



REVISED Referral Early Consultation

Date: November 5, 2019
To: Distribution List (See Attachment A)
From: Kristen Anaya, Assistant Planner
Planning and Community Development
Subject: USE PERMIT APPLICATION NO. PLN2019-0075 – MASROC FARMS
Respond By: November 20, 2019

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

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

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

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

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

Applicant: David Zwald, Masroc Farms
Project Location: 616 N. Hopper Road, on the southeast corner of Hopper Road and Creekside Lane, north of the Modesto Irrigation District Main Canal, in the Modesto area.
APN: 009-016-024 & 025
Williamson Act Contract: N/A
General Plan: Agriculture
Current Zoning: A-2-40 (General Agriculture)

Project Description: Request to permit and expand the existing almond hulling facility by adding shelling equipment to the hulling building, on-site fumigation of almonds, the conversion of a 5,400 square foot personal storage structure to bobtail truck and equipment storage, the conversion of a 2,500 square-foot barn to an office and breakroom (APN 009-016-024), and the addition of auger lines and outside shell and hull storage (APN 009-016-025). No construction is proposed as part of this request; however, non-permitted structures and/or structures with a change in use will be subject to building permits. The site utilizes a domestic well and septic system with leach lines for water and wastewater service and receives irrigation water from Modesto Irrigation District. Stormwater runoff is discharged into an on-site drainage basin.

STRIVING TOGETHER TO BE THE BEST!

The hulling facility was established in 1966 and has legal non-conforming status. As such, the applicant has requested a Tier 1 use permit in conformance with the A-2 (General Agriculture) zoning district development requirements. During harvest season (August - November) the facility operates 24 hours per day, seven days a week, and anticipates up to nine employees. Off-season operation (December - July) anticipates up to four employees Monday through Saturday from 7 a.m. to 7 p.m. Truck trips are anticipated to increase from 20 truck trips per week to 26 truck trips per week with access provided via County-maintained N. Hopper Road.

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



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

1010 10TH Street, Suite 3400, Modesto, CA 95354
 Planning Phone: (209) 525-6330 Fax: (209) 525-5911
 Building Phone: (209) 525-6557 Fax: (209) 525-7759

USE PERMIT APPLICATION NO. PLN2019-0075 – MASROC FARMS

Attachment A

Distribution List

	CA DEPT OF CONSERVATION Land Resources / Mine Reclamation		STAN CO ALUC
X	CA DEPT OF FISH & WILDLIFE		STAN CO ANIMAL SERVICES
	CA DEPT OF FORESTRY (CAL FIRE)	X	STAN CO BUILDING PERMITS DIVISION
X	CA DEPT OF TRANSPORTATION DIST 10	X	STAN CO CEO
	CA OPR STATE CLEARINGHOUSE		STAN CO CSA
X	CA RWQCB CENTRAL VALLEY REGION	X	STAN CO DER
	CA STATE LANDS COMMISSION	X	STAN CO ERC
	CEMETERY DISTRICT	X	STAN CO FARM BUREAU
	CENTRAL VALLEY FLOOD PROTECTION	X	STAN CO HAZARDOUS MATERIALS
	CITY OF:		STAN CO PARKS & RECREATION
	COMMUNITY SERVICES DIST:	X	STAN CO PUBLIC WORKS
X	COOPERATIVE EXTENSION		STAN CO RISK MANAGEMENT
	COUNTY OF:	X	STAN CO SHERIFF
X	FIRE PROTECTION DIST: STANISLAUS CONSOLIDATED	X	STAN CO SUPERVISOR DIST 1: OLSEN
	HOSPITAL DIST:	X	STAN COUNTY COUNSEL
X	IRRIGATION DIST: MODESTO		StanCOG
X	MOSQUITO DIST: EASTSIDE	X	STANISLAUS FIRE PREVENTION BUREAU
X	MOUNTIAN VALLEY EMERGENCY MEDICAL SERVICES	X	STANISLAUS LAFCO
	MUNICIPAL ADVISORY COUNCIL:		STATE OF CA SWRCB DIVISION OF DRINKING WATER DIST. 10
	PACIFIC GAS & ELECTRIC		SURROUNDING LAND OWNERS
	POSTMASTER:	X	TELEPHONE COMPANY: AT&T
	RAILROAD:		TRIBAL CONTACTS (CA Government Code §65352.3)
X	SAN JOAQUIN VALLEY APCD		US ARMY CORPS OF ENGINEERS
X	SCHOOL DIST 1: MODESTO CITY SCHLS		US FISH & WILDLIFE
X	SCHOOL DIST 2: EMPIRE UNION		US MILITARY (SB 1462) (7 agencies)
	WORKFORCE DEVELOPMENT	X	USDA NRCS
X	STAN CO AG COMMISSIONER		WATER DIST:
	TUOLUMNE RIVER TRUST		

**STANISLAUS COUNTY
CEQA REFERRAL RESPONSE FORM**

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

FROM: _____

SUBJECT: USE PERMIT APPLICATION NO. PLN2019-0075 – MASROC FARMS

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

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

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

- 1.
- 2.
- 3.
- 4.

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

- 1.
- 2.
- 3.
- 4.

