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

CEQA Referral Initial Study And Notice of Intent to Adopt a Negative Declaration

Date: **September 27, 2024**

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

From: **Emily DeAnda, Associate Planner**
Planning and Community Development

Subject: **REZONE AND PARCEL MAP APPLICATION NO. PLN2024-0015 – FQC, INC.**

Comment Period: **September 27, 2024 – October 30, 2024**

Respond By: **October 30, 2024**

Public Hearing Date: **Not yet scheduled. A separate notice will be sent to you when a hearing is scheduled.**

You may have previously received an Early Consultation Notice regarding this project, and your comments, if provided, were incorporated into the Initial Study. Based on all comments received, Stanislaus County anticipates adopting a Negative Declaration for this project. This referral provides notice of a 30-day comment period during which Responsible and Trustee Agencies and other interested parties may provide comments to this Department regarding our proposal to adopt the Negative Declaration.

All applicable project documents are available for review at: Stanislaus County Department of Planning and Community Development, 1010 10th Street, Suite 3400, Modesto, CA 95354. Please provide any additional comments to the above address or call us at (209) 525-6330 if you have any questions. Thank you.

Applicant: **Ben Penfield, FQC, Inc.**

Project Location: **4800 Kersey Road, between North Gratton Road and Story Road, in the Community of Denair.**

APN: **024-024-037**

Williamson Act Contract: **N/A**

General Plan: **Medium Density Residential (MDR)**

Community Plan: **Medium Density Residential (MDR)**

Current Zoning: **Planned Development (P-D) (356)**

Project Description: **This is a request to rezone a 7,792± square-foot parcel from Planned Development (P-D) (356) to a new P-D to allow for the subdivision of the project site into two air space condominium lots approximately 3,896± square feet in size.**

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

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REZONE AND PARCEL MAP APPLICATION NO. PLN2024-0015 – FQC, INC.

Attachment A

Distribution List

	CA DEPT OF CONSERVATION Land Resources		STAN CO ALUC
X	CA DEPT OF FISH & WILDLIFE		STAN CO ANIMAL SERVICES
	CA DEPT OF FORESTRY (CAL FIRE)	X	STAN CO BUILDING PERMITS DIVISION
	CA DEPT OF TRANSPORTATION DIST 10	X	STAN CO CEO
X	CA OPR STATE CLEARINGHOUSE		STAN CO CSA
X	CA RWQCB CENTRAL VALLEY REGION	X	STAN CO DER
	CA DEPT OF SOCIAL SERVICES		STAN CO ERC
	CA DEPT OF HEALTH CARE SERVICES		STAN CO FARM BUREAU
	CENTRAL VALLEY FLOOD PROTECTION	X	STAN CO HAZARDOUS MATERIALS
	CITY OF: TURLOCK	X	STAN CO PARKS & RECREATION
X	COMMUNITY SERVICES DIST: DENAIR	X	STAN CO PUBLIC WORKS
X	COOPERATIVE EXTENSION	X	STAN CO PUBLIC WORKS - SURVEY
	COUNTY OF:		STAN CO RISK MANAGEMENT
X	DER - GROUNDWATER RESOURCES DIVISION	X	STAN CO SHERIFF
X	FIRE PROTECTION DIST: TURLOCK RURAL	X	STAN CO SUPERVISOR DIST 2: CHIESA
X	GSA: WEST TURLOCK SUBBASIN	X	STAN COUNTY COUNSEL
	HOSPITAL DIST:	X	StanCOG
X	IRRIGATION DIST: TURLOCK	X	STANISLAUS FIRE PREVENTION BUREAU
X	MOSQUITO DIST: TURLOCK	X	STANISLAUS LAFCO
X	STANISLAUS COUNTY EMERGENCY MEDICAL SERVICES		STATE OF CA SWRCB – DIV OF DRINKING WATER DIST. 10
X	MUNICIPAL ADVISORY COUNCIL: DENAIR	X	SURROUNDING LAND OWNERS
X	PACIFIC GAS & ELECTRIC		INTERESTED PARTIES
	POSTMASTER:	X	TELEPHONE COMPANY: AT&T
X	RAILROAD: BURLINGTON NORTHER/SANTA FE		TRIBAL CONTACTS (CA Government Code §65352.3)
X	SAN JOAQUIN VALLEY APCD		US ARMY CORPS OF ENGINEERS
X	SCHOOL DIST 1: DENAIR UNIFIED	X	US FISH & WILDLIFE
	SCHOOL DIST 2:		US MILITARY (SB 1462)
	WORKFORCE DEVELOPMENT		USDA NRCS
	STAN CO AG COMMISSIONER		WATER DIST:

STANISLAUS COUNTY
CEQA REFERRAL RESPONSE FORM

TO: **Stanislaus County Planning & Community Development**
1010 10th Street, Suite 3400
Modesto, CA 95354

FROM: _____

SUBJECT: **REZONE AND PARCEL MAP APPLICATION NO. PLN2024-0015 – FQC, INC.**

Based on this agency's particular field(s) of expertise, it is our position the above described project:

_____ Will not have a significant effect on the environment.
_____ May have a significant effect on the environment.
_____ No Comments.

Listed below are specific impacts which support our determination (e.g., traffic general, carrying capacity, soil types, air quality, etc.) – (attach additional sheet if necessary)

1.
2.
3.
4.

Listed below are possible mitigation measures for the above-listed impacts: *PLEASE BE SURE TO INCLUDE WHEN THE MITIGATION OR CONDITION NEEDS TO BE IMPLEMENTED (PRIOR TO RECORDING A MAP, PRIOR TO ISSUANCE OF A BUILDING PERMIT, ETC.):*

1.
2.
3.
4.

In addition, our agency has the following comments (attach additional sheets if necessary).

_____

_____

Response prepared by:

_____

Name Title Date

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CEQA INITIAL STUDY

Adapted from CEQA Guidelines APPENDIX G Environmental Checklist Form, Final Text, January 1, 2020

1.	**Project title:**	Rezone and Parcel Map Application No. PLN2024-0015 – FQC, Inc.
2.	**Lead agency name and address:**	Stanislaus County 1010 10th Street, Suite 3400 Modesto, CA 95354
3.	**Contact person and phone number:**	Emily DeAnda, Associate Planner (209) 525-6330
4.	**Project location:**	4800 Kersey Road, between North Gratton Road and Story Road, in the Community of Denair (APN: 024-024-037).
5.	**Project sponsor's name and address:**	Ben Penfield, FQC, Inc. 465 Joshua Court Atwater, CA 95301
6.	**General Plan designation:**	Medium Density Residential (MDR)
7.	**Community Plan designation:**	Medium Density Residential (MDR)
8.	**Zoning:**	Planned Development (P-D) (356)

9. Description of project:

This is a request to rezone a 7,792± square-foot parcel from Planned Development (P-D) (356) to a new P-D to allow for the subdivision of the project site into two air space condominium lots approximately 3,896± square feet in size. If approved, the applicant proposes to also construct two 1,000± square-foot condominium dwelling units with one unit on each resultant lot. The site is currently improved with a storage shed and four deciduous trees which are proposed to be demolished as part of this project. Storm drainage is proposed to be maintained on-site by a retention basin. There is no existing driveway on the project site. The proposed lots will have direct access onto Kersey Road, a County-maintained Road via a common driveway which will be required to comply with all applicable standards and specifications of the Stanislaus County Department of Public Works. The proposed lots propose to be served with sewer and water service by the Denair Community Service District.

Under the current zoning designation of P-D (356), the parcel is subject to the permitted uses and development standards of the Medium Density Residential (R-2) zoning district which has a site area requirement of six thousand square feet for parcels serviced by both public water and sewer facilities. Pursuant to Section 21.40.080(C) of the County Zoning Ordinance, a rezone is required when an amendment to a Planned Development does not conform to the approved development plan. Therefore, a rezone application was submitted for the current request to subdivide the existing parcel into lots less than 6,000 square feet in size while maintaining consistency with all other adopted standards and uses of the R-2 zoning district. Sections 21.52.130 – *Lots – Width and Depth* of the Stanislaus County Subdivision Ordinance requires a 55-foot minimum width for new lots, and Section 21.52.160 – *Lots – Width to Depth*, requires that new lots have a width-to-depth ratio of no more than 1:3 for new lots where the total frontage is less than 300 feet. Accordingly, exceptions to these two design standards are required to process the application as the proposed lots will have a width of 34 to 35± feet, and a depth of 110 to 112± feet.

The project site and the adjacent parcels to the west and south were approved by the Board of Supervisors on August 17, 2021, under General Plan Amendment (GPA), Rezone (REZ), and Vesting Tentative Parcel Map (VTPM) No. PLN2021-0009 – *WPD Homes, Inc.*, which amended the General Plan and Denair Community Plan designations from Low-Density Residential to Medium Density Residential (MDR), amended the zoning designation from Rural Residential (R-A) to Planning Development (P-D), and approved a Parcel Map to subdivide a 1.32± acre parcel into three parcels of 33,901±, 10,132± and 13,615± square feet in size (58-PM-076). Full frontage improvements including the installation of curb, gutter, sidewalk, and street lighting pursuant to Stanislaus County standards along Kersey Road were included as development standards and will continue to be applied to this request as well. The current tax parcel identified as Assessor Parcel Number (APN) 024-024-037 includes the three parcels that were approved under the *WPD Homes, Inc*. project. Subsequent to this subdivision, Lot Line Adjustment No. PLN2023-0085 – *Hanes – Martin* was recorded on December 20, 2023, in order to locate two stormwater basins on the parcel to the south, bringing the project parcel to its current configuration.

10. Surrounding land uses and setting: Single-family dwellings in all directions; the Denair Community Service District (CSD) main office, Denair Public Library, and Fire Protection District Station to the north; the Denair CSD corporation yard to the east; commercial uses and a mobile home park to the west; and the Burlington Northern Railroad to the south and west.

11. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.): Stanislaus County Department of Public Works, Stanislaus County Department of Environmental Resources, Stanislaus County Department of Planning and Community Development – Building Permits Division

12. Attachments:

I. Will Serve Letter, dated May 7, 2024
II. Records search from the Central California Information Center, dated February 27, 2009

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**	☐ **Energy**
☐ **Geology / Soils**	☐ **Greenhouse Gas Emissions**	☐ **Hazards & Hazardous Materials**
☐ **Hydrology / Water Quality**	☐ **Land Use / Planning**	☐ **Mineral Resources**
☐ **Noise**	☐ **Population / Housing**	☐ **Public Services**
☐ **Recreation**	☐ **Transportation**	☐ **Tribal Cultural Resources**
☐ **Utilities / Service Systems**	☐ **Wildfire**	☐ **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. **September 26, 2024**

Prepared by Emily DeAnda, Associate Planner 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, then 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 – Except as provided in Public Resources Code Section 21099, could 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) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			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 unique scenic vista. Community standards do not dictate the need or desire for architectural review of agricultural or residential subdivisions. The project site currently has four deciduous trees and a 1,000± square-foot storage shed on-site. If approved, the applicant proposes to remove the trees, demolish the storage shed, and construct two 1,000± square-foot condominium dwelling units with one unit on each resultant lot. Six-foot tall wood fencing is proposed along the west, east and south property lines of each condominium lot.

The project is surrounded by single-family dwellings in all directions, the Denair Community Service District (CSD) main office, Denair Public Library, and Fire Protection District Station to the north, the Denair CSD corporation yard to the east, commercial uses and a mobile home park to the west, and the Burlington Northern Railroad to the south and west as the surrounding area is almost entirely built up with urban uses. and currently zoned Planned Development (P-D) (356) which permits residential uses consistent with the Medium Density Residential zoning district.

The project was referred to the Stanislaus County Department of Public Works which responded requiring the applicant full frontage improvements including curb, gutter, sidewalk and street lighting along the frontage of County-maintained Kersey Road. Storm drainage is proposed to be maintained on-site by a retention basin. The requirement for a landscaping plan to be submitted as required under Development Standard No. 5 for P-D (356) will be applied to this project as well and shall consist of tree(s) and plants suitable for the existing climate and meet all requirements of the Model Water Efficient Landscape Ordinance (MWELO).

The project is not expected to degrade any existing visual character of the site or surrounding area. Any lighting installed within the proposed subdivision shall be designed to reduce any potential impacts of glare per the County's Public Works adopted Standards and Specifications.

No adverse impacts to the existing visual character of the site of its surroundings are anticipated.

Mitigation: None.

References: Application information; Referral response from Stanislaus County Department of Public Works, dated September 25, 2024; Stanislaus County Zoning Ordinance (Title 21); Stanislaus County General Plan and Support Documentation[1].

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

Discussion: The project site has soils classified by the California Department of Conservation Farmland Mapping and Monitoring Program as "Urban and Built-Up Land". The United States Department of Agriculture (USDA) Natural Resources Conservation Service's (NRCS) Eastern Stanislaus County Soil Survey shows that the dominant soil present is Dinuba sandy loam, 0 to 1 percent slopes and is Grade 1 with a California Revised Storie Index rating of 86. The soil type found on the project site is considered to have a Classification of II if irrigated and IV if non-irrigated, which indicates an ability to grow a variety of crops with some limitations as the soil may be shallow, droughty, or stony. Grade 1 soils and soils with a Classification of I or II are deemed prime farmland by Stanislaus County's Uniform Rules, which comprises 100% of the project site if irrigated; however, this site is zoned Planned Development (P-D) (356) with a General Plan and Community Plan designation of Medium Density Residential and is not currently farmed or irrigated. Because the site has already been planned for residential uses, the proposed project will not convert any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use.

