

STANISLAUS COUNTY PLANNING COMMISSION

May 17, 2018

STAFF REPORT

PARCEL MAP APPLICATION NO. PLN2017-0111
MARIO PLASCENCIA

REQUEST: TO CREATE A 0.83± ACRE AND A 1.91± ACRE PARCEL FROM A 2.74± ACRE PARCEL IN THE R-A (RURAL RESIDENTIAL) ZONING DISTRICT

APPLICATION INFORMATION

Applicant/Property owner:	Mario Plascencia
Engineer:	Morris Engineering & Survey, Inc.
Location:	131 and 133 A Street, north of Yosemite Boulevard, east of the City of Modesto, in the Community of Empire.
Section, Township, Range:	30-3-10
Supervisorial District:	One (Supervisor Olsen)
Assessor's Parcel:	133-001-008
Referrals:	See Exhibit F Environmental Review Referrals
Area of Parcel(s):	2.74± acres Proposed Parcel 1: 1.91± acres Proposed Parcel 2: 0.83± acres
Water Supply:	City of Modesto
Sewage Disposal:	City of Modesto
Existing Zoning:	R-A (Rural Residential)
General Plan Designation:	LDR (Low Density Residential)
Sphere of Influence:	Modesto
Community Plan Designation:	N/A
Williamson Act Contract No.:	N/A
Environmental Review:	Negative Declaration
Present Land Use:	Residential Single-family dwellings, detached garages, and pasture.
Surrounding Land Use:	The site is immediately surrounded by residential parcels developed with single-family dwellings; orchards, open fields, and the City of Modesto are located to the west; single-family dwellings and the Beard Industrial Tract are located to the south; and single-family residential parcels, and Glick Middle School and Empire Elementary are located to the east and north.

RECOMMENDATION

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

PROJECT DESCRIPTION

The project is a request to divide a 2.74± acre parcel into two parcels of 0.83± and 1.91± acres in the Rural Residential (R-A) zoning district. If approved, a maximum of one additional dwelling on each lot may be constructed; however, no construction is proposed as part of this subdivision.

SITE DESCRIPTION

The site is located at 131 and 133 A Street, north of Yosemite Boulevard, in the Community of Empire, east of City of Modesto. (See Exhibit B – *Maps*.) The existing 2.74± acre parcel is improved with two residential single-family dwellings, detached garages, and pasture. The site is currently receiving water and sewer services from the City of Modesto, and fronts on the County-maintained road, A Street.

The site is immediately surrounded by residential parcels developed with single-family dwellings; orchards, open fields, and the City of Modesto is located to the west; single-family dwellings and the Beard Industrial Tract are located to the south; and single-family residential parcels, and Glick Middle School and Empire Elementary are located to the east and north.

ISSUES

No issues have been identified as a part of this request. Standard conditions of approval have been added to the project.

GENERAL PLAN CONSISTENCY

The site is currently designated “Low Density Residential” in the Stanislaus County General Plan. The General Plan states that the intent of the Low Density Residential land use designation is to “provide appropriate locations and adequate areas for single-family detached homes in either conventional or clustered configurations.” The proposed development would be consistent with this designation as the use of the land is for single-family dwellings.

To minimize conflicts between agriculture operations and non-agricultural operations Buffer and Setback Guidelines (Appendix A of the Agricultural Element) have been adopted and are applicable to new or expanding uses approved in or adjacent to the A-2 (General Agriculture) zoning district. However, alternative buffer and setback design standards may be approved provided the Planning Commission finds that the alternative provides equal or greater protection than the existing buffer standards. The project site and the surrounding area is located in the sphere of influence of the City of Modesto and has already been developed with single-family dwellings, residential uses and Glick Middle School; which all exist adjacent to the east and north of the nearest agricultural farmed property. Planning Staff recommends the Planning Commission approve a no-buffer alternative to be equal protection since residential development has already taken place, the proposed use is low people intensive, and single-family residential dwellings have already developed on-site and in the immediate area.

The project site is located within the City of Modesto's Local Agency Formation Commission's (LAFCO) adopted Sphere of Influence. As required by Policy No. 26 of the County General Plan, regarding discretionary projects within a city's Sphere of Influence, this project was referred to the City of Modesto who responded with no objections to the parcel map.

ZONING & SUBDIVISION ORDINANCE CONSISTENCY

The site is currently zoned R-A (Rural Residential), which allows for residential development of 8,000 square-foot parcels when serviced by public sewer and water. The zoning provisions require a minimum lot width of 65-feet and a minimum lot depth of 80-feet, with a maximum building intensity of two dwellings per lot.

The project meets the criteria included in the R-A zoning ordinance for creation of a parcel and the design standards of the subdivision ordinance, including lot width to depth ratio.

ENVIRONMENTAL REVIEW

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

Note: Pursuant to California Fish and Game Code Section 711.4, all project applicants subject to the California Environmental Quality Act (CEQA) shall pay a filing fee for each project; therefore, the applicant will further be required to pay **\$2,337.75** 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

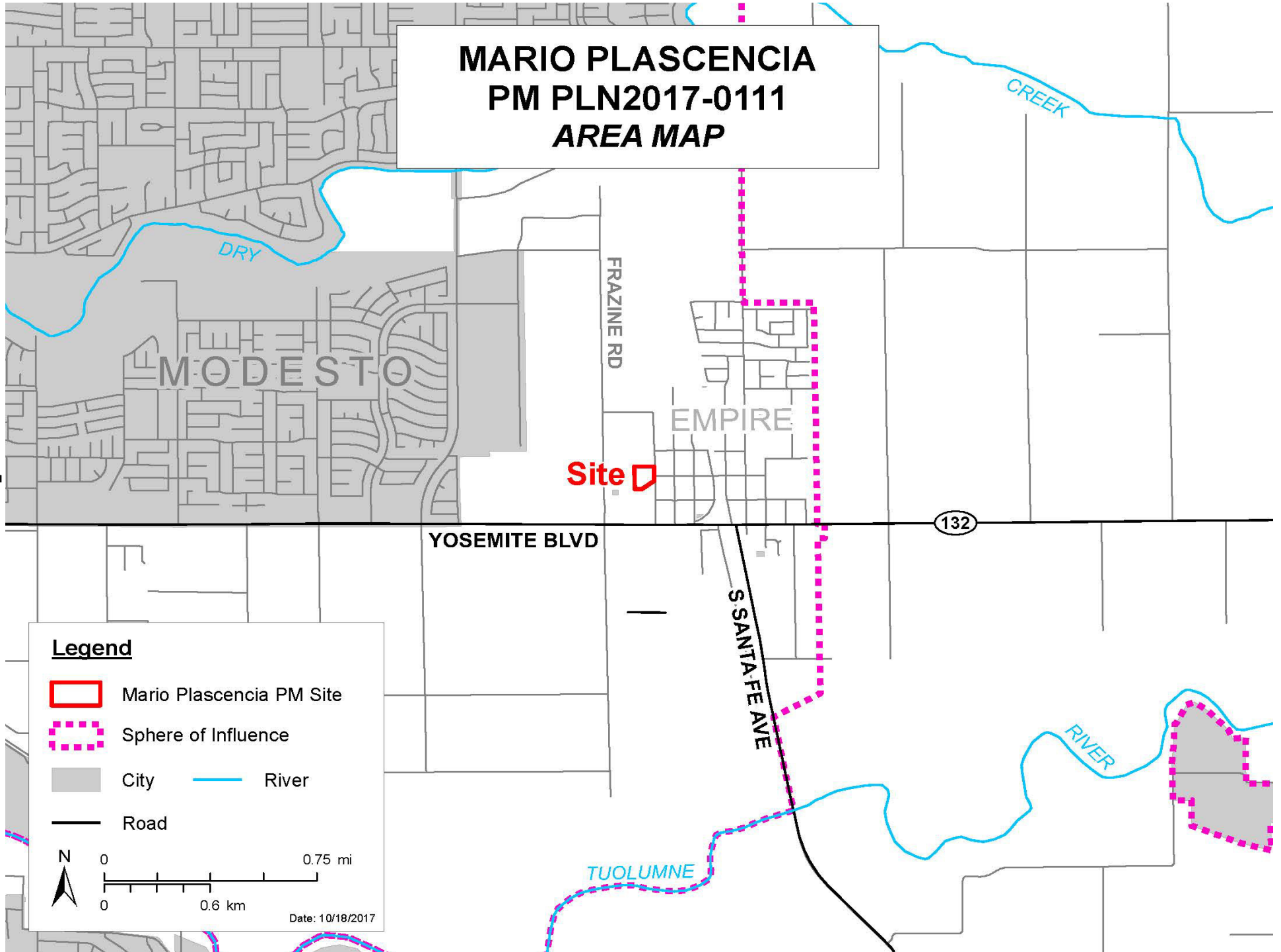
Attachments:

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

Exhibit A
Findings and Actions Required for Project Approval

1. Adopt the Negative Declaration pursuant to CEQA Guidelines Section 15074(b), by finding that on the basis of the whole record, including the Initial Study and any comments received, that there is no substantial evidence the project will have a significant effect on the environment and that the Negative Declaration reflects Stanislaus County's independent judgment and analysis.
2. Order the filing of a Notice of Determination with the Stanislaus County Clerk-Recorder pursuant to Public Resources Code Section 21152 and CEQA Guidelines Section 15075.
3. Find that:
 - (a) That the proposed map is consistent with applicable general and community plans as specified in Section 65451 of California Code, Government Code
 - (b) The design or improvement of the proposed subdivision is consistent with applicable general and specific plans.
 - (c) The site is physically suitable for the type of development.
 - (d) The site is physically suitable for the proposed density of development.
 - (e) The design of the parcel map or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
 - (f) The design of the parcel map or type of improvements are not likely to cause serious public health problems.
 - (g) The design of the parcel map or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the Commission may approve a map if it finds that alternate easements, for access or for use, will be provided and that these will be substantially equivalent to ones previously acquired by the public.
 - (h) That the project will increase activities in and around the project area, and increase demands for roads and services, thereby requiring dedication and improvements.
 - (i) The alternative to the Agricultural Buffer Standard applied to this project provides equal or greater protection than the existing buffer standards.
4. Approve Parcel Map PLN2017-0111– Mario Plascencia, subject to the attached Conditions of Approval.

MARIO PLASCENCIA PM PLN2017-0111 AREA MAP




Legend

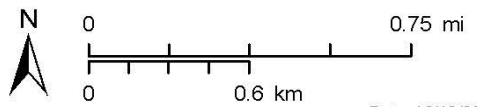
 Mario Plascencia PM Site

 Sphere of Influence

 City

 River

 Road



Date: 10/18/2017

MARIO PLASCENCIA PM PLN2017-0111 GENERAL PLAN MAP

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Legend

- Mario Plascencia PM Site
- Parcel
- Canal
- Road
- General Plan**
- City
- Commercial
- Industrial
- Low Density Residential
- Urban Transition

