

# STANISLAUS COUNTY PLANNING COMMISSION

October 19, 2017

## STAFF REPORT

USE PERMIT APPLICATION NO. PLN2016-0085  
VARGAS CUSTOM LANDSCAPING, INC.

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

### APPLICATION INFORMATION

Property Owner:	Gabriel and Diana Vargas
Applicant:	Vargas Custom Landscaping, Inc.
Location:	1500 St. Francis Avenue, between Carver and Tully Roads, north of the City of Modesto.
Section, Township, Range:	31-2-9
Supervisory District:	Four (Supervisor Monteith)
Assessor's Parcel:	004-017-004
Referrals:	See Exhibit H Environmental Review Referrals
Area of Parcel(s):	9.65±
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.:	77-2426
Environmental Review:	Negative Declaration
Present Land Use:	A single-family dwelling, detached garage, barn, three storage containers, pool and pool house, nursery area, landscape contracting business, and almond orchard.
Surrounding Land Use:	Ranchettes, Almond orchards, row crops, and associated residences to north, south, east, and west.

### RECOMMENDATION

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

## **PROJECT DESCRIPTION**

This project is a request to establish a wholesale nursery and permit an existing landscape contracting business. The primary component of the proposed commercial use is for a nursery, which will grow olive and oak trees, ground cover, shrubs, and other outdoor vegetation in pots and box containers. The landscape contracting service is proposing to install vegetation, hardscaping, decking, irrigation and sprinkler systems, concrete, lawns, outdoor lighting, and perform general maintenance.

Currently, the applicant is in operation of a landscape contracting business on-site, which has exceeded the limitations of the Home Occupation business license issued on March 25, 2016. The applicant proposes to continue use of a 250 square-foot home office as part of the nursery and landscaping business.

The proposed nursery operation and landscaping business will take place on approximately 10,805± square feet located on the northern portion of the ±9.74 acre parcel (See Exhibit B – *Maps, Site Plan.*) No structures are being proposed and the wholesale nursery will not be open to the general public. The applicant proposes to operate the nursery by appointment only and anticipates limited on-site customers to select nursery inventory for planting. The applicant intends to grow nursery plants from seed and rootstock. While the applicant establishes a stock of plants grown on-site, or removed from landscaping operations, plants are proposed to be purchased from off-site and stored on-site for use in conjunction with the landscape contracting business.

The existing landscape contracting business has six vehicles, one-ton in size, and is proposing a maximum of ten trucks and employees. The days and hours of operation for both the wholesale nursery and the landscape contracting business are Monday through Friday, 7:00 a.m. to 5:00 p.m. Up to four on-site customers per day, mostly by appointment, are anticipated.

## **SITE DESCRIPTION**

The 9.74± acre parcel is located on the south side of St. Francis Avenue, between Carver and Tully Roads, in the Modesto area. The site is enrolled in Williamson Act Contract No. 77-2426. The majority of the site is planted in almond orchard, with approximately 5,556± square feet of building coverage and 22,500± square feet (half an acre) of graveled surface. The building coverage includes a single-family dwelling, a barn, pool house, a detached garage, and portable storage containers (landscaping and orchard equipment storage). The existing graveled area will encompass the wholesale nursery and the landscaping business equipment and supplies.

The surrounding land uses consist of ranchettes, almond orchards, row crops, and associated residences to the north, south, east, and west ranging in size from .33± to 46.7± acres.

## **ISSUES AND CORRESPONDENCE**

Section 21.20.030(A)(1) of the Stanislaus County Zoning Ordinance allows for wholesale nurseries and landscape contractors when conducted in conjunction with a wholesale nursery in the A-2 (General Agriculture) zoning district. 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.

The proposed growing and selling of trees, ground cover, shrubs, and other plants in pots and box containers are considered agriculture in nature, and serve as the primary component for a wholesale

nursery in the A-2 zoning district. In addition to conducting installation services of plants grown on-site, the applicant has represented the landscape contracting business as including the installation of hardscaping, decking, irrigation and sprinkler systems, concrete, lawns, outdoor lighting, and performing general maintenance.

The issue with this request is that the operation of the landscape contractor business is required to be conducted in conjunction with the wholesale nursery and not as the primary use. The applicant has worked with Staff to better identify the scope of the business to be conducted on-site in an effort to reflect that the primary use will be the wholesale nursery; however, the broad range of landscape contractor services, including general maintenance, and limited on-site plant production still raises concerns regarding the primary proposed use. Staff's concern with this request is that the landscape contracting services, offered independent of the wholesale nursery operation, are not an appropriate use in the A-2 zone district. If approved, it would be difficult to monitor or measure an appropriate threshold for conducting the landscape contractor portion of the business in relationship to the wholesale nursery. Condition of Approval No. 13 has been added to the project to address this concern by ensuring that the landscape contracting portion of the wholesale nursery is limited to the installation of plants grown on-site. (See Exhibit C - *Conditions of Approval*.)

A similar condition of approval was added to Use Permit (UP 2015-0087) Artificial Turf & Landscaping Company, Inc. approved by the Planning Commission on June 2, 2016, to address a comparable concern. UP 2015-0087 was a request to establish a wholesale nursery and landscape contractor operation with seven to ten employees, on a 2.93± acre parcel in the A-2-40 (General Agriculture) zoning district. The project site was located at 1467 Crawford Road, north of Claribel Road, east of Coffee Road, west of Oakdale Road, in the Riverbank area. One difference between the Artificial Turf & Landscape Company, Inc. project and this request is the existence of the Williamson Act, which further requires that there be an agricultural focus in order to approve the use. A discussion of the Williamson Act is provided in the Zoning Consistency section of this report.

Staff received an anonymous packet in opposition of this project and development in the surrounding neighborhood. Concerns raised in a letter included with the packet are: 1) the site is being used for commercial operations not related to the Williamson Act Contract, and 2) another property in the vicinity that was purchased to accommodate a single-family dwelling is constantly being expanded for church and related large gathering activities without proper land uses permits. The person who sent the packet contacted Staff at a later date to reiterate their opposition to this project. (See Exhibit D – *Correspondence*.) The claims made regarding the church's activities are unrelated to this project and are being investigated.

### **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 ten, 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.

This site is enrolled in Williamson Act Contract No. 77-2426. Section 21.20.045(B) (3) of the A-2 zoning district identifies Tier One uses as consistent with the Principles of Compatibility unless the Planning Commission makes a finding to the contrary. The Williamson Act Principles of Compatibility are:

1. The use will not significantly compromise the long-term productive agricultural capability of the subject contracted parcel or parcels or on other contracted lands in the A-2 zoning district.
2. The use will not significantly displace or impair current or reasonably foreseeable agricultural operations on the subject contracted parcel or parcels or on other contracted lands in the A-2 zoning district. Uses that significantly displace agricultural operations on the subject contracted parcel or parcels may be deemed compatible if they relate directly to the production of commercial agricultural products on the subject contracted parcel or parcels or neighboring lands, including activities such as harvesting, processing, or shipping.
3. The use will not result in the significant removal of adjacent contracted land from agricultural or open-space use.

The project was circulated to the California State Department of Conservation during the two-week Early Consultation and 30-day Initial Study review periods and no comments were received.

With Conditions of Approval, including Condition No. 13, limiting the landscape contractor portion of the business to installation of plants grown on-site, Staff believes all of the necessary findings can be made for approval of this project. 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 and as a Tier One use is considered to be agriculturally related.

