

# STANISLAUS COUNTY PLANNING COMMISSION

June 2, 2016

## STAFF REPORT

USE PERMIT APPLICATION NO. PLN2015-0087  
ARTIFICIAL TURF & LANDSCAPING CO. INC.

REQUEST: TO ESTABLISH A WHOLESALE NURSERY AND A LANDSCAPE CONTRACTING BUSINESS.

### APPLICATION INFORMATION

Property Owner:	Daniel & Ann Marie Keane
Applicant:	Jim Lawrence, Artificial Turf & Landscaping Co. Inc.
Location:	1467 Crawford Road, between Coffee and Oakdale Roads, in the Riverbank area.
Section, Township, Range:	34-2-9
Supervisory District:	One (Supervisor O'Brien)
Assessor's Parcel:	074-012-013
Referrals:	See Exhibit G Environmental Review Referrals
Area of Parcel(s):	2.93±
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:	A single-family dwelling, shop, barn, and open farmland.
Surrounding Land Use:	Scattered single-family dwellings in all directions. Orchards to the north; open farmland to the east; orchards, and a dairy farm to the south; open farmland to the west.

### RECOMMENDATION

Staff recommends that the Planning Commission approve the request to establish a wholesale nursery as proposed by the applicant, along with the establishment of an associated landscape contracting business that is limited to the installation of wholesale nursery plants and trees grown on-site. If the Planning Commission decides to approve the project, Exhibit A provides an overview of all of the findings required for project approval.

## **PROJECT DESCRIPTION**

The project is a request to establish a wholesale nursery and a landscape contracting business. The primary component of the proposed commercial use is for a nursery, which will grow palm trees, fruit trees, and plants for wholesale purchase. The nursery operation includes trees and plants grown in the ground, as well as in potted and boxed containers.

Another component of the proposed business includes landscape contracting services - the nursery and landscaping portions of the business work in conjunction with each other. A smaller component of the landscape contracting business involves installation of artificial turf which is purchased from an off-site seller. The wholesale nursery and landscape contracting operation will be run by the applicant, and property owner who resides on-site.

Currently, the applicant is in operation of a landscape contracting business on-site, which was reported to County Code Enforcement in August 2015.

The proposed nursery operation will take place on roughly 1.25 acres located on the northern portion of the 2.93± parcel. No structures are being proposed at this time, and the nursery will not be open to the general public. The wholesale nursery anticipates two (2) to five (5) wholesale customers on-site per week.

Hours of operation will be Monday through Friday, 7:00 a.m. to 5:00 p.m., year round. The business will have 7-12 employees, which will pick up nursery plants and equipment at the subject site in the morning, and return at the end of the day. Approximately 80-percent of the employee activity involves installation of new plantings, which is conducted off-site. The balance of employee activities consists of work conducted on-site. The business includes four (4) to six (6) vehicles, one-ton in size, and up to 2 truck deliveries per week.

The applicant is proposing to use 140 square feet of an existing agriculture shop as an office for the proposed business. The applicant has identified that the nursery will not be using any other on-site structures as part of the wholesale nursery and landscape contracting business.

The application did not initially identify agriculture irrigation installation as part of the proposed use. Subsequently, a revised project description included this as part of the proposal, but this business component has since been removed, and is no longer considered as part of this Use Permit application.

## **SITE DESCRIPTION**

The 2.93± acre parcel is located on the north side of Crawford Road, between Coffee and Oakdale Roads, in the Riverbank area.

The site is currently developed with a 1,415 square-foot single-family dwelling, a 500 square-foot agriculture shop with an office, and a 1,500 square-foot barn with roughly 1.5 acres of the northern portion of the property consisting of open farmland.

All surrounding parcels are zoned A-2-40 (General Agriculture) zoning district. Surrounding parcels located on the north side of Crawford Road range in size from .46± to 6.7± acres in size. Surrounding parcels located on the south side of Crawford Road range in size from .45± to 19.6± acres in size.

Surrounding land uses consist of scattered single-family dwellings in all directions. Orchards to the north; open farmland to the east; orchards, and a dairy farm to the south; open farmland to the west. A number of commercial businesses are also operating in the vicinity, see Correspondence & Issues section below.

### **CORRESPONDENCE & ISSUES**

Staff received five letters of correspondence from area residents, all of which are attached. (See Exhibit D – *Correspondence*.)

The first letter was received via e-mail on January 20, 2016, from Chella Gonsalves of 1348 Crawford Road, who expressed that she was “not in opposition” to the proposed project.

The second letter received on February 24, 2016, via e-mail from Todd Whiteside of 1549 Crawford Road, expresses opposition to the proposed project. The letter cites concerns of the neighborhood becoming too commercially developed for the area and that the proposed use is not agricultural in nature. On March 7, 2016, the applicant provided a response to Todd Whiteside’s letter clarifying the nature of the proposed business.

The third letter dated March 5, 2016, received via mail from Roland and Deanna Dooley of 1630 Crawford Road, expresses opposition to the proposed project. The letter cited concerns that the proposed use would impact traffic, and road wear. The letter requests that a traffic study be done, prior to the issuance of the Use Permit.

The fourth letter received March 23, 2016, via e-mail from Carol and Raymond Raya of 1348 Crawford Road, expresses opposition to the proposed project. The letter cited concerns of the neighborhood becoming too commercially developed for the area, and that approving this project would encourage more businesses to open and discourage agriculture uses.

The fifth letter received April 12, 2016, via fax from Sami Yonan of 1501 Crawford Road, expresses concerns about the proposed business affecting the quality of life on his property, the adjacent property to the east. The letter cites concerns about traffic, noise, privacy, visual impacts, as well as air and noise pollution. Staff has added Condition of Approval No.10 to the project that will require the applicant to install screening materials along the shared property line to the east of the project site. The screening will create a buffer which will mitigate any impacts from the on-site operations, onto the neighbor’s property. The screening materials and design shall be approved by the Planning Director. (See Exhibit C - *Conditions of Approval*.)

### **Landscape Contracting Specifications When Associated with Wholesale Nurseries**

Section 21.20.030(A)(1) of the Stanislaus County Zoning Ordinance allows wholesale nurseries and landscape contractors when conducted in conjunction with a wholesale nursery. However, the Zoning Ordinance does not identify any specifications, thresholds or operational parameters for either the wholesale nursery or landscape contracting business when operated in conjunction with each other.

Agricultural businesses are accepted forms of commerce in the A-2 zoning district. The proposed growing and selling of palm trees, fruit trees, and plants are considered agriculture in nature, and serve as the primary component for a wholesale nursery in the A-2 zoning district. The applicant represents that the landscape contracting business is not one of landscape maintenance, but one of landscape installation of nursery plants with a small portion consists of installation of artificial turf.

The Zoning Ordinance also does not identify a minimum parcel size for operating a wholesale nursery and landscape contractor business in the A-2 zoning district. The applicant has represented that an essential component for successfully operating a wholesale nursery and landscape contracting business in the A-2 zoning district is access to surface irrigation, which the project site has. However, the existing on-site well will also be available for irrigation purposes.

General landscape contracting services may include a variety of services, including landscape design, installation, and maintenance of domestic and commercial landscaping as well as bulk storage of mulch and bark for on-site, and off-site use. The applicant requests approval to conduct installation services of wholesale nursery products and the installation of artificial turf as part of the landscaping business. The artificial turf portion of this business is reported to represent a small percentage of the proposed business.

Staff believes that sale and installation of other products, including artificial turf, outside of the wholesale nursery is more retail and less agricultural in nature and does not believe this would be an appropriate use in the Agricultural zone. If approved, it would be difficult to monitor or measure an appropriate threshold for conducting this portion of the business. Condition of Approval No. 15 has been added to the project to ensure that the landscape contracting portion of the wholesale nursery is limited to the installation of what is grown on-site. (See Exhibit C - *Conditions of Approval*.)

Similar recent requests include the following applications:

1. UP 2005-01 – River Haven Nursery (Planning Commission Approved January 5, 2006). Request to establish a wholesale nursery on a 9.38 acre parcel. The nursery was approved to buy, grow, and propagate ornamental plants, and fruit and nut trees for wholesale to retail garden centers, landscape contractors, and farmers. A landscape contracting service was not part of this project. The project was approved on property in the A-2-10 zoning district, east of the City of Waterford and was surrounded by parcels approximately 10 acres in size.
2. UP 2005-30 – McPhee Wholesale Nursery (Planning Commission Approved February 2, 2006). Request to establish a wholesale nursery and landscape contractor business, conducted in conjunction with the nursery, on a 12.63 acre parcel. The nursery was approved to grow and sell wholesale fruit and nut bearing trees and other varieties of native trees purchased in bulk, re-planted on-site and grown on-site. The landscape contractor portion of the wholesale nursery consisted of the basic design and/or installation of landscape features including landscape rocks. The landscape rocks portion of the project consisted of a 625 square foot (25' x 25') space area, on the 12.63 acre parcel. This project was approved on property in the A-2-40 zoning district, on State Highway 108/120, east of Oakdale and was surrounded by parcels over 35 acres in size.