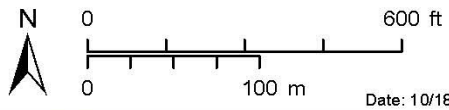
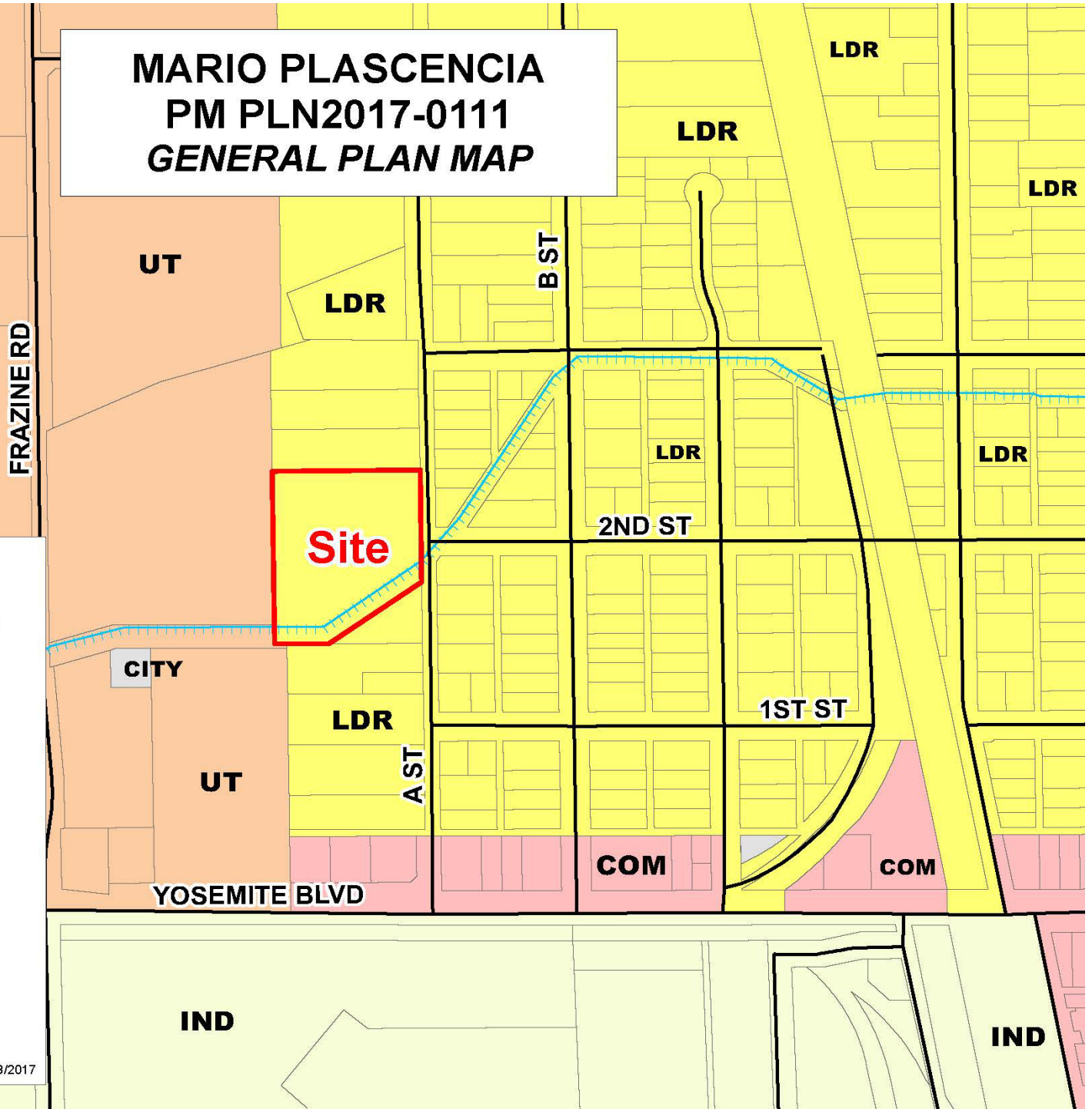
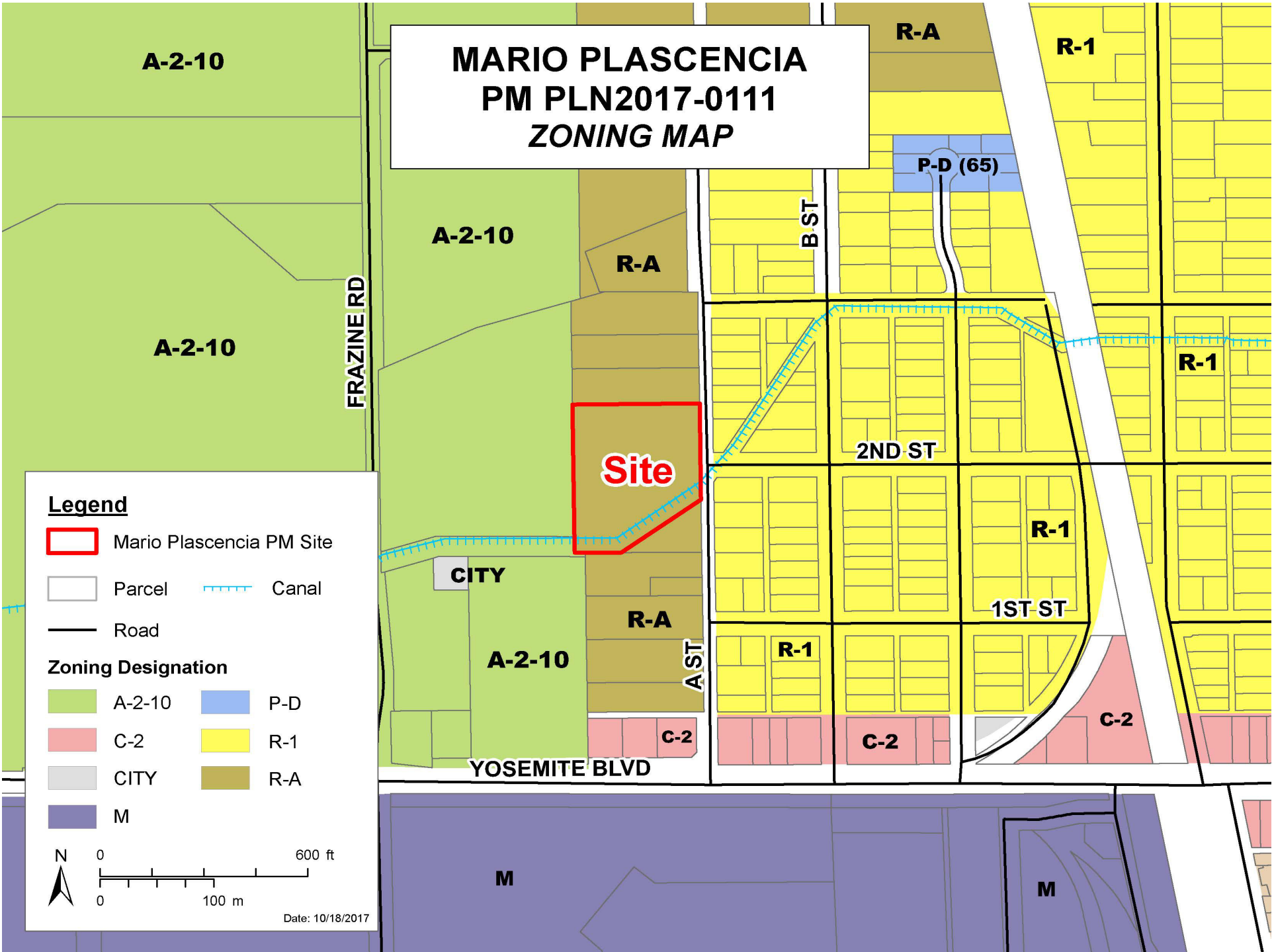


EXHIBIT B-1

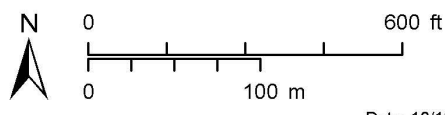


MARIO PLASCENCIA PM PLN2017-0111 ZONING MAP



Legend

- Mario Plascencia PM Site
 - Parcel
 - Road
 - Canal
- Zoning Designation**
- A-2-10
 - P-D
 - C-2
 - R-1
 - CITY
 - R-A
 - M



Date: 10/18/2017

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EXHIBIT B-2

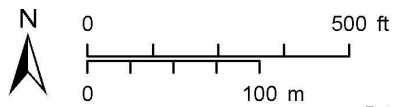
**MARIO PLASCENCIA
PM PLN2017-0111
2015 AERIAL AREA MAP**



