



SPECIAL LOCATION: San Joaquin County Administration Building
44 N. San Joaquin St., Board of Supervisors Chambers, Stockton, California

Thursday, April 20, 2023
SPECIAL TIME: 6 P.M.

SPECIAL HEARING INFORMATION:

The Board of Supervisors chambers will now be open to the public without restrictions. In addition, please note that public participation is still permitted remotely by email (pcrecords@sjgov.org) or by Microsoft Teams (via computer and/or phone) as explained on the Community Development Department website and public hearing notice. Please visit our Planning Commission page at <https://sjgov.link/planning-commission> for the most current information regarding public participation.

All votes during the teleconference will be conducted by roll call vote.

The following alternatives are available to members of the public to watch these hearings and provide comments to the Planning Commission before and during the meeting:

PARTICIPATE:

Use Microsoft Teams via computer or mobile device at:

<https://sjgov.link/planning-commission-hearing>

Or by calling (209) 645-4071, Conference ID: 847 406 772#

Note: You are able to use either your phone or computer to participate. Please make sure to mute your microphone upon logging in until the participation portion of the hearing is announced. Please note that the chat function of Microsoft Teams is not actively monitored and questions or comments made using this function will not be considered part of the official record.

WATCH:

Live stream the Planning Commission meetings at:

<https://www.youtube.com/channel/UCw9ExATz2VnZjbntMMA> Anw

Note: Comments made on YouTube are not considered part of the official record and will not be shared with the Planning Commission.

LISTEN:

Members of the public may listen to the hearing by calling (209) 468-0750.

Note: Please mute phone after calling in. This number does not allow for public participation.

PUBLIC COMMENT:

Public Comments, limited to 250 words or less, may be submitted by sending an email to pcrecords@sjgov.org. **Emailed public comments are limited to 250 words or less.** If they are received before or during the hearing they will be read into the record. Emailed comments regarding a specific agenda item should include the application number in the subject line. Emailed comments received prior to the close of the public hearing will be included in the official record on file with the Planning Commission. **Comments made on YouTube are not considered part of the official record and will not be provided to the Planning Commission.** If you need disability-related modification or accommodation in order to participate in this hearing, please contact the Community Development Department at (209) 468-3121 at least 48 hours prior to the start of the meeting.

PUBLIC HEARING PROCEDURES

The following is a brief explanation of Planning Commission hearings. For hearings with large agendas, or if an item is particularly controversial, the time limits noted below may be applied by the Chair:

- Staff report and recommendation are presented.
 - Applicant may provide oral (limited to 20 minutes) or written testimony.
 - Other project proponents may provide testimony in-person or via Microsoft Teams (limited to 5 minutes), or email to pcrecords@sjgov.org (limited to 250 words). Emailed comments received in support of the project will be read into the record.
 - Project opponents may provide testimony in-person or via Microsoft Teams (limited to 5 minutes), or email to pcrecords@sjgov.org (limited to 250 words). Emailed comments received in opposition of the project will be read into the record.
 - Applicant may provide a rebuttal (limited to 10 minutes).
 - Time limits do not apply to responses to questions from Planning Commissioners or staff.
 - Chair will close the public hearing and bring the matter back to the Planning Commission for discussion and decision.
-
- **Flag Salute**
 - **Roll Call**
 - **Action on Requests for Continuances or Withdrawals (if needed)**
 - **Explanation of Hearing Procedures**
 - **The Public is welcome to address the Planning Commission on items of interest to the public that are NOT listed on the Agenda. Comments to the Commission are limited to a maximum of 5 minutes or 250 words for comments provided via email to pcrecords@sjgov.org.**
 - **Action Item:**
 - **Consent Agenda (Item No. 1):** Items calendared for consent will be approved in one motion without a public hearing unless a member of the Planning Commission or the audience requests that the item be removed from the consent calendar and heard separately.

- CONSENT 1. HOUSING ELEMENT ANNUAL PROGRESS REPORT.** This is a review of the San Joaquin County General Plan Housing Element Annual Progress Report for calendar year 2022. The purpose of the annual report is to provide the progress of the Housing Element's implementation status toward meeting the County's share of the Regional Housing Needs Allocation as required by the California Department of Housing and Community Development.

