

STANISLAUS COUNTY PLANNING COMMISSION

April 7, 2016

STAFF REPORT

USE PERMIT APPLICATION NO. PLN2015-0114
G&G TRANSPORTATION

REQUEST: TO ESTABLISH A TRUCK PARKING FACILITY FOR 12 TRACTORS AND 12 TRAILERS ON 1.1± ACRES OF A 2.00± ACRE PARCEL.

APPLICATION INFORMATION

Property Owner:	Scott Bradley
Applicant:	Gary Gomes, G&G Transportation
Agent:	Rick Mummert, Benchmark Engineering
Location:	2013 N. Tegner Road, north of Fulkerth Road, south of W. Tuolumne Road, in the Turlock area.
Section, Township, Range:	8-5-10
Supervisory District:	Two (Supervisor Chiesa)
Assessor's Parcel:	088-009-026
Referrals:	See Exhibit H Environmental Review Referrals
Area of Parcel(s):	2± acres
Water Supply:	Private well
Sewage Disposal:	Septic/leach system
Existing Zoning:	A-2-40 (General Agriculture)
General Plan Designation:	AG (Agriculture)
Sphere of Influence:	N/A
Community Plan Designation:	N/A
Williamson Act Contract No.:	N/A
Environmental Review:	Negative Declaration
Present Land Use:	Single-family dwelling and unplanted land.
Surrounding Land Use:	Scattered single-family dwellings, and farmland to the north; farmland, a church, and State Highway 99 to the east; scattered single-family dwellings and row crops to the south; scattered single-family dwellings, an orchard, and farmland 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.

PROJECT DESCRIPTION

The project is a request to establish a truck parking facility for 12 tractors and 12 trailers on 1.1± acres of a 2± acre parcel. The truck parking facility also includes a 160 square-foot storage shed, and a 160 square-foot fuel tank.

The trucking operation will haul petroleum products (ethanol, and diesel); however, the commodity tanks are emptied when parked on the property. All truck service and maintenance will be done off-site. All of the 12 tractors and trailers are owned and registered by the property owner, who will live on-site. The hours of operation are 3:00 a.m. to 3:00 p.m., seven (7) days a week, year round. The truck parking facility consists of a maximum of 12 employees per shift.

The project proposes 12 (10'x20') employee parking spaces for personal automobiles, and 12 (12'x65') truck and trailer parking spaces. The project proposes two (2) aggregate base driveways onto N. Tegner Road, which will be developed to City of Turlock's Standards and Specifications. The applicant has proposed a 6-foot high chain link fence around the entirety of the truck parking operation, along with landscaping consisting of redwood trees spaced around property boundary, as reflected in the site plan. (Exhibit B – *Maps, Site Plan*).

SITE DESCRIPTION

The site is located at 2013 N. Tegner Road, north of Fulkerth Road, south of W. Tuolumne Road, west of State Highway 99, in the Turlock area. The western edge of the N. Tegner Road right-of-way serves as the jurisdictional and LAFCO approved Sphere of Influence boundary between Stanislaus County and the City of Turlock.

The 2± acre project site is currently developed with a 1,536 square-foot single-family dwelling, and two-car garages, with a majority of the site consisting of farmland (Exhibit B - *Maps, Site Plan*). A new 2,522 square-foot single-story single-family dwelling will be constructed to replace an existing 1,536 square-foot single-family dwelling. The new single-family dwelling includes installation of a new septic and leach system, and abandonment of the existing system.

The project site is surrounded by scattered single-family dwellings, and farmland to the north; farmland, a church and State Highway 99 to the east; scattered single-family dwellings, row crops to the south; scattered single-family dwellings, an orchard, and farmland to the west.

ISSUES

The following issue has been identified as part of the review of this project:

Site Criteria. The Stanislaus County Zoning Ordinance, Section 21.20.030(G), identifies several criteria for the approval of a truck parking facility in the A-2 zoning district. Criteria (d) states:

The parcel on which parking will occur is one acre or more in size, the total area of the parcel used for the parking operation does not exceed 1.5 acres in size, and the area used for parking, including employee parking, shall not exceed fifty percent of the entire parcel.

The proposed site plan has identified that the truck parking facility will operate on 1.1± acres of a 2.0± acre parcel, therefore, exceeding 50 percent of the entire 2.0± acre parcel. Condition of Approval No.12 has been added to this project to ensure that the operation will not exceed the fifty percent maximum parking use threshold. (See Exhibit C - *Conditions of Approval*.)

GENERAL PLAN CONSISTENCY

The site is currently designated “Agriculture” in the Stanislaus County General Plan. The agricultural designation recognizes the value and importance of agriculture by acting to preclude incompatible urban development within agricultural areas.

The proposed project is supported by the goals, objectives, and policies of the various elements of the General Plan, specifically the Land Use Element, including the following goal and policy:

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

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

To minimize conflicts between agriculture operations and non-agricultural operations Buffer and Setback Guidelines (Appendix A of the Agricultural Element) have been adopted and are applicable to new or expanding uses approved in or adjacent to the A-2 (General Agriculture) zoning district.

In response to Policy 1.10, Buffer and Setback Guidelines (Appendix A of the Agricultural Element) applicable to new or expanding uses approved in or adjacent to the A-2 (General Agriculture) zoning district have been adopted. Appendix A states: “All projects shall incorporate a minimum 150-foot wide buffer setback. Projects which propose people intensive outdoor activities, such as athletic fields, shall incorporate a minimum 300-foot wide buffer setback. Permitted uses within a buffer area shall include: landscaping, parking lots, and similar low-people intensive uses.” The project has proposed an acceptable agricultural buffer consisting of a parking lot, and landscaping.