Legend

 Mario Plascencia PM Site

 Road



Date: 10/18/2017

**MARIO PLASCENCIA
PM PLN2017-0111
2015 AERIAL SITE MAP**



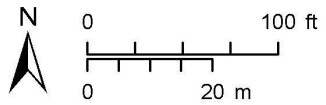
2ND ST

AST

Legend

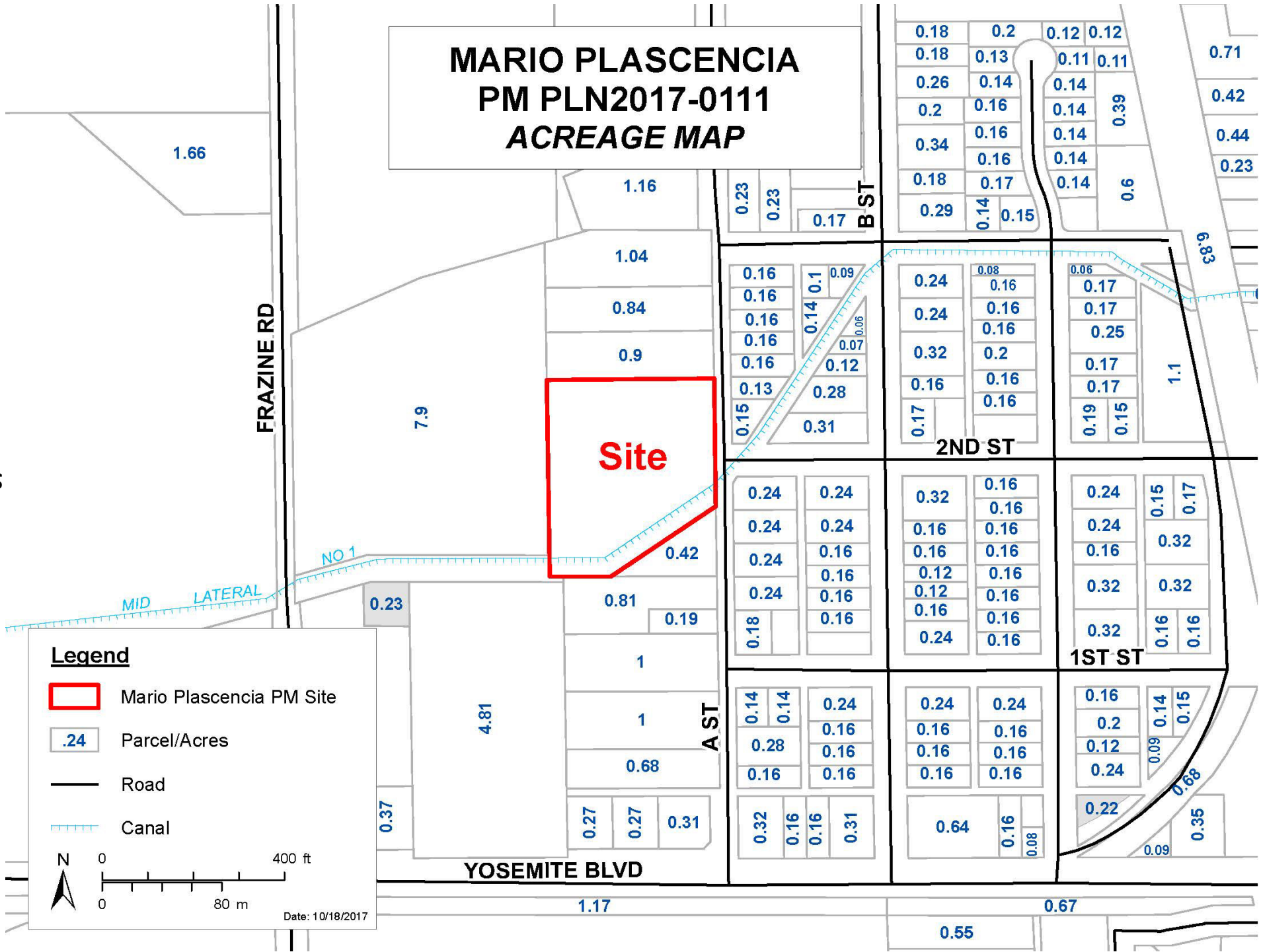
 Mario Plascencia PM Site

 Road



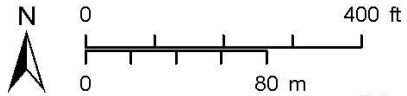
Date: 10/18/2017

MARIO PLASCENCIA PM PLN2017-0111 ACREAGE MAP

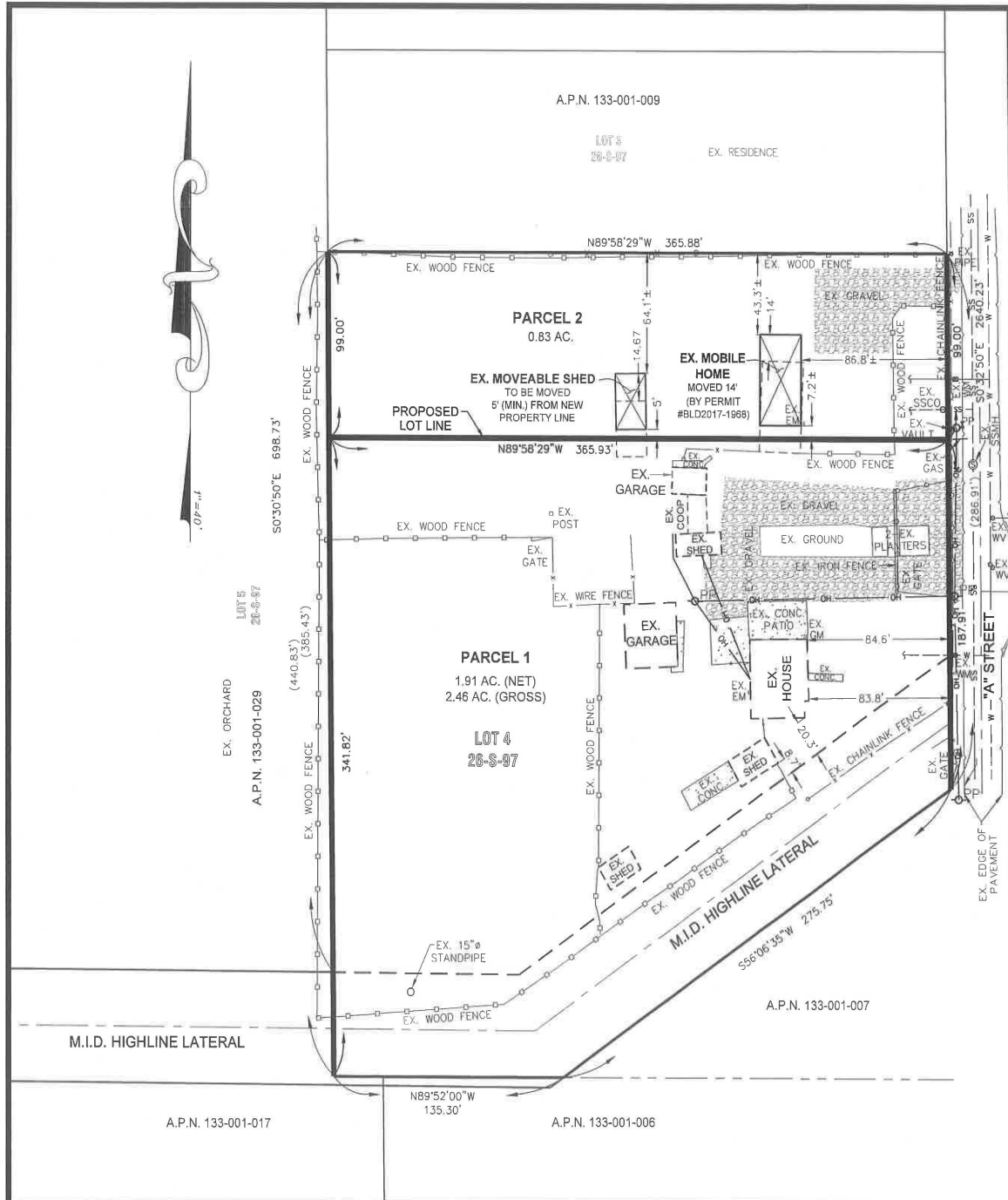


Legend

- Mario Plascencia PM Site
- .24 Parcel/Acres
- Road
- Canal



Date: 10/18/2017



A.P.N. 133-001-008
 OWNER/APPLICANT: MARIO & ARACELI PLASCENCIA
 P.O. BOX 204
 EMPIRE, CA 95319
 (209) 252-9386

SITE ADDRESS:
 131 "A" STREET
 EMPIRE, CA 95319

TOTAL AREA: 2.74 AC.
 WATER: CITY OF MODESTO
 SANITARY SEWER: CITY OF MODESTO
 STORM DRAIN: STANISLAUS COUNTY
 SLOPE OF LAND: FLAT-20%

