

# STANISLAUS COUNTY PLANNING COMMISSION

September 7, 2017

## STAFF REPORT

USE PERMIT APPLICATION NO. PLN2017-0015  
VERIZON WIRELESS – ORCHARD ROAD

**REQUEST: TO INSTALL AN 84-FOOT TALL MONOPOLE AND WIRELESS COMMUNICATION EQUIPMENT WITHIN A 900 SQUARE FOOT LEASE AREA ON A 31.92± ACRE PARCEL.**

### APPLICATION INFORMATION

Property owner:	Ciarolla First Family Limited Partnership Applicant/Agent: Matthew Moore, Complete Wireless Consulting, Inc. dba Verizon Wireless
Location:	8408 Orchard Road, north of State Route 108, south of the Stanislaus River, in the Oakdale area.
Section, Township, Range:	17-2-10
Supervisorial District:	One (Supervisor Olsen)
Assessor's Parcel:	062-004-023
Referrals:	See Exhibit F Environmental Review Referrals
Area of Parcel(s):	31.92± acres
Water Supply:	Private well
Sewage Disposal:	Septic
Existing Zoning:	A-2-40 (General Agriculture)
General Plan Designation:	Agriculture
Sphere of Influence:	N/A
Community Plan Designation:	N/A
Williamson Act Contract No.:	N/A
Environmental Review:	Negative Declaration
Present Land Use:	Almond orchard, single-family dwelling and accessory structures
Surrounding Land Use:	Orchards, ranchettes, and the Stanislaus River to the north; the City of Oakdale to the east; Orchards, scattered ranchettes, and the City of Riverbank to the west; and State Route 108, ranchettes, and row crops to the south.

### RECOMMENDATION

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

## **PROJECT DESCRIPTION**

This is a request to install a wireless communication facility within a 900 square foot lease area on a 31.92± acre parcel, in the A-2-40 (General Agriculture) zoning district. The gated facility will include an 84-foot tall monopole and up to nine wireless antennas and one microwave antenna dish. The monopole will include ancillary wireless equipment to support the communication facility within the leased area. The facility will be unstaffed and will be serviced approximately once a month. The applicant is proposing to install underground electrical and telephone wiring along the eastern property line, terminating at the southeastern property line along State Route 108. The utilities will be within a six-foot-wide private utility easement. (See Exhibit B – *Maps, Site, Photo Simulations & Elevations*). The lease area will be located on the eastern portion of the property, approximately 1,600 feet north of the parcel's frontage along State Route 108. The applicant will also install a 15-foot-wide driveway to access the site from Brady Road.

## **SITE DESCRIPTION**

The site is located at 8408 Orchard Road, north of State Route 108, south of the Stanislaus River, in the Oakdale area (See Exhibit B – *Maps, Site, Photo Simulations & Elevations*). The 31.92± acre parcel is currently a producing almond orchard and has been improved with a 2,790 square-foot single-family dwelling as well as accessory agricultural structures. The parcel has street frontage on Orchard Road as well as Brady Road, both maintained by the County. As noted in the project description the lease area will be located on the eastern portion of the parcel along Brady Road.

The project site is surrounded by scattered ranchettes in all directions; including the Stanislaus River and producing orchards to the north, row crops and orchards to the west and south. Moreover, the project site is located just west of the City of Oakdale's city limits. It is however, not located within their General Plan area or inside their current Local Agency Formation Commission (LAFCO) adopted Sphere of Influence.

## **ISSUES**

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

### **Irrevocable Offer of Dedication of Brady Road**

As previously mentioned, the project is proposed on the eastern portion of the parcel that fronts Brady Road. According to the County's General Plan's Circulation Element, Brady Road is designated as a 60-foot-wide Local Roadway. Currently, Brady Road has a total width of 25 feet and presently is only 12.5 feet wide west of the road's centerline. At full build-out, Brady Road would require an additional 17.5 feet. As previously mentioned, the utilities easement will run along the eastern property line. The proposed location of this easement would be within the ultimate right-of-way of Brady Road.

The applicant and Public Works staff discussed options to ensure there will be no future conflict of the easement encroaching into the ultimate right-of-way of Brady Road. Therefore, Public Works is requiring the applicant relocate their utilities and private easement outside the ultimate right-of-way of Brady Road. Public Works staff shall review the private easement prior to recordation. Public Works will also inspect the utilities once installed to ensure that there is no encroachment of the ultimate right-of-way. This will be done prior to the building permit being finalized and each item has been added as a condition of approval.

### **GENERAL PLAN CONSISTENCY**

The site has a General Plan designation of Agriculture. The intent of the Agriculture designation recognizes the value and importance of Agriculture by acting to preclude incompatible urban development within agricultural areas. To further protect the long-term health of local agriculture by minimizing conflicts resulting from normal agricultural practices as a consequence of new or expanding uses approved in or adjacent to the A-2 (General Agriculture) zoning district, Appendix "A" of the Agricultural Element requires a buffer between agricultural and non-agricultural uses. However, Agriculture buffer design standards stipulate that certain activities are permitted uses within the buffer area such as parking lots and low-people intensive uses. The decision making body (Planning Commission) has the ultimate authority to determine if the proposed or expanded use is "low-people intensive." As mentioned previously, the project site will be unstaffed and have routine service done approximately once a month. Therefore, staff believes the proposed communication facility would be a low-people intensive use and not be subject to the Agricultural buffer requirement.

In conformance with Goal Two, Policy Eleven of the General Plan's Safety Element the proposed Use Permit for a communications tower and facility in the A-2 zoning district was referred to the local crop dusting companies which typically serve the area, to date, no referral responses have been received. Historically, local crop dusters have stated that communication towers can be hazardous to their low flying crop dusting activities in times of hazy or low visibility weather conditions.

Implementation of the policies and goals found in the Safety Element of the General Plan require safety lighting be installed at the top of the communications facility. Federal Aviation Administration (FAA) guidelines dictate two or more steady burning lights to be installed on towers measuring 150 feet or less. The installation of the FAA approved safety lighting has been added to the project's Conditions of Approval.

### **ZONING ORDINANCE CONSISTENCY**

The site is currently zoned A-2-40 (General Agriculture, 40 acre minimum). Section 21.20.030(B)(3) of the Stanislaus County Zoning Ordinance allows facilities for public utilities and communication towers as Tier Three uses. Tier Three uses are not directly related to agriculture, but may be necessary to serve the A-2 zoning district or may be difficult to locate in an urban area, and may be allowed when the Planning Commission makes the following findings:

- 1.) The use as proposed will not be substantially detrimental to or in conflict with agricultural use of other property in the vicinity; and
- 2.) The parcel on which such use is requested is not located in one of the County's "most productive agricultural areas," as that term is used in the Agricultural Element of the General Plan; or the character of the use that is requested is such that the land may reasonably be returned to agricultural use in the future. Most productive agricultural areas do not include any land within LAFCO-approved spheres of influence of cities or community services districts and sanitary districts serving unincorporated communities.

County staff reviewed the proposed use, and determined that it is consistent with Tier Three findings and also consistent with the Section 21.91, of the County's Zoning Ordinance regarding Communication Facilities. The proposed communication facility is located in an agriculture zone, but will not substantially reduce the parcel's agricultural production. The nearest single-family dwelling is located over 700 feet to the north of the proposed communication facility, which is more than twice the height of the proposed 84-foot high monopole. The applicant is not proposing any

equipment shelters, but rather utilizing outdoor equipment cabinets to house any accessory wireless components to the facility. Currently, the submitted site plans show a 40-foot setback of the lease area from the centerline of Brady Road. However, as discussed in the *Issues* section, Brady is classified as 60-foot-wide Local Roadway, which requires a setback of 45 feet from centerline. As such, a condition of approval has been added that any building permit plans for the communication facility shall include a 45-foot setback from the centerline of Brady Road.

The specific findings required for approval of this use permit are outlined in Exhibit A of this report. Staff believes that all of the findings necessary for approval of this request 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 or that it will be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County. The proposed use will not be substantially detrimental to or in conflict with agricultural use of property in the vicinity.