The project site is located outside of the City of Turlock’s Sphere of Influence. The County’s General Plan Sphere of Influence Policy requires that any development taking place within a City’s Sphere of Influence must be consistent with that City’s General Plan. Since North Tegner is located within the City’s Sphere of Influence, the City’s Development Standards and Specification shall be applied to the development of the street frontage. The project site has a City of Turlock General Plan designation as Urban Reserve. The purpose of this designation is to allow for the development of properties for agricultural purposes.

The City of Turlock responded to the project referral that it is not in opposition to the proposed project, and has offered Conditions of Approvals. A copy of the City’s project referral response letter is attached as Exhibit G. Two of the proposed conditions are in reference to North Tegner Road, which is a City maintained road. Through these conditions, the City of Turlock has asked that an Irrevocable Offer of Dedication be made for a future build out of North Tegner Road, and that all driveway approaches are built to City Standards and Specifications. Another condition addresses storm water runoff, which must be retained on site. Only those requested conditions of approval which are applicable outside the City’s jurisdiction have been applied to the project. (See Exhibit C - *Conditions of Approval*.)

ZONING ORDINANCE CONSISTENCY

The site is currently zoned A-2-40 (General Agriculture). The parking of tractor-trailer combinations may be allowed in the A-2 (General Agriculture) zoning district under Section 21.20.030(G) if a Use Permit is first obtained. In order to approve the Use Permit, the Planning Commission must make the following findings:

- (a) The establishment, maintenance and operation of the proposed use or building applied for is consistent with the general plan and will not, under the

circumstances of the particular case, be detrimental to the health, safety and general welfare of persons residing or working in the neighborhood of the use and that it will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the county;

- (b) The establishment as proposed will not be substantially detrimental to or in conflict with agricultural use of other property in the vicinity;
- (c) The establishment as proposed will not create a concentration of commercial and industrial uses in the vicinity.

In addition to these required findings, the project must also meet project site and operations related requirements listed in section 21.20.030(G)(3) of the A-2 Zoning Ordinance. (See Exhibit D – *Zoning Ordinance Section 21.20.030(G) - Parking of Tractor-Trailer Combinations.*) Staff believes that the proposed project meets all required criteria listed in this Section, with the exception to 21.20.030(G)(3)(d), which has been addressed in the Issues section of this staff report.

ENVIRONMENTAL REVIEW

Pursuant to the California Environmental Quality Act (CEQA), the proposed project was circulated to all interested parties and responsible agencies for review and comment and no significant issues were raised. (See Exhibit H - *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 F - *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

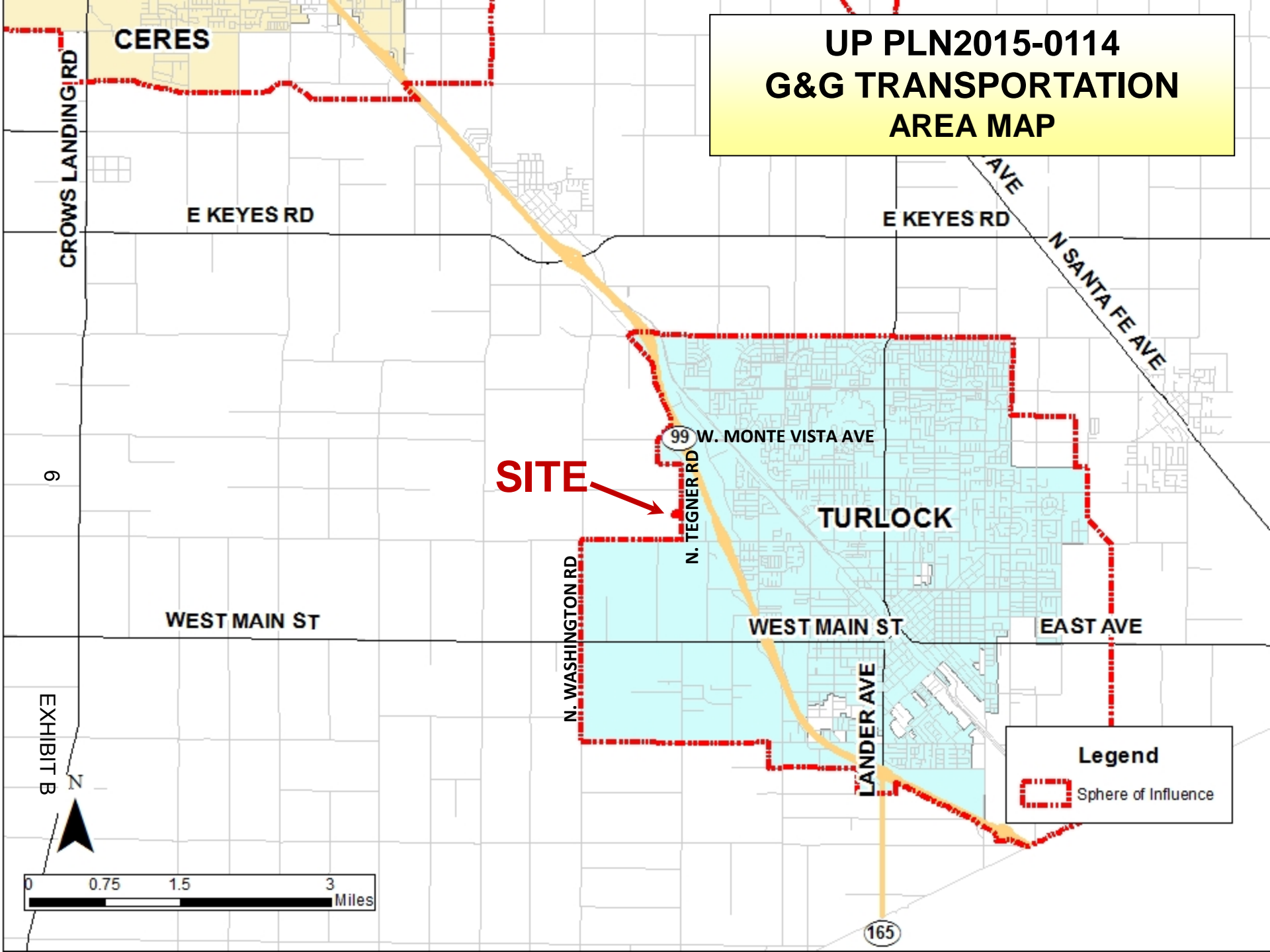
Attachments:

- Exhibit A - Findings and Actions Required for Project Approval
- Exhibit B - Maps, Site Plan
- Exhibit C - Conditions of Approval
- Exhibit D - Zoning Ordinance Section 21.20.030(G) - Parking of Tractor-Trailer Combinations
- Exhibit E - Initial Study
- Exhibit F - Negative Declaration
- Exhibit G - Project Referral Response Letter from the City of Turlock, dated December 7, 2015
- Exhibit H - 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's Office 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 and will not, under the circumstances of the particular case, be detrimental to the health, safety and general welfare of persons residing or working in the neighborhood of the use and that it will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the county;
 - (b) The establishment as proposed will not be substantially detrimental to or in conflict with agricultural use of other property in the vicinity;
 - (c) The establishment as proposed will not create a concentration of commercial and industrial uses in the vicinity;
 - (d) The project as proposed, and conditioned, meets all criteria identified in Section 21.20.030(G)(3) in the Stanislaus County Zoning Ordinance;
 - (e) 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. PLN2015-0114 – G&G Transportation, subject to the attached Conditions of Approval.


UP PLN2015-0114 G&G TRANSPORTATION AREA MAP

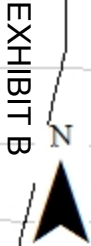
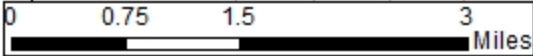


SITE

UP PLN2015-0114
G&G TRANSPORTATION
AREA MAP

Legend

 Sphere of Influence



9

165

99

**UP PLN2015-0114
G&G TRANSPORTATION
GENERAL PLAN MAP**

W. TUOLUMNE RD

AG

SITE

N. TEGNER RD




AG

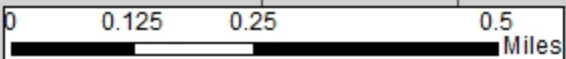
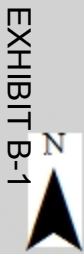
99

FULKERTH RD

CITY

Legend

-  Sphere of Influence
-  AG= AGRICULTURE
-  CITY OF TURLOCK



**UP PLN2015-0114
G&G TRANSPORTATION
ZONING DESIGNATION MAP**

W. TUOLUMNE RD

N. TEGNER RD

SITE




A-2-40

TURLOCK

99

FULKERTH RD

Legend

-  Sphere of Influence
-  A-2-40=AGRCULTURE
-  CITY OF TURLOCK

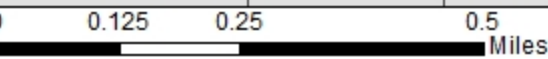


EXHIBIT B-2

UP PLN2015-0114 G&G TRANSPORTATION ACREAGE MAP

39.33

17.67

24.57

12.64

Project Site
2.00

6

5.98

3.19

23.54

9.88

2.45

EXHIBIT B-3
N

0.99

Legend
 Sphere of Influence

0 125 250 500 Feet

11.19

5.04

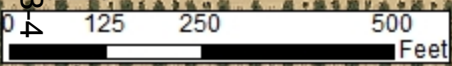
**UP PLN2015-0114
G&G TRANSPORTATION
2015 COUNTY AERIAL**