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

Response prepared by:






Name Title Date

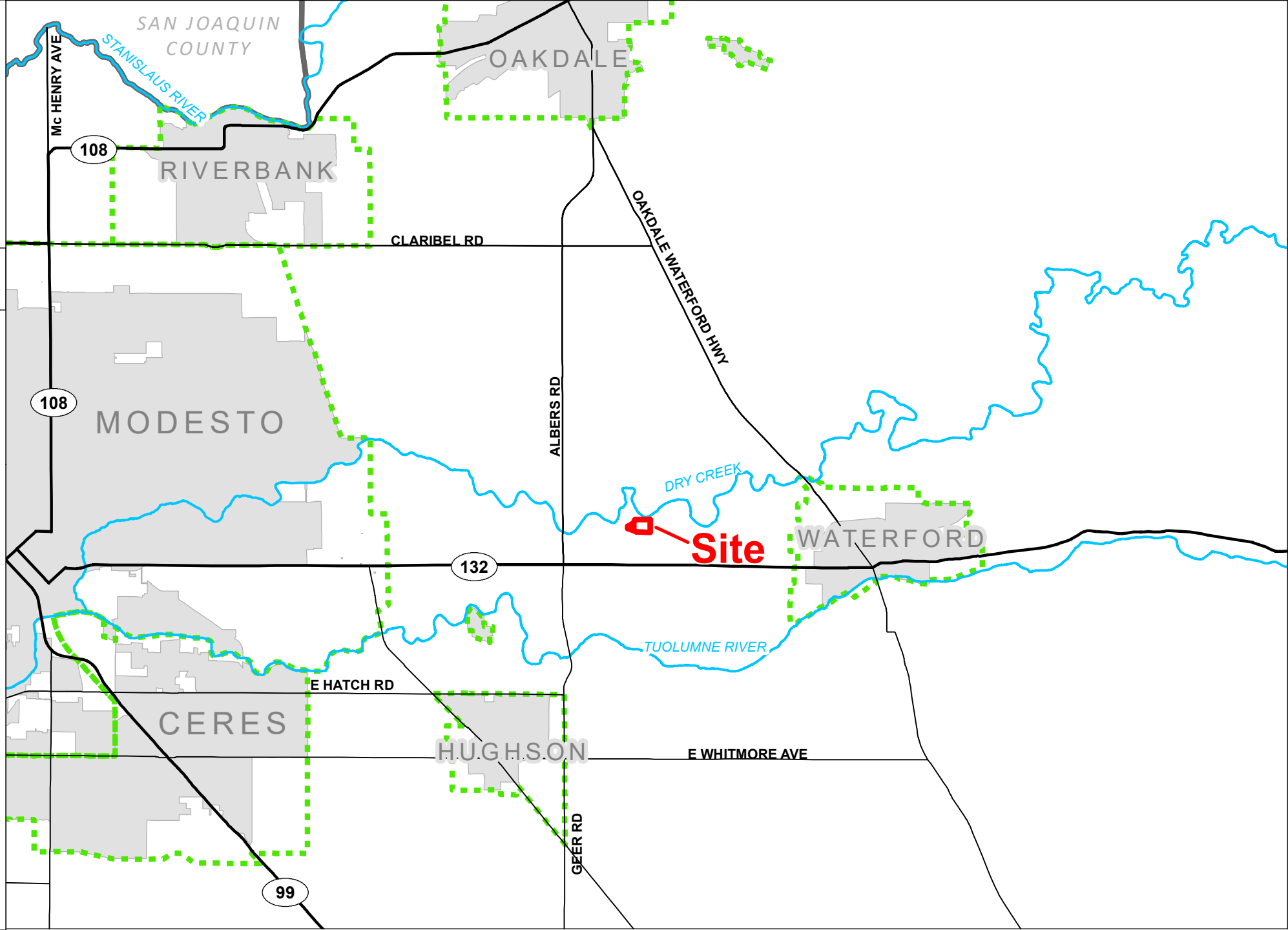
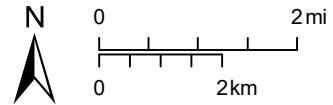
MASROC FARMS

