

August 3, 2023

MEMO TO: Stanislaus County Planning Commission

FROM: Department of Planning and Community Development

**SUBJECT: TIME EXTENSION FOR VESTING TENTATIVE MAP APPLICATION NO. PLN2017-0058 – ORANGE GROVE ESTATES**

### **PROJECT DESCRIPTION**

This is a request for a one-year time extension. The approved Vesting Tentative Map (TM) subdivided a 2.11± acre parcel into nine parcels, ranging in size between 7,000 and 15,155 square feet in the Single Family Residential-Urban Services (R-1 US) zoning district. The project site is located at 5537 Washington Road, on the north side of Kim Drive, between Tanya Way and Washington Road, in the Community of Keyes. The project was approved by the Planning Commission on June 21, 2018 and was accepted by the Board of Supervisors on July 17, 2018, as reflected in the attached Board of Supervisor's Report (see Attachment B – *Board of Supervisors Agenda Report, dated July 17, 2018*).

### **DISCUSSION**

On June 14, 2023, staff received the applicant's request for a one-year time extension to record the approved Vesting TM (see Attachment A – *Applicant's Time Extension Request, received June 14, 2023*). The extension will provide the additional time needed for the applicant to fulfill conditions of approval needed for recording of the final map. The proposed time extension was referred out to interested parties, responsible agencies, and surrounding landowners and no responses expressing opposition to the extension were received.

In accordance with Section 20.40.010 – Filing Time Limit, of the Stanislaus County Subdivision Ordinance, final maps for a TM shall be filed for recording within 24 months after conditional approval or in conjunction with any extension provided by state law; however, upon written application by the subdivider, filed prior to the expiration time limit, the Commission may extend the time limit for filing the final map for a period not to exceed an additional 12 months from the date of approval. State law allows the local jurisdiction discretion to extend the life of a map for a period not to exceed six years. The Planning Commission has approved three 12 month time extensions for the subject tentative map which combined have extended the map life to July 17, 2023; the first time extension was approved on June 18, 2020, a second time extension was approved on August 5, 2021, and a third time extension was approved on September 1, 2022. Approval of this time extension request would extend the life of the map for an additional 12 months, until July 17, 2024. If approved, the map could be extended for an additional two years.

## **ENVIRONMENTAL REVIEW**

Under California law, a request for time extension of a project that previously was subject to review under the California Environmental Quality Act (CEQA) may be exempt from CEQA or may be evaluated under the provisions that may trigger subsequent or supplemental CEQA review (under Public Resources Code Section 21166 and CEQA Guidelines Section 15162). A Mitigated Negative Declaration was adopted for this project on July 17, 2018. In order to trigger additional review when the project was previously approved with a Mitigated Negative Declaration, a new significant environmental effect not previously evaluated must be identified. No new significant environmental effects have been identified and accordingly additional environmental review is not required for approval of the time extension (see Attachment C – *Environmental Review Referrals*).

## **RECOMMENDATION**

1. Find there is no evidence of any significant changes involving this project since the time it was originally approved, which could trigger a significant environmental effect.
2. Grant a one-year time extension allowing for the final map to be recorded no later than July 17, 2024, with all approved Conditions of Approval remaining in effect.

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Contact Person: Emily Basnight, Assistant Planner, (209) 525-6330

Attachments:

Attachment A - Applicant's Time Extension Request, received June 14, 2023  
Attachment B - Board of Supervisors Agenda Report, dated July 17, 2018  
Attachment C - Environmental Review Referrals

Attention: Planning Commission

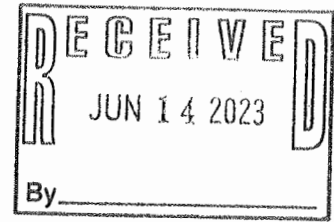
Date: 06/13/2023

Planning Representative: Emily Basnight

From: Orange Grove Estates Keys CA. 5537 Washington Rd. Hughson CA. 95326

Owner: Oscar Arenas

Engineer: Sergio Carrera



To whom it may concern:

This letter is in regards to the Subdivision Map PLN2017-0053 Orange Grove Estates, I Oscar Arenas owner of this property, would like to submit my request for a time extension to submit the final map to be completed with the conditions requested by the planning and the board of supervisors. My year extension is coming up soon by July 17, 2023. The process is moving forward. I'm currently working Public Works with some conditions still to be complete and we are still on process to finalize the LAFCO application to be approve by the board of supervisors, There for I like you to consider my time extension request for one more year. This project has been to my best interest and hopefully it will be finalize as soon as we accommodate all the conditions requested by the Planning Commission and the board of supervisors and as I agree to pay the fee of \$2168.00 for the next time extension for one more year. To all a may concern I appreciate your time for this matter.

Sincerely:

A handwritten signature in black ink, appearing to read "Oscar Arenas", is written over a horizontal line. The signature is somewhat stylized and loops around the line.

Oscar Arenas

Owner

**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
BOARD ACTION SUMMARY**

DEPT: Planning and Community Development

BOARD AGENDA:5.D.2  
AGENDA DATE: July 17, 2018

**SUBJECT:**

Acceptance of the Report of Planning Commission's June 21, 2018, Decision of Approval of Vesting Tentative Subdivision Map Application No. PLN2017-0058, Orange Grove Estates, a Request to Subdivide a 2.11± Acre Parcel into Nine Parcels of at Least 7,000 Square Feet in the R-1 US (Single-Family Residential Urban Services) Zoning District, Located at 5537 Washington Road, on the North Side of Kim Drive, Between Washington Road and Tanya Way, in the Community of Keyes


**BOARD ACTION AS FOLLOWS:**

**RESOLUTION NO. 2018-0372**

On motion of Supervisor Chiesa , Seconded by Supervisor Withrow  
and approved by the following vote,  
Ayes: Supervisors: Olsen, Chiesa, Withrow, Monteith, and Chairman DeMartini  
Noes: Supervisors: None  
Excused or Absent: Supervisors: None  
Abstaining: Supervisor: None

- 1)  Approved as recommended
- 2)  Denied
- 3)  Approved as amended
- 4)  Other:

**MOTION:**

ATTEST:   
ELIZABETH A. KING, Clerk of the Board of Supervisors

ATTACHMENT B  
File No

**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
AGENDA ITEM**

DEPT: Planning and Community Development

BOARD AGENDA:5.D.2  
AGENDA DATE: July 17, 2018

CONSENT:

CEO CONCURRENCE:

4/5 Vote Required: No

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**SUBJECT:**

Acceptance of the Report of Planning Commission's June 21, 2018, Decision of Approval of Vesting Tentative Subdivision Map Application No. PLN2017-0058, Orange Grove Estates, a Request to Subdivide a 2.11± Acre Parcel into Nine Parcels of at Least 7,000 Square Feet in the R-1 US (Single-Family Residential Urban Services) Zoning District, Located at 5537 Washington Road, on the North Side of Kim Drive, Between Washington Road and Tanya Way, in the Community of Keyes

**STAFF RECOMMENDATION:**

1. Accept the report of Planning Commission's June 21, 2018, decision of approval of Vesting Tentative Subdivision Map Application No. PLN2017-0058, Orange Grove Estates, a request to subdivide a 2.11± acre parcel into nine parcels of at least 7,000 square feet in the R-1 US (Single-Family Residential Urban Services) zoning district, located at 5537 Washington Road, on the north side of Kim Drive, between Washington Road and Tanya Way, in the community of Keyes.
2. Allow Planning Commission's June 21, 2018, decision to stand without further hearing.

**DISCUSSION:**

The vesting tentative subdivision map will create nine parcels ranging between 7,004 to 15,155 square feet in size from a 2.11± acre parcel in the Single-Family Residential Urban Services (R-1 US) zoning district, in the community of Keyes. The project site is currently improved with a single-family residence and several accessory buildings with the remaining land being unimproved.

The vesting tentative subdivision map proposes to: (1) be served by the Keyes Community Service District for both water and sewer services; (2) tie into existing storm drain facilities within the adjacent development; and (3) incorporate an agricultural buffer along Washington Road consisting of a six-foot high masonry wall, a row of trees behind the curb, and shrubs behind the sidewalk. The subdivision will be improved with curb, gutter, sidewalks, and incorporate a tree planting plan along all street frontages.

On June 21, 2018, the project was presented to the Stanislaus County Planning Commission. No one spoke in opposition or in favor of the project. A neighboring property owner, Mr. Ladd Hackler, gave public comment regarding his understanding of the project. Mr. Hackler requested confirmation that the development would pay Keyes

Fire Protection District fees in effect at the time of development. It was confirmed by staff that such fees would be paid. The Planning Commission, on a 7-0 vote, approved the project as outlined in the June 21, 2018, Planning Commission Staff Report (Attachment 1).

Section 20.12.150 of the Stanislaus County Code provides that a written report of the Planning Commission's actions on a tentative map be presented to the Board. If the Board decides to review the map, or its conditions of approval, it may set a public hearing at its next scheduled meeting.

**POLICY ISSUE:**

The project as approved is consistent with the Stanislaus County General Plan designation of Low Density Residential, the R-1 US (Single-Family Residential Urban Services) zoning district, and Subdivision Ordinance design standards; and is in conformance with locally adopted standards and specifications.

**FISCAL IMPACT:**

In accordance with the adopted Department of Planning and Community Development Fee Schedule, this project is subject to payment of "actual cost" for processing. All costs associated with this project have been paid by the applicant and there is no County General Fund cost impact.

**BOARD OF SUPERVISORS' PRIORITY:**

Allowing the Planning Commission's approval of the subject application to stand without further public hearing furthers the Board of Supervisor's priority of *Supporting Strong & Safe Neighborhoods* as well as *Delivering Efficient Public Services & Community Infrastructure* by providing approval of a project consistent with the Stanislaus County General Plan, Zoning Ordinance, and Subdivision Ordinance.

**STAFFING IMPACT:**

Existing County staff is responsible for all aspects of project entitlement.

**CONTACT PERSON:**

Angela Freitas, Director  
Planning and Community Development Department

(209) 525-6330

**ATTACHMENT(S):**

1. Planning Commission Staff Report, June 21, 2018
2. Planning Commission Minutes Excerpt, June 21, 2018

# STANISLAUS COUNTY PLANNING COMMISSION

June 21, 2018

## STAFF REPORT

### VESTING TENTATIVE SUBDIVISION MAP APPLICATION NO PLN.2017-0058. ORANGE GROVE ESTATES

**REQUEST: TO SUBDIVIDE A 2.11 ACRE PARCEL INTO NINE PARCELS OF AT LEAST  
7,000 SQUARE FEET IN SIZE**

#### APPLICATION INFORMATION

Applicant/Property owner:	Oscar Arenas/ Robert Perez
Agent:	Sergio Carrera, Civil Engineer
Location:	5537 Washington Road, on the north side of Kim Drive, between Tanya Way and Washington Road, in the community of Keyes 30-4-10
Section, Township, Range:	Two (Supervisor Chiesa)
Supervisorial District:	045-021-041
Assessor's Parcel:	See Exhibit G -Environmental Review Referrals
Referrals:	2.11± acres
Area of Parcel(s):	Keyes Community Service District
Water Supply:	Keyes Community Service District
Sewage Disposal:	R-1 US (Single-Family Residential Urban Services)
Existing Zoning:	LDR (Low Density Residential)
General Plan Designation:	N/A
Sphere of Influence:	LDR (Low Density Residential)
Community Plan Designation:	N/A
Williamson Act Contract No.:	Mitigated Negative Declaration
Environmental Review:	Single-family dwelling, accessory structures and unimproved land.
Present Land Use:	Single-family residential development to the north, south and west and agricultural parcels to the east.
Surrounding Land Use:	

#### RECOMMENDATION

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

#### PROJECT DESCRIPTION

The project is a request to subdivide an existing 2.11± acre parcel into nine parcels, ranging between 7,004 to 15,155 square feet in size, in the R-1 US (Single-Family Residential Urban Services) zoning district. The proposed residential lots will include curb, gutter and sidewalk along

all property frontages and will be served by the Keyes Community Service District for water and sanitary sewer services. Storm water capture and drainage is proposed to utilize existing infrastructure, and to be conveyed off-site to the Bonita Ranch positive storm drain system and ultimately the Turlock Irrigation District Lateral No. 2 ½, located north of the project site. The proposed project will also include a tree planting plan for each lot, landscaping at the northwest corner of Washington Road and Kim Drive, and an Agricultural Buffer which includes a six-foot tall masonry wall with landscaping along Washington Road.

The parcel is currently improved with an existing single-family dwelling and a detached garage that will remain on proposed Parcel 9. However, the existing driveway is proposed to be relocated from Washington Road to Kim Drive. All other existing structures on the project site will be removed prior to recording of the final map, including the existing domestic well and septic system. (See Exhibit B – *Maps*).

### **SITE DESCRIPTION**

The site is located 5537 Washington Road, on the north side of Kim Drive, between Tanya Way and Washington Road, in the community of Keyes (See Exhibit B – *Maps*). The project site is currently developed with a single-family dwelling and two accessory structures with the balance of the property unimproved. The site is bordered by residential development to the north, south and west. Agricultural parcels exist to the east of the site, across Washington Road.

Subdivision of the project site was previously approved on September 26, 2006. The approved tentative map included a similar number of lots and design. Under the provisions of the Subdivision Map Act governing the life of a tentative map (Government Code Section 66410), the previously approved tentative map has expired.