The project site is surrounded by single-family dwellings in all directions, the Denair Community Service District (CSD) main office, Denair Public Library, and Fire Protection District Station to the north, the Denair CSD corporation yard to the east, commercial uses and a mobile home park to the west, and the Burlington Northern Railroad to the south and west. The closest agriculturally zoned property is 0.21± miles east of the project site but is also designated as Low Density Residential (LDR) within the Denair Community Plan. The closest active farming operation and property enrolled under a Williamson Act Contact is located approximately 0.47± miles east of the project site outside of the Denair Community Plan.

The project site is located within the boundaries of the Turlock Irrigation District (TID). The project was referred to TID who did not respond with comments regarding irrigation facilities.

No forest lands exist in Stanislaus County. The project site is considered to be in-fill development and will not contribute to the loss of farmland or forest land. The project is not anticipated to create any adverse impacts to any adjacent agriculture.

Mitigation: None.

References: Application information; United States Department of Agriculture NRCS Web Soil Survey; California State Department of Conservation Farmland Mapping and Monitoring Program - Stanislaus County Farmland 2022; Referral response from Turlock Irrigation District (TID), dated July 2, 2024; Stanislaus County Zoning Ordinance (Title 21); Stanislaus County General Plan and Support Documentation[1].

III. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management district 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) 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?			**X**	
c) Expose sensitive receptors to substantial pollutant concentrations?			**X**	
d) Result in other emissions (such as those odors adversely affecting a substantial number of people?			**X**	

Discussion: The proposed project is located within the San Joaquin Valley Air Basin (SJVAB), 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, SJVAPCD has addressed most criteria air pollutants through basin wide programs and policies to prevent cumulative deterioration of air quality within the SJVAB. The project will increase traffic in the area and, thereby, impacting air quality.

The SJVAPCD's Small Project Analysis Level (SPAL) guidance identifies thresholds of significance for criteria pollutant emissions, which are based on the SJVAPCD's New Source Review (NSR) offset requirements for stationary sources. Using project type and size, the SJVAPCD has pre-qualified emissions and determined a size below which it is reasonable to conclude that a project would not exceed applicable thresholds of significance for criteria pollutants. In the interest of streamlining CEQA requirements, projects that fit the descriptions and are less than the project sizes provided by the SJVAPCD are deemed to have a less-than significant impact on air quality due to criteria pollutant emissions and as such are excluded from quantifying criteria pollutant emissions for CEQA purposes. The SJVAPCD's threshold of significance for residential projects is identified as 155 units, and less than 800 additional trips per-day. The project proposes to construct two 1,000± square-foot condominium dwelling units with one unit on each resultant lot. According to the Federal Highway Administration the average daily vehicle trips per household is 5.11, which would equal approximately 11 additional trips per-day as a result of project approval (2 new units x 5.11 = 10.22). As this is well below the SJVAPCD's threshold of significance, no significant impacts to air quality are anticipated.

Construction activities associated with new development can temporarily increase localized PM10, PM2.5, volatile organic compound (VOC), nitrogen oxides (NOX), sulfur oxides (SOX), and carbon monoxide (CO) concentrations within a project's vicinity. The primary source of construction-related CO, SOX, VOC, and NOX emission is gasoline and diesel-powered, heavy-duty mobile construction equipment. Primary sources of PM10 and PM2.5 emissions are generally clearing and demolition activities, grading operations, construction vehicle traffic on unpaved ground, and wind blowing over exposed surfaces. Construction activities associated with the proposed project would consist primarily of constructing the condominium units. These activities would not require any substantial use of heavy-duty construction equipment and would require little or no demolition or grading as the site is presently unimproved and considered to be topographically flat. Consequently, emissions would be minimal. Furthermore, all construction activities would occur in compliance with all SJVAPCD regulations; therefore, construction emissions would be less than significant without mitigation.

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

The project was referred to the SJVAPCD; however, no response was received for the project.

For these reasons, the proposed project would be consistent with the applicable air quality plans. Also, the proposed project would not conflict with applicable regional plans or policies adopted by agencies with jurisdiction over the project and would be considered to have a less-than significant impact.

Mitigation: None.

References: Application information; San Joaquin Valley Air Pollution Control District's Small Project Analysis Level (SPAL) guidance, November 13, 2020; Federal Highway Administration, Summary of Travel Trends: 2017 National Household Travel Survey; Governor's Office of Planning and Research Technical Advisory, December 2018; San Joaquin Valley Air Pollution Control District - Regulation VIII Fugitive Dust/PM-10 Synopsis; www.valleyair.org; Stanislaus County General Plan and Support Documentation[1].

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 state or federally protected wetlands (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 is located within the Denair Quad of the California Natural Diversity Database (CNDDB) based on the U.S. Geographical quadrangle map series. The project site is surrounded by single-family dwellings in all directions, the Denair Community Service District (CSD) main office, Denair Public Library, and Fire Protection District Station to the north, the Denair CSD corporation yard to the east, commercial uses and a mobile home park to the west, and the Burlington Northern Railroad to the south and west. The nearest hydrological feature is the Turlock Irrigation District (TID) Main Canal, approximately 0.37± miles to the southwest. Accordingly, the project is considered infill development as the surrounding area is almost entirely built up with urban uses.

Based on results from the California Natural Diversity Database, there are seventeen species which are state or federally listed, threatened, identified as species of special concern or a candidate of special concern within the Denair California Natural Diversity Database Quad. These species include the Swainson's hawk, burrowing owl, riffle sculpin, Sacramento hitch, hardhead, pacific lamprey, steelhead – Central Valley DPS, chinook salmon – Central Valley spring-run ESU, Crotch bumble bee, valley elderberry longhorn beetle, American badger, Northern California legless lizard, heartscale, subtle orache, stinkbells, and San Joaquin Valley Orcutt grass.

There are no reported siting's of any of the aforementioned species on the project site; however, a Swainson's hawk nesting site was observed on June 7, 1994, approximately 1.25± miles northeast of the project site according to the CNDDB. There is a very low likelihood that these species are present on the project site as the parcel is adjacent to urban development and is improved with an existing storage shed.

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, or wildlife dispersal or mitigation corridors are considered to be less-than significant.

An Early Consultation was referred to the California Department of Fish and Wildlife and no response was received.

Mitigation: None.

References: Application information; California Department of Fish and Wildlife's Natural Diversity Database Quad Species List; California Natural Diversity Database, Planning and Community Development GIS, accessed June 14, 2024; Stanislaus County General Plan and Support Documentation[1].

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 pursuant to in § 15064.5?			**X**	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?			**X**	
c) Disturb any human remains, including those interred outside of formal cemeteries?			**X**	

Discussion: A records search by the Central California Information Center (CCIC) was conducted and submitted for the project site for General Plan Amendment, Rezone and Vesting Tentative Parcel Map Application No. PLN2021-0009 – *WPD Homes, Inc*., which was approved on August 17, 2021 to create the current Planned Development (P-D) (356) zoning. The CCIC records search indicated that there was a low probability of discovery of prehistoric resources, but there may be

discovery of historical resources such as standing buildings 45 years or older, and possibly subsurface historic-era archaeological features, such as domestic refuse and artifact deposits or building foundations, associated with earlier use on the project site. The CCIC recommended that a qualified historical resources consultant evaluate and formally record any building to be removed if it is 45 years old or older, prior to issuance of any discretionary permit. The CCIC further advised construction personnel to be aware of the potential for subsurface historic-era archaeological features. No records were found that indicated the site contained any prehistoric, historic, or archeologic resources previously identified on-site. The report concluded that development standards be placed on the project that if any historical resources are discovered during project-related activities, all work is to stop and the lead agency and a qualified professional are to be consulted to determine the importance and appropriate treatment of the find. If Native American remains are found, the County Coroner and the Native American Heritage Commission are to be notified immediately for recommended procedures. If human remains are uncovered, all work within 100 feet of the find should halt in compliance with Section 15064.5(e) (1) of the CEQA Guidelines and Public Resources Code Section 7060.5. Development Standard No. 7 has been placed on the project site under P-D (356), requiring that if any human remains, or archeological resources are found, construction activities will halt until a qualified survey takes place and the appropriate authorities are notified. If this project is approved, the development standard will continue to be applied to any ground-disturbing activities within the project site.

Mitigation: None.

References: Application Information; Records search from the Central California Information Center, dated July 26, 2016; Development Standards of General Plan Amendment, Rezone, and Parcel Map No. PLN2021-0009 – *WPD Homes, Inc*., as approved by the Board of Supervisors on August 17, 2024; Stanislaus County General Plan and Support Documentation[1].

VI. ENERGY -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			**X**	
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			**X**	

Discussion: The CEQA Guidelines Appendix F states that energy consuming equipment and processes, which will be used during construction or operation such as: energy requirements of the project by fuel type and end use, energy conservation equipment and design features, energy supplies that would serve the project, total estimated daily vehicle trips to be generated by the project, and the additional energy consumed per-trip by mode, shall be taken into consideration when evaluating energy impacts. Additionally, the project's compliance with applicable state or local energy legislation, policies, and standards must be considered.

Construction of the two condominium units would need to be in compliance with Title 24, Green Building Code, which includes energy efficiency requirements.

Any street lighting will be required to meet Public Works' standards and specifications as part of the improvement plans prior to acceptance of the improvement plans.

The project site is located within the service boundaries of the Turlock Irrigation District (TID) for electric and irrigation services. TID provided a referral response to the project indicating that electric service can be provided to the new parcels via a new underground line crossing from the north side of Kersey to the south side in order to serve the proposed project. TID will require a 10-foot-wide electrical easement along the western property line of proposed Lot 1 to provide service to a development to the south of the project site for 11 residential condominium units currently being processed under Tentative Map Application No. PLN2024-0014 – *FQC, Inc*. for the same property owner and applicant as this request. TID requested that the developer contact TID Electrical Engineering staff regarding the electrical service and design for the project and apply and pay for a facility change for any pole or electrical facility relocation. Additionally, TID requested a 15-foot building setback from the property line to enable the safe placement of utilities. Development standards reflecting TID's comments will be placed on the project.

Energy consuming equipment and processes include construction equipment, trucks, and the employee vehicles. These activities would not significantly increase Vehicle Miles Traveled (VMT). As mentioned in Section III – *Air Quality* of this document, the number of vehicle trips not exceeding a total of 110 vehicle trips per-day. The proposed project will generate approximately 11 vehicle round trips per-day. The heavy-duty trucks utilized during construction of the project will be the main consumers of energy associated with this project, but will be required to meet all SJVAPCD regulations, including rules and regulations that increase energy efficiency for heavy duty trucks. Therefore, consumption of energy resources would be less-than significant without mitigation for the proposed project.

The project was referred to the SJVAPCD and no response was received. It does not appear this project will result in significant impacts to the wasteful, inefficient, or unnecessary consumption of energy resources. A development standard will be added to the project to address compliance with all appliable SJVAPCD rules and regulations, and Title 24, Green Building Code, for projects that require energy efficiency.

Mitigation: None.

References: Application information; Referral response from Turlock Irrigation District (TID), dated July 2, 2024; Development Standards, General Plan Amendment, Rezone, and Parcel Map No. PLN2021-0009 – *WPD Homes, Inc*., as approved by the Board of Supervisors on August 17, 2024; Stanislaus County General Plan and Support Documentation[1].

VII. GEOLOGY AND SOILS -- Would the project:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Included**	**Less Than Significant Impact**	**No Impact**
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:			**X**	
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			**X**	
ii) Strong seismic ground shaking?			**X**	
iii) Seismic-related ground failure, including liquefaction?			**X**	
iv) Landslides?			**X**	
b) Result in substantial soil erosion or the loss of topsoil?			**X**	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			**X**	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect 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**	
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			**X**	

Discussion: According to the United States Department of Agriculture NRCS web soil survey, the site is listed as containing Dinuba Sandy Loam soil, 0 to 1 percent slopes. As contained in Chapter 5 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 at building permit application. The Building Permits Division may utilize the results from the soils test, or require additional soils tests, to determine if unstable or expansive soils are present. If such soils are present, special engineering of any structures will be required to compensate for the soil deficiency. Any structures resulting from this project will be required to be designed and built according to building standards appropriate to withstand shaking for the area in which they are constructed. Development of the project site will consist of grading, installing improvements, and constructing the residential structures. Any earth moving must be approved by Public Works and comply with adopted Standards and Specifications, which consider the potential for erosion and run-off prior to permit approval. Storm drainage is proposed to be maintained on-site by a retention basin. A referral response received from the Department of Public Works indicated that a grading, drainage, and erosion/sediment control plan will be required, subject to Public Works review and Standards and Specifications. The Stanislaus County Department of Environmental Resources (DER), Public Works, and Planning and Community Development - Building Permits Division review and approve any building permit to ensure their standards are met. Likewise, any addition or expansion of a septic tank or alternative wastewater disposal system would require the approval of DER – Environmental Health Division through the building permit process, which also takes soil type into consideration within the specific design requirements.