2. USE PERMIT NO. PA-2200049 OF VENKATESHWARA SHARMA CHINTAPALLI, ET AL. (C/O SRI VEDA VIDYA PEETHAM) to convert a 2,000-square-foot single-family residence, 1,500-square-foot barn, and 840-square-foot attached garage to a Neighborhood Religious Assembly for a maximum of 49 people. The project proposal includes:

- Convert:
 - 2,000-square-foot residence into a prayer hall, office, storage room, and restrooms
 - 1,500-square-foot barn into a storage building
 - 840-square-foot attached garage into a second prayer hall
 - 631-square-foot storage building for religious assembly use
- Construct:
 - 268-square-foot accessible restrooms (2)

The project site is on the west side of S. San Jose Rd., 625 feet south of W. Middle Rd., Tracy. (Supervisory District: 5)

Environmental Determination: This project is exempt from CEQA pursuant to Section 15303 Class 3. A Notice of Exemption will be filed if the project is approved.

- **Other Business:**
- **Planning Commissioner's Comments**
- **Director's Report (Scheduling of Future Hearings – as needed)**
- **Adjournment**

James Grunsky, Chair

* * *

Jennifer Jolley, Secretary

Pursuant to Government Code section 65009(b)(2): If you challenge the proposed projects in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the San Joaquin County Planning Commission at, or prior to, the public hearing. The appeal period for this agenda expires on May 01, 2023, at 5:00 p.m., and the appeal fee is \$1,018.00. The appeal fee for Mountain House projects is \$6,548.35, or the cost of time and materials at the discretion of Staff.



**Planning Commission Staff Report
Item # 1, April 20, 2023
Report on the San Joaquin County Housing Element
Annual Progress Report for 2022
Prepared by: Megan Aguirre**

PROJECT SUMMARY

Applicant Information

Project Applicant: San Joaquin County

Project Site Information

Project Location: Countywide

Project Description

This is a presentation of the San Joaquin County General Plan Housing Element Annual Progress Report for calendar year 2022.

Recommendation

1. Accept the General Plan Housing Element Annual Progress Report for 2022.
2. Forward the General Plan Housing Element Annual Progress Report for 2022 to the Board of Supervisors with a recommendation to also accept the report.

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NOTIFICATION & RESPONSES

(See Attachment B, Response Letters)

Public Hearing Notices

Legal ad for the public hearing published in the Stockton Record: April 10, 2023.

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ANALYSIS

Background

Under California Government Code Section 65400, the County is required to prepare a General Plan Housing Element Annual Progress Report for submittal to the State Department of Housing and Community Development (HCD) and the Governor's Office of Planning and Research (OPR) by April 1st of each year. The report contains data that creates a snapshot of housing unit production across various affordability levels, a listing of development applications received, and provides an update on housing program implementation. The purpose of the annual report is to provide HCD and OPR the progress of the General Plan Housing Element's implementation status toward meeting the County's share of the Regional Housing Needs Allocation (RHNA).

On December 15, 2015, the Board of Supervisors adopted the 2015-2023 San Joaquin County Housing Element, and on October 13, 2016, the County received certification by HCD. The Housing Element is one of seven mandated elements of the County's General Plan and includes information related to the County's existing housing needs; an analysis of the County's population and employment trends; household characteristics; an inventory of land suitable for residential development; and goals, policies, and programs intended to meet the identified housing needs and State-mandated requirements. While the Housing Element is part of the General Plan, it is on a different timeline than the General Plan, and thus, is adopted separately from the General Plan. The next Housing Element update (6th cycle) is due at the end of this year and covers the planning period from 2023 through 2031. The Community Development Department is currently working with a consultant on this update.

As part of the County's Housing Element, the County is required to accommodate its share of the RHNA, as established by HCD and managed by the San Joaquin Council of Governments (SJCOC). The RHNA process allocates the State's future housing needs to each county and city. HCD identifies housing needs for each region of the State in response to projected population and household growth, and mandates that each Council of Governments (COG) distribute the RHNA to each jurisdiction within the COG's region. The following table represents the County's share of the RHNA in all income categories for the Housing Element time horizon from 2015 through 2023.

TABLE 7-52 REGIONAL HOUSING NEEDS ALLOCATION Unincorporated San Joaquin County January 1, 2014 to December 31, 2023						
	Extremely Low	Very Low	Low	Moderate	Above Moderate	TOTAL
RHNA	1,257	1,239	1,727	1,724	4,220	10,167
Percent of Total	12%	12%	17%	17%	42%	100%

Each income category is defined as a percentage of the Area Median Income (AMI) as established by HCD. The income categories are then used to calculate housing affordability for rental and owner-occupied housing. Each income category is defined as follows:

- **Acutely Low Income** households have a combined income at or lower than 0-15 percent of AMI
- **Extremely Low Income** households have a combined income between 15-30 percent of AMI.
- **Very Low Income** households have a combined income between 30 and 50 percent of AMI.
- **Low Income** households have a combined income between 50 and 80 percent of AMI.
- **Moderate Income** households have a combined income between 80 and 120 percent of AMI.
- **Above Moderate Income** households have a combined income between 120 and 150 percent of AMI.