UP PLN2019-0075

AREA MAP

LEGEND

-  Project Site
-  Sphere of Influence
-  City
-  Road
-  River







MASROC FARMS

UP
PLN2019-0075

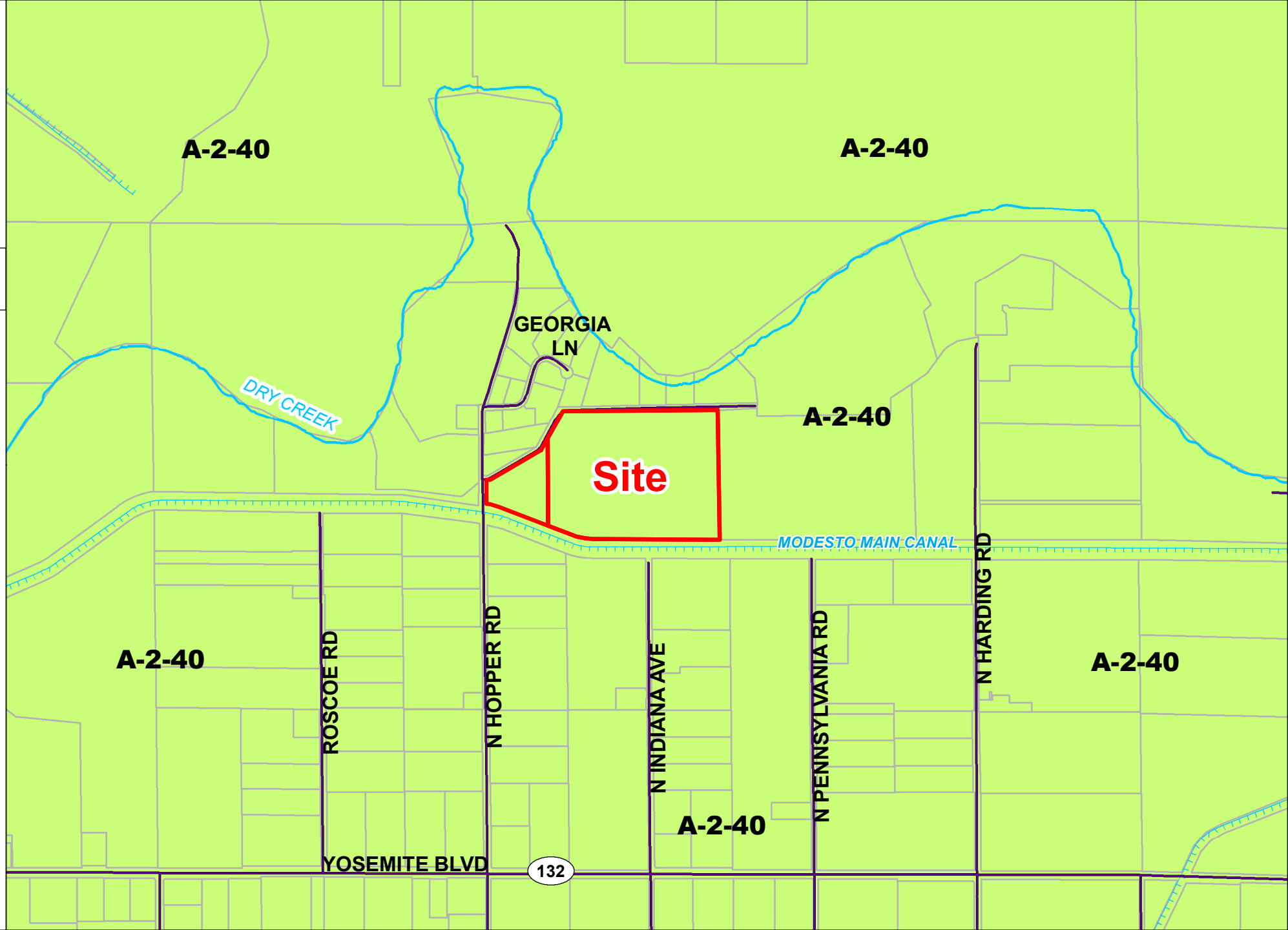
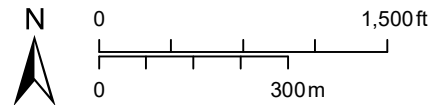
ZONING MAP

LEGEND

-  Project Site
-  Parcel
-  River
-  Road
-  Canal

Zoning Designation

-  General Agriculture 40 Acre







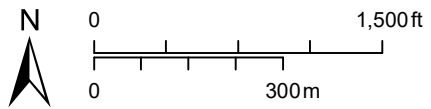
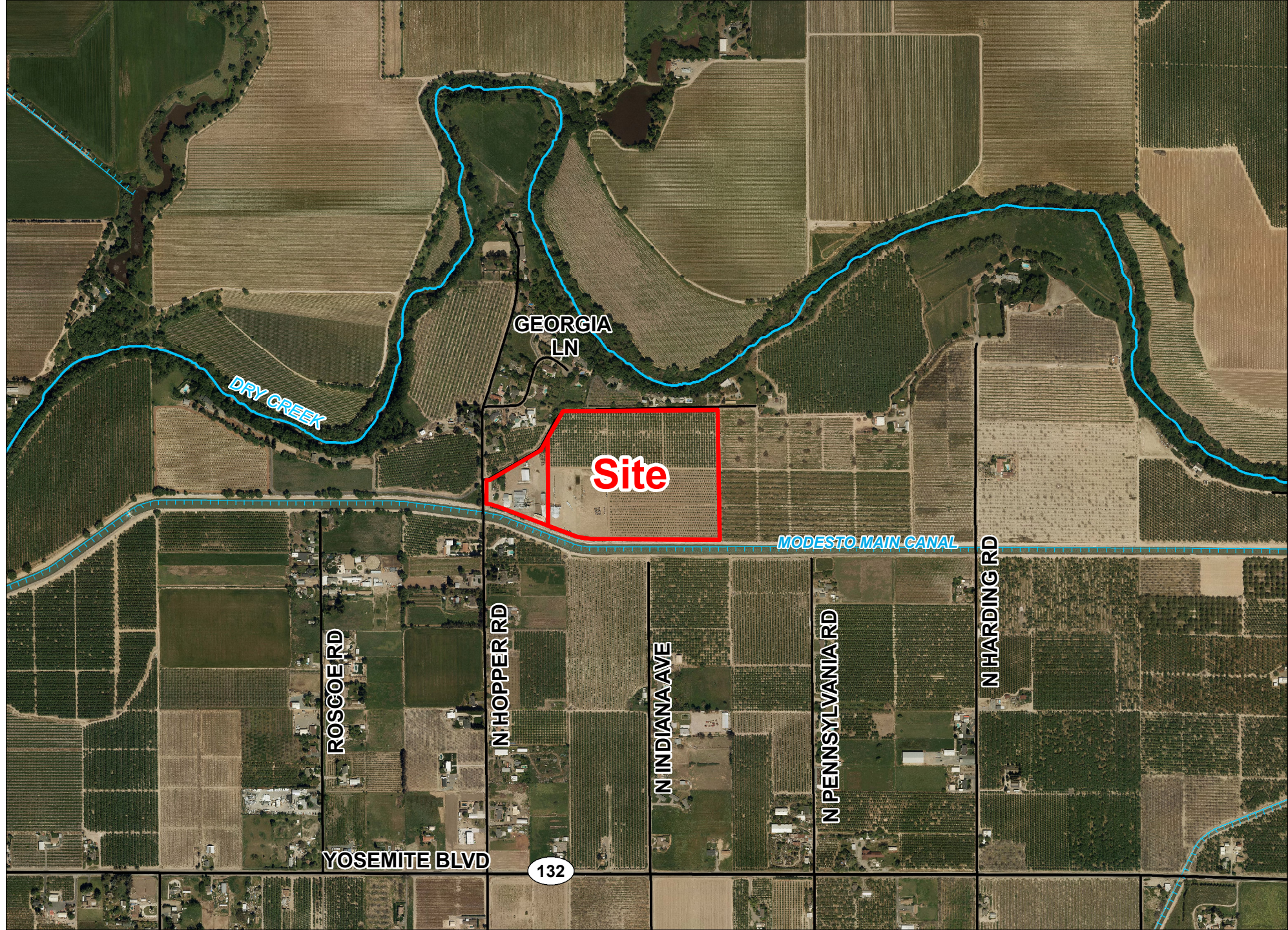
MASROC FARMS