**Project
Site**

N-TEGNER RD



EXHIBIT B-4



**UP PLN2015-0114
G&G TRANSPORTATION
2015 COUNTY AERIAL**

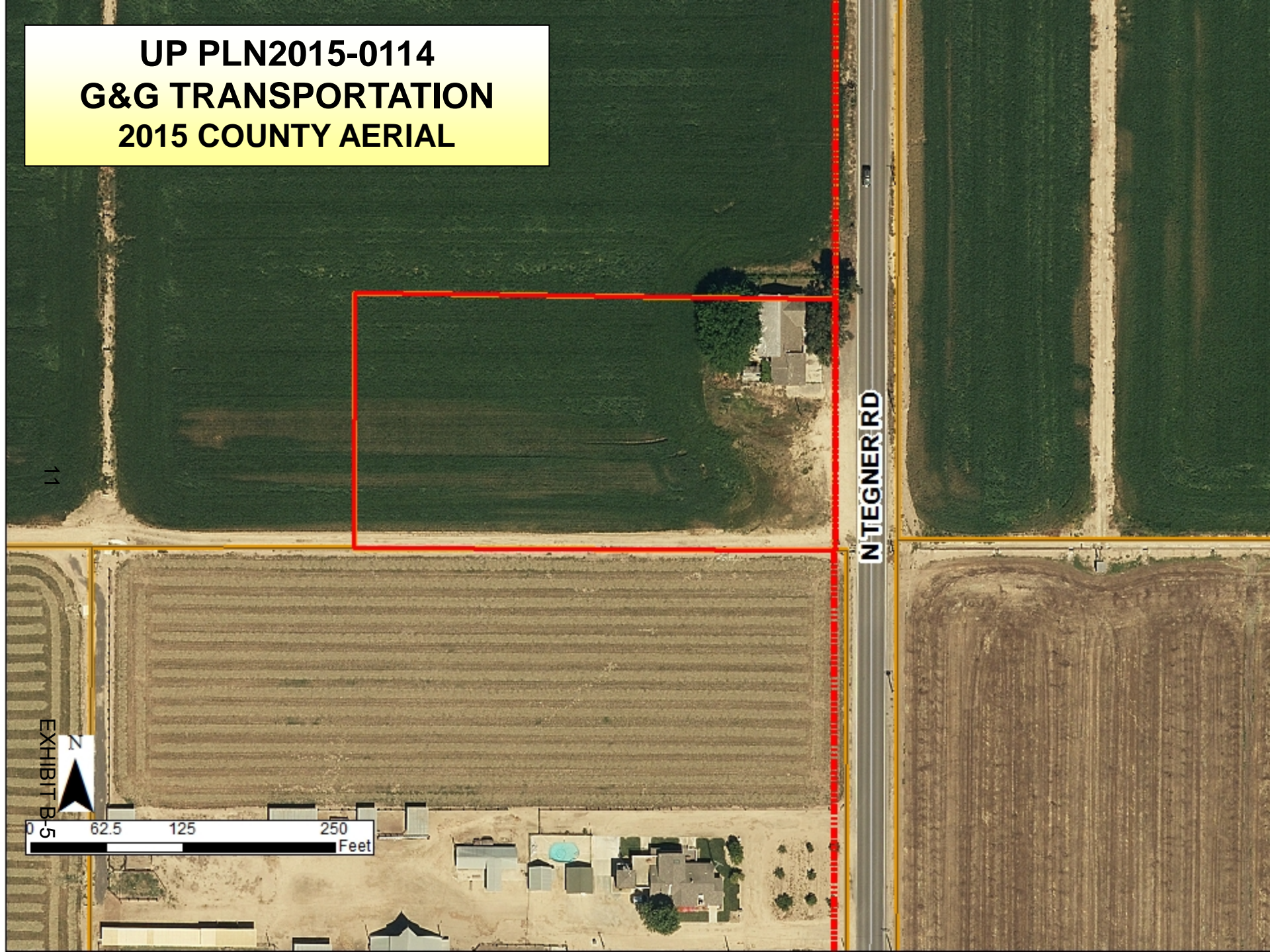
11

N TEGNER RD

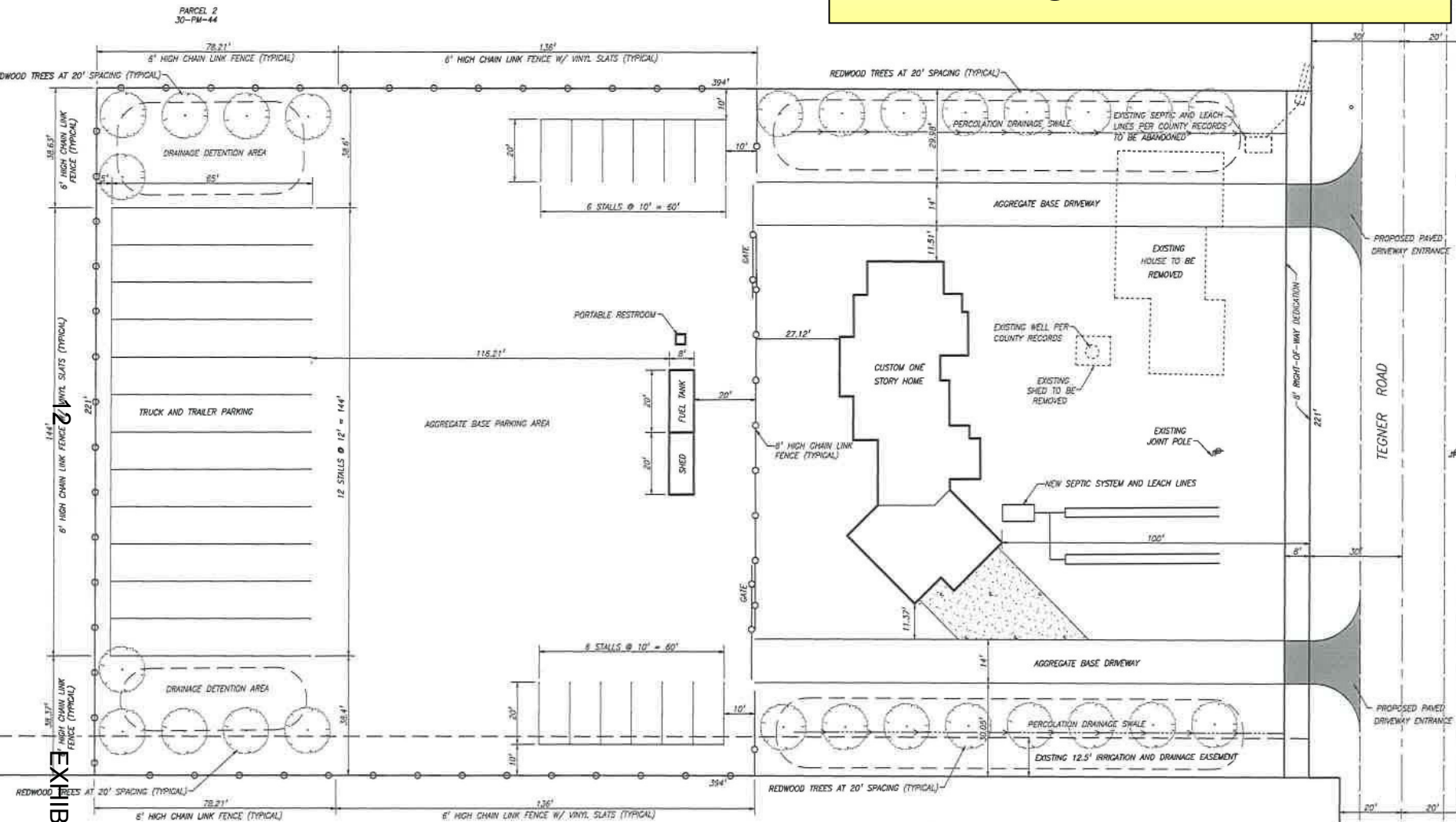


EXHIBIT B-5

0 62.5 125 250 Feet



UP PLN2015-0114 G&G TRANSPORTATION SITE PLAN



LANE & ANNETTE MENZES
088-009-032

EXHIBIT B-6

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

CONDITIONS OF APPROVAL

USE PERMIT APPLICATION NO. PLN2015-0114 G&G TRANSPORTATION

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. 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.
8. 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.
9. A landscaping plan indicating plant species, initial size, location and method of irrigation shall be approved by the planning director, or designee, at time of building permit review. All landscaping shall be in compliance with County Code and California Model Water Efficiency Landscape Ordinance.
10. 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.
11. A Stanislaus County business license shall be obtained and maintained in accordance with Section 6.04 of the Stanislaus County Ordinance Code.
12. The area used for parking, including employee parking, shall not exceed fifty percent of the entire parcel.

Department of Public Works

13. A grading, drainage, and erosion/sediment control plan for the project site shall be submitted before any building permit for the site is issued that creates a new or bigger building footprint on this parcel. Public Works will review and approve the drainage calculations. The grading and drainage plan shall include the following information:
 - 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;
 - The grading drainage and erosion/sediment control plan shall comply with the current State of California National Pollutant Discharge Elimination System (NPDES) MS4 Phase II Permit;
 - The grading, drainage, and associated work shall be accepted by Stanislaus County Public Works prior to a final inspection or occupancy, as required by the building permit;
 - 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;
 - 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.

Department of Environmental Resources – Hazardous Materials

14. 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.

Building Permits Division

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

City of Turlock