The State Income Limits for 2022 published by HCD are as follows:

	Income Category	Number of Persons in Household							
		1	2	3	4	5	6	7	8
San Joaquin County	Acutely Low	8,950	10,200	11,500	12,750	13,750	14,800	15,800	16,850
	Extremely Low	17,400	19,900	23,030	27,750	32,470	37,190	41,910	46,630
	Very Low	29,000	33,150	37,300	41,400	44,750	48,050	51,350	54,650
	Low	46,350	53,000	59,600	66,200	71,500	76,800	82,100	87,400
	Median	59,500	68,000	76,500	85,000	91,800	98,600	105,400	112,200
	Moderate	71,400	81,600	91,800	102,000	110,150	118,300	126,500	134,650

Annual Progress Report

HCD requires the APR to be completed on forms provided by them. The forms require the following information:

- A list and number of housing development applications submitted in the reporting year.
- A list and number of housing units that have been entitled, issued building permits, or completed.
- Progress in meeting the County's share of the RHNA.
- A list of sites identified or rezoned to accommodate any shortfall in housing need.
- Status of the Housing Element program implementation.

Staff has prepared the 2022 San Joaquin County Housing Element Annual Progress Report, and submitted it to HCD and OPR on March 23, 2023, to meet the submission deadline of April 1, 2023. A partial representation of the APR is included as Attachment A. The APR contains very large tables that are not suitable for printing and are best viewed electronically. The complete 2022 Housing Element APR can be found at the Community Development Department's webpage at:

<https://www.sjgov.org/commdev/cgi-bin/cdyn.exe/file/Planning/Draft%20Documents%20for%20CDD%20Projects/2022%20Housing%20Element%20Annual%20Progress%20Report%20-%20Final%20Draft%2003-23-2023.pdf>

Table B (Attachment A) shows the new residential development in unincorporated San Joaquin County by affordability level since 2015. The number of units per year have fluctuated, with the lower numbers of new development from 2015 to 2017 reflecting a slow recovery coming out of the Great Recession that started in 2008 to 2009. The numbers for 2018 and 2019 show an increase based on the recovering economy, but because of the COVID-19 pandemic, residential units for 2020 dropped dramatically and were not as high as expected. The number of units in 2021 showed a steady increase in activity again similar to 2018 and 2019, while 2022 reflected somewhat lower numbers more similar to 2015 to 2017.

Even with higher numbers for several of the planning years, it may be difficult to achieve the unattainably high RHNA numbers designated for San Joaquin County. The unincorporated San Joaquin County is primarily rural and agricultural. To preserve and maintain agricultural lands and open space, the policies of the General Plan direct any urban development to the cities, city fringe areas, or urban communities that have full public services (sewer, water, and storm drainage) that can sustain that level of growth. Because of this, there is very limited development in the unincorporated County, outside of Mountain House. Thus, reaching the allocated RHNA numbers may be difficult to achieve.

Efforts Toward Achieving the RHNA

The San Joaquin County Community Development Department is making a concerted effort to achieve the RHNA numbers. The following are programs recently implemented or proposed for implementation to help streamline the application process and accelerate housing production to help the County in attaining the allocated RHNA:

- **SB 2 Planning Grant:** This is a grant from HCD for jurisdictions to implement projects that streamline housing approvals and expedite housing production. \$310,000 has been awarded to the County for this grant. Projects utilizing these funds are:
 - **Lobby and counter area improvements** to streamline physical and permit processing.
 - **E-Plan Check software** to expedite the plan check process.
 - **Development Title Update** – The recent update of the Development Title included new Accessory Dwelling Unit (ADU) and Junior Accessory Dwelling Unit (JADU) standards to streamline review of permits and allow more ADU/JADU units in appropriate locations. A new Accessory Dwelling Design Manual was also created to help with the streamlining. This companion Design Manual includes a number of pre-approved, affordable plans for all of the allowed types of ADUs (attached, detached, and conversions). These pre-approved plans are designed to reduce the costs associated with building a new ADU.
- **Local Early Action Planning (LEAP) Grant:** This grant provides one-time grant funding to jurisdictions to update their planning documents and implement process improvements that will facilitate the acceleration of housing production, much like the SB 2 Planning Grant. The County can receive up to \$500,000 from this grant. Projects proposed with these grant funds include:
 - **Fire Flow Study** – The proposed study will evaluate the County's special districts which lack adequate fire flow to support new home construction. The study would identify districts which would be good candidates for new housing and provide recommendations and cost estimates for improvements which would allow the districts to provide required fire flow.
 - **CSA 12 Water Line Extension in Thornton** – This project would include planning and design of an extension of the district's water main. Extending the water main would allow for subdivision and development of additional properties within the district that are zoned residentially and currently are undeveloped.
- **Camino Software:** Implementation of this software has allowed customers to virtually obtain answers to their development and permitting questions before submitting their applications. Applicants can receive a customized guide containing information about project feasibility, timeline, fees, and process for successful project completion.
- **Mountain House Affordable Housing Trust Fund:** Fees are collected from Mountain House developers on every building permit and deposited into the Affordable Housing Trust to provide affordable housing to low-income households within the Mountain House community. Staff expects to begin an affordable housing project using these funds within the next few years.

