

STAFF REPORT - Use Permit

Application Information

Owner: **Progressive Community Church**
Applicant: **WMB Architects**
File Number: **PA-1800106**
Location: **On the east side of 'B' Street, 250 feet south of Thirteenth Street, Stockton.**
Address: **2820 South 'B' Street**

General Plan:	R/L	Community:	Stockton
Zoning:	R-L	APN:	171-190-36, -23
Project Size:	1.5 acres	Parcel(s) Size:	13.08 acres
Water Supply:	Cal Water	Sewage Disposal:	City of Stockton
Storm Drainage:	Onsite	100-Year Flood:	No
Williamson Act:	No	Supervisorial District:	1
Staff:	Alisa Goulart	CEQA Determination:	Negative Declaration

Project Description

A Use Permit application to expand an existing regional religious assembly facility in two (2) phases over five (5) years. Phase 1 includes the construction of a 12,000 square foot multipurpose building. Phase 2, to be completed within five (5) years, includes the conversion of an existing 5,055 square foot residence into an administrative building and the utilization of an existing 672 square foot storage building. The religious assembly has a maximum seating capacity of 1,200 and no increase in maximum seating capacity is proposed with this application. (Use Type: Religious Assembly – Regional)

Recommendation

Approval.

Referrals and Replies

The application revised referrals were mailed on September 14, 2018, with responses due by September 25, 2018.

AGENCY	RESPONSE DATE (through September 24, 2018)
Environmental Health Department	June 4, 2018
Department of Public Works	June 13, 2018 and September 12, 2018
SJ Council of Governments	May 22, 2018
PG & E	June 6, 2018
Building Plan Check Division	June 13, 2018
SJ Fire Prevention Bureau	May 23, 2018
SJ Air Pollution Control District	May 31, 2018
A.L.U.C.	June 6, 2018
C.V.R.W.Q.C.B.	July 10, 2018
SJ County Sheriff	
Carpenters Union	
Stockton Unified School District	
County Assessor	
PG & E EEP	
AT & T	
Precessi Flying Service	
Haley Flying Services	
Kathy Perez	
Fish and Game-Region 2	
Montezuma Fire District	
City of Stockton Planning	
Mosquito and Vector Control District	
Stockton Metropolitan Airport	
Sierra Club	

A legal ad for the public hearing was published in the **Stockton Record** on October 8, 2018.

Five hundred and twenty-seven public hearing notices were mailed on October 5, 2018.

The Development Committee reviewed this proposal on June 13, 2018.

Analysis

Background

On March 2, 2006, the Planning Commission approved Use Permit application No. PA-0300658 for a 59,000 square foot religious assembly building with a maximum seating capacity of 1,200 people.

On November 1, 2007, the Planning Commission denied a Revisions of Approved Actions application requesting to amend condition number i.(4) requiring a solid masonry wall six (6) or seven (7) feet in height along property lines abutting residential uses by substituting chain link fencing. The Community Development Department's recommendation to the Planning Commission was to deny the request because it was not compatible with the surrounding uses. The intent of the masonry wall was to provide a visual, noise, and safety barrier between the church parking areas and residential properties. Chain link fencing with vegetation would not provide the same physical barrier and would not meet the intent of the chapter.

On January 3, 2008, the Planning Commission approved a one-year Time Extension application for Use Permit No. PA-0300658. All improvements have been completed and the use has been established.

On April 19, 2018, the applicant filed the subject application to expand the square footage and overall site area of the existing religious assembly facility. The expansion will not result in an increase in the maximum seating capacity of 1,200 people.

Merger of Parcels

Phase 2 of the proposed project includes the expansion of the facility onto an adjacent one-acre parcel. As a recommended Condition of Approval, a Merger of Parcels application is required prior to the issuance of any building or grading permits for Phase 2.

Screening Modification

The project site is zoned R-L (Low Density Residential). The surrounding parcels to the north, west, and south are also zoned R-L. Pursuant to Development Title Section 9-1022.4(d)(1), "if a commercial project abuts a residential zone, an area shown on the General Plan for residential use, or a conforming residential use, a solid masonry wall, six (6) to seven (7) feet in height, shall be erected along the abutting property line." As a result, Use Permit application No. PA-0300658 required the erection of a solid masonry wall, six (6) to seven (7) feet in height, for screening along property lines abutting residential properties. Phase 2 of the current application proposes expanding the use onto a new site that abuts three (3) residentially-zoned parcels to the north. As a result, a solid masonry wall six (6) to seven (7) feet in height is required along the northern property line of APN: 171-190-23 where development is proposed.

However, Development Title Section 9-1022.6 allows requirements of this chapter to be modified if it is demonstrated that an alternative to said requirements would meet the intent of the chapter and result in an equal amount of screening. The proposed new site abuts three (3) residentially-zoned parcels to the north, one (1) of which is vacant. Residences on the remaining two (2) parcels are located approximately eight-five (85) feet from the shared property line. The proposed expansion will utilize an existing 5,055 square foot building for an office, which is a less intensive use than a church assembly building and is expected to generate less traffic than the assembly building. The proposal includes the addition of twenty-one (21) parking spaces located twenty-six (26) feet from the shared property line which provides an adequate buffer between the parking spaces and the existing residential uses. The applicant submitted a request dated July 31, 2018, requesting a modification to the requirement for a solid masonry wall by

substituting dense plant materials along an existing six (6) foot tall chain link fence. The Community Development Department has reviewed the request and is recommending that the Planning Commission modify the screening requirements to allow dense plant materials to be planted along the existing six (6) foot high chain link fence for screening as there is an adequate buffer between the expansion and the residential properties.

Additionally, Development Title Section 9-1022.4(c) states "when plant materials are used for screening, they shall be planted in such a quantity and location as to achieve an effective visual screen within three (3) years of installation. If a hedge fails to retain such density any time after this three (3) year period, it shall be supplemented or replaced with other dense landscaping or an appropriate fence or wall." This has also been added as a recommended Condition of Approval.

Parking

A minimum of 396 parking spaces was required for Use Permit application No. PA-0300568, including eight (8) accessible spaces, one (1) of which shall be van accessible. The number of parking spaces required for a religious assembly is based on seating capacity. (0.33 parking spaces are required per seat.) Because the religious assembly's maximum seating capacity of 1,200 will not increase if this application is approved, no additional parking spaces are required with this application.

Recommendations

Action

It is recommended that the Planning Commission:

1. **Approve the Negative Declaration; and**
2. **Approve Use Permit application No. PA-1800106 with the Findings and the Conditions of Approval contained in the Staff Report.**

Findings

1. The proposed use is consistent with the goals, policies, standards, and maps of the General Plan, any applicable Master Plan, Specific Plan, and Special Purpose Plan, and any other applicable plan adopted by the County.
 - **This finding can be made because the expansion of an existing Religious Assembly – Regional use type may be conditionally permitted in the R-L (Low Density Residential) zone with an approved Use Permit application. The proposed expansion is also consistent with the goals, policies, standards and maps of the General Plan There are no Master Plans, Specific Plans, Special Purpose Plans, or any other Plans in the vicinity.**
2. Adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, and the proposed improvements are properly related to existing and proposed roadways.
 - **This finding can be made because adequate utilities, access roads, sanitation, drainage, and other necessary facilities have been provided and the proposed improvements are properly related to existing and proposed streets and highways. The project receives sewer service from the City of Stockton and water from California Water Service. Storm drainage is retained on site. The Department of Public Works is requiring current will serve letters for these services and will require the developer to provide drainage facilities that meet the requirements of San Joaquin County Development Standards to prevent the increased runoff release rate of storm water from discharging onto other properties and to prevent offsite sediment transport.**
3. The site is physically suitable for the type of development and for the intensity of development.
 - **This finding can be made because the parcels are of adequate size and shape to accommodate the proposed expansion of buildings and all yards, building coverage, setbacks, parking areas and other requirements of the Development Title. The Site Plan shows that there is sufficient area for parking and circulation in compliance with standards of the Development Title. The applicant has requested to modify the screening requirement by substituting the required six (6) to seven (7) foot high solid masonry wall with dense plant materials along an existing six (6) foot tall chain link fence, which will provide sufficient screening to reduce any impacts to the adjacent property to less than significant.**

4. Issuance of the permit will not be significantly detrimental to the public health, safety, or welfare, or be injurious to the property or improvements of adjacent properties.
 - **This finding can be made because an Initial Study prepared for this project found no potentially significant environmental impacts.**
5. The use is compatible with adjoining land uses.
 - **This finding can be made because the proposed use will not interfere with nor alter the current land uses on adjacent properties. Surrounding uses are residential to the north, west, and south, and the Kennedy Park Community Center is to the east.**

Recommended Conditions of Approval

Use Permit Application No. PA-1800106 was approved by the Planning Commission on . The effective date of approval is . This approval will expire on , which is 18 months from the effective date of approval, unless (1) all Conditions of Approval have been complied with, (2) all necessary building permits have been issued and remain in force, and (3) all necessary permits from other agencies have been issued and remain in force.

Unless otherwise specified, all Conditions of Approval and ordinance requirements shall be fulfilled prior to the establishment of the use and the issuance of any building permits. Those Conditions followed by a Section Number have been identified as ordinance requirements pertinent to this application. Ordinance requirements cannot be modified, and other ordinance requirements may apply.

1. COMMUNITY DEVELOPMENT DEPARTMENT (Staff Contact: Alisa Goulart, [209] 468-0222)

- a. **BUILDING PERMIT:** Submit an "APPLICATION-COMMERCIAL BUILDING PERMIT". The Site Plan required as a part of the building permit must be prepared by a registered civil engineer or licensed architect. This Plan must show drainage, driveway access details including gates, on-site parking, landscaping, signs, existing and proposed utility services, and grading (refer to the "SITE PLAN CHECK LIST" for details). Foundation and soils investigation shall be conducted in conformance with Chapter 18 of the California Building Code at the time of permit application. A fee is required for the Site Plan review. (Development Title Section 9-884)
- b. **APPROVED USE:** This approval is for the expansion of a regional religious assembly to be built in two (2) phases over five (5) years as shown on the Site Plan dated April 19, 2018. (Use Type: Religious Assembly – Regional)
 - (1) Phase 1, with building permits to be issued within eighteen (18) months from the effective date of approval, includes the construction of a 12,000 square foot multipurpose building.
 - (2) Phase 2, with building permits to be issued within five (5) years from the effective date of approval, includes the conversion of an existing 5,055 square foot residence into an administrative building and the utilization of an existing 672 square foot storage building.

Existing Building:

- 40,962 square foot assembly building

These Conditions of Approval are in addition to the Conditions of Approval for PA-0300658.

- c. **CAPITAL FACILITY FEE:** This project may be subject to the Capital Facility Fee. If the Capital Facility Fee is applicable, the County shall collect the fees before the issuance of any building permits. (Development Title Section 9-1245.2)
- d. **MERGER:** A Merger of Parcels application shall be completed for APN's 171-190-36 and 171-190-23 prior to the issuance of any building or grading permits for the facility. A fee is required for this application.

- e. **PARKING:** Off-street parking shall comply with the following:
- (1) A minimum of 396 parking spaces was required for Use Permit application No. PA-0300568, including eight (8) accessible spaces, one (1) of which shall be van accessible. (C.C.R., Title 24). (0.33 parking spaces required per seat.) (Development Title Section 9-1015.3)
 - (2) All parking spaces, driveways, and maneuvering areas shall be surfaced and permanently maintained with base material of appropriate depth and asphalt concrete or Portland cement concrete to provide a durable, dust free surface. Bumper guards shall be provided when necessary to protect adjacent structures or properties. (Development Title Section 9-1015.5[e])
- f. **ACCESS AND CIRCULATION:** Access driveways shall have a width of no less than twenty-five (25) feet for two-way aisles and sixteen (16) feet for one-way aisles, except that in no case shall driveways designated as fire department access be less than twenty (20) feet wide. (Development Title Section 9-1015.5[h][1])
- g. **LIGHTING:** Lighting shall be provided and comply with the following:
- (1) If the parking area is to be used at night, parking lot lighting shall be installed. (Development Title Section 9-1015.5[g])
 - (2) Any lighting shall be designed to confine direct rays to the premises. No spillover beyond the property lines shall be permitted except onto public thoroughfares, provided, however, that such light shall not cause a hazard to motorists. (Development Title Section 9-1015.5[g][4])
- h. **LANDSCAPING:** Landscaping shall be provided and comply with the following:
- (1) This project will be required to comply with the Model Water Efficient Landscape Ordinance Requirement per California Code of regulations, Title 23, Division 2, Chapter 2.7.
 - (2) A minimum ten (10) foot wide landscaped strip, respecting the ultimate right-of-way width of D Street, shall be installed across the frontage of the project site. The strip shall be continuous except where crossed to by driveways and walkways. (Development Title Section 9-1020.7)
 - (3) Any parking areas shall be landscaped as specified in Section 9-1020.5 of the Development Title. The parking areas shall be provided with a minimum of five percent (5%) of landscaping within the perimeter of the parking area, not including landscaping along the street frontage. Four (4) trees shall be planted, evenly spaced throughout the parking lot.
- i. **SCREENING:** Screening shall be provided and comply with the following:
- (1) A screen of dense plant materials in such quantity and location as to achieve an effective visual screen shall be erected along the northern property line of parcel APN: 171-190-23 adjacent to the existing chain link fence. Development Title Section 9-1022.4[a])
 - (2) When plant materials are used for screening, they shall be planted in such a quantity and location as to achieve an effective visual screen within three (3) years of installation. If a hedge fails to retain such density any time after this three (3) year period, it shall be supplemented or replaced with other dense landscaping or an appropriate fence or wall. (Development Title Section 9-1022.4[c])

- j. **SIGNS:** Sign details shall be consistent with Chapter 9-1710 of the Development Title and be included on the Site Plan. All portions of any sign shall be set back a minimum of five (5) feet from any future right-of-way line, including any corner cut-off (snipe). (Development Title Section 9-1710.2[g])
- k. **AVIGATION EASEMENT:** An avigation easement shall be recorded in favor of the Stockton Metropolitan Airport. (Development Title Section 1610.8[a])
- l. **BUILDING CODE REQUIREMENTS:** The following California Building Code (CBC) and San Joaquin County Ordinance requirements will be applicable to the proposed project. The following conditions shall be addressed prior to submittal of a building permit application to the Building Inspection Division:
 - (1) A building permit for each separate structure or building is required. Submit plans, Specifications and supporting calculations, prepared by a Registered Design Professional (architect or engineer) for each structure or building, showing compliance with The 2016 California Building, Existing Building, Mechanical, Plumbing, Electrical, Energy and Fire codes as may be applicable. Plans for the different buildings or structures may be combined into a single set of construction documents.
 - (2) The required plans must be complete at the time of submittal for a building permit. Plans must address building design and construction, fire and life safety requirements, accessibility and show compliance with the current California codes and San Joaquin County ordinances. A complete set of plans must include fire sprinkler plans, truss design submittals, metal building shop drawings, structural plans and calculations, plumbing, electrical and mechanical drawings and energy report.
 - (3) A soils report is required pursuant to CBC § 1803 for foundations and CBC appendix § J104 for grading. All recommendations of the Soils Report shall be incorporated into the construction drawings.
 - (4) For each proposed new building, provide the following information on the plans:
 - A. Description of proposed use
 - B. Existing and proposed occupancy Groups
 - C. Type of construction
 - D. Sprinklers (Yes or No)
 - E. Number of stories
 - F. Building height
 - G. Allowable floor area
 - H. Proposed floor area
 - I. Occupant load based on the CBC
 - J. Occupant load based on the CPC
 - (5) The phase two conversion of the existing single family residence into an administration building will constitute a change of occupancy. A change of occupancy will require a code analysis report and necessary plans prepared by an architect or engineer in accordance with the California Existing Building Code. The report and plans shall identify existing conditions, propose alterations necessary to bring the building in compliance with the current code and include the following:
 - A. Description of proposed use
 - B. Existing and proposed occupancy Groups

- C. Type of construction
 - D. Sprinklers (Yes or No)
 - E. Number of stories
 - F. Building height
 - G. Allowable floor area
 - H. Proposed floor area
 - I. Occupant load based on the CBC
 - J. Occupant load based on the CPC
- (6) Modifications to existing buildings are required to include upgrades related to disability access pursuant to the California Existing Building Code. Plans showing these upgrades must be prepared by a registered engineer or licensed architect and shall be submitted for review and approval prior to issuance of a building permit.
 - (7) The new multipurpose building shall be provided with an automatic fire sprinkler system or separated into conforming fire areas.
 - (8) Accessible routes shall be provided per CBC § 11B-206. At least one accessible route shall be provided within the site from accessible parking spaces and accessible passenger loading zones; public streets and sidewalks; and public transportation stops to the accessible building or facility entrance they serve. Where more than one route is provided, all routes must be accessible. §11B-206.2.4
 - (9) At least one accessible route shall connect accessible buildings, accessible facilities, accessible elements and accessible spaces that are on the same site. §11B-206.2.2
 - (10) At least one accessible route shall connect accessible building or facility entrances with all accessible spaces and elements within the building or facility, including mezzanines, which are otherwise connected by a circulation path. §11B-206.2.4
 - (11) Parking spaces will be required to accommodate persons with disabilities in compliance with Chapter 11B of the California Building Code. Note that accessible parking spaces are required for each phase of the project. These parking space(s) shall be located as close as possible to the primary entrance to the building.
 - (12) Adequate sanitary facilities shall be provided for the facility, per the requirements of Chapter 4 of the California Plumbing Code.
 - (13) Pursuant to Section 422.4 of the California Plumbing Code, toilet facilities shall be accessible to employees at all times, should not be more than 500 feet from where employees are regularly employed and accessible by not more than one flight of stairs. The plans shall indicate the location of the toilet facilities and the travel distance from work areas.
 - (14) This project will be required to comply with the Model Water Efficiency Landscape Ordinance requirements of the California Code of regulations, Title 22, Division 2, Chapter 2.7
- m. **UNIFORM FIRE CODE:** The following California Fire Code (CFC) requirements will be applicable to the proposed project. The following conditions shall be addressed prior to submittal of a building permit application to the Building Inspection Division.
- (1) CFC 507 Fire Protection Water Supply – Fire flow and hydrants shall be provided for the proposed project by the use of: CFC Appendix B.

- (2) If Fire Protection Systems are required they shall be installed according to the CFC, Chapter 9 and the appropriate standards and guides adopted in Chapter 35 of the California Building Code and the California Electrical Code.
- (3) CFC, Section 503 Fire Apparatus Access Roads – Shall be provided as required by this section.
- (4) CFC, Section 906 Portable Fire Extinguishers – Provide portable fire extinguishers as required by this section.
- (5) CFC, Section 506 Key Box – A Knox® Box shall be installed according to the local fire department's instructions. Make application for the key box at the fire district having jurisdiction of this project. If there is an electronically controlled access gate at this site a Knox® key switch will also be required.
- (6) CFC, Section 5001.3.3.1 Properties of Hazardous Materials – A complete list of hazardous materials used and or stored at this site shall be provided.
- (7) A complete review, at building permit submittal, will require compliance with applicable codes and ordinances.
- (8) CFC, Section 105 Permits: Operational permit(s) may be required prior to occupancy.

2. DEPARTMENT OF PUBLIC WORKS (Staff Contact: Alex Chetley, [209] 468-3000)

- a. The developer shall provide drainage facilities in accordance with the San Joaquin County Development Standards. Retention basins shall be fenced with six (6) foot high chain link fence or equal when the maximum design depth is 18 inches or more. Required retention basin capacity shall be calculated and submitted along with a drainage plan for review and approval, prior to release of building permit. (Development Title Section 9-1135)
- b. The Traffic Impact Mitigation Fee shall be required for this application. The fee is due and payable at the time of building permit application. The fee will be based on the current schedule at the time of payment. The fee shall be automatically adjusted July 1 of each year by the Engineering Construction Cost Index as published by the Engineering News Record. (Resolutions R-00-433)
- c. The Regional Transportation Impact Fee shall be required for this application. The fee is due and payable at the time of building permit application. The fee will be based on the current schedule at the time of payment. (Resolution R-06-38)
- d. The Water Supply Facilities Impact Mitigation Fee shall be required for this development. The fee is due and payable prior to issuance of the building permit. The fee will be based on the current schedule at the time of payment. (Development Title Section 9-818.4 and Resolutions R-91-327, R94-185 and R-97-5)
- e. A copy of the Final Site Plan shall be submitted prior to release of building permit.
- f. This project falls within the definition of a Priority Project as defined in either the County "Storm Water Quality Control Criteria Plan" (SWQCCP) or the County Phase I National Pollutant Discharge Elimination System (NPDES) permit and shall comply with the following conditions:
 - (1) A registered professional engineer shall design a system or combination of systems to treat, filter, or infiltrate the 85th percentile storm as defined in the County's 2009 SWQCCP. The

system design shall follow standards as outlined in the 2009 SWQCCP or in the "California Association of Stormwater Quality Agencies" (CASQA) publications and comply with the conditions of the County Phase I NPDES permit. CASQA documents are available at <http://www.casqa.org>. Plans and/or calculations of the proposed system shall be submitted to the County for review and approval.

- (2) Applicant shall submit a "Storm Water Pollution Prevention Plan" (SWPPP) to Public Works for review. A SWPPP preparation guide is available at the Department of Public Works. A copy of the approved SWPPP and all required records, updates, test results and inspection reports shall be maintained on the construction site and be available for review upon request. The post construction chapter of the SWPPP must identify expected pollutants and how they will be prevented from entering the storm system. The chapter shall also contain a maintenance plan, a spill plan, and a training plan for all employees on proper use, handling and disposal of potential pollutants. The example plans are available in the SWQCCP and CASQA handbooks.
 - (3) All Priority New Development and Significant Redevelopment Projects must meet the volume reduction requirement outline in the County's SWQCP 2009 available at <http://sjcleanwater.org/LID.htm>
 - (4) Proprietary storm drainage treatment devices used in any system shall be approved for use by a major California city, Caltrans, or the Washington State DOT and shall be the last resort of the developer to comply with the 2009 SWQCCP. Latitude and Longitude of all treatment devices shall be obtained by use of a global positioning system and reported to the County. Property owner shall execute an agreement and record a deed restriction, in a form acceptable to the County, regarding maintenance and perpetuation of the installed systems. Property owner shall be responsible for the ongoing operation and maintenance of any system installed unless the system is accepted for maintenance by a government agency.
 - (5) Owner shall be responsible for providing the County with an annual report of operation and maintenance of any system. The property owner shall also be responsible for the payment to the County of an annual system inspection fee established by Resolution of the Board of Supervisors.
 - (6) A Maintenance Plan shall be submitted and the execution of a Maintenance Agreement with San Joaquin County will be required for the owner/operator of stormwater controls prior to the release of the building permit.
 - (7) Standard Best Management Practices for the type of development proposed shall be incorporated into the site storm drainage design.
 - (8) Wastewater shall NOT be allowed into the storm drainage system.
- g. Applicant shall file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) and comply with the State "General Permit for Storm Water Discharges Associated with Construction Activity". The Waste Discharge Identification Number (WDID), issued by SWRCB, shall be submitted to Public Works for file. Contact the SWRCB at (916) 341-5537 for further information.
- h. It is the responsibility of the applicant to ensure that a current will serve letter for sanitary sewer and water service is on file prior to release of building permit. The applicant or subsequent owner of the property is responsible to ensure there is capacity in the system and that all requirements

for the connections are fulfilled prior to release of the building permit. If any extension, connection, or placement of new facilities is required to connect to the existing main lines, the cost shall be borne by the applicant. For any work within the County right-of-way, an improvement plan shall be submitted to Public Works for review and approval. Required plan check and inspection fees shall apply.