### **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: Denzel Henderson, Assistant Planner, (209)525-6330

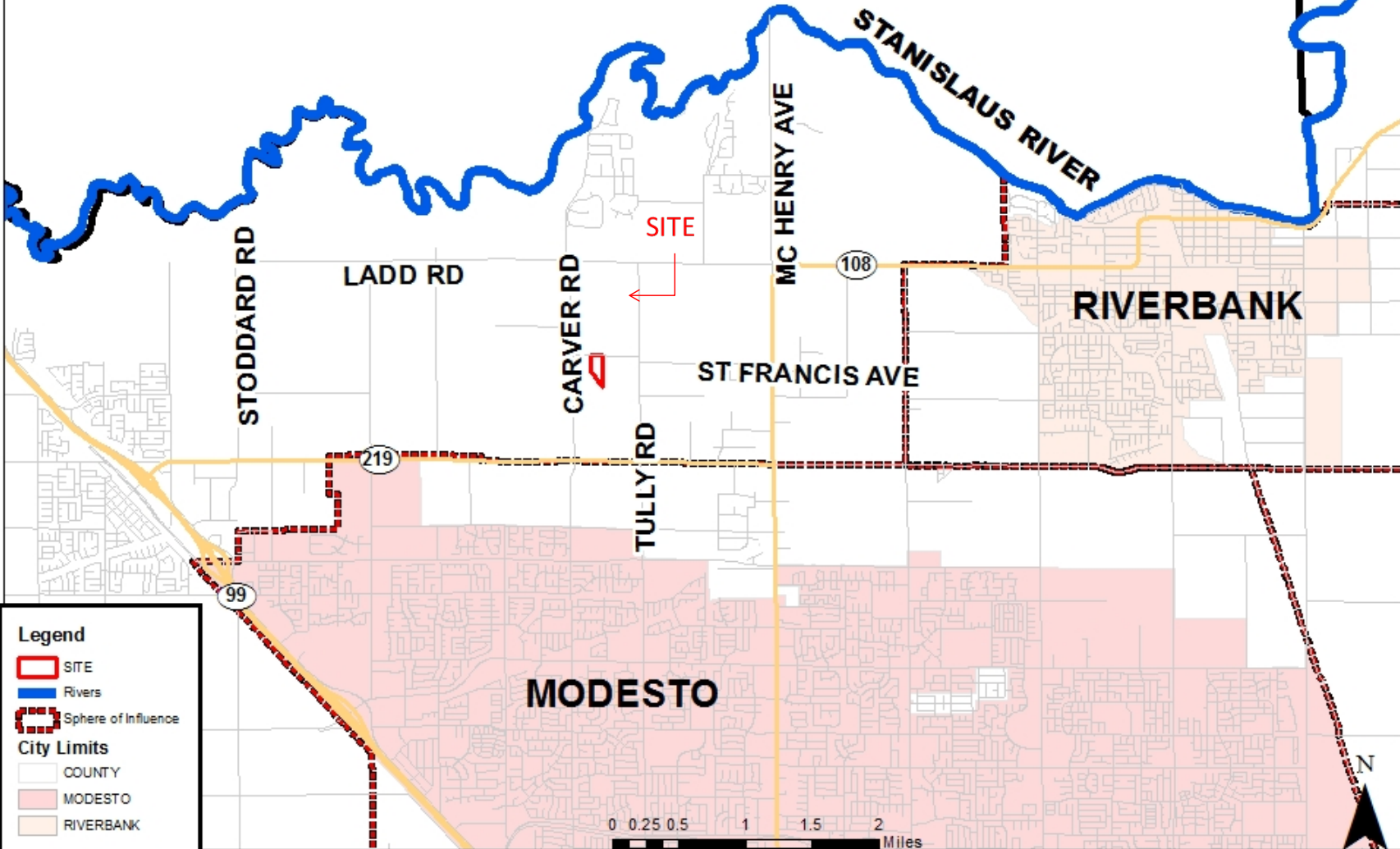
Attachments:

- 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 use will not significantly compromise the long-term productive agricultural capability of the subject contracted parcel or parcels or on other contracted lands in the A-2 zoning district.
  - (d) The use will not significantly displace or impair current or reasonably foreseeable agricultural operations on the subject contracted parcel or parcels or on other contracted lands in the A-2 zoning district. Uses that significantly displace agricultural operations on the subject contracted parcel or parcels may be deemed compatible if they relate directly to the production of commercial agricultural products on the subject contracted parcel or parcels or neighboring lands, including activities such as harvesting, processing, or shipping.
  - (e) The use will not result in the significant removal of adjacent contracted land from agricultural or open-space use.
  - (f) 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. PLN2016-0085 – Vargas Custom Landscaping, Inc. subject to the attached Conditions of Approval.

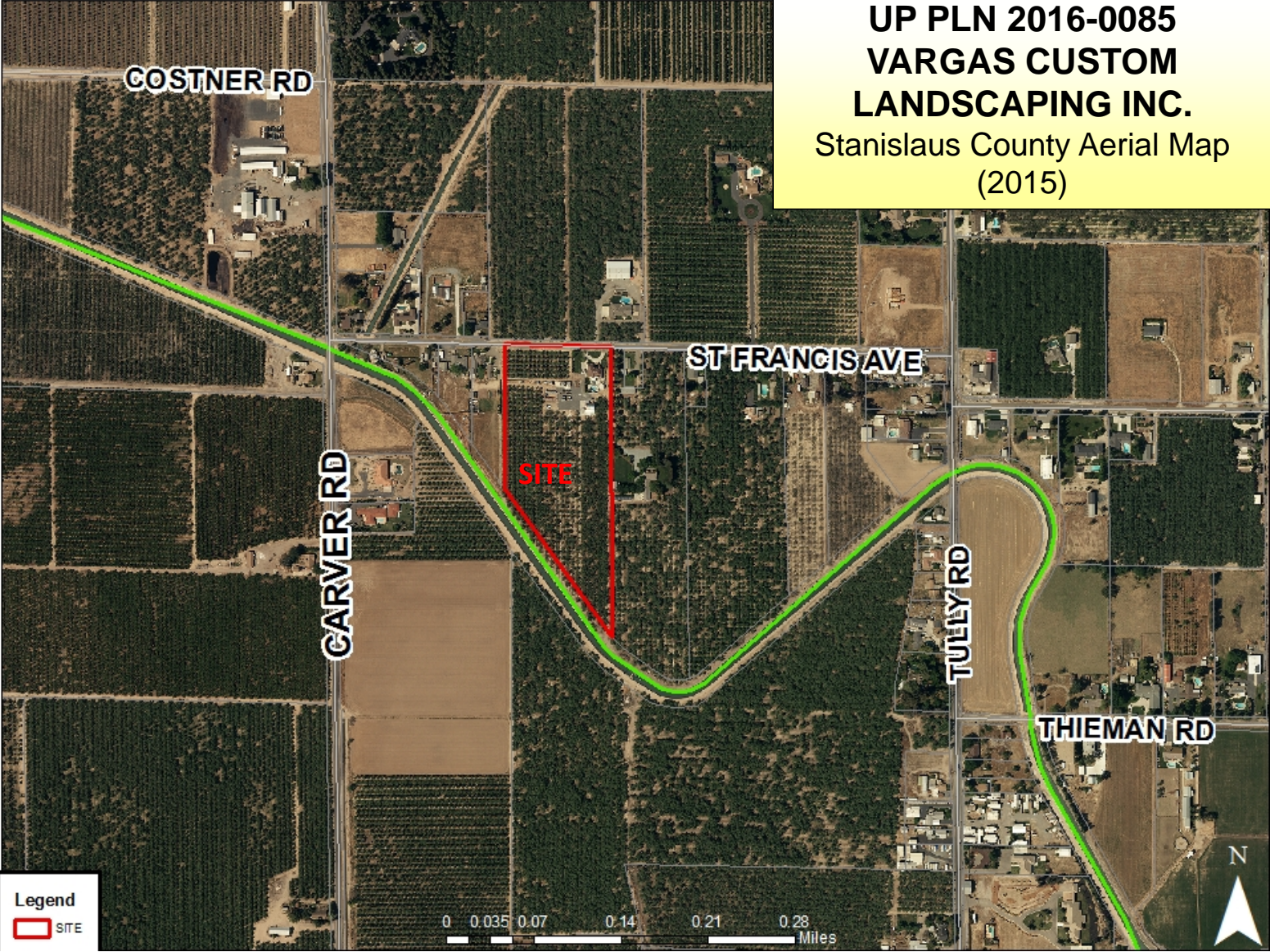
**UP PLN 2016-0085  
VARGAS CUSTOM  
LANDSCAPING INC.  
Area Map**