### **Commercialization of the Neighborhood**

While this project proposal is the only formal land use entitlement request in the surrounding area, staff received several letters of correspondence which report that the neighborhood is becoming commercialized, and less agricultural in nature. In response, staff investigated neighborhood claims by conducting site visits, and reviewing the County aerial image ( see Exhibit B – *Maps, Site Plan*), and determined that there are additional businesses conducted in the area without the benefit of an approved use permit or business license.

Even though letters of correspondence identified concerns that the neighborhood is becoming commercialized, this request is for a Tier One Use Permit. Tier One uses, such as wholesale nurseries, are closely related to agriculture businesses and do not require the Planning Commission to make a finding that the establishment as proposed will not create a concentration of commercial and industrial uses in the vicinity.

Tier One Use Permit findings can be found in the Zoning Ordinance Consistency section, and Exhibit A - Findings and Actions Required for Project Approval.

Based on the nature of the proposed use, with a Condition of Approval in place which limits the nursery and landscape contracting business to the installation of products grown on-site, staff believes that the project meets the definition of a wholesale nursery and landscape contracting operation. Therefore, staff believes that the proposed use is appropriate in the A-2 zoning district.

### **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 Agricultural Element encourages vertical integration of agriculture by organizing uses requiring use permits into three tiers based on the type of uses and their relationship to agriculture. Tier One Uses include uses closely related to agriculture such as wholesale nurseries and landscape contractors when conducted in conjunction with a wholesale nursery.

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 zoning district. Appendix A states that "low people intensive" Tier One and Tier Two uses which do not serve the general public, shall not be subject to compliance with these guidelines; however, conditions of approval consistent with these guidelines may be required as part of the project approval. The decision making body (Planning Commission) shall have the ultimate authority to determine if a use is "low people intensive".

The applicant lists the maximum number of employees at 12 per shift, which could be considered low people intensive. The majority of the work done by the employees will be conducted off-site. Based on the proposed activities of the project, staff believes that the proposed project is consistent with Tier One uses and does not require an agricultural buffer.

### **ZONING ORDINANCE CONSISTENCY**

The site is zoned A-2-40 (General Agriculture, 40 acre minimum). Section 21.20.030(A)(1) of the Stanislaus County Zoning Ordinance allows wholesale nurseries and landscape contractors when conducted in conjunction with a wholesale nursery as a Tier One use. Tier One uses are uses closely related to agriculture, considered to be necessary for a healthy agricultural economy, and may be allowed when the Planning Commission makes the following findings:

- 1.) The establishment, maintenance, and operation of the proposed use or building applied for is consistent with the General Plan designation of "Agriculture" 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
- 2.) The use as proposed will not be substantially detrimental to or in conflict with agricultural use of other property in the vicinity.

With Conditions of Approval, staff believes all of the necessary Tier One and Use Permit findings can be made. There is no indication that, under the circumstances of this particular case, the proposed use will 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 use as conditioned will not be substantially detrimental to or in conflict with agricultural use of other property in the vicinity. The proposed use itself is agricultural in nature.

### **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 F - *Negative Declaration*.) Conditions of approval reflecting referral responses have been placed on the project. (See Exhibit C - *Conditions of Approval*.)

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**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

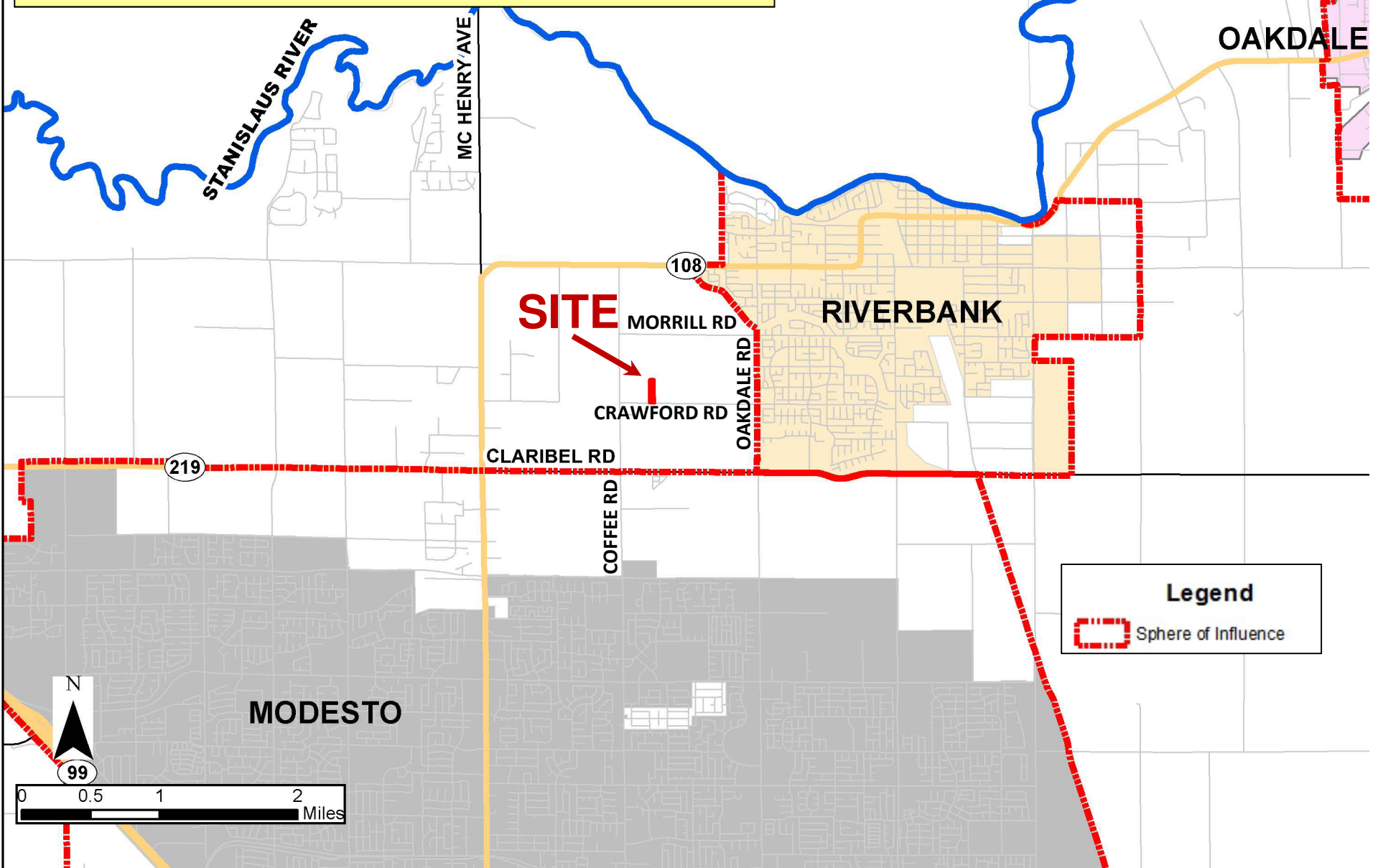
Attachments:

- Exhibit A - Findings and Actions Required for Project Approval
- Exhibit B - Maps, Site Plan
- Exhibit C - Conditions of Approval
- Exhibit D - Correspondence
- Exhibit E - Initial Study
- Exhibit F - Negative Declaration
- 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'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 designation of "Agriculture" and will not, under the circumstances of the particular case, be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood of the use and that it will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.
  - (b) The use as proposed will not be substantially detrimental to or in conflict with agricultural use of other property in the vicinity.
  - (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. PLN2015-0087 – Artificial Turf & Landscaping Co. Inc., subject to the attached Conditions of Approval.