16. North Tegner Road is designated a 4-lane arterial road in the City of Turlock General Plan. The applicant shall provide an irrevocable offer of dedication or right-of-way necessary for a future build-out of a 76' wide N. Tegner Road. Driveway approaches shall be designed to meet City standards and shall be paved from the existing pavement to the property line after dedication of right-of-way.
17. Access to North Tegner Road may be made until such time that the City of Turlock City Engineer determines otherwise. The City of Turlock reserves the right to enforce right-in/right-out restrictions on either or both driveways at the City Engineer's discretion.
18. All storm water runoff generated by the project (on-and off-site) shall be retained on the project site.

Stanislaus County Fire Protection District

19. All trucks parked on-site shall maintain empty commodity tanks at the end of the work day, prior to being parked overnight.

Turlock Irrigation District

20. An existing irrigation pipeline and 12.5-foot easement is located along the southern boundary of the proposed project. This pipeline, which serves the adjacent property to the south, must be protected at all times. Additionally, the proposed site improvements must allow for continued access to irrigation check gates (field valves) located on the pipeline.
21. Any improvements to this property which impact irrigation facilities shall be subject to the District's approval and meet all District standards and specifications.
22. District standards require that properties that will no longer irrigate or have direct access to water must apply for abandonment of the parcel from the improvement district. Developed property adjoining irrigated ground must be graded so that finished grading elevations are at least six (6) inches higher than irrigated ground. A protective berm must be installed to prevent irrigation water from reaching non-irrigated properties.

23. The owner/developer must apply for a facility change for any pole or electrical facility relocation. Facility changes are performed at the developer's expense.

Regional Quality Control Board

24. 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)

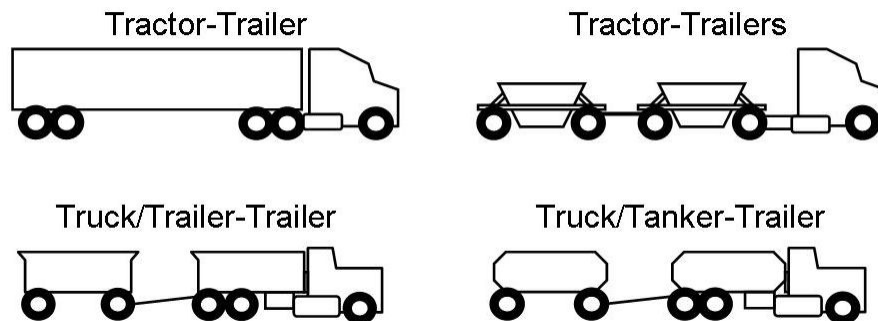
25. The proposed project may be subject to District Rules and Regulations, including Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving, and Maintenance Operations). The above list of 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.