UP
PLN2019-0075

2017 AERIAL AREA MAP

LEGEND

-  Project Site
-  Road
-  River
-  Canal







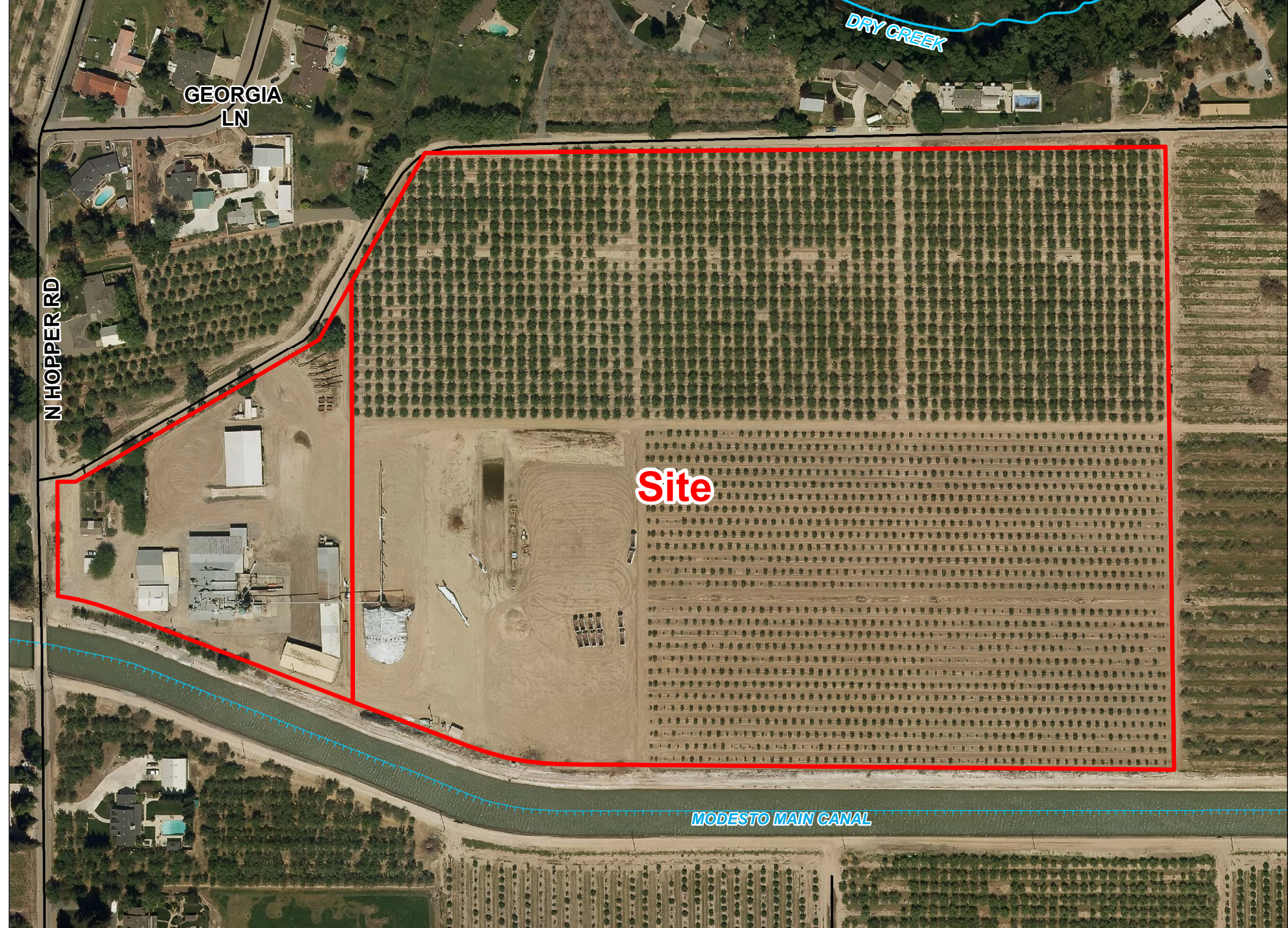
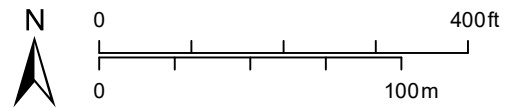
MASROC FARMS