Informational Notes:

- (i.) A Solid Waste Diversion Plan for all applicable projects must be submitted to the Building Division of the Community Development Department prior to issuance of the building permit. Contact the Solid Waste Division (468-3066) for information.
- (ii.) This property is subject to the requirements of San Joaquin County Mosquito & Vector Control District (209-982-4675) and the California Health and Safety Code for the prevention of mosquitoes. Best Management Practices (BMP) guidelines for stormwater devices, ponds and wetlands are available.
- (iii.) All future building permits for projects located within a Special Flood Hazard Area at the time of permit issuance shall meet the San Joaquin County flood hazard reduction requirements (Title 9, Chapter 9-1605) and all requirements of the State of California (CCR Title 23) that are in force at the time of permit issuance. As an example, these requirements may include raising the finish floor elevation one foot above the expected flood level and/or using flood resistant materials.

3. ENVIRONMENTAL HEALTH DEPARTMENT (Staff Contact: Jeffrey Wong; [209] 468-0335)

- a. Written confirmation is required from the Public Works Department that improvements have been constructed or financial arrangements have been made for any improvements of public sewer required by the agency. In addition, written confirmation from the Public Works Department that the agency has or will have the sewer capacity to serve the development is also required (San Joaquin County Development Title, Section 9-1100.3).
- b. The applicant shall provide written confirmation from the water providers that improvements have been constructed or financial arrangements have been made for any improvements required by the agency and that the agency has or will have the capacity to serve the proposed development. Said written confirmation shall be submitted prior to the issuance of a building permit. (San Joaquin County Development Title, Section 9-1120.2).
- c. Any existing wells or septic systems to be abandoned shall be destroyed under permit and inspection by the Environmental Health Department (San Joaquin County Development Title, Section 9-1110.3 & 9-1110.4).
- d. Any geotechnical drilling shall be conducted under permit and inspection by the Environmental Health Department (San Joaquin County Development Title, Section 9-1115.3 & 9-1115.6).

4. SAN JOAQUIN COUNCIL OF GOVERNMENTS (Staff Contact: Laurel Boyd, [209] 235-0600)

- a. This project is subject to the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). This can be up to a 30-day process and it is recommended that the project applicant contact SJMSCP staff as early as possible. It is also recommended that the project applicant obtain an information package.

5. SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT (Staff Contact: Stephanie Pelligrini, [559] 230-5820)
- a. The proposed project is subject to District Rule 9510 and the applicant is required to submit an Air Impact Assessment (AIA) application to the District no later than applying for final discretionary approval, and to pay any applicable fees.
 - b. The proposed project may be subject to the following District rules: Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving, and Maintenance Operations), and Rule 4002 (National Emission Standards for Hazardous Air Pollutants).
 - c. The proposed project may require District permits. Prior to the start of construction, the project proponent should contact the District's Small Business Assistance Office at (550) 230-5888 to identify other District rules or regulations that apply to this Project.

NEGATIVE DECLARATION

Steve J. Bestolarides
San Joaquin County Clerk

TO: Office of Planning & Research
 P. O. Box 3044
 Sacramento, California 95812-3044

 County Clerk, County of San Joaquin

FROM: San Joaquin County Community Development Department
 1810 East Hazelton Avenue
 Stockton, California 95205

PROJECT TITLE: Use Permit application No. PA-1800106

PROPOSER: Progressive Community Church

PROJECT LOCATION: The project site is on the east side of B Street, 250 feet south of Thirteenth Street, Stockton (APN/Address: 171-190-23, -36/2820 South B Street, Stockton) (Supervisorial District: 1).

PROJECT DESCRIPTION: A Use Permit application to expand an existing religious assembly. Phase One is the construction of a 12,000 square foot multi-purpose building. Phase Two, with building permits to be issued within five years, includes expanding the use onto the neighboring parcel and the conversion of the existing 5,055 square foot single family dwelling into an administration building. There will be no increase in the church membership. These parcels are not under a Williamson Act contract.

The Property is zoned R-L (Low Density Residential) and the General Plan designation is R/L (Low Density Residential).

Based on the attached Initial Study, it has been found that the project will not have a significant effect on the environment.

Date: 6-15-18

Contact Person: Alisa Goulart

Phone: (209) 468-0222

SAN JOAQUIN COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT

INITIAL STUDY

FILE NO: PA-1800106

PROJECT/APPLICANT: Progressive Community Church / WMB Architects

PROJECT DESCRIPTION: A Use Permit application to expand an existing religious assembly with a maximum seating capacity of 1,200 people. Phase 1 includes the construction of a 12,000 square foot multipurpose building. Phase 2 includes the conversion of an existing 5,055 square foot residence on an adjacent parcel into an administrative building and the utilization of an existing 672 square foot storage building. No increase in membership or maximum seating capacity is proposed with this application. (Use Type: Religious Assembly – Regional) The project site is located on the east side of B Street, 250 feet south of Thirteenth Street, in Stockton.

RECOMMENDED ENVIRONMENTAL DETERMINATION:

The proposed project could not have a significant effect on the environment, and a Negative Declaration will be prepared.

 X

Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A Negative Declaration will be prepared.

The proposed project may have a significant effect on the environment, an Environmental Impact Report is required.

ASSESSOR PARCEL NO: 171-190-36, -23

ACRES: 13.08

GENERAL PLAN: R/L

ZONING: R-L

CURRENT SITE CONDITIONS (topography, uses): Relatively flat parcels with 11,656 square feet of former school buildings and a 2,622 square foot residence.

POTENTIAL POPULATION, NUMBER OF DWELLING UNITS, OR SQUARE FOOTAGE OF USE(S): An addition of 17,727 square feet of structures to an existing religious assembly for a total of 59,514 square feet and a maximum seating capacity of 1,200 people.

SURROUNDING LAND USES:

North: Residential, City of Stockton

South: Residential, City of Stockton, Duck Creek

East: Agriculture with scattered residences, State Route 99

West: Residential, City of Stockton

GENERAL CONSIDERATIONS:

1. Does it appear that any environmental feature of the project will generate significant public concern or controversy?
 Yes No Nature of concern(s): _____
2. Will the project require approval or permits by agencies other than the County?
 Yes No Agency name(s): _____
3. Is the project within the Sphere of Influence, or within two miles, of any city?
 Yes No City name: Stockton

ENVIRONMENTAL IMPACTS:

"Yes" may only be checked in situations where there is substantial evidence to indicate that there may be a significant adverse impact on the environment if there is no change in the project description. (CEQA Guidelines, Sec. 15064)

See the "Discussion" section at the end of the Initial Study for explanation of any impacts checked "Yes", or any "No" answer marked with an asterisk (*).

Sources: The following sources of information have been used in determining environmental impacts:

Original source materials and maps on file in the Community Development Department including: all County and City general plans and community plans; assessor parcel books; various local and FEMA flood zone maps; service district maps; maps of geologic instability; maps and reports on endangered species such as the Natural Diversity Data Base; noise contour maps; specific roadway plans; maps and/or records of archeological/historic resources; soil reports and maps; etc. Many of these original source materials have been collected from other public agencies or from previously prepared EIR's and other technical studies. Copies of these reports can be found by contacting the Community Development Department.

Additional standard sources which should be specifically cited below include on-site visits by staff (note date); staff knowledge or experience; and independent environmental studies submitted to the County as part of the project application (note report title, date, and consultant).

1. Water:

- a. Is any portion of the project subject to flood hazard?
Flood zone: X(500) Yes No*
- b. Will the project result in reduction of surface or ground water quality or quantity? Yes No
- c. Will the project result in increases to surface, channel or stream volumes, or alterations to drainage patterns and streams? Yes No
- d. Will the project result in erosion of or sedimentation to a channel, river, or body of water? Yes No

Other sources used: _____

2. Earth:

- a. Will the project result in or be subject to potentially hazardous geologic or soils conditions on or immediately adjoining the site (slides, springs, erosion, liquefaction, earthquake faults; steep slopes, septic tank limitations)? Yes No
- b. Will the project involve substantial grading which could result in secondary impacts (consider amount, steepness, and visibility of proposed slopes; consider effect of grading on trees and creek channels)? Yes No
- c. Will there be conversion of prime farmland (over 40 acres and not shown for development in the General Plan)? Yes No

Other sources used: **Soil Survey Map**

3. Plant/Animal Life:

- a. Will there be a reduction or disturbance to any habitat for plants and animals (including removal or disturbance of trees, riparian areas, or migration routes)? Yes No*
- b. Will the project impact any rare, endangered, threatened, or recreational species located on or near the site? (Check the Natural Diversity Data Base) Yes No*

Other sources used: **Natural Diversity Database**

4. Air/Climate:

- a. Will the project make a significant contribution to the deterioration of existing air quality, including creation of objectionable odors; will future project residents be subjected to significant pollution levels? Yes No*
- b. Will the project result in any impact to current climatic conditions? (Consider the introduction of water features, loss of wetland, etc.) Yes No

Other sources used: _____

5. Noise:

- a. Will the project expose people to high noise or vibration levels (over 65db/Ldn for residential uses or 75db/Ldn for industrial uses at the property line)? (Check 2010 projected noise contours.) Yes No
- b. Will the project result in increased noise or vibration levels? Yes No

Other sources used: _____

6. Energy/Natural Resources:

- a. Will the project use substantial amounts of fuel or energy, require a substantial increase in demand upon existing sources, or require the development of new sources of energy? Yes No
- b. Will the project affect the potential use, extraction, conservation, or depletion of a natural resource (other than agricultural land)? Yes No

Other sources used: _____

7. Hazards:

- a. Will the project create a risk of explosion; release, generate or store Any hazardous substances; or cause other dangers to public health and safety? Yes No
- b. Are there any known hazardous substances located within 500 feet of the boundaries of this project, if in an existing or proposed residential area (this could include possible groundwater contamination)? Yes No
- c. Will the project result in interference with, or need, for emergency plans? Yes No

Other sources used: _____

8. Utilities and Public Service:

- a. **Will the project require alteration of, addition to, or the need for new utility systems (water, sewer, drainage, solid waste), including a sphere of influence or district boundary change? Yes No*
- b. **Will the project result in the need for or the expansion of the following services: fire and police protection, schools, parks and recreation, libraries, roads, flood control, solid waste or other public works facilities, public transit, or governmental services? Yes No
- c. Will the project adversely impact existing recreational/park opportunities or require new park/recreation opportunities? Yes No

Note: ** "Yes" answers to these two questions and 9 (b) below will require additional discussion, but do not necessarily indicate a potentially significant impact.

Other sources used: _____

9. Transportation/Circulation:

- a. Will the project generate significant traffic volumes and/or make a significant contribution to an existing circulation problem (consider existing LOS on nearby arterials and highways, road design, access, parking, accident potential)? Yes No*
- b. **Will the project cause special transportation considerations (consider water-borne, rail, air, pedestrian, and bicycle traffic, and public

transportation systems and parking facilities)?

Yes No

c. Will the project result in a significant increase in commuting to and from the local community?

Yes No

d. Will the project be impacted by or interfere with an airport flight path?

Yes No*

e. Will the project restrict access to the surrounding area?

Yes No

Other sources used (note traffic studies): _____

10. Cultural Resources:

a. Will the proposal result in an alteration of a significant archeological, or historical site, structure, or building?

Yes No

Other sources used: _____

11. Housing:

a. Will the proposal adversely affect the existing housing stock or create a demand for additional housing (more than 50 units)?

Yes No

Other sources used: _____

12. Aesthetics:

a. Will the project obstruct any public scenic vista or view, create an aesthetically offensive site open to public view, or produce new light or glare?

Yes No

Other sources used: _____

13. Land Use:

a. Is this project a growth-inducing action: Will it encourage additional requests for related uses, or will it set a significant land use precedent in the area?

Yes No*

b. Will the project conflict with existing or planned land uses; is the project in conflict with any adopted plans?

Yes No*

c. Will the project disrupt a natural or recreation area, impact access to waterways, or allow trespass onto surrounding land?

Yes No

14. Cumulative:

a. Will the project create any impacts which may not be significant for the project alone, but may be significant when combined with other anticipated development of similar type and or location?

Yes No

Other sources used: _____

15. **Other Impacts:** Identify any other impact(s) not noted above which may be significant, and cite source(s). **NONE KNOWN.**

16. **Mandatory Findings of Significance:**

(A "Yes" answer to any of the following questions requires preparation of an EIR.)

- a. Does the project have the potential to degrade the quality of the environment or curtail the diversity in the environment? Yes No
- b. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? Yes No
- c. Does the project have impacts which are individually limited but cumulatively considerable? Yes No
- d. Does the project have environmental impacts which will cause substantial, adverse effects on human beings, either directly or indirectly? Yes No

17. **DISCUSSION OF ANY ENVIRONMENTAL IMPACTS NOTED ABOVE.**

(Discuss any questions answered "Yes" above, as well as any "No" answers marked with an asterisk (*). Discuss any changes to the project which could mitigate the identified impacts. Discuss any proposed mitigation monitoring program submitted by the project applicant. Use additional attached pages if necessary.)

See Initial Study Attachment PA-1800106.

Prepared by: **Alisa Goulart**



Title: **Associate Planner**

Date: **June 15, 2018**

INITIAL STUDY (ATTACHMENT)
PA-1800106
Progressive Community Church / WMB Architects

PROJECT DESCRIPTION: A Use Permit application to expand an existing religious assembly with a maximum seating capacity of 1,200 people. Phase 1 includes the construction of a 12,000 square foot multipurpose building. Phase 2 includes the conversion of an existing 5,055 square foot residence on an adjacent parcel into an administrative building and the utilization of an existing 672 square foot storage building. No increase in membership or maximum seating capacity is proposed with this application. The property has a General Plan designation of Residential Low Density (R/L) and the zoning is Residential Low Density (R-L). The project site is located on the east side of B Street, 250 feet south of Thirteenth Street, in Stockton.

Environmental Issues

1. Water

1.a. The project site is located in the Zone X other Flood Areas 0.2 Percent Annual Chance Flood Hazard flood designation. If approved, any new development will have to comply with Development Title Section 9-1605 regarding flood hazards.

3. Plant and Animal Life

3.a.&b. The Natural Diversity Database lists *Athene cunicularia* (burrowing owl), *Buteo swainsoni* (Swainson's hawk), and the *Elanus leucurus* (white-tailed kite) as a rare, endangered, or threatened species potentially occurring in the area near the site. Referrals have been sent to the San Joaquin Council of Governments (SJCOG) for review. If SJCOG determines that the applicant can participate in the San Joaquin Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) and the applicant chooses to participate, then the proposed project is consistent with the SJMSCP, as amended, as reflected in the conditions of project approval for this proposal. Pursuant to the Final EIR/EIS for San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) dated November 15, 2000, and certified by SJCOG on December 7, 2000, implementation of the SJMSCP is expected to reduce the impacts to biological resources resulting from the proposed project to a level less than-significant. If the applicant chooses not to participate, then the applicant will be required to participate in a similar mechanism that provides the same level of mitigation.

4. Air/Climate

4.a. This project is the expansion of a regional religious assembly that includes a 12,000 square foot multipurpose building and the utilization of two existing structures. A referral was sent to San Joaquin Valley Air Pollution Control District for review. This project is subject to District Rule 9510. District Rule 9510 is intended to mitigate a project's impact on air quality through project design elements or by payment of applicable off-site mitigation fees. Any applicant subject to District Rule 9510 is required to submit an Air Impact Assessment (AIA) application to the District no later than applying for final discretionary approval and to pay any applicable off-site mitigation fees before issuance of the first building permit.

8. Utilities and Public Service

8.a. The project will continue to be served by public water and a public sewer services. Water is provided by California Water. Sewer service is provided by the City of Stockton. Storm water

drainage will be retained on-site. The Department of Public Works will review the design of a submitted drainage plan to ensure it meets San Joaquin County Improvement Standards.

9. Transportation / Circulation

9.a. The project is the expansion of an existing regional religious assembly with seating capacity for 1,176 people. The project does not include an increase in the seating capacity. Sunday services are held from 7:45 a.m. - 12:30 p.m. The facility is also open for activities on Tuesday (9:00 a.m. - 10:00 a.m.), Wednesday (11:30 a.m. - 12:30 p.m., 6:00 p.m. - 8:30 p.m.), Thursday (6:30 p.m. - 9:30 p.m.), Friday (11:30 a.m. - 12:30 a.m., 6:30 p.m. - 9:00 p.m.), and Saturday (8:30 a.m. - 12:00 p.m.). The project site is located on the east side of B Street in Stockton. A referral was sent to the Department of Public Works. With the conditions from the Department of Public Works, the impact to traffic is expected to be less than significant.

9. d. The project site falls within the Traffic Pattern Zone of the Stockton Metropolitan Airport and is subject to the Airport Land Use Plan. The nearest runway of the airport is located approximately one and one-half (1.5) miles south of the project site. This application is for the expansion of an existing religious assembly which is a compatible use within the Traffic Pattern Zone. A referral letter was sent to the Stockton Metropolitan Airport and Airport Land Use Commission. The Airport Land Use Commission responded with a letter stating that the project did not meet the threshold which would require further review.

13. Land Use

13.a & b. This project is the expansion of an existing religious assembly with a maximum seating capacity of 1,200 people. The project parcel is zoned Residential Low Density (R-L) and the project use type, Religious Assembly - Regional, may be conditionally permitted in the R-L zone with an approved Use Permit application. The proposed project does not conflict with any existing or planned land uses, and therefore will not set any significant land use precedents in the area. There are no applicable Master Plans, Specific Plans, or Special Purpose Plans in the vicinity.



SAN JOAQUIN COUNCIL OF GOVERNMENTS

555 E. Weber Avenue • Stockton, California 95202 • P 209.235.0600 • F 209.235.0438 • www.sjcog.org

San Joaquin County Airport Land Use Commission/Congestion Management Agency

June 6, 2018

Alisa Goulart
Community Development Department
1810 East Hazelton Avenue
Stockton, CA 95205

Katherine Miller
CHAIR

Robert Rickman
VICE CHAIR

Andrew T. Chesley
EXECUTIVE DIRECTOR

Member Agencies
CITIES OF
ESCALON,
LATHROP,
LODI,
MANTECA,
RIPON,
STOCKTON,
TRACY,
AND
THE COUNTY OF
SAN JOAQUIN

Re: PA-1800106 (UP) (Deadline: 6/6/18)

Dear Alisa Goulart,

The San Joaquin Council of Governments (SJCOC), acting as the Airport Land Use Commission (ALUC) and Congestion Management Agency (CMA), has reviewed an Use Permit application to expand an existing religious assembly with construction of a 12,000 sq. ft. multi-purpose building and conversion of an existing 5,055 sq. ft. single family dwelling into an administration building at 2820 South B Street, Stockton (APN: 171-190-23, -36).

CONGESTION MANAGEMENT AGENCY'S REVIEW

SJCOC adopted the 2018 Update to the Regional Congestion Management Program (RCMP) (<http://www.sjcog.org/rcmp>) on April 26, 2018. Chapter 6 of the RCMP describes the updated Land Use Analysis Program, including Tier 1 and Tier 2 review/analysis requirements, analysis methods, impact significance criteria, and mitigation.

SJCOC determined that this project did not meet Tier 2 threshold; thus, no further review is required at this time.

AIRPORT LAND USE COMMISSION'S REVIEW

This project is located within Stockton Metropolitan Airport's Traffic Pattern Zone (7a). Further review reveals this project is compatible with the 2018 San Joaquin County Airport Land Use Compatibility Plan (ALUCP).

SJCOC recommends the applicant be aware that any object, permanent or temporary, over 100 feet will require an airspace review. In addition, the religious assembly is allowed up to 450 persons per acre at one time.

SJCOC would like to provide standards and project design conditions that comply with the Airport Land Use Compatibility Plan (<https://www.sjcog.org/ALUC>) as a reference guide. *Note: Jurisdictions determine if the following standards and conditions apply to this project.*

1. New land uses that may cause visual, electronic, or increased bird strike hazards to aircraft in flight shall not be permitted within any airport's influence area. Specific characteristics to be avoided include:
 - a. Glare or distracting lights which could be mistaken for airport lights. Reflective materials are not permitted to be used in structures or signs (excluding traffic

- directing signs).
 - b. Sources of dust, steam, or smoke which may impair pilot visibility.
 - c. Sources of electrical interference with aircraft communications or navigation. No transmissions which would interfere with aircraft radio communications or navigational signals are permitted.
 - d. Occupied structures must be soundproofed to reduce interior noise to 45 decibel(dB) according to State guidelines.
 - e. Within the airport's influence area, ALUC review is required for any proposed object taller than 100 feet above ground level (AGL).
2. Regardless of location within San Joaquin County, ALUC review is required in addition to Federal Aviation Administration (FAA) notification in accordance with Code of Federal Regulations, Part 77, (<https://oia.faa.gov/oia/external/portal.jsp>) for any proposal for construction or alteration under the following conditions:
- a. If requested by the FAA.
 - b. Any construction or alteration that is more than 200 ft. AGL at its site.
 - c. Any construction or alteration that exceeds an imaginary surface extending outward and upward at any of the following slopes:
 - i. 100 to 1 for a horizontal distance of 20,000 ft. of a public use or military airport from any point on the runway of each airport with its longest runway more than 3,200 ft.
 - ii. 50 to 1 for a horizontal distance of 10,000 ft. of a public use or military airport from any point on the runway of each airport with its longest runway no more than 3,200 ft.
 - iii. 25 to 1 for a horizontal distance of 5,000 ft. of the nearest take off and landing area of a public use heliport
 - d. Any highway, railroad or other traverse way whose prescribed adjusted height would exceed the above noted standards
 - e. Any construction or alteration located on a public use airport or heliport regardless of height or location.