*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~~.*

21.20.030 Uses requiring use permit

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

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



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

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

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



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

1010 10th Street, Suite 3400, Modesto, CA 95354
Phone: 209.525.6330 Fax: 209.525.5911

CEQA INITIAL STUDY

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

1. **Project title:** Use Permit Application No. PLN2015-0114 – G&G Transportation (SCH No. 2015112034)
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:** 2013 N. Tegner Road, south of W. Toulumne Road, north of Fulkerth Road, in the Turlock area. APN: 088-009-026
5. **Project sponsor's name and address:** Rick Mummert, Benchmark Engineering
1121 Oakdale Road Suite 1
Modesto, CA 95355
6. **General Plan designation:** AG (Agriculture)
7. **Zoning:** A-2-40 (General Agriculture)
8. **Description of project:**

Request to establish a truck parking facility for 12 tractors and 12 trailers on 1.1± acres of a 2.00± acre parcel. Hours of operation are 3:00 a.m. to 3:00 p.m. daily, consisting of one shift, with a maximum of 12 employees. The truck parking facility also includes a 160 square foot storage shed, and a 160 square foot fuel tank. A new 2,522 square foot single family dwelling will be constructed to replace an existing 1,536 square foot dwelling.

9. **Surrounding land uses and setting:**
10. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.):** City of Turlock
Department of Environmental Resources
Environmental Review Committee
Hazardous Materials
Public Works
Turlock Irrigation 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.

- | | | |
|---|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture & Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology / Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality |
| <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation / Traffic | <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> 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
Signature

January 14, 2016
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 site itself is not considered to be a scenic resource or a unique scenic vista. Community standards generally do not dictate the need or desire for architectural review of uses allowed in the A-2 zoning district. Any development resulting from this project will be consistent with existing area developments. The only structure proposed as part of the truck parking facility is a 160 square foot shed. A 2,522 square foot single family dwelling will be constructed to replace an existing 1,536 square foot dwelling as part of this Use Permit review.

Mitigation: None.

References: 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 2± acre project site has soils classified by the Farmland Mapping and Monitoring Program as being Prime Farmland. The project site is currently developed with a single family home, with the majority of the property consisting of open undeveloped land.

The project site is currently zoned A-2-40 (General Agriculture). Within the A-2 zoning district, the County has determined that certain uses related to agricultural production are “necessary for a healthy agricultural economy.” The County allows the parking of tractor-trailer combinations if specific criteria can be met and if specific findings can be made. Those findings include that the establishment, as proposed, will not be substantially detrimental to, or in conflict with, the agricultural use of other property in the vicinity and that it will not create a concentration of commercial and industrial uses in the vicinity. In addition, the Planning Commission must find that the establishment, maintenance, and operation of the proposed use is consistent with the general plan and will not be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood of the use and that it will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the county.

The Environmental Review Committee (ERC) commented that the proposed project takes land out of current agriculture production and that the site is adjacent to productive agricultural properties and would likely need to comply with the County’s Agricultural Element, specifically the buffer/setback provision.

The project is not expected to result in a significant amount of conversion of farmland to non-agricultural use because the site is only 2± acres in size. The proposed use is also considered to be a low people intensive use with a maximum of 12 employees per shift; however, the employees will not be working at the project site.

Mitigation: None.

References: Referral Response from Environmental Review Committee dated November 30, 2015; application information; Stanislaus County G.I.S. 2010 aerial image; State of California Department of Conservation Mapping and Monitoring Program-Stanislaus County Farmland 2010 ftp://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	
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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: The project site is currently developed with a single family home, with the majority of the property consisting of open undeveloped pasture land. 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: It does not appear this project will result in significant impacts to any archaeological or cultural resources. The proposed project includes the parking of tractor-trailer combinations. No structures are proposed as part of the truck parking operation, but a new 2,522 square foot single family dwelling will be constructed to replace an existing 1,536 square foot dwelling as part of this Use Permit review.

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation¹

VI. GEOLOGY AND SOILS -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
ii) Strong seismic ground shaking?				X
iii) Seismic-related ground failure, including liquefaction?				X
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?			X	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d) Be located on expansive soil creating substantial risks to life or property?			X	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?			X	

Discussion: As contained in Chapter Five of the General Plan Support Documentation, the areas of the County subject to significant geologic hazard are located in the Diablo Range, west of Interstate 5; however, as per the California Building Code, all of Stanislaus County is located within a geologic hazard zone (Seismic Design Category D, E, or F) and a soils test may be required as part of the building permit process. Results from the soils test will determine if unstable or expansive soils are present. If such soils are present, special engineering of the structure will be required to compensate for the soil deficiency. Any 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 Gases (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 use is to allow 12 tractors and 12 trailers to park on site at any given time. The truck parking facility will operate with a maximum of 12 and a minimum of four (4) employees per shift, with one shift per day.

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.

The project would also result in direct annual emissions of GHGs during operation. Direct emissions of GHGs from operation of the proposed project are primarily due to passenger vehicles and truck trips. This project would not result in emission of GHGs from any other sources. Consequently, GHG emissions are considered to 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 (Haz-Mat) is responsible for overseeing hazardous materials, and requested a Phase 1 study be submitted prior to the issuance of a grading permit. DER Haz-Mat has recommended that research be conducted to determine if pesticides were used on the proposed development site, if confirmed, suspect site areas should be tested for organic pesticides and metals. Any discovery of any underground storage tanks, former underground storage tank locations, buried chemicals, buried refuse, or contaminated soil shall be brought to the immediate attention of DER.

DER Haz-Mat has also recommended consideration of potential oil leak/vehicle fluid leak runoff to storm drains on this property. It is recommended to add protective measures to the storm drains, or to the site itself, to prevent hazardous materials and hazardous waste contamination from entering the storm drain system. DER has recommended that the applicant contact get into contact with the department regarding appropriate permitting.