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RECOMMENDATION

It is recommended that the Planning Commission:

1. Accept the General Plan Housing Element Annual Progress Report for 2022.
2. Forward the General Plan Housing Element Annual Progress Report for 2022 to the Board of Supervisors with a recommendation to also accept the report.

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SAN JOAQUIN
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Community Development Department

Planning · Building · Code Enforcement · Fire Prevention · GIS

Attachment A

2022 San Joaquin County Housing Element Annual Progress Report (partial)

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Table B Regional Housing Needs Allocation Progress Permitted Units Issued by Affordability														
		1	2										3	4
Income Level	RHNA Allocation by Income Level		2015	2016	2017	2018	2019	2020	2021	2022	2023	Total Units to Date (all years)	Total Remaining RHNA by Income Level	
Very Low	Deed Restricted		-	-	-	-	-	-	46	-	-	119	2,377	
	Non-Deed Restricted	2,496	10	1	-	29	26	7	-	-	-	-	-	
	Deed Restricted		-	10	70	5	2	-	-	-	-	437	1,298	
	Non-Deed Restricted		46	134	-	51	88	31	-	-	-	-	-	
	Deed Restricted		-	-	-	-	-	-	-	-	-	-	-	
Low	Deed Restricted	1,727	-	-	-	-	-	-	-	-	-	-	-	
	Non-Deed Restricted		1,724	-	93	213	225	132	-	-	-	849	876	
Moderate	Deed Restricted		90	96	234	180	595	363	68	664	428	-	-	
	Non-Deed Restricted		183	234	-	-	-	-	-	-	-	-	-	
Total RHNA			4,220	234	180	595	363	68	664	428	-	2,715	1,595	
Total Units			10,167	339	465	343	893	704	238	710	428	4,120	6,047	
Progress toward extremely low-income housing need, as determined pursuant to Government Code 65583(a)(1).														
		5											6	7
	Extremely low-income Need		2015	2016	2017	2018	2019	2020	2021	2022	2023	Total Units to Date	Total Units Remaining	
Extremely Low-Income Units*			1,248	-	-	-	-	-	-	-	-	-	1,248	

*Extremely low-income housing need determined pursuant to Government Code 65583(a)(1). Value in Section 5 is default value, assumed to be half of the very low-income RHNA. May be overwritten.

Note: units serving extremely low-income households are included in the very low-income RHNA progress and must be reported as very low-income units in section 7 of Table A2. They must also be reported in the extremely low-income category (section 13) in Table A2 to be counted as progress toward meeting the extremely low-income housing need determined pursuant to Government Code 65583(a)(1).

Please note: For the last year of the 5th cycle, Table B will only include units that were permitted during the portion of the year that was in the 5th cycle. For the first year of the 6th cycle, Table B will only include units that were permitted since the start of the planning period. Projection Period units are in a separate column.

Please note: The APR form can only display data for one planning period. To view progress for a different planning period, you may login to HCD's online APR system, or contact HCD staff at aprr@hcd.ca.gov.

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**Planning Commission Staff Report
Item # 2, April 20, 2023
Use Permit No. PA-2200049
Prepared by: Alisa Goulart**

PROJECT SUMMARY

Applicant Information

Property Owner: Venkateshwara Sharma Chintapalli
Manikya Prabhu Salveru
Shiva Kiran Nori

Project Applicant: Sri Veda Vidya Peetham

Project Site Information

Project Address: 21199 S. San Jose Road, Tracy
Project Location: On the west side of S. San Jose Road, 625 feet south of W. Middle Road, Tracy.