### **ENVIRONMENTAL REVIEW**

Pursuant to the California Environmental Quality Act (CEQA), the proposed project was circulated to all interested parties and responsible agencies for review and comment and no significant issues were raised. (See Exhibit F - *Environmental Review Referrals*.) A Negative Declaration has been prepared for approval, as the project will not have a significant effect on the environment. (See Exhibit E - *Negative Declaration*.) Conditions of approval reflecting referral responses have been placed on the project. (See Exhibit C - *Conditions of Approval*.)

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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 **\$2,273.25** 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:                      Jeremy Ballard, Assistant Planner, (209) 525-6330

Attachments:






- Exhibit A - Findings and Actions Required for Project Approval
- Exhibit B - Maps, Site Plan, Photo Simulations and Elevations
- Exhibit C - Conditions of Approval
- Exhibit D - Initial Study
- Exhibit E - Negative Declaration
- Exhibit F - 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 parcel on which such use is requested is not located in one of the County's "most productive agricultural areas" as that term is used in the Agricultural Element of the General Plan; or the character of the use that is requested is such that the land may reasonably be returned to agriculture use in the future.
4. Approve Use Permit Application No. PLN2017-0015 – Verizon Wireless – Orchard Road, subject to the attached Conditions of Approval.

# VERIZON WIRELESS ORCHARD ROAD SITE UP PLN2017- 0015 AREA MAP

**Legend:**

-  Verizon Wireless Orchard Road Site
-  Oakdale
-  Riverbank
-  Rivers
-  Roads



0 0.5 1 Miles

9

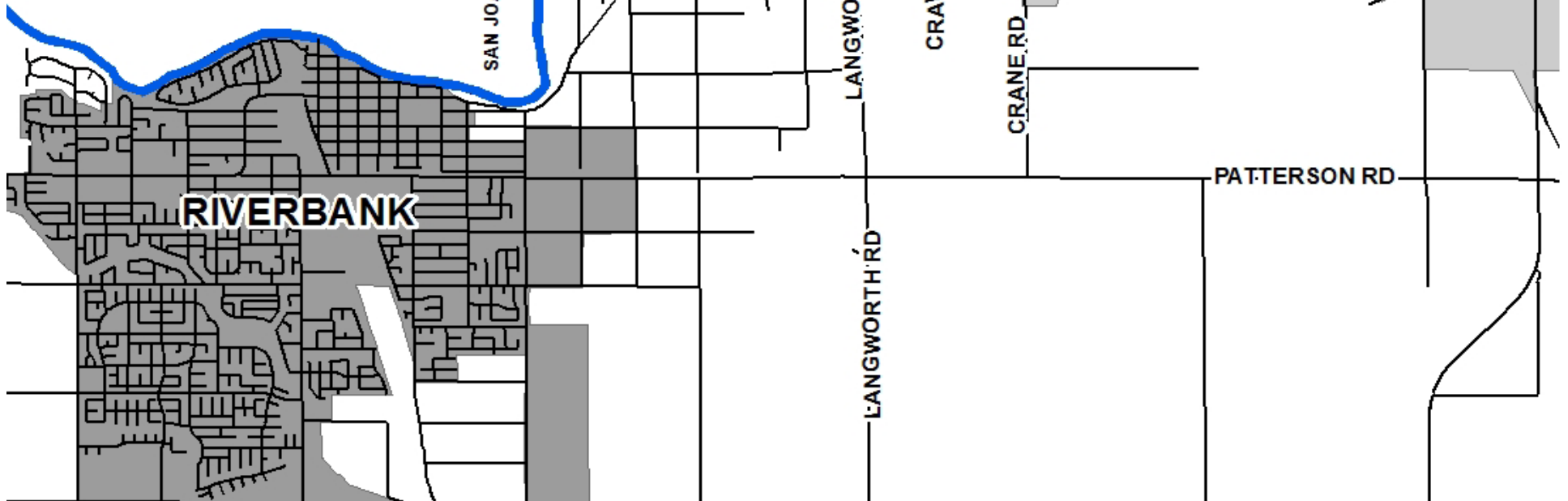
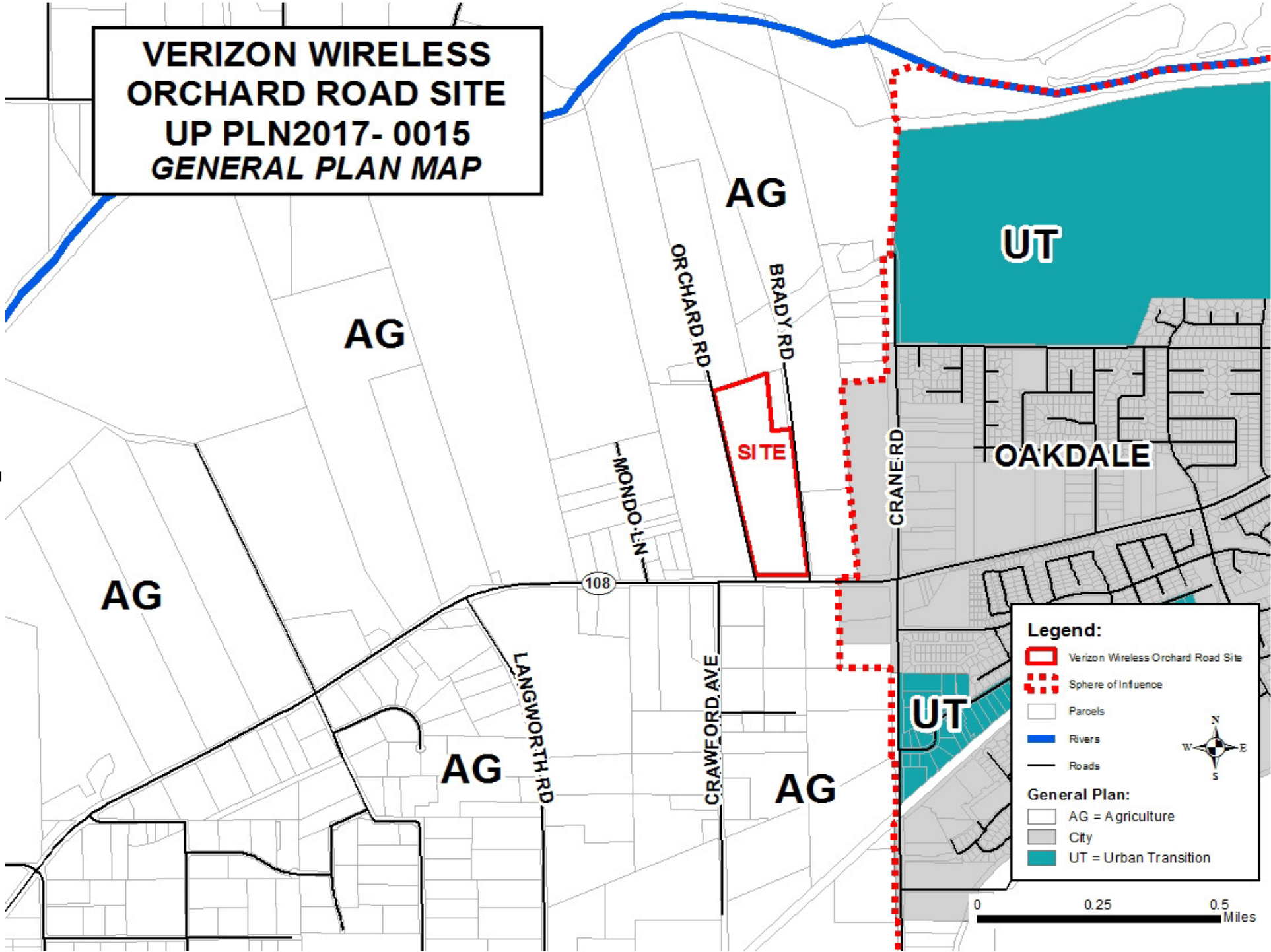