Public Works also responded that prior to the recording of the final map, a complete set of improvement plans that are consistent with the Stanislaus County Standards and Specifications and the tentative map shall be submitted and approved by Stanislaus County Public Works. Public Works' requirements will be placed on the project as development standards.

No septic tanks or private wells are proposed as part of the project request. The condominium lots have been provided a "Will Serve" letter for public sewer and water services from the Denair Community Services District (CSD). The letter indicated that the Denair CSD will require the owner/developer to enter into an agreement with the Denair CSD to construct and pay for necessary infrastructure to enable the district to provide water and sewer services to the project. The agreement will require the infrastructure be constructed to Denair CSD specifications, and that a security deposit be given to the district to guarantee performance and payment for the infrastructure, and that all current connection fees be paid in full. Once all fees are paid in full, a formal Will Serve letter will be given to the property owner/developer from the Denair CSD. The DER - Environmental Health Division submitted a referral response for the project requiring the development obtain a formal Will Serve letter for sewer and water. The requirement for a will serve letter will be placed on the project as a development standard and required to be obtained prior to issuance of a building permit. Additionally, DER commented that any existing on-site wastewater treatment system (OWTS) be destroyed under permit from DER and in accordance with all laws and policies, which will be added to the project as a development standard.

The project site is not located near an active fault or within a high earthquake zone. Landslides are not likely due to the flat terrain of the area. Compliance with the Storm Water Pollution Prevention Program (SWPPP), with the Alquist-Priolo Earthquake Fault Zoning Act, and the California Building Code are all required through the building and grading permit review process which would reduce the risk of loss, injury, or death due to earthquake or soil erosion to less than significant.

Mitigation: None.

References: Application information; Will Serve letter from Denair Community Services District, dated May 6, 2024; Referral response from the Stanislaus County Department of Public Works, September 25, 2024; Referral response from the Department of Environmental Resources – Environmental Health Division, dated June 24, 2024; Stanislaus County General Plan and Support Documentation[1].

VIII. 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. Two additional bills, SB 350 and SB32, were passed in 2015 further amending the states Renewables Portfolio Standard (RPS) for electrical generation and amending the reduction targets to 40% of 1990 levels by 2030. GHGs emissions resulting from residential projects include emissions from temporary construction activities, energy consumption, and additional vehicle trips. Direct emissions of GHGs from the operation of the proposed project are primarily due to passenger vehicle trips. Therefore, the project would result in direct annual emissions of GHGs during operation.

The proposed project will result in short-term emissions of GHGs during construction. These emissions, primarily CO2, CH4, and N2O, are the result of fuel combustion by construction equipment and motor vehicles. The other primary GHGs (HFCs, PFCs, and SF6) are typically associated with specific industrial sources and are not expected to be emitted by the proposed project. As described above in Section III - *Air Quality* of this report, the use of heavy-duty construction equipment would be very limited; therefore, the emissions of CO2 from construction would be less-than significant. Additionally, the construction of the proposed buildings is subject to the mandatory planning and design, energy efficiency, water efficiency and conservation, material conservation and resources efficiency, and environmental quality measures of the California Green Building Standards (CALGreen) Code (California Code of Regulations, Title 24, Part 11). All proposed construction activities associated with this project are considered to be less-than significant as they are temporary in nature and are subject to meeting SJVAPCD standards.

The project was referred to the SJVAPCD which responded with no comments. The analysis of mobile source pollution based on the SJVAPCD's Small Project Analysis Level (SPAL) guidance within Section III – *Air Quality* of this report would apply in regard to Greenhouse Gas Emissions as well. The SJVAPCD's threshold of significance for residential projects is identified as 155 units, and less than 800 additional trips per-day. The project proposes two condominium residential lots. The proposed project has the potential to develop a maximum of two new dwelling units, with each new lot able to be developed with one condominium unit. As stated in Section III – *Air Quality*, approximately 11 additional trips per-day are anticipated as a result of project approval. Additionally, as discussed in Section III – *Air Quality*, the project's estimated number of additional vehicle trips is below the VMT threshold of the technical advisory from the State Office of Planning and Research (OPR).

Consequently, GHG emissions associated with this project are considered to be less than significant.

Mitigation: None.

References: Application information; Governor's Office of Planning and Research Technical Advisory, December 2018; Federal Highway Administration, Summary of Travel Trends: 2017 National Household Travel Survey; San Joaquin Valley Air Pollution Control District's Small Project Analysis Level (SPAL) guidance; Stanislaus County General Plan and Support Documentation[1].

IX. 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 or excessive noise for people residing or working in the project area?			**X**	
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			**X**	
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?			**X**	

Discussion: The project was referred to the DER - Hazardous Materials Division, which is responsible for overseeing hazardous materials. A response was received indicating that the developer shall conduct a Phase I or Phase II study prior to the issuance of a grading permit. Additionally, the Hazardous Materials Division requested that they be contacted should any underground storage tanks, buried chemicals, buried refuse, or contaminated soil be discovered during grading or construction. These comments will be reflected through the application of a development standard.

A referral response was also received from the California Department of Toxic Substances Control (DTSC) stating that if buildings are to be demolished on the project site, surveys should be conducted for the presence of lead-based paints or products, mercury, asbestos containing materials, and polychlorinated biphenyl caulk. Removal, demolition, and disposal of any of the aforementioned chemicals should be conducted in compliance with State of California environmental regulations and policies. Sampling near current and/or former buildings should be conducted as well in accordance with the DTSC's guidance manual. Additionally, DTSC indicated that a soils test would be required to be performed for the project site to determine if any hazardous materials or contaminated soils exist on the project site and recommended that all imported soil and fill material should be tested to ensure any contaminants of concerns are within acceptable levels for the intended land use. Development standards will be applied to the project reflecting DTSC's comments. The project site is not listed on the EnviroStor database managed by the CA Department of Toxic Substances Control or within the vicinity of any airport. The Hazardous Materials Division notified the Stanislaus County Planning and Community Development Department of the presence of an open Central Valley Regional Water Quality Control Board (CVRWQCB) case (T0609997924) for a Leaking Underground Storage Tank (LUST) located 300± feet to the west of the project site at 4740 Main Street; however, groundwater is not known to be contaminated within the project site area. The project was referred to CVRWQCB which did not respond to the project; however, a development standard will be added to the project requiring that the applicant coordinate with CVRWQCB to determine if any permits or requirements must be obtained/met prior to issuance of a building permit.

The project will be served by the Denair Community Services District for their domestic water and sewer services. The Hazardous Material Division indicated that the project will not have a significant effect on the environment.

The site is located in a Local Responsibility Area (LRA) for fire protection and is served by Denair Fire Protection District. The project was referred to the district; however, no response has been received to date. Each subsequent building permit for the residential development will be required to meet any relevant State of California Fire Code requirement prior to issuance.

The project site is not within the vicinity of any airstrip or wildlands. No significant impacts associated with hazards or hazardous materials are anticipated to occur as a result of the proposed project.

Mitigation: None.

References: Application information; Referral response received from Stanislaus County Department of Environmental Resources – Hazardous Materials Division, dated July 5, 2024; Referral response received from California Department of Toxic Substances Control, dated June 25, 2024; Department of Toxic Substances Control's data management system (EnviroStor); Stanislaus County General Plan and Support Documentation[1].

X. 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 or otherwise substantially degrade surface or ground water quality?			X	
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			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 or through the addition of impervious surfaces, in a manner which would:			X	
i) result in substantial erosion or siltation on- or off-site;			X	
ii) substantially increase the rate of amount of surface runoff in a manner which would result in flooding on- or off-site.			X	
iii) 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; or			X	
iv) impede or redirect flood flows?			X	
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?			X	
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			X	

Discussion: Areas subject to flooding have been identified in accordance with the Federal Emergency Management Act (FEMA). The project site is located in FEMA Flood Zone X, which includes areas determined to be outside the 0.2 percent annual chance floodplains. All flood zone requirements are addressed by the Stanislaus County Planning and Community Development - Building Permits Division during the building permit process.

The project site will be served water and sewer services by the Denair Community Services District. The Denair Community Services District (CSD) provided a letter indicating the ability of the Denair CSD to serve water and sewer to the project site. A condition of service, the Denair CSD will require the owner/developer to enter into an agreement to construct and pay for necessary infrastructure to enable the district to provide water and sewer services to the project. The agreement will require the infrastructure be constructed to Denair CSD specifications, that a security deposit be given to the District to guarantee performance and payment for the infrastructure, and that all current connection fees be paid in full. Development standards will be added to the project to ensure these requirements are met. The project was referred to the Department of Environmental Resources (DER) – Environmental Health Division which responded that a Will Serve letter be obtained for water and sewer services for the project from the Denair CSD and that any existing on-site well or septic tank shall be destroyed under permit from DER and in accordance with all laws and policies.

Water quality in Stanislaus County is regulated by the Regional Water Quality Control Board, Central Valley Region, (CVRWQCB) under a Water Quality Control Plan (Basin Plan) for the Sacramento and San Joaquin River Basins. Under the Basin Plan, the CVRWQCB issues Waste Discharge Requirements (WDRs) to regulate discharges with the potential to

degrade surface water and/or groundwater quality. In addition, the CVRWQCB issues orders to cease and desist, conduct water quality investigations, or implement corrective actions. The Stanislaus County DER – Groundwater Division manages compliance with WDRs for some projects under a Memorandum of Understanding with the CVRWQCB. A response was received from the DER Hazardous Materials Division as previously mentioned in Section IX – *Hazards and Hazardous Materials* which indicated the presence of an open CVRWQCB, case T0609997924, for a Leaking Underground Storage Tank (LUST) located 300± feet to the west of the project site at 4740 Main Street; however, groundwater is not known to be contaminated within the project site area. The project was referred to CVRWQCB which did not respond with comments; however, a development standard will be added to the project requiring that the applicant coordinate with CVRWQCB to determine if any permits or CVRWQCB requirements need to be obtained/met prior to issuance of a building permit.

Storm drainage is proposed to be maintained on-site by a retention basin. A referral response received from the Stanislaus County Department of Public Works indicated that a grading, drainage, and erosion/sediment control plan for the project shall be submitted as well as the submittal of a Storm Water Pollution Prevention Plan (SWPPP) prior to the approval of any grading. Accordingly, runoff associated with the construction at the proposed project site will be reviewed as part of the grading and building permit review process. Additionally, a complete set of improvement plans that are consistent with the Stanislaus County Standards and Specifications and the final map shall be submitted and approved by Stanislaus County Public Works. Public Works comments will be applied to the project as development standards.

The Sustainable Groundwater Management Act (SGMA) was passed in 2014 with the goal of ensuring the long-term sustainable management of California's groundwater resources. SGMA requires agencies throughout California to meet certain requirements including forming Groundwater Sustainability Agencies (GSA), developing Groundwater Sustainability Plans (GSPs), and achieving balanced groundwater levels within 20 years. The subject project is located within the West Turlock Groundwater Subbasin and the jurisdiction of the Turlock GSA. A Groundwater Sustainability Plan (GSP) was submitted to the California Department of Water Resources (DWR) on January 28, 2022 for review. On January 18, 2024, the California Department of Water Resources (DWR) provided comments on the Turlock Subbasin's GSP following a two-year review period and the GSP was determined to be incomplete by the CA DWR. A final Revised GSP was adopted by the Turlock Subbasin on July 11, 2024 and sent to the CA DWR, which is anticipated to complete their review of the Revised GSP by the end of 2024. The Denair CSD is subject to meeting any applicable requirements of the Turlock GSP.

Groundwater management in Stanislaus County is also regulated under the County Groundwater Ordinance, adopted in 2014. No new wells are anticipated to be installed as a result of this project. However, if a new well were required in the future, the drilling of a new well would be regulated by the County's Groundwater Ordinance and thus require CEQA-compliance.

In addition to GSPs and the Groundwater Ordinance, the County General Plan includes goals, policies, and implementation measures focused on protecting groundwater resources. Projects with a potential to affect groundwater recharge or that involve the construction of new wells are referred to Stanislaus County Department of Environmental Resources (DER) for review. The project was referred to the DER – Groundwater Division which responded that the project be referred to the Turlock Subbasin GSA for review and comment. The DER – Groundwater Division did not reply with any comments on behalf of their division as the project will be supplied by the Denair CSD and stormwater will be retained on-site. The project was referred to the Turlock Subbasin GSA; however, no response was received.

No new septic systems or wells are proposed under this request.

The project site is located within the Turlock Irrigation District (TID) boundaries. The project was referred to TID which did not respond with comments regarding irrigation facilities.

As a result of the development standards required for this project, impacts associated with drainage, water quality, and runoff are expected to have a less-than significant impact.

Mitigation: None.