Parcel Number (APN):	209-280-08	Water Supply:	Private
General Plan Designation:	A/G	Sewage Disposal:	Private
Zoning Designation:	AG-40	Storm Drainage:	Private
Project Size:	0.27 acres	100-Year Flood:	Yes, AE (portion)
Parcel Size:	5.22 acres	Williamson Act:	No
Community:	None	Supervisory District:	5

Environmental Review Information

CEQA Determination: Notice of Exemption (Attachment D; Environmental Review)

Project Description

This project is a Use Permit for a religious assembly for a maximum of 49 people. (Use Type: Religious Assembly – Neighborhood) The project proposal includes:

- Convert:
 - 2,000-square-foot residence into a prayer hall, office, storage room, and restrooms
 - 840-square-foot attached garage into a second prayer hall
 - 1,500-square-foot barn into a storage building
 - 631-square-foot personal storage building for storage related to the religious assembly use
- Construct:
 - 268-square-foot accessible restrooms

Recommendation

1. Adopt the Findings for Use Permit (Attachment E, Findings); and
2. Approve Use Permit No. PA-2200049 with the attached recommended Conditions of Approval (Attachment F, Conditions of Approval)

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NOTIFICATION & RESPONSES

(See Attachment C, Agency Response Letters)

Public Hearing Notices

Legal ad for the public hearing published in the Stockton Record: April 10, 2023.

Number of Public Hearing notices: 91

Date of Public Hearing notice mailing: April 7, 2023.

Referrals and Responses

- **Early Referral Date:** April 14, 2022
- **Project Referral with Environmental Determination Date:** July 28, 2022
- **Negative Declaration Posting Date:** N/A
- **OPR State Clearinghouse #:** N/A

Agency Referrals	Early Consultation	Public Hearing
County Departments		
Ag Commissioner		
Assessor		
Community Development		
Building Division	5/27/2022	
Fire Prevention Bureau		
Public Works	5/18/2022	2/14/2023
Environmental Health	5/18/2022	
Sheriff's Office		
Supervisor: District 5		
State Agencies		
C.V.R.W.Q.C.B.		
Fish & Wildlife, Division: 3		
Native American Heritage Commission		
Federal Agencies		
F.E.M.A.		
Fish & Wildlife		
Local Agencies		
Tracy Rural Fire		
Mosquito & Vector Control		
S.J.C.O.G.	4/20/2022	7/28/2022
City of Tracy		
Lammersville School District		
San Joaquin Air Pollution Control District		

Agency Referrals	Early Consultation	Public Hearing
Miscellaneous		
Union Pacific RR		
1007 Pico & Naglee Reclamation District		
Haley Flying Service		
P.G.&E.		
Precissi Flying Service		
Sierra Club		
CA Tribal TANF Partnership		
United Auburn Indian Community	5/11/2022	
CA Valley Miwok Tribe		
CA North Valley Yokuts Tribe		
Buena Vista Tribe Rancheria		
Delta Commission		
Delta Stewardship Council		
Building Industry Association		
Delta Keeper		
Farm Bureau		
PG&E	5/19/2022	

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ANALYSIS

Existing Development

The project site contains a 2,000-square-foot residence with an 840-square-foot attached garage, a 1,500 square foot barn, and a 631 square foot storage building.

Code Enforcement

On March 7, 2022, Code Enforcement Case No. EN-2200049 was opened for operating a religious assembly without a land use permit. On March 11, 2022, the applicant submitted the subject Use Permit for a religious assembly. On September 15, 2022, a code enforcement officer visited the property and confirmed that all operations had ceased.

If this Use Permit is approved, the applicant is required to obtain building permits for all alterations made to the structures, as well as for required improvements to change the occupancy of the residence for the new religious assembly use.

Operations

The prayer halls are proposed to be open to its members 7 days a week, with 2 shifts per day, for a total of 5.5 hours per day. The shifts are 9:00 a.m. - 12:00 p.m. and 6:00 p.m. - 8:30 p.m. The prayer hall is staffed with 2 employees during each shift.

Parking and Surfacing

The Site Plan depicts an asphalt driveway and parking area with 25 parking spaces. Development Title Section 9-1015.5[e] requires all driveways and maneuvering areas be surfaced with asphalt or concrete. Additionally, pursuant to Development Title Table 9-1015.3(b), the parking space requirement for the religious assembly use type is 1 parking space for every 3 seats. This Use Permit proposes a maximum of 49 attendees, therefore, a total of 16 parking spaces are required. The Site Plan depictions meet and exceed these requirements, which are included in the recommended Conditions of Approval.

Screening

The Development Title requires that parking areas that abut an existing residential development be screened with a 6- to 7-foot-tall solid masonry wall with a 5-foot planting strip adjacent to the parking area (Section 9-1020.5[e]). However, the chapter also allows for the modification of the requirement with an alternative that still meets the intent of the chapter. Because a solid masonry wall would be inconsistent with the existing development of the area, the applicant's proposal to screen the parking area from the abutting property with dense landscaping has been added to the recommended Conditions of Approval.