**UP PLN2015-0087  
ARTIFICIAL TURF & LANDSCAPING CO.  
AREA MAP**

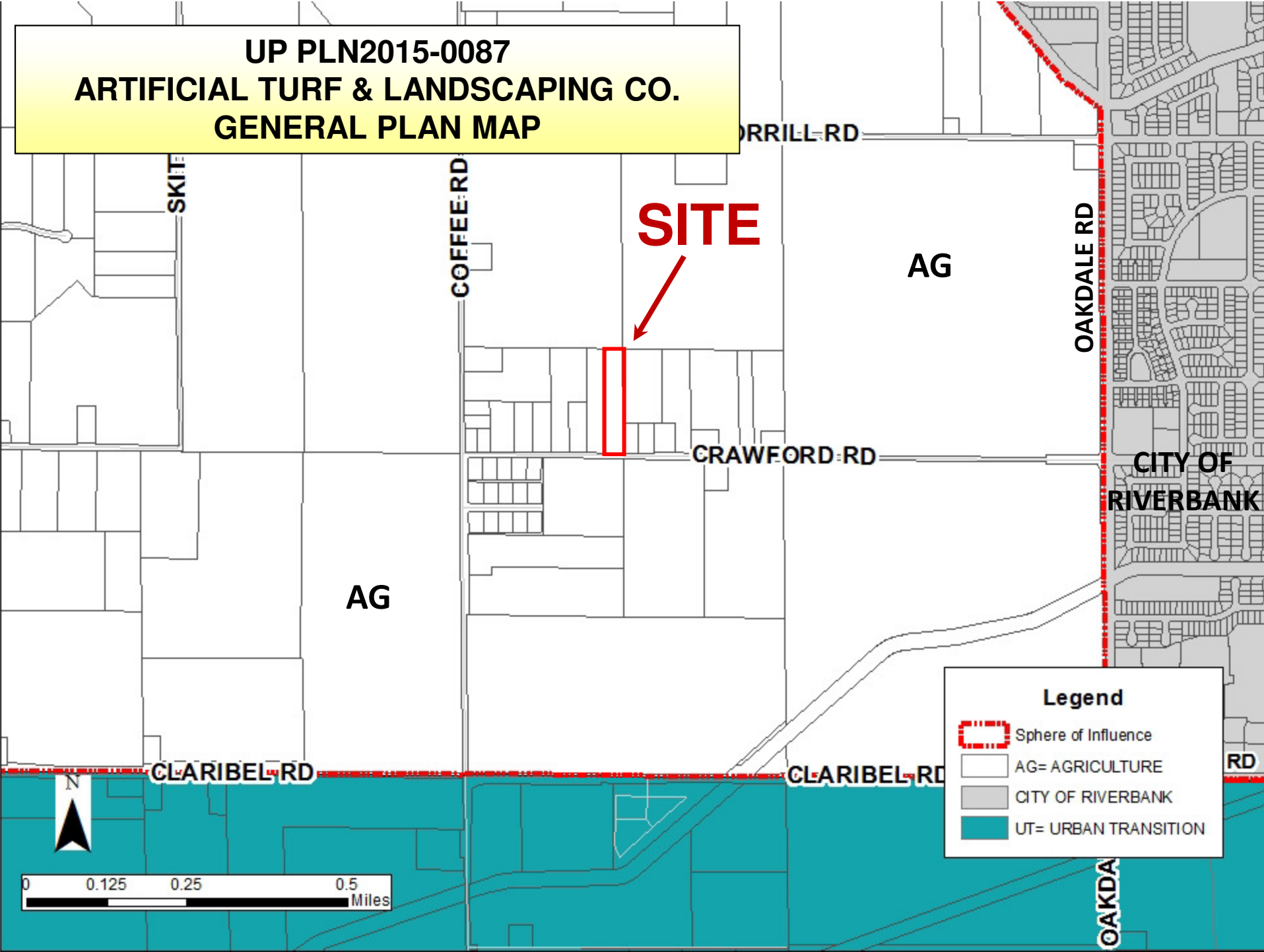


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EXHIBIT B



**UP PLN2015-0087  
ARTIFICIAL TURF & LANDSCAPING CO.  
GENERAL PLAN MAP**



**SITE**

AG

OAKDALE RD

CRAWFORD RD

CITY OF RIVERBANK

AG

CLARIBEL RD

CLARIBEL RD

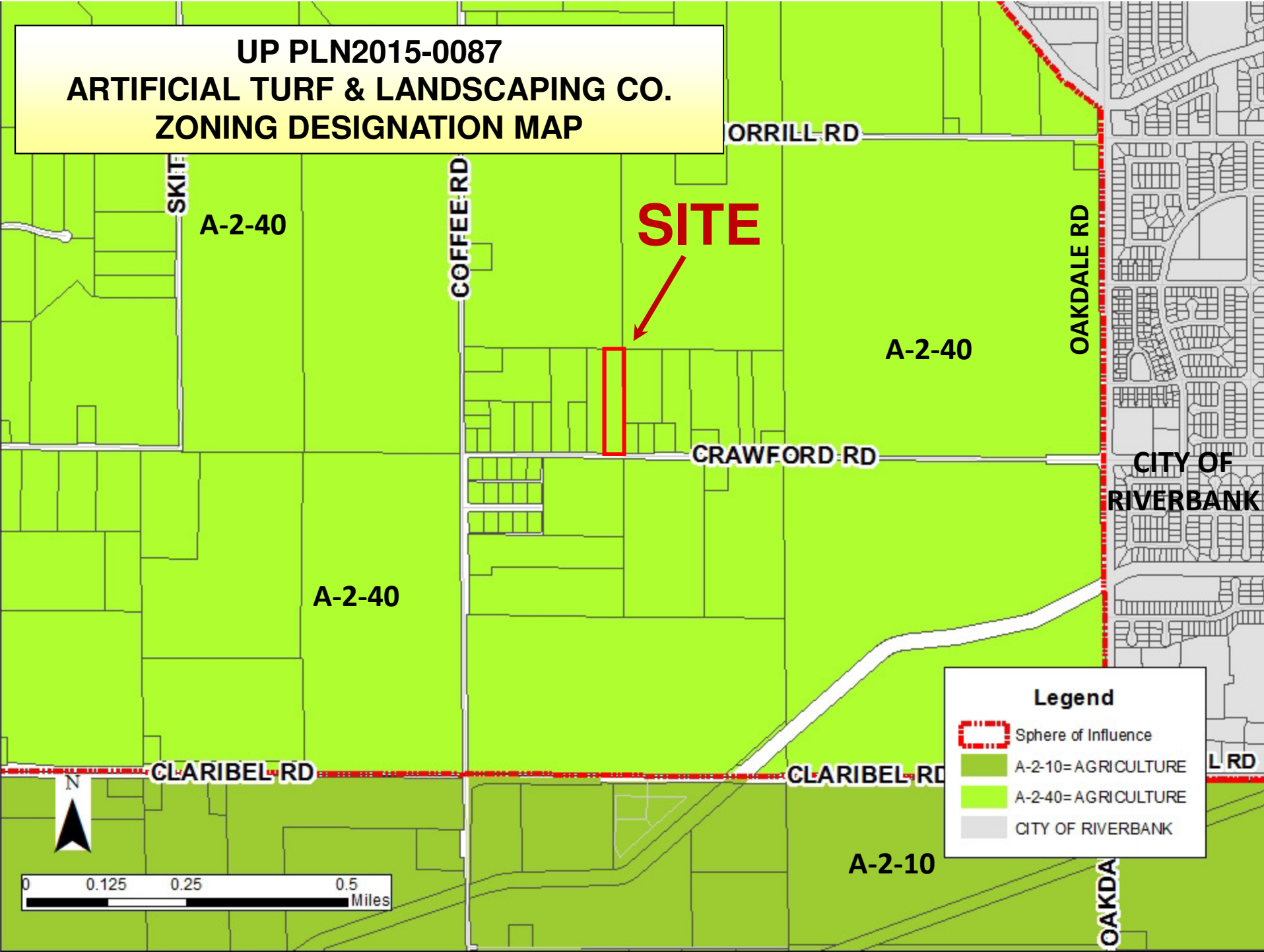
RD

OAKDA

**Legend**

- Sphere of Influence
- AG= AGRICULTURE
- CITY OF RIVERBANK
- UT= URBAN TRANSITION

**UP PLN2015-0087  
ARTIFICIAL TURF & LANDSCAPING CO.  
ZONING DESIGNATION MAP**



**SITE**

A-2-40

A-2-40

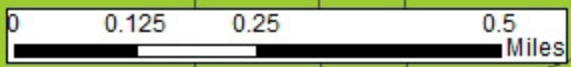
A-2-40

**CITY OF  
RIVERBANK**

**Legend**

- Sphere of Influence
- A-2-10= AGRICULTURE
- A-2-40= AGRICULTURE
- CITY OF RIVERBANK