References: Application information; Will Serve letter from Denair Community Services District, dated May 6, 2024; Referral response from Stanislaus County Department of Environmental Resources – Environmental Health Division, dated June 24, 2024; Referral response from Stanislaus County Department of Environmental Resources - Hazardous Materials Division, dated July 5, 2024; Referral response from Stanislaus County Department of Public Works, dated September 25, 2024; Referral received from the Stanislaus County Department of Environmental Resources – Groundwater Division, dated

June 28, 2024; Referral response from Turlock Irrigation District (TID), dated July 2, 2024; Stanislaus County Zoning Ordinance (Title 21); Stanislaus County General Plan and Support Documentation[1].

XI. 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) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?			X	

Discussion: The project site is designated Medium Density Residential by the Stanislaus General Plan and Denair Community Plan and zoned Planned Development (P-D) (356). The project proposes to amend the zoning designation of a 7,792± square-foot parcel from Planned Development (P-D) (356) to a new residential P-D to allow for the subdivision of the project parcel into two air space condominium lots. The condominium lots will be approximately 3,896± square feet in size each. If approved, the applicant proposes to also construct two 1,000± square-foot condominium dwelling units with one unit on each resultant lot. The parcel is currently developed with a storage shed and four deciduous trees; the applicant proposes to demolish the storage shed and remove the trees from the project site. Construction for the proposed is anticipated to begin within three to five years of approval. The site is surrounded by single-family dwellings in all directions, the Denair Community Service District (CSD) main office, Denair Public Library, and Fire Protection District Station to the north, the Denair CSD corporation yard to the east, commercial uses and a mobile home park to the west, and the Burlington Northern Railroad to the south and west. This project is considered to be an in-fill development as the surrounding area is almost entirely built up with urban uses. and currently zoned Planned Development (P-D) (356) which permits residential uses consistent with the Medium Density Residential (R-2) zoning district.

The project site is located within the service boundary of the Denair Community Services District (CSD). As previously discussed in Section X- *Hydrology and Water Quality*, each proposed lot will be served with water and sewer from the Denair CSD as indicated by the Will Serve letter received from the Denair CSD and as required by DER. Development standards will be added to the project to ensure the Denair CSD and DER requirements are met.

The project site and the adjacent legal parcels to the west and south were approved by the Board of Supervisors on August 17, 2021, under General Plan Amendment (GPA), Rezone (REZ), and Vesting Tentative Parcel Map (VTPM) No. PLN2021-0009 – *WPD Homes, Inc*., to allow for the subdivision of a 1.32± acre parcel into three parcels of 33,901±, 10,132± and 13,615± square feet in size (58-PM-076), and to allow for the construction of five duplexes on the resultant Parcel 1, and residential development consistent with the Medium Density Residential (R-2) zoning district on resultant Parcels 2 (the current project site) and 3. The resultant parcels were also rezoned to the Medium Density Residential (R-2) zoning district which has a site area requirement of six thousand square feet for parcels serviced by both public water and sewer facilities. Pursuant to Section 21.40.080(C) of the County Zoning Ordinance, a rezone is required when an amendment to a Planned Development does not conform to the approved development plan. Therefore, a rezone application was submitted for the current request to subdivide the existing parcel into lots less than 6,000 square feet in size. The current General Plan and Community Plan designation of Medium Density Residential (MDR) allows for a residential density of up to 14 units per acre. The project proposes to create two condominium lots 3,896± square-feet in size, on approximately 18± acres, which equates to a density of 2.5 units per acre which is consistent with the MDR General Plan Land Use designation. The proposed Planned Development zoning would permit all currently applicable uses and development standards established under the R-2 zoning district, with the exception of building site area, and be consistent with the existing MDR Community Plan and General Plan designation.

Additionally, Sections 21.52.130 – *Lots – Width and Depth* of the Stanislaus County Subdivision Ordinance requires a 55-foot minimum width for new lots, and Section 21.52.160 – *Lots – Width to Depth*, requires that new lots have a width-to-depth ratio of no more than 1:3 for new lots where the total frontage is less than 300-feet. Accordingly, exceptions to these two design standards are required to process the application as the proposed lots will have a width of 34 to 35± feet, and a depth of 110 to 112± feet. For an exception to be made from Section 21.52.130 regarding the minimum lot width, the tentative parcel map must demonstrate to the satisfaction of Stanislaus County Planning and Community Development Department – Planning Division staff that the lots:

1. Can be used for its intended purposes;

2. Will meet building setback requirements;

3. Will not be detrimental to the public welfare nor injurious to other property in the neighborhood of the proposed subdivision; and

4. Will be consistent with the potential subdivision of the total property as well as any approved adjacent city zoning and development plans.

For an exception to be made from Section 21.52.160 regarding the maximum width-to-depth ratio, the tentative parcel map must demonstrate to the satisfaction of Stanislaus County Planning and Community Development Department – Planning Division staff that the lots:

1. Can be used for its intended purpose;

2. Will not be detrimental to the continued agricultural use of said parcel(s) when designated as agricultural on the land use element of the general plan;

3. Is/are consistent with the potential subdivision of the total property as well as any approved city zoning and development plans;

Where parcels exceed the width to depth ratio and any parcel being created is of sufficient area to be further subdivided the subdivider may be required to provide such reservations or dedications for future roads of not less than fifty feet in width running to the benefit of the general public, and such other requirements as may be considered reasonable and appropriate to safeguard the orderly development of the property. The project was referred to the Stanislaus County Department of Public Works which responded that full frontage improvements including the installation of curb, gutter, sidewalk, and street lighting pursuant to Stanislaus County standards along Kersey Road will be required to be installed in accordance with Public Works' standards and specifications; development standards will be added to the project reflecting Public Works' requirements. The requirement for a landscaping plan to be submitted as required under Development Standard No. 5 for P-D (356) under General Plan Amendment, Rezone, and Vesting Tentatiave Parcel Map No. PLN2021-0009 – *WPD Homes, Inc.* will be applied to this project as well and shall consist of tree(s) and plants suitable for the existing climate and meet all requirements of the Model Water Efficient Landscape Ordinance (MWELO).

As required by the Stanislaus County General Plan's Land Use Element Sphere of Influence (SOI) Policy No. 27, projects within the sphere of influence of a sanitary sewer district, domestic water district, or community services district, shall be forwarded to the district board for comment regarding the ability of the district to provide services. As previously mentioned, the project site is located within the Denair CSD and will be served sewer and water services from the Denair CSD. The project was referred to the Denair CSD and no additional responses have been received. The SOI Policy also requires that projects located within a SOI of a city of special district and within the boundaries of a Municipal Advisory Council (MAC) shall be referred to the MAC and the decision-making body give consideration to any comments received from the MAC. The proposed project is located within the Denair MAC boundaries and, accordingly, has been referred to the Denair MAC as part of the Early Consultation referral which circulated from June 21, 2024 to July 8, 2024. No comments have been received from the Denair MAC. The MAC will hear the project proposal and make a recommendation regarding the project at a regularly scheduled monthly meeting prior to the final hearing for the project.

The General Plan and the Denair Community 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. Consequently, the Stanislaus County Department of Parks and Recreation has calculated in-lieu fees per single-family dwelling unit to be paid by the developer to accommodate increased recreation needs occurring as a result of the residential development. Based on the number of lots being created, development standards will be added to the project to require in-lieu park fees. These fees will be required at the issuance of a building permit for each dwelling unit.

With the application of development standards, there is no indication that, under the circumstances of this particular case, the proposed operation will be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood of the use or that it will be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

The project will not physically divide an established community nor conflict with any habitat conservation plans. The project is a residential in-fill project located within the community of Denair.

Mitigation: None.

References: Application information; Will Serve letter from the Denair Community Services District, dated May 6, 2024; Referral response from Stanislaus County Department of Public Works, dated September 25, 2024; Stanislaus County Parks and Recreation Park Land In-Lieu Of Fees Policy, adopted by General Plan Amendment No. 2003-02; Stanislaus County General Plan and Support Documentation[1].

XII. 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 California Division of Mines and Geology in Special Report 173. There are no known significant resources on the site, nor is the project site located in a geological area known to produce resources.

Mitigation: None.

References: Application information; California Division of Mines and Geology – Special Report 173; Stanislaus County General Plan and Support Documentation[1].

XIII. NOISE -- Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			**X**	
b) Generation of excessive groundborne vibration or groundborne noise levels?			**X**	
c) For a project located within the vicinity of a private airstrip or 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**	

Discussion: The Stanislaus County General Plan identifies noise levels up to 55 dB Ldn (or CNEL) as the normally acceptable level of noise for Residential uses during daytime hours from 7:00 a.m. to 10:00 p.m. and 45 dB Ldn during nighttime hours from 10:00 p.m. to 7:00 a.m. The closest off-site sensitive noise receptor adjacent to the project site is a single-family dwelling located approximately 34± feet away, on a parcel which abuts the project site to the west. The proposed project is required to comply with the noise standards included in the General Plan and Noise Control Ordinance. On-site grading and construction resulting from this project may result in a temporary increase in the area's ambient noise levels; however, noise impacts associated with on-site activities and traffic are not anticipated to exceed the normally

acceptable level of noise. The site itself is impacted by the noise generated from North Gratton Road to the west and Kersey Road to the north.
The site is not located within an airport land use plan. Noise impacts associated with the proposed project are considered to be less-than significant.

Mitigation: None.

References: Application information; Stanislaus County Noise Control Ordinance (Title 10); Stanislaus County General Plan, Chapter IV – Noise Element; Stanislaus County General Plan and Support Documentation[1].

XIV. POPULATION AND HOUSING -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Induce substantial unplanned 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 people or housing, necessitating the construction of replacement housing elsewhere?			**X**	

Discussion: Stanislaus County is currently undergoing updates for the 6th Cycle Housing Element (2023-2031). The sites inventory for the 2023 draft Stanislaus County Housing Element, which covers the 6th Cycle Regional Housing Needs Allocation (RHNA) for the County, identifies Denair as having a realistic capacity for producing an additional 165 housing units, made up of 25 above moderate units,13 moderate units, and 127 lower income units. Although the project site is not included in the sites inventory for the draft 6th Cycle Housing Element, the project would produce two new condominium units which will assist the County in producing a portion of the above moderate units identified as being needed within Stanislaus County.

The proposed project will not create significant service extensions or new infrastructure which could be considered as growth inducing, as services are available to neighboring properties. Additionally, in accordance with the implementation measures listed under Goal Two, Policy Two of the Denair Community Plan, the sizing of sewer and water lines should be reduced as they approach the northerly, westerly and easterly periphery of the Denair Community Plan area to limit growth influences beyond the Plan area. The maximum number of residential units the proposed project could develop is two units. The extension of Denair CSD water and sewer services will not induce any further growth as the development is an infill project. The site is surrounded by similar low to medium density residential development.

Mitigation: None.

References: Application information; Stanislaus County Zoning Ordinance (Title 21); Stanislaus County General Plan Draft 6th Cycle Housing Element, dated August 29, 2024; Stanislaus County General Plan and Support Documentation[1].

XV. 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:			**X**	

Fire protection?			**X**	
Police protection?			**X**	
Schools?			**X**	
Parks?			**X**	
Other public facilities?			**X**	

Discussion: The project site is served by Denair Fire District for fire protection, the Denair Unified and Turlock Unified School Districts for schools, Stanislaus County Sheriff Department for police protections, the Denair Community Services District for public water and sewer, Stanislaus County Parks and Recreation Department for parks facilities, and the Turlock Irrigation District (TID) for electrical power and irrigation services. Stanislaus County has adopted Public Facilities Fees, as well as Fire Facility Fees on behalf of the appropriate fire district, to address impacts to public services. School Districts also have their own adopted fees. All facility fees are required to be paid at the time of building permit issuance. The Sheriff's Department also uses a standardized fee for new dwellings that will be incorporated into the Development standards. As discussed in Section XI – *Land Use and Planning*, the General Plan and the Denair Community 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. The Stanislaus County Department of Parks and Recreation has calculated an in-lieu fee per dwelling unit which will be paid by the developer to accommodate increased recreation needs occurring as a result of the residential development.

As discussed in Section VI – *Energy* of this report, TID provided a referral response to the project indicating that electric service can be provided to the new parcels via underground connections rather than overhead and that an easement may be required in order to establish service for the parcel to the south under the same ownership and a different project (Tentative Map Application No. PLN2024-0014 – FQC, Inc). The applicant will be required to comply with TID's requirements through development standards placed on the project.

As discussed in Section X – *Hydrology and Water Quality*, the Denair Community Services District (CSD) provided a Will Serve letter indicating the capacity of the Denair CSD to serve water and sewer to the project site subject to the owner/developer entering into an agreement with the Denair CSD and payment of fees. The Denair CSD's requirements will be added as development standards to the project.

The project was referred to the CVRWQCB which did not provide a response; however, a development standard will be added to the project requiring the applicant contact the CVRWQCB and comply with all applicable CVRWQCB rules and regulations prior to issuance of a building permit.

This project was circulated to all applicable school, fire, police, irrigation, and public works departments and districts during the Early Consultation referral period and no concerns or limitations were identified with regard to public services.

Mitigation: None.

References: Application information; Referral response from Turlock Irrigation District (TID), dated July 2, 2024; Stanislaus County Parks and Recreation Park Land In-Lieu Of Fees Policy, adopted by General Plan Amendment No. 2003-02; Will Serve letter from the Denair Community Services District, dated May 6, 2024; Stanislaus County General Plan and Support Documentation[1].