Neighborhood Response

The Community Development Department received 4 letters regarding the proposed project from neighbors: 1 letter in support and 3 letters in opposition (Attachment B). The following issues were raised in the 3 opposition letters:

Land Use

The letters state that a religious assembly is not a compatible use in the rural, agricultural area.

- The Religious Assembly Use Type is a conditionally permitted use in the AG-40 (General Agriculture, 40-acre minimum) zone with an approved Use Permit application. If approved, the project will be subject to the attached recommended Conditions of Approval that provide requirements for development of the project to ensure compatibility with the surrounding area.

Operating in Violation

The letters state that the religious assembly has been in operation and structures were altered without permits.

- On March 7, 2022, Enforcement Case No. EN-2200049 was opened by the Code Enforcement Division in response to complaints about unpermitted activity at the project site. A follow up site visit was conducted on September 15, 2022, which confirmed that all operations had ceased. Permits will be required for any unpermitted and new improvements on the property.

Septic System

The letters include concern regarding the sizing of the existing septic system.

- This issue is addressed with the requirement of the Environmental Health Department (EHD) for construction of a sewage disposal system under permit and inspection by EHD. The specifications for the new septic system will be based on the findings from the Soil Suitability/Nitrate Loading Study, which must be performed on the subject property. This requirement has been included as recommended Condition of Approval 4.e.

Retention Basin

One of the opposition letters expressed concern about flooding and stormwater running onto other properties.

- Pursuant to Development Title Section 9-1135, the developer is required to provide drainage facilities. Prior to release of building permits, the retention basin capacity must be calculated and submitted with a drainage plan for review and approval by the Department of Public Works. This requirement has been included as recommended Condition of Approval 3.e.

Traffic, Street Parking, Speeding, and Turning Around in Other Driveways

The letters include concerns about increased traffic, street parking, speeding, and vehicles turning around on private property.

- Pursuant to Development Title Section 9-1150.4(a), a traffic study is required when traffic generated by the project will exceed 50 vehicle trips during any hour. After reviewing the project, the Department of Public Works determined that project traffic is not anticipated to exceed 50 vehicle trips during any hour; therefore, no traffic study was required. Additionally, pursuant to the San Joaquin County VMT Analysis Screening Tool, the project is expected to produce less than 110 daily trips, therefore, a Vehicle Miles Traveled (VMT) analysis was not required. As a result, the impacts to traffic resulting from the project are expected to be less than significant.
- The site plan depicts a circulation pattern for the facility that, once improvements are completed, will allow for vehicles to maneuver between the prayer halls and parking area without leaving the property. The applicants and all attendees are subject to all applicable traffic and parking regulations.
- With regards to parking, the project is required to provide adequate on-site parking to accommodate the number of vehicles generated by those utilizing the religious assembly. Street parking does not count towards the required number of parking spaces. As previously noted, 16 parking spaces are required pursuant to the parking requirements in Development Title Table 9-1015.3(b). The proposed site plan depicts 25 parking spaces, which exceeds these requirements.

Noise

The letters include concerns about noise from the proposed project.

- The proposed religious assembly are located approximately 200 feet from both sides of the lot, abutting APNs: 209-280-48 and 209-280-08, which are both developed with residences. The residences are

located approximately 70 feet from the shared property lines, and the proposed parking lot is located adjacent to the property line abutting the parcel to the south (APN: 209-280-08).

The proposed project is subject to the provisions of the San Joaquin County noise ordinance (Development Title Section 9-1005.9) which require the project to comply with sound level limitations and prevent noise levels from exceeding the standards specified in Development Title Table 9-1025.9, Part II. Excessive noise can be reported to the Sheriff's Office as a disturbance of the peace.#

CEQA Exemption

This project is exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15303. Class 3 Categorical Exemptions includes a list of classes of projects that have been determined not to have a significant effect on the environment and that are, therefore, exempt from the provisions of CEQA. Section 15303 lists Class 3 projects, which include "the conversion of existing small structures from one use to another where only minor modifications are made to the exterior of the structure." The proposed religious assembly will be converted from an existing residence with a minor addition to add accessible restrooms, and existing accessory buildings. This project is not expected to have a significant effect on the environment. Therefore, the project is exempt from CEQA.