A-2-10

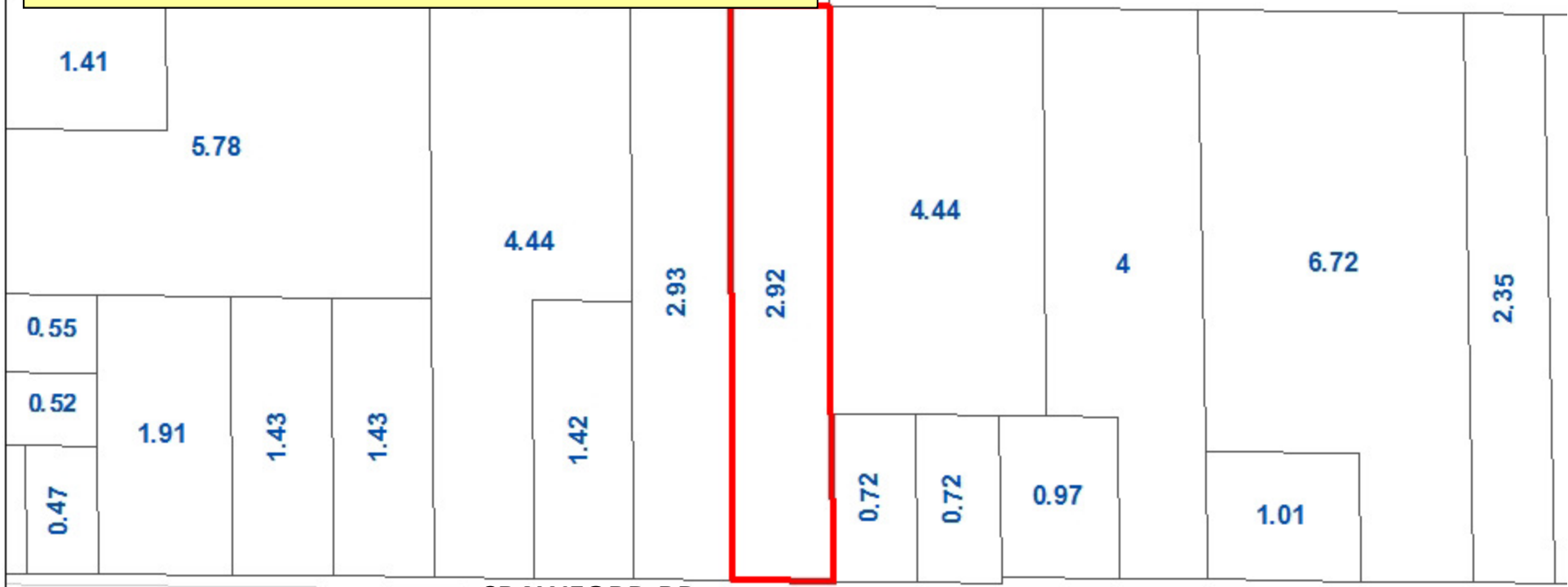


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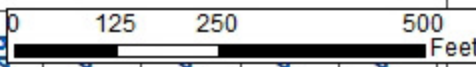
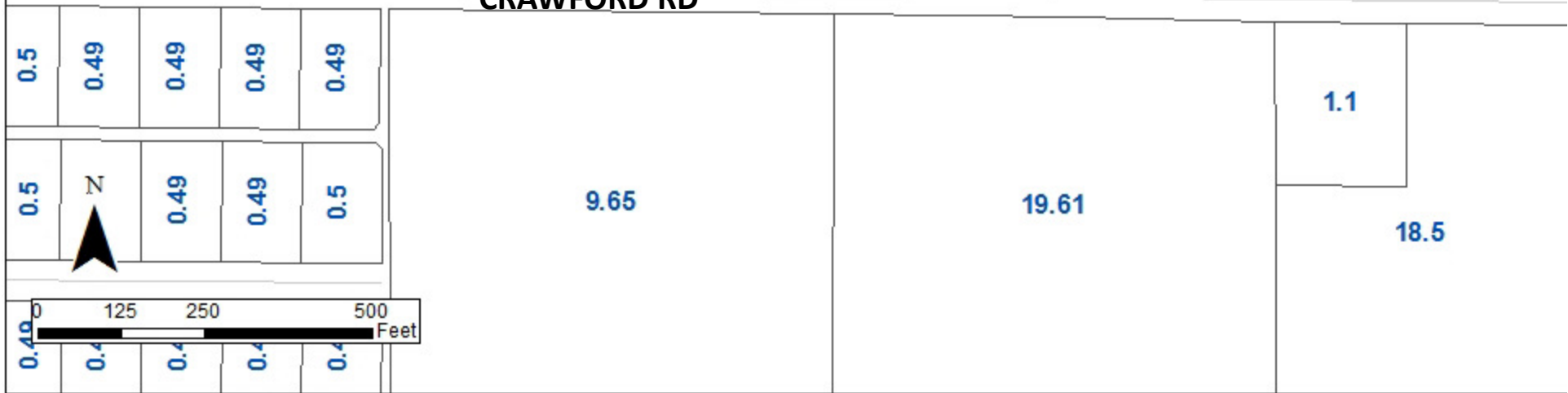
EXHIBIT B-2