### **ISSUES**

No issues have been identified as a part of this request. Standard conditions of approval, along with those discussed in the “Environmental Review” section of this report, have been added to the project.

### **GENERAL PLAN CONSISTENCY**

The project site is currently designated Low Density Residential in the Stanislaus County General Plan. The intent of the Low Density Residential land use designation is to provide appropriate locations and adequate areas for single-family detached homes, in either conventional or clustered configurations. The development of a total of nine single-family residential lots would be consistent with the site’s Low Density Residential designation.

The project site is has a Keyes Community Plan Designation of Low Density Residential. The proposed project is consistent with the Keyes Community Plan, as the subdivision meets the intent of the Low Density Residential designation by providing lots for single-family development, proposes appropriate screening from Washington Road and will mitigate impacts to traffic per the Community Plan Environmental Impact Report, which is further discussed in the Environmental Review section of the report.

Goal Four of the Land Use Element of the General Plan requires that development ensure that an effective level of public services be maintained in unincorporated areas, including parks, sewer, water, public safety, solid waste management, road systems, schools, health care facilities, etc. The



Keyes Community Services District has provided a "Will-Serve" letter, to provide both public water and sewer services. Currently, the project site is outside the District's boundary. A referral response was received from the Local Agency Formation Commission (LAFCO) stating prior to connection, annexation into the District's boundary will be required. A condition of approval has been added to address this.

The Public Works Department provided a referral response letter requiring annexation into the Keyes CSA County Service Area (CSA) to establish a funding for maintenance of the storm drainage to the existing Bonita Ranch system as well as all other improvements including street lighting, landscaping and roadway improvements for the development of the project site. All improvements will be installed prior to the recordation of the final map or the developer must sign a Subdivision Improvement Agreement and post the required certificates of insurance and subdivision bonds and complete the improvements prior to final inspection or occupancy of any structure. Conditions of Approval have been added to reflect these requirements.

The County's Conservation and Open Space Element of the General Plan has established goals and policies to provide open space and meet recreational needs for the residents of the County. The County has established a standardized parkland dedication and fee structure to contribute to the fulfillment of this goal by new residential development. Based on the number of lots being proposed, the applicant will be subject to paying park-in-lieu fees prior to the issuance of any building permit for a dwelling, as reflected in the conditions of approval for the project.

To protect the long-term health of local agriculture by minimizing conflicts resulting from normal agricultural practices as a consequence of new or expanding uses approve in or adjacent to the A-2 (General Agriculture) zoning district, Appendix "A" of the Agricultural Element requires a buffer between agricultural and non-agricultural uses. It further stipulates, that for more people intensive uses a 300-foot buffer is required. If the buffer distance cannot be met, an alternative buffer must be proposed. The Agriculture Element also states that the decision making body (Planning Commission) shall have the ultimate authority to determine if the proposed agricultural buffer meets the intent of the design standards.

The project site is west of an A-2 (General Agriculture) zoning district located across Washington Road. The parcel directly across Washington Road from the project site has been utilized for pastures and row crops over the years. The distance between the proposed residential development and the closest point of the A-2 zoning district will be approximately 75 feet.

The applicant intends to minimize the potential conflict with the agricultural operations across Washington Road, by proposing an alternative agricultural buffer as illustrated on the Vesting Tentative Subdivision Map (VTSM), which includes landscaping with a mixture of trees and shrubs, and a six-foot masonry wall along the Washington Road frontage of the project site. Maintenance of the landscaping will be incorporated into the CSA to be formed to serve the subdivision. The Agriculture Commissioner's Office was referred the project, but no referral response has been received to date.

With Conditions of Approval in place, Staff believes the proposed project is consistent with the Goals and Policies of the County's General Plan, including the Keyes Community Plan, as it provides compatibility between land uses and will not expand the boundaries of unincorporated communities. The project will provide in-fill to the underdeveloped parcel, within an area that has been mostly built-out with similar development.

## **ZONING & SUBDIVISION ORDINANCE CONSISTENCY**

The site is currently zoned R-1 US (Single-Family Residential – Urban Services). According to Section 21.070.020 of the Urban Service District (US) Zoning Ordinance, the combination of any zoning district with the Urban Services District requires, prior to development, annexation to, and service from, the special district within whose sphere of influence the project lies. The project is located within the Keyes Community Service District (CSD). Accordingly, the development will annex into the Keyes CSD for water and sanitary sewer services. A “Will-Serve Letter” has been issued for the proposed development from the district, acknowledging capacity and willingness to serve the sites. Furthermore, the vesting tentative map will annex to or form into a County Service Area for the purpose of maintaining any installed infrastructure such as street improvements, storm drainage, etc.

The R-1 US zoning district allows for minimum lot sizes based on the availability of utilities. Section 21.28.050 of the R-1 Zoning Ordinance stipulates that parcels may be a minimum of 5,000 square feet when serviced by public water and public sewer facilities. As described earlier, the proposed parcels will range in size from 7,014 to 15,155 square feet in size and will be served by the Keyes CSD for public water and sewer. A conceptual tree planting plan, illustrated on the VTSM, was submitted as prescribed by Section 21.102.040(h) Zoning Ordinance (See Exhibit B – *Maps*). A final tree planting plan will be conditioned to be submitted and approved prior to the recording of the final map.

The parcels, as proposed, meet the required design standard in terms of minimum lot and depth requirements of the County’s Subdivision Ordinance. Furthermore if approved by the Planning Commission, the County’s Subdivision Ordinance requires confirmation of the VTSM by the Board of Supervisors within ten days of Commission approval or by the next successive meeting date of the Board.

Staff believes that the proposed project is consistent with the Zoning and Subdivision Ordinances.

## **ENVIRONMENTAL REVIEW**

Pursuant to the California Environmental Quality Act (CEQA), the proposed project was circulated to all interested parties and responsible agencies for review and comment and no significant issues were raised. (See Exhibit G- *Environmental Review Referrals*.) The Keyes Community Plan EIR adopted a mitigation measure establishing a fair-share contribution for traffic mitigation for State Route 99 and Keyes Road ramp intersections. The fair-share of \$293.43 per lot, adjusted for inflation, would be collected at the time of issuance of each residential building permit. The fee has been added as a mitigation measure. A Mitigated Negative Declaration has been prepared for approval prior to action on the maps as the projects will not have a significant effect on the environment. (See Exhibit F - *Mitigated Negative Declaration*.) Conditions of approval reflecting referral responses have been placed on the project. (See Exhibit C - *Conditions of Approval*.)

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**Note:** Pursuant to California Fish and Game Code Section 711.4, all project applicants subject to the California Environmental Quality Act (CEQA) shall pay a filing fee for each project; therefore, the applicant will further be required to pay **\$2,337.75** for the California Department of Fish and Wildlife (formerly the Department of Fish and Game) and the Clerk Recorder filing fees. The attached Conditions of Approval ensure that this will occur.

Contact Person:                      Jeremy Ballard, Associate Planner, (209) 525-6330

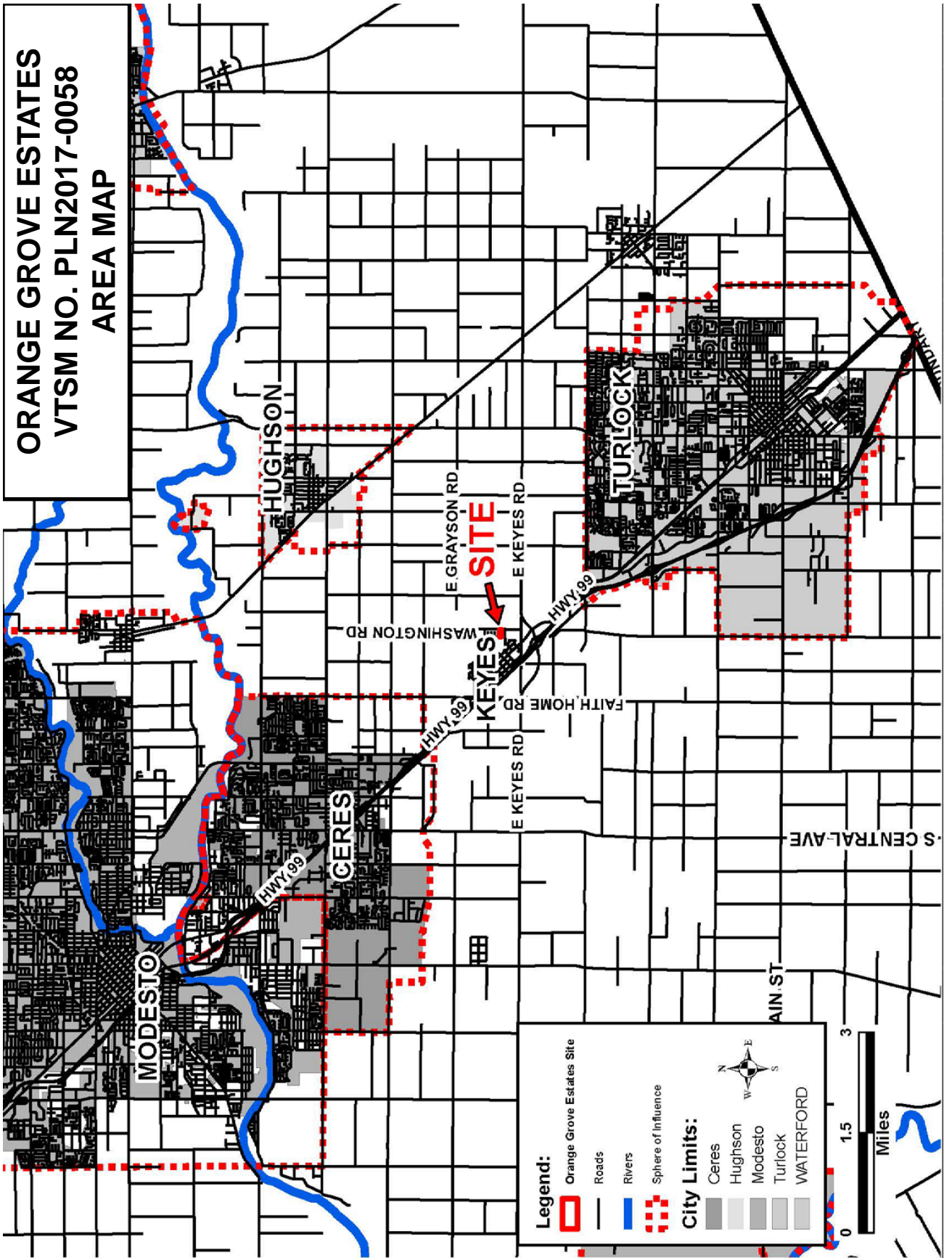
Attachments:

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

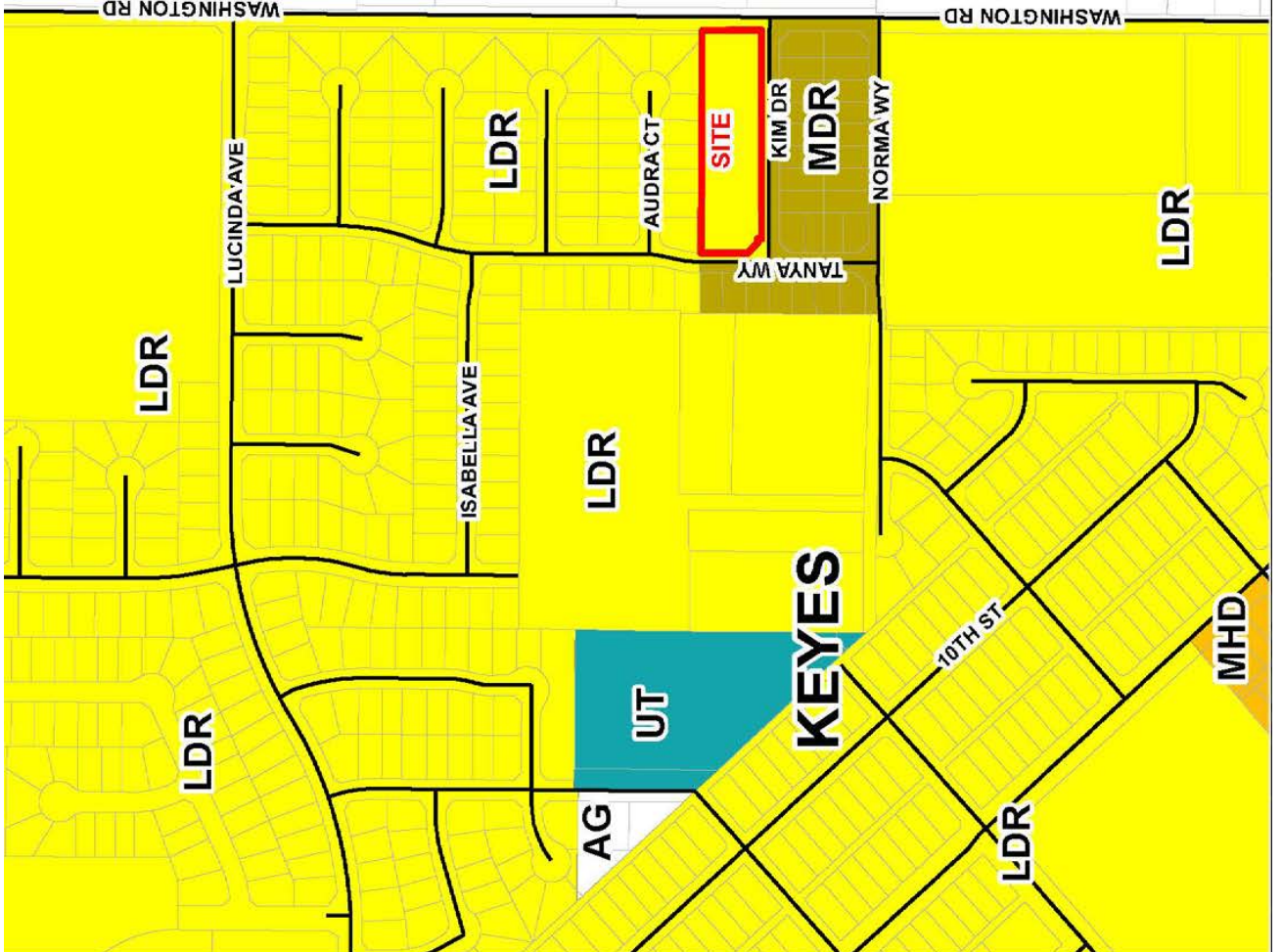
**Exhibit A**  
**Findings and Actions Required for Project Approval**