The Envirostor database was accessed to determine if any of the properties were listed as potential hazardous waste or superfund sites. 2013 N. Tegner Road was not identified as a hazardous site.

Mitigation: None.

References: Referral response from Department of Environmental Resources Hazardous Materials Division dated November 30, 2015; Department of Toxic Substances Control (<http://www.envirostor.dtsc.ca.gov>); 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. This project was referred to the Regional Water Quality Control Board (RWQCB) which responded with standards of development and requirements that will be incorporated into this project's conditions of approval. The Department of Public Works reviewed the project and responded with a condition regarding grading and drainage be submitted prior to the issuance of a building permit, that would change the building footprint of the site.

Mitigation: None.

References: Referral Response from the Regional Water Quality Control Board dated November 20, 2015; referral response from Public Works dated November 30, 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 is zoned A-2-40 (General Agriculture), the General Plan designation is AG (Agriculture). The features of this project will not physically divide an established community or conflict with any habitat conservation plan or natural community conservation plan. The parking of tractor-trailer combinations is allowed in the Agriculture zone by obtaining a Tier Three Use Permit.

The proposed project has been referred to the City of Turlock, because it is adjacent to the City’s Sphere of Influence. The City of Turlock responded that the proposed project site is located within the Urban Reserve General Plan designation for the City. The urban Reserve designation allows for the development of properties for agricultural purposes. The City has commented that while truck parking is not directly related to agricultural production, the development of the site as truck parking does not preclude the future development of this property for urban uses and could serve as a beneficial transitional use of the property preceding future annexation.

The City of Turlock responded with several conditions to insure that the project is consistent with the long term development of the area.

Mitigation: None.

References: Referral response from the City of Turlock dated December 7, 2015; Stanislaus County Zoning Ordinance; and the 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 on the site.

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	

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

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation¹

XIII. POPULATION AND HOUSING -- Would the project:				
	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X	
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X
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Discussion: The Use Permit proposal includes the replacement of a single family dwelling on the project site. The proposed use of the site will not create significant service extensions or new infrastructure which could be considered as growth inducing. No housing or persons will be displaced by this project.

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation¹

XIV. PUBLIC SERVICES --	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Would the project result in 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 Turlock Joint Union School Districts, the Turlock Rural Fire Department, and the Stanislaus County Environmental Review Committee (ERC) which includes the Sheriff’s Department. The City of Turlock commented that the applicant shall coordinate with the City of Turlock’s Fire Marshall to install necessary improvements and equipment for fire protection and suppression, this comment will be added as a Condition of Approval.

Mitigation: None.

References: Referral response from the City of Turlock dated December 7, 2015; 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
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Discussion: The project is not anticipated to significantly increase demands for recreational facilities as such impacts are typically associated with residential development.

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation¹

XVI. TRANSPORTATION/TRAFFIC -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?			X	
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?			X	
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?			X	
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	
e) Result in inadequate emergency access?			X	
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?			X	

Discussion: The project will park 12 tractors and 12 trailers with employees reporting in the morning and leaving their vehicles on site. The project includes two access driveways onto N. Tegner Road. Trucks will exit the project site in the morning and return to the project site at the end of each day. No deliveries will be made to the project site, and are not allowed by the Zoning Ordinance. The project was referred to the Stanislaus County Department of Public Works which has deferred all transportation/traffic issues to the City of Turlock. The City of Turlock has legal authority of the entirety of N. Tegner Road, and has requested several Conditions of Approval regarding transportation/traffic including an Irrevocable Offer of Dedication (IOD) necessary for a full build out of N. Tegner Road, and that all driveway approaches be shall be designed to meet City standards.

Mitigation: None.

References: Referral response from the City of Turlock dated December 7, 2015; 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: Limitations on providing services have not been identified and no referral responses have been received noting any issues with this proposed project.

Turlock Irrigation District (TID) responded with general comments about irrigation which will be added to the project as Conditions of Approval.

The City of Turlock commented that city utilities are available upon annexation into the City, and upon required capacity and connections fees paid.

Mitigation: None.

References: Referral response from Turlock Irrigation District dated November 20, 2015; referral response from the City of Turlock dated December 7, 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	

<p>b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)</p>			X	
<p>c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</p>			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.

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. PLN2015-0114 – G&G Transportation

LOCATION OF PROJECT: 2013 N. Tegner Road, south of W. Toulumne Road, north of Fulkerth Road, in the Turlock area. APN: 088-009-026

PROJECT DEVELOPERS: Rick Mummert, Benchmark Engineering
1121 Oakdale Road Suite 1
Modesto, CA 95355

DESCRIPTION OF PROJECT: Request to establish a truck parking facility for 12 tractors and 12 trailers on a 2.00± acre parcel in the A-2-40 (General Agriculture) zoning district. Hours of operation are 3:00 a.m. to 3:00 p.m. daily, consisting of one shift, with a maximum of 12 employees. The project site is located at 2013 N. Tegner Road, south of W. Tuolumne Road, north of Fulkerth Road, in the Turlock area.

Based upon the Initial Study, dated **January 14, 2016**, 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



DEBRA A. WHITMORE
DEPUTY DIRECTOR
dsoiseth@turlock.ca.us

DEVELOPMENT SERVICES
PLANNING DIVISION

156 S. BROADWAY, SUITE 120 | TURLOCK, CALIFORNIA 95380 | PHONE 209-668-5542 EXT 2219 | FAX 209-668-5107 | TDD 1-800-735-2929

December 7, 2015

Timothy Vertino
Assistant Planner
Stanislaus County Planning and Community Development
1010 10th Street, Suite 3400
Modesto, CA 95354

SUBJECT: USE PERMIT 2015-0114 (G & G TRANSPORTATION - 2013 N TEGNER RD.)