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RECOMMENDATION

It is recommended that the Planning Commission:

1. Adopt the Findings for Use Permit (Attachment E, Findings); and
2. Approve Use Permit No. PA-2200049 with the attached Conditions of Approval (Attachment F, Conditions of Approval)

Attachments:

Attachment A – Site Plan
Attachment B – Neighbor Response Letters
Attachment C – Agency Responses Letters
Attachment D – Environmental Review
Attachment E – Findings for Use Permit
Attachment F – Conditions of Approval

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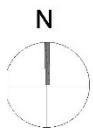
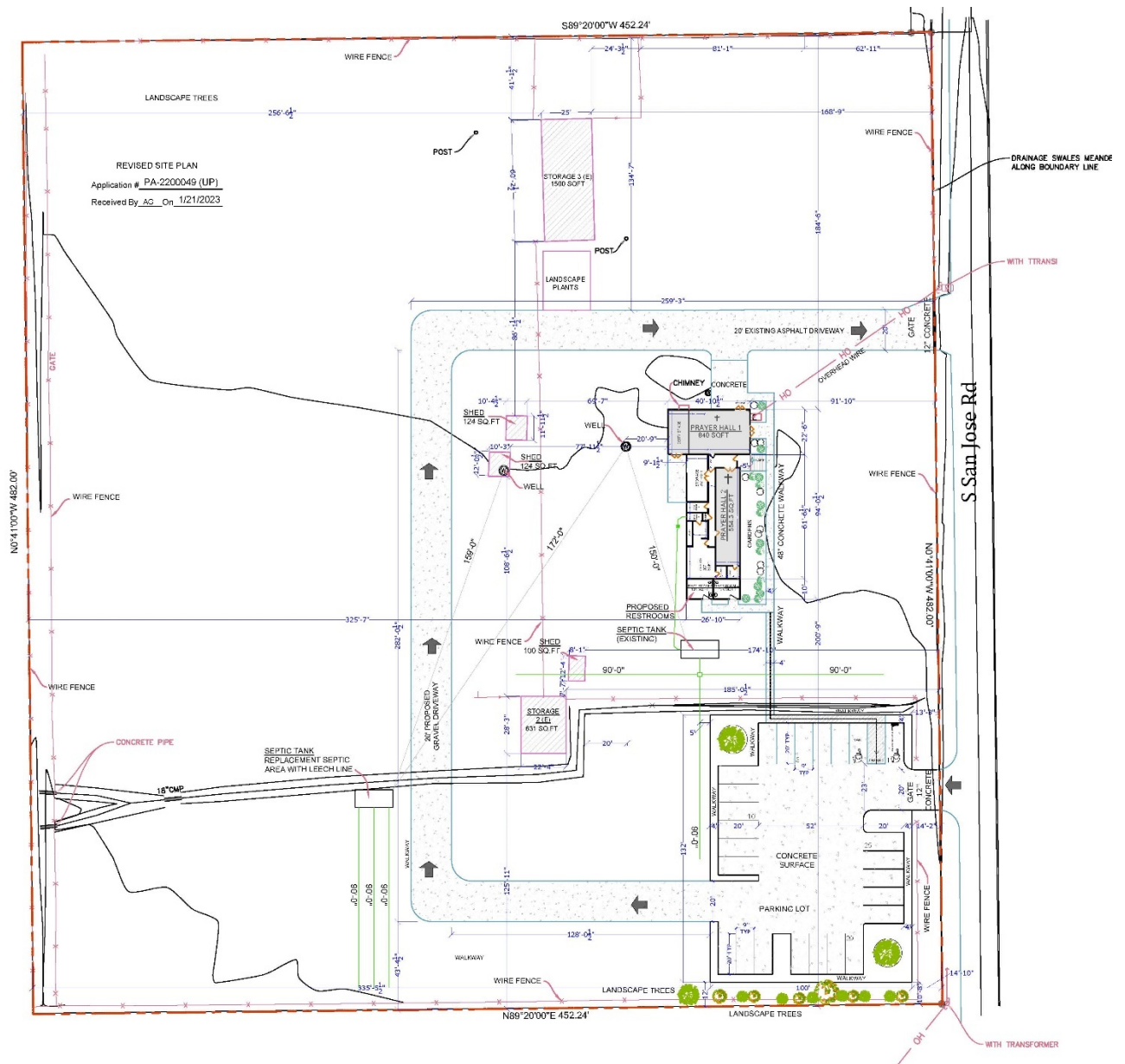
SAN JOAQUIN
—COUNTY—
Greatness grows here.

Community Development Department

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Attachment A **Site Plan**

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NEW SITE PLAN

SCALE: 1/32"= 1'-0"

NOTES:

1. EXISTING GARAGE AND LIVING ROOM WILL BE CONVERTED TO PRAYER HALLS AS MENTIONED IN DESIGN
2. EXISTING TWO BEDROOMS AND A FAMILY ROOM WILL BE USED AS PRAYER HALL 2. (SEE DIAGRAM)
3. EXISTING KITCHEN AND REMAINING BEDROOM WILL BE USED AS STORAGE AND OFFICE ROOMS.
4. PROPOSED 2 RESTROOMS WITH ADA ACCESS ON THE SOUTH SIDE OF EXISTING DWELLING (SEE DIAGRAM)
5. PROPOSED 25 PARKING SPOTS ON SOUTH EAST SIDE OF THE PROPERTY WITH INCLUDING 2 ADA ACCESS AND WALKWAY TO THE PRAYER HALL.
6. EXISTING HORSE BARN WILL BE USED AS STORAGE
7. STORM DRAINAGE WILL BE NATURAL DRAINAGE.