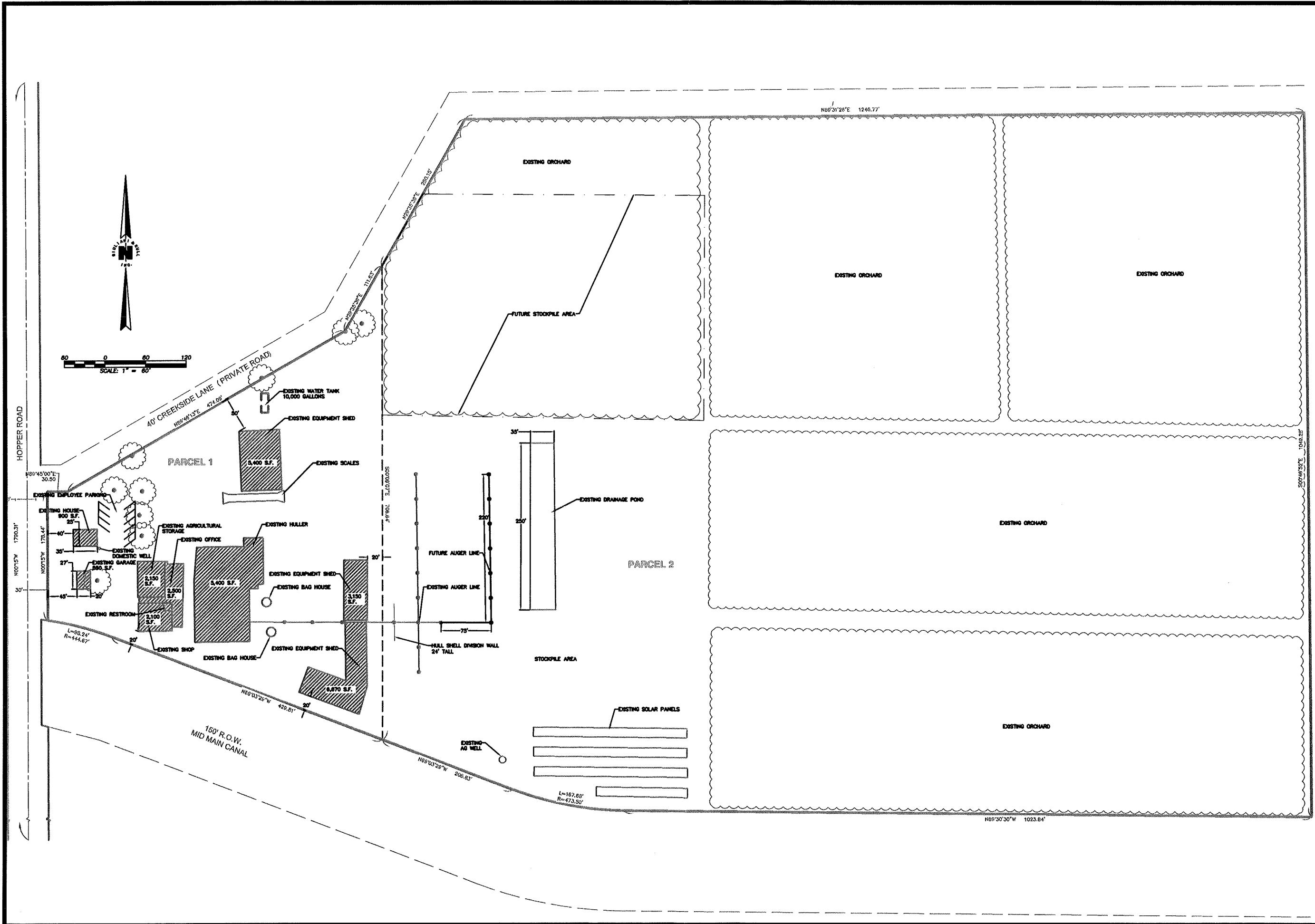
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PLN2019-0075

2017 AERIAL SITE MAP

LEGEND

-  Project Site
-  Road
-  River
-  Canal





REV #	DATE	DESCRIPTION

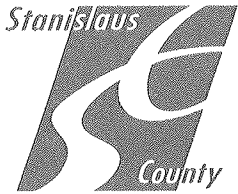
GK Giuliani & Kull, Inc.
 Engineers • Planners • Surveyors
 440 S. Yosemite Avenue, Suite A, Oakdale, CA 95361
 (209) 847-8726 Fax (209) 847-7323
 Auburn • San Jose • Oakdale