ZONING: R-A
 ZONING DESC.: RURAL RESIDENTIAL
 GENERAL: UNDEFINED
 GENERAL DESC.: RESIDENTIAL LOW DENSITY

PREPARED BY: MORRIS ENGINEERING & SURVEYING, INC.
 334 S. YOSEMITE AVENUE, SUITE D
 OAKDALE, CA 95361
 (209) 845-9175



TENTATIVE PARCEL MAP

BEING A PORTION OF LOT 4 OF FRAZINE TRACT AS SHOWN IN VOLUME 26 OF SURVEY MAPS AT PAGE 97, STANISLAUS COUNTY RECORDS, AND LYING WITHIN THE SOUTHEAST QUARTER OF SECTION 30, T.3S., R.10E., M.D.M., STANISLAUS COUNTY, CALIFORNIA
 SCALE: 1"=40' SEPTEMBER 2017



334 S. YOSEMITE AVENUE, SUITE D
 OAKDALE, CA 95361
 (209) 845-9175 ☎ (209) 845-9177 (FAX)

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

CONDITIONS OF APPROVAL

PARCEL MAP APPLICATION NO. PLN2017-0111 MARIO PLASCENCIA

Department of Planning and Community Development

1. Use(s) shall be conducted as described in the application and supporting information (including the plot plan) as approved by the Planning Commission and/or Board of Supervisors and in accordance with other laws and ordinances.
2. Pursuant to Section 711.4 of the California Fish and Game Code (effective January 1, 2017), the applicant is required to pay a California Department of Fish and Wildlife (formerly the Department of Fish and Game) fee at the time of filing a "Notice of Determination." Within five 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 **\$2,337.75**, made payable to **Stanislaus County**, for the payment of California Department of Fish and Wildlife and Clerk Recorder filing fees.

Pursuant to Section 711.4 (e) (3) of the California Fish and Game Code, no project shall be operative, vested, or final, nor shall local government permits for the project be valid, until the filing fees required pursuant to this section are paid.
3. Developer shall pay all Public Facilities Impact Fees and Fire Facilities Fees as adopted by Resolution of the Board of Supervisors. The fees shall be payable at the time of issuance of a building permit for any construction in the development project and shall be based on the rates in effect at the time of building permit issuance.
4. The applicant/owner is required to defend, indemnify, or hold harmless the County, its officers, and employees from any claim, action, or proceedings against the County to set aside the approval of the project which is brought within the applicable statute of limitations. The County shall promptly notify the applicant of any claim, action, or proceeding to set aside the approval and shall cooperate fully in the defense.
5. All exterior lighting shall be designed (aimed down and toward the site) to provide adequate illumination without a glare effect. This shall include, but not be limited to, the use of shielded light fixtures to prevent skyglow (light spilling into the night sky) and the installation of shielded fixtures to prevent light trespass (glare and spill light that shines onto neighboring properties).

6. Any construction resulting from this project shall comply with standardized dust controls adopted by the San Joaquin Valley Air Pollution Control District (SJVAPCD) and may be subject to additional regulations/permits, as determined by the SJVAPCD.
7. The Department of Planning and Community Development shall record a Notice of Administrative Conditions and Restrictions with the County Recorder's Office within 30 days of project approval. The Notice includes: Conditions of Approval/Development Standards and Schedule; any adopted Mitigation Measures; and a project area map.
8. Pursuant to the federal and state Endangered Species Acts, prior to construction, the developer shall be responsible for contacting the US Fish and Wildlife Service and California Department of Fish and Game to determine if any special status plant or animal species are present on the project site, and shall be responsible for obtaining all appropriate permits or authorizations from these agencies, if necessary.
9. Should any archeological or human remains be discovered during development, work shall be immediately halted within 150 feet of the find until it can be evaluated by a qualified archaeologist. If the find is determined to be historically or culturally significant, appropriate mitigation measures to protect and preserve the resource shall be formulated and implemented. The Central California Information Center shall be notified if the find is deemed historically or culturally significant.
10. The recorded parcel map shall contain the following statement:

"All persons purchasing lots within the boundaries of this approved map should be prepared to accept the inconveniences associated with the agricultural operations, such as noise, odors, flies, dust, or fumes. Stanislaus County has determined that such inconveniences shall not be considered to be a nuisance if agricultural operations are consistent with accepted customs and standards."

Department of Public Works

11. The recorded parcel map shall be prepared by a licensed land surveyor or a registered civil engineer licensed to practice land surveying in California.
12. All structures not shown on the tentative parcel map shall be removed prior to the parcel map being recorded.
13. Prior to the recording of the final map the new parcels shall be surveyed and fully monumented.
14. Prior to recording the parcel map "A" Street shall be dedicated or offered on the map to Stanislaus County through an Irrevocable Offer of Dedication. The right-of-way found on the east side of the centerline for "A" Street is 37 feet wide from the Town of Empire Map. The right-of-way along the Glick Middle School frontage is 29 feet west of the centerline on "A" Street. For consistency, the right-of-way will be 29 feet west of the centerline along "A" Street. This means that the 29 feet west of the centerline of the roadway will be required to be dedicated as a Road Easement.

Building Permits Division

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

Modesto Irrigation District

16. Prior to recording the map, a 15 foot irrigation easement centered on the existing pipeline must be dedicated to Modest Irrigation District by separate instrument, for purposes of the existing district pipeline (ID No.335-Greenwood ID) that lies along the east property line of the parcel.
17. Prior to recording the map the recorded document Doc-2012-0015815-00 is to be amended to accommodate the new assessor's parcel number and lot description.
18. All existing overhead and underground electric facilities within or adjacent to the project area shall be protected, relocated or removed as required by the Districts Electric Engineering Department. Appropriate easements for electric facilities shall be granted as required.
19. High voltage 12,000 volt overhead primary lines, secondary overhead lines, and secondary underground cables are located within the project sight. The contractor shall verify actual depth and location of all underground utilities prior to start of construction. Notify "Underground Service Alert" (USA) (Toll Free 800-227-2600) before trenching, grading, excavating, drilling, pipe pushing, tree planting, post-hole digging, etc. USA will mark the location of any underground Modesto Irrigation District electrical facilities. Assume all overhead electric cables are energized at all times.