1. Adopt the Mitigated Negative Declaration pursuant to CEQA Guidelines Section 15074(b), by finding that on the basis of the whole record, including the Initial Study and any comments received, that there is no substantial evidence the project will have a significant effect on the environment and that the Mitigated Negative Declaration reflects Stanislaus County's independent judgment and analysis.
2. Order the filing of a Notice of Determination with the Stanislaus County Clerk-Recorder pursuant to Public Resources Code Section 21152 and CEQA Guidelines Section 15075.
3. Find that:
  - (a) That the proposed maps are consistent with applicable general and community plans as specified in Section 65451.
  - (b) The design or improvement of the proposed subdivision is consistent with applicable General, community and specific plans.
  - (c) The site is physically suitable for the type of development.
  - (d) The site is physically suitable for the proposed density of development.
  - (e) The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
  - (f) The design of the subdivision or type of improvements are not likely to cause serious public health problems.
  - (g) The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the Commission may approve a map if it finds that alternate easements, for access or for use, will be provided and that these will be substantially equivalent to ones previously acquired by the public.
  - (h) The alternative to the Agricultural Buffer Standards applied to this project provides equal or greater protection than the existing buffer standards.
  - (i) That the project will increase activities in and around the project area, and increase demands for roads and services, thereby requiring dedication and improvements.
4. Approve Vesting Tentative Subdivision Map application PLN2017-0058 – Orange Grove Estates, subject to the attached Conditions of Approval and Mitigation Measures

**ORANGE GROVE ESTATES  
VTSM NO. PLN2017-0058  
AREA MAP**



**ORANGE GROVE ESTATES  
VTSM NO. PLN2017-0058  
GENERAL PLAN MAP**



AG

AG

**Legend:**

- Orange Grove Estates Site
- Parcels
- Roads

**General Plan:**

- AGRICULTURE
- LOW DENSITY RESIDENTIAL
- MEDIUM DENSITY RESIDENTIAL
- MEDIUM/HIGH DENSITY RESIDENTIAL
- URBAN TRANSITION

**ORANGE GROVE ESTATES  
VTSM NO. PLN2017-0058  
ZONING MAP**



**Legend:**

- Orange Grove Estates Site
- Parcels
- Roads

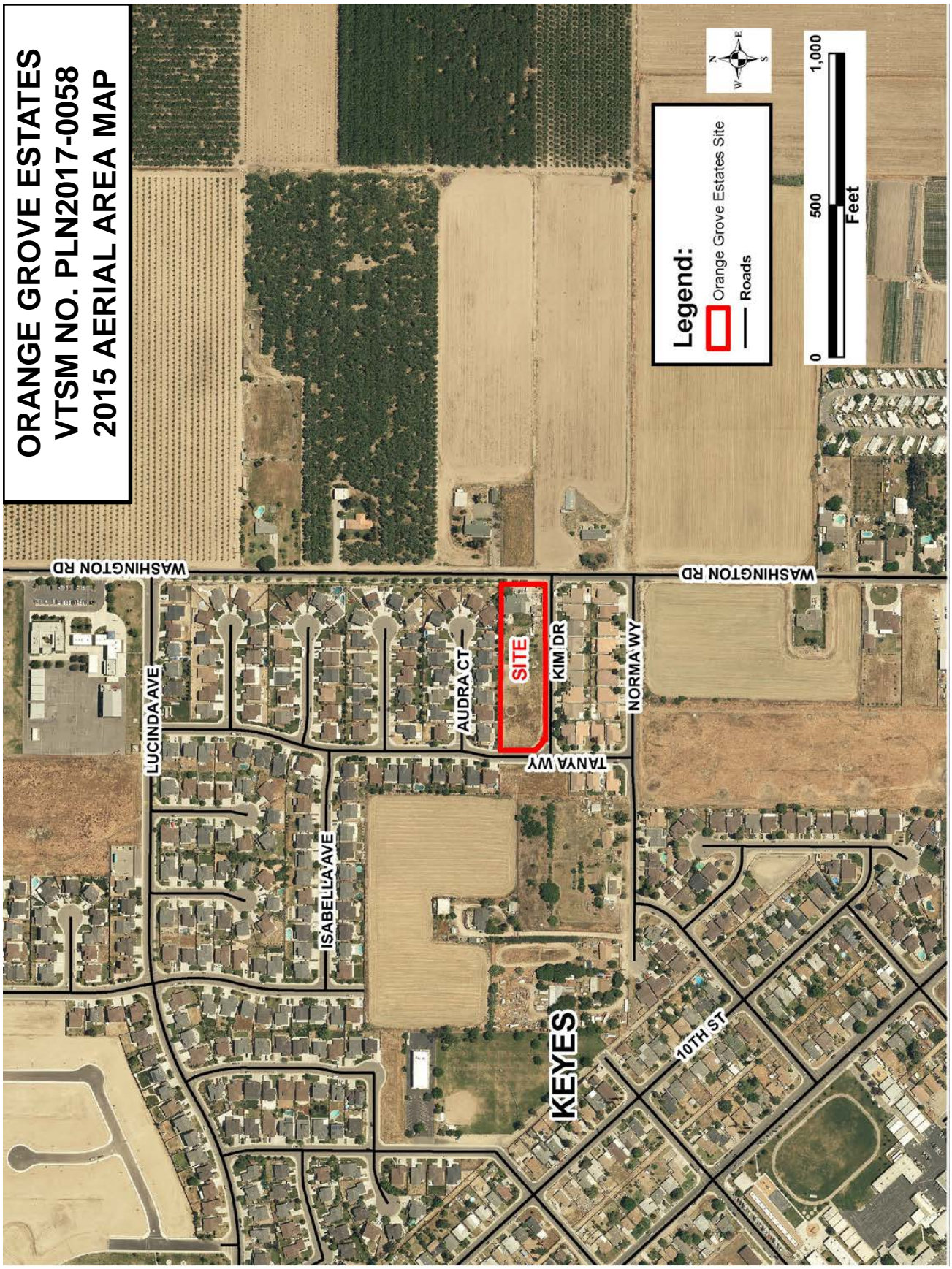
**Zoning Designation:**

- GENERAL AG 10 ACRE
- GENERAL AG 40 ACRE
- R-1
- R-1 US
- R-2
- R-A



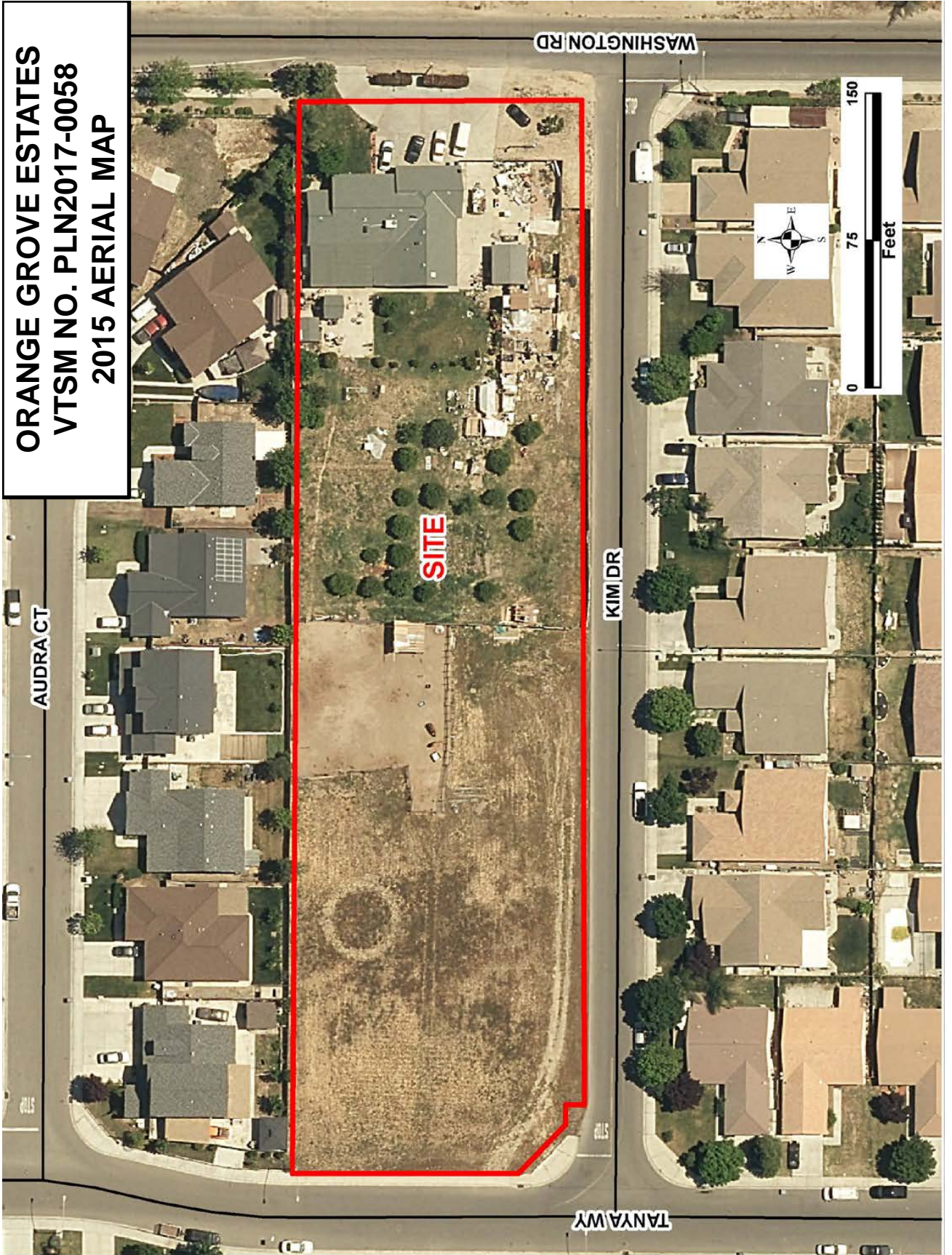


**ORANGE GROVE ESTATES  
VTSM NO. PLN2017-0058  
2015 AERIAL AREA MAP**





**ORANGE GROVE ESTATES  
VTSM NO. PLN2017-0058  
2015 AERIAL MAP**

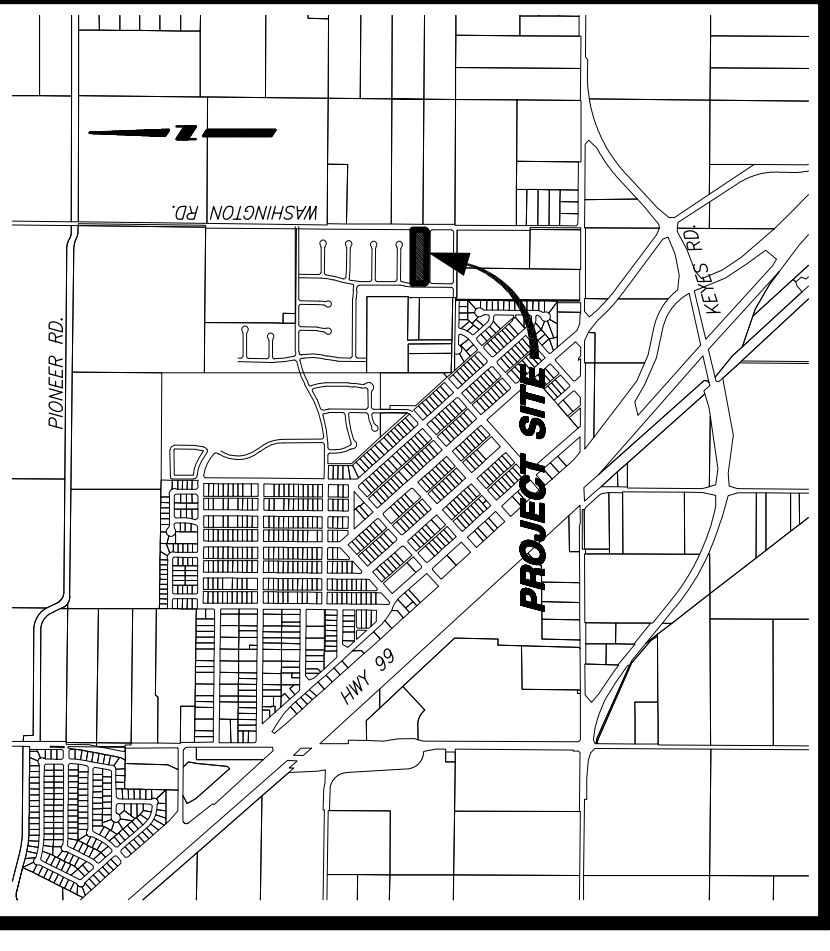


**COVER SHEET / DIMENSION PLAN**

**VESTING TENTATIVE SUBDIVISION MAP**  
**ORANGE GROVE ESTATES**  
 KEYES, CALIFORNIA

JOB NO. \_\_\_\_\_  
 DATE 11/13/17  
 DR BY TG  
 CK BY SC  
 SCALE 1"=50'