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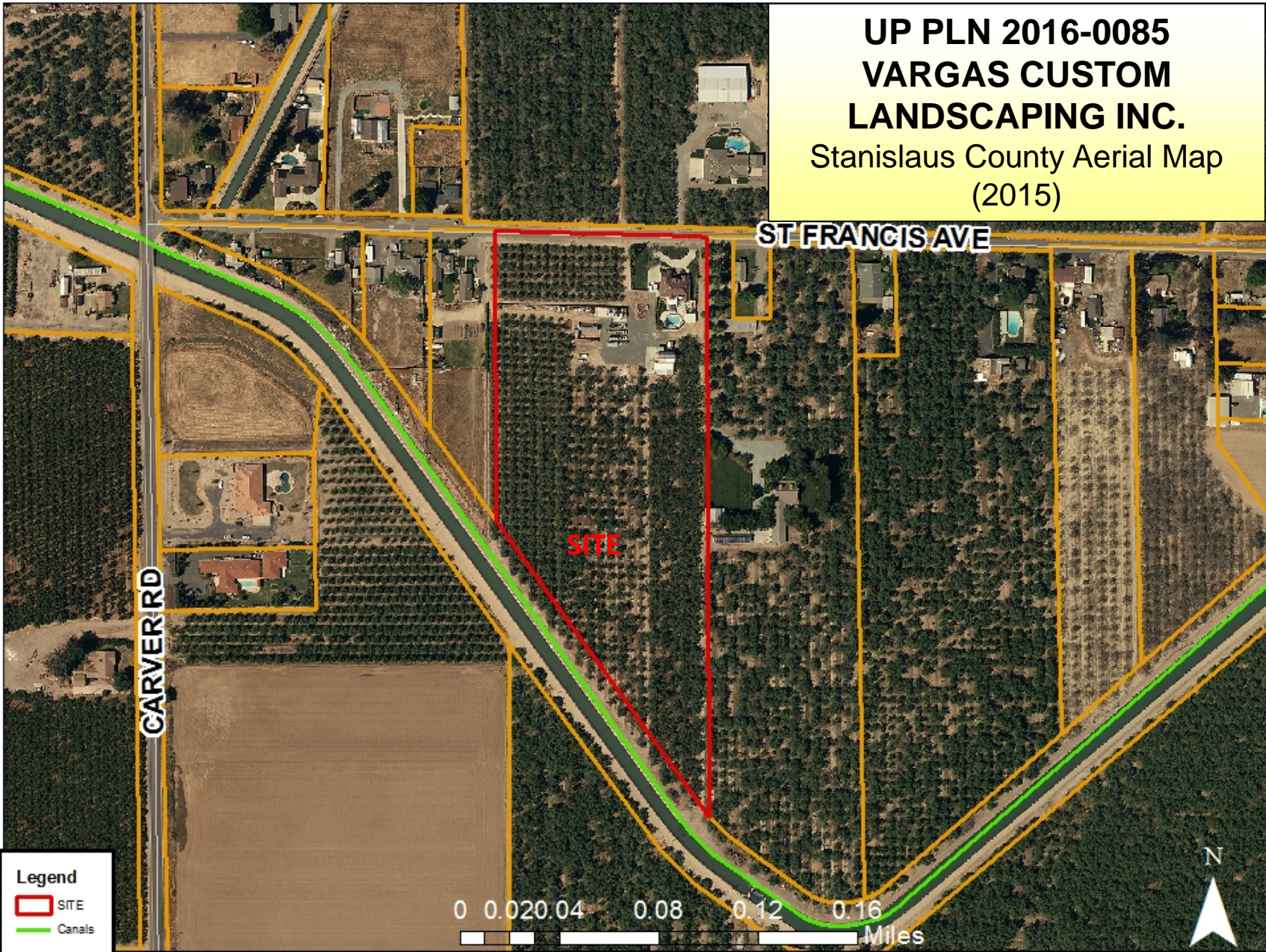
**EXHIBIT B**