Thank you again for the opportunity to comment. Please contact CMA and ALUC staff Travis Yokoyama (209-235-0451 or yokoyama@sjcog.org) if you have any questions or comments.

Sincerely,



Travis Yokoyama

ATTACHMENT A – Exhibit of Project Site Location in relation to ALUC



AIRPORT LAND USE CONSISTENCY REVIEW

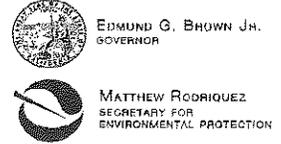


Legend

Highway	Zone 1 (RPZ)	Zone 6 (AP)
City Limits	Zone 2 (IADZ)	Zone 7 (TPZ)
County Limit	Zone 3 (ITZ)	Zone 7b (TPZ)
	Zone 4 (OADZ)	Zone 8 (AIA)
	Zone 5 (SSZ)	



PERMIT NUMBER / PROJECT TITLE: PA-1800106 (UP)
 ADDRESS: 2820 South B Street, Stockton
 APN: 171-190-23, -36
 AIRPORT / "HAZARD TO FLIGHT" Stockton Metropolitan



Central Valley Regional Water Quality Control Board

10 July 2018

Alisa Goulart
San Joaquin County
Community Development Department
1810 East Hazelton Avenue
Stockton, CA 95205

CERTIFIED MAIL
91 7199 9991 7039 6992 5765

COMMENTS TO REQUEST FOR REVIEW FOR THE NEGATIVE DECLARATION, PA-1800106 (UP) RELIGIOUS ASSEMBLY EXPANSION PROJECT, SCH# 2018062034, SAN JOAQUIN COUNTY

Pursuant to the State Clearinghouse's 18 June 2018 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Negative Declaration* for the PA-1800106 (UP) Religious Assembly Expansion Project, located in San Joaquin County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

I. Regulatory Setting

Basin Plan

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources

KARL E. LONGLEY SCD, P.E., CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

11020 Sun Center Drive #200, Rancho Cordova, CA 95670 | www.waterboards.ca.gov/centralvalley

Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues.

For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:
http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/.

Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Policy is available on page IV-15.01 at:
http://www.waterboards.ca.gov/centralvalleywater_issues/basin_plans/sacsjr.pdf

In part it states:

Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.

This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

II. Permitting Requirements

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit

requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP).

For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml.

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits¹

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/.

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml

Industrial Storm Water General Permit

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ.

For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml.

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACOE). If a Section 404 permit is required by

¹ Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

the USACOE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements.

If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACOE at (916) 557-5250.

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACOE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications.

Waste Discharge Requirements – Discharges to Waters of the State

If USACOE determines that only non-jurisdictional waters of the State (i.e., "non-federal" waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation.

For more information on the Water Quality Certification and WDR processes, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/help/business_help/permit2.shtml.

Dewatering Permit

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Risk General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Risk Waiver)

R5-2013-0145. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Risk General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf

For more information regarding the Low Risk Waiver and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2013-0145_res.pdf

Regulatory Compliance for Commercially Irrigated Agriculture

If the property will be used for commercial irrigated agricultural, the discharger will be required to obtain regulatory coverage under the Irrigated Lands Regulatory Program. There are two options to comply:

1. **Obtain Coverage Under a Coalition Group.** Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board's website at: http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/for_growers/apply_coalition_group/index.shtml or contact water board staff at (916) 464-4611 or via email at IrrLands@waterboards.ca.gov.
2. **Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General Order R5-2013-0100.** Dischargers not participating in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 10-100 acres are currently \$1,084 + \$6.70/Acre); the cost to prepare annual monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory Program, call the Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at IrrLands@waterboards.ca.gov.

Low or Limited Threat General NPDES Permit

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Dewatering and Other Low Threat Discharges to Surface Waters* (Low Threat General Order) or the General Order for *Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from*

Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water (Limited Threat General Order). A complete application must be submitted to the Central Valley Water Board to obtain coverage under these General NPDES permits.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0074.pdf

For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0073.pdf

NPDES Permit

If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit.

For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/help/business_help/permit3.shtml

If you have questions regarding these comments, please contact me at (916) 464-4644 or Stephanie.Tadlock@waterboards.ca.gov.



Stephanie Tadlock
Senior Environmental Scientist

cc: State Clearinghouse unit, Governor's Office of Planning and Research, Sacramento



June 6, 2018

Alisa Goulart
San Joaquin County-Planning
1810 East Hazelton Ave
Stockton, CA 95205

Re: PA-1800106 (UP); 2820 South B Street

Dear Alisa:

Thank you for giving us the opportunity to review your plans. The proposed PA-1800106 (UP); 2820 South B Street dated May 18, 2018 does not appear to interfere with any existing PG&E facilities or easement rights; therefore, we have no comments at this time.

Please note that this is our preliminary review and reserve the right for future review as needed. If there are subsequent modifications made to your design, we ask that you resubmit your plans to the email address listed below.

In the event that you require PG&E's gas or electrical service in the future, please continue to work with PG&E's Service Planning department: <https://www.pge.com/cco/>

If you have any questions regarding our response, please contact the PG&E Plan Review Team at (877) 259-8314 or pgeplanreview@pge.com.

Sincerely,

PG&E Plan Review Team
Land Management



STAFF REPORT - MOUNTAIN HOUSE

Major Subdivision

Application Information

Owner: **Shea Mountain House LLC**
Applicant: **Shea Mountain House LLC**
File Number: **PA-1800118**
Location: **Located west of, and adjacent to, Central Parkway, and is bounded on the north, east, and south by Ramsey Drive, Bancroft Way, and Phelps Drive, respectively.**

Address: **210 Ramsey Drive, Mountain House**

General Plan:	R/MH	Community:	Mountain House
Zoning:	R-MH	APN:	262-020-03
Project Size:	10.6 acres	Parcel Size:	10.6 acres
Water Supply:	MHCSD	Sewage Disposal:	MHCSD
Storm Drainage:	MCCSD	100-Year Flood:	No
Williamson Act:	No	Supervisorial District:	5
Staff:	John Funderburg	CEQA Determination:	Negative Declaration

Project Description

This project is a Major Subdivision which proposes the development of a 10.6-acre (R-MH) Medium-High Density Residential parcel (**Parcel 'E' of Neighborhood C- Figures No. 1, No. 2, and No.3**) that would:

1) Be divided into 131 residential lots, which would range in size from 2,035 square feet to 3,667 square feet (average lot size of 2,305 square feet), and 35 common area lots;

2) Provide for the construction of 124 single family attached ("duet") homes and seven detached single family homes with the following characteristics/amenities:

- two-story construction, with homes ranging in size from approximately 1,600 square feet to 2,000 square feet of living area with three to four bedrooms;
- two-car garage per home;
- private back yard and side yard per home;
- homes constructed in the Mission, Prairie, and Farmhouse architectural themes (to facilitate diversity in colors, materials, roof lines and street frontage); and
- homes fronting onto the loop road and onto alleys within the project, and onto public streets generally on the perimeter of the project;

3) Provide internal circulation featuring:

- a loop street and alleys, with no parking along them and with a width of 22 feet between curbs;
- sidewalks on both sides of the loop street, and a sidewalk on one side of the alleys; and

- two access points to public streets: one to Ramsey Drive, just west of Central Parkway; and one to Phelps Drive, just east of Bancroft Drive;

4) Provide guest parking scattered throughout the project for 72 guests;

5) Provide a homeowner's association for the maintenance of common area lots (e.g., private streets, landscaping, guest parking areas); and

6) Be developed at a density of 12.4 dwelling units per acre.

Recommendation

Approval.

Referrals and Replies

The application referrals were mailed on June 29, 2018, with responses due by July 27, 2018.

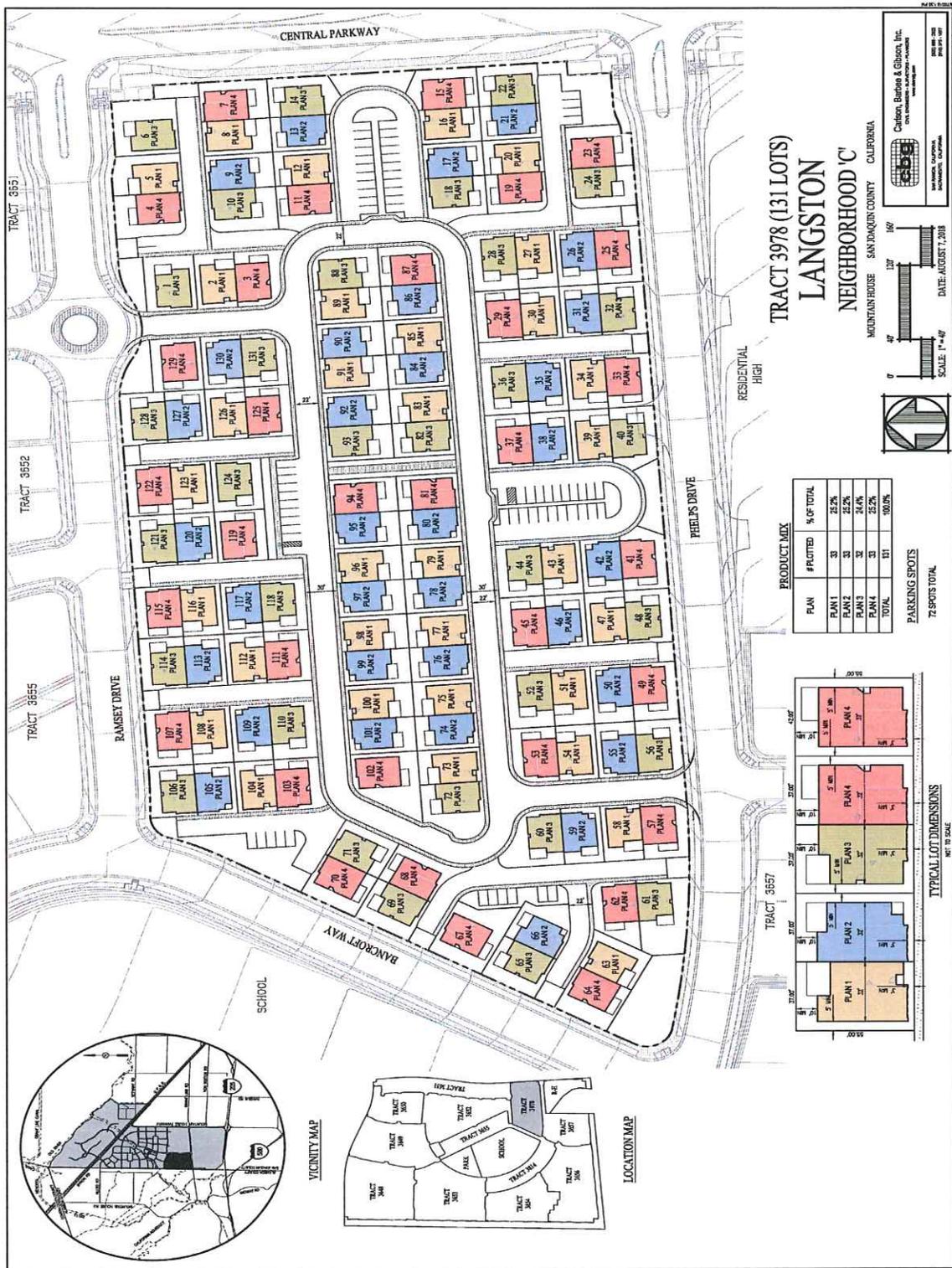
AGENCY	RESPONSE DATE (through October 4, 2018)
SJ Building Inspection	
SJ Fire Prevention Bureau	
SJ County Code Enforcement	
SJ Environmental Health	July 26, 2018
SJ County Plan Check	
SJ Public Works	July 26, 2018
SJ County Sheriff	
SJ Council of Governments	
US Army Corp of Engineers	
SJ County Surveyor	
SJ County Assessor	
Mountain House CSD	August 14, 2018
PG&E	July 6, 2018
C.R.W.Q.C.B.	
French Camp Fire District	September 20, 2018
Kathy Perez	
C.V.F.P.B.	
Fish & Wildlife Region-3	
SJ Co Dept of Parks and Rec.	
Union Pacific Railroad	
Delta Keeper	
Sierra Club	
Lammersville School District	
Alameda County Planning	
Contra Costa County Planning	
City of Tracy	
Supervisor District-5	
Caltrans	
CHP	
SJV Air Pollution Control District	July 11, 2018
SJ Resources Conservation	
Delta Stewardship Council	
Delta Protection Commission	
Department of Water Resources	
Department of Conservation - Mine and Rec	
BBID	
Public Utilities Commission	
AT&T	
Trinkle & Boys	
Bureau of Reclamation	
US Fish & Wildlife	
New Jerusalem Airport	
Byron Airport	
ALUC	July 27, 2018

Delta Keeper
Haley Flying
MH Development Agreement List
Housing & Community Development
Mosquito & Vector Control
State Lands Commission
Agricultural Commissioner
Precissi Flying
Sierra Club
Trimark Communities LLC
Gerry N. Kamilos, LLC
Joe Machado
Joann Kimbrough
Richard Luck
Eric Bose, Trimark Communities, LLC
Duane Grimsman, Sterling Pacific Assets
Gerry N. Kamilos, LLC
Invest West
Transamerica Minerals Company
Adams Broadwell & Joseph
Remy Thomas & Moose, LLP
EOG Resources, Inc
Herum-Crabtree-Brown
Placemakers
Peter MacDonald
Robert & Judy Burick
Fred Pakzad
Roy Cunha
Clyde Martin
C& R Landers

A legal ad for the public hearing was published in the **Stockton Record** on October 8, 2018.

One hundred and fifty-four public hearing notices were mailed on October 5, 2018.

Figure No. 2 (Development Plan)



Analysis

Background

On February 8, 2005, the Board of Supervisors approved the Specific Plan II project. Specific Plan II consisted of the proposed adoption of the second Specific Plan for Mountain House (PA-0300362) and associated and required approval of Neighborhoods C, D, H, I, J, and K. This Major Subdivision application proposes to subdivide a 10.6 acre (R-MH) Medium-High Density residential parcel located in Neighborhood 'C'.

This Major Subdivision application in Neighborhood C represents the first R-MH (Residential, Medium High Density) development project in Specific Plan II, and the third R-MH project overall in Mountain House (the two other R-MH projects were approved in Specific Plan I).

The allowable Master Plan density range for (R-MH) Medium-High Density residential development is 12.0 to 14.0 units per acre. The proposed residential project is to be developed at 12.4 units per acre and conforms to the Master Plan allowable density range.

The proposed single family detached residential development project would be required to conform to the applicable provisions of the Trimark Communities, LLC Single Family Residential Design Manual, as amended. These provisions include, but are not limited to, standards for site planning and landscape design, architectural styles, front and rear articulation, roof forms, porches, garage treatments, entry court gates, exterior lighting, and patio structures/gazebos.

Public Land Equity Program

Under the Public Land Equity Program (PLEP), each Tentative Map is required to dedicate its fair share of public lands to the Mountain House community equal to 21.2% of the mapped area. The actual land dedication for the proposed Tentative Map is less than that requirement leaving a PLEP deficit of approximately 2.24 acres. The subdivider must correct this deficit by one of several methods: dedicating additional land, transferring fee title ownership of private land, and/or submitting land vouchers to the MHCSD to meet said Public Land Deficit. The subdivider Shea Homes LLC has stated they will obtain a PLEP credit voucher from Mountain House Developers to satisfy the PLEP requirement.

Noise

Development Title Section 9-1025.9 lists the Residential use type as a noise sensitive land use. Development Title Section 9-1025.9(d) states that the Review Authority shall require the preparation of an acoustical study in instances where it has been determined that a project may expose existing or proposed noise sensitive land uses to noise levels exceeding the noise standards specified in Table 9-1025.9. An Environmental Noise Analysis was prepared by Illingworth and Rodkin on May 3, 2018 and it was determined that the exterior noise levels at the backyards of residences nearest to Central Parkway would exceed the 65 dBA Ldn threshold for San Joaquin County. If approved the following conditions shall apply:

NOISE WALL: A six-foot noise wall made of concrete or masonry block is required between the residences and connect to each residence (along the eastern facades) of the proposed lots facing Central Parkway and the wall shall be included in the improvement plans (Figure 1., Noise Measurement Locations, Env. Noise Analysis May 3, 2018) (Development Title Section 9-1150.10)

Interior noise levels within new residential units are required to be maintained at or below 45 dBA Ldn. The proposed lots adjacent to Central Parkway would be set back approximately 65 feet from the centerline of the roadway. The exterior-facing rooms along the eastern facades as well as the northern facades of and southern

facades, would have direct line-of-sight to the roadway without any shielding from adjacent buildings. At the 65-foot setback, the rooms facing the eastern building facades would be exposed to future exterior noise levels ranging from 69 to 70 dBA Ldn. Therefore, the first row of residences adjacent to Central Parkway would require sound-rated construction materials with the inclusion of adequate forced-air mechanical ventilation to achieve the 45 dBA Ldn.

Attaining the necessary noise reduction from exterior to interior spaces is readily achievable with proper wall construction techniques, the selections of proper windows and doors, and the incorporation of forced-air mechanical ventilation systems. The mentioned noise insulation features would adequately reduce interior noise levels in all units to 45 dBA Ldn or less, satisfying the interior noise thresholds of 45 dBA for San Joaquin County.

The above recommendations will be incorporated into the final design of the proposed residences. Therefore, any exposure to noise sources or excessive noise levels will be reduced to less than significant with the above conditions for a noise wall and incorporation of sound rated construction materials.

Affordable Housing Opportunities

The proposed project would be developed primarily with attached single family homes, also referred to as 'duets'. Of the 131 residential units, 124 would be duet homes and seven would be single family detached homes. The addition of duet homes would increase housing choice within the Mountain House community. The duets would also offer a more affordable single family housing product than a standard single family housing product. All homes would be two-story homes, ranging in size from approximately 1,600 square feet to 2,000 square feet of living area, with three to four bedrooms.

Guest Parking/Off-Street Parking Areas

Although there is no requirement for guest parking spaces in the Mountain House Development Title in the R-MH zone. The developer has included several areas on the project site for adequate off-street and guest parking. Pursuant to Development Title Section 9-310.5M(d)(2), the minimum setback for off-street parking areas in the (R-MH) Medium-High Density Residential zones shall be fifteen (15) feet from any adjacent street. The proposed off-street parking areas meet this Development Title requirement and the residential development project provides for 72 guest parking spots.

Consistency with Existing Approvals

The project was reviewed for consistency with the General Plan, Mountain House Master Plan, and Specific Plan II documents. The residential development project was found to be consistent with these plans and the proposed tentative map was found to be consistent with these plans because:

- It is supportive of, and consistent with, the policies in these documents regarding the compatibility of adjacent residential land uses;
- It conforms to the applicable provisions of the Trimark Communities, LLC Single Family Residential Design Manual, as amended, including provisions concerning standards for site planning and landscape design, architectural styles, front and rear articulation, roof forms, porches, garage treatments, entry court gates, exterior lighting, and patio structures/gazebos;
- No changes in jobs are expected that would adversely affect the number of jobs projected or the jobs/housing ratios anticipated for the community;
- The number of lots proposed under the tentative map, and approved land use plan are consistent with overall density and land use plan described within Master Plan Section 3.2.6, Description of Planned Land Uses; and it does not increase the demand for public services.

Recommendations

Action

It is recommended that the Planning Commission:

1. **Approve the Negative Declaration; and**
2. **Approve Major Subdivision Application No. PA-1800118 with the Findings and Conditions of Approval contained in the staff report.**

Findings

1. The proposed subdivision is consistent with the General Plan, the Master Plan, any applicable Specific Plan, any applicable Special Purpose Plan, the Public Financing Plan, and any other adopted plan adopted by the County.
 - **This finding can be made since the analysis conducted by the Community Development Department (CDD) has shown that the proposed subdivision is consistent with all applicable adopted plans.**
 - **With respect to the General Plan, the consistency review found that the proposed subdivision meets General Plan requirements for orderly and compact development (e.g., compatible siting of land uses). The project is consistent with General Plan policies since: 1) the infrastructure planned meets the requirements and standards of the County and the Mountain House Community Services District (MHCS D); 2) all necessary on-site and off-site easements and dedications for the maintenance of the water, sewer, and storm systems shown on the proposed Tentative Map will be provided; 3) the waste management requirements of the County and the MHCS D will be met; and 4) parking improvements adequate to serve the proposed project will be constructed.**
 - **With respect to the Master Plan and Specific Plan II, the consistency review found that the proposed subdivision addresses the affordable housing objectives expressed in these plans by meeting Master Plan /Specific Plan II requirements for housing diversity and density of development (within the Minimum and Maximum density range for the residential land uses proposed for development, per Master Plan Section 3.3). To meet Master Plan/Specific Plan II requirements regarding noise, future residents of the subdivision will be protected from excessive outdoor and indoor noise levels along Central Parkway, via), landscaping, wall treatments, construction requirements for homes (e.g., mechanical ventilation to allow windows to remain closed), and by notices to residents via a note on the deed of affected properties in instances where exterior noise levels up to an Ldn of 65 dB may be reached. Additionally, the Tentative Map would be required to fully mitigate the impacts to Lammersville Unified School District by complying with the applicable provisions of the School Facilities Mitigation Agreement. To ensure that public improvements are developed to acceptable standards, said improvements would be conditioned to comply with all Community Approvals, including the applicable provisions of the MHCS D's Parks, Recreation and Leisure Plan and the MHCS D Design Manual.**
 - **With respect to other adopted plans—those adopted by the MHCS D, the consistency review conducted by the MHCS D has determined that the proposed subdivision, as conditioned by the MHCS D, is consistent with MHCS D adopted plans and programs.**

2. The design or improvement of the proposed subdivision is consistent with the General Plan, the Master Plan, any applicable Specific Plan and any applicable Special Purpose Plan.
 - **This finding can be made since the analysis conducted by CDD has found that the design or improvements of the proposed subdivisions, as shown on the Tentative Maps and as described in the project application, meets the requirements of the General Plan, Master Plan, and Specific Plan II. The design of the proposed subdivisions provides additional housing opportunities for future residents. It meets the residential density requirements of adopted plans. It incorporates a coordinated system of automobile roadway improvements that provide efficient access within the project and to public destinations (e.g., K-8 school and Neighborhood Park). It creates distinctive and livable residential environments. In addition, all landscape, hardscape and street elements within the proposed subdivisions would be designed and constructed in accordance with the adopted MHCS Design Manual and community approvals regarding specific themes and material variation.**
3. The site is physically suitable for the type of development proposed.
 - **This finding can be made since the analysis conducted by CDD has found that the site is physically suitable to accommodate the residential uses proposed. This analysis is based on the improvements proposed and the use of BMPs (Best Management Practices) for storm drainage improvement.**
4. The site is physically suitable for the proposed density of development.
 - **This finding can be made since the analysis conducted by CDD has found that the area proposed for development is adequate in size to accommodate the density of development proposed, consistent with the Master Plan and Specific Plan II.**
5. Neither the design of the subdivision nor any proposed improvements are likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat.
 - **This finding can be made because the applicant will participate in the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). The proposed subdivisions would also be subject to the Mountain House community monitoring and mitigation monitoring programs. In addition, the project incorporates all pertinent mitigation measures identified in the Mountain House Master Plan Master EIR, and the Initial Study did not find any additional potentially significant impacts.**
6. The design of the subdivision or type of improvement is not likely to cause significant public health problems.
 - **This finding can be made since CDD has concluded (based on the Initial Study) that the design of the subdivisions, as conditioned, would either have no impact or less than significant impact on the health of future residents.**

7. 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.
 - **This finding can be made because there are no public easements within the subdivision. Additionally, as a Condition of Approval, all roads for the project shall be private and must meet the minimum 20' width and be designed and constructed per the MHCS D acceptable standards and specifications.**
8. Any land or improvement to be dedicated to a public agency is consistent with the General Plan, the Master Plan, any applicable Specific Plan, any applicable Special Purpose Plan, and any other applicable plan adopted by the County.
 - **This finding can be made since the lands or improvements to be dedicated to the MHCS D are consistent with the Public Land Equity Program and/or required to meet the MHCS D Design Manual, both of which are implementation measures for the General Plan, Master Plan, and Specific Plan II.**
9. The design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision, as required by Government Code 66473.1.
 - **This finding can be made because the design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision, as required by the Government Code.**
10. All applicable provisions of the Mountain House Development Agreement have been met.
 - **This finding can be made since the consistency analysis that has been conducted has found that the proposed subdivision is consistent with the provisions of the Master Development Agreement (i.e. the Mountain House Development Agreement) and the Specific Plan II Development Agreement, both of which requires consistency with adopted community plans.**

Conditions

CONDITIONS OF APPROVAL [as adopted by the Planning Commission on October 18, 2018]

PA-1800118 SHEA HOMES, LLC MOUNTAIN HOUSE NEIGHBORHOOD C – Parcel E

Major Subdivision Application No. PA-1800118 was approved by the Planning Commission on . The effective date of approval is , 2018. These tentative map approvals will expire on , which is ten (10) years from the effective date of approval, unless (1) all Conditions of Approval have been complied with and (2) a Final Map has been filed with and accepted by the County Surveyor.