SHEET NUMBER **1**  
 OF **2** SHEETS



**VICINITY MAP**  
 NTS

**VESTING TENTATIVE SUBDIVISION MAP FOR:**  
**ORANGE GROVE ESTATES**  
 KEYES, CALIFORNIA

**OWNER:**  
 ROBERT & MANUELA PEREZ  
 5537 WASHINGTON ROAD  
 KEYES, CA 95328

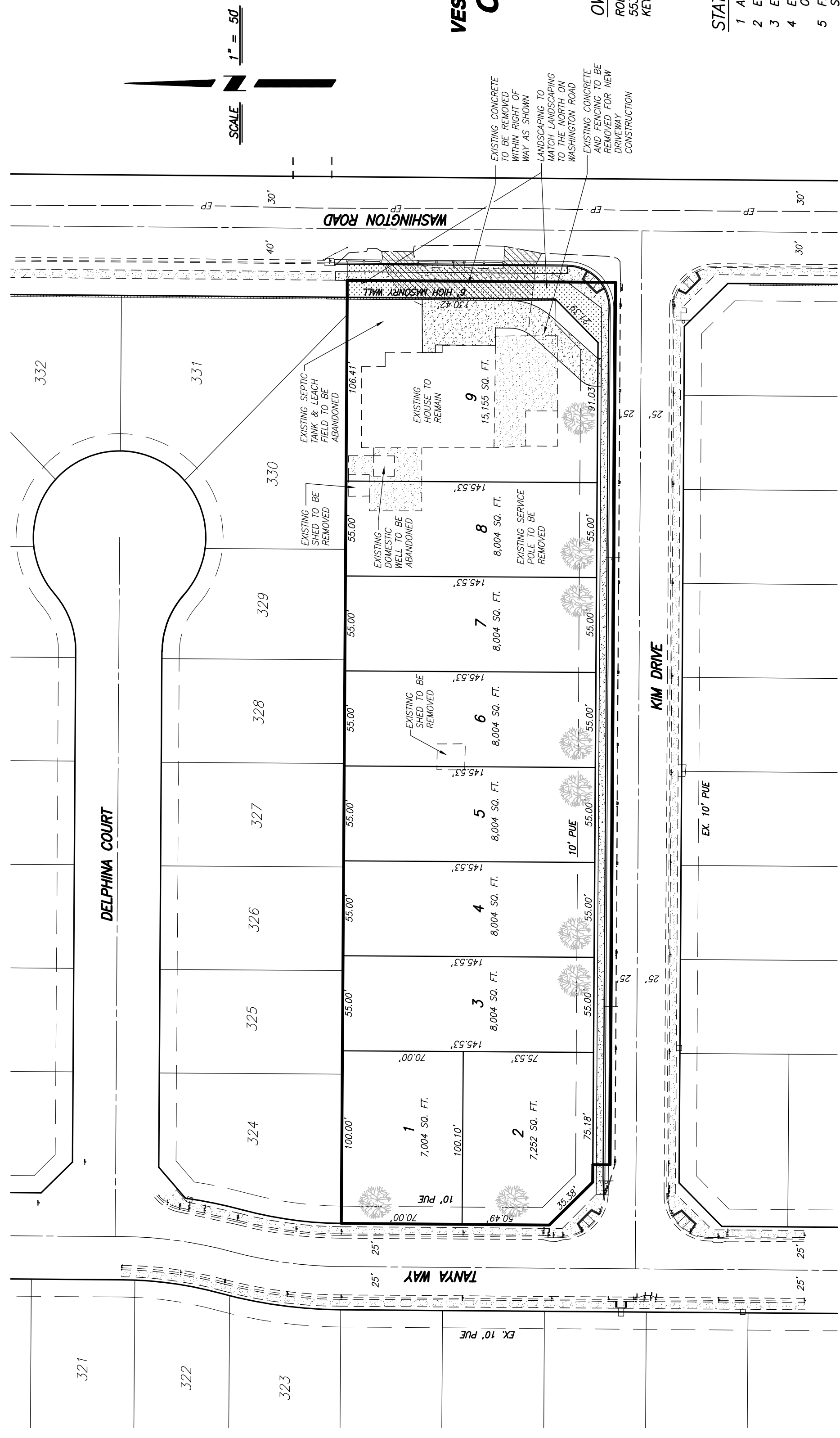
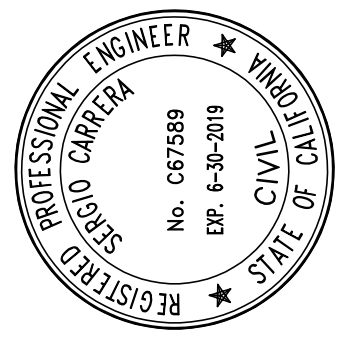
**SUBDIVIDER:**  
 ROBERT & MANUELA PEREZ  
 5537 WASHINGTON ROAD  
 KEYES, CA 95328

**STATEMENT OF SUBDIVIDER**

- ASSESSORS PARCEL NO: 045-021-041
- EXISTING ZONING: R1 US
- EXISTING GENERAL PLAN: LDR
- EROSION CONTROL PER STANISLAUS COUNTY ORDINANCES AND STANDARDS.
- FRONT YARD DEPTHS AND BUILDING LINES PER STANISLAUS COUNTY ORDINANCES AND STANDARDS.
- WATER SUPPLY BY: KEYES COMMUNITY SERVICES DISTRICT
- SEWAGE DISPOSAL BY: KEYES COMMUNITY SERVICES DISTRICT
- STORM DRAINAGE: STANISLAUS COUNTY
- TREE TYPE AND LOCATION SHALL BE DETERMINED BY STANISLAUS COUNTY / KEYES COMMUNITY SERVICES DISTRICT
- ALL IMPROVEMENTS AND PUBLIC FACILITIES ALONG WASHINGTON ROAD AND KIM DRIVE WILL BE INSTALLED OR CONSTRUCTED AT THE TIME OF DEVELOPMENT.
- ALL PROPOSED LOTS ARE TO DRAIN TO THE PUBLIC STREET WITH NO DRAINAGE ONTO ADJACENT LOTS.

**NOTES:**

- STREET IMPROVEMENTS SHALL BE INSTALLED PER STANISLAUS COUNTY STANDARD SPECIFICATIONS.
- ALL EXISTING WELLS AND SEPTIC TANKS SHALL BE DESTROYED PER STANISLAUS COUNTY HEALTH DEPARTMENT STANDARDS.
- THE SITE IS RELATIVELY FLAT, WITH 0% - 1% SLOPES.
- NO AREAS ARE SUBJECT TO INUNDATION BY FLOOD WATERS.
- EXISTING STRUCTURES TO BE REMOVED UNLESS OTHERWISE NOTED.
- TOTAL AREA OF THIS SUBDIVISION IS 1.94 ACRES CONTAINING 9 LOTS.

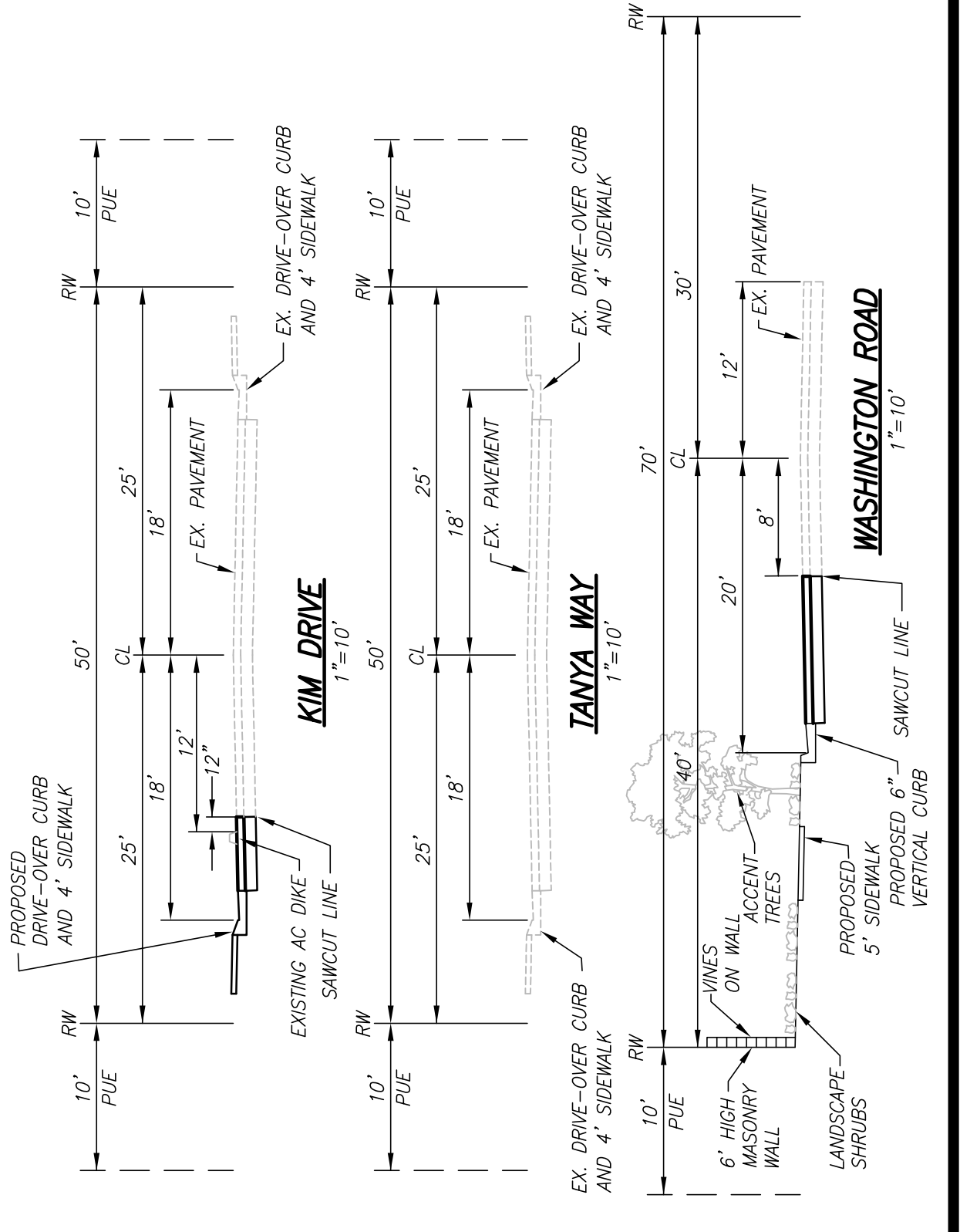


**BUFFER SETBACK STATEMENT OF COMPLIANCE:**  
 REQUIRED BUFFER FROM AGRICULTURAL ZONES (A-2) IS 150' PER STANISLAUS COUNTY BUFFER AND SETBACK GUIDELINES, APPENDIX VII-A.