SITE PLAN
ALMOND HULLER
 616 N. HOPPER ROAD
 MODESTO, CALIFORNIA

SCALE	1"=60'
DRAWN BY	JAH
DESIGNED BY	JAH
CHECKED BY	WFK
DATE	8/8/19
SHEET	EX-1
OF	1
JOB NO.	19147

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APPLICATION QUESTIONNAIRE

<p><u>Please Check all applicable boxes</u> APPLICATION FOR: <i>Staff is available to assist you with determining which applications are necessary</i></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <input type="checkbox"/> General Plan Amendment <input type="checkbox"/> Rezone <input checked="" type="checkbox"/> Use Permit <input type="checkbox"/> Variance <input type="checkbox"/> Historic Site Permit </td> <td style="width: 50%; vertical-align: top;"> <input type="checkbox"/> Subdivision Map <input type="checkbox"/> Parcel Map <input type="checkbox"/> Exception <input type="checkbox"/> Williamson Act Cancellation <input type="checkbox"/> Other _____ </td> </tr> </table>	<input type="checkbox"/> General Plan Amendment <input type="checkbox"/> Rezone <input checked="" type="checkbox"/> Use Permit <input type="checkbox"/> Variance <input type="checkbox"/> Historic Site Permit	<input type="checkbox"/> Subdivision Map <input type="checkbox"/> Parcel Map <input type="checkbox"/> Exception <input type="checkbox"/> Williamson Act Cancellation <input type="checkbox"/> Other _____	<p>PLANNING STAFF USE ONLY: Application No(s): <u>PLN 2019-0075</u> Date: <u>8/20/19</u> S <u>25</u> T <u>3</u> R <u>10</u> GP Designation: <u>Agriculture</u> Zoning: <u>A-2</u> Fee: <u>\$4,592</u> Receipt No. <u>551424</u> Received By: <u>KNA</u> Notes: _____</p>
<input type="checkbox"/> General Plan Amendment <input type="checkbox"/> Rezone <input checked="" type="checkbox"/> Use Permit <input type="checkbox"/> Variance <input type="checkbox"/> Historic Site Permit	<input type="checkbox"/> Subdivision Map <input type="checkbox"/> Parcel Map <input type="checkbox"/> Exception <input type="checkbox"/> Williamson Act Cancellation <input type="checkbox"/> Other _____		

In order for your application to be considered COMPLETE, please answer all applicable questions on the following pages, and provide all applicable information listed on the checklist on pages i – v. Under State law, upon receipt of this application, staff has 30 days to determine if the application is complete. We typically do not take the full 30 days. It may be necessary for you to provide additional information and/or meet with staff to discuss the application. Pre-application meetings are not required, but are highly recommended. An incomplete application will be placed on hold until all the necessary information is provided to the satisfaction of the requesting agency. An application will not be accepted without all the information identified on the checklist.

Please contact staff at (209) 525-6330 to discuss any questions you may have. Staff will attempt to help you in any way we can.

PROJECT INFORMATION

PROJECT DESCRIPTION: (Describe the project in detail, including physical features of the site, proposed improvements, proposed uses or business, operating hours, number of employees, anticipated customers, etc. – Attach additional sheets as necessary)

**Please note: A detailed project description is essential to the reviewing process of this request. In order to approve a project, the Planning Commission or the Board of Supervisors must decide whether there is enough information available to be able to make very specific statements about the project. These statements are called "Findings". It is your responsibility as an applicant to provide enough information about the proposed project, so that staff can recommend that the Commission or the Board make the required Findings. Specific project Findings are shown on pages 17 – 19 and can be used as a guide for preparing your project description. (If you are applying for a Variance or Exception, please contact staff to discuss special requirements).*

See attached.

PROJECT DESCRIPTION

Request to expand an existing legal non-conforming almond huller and sheller with an additional auger and bag house, located 616 N. Hopper Road, in the unincorporated County between Waterford and Modesto. Also, a request to expand in the future with an auger line addition and additional outdoor almond storage area. Days/Hours of operation during peak season, which takes place between Mid-August to late-November, are 24 hours a day 7 days a week. Days/Hours of operation during the off-season, which typically runs from late November to mid-August, are Monday through Saturday from 7 a.m. to 7 p.m. The business currently employs 4 full time employees during the off-season and 7 employees (4 full-time and 3 temporary) during peak season. At full build out there may be an increase of up to 9 employees (2 additional) during peak season. Currently the operation includes approximately 120 truck trips per season (approximately 20 per week) during peak season. An additional 40 truck trips per season (approximately 6 per week) are proposed at full build out. All almonds hulled and shelled onsite are grown in Stanislaus County. Fumigation occurs on-site. Almond meats are picked up by local processors in bulk during the peak season. Hulls and shells remain onsite and are sold to local dairies throughout the year. The site is served by an existing well and on-site septic. Almond orchard is proposed to remain.