Unless otherwise specified, all Conditions of Approval and ordinance requirements shall be complied with prior to approval of the Final Map. Those Conditions followed by a Section Number have been identified as ordinance requirements pertinent to this application. Ordinance requirements cannot be modified and other ordinance requirements may apply.

I. COMMUNITY DEVELOPMENT DEPARTMENT (Staff Contact: John Funderburg, 468-3160)

GENERAL

1. Tentative Map Compliance: The Final Map shall be in substantial compliance with the Tentative Map dated May 20, 2018, and all Conditions of Approval.
 - a. The project shall comply with applicable policies of the Mountain House Master Plan and all other applicable Community Approvals.
 - b. Minor modifications to street and lot configurations may be allowed by the Community Development Director without requiring a new subdivision map application or a revision to approved actions application.

Timing: Prior to Final Map approval and any other Development Approvals subsequent to the Tentative Map.

2. Subsequent Approvals: All subsequent discretionary and ministerial approvals shall be subject to Design Consistency Review and shall be consistent with the conditions of approval for the Tentative Map. The Final Map shall be recorded containing the following note:

"All subsequent discretionary and ministerial approvals within the boundaries of this subdivision map shall be subject to Design Consistency Review and shall be consistent with the conditions of approval adopted for the Tentative Map."

Timing: Prior to Final Map approval and prior to issuance of development permits.

3. Consistency: The Final Map, improvement plans and all subsequent development and building applications within the boundaries of the Tentative Map shall be reviewed by the San Joaquin County Community Development Department and found consistent with the approved Tentative Map, including all conditions of approval, the Mountain House Master Plan, Specific Plan I, Development Title, and all other applicable Community Approvals.

Timing: Prior to approvals and prior to issuance of development permits.

FEES

4. General. Development within the project shall be subject to the payment of all applicable and lawfully enacted County fees, subject to the provisions of the Master Plan Development Agreement (i.e., the Amended and Restated Master Plan Development Agreement By and Between County of San Joaquin and Trimark Communities Relative to the Development of Certain Property Within the Mountain House Community {"Development Agreement"}) and the Specific Plan II Development Agreement (Specific Plan II Addendum to Development Agreement By and Between County of San Joaquin and Trimark Communities, LLC and Subsequent Development Agreement By and Between County of San Joaquin and Trimark Communities, LLC Relative to the Development of a Portion of the Mountain House Community (Specific Plan II) {"SPII Development Agreement"}). [Development Agreement Section 2.5.3]
5. Specific. The applicant for all subsequent development within Neighborhood C shall pay the Affordable Housing Impact Fee in effect at the time of building permit approval. [Development Agreement Section 2.5.3; SPII Development Agreement, Exhibit B-1 (C); and Mountain House Development Title Chapter 9-1270M]
6. Final Map Digital File: A digital file of the Final Map shall be submitted to the Community Development Department. The digital file format shall be consistent with requirements of the County Assessor and Community Development Department GIS division.

Timing: prior to approval of Final Map.

7. Road Names: All subdivision road names shall be submitted to the Community Development Department for approval by the Director. Said road names shall comply with the "Standards for Road Names and Road Name Changes, Public and Private" of San Joaquin County. [Development Title Section 9-1150.18]

Timing: prior to approval of Final Map.

8. Monitoring Program: The Final Map(s) shall comply with the Mountain House Master Plan and Specific Plan II San Joaquin County Mitigation Monitoring Program.
9. Monitoring Agreement: The applicant or the applicant's assignee shall fund the Community Monitoring and Mitigation Monitoring Programs. The applicant or the applicant's assignee shall also fund the County's efforts to monitor compliance with the Tentative Map conditions of approval. [General Plan Community Organization and Development Policy (19)(j)]

Timing: Ongoing.

LAND USE

10. Residential Development:

Compliance with Fire Prevention Standards. The R/MH housing units shall each be provided with a residential fire sprinkler system, or an emergency access road complying with the Fire Access Road Standards, as adopted by the Board of Supervisors by Ordinance 4178, on November 8, 2002, these shall be provided around each building structure containing R/MH housing units.

Timing: Condition shall be met prior to approval of building permits for R/MH or R/H housing units.

11. Architectural Design Theme: A consistent architectural theme shall be used throughout the residential development project, and implemented through Design Manuals. [SP11 Implementation Measure 4.6 (13)].

Timing: Improvement Plans approved by CDD and MHCS D prior to approval of Final Map for [Neighborhood C – Parcel ‘E’].

12. Pedestrian Pathways: The Final Map shall maintain, as proposed, all feasible pedestrian connections to schools and at the end of cul-de-sacs. In instances where the proposed location of a through-block connection is determined by the Community Development Director to be in conflict with the health, safety and welfare of community residents, such connection may be eliminated.

Timing: Improvement plans approved by CDD and MHCS D prior to Final Map approval.

13. Fire Access Road Standards: All streets shall comply with the San Joaquin County Fire Chiefs Association, Fire Access Road Standards as adopted by the Board of Supervisors by Ordinance 4178, on November 8, 2002.

Timing: Improvement plans approved by CDD and MHCS D prior to Final Map approval.

14. Public Area Landscaping and Architecture: The applicant shall submit a landscape theme in the landscape improvement plans for the Tentative Map. Landscaping themes shall be distinct for each neighborhood. Landscaping and architectural design of public areas shall implement the common design theme for the neighborhood and shall be consistent with the MHCS D Design Manual, Roadway Landscape Plans, and/or other applicable neighborhood design criteria. [SP11 Implementation Measure 4.6 (12)]

Timing: Improvement Plans, Building Permits.

15. Design Guidelines: All proposed single family development and all proposed commercial development shall comply with the applicable provisions of the Trimark Communities, LLC Single Family Residential Design Manual and the Commercial, Office & Industrial Design Manual, as amended. For lands controlled by Trimark Communities, LLC, compliance shall be evidenced by written approval by Trimark Communities, LLC or its Design Review Committee, in its sole discretion. For non-Trimark properties, compliance shall be determined by San Joaquin County. [Specific Plan II Implementation Measure 4.3.3 (1)]

Timing: Condition shall be met prior to issuance of building permits.

16. PLEP Requirement: For the purposes of the Public Land Equity Program (PLEP), the public land dedication requirement for the Tentative Map is 2.24 acres. The subdivider shall correct said Public Land Deficit by using one or more of the following methods: 1) Dedicating Public Land which is not on the shown on the Tentative Map but which is within the Mountain House Community to the Applicable Public Agency, sufficient in acreage to meet said Public Land Deficit; 2) transferring fee title ownership of Private Land which is not needed for public facilities or services but which is within the Mountain House Community to MHCS D, sufficient in acreage to meet said Public Land Deficit; and/or 3) submitting land vouchers to the MHCS D, sufficient in acreage to meet said Public Land Deficit. (Mountain House Development Title, Chapter 9-1245M regarding the Public Land Equity Program, and Chapter 9-110M regarding definitions for "Public Land Deficit", "Applicable Public Agency", "Private Land", and "land voucher".) If the PLEP, which includes the PLEP Technical Report, is revised prior to the approval of the first Final Map, the subdivider shall comply with the methods for correcting any Public Land Deficit that are specified in said revised PLEP.

Timing: Condition shall be satisfied prior to approval of the first Final Map or as required by the Applicable Public Agency.

17. Right To Farm Recordation And Notification: The deed of each parcel and of each condominium unit shall include the following recording notification, as specified by San Joaquin County Ordinance 4217 which added Section 6-9004 et. seq. to Chapter 1 of Division 9 of the San Joaquin County Ordinance Code regarding the Right to Farm Notice: "All persons purchasing lots within the boundaries of this approved map should be prepared to accept the inconveniences or discomforts associated with agricultural operations or activities, such as noise, odors, insects, dust or fumes. San Joaquin County has determined that such inconveniences or discomforts shall not be considered to be a nuisance."

Timing: Prior to approval of Final Map.

NOISE

18. Outdoor Noise Levels: Best available noise reduction measures shall be implemented by the applicant to reduce noise levels in primary outdoor use areas (backyards) of new residential development to an Ldn of 60 dB.

Timing: Inclusion of note on the Final map approved by CDD prior to Final Map approval, and inclusion of note on deed prior to issuance of building permits.

19. Interior Noise Levels: Interior noise levels for housing proposed to be located in areas exposed to an exterior noise level of an Ldn above 60 dB shall be maintained at or below an Ldn of 45 dB. [SP11 Implementation Measure 11.2.1 (4)]

Timing: Compliance verified prior to the issuance of building permits.

20. **NOISE WALL:** A six-foot noise wall made of concrete or masonry block is required between the residences and connect to each residence (along the eastern facades) of the proposed lots facing Central Parkway and the wall shall be included in the improvement plans (Figure 1., Noise Measurement Locations, Env. Noise Analysis May 3, 2018) (Development Title Section 9-1150.10)

Timing: Improvement plans approved by CDD and MHCS D prior to Final map approval.

21. Construction Noise: The following measure shall be implemented during construction:

Construction shall be restricted to the hours of 6:00 AM to 8:00 PM on weekdays. Extended hours which may include Saturdays and Sundays may be allowed through prior notice to adjacent residents and landowners, and prior approval of the MHCS D for infrastructure construction and CDD for building permits.

All internal combustion engines shall be equipped with exhaust mufflers that are in good condition and appropriate for the equipment.

Timing: Inclusion of the above measures as notes on Improvement Plans approved by CDD and MHCS D prior to Final Map approval.

GEOLOGY AND SOILS

22. Seismic Safety: The applicant shall comply with the applicable provisions of the MHCSO Emergency Preparedness Plan.

Timing: Inclusion of a note on Improvement Plans approved by CDD and MHCSO prior to approval of Final Maps. [SPII Implementation Measure 6.8.3 (1)]

23. Geotechnical Investigation Recommendations: The applicant shall follow the recommendations of the Geotechnical Engineering Study, Neighborhood C, Parcel E Mountain House, California, prepared in February 22, 2018 by ENGEIO Inc.

Timing: Inclusion of a note on Improvement Plans approved by CDD and MHCSO prior to approval of Final Maps, and the incorporation of all recommendations of the geotechnical engineering study into site preparation and construction of each dwelling prior to approval of building permits. [SP II Implementation Measure 6.8.3 (2); San Joaquin County Development Title, Chapter 9-905]

HAZARDS

24. Hazardous Waste: Handling, use and storage of hazardous chemicals or materials including, but not limited to, asbestos shall be carried out in compliance with all applicable safety standards and coordinated County programs. Applicable standards shall be made part of the construction specifications for contractors.

Timing: Inclusion of note on Improvement Plans approved by CDD and MHCSO prior to approval of Final Maps. [SPII Implementation Measure 6.7 (1)]

25. Pre-Construction Safeguards. Prior to any construction, appropriate plans, operating procedures and safeguards shall be undertaken to insure safety in the area of fuel lines and pipelines, consistent with the MHCSO Emergency Preparedness Plan (see Emergency Pipelines Safety Plan). [SPII Implementation Measure 6.8.1 (1)]

BIOLOGICAL RESOURCES

26. Participation in HCP: The Tentative Map shall comply with the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJCMSOP), including all required take avoidance and pre-construction survey requirements [SPII Implementation Measure 7.3.1 (1)]

Timing: Prior to approval of Final Map.

27. Endangered Species Act: In carrying out the operations of the Tentative Map, the applicant shall take no action that violates the California Endangered Species Act or the Federal Endangered Species Act. Compliance with said laws shall be the sole responsibility of the applicant and the applicant agrees to indemnify, defend and hold the County harmless from and against any claim or action by affected State agencies, or affected Federal agencies or other third party, as to the project's compliance with said laws. [SPII Implementation Measure 7.3.1 (2)]

Timing: Improvement plans prior to Final Maps and ongoing.

AIR QUALITY

28. Residential Emissions: Construction plans for residential dwellings shall incorporate the following items:

Natural gas lines outlets shall be provided to backyards to encourage usage of natural gas barbecues.

220 volt electrical outlets for recharging electric automobiles shall be provided in each garage. Electrical outlets shall be located on the outside of single family homes to accommodate electric lawn maintenance equipment and electric barbecues.

No wood burning fire places, unless otherwise provided by the San Joaquin Valley Air Pollution Control District ("SJVAPCD"). If fireplaces are designed to be natural gas heating appliances of a zero clearance design, there is no limitation on the number of fireplaces per unit.

Low nitrogen oxide (NOx) emitting and/or high efficiency water heaters shall be required for all dwelling units.

Timing: prior to issuance of building permits. [SP11 Implementation Measure 10.5 (1)]

CULTURAL RESOURCES

29. Unknown Pre-Historic/Historic-Period Resources: If, during the course of any grading activity or construction, subsurface concentrations of prehistoric or historic-period materials are encountered, the San Joaquin County Community Development Department (CDD) shall be contacted immediately. All work in the vicinity of the find shall be halted until an archaeologist can evaluate the materials and make recommendations for further action.

Timing: At the time of the find until permission to proceed is granted by CDD.

30. Unknown Human Remains: The applicant shall comply with the County's Development Title (Chapter 9-1053M) regarding the uncovering of human remains or of a human prehistoric burial site during the course of any grading or construction. If human remains are encountered, all work shall halt in the vicinity and the County Coroner shall be notified immediately. At the same time, a qualified archaeologist shall be contacted to evaluate the finds. If Human burials are found to be of Native American origin, steps shall be taken pursuant to Section 15064.5(e) of the Guidelines for California Environmental Quality Act.

Timing: At the time of the find until permission to proceed is granted by CDD.

II. COUNTY COUNSEL

1. HOLD HARMLESS PROVISION: Pursuant to Section 66474.9 of the Government Code, the subdivider shall defend, indemnify, and hold harmless the local agency or its agents, officers, and employees from any claim, action, or proceeding against the local agency or its agents, officers, and employees to attack, set aside, void, or annul an approval of the local agency, advisory agency, appeal board, or legislative body concerning a subdivision, which action is brought within the time provided for in Section 66499.37 of the Government Code.

III. MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT (Staff Contact: Anthony Docto, (209) 831-2300)

1. There needs to be fire hydrants spaced per the MHCS D standards and specifications.
2. The "driveway" shall be designed and constructed at the MHCS D standards for a street for all legs approaching and connecting with the traffic circle. This street design is in regards to the width, location of lights, ramps, curb return, signage, striping, street lighting, etc. A stop sign controlling the new street as it enters Phelps Drive is acceptable.
3. Per MHCS D's ordinance, all on site utilities shall be privately maintained.
4. Unused storm drain stubs and sewer stubs shall be cut and capped at the property line.
5. Unused water stubs shall be cut at the property line and blow-off installed.
6. Lighting and landscaping shall be in compliance with the design manual and guidelines in coordination with the offsite improvements.
7. Runoff from non-residential areas shall be pretreated on-site prior to discharge into the MHCS D public storm water collection system.
8. Catch basin inserts (Decontaminators) shall be installed in each storm drain. The decontaminator shall comply with MHCS D Detail SD-22. The type of decontaminators has to be pre-approved by MHCS D."
9. "A 'No Dumping' marker shall be installed at each catch basin after the catch basin is installed, per Detail SD-04."
10. Grates and inlets shall be protected with geo-fabric material during any nearby construction.
11. The contractor will be responsible for purchasing, installing, maintaining all the catch basins and other storm drain inlets and decontaminators before, during, and after construction. In essence, in perpetuity.
12. Project applicant shall develop and submit a Project Storm water Plan that identifies the methods to be employed to reduce or eliminate storm water pollutant discharges through the construction, operation and maintenance of source control measures, low impact development design, site design measures, storm water treatment control measures, and hydro modification control measures.
13. Project applicant shall develop and submit an Operations and Maintenance Plan that identifies the operations, maintenance, and inspection requirements of all storm water treatment and baseline hydro modification control measures identified in the approved Project Storm water Plan. MHCS D approval of the preliminary Operations and Maintenance Plan is precedent to issuance of any building, grading, or construction permits. MHCS D approval of the final Operations and maintenance Plan and recordation of the Maintenance Access Agreement is precedent to issuance of the Certificate of Occupancy and release of Performance Bonds.
14. The Phase II Permit (Provision E.12.f) requires that the post-construction storm water runoff flow rate not exceed the estimated pre-project flow rate for the 2-year, 24-hour design storm event.

15. Maintenance condition shall be determined through a self-certification program where MHCS D require annual reports from authorized parties demonstrating proper maintenance and operations. The developer shall sign an agreement with MHCS D for Storm water Treatment System Access and Maintenance. This agreement will be transferred to the future owners.
16. The Project Storm water Plan must include the results of the hydro modification routing modeling and demonstrate that the project meets the hydro modification requirements.
17. Hydrologic routing modeling (e.g., USEPA's Storm Water Management Model [SWMM]) must be conducted to calculate peak storm water runoff response time and peak project storm water runoff rate for the entire project site for the pre- and post-construction conditions. The results of the model are then used to design hydro modification control measures (e.g., detention basins, wet ponds) to mitigate and meet the hydro modification design storm event criteria.
18. Applicant shall apply and obtain an Encroachment permit from the MHCS D prior to any work commencing within the public right-of-way.
19. All roadways which in this project shall be private must meet the minimum 20' width and be designed and constructed per the MHCS D acceptable standards and specifications.
20. No parking signs shall be erected in all areas where there is to be no parking allowed.
21. A sidewalk connectivity plan shall be shown and submitted for the entire project area and with the surrounding adjacent areas. This plan shall also address pedestrian access off roadway scenarios.
22. Please show all handicap ramps and associated crosswalk and signage in all pertinent plan sheets.
23. Please show all alleyways/driveways details to address pedestrian and parking.
24. All utilities such as, but not limited to, water, sewer, storm drainage, shall be placed in the 'alleyways' not the front yards or common landscaping frontage areas. All necessary easements shall be offered for maintenance and access purposes in perpetuity.
25. Provide "private roads", "No Parking", and other private notice signage and poles and note on plans.
26. A Revised set of landscaping design guidelines will be needed and shall be submitted for review and approval due to the private nature of this project.

IV. DEPARTMENT OF PUBLIC WORKS (Staff Contact: Alex Chetley, (209) 468-3000)

1. The Traffic Impact Mitigation Fee shall be required for this application. The fee is due and payable at the time of the building permit application. The fee shall be automatically adjusted July 1 of each year by the Engineering Construction Cost Index as published by the Engineering News Record. (Resolution R-00-433)

Informational Notes:

i)A Solid Waste Diversion Plan for all applicable projects must be submitted to the Building Division of the Community Development Department prior to issuance of the building permit. Contact the Solid Waste Division (468-3066) for information.

ii) This property is subject to the requirements of San Joaquin County Mosquito & Vector Control District (209-982-4675) and the California Health and Safety Code for the prevention of mosquitoes. Best Management Practices (BMP) guidelines for stormwater devices, ponds and wetlands are available.

V. ENVIRONMENTAL HEALTH DISTRICT (Staff Contact: Naseem Ahmed, (209) 468-3436)

1. A qualified environmental professional shall prepare a surface and subsurface contamination report, identifying any potential source of surface or subsurface contamination caused by past or current land uses. The report shall include evaluation of non-point source of hazardous materials, including agricultural chemical residues, as well as potential point sources, such as fuel storage tanks, septic systems, or chemical storage areas. If the report indicates there is contamination, corrective action shall be taken, as recommended in the report and concurred with by Environmental Health prior to recordation of final map. San Joaquin County Development Title, Section 9-905.12(a)(c) and Section 9-905.12M(a).

The fee will be based on the current schedule at the time of payment.