**UP PLN2015-0087  
ARTIFICIAL TURF & LANDSCAPING CO.  
ACREAGE MAP**

49.27

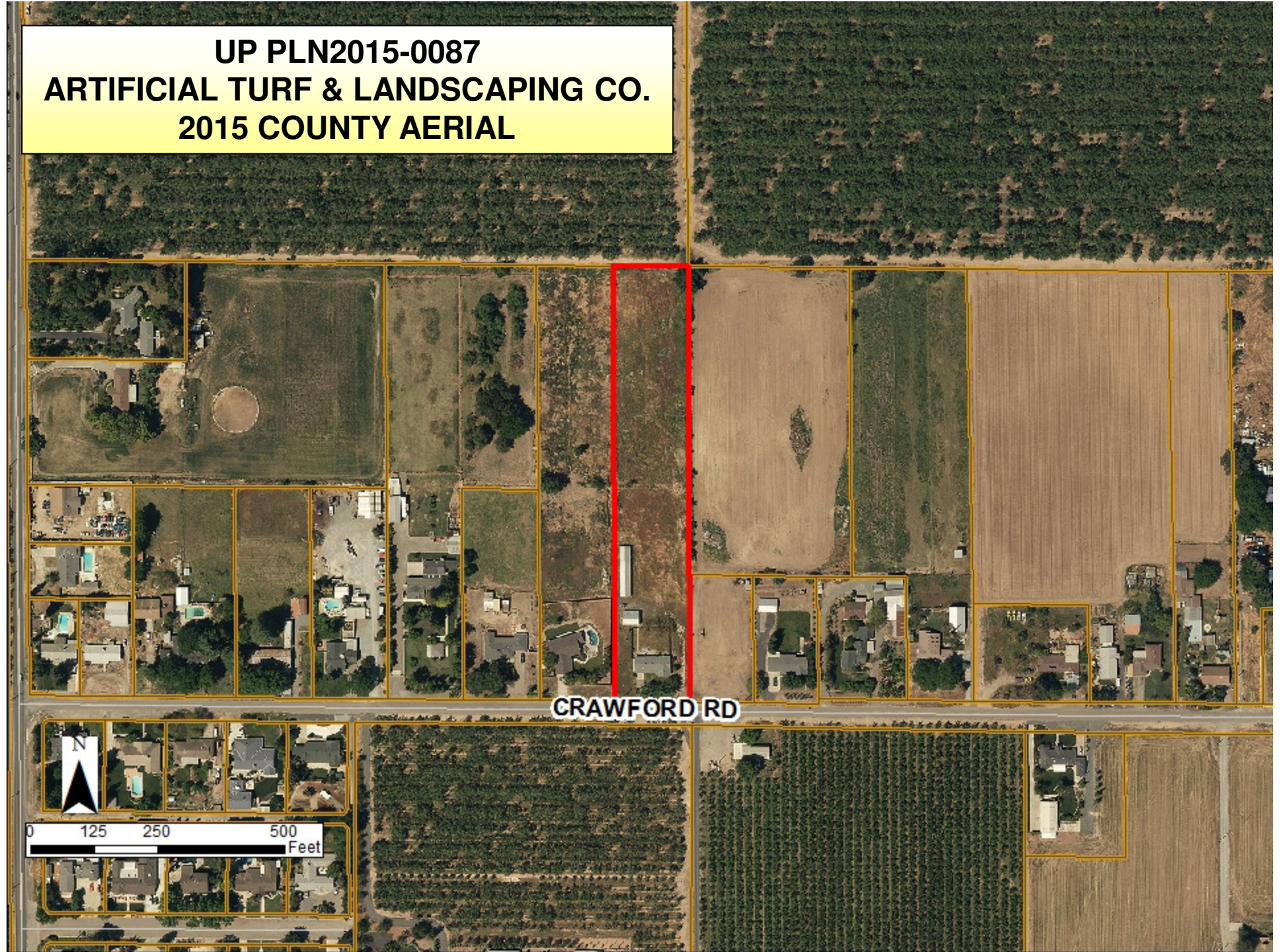


**CRAWFORD RD**





**UP PLN2015-0087  
ARTIFICIAL TURF & LANDSCAPING CO.  
2015 COUNTY AERIAL**



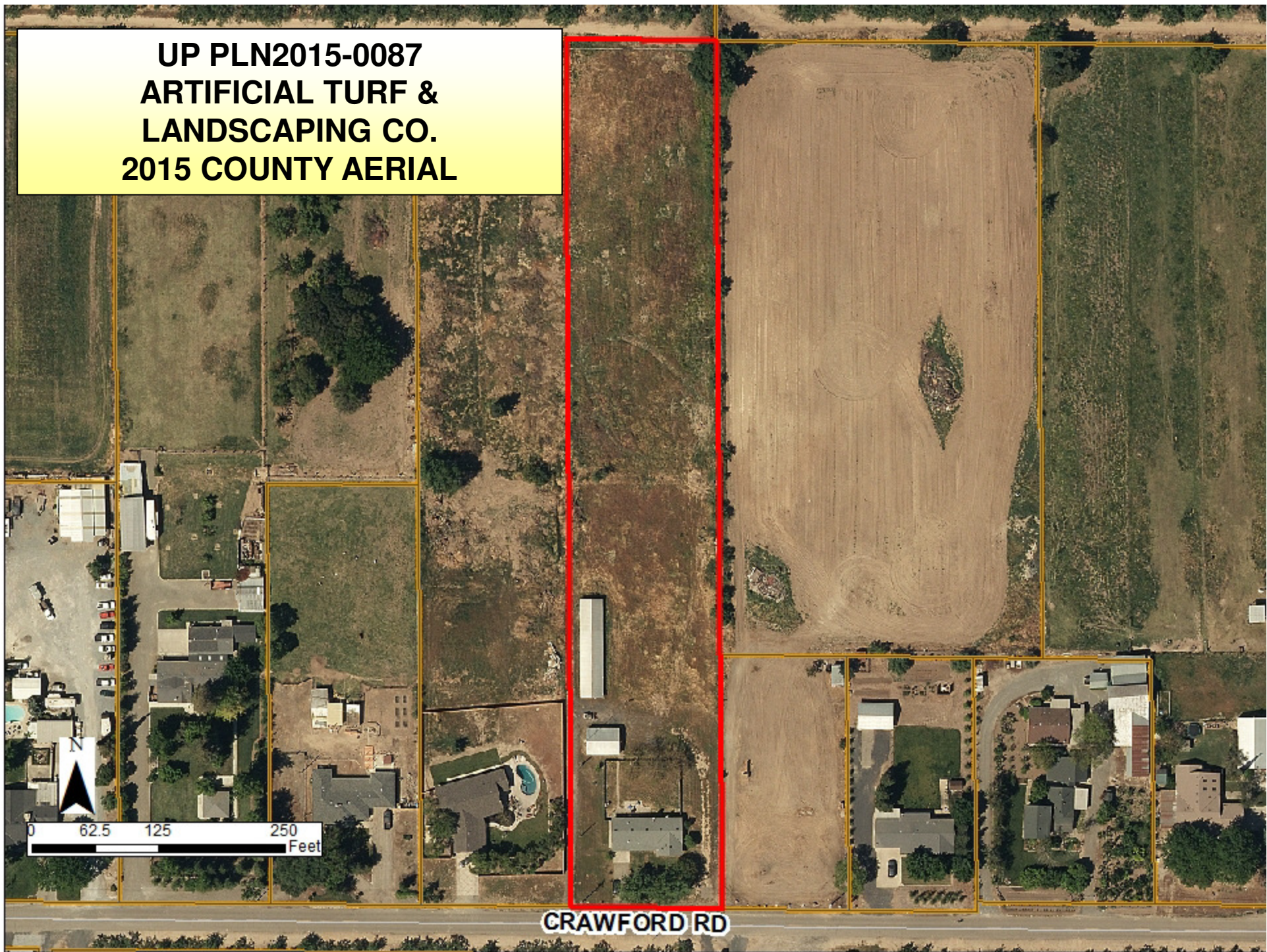
**CRAWFORD RD**



0 125 250 500 Feet



**UP PLN2015-0087  
ARTIFICIAL TURF &  
LANDSCAPING CO.  
2015 COUNTY AERIAL**



**CRAWFORD RD**



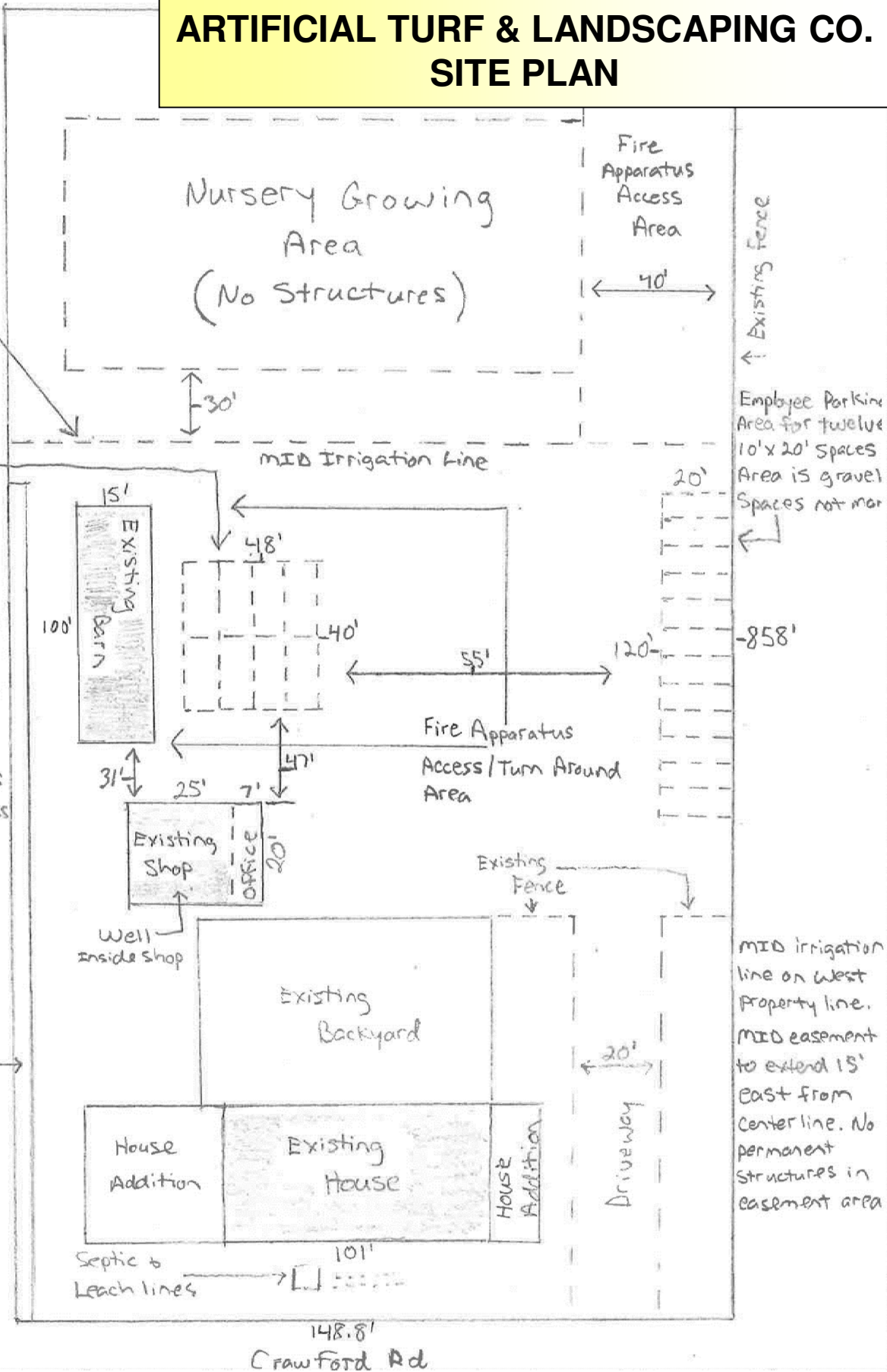
**UP PLN2015-0087  
ARTIFICIAL TURF & LANDSCAPING CO.  
SITE PLAN**

MID easement.  
30' centered on  
Pipeline

Business Vehicle  
Parking. Eight  
12'x20' Spaces.  
Spaces not  
marked. Area  
is gravel.

Portable restroom  
and hand washing  
Facilities to be  
used for employees  
No public restrooms  
on site.

6' easement  
access shared  
w/ property  
owner to the  
west.



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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)

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## **CONDITIONS OF APPROVAL**

### **USE PERMIT APPLICATION NO. PLN2015-0087 ARTIFICIAL TURF & LANDSCAPING CO. INC.**

#### **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. Applicant/owner 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 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. Any advertising or on-site signage shall clearly identify the nursery as wholesale only and not open to the general public.
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. 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.
10. The applicant shall install screening materials along the eastern property line a distance of approximately 230 feet behind the front yard setback to a height of at least six feet, to screen and buffer the adjacent home site from business activities. The design shall be approved by the Planning Director or designee. The approved screening shall be installed within four months of project approval.
11. A landscaping plan consistent with Section 21.102 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, or six months of project approval. All landscaping shall be in compliance with County Code and California Model Water Efficiency Landscape Ordinance.  
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.
12. Any on-site noise generation shall comply with adopted County noise control standards.
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. 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)
15. On-site landscape contracting activities shall be limited to those associated with the installation of plants grown on-site as part of the approved wholesale nursery operation.