Dear Mr. Vertino:

Thank you for the opportunity to review the proposed project for a truck parking facility located at 2013 N. Tegner Road, in the Turlock area.

PROJECT DESCRIPTION

The applicant is requesting to establish a truck parking facility for 12 truck-tractors and 12 trailers on approximately 1.1 acres of a two acre parcel. The hours of operation would be 3:00 AM to 3:00 PM, daily, with a maximum of 12 employees per shift. The truck parking facility also includes a 160 square foot storage shed, and a 160 square foot fuel tank. A new 2,511 square foot single family dwelling will be constructed to replace an existing 1,536 square foot dwelling.

GENERAL PLAN CONSISTENCY

The project is located within the Urban Reserve General Plan designation for the City. The Urban Reserve designate allows for the development of properties for agricultural purposes. The proposal is to replace the existing home with a new custom home with truck and trailer parking at the rear of the property. While the truck parking is not directly related to agricultural production, the development of the site as truck parking does not preclude the future development of this property for urban uses and could serve as a beneficial transitional use of the property preceding future annexation of the territory for urban development purposes. Therefore, staff does not find that the proposed use is inconsistent with the City's General Plan.

CONDITIONS OF APPROVAL

The project is located along and will take access from Tegner Road which currently lies within the City of Turlock. The City requests that the following conditions of approval be met. The City

of Turlock requests that these conditions be incorporated into the permit issued by the County of Stanislaus:

1. The developer/property owner shall pay all applicable city-wide capital facility fees.
2. Tegner Road is designated a 4-lane arterial in the City of Turlock General Plan. The applicant shall provide an irrevocable offer of dedication or right of way necessary for a future build out of a 76' wide Tegner Road. Driveway approaches shall be designed to meet City standards and shall be paved from the existing pavement to the property line after dedication of right-of-way.
3. Access to Tegner Road may be made until such time that the City of Turlock City Engineer determines otherwise. The City of Turlock reserves the right to enforce right-in/right-out restrictions on either or both driveways at the City Engineer's discretion.
4. All storm water runoff generated by the project (on- and off-site) shall be retained on the project site.
5. City utilities only available upon annexation to the City, and upon required capacity and connections fees paid.
6. The applicant shall coordinate with the City of Turlock Fire Marshall to install the necessary improvements and equipment for fire protection and suppression. The Fire Marshall will need to know the quantity and types of fuel and other combustibles that will be stored on site.

ADVISORY COMMENTS

Because the property is not located within the City's sphere of influence, the County is not obligated to require the applicant to follow City zoning standards with regard to the development of the site. The following comments are therefore advisory in nature but would make the project more compatible with the long-term development of the area:

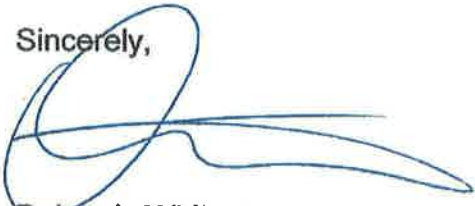
1. A fifteen (15') foot landscaped buffer should be provided on site immediately adjacent to the public right-of-way established under Condition of Approval #2 (previous section).
2. Approximately five (5%) percent of the area of development should be landscaped. The landscaped areas should include a combination of trees, shrubs and groundcover. Xeriscape landscaping is an acceptable alternative for the City but should include trees, shrubs and ground covering to reduce evaporation.

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December 7, 2015

3. Drainage basins should be landscaped to enhance the filtering of storm water runoff.
4. All drive aisles should be paved.
5. A continuous landscape screen should be installed on all sides of the truck parking area to minimize visibility from the public right-of-way.

Please contact me if you have any questions regarding these comments at (209) 668-5542 x2218. City staff is available to meet with the applicant, if desired.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Debra A. Whitmore', with a large, stylized loop at the beginning.

Debra A. Whitmore
Deputy Director of Development Services (Planning)

cc: Angela Freitas, Director
Rick Mummert

SUMMARY OF RESPONSES FOR ENVIRONMENTAL REVIEW REFERRALS

PROJECT: USE PERMIT APPLICATION NO. PLN2015-0114 - G&G TRANSPORTATION

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 PF CONSERVATION (LAND RESOURCES)	X	X	X		X							
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	
CITY OF TURLOCK	X	X	X	X				X		X	X	
COOPERATIVE EXTENSION	X	X	X		X							
FIRE PROTECTION DIST: TURLOCK RURAL	X	X	X		X							
IRRIGATION DISTRICT: TURLOCK	X	X	X	X				X		X	X	
MOSQUITO DISTRICT: TURLOCK	X	X	X		X							
MOUNTAIN VALLEY EMERGENCY MEDICAL SERVICES	X	X	X		X							
PACIFIC GAS & ELECTRIC	X	X	X		X							
SAN JOAQUIN VALLEY APCD	X	X	X		X							
SCHOOL DISTRICT 1: TURLOCK JOINT UNION	X	X	X		X							
STAN CO AG COMMISSIONER	X	X	X		X							
STAN CO BUILDING PERMITS DIVISION	X	X	X		X							
STAN CO CEO	X	X	X		X							
STAN CO DER	X	X	X	X				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 2: CHIESA	X	X	X		X							
STAN COUNTY COUNSEL	X	X	X		X							
STANISLAUS FIRE PREVENTION BUREAU	X	X	X	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							