VI. FRENCH CAMP MCKINLEY FIRE DISTRICT (Staff Contact: John Gish, (209) 982-0721)

1. The applicant shall submit plans for fire and sprinkler plan check with the fire district.
2. The project must conform to the appropriate edition of the California Fire Code (currently the 2013 edition) and all related standards.
3. Permits shall be obtained from the fire code official. Permit(s) and fees, shall be paid prior to issuance of any and/or all permits. Issued permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the fire code official. (Permits are to be renewed on an annual basis).
4. Approved automatic sprinkler systems shall be provided as required in 2013 California Fire Code §903.2. Tenant/Occupant/Owner shall have the responsibility to ensure that the correct fire suppression system is added/modified/tested and accepted by the (AHJ) Fire District. Fire suppression system plans shall be modified under separate fire permit and shall be submitted by a licensed fire contractor, to the (AHJ) Fire District for review and approval prior to modification. Deferred submittal accepted.

*Note: Based on the proposed project notes for the occupancy, an automatic fire sprinkler removed through future consultations and reviews.

5. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet (122 m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.
6. The applicant shall pay applicable Fire Department Development Fees for all new buildings prior to issuance of permits.
7. An approved water supply for fire protection, either temporary or permanent, shall be made available prior to commencing construction beyond the foundation stage, or as soon as combustible material arrives on the site. CFC 3312.1

8. Approved vehicle access for firefighting shall be provided to all construction or demolition sites. Vehicle access shall be provided to within 100 feet (30 480 mm) of temporary or permanent fire department connections. Vehicle access shall be provided by either temporary or permanent roads, capable of supporting vehicle loading under all weather conditions. Vehicle access shall be maintained until permanent fire apparatus access roads are available. CFC 3310.1
9. The Fire Department Fire Access Roads shall meet the requirements established by the San Joaquin County Fire Chiefs Association.
10. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, a key box is required to be installed in an approved location. The key box shall be of an approved type and shall contain keys to gain necessary access as required by the fire code official. CFC 506.1

VII. SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT (Georgia Stewart, (559) 230-5937)

1. Significance Impact for Annual Criteria Pollutants Emissions - The Project specific annual emissions of criteria pollutants are not expected to exceed any of the following District significance thresholds: 100 tons per year of carbon monoxide (CO), 10 tons per year of oxides of nitrogen (NOx), 10 tons per year of reactive organic gases (ROG), 27 tons per year of oxides of sulfur (SOx), 15 tons per year of particulate matter of 10 microns or less in size (PM10), or 15 tons per year of particulate matter of 2.5 microns or less in size (PM2.5). Therefore, the District concludes that the Project would have a less than significant impact on air quality when compared to the above-listed annual criteria pollutant emissions significance thresholds.
2. District Rule 9510 (Indirect Source Review) - District Rule 9510 is intended to mitigate a project's impact on air quality through project design elements or by payment of applicable off-site fees. The Project is subject to District Rule 9510 if it equals or exceeds 50 residential dwelling units and has or will receive a project-level discretionary approval from a public agency. If subject to the rule, an Air Impact Assessment (AIA) application is required prior to applying for project level approval from a public agency. In this case, if not already done, please immediately submit an AIA application to the District to comply with District Rule 9510.
3. In the case the Project is subject to Rule 9510 an AIA application is required and the District recommends that demonstration of compliance with District Rule 9510, before issuance of the first building permit, be made a condition of Project approval. Information about how to comply with District Rule 9510 can be found online at: <http://www.valleyair.org/ISR/ISRHome.htm>. The AIA application form can be found online at: <http://www.valleyair.org/ISR/ISRFormsAndApplications.htm>.
4. District Rule 4002 (National Emissions Standards for Hazardous Air Pollutants) - In the event an existing building will be renovated, partially demolished or removed, the Project may be subject to District Rule 4002. This rule requires a thorough inspection for asbestos to be conducted before any regulated facility is demolished or renovated. Information on how to comply with District Rule 4002 can be found online at: <http://www.valleyair.org/busind/comply/asbestosbultn.htm>.
5. Regulation VIII (Fugitive PM10 Prohibitions) - The Project will be subject to Regulation VIII. The project proponent is required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan prior to commencing any earthmoving activities as described in District Rule 8021 - Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities. Information on how to comply with Regulation VIII can be found online at: http://www.valleyair.org/busind/comply/PM10/compliance_PM10.html

6. Other District Rules and Regulations - The above list of rules is neither exhaustive nor exclusive. For example, the Project may be subject to the following District rules, including: Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). To identify other District rules or regulations that apply to this Project or to obtain information on the District's permit requirements, such as an Authority to Construct (ATC), the Project proponent is strongly encouraged to contact the District's Small Business Assistance Office at (209) 557-6446 or e-mail SBA@valleyair.org. Current District rules can be found online at the District's website at: www.valleyair.org/rules/1ruleslist.htm.
7. Potential Air Quality Improvement Measures - The District encourages the following air quality improvement measures to further reduce Project related emissions from construction and operation. A complete list of potential air quality improvement measures can be found online at: <http://www.valleyair.org/ceqaconnected/aqimeasures.aspx>.
8. Cleaner Off-Road Construction Equipment - This measure is to utilize off- road construction fleets that can achieve fleet average emissions equal to or cleaner than the Tier II emission standards. This can be achieved through any combination of uncontrolled engines and engines complying with Tier II and above engine standards.
9. Improve Walkability Design - This measure is to improve design elements to enhance walkability and connectivity. Improved street network characteristics within a neighborhood include street accessibility, usually measured in terms of average block size, proportion of four-way intersections, or number of intersections per square mile. Design is also measured in terms of sidewalk coverage, building setbacks, street widths, pedestrian crossings, presence of street trees, and a host of other physical variables that differentiate pedestrian-oriented environments from auto-oriented environments.
10. Improve Destination Accessibility - This measure is to locate the project in an area with high accessibility to destinations. Destination accessibility is measured in terms of the number of jobs or other attractions reachable within a given travel time, which tends to be highest at central locations and lowest at peripheral ones. The location of the project also increases the potential for pedestrians to walk and bike to these destinations and therefore reduces the (vehicle miles traveled) VMT.
11. Increase Transit Accessibility - This measure is to locate the project with high density near transit which will facilitate the use of transit by people traveling to or from the Project site. The use of transit results in a mode shift and therefore reduced VMT. A project with a residential/commercial center designed around a rail or bus station, is called a transit-oriented development (TOD).

The project description should include, at a minimum, the following design features:

- A transit station/stop with high-quality, high-frequency bus service located within a 5-10 minute walk (or roughly ¼ mile from stop to edge of development), and/or
- A rail station located within a 20 minute walk (or roughly ½ mile from station to edge of development)
- Fast, frequent, and reliable transit service connecting to a high percentage of regional destinations
- Neighborhood designed for walking and cycling

VIII. LAMMERSVILLE UNIFIED SCHOOL DISTRICT (Kirk Nicholas, 209-836-7400)

1. The developer shall enter into full mitigation agreements with the Lammersville Unified School District (LUSD). [Master Plan Implementation Measure 5.1.3 (j); Specific Plan II Implementation Measure 5.2.1]

Timing: Condition shall be met prior to approval of the Final Map.

NEGATIVE DECLARATION

TO: Office of Planning & Research
P. O. Box 3044
Sacramento, California 95812-3044

Filed Doc #: 39-09132018-270
09/13/2018 12:10:43 PM

County Clerk, County of San Joaquin

Steve J. Bestolarides
San Joaquin County Clerk

FROM: San Joaquin County Community Development Department
1810 East Hazelton Avenue
Stockton, California 95205

PROJECT TITLE: Major Subdivision Application No. PA-1800118 (SU)

PROPONENT: Shea Mountain House LLC

PROJECT LOCATION: The project site is located on west of, and adjacent to, Central Parkway, and is bounded on the north, east, and south by Ramsey Drive, Bancroft Way, and Phelps Drive (APN/Address: 262-020-03/210 West Ramsey Drive, Mountain House) (Supervisory District 5)

PROJECT DESCRIPTION: A Major Subdivision Application for the development of a 10.6-acre R-MH parcel (Parcel 'E' of Neighborhood C) for 131 residential lots which would range in size from 2,035 square feet to 3,667 square feet.

The Property is zoned R-MH (Medium-High Density Residential) and the General Plan designation is R/MH (Medium-High-Density Residential).

Based on the attached Initial Study, it has been found that the project will not have a significant effect on the environment.

Date:

Contact Person: John Funderburg

Phone: (209) 468-3160

INITIAL STUDY/NEGATIVE DECLARATION

[Pursuant to Public Resources Code Section 21080(c) and California Code of Regulations, Title 14, Sections 15070-15071]

LEAD-AGENCY: San Joaquin County Community Development Department

PROJECT APPLICANT: Shea Homes LP

PROJECT TITLE/FILE NUMBERS: PA-1800118 (SU)

PROJECT DESCRIPTION: Major Subdivision--Neighborhood C proposes the development of a 10.6-acre R-MH parcel (Parcel 'E' of Neighborhood C) that would: 1) be divided into 131 residential lots, which would range in size from 2,035 square feet to 3,667 square feet (average lot size of 2,305 square feet), and 32 common area lots; 2) provide for the construction of 128 single family attached ("duet") homes and three detached single family homes with the following characteristics/amenities: a) two-story construction, with homes ranging in size from approximately 1,600 square feet to 2,000 square feet of living area with three to four bedrooms; b) two-car garage per home; c) private back yard and side yard per home; d) homes constructed in the Mission, Prairie, and Farmhouse architectural themes (to facilitate diversity in colors, materials, roof lines and street frontage); and e) homes fronting onto the loop road and onto alleys within the project, and onto public streets generally on the perimeter of the project; 3) provide internal-circulation featuring: a) a loop-street and alleys, with no parking along them and with a width of 22 feet between curbs; b) sidewalks on both sides of the loop street, and a sidewalk on one side of the alleys; and c) two access points to public streets: one to Ramsey Drive, just west of Central Parkway; and one to Phelps Drive, just east of Bancroft Drive; 4) provide guest parking scattered throughout the project for 60 guests; 5) provide a homeowner's association for the maintenance of common area lots (e.g., private streets, landscaping, guest parking areas); and 6) be developed at a density of 13 dwelling units per acre.

The project is located west of, and adjacent to, Central Parkway, and is bounded on the north, east, and south by Ramsey Drive, Bancroft Way, and Phelps Drive, respectively.

ASSESSOR PARCEL NO.: 262-020-03

ACRES: Neighborhood C (10.6 acres)

MASTER PLAN: R/MH (Medium- High Density Residential)

ZONING: R-MH (Medium- High Density Residential)

POTENTIAL POPULATION, NUMBER OF DWELLING UNITS, OR SQUARE FOOTAGE OF USE(S):
131 Single-Family residential units

SURROUNDING LAND USES:

NORTH: Residential
SOUTH: Residential
EAST: Residential
WEST: Residential

REFERENCES AND SOURCES FOR DETERMINING ENVIRONMENTAL IMPACTS:

Original source materials and maps on file in the Community Development Department including: all County and City general plans and community plans; assessor parcel books; various local and FEMA flood zone maps; service district maps; maps of geologic instability; maps and reports on endangered species such as the Natural Diversity Data Base; noise contour maps; specific roadway plans; maps and/or records of archeological/historic resources; soil reports and maps; etc.

Many of these original source materials have been collected from other public agencies or from previously prepared EIR's and other technical studies. Additional standard sources which should be specifically cited below include on-site visits by staff (note date); staff knowledge or experience; and independent environmental studies submitted to the County as part of the project application (note report title, date, and consultant). Copies of these reports can be found by contacting the Community Development Department.

GENERAL CONSIDERATIONS:

1. Does it appear that any environmental feature of the project will generate significant public concern or controversy?
 Yes No Nature of concern(s): _____

2. Will the project require approval or permits by agencies other than the County?
 Yes No Agency name(s): _____

3. Is the project within the Sphere of Influence, or within two miles, of any city?
 Yes No City: City of Tracy

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

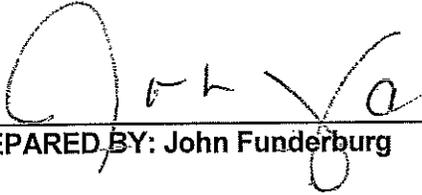
The environmental factors checked below would be potentially affected by this project, as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources | <input checked="" type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology/Soils |
| <input type="checkbox"/> Greenhouse Gases Emissions | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality |
| <input checked="" type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources | <input checked="" type="checkbox"/> Noise |
| <input checked="" type="checkbox"/> Population/Housing | <input checked="" type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input checked="" type="checkbox"/> Transportation/Traffic | <input checked="" type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION:

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.



PREPARED BY: John Funderburg

TITLE: Principal Planner

DATE: September 13, 2018

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

Impact Discussion:

a-d) The proposed Major Subdivision application would facilitate the development of a 10.6 acre R-MH (Medium-High Density Residential) parcel and will not affect the existing visual character or quality of the site and its surroundings. The proposed visual and residential land use improvements for the project site are subject to Design Review and existing community approvals to ensure the aesthetics, character, and quality envisioned for the community are maintained. Also, no significant new light and glare impacts would result from the project. Therefore, any impacts on the existing visual character or surrounding residential development will be less than significant.

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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II. AGRICULTURE AND FORESTRY 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 Dept. 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 the forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

Would the project:

- 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?
- b) Conflict with existing zoning for agriculture use, or a Williamson Act contract?
- 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))?
- d) Result in the loss of forest land or conversion of forest land to non-forest use?
- 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?

Impact Discussion:

a-e) The proposed Major Subdivision application will not affect agricultural uses, agricultural zoning within or adjacent to Mountain House nor will it affect existing Williamson Act contracts. There are no Williamson Act contracts within the project area. Therefore, the proposed application request(s) will have no impact on agriculture and forestry resources.

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
III. AIR QUALITY				
Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Impact Discussion:

a-e) The proposed Major Subdivision application would facilitate the development of a 10.6 acre R-MH (Medium-High Density Residential) parcel. The project site is within the San Joaquin Valley Air Basin, which has been classified as "non-attainment" for ozone and fine particulate matter –dust (PM-10) as defined by the Federal Clean Air Act. The San Joaquin Valley Unified Air Pollution Control District (SJVAPCD) has been established by the State in an effort to control and minimize air pollution. In a letter dated July 11, 2018 from the SJVAPCD based on information provided to the district, project specific emissions of criteria pollutants are not expected to exceed district significance thresholds of 10 tons/year NOX, 10 ton/year ROG, and 15 tons/year PM 10. Therefore, the District concluded that project specific criteria pollutant emissions would have no significant adverse impacts on air quality.

Also, the District maintains permit authority over stationary sources and the proposed project may be subject to District Rules and Regulations. Based on information provided to the District, the proposed project would equal or exceed 50 residential dwelling units and the District concluded that the proposed project is subject to District Rule 9510 (Indirect Source Review). The applicant (Shea Homes LLC) has indicated that they will comply with District 9510 and mitigate the project's impact on air quality through product design elements or by payment of applicable off-site mitigation fees.

Therefore, as a result of the project applicant complying with the rules and regulations of the San Joaquin Air Pollution Control District, the projects impact on air quality standards will be reduced to less than significant.

ISSUES:	Potentially Significant Impact	Less Than Significant		No Impact
		With Mitigation Incorporated	Less Than Significant Impact	

IV. BIOLOGICAL RESOURCES

Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Impact Discussion:

a-f) The California Department of Fish and Wildlife Natural Diversity Database does not list any rare, endangered, or threatened species or habitat located on or near the site. Referrals have been sent to the San Joaquin Council of Governments (SJCOG) and SJCOG determined that the applicant is subject to and may participate in the San Joaquin Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). If the applicant chooses to participate, then the proposed project is consistent with the SJMSCP, as amended, as reflected in the conditions of project approval for this proposal. Pursuant to

the Final EIR/EIS for San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP), dated November 15, 2000, and certified by SJCOG on December 7, 2000, implementation of the SJMSCP is expected to reduce impacts to biological resources resulting from the proposed project to a level of less-than-significant. If the applicant chooses not to participate, then the applicant will be required to participate in a similar mechanism that provides the same level of mitigation.

b) The project site is not located in a riparian habitat as there is no river, stream or other waterway on the site, therefore, impacts will be less than significant.

c) The project will not have an 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, because the project is not within an identified protected wetland. Therefore, impacts will be less than significant.

f) The project will not conflict with the provisions of an adopted Habitat Conservation Plan, natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan, because the project applicant will participate in the San Joaquin Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). Implementation of the SJMSCP is expected to reduce impacts to biological resources resulting from the proposed project to a level of less-than-significant.

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES				
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Impact Discussion:

- a – d) The development approval will include conditions of approval and mitigation measures to avoid potential impacts to cultural resources. In the event human remains are encountered during any portion of the project, California state law requires that there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county has determined manner and cause of death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation (California Health and Safety Code - Section 7050.5).

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
VI. GEOLOGY AND SOILS				
Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Impact Discussion:

a-e) a) The geology of San Joaquin County is composed of high organic alluvium, which is susceptible to earthquake movement. The project will have to comply with the California Building Code (CBC) which includes provisions for soils reports for grading and foundations as well as design criteria for seismic loading and other geologic hazards based on fault and seismic hazard mapping. A geotechnical report was completed (February 22, 2018) and all recommendations from the geotechnical report shall be incorporated into the construction plans and included in the conditions of approval. Therefore, impacts to seismic-related (or other) landslide hazards will be less than significant.

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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VII. GREENHOUSE GASES EMISSIONS

Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Impact Discussion:

a-b) The San Joaquin Valley Air Pollution Control District (SJVAPCD) has published the "Guidance for Assessing and Mitigating Air Quality Impacts", that would be used to analyze air quality and greenhouse gas (GHG) impacts associated with the project. With the rules and regulations of the San Joaquin Air Pollution Control District added to the Conditions of Approval for the project, the impact of the project for greenhouse gas emissions will be less than significant.

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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VIII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Impact Discussion:

- a-h) The proposed application would not result in, create or induce hazards and associated risks to the public. Construction activities for the project typically involve the use of toxic or hazardous materials such as paint, fuels, and solvents. Construction activities would be subject to federal, state, and local laws and requirements designed to minimize and avoid potential health and safety risks associated with hazardous materials. No significant impacts are anticipated related to the transport, use, or storage of hazardous materials during construction activities are anticipated.

The nearest airport is the Byron Airport, located approximately 5 miles northwest of the project site. The proposed structures will not exceed 50 feet in height. Project referrals have been sent to Caltrans Division of Aeronautics, Contra Costa County ALUC, SJCOG ALUC, and Byron Airport. Any comments or conditions of approval received from the agencies will be included in the final conditions of approval to ensure any impacts are reduced to less than significant.

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. HYDROLOGY AND WATER QUALITY				
Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year floodplain hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Impact Discussion:

a-j) The proposed project's impacts on hydrology and water are expected to be less than significant. The project will be served by a public water system and a public sewer system. The applicant has provided a will serve letter from the Mountain House Community Services District (MHCS D) confirming that MHCS D will provide sewer, storm drainage and water services to the project site. The project would be required to comply with the National Pollutant Discharge Elimination Systems (NPDES) permit program. Also, the residential development would be required to implement additional water quality Best Management Practices (BMP's). These BMP's would be determined on a case-by-case basis and approved by the MHCS D. Therefore, project impacts related to hydrology and water quality will be less than significant.

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
X. LAND USE AND PLANNING				
Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in land use/operational conflicts between existing and proposed on-site or off-site land uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Impact Discussion:

a-d) The proposed project is subject to the 2035 San Joaquin County General Plan, Mountain House Master Plan, and Specific Plan II document. The current Master Plan designation is R/MH and the zoning is R-MH. The proposed development project would do the following:

1) Provide for the development of a 10.6-acre R-MH parcel (Parcel 'E' of Neighborhood C) that would be divided into 131 residential lots, which would range in size from 2,035 square feet to 3,667 square feet (average lot size of 2,305 square feet), and 32 common area lots;

2) Provide for the construction of 128 single family attached ("duet") homes and three detached single family homes with the following characteristics/amenities: a) two-story construction, with homes ranging in size from approximately 1,600 square feet to 2,000 square feet of living area with three to four bedrooms; b) two-car garage per home; c) private back yard and side yard per home; d) homes constructed in the Mission, Prairie, and Farmhouse architectural themes (to facilitate diversity in colors, materials, roof lines and street frontage); and e) homes fronting onto the loop road and onto alleys within the project, and onto public streets generally on the perimeter of the project;

3) Provide internal circulation featuring: a) a loop street and alleys, with no parking along them and with a width of 22 feet between curbs; b) sidewalks on both sides of the loop street, and a sidewalk on one side of the alleys; and c) two access points to public streets: one to Ramsey Drive, just west of Central Parkway; and one to Phelps Drive, just east of Bancroft Drive;

4) Provide guest parking scattered throughout the project for 60 guests;

5) Provide a homeowner's association for the maintenance of common area lots (e.g., private streets, landscaping, guest parking areas; and be developed at a density of 13 dwelling units per acre.

A K-6 school and neighborhood park are located to the west of the project site and the proposed residential development would not result in any adjacent land use conflicts with the existing uses. As such, the building placement and residential architecture located across from the school and park uses, shall reflect the common theme established for the neighborhood in terms of form, detail, materials and colors. (SP II 4.6, Neighborhood Center Focus Areas, SP II Implementation Measure No. 40)

The Master Plan and Specific Plan II documents contain over 300 policies and implementation measures addressing land use and planning, and this residential development project and Major Subdivision application are consistent with those goals, objectives, and implementation measures of these documents. Also, the project site is subject to Mountain House Residential Design Manual and Design Review to ensure these implementation measures are maintained. Therefore, the proposed residential development project and Major Subdivision application will have a less than significant impact on existing land uses and planning policies and plans.

**Less Than
Significant**

ISSUES:	Potentially Significant Impact	With Mitigation Incorporated	Less Than Significant Impact	No Impact
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XI. MINERAL RESOURCES

Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Impact Discussion:

- a, b) The project will not result in the loss of availability of a known mineral resource or a resource recovery site because the site does not contain minerals of significance or known mineral resources. San Joaquin County applies a mineral resource zone (MRZ) designation to land that meets the significant mineral deposits definition by the State Division of Mines and Geology. Therefore, the project will have less than a significant impact on the availability of mineral resources or mineral resource recovery sites within San Joaquin County and the Mountain House community.

**Less Than
Significant**

ISSUES:	Potentially Significant Impact	With Mitigation Incorporated	Less Than Significant Impact	No Impact
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XII. NOISE

Would the project result in:

- | | | | | |
|---|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| 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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Impact Discussion:

a-f) The development project may have equipment utilized in the grading of the site that will temporarily increase the area's ambient noise levels. Underlying projects when approved will be required to comply with Development Title Section 9-1025.9 (c) (3) which states that:

Noise sources associated with construction are exempt from the provisions of the Noise Ordinance provided such activities do not take place before 6:00 a.m. or after 9:00 p.m. on any day.