Central Valley Regional Water Quality Control Board

20. Prior to construction, the developer shall be responsible for contacting the California Regional Water Quality Control Board to determine if a "Notice of Intent" (Pursuant to State Water Resources Control Board Order 99-08-DWQ and National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000002), is necessary, and shall prepare all appropriate documentation, including a Storm Water Pollution Prevention Plan (SWPPP). Once complete, and prior to construction, a copy of the SWPPP shall be submitted to the Stanislaus County Department of Public Works.
21. Prior to construction, the developer shall be responsible for contacting the California Regional Water Quality Control Board to determine if a Phase I and II Municipal Separate Storm Sewer System (MS4) Permit, an Industrial Storm Water General Permit, Clean Water Act Section 404 Permit, Clean Water Act Section 401 Permit, or Waste Discharge Requirement (WDR) permits are required.

*Please note: If Conditions of Approval/Development Standards are amended by the Planning Commission or Board of Supervisors, such amendments will be noted in the upper right-hand corner of the Conditions of Approval/Development Standards; new wording is in **bold**, and deleted wording will have a ~~line through it~~.*



CEQA INITIAL STUDY

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

- 1. **Project title:** Parcel Map Application No. PLN 2017-0111
Mario Plascencia
- 2. **Lead agency name and address:** Stanislaus County
1010 10th Street, Suite 3400
Modesto, CA 95354
- 3. **Contact person and phone number:** Denzel Henderson, Assistant Planner
(209) 525-6330
- 4. **Project location:** 131 A Street, in the Community of Empire,
north of Yosemite Boulevard, west of Church
Street, east of City of Modesto. (APN: 133-001-
008)
- 5. **Project sponsor's name and address:** Mario Plascencia
P.O Box 204
Empire, CA 95319
- 6. **General Plan designation:** Low Density Residential (LDR)
- 7. **Zoning:** Rural Residential (R-A)
- 8. **Description of project:**

This is a request to create a 0.83± acre and a 1.91± acre parcel from a 2.77± acre parcel in the Rural Residential (R-A) zoning district. The project site, currently improved with two dwellings and appurtenant structures (garages and sheds), is currently receiving City of Modesto water and sewer services, and fronts on the County-maintained road, A Street. If approved, a maximum of one additional dwelling on each lot may be constructed; however, no construction is proposed as part of this subdivision.

- 9. **Surrounding land uses and setting:** The site is immediately surrounded by residential parcels developed with single-family dwellings; orchards, open fields, and the City of Modesto are located to the west; single-family dwellings and the beard Industrial Tract are located to the south; and single-family residential parcels and a school are located to the east and north.
- 10. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.):** Department Public Works
Department of Environmental Resources
Modesto Irrigation District
City of Modesto

11. Attachments

Application
 Maps
 Central California Information Center Records Search
 Early Consultation Referral Responses

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.

 Signature on File
 Signature

 March 26, 2018
 Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, than the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- 4) “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, “Earlier Analyses,” may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration.

Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

- a) **Earlier Analysis Used.** Identify and state where they are available for review.
 - b) **Impacts Adequately Addressed.** Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) **Mitigation Measures.** For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). References to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
 - 7) **Supporting Information Sources:** A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
 - 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected.
 - 9) The explanation of each issue should identify:
 - a) the significant criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significant.

ISSUES

I. AESTHETICS -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?			X	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

Discussion: The site itself is not considered to be a scenic resource or a unique scenic vista. Community standards generally do not dictate the need or desire for an architectural review of agricultural or residential subdivisions. Approval of the project would result in the creation of two parcels of 1.91± acres and 0.83± acres, from a 2.77± gross acre parcel in the Rural Residential (R-A) zoning district. The project site is improved with two dwellings and appurtenant structures.

Mitigation: None

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

II. AGRICULTURE AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?			X	
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?			X	
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?			X	
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Discussion: The project site is 2.77± acres in size, and is improved with two single-family dwellings, appurtenant structures and a small pasture along the western boundary.

The project site has soils classified by The California Department of Conservation Farmland Mapping and Monitoring Program as “Rural Residential Land”. The United States Department of Agriculture (USDA) Natural Resources Conservation Service’s Eastern Stanislaus County Soil Survey, shows that the dominate soil present is Hanford fine sandy loam which occupies over 99% and is grade one with a storie index of 95. The remainder soil is comprised of Greenfield sandy loam which occupies ±0.3% and is grade one with a storie index of 90. A storie Index rating from 80-100 and Grade I and II are considered to be prime farmland; however, this site is designated as Rural Residential Land and is already developed.

The project site is immediately surrounded by residential parcels however the surrounding area consists of an array of uses from agriculture to industrial. The City of Modesto is located less than half a mile away. The closest agriculturally zoned property is adjacent to the western border of the site. Based on this information, Staff believes that the proposed project will not conflict with any agriculturally zoned land or Williamson Act Contracted land, nor will the project result in the conversion of unique farmland, farmland of statewide importance, timberland or forest land to a non-agricultural or non-forest use. The project will not contribute to the loss of forest land and, as such, will have no impact on forest resources. No construction is proposed as a part of this project; however, additional structures can be constructed after recordation of this parcel map.

Mitigation: None

References: Stanislaus County General Plan and Support Documentation¹. California State Department of Conservation Farmland Mapping and Monitoring Program – Stanislaus County Farmland 2016; Application Material, United States Department of Agricultural Soil Survey.

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 project site is within the San Joaquin Valley Air Basin, which has been classified as “severe non-attainment” for ozone and respirable particulate matter (PM-10) as defined by the Federal Clean Air Act. The San Joaquin Valley Air Pollution Control District (SJVAPCD) has been established by the State in an effort to control and minimize air pollution. As such, the District maintains permit authority over stationary sources of pollutants.

A maximum of two single-family dwellings per parcel can be constructed upon approval of this project and recordation of the final parcel map. A total of four single-family dwellings fall below the SJVAPCD District’s threshold of significance. The project will not conflict with, or obstruct implementation of, any applicable air quality plan. The construction phase of this project will be required to meet SJVAPCD’s standards and to obtain all applicable permits. This project has been referred to SJVAPCD, to date, no response has been received.

Mitigation: None

References: San Joaquin Valley Air Pollution Control District’s Small Project Analysis Level (SPAL) guidance; San Joaquin Valley Air Pollution Control District – Regulation VIII Fugitive Dust/PM-10 Synopsis; Stanislaus County General Plan and Support Documentation¹

IV. BIOLOGICAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X	
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X	
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			X	
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X	
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?			X	

Discussion: The project site is currently developed with two single-family dwellings and detached accessory structures (garages and sheds). The proposed project will subdivide the 2.77± acre parcel into two parcels, creating a 1.91± acre parcel and 0.83 acre parcel. Construction is not being proposed as a part of this project; however, upon project approval, the developer could build an additional single-family dwelling per parcel.