EXHIBIT B

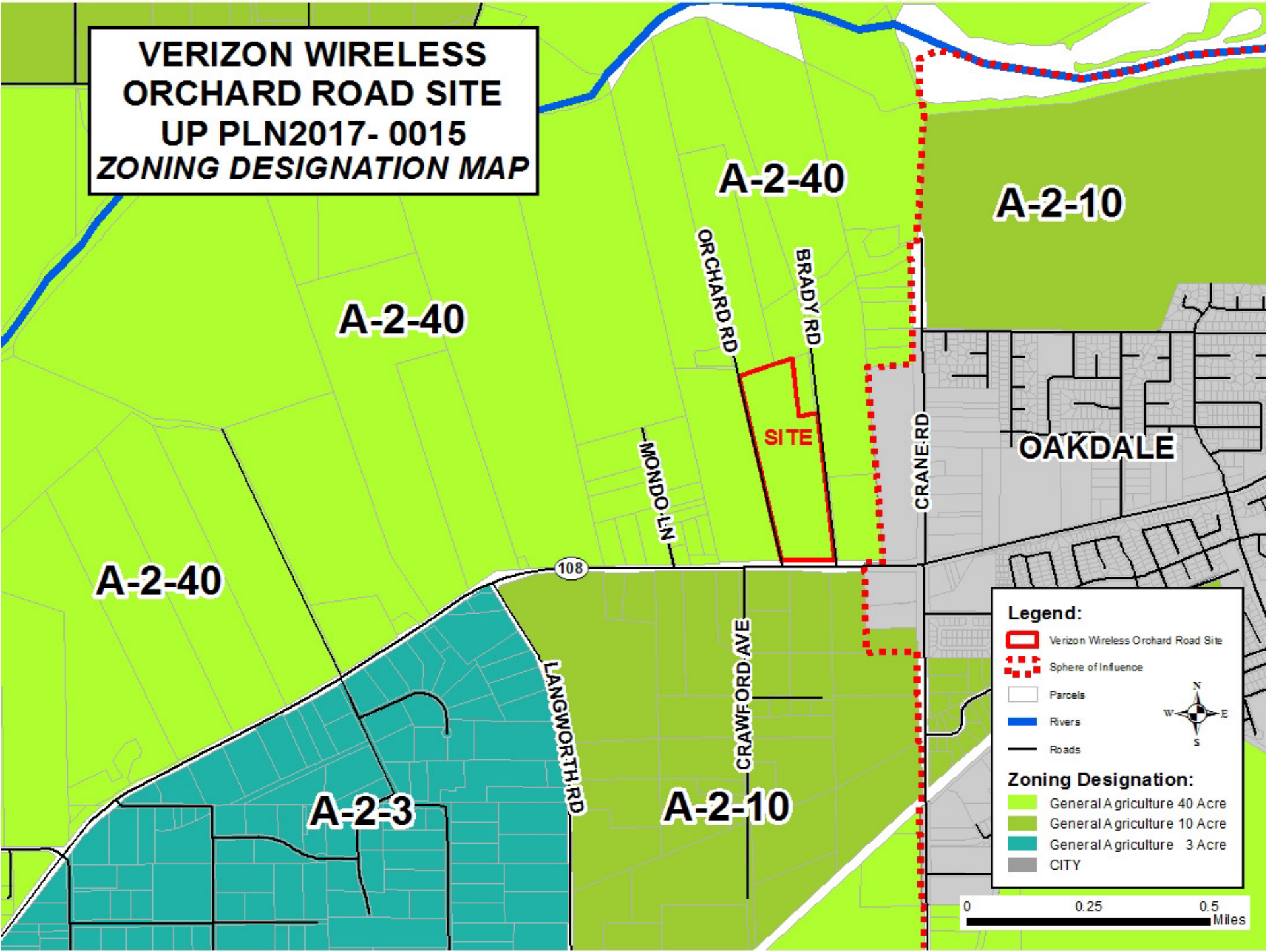
**VERIZON WIRELESS  
ORCHARD ROAD SITE  
UP PLN2017- 0015  
GENERAL PLAN MAP**



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EXHIBIT B-1

**VERIZON WIRELESS  
ORCHARD ROAD SITE  
UP PLN2017- 0015  
ZONING DESIGNATION MAP**

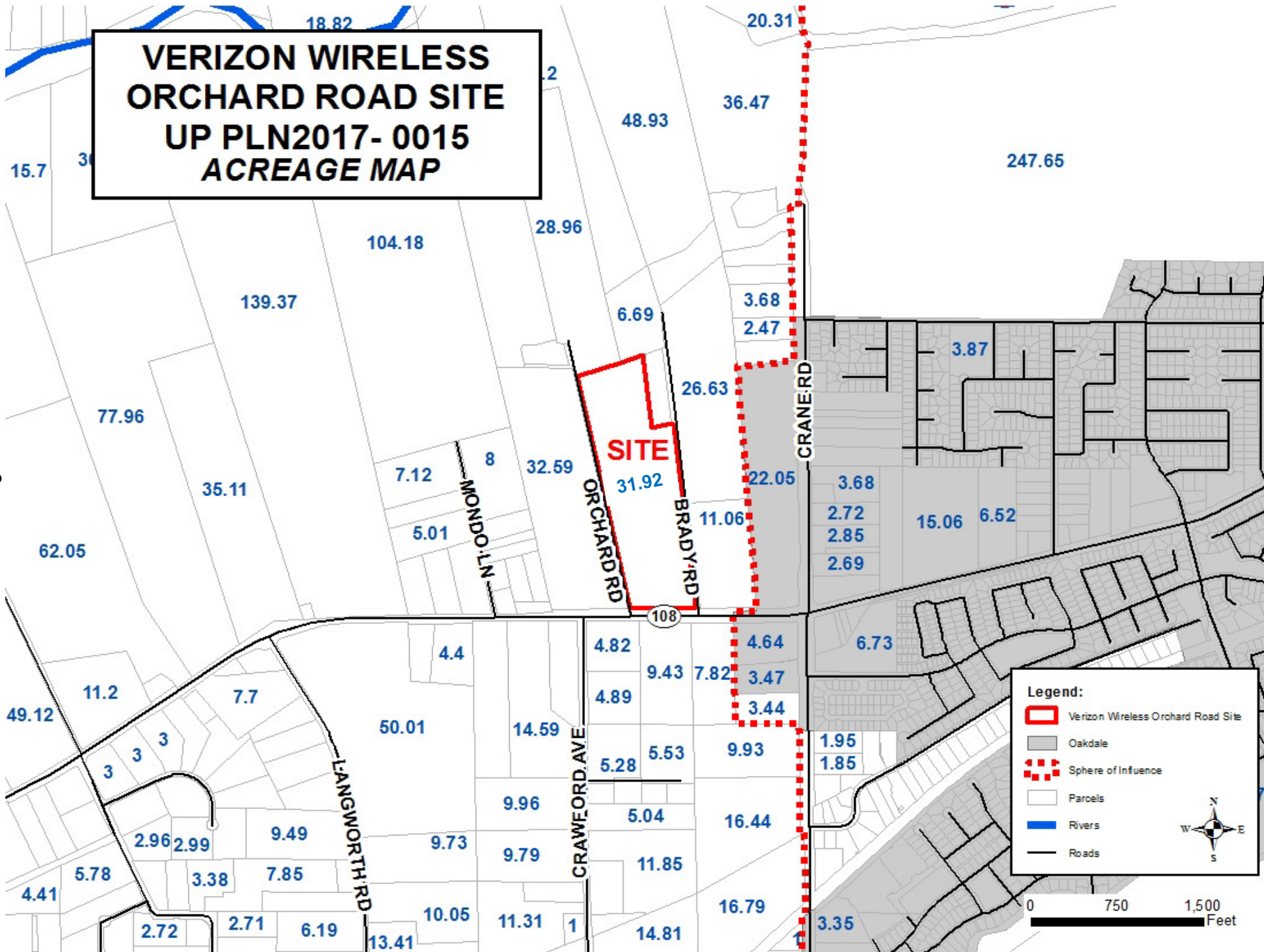


8

EXHIBIT B-2



# VERIZON WIRELESS ORCHARD ROAD SITE UP PLN2017- 0015 ACREAGE MAP



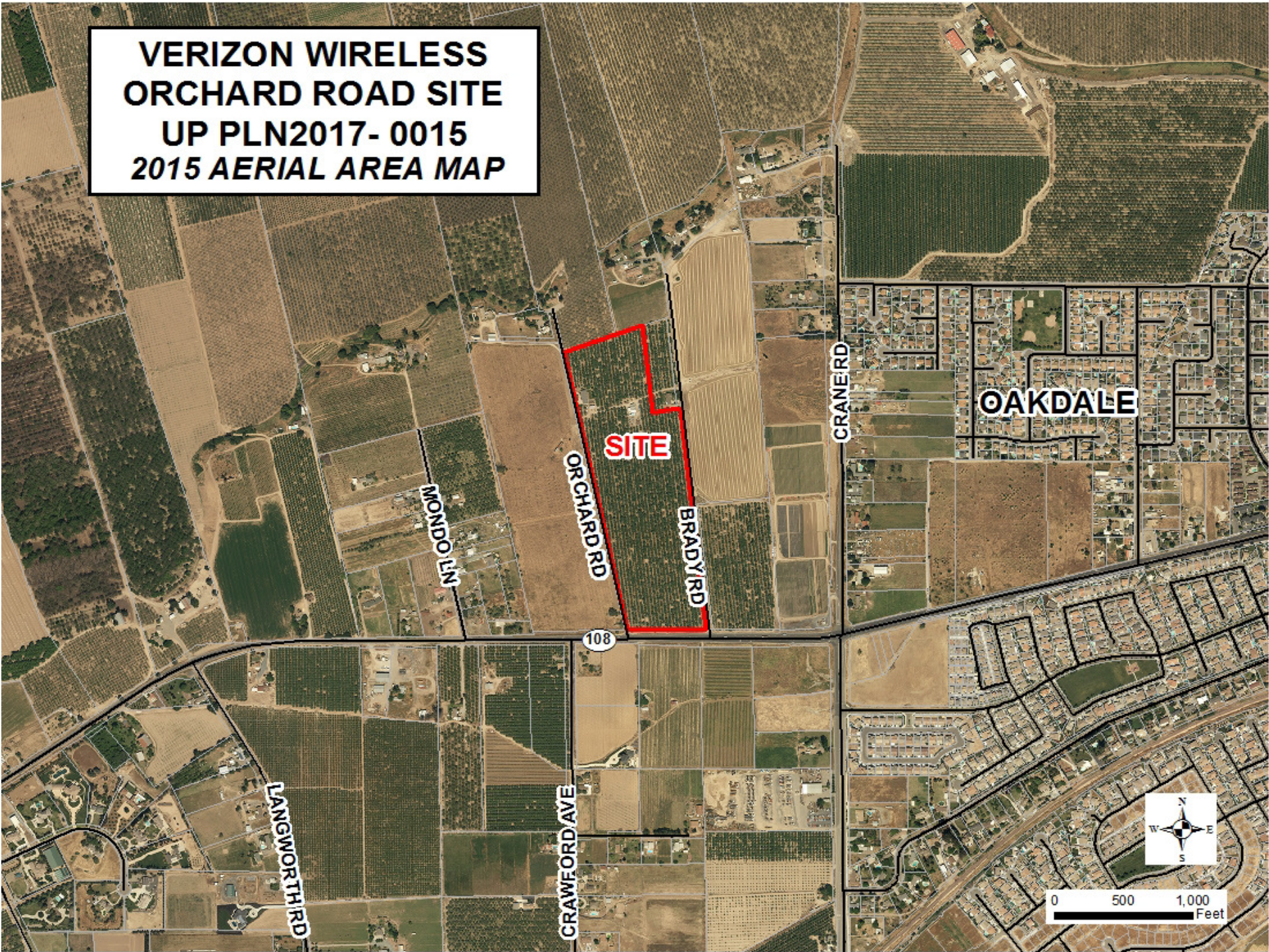
**Legend:**

- Verizon Wireless Orchard Road Site
- Oakdale
- Sphere of Influence
- Parcels
- Rivers
- Roads