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

Discussion: The General Plan and the Denair Community 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, development standards will be added to the project to require in-lieu park fees. These fees will be required at the issuance of a building permit for each dwelling unit.

Mitigation: None.

References: Application information; Stanislaus County Parks and Recreation Park Land In-Lieu Of Fees Policy, adopted by General Plan Amendment No. 2003-02; Stanislaus County General Plan and Support Documentation[1].

XVII. TRANSPORTATION -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?			**X**	
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?			**X**	
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			**X**	
d) Result in inadequate emergency access?			**X**	

Discussion: The project proposes to amend the zoning designation of a 7,792± square-foot parcel from Planned Development (P-D) (356) to a new residential P-D to allow for the subdivision of the project parcel into two air space condominium lots. The condominium lots will be approximately 3,896± square feet in size each. If approved, the applicant proposes to also construct two 1,000± square-foot condominium dwelling units with one unit on each resultant lot.

A referral response was received from Public Works requesting road frontage improvements along Kersey Road shall include a driveway approach, curb, ramp, and sidewalk improvements. There is no existing driveway for the project site; a common driveway easement shall be provided on the Parcel Map for a shared driveway serving the condominium lots. Prior to plan review, the applicant shall sign a "Plan Check/Inspections" agreement and post a $5,000 deposit with Public Works, as well as a financial guarantee deposit for the street improvements installation along the frontage of Kersey Road. The Department of Public Works will also be requiring an Irrevocable Offer of Dedication for the remaining 5-foot to obtain the full road half-width south of the centerline of Kersey Road, and a grading and drainage plan. The comments received from Public Works will be applied to the project as development standards.

As required by CEQA Guidelines Section 15064.3, potential impacts to transportation should be evaluated using Vehicle Miles Traveled (VMT). Stanislaus County has currently not adopted any significance thresholds for VMT, and projects are treated on a case-by case basis for evaluation under CEQA. However, the State of California - Office of Planning and Research (OPR) has issued guidelines regarding VMT significance under CEQA. The CEQA Guidelines identify vehicle miles traveled (VMT), which is the amount and distance of automobile travel attributable to a project, as the most appropriate measure of transportation impacts. According to the same technical advisory from OPR, projects that generate or attract fewer than 110 trips per-day generally or achieves a 15% reduction of VMT may be assumed to cause a less-than significant transportation impact. The project proposes two condominium residential lots. The proposed project has the potential to develop a maximum of two new dwelling units, with each new lot able to be developed with one condominium unit. According to the Federal Highway Administration the average daily vehicle trips per household is 5.11, which would equal approximately 11 additional trips per-day as a result of project approval (2 new units x 5.11 = 10.22). As this is well below the SJVAPCD's threshold of significance, no significant impacts to transportation are anticipated.

All development on-site will be required to pay applicable Stanislaus County Public Facilities Fees (PFF), which will be utilized for maintenance and traffic congestion improvements to all County roadways.

The proposed project is not anticipated to conflict with any transportation program, plan, ordinance or policy.

Mitigation: None.

References: Application information; Referral response from Stanislaus County Department of Public Works, dated September 25, 2024; Federal Highway Administration, Summary of Travel Trends: 2017 National Household Travel Survey; Governor's Office of Planning and Research Technical Advisory, December 2018; Stanislaus County Zoning Ordinance (Title 21); Stanislaus County General Plan and Support Documentation[1].

XVIII. TRIBAL 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 tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California native American tribe, and that is:			**X**	
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or			**X**	
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set for the in subdivision (c) of Public Resource Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.			**X**	

Discussion: It does not appear this project will result in significant impacts to any tribal cultural resource. The site is currently vacant; however, the surrounding area has been developed with single-family dwellings and urban uses. A records search for the project site submitted for Planned Development (P-D) (356) under General Plan Amendment, Rezone, and Vesting Tentative Parcel Map No. PLN2021-0009 – *WPD Homes, Inc*., indicated that there was a low probability of discovery of prehistoric resources; nor have any resources that are known to have value to local cultural groups have been discovered or reported in the immediate vicinity. As discussed in Section V – *Tribal Cultural Resources* of this report, the records search indicated there may be discovery of historical resources such as standing buildings 45 years or older, and possibly subsurface historic-era archaeological features, such as domestic refuse and artifact deposits or building foundations, associated with earlier use on-site on the project site. The Central California Information Center (CCIC) recommendations as mentioned in the *Tribal Cultural Resources* section of this report will be applied to the project.

In accordance with SB 18 and AB 52, this project was not referred to the tribes listed with the Native American Heritage Commission (NAHC) as the project is not a General Plan Amendment and no tribes have requested consultation or project referral noticing.

It does not appear that this project will result in significant impacts to any tribal cultural resources.

Mitigation: None.

References: Application information; Records search from the Central California Information Center, dated July 26, 2016; Stanislaus County General Plan and Support Documentation[1].

XIX. UTILITIES AND SERVICE SYSTEMS -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?			X	
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			X	
c) 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	
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			X	
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			X	

Discussion: Limitations on providing services have not been identified. The project proposes to amend the zoning designation of a 7,792± square-foot parcel from Planned Development (P-D) (356) to a new residential P-D to allow for the subdivision of the project parcel into two air space condominium lots. The condominium lots will be approximately 3,896± square feet in size each. If approved, the applicant proposes to also construct two 1,000± square-foot condominium dwelling units with one unit on each resultant lot.

As discussed in Section VI – *Energy* of this report, TID provided a referral response to the project indicating that electric service can be provided to the new parcels via underground connections rather than overhead and that an easement may be required in order to establish service for the parcel to the south under the same ownership and a different project (Tentative Map Application No. PLN2024-0014 – *FQC, Inc*). The applicant will be required to comply with TID's requirements through development standards placed on the project.

As discussed in Section X – *Hydrology and Water Quality*, the Denair Community Services District (CSD) provided a Will Serve letter indicating the capacity of the Denair CSD to serve water and sewer to the project site subject to the owner/developer entering into an agreement with the Denair CSD and payment of fees. A formal Will Serve letter will be required by the Department of Environmental Resources (DER) – Environmental Health Division. Additionally, if an existing on-site wastewater treatment system (OWTS) is encountered, the applicant shall contact the DER for guidance and submit for and secure any required permits for the destruction of any existing OWTS on the subject properties. The Denair CSD's requirements and DER's comments will be added to the project as development standards.

Mitigation: None.

References: Application information; Referral response from Turlock Irrigation District (TID), dated July 2, 2024; Will Serve letter from Denair Community Services District, dated May 6, 2024; Referral response from Stanislaus County Department of Environmental Resources – Environmental Health Division, dated June 24, 2024; Stanislaus County General Plan and Support Documentation[1].

XX. WILDFIRE – If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?			X	
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?			X	
c) Require the installation of maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?			X	
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?			X	

Discussion: The Stanislaus County Local Hazard Mitigation Plan from the Department of Emergency Services identifies risks posed by disasters and identifies ways to minimize damage from those disasters. With the Wildfire Hazard Mitigation Activities of this plan in place, impacts to an adopted emergency response plan or emergency evacuation plan are anticipated to be less-than significant. The terrain of the site is relatively flat, and the site has access to a County maintained road. The site is located in a Local Responsibility Area (LRA) for fire protection and is served by the Denair Fire Protection District. The project was referred to the Denair Fire Protection District, but no comments have been received to date. All improvements will be reviewed by the Stanislaus County Fire Prevention Bureau and will be required to meet all State of California and local fire code requirements.

Mitigation: None.

References: Application information; Stanislaus County General Plan and Support Documentation[1].

XXI. 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 substantially 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, substantially 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 site is surrounded single-family dwellings in all directions, the Denair Community Service District (CSD) main office, Denair Public Library, and Fire Protection District Station to the north, the Denair CSD corporation yard to the east, commercial uses and a mobile home park to the west, and the Burlington Northern Railroad to the south and west. An application to subdivide the adjacent parcel to the southwest into eleven air space condominium parcels ranging from 2,014± square-feet to 2,458± square-feet each, three common area parcels 3,696±, 4,332±, and 3,696± square-feet in size, and construct eleven condominium units each 2,000 square-feet in size was submitted in addition to this Rezone and Parcel Map request and is currently being processed under a separate application (Tentative Map Application No. PLN2024-0014 – *FQC, Inc*). The following projects which included subdivision requests have been approved within the Community Plan area of Denair within the last two years and are located within .9 miles of the project site:

- General Plan Amendment, Rezone and Vesting Tentative Map No. PLN2021-0040 – *Lazares Companies* (now called Monte Vista Collections): a request to amend the Denair Community Plan designation from Rural Residential to Low-Density Residential and the zoning designation from Rural Residential to Planned Development on a 18.6-acre parcel, and to subdivide the project site into 72 parcels, approved by the Board of Supervisors on August 16, 2022.

- Rezone and Vesting Tentative Map No. PLN2022-0026 – *Elmwood Estates*: a request to rezone a 4.82-acre parcel from Rural Residential (R-A) to Planned Development (P-D) to increase the maximum building site coverage from 40 to 50 percent, and to create 17 single-family residential lots ranging in size from 8,000 to 10,594 square feet and a 13,098 square-foot stormwater basin, approved by the Board of Supervisors on December 6, 2022.

- Rezone and Vesting Tentative Map No. PLN2021-0101 – *Hoffman Ranch*: a request to rezone a 15.9± acre parcel from Planned Development (P-D) (288) to a new P-D and to subdivide the project site into 76 parcels, ranging in size from 5,855 to 12,631 square feet and a 6,391± square-foot park site expansion, approved by the Board of Supervisors on June 6, 2023.

Cumulative impacts for each project above were assessed in the environmental documents adopted for each project by the Board, and no cumulative impacts were anticipated because of the projects. Additionally, development of these projects and the proposed project were anticipated and conform to the Denair Community Plan and would be considered infill.

The closest agriculturally zoned property is approximately 0.21 miles east of the project site and is currently designated as Low Density Residential under the Denair Community Plan. Any development of the surrounding area would be subject to the permitted uses of the applicable zoning district the property is located within and the Denair Community Plan or would require additional land use entitlements and environmental review.

The properties to the north and west are zoned Commercial and Medium Density Residential within the Denair Community Plan. The *Land Use* section of the Denair Community Plan states that suitable locations for Medium Density Residential and Medium High Density Residential housing is within the interior of communities, providing residents convenient access to public services, retail shopping and public transit opportunities and add new residents who are likely to shop in Denair's commercial district. Additionally, in accordance with the implementation measures listed under Goal Two, Policy Two of the Denair Community Plan, the sizing of sewer and water lines should be reduced as they approach the northerly, westerly and easterly periphery of the Denair Community Plan area to limit growth influences beyond the Denair Community Plan area. As such Medium and Medium High Density land use designations have been moved from Denair's periphery to its interior. The project site is located near the Commercial interior of the community as indicated by the proximity to Commercial and Medium Density Residential designated properties in the Denair Community Plan surrounding the project site.

No cumulative impacts are anticipated as a result of this project. The proposed project will not create significant service extensions or new infrastructure which could be considered as growth inducing, as services are available to neighboring properties.

Mitigation: None.