**Department of Public Works**

16. The applicant shall obtain an encroachment permit, which shall be taken out for a major/collector asphalt driveway on the Crawford Road right-of-way. The encroachment permit shall be taken out within three months of the use permit approval. The asphalt driveway shall be installed within six months of the use permit approval.
17. Crawford Road is classified as a 60-foot Local Road. The required  $\frac{1}{2}$  width of Crawford Road is 30 feet north of the centerline of the roadway. Currently there is an existing right of way of 20 feet on the north side of the centerline. This means that 10 feet of the road right- of-way shall be dedicated with an Irrevocable Offer of Dedication for the parcel frontage. The Irrevocable Offer of Dedication shall be submitted and approved within six months of the use permit approval.
18. 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 current State of California National Pollutant Discharge Elimination System (NPDES) MS4 Phase II Permit.
  - C. 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.
  - 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.

**Stanislaus Consolidated Protection Fire District**

19. The access road shall be surfaced to provide for all-weather driving capabilities.

**Building Permits Division**

20. Building permits, when applicable to the project, must conform with the California Code of Regulations, Title 24.
21. A change of occupancy permit shall be obtained, and Public Facility fees shall be paid, for the 140 square-foot office area, and any other building areas that are used in accessory to the wholesale nursery and landscape contracting business. A change of

occupancy permit application shall be submitted within four months of project approval and the building permit finalized within eight months of project approval.

**Modesto Irrigation District (MID)**

22. 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 the design, approval and analysis of relocation shall be at the Developer's expense.
23. MID requires a dedicated thirty (30) foot irrigation easement for the Hardie ID pipeline and the Peck ID pipeline centered on the pipeline. The irrigation easement shall be dedicated to MID by separate instrument and noted on the final map.
24. MID will not permit any permanent structures within the easement area.
25. Any existing or proposed improvements within the irrigation easement(s) must be submitted to the Irrigation Operations Division for review. Permitted improvements within the easement area will require a License Agreement with MID.
26. All work on any irrigation facility must be completed during the non-irrigation season (typically November 1 to March 1).

**Regional Water Quality Control Board**

27. 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)**

28. 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.

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*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~~.*

## Timothy Vertino - Fwd: Public Hearing on Artificial Turf Co

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**From:** Planning Planning  
**To:** Timothy Vertino  
**Date:** 1/21/2016 8:33 AM  
**Subject:** Fwd: Public Hearing on Artificial Turf Co

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-- -- -- Let Us Know How We Are Doing -- -- --

Please take a moment and complete the Customer Satisfaction Survey by clicking on the following link:

<http://www.co.stanislaus.ca.us/SurveyChoice.htm>

>>> Chella Gonsalves <cgonsalv@ix.netcom.com> 1/20/2016 5:51 PM >>>  
to whom it concerns

I am NOT in opposition to the company on Crawford Road.

chella gonsalves

## Timothy Vertino - Use Permit Application # PLN2015-0087 - Artificial Turf & Landscaping

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**From:** Todd Whiteside <toddwhiteside@hotmail.com>  
**To:** Timothy Vertino <vertinot@stancounty.com>  
**Date:** 2/24/2016 10:18 PM  
**Subject:** Use Permit Application # PLN2015-0087 - Artificial Turf & Landscaping  
**CC:** "Anne C. Whiteside" <annewhiteside@ymail.com>, "car2893@aol.com" <car289...

---

Tim,

Anne and I appreciate that Jim Lawrence is applying for the use permit. It seems more common for non-agriculture and non-residential uses to just happen without applying for a use permit. One example is at 1367 Crawford Road. You can look at the photograph at the link below to see the vehicles associated with this business.  
<http://www.horizonlandscaping.org/contact.html> . There are other examples of land misuse in our neighborhood, but this is the most egregious, and the use permit under consideration seems similar.

Anne & I object to this use permit. In general, we do not like the commercialization of the neighborhood. We understand that these ranchettes can be converted to commercial use to lower a business's cost, but we believe it goes against the intended zoning. Allowing this permit will encourage more commercial use, and discourage less profitable ag (orchards, vineyards, ranches, etc.) and single family residential.

The following are our specific objections to this requested use permit:

1. Request is not in the spirit of the zoning regulations  
 Section 21.20.030 A.1 contains the permitted use "wholesale nurseries and landscape contractors when conducted in conjunction with a wholesale nursery"  
 I believe the spirit of this land use is that the nursery is the main business, and the landscape contractor aspect is included to allow the nursery to install some of its own plants. The financial feasibility of a nursery operation on .7 acres without structures is questionable. This seems too small to be feasible. Can the owner point to a similar successful operation on such a small plot without grow houses? Does the owner have experience in the nursery business? Is the owner educated in horticulture? Is the real purpose of the nursery shown on the plans to simply make it easier to get the use permit for the commercial uses?
2. 20 parking spaces aren't needed for the size of the indicated nursery operations.  
 Perhaps 7 spaces if this was a true a nursery/landscape operation.  
 It appears the nursery operation is on ~.7 acres. At most, two full time field employees and one office person would be able to tend to an operation of this size. Add a space or two for customers, and an extra space. That's seven spaces.
3. Landscaping crews and rigs that will primarily maintain commercial and residential properties are not related to farming.
4. The owner hasn't planned for irrigator access to the MID transfer box that is on the East property line.  
 The box isn't shown on the map. The map doesn't appear to be to scale.
5. Artificial turf, is not ag.  
 If the name of business is accurate, this business will sell and install artificial turf. That's as close to ag as asphalt or carpet.

The use permit request seems disingenuous, and allowing it will exacerbate the commercialization problems this neighborhood already has.

Feel free to contact me if you have any questions.

Best regards,  
 Todd

Russell "Todd" Whiteside  
 1549 Crawford Road  
 c 209-605-5738 / h 209-571-1236

**Timothy Vertino - Re: Follow up**

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**From:** "Jim Lawrence" <jim.atlcinc@mail.com>  
**To:** "Timothy Vertino" <vertinot@stancounty.com>  
**Date:** 3/7/2016 4:00 PM  
**Subject:** Re: Follow up  
**CC:** "Dan Keane" <sak1105@sbcglobal.net>

---

Hi Tim-

Here is the information you requested:

- Products grown will be ornamental plants and trees, fruit bearing trees, and palm trees.
- The nursery growing area is approximately 1.25 acres. This area was not to scale on the map. Because of the lot size (148.8' x 858'), placing the map to scale on the required 8.5" x 11" paper would have made the map area too small to read.
- It is our goal to have at least 50% + generated through the nursery. Because the primary function of the landscape portion of the business is new installations, the nursery and landscaping portions of the business work in conjunction with each other. We also install ag related irrigation systems.
- The business is operating from the subject property. The application for the Use Permit was submitted when the business was moved to the subject property.
- Because of the current drought conditions we area facing, artificial turf has become a more common part of traditional landscaping (using artificial turf in conjunction with traditional planting). Even though the installation of artificial turf is a very small portion of our business, it remains a drought friendly landscape option.

In regards to the response to the neighbors letter:

- Points 1 & 2 in the letter are based on Mr. Whiteside's assumption of how the business is going to function, and the manner in which it should be operated (i.e. how many employees are needed in the field and office, etc.). Mr. Whiteside's assumptions are incorrect as to how our business operates.
- Point 3- Mr. Whiteside is assuming the the primary function of the landscaping portion of the business is landscape maintenance. This is incorrect. The primary function of the landscaping is new installations, which works in conjunction with the nursery portion of the business.
- Point 4- Mr. Whiteside is incorrect in saying the owner hasn't planned for access to the MID transfer box. Through the Use Permit application process, there have been several conversations with MID and there is a MID lock on the gate of the subject property. The owner has no intention of blocking access to the MID box.
- Point 5- The utilization of artificial turf is explained above.

Please let us know if you need anything else.

Thank You

Jim Lawrence  
 Artificial Turf & Landscaping Co.  
 P: (209)483-2259  
 F: (209)633-0345  
 jim.atlcinc@mail.com

**Sent:** Friday, March 04, 2016 at 1:36 PM  
**From:** "Timothy Vertino" <vertinot@stancounty.com>

**EXHIBIT D-2**

3/5/16  
modesto, ca; 95357

RECEIVED

MAR 08 2016

STANISLAUS CO. PLANNING &  
COMMUNITY DEVELOPMENT DEPT.

To whom it may concern:

We live at 1630 Crawford Rd.