As such, noise generation from the proposed underlying projects will be reduced to less than significant with this added condition.

Development Title Section 9-1025.9 lists the Residential use type as a noise sensitive land use. Development Title Section 9-1025.9(d) states that the Review Authority shall require the preparation of an acoustical study in instances where it has been determined that a project may expose existing or proposed noise sensitive land uses to noise levels exceeding the noise standards specified in Table 9-1025.9.

An Environmental Noise Analysis was prepared by Illingworth and Rodkin on May 3, 2018 and it was determined that the exterior noise levels at the backyards of residences nearest to Central Parkway would exceed the 65 dBA L_{dn} threshold for San Joaquin County. If approved the following conditions shall apply:

NOISE WALL: A six-foot noise wall made of concrete or masonry block is required between the residences and connect to each residence (along the eastern facades) of the proposed lots facing Central Parkway and the wall shall be included in the improvement plans. (Development Title Section 9-1150.10)

Interior noise levels within new residential units are required to be maintained at or below 45 dBA L_{dn}. The proposed lots adjacent to Central Parkway would be setback approximately 65 feet from the centerline of the roadway. The exterior-facing rooms along the eastern facades as well as the northern facades of and southern facades, would have direct-line-of-sight to the roadway without any shielding from adjacent buildings. At the 65-foot setback, the rooms facing the eastern building facades would be exposed to future exterior noise levels ranging from 69 to 70 dBA L_d. Therefore, the first row of residences adjacent to Central Parkway would require sound-rated construction materials with the inclusion of adequate forced-air mechanical ventilation to achieve the 45 dBA L_{dn}. Attaining the necessary noise reduction from exterior to interior spaces is readily achievable with proper wall construction techniques, the selections of proper windows and doors, and the incorporation of forced-air mechanical ventilation systems. The mentioned noise insulation features would adequately reduce interior noise levels in all units to 45 dBA L_{dn} or less, satisfying the interior noise thresholds of 45 dBA for San Joaquin County. The above recommendations will be incorporated into the final design of the proposed residences. Therefore, any exposure to noise sources or excessive noise levels will be reduced to less than significant with the above conditions for a noise wall and incorporation of sound rated construction materials.

Less Than

ISSUES:	Potentially Significant Impact	Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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XIII. POPULATION AND HOUSING

Would the project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| 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)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Impact Discussion:

- a) 131 residential units are anticipated as part of the project development and will serve letters have been provided to the Community Development Department to serve the 131 residential units. Mountain House was planned with a mix of residential, commercial, and industrial development land uses and to be a "self-contained community, thus to minimize growth-inducing impacts. Because the capacity of the onsite water and wastewater plants would serve no more than the projected onsite population as specified in the existing community approvals this would eliminate this potential growth-inducing impact.

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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XIV. PUBLIC SERVICES

a). Would the project result in 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Impact Discussion:

a) The proposed project is for a 131 family residential project and this is substantially the same residential development potential assumed under the existing approved Specific Plan II document. The applicant has provided a will serve letter from the Mountain House Community Services District (MHCS D) confirming that MHCS D will provide sewer, storm drainage and water services to the project site. Therefore, the project would result in a less than significant impact on public services and no additional mitigation measures are necessary.

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XV. RECREATION				
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Impact Discussion:

- a-b) There is an existing neighborhood park located northwest of the proposed residential project site. No significant impacts on existing neighborhood and regional parks or other recreational parks or other recreational facilities, either at the Mountain House Community or off-site, is expected such that substantial physical deterioration of the facility would occur as result of the residential development project.

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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XVI. TRANSPORTATION/TRAFFIC

Would the project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Impact Discussion:

- a-f) Master Plan Chapter Nine, Transportation and Circulation addresses the expected traffic volumes and anticipates the need for and timing of circulation improvements required to serve the community and project area through buildout. The proposed project is within the scope of the existing Transportation Demand Management approval for the Mountain House Community; and the conditions of approval will include all applicable mitigation measures and policies of the Master Plan and Specific Plan II documents. As such, through the collection of local and regional traffic impact fees, the project would generate funds to be collected by the County Transportation Impact Mitigation Fee (TIMF) and MHTIF to pay for future roadway and transportation program responsibilities of the project. Therefore, the proposed residential project is not in conflict with any adopted polices or plans and will have a less than significant impact on existing traffic and roadway levels of service.

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than- Significant Impact	No Impact
---------	--------------------------------------	--	-------------------------------------	--------------

XVII. UTILITIES AND SERVICE SYSTEMS

Would the project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Require or result in the construction of new construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g) Comply with federal, state, and local statutes and regulations related to solid waste? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Impact Discussion:

a-g) The project site will be served by the Mountain House Community Services District for sewer, water and terminal storm drainage. The utility infrastructure consisting, of a water distribution system, a sanitary sewer drain system, have been constructed for the development of Neighborhood C. The utilities would be extended to the proposed project site. Therefore, the project would not result in significant impacts on utilities and service systems and no additional mitigation measures are necessary.

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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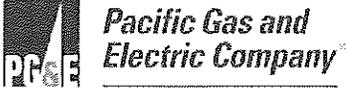
XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Impact Discussion:

- a-c) The proposed project will have no impact on a number of areas: Aesthetics, Agriculture, Cultural Resources, Geology and Soils, Mineral Resources, and Water Quality.

ATTACHED TENTATIVE MAP



Plan Review Team
Land Management

PGEPlanReview@pge.com

8111 Bollinger Canyon Road 3370A
San Ramon, CA 94583

July 6, 2018

John Funderburg
San Joaquin County
1810 East Hazelton Ave
Stockton, CA 95205

Ref: Gas and Electric Transmission and Distribution

Dear Mr. Funderburg:

Thank you for giving us the opportunity to review your plans. The proposed Tentative Subdivision Map dated May 18, 2018 does not appear to interfere with any existing PG&E facilities or easement rights; therefore, we have no comments at this time.

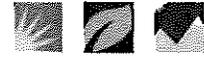
Please note that this is our preliminary review and reserve the right for future review as needed. If there are subsequent modifications made to your design, we ask that you resubmit your plans to the email address listed below.

In the event that you require PG&E's gas or electrical service in the future, please continue to work with PG&E's Service Planning department: <https://www.pge.com/cco/>

If you have any questions regarding our response, please contact the PG&E Plan Review Team at (877) 259-8314 or pgeplanreview@pge.com.

Sincerely,

PG&E Plan Review Team
Land Management



July 11, 2018

John Funderburg
County of San Joaquin
Community Development Department
Development Services Division
1810 East Hazelton Avenue
Stockton, CA 95305

**Agency Project: PA-1800118 (SA) for Shea Mountain House LLC
(Vesting Tentative Subdivision Map, Tract 3978 – Langston)**

District CEQA Reference No: 20180703

Dear Mr. Funderburg:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the Major Subdivision Application for the development of a 10.6-acre parcel (Parcel 'E' of Neighborhood-C) for 131 residential lots. The project is located on, west of, and adjacent to, Central Parkway, and is bounded on the north, east, and south by Ramsey Drive, Bancroft Way, and Phelps Drive, in Mountain House, CA. (APN/Address: 262-020-03, 210 West Ramsey Drive, Mountain House, CA) The District offers the following comments:

1. Significance Impact for Annual Criteria Pollutants Emissions – The Project specific annual emissions of criteria pollutants are not expected to exceed any of the following District significance thresholds: 100 tons per year of carbon monoxide (CO), 10 tons per year of oxides of nitrogen (NOx), 10 tons per year of reactive organic gases (ROG), 27 tons per year of oxides of sulfur (SOx), 15 tons per year of particulate matter of 10 microns or less in size (PM10), or 15 tons per year of particulate matter of 2.5 microns or less in size (PM2.5). Therefore, the District concludes that the Project would have a less than significant impact on air quality when compared to the above-listed annual criteria pollutant emissions significance thresholds.
2. District Rule 9510 (Indirect Source Review) - District Rule 9510 is intended to mitigate a project's impact on air quality through project design elements or by payment of applicable off-site fees. The Project is subject to District Rule 9510 if it

Samir Sheikh
Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 667-6400 FAX: (209) 667-6475

Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061

Southern Region
34946 Flyover Court
Bakersfield, CA 93308-8725
Tel: (661) 392-5500 FAX: (661) 392-5585

equals or exceeds 50 residential dwelling units and has or will receive a project-level discretionary approval from a public agency. If subject to the rule, an Air Impact Assessment (AIA) application is required prior to applying for project level approval from a public agency. In this case, if not already done, please immediately submit an AIA application to the District to comply with District Rule 9510.

In the case the Project is subject to Rule 9510 an AIA application is required and the District recommends that demonstration of compliance with District Rule 9510, before issuance of the first building permit, be made a condition of Project approval. Information about how to comply with District Rule 9510 can be found online at: <http://www.valleyair.org/ISR/ISRHome.htm>. The AIA application form can be found online at: <http://www.valleyair.org/ISR/ISRFormsAndApplications.htm>.

3. District Rule 4002 (National Emissions Standards for Hazardous Air Pollutants) - In the event an existing building will be renovated, partially demolished or removed, the Project may be subject to District Rule 4002. This rule requires a thorough inspection for asbestos to be conducted before any regulated facility is demolished or renovated. Information on how to comply with District Rule 4002 can be found online at: <http://www.valleyair.org/busind/comply/asbestosbuln.htm>.
4. Regulation VIII (Fugitive PM10 Prohibitions) - The Project will be subject to Regulation VIII. The project proponent is required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan prior to commencing any earthmoving activities as described in District Rule 8021 – *Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities*. Information on how to comply with Regulation VIII can be found online at: http://www.valleyair.org/busind/comply/PM10/compliance_PM10.htm
5. Other District Rules and Regulations – The above list of rules is neither exhaustive nor exclusive. For example, the Project may be subject to the following District rules, including: Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). To identify other District rules or regulations that apply to this Project or to obtain information on the District's permit requirements, such as an Authority to Construct (ATC), the Project proponent is strongly encouraged to contact the District's Small Business Assistance Office at (209) 557-6446 or e-mail SBA@valleyair.org. Current District rules can be found online at the District's website at: www.valleyair.org/rules/1ruleslist.htm.
6. Potential Air Quality Improvement Measures - The District encourages the following air quality improvement measures to further reduce Project related emissions from

construction and operation. A complete list of potential air quality improvement measures can be found online at:

<http://www.valleyair.org/ceqaconnected/aqimeasures.aspx>.

- a. Cleaner Off-Road Construction Equipment – This measure is to utilize off-road construction fleets that can achieve fleet average emissions equal to or cleaner than the Tier II emission standards. This can be achieved through any combination of uncontrolled engines and engines complying with Tier II and above engine standards.
- b. Improve Walkability Design – This measure is to improve design elements to enhance walkability and connectivity. Improved street network characteristics within a neighborhood include street accessibility, usually measured in terms of average block size, proportion of four-way intersections, or number of intersections per square mile. Design is also measured in terms of sidewalk coverage, building setbacks, street widths, pedestrian crossings, presence of street trees, and a host of other physical variables that differentiate pedestrian-oriented environments from auto-oriented environments.
- c. Improve Destination Accessibility – This measure is to locate the project in an area with high accessibility to destinations. Destination accessibility is measured in terms of the number of jobs or other attractions reachable within a given travel time, which tends to be highest at central locations and lowest at peripheral ones. The location of the project also increases the potential for pedestrians to walk and bike to these destinations and therefore reduces the (vehicle miles traveled) VMT.
- d. Increase Transit Accessibility – This measure is to locate the project with high density near transit which will facilitate the use of transit by people traveling to or from the Project site. The use of transit results in a mode shift and therefore reduced VMT. A project with a residential/commercial center designed around a rail or bus station, is called a transit-oriented development (TOD). The project description should include, at a minimum, the following design features:
 - A transit station/stop with high-quality, high-frequency bus service located within a 5-10 minute walk (or roughly ¼ mile from stop to edge of development), and/or
 - A rail station located within a 20 minute walk (or roughly ½ mile from station to edge of development)
 - Fast, frequent, and reliable transit service connecting to a high percentage of regional destinations

- Neighborhood designed for walking and cycling

The District recommends that a copy of the District's comment letter be provided to the Project proponent. District staff is available to meet with you and/or the applicant to further discuss the regulatory requirements that are associated with this Project. If you have any questions or require further information, please call Georgia Stewart at (559) 230-5937 or e-mail georgia.stewart@valleyair.org. When calling or emailing the District, please reference District CEQA number 20180703.

Sincerely,

Arnaud Marjollet
Director of Permit Services



Brian Clements
Program Manager

AM: gs



SAN JOAQUIN
 COUNTY
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Department of Public Works

Kris Balaji, Director of Public Works

Fritz Buchman, Deputy Director/Development

Michael Selling, Deputy Director/Engineering

Jim Stone, Deputy Director/Operations

Kristi Rhea, Manager of Strategic Initiatives

July 26, 2018

MEMORANDUM

TO: Community Development Department
 CONTACT PERSON: John Funderburg

FROM: Alex Chetley, Engineering Services Manager *AC*
 Development Services Division

SUBJECT: PA-1800118; A Major Subdivision application to subdivide a 10.6-acre parcel (Parcel E of Neighborhood C) into 131 residential lots, which would range in size from 2,035 to 3,667 square feet. The property is zoned R-MH (Medium-High Density Residential); located on the west side of Central Parkway, south of Ramsey Drive, Mountain House (Supervisory District 5)

RECEIVED

AUG - 1 2018

San Joaquin County
 Community Development

PROPERTY OWNER: Shea Mountain House LLC APPLICANT: Same

ADDRESS: 210 West Ramsey Drive, Mountain House APN: 262-020-03

INFORMATION:

The site is not currently located within a Federal Emergency Management Agency Designated Flood Hazard Area.

Ramsey Drive has an existing and planned right-of-way width of 60 feet.

Central Parkway has an existing and planned right-of-way width of 130 feet.

The Traffic Impact Mitigation Fee will be required when parcels are developed. The fee is due and payable at the time of building permit application.

RECOMMENDATIONS:

- 1. None.

Informational Notes:

- (i) Any construction activity that results in the disturbance of at least one (1) acre of soil shall require a State NPDES construction permit. Dischargers whose projects disturb 1 or more acres of soil or whose projects disturb less than 1 acre of soil and is not part of a larger plan of development, are required to obtain coverage under the current General Permit for Discharges of Storm Water Associated with Construction Activity

Mo Hatef
Community Development Department
PA-1800118 (SU)

-2-

(www.swrcb.ca.gov/stormwtr/gen_const.html#const_permit). Construction activity subject to this permit includes clearing, grading and disturbances to the ground such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility.

- (ii) This property is subject to the requirements of San Joaquin County Mosquito & Vector Control District (209-982-4675) and the California Health and Safety Code for the prevention of mosquitoes. Best Management Practices (BMP) guidelines for stormwater devices, ponds and wetlands are available.



SAN JOAQUIN
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Environmental Health Department

Linda Turkatte, REHS, Director

Kasey Foley, REHS, Assistant Director

PROGRAM COORDINATORS

Robert McClellon, REHS

Jeff Carruesco, REHS, RDI

Willy Ng, REHS

Muniappa Naidu, REHS

Michael Kith, REHS

July 26, 2018

To: San Joaquin County Community Development Department
Attention: John Funderburg

From: Naseem Ahmed; (209) 468-3436
Environmental Health Specialist

RE: PA-1800118 (SU), SU0011847
210 W. Ramsey Drive, Mountain House

The following requirements have been identified as pertinent to this project. Other requirements may also apply. These requirements cannot be modified.

- A. A qualified environmental professional shall prepare a surface and subsurface contamination report, identifying any potential source of surface or subsurface contamination caused by past or current land uses. The report shall include evaluation of non-point source of hazardous materials, including agricultural chemical residues, as well as potential point sources, such as fuel storage tanks, septic systems, or chemical storage areas. If the report indicates there is contamination, corrective action shall be taken, as recommended in the report and concurred with by Environmental Health prior to recordation of final map. San Joaquin County Development Title, Section 9-905.12(a)(c) and Section 9-905.12M(a).

The fee will be based on the current schedule at the time of payment.

Zimbra**jfunderburg@sjgov.org**

Re: Condition of Approval for School Mitigation

From : Noel Balzarini <nbalzarini@sjcoe.net>

Mon, Oct 01, 2018 06:27 PM

Subject : Re: Condition of Approval for School Mitigation**To :** John Funderburg <jfunderburg@sjgov.org>**Cc :** Kirk Nicholas <knicholas@sjcoe.net>, Alvina Keyser <alkeyser@sjcoe.net>

Hi John,

Thank you for the call today about this email. Dr. Nicholas approves the language as the mitigation agreement has not changed.

Thanks again,
Noel

On Sep 24, 2018, at 07:55, John Funderburg <jfunderburg@sjgov.org> wrote:

Hello Kirk,

Just following up from our last discussion on the LUSD conditions for the latest subdivision project by Shea Homes for Neighborhood C and H (see attachment). In the past the LUSD used the following language below to ensure developer compliance with the school mitigation agreement for major subdivision applications.

1. The developer shall enter into full mitigation agreements with the Lammersville Unified School District (LUSD). [Master Plan Implementation Measure 5.1.3 (j); Specific Plan II Implementation Measure 5.2.1]

Timing: Condition shall be met prior to approval of the Final Map.

Does the above language suffice or do you have additional or new language that you would like to include for the projects?

Thanks John

John Funderburg
Principal Planner
San Joaquin County
Community Development Department
209-468-3160

<PA-1800152 Major Sub Neigh H Project Referral.pdf>

<PA-1800118 (SU) Project Referral.pdf>

STAFF REPORT - Development Title Text Amendment

Application Information

Applicant: **San Joaquin County**
File Number: **PA-1800249**
Location: **Applicable Countywide**

Supervisory District: **All**
CEQA Determination: **Notice of Exemption**
Staff: **Jennifer Jolley**

Project Description

This project is a Development Title Text Amendment application to add new definitions, use types and land use development regulations for Commercial Cannabis operations in San Joaquin County. The proposed Commercial Cannabis Chapter 9-1090 includes various types of Commercial Cannabis operations including Cultivation, Manufacturing, Distribution, Retail Sales and Laboratory Testing.

Recommendation

Approval.

Referrals and Replies

The application referrals were mailed on September 21, 2018, with responses due by October 5, 2018.

AGENCY	RESPONSE DATE
All Cities	
City of Lathrop	October 1, 2018
City of Lodi	September 26, 2018
All School Districts	
Agricultural Commissioner	
All Airports	
All Fire Districts	
Tracy Fire District	October 4, 2018
Fire Prevention Bureau	
Assessor	
Building Department	
Sheriff	
Board of Supervisors	
Environmental Health Department	October 8, 2018
County Counsel	
Mosquito Abatement	
Department of Public Works	September 26, 2018
Air Pollution Control District	
San Joaquin Council of Governments	
PG&E	
Building Industry Association	
Farm Bureau	
Hayley Flying Services	
Kathy Perez	
Precissi Flying Services	
Kathy Perez	
Sierra Club	

A legal ad for the public hearing was published in the **Stockton Record** on October 8, 2018.

Five hundred and thirty-four public hearing notices were sent via email and postal mail on October 5, 2018.

Analysis

Background

On July 10, 2018, The Board of Supervisors held a public meeting to introduce and waive reading of a commercial cannabis business ordinance (Title 4, Division 10, Chapter 1 Commercial Cannabis Business). At that meeting, the Board directed staff to prepare a Development Title Text amendment to revise the San Joaquin County Code of Ordinance Title 9 Development Title consistent with the Title 4 Commercial Cannabis Business ordinance following its adoption. Also on July 10, 2018, San Joaquin County approved an amended special tax to be placed on the November 6, 2018, ballot to provide long term funding for early childhood education and other programs for children, and youth, such as childhood literacy, drug prevention, gang reduction, and after-school programs, as well as public health, public safety, and cannabis enforcement by taxing all commercial cannabis activity in the unincorporated County. The Title 4 ordinance will only become operative if the Commercial Cannabis Business Tax (Measure B) passes by a 2/3 majority on November 6, 2018.

On August 7, 2018, San Joaquin County adopted the Title 4, Division 10, Chapter 1 Commercial Cannabis Business ordinance allowing all types of medical and adult-use commercial cannabis businesses except outdoor cultivation and cannabis events in the unincorporated County with specific license, operating, and land use requirements. Under the adopted Title 4 Commercial Cannabis Business Ordinance, for a business to operate at a specific location in the unincorporated County it must obtain a California Annual State License and a County Cannabis License for its specific type of operation: Cultivator License, Distributor License, Manufacturer License, Retailer License, or Testing Laboratory License. To receive its County Cannabis License, the business must obtain the appropriate land use permit and complete all conditions of approval for that permit.

An approved Commercial Cannabis Business may be on its own approved parcel or be within a Cannabis Business Park. The Title 4 Commercial Cannabis Business Ordinance defines a "Cannabis Business Park" as a contiguous area with an approved Special Purpose Plan "that is specially designated, designed, and landscaped to safely allow and accommodate Commercial Cannabis Licensees in compliance with this Chapter and State law."

The proposed Development Title Text Amendment to add Title 9, Division 10, Chapter 9-1090 as directed by the Board of Supervisors will provide land use regulations for medical and adult-use commercial cannabis businesses consistent with the Title 4 ordinance. Chapter 9-1090 includes specific land use permit regulations which may include specific locational criteria and/or public service requirements, in addition to development requirements. Commercial cannabis businesses are not permitted in any residential zone.

This commercial cannabis ordinance (Title 9, Division 10, Chapter 9-1090) will only be adopted if the Commercial Cannabis Tax passes and is operative as long as Title 4 remains operative. Personal cannabis cultivation and use are regulated through Title 4, Division 10, Chapter 3 and is not subject to Chapter 9-1090.

Land Use Permits

All commercial cannabis related uses which include Cannabis Cultivation, Cannabis Distribution, Cannabis Manufacturing, Cannabis Retail Sales, but excluding Cannabis Laboratory Testing, may be conditionally permitted with an approved Use Permit application where zoning permits. Cannabis Laboratory Testing may be conditionally permitted with an approved Site Approval application where zoning permits. Any commercial cannabis use that could potentially be permitted subject to an approved Use Permit or Site

Approval could alternatively be permitted in a Cannabis Business Park. A Cannabis Business Park which may be conditionally approved with a Special Purpose Plan in any zone where the commercial cannabis related uses are permitted. When a Cannabis Business Park is approved on a parcel with a Special Purpose Plan, additional discretionary land use approval for businesses within the Cannabis Business Park are not required and may be permitted with a ministerial Improvement Plan application.