9

EXHIBIT B-3

**VERIZON WIRELESS  
ORCHARD ROAD SITE  
UP PLN2017- 0015  
2015 AERIAL AREA MAP**



**VERIZON WIRELESS  
ORCHARD ROAD SITE  
UP PLN2017- 0015  
2015 AERIAL SITE MAP**

**SITE**

**ORCHARD RD**

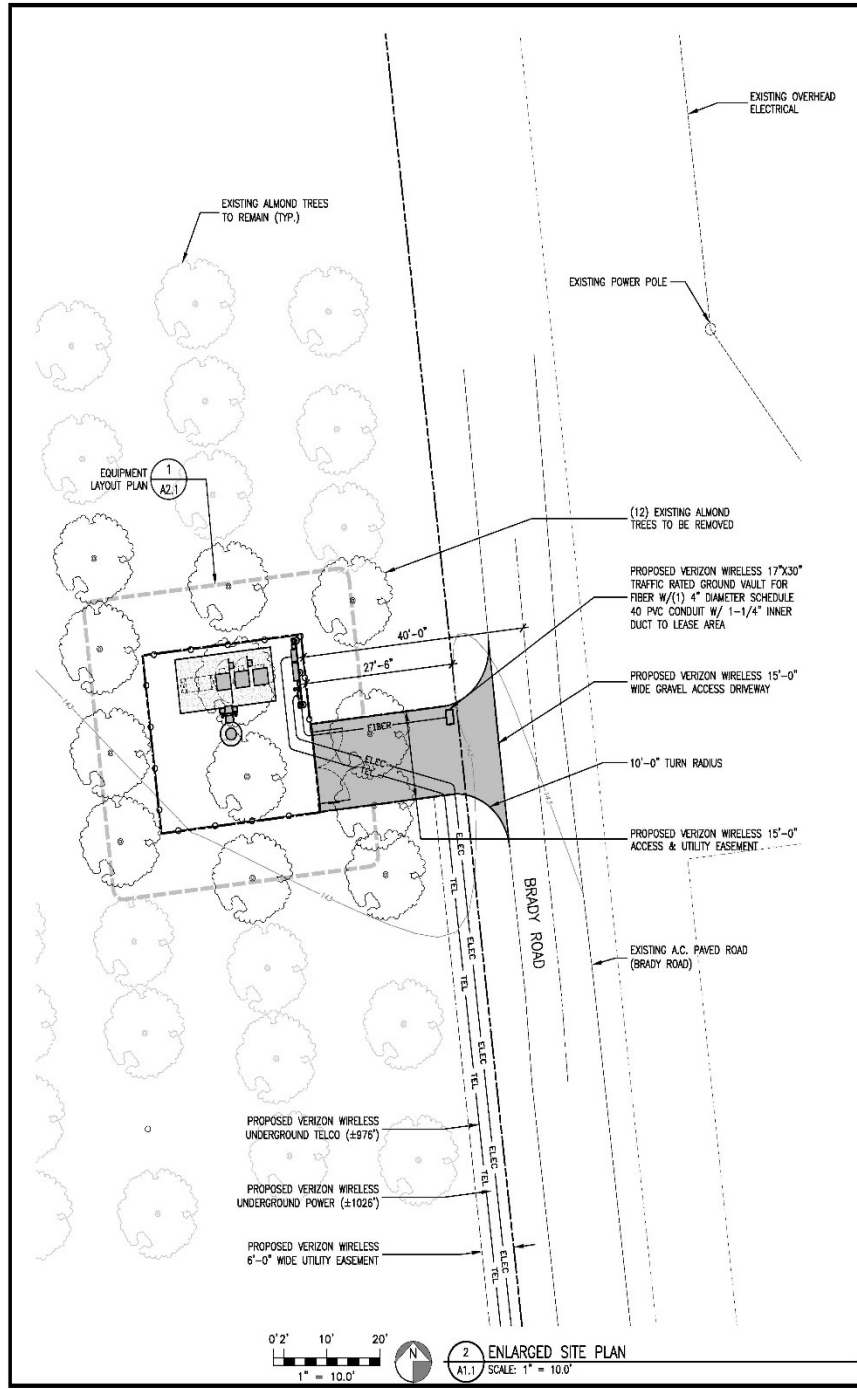
**BRADY RD**

**CRANE RD**

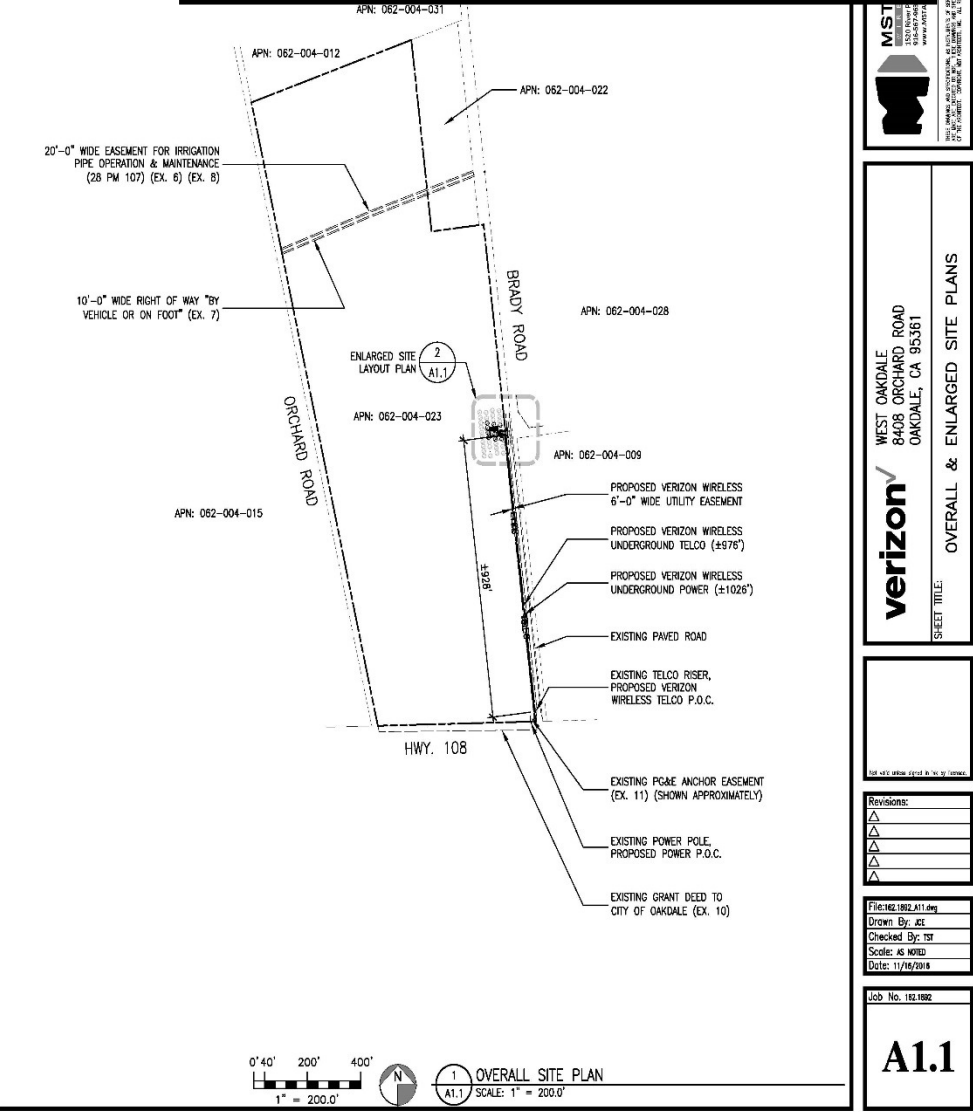
**MONDO LN**

**108**





# VERIZON WIRELESS ORCHARD ROAD SITE UP PLN2017-0015 SITE PLAN



WEST OAKDALE  
 8408 ORCHARD ROAD  
 OAKDALE, CA 95361

**verizon**

SHEET TITLE: **OVERALL & ENLARGED SITE PLANS**

12/14/2016 09:12:46 (12/16/17) (12/16/2016)
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Revisions:
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File:162.182.A11.dwg