The applicant Jim Lawrence of artificial  
Turf Landscaping will impact our  
road traffic and wear. I would request  
a study be done by the road dept. before  
Mr. Lawrence is granted a permit for  
his business. The road dept. fixed many  
pot holes last year upon my request for which  
I thanked them.

Please consider + thank you, Roland + Deanna Dooley

R. & D. Dooley  
1630 Crawford Rd.  
Modesto, CA 95357

SACRAMENTO CA 95834

05 MAR 2016 PM 6 L



Dept. of Planning + Community Development  
1010 10th Street Ste 3400  
Modesto, CA; 95354

Attention: Permit dept.

95354086850



original letter forwarded to public works,

## Timothy Vertino - Use Permit # PLN2015-0087-Artificial Turf & Landscaping

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**From:** Carol Raya <car2893@aol.com>  
**To:** <vertinot@stancounty.com>  
**Date:** 3/23/2016 1:07 AM  
**Subject:** Use Permit # PLN2015-0087-Artificial Turf & Landscaping

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Timothy,

I have concerns regarding Mr. Lawrence applying for a use permit to operate an Artificial Turf & Landscaping business. I believe Crawford Road is zone for residential and agricultural only. Has the zoning changed if so why we were not notified of the change? In the last few years we have noticed several people operating business with employees on Crawford Road. Now, Mr. Lawrence wants a use permit to operate an artificial turf/landscaping business in a residential /agricultural zone. This business has been operating for several months and I haven't seen any plants delivered or growing on the property.

### Our Concerns:

- <!--[if !supportLists]-->1. <!--[endif]-->Increase in traffic/speed.
- <!--[if !supportLists]-->2. <!--[endif]-->Excessive ware on county road.
- <!--[if !supportLists]-->3. <!--[endif]-->Noise/pollution from extra traffic.
- <!--[if !supportLists]-->4. <!--[endif]-->Contamination to ground water.
- <!--[if !supportLists]-->5. <!--[endif]-->No plan for irrigator access to the MID transfer box on the east side of property. Box not shown on map.
- <!--[if !supportLists]-->6. <!--[endif]-->Zoning regulations for this type of business.

### Questions:

- <!--[if !supportLists]-->1. <!--[endif]-->Has a Traffic study been done?
- <!--[if !supportLists]-->2. <!--[endif]-->Has there been an environmental study done?
- <!--[if !supportLists]-->3. <!--[endif]-->Are all these business operating on Crawford Road legal?
- <!--[if !supportLists]-->4. <!--[endif]-->Is the property large enough for this type of business?
- <!--[if !supportLists]-->5. <!--[endif]-->Does the owner have experience in the nursery business?
- <!--[if !supportLists]-->6. <!--[endif]-->Do you know how many employees?
- <!--[if !supportLists]-->7. <!--[endif]-->How many company rigs/vehicles?
- <!--[if !supportLists]-->8. <!--[endif]-->How many employee vehicles?
- <!--[if !supportLists]-->9. <!--[endif]-->Why does this business need 20 parking spaces for a nursery/ landscaping business?
- <!--[if !supportLists]-->10. <!--[endif]-->Is Artificial Turf now consider an agricultural business?
- <!--[if !supportLists]-->11. <!--[endif]-->How many deliveries of artificial turf will be delivered daily? Are will they manufacture this on site?
- <!--[if !supportLists]-->12. <!--[endif]-->Who will regulate/ monitor this business if use permit is approved?

If this use permit is approved it will open a door for more commercial business to start up in a residential/agricultural zone. Raymond and I are concern about the commercialization of our neighborhood. Approval will encourage more business to open and discourage agricultural. Please call me if you have any questions. Thank you for your time.

Carol & Raymond Raya

**EXHIBIT D-4**

1348 Crawford Rd  
Cell 209345-6880 / Home 209-521-2058  
E-mail: CAR2893@aol.com



Sami Yonan  
P O BOX 577676  
Modesto CA 95357

April 12, 2016

Timothy J. Vertino  
Stanislaus County Planning Department  
1010 10<sup>th</sup> Street  
Modesto CA 95354

RE: Application No. PIN2015-0087  
1467 Crawford Road

Mr. Vertino,

I own the property located next door at 1501 Crawford Road. The house is currently under construction and will be completed within the next 1 to 2 months. We will be moving into the house upon completion. When the building process was started, we were looking forward to moving from the noise and intrusive city living to the peaceful and tranquil country living.

This letter is written with great reservations for the intention is not to affect our neighbors negatively nor do we want to be affected negatively. Nonetheless, we are the most directly impacted by the proposal in many ways including, visual, noise and air pollution.

The visual impact will be as a result of the added activities of the employee vehicles driving in and out 15 to 25 times during the early morning hours using a driveway 7 to 10 yards from the bedrooms and 15 to 25 times in the afternoon. The employees park at the back of the property with some employee vehicles pointed at the back of our house and the bedroom. Then the employees leave with company trucks using the same driveway however, with a more direct line of sight of the bedroom windows. Then the process is reversed in the afternoon when the employees drive in the trucks and drive out their personal vehicles. The visual impact from our perspective is the lack of privacy in the back of the property. As well as, the house windows will need to be covered during business hours to achieve privacy. This is not as a result of any ones intentions or intrusiveness but more the fact that the situation lends itself to such issues because of the proximity of the properties, the parking and the driveway.

The noise will impact our sleep as a result of the numerous vehicles driving in and driving out early in the morning hours between 6am and 7am next to the bedroom where

we sleep, especially since this situation will be daily, continuous and permanent.

Lastly, the added number of vehicles in and out will increase the dust and particulates, including but not limited to dust, auto exhaust, etc.

Thank you for your time and understanding.

Respectfully,

Sami Yonan  
1501 Crawford Road



## CEQA INITIAL STUDY

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

1. **Project title:** Use Permit Application No. PLN2015-0087  
Artificial Turf & Landscaping Co. SCH No. 2015112033)
2. **Lead agency name and address:** Stanislaus County  
1010 10<sup>th</sup> Street, Suite 3400  
Modesto, CA 95354
3. **Contact person and phone number:** Timothy Vertino, Assistant Planner  
(209) 525-6330
4. **Project location:** 1467 Crawford Road, north of Claribel Road, east of Coffee Road, south of Patterson Road, and west of the City of Riverbank. APN: 074-012-013.
5. **Project sponsor's name and address:** Jim Lawrence, Artificial Turf & Landscaping Co.  
4205 Passages Lane  
Modesto, CA 95356
6. **General Plan designation:** AG (Agriculture)
7. **Zoning:** A-2-40 (General Agriculture)
8. **Description of project:**  

Request to establish a wholesale nursery and landscape contractor operation with 7-12 employees. No structures are being proposed at this time, and the wholesale nursery will not be open to the general public. The site is currently developed with a single family dwelling, agriculture shop, and a barn with the majority of the property consisting of open, undeveloped land.
9. **Surrounding land uses and setting:** Orchards, and scattered single family dwellings to the north; Single family dwellings, and open land to the east; orchards and single family dwellings to the south; Single family dwellings, and open land to the west.
10. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.):** Department of Environmental Resources  
Department of Public Works  
Modesto Irrigation District  
Regional Water Quality Control Board  
San Joaquin Valley Air Pollution Control District  
Stanislaus Consolidated Fire Protection District

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

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

- |   |   |   |
|---|---|---|
| <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 7, 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. No structures or lighting are being proposed for the wholesale landscaping business, therefore the existing aesthetics of the property will create a less than significant impact. The proposed nursery will operate Monday through Friday 7:00 am to 5:00 pm, and will not be open to the general public. Because the proposed warehouse will close by 5:00 p.m., and will be closed on the weekends, the impact from lighting is expected to be less than significant.

**Mitigation:** None.

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

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, and Rural Residential Land. The nursery will be located in the northern portion of the project site, which is currently undeveloped open land. The project site is currently zoned A-2-40 (General Agriculture), a Tier One Use Permit allows wholesale nurseries on agriculturally zoned land. Low people intensive Tier One Use Permits which do not serve the general public shall not be subject to County Agriculture Buffer and Setback Guidelines. The project site is not enrolled in a Williamson Act Contract.

**Mitigation:** None.

**References:** 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](ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2014/sta14_no.pdf); Stanislaus County Zoning Ordinance; and the Stanislaus County General Plan and Support Documentation<sup>1</sup>.

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

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 dwelling, agriculture shop, and a barn. The remainder of the property, where the nursery is proposed, is open undeveloped 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:** Application information; and the Stanislaus County General Plan and Support Documentation<sup>1</sup>

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 project was referred to the Native American Heritage Commission (NAHC), but no response was 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; however, no construction is being proposed at this time.