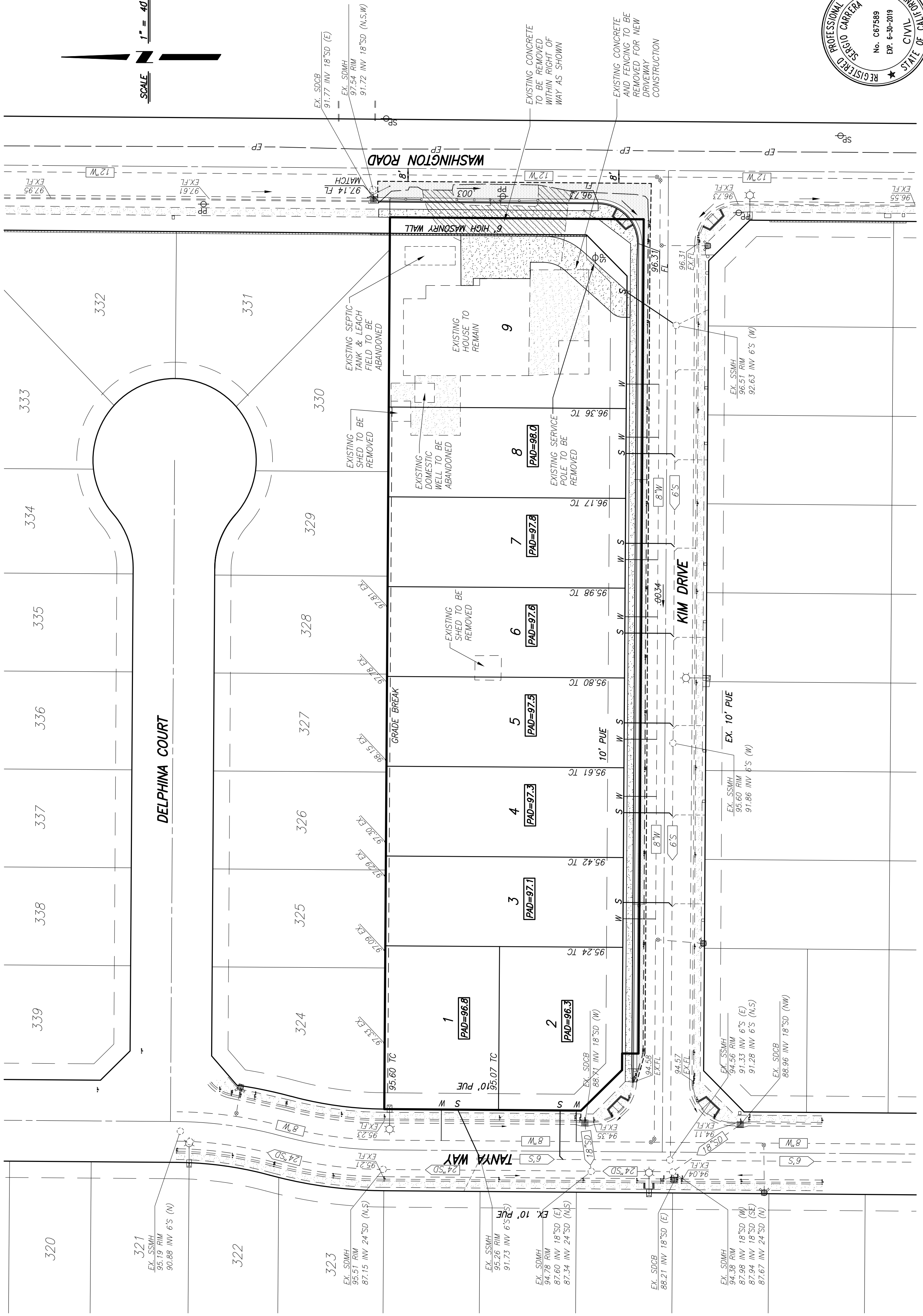
ALTHOUGH THIS PROPOSED SUBDIVISION BOUNDARY IS SEPARATED FROM EXISTING A-2-40 ZONED PROPERTIES BY LESS THAN THE REQUIRED DISTANCE, THE PROJECT IS CONSISTENT WITH THE SURROUNDING NEWER SINGLE FAMILY RESIDENTIAL PROPERTIES LEAVING THIS PROJECT IN A "POCKET" OF UNDEVELOPED LAND.

THE PROPOSED SUBDIVISION WILL CONSTRUCT A 6" HIGH MASONRY WALL WITH A LANDSCAPING ELEMENT ADJACENT TO WASHINGTON ROAD WHICH WILL OFFER EQUAL OR GREATER PROTECTION TO SURROUNDING AGRICULTURAL AREAS. CURRENTLY, THE EXISTING RESIDENTIAL DRIVEWAYS FRONT WASHINGTON ROAD WHEREAS THE PROPOSED SUBDIVISION WILL REALIGN THE DRIVEWAY TO FACE KIM DRIVE THUS REDUCING THE TRAFFIC IMPACTS DIRECTLY ONTO WASHINGTON ROAD ADJACENT TO THE A-2-40 ZONES.

THE EXISTING SINGLE FAMILY RESIDENCE WILL REMAIN IN PLACE. THIS RESIDENCE IS LOCATED CLOSEST TO THE A-2-40 ZONED PROPERTIES, THE ONLY NEW RESIDENTIAL USES WILL BE LOCATED OUTSIDE THE REQUIRED 150' BUFFER

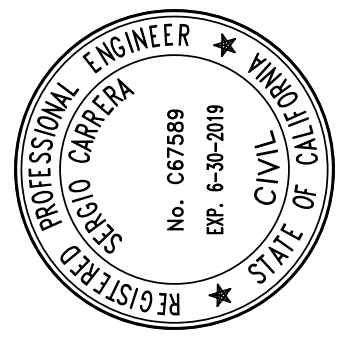


**VESTING TENTATIVE SUBDIVISION MAP FOR:  
KIM DRIVE SUBDIVISION  
KEYES, CALIFORNIA**



**GRADING & UTILITY PLAN  
VESTING TENTATIVE SUBDIVISION MAP  
ORANGE GROVE ESTATES  
KEYES, CALIFORNIA**

JOB NO. \_\_\_\_\_  
DATE 6/21/17  
DR BY TG  
CK BY SC  
SCALE 1"=40'



**SHEET NUMBER  
2  
OF 2 SHEETS**

# Keyes

## Community Plan

### Land Use Designations

<b>AG</b>	Agriculture
<b>UT</b>	Urban Transition
<b>LDR</b>	Low Density Residential (0-7 du / acre)
<b>MDR</b>	Medium Density Residential (0-14 du / acre)
<b>MHDR</b>	Medium-High Density Residential (0-25 du / acre)
<b>C</b>	Commercial
<b>HC</b>	Highway Commercial
<b>I</b>	Industrial
<b>PI</b>	Planned Industrial

### Parks and Schools

<b>▲</b>	Neighborhood Park	<b>▲</b>	Existing
<b>◆</b>	Community Park	<b>◆</b>	Proposed*
<b>■</b>	Elementary School	<b>□</b>	
<b>●</b>	Middle School	<b>○</b>	

\*Symbol denotes general location.

### Circulation

<b>—</b>	Highway / Freeway
<b>—</b>	Major Road
<b>—</b>	Collector
<b>—</b>	Future Road
<b>—</b>	Railroad
<b>—</b>	Bike Lane
<b>—</b>	Multi-purpose Trail

### Relevant Boundaries

<b>—</b>	Community Plan Boundary
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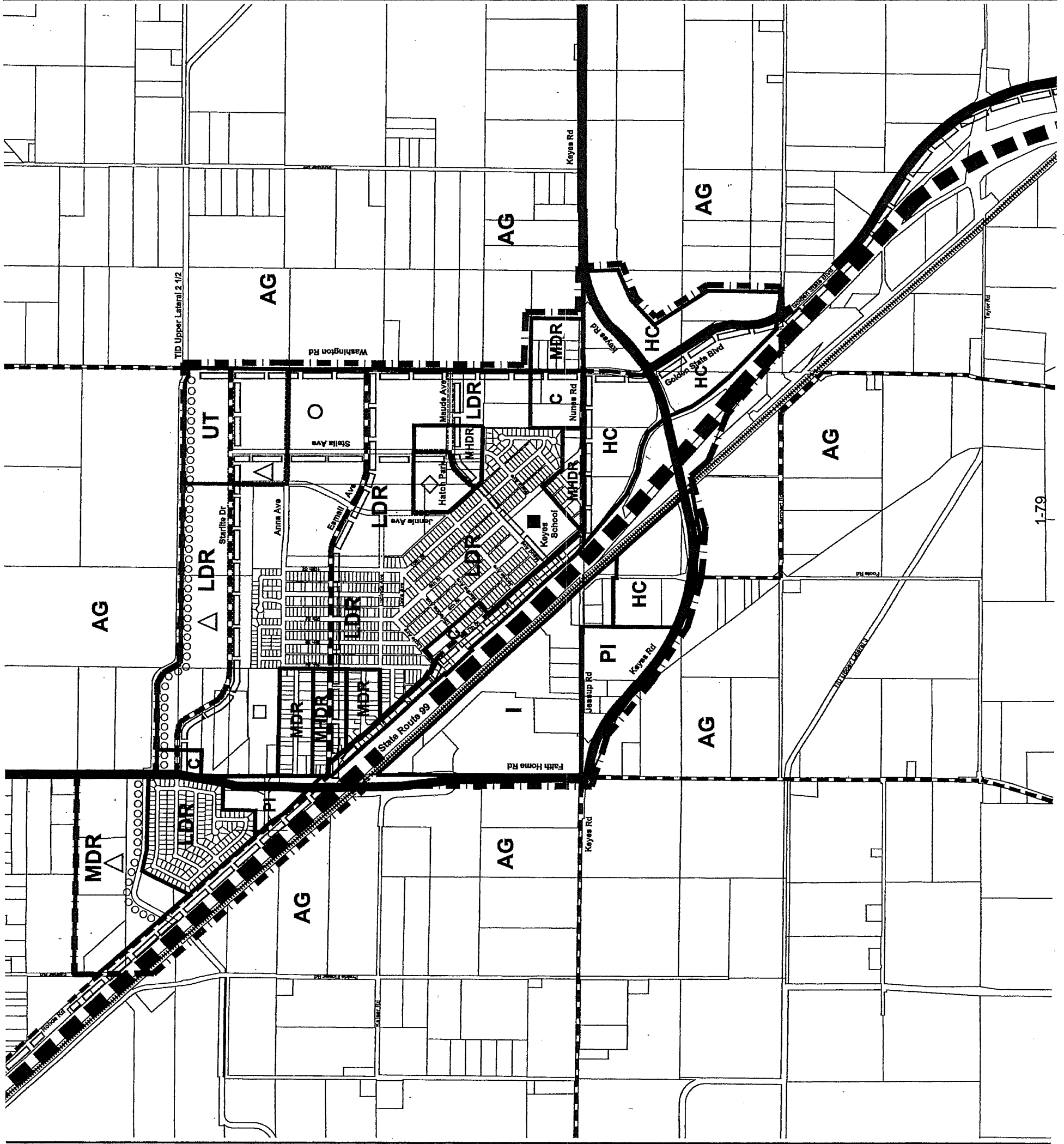


Scale: 1" = 500'



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April 18, 2006



(PLEASE NOTE:  
 ALL CIRCULATION/  
 TRANSPORTATION  
 DESIGNATIONS IN  
 THE COMMUNITY  
 PLANS HAVE BEEN  
 SUPERCEDED BY  
 THE FOCUSED  
 GENERAL PLAN  
 UPDATE, GPA 2004-  
 03, ADOPTED ON  
 APRIL 18, 2006.)  
 REFER TO  
 CHAPTER 2

EXHIBIT B-7

**As Approved by the Planning Commission**

**June 21, 2018**

**As Approved by the Board of Supervisors**

**July 17, 2018**

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

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## **CONDITIONS OF APPROVAL**

### **VESTING TENTATIVE SUBDIVISION MAP PLN2017-0053 ORANGE GROVE ESTATES**

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

1. Use(s) shall be conducted as described in the application and supporting information (including the plot plan) as approved by the Planning Commission and/or Board of Supervisors and in accordance with other laws and ordinances.
2. Pursuant to Section 711.4 of the California Fish and Game Code (effective January 1, 2017), the applicant is required to pay a California Department of Fish and Wildlife (formerly the Department of Fish and Game) fee at the time of filing a "Notice of Determination." Within five (5) days of approval of this project by the Planning Commission or Board of Supervisors, the applicant shall submit to the Department of Planning and Community Development a check for **\$2,337.75**, made payable to **Stanislaus County**, for the payment of California Department of Fish and Wildlife and Clerk Recorder filing fees.  
  
Pursuant to Section 711.4 (e) (3) of the California Fish and Game Code, no project shall be operative, vested, or final, nor shall local government permits for the project be valid, until the filing fees required pursuant to this section are paid.
3. Developer shall pay all Public Facilities Impact Fees and Fire Facilities Fees as adopted by Resolution of the Board of Supervisors. The fees shall be payable at the time of issuance of a building permit for any construction in the development project and shall be based on the rates in effect at the time of the vesting date of **November 3, 2017**.
4. The applicant/owner is required to defend, indemnify, or hold harmless the County, its officers, and employees from any claim, action, or proceedings against the County to set aside the approval of the project which is brought within the applicable statute of limitations. The County shall promptly notify the applicant of any claim, action, or proceeding to set aside the approval and shall cooperate fully in the defense.
5. All exterior lighting shall be designed (aimed down and toward the site) to provide adequate illumination without a glare effect. This shall include, but not be limited to, the use of shielded light fixtures to prevent skyglow (light spilling into the night sky) and the installation of shielded fixtures to prevent light trespass (glare and spill light that shines onto neighboring properties).