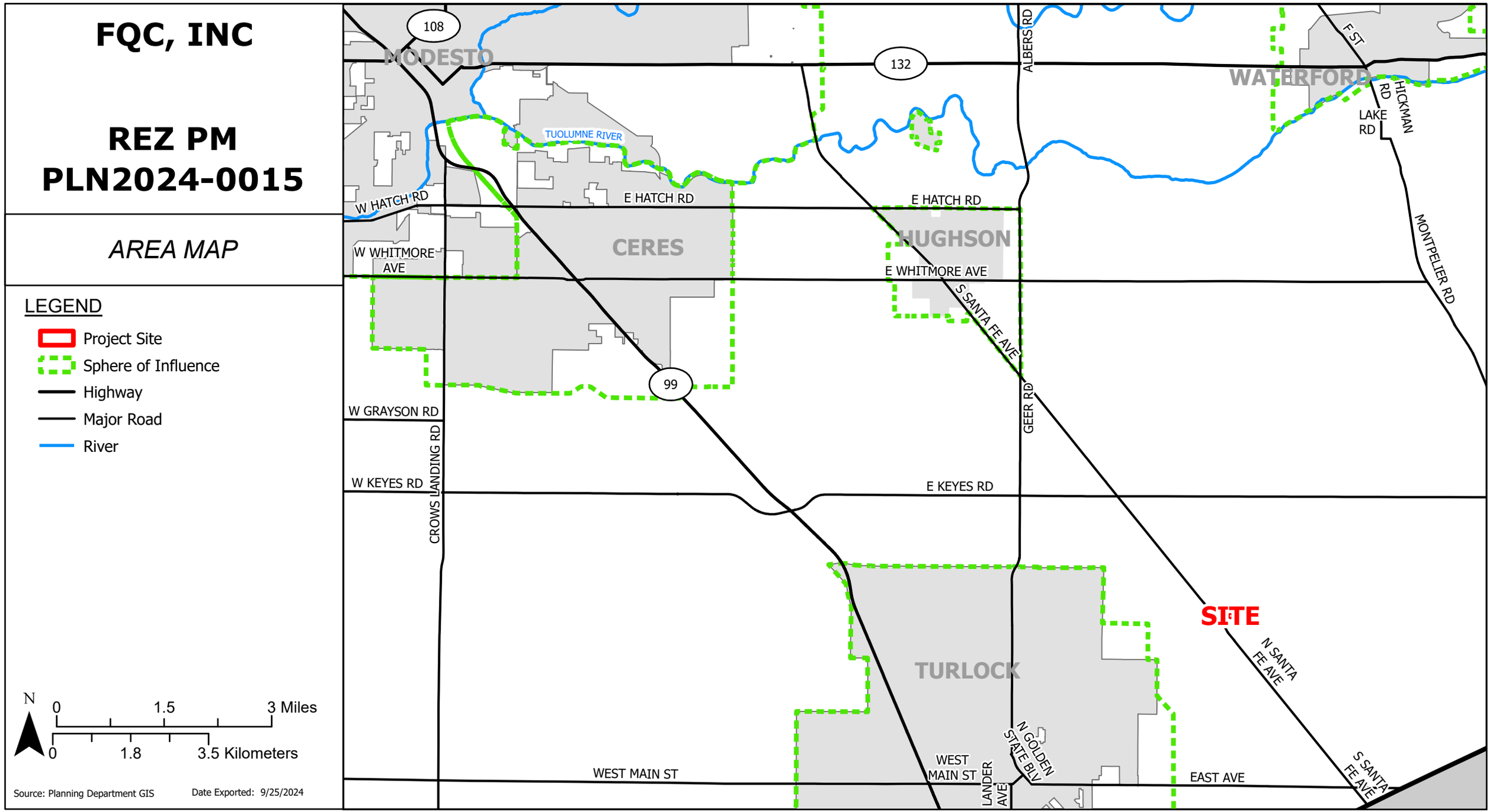
References: Initial Study; Stanislaus County General Plan and Support Documentation[1].

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

FQC, INC

REZ PM PLN2024-0015

AREA MAP



FQC, INC

REZ PM PLN2024-0015

GENERAL PLAN MAP

LEGEND

- Project Site
- Parcel
- Street
- Canal
- Agriculture
- Commercial
- Industrial
- Planned Development
- Residential - Low Density
- Residential - Medium Density
- Residential - Medium/High Density
- Urban Transition

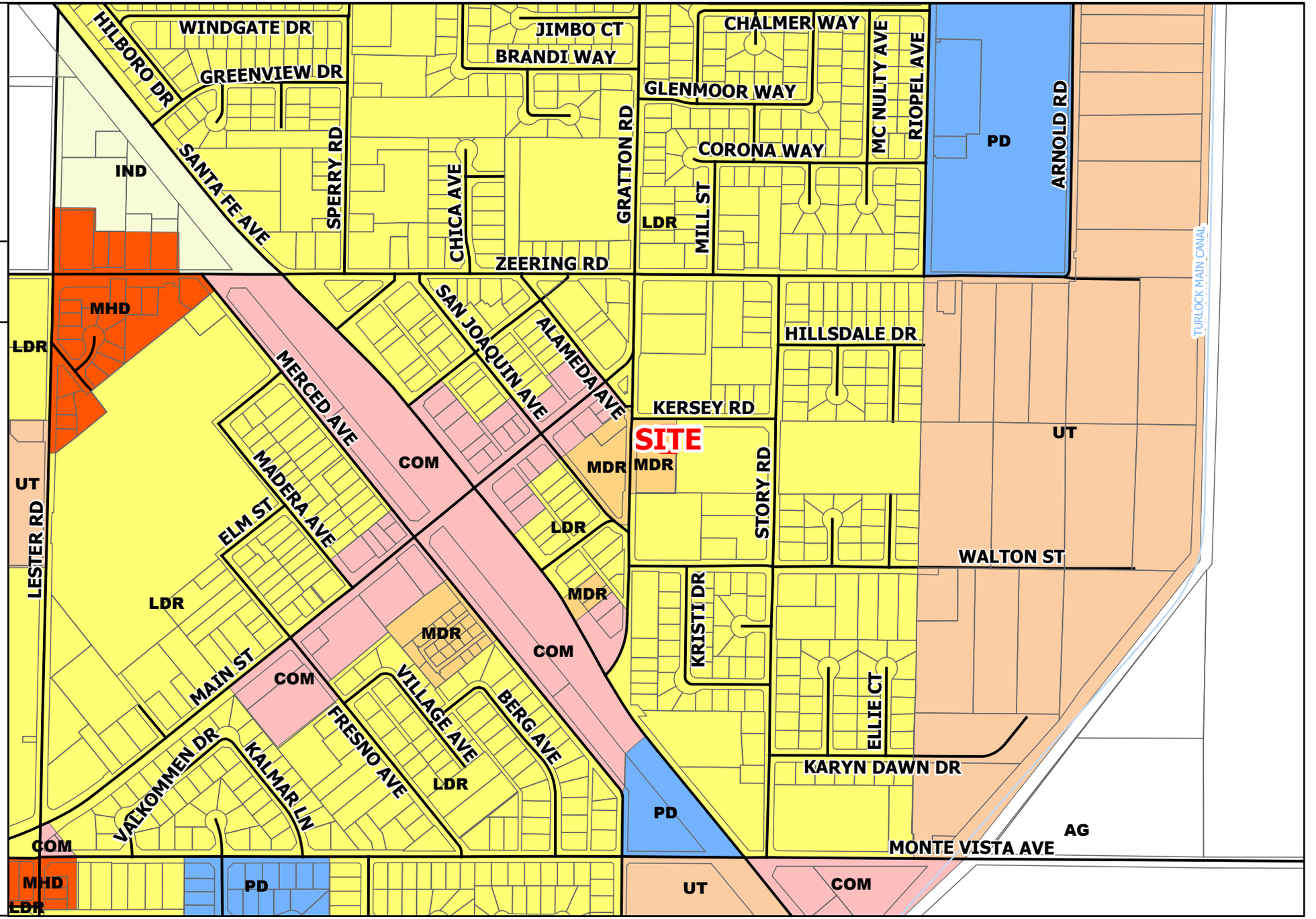
N

0 500 1,000 US Feet

0 150 300 Meters

Source: Planning Department GIS

Date Exported: 9/25/2024



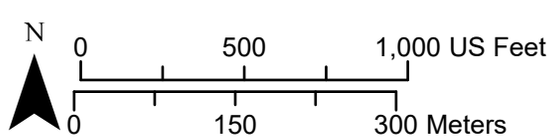
FQC, INC

REZ PM PLN2024-0015

COMMUNITY PLAN MAP

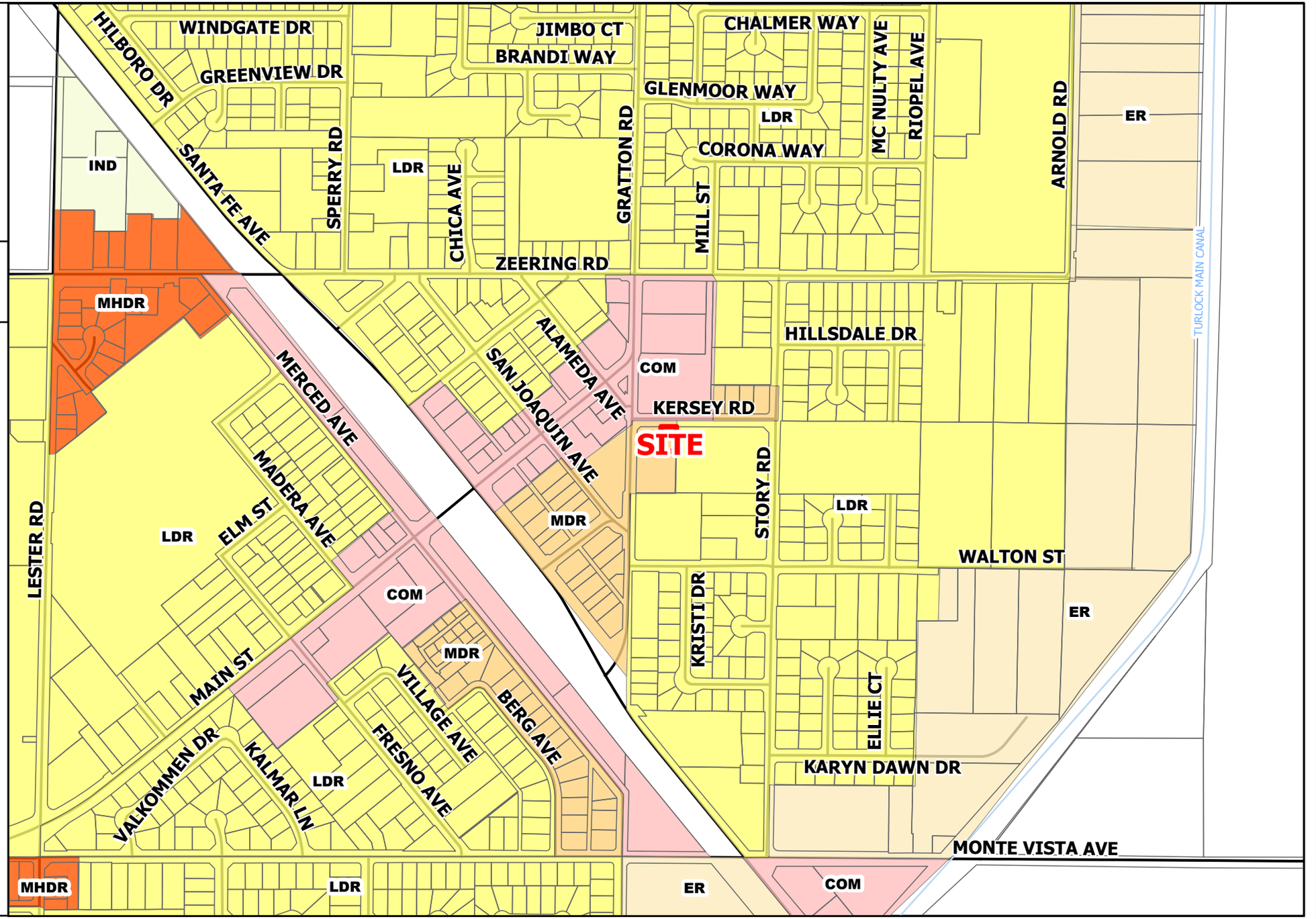
LEGEND

- Project Site
- Parcel
- Street
- Canal
- COM
- ER
- IND
- LDR
- MDR
- MHDR



Source: Planning Department GIS

Date Exported: 9/25/2024



FQC, INC

REZ PM
PLN2024-0015

ZONING MAP

LEGEND

- Project Site
- Parcel
- Street
- Canal
- General AG 10 Acre UT
- General AG 3 Acre
- General AG 40 Acre
- General Commercial
- Highway Frontage
- Industrial
- Limited Industrial
- Medium Density Residential
- Multiple Family
- Neighborhood Commercial
- Planned Development
- Rural Residential
- Single Family Residential