The California Department of Fish and Wildlife’s California Natural Diversity Database (CNDDDB) website identifies the quadrant in which the site is located as having six species as candidates for endangered or threatened species. The Swainson’s Hawk, Vernal Pool Fairy Shrimp, Vernal Pool Tadpole Shrimp, Steelhead – Central Valley DPS, Chinook Salmon – Central Valley Spring-Run ESU and the Valley Elderberry Longhorn Beetle are all identified as candidates for endangered or threatened species for the Riverbank quadrant. There is no evidence to suggest that this project or the increase of two additional single-family dwellings would result in impacts to sensitive and endangered species or habitats, locally designated species, wildlife dispersal or mitigation corridors.

The project was referred to the California Department of Fish and Wildlife (CDFW) but no comments have been received as a part of the Early Consultation referral. The project site does not appear to contain streams or ponds that could be considered Waters of the United States. The project will not conflict with a Habitat Conservation Plan, a Natural Community Conservation Plan, or other locally approved conservation plans. Impacts to endangered species or habitats, locally designated species, wildlife dispersal or mitigation corridors are considered to be less than significant.

Mitigation: None

References: California Department of Fish and Wildlife California Natural Diversity Database; Stanislaus County General Plan and Support Documentation¹; Application Information Material

V. CULTURAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?			X	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?			X	
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	
d) Disturb any human remains, including those interred outside of formal cemeteries?			X	

Discussion: The project site is currently developed with two single-family dwellings and detached accessory structures (garages and sheds). The proposed project will subdivide the 2.77± acre parcel into two parcels, creating a 1.91± acre parcel and a 0.83 acre parcel. Construction is not being proposed as a part of this project; however, upon project approval, the developer could build an additional single-family dwelling per parcel. It does not appear this project will result in significant impacts to any archaeological or cultural resources. A Records Search, prepared by the Central California Information Center (CCIC), indicated that no historic resources or resources known to have value to local cultural groups were formally reported to the CCIC and, as such, the project site had a low sensitivity for the possible discovery of historical resources. Based on the aforementioned record searches, Staff has determined that additional consultation is not warranted; however, a condition of approval will be placed on the project requiring that if any archaeological or cultural resources are found during construction, activities shall halt until an on-site archaeological mitigation program has been approved by a qualified archaeologist.

Mitigation: None

References: Central California Information Center (CCIC) report dated September 26, 2017; Stanislaus County General Plan and Support Documentation¹

VI. GEOLOGY AND SOILS -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?				X

b) Result in substantial soil erosion or the loss of topsoil?			X	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d) Be located on expansive soil creating substantial risks to life or property?			X	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?			X	

Discussion: The USDA Natural Resources Conservation Service indicates that the soils on the project consist of approximately 99% Hanford fine sandy loam, 0 to 1 percent slopes, 0.3% Greenfield sandy loam, 0 to 3 percent slopes. Construction is not being proposed as a part of this project; however, upon project approval, the developer could build an additional single-family dwelling per parcel. 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 any 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. No construction is proposed as a part of this project; however, should structures be built in the future they are required to be designed and built according to California building standards appropriate to withstand shaking for the area in which they are constructed. Any earth moving is subject to Public Works Standards and Specifications which consider the potential for erosion and run-off prior to permit approval.

Mitigation: None

References: Department Of Public Works referral response dated January 17, 2018; California Building Code; Stanislaus County General Plan and Support Documentation¹

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

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) 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. GHGs emissions resulting from residential projects include emissions from temporary construction activities, energy consumption, and additional vehicle trips. Construction activities are considered to be less than significant as they are temporary in nature and are subject to meeting San Joaquin Valley Air Pollution Control District (SJVAPCD) standards for air quality control.

Construction is not being proposed as a part of this project; however, upon project approval, the developer could build an additional single-family dwelling per parcel. Any future development must comply with Title 24 Building Code Regulations which include measures for energy-efficient buildings that require less electricity and reduce fuel consumption, which in turn decreases GHG emissions. This project was circulated to the SJVAPCD during the early consultation referral period; no comments have been received to date.

Mitigation: None

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

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

Discussion: This project requests to create two parcels of 1.91± acres and 0.83± acres, from a 2.77± acre parcel (APN: 133-001-008) in the Rural Residential (R-A) zoning district. The project site is improved with two single-family dwellings, and appurtenant structures. The creation of the parcels will allow for development of one additional dwelling unit per lot, for a maximum of two dwellings per parcel, subject to Stanislaus County Zoning Ordinance Chapter 21.24 Rural Residential development standards. No known hazardous materials are on-site. Pesticide exposure is a risk in agricultural areas. Sources of exposure may include drift from spray applications. Application of sprays is strictly controlled by the Agricultural Commission and can only be accomplished after first obtaining permits. Department of Environmental Resources (DER) is responsible for overseeing hazardous materials in this area. The project area is located in a low fire risk area and is served by the Stanislaus Consolidated Fire District. The applicant will be required to pay fire impact fees for any new construction. To date, there has not been any comment letters received from DER or the Stanislaus Consolidated Fire District in regards to hazardous material management. The project site is not located in the vicinity of an airport or private airstrip.

Mitigation: None

References: Application Information; Stanislaus County GIS Data; Department of Toxic Substances Control; Stanislaus County General Plan and Support Documentation¹

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

Discussion: The project site currently receives water from the City of Modesto. 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 (FEMA). 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 will not be altered as a part of this project; however, should new structures be built current Public Works standards require that all of a project's storm water be maintained on-site.

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, impacts associated with drainage, water quality, and run-off are expected to have a less than significant impact.

Mitigation: None

References: Referral response from the Department of Public Works dated January 17, 2018; and the Stanislaus County General Plan and Support Documentation¹

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

Discussion: The proposed project will not physically divide an established community. The project is within an existing rural residential area in the east Modesto area. Existing land use designations for the project site include a General Plan designation of Residential-Low Density (LDR) and a zoning designation of R-A (Rural Residential), which allows for a minimum parcel size of 8,000 square feet when serviced by public water and sewer. The project proposes to create two parcels from a 2.77± acre site. The proposed project will not conflict with any applicable habitat conservation plan or natural community conservation plan.

Mitigation: None

References: Stanislaus County General Plan and Support Documentation¹ and Zoning Ordinance

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

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

Mitigation: None

References: Stanislaus County General Plan and Support Documentation¹

XII. NOISE -- Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			X	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

Discussion: Construction is not being proposed as a part of this project; however, upon project approval, the developer could build an additional single-family dwelling per parcel provided all development standards and California and County Code requirements can be met. New construction would result in a temporary increase in noise and, as such, a standard condition of approval will be added to the project to address the temporary increase in noise by limiting hours of construction. The project is not included in any airport land use compatibility plan, nor is it located near any private airports.

Mitigation: None

References: Stanislaus County General Plan and Support Documentation¹

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

Discussion: The proposed project will not create significant service extensions or result in construction of new infrastructure which could be considered as growth inducing. Currently, the area is served by City of Modesto for water and sewer.

Approval of this project could result in construction of an additional single-family dwelling per parcel (maximum of two dwelling per parcel) which will result in less than significant impacts to population growth. No displacement of existing homes or people will result as a part of this project.