Buildings

Structure	Size	Status
Single Family Dwelling	900 sf	Existing
Garage	550 sf	Existing
Ag Storage Building	2150 sf	Existing
Shop/restroom	2100 sf	Existing
Office	2500 sf	Existing
Huller	5400 sf	Existing
Water tank	10,000 gallon	Existing
Equipment Shed	5400 sf	Existing
Scale		Existing
Equipment Shed	3150 sf	Existing
Bag House		Existing
Equipment Shed	6670 sf	Existing
Ground mount solar		Existing
Bag House		Proposed
Auger		Proposed
Auger Extension		Future

PARKING ANALYSIS

21.76.070 Manufacturing or assembly plants and wholesale warehouses.

Manufacturing or assembly plants and wholesale warehouses require one space for each employee on a maximum shift plus three additional spaces, or, when the number of employees cannot be determined, one space for every three hundred square feet of gross floor area. (Prior code §9-123(f)).

One parking space per employee plus three additional spaces. 9 employees max at full build out plus 3 = 11 parking spaces required.

PROJECT SITE INFORMATION

Complete and accurate information saves time and is vital to project review and assessment. Please complete each section entirely. If a question is not applicable to your project, please indicated this to show that each question has been carefully considered. Contact the Planning & Community Development Department Staff, 1010 10th Street – 3rd Floor, (209) 525-6330, if you have any questions. Pre-application meetings are highly recommended.

ASSESSOR'S PARCEL NUMBER(S): Book 009 Page 016 Parcel 024

Additional parcel numbers: 009-016-025

Project Site Address or Physical Location: _____

Property Area: Acres: 36.84 acres or Square feet: _____

Current and Previous Land Use: (Explain existing and previous land use(s) of site for the last ten years)

Almond huller, legal non-conforming

List any known previous projects approved for this site, such as a Use Permit, Parcel Map, etc.: (Please identify project name, type of project, and date of approval)

SAA 92-03, SAA 2007-83, LLA 2008-05, SAA PLN2017-0036

Existing General Plan & Zoning: General Plan - Agriculture, Zoning - A-2-40 (General Agriculture)

Proposed General Plan & Zoning: _____
(if applicable)

ADJACENT LAND USE: (Describe adjacent land uses within 1,320 feet (1/4 mile) and/or two parcels in each direction of the project site)

East: Orchards, ranchettes, City of Waterford

West: Orchards, ranchettes, The Fruit Yard, City of Modesto

North: Orchards, ranchettes, Dry Creek

South: Orchards, ranchettes, MID Main Canal, CA Highway 132

WILLIAMSON ACT CONTRACT:

Yes No

Is the property currently under a Williamson Act Contract?
Contract Number: _____

If yes, has a Notice of Non-Renewal been filed?

Date Filed: _____

Yes No

Do you propose to cancel any portion of the Contract?

Yes No

Are there any agriculture, conservation, open space or similar easements affecting the use of the project site. (Such easements do not include Williamson Act Contracts)

If yes, please list and provide a recorded copy: _____

SITE CHARACTERISTICS: (Check one or more)

Flat

Rolling

Steep

VEGETATION: What kind of plants are growing on your property? (Check one or more)

Field crops

Orchard

Pasture/Grassland

Scattered trees

Shrubs

Woodland

River/Riparian

Other

Explain Other: _____

Yes No

Do you plan to remove any trees? (If yes, please show location of trees planned for removal on plot plan and provide information regarding transplanting or replanting.)

GRADING:

Yes No

Do you plan to do any grading? (If yes, please indicate how many cubic yards and acres to be disturbed. Please show areas to be graded on plot plan.) _____

STREAMS, LAKES, & PONDS:

Yes No

Are there any streams, lakes, ponds or other watercourses on the property? (If yes, please show on plot plan)

Yes No

Will the project change any drainage patterns? (If yes, please explain – provide additional sheet if needed) _____

Yes No

Are there any gullies or areas of soil erosion? (If yes, please show on plot plan)

Yes No

Do you plan to grade, disturb, or in any way change swales, drainages, ditches, gullies, ponds, low lying areas, seeps, springs, streams, creeks, river banks, or other area on the site that carries or holds water for any amount of time during the year? (If yes, please show areas to be graded on plot plan)

Please note: If the answer above is yes, you may be required to obtain authorization from other agencies such as the Corps of Engineers or California Department of Fish and Game.

STRUCTURES:

Yes No Are there structures on the site? (If yes, please show on plot plan. Show a relationship to property lines and other features of the site.)

Yes No Will structures be moved or demolished? (If yes, indicate on plot plan.)

Yes No Do you plan to build new structures? (If yes, show location and size on plot plan.)

Yes No Are there buildings of possible Historical significance? (If yes, please explain and show location and size on plot plan.) _____

PROJECT SITE COVERAGE:

Existing Building Coverage: _____ Sq. Ft. Landscaped Area: _____ Sq. Ft.

Proposed Building Coverage: _____ Sq. Ft. Paved Surface Area: _____ Sq. Ft.

BUILDING CHARACTERISTICS:

Size of new structure(s) or building addition(s) in gross sq. ft.: (Provide additional sheets if necessary) Auger, bag house,
additional outdoor storage. _____

Number of floors for each building: _____

Building height in feet (measured from ground to highest point): (Provide additional sheets if necessary) _____

Height of other appurtenances, excluding buildings, measured from ground to highest point (i.e., antennas, mechanical equipment, light poles, etc.): (Provide additional sheets if necessary) _____

Proposed surface material for parking area: (Provide information addressing dust control measures if non-asphalt/concrete material to be used) _____

UTILITIES AND IRRIGATION FACILITIES:

Yes No Are there existing public or private utilities on the site? Includes telephone, power, water, etc. (If yes, show location and size on plot plan)

Who provides, or will provide the following services to the property?