**UP PLN 2016-0085  
VARGAS CUSTOM  
LANDSCAPING INC.**  
Stanislaus County Aerial Map  
(2015)

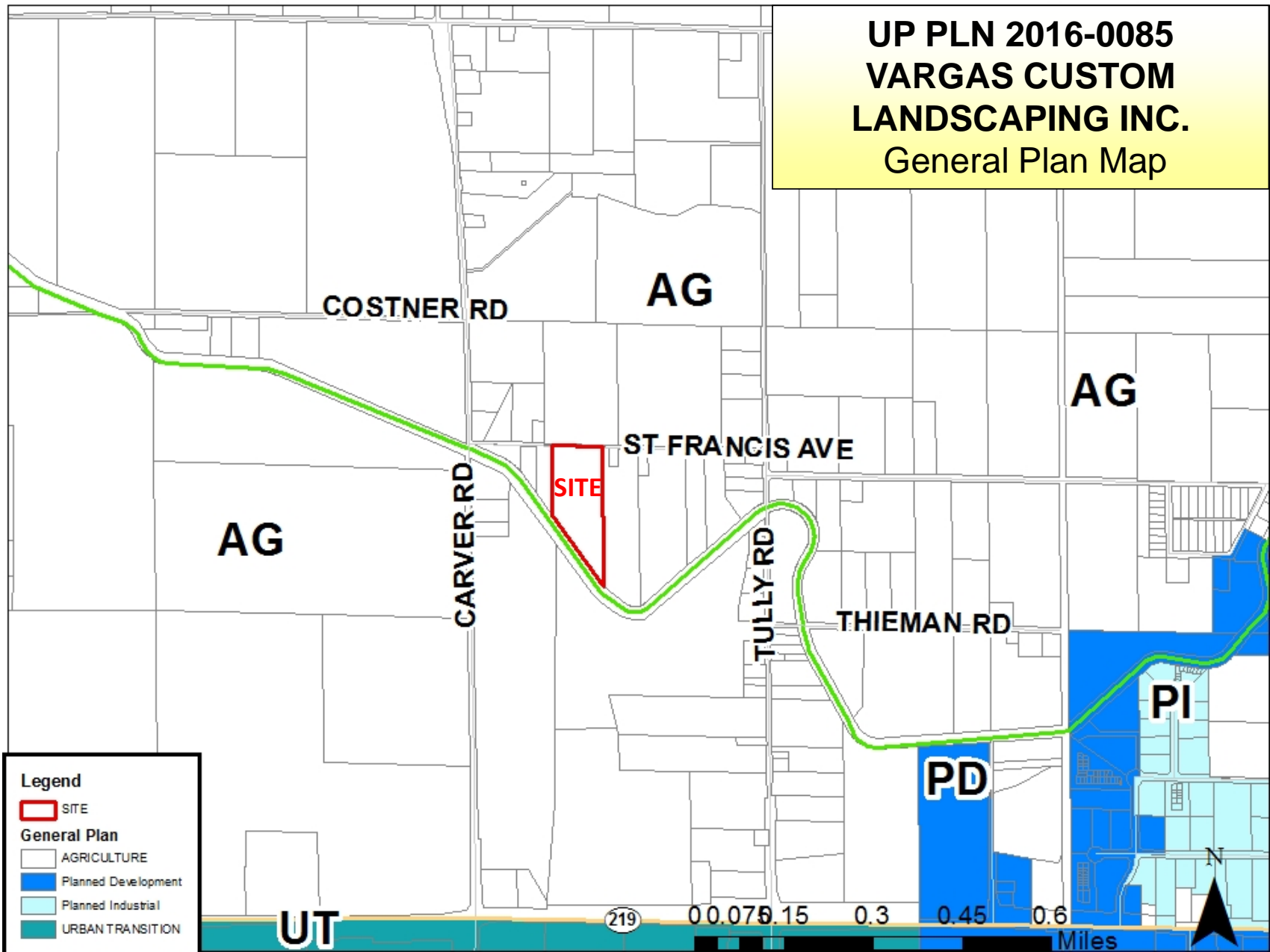




**UP PLN 2016-0085  
VARGAS CUSTOM  
LANDSCAPING INC.**  
Stanislaus County Aerial Map  
(2015)



**UP PLN 2016-0085  
VARGAS CUSTOM  
LANDSCAPING INC.  
General Plan Map**



**Legend**

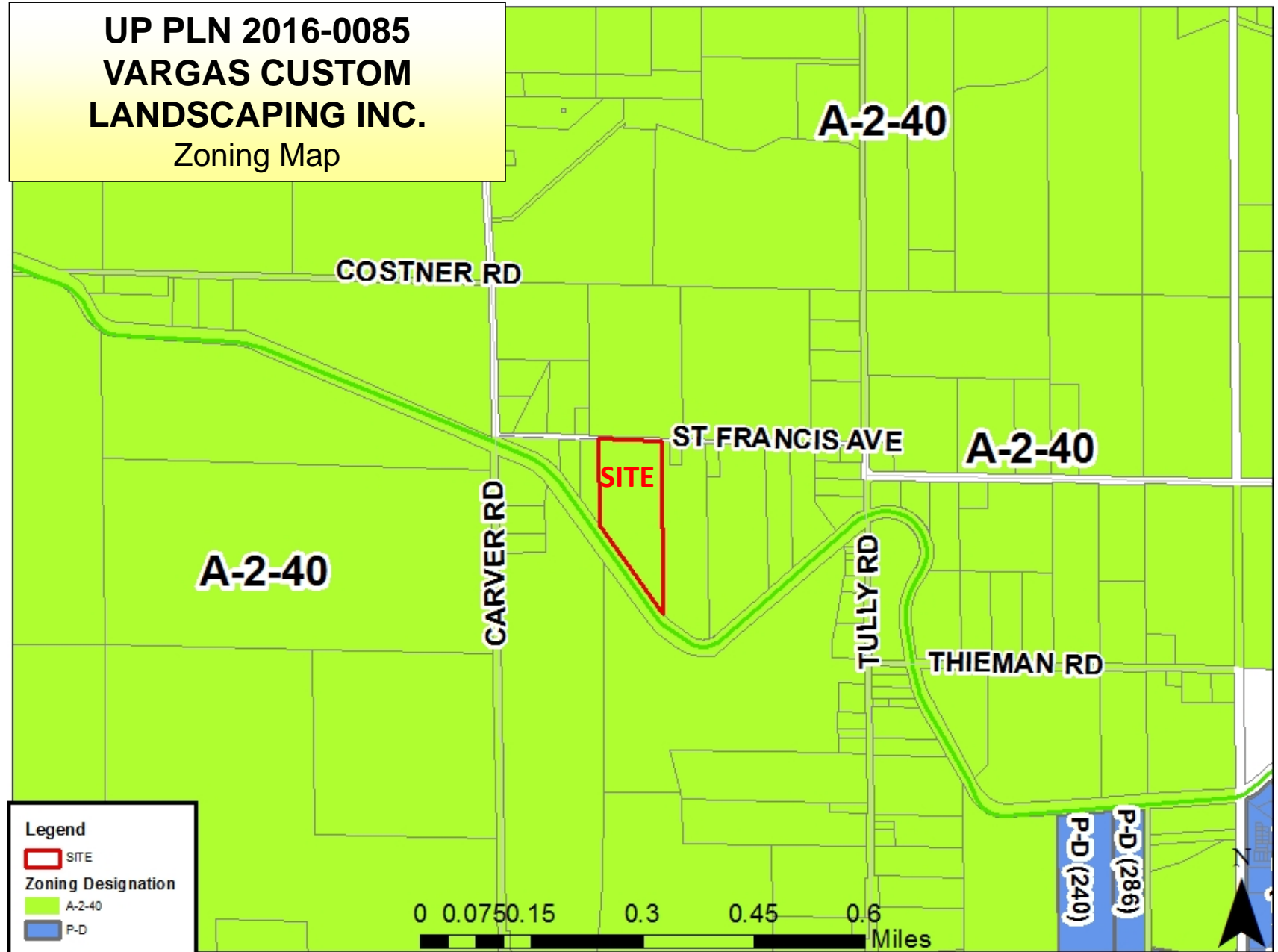
- SITE

**General Plan**

- AGRICULTURE
- Planned Development
- Planned Industrial
- URBAN TRANSITION

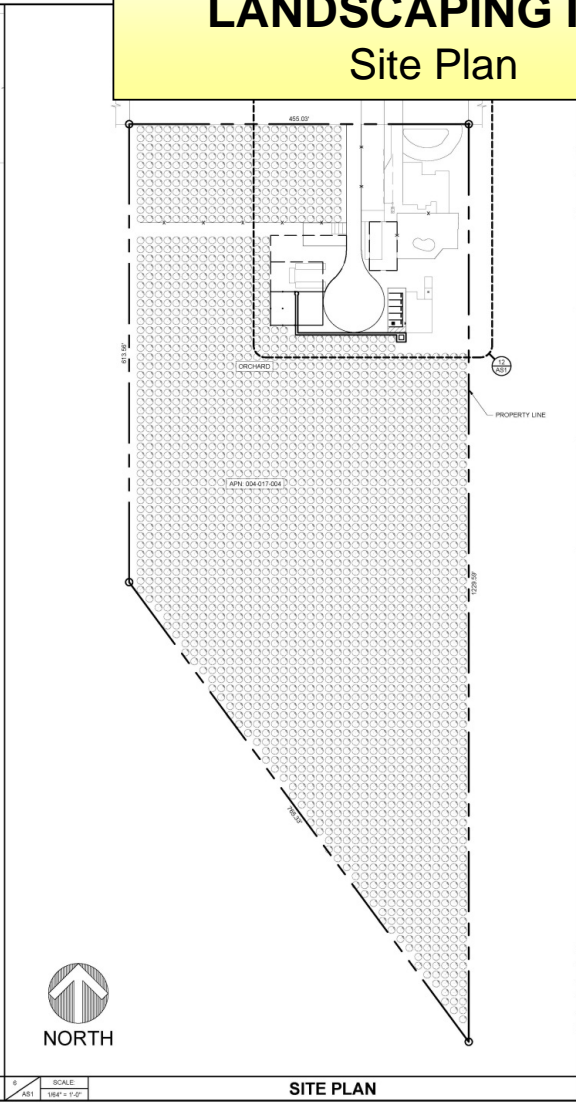
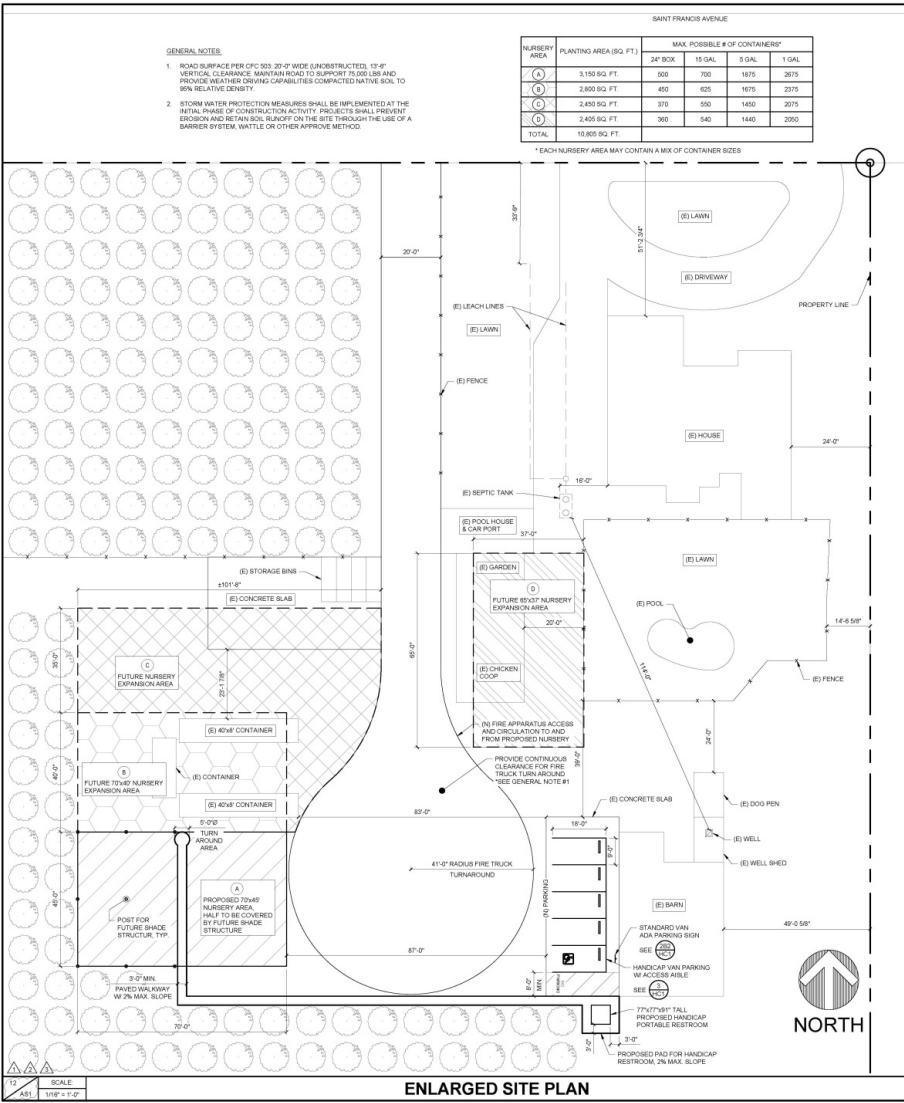
**UP PLN 2016-0085  
VARGAS CUSTOM  
LANDSCAPING INC.**

Zoning Map



# UP PLN 2016-0085 VARGAS CUSTOM LANDSCAPING INC.

## Site Plan



DATE	NO.	REVISION	BY
12/16/16		1/23/17	
		3/30/17	
		5/24/17	

**ENGINEERING INCORPORATED**  
STRUCTURE, DESIGN AND CIVIL ENGINEERING  
433 Cheney Ave., Modesto, CA 95354  
Tel: (209) 956-8033 Fax: (209) 632-0867  
Email: CSB@CSBengineering.com

**REGISTERED PROFESSIONAL ENGINEER**  
CALIFORNIA LICENSE NO. 52715  
CIVIL  
STATE OF CALIFORNIA  
DATE: August 2017

**SITE PLAN & ENLARGED SITE PLAN**

**SITE PLAN FOR:**  
VARGAS CUSTOM LANDSCAPING, INC.  
1500 SAINT FRANCIS AVENUE  
MODESTO, CA 95356

JOB #: 4310-1-16  
DATE: 12/8/16  
SCALE: SHOWN  
APPROVED: CB  
DRAWN: MW  
SHEET:

**AS1**

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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. PLN2016-0085 VARGAS CUSTOM LANDSCAPING 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. 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.
7. 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.
8. The Department of Planning and Community Development shall record a Notice of Administrative Conditions and Restrictions with the County Recorder's Office within 30 days of project approval. The Notice includes: Conditions of Approval/Development Standards and Schedule; any adopted Mitigation Measures; and a project area map.
9. Should the removal of the on-site orchard ever occur the owner/applicant shall install screening materials along the wholesale nursery, or surrounding property line a distance of approximately 100 feet behind the front yard setback to a height of at least six feet, to screen and buffer the adjacent home-sites from business activities. The design shall be approved by the Planning Director or designee.
10. Any on-site noise generation shall comply with adopted County noise control standards.
11. 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.
12. 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)
13. 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**

14. An encroachment permit shall be taken out for a major/collector asphalt driveway on the St. Francis Avenue right-of-way.
  - a. The encroachment permit shall be taken out within three months of the use permit approval.
  - b. The asphalt driveway shall be installed within six months of the use permit approval.