Drawn By: ac
Checked By: tjt
Scale: AS NOTED
Date: 11/16/2016

Job No. 162.182

**A1.1**

# VERIZON WIRELESS ORCHARD ROAD SITE UP PLN2017-0015 ELEVATIONS



MST  
www.mst.com

WEST OAKDALE  
8408 ORCHARD ROAD  
OAKDALE, CA 95361  
PROJECT ELEVATIONS

verizon  
SHEET TITLE:

Revisions:

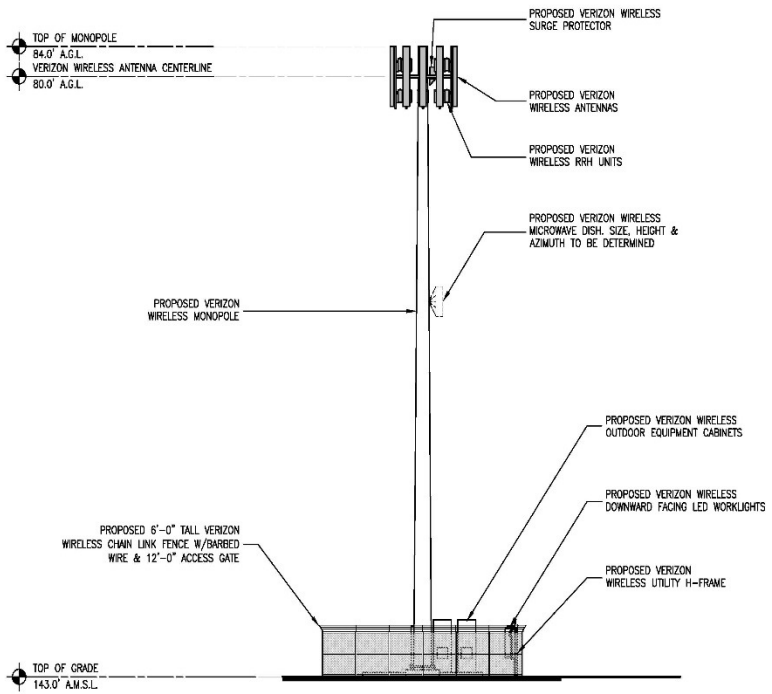
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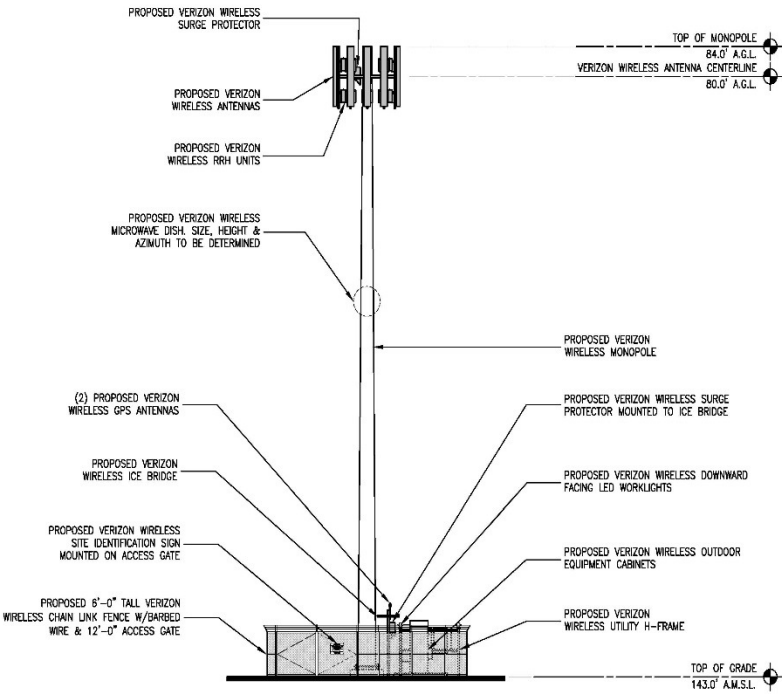
**A3.1**

13

EXHIBIT B-7



2 SOUTH ELEVATION  
A3.1 SCALE: 1/8" = 1'-0"



1 EAST ELEVATION  
A3.1 SCALE: 1/8" = 1'-0"

# VERIZON WIRELESS ORCHARD ROAD SITE UP PLN2017-0015 PHOTOSIMULATIONS



**Existing**

Photosimulation of the view looking west from the nearest point along Crane Road.

