse, at this location is not an issue with respect to this project.

By virtue of the proposed paving for the building pads, parking, and driveways, the current absorption patterns of water upon this property will be altered; however, current standards require that all of a project's storm water be maintained on site and, as such, a Grading and Drainage Plan will be included in this project's conditions of approval. As a result of the development standards required for this project, impacts associated with drainage, water quality, and runoff are expected to have a less than significant impact. The Department of Public Works reviewed the project and responded with a standard condition of approval, in regards to grading and drainage.

This project was referred to the Regional Water Quality Control Board (RWQCB), but no response has been received to date.

Mitigation: None.

References: Referral response from Public Works dated October 8, 2015; and the Stanislaus County General Plan and Support Documentation¹

X. LAND USE AND PLANNING -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Physically divide an established community?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			X	
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

Discussion: The project site was approved for General Plan Amendment 2006-3, and Rezone 2006, to Planned Development. Before this request was approved, the project site was split-zoned with the developed portion being PI-13 (Planned Industrial), and the remaining orchard as A-2-40 (General Agriculture). The proposed expansion of the manufacturing facility is permitted through a Use Permit, as part of a previously approved Planned Development No. 308.

The project site was included as part of the Salida Community Plan Amendment Area. However, since the parcel was rezoned to Planned Development prior to the creation of the Salida Community Plan Amendment Area, it is able to develop further.

The Salida Community Plan (SCP) District is intended to implement the General Plan’s stated vision for the development of the Salida Community Plan Amendment Area. The SCP district shall encourage the use of flexible development standards designed to ensure the development of the district as a master planned community. Within the SCP-PI zone, no buildings shall cumulatively occupy more than 70 percent of the area of any parcel.

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation¹

XI. MINERAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

Discussion: The location of all commercially viable mineral resources in Stanislaus County has been mapped by the State Division of Mines and Geology in Special Report 173. There are no known significant resources in or around the project area.

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation¹

XII. NOISE -- Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?				X
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X
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Discussion: Noise impacts associated with project activities and traffic are not anticipated to exceed the normally acceptable level of noise. Some temporary noise will occur during the construction of the proposed new structures. The site is currently developed as a manufacturing facility, and traffic numbers are anticipated to slightly decrease with the proposed expansion. A Condition of Approval from General Plan Amendment 2006-3, and Rezone 2006-8 stated that hours of construction shall be limited to 7:00 a.m. to 6:00 p.m., Monday through Saturday.

The applicant has proposed a new truck entrance off of Kiernan Avenue, with the intention to divert existing traffic congestion and noise away from the residential subdivision to the east, and school to the north.

Mitigation: None.

References: Application information; and the 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: No housing or persons will be displaced by the project. The proposed use of the site will not create significant service extensions that could be considered as growth inducing. This project is adjacent to agricultural, and residential uses, and the nature of the use is considered consistent with the SCP-PI zoning district.

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 the 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 Salida Union, and Modesto Union High School Districts, the Salida Fire Protection District, and the Stanislaus County ERC which includes the Sheriff’s Department. Conditions of approval will be added to this project to insure that the proposed buildings will comply with all applicable fire department standards with respect to access and water for fire protection.

Mitigation: None.

References: Stanislaus County General Plan and Support 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 proposed project does not have a residential component and is not anticipated to significantly increase demand on recreational facilities.

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 proposed expansion anticipates a decrease in two truck trips per day, from 38 to 36. The overall employee count will remain the same after full build out, with 194 maximum employees per day shift, and 58 minimum employees per night shift. Customers on site are expected to decrease from 15 to 10 during peak time at full build out due to improved warehouse operations.

Mitigation: None.

References: Application information; 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
g) Comply with federal, state, and local statutes and regulations related to solid waste?				X

Discussion: Currently the site is served by municipal services (City of Modesto water, Salida Sanitary District). The Modesto Irrigation District (MID) commented that there are existing abandoned irrigation pipelines within the project site, and that these pipelines may remain undisturbed if it does not conflict with the proposed construction. In regards to electrical service, MID has requested a 10 foot Public Utility Easement (PUE) along Toomes Road. The applicant has designed the proposed parking lot to accommodate this 10 foot setback.

Mitigation: None.

References: Application information; Site Plan, Referral response from Modesto Irrigation District dated September 14, 2015; and the Stanislaus County General Plan and Support Documentation¹

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE --	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				X
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)				X
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

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. Because the proposed use is an expansion of an existing facility, and traffic is expected to decrease and be diverted away from residential areas, the overall environmental impacts are anticipated to be less than significant.

¹Stanislaus County General Plan and Support Documentation adopted in October 1994, as amended. Optional and updated elements of the General Plan and Support Documentation: **Agricultural Element** adopted on December 18, 2007; **Housing Element** adopted on August 28, 2012; **Circulation Element** and **Noise Element** adopted on April 18, 2006.