15. St. Francis Avenue is classified as a 60-foot Local Roadway. The required ½ width of St. Francis Avenue is 30 feet south of the centerline of the roadway. Currently there is an existing right-of-way of 20 feet on the south 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 prior to the issuance of any building or grading permit for the property, or within 3 months of the approval of the Use Permit, whichever comes first.

16. No parking, loading or unloading of vehicles will be permitted within the County Road right-of-way.
17. A grading, drainage, and erosion/sediment control plan for the project site shall be submitted before any grading or building permit for the site is issued that creates a new or bigger building footprint on this parcel. Public Works will review and approve the drainage calculations. The grading and drainage plan shall include the following information:
  - 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.

#### **Modesto Irrigation District (MID)**

18. Overhead and underground electrical facilities exist along the northern property line of the project site. In conjunction with related requirements in the area, existing overhead and underground electric facilities within or adjacent to the project site shall be protected or relocated as required by the District's Electric Engineering Department.
19. Installation of electric facilities shall conform to the District's Electric Service Rules.
20. Costs for relocation of the Districts existing electrical facilities at the request of others will be borne by the requesting party. Estimates for relocating or installing MID electric facilities will be supplied upon request.
21. A 10 foot OSHA minimum approach distance is required adjacent to the existing 12,000 volt overhead high voltage lines (northern property line). Use extreme caution when operating heavy equipment, backhoes, using a crane, ladders or any other type of equipment near overhead or underground MID electric lines and cables.
22. Underground 220 volt MID cable is located in the area. The customer shall verify the actual depth and location of all underground utilities before trenching, grading, excavating, tree planting, post-hole digging, etc.

#### **Regional Water Quality Control Board**

23. 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)**

24. 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~~.*



10-5-2016

Objection To Zone  
change in Williams Act. for  
Farming by Area Farm Owners

To 1023 St. Francis

&

1500 St. Francis Ave. Modesto



## Referral Early Consultation

**Date:** September 28, 2016

**To:** Distribution List (See Attachment A)

**From:** Denzel Henderson, Assistant Planner, Planning and Community Development

**Subject:** USE PERMIT APPLICATION NO. PLN2016-0085 – VARGAS CUSTOM LANDSCAPING, INC.

**Respond By:** October 17, 2016

**\*\*\*\*PLEASE REVIEW REFERRAL PROCESS POLICY\*\*\*\***

The Stanislaus County Department of Planning and Community Development is soliciting comments from responsible agencies under the Early Consultation process to determine: a) whether or not the project is subject to CEQA and b) if specific conditions should be placed upon project approval.