**West Oakdale**

8408 Orchard Road  
Oakdale, CA 95361

**verizon**wireless



**Proposed**

# VERIZON WIRELESS ORCHARD ROAD SITE UP PLN2017-0015 PHOTOSIMULATIONS



Photosimulation of the view looking north along Brady Road from the clearest view along Hwy 108.

**West Oakdale**  
8408 Orchard Road  
Oakdale, CA 95361



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EXHIBIT B-9

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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. PLN2017-0015 VERIZON WIRELESS – ORCHARD ROAD**

#### **Department of Planning and Community Development**

1. Use(s) shall be conducted as described in the application and supporting information (including the plot plan) as approved by the Planning Commission and/or Board of Supervisors and in accordance with other laws and ordinances.
2. Pursuant to Section 711.4 of the California Fish and Game Code (effective January 1, 2017), 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 **\$2,273.25**, made payable to **Stanislaus County**, for the payment of California Department of Fish and Wildlife and Clerk Recorder filing fees.  
  
Pursuant to Section 711.4 (e) (3) of the California Fish and Game Code, no project shall be operative, vested, or final, nor shall local government permits for the project be valid, until the filing fees required pursuant to this section are paid.
3. Developer shall pay all Public Facilities Impact Fees and Fire Facilities Fees as adopted by Resolution of the Board of Supervisors. The fees shall be payable at the time of issuance of a building permit for any construction in the development project and shall be based on the rates in effect at the time of building permit issuance.
4. The applicant/owner is required to defend, indemnify, or hold harmless the County, its officers, and employees from any claim, action, or proceedings against the County to set aside the approval of the project which is brought within the applicable statute of limitations. The County shall promptly notify the applicant of any claim, action, or proceeding to set aside the approval and shall cooperate fully in the defense.
5. All exterior lighting shall be designed (aimed down and toward the site) to provide adequate illumination without a glare effect. This shall include, but not be limited to, the use of shielded light fixtures to prevent skyglow (light spilling into the night sky) and the installation of shielded fixtures to prevent light trespass (glare and spill light that shines onto neighboring properties).
6. Pursuant to Section 404 of the Clean Water Act, prior to construction, the developer shall be responsible for contacting the US Army Corps of Engineers to determine if any "wetlands,"



- "waters of the United States," or other areas under the jurisdiction of the Corps of Engineers are present on the project site, and shall be responsible for obtaining all appropriate permits or authorizations from the Corps, including all necessary water quality certifications, if necessary.
7. Any construction resulting from this project shall comply with standardized dust controls adopted by the San Joaquin Valley Air Pollution Control District (SJVAPCD) and may be subject to additional regulations/permits, as determined by the SJVAPCD.
  8. A sign plan for all proposed on-site signs indicating the location, height, area of the sign(s), and message must be approved by the Planning Director or appointed designee(s) prior to installation.
  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. 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.
  11. All unused or obsolete towers and equipment shall be removed from their respective sites within six months after their operation has ceased, at the property owner's or applicant's expense.
  12. The overall height of the tower, including antenna, mounting hardware, and base, shall not exceed 84 feet.
  13. The wireless communication facility is subject to any and all other applicable regulations and permits, including those of the Public Utilities Commission (PUC) of the State of California and the Federal Communications Commission (FCC).
  14. The setback of the leased area shall 45 feet from centerline of Brady Road as required by Section 21.20.070 of the Stanislaus County Code. A revised site plan shall be approved by the Planning and Community Development Department prior to issuance of a building permit.
  15. The applicant shall install two L-810 top mounted obstruction lights at the top of the tower per Federal Aviation Guideline AC70460-1k, Chapter 5 Section 53(a). The applicant is required to install and maintain the lighting for operational use at all times.
  16. Pursuant to the State of California Government Code 65850.6 no further land use permits are required for the co-location of wireless antennas, microwave dishes antennas or any other ancillary equipment at this facility. The co-location equipment shall still be subject to all applicable California Building Code requirements.

**Department of Public Works**

17. An encroachment permit shall be issued for an asphalt driveway onto Brady Road. The paved driveway shall be installed per Stanislaus County Public Works Standards and Specifications.
18. No parking, loading, or unloading of vehicles is permitted within the Brady Road or Orchard Road right-of-way. The developer shall install or pay for the installation of any off-site signs and/or markings, as required.
19. A private easement shall be formed outside of the ultimate right-of-way width of Brady Road for the placement of utility lines associated with the wireless communications facility. Prior to the easement being recorded, Public Works staff shall review and approve the easement.
20. Prior to the building permit being finalized and an electrical connection is granted from Oakdale Irrigation District, Public Works shall inspect and certify the installed utilities do not encroach the ultimate right-of-way of Brady Road. The applicant shall have all necessary measurements displayed prior to inspection. At no point shall any communication facility equipment be constructed within the ultimate right-of-way.

**Department of Environmental Resources – Hazardous Materials Division**

21. The applicant shall contact the Department of Environmental Resources (DER) to determine if any permitting is required for the handling or generating of hazardous materials or waste. The applicant shall satisfy any hazardous materials permitting requirements prior to the issuance of a building or grading permit, whichever comes first.

**Building Permits Division**

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

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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~~.*



## CEQA INITIAL STUDY

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

1. **Project title:** Use Permit Application No. PLN2017-0015 – Verizon Wireless – Orchard Road
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:** Jeremy Ballard, Assistant Planner  
(209) 525-6330
4. **Project location:** 8408 Orchard Road, north of State Route 108, south of the Stanislaus River, west of the city of Oakdale. APN: 062-004-023
5. **Project sponsor's name and address:** Matt Moore, Complete Wireless  
dba Verizon Wireless  
2009 V Street  
Sacramento, CA 95818
6. **General Plan designation:** AG (Agriculture)
7. **Zoning:** A-2-40 (General Agriculture)
8. **Description of project:**  

Request to install a wireless communication facility within a 900 square foot lease area on a 31.92± acre parcel, in the A-2-40 (General Agriculture) zoning district. The gated facility will include an 84 foot tall monopole as well as accompanying wireless equipment. The applicant will also install a 15 foot wide driveway to access the site from Brady Road.
9. **Surrounding land uses and setting:** To the north are orchards, ranchettes and the Stanislaus River, to the east is the City of Oakdale, to the west are orchards, scattered ranchettes with single-family dwellings and the City of Riverbank, and to the south is State Route 108 and ranchettes as well as row crops.
10. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.):** Stanislaus County Public Works, Planning, Building Permits Division and Oakdale Irrigation District

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

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

- Aesthetics
- Agriculture & Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology / Soils
- Greenhouse Gas Emissions
- Hazards & Hazardous Materials
- Hydrology / Water Quality
- Land Use / Planning
- Mineral Resources
- Noise
- Population / Housing
- Public Services
- Recreation
- Transportation / Traffic
- Utilities / Service Systems
- Mandatory Findings of Significance

**DETERMINATION: (To be completed by the Lead Agency)**

On the basis of this initial evaluation:

- I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- I find that the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Jeremy Ballard  
 \_\_\_\_\_  
 Signature

July 3, 2017  
 \_\_\_\_\_  
 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 and the proposed communication facility is not anticipated to have any adverse effect on the existing visual character of the site or its surroundings. Any lighting used for access or security shall be designed for the least intrusion possible. The proposal does not include tower lighting, unless it is required by the Federal Aviation Administration (FAA) standards. An Early Consultation Referral was sent to the local crop dusting agency, but no response has been received to date. The project site is also located just west of the city of Oakdale, outside of their Sphere of Influence. Therefore, City of Oakdale development or design standards do not apply.