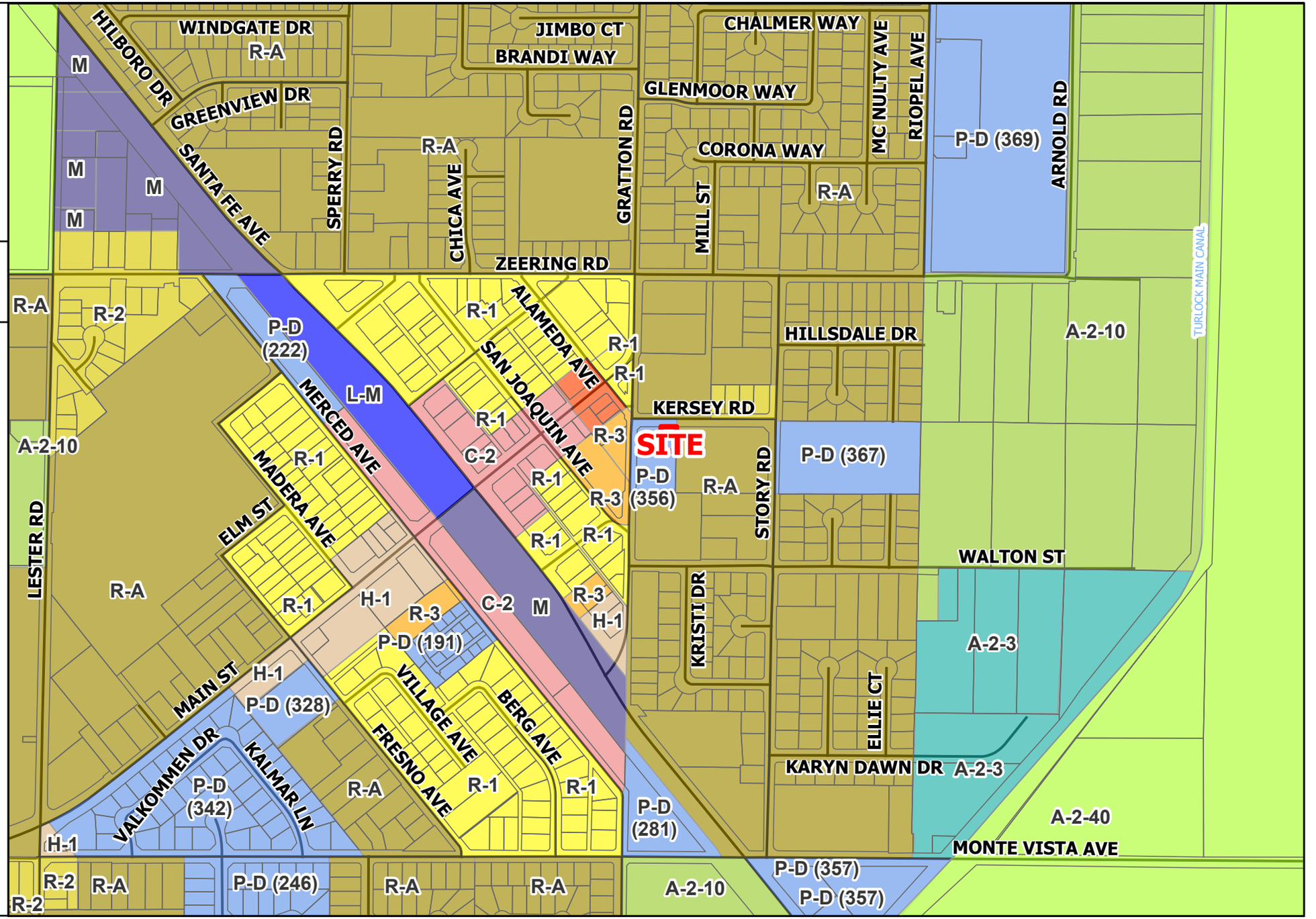
N

0 500 1,000 US Feet

0 150 300 Meters

Source: Planning Department GIS

Date Exported: 9/25/2024



FQC, INC

REZ PM PLN2024-0015

2023 AERIAL AREA MAP

LEGEND

- Project Site
- Parcel
- Street
- Canal

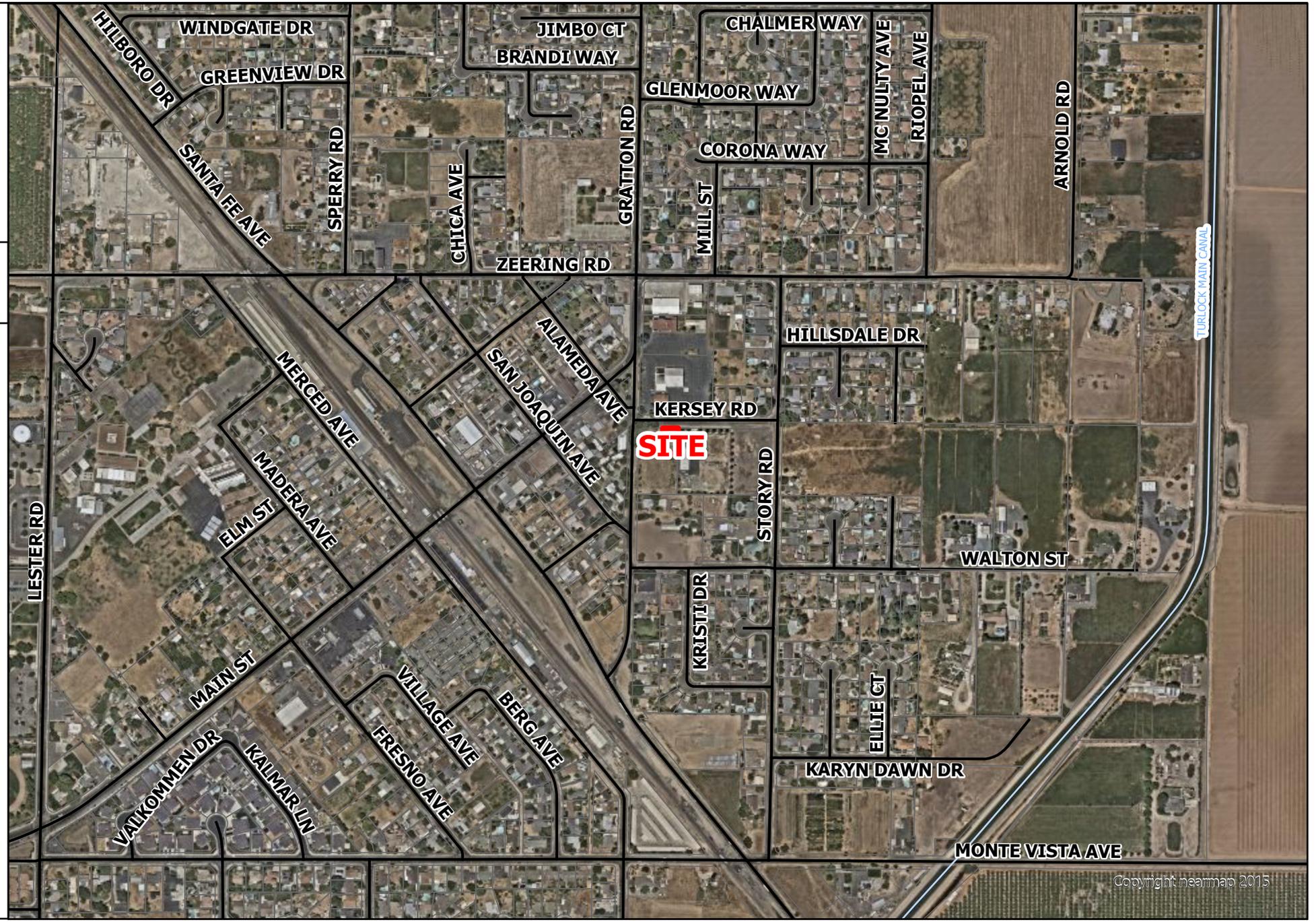
N

0 500 1,000 US Feet

0 150 300 Meters

Source: Planning Department GIS

Date Exported: 9/25/2024



FQC, INC

REZ PM PLN2024-0015

2023 AERIAL SITE MAP

LEGEND

- Project Site
- Parcel

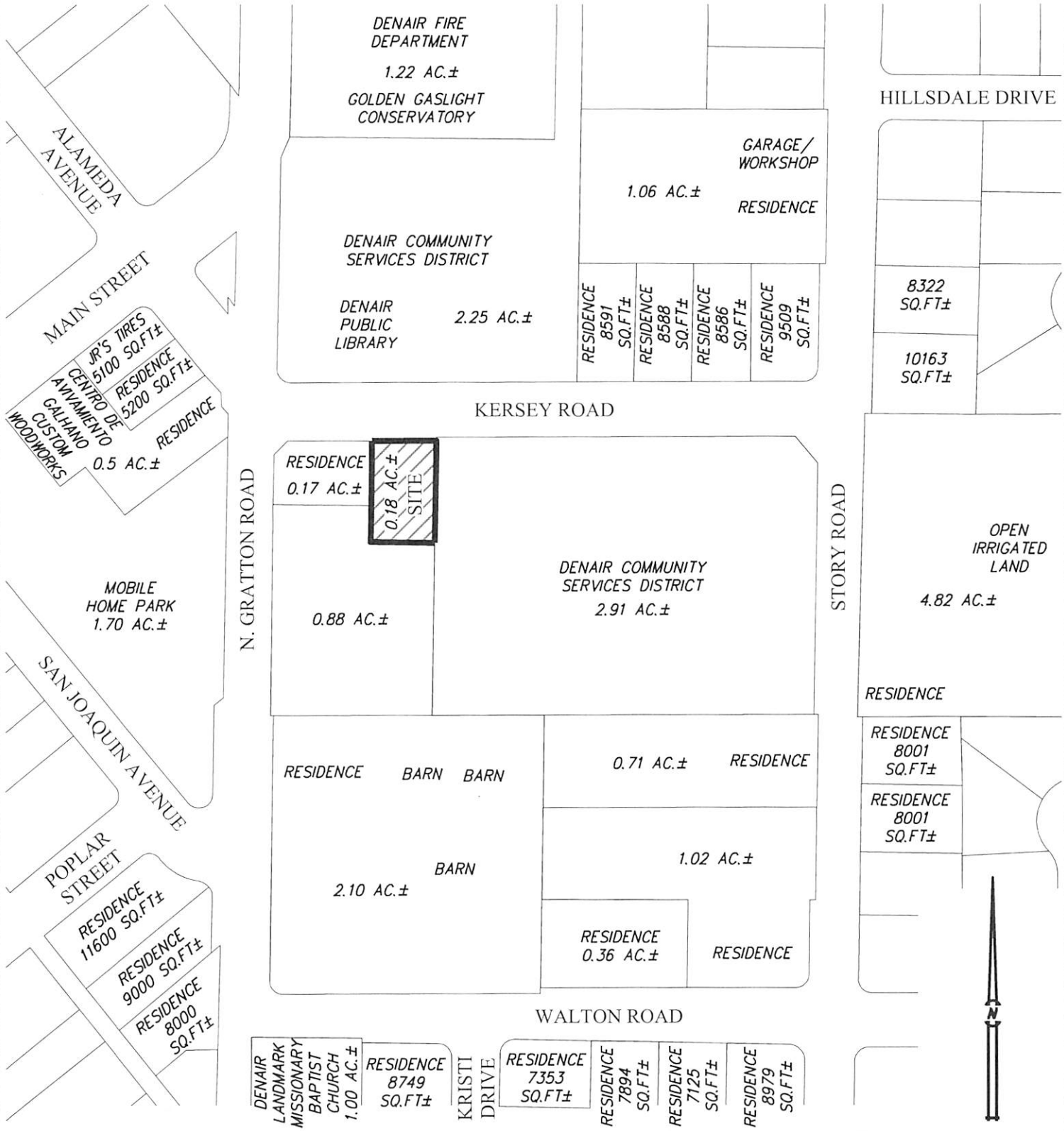
N

0 12.5 25 Feet

0 3.5 7 Meters

Source: Planning Department GIS

Date Exported: 9/26/2024

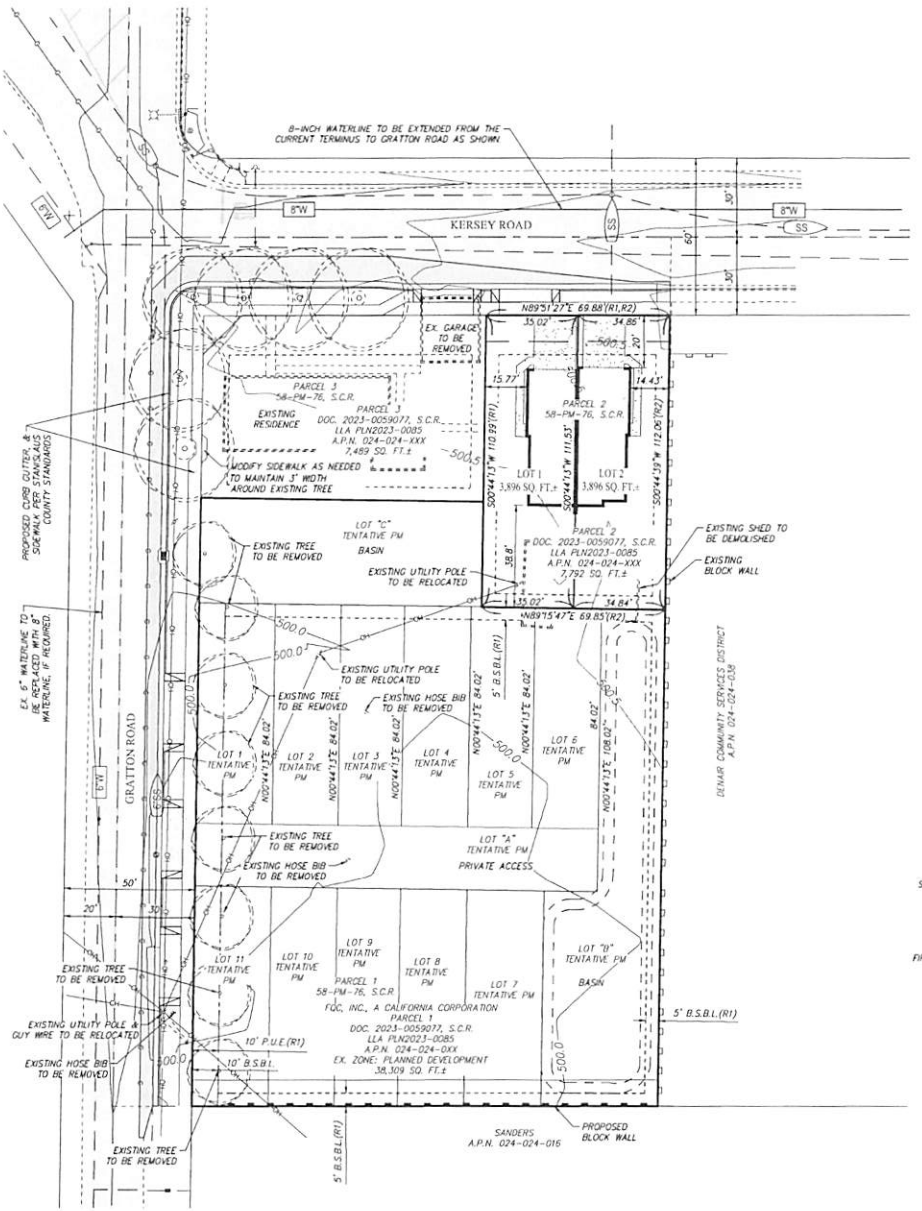


HAWKINS & ASSOCIATES
ENGINEERING, INC.
436 MITCHELL ROAD
MODESTO, CA. 95354
PH: (209) 575 - 4295
FX: (209) 578 - 4295

AREA MAP
FQC, INC., A CALIFORNIA CORP.
A.P.N. 024-024-037
DENAIR, CALFORNIA

BY: RCS
CHK: RHH
DATE: 10/2023
SCALE: 1"=150'
JOB #: 3340
FILE: EXB

1 OF 1

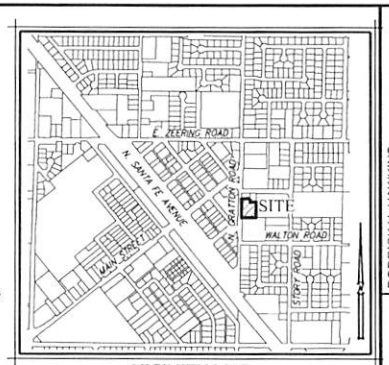


GENERAL NOTES

1. ALL IMPROVEMENTS SHALL BE CONSTRUCTED AS PER STANISLAUS COUNTY STANDARD SPECIFICATIONS.
2. STORM DRAINAGE: TO BE RETAINED ON-SITE.
3. SEWAGE DISPOSAL: BY DENAIR COMMUNITY SERVICES DISTRICT SEWER SYSTEM.
4. WATER SUPPLY: BY DENAIR COMMUNITY SERVICES DISTRICT WATER SYSTEM.
5. GAS SERVICE SUPPLY: PG&E
6. ELECTRIC SERVICE: TID
7. STREET LIGHTING SHALL BE INSTALLED AS PER STANISLAUS COUNTY STANDARD SPECIFICATIONS.
8. TOTAL AREA: 7,792 SQ. FT.±
9. TOTAL NO. OF LOTS: 2 LOTS. ALL LOTS TO BE ZONED PD AND COMPLY WITH R-2 ZONING ORDINANCE.
10. BUILDING SETBACKS PER STANISLAUS COUNTY R-2 ZONING ORDINANCE.
11. PUBLIC UTILITIES ARE TO BE INSTALLED UNDERGROUND IN EASEMENTS.
12. BOUNDARY INFORMATION WAS COMPILED BY RECORD INFORMATION.
13. EXISTING SOILS CONSIST OF MADERA SANDY LOAMS, SITE SLOPES AT LESS THAN 1% FROM EAST TO WEST.
14. DEPTH TO WATER TABLE IS APPROXIMATELY 15 FEET.

LEGEND

	EXISTING	PROPOSED
RIGHT OF WAY		
LOT LINE		
CENTERLINE		
EASEMENT		
BUILDING SET BACK LINE		
BOUNDARY LINE		
CURB, GUTTER & SIDEWALK		
AREA OF PAVEMENT		
AREA OF CONCRETE		
GAS LINE		
SANITARY SEWER LINE	6"SS	4"SS
WATER LINE	6"W	2"W
CLEANOUT (SS OR SD)		
SANITARY SEWER MANHOLE		
SANITARY SEWER CLEAN-OUT		
STORM DRAIN INLET		
WATER VALVE		
FIRE DEPARTMENT CONNECTION		
WATER METER		
OVERHEAD UTILITY LINE		
UTILITY POLE W/ GUY WIRE		
UTILITY POLE		
WOOD FENCE		
CHAINLINK FENCE		
MASONRY WALL		
B.S.B.L.	BUILDING SET BACK LINE	
TREE (SPREAD TO SCALE)		



VICINITY MAP
NO SCALE

OWNER

FQC, INC., A CALIFORNIA CORPORATION

ADDRESS: 465 JOSHUA COURT
ATWATER, CA 95301

CONTACT: BEN PENFEILD
PHONE: (209) 564-1576

PROJECT LOCATION

4800 KERSEY ROAD DENAIR, CA 95316

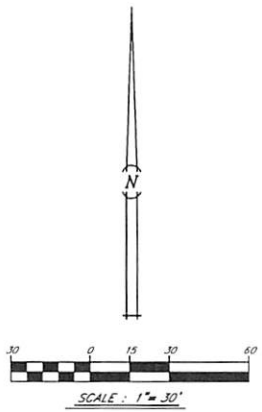
ASSESSOR'S PARCEL NO.

A.P.N. 024-024-0XX

REFERENCES

(R1) BOOK 58 OF PARCEL MAPS, AT PAGE 76, S.C.R.

(R2) LLA PLN2023-0085, DOC. NO. 2023-0059077, S.C.R.



RODRICK H. HAWKINS:
R.C.E. 50188, P.L.S. 9489

SYM.	DATE	DESCRIPTION	APPD.

BY: RCS
CHK: RHH
DATE: 01/2024
SCALE: 1"=30'
JOB #: 3340

TENTATIVE PARCEL MAP
FQC, INC., A CA CORP.

A.P.N. 024-024-0XX
4800 KERSEY RD, DENAIR, CALIFORNIA 95316

HAWKINS & ASSOCIATES ENGINEERING, INC.
436 MITCHELL RD.
MODESTO, CA. 95354
PH: (209) 575 - 4295 FX: (209) 578 - 4295

SHEET 1. OF 1.

CSD

Denair Community
Service District

3850 N. Gratton Road
P.O. Box 217
Denair, California 95316

Phone: 209-634-4986
Fax: 209-634-9805

May 6, 2024

Stanislaus County
Planning & Community Development
1010 10th St.
Modesto CA 95354

Re:	Applicant's Name:	**FQC, Inc.**
	Project Name:	**Heans Martin Place** (2 privately owned residential units)
	Location:	**South side of Kersey Rd./ Denair CA**
	APN:	**024-024-037 (portion of: .18 acres)**

Valid Until: 5-6-2025

Dear Reader:

The Denair Community Services District can provide water and sewer services to the location noted above.

Before any project begins, approval must first be obtained from the appropriate departments(s) at Stanislaus County, in addition to verifying availability of services form the Denair Community Services District.

When the owner does choose to develop this parcel, they must enter into a Developer's Agreement with the Denair Community Services District to construct and pay for the necessary infrastructure to enable the District to provide water and sewer services to the project. The Agreement will require, among other things that the infrastructure be constructed to the District specifications, that security be given to the District to guarantee performance and payment for the infrastructure and that all current connections fees be paid in full. Once all fees are paid, a "Will Serve Letter" will be submitted to the applicant. The "Will Serve Letter" must be presented to the Stanislaus County Building Department before a Building Permit will be issued.

Any substantial revision to the Tentative Map during Stanislaus County processing may require additional conditions by Denair Community Services District.

A "Will Serve Letter" is required for all additions, remodels, and swimming pool construction.
This letter is valid until 5-6-2025, and pending Board review of the Public Facilities may be renewed.

Sincerely, [redacted]

David Odom, General Manager
Denair Community Services District.

ATTACHMENT I

CENTRAL CALIFORNIA INFORMATION CENTER

California Historical Resources Information System

Department of Anthropology – California State University, Stanislaus
One University Circle, Turlock, California 95382
(209) 667-3307

Alpine, Calaveras, Mariposa, Merced, San Joaquin, Stanislaus & Tuolumne Counties

Date: July 26, 2016

CCaIC File #: 9891N
Project: Tentative Parcel Map for APN 024-024-037, 4800 Kersey Rd., Denair, Stanislaus Co.

Rod Hawkins
Hawkins & Associates Engineering, Inc.
436 Mitchell Rd.
Modesto, CA 95354

Email: lhalstead@hawkins-eng.com
to be forwarded to Rod Hawkins

Dear Mr. Hawkins,

We have conducted a **Priority Response** records search as per your request for the above-referenced project area located on the Denair USGS 7.5-minute quadrangle map in Stanislaus County.

Search of our files includes review of our maps for the specific project area and the immediate vicinity of the project area, and review of the National Register of Historic Places (NRHP), the California Register of Historical Resources (CRHR), *California Inventory of Historic Resources* (DPR 1976), the *California Historical Landmarks* (1990), and the California Points of Historical Interest listing (May 1992 and updates), the Directory of Properties in the Historic Property Data File (HPDF) and the Archaeological Determinations of Eligibility (ADOE) (Office of Historic Preservation current computer lists dated 3-20-2014 and 4-05-2012, respectively), the *Survey of Surveys* (1989), GLO Plats and other historic maps on file for the area, and other pertinent historic data available at the CCIC for each specific county.