Therefore, please contact this office by the response date if you have any comments pertaining to the proposal. Comments made identifying potential impacts should be as specific as possible and should be based on supporting data (e.g., traffic counts, expected pollutant levels, etc.). Your comments should emphasize potential impacts in areas which your agency has expertise and/or jurisdictional responsibilities.

These comments will assist our Department in preparing a staff report to present to the Planning Commission. Those reports will contain our recommendations for approval or denial. They will also contain recommended conditions to be required should the project be approved. Therefore, please list any conditions that you wish to have included for presentation to the Commission as well as any other comments you may have. Please return all comments and/or conditions as soon as possible or no later than the response date referenced above.

Thank you for your cooperation. Please call (209) 525-6330 if you have any questions.

**Applicant:** Vargas Custom Landscaping, Inc. Gabriel Vargas

**Project Location:** 1500 Saint Francis Ave, North of Kiernan Ave and west of Carver Road in the Modesto area.

**APN:** 004-017-004

**Williamson Act Contract:** 1977-2426

**General Plan:** Agriculture

**Current Zoning:** A-2-40 (General Agricultural)

**Project Description:** This is a request to establish and operate a landscape contractor business in conjunction with a wholesale nursery on a 9.65 acre parcel. The site is currently improved with a single family dwelling and detached garage, serviced by private septic and well facilities. The project proposes to store and load materials for landscape installation and maintenance. A proposed maximum of 8-10 employees will be on-site in the morning between 6:00 a.m. and 7:00 a.m., for loading service pick-up trucks for offsite labor. These employees will load their vehicles and return to unload at the end of the work day.

**Full document with attachments available for viewing at:**  
<http://www.stancounty.com/planning/pl/act-projects.shtm>

Monday October 3, 2016

Dept. of Planning & Community Development

Re: A Williams Act Contract in A-2-40 General Agriculture Zone.

The Referral of Early Consultation was received, with grave concern

First, it states correctly the 1500 St. Francis property is in the Williamson Act. The Williamson Act was created to protect General Agriculture for the Farming Community. Unlike small parcels of housing property, the Act protects the Farmers from excessive Property Taxation on vast acres of farm ground. The Act does not provide partial Assessment of the property for Agriculture & partial “standard” assessment for a commercial operation, not related to the Contract.

Of greater concern, currently improvement to the property has received commercial Non Conforming Construction prior to this request!

A Landscape Contractor Business with a Wholesale Nursery includes truck loads of Rock, Gravel, & Products to facilitate the business. This is already being dumped off on the property by large Heavy Duty Dump Trucks. Multiple Service Trucks for off site landscaping activity is not granted in the Williams Act. By your site inspection, you will note without authorization, the infraction has already occurred. How does the Planning Commission manage & interface with this illegal activity?

“We request” your Planning Engineers make a site inspection to assess what construction has already been added to a single family dwelling in an Almond Orchard.

SECOND ISSUE: Has any one from the County Planning commission made a site inspection of the proposed PHUC SON BUDDHIST CENTER TEMPLE site at 1623 St. Francis? Note they continue to landscape & add housing on their building site. A very wide & long entry drive way has been added & extended to the rear of the property.

Monday August 29, 2016

Attention Stanislaus County Zoning & Planning Commission.

Strong objection re: PHUOC SON BUDDHIST CENTER TEMPLE  
1623 St. Francis Ave. Modesto, Ca. 95356

Once again, this is an “ongoing complaint” regarding a Zone Violation.

The Commission turned down the Buddhist Group for a Construction Permit for a Temple in the Non Conforming Agricultural Zone. They ignore you! They continue to totally disregard & ignore the Zoning & Planning Commission decision. The Buddhist continue to hold very large events and quite likely, without an “Outside Event Permit”.

The Neighbors & Farm Community on multiple occasions, have been informed the Construction of a Temple & ongoing Conference location will not be tolerated! When the Buddhist are confronted. They always respond “ I DON’T UNDERSTAND! They well understand!

Sunday 8/28/2016, around four P M, once more, a very large number of vehicles began to arrive for another Outdoor Conference. It could have numbered 300 adults & children. There were no visible Porta-Potty units insight to accommodate their Celebration. Prior, they have used the adjoining Almond Orchard for their Lavatory. Currently, continuing.

They have laid Steel Rebar reinforcement under a very long & wide cement driveway. It extends far into the rear of the property. The reinforced cement driveway is designed to accommodate large heavy Bus loads of attendees. Your visit to the location would be very timely.

The property was purchased to accommodate a Single Family Residence

Doesn’t the Zoning & Planning Commission have Authority to stop & condemn the ongoing extension beyond a single Family Residence ?

Obviously, the Buddhist intend to continue to creep on with their goal!  
Does Zone & Planning commission intend to uphold the Ordinance ?



## CEQA INITIAL STUDY

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

1. **Project title:** Use Permit Application No. PLN2016-0085  
Vargas Custom Landscaping Inc.  
SCH No. 2016092073
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:** Denzel Henderson, Assistant Planner  
(209) 525-6330
4. **Project location:** 1500 Saint Francis Ave, between Tully and  
Carver Roads, in the Modesto area.  
APN: 004-017-004.
5. **Project sponsor's name and address:** Gabriel and Diana Vargas, Vargas Custom  
Landscaping Inc.  
1500 Saint Francis Avenue  
Modesto, CA 95356
6. **General Plan designation:** AG (Agriculture)
7. **Zoning:** A-2-40 (General Agriculture)
8. **Description of project:**

Request to establish and operate a wholesale nursery and legalize the existing landscape contracting business on 10,850± square feet of a 9.74 net acre parcel in the A-2 (General Agriculture) zoning district. The proposed wholesale nursery will operate by appointment only and in conjunction with the landscaping business. The nursery will grow ground covers, shrubs, and trees which it sells directly to landscaping clients. Nursery overstock will be sold to wholesale customers such as other contractors. The proposed operations for wholesale nursery and landscape contractor business are planned for daylight hours. No retail sales will occur on-site, nor will the nursery be open to the general public. The landscaping business performs custom landscape installation and landscape maintenance and employs between eight to twelve employees. Employees will report to the property to load the trucks with product and equipment before reporting to job sites throughout the County and return vehicles at the end of shifts when applicable. No employees will remain on-site throughout the day unless by scheduled appointment when the applicant who is the home owner and resident is not available for on-site operations. It is anticipated that a maximum of two additional delivery trucks will deliver supplies and material required for nursey and landscaping operations per week when necessary.

The landscaping business currently utilizes five vehicles (2 pick-up trucks, 2 service trucks and 1 larger cab-over truck) but plans to expand to a maximum of ten pick-up trucks/service vehicles. Three cargo containers are utilized for storage of farming and landscaping equipment and product. The parcel area utilized by the landscape contractor business and the nursery is improved with gravel. The site is currently improved with a single-family dwelling, detached garage, and barn and served by private septic and well facilities. The parcel is in enrolled in Williamson Act Contract No. 1977-2426 and planted in almond orchard.

- 9. Surrounding land uses and setting:** Ranchettes to the east and west, orchards with single-family dwellings to the north, east, south, and west; and the MID Main Canal and city of Modesto to the south. The project site is improved with a single-family dwelling, a detached garage, a barn, the landscape contracting business, a wholesale nursery area, and an almond orchard.
  