Electrical: _____ MID Sewer*: _____ Private Septic

Telephone: _____ AT&T Gas/Propane: _____ PG&E

Water**: _____ Private well Irrigation: _____ MID

***Please Note: A "will serve" letter is required if the sewer service will be provided by City, Sanitary District, Community Services District, etc.**

****Please Note: A "will serve" letter is required if the water source is a City, Irrigation District, Water District, etc., and the water purveyor may be required to provide verification through an Urban Water Management Plan that an adequate water supply exists to service your proposed development.**

Will any special or unique sewage wastes be generated by this development other than that normally associated with resident or employee restrooms? Industrial, chemical, manufacturing, animal wastes? (Please describe:)

No _____

Please Note: Should any waste be generated by the proposed project other than that normally associated with a single family residence, it is likely that Waste Discharge Requirements will be required by the Regional Water Quality Control Board. Detailed descriptions of quantities, quality, treatment, and disposal may be required.

Yes No Are there existing irrigation, telephone, or power company easements on the property? (If yes, show location and size on plot plan.)

Yes No Do the existing utilities, including irrigation facilities, need to be moved? (If yes, show location and size on plot plan.)

Yes No Does the project require extension of utilities? (If yes, show location and size on plot plan.)

AFFORDABLE HOUSING/SENIOR:

Yes No Will the project include affordable or senior housing provisions? (If yes, please explain)

RESIDENTIAL PROJECTS: (Please complete if applicable – Attach additional sheets if necessary)

Total No. Lots: N/A Total Dwelling Units: N/A Total Acreage: N/A

Net Density per Acre: N/A Gross Density per Acre: N/A

<i>(complete if applicable)</i>	Single Family	Two Family Duplex	Multi-Family Apartments	Multi-Family Condominium/Townhouse
Number of Units:	_____	_____	_____	_____
Acreage:	_____	_____	_____	_____

COMMERCIAL, INDUSTRIAL, MANUFACTURING, RETAIL, USE PERMIT, OR OTHER PROJECTS: (Please complete if applicable – Attach additional sheets if necessary)

Square footage of each existing or proposed building(s): See attached.

Type of use(s): See attached.

Days and hours of operation: See below.

Seasonal operation (i.e., packing shed, huller, etc.) months and hours of operation: Peak season - Mid-Aug. to late-Nov.
24 hours a day 7 days a week. Off-season M-S 7 a.m. to 7 p.m.

Occupancy/capacity of building: _____

Number of employees: (Maximum Shift): 9 (Minimum Shift): 3

Estimated number of daily customers/visitors on site at peak time: 2

Other occupants: _____

Estimated number of truck deliveries/loadings per day: 4 (160 max during peak season, 26 per week)

Estimated hours of truck deliveries/loadings per day: 24/7

Estimated percentage of traffic to be generated by trucks: _____

Estimated number of railroad deliveries/loadings per day: 0

Square footage of:

Office area: 2,500 sf

Warehouse area: _____

Sales area: _____

Storage area: 24,870 sf

Loading area: _____

Manufacturing area: _____

Other: (explain type of area) SFD 900 sf, 550 sf garage, Auger, bag houses, 10,000 gln water tank, solar

Yes No Will the proposed use involve toxic or hazardous materials or waste? (Please explain)

ROAD AND ACCESS INFORMATION:

What County road(s) will provide the project's main access? (Please show all existing and proposed driveways on the plot plan)

N Hopper Road

Yes No Are there private or public road or access easements on the property now? (If yes, show location and size on plot plan)

Yes No Do you require a private road or easement to access the property? (If yes, show location and size on plot plan)

Yes No Do you require security gates and fencing on the access? (If yes, show location and size on plot plan)

Please Note: Parcels that do not front on a County-maintained road or require special access may require approval of an Exception to the Subdivision Ordinance. Please contact staff to determine if an exception is needed and to discuss the necessary Findings.

STORM DRAINAGE:

How will your project handle storm water runoff? (Check one) Drainage Basin Direct Discharge Overland

Other: (please explain) _____

If direct discharge is proposed, what specific waterway are you proposing to discharge to? _____

Please Note: If direct discharge is proposed, you will be required to obtain a NPDES permit from the Regional Water Quality Control Board, and must provide evidence that you have contacted them regarding this proposal with your application.

EROSION CONTROL:

If you plan on grading any portion of the site, please provide a description of erosion control measures you propose to implement.

Please note: You may be required to obtain an NPDES Storm Water Permit from the Regional Water Quality Control Board and prepare a Storm Water Pollution Prevention Plan.

ADDITIONAL INFORMATION:

Please use this space to provide any other information you feel is appropriate for the County to consider during review of your application. (Attach extra sheets if necessary)

AGRICULTURAL BUFFER

The Agricultural Element states that low people intensive Tier One and Tier Two Uses (such as nut hulling, shelling, dehydrating, grain warehousing, and agricultural processing facilities) which do not serve the general public shall not be subject to compliance with the Agricultural Buffer guidelines.

The proposed project is low people intensive and not subject to the agricultural buffer as it does not serve the general public and will have a maximum of 9 employees at full build out.