Commercial Cannabis Uses

The Commercial Cannabis use type includes any commercial cannabis activity for which a commercial cannabis license is required under the Title 4 Commercial Cannabis Business ordinance. The following are the subcategories of the Commercial Cannabis use type:

- **Cannabis Cultivation.** The Cannabis Cultivation use type refers to any activity allowed pursuant to a Cultivator License. Such activities may only be performed by a person with a valid Cultivator License issued by the County pursuant to Title 4, Division 10, Chapter 1. No outdoor cannabis cultivation shall be permitted.
 - *Cannabis cultivation may be conditionally permitted in the AG (General Agricultural) zone, subject to meeting specific locational criteria, and in the I-P (Industrial Park), I-L (Limited Industrial) and I-G (General Industrial) zones with an approved Use Permit. Alternatively, cannabis cultivation may be permitted in each of the aforementioned zones with an Improvement Plan in an approved Cannabis Business Park. A Cannabis Business Park may be conditionally permitted with an approved Special Purpose Plan.*
- **Cannabis Distribution.** The Cannabis Distribution use type refers to any activity allowed pursuant to a Distributor License. Such activities may only be performed by a person with a valid Distributor License issued by the County pursuant to Title 4, Division 10, Chapter 1.
 - *Cannabis distribution may be conditionally permitted in the AG (General Agricultural) zone, provided the parcel also has a Cultivator License, with an approved Use Permit. In addition, distribution may be conditionally permitted in the I-P (Industrial Park), I-L (Limited Industrial) and I-G (General Industrial) zones with an approved Use Permit. Alternatively, cannabis distribution may be permitted in each of the aforementioned zones with an Improvement Plan in an approved Cannabis Business Park. A Cannabis Business Park may be conditionally permitted with an approved Special Purpose Plan.*
- **Cannabis Manufacturing.** The Cannabis Manufacturing use type refers to any activity allowed pursuant to a Manufacturer License. Such activities may only be performed by a person with a valid Manufacturer License issued by the County pursuant to Title 4, Division 10, Chapter 1.
 - *Cannabis manufacturing may be conditionally permitted in the AG (General Agricultural) zone with an approved Use Permit provided an approved Cultivator License has also been obtained. Cannabis manufacturing may also be conditionally permitted in the I-W (Warehouse Industrial), I-P (Industrial Park), I-L (Limited Industrial) and I-G (General Industrial) with an approved Use Permit. Alternatively, cannabis manufacturing may also be permitted in each of the aforementioned zones with an Improvement Plan in an approved Cannabis Business Park. A Cannabis Business Park may be conditionally permitted with an approved Special Purpose Plan.*
- **Cannabis Retail Sales.** The Cannabis Retail Sales use type refers to any activity allowed pursuant to a Retailer License. Such activities may only be performed by a person with a valid Retailer License issued by the County pursuant to Title 4, Division 10, Chapter 1.

- *Cannabis retail sales operating an Annual State License Type 9: Non-Storefront Retailer or Type 12: Microbusiness engaged in Non-Storefront retail may be conditionally permitted in the I-G (General Industrial), I-L (Limited Industrial), I-P (Industrial Park) and I-W (Warehouse Industrial) zones with an approved Use Permit. Alternatively, retail sales, as described above, may be permitted as stated above in each of the aforementioned zones with an Improvement Plan in an approved Cannabis Business Park. A Cannabis Business Park may be conditionally permitted with an approved Special Purpose Plan.*
- *Cannabis retail sales may also be conditionally permitted in the C-C (Community Commercial) and C-G (General Commercial) zones with an approved Use Permit application. Alternatively, cannabis retail sales may be permitted in the aforementioned zones with an approved Improvement Plan in an approved Cannabis Business Park. A Cannabis Business Park may be conditionally permitted in an approved Special Purpose Plan.*
- **Cannabis Laboratory Testing.** The Cannabis Laboratory Testing use type refers to any activity allowed pursuant to a Testing Laboratory License. Such may only be performed by a person with a valid Testing Laboratory License issued by the County pursuant to Title 4, Division 10, Chapter 1.
 - *Cannabis laboratory testing may be conditionally permitted in the I-G (General Industrial), I-L (Limited Industrial), I-P (Industrial Park), I-W (Warehouse Industrial), and all commercial zones, excluding the C-FS [Commercial Freeway Services] and C-X [Commercial Crossroads] zones, with an approved Site Approval application. Alternatively, cannabis laboratory testing may be permitted in each of the aforementioned zones with an approved Improvement Plan in an approved Cannabis Business Park. A Cannabis Business Park may be conditionally permitted with an approved Special Purpose Plan.*

Public Services Requirement

Commercial cannabis cultivation and commercial cannabis manufacturing may be conditionally permitted in the I-G (General Industrial) zone, I-L (Limited Industrial), and I-P (Industrial Park) zone with a Use Permit application if the parcel is served by a public wastewater disposal system, a public water system, a public stormwater drainage system, and if sanitary disposal of process water is provided. If a parcel does not have access to these public services, commercial cannabis cultivation and commercial cannabis manufacturing may be permitted with private services in a Cannabis Business Park with an approved Special Purpose Plan.

Commercial cannabis laboratory testing may also be conditionally permitted in the I-G (General Industrial) zone, I-L (Limited Industrial), and I-P (Industrial Park), I-W (Warehouse Industrial), and all commercial zones (excluding the C-FS [Commercial Freeway Service] and C-X [Commercial Crossroads] zones) with a Site Approval application if the parcel is served by a public water system, a public stormwater drainage system, and if sanitary disposal of process water is provided. If a parcel does not have access to these public services, commercial cannabis laboratory testing may be permitted with private services in a Cannabis Business Park with an approved Special Purpose Plan.

Letters in Opposition

CDD has received two letters in opposition to the proposed Text Amendment. The first is a September 26, 2018, letter from the City of Lodi and the second is an October 1, 2018, letter from the City of Lathrop. Each letter states that they have taken actions not to allow commercial cannabis businesses or activity within their City limits based on concerns about such activities. They are each concerned that cannabis businesses allowed under the County's Title 4 and, accordingly, the proposed Text Amendment to Title 9, could be in close proximity and in some cases immediately adjacent to City limits.

The City of Lodi requests that it be allowed to deny any application for a commercial cannabis business within 1 mile of City limits and have an opportunity to comment on any application for a commercial cannabis business within 3 miles of City limits. The City of Lathrop requests that the proposed Text Amendment be amended to ban all commercial cannabis businesses within "at least 1 mile" of cities that have banned commercial cannabis activities and to provide automatic notification to any city of an application for a commercial cannabis business within 3 miles of a city's boundaries.

The County cannot agree to the City of Lodi's request that they, or any city, have the power to deny an application for a commercial cannabis business within the unincorporated County. It would be improper and contrary to public policy for the County to allow a city to deny a project application in the County because it would amount to the County surrendering its power to approve under Title 9 and, therefore, Title 4, to that city.

In regards to the City of Lathrop's request that the proposed Text Amendment be revised to create a buffer around any city that has banned commercial cannabis activities there are two issues. First, that such a revision would make the proposed Text Amendment inconsistent with the Board of Supervisors' direction to revise Title 9 to be consistent with the Title 4 Commercial Cannabis Business Ordinance. The Title 4 ordinance does not include a buffer or limitation on businesses around incorporated cities, whether or not they ban commercial cannabis activities. Additionally, because any cities could change its ordinance at any time to allow or disallow some or all commercial cannabis activity consistent with State law, it would be difficult or impossible for Title 9 and CDD to track and to limit land use permits. Additionally, changes in city ordinances and, therefore, of County approval at different stages of processing, approving, and perfecting such permits would create unacceptable risks for both applicants and the County.

In regards to the Cities' requests for notification of any application for a commercial cannabis business under Chapter 9-1090 within 3 miles of its boundaries, that is a request that can be made to CDD by any city without an amendment to the proposed Text Amendment. CDD often complies with standing requests for notification of certain types of applications and could do so for commercial cannabis business applications under Chapter 9-1090.

Notice of Exemption

California Environmental Quality Act Section (CEQA) 15061(b)(3) states that a project is exempt from CEQA if the local agency determines that the activity has no potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may cause a significant effect on the environment, the activity is not subject to CEQA and, therefore, exempt from CEQA. CDD has determined that the proposed text amendment has no potential for causing a significant effect on the environment because it is strictly an amendment to the Development Title and, additionally, each activity regulated by the amended text will be subject to CEQA. Accordingly, a Notice of Exemption will be filed by CDD if the text amendment is approved.

Recommendations

Action

It is recommended that the Planning Commission:

1. **Forward Text Amendment No. PA-1800249 to the Board of Supervisors with a recommendation for approval based on the ability to make the required Basis for Development Title Text Amendment.**

Basis for Development Title Text Amendment

Prior to approving an application for a text amendment, the Planning Commission and the Board of Supervisors shall determine that the proposed Text Amendment is consistent with the General Plan and any applicable Master Plan.

- **This determination can be made because the proposed addition to the Development Title does not conflict with any of the goals, objectives, policies or implementation measures of the General Plan or any applicable Master Plan.**

THE COUNTY OF SAN JOAQUIN,
STATE OF CALIFORNIA

ORDINANCE NO.

AN ORDINANCE AMENDING TITLE 9 OF THE ORDINANCE CODE OF THE COUNTY OF SAN JOAQUIN RELATIVE TO SECTIONS 9-110.4, 9-505.5 AND 9-605.6(u), CHAPTER 9-115, TABLES 9-305.2 RESIDENTIAL USES, 9-405.2 COMMERCIAL USES, 9-505.2 INDUSTRIAL USES, 9-605.2 AGRICULTURAL USES, 9-705.2 USES IN OTHER ZONES, TABLE 9-1015.3(b) PARKING, AND CHAPTER 9-1090 (COMMERCIAL CANNABIS) OF THE DEVELOPMENT TITLE.

The Board of Supervisors of the County of San Joaquin ordains as follows:

Section 1. Section 9-110.4, Chapter 9-110, Division 1, Title 9 of the San Joaquin County Ordinance Code is hereby amended by adding the definition of "Annual State License", "Arterial Roads", "Cannabis Business Park", "Commercial Cannabis Activity", "Commercial Cannabis License", "Commercial Cannabis Licensee", "Cultivator License", "Distributor License", "Major Intersection", "Manufacturing License", "Micro-business", "Owner", "Premises", "Retailer License", "Sanitary Disposal of Process Water", "Testing Laboratory License" to read as follows:

Annual State License. "Annual state license" means an annual commercial cannabis business license issued by the California Bureau of Cannabis Control, California Department Food and Agriculture, or California Department of Public Health.

Arterial Roads. "Arterial roads include major and minor arterials, are the principal network for through-traffic within a community and often between communities carrying 25,000 to 45,000 trips per day. Arterials provide access routes to shopping areas, places of employment, recreational areas, and other places of assembly. Minor arterials include two (2) to four (4) lanes and major arterials include four (4) to six (6) lanes.

Cannabis Business Park. "Cannabis business park" means a contiguous area with an approved Special Purpose Plan pursuant to Title 9, Division 8, Chapter 9-815 of this Code that is specially designated, designed, and landscaped to safely allow and accommodate Commercial Cannabis Licensees in compliance with this Chapter and State law.

Commercial Cannabis Activity. "Commercial cannabis activity" means the cultivation, possession, manufacture, distribution, processing, storing, laboratory testing, packaging, labeling, transportation, delivery or sale of cannabis and cannabis products or any other activity provided for in Medicinal and Adult Use Cannabis Safety and Regulation Act.

Commercial Cannabis License. "Commercial cannabis license" means a Cultivator License, Distributor License, Manufacturer License, Retailer License, or Testing Facility License issued by the County pursuant to Title 4, Division 10, Chapter 1. A Commercial Cannabis License may only be for a specific, fixed location which shall be considered the Premises.

Commercial Cannabis Licensee. "Commercial cannabis licensee" or "licensee" means any Person holding a valid Commercial Cannabis License issued pursuant to this Title 4, Division 10, Chapter 1.

Cultivator License. "Cultivator license" means a license issued by the County to plant, grow, harvest, dry, cure, grade, or trim cannabis and who holds an authorized Annual State License with an A-License or M-License designation.

Distributor License. "Distributor license" means a license issued by the County to procure, sell, and transport cannabis and cannabis products who holds an authorized Annual State License with an A-License or M-License designation.

Major Intersection. "Major intersection", for the purpose of Chapter 9-1090 Cannabis Regulations, means an intersection where a major arterial intersects with either a minor arterial or major arterial.

Manufacturing License. "Manufacturing license" means a license to conduct the production, preparation, propagation, or compounding of cannabis or cannabis products either directly or indirectly or by extraction methods, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis at a fixed location that packages or repackages cannabis or cannabis products or labels or relabels its container who holds an authorized Annual State License with an A-License or M-License designation.

Micro-business. "Micro-business" is a Type 12 Annual State License and shall have the same meaning as set forth in paragraph (3) of subdivision (a) of Section 26070 of the Business and Professions Code.

Owner. "Owner", for the purpose of Chapter 9-1090 Cannabis Regulations, means any of the following:

- (a) A person with an aggregate ownership interest of twenty percent (20%) or more in the entity applying for a license or a licensee, unless the interest is solely a security, lien, or encumbrance.
- (b) The chief executive officer of a nonprofit or other entity.
- (c) A member of the board of directors of a nonprofit.
- (d) An individual who will be participating in the direction, control, or management of the person applying for a license.

Premises. "Premises" for the purpose of Chapter 9-1090 means the designated structure or structures and land specified in the application that is owned, leased, or otherwise held under the control of the Applicant or Licensee where the Commercial Cannabis Activity will be or is conducted. The Premises shall be a contiguous area and shall only be occupied by one Licensee, except under an authorized shared use Annual State License. Multiple Premises and Commercial Cannabis Licenses may exist on one Lot.

Retailer License. "Retailer license" means a license issued to sell cannabis to qualified individuals that hold an authorized Annual State License with an A-License or M-License designation.

Sanitary Disposal of Process Water. "Sanitary disposal of process water" means an approved and permitted method of disposal for wastewater generated from onsite operations or processes.

Testing Laboratory License. "Testing laboratory license" means a license issued to a laboratory, facility, or entity in the state that offers or performs tests of cannabis or cannabis products that holds an authorized Annual State License.

Section 2. Chapter 9-115, Division 1, Title 9 of the San Joaquin County Ordinance Code is hereby amended to read as follows:

Commercial Cannabis. The Commercial Cannabis use type includes any commercial cannabis activity for which a commercial cannabis license is required. The following are the categories of the Commercial Cannabis use type:

- (a) **Cannabis Cultivation.** The Cannabis Cultivation use type refers to any activity allowed pursuant to a Cultivator License. Such activities may only be performed by a person with a valid Cultivator License issued by the County pursuant to Title 4, Division 10, Chapter 1. No outdoor cannabis cultivation shall be permitted.

- (b) **Cannabis Distribution.** The Cannabis Distribution use type refers to any activity allowed pursuant to a Distributor License. Such activities may only be performed by a person with a valid Distributor License issued by the County pursuant to Title 4, Division 10, Chapter 1.
- (c) **Cannabis Manufacturing.** The Cannabis Manufacturing use type refers to any activity allowed pursuant to a Manufacturer License. Such activities may only be performed by a person with a valid Manufacturer License issued by the County pursuant to Title 4, Division 10, Chapter 1.
- (d) **Cannabis Retail Sales.** The Cannabis Retail Sales use type refers to any activity allowed pursuant to a Retailer License. Such activities may only be performed by a person with a valid Retailer License issued by the County pursuant to Title 4, Division 10, Chapter 1.
- (e) **Cannabis Laboratory Testing.** The Cannabis Laboratory Testing use type refers to any activity allowed pursuant to a Testing Laboratory License. Such may only be performed by a person with a valid Testing Laboratory License issued by the County pursuant to Title 4, Division 10, Chapter 1.

Section 3. Tables 9-305.2, 9-405.2, 9-505.2, 9-605.2, 9-705.2 and Sections 9-505.5 and 9-605.6(u) of Divisions, 3, 4, 5, 6, & 7, Title 9 of the San Joaquin County Ordinance Code is hereby amended to read as follows:

TABLE 9-305.2 USES IN RESIDENTIAL ZONES						
Legend:						
P Permitted Use, Except as Specified by Note						
IP Permitted Use With Improvement Plan, Except as Specified by Note						
QX Use Permitted Subject to Quarry Excavation Permit						
S Use Permitted Subject to Site Approval						
SP Use Permitted Subject to Special Purpose Plan						
U Use Permitted Subject to Use Permit						
- Use Not Permitted						
*Special Use Regulations (See Section 9-305.6)						
Residential Zones						
	R-R	R-VL	R-L	R-M	R-MH	R-H
Commercial Cannabis						
<u>Cultivation</u>	-	-	-	-	-	-
<u>Distribution</u>	-	-	-	-	-	-
<u>Manufacturing</u>	-	-	-	-	-	-
<u>Retail Sales</u>	-	-	-	-	-	-
<u>Laboratory Testing</u>	-	-	-	-	-	-

TABLE 9-405.2 USES IN COMMERCIAL ZONES

Legend:

- P Permitted Use, Except as Specified by Note**
- IP Permitted Use With Improvement Plan, Except as Specified by Note**
- S Use Permitted Subject to Site Approval**
- SP Use Permitted Subject to Special Purpose Plan**
- U Use Permitted Subject to Use Permit**
- QX Use Permitted Subject to Quarry Excavation Permit**
- Use Not Permitted**
- *Special Use Regulations (See Sections 9-405.6 and/or 9-405.7)**

Commercial Zones

	C-L	C-N	C-C	C-O	C-G	C-FS	C-RS	C-X	C-R
Commercial Cannabis									
<u>Cultivation</u>	-	-	-	-	-	-	-	-	-
<u>Distribution</u>	-	-	-	-	-	-	-	-	-
<u>Manufacturing</u>		-	-	-	-	-	-	-	-
<u>Retail Sales</u>		-	<u>U/SP</u>	-	<u>U/SP</u>	-	-	-	-
<u>Laboratory Testing</u>	<u>S/SP</u>	<u>S/SP</u>	<u>S/SP</u>	<u>S/SP</u>	<u>S/SP</u>	-	<u>S/SP</u>	-	<u>S/SP</u>

TABLE 9-505.2 USES IN INDUSTRIAL ZONES

Legend:

- P Permitted Use, Except as Specified by Note**
- IP Permitted Use With Improvement Plan, Except as Specified by Note**
- QX Use Permitted Subject to Quarry Excavation Permit**
- S Use Permitted Subject to Site Approval**
- SP Use Permitted Subject to Special Purpose Plan**
- U Use Permitted Subject to Use Permit**
- Use Not Permitted**

Note: See Section 9-505.5 for Special Use Regulations in an Industrial Zone.

***See Section 9-505.5(d) for special use regulations.**

***Special Use Regulations (See Sections 9-505.6, 9-505.7, 9-505.8 & 9-505.9)**

Use Types	Industrial Zones				
	I-W	I-P	I-L	I-G	I-T*
Commercial Cannabis					
<u>Cultivation</u>	-	<u>U/SP</u>	<u>U/SP</u>	<u>U/SP</u>	
<u>Distribution</u>	<u>U/SP</u>	<u>U/SP</u>	<u>U/SP</u>	<u>U/SP</u>	-
<u>Manufacturing</u>	-	<u>U/SP</u>	<u>U/SP</u>	<u>U/SP</u>	-
<u>Retail Sales*</u>	<u>U/SP</u>	<u>U/SP</u>	<u>U/SP</u>	<u>U/SP</u>	-
<u>Laboratory Testing</u>	<u>S/SP</u>	<u>S/SP</u>	<u>S/SP</u>	<u>S/SP</u>	-

9-505.5 SPECIAL USE REGULATIONS IN INDUSTRIAL ZONES.

In addition to the provisions of Section 9-505.2 through 9-505.5, the following regulations shall apply to industrial zones:

- (e) **Commercial Cannabis Retail Sales.** Cannabis retail sales operating an Annual State License Type 9: Non-Storefront Retailer or Type 12: Microbusiness engaged in Non-Storefront retail may be permitted in the I-G (General Industrial), I-L (Limited Industrial), I-P (Industrial Park) and I-W (Warehouse Industrial) zones with an approved Use Permit or with an approved Improvement Plan in an approved Cannabis Business Park.

TABLE 9-605.2 - USES IN AGRICULTURAL ZONES

Legend:
P Permitted Use
IP Permitted Use With Improvement Plan
QX Use Permitted Subject to Quarry Excavation Permit
S Use Permitted Subject to Site Approval
SD Use Permitted Subject to Second Unit Dwelling Permit
U Use Permitted Subject to Use Permit
- Use Not Permitted

Note: In areas designated as Open Space/Resource Conservation on the General Plan, all uses or use types shall require Site Approval, unless another discretionary approval is specified by this Title

***Special Use Regulations (See Section 9-605.6)**
****Uses proposed in an area designated Open Space/Resource Conservation on the General Plan Map are subject to special use regulations (See Section 9-605.6(h))**

Use Types	Agricultural Zones			
	AG	AL	AU	ARM*
Commercial Cannabis				
<u>Cultivation*</u>	<u>U/SP</u>	-	-	-
<u>Distribution*</u>	<u>U/SP</u>	-	-	-
<u>Manufacturing*</u>	<u>U/SP</u>	-	-	-
Retail Sales	-	-	-	-
Laboratory Testing	-	-	-	-

9-605.6 SPECIAL USE REGULATIONS IN AGRICULTURAL ZONES.

In addition to the provisions of Sections 9-605.2 through 9-605.5, the following Special Use Regulations shall apply to the uses or use types specified below:

- (u) **Commercial Cannabis Uses.** The following special use regulations shall apply:

(1) **Cultivation-Locational Criteria.** Parcels located in the AG zone shall be located no more than two-thousand (2,000) feet from a Major Intersection or Arterial Road as measured from the closest edge of the parcel to the closest edge of the Major Intersection or Arterial Road. A parcel may be located more than two-thousand (2,000) feet from a major intersection or arterial road if all of the following are found to be true:

- (A) There is sufficient ease of access from the proposed parcel to major arterial roadways;
- (B) There is sufficient access for emergency vehicles; and

- (C) The Cultivator License applicant demonstrates that the premises can be secured to the satisfaction of the County.
- (2) **Distribution.** For any operation allowed pursuant to a Distributor License in the AG (General Agriculture) zone, a Distributor License and Cultivator License shall be required pursuant to Title 4 for the same lot.
- (3) **Manufacturing.** For any operation allowed pursuant to a Manufacturer License in the AG (General Agriculture) zone, a Manufacturer License and Cultivator License shall be required pursuant to Title 4 for the same lot.