- 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  
Salida Fire Protection District  
Agricultural Commissioner
  
- 11. Attachments:** Maps  
Applicant's Project Description  
Applicant's Buffer and Setback Statement of Compliance, Parking Analysis, & Landscape Plan  
Early Consultation Referral Responses

**STRIVING TO BE THE BEST COUNTY IN AMERICA**

**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.

Denzel Henderson  
Prepared by

August 8, 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. No new structures or lighting is being proposed for the wholesale nursery or the landscaping business at this time. The proposed nursery will operate by appointment only and in conjunction with the landscaping business, and will not be open to the general public for walk-in use. The operations for wholesale nursery and landscape contractor business are planned for daylight hours. Scenic resources and the visual character of the area are not expected to be substantially impacted. The landscape contractor business currently exists and is shielded from street view by more than 100 feet buffer of orchard trees. Moreover, a condition of approval will be added to the project's requiring all existing and new exterior lighting, installed for the benefit of the landscape contracting business and/or the wholesale nursery, to be pointed down towards the site and shielded so as to provide adequate illumination without glare effect and to prevent light spillage onto neighboring properties and minimize impacts to nighttime views. With this condition of approval in place, aesthetic impacts associated with lighting, glare, and nightglow are considered 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	

<p>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))?</p>				<p>X</p>
<p>d) Result in the loss of forest land or conversion of forest land to non-forest use?</p>				<p>X</p>
<p>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?</p>			<p>X</p>	

**Discussion:** The project site has soils classified by the Farmland Mapping and Monitoring Program as Prime Farmland. The USDA Natural Resources Conservation Service’s Eastern Stanislaus County Soil Survey indicates that over 92% of the soil is Tujunga loamy sand (TuA) grade 2 with a storie index of 76. Hanford sandy loam (HdpA) occupies the other 7.2% and is grade 1 with a storie index of 90. A storie Index rating from 80-100 and Grade I and II are considered to be prime farmland.

The project site is currently zoned A-2-40 (General Agriculture). A Tier One Use Permit allows for landscape contractors when conducted in conjunction with a wholesale nursery when the Planning Commission finds that the use is closely related to agriculture and is necessary for a healthy agricultural economy. Tier One uses may be allowed when the Planning Commission finds that the use as proposed will not be substantially detrimental to or in conflict with the surrounding neighborhood, to the general welfare of the county, or to the agricultural use of other property in the vicinity. Buffers and setbacks are intended to protect the long-term health of local agriculture by minimizing conflicts between agricultural practices and new or expanding uses approved in or adjacent to the A-2 zoning district. Low people intensive Tier One and Tier Two uses, which do not serve the general public, are not subject to compliance with the County Agriculture Buffer and Setback Guidelines; however, conditions of approval consistent with these guidelines may be required as part of the project approval. Existing on-site orchard separates the contractor’s yard and the wholesale nursery from the neighboring parcels. The applicant’s Agricultural Buffer Statement of Compliance was referred to the Agricultural Commissioner’s office as a part of the Early Consultation referral process.

This project is currently enrolled in Williamson Act Contract No. 1977-2426. As required by Section 21.20.045 of the Zoning Ordinance Tier One zoning uses in the A-2 zoning district, must be found to be consistent with the Principles of Compatibility in order to be approved on contracted land. The three Williamson Act Principals of Compatibility include the following:

- (1) The use will not significantly compromise the long-term productive agricultural capability of the subject contracted parcel or parcels or on other contracted lands in agricultural preserves.
- (2) The use will not significantly displace or impair current or reasonably foreseeable agricultural operations on the subject contracted parcel or parcels or on other contracted lands in agricultural preserves. Uses that significantly displace agricultural operations on the subject contracted parcel or parcels may be deemed compatible if they relate directly to the production of commercial agricultural products on the subject contracted parcel or parcels or neighboring lands, including activities such as harvesting, processing, or shipping.
- (3) The use will not result in the significant removal of adjacent contracted land from agricultural or open-space use.

The project site is just over 10 gross acres in size, which is the minimum parcel size required to be enrolled in a Williamson Act Contract. The use of this project would convert 10,850± square feet of the property developed property to a nursery for the sale of boxed olive trees, ground covers and shrubs (or similar trees and plants). This property is already developed with an existing single-family dwelling, a pool, a detached garage, a barn, and a graveled area where the nursery and the landscape contracting operations will take place. The nursery and landscape contracting yard will be

located in the northern portion of the project site. No permanent on-site improvements are being proposed in conjunction with the wholesale nursery or the landscape contracting business and, as such, should the businesses cease to exist the site could reasonably be returned to agricultural production. The landscape contracting business is currently operating within the 10,850± square foot area of the project site. Consequently, continued operations will not displace any agricultural operations, nor will operations result in the removal of any contracted land from agriculture use. The existing graveled surface area which will be utilized for the nursery and landscaping business is an appurtenant use for the planted orchards, the primary agricultural operation currently on-site. The proposed project will not affect forestland or timberlands.

**Mitigation:** None.

**References:** Application information; 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.

The applicant estimates that there will be a maximum of twelve employees per day which under maximum conditions would result in a total twelve trucks and twenty-four truck trips departing and arriving once a day, plus an additional two truck trips for deliveries and another twenty-four vehicle trips for the employees arriving and departing from work. Fifty vehicle trip falls below the SJVAPCD District’s threshold of significance. This project has been referred to SJVAPCD, but no response has been received to date.

**Mitigation:** None.

**References:** San Joaquin Valley Air Pollution Control District’s Small Project Analysis Level (SPAL) guidance 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 2,572± square-foot single-family dwelling, a pool, a barn an almond orchard and a graveled area where the nursery and contracting operations would occur. 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.

The California Department of Fish and Wildlife’s California Natural Diversity Database website identifies the California Tiger Salamander, Swainson’s Hawk, Steelhead-Central Valley DPS, Valley Elderberry Longhorn Beetle and Tricolored Blackbird as a threatened or candidate for endangered species for the Salida Quadrant. Only the Tricolored Blackbird and Swainson’s Hawk have the ability to transverse the project area while the Valley Elderberry Longhorn Beetle and rest of the species require means of transportation like vernal pool and bodies of water which are not likely to occur close enough to the project site to have a significant effect.

There is no evidence to suggest that this project would result in impacts to sensitive and endangered species or habitats, locally designated species, wildlife dispersal or mitigation corridors. The proposed nursery and existing landscaping business will operate on existing cultivated land in a designated space that has already been graveled. The remainder of the property is planted in almond orchards. The project will not conflict with a Habitat Conservation Plan, a Natural Community Conservation Plan, or other locally approved conservation plans.

**Mitigation:** None.

**References:** California Department of Fish and Wildlife Biogeographic Information and Observation System 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 re-source 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), and a standard letter addressing AB52 and SB18 requirements was received. However, the comment letter did not raise any concerns with the project in terms of impacts to cultural resources. 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:** Native American Heritage Commission referral response October 13, 2016; 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	

<b>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?</b>			<b>X</b>	
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**Discussion:** The USDA Natural Resources Conservation Service’s Eastern Stanislaus County Soil Survey indicates that the soils on the project site are made up of mostly Tujunga loamy sand. 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. An Early Consultation Referral response received from the Department of Public Works indicated that a grading, drainage, and erosion/sediment control plan for the project is required, subject to Public Works review and Standards and Specifications. Likewise, any addition of a septic tank or alternative waste water disposal system would require the approval of the Department of Environmental Resources (DER) through the building permit process, which also takes soil type into consideration within the specific design requirements. With conditions of approval regarding these standards applied to the project, no impacts to geology and soils are anticipated.

**Mitigation:** None.

**References:** Application information; Referral response from Public Works dated October 5, 2016; and the 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>			<b>X</b>	
<b>b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?</b>			<b>X</b>	

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

The proposed wholesale nursery will operate through the landscape contractor business and on-site customers will be by appointment only visits. The proposed operation anticipates a maximum of one to two employees per shift for the nursery when the applicant is not available. The landscaping business will work off-site with a maximum eight to twelve employees only reporting to the property to load and unload vehicles for off-site uses. The employees when necessary

will arrive on-site, leave to the work destinations, and return at the end of the day. Hours of operation are expected to be within daylight hours.