**Mitigation:** None

**References:** 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 requests to construct an 84-foot tall monopole communication tower and equipment shelter on a 900 square foot lease area of a 31.92± acre parcel in the A-2-40 (General Agriculture) zoning district. In accordance with Section 21.20.030C(j) of the County Code, tier 3 uses that are “not directly related to agriculture but may be necessary to serve the A-2 district or may be difficult to locate in an urban area”, including “facilities for public utilities and communication towers”, may be allowed within an A-2 zoning district provided the following findings can be made: (1) the use, as proposed, will not be substantially detrimental to, or in conflict with, agricultural use of other property in the vicinity and (2) the parcel on which such use is requested is not located in one of the County's “most productive agricultural areas”.

In determining "most productive agricultural areas", factors to be considered include, but are not limited to: soil types and potential for agricultural production; the availability of irrigation water; ownership and parcelization patterns; uniqueness and flexibility of use; the existence of Williamson Act contracts; and existing uses and their contributions to the agricultural sector of the economy.

The project site is not enrolled in a Williamson Act Contract, and has soils classified by the Farmland Mapping and Monitoring Program as being primarily “Prime Farmland”. The on-site soils consist of Hanford, Oakdale and Tujunga sandy loam that have index ratings at 95, 90, 76 and grades of 1, respectively, which would classify the property as Prime Farmland as well. The project site is currently improved with an almond orchard, single-family home, and accessory farming structures. The project will remove a minimal amount of almond trees to build the proposed cell tower and support equipment but will not harm any significant amount of the on-site agricultural production. It is anticipated that the development of the communication facility will not permanently disable agricultural production within the lease area. The lease area could be reasonably returned to agricultural once the facility is removed. This project is not anticipated to have an impact to forest land or timberland.

Buffer guidelines require any new or expanding Tier 3 uses approved by a discretionary permit in the A-2 zoning district to incorporate a buffer to minimize conflicts between agricultural and nonagricultural uses. The communication facility will be unstaffed for a majority of its operation. There is anticipated to be routine maintenance approximately once a month. The applicant has proposed an alternate agricultural buffer of a chain link fence surrounding the lease area to prevent any interference to adjacent parcels agricultural operations. Due to the majority of the project's unstaffed operation and the alternative agricultural buffer, staff believes the project would meet the buffer guidelines.

This project was circulated to the Stanislaus County Farm Bureau and Ag Commissioner during the Early Consultation Referral period and no comments were received.

Considering the information above and the fact that the proposed project will only utilize 900 square feet of a 31.92± acre parcel, no negative impacts to agricultural resources are anticipated as the remainder of the site will continue to be utilized for production agriculture. No forest resources exist in the area.

**Mitigation:** None

**References:** Application Material; California Department of Conservation Farmland & Monitoring Program – Stanislaus County Farmland 2014; California Government Code; USDA Web Soil Survey; 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 2015 PM2.5 standard (fine particulate matter), and the 2007 Ozone Plan (The District has also adopted similar ozone plans such as 2014 RACT SIP and 2013 Plan for the Revoked 1-Hour Ozone Standard). 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. The project will not substantially increase traffic in the area and, thereby, will not adversely impact air quality. The applicant is not anticipating any significant increase in vehicle trips per day. The applicant is anticipating a technician visiting the site only once per month once fully operational.

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

Construction activities associated with the proposed project would consist primarily of construction of the 84 foot tall monopole and accompanying equipment. These activities would not require any substantial use of heavy-duty construction equipment and would require little or no demolition or grading as the site is presently unimproved and considered to be topographically flat. Consequently, emissions would be minimal and all construction activities would occur in compliance with all SJVAPCD regulations; therefore, construction emissions would be less than significant without mitigation.

A referral was sent to the SJVAPCD but no response has been received to date. In any event, the applicant will be responsible to contact the SJVAPCD to determine if any District Rules or Regulations apply. 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.

**Mitigation:** None

**References:** Application Material, San Joaquin Valley Air Pollution Control District – Regulation VII Fugitive Dust/ PM-10 Synopsis, 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 proposed project will be unstaffed and will occupy only 900 square feet of a 31.92± acre site which has already been disturbed by the planting of an almond orchard and a single-family dwelling to support the on-site orchard. It does not appear this project will result in impacts to endangered species or habitats, locally designated species, or wildlife dispersal or mitigation corridors. The project is also not within any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. This project was referred to the State Department of Fish and Wildlife through an early consultation and no response has been received.

**Mitigation:** None

**References:** California Department of Fish and Wildlife (formerly the Department of Fish and Game) California Natural Diversity Database and the Stanislaus County General Plan and Support Documentation<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. A condition of approval will be added to this project to address any discovery of cultural resources during the construction phases.

**Mitigation:** None

**References:** 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:			X	
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?			X	
b) Result in substantial soil erosion or the loss of topsoil?			X	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d) Be located on expansive soil creating substantial risks to life or property?			X	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?			X	

**Discussion:** As mentioned earlier, the site consists of Hanford, Oakdale and Tujunga sandy loam. 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 designed and built according to building standards appropriate to withstand shaking for the area in which they are constructed. Any earth moving is subject to Public Works Standards and Specifications, which considers the potential for erosion and run-off prior to permit approval. These requirements are applied by the Public Works and Building Permits Division during the permitting process.

**Mitigation:** None

**References:** California Building Code, Natural Resources Conservation Service's Eastern Stanislaus Soil Survey, Stanislaus County General Plan and Support Documentation<sup>1</sup>

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

Although not originally intended to reduce GHGs, California Code of Regulations (CCR) Title 24, Part 6: California’s Energy Efficiency Standards for Residential and Nonresidential Buildings, was first adopted in 1978 in response to a legislative mandate to reduce California’s energy consumption. Since then, Title 24 has been amended with recognition that energy-efficient buildings require less electricity and reduce fuel consumption, which in turn decreases GHG emissions. The current Title 24 standards were adopted to respond to the requirements of AB 32. Specifically, new development projects within California after January 1, 2011, are subject to the mandatory planning and design, energy efficiency, water efficiency and conservation, material conservation and resources efficiency, and environmental quality measures of the California Green Building Standards (CALGreen) Code (California Code of Regulations, Title 24, Part 11).

Minimal greenhouse gas emissions will occur during construction, from energy use, and from vehicle trips to maintain the equipment, which is anticipated to occur once monthly. These emissions are considered to be less than significant.

**Mitigation:** None

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

<b>VIII. HAZARDS AND HAZARDOUS MATERIALS -- 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) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</b>			X	
<b>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?</b>			X	
<b>c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?</b>			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:** Pesticide exposure is a risk in agricultural areas. Sources of exposure include contaminated groundwater, which is consumed, and drift from spray applications. Application of sprays is strictly controlled by the Agricultural Commissioner and can only be accomplished after first obtaining permits. The operator of the facility will only visit the site occasionally for routine maintenance, thereby limiting potential exposure to pesticides.

A Hazardous Material Business Plan will be submitted if applicable. The project was referred to the Department of Environmental Resources (DER) Hazardous Materials Division; a response was received stating that the proposed project would need to meet regulations regarding the storing of hazardous materials. Conditions of approval will be added to address these requirements.

**Mitigation:** None

**References:** Application material; Referral Response from Department of Environmental Resources HAZMAT Division, dated January 17, 2017, 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:** Storm water run-off is not considered an issue because of several factors, which limit the potential impact. These factors include a relatively flat terrain of the subject site and relatively low rainfall intensities. Areas subject to flooding have been identified in accordance with the Federal Emergency Management Act (FEMA). The project site itself is not located within a recognized flood zone and, as such, flooding is not an issue with respect to this project. The orchard itself will handle any increased runoff produced by the development of the communication facility. An Early Consultation referral response was sent to the Central Valley Regional Water Quality Control Board (RWQCB). However, no response has been received to date.