NEGATIVE DECLARATION

NAME OF PROJECT: Use Permit Application No. PLN2015-0069 – Flory Industries

LOCATION OF PROJECT: 4737 Toomes Road, south of Kiernan Avenue, north of Covert Road, in Salida. APN: 135-052-037

PROJECT DEVELOPERS: Jason Flory, Flory Industries
P.O. Box 908
Salida, CA, 95368

DESCRIPTION OF PROJECT: Request to expand an existing manufacturing facility by adding a 27,950 square-foot warehouse, a 16,422 square-foot expansion of an existing fabrication shop, and a 2,500 square-foot office remodel and expansion, in the SCP-PI (Salida Community Plan-Planned Industrial) zoning district. The project site is located at 4737 Toomes Road, south of Kiernan Avenue, west of Highway 99, in the Salida area. 12± acres of the 39± acre parcel improved as an orchard, which will remain in production. A private driveway is proposed in the northwest corner of the project site, creating access to Kiernan Avenue.

Based upon the Initial Study, dated **November 25, 2015**, 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: Timothy Vertino, Assistant Planner

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

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RECEIVED

JAN 12 2016

STANISLAUS CO. PLANNING &
COMMUNITY DEVELOPMENT DEPT.

Julie Miller
5440 Maximillian Dr.
Salida, CA 95368
(714) 350-8371

January 6, 2016

Stanislaus County
Dept. of Planning and Community Development
1010 10th St., #3400
Modesto, CA 95354

Re: Use Permit Application No. PLN2015-0069-Flory Industries

I am not sure this is the correct process for correspondence, however this is my response to the above notice. I received the CEQA Referral letter and would like to send in this letter asking that the Flory Industries company is NOT approved to expand their facilities.

With the facilities as they are the noise factor is bothersome and I cannot and do not want to imagine what it will be like if they take over more property. The only day or night that there is no noise from that establishment is Sunday. The noise factor was there when I bought the house, but I wasn't aware of the issue of the night time shifts and the noise from those hours.

Since there is not a date scheduled for the hearing, I am not sure if I will be able to attend the hearing. So I would like to have this letter represent my household as voting or declaring or whatever the correct terminology for this situation is, we are opposed to any new facilities or expansion of any kind.

Please feel free to contact me regarding this letter.

Sincerely,



Julie Miller
Owner

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JAN 20 2016

STANISLAUS CO. PLANNING &
COMMUNITY DEVELOPMENT DEPT.

Julie Miller
5440 Maximillian Dr.
Salida, CA 95368

January 13, 2016

Stanislaus County
Dept. of Planning and Community Development
1010 10th St., #3400
Modesto, CA 95354

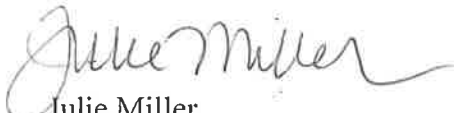
Re: Use Permit Application No. PLN2015-0069-Flory Industries
Second letter submitted

This letter is to qualify my biggest concern with the expansion of Flory Industries which is the noise factor. The hours of operation for this business runs from early morning, perhaps 6am through at least 2am. I would like to address the after 5pm hours as the problem hours for myself. Although the Flory supply store may close at 5pm, the other side of the business does not and that is where the noise problem lies.

Expansion is good for business, which leads to income for the county, I do not want to inhibit that opportunity, however, as a homeowner, I would like to ask that hours of business are kept within a 9 to 5 scenario within all areas of the business.

Please feel free to contact me regarding this letter. I appreciate being heard.

Sincerely,



Julie Miller
Owner

SUMMARY OF RESPONSES FOR ENVIRONMENTAL REVIEW REFERRALS

PROJECT:USE PERMIT APPLICATION NO. PLN2015-0069 - FLORY INDUSTRIES

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							
CA RWQCB CENTRAL VALLEY REGION	X	X	X	X				X		X	X	
CA STATE LANDS COMMISSION	X	X	X		X							
COMMUNITY SERVICE/SANITARY DISTRICT: SALIDA	X	X	X		X							
COOPERATIVE EXTENSION	X	X	X		X							
FIRE PROTECTION DIST: SALIDA	X	X	X	X				X				X
IRRIGATION DISTRICT: MODESTO	X	X	X	X				X		X	X	
MOSQUITO DISTRICT: EASTSIDE	X	X	X		X							
MOUNTAIN VALLEY EMERGENCY MEDICAL SERVICES	X	X	X		X							
MUNICIPAL ADVISORY COUNCIL: SALIDA	X	X	X		X							
PACIFIC GAS & ELECTRIC	X	X	X		X							
POSTMASTER:	X	X	X		X							
RAILROAD: UNION PACIFIC	X	X	X		X							
SAN JOAQUIN VALLEY APCD	X	X	X	X				X		X	X	
SCHOOL DISTRICT 1: SALIDA UNION	X	X	X	X				X		X	X	
SCHOOL DISTRICT 2: MODESTO UNION HIGH	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		X							
STAN CO DER	X	X	X									
STAN CO ERC	X	X	X	X				X		X	X	
STAN CO HAZARDOUS MATERIALS	X	X	X	X				X		X	X	
STAN CO PUBLIC WORKS	X	X	X	X				X		X	X	
STAN CO SHERIFF	X	X	X		X							
STAN CO SUPERVISOR DIST 3:WITHROW	X	X	X		X							
STAN COUNTY COUNSEL	X	X	X		X							
STAN FIRE PREVENTION BUREAU	X	X	X		X							
STANISLAUS LAFCO	X	X	X		X							
SURROUNDING LAND OWNERS	X	X	X									
TELEPHONE COMPANY: ATT	X	X	X		X							
US MILITARY	X	X	X		X							
USDA NRCS	X	X	X		X							