TABLE 9-705.2 - USES IN OTHER ZONES

Legend:

P Permitted Use

IP Permitted Use With Improvement Plan

S Use Permitted Subject to Site Approval

SP Use Permitted Subject to Special Purpose Plan

U Use Permitted Subject to Use Permit

- Use Not Permitted

(M) Permit Type for Mountain House Community

***See Special Use Regulations for the M-X zone (Section 9-705.6)**

****See Special Use Regulations for the P-F zone (Section 9-705.7)**

****See Special Use Regulations for the AP-X zone (Section 9-705.8)**

Use Types	Other Zones		
	P-F**	M-X*	AP-X***
Commercial Cannabis			
Cultivation	-	-	-
Distribution	-	-	-
Manufacturing	-	-	-
Retail Sales	-	-	-
Laboratory Testing	-	-	-

Section 4. Table 9-1015.3(b) of Division 10, Title 9 of the San Joaquin County Ordinance Code is hereby amended to read as follows:

TABLE 9-1015.3(b)

PARKING SPACES REQUIREMENTS, NONRESIDENTIAL

(See Section 9-1015.3 for explanation)

Nonresidential Use Types	Spaces Required Per 1000 Square Feet of Building	Spaces Required Per Employee	Spaces Required Other

Commercial Cannabis			
<u>Cultivation</u>	<u>.2</u>	<u>.67</u>	
<u>Distribution</u>	<u>.5</u>	<u>.5</u>	
<u>Manufacturing</u>	<u>2</u>	<u>.67</u>	
<u>Retail Sales</u>	<u>5</u>	<u>.67</u>	
<u>Laboratory Testing</u>	<u>1</u>	<u>.67</u>	

Section 5. Chapter 9-1090 (Commercial Cannabis) of Division 10, Title 9 of the San Joaquin County Ordinance Code is hereby amended to read as follows:

**CHAPTER 9-1090
COMMERCIAL CANNABIS**

9-1090.1 Intent.

The intent of this Chapter is to establish land use regulations that allow for commercial cannabis businesses licensed under the Medicinal and Adult-Use Cannabis Regulation and Safety Act and Title 4, Division 10, Chapter 1 Commercial Cannabis Business. This chapter ensures that the land use regulations are consistent with Title 4 licensing, monitoring, and enforcement regarding commercial cannabis businesses to protect and promote public health and safety of the population in San Joaquin County.

9-1090.2 Applicability

The provisions of this Chapter shall apply whenever:

- (1) A Use Permit is submitted for any form of Commercial Cannabis use; and/or;
- (2) A Special Purpose Plan is submitted for a Cannabis Business Park.

9-1090.3 Cannabis Cultivation

Commercial cannabis activity allowed pursuant to a Cultivator License shall be subject to the following development standards:

- (a) **License.** An approved annual County Commercial Cannabis Cultivator License and Business License shall be obtained from the County pursuant to Title 4 prior to beginning any commercial operation allowed pursuant to a Cultivator License. These licenses shall remain current in order to operate a Cannabis Cultivation operation.
- (b) **Permits.** Commercial cannabis activity allowed pursuant to a Cultivator License shall be subject to the following permitting requirements:
 - (1) May be permitted in the AG (General Agriculture), I-G (General Industrial), I-L (Limited Industrial) and I-P (Industrial Park) zones with an approved Use Permit application.
 - (2) May be permitted in the AG (General Agriculture), I-G (General Industrial), I-L (Limited Industrial) and I-P (Industrial Park) zones with an approved Improvement Plan application in an approved Cannabis Business Park.

- (3) Shall comply with all regulations administered by the Building Department, Public Works Department, Environmental Health Department, and the Fire Department, and State and Federal Regulations.
- (c) **Locational Criteria.** The following locational criteria shall apply to Commercial cannabis activity allowed pursuant to a Cultivator License:
 - (1) Shall only be permitted within an enclosed structure.
 - (2) Parcels located in the AG zone shall be located a maximum of two-thousand (2,000) feet from a major intersection or arterial road. A parcel may be located more than two-thousand (2,000) feet from a major intersection or arterial road, measured from the ultimate right-of-way, if all of the following are found to be true:
 - (A) There is sufficient ease of access from the proposed parcel to major arterial roadways;
 - (B) There is sufficient access for emergency vehicles; and
 - (C) The Cultivator License holder demonstrates that the parcel may be secured to the satisfaction of the County.
- (d) **Public Services.** Parcels located in an I-G (General Industrial), I-L (Limited Industrial), or I-P (Industrial Park) zone shall be served by a public wastewater disposal system, public water system, public stormwater drainage system and provide sanitary disposal of process water.
 - (1) Cannabis cultivation may be permitted with an approved Improvement Plan in an approved Cannabis Business Park. Parcels within a Cannabis Business Park may be permitted to use an on-site wastewater disposal system, on-site water system, and private stormwater drainage system and sanitary disposal of process water with an approved Special Purpose Plan, when shown to be protective of public health and safety and the environment.
- (e) **Parking.** The parking requirements shall be determined pursuant to Section 9-1015.3.
- (f) **Landscaping.** The landscaping requirements shall be determined by the zone in which the parcel is located pursuant to Sections 9-1020.1 through 9-1020.10.
- (g) **Fencing.** The fencing requirements shall be determined by the zone in which the parcel is located pursuant to Sections 9-1022.1 through 9-1022.3 and Section 9-1022.6.
- (h) **Screening.** The screening requirements shall be determined by the zone in which the parcel is located pursuant to Sections 9-1022.4 through 9-1022.6
- (i) **Signs.** All signage must comply with applicable provisions of Chapters 9-1700, Title 4, Division 10, Chapter 1 Section 4-10048, and Code of Regulations Title 16, Division 42, Bureau of Cannabis Control Article 4. include the following restrictions:
 - (1) No product or signs inside the premises shall be viewable by the public from outside the premises.
 - (2) Off-premises signs shall be prohibited by licensee or third party.

- (j) **Events.** All events related to cannabis shall be prohibited.

9-1090.4 Cannabis Distribution

Cannabis distribution shall be subject to the following development standards:

- (a) **License.** An approved Commercial Cannabis Distributor License shall be obtained from the County pursuant to Title 4 prior to beginning distribution. This license shall remain current in order to operate a Cannabis Distribution operation.
- (b) **Permits.** Cannabis distribution operations shall be subject to the following permitting requirements.
 - (1) Cannabis distribution may be permitted in the AG (General Agriculture), I-G (General Industrial), I-L (Limited Industrial), I-P (Industrial-Park) and I-W (Warehouse Industrial) zones with an approved Use Permit application.
 - (A) For any cannabis distribution operation on a parcel zoned AG (General Agriculture), a Distributor License and Cultivator License shall be required pursuant to Title 4 for the same lot.
 - (2) Cannabis distribution may be permitted in the AG (General Agriculture), I-G (General Industrial), I-L (Limited Industrial), I-P (Industrial-Park) and I-W (Warehouse Industrial) zones with an approved Improvement Plan in an approved Cannabis Business Park.
 - (3) Cannabis distribution shall also comply with all regulations administered by the Building Department, Public Works Department, Environmental Health Department, and the Fire Department, as well as State and Federal Regulations.
- (c) **Parking.** The parking requirements shall be determined pursuant to Section 9-1015.3.
- (d) **Landscaping.** The landscaping requirements shall be determined by the zone in which the cannabis distribution is located pursuant to Sections 9-1020.1 through 9-1020.10.
- (e) **Fencing.** The fencing requirements shall be determined by the zone in which the cannabis distribution is located pursuant to Sections 9-1022.1 through 9-1022.3 and Section 9-1022.6.
- (f) **Screening.** The screening requirements shall be determined by the zone in which the cannabis distribution is located pursuant to Sections 9-1022.4 through 9-1022.6
- (g) **Signs.** The sign requirements shall be determined by the zone in which the cannabis distribution is located pursuant to Chapters 9-1705 and 9-1710.and include the following restrictions:
 - (1) No product or signs inside the premises shall be viewable by the public from outside the premises.
 - (2) Off-premises signs shall be prohibited by licensee or third party.
- (h) **Events.** All events related to cannabis distribution, including but not limited to Outdoor Special Events and Indoor Special Events, shall be prohibited.

9-1090.5 Cannabis Manufacturing

Cannabis manufacturing shall be subject to the following development standards:

- (a) **License.** An approved Commercial Cannabis Manufacturer License shall be obtained from the County pursuant to Title 4 prior to beginning distribution. This license shall remain current in order to operate a Cannabis Manufacturing operation.
- (b) **Permits.** Cannabis manufacturing operations shall be subject to the following permitting requirements:
 - (1) Cannabis manufacturing may be permitted in the AG (General Agriculture), I-G (General Industrial), I-L (Limited Industrial) and I-P (Industrial-Park) zones with an approved Use Permit application.
 - (A) For any cannabis manufacturing operation on a parcel zoned AG (General Agriculture), a Manufacturer License and Cultivator License shall be required pursuant to Title 4 for the same lot.
 - (2) Cannabis manufacturing may be permitted in the AG (General Agriculture), I-G (General Industrial), I-L (Limited Industrial), I-P (Industrial-Park) zones with an approved Improvement Plan in an approved Cannabis Business Park.
 - (3) Cannabis manufacturing shall also comply with all regulations administered by the Building Department, Public Works Department, Environmental Health Department, and the Fire Department, as well as State and Federal Regulations.
- (c) **Public Services.** Parcels located in an I-G (General Industrial), I-L (Limited Industrial), or I-P (Industrial Park) zone shall be served by a public wastewater disposal system, public water system, public stormwater drainage system and provide sanitary disposal of process water.
 - (1) Cannabis manufacturing may be permitted with an Improvement Plan in an approved Cannabis Business Park. Parcels within a Cannabis Business Park may be permitted to use an on-site wastewater disposal system, on-site water system, and private stormwater drainage system and sanitary disposal of process water with an approved Special Purpose Plan, when shown to be protective of public health and safety and the environment.
- (d) **Parking.** The parking requirements shall be determined pursuant to Section 9-1015.3.
- (e) **Landscaping.** The landscaping requirements shall be determined by the zone in which the cannabis manufacturing is located pursuant to Sections 9-1020.1 through 9-1020.10.
- (f) **Fencing.** The fencing requirements shall be determined by the zone in which the cannabis manufacturing is located pursuant to Sections 9-1022.1 through 9-1022.3 and Section 9-1022.6.
- (g) **Screening.** The screening requirements shall be determined by the zone in which the cannabis manufacturing is located pursuant to Sections 9-1022.4 through 9-1022.6
- (h) **Signs.** The sign requirements shall be determined by the zone in which the cannabis manufacturing is located pursuant to Chapters 9-1705 and 9-1710 and include the following restrictions:

- (1) No product or signs inside the premises shall be viewable by the public from outside the premises.
 - (2) Off-premises signs shall be prohibited by licensee or third party.
- (i) **Events.** All events related to cannabis manufacturing, including but not limited to Outdoor Special Events and Indoor Special Events, shall be prohibited.

9-1090.6 Cannabis Retail Sales

Cannabis retail sales shall be subject to the following development standards:

- (a) **License.** An approved Commercial Cannabis Retailer License shall be obtained from the County pursuant to Title 4 prior to beginning cannabis retail sales. This license shall remain current in order to operate a Cannabis Retail Sales operation.
- (b) **Permits.** Cannabis retail sales operations shall be subject to the following permitting requirements:
- (c) Cannabis retail sales may be permitted in the C-C (Community Commercial) and C-G (General Commercial) zone with an approved Use Permit application.
- (d) Cannabis retail sales may be permitted in C-C (Community Commercial), C-G (General Commercial), I-G (General Industrial), I-L (Limited Industrial), I-P (Industrial Park) and I-W (Warehouse Industrial) zones with an approved Improvement Plan in an approved Cannabis Business Park.
- (e) Cannabis retail sales operating a Non-Storefront Delivery may be permitted in the I-G (General Industrial), I-L (Limited Industrial), I-P (Industrial Park) and I-W (Warehouse Industrial) zones with an approved Use Permit.
- (f) Cannabis retail sales operating a Non-Storefront Delivery may be permitted in the I-G (General Industrial), I-L (Limited Industrial), I-P (Industrial-Park) and I-W (Warehouse Industrial) zones with an approved Improvement Plan in an approved Cannabis Business Park.
- (g) Cannabis retail sales shall also comply with all regulations administered by the Building Department, Public Works Department, Environmental Health Department, and the Fire Department, as well as State and Federal Regulations.
- (h) **Parking.** The parking requirements shall be determined pursuant to Section 9-1015.3.
- (i) **Landscaping.** The landscaping requirements shall be determined by the zone in which the cannabis retail sales are located pursuant to Sections 9-1020.1 through 9-1020.10.
- (j) **Fencing.** The fencing requirements shall be determined by the zone in which the cannabis retail sales is located pursuant to Sections 9-1022.1 through 9-1022.3 and Section 9-1022.6.
- (k) **Screening.** The screening requirements shall be determined by the zone in which the cannabis retail sales is located pursuant to Sections 9-1022.4 through 9-1022.6
- (l) **Signs.** The sign requirements shall be determined by the zone in which the cannabis retail sales are located pursuant to Chapters 9-1705 and 9-1710 and include the following restrictions:

- (1) No product or signs inside the premises shall be viewable by the public from outside the premises.
 - (2) Off-premises signs shall be prohibited by licensee or third party.
- (m) **Events.** All events related to cannabis retail sales, including but not limited to Outdoor Special Events and Indoor Special Events, shall be prohibited.

9-1090.7 Cannabis Laboratory Testing

Cannabis testing shall be subject to the following development standards:

- (a) **License.** An approved Commercial Cannabis Testing Laboratory License shall be obtained from the County pursuant to Title 4 prior to beginning cannabis laboratory testing operation. This license shall remain current in order to operate a Cannabis Laboratory Testing operation.
- (b) **Permits.** Cannabis laboratory testing shall be subject to the following permitting requirements:
 - (1) Cannabis laboratory testing may be permitted in the I-G (General Industrial), I-L (Limited Industrial), I-P (Industrial Park), I-W (Warehouse Industrial), and all commercial zones, excluding the C-FS (Commercial Freeway Services) and C-X (Commercial Crossroads) zones, with an approved Site Approval application.
 - (2) Cannabis laboratory testing may be permitted in the I-G (General Industrial), I-L (Limited Industrial), I-P (Industrial Park), I-W (Warehouse Industrial) and all commercial zones, excluding the C-FS (Commercial Freeway Services) and C-X (Commercial Crossroads) zones, within an approved Improvement Plan in an approved Cannabis Business Park.
 - (3) Cannabis laboratory testing shall also comply with all regulations administered by the Building Department, Public Works Department, Environmental Health Department, and the Fire Department, as well as State and Federal Regulations.
- (c) **Public Services.** Parcels located in an I-G (General Industrial), I-L (Limited Industrial), or I-P (Industrial Park), any all commercial zones, excluding the C-FS (Commercial Freeway Services) and C-X (Commercial Crossroads) zones, shall be served by a public wastewater disposal system, public water system, public stormwater drainage system and provide sanitary disposal of process water.
 - (1) Cannabis laboratory testing may be permitted with an Improvement Plan in an approved Cannabis Business Park. Parcels within a Cannabis Business Park may be permitted to use an on-site wastewater disposal system, on-site water system, and private stormwater drainage system and provide sanitary disposal of process water with an approved Special Purpose Plan, when shown to be protective of public health and safety and the environment.
- (d) **Parking.** The parking requirements shall be determined pursuant to Section 9-1015.3.
- (e) **Landscaping.** The landscaping requirements shall be determined by the zone in which the laboratory testing is located pursuant to Sections 9-1020.1 through 9-1020.10.

- (f) **Fencing.** The fencing requirements shall be determined by the zone in which the cannabis laboratory testing is located pursuant to Sections 9-1022.1 through 9-1022.3 and Section 9-1022.6.
- (g) **Screening.** The screening requirements shall be determined by the zone in which the cannabis laboratory testing is located pursuant to Sections 9-1022.4 through 9-1022.6
- (h) **Signs.** The sign requirements shall be determined by the zone in which the cannabis laboratory testing is located pursuant to Chapters 9-1705 and 9-1710 and include the following restrictions:
 - (1) No product or signs inside the premises shall be viewable by the public from outside the premises.
 - (2) Off-premises signs shall be prohibited by licensee or third party.
- (i) **Events.** All events related to cannabis laboratory testing, including but not limited to Outdoor Special Events and Indoor Special Events, shall be prohibited.

PASSED AND ADOPTED at a regular meeting of the Board of Supervisors of the County of San Joaquin, State of California, on this _____ of _____ to wit:

AYES:
 NOES:
 ABSENT:
 ABSTAIN:

 ROBERT V. ELLIOTT, CHAIR
 Board of Supervisors
 County of San Joaquin
 State of California

ATTEST: MIMI DUZENSKI
 Clerk of the Board of Supervisors
 County of San Joaquin
 State of California

BY: _____



SAN JOAQUIN
— COUNTY —
Greatness grows here.

Environmental Health Department

Linda Turkatte, REHS, Director

Kasey Foley, REHS, Assistant Director

PROGRAM COORDINATORS

Robert McClellon, REHS
Jeff Carruesco, REHS, RDI
Willy Ng, REHS
Muniappa Naidu, REHS
Michael Kith, REHS

October 8, 2018

To: San Joaquin County Community Development Department
Attention: Jennifer Jolley

From: Steven Shih; (209) 468-9850
Lead Senior Registered Environmental Health Specialist

RE: **PA-1800249 (TA), SU0011941**
1810 E. Hazelton Ave., Stockton

The Environmental Health Department has no comments or recommendation for this application at this time.

CITY COUNCIL

ALAN NAKANISHI, Mayor
JOANNE MOUNCE,
Mayor Pro Tempore
MARK CHANDLER
BOB JOHNSON
DOUG KUEHNE

CITY OF LODI

2015 "Wine Region of the Year"

Community Development Department

CITY HALL, 221 WEST PINE STREET

P.O. BOX 3006

LODI, CALIFORNIA 95241-1910

(209) 333-6714 – Building

(209) 333-6711 – Planning & Neighborhood Services

(209) 333-6842 – Fax

www.lodi.gov

STEPHEN SCHWABAUER
City Manager

JENNIFER M. FERRAILOLO
City Clerk

JANICE D. MAGDICH
City Attorney

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UCI _ 5 2018

San Joaquin County
Community Development

September 26, 2018

Ms. Kerry Sullivan
Community Development Director
Community Development Department
1810 East Hazelton Ave.
Stockton, CA 95205

RE: PA-1800249 (TA) – Development Text Amendment to new Chapter 9-1090 (Commercial Cannabis)

Ms. Sullivan:

The City of Lodi has had an opportunity to review the development text amendment to Chapter 9-1090.

The City of Lodi does not currently allow for the commercial cultivation, distribution, manufacturing, retail sales or laboratory testing of cannabis. This is a decision that the City Council has made and reinforced during numerous public hearings.

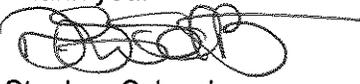
The City of Lodi would ask that cities within San Joaquin County have the opportunity to deny any applications for commercial cannabis within a mile of the City Limits border and have an opportunity to comment on all applications with 3 miles of the City Limits border.

The City has concerns about commercial cannabis and taken a conservative position as this activity takes place in the State of California.

Thank you for considering our concerns.

If you have any questions, please do not hesitate to contact this office at 209-333-6700

Thank you.


Stephen Schwabauer
City Manager



Jan

Community Development Department
Planning Division

390 Towne Centre Drive— Lathrop, CA 95330
Phone (209) 941-7260 – Fax (209) 941-7268
www.ci.lathrop.ca.us

RECEIVED

October 1, 2018

OCT 5 2018

San Joaquin County
Community Development

Ms. Kerry Sullivan
Community Development Director
Community Development Department
1810 East Hazelton Ave.
Stockton, CA 95205

SUBJECT: PA-1800249 (TA) - Development Text Amendment to new Chapter 9-1090
(Commercial Cannabis)

Ms. Sullivan:

The City of Lathrop has reviewed the subject development text amendment to Chapter 9-1090, and provides the following information and recommended language that we find supports the Lathrop City Council's approach to Commercial Cannabis activity.

The City of Lathrop does not allow for any commercial cannabis activity including cultivation, distribution, manufacturing, retail sales or laboratory testing. This decision of the Lathrop City Council was made and reinforced during numerous public hearings resulting in the adoption of Ordinance Number, 18-387 on February 12, 2018.

It is important to note that there are several County parcels that are immediately adjacent to the City of Lathrop, that based on the proposed ordinance would be allowed the full range of commercial cannabis activities. In order to maintain the City of Lathrop's position on such cannabis activities, we find that the subject ordinance should be revised to include a buffer of at least 1-mile between cities that have banned commercial cannabis activities, and to provide for automatic referral of any applications for commercial cannabis that are within 3-miles of a city's boundary. We understand the City of Lodi has provided a similar recommendation.

If you have any questions, please do not hesitate to contact this office at (209) 941-7260.

Thank you for considering our concerns,

A handwritten signature in black ink, appearing to read "Mark Meissner".

Mark Meissner
Community Development Director

Cc: City Manager
City Attorney.

Zimbra**jjolley@sjgov.org**

PA-1800249

From : Amy Ray <amy.ray@cityoftracy.org>

Thu, Oct 04, 2018 06:20 PM

Subject : PA-1800249 1 attachment**To :** jjolley@sjgov.org

Hi Jennifer,

I am not sure where this provision might go, however I have questions regarding the designation of cannabis businesses, specifically in areas designated as AG. We tend to see that the agricultural designation and the U occupancy classification do not allow for much regulation for fire or building codes. I can see the developers/owners wanting to use the U occupancy classification on AG parcels, especially if it is a cultivation facility. These facilities are not just "green houses" or agricultural occupancies. They are sophisticated operations with lots of equipment and sometimes hazardous processes and hazardous materials, even as cultivation. I am not sure where the requirement or regulation would be located, but I would like to see that no cannabis facility be allowed to be designated as a U or agricultural occupancy per the building and fire codes. They would most likely be an F occupancy, except for a retail facility and possibly a lab.

Please let me know if I can provide additional information. I am not sure if I am being too confusing.

Thanks,

Amy Ray Fire Marshal
South San Joaquin County Fire Authority
835 Central Avenue Tracy, CA 95376
Office: 209-831-6707
Fax: 209-831-6703
amy.ray@cityoftracy.org