**Mitigation:** None

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

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

**Discussion:** Wireless Communication Facilities are Tier 3 permissible uses in the agricultural zoning district subject to a Use Permit, which requires findings that the project does not conflict with agricultural use of other property in the vicinity and is not located in one of the county’s most productive agricultural areas. While the project is located on productive agricultural land, the 900 square foot lease area will not significantly displace the overall agricultural production, and will not negatively impact surrounding agricultural operations. The proposed cell tower 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 land use plan, policy, or regulation of any agency with jurisdiction over the project. The project site is in close proximity to the city of Oakdale’s city limits as well as its LAFCO adopted Sphere of Influence. A referral response was sent to the city of Oakdale, which responded that the project site is not within their 2030 General Plan Map; therefore, they would not have any comment on the project.

**Mitigation:** None

**References:** Correspondence with City of Oakdale dated February 16, 2017, Stanislaus County General Plan and Support Documentation<sup>1</sup>

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

**Discussion:** The location of all commercially viable mineral resources in Stanislaus County has been mapped by the State Division of Mines and Geology in Special Report 173. The project site's proximity to the Stanislaus River may increase the proximity to the mineral resources. However, 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:** The construction phases of this project will temporarily increase the area's ambient noise level and, as such, will be conditioned to abide by County regulations related to hours and days of construction. Generators will be operated for approximately 15 minutes per week for maintenance purposes, and during power outages and disasters but are not anticipated to project any significant amount of noise outside the immediate project area. The project is not located in the vicinity of any public airport or private airstrip.

**Mitigation:** None

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

<b>XIII. POPULATION AND HOUSING -- 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>
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:** This project does not propose any significant type of growth inducing features; therefore, adverse effects created by population growth are not anticipated to occur.

**Mitigation:** None

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

<b>XIV. PUBLIC SERVICES --</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Included</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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:			X	
Fire protection?			X	
Police protection?			X	
Schools?			X	
Parks?			X	
Other public facilities?			X	

**Discussion:** Stanislaus County has adopted Public Facilities Fees, as well as a Fire Facility Fee 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. Conditions of approval will be added to this project to insure the proposed use complies with all applicable fire department standards with respect to access and water for fire protection. The project was referred to all agencies and departments that would serve the site. Aside from the discussion below, there was no other agencies that commented on the proposed project.

The project was referred to the Oakdale Irrigation District as the site lies within the district service area. The District had concerns about the proposed communication facility impacting their own communication facilities. OID asked for additional evidence that their 450 MHZ and 900 MHZ frequencies would not be impaired. The applicant performed an Inference Analysis to determine if the proposed communication facilities would have any impact on OID’s facilities. The analysis looked at the potential equipment and frequencies that could create conflict between OID and Verizon’s facilities. Ultimately, the analysis did not find any potential conflicts; OID reviewed the study and concurred with the analysis’s findings. Therefore, the communication facility is not anticipated to have any significant impacts on OID’s facilities or any other agencies services or facilities.

**Mitigation:** None

**References:** Referral Response from Oakdale Irrigation District, dated March 06, 2017, Stanislaus County General Plan and Support Documentation<sup>1</sup>

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

**Discussion:** This project does not propose any new housing; therefore, it will not increase demands for recreational facilities.

**Mitigation:** None

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

<b>XVI. TRANSPORTATION/TRAFFIC -- 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>
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:** This project will not significantly increase traffic for this area. The applicant proposes an average of one vehicle trip per month for routine maintenance of the facility. While the project address is 8408 Orchard Road, the lease area is adjacent to and will seek access from Brady Road. The project was referred to Stanislaus County's Department of Public Works, who responded with the requirements that an encroachment permit be received for the asphalt driveway, to



be installed to County’s standards, and that the property owner dedicate 17.5 feet west of the centerline of Brady Road for the purpose of right-of-way expansion to meet the General Plan Circulation Element’s roadway designation. These are to be administered via conditions of approval and are not anticipated to pose a significant effect on any circulation system, traffic management plans or increase any safety risks.

**Mitigation:** None

**References:** Referral Response from Department of Pubic Works, dated March 02, 2017, Stanislaus County General Plan and Support Documentation<sup>1</sup>

<b>XVII. UTILITIES AND SERVICE SYSTEMS -- 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>
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:** Installation and operation of a wireless communication facility will not require any water or wastewater services, solid waste services, or create runoff in excess of that already existing on the subject site. No issues are noted.

**Mitigation:** None

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

<b>XVIII. MANDATORY FINDINGS OF SIGNIFICANCE --</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Included</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			X	

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

**Discussion:** Review of this project has not indicated any features which might significantly impact the environmental quality of the site and/or the surrounding area.

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<sup>1</sup>Stanislaus County General Plan and Support Documentation adopted in August 23, 2016, as amended. **Housing Element** adopted on April 5, 2016.

## NEGATIVE DECLARATION

**NAME OF PROJECT:** Use Permit Application No. PLN2017-0015 – Verizon Wireless – Orchard Road

**LOCATION OF PROJECT:** 8408 Orchard Road, north of State Route 108, south of the Stanislaus River, west of the City of Oakdale. APN: 062-004-023.

**PROJECT DEVELOPERS:** Matt More, Complete Wireless dba Verizon Wireless  
2009 V Street  
Sacramento, CA 95818

**DESCRIPTION OF PROJECT:** Request to install a wireless communication facility within a 900 square foot lease area on a 31.92± acre parcel, in the A-2-40 (General Agriculture) zoning district. The gated facility will include an 84 foot tall monopole as well as accompanying wireless equipment. The applicant will also install a 15 foot wide gravel driveway to access the site from Brady Road.

Based upon the Initial Study, dated **July 3, 2017**, 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: Jeremy Ballard, 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: UP APP NO. PLN2017-0015 - VERIZON WIRELESS - ORCHARD ROAD**

REFERRED TO:	RESPONDED			RESPONSE			MITIGATION MEASURES		CONDITIONS			
	2 WK	30 DAY	PUBLIC HEARING NOTICE	YES	NO	WILL NOT HAVE SIGNIFICANT IMPACT	MAY HAVE SIGNIFICANT IMPACT	NO COMMENT NON CEQA	YES	NO	YES	NO
CA DEPT OF FISH & WILDLIFE	X	X	X		X							
CA DEPT OF TRANSPORTATION DIST 10	X	X	X	X				X		X		X
CA OPR STATE CLEARINGHOUSE	X	X	X	X				X		X		X
CA RWQCB CENTRAL VALLEY REGION	X	X	X		X							
CITY OF: OAKDALE	X	X	X	X				X		X		X
COOPERATIVE EXTENSION	X	X	X		X							
CROP DUSTERS	X	X	X		X							
FIRE PROTECTION DIST: OAKDALE RURAL	X	X	X		X							
HOSPITAL DISTRICT: OAK VALLEY	X	X	X		X							
IRRIGATION DISTRICT: OID	X	X	X	X				X		X		X
MOSQUITO DISTRICT: EASTSIDE	X	X	X		X							
MT VALLEY EMERGENCY MEDICAL	X	X	X		X							
PACIFIC GAS & ELECTRIC	X	X	X		X							
RAILROAD: BNSF	X	X	X		X							
SAN JOAQUIN VALLEY APCD	X	X	X		X							
SCHOOL DISTRICT 1:OAKDALE JOINT UNIFIED	X	X	X		X							
STAN CO AG COMMISSIONER	X	X	X		X							
STAN CO ALUC		X	X		X							
STAN CO BUILDING PERMITS DIVISION	X	X	X	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 FARM BUREAU	X	X	X		X							
STAN CO HAZARDOUS MATERIALS	X	X	X	X				X		X	X	
STAN CO PUBLIC WORKS	X	X	X	X				X		X	X	
STAN CO SHERIFF	X	X	X		X							
STAN CO SUPERVISOR DIST 1: OLSEN	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							
TELEPHONE COMPANY: ATT	X	X	X		X							
TRIBAL CONTACTS (CA Government Code §65352.3)	X	X	X		X							
US MILITARY AGENCIES (SB 1462) (5 agencies)		X	X		X							