PROPOSED STRUCTURES-PARKING						
STRUCTURES NUMBER	PROPOSED USE	AREA (SQ.FT)	FLOOR HEIGHT	EMPLOYEE (EST.)	PROPOSED PARKING	ADA PARKING
01	PRAYER HALL -1(E)	840	10'-0"	02		
02	PRAYER HALL 2 (E)	554.3	10'-0"			
03	2 RESTROOMS-3,4 (P)	268	10'-0"			
04	2 RESTROOMS-1,2 (E)	78.85	10'-0"			
05	STORAGE (E)	237	10'-0"			
06	OFFICE (E)	307	10'-0"			
07	PARKING LOT (P)	13,200			23	02

TOTAL EXISTING AREA = 2017 SQ.FT. (INCLUDING PRAYER HALL 1 AND 2)

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Community Development Department

Planning · Building · Code Enforcement · Fire Prevention · GIS

Attachment B **Neighbor Response Letters**

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January 9, 2023

To Planning Department San Joaquin County,

I am the homeowner at 21113 San Jose Road, Tracy, CA. I am aware of the prayer hall project proposed at 21199 San Jose Road, Tracy, CA, by our neighbor. I received the proposed project details sent by the county. I checked with my family for any concerns.

Our lots are agriculture zoned. We have enough space, they have 5.2 acres land and their plans for a prayer hall is fine. We have enough space from my gate to their gate entrance. I do not foresee any issues with them operating next door. I am in favor of this project. I am confident that a prayer hall will be a good neighbor as I feel that we all can use more peace and tranquility in our lives.

The blessings are good for me and the society, I am in favor of this project.

Thank you,

Jose Santos Flores

Jose Santos Flores
21113 San Jose Road
Tracy, CA 95304

Scanned with CamScanner

SAN JOAQUIN COUNTY

COMMUNITY DEVELOPMENT DEPARTMENT

1810 E. HAZELTON AVE

STOCKTON, CA. 95205

APPLICATION NUMBER PA-2200049 (UP)

PROJECT PLANNER: ALISA GOULART Email: alisa.goulart@sjgov.org

The application should be denied as the surrounding area is zoned AG. I made my investment to live in a rural Ag setting.

The project has already been started. The modifications to the house and graveled area in the back for parking.

The existing septic system is built for a single family unit. A new system will have to be built for a larger number of people. I farmed that ground some time back the problem I encountered was the water table, it was at shovel depth. That is going to present a problem installing a new septic system.

The covered parking is another problem as the land fall is to the north which should require a detention basin to prevent flooding on to the property next to the lot on the north.

Thank you,



Steven Bradford
21700 San Jose Rd
Tracy, CA 95304
209 640-8866

San Joaquin County

Community Development Department

1810 Hazelton Ave

Stockton CA 95205

August 13, 2022

To: Alisa Goulart

Project Planner

Application Number PA-2200049

21299 Sa Jose Rd Tracy CA

In regards to the above permit application I find it interesting that they are now just getting a permit now when they have been finished with their construction for at least 6 months and have been using the property as a worship space. Also there are far more people than a maximum of 49 people more like 200 and the issue of traffic needs to be addressed We are in a AG zoned rural area not commercial and the parking situation on a two lane road you can hardly get thru and that is when there parking lot is already full.

Making U turns in neighbors driveway and almost hitting her 2 kids and speeding down the road that is a dead end and turning around and going at least 60 miles an hour doesn't work. There are horses ,kids dogs, and cats on a quite road and that needs to be taken into consideration.

Also to dig a new septic tank keep in mind the water level table is shovel deep and the septic they have now is for a single family won't accommodate a large amount of people and a detention basin should be set in place for storm run off from the parking lot doesn't affect the property next to them as I believe they are in the floodplain

Hopefully all these issues and more will be addressed

Thank you for your time



Patricia Gum

21700 San Jose Rd

2

Tracy CA 95304

229 440-4451

Alisa Goulart
Community Development Department
San Joaquin County
Application Number: PA-22000049 (UP)
21199 San Jose Rd. in Tracy, CA

Our names are Aaron and Rosemary Smud, we are the homeowners and residents at 21315 and 21301 San Jose Rd in Tracy, CA. We are responding to