6. Pursuant to State Water Resources Control Board Order 99-08-DWQ and National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000002, prior to construction, the developer shall be responsible for contacting the California Regional Water Quality Control Board to determine if a "Notice of Intent" is necessary, and shall prepare all appropriate documentation, including a Storm Water Pollution Prevention Plan (SWPPP). Once complete, and prior to construction, a copy of the SWPPP shall be submitted to the Stanislaus County Department of Public Works.
7. The Department of Planning and Community Development shall record a Notice of Administrative Conditions and Restrictions with the County Recorder's Office within 30 days of project approval. The Notice includes: Conditions of Approval/Development Standards and Schedule; any adopted Mitigation Measures; and a project area map.
8. Should any archeological or human remains be discovered during development, work shall be immediately halted within 150 feet of the find until it can be evaluated by a qualified archaeologist. If the find is determined to be historically or culturally significant, appropriate mitigation measures to protect and preserve the resource shall be formulated and implemented. The Central California Information Center shall be notified if the find is deemed historically or culturally significant.
9. Prior to the issuance of building permits for a dwelling, the owner/developer shall pay a fee of \$339.00 per-dwelling to the County Sheriff's Department.
10. A final tree planting plan shall be approved by the Director of Planning and Community Development or his/her designee prior to the recording of the final map. The final tree planting plan shall meet all requirements of State or Local Ordinance. The trees shall be planted prior to the issuance of any certificate of occupancy for each dwelling.
11. Prior to the issuance of a building permit for the first home of each parcel, the owner/developer shall submit a landscaping plan for the entire parcel, to be reviewed and approved by the Planning Department. The landscaping plan shall meet all requirements of State or Local Ordinance. Fences and landscaping adjacent to roadways shall be in compliance with the County's "Visibility and Obstructions at Public Intersections" Ordinance.
12. Prior to recording of the final map, a final landscape plan for the landscaping along Washington Road and the corner of Washington Road and Kim Drive shall be approved Director of Planning and Community Development or his/her designee. The landscaping shall be installed prior to final occupancy of any new dwelling. The landscaping plan shall be consistent with proposed Agricultural Buffer and meet all requirements of State or Local Ordinance. Fences and landscaping adjacent to roadways shall be in compliance with the County's "Visibility and Obstructions at Public Intersections" Ordinance.
13. Prior to the recording of the final map a demolition permit for the domestic well and septic system of proposed parcel 9 shall be finalized.

**Department of Public Works**

14. The final map shall be prepared by a licensed land surveyor or registered civil engineer licensed to practice land surveying in California.

15. Prior to the final map being recorded, all existing structures not shown on the tentative map shall be removed.
16. Prior to the recording, or on the final map, road right-of-way shall be dedicated to Stanislaus County to provide for 25-feet or right-of-way north of the centerline of Kim Drive. The existing right-of-way currently is 15-feet north of the centerline of Kim Drive. This means that 10-feet of right-of-way shall be dedicated.
17. Prior to the recording, or on the final map, road right-of-way shall be dedicated to Stanislaus for a 25-chord to the back of the required improvements at the corner of Kim Drive and Washington Road.
18. Prior to the recording, or on the final map, road right-of-way shall be dedicated to Stanislaus County to provide for 40 feet of right-of-way west of the centerline of Washington Road. The existing right-of-way currently is 30-feet west of the centerline of Washington Road. The 10-foot of additional right-of-way shall be contain a public utility easement and landscaped area. This shall be labeled and as shown on the final map.
19. 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. The improvement plans shall include, but not limited to street lights, curb, gutter, and sidewalk, water, sewer, pavement, pavement markings, road signs, and handicap ramps. North American Vertical Datum shall be used. If available, 1988 data shall be used.
20. All facilities in the public right-of-way shall meet current ADA (American with Disabilities Act) Standards.
21. Prior to the start of importing, exporting or otherwise moving any dirt, a grading permit shall be obtained from the Department of Public Works. Public Works will review and approve the grading and drainage calculations. The grading and drainage plan shall include the following information:
  - The grading and drainage plan shall comply with the National Pollutant Discharge Elimination System (MS4 Phase II NPDES Permit) General Permit and Stanislaus County storm water treatment and quality standards.
  - The grading, drainage, and associated work shall be accepted by Stanislaus County Public Works prior to a final inspection or occupancy, as required by the building permit.
  - The Public Works inspector shall be contacted 48 hours prior to the commencement of any grading or drainage work on-site.
  - The grading plan shall show that the lowest finished floor elevation within the subdivision will be at least 12 inches above the high water elevation of the 100 year-flood.
22. Prior to the Department of Public Works reviewing any plan or inspections associated with the subdivision, the subdivided shall sign a "Subdivision Processing/Inspection Agreement" and post a \$5,000 deposit with Public Works.

23. An Engineer's Estimate shall be provided for the subdivision improvements so the amount of the bond/approved financial security can be determined if a Subdivision Improvement Agreement is required. The Engineer's Estimate shall be wet stamped and signed by a licensed civil engineer.
24. Prior to the final map being recorded, the subdivider shall either:
  - a) Sign a 'Subdivision Improvement Agreement' and post the required certificates of insurance and subdivision bonds or approved security with the Department of Public Works; or
  - b) Construct all subdivision improvements and have the improvements accepted by the Stanislaus County Board of Supervisors.
25. Prior to any work being done in the Stanislaus County road right-of-way, an Encroachment Permit shall be obtained.
26. All new utilities shall be underground and located in public utility easements. A 10-foot wide public utility easement (P.U.E) shall be located adjacent to the right-of-way of Tanya Way, Washington Road and Kim Drive. The P.U.E. shall be shown on the final map.
27. Prior to the final map being recorded, the Keyes Community Services District shall provide a letter to the Department of Public Works stating the District will maintain the new street lights. All street lights shall be installed on steel poles.
28. Prior to recording of the final map, a County Service Area (CSA) shall be annexed into the Keyes CSA to provide funds to ensure future maintenance of the storm drainage system, block wall, and landscaped areas of the agricultural buffer. The developer shall provide all necessary documents and pay all fees associated with the formation of the CSA. As part of the formation, a formula or method for the calculation of the annual assessment shall be approved. The formation process may take up to five to six months or more and requires LAFCO approval.
29. Prior to the recording of the final map, the developer shall pay any fair share costs for connection to the Bonita Ranch positive storm drain system. The fees shall be calculated by Public Works and shall be adjusted for inflation using the Engineering News –Record index.
30. Prior to the acceptance of the subdivision improvements, the lot grades shall conform to the approved grading plan. Written certification by a civil engineer or geotechnical engineer is required by the Department of Public Works.
31. Prior to acceptance of the subdivision improvements, all existing irrigation lines within the area to be subdivided shall be removed. All work shall be done in accordance with the requirement of the Department of Public Works and the Turlock Irrigation District.
32. Prior to acceptance of the subdivision improvements as specified in the County standards, a set of Record Drawings (Mylars), and electronically scanned files for each sheet in a PDF format shall be provided to and approved by the Department of Public Works. The Record Drawings shall be on 3 mil Mylar with each sheet signed and stamped by the design engineer and marked "Record Drawing" or "As-Built."



33. Prior to the acceptance of the subdivision improvements, one bench mark (brass cap) shall be established within the subdivision on a brass cap and the elevation shall be shown on the Record Drawing. A completed Bench Mark card shall be furnished to the Department of Public Works Survey Department. This will include the bench loop with vertical datum.
34. Prior to the acceptance of the subdivision improvements, street monuments and covers shall be installed to County standards.
35. Prior to the end of the one year maintenance period, all public roads shall have a fog seal applied prior to the final acceptance by Stanislaus County.

**Department of Parks and Recreation**

36. Prior to issuance of any building permits for a dwelling, the property owner/developer shall pay a per-dwelling fee in the amount of \$2,050 per dwelling to the Department of Parks and Recreation.

**Turlock Irrigation District**

37. Any remaining irrigation facilities located on this parcel shall be removed as per District Standards.
38. The existing power pole on Washington Road shall be relocated by the Developer prior to the final map being recorded. The owner/developer must apply for a facility change for any pole or electrical facility relocation. Facility changes are performed at the developer's expense.
39. An Underground Service Alert shall be notified before digging adjacent to any Washington Road underground facilities.
40. The front building setback is to be a minimum of 15-feet from the property line to enable the safe placement of utilities.

**Building Permits Division**

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

**Local Agency Formation Commission (LAFCO)**

42. Prior to connection and annexation to the Keyes Community Services District for water and sewer services, LAFCO review and approval shall be required.

**San Joaquin Valley Air Pollution Control District**

43. The proposed project may be subject to Air District permits. Prior to ground disturbance or issuance of a grading or building permit, the developer shall contact the District to determine if any District rules or permits are required.

### MITIGATION MEASURES

**(Pursuant to California Public Resources Code 15074.1: Prior to deleting and substituting for a mitigation measure, the lead agency shall do both of the following: 1) Hold a public hearing to consider the project; and 2) Adopt a written finding that the new measure is equivalent or more effective in mitigating or avoiding potential significant effects and that it in itself will not cause any potentially significant effect on the environment.)**

44. Prior to issuance of any building permit for a single-family dwelling, the applicant shall pay the Keyes Community Plan Mitigation Funding Program fees for Low Density Residential (R-1) per the Keyes Community Plan Adopted on April 18, 2000. The fees were calculated in 2003 at \$178.92 per dwelling. With the fees adjusted for inflation using the Engineering News-Record index, the April 2017 fees are \$293.43 per dwelling.

\*\*\*\*\*

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



## CEQA INITIAL STUDY

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

1. **Project title:** Vesting Tentative Subdivision Map Application No. PLN2017-0058 – Orange Grove Estates
2. **Lead agency name and address:** Stanislaus County  
1010 10<sup>th</sup> Street, Suite 3400  
Modesto, CA 95354
3. **Contact person and phone number:** Jeremy Ballard, Associate Planner
4. **Project location:** 5537 Washington Road, on the north side of Kim Drive, between Tanya Way and Washington Road, in the Community of Keyes. APN: 045-021-041
5. **Project sponsor’s name and address:** Robert Perez and Oscar Arenas  
5537 Washington Road  
Keyes, California 95326
6. **General Plan designation:** LDR (Low Density Residential)
7. **Community Plan designation:** LDR (Low Density Residential)
8. **Zoning:** R-1 US (Single-Family Residential Urban Services)
9. **Description of project:**  
  
Request to subdivide a 2.11± acre parcel into nine parcels between 7,004 – 15,155 square feet in size in the R-1 US (Single Family Residential – Urban Services) zoning district. The proposed residential lots will install sidewalk along all property frontages and be served by the Keyes Community Service District for water and sanitary sewer services. Proposed storm water capture and drainage will utilize existing infrastructure, which will be conveyed to the Turlock Irrigation District lateral No. 2 1/12, located north of the project site. The proposed project will also include a tree planting plan for each lot, landscaping at the northwest corner of Washington Road and Kim Drive, and an Agricultural Buffer that includes a six-foot tall masonry wall with landscaping along Washington Road. The parcel features an existing single-family dwelling that will remain on proposed parcel 9 but will also include the relocation of the existing driveway to Kim Drive.
10. **Surrounding land uses and setting:** Single-Family Residential Development to the north, west and south and agricultural parcels to the east.
11. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.):** Turlock Irrigation District (TID), Stanislaus County Department of Public Works and Environmental Resources.

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

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

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

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

On the basis of this initial evaluation:

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

Signature on file.  
Signature

April 20, 2018  
Date

**EVALUATION OF ENVIRONMENTAL IMPACTS:**

1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, than the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.

4) “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, “Earlier Analyses,” may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration.

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

a) **Earlier Analysis Used.** Identify and state where they are available for review.

b) **Impacts Adequately Addressed.** Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

c) **Mitigation Measures.** For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). References to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) **Supporting Information Sources:** A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected.

9) The explanation of each issue should identify:

a) the significant criteria or threshold, if any, used to evaluate each question; and

b) the mitigation measure identified, if any, to reduce the impact to less than significant.

**ISSUES**

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

**Discussion:** The project site is not considered to be a scenic resource or a unique scenic vista. Community standards do not dictate the need or desire for architectural review of agricultural or residential subdivisions. The project site is currently improved with one single-family dwelling and two residential accessory structures with the remainder of the 2.11± acre site undeveloped. The vesting tentative subdivision map will feature a total of nine lots of at least 7,004 to 15,155 square feet in size. The subdivision will include improvements to Washington Road and Kim Drive; including expansion of the roadways and matching curb, gutter and sidewalks. Furthermore, the proposed project will include the construction of a six-foot tall masonry wall with landscaping along Washington Road. The six-foot tall masonry wall will match existing residential development to the north. Additional landscaping will be installed behind the curb at the intersection of a Kim Drive and Washington Road, matching the residential development to the south. The project is not expected to degrade any existing visual character of the site or surrounding area. Any lighting installed with the subdivision shall be designed to reduce any potential impacts of glare per the County’s Public Works adopted Standards and Specifications.

**Mitigation:** None

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

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

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?			X	

**Discussion:** The project site is designated as Low Density Residential (LDR) in the County's General Plan and is zoned Single-Family Residential Urban Services (R1-US), which permits residential uses provided that connection to public water & sanitary sewer source takes place. The project site is surrounded by land zoned Rural Residential (R-A) and Single-Family Residential (R-1) to the north, south and west. To the east of Washington Road is land zoned General Agriculture (A-2-40), which is approximately 60 feet away from the project site. As part of the project, the applicant will construct an agricultural buffer to screen single-family development from routine agricultural practices. The agricultural buffer will consist of a six-foot tall masonry block wall that will incorporate a row of trees and other shrubs for landscaping. The existing single-family dwelling will also serve as a buffer for the newly subdivided residential lots. A project referral was sent to the County's Agricultural Commissioner's office; however, no response regarding the agricultural buffer has received to date.

A referral response received from the Turlock Irrigation District (TID) described irrigation infrastructure that currently exists within the project site. TID stated that the infrastructure is no longer connected to any active irrigation system and it shall be removed per District Standards. A condition of approval will be placed on the project to ensure the removal is done prior to the recording of the final map.

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 Material; Referral response received from Turlock Irrigation District dated January 18, 2018; Stanislaus County General Plan and Support Documentation<sup>1</sup>.

III. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X	
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X	
d) Expose sensitive receptors to substantial pollutant concentrations?			X	
e) Create objectionable odors affecting a substantial number of people?			X	

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

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 Environmental Protection Agency (EPA) which sets emissions for vehicles and acts on issues regarding cleaner burning fuels and alternative fuel technologies. As such, the District has addressed most criteria air pollutants through basin wide programs and policies to prevent cumulative deterioration of air quality within the basin.

The project was referred to SJVAPCD and no response was received. However, the District’s Small Project Analysis Level (SPAL) guidance identifies thresholds of significance for criteria pollutant emissions, which are based on the District’s New Source Review (NSR) offset requirements for stationary sources. The District 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. The provided sizes by the District are deemed to have a less than significant impact on air quality due to criteria pollutant emissions. The District’s threshold of significance for residential projects is identified as 152 units, or 1,453 additional trips per day. According to the Federal Highway Administration the average daily vehicle trips per household is 9.6, which would equal 86.4 additional trips per day as a result of project approval (9 proposed units, 8 new units x 9.6 = 86.4). As this is below the District’s threshold of significance, no significant impacts to air quality are anticipated.

The project will not conflict with, or obstruct implementation of, any applicable air quality plan. The construction phase of this project will be required to meet SJVAPCD’s standards and to obtain all applicable permits.

**Mitigation:** None

**References:** San Joaquin Valley Air Pollution Control District’s Small Project Analysis Level (SPAL) guidance Stanislaus County General Plan and Support Documentation<sup>1</sup>

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



f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?			X	
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**Discussion:** The project site is within quadrant 3712058 (Ceres) of the California Department of Fish and Wildlife’s California Natural Diversity Database. The quad is known to contain the following threatened or endangered species; Swainson’s Hawk, tricolored blackbird, steelhead fish and valley elderberry longhorn beetle. The project site has already been developed by a single-family dwelling and is surrounded by small lots, typically 5,000 to 8,000 square feet in size, developed with single-family dwellings. Currently, there are no known protected habitat or species within the project site.

The project will not conflict with a Habitat Conservation Plan, a Natural Community Conservation Plan, or other locally approved conservation plans. Impacts to endangered species or habitats, locally designated species, wildlife dispersal or mitigation corridors are considered to be less than significant as the site is surrounding by single-family residential development.

An early consultation was referred to the California Department of Fish and Wildlife (formerly the Department of Fish and Game) and no response was received.

**Mitigation:** None

**References:** Application Material; California Department of Fish and Wildlife CNDDDB GIS; Stanislaus County General Plan and Support Documentation<sup>1</sup>

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

**Discussion:** The Keyes Community Plan Update identified that a potential exists for discovery of previously identified buried archaeological resources. A letter was received from the Native American Heritage Commission (NAHC), outlining the basic procedures for AB 52 and SB 18, which both require tribal consultation or notification of projects under certain circumstances. This project does not fall under either AB 52 or SB 18, as it is not a General Plan or Specific Plan Amendment, and none of the tribes listed by the NAHC have contacted the County to request project referrals.

It does not appear that this project will result in significant impacts to any archaeological or cultural resources; however, a standard condition of approval will be added to this project to address any discovery of cultural resources during any ground disturbing activities.

**Mitigation:** None

**References:** Keyes Community Plan adopted April 18, 2000; Referral response received from the Native American Heritage Commission dated December 29, 2017; Stanislaus County General Plan and Support Documentation<sup>1</sup>

VI. GEOLOGY AND SOILS -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:			X	
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?			X	
b) Result in substantial soil erosion or the loss of topsoil?			X	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d) Be located on expansive soil creating substantial risks to life or property?			X	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X

**Discussion:** 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 Five of the General Plan Support Documentation, the areas of the County subject to significant geologic hazard are located in the Diablo Range, west of Interstate 5; however, as per the California Building Code, all of Stanislaus County is located within a geologic hazard zone (Seismic Design Category D, E, or F) and a soils test may be required as part of the building permit process. The project request relating to storm water capture and drainage will utilize existing infrastructure, which will be conveyed to the Turlock Irrigation District lateral No. 2 1/2, located north of the project site. The Department of Public Works has reviewed this proposal and has requested conditions of approval to be placed on the project to address maintenance cost of the infrastructure by requiring annexation to an existing County Service Area. As detailed in the project description, the proposed project will connect to public water and sewer through the Keyes Community Services District (CSD).

Any earth moving must be approved by Public Works as complying with adopted Standards and Specifications, which consider the potential for erosion and run-off prior to permit approval. The Building 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 designed and built according to building standards appropriate to withstand shaking for the area in which they are constructed. Per the County’s Safety Element of the General Plan, the site is not located in the most hazardous areas for earthquakes, flooding, or wildfire areas.

**Mitigation:** None

**References:** Application material; Referral response received from Stanislaus County Department of Public Works dated on March 21, 2018; Stanislaus County General Plan and Support Documentation<sup>1</sup>

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

**Discussion:** The principal Greenhouse Gasses (GHGs) are carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), sulfur hexafluoride (SF<sub>6</sub>), perfluorocarbons (PFCs), hydrofluorocarbons (HFCs), and water vapor (H<sub>2</sub>O). CO<sub>2</sub> is the reference gas for climate change because it is the predominant greenhouse gas emitted. To account for the varying warming potential of different GHGs, GHG emissions are often quantified and reported as CO<sub>2</sub> equivalents (CO<sub>2</sub>e). In 2006, California passed the California Global Warming Solutions Act of 2006 (Assembly Bill [AB] No. 32), which requires the California Air Resources Board (ARB) design and implement emission limits, regulations, and other measures, that are feasible and cost-effective statewide to reduce GHG emissions to 1990 levels by 2020. GHGs emissions resulting from residential projects include emissions from temporary construction activities, energy consumption, and additional vehicle trips.

Minimal greenhouse gas emissions will occur during construction. Construction activities are considered to be less than significant as they are temporary in nature and are subject to meeting SJVAPCD standards for air quality control.

The proposed structures are subject to the mandatory planning and design, energy efficiency, water efficiency and conservation, material conservation and resources efficiency, and environmental quality measures of the California Green Building Standards (CALGreen) Code (California Code of Regulations, Title 24, Part 11). The California Energy Commission (CEC) has published reports estimating the percentage reductions in energy use resulting from these new standards. Based on CEC’s discussion on average savings for Title 24 improvements, these CEC savings percentages by end use can be used to account for a 22.7% reduction in electricity and a 10% reduction in natural gas use for single-family residential units.

As mentioned in the Air Quality section, the project was referred to SJVAPCD and no response was received. The analysis of mobile source pollution within the Air Quality section based on SPAL would apply in regards to Greenhouse Gas Emissions as well. Therefore, the proposed project would pose less than significant impacts air emissions.

**Mitigation:** None

**References:** San Joaquin Valley Air Pollution Control District’s Small Project Analysis Level (SPAL) guidance, California Air Pollution Control Officers Association Quantifying Greenhouse Gas Mitigation Measures (August 2010); Stanislaus County General Plan and Support Documentation<sup>1</sup>

VIII. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?			X	

**Discussion:** As part of the project the existing well and septic is being abandoned, this will be done through a permit issued by the Department of Environmental Resources prior to the final map being recorded. Pesticide exposure is a risk in areas located in the vicinity of agricultural uses. Sources of exposure include contaminated groundwater, which is consumed and drift from spray applications. Application of sprays are strictly controlled by the Agricultural Commissioner and can only be accomplished after first obtaining permits. The groundwater is not known to be contaminated in this area. Furthermore, the project will be served by the Keyes CSD for their domestic water and sewer and will be developing an agricultural buffer to minimize exposure to any adjacent agricultural practices. The project is located outside any land designated a fire hazard severity zone by Cal Fire per the County's Safety Element of the General Plan. The property is served by the Keyes Fire Protection District and will pay fire impact fees for all new construction. A project referral was sent to Keyes Fire, but no comment has been received. The project site is not located near an airport and is therefore not included in any land use compatibility plan.

**Mitigation:** None

**References:** Application material; Stanislaus County General Plan and Support Documentation; Airport Land Use Commission Plan

IX. HYDROLOGY AND WATER QUALITY -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?			X	
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			X	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			X	

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?			X	
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
f) Otherwise substantially degrade water quality?			X	
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?			X	
j) Inundation by seiche, tsunami, or mudflow?			X	

**Discussion:** On-site areas subject to flooding have not been identified in accordance with the Federal Emergency Management Act and/or County designated flood areas and it is not within the 200-year flood zone per the County’s Safety Element of the General Plan. Development of the project site will include paving for the roadway, houses pads, driveways, curb, gutter and sidewalks, including a six-foot tall masonry wall along Washington Road. These types of development will alter the existing drainage pattern of the site. The project is proposing to convey any increased runoff from the proposed development through the existing curb and gutter system. The runoff will connect to existing facilities of the adjacent residential development and ultimately be deposited into TID Lateral No. 2 1/2. Preliminary drainage plans were reviewed and approved by the Department of Public Works. A condition of approval will be added to require the project site to annex into the existing County Service Area (CSA) to provide funding for maintenance of the system in perpetuity.

The proposed project will not have a significant effect on groundwater levels as all proposed development will be served with domestic water from the Keyes Community Service District (CSD). The applicant has received a will serve letter from the Keyes CSD for each lot.

A referral response received from the Central Valley Regional Water Quality Control District provided a list of the Board’s permits and programs that may be applicable to the proposed project. The developer will be required to contact Regional Water to determine which permits/standards must be met prior to construction as a condition of approval

**Mitigation:** None

**References:** Application material; Keyes Community Service District Will Serve Letter dated September 29, 2016; Referral response from the Central Valley Regional Water Quality Control District dated January 02, 2018; Referral response received from Stanislaus County Department of Public Works dated on March 21, 2018; Stanislaus County General Plan and Support Documentation<sup>1</sup>

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

<b>c) Conflict with any applicable habitat conservation plan or natural community conservation plan?</b>			<b>X</b>	
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**Discussion:** The proposed project will not physically divide an established community. The project is a residential in-fill project located within the community of Keyes. Existing land use designations for the project site include a General Plan designation of Low Density Residential (LDR) and a Keyes Community Plan Designation of LDR as well. The projected site also lies within the Single-Family Residential – Urban Services (R-1 US) zoning district, which allows for a minimum parcel size of 5,000 square feet and must be serviced by public water and sewer.

The project proposes to create nine parcels between 7,004± to 15,155± square feet on 2.11± acres, which equates to a density of 4.25 units per acre. The proposed lot configuration is consistent with the General Plan, Community Plan, and zoning designations of LDR and R-1 US. As described earlier each lot will be served with domestic water and sewer from the Keyes CSD. The Vesting Tentative Subdivision Map has a vesting date of November 3, 2017. The proposed project was presented to the Stanislaus County Subdivision Committee but had no comment on the project.

The proposed project will not conflict with any applicable habitat conservation plan or natural community conservation plan, as there are none in the area.

**Mitigation:** None

**References:** Application material; Referral response from Stanislaus County Subdivision Committee dated March 02, 2018; Stanislaus County General Plan and Support Documentation<sup>1</sup>

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

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

**Mitigation:** None

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

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

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			X	
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

**Discussion:** Washington Road is classified in the Circulation Element of the General Plan as an 80-foot Major Collector Roadway. The proposed project includes a six-foot tall masonry wall with landscaping along Washington Road on the eastern boundary of the project site, both for safety purposes and to reduce roadway noise exposure. A standard condition of approval will be added to the project to address the temporary increase in noise during the construction phase of the project. The project is not included in any airport land use compatibility plan, nor is it located near any private airports.

**Mitigation:** None

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

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

**Discussion:** 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. At full build-out the proposed parcels could only create a total of 18 residential units per the R-1 US zoning district. The extension of Keyes 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 density residential development.

**Mitigation:** None

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

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

Schools?			X	
Parks?			X	
Other public facilities?			X	

**Discussion:** The County has adopted Public Facilities Fees, School as well as a Fire Facility Fees on behalf of the appropriate district, to address impacts to public services. All new dwellings will be required to pay the applicable Public Facility Fees through the building permit process. The Sheriff’s Department also uses a standardized fee for new dwellings that will be incorporated into the Conditions of Approval. The Stanislaus County Department of Parks and Recreation has calculated an in-lieu fee which will be paid by the developer to accommodate increased recreation needs occurring as a result of the residential development. A referral was sent to the Keyes Union School District but no response has been received to date. However, schools fees will be collected prior to issuance of any new dwelling.

A referral response was received from TID regarding the existing and proposed electrical utilities. TID has requested that the applicant relocate the existing power pole onto Washington Road out of the right-of-way. TID has also requested that any new structure as a result of the proposed project be setback 15 feet from the property as well as the back of the curb as to maintain clearance within the proposed 10 foot wide Public Utility Easement on Kim Drive. These setback requests by TID are consistent with the setback requirements of the R-1 US zoning district and will be enforced during the review of any building permit for the proposed parcels.

Lastly, a referral response was received by the Local Agency Formation Commission (LAFCO) regarding the water and sewer service being provided to the project site. LAFCO stated that the project site is currently outside the boundaries of the Keyes Community Service District service area. Prior to the commencement of services LAFCO has requested that the project site be annexed into the Keyes Community Service District. A condition of approval will be added to address these concerns.