The following details the results of the records search:

Prehistoric or historic resources within the project area:

No prehistoric or historic archaeological resources, or historic properties/evaluated properties/formally recorded properties have been reported to the Information Center.

Historic maps on file suggest, however, the possibility that one or more buildings on the property may be 45 years old or older (buildings have been indicated on that property at least as early as the 1916 Denair USGS 7.5' map, 1:31680-scale series).

Prehistoric or historic resources within the immediate vicinity of the project area:

None have been reported to the Information Center.

ATTACHMENT II

Resources that are known to have value to local cultural groups:

None have been formally reported to the Information Center.

Previous investigations within the project area:

None have been reported to the Information Center.

Previous investigations within the immediate vicinity of the project area:

None have been reported to the Information Center.

Recommendations/Comments:

Based on existing data in our files the project area has a low sensitivity for the possible discovery of *prehistoric* resources due to the lack of natural water sources; but there may be historical resources such as standing buildings 45 years old or older, and possibly subsurface historic-era archaeological features (that may be encountered during excavation and trenching), such as domestic refuse and artifact deposits or building foundations, associated with earlier use of the property.

It is noted that the map "Tentative Parcel Exhibit Option 2" indicates an "Existing Building To Be Removed"; we recommend that a qualified historical resources consultant evaluate and formally record this building (or any other building that may be removed) if it is 45 years old or older, to be done prior to implementation of the project or issuance of any discretionary permit. The Statewide Referral List for Historical Resources Consultants is posted for your use on the internet at http://chrisinfo.org

We advise construction personnel to be aware of the potential for subsurface historic-era archaeological features, and to keep in mind the advisories below.

Please be advised that a historical resource is defined as a building, structure, object, prehistoric or historic archaeological site, or district possessing physical evidence of human activities over 45 years old. There may be unidentified features involved in your project that are 45 years or older and considered as historical resources requiring further study and evaluation by a qualified professional of the appropriate discipline.

We advise you that in accordance with State law, if any historical resources are discovered during project-related activities, all work is to stop and the lead agency and a qualified professional are to be consulted to determine the importance and appropriate treatment of the find. If Native American remains are found the County Coroner and the Native American Heritage Commission, Sacramento (916-373-3710) are to be notified immediately for recommended procedures.

We further advise you that if you retain the services of a historical resources consultant, the firm or individual you retain is responsible for submitting any report of findings prepared for you to the Central California Information Center, including one copy of the narrative report and two copies of any records that document historical resources found as a result of field work. If the consultant wishes to obtain copies of materials not included with this records search reply, additional copy or records search fees may apply.

The provision of CHRIS Data via this records search response does not in any way constitute public disclosure of records otherwise exempt from disclosure under the California Public Records Act or any other law, including, but not limited to, records related to archeological site information maintained by or on behalf of, or in the possession of, the State of California, Department of Parks and Recreation, State Historic Preservation Officer, Office of Historic Preservation, or the State Historical Resources Commission.

Due to processing delays and other factors, not all of the historical resource reports and resource records that have been submitted to the Office of Historic Preservation are available via this records search. Additional information may be available through the federal, state, and local agencies that produced or paid for historical resource management work in the search area. Additionally, Native American tribes have historical resource information not in the CHRIS Inventory, and you should contact the California Native American Heritage Commission for information on local/regional tribal contacts.

The California Office of Historic Preservation (OHP) contracts with the California Historical Resources Information System's (CHRIS) regional Information Centers (ICs) to maintain information in the CHRIS inventory and make it available to local, state, and federal agencies, cultural resource professionals, Native American tribes, researchers, and the public. Recommendations made by IC coordinators or their staff regarding the interpretation and application of this information are advisory only. Such recommendations do not necessarily represent the evaluation or opinion of the State Historic Preservation Officer in carrying out the OHP's regulatory authority under federal and state law.

We thank you for using the California Historical Resources Information System (CHRIS). Please let us know when we can be of further service. Please sign and return the attached Access Agreement Short Form.

Note: Billing will be transmitted separately via email (lamarroquin@csustan.edu or MSR270@csustan.edu) from our Financial Services office ($225.00), payable within 60 days of receipt of the invoice.

Sincerely,

R. L. Hards, Assistant Research Technician
Central California Information Center
California Historical Resources Information System

*Invoice to: Laurie Marroquin lamarroquin@csustan.edu, Financial Services