Mitigation: None

References: Stanislaus County General Plan and Support Documentation¹ and Zoning Ordinance

XIV. PUBLIC SERVICES --	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Would the project result in the substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?			X	
Police protection?			X	
Schools?			X	
Parks?			X	
Other public facilities?			X	

Discussion: The County has adopted Public Facilities Fees to address impacts to public services. School and Fire Facility Fees are determined by each district and collected to address impacts to these services. Any new dwellings resulting from this project will be required to pay the applicable Public Facility Fees through the building permit process. The Sheriff’s Department also uses a standardized fee for new dwellings that will be incorporated into the conditions of approval. Conditions of approval will be placed on the project to reflect development fees.

Mitigation: None

References: Stanislaus County General Plan and Support Documentation¹

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

Discussion: Construction is not being proposed as a part of this project; however, upon project approval, the developer could build an additional single-family dwelling per parcel. The proposed project may result in a minimal increase in the use of nearby recreational facilities; however, the project will not result in the need for new or expanded recreational facilities. The project was referred to Parks and Recreation as part of the Early Consultation; however, no comments have been received to date. The General Plan requires at least three net acres of developed neighborhood parks, or the maximum number allowed by law, to be provided for every 1,000 residents. Based on the number of lots being created, conditions of approval will be added to the project to require in-lieu park fees. These fees will be required at the issuance of building permit for each lot.

Mitigation: None

References: Stanislaus County General Plan and Support Documentation¹

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

Discussion: According to the Federal Highway Administration, the average daily vehicle trips per household is 9.6, as a result of project approval and construction of maximum build-out (two additional dwelling units), would equal to 38.4 potential trips per day. The project proposes that all access come from County-maintained A Street. It is not anticipated that the proposed project will have any significant impacts on transportation or traffic.

The Department of Public Works is requesting 29-feet from the centerline of A Street be dedicated as an Irrevocable Offer of Dedication for future road development. Conditions of approval will be added to the project to address right-of-way dedication.

Mitigation: None

References: Department Of Public Works referral response dated January 17, 2018; Stanislaus County General Plan and Support Documentation¹

XVII. UTILITIES AND SERVICE SYSTEMS -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X	
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X	
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments?			X	
f) Be served by a landfill with sufficient permitted capacity to accommodate the project’s solid waste disposal needs?			X	
g) Comply with federal, state, and local statutes and regulations related to solid waste?			X	

Discussion: The site currently maintains two single-family dwellings which are connected to the City of Modesto sewer and water services. Modesto Irrigation District (MID) commented that the district owns two separate pipelines and easements on-site (335-Greenwood & Highline Lateral) which are recorded as Doc-2012-0015815-00. MID maintains that the agreement for pipelines and easements between the property owners shall be amended and recorded to accommodate the assessor’s parcel number for new parcels being created. In addition, MID also commented that the existing electrical facilities and easements shall be protected and/or relocated to avoid interference with any future development. No construction is being proposed as a part of this project; however, should any additional single-family dwellings be constructed after the parcel split is complete, arrangements will need to be made with the City of Modesto for water and sewer services and with MID for the pipeline and electrical easements and operations on-site. These requirements will be applied as conditions of approval and addressed as a part of the building permit process. No further limitations on providing services have been identified.

Mitigation: None

References: Stanislaus County General Plan and Support Documentation¹

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

Discussion: Review of this project has not indicated any features which might significantly impact the environmental quality of the site and/or the surrounding area. The project is a residential in-fill project east of the City of Modesto.

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



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

1010 10th Street, Suite 3400, Modesto, CA 95354

Planning Phone: (209) 525-6330 Fax: (209) 525-5911

Building Phone: (209) 525-6557 Fax: (209) 525-7759

NEGATIVE DECLARATION

NAME OF PROJECT: PARCEL MAP APPLICATION NO. PLN2017-0111 – MARIO PLASCENCIA

LOCATION OF PROJECT: 131 & 133 A Street, north of Yosemite Boulevard, in the Community of Empire, east of the City of Modesto. (APN 133-001-008)

PROJECT DEVELOPERS: Mario Plascencia
P.O Box 204
Empire, CA 95319

DESCRIPTION OF PROJECT: This is a request to create a 0.83± acre and a 1.91± acre parcel from a 2.74± acre parcel in the R-A (Rural Residential) zoning district.

Based upon the Initial Study, dated **March 26, 2018**, 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: PM APP NO. PLN2017-0111 - Mario Plascencia

REFERRED TO:				RESPONDED		RESPONSE			MITIGATION MEASURES		CONDITIONS	
	2 WEEK	30 DAY	PUBLIC HEARING NOTICE	YES	NO	NOT HAVE SIGNIFICANT IMPACT	MAY HAVE SIGNIFICANT IMPACT	NO COMMENT NON CEQA	YES	NO	YES	NO
CA DEPT OF FISH & WILDLIFE	X	X	X		X							
CA DEPT OF TRANSPORTATION DIST 10		X	X		X							
CA OPR STATE CLEARINGHOUSE	X	X	X		X							
CA RWQCB CENTRAL VALLEY REGION		X	X	X				X		X	X	
CITY OF MODESTO	X	X		X				X		X		
COOPERATIVE EXTENSION	X	X	X		X							
FIRE PROTECTION DIST: STANISLAUS CON	X	X	X		X							
IRRIGATION DISTRICT: MODESTO	X	X	X	X				X		X	X	
MOSQUITO DISTRICT: EASTSIDE	X	X	X		X							
MUNICIPAL ADVISORY COUNCIL: EMPIRE	X	X			X							
MT VALLEY EMERGENCY MEDICAL	X	X	X		X							
PACIFIC GAS & ELECTRIC	X	X	X		X							
RAILROAD: MODESTO EMPIRE BUR NOR SA	X	X	X		X							
SAN JOAQUIN VALLEY APCD	X	X	X		X							
SCHOOL DISTRICT 1: EMPIRE UNION	X	X	X		X							
SCHOOL DISTRICT 2: MODESTO UNION	X	X	X		X							
STAN CO AG COMMISSIONER	X	X	X		X							
STAN CO BUILDING PERMITS DIVISION	X	X	X		X							
STAN CO CEO	X	X	X		X							
STAN CO DER	X	X	X		X							
STAN CO ERC	X	X	X	X				X		X		X
STAN CO HAZARDOUS MATERIALS	X	X	X		X							
STAN CO PARKS & RECREATION	X	X	X		X							
STAN CO PUBLIC WORKS	X	X	X	X				X		X	X	
STAN CO SHERIFF	X	X	X		X							
STAN CO SUPERVISOR DIST 1: OLSEN	X	X	X		X							
STAN COUNTY COUNSEL	X	X	X		X							
STANISLAUS FIRE PREVENTION BUREAU	X	X	X		X							
STANISLAUS LAFCO	X	X	X		X							
SURROUNDING LAND OWNERS	X	X	X		X							
US FISH & WILDLIFE	X	X	X		X							
US MILITARY(SB 1462) (7 agencies)		X	X									
TELEPHONE COMPANY: ATT	X	X	X		X							
TRIBAL CONTACTS												
(CA Government Code §65352.3)	X	X	X		X							
US FISH & WILDLIFE	X	X	X		X							