**Mitigation:** None

**References:** Application material; Referral response from LAFCO, dated December 29, 2017; Referral response from Turlock Irrigation District, dated January 18, 2018; Stanislaus County General Plan and Support Documentation<sup>1</sup>

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

**Discussion:** The Stanislaus County’s Parks Department has established standardized fees regarding new residential development. Based on the number of lots being created, conditions of approval will be added to the project to require in-lieu park fees of \$2,050. These fees will be required at the issuance of building permit for each lot.

**Mitigation:** None

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



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

**Discussion:** The proposed project will not create any new roadways. Each parcel will front onto a County-maintained road, Kim Drive. The project proposes to complete the construction of Washington Road along the site’s eastern frontage and install matching sidewalks along all property frontages. The installation of sidewalks will connect the adjacent existing residential development creating a consistent walkable pathway. The increased number of vehicle trips per day is not considered to be significant as the nine parcels will be in-fill and have been anticipated as residential development within the Keyes Community Plan.

This project was referred to the Department of Public Works and the State of California Department of Transportation (CalTrans). No response has been received to date from CalTrans. However, the Keyes Community Plan Environmental Impact Report (EIR) anticipated traffic impacts to the Keyes Road and State Route 99 ramp intersections and adopted mitigation measures to address those impacts by requiring a fair share amount be paid prior to the issuance of a building permit for any new dwelling. The County’s Environmental Review Committee, submitted a referral response with the applicant’s fair share amount, as determined by the Keyes Community Plan. The fair share amount has been updated to account for inflation. These fees have been added as a mitigation measure.

**Mitigation:**

1. Prior to issuance of any building permit for a single family dwelling, the applicant shall pay the Keyes Community Plan Mitigation Funding Program fees for Low Density Residential (R-1) per the Keyes Community Plan Adopted on April 18, 2000. The fees were calculated in 2003 at \$178.92 per dwelling. With the fees adjusted for inflation using the Engineering News-Record index, the April 2017 fees are \$293.43 per dwelling.

**References:** Application; Referral response from Environmental Review Committee, dated April 06, 2018; Keyes Community Plan EIR adopted April 18, 2000; Stanislaus County General Plan and Support Documentation<sup>1</sup>

XVII. UTILITIES AND SERVICE SYSTEMS -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X	
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X	
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X	
g) Comply with federal, state, and local statutes and regulations related to solid waste?			X	

**Discussion:** As part of the proposed project request to subdivide an existing parcel into nine parcels between 7,004 to 15,155 square feet in size, all storm water runoff will be channeled through the master storm drain basin system on Kim Drive and Tanya Way, moving northward toward an existing detention basin that had been constructed by previous residential development. The runoff is then conveyed to the TID lateral No. 2 1/2 to the north and ultimately deposited into the San Joaquin River in conjunction with TID's normal operations. County Public Works has reviewed this request and preliminarily approved the connection. During the planning of the adjacent residential development use of the master system was anticipated for adjacent parcels residential development, including the current project site. Furthermore, the project site will be required to be annexed into the existing Keyes Community Service Area for continued maintenance and operation of the system. Conditions of approval will be placed on the project to ensure the fair share amount is paid and annexation takes place prior to the recording of the final map.

As mentioned previously, each lot will be served by the Keyes Community Service District for water and sanitary sewer services. A Will Serve letter has been issued by the District in regards to this project. A project referral was sent to the District but no comment has been received to date. As required by LAFCO the project site will be required to be annexed into the District service area prior to service begins.

**Mitigation:** None

**References:** Application material; Keyes Community Service District Will Serve Letter, dated September 29, 2016; Referral response from LAFCO, dated December 29, 2017; Referral response received from Stanislaus County Department of Public Works dated on March 21, 2018; Stanislaus County General Plan and Support Documentation<sup>1</sup>

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

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

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



Stanislaus County
Planning and Community Development

Mitigation Monitoring and Reporting Program

Adapted from CEQA Guidelines sec. 15097 Final Text, October 26, 1998

April 20, 2018

- 1. Project title and location: Vesting Tentative Subdivision Map Application No. PLN2017-0058 - Orange Grove Estates
5537 Washington Road, on the north side of Kim Drive, between Tanya Way and Washington Road, in the Community of Keyes. APN: 045-021-041
2. Project Applicant name and address: Robert Perez and Oscar Arenas
5537 Washington Road
Keyes, CA 95326
3. Person Responsible for Implementing Mitigation Program (Applicant Representative): Stanislaus County Department of Public Works
4. Contact person at County: Jeremy Ballard, Associate Planner (209) 525-6330

MITIGATION MEASURES AND MONITORING PROGRAM:

List all Mitigation Measures by topic as identified in the Mitigated Negative Declaration and complete the form for each measure.

XVI. TRANSPORTATION/TRAFFIC

No.1. Prior to issuance of any building permit for a single-family dwelling, the applicant shall pay the Keyes Community Plan Mitigation Funding Program fees for Low Density Residential (R-1) per the Keyes Community Plan Adopted on April 18, 2000. The fees were calculated in 2003 at \$178.92 per dwelling. With the fees adjusted for inflation using the Engineering News-Record index, the April 2017 fees are \$293.43 per dwelling.

Table with 2 columns: Question/Measure and Answer. Includes: Who Implements the Measure: Applicant; When should the measure be implemented: Prior to issuance of a building permit for a single-family dwelling; When should it be completed: At time of permit issuance; Who verifies compliance: Stanislaus County Planning and Community Development Department; Other Responsible Agencies: Stanislaus County Public Works Department

I, the undersigned, do hereby certify that I understand and agree to be responsible for implementing the Mitigation Program for the above listed project.

Signature on file.
Person Responsible for Implementing Mitigation Program

April 20, 2018
Date

## MITIGATED NEGATIVE DECLARATION

**NAME OF PROJECT:** Vesting Tentative Subdivision Map Application No. PLN2017-0058 – Orange Grove Estates

**LOCATION OF PROJECT:** 5537 Washington Road on the north side of Kim Drive, between Tanya Way and Washington Road, in the Community of Keyes. APN: 045-021-041

**PROJECT DEVELOPER:** Robert Perez & Oscar Arenas  
5537 Washington Road  
Keyes, CA 95326

**DESCRIPTION OF PROJECT:** Request to subdivide a 2.11 acre parcel into nine parcels of between 7,004 and 15,150 square feet in size in the R-1 US zoning district.

Based upon the Initial Study, dated **April 20, 2018**, the Environmental Coordinator finds as follows:

1. This project does not have the potential to degrade the quality of the environment, nor to curtail the diversity of the environment.
2. This project will not have a detrimental effect upon either short-term or long-term environmental goals.
3. This project will not have impacts which are individually limited but cumulatively considerable.
4. This project will not have environmental impacts which will cause substantial adverse effects upon human beings, either directly or indirectly.

The aforementioned findings are contingent upon the following mitigation measures (if indicated) which shall be incorporated into this project:

### XVI. TRANSPORTATION/TRAFFIC

No.1 Mitigation Measure: Prior to issuance of any building permit for a single-family dwelling, the applicant shall pay the Keyes Community Plan Mitigation Funding Program fees for Low Density Residential (R-1) per the Keyes Community Plan Adopted on April 18, 2000. The fees were calculated in 2003 at \$178.92 per dwelling. With the fees adjusted for inflation using the Engineering News-Record index, the April 2017 fees are \$293.43 per dwelling.

The Initial Study and other environmental documents are available for public review at the Department of Planning and Community Development, 1010 10th Street, Suite 3400, Modesto, California.

Initial Study prepared by: Jeremy Ballard, Associate Planner

Submit comments to: Stanislaus County  
Planning and Community Development Department  
1010 10th Street, Suite 3400  
Modesto, California 95354

(I:\PLANNING\STAFF REPORTS\TM2017\VTSM PLN2017-0058 - ORANGE GROVE ESTATES\CEQA-30-DAY-REFERRAL\MITIGATED NEGATIVE DECLARATION.DOC)

**SUMMARY OF RESPONSES FOR ENVIRONMENTAL REVIEW REFERRALS**

**PROJECT: VESTING TENTATIVE SUBDIVISION MAP PLN2017-0053 - ORANGE GROVE ESTATES**

REFERRED TO:				RESPONDED		RESPONSE			MITIGATION MEASURES		CONDITIONS	
	2 WK	30 DAY	PUBLIC HEARING NOTICE	YES	NO	WILL NOT HAVE SIGNIFICANT IMPACT	MAY HAVE SIGNIFICANT IMPACT	NO COMMENT NON CEQA	YES	NO	YES	NO
CA DEPT OF FISH & WILDLIFE	X	X	X		X							
CA DEPT OF TRANSPORTATION DIST 10	X	X	X		X							
CA OPR STATE CLEARINGHOUSE	X	X	X	X				X		X		X
CA RWQCB CENTRAL VALLEY REGION	X	X	X	X				X		X	X	
COOPERATIVE EXTENSION	X	X	X		X							
FIRE PROTECTION DIST: KEYES	X	X	X		X							
IRRIGATION DISTRICT: TID	X	X	X	X				X		X	X	
MOSQUITO DISTRICT: TURLOCK	X	X	X		X							
MT VALLEY EMERGENCY MEDICAL	X	X	X		X							
MUNICIPAL ADVISORY COUNCIL: KEYES	X	X	X		X							
PACIFIC GAS & ELECTRIC	X	X	X		X							
POSTMASTER:	X	X	X		X							
RAILROAD: UNION PACIFIC	X	X	X		X							
SAN JOAQUIN VALLEY APCD	X	X	X	X				X		X	X	
SCHOOL DISTRICT 1:KEYES UNION	X	X	X		X							
SCHOOL DISTRICT 2: TURLOCK JOINT UNIFIED	X	X	X		X							
STAN CO AG COMMISSIONER	X	X	X		X							
STAN CO BUILDING PERMITS DIVISION	X	X	X		X							
STAN CO CEO	X	X	X		X							
STAN CO CSA					X							
STAN CO DER	X	X	X		X							
STAN CO ERC	X	X	X	X			X		X			X
STAN CO HAZARDOUS MATERIALS	X	X	X		X							
STAN CO PARKS & RECREATION	X	X	X		X							
STAN CO PUBLIC WORKS	X	X	X	X				X		X	X	
STAN CO SHERIFF	X	X	X		X							
STAN CO SUPERVISOR DIST 2: CHIESA	X	X	X		X							
STAN COUNTY COUNSEL	X	X	X		X							
STANISLAUS FIRE PREVENTION BUREAU	X	X	X		X							
STANISLAUS LAFCO	X	X	X	X				X		X	X	
SURROUNDING LAND OWNERS			X									
TELEPHONE COMPANY: ATT	X	X	X		X							
TRIBAL CONTACTS												
(CA Government Code §65352.3)	X	X	X	X								
US MILITARY AGENCIES												
(SB 1462) (5 agencies)	X	X	X		X							
WATER DISTRICT: KEYES	X	X	X		X							

Planning Commission  
Minutes  
June 21, 2018  
Pages 1 & 2

- A. **VESTING TENTATIVE SUBDIVISION MAP PLN2017-0058 – ORANGE GROVE ESTATES** - Request to subdivide a 2.11 acre parcel into nine parcels of at least 7,000 square feet in size in the R-1 US (Single-Family Urban Services) zoning district. The project site is located at 5537 Washington Road, on the north side of Kim Drive, between Tanya Way and Washington Road in the Community of Keyes. The Planning Commission will consider adoption of a Mitigated Negative Declaration for the project. APN: 045-021-041.  
Staff Report: Jeremy Ballard, Associate Planner, Recommends **APPROVAL**.  
Public hearing opened.  
**Public Comment:** Ladd Hackler, neighbor  
Public hearing closed.  
Gibson/Buehner (7/0) **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT.**

<p style="text-align: center;"><b>EXCERPT</b></p> <p style="text-align: center;"><b>PLANNING COMMISSION</b></p> <p style="text-align: center;"><b>MINUTES</b></p> <p>_____ Signature on file. Secretary, Planning Commission</p> <p>_____ June 22, 2018 Date</p>
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**SUMMARY OF RESPONSES FOR ENVIRONMENTAL REVIEW REFERRALS**

**PROJECT: TE FOR TM APPLICATION NO. PLN2017-0058 - ORANGE GROVE ESTATES**

REFERRED TO:			RESPONDED		RESPONSE			MITIGATION MEASURES		CONDITIONS	
	2 WK	PUBLIC HEARING NOTICE	YES	NO	WILL NOT HAVE SIGNIFICANT IMPACT	MAY HAVE SIGNIFICANT IMPACT	NO COMMENT NON CEQA	YES	NO	YES	NO
COMMUNITY SERVICES DIST: KEYES	X	X		X							
IRRIGATION DIST: TURLOCK	X	X	X				X		X		X
SAN JOAQUIN VALLEY APCD	X	X		X							
STAN CO BUILDING PERMITS DIVISION	X	X		X							
STAN CO ERC	X	X		X							
STAN CO PARKS AND RECREATION	X	X		X							
STAN CO PUBLIC WORKS	X	X		X							
STAN CO PUBLIC WORKS - SURVEY	X	X		X							
STAN CO HAZARDOUS MATERIALS	X	X	X				X		X		X
SURROUNDING LANDOWNERS		X		X							
STAN CO AG COMMISSIONER	X	X		X							
STANISLAUS LAFCO	X	X		X							