This project was referred to the San Joaquin Valley Air Pollution Control District to date, no responses were received. Minimal emissions of GHGs will occur with the addition of fifty vehicle truck trips as a result of this operation. The project’s impact on Green House Gas emissions is 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 Envirostor database was accessed to determine if any of the properties were listed as potential hazardous waste or superfund sites. The project site, located at 1500 Saint Francis Avenue, was not identified as a hazardous site. The applicant holds both a State Maintenance Gardener Pest Control License, for pesticide application and as part of his agricultural production also has a State pesticide storage license.

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.

**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:** Storm Water 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.

The current absorption patterns of water upon this property shall be minimally altered by the nursery and landscaping operations; however, current Public Works 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 as a requirement in this project’s conditions of approval.

This project was referred to the Regional Water Quality Control Board (RWQCB) who responded with standards of development and regulatory requirements that will be incorporated into this project’s conditions of approval. As a result of



the conditions of approval applied to this project, impacts associated with drainage, water quality, and runoff are expected to have a less than significant impact.

**Mitigation:** None.

**References:** Referral response from the Regional Water Quality Control Board dated October 10, 2016; Referral response from the Department of Public Works dated October 5, 2016; 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 of AG (Agriculture). The Custom landscaping business has already been in operation at this site without County authorization. Landscape contractors are only permitted in the A-2 zone when established in conjunction and appurtenant to a wholesale nursery. Consequently, it is the applicant's intent to establish a nursery so as to allow the landscape contracting business to remain on-site working in conjunction with the wholesale nursery. This application is for a Tier One Use Permit. A Tier One Use Permit allows 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. Customers on-site will be minimal and by appointment only and are not expected to result in additional impacts to existing on-site noise.

**Mitigation:** None

References: Stanislaus County Zoning Ordinance; and 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 nor extension of infrastructure. No housing or persons will be displaced by the project. This project is adjacent to agricultural operations and is permitted in the A-2 zoning district as a Tier One use upon Planning Commission approval of a use permit.

**Mitigation:** None.

**References:** Stanislaus County Zoning Ordinance; and 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>
<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:</b>				
<b>Fire protection?</b>			<b>X</b>	
<b>Police protection?</b>			<b>X</b>	
<b>Schools?</b>			<b>X</b>	
<b>Parks?</b>			<b>X</b>	
<b>Other public facilities?</b>			<b>X</b>	

**Discussion:** The County has adopted Public Facilities Fees, as well as a 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 and Stanislaus Union School Districts, the Salida Fire Protection District, and the Stanislaus County Environmental Review Committee (ERC) which includes the Sheriff’s Department. Conditions of approval will be added to this project to ensure that the wholesale nursery and landscaping contracting business will comply with all applicable fire department standards with respect to access and water for fire protection.

**Mitigation:** None.

**References:** Stanislaus County Zoning Ordinance; 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>
<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?</b>				<b>X</b>
<b>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?</b>				<b>X</b>

**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 Saint Francis Avenue, which is a planned 60-foot local rural road between Carver and Tully Roads. Public Works is requesting a 10-foot wide irrevocable offer of dedication along the parcel frontage.

The proposed wholesale nursery estimates appointment-only customer visits. The proposed contracting operation anticipates a maximum of twelve employees per day. Some employees will arrive on site in the morning, leave to the project sites, and return at the end of the day for a maximum of fifty truck trips per day. The remainder will not need to report to the project site and/or will address the nursery aspects when applicable. The fifty truck trips include deliveries, supplies, and employees arriving and departing the parcel for nursery and contracting business.

Public Works staff provided a referral response requesting the application of standard conditions of approval which include obtaining an Encroachment Permit for an asphalt driveway in the Saint Francis Avenue right-of-way, and an Irrevocable Offer of Dedication for the entire parcel frontage. With these conditions of approval in place, impacts to transportation and traffic are considered to be less than significant.

**Mitigation:** None.

**References:** Referral response from Public Works, dated October 5, 2016; and the Stanislaus County General Plan and Support Documentation

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 utility services (sewer & water), but by private well and septic. Modesto Irrigation District (MID) responded with electrical services comments which will be incorporated as conditions of approval. No impacts to irrigation facilities were identified and, as such, no conditions or comments were provided by MID. The Central Valley Regional Water Quality Control Board also responded with a list of requirements that will be added to the project to ensure surface water and ground water are protected. Because of the small scope of the proposed nursery and landscaping business, the project's impacts to utilities and service systems is considered to be less than significant.

**Mitigation:** None.

**References:** Central Valley Regional water Quality Control Board referral response October 19, 2016; Referral Response from Modesto Irrigation District dated October 12, 2016; 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	

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

**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 on August 23, 2016. **Housing Element** adopted on April 5, 2016.

## NEGATIVE DECLARATION

**NAME OF PROJECT:** USE PERMIT APPLICATION NO. PLN2016-0085 – Vargas Custom Landscaping, Inc.

**LOCATION OF PROJECT:** 1500 Saint Francis Avenue, between Carver and Tully Roads, In the Modesto area. APN: 004-017-004

**PROJECT DEVELOPERS:** Gabriel Jose Vargas and Diana L Vargas  
1500 Saint Francis Avenue  
Modesto, CA 95356

**DESCRIPTION OF PROJECT:** Request to establish and operate a landscape contractor business in conjunction with a wholesale nursery on a 9.74 net acre parcel in the A-2-40 (General Agriculture) zoning district. The property is located at 1500 Saint Francis Avenue, between Carver and Tully Roads, north of the city of Modesto.

Based upon the Initial Study, dated **August 8, 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: Denzel Henderson, 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. 2016-0085 VARGAS CUSTOM LANDSCAPING, INC**

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 CONSERVATION LAND RES	X	X			X							
CA DEPT OF FISH & WILDLIFE	X	X			X							
CA DEPT OF FORESTRY (CAL FIRE)	X	X			X							
CA OPR STATE CLEARINGHOUSE	X	X		X				X		X		X
CA RWQCB CENTRAL VALLEY REGION	X	X		X				X		X	X	
COOPERATIVE EXTENSION	X	X			X							
FIRE PROTECTION DIST: SALIDA	X	X			X							
IRRIGATION DISTRICT:MODESTO	X	X		X		X				X	X	
MOSQUITO DISTRICT: EASTSIDE	X	X			X							
MT VALLEY EMERGENCY MEDICAL	X	X			X							
PACIFIC GAS & ELECTRIC	X	X			X							
SAN JOAQUIN VALLEY APCD	X	X			X							
SCHOOL DISTRICT 1: STANISLAUS UNION	X	X			X							
SCHOOL DISTRICT 1:MODESTO CITY	X	X			X							
STAN CO AG COMMISSIONER	X	X			X							
STAN CO BUILDING PERMITS DIVISION	X	X			X							
STAN CO CEO	X	X			X							
STAN CO DER	X	X			X							
STAN CO ERC	X	X		X		X				X		X
STAN CO FARM BUREAU	X	X			X							
STAN CO HAZARDOUS MATERIALS	X	X		X								
STAN CO PARKSS & RECREATION	X	X		X								
STAN CO PUBLIC WORKS	X	X		X		X				X	X	
STAN CO SHERIFF	X	X			X							
STAN CO SUPERVISOR DIST # :MONTEITH	X	X			X							
STAN COUNTY COUNSEL	X	X			X							
STANISLAUS FIRE PREVENTION BUREAU	X	X			X							
STANISLAUS LAFCO	X	X			X							
TELEPHONE COMPANY:	X	X			X							
US FISH & WILDLIFE:	X	X			X							
US MILITARY:	X	X			X							