**Mitigation:** None.

**References:** California Building Code; and the Stanislaus County General Plan and Support Documentation<sup>1</sup>

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	
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**Discussion:** As contained in Chapter Five of the General Plan Support Documentation, the areas of the County subject to significant geologic hazard are located in the Diablo Range, west of Interstate 5; however, as per the California Building Code, all of Stanislaus County is located within a geologic hazard zone (Seismic Design Category D, E, or F) and a soils test may be required as part of the building permit process. Results from the soils test will determine if unstable or expansive soils are present. If such soils are present, special engineering of the structure will be required to compensate for the soil deficiency.

Any earth moving is subject to Public Works Standards and Specifications which consider the potential for erosion and run-off prior to permit approval, however, no grading or drainage is being proposed for this project. The project was referred to the Department of Public Works, which responded with general comments which will be incorporated into the project as Conditions of Approval.

**Mitigation:** None.

**References:** Application information; Referral response from Public Works dated December 15, 2015; and the Stanislaus County General Plan and Support Documentation<sup>1</sup>

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

**Discussion:** The principal Greenhouse Gasses (GHGs) are carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), sulfur hexafluoride (SF<sub>6</sub>), perfluorocarbons (PFCs), hydrofluorocarbons (HFCs), and water vapor (H<sub>2</sub>O). CO<sub>2</sub> 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 CO<sub>2</sub> equivalents (CO<sub>2</sub>e). 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 wholesale nursery estimates two (2) to five (5) wholesale customers per week on site. The proposed operation anticipates a maximum of twelve (12) employees per shift. The employees will arrive on site in the morning, leave to the project sites, and return at the end of the day.

The project would 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:** Application information; and the Stanislaus County General Plan and Support Documentation<sup>1</sup>

VIII. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X

**Discussion:** The project was referred to Department of Environmental Resources (DER) Hazardous Materials Division, who is responsible for overseeing the handling of hazardous materials, but no response has been received to date.

The Envirostor database was accessed to determine if any of the properties were listed as potential hazardous waste or superfund sites. The property at 1467 Crawford Road was not identified as a hazardous site.

**Mitigation:** None.

**References:** Department of Toxic Substances Control (<http://www.envirostor.dtsc.ca.gov>); and the Stanislaus County General Plan and Support Documentation<sup>1</sup>

IX. HYDROLOGY AND WATER QUALITY -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?			X	
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			X	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?				X
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?				X
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
f) Otherwise substantially degrade water quality?				X
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
j) Inundation by seiche, tsunami, or mudflow?				X

**Discussion:** Run-off is not considered an issue because of several factors which limit the potential impact. These factors include 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 to 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 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 standard conditions of approval, in regards to grading and drainage, encroachment permits, and parking.

**Mitigation:** None.

**References:** Referral response from the Regional Water Quality Control Board dated November 20, 2015; Referral response from the Department of Public Works dated December 15, 2015; and the Stanislaus County General Plan and Support Documentation<sup>1</sup>

<b>X. LAND USE AND PLANNING -- Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Included</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>a) Physically divide an established community?</b>			X	
<b>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?</b>			X	
<b>c) Conflict with any applicable habitat conservation plan or natural community conservation plan?</b>				X

**Discussion:** The project site is zoned A-2-40 (General Agriculture), with a General Plan designation is AG (Agriculture). The proposed wholesale nursery is consistent with the Agriculture General Plan designation, and A-2-40 (General Agriculture) zoning of the site. This application is for a “use” that is considered a Tier One use which is permitted by securing a Use Permit. A Tier One Use Permit allows wholesale nurseries and landscape contractors when conducted in conjunction with a wholesale nursery. The features of this project will not physically divide an established community and/or conflict with any habitat conservation plan or natural community conservation plan. This project is not known to conflict with any applicable land use plan, policy, or regulation of any agency with jurisdiction over the project.

**Mitigation:** None.

**References:** Stanislaus County Zoning Ordinance; and the Stanislaus County General Plan and Support Documentation<sup>1</sup>

<b>XI. MINERAL RESOURCES -- Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Included</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>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?</b>				X
<b>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?</b>				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 Documentation<sup>1</sup>

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

**Discussion:** Noise impacts associated with project activities and traffic are not anticipated to exceed the normally acceptable level of noise, as identified in the County Noise Ordinance. There will be an increase in traffic on site as employees will arrive on site in the morning, leave to the project sites, and return at the end of the day Monday through Friday. A very low number of wholesale customers will be on site during any given week, therefore, these noise levels are anticipated to be less than significant.

**Mitigation:**

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

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

**Discussion:** The proposed use is not associated with any residential development, or extension of infrastructure. No housing or persons will be displaced by the project. This project is adjacent to agricultural operations and the nature of the use is considered consistent with the A-2 zoning district.

**Mitigation:** None.

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

XIV. PUBLIC SERVICES --	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Would the project result in 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 Modesto Union High, and Sylvan Elementary School Districts, the Stanislaus Consolidated Fire Department, and the Stanislaus County Environmental Review Committee (ERC) which includes the Sheriff’s Department. Conditions of approval will be added to this project to insure that the wholesale nursery will comply with all applicable fire department standards with respect to access and water for fire protection.

Stanislaus Consolidated Fire responded with comments stating that an approved fire apparatus access road shall extend within 150 feet of all portions of the facility and all portions of exterior walls. If the length of the fire access road is in excess of 150 feet an approved turn around shall be provided. The applicant has reviewed these comments, and resubmitted the site plan to accommodate for the Fire Department’s comments.

**Mitigation:** None.

**References:** Referral response (E-mail) from Stanislaus Consolidated Fire, dated November 23, 2015; Site Plan; and the Stanislaus County General Plan and Support Documentation<sup>1</sup>

XV. RECREATION --	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X

**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 Documentation<sup>1</sup>

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

**Discussion:** Significant impacts to traffic and transportation infrastructure were not identified by reviewing agencies. The project site takes direct access via County-maintained Crawford Road, which is a 60 foot local road.

The proposed wholesale nursery estimates two (2) to five (5) customers per week on site. The proposed operation anticipates a maximum of twelve (12) employees per shift. The employees will arrive on site in the morning, leave to the project sites, and return at the end of the day.

Public works has commented with standard conditions to address less than significant traffic and transportation impacts, which including obtaining an Encroachment Permit for an asphalt driveway in the Crawford Road right-of-way, and an Irrevocable Offer of Dedication for the entire parcel frontage.

**Mitigation:** None.

**References:** Referral response from Public Works, dated December 15, 2015; and the Stanislaus County General Plan and Support Documentation<sup>1</sup>

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. Currently, the site is not served by municipal services (sewer & water).

MID has responded with standard comments, and conditions regarding irrigation which will create less than significant impacts on the environment.

**Mitigation:** None.

**References:** Referral Response from Modesto Irrigation District dated November 23, 2015; and the Stanislaus County General Plan and Support Documentation<sup>1</sup>

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

**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.

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

## NEGATIVE DECLARATION

**NAME OF PROJECT:** Use Permit Application No. PLN2015-0087 Artificial Turf & Landscaping Co. SCH No. 2015112033)

**LOCATION OF PROJECT:** 1467 Crawford Road, north of Claribel Road, east of Coffee Road, south of Patterson Road, and west of the City of Riverbank. APN: 074-012-013

**PROJECT DEVELOPERS:** Jim Lawrence, Artificial Turf & Landscaping Co.  
4205 Passages Lane Modesto, CA 95356

**DESCRIPTION OF PROJECT:** Request to establish a wholesale nursery and landscape contractor operation with 7-12 employees, on a 2.93± acre parcel in the A-2-40 (General Agriculture) zoning district. The project site is located at 1467 Crawford Road, north of Claribel Road, east of Coffee Road, west of Oakdale Road, in the Riverbank area. No structures are being proposed at this time, and the wholesale nursery will not be open to the general public. The Planning Commission will consider adoption of a CEQA Negative Declaration for this project.

Based upon the Initial Study, dated **January 7, 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

**SUMMARY OF RESPONSES FOR ENVIRONMENTAL REVIEW REFERRALS**

**PROJECT: USE PERMIT APPLICATION NO. PLN2015-0087 - ARTIFICIAL TURF & LANDSCAPING CO.**

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 RIVERBANK	X	X	X		X							
COOPERATIVE EXTENSION	X	X	X		X							
FIRE PROTECTION DIST: STAN FIRE	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							
PACIFIC GAS & ELECTRIC	X	X	X		X							
RAILROAD: UNION PACIFIC	X	X	X		X							
SAN JOAQUIN VALLEY APCD	X	X	X		X							
SCHOOL DISTRICT 1: MODESTO UNION HIGH	X	X	X		X							
SCHOOL DISTRICT 2: SYLVAN ELEMENTARY	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							
STAN CO PUBLIC WORKS	X	X	X	X				X		X	X	
STAN CO SHERIFF	X	X	X		X							
STAN CO SUPERVISOR DIST 1:O'BRIEN	X	X	X		X							
STAN COUNTY COUNSEL	X	X	X		X							
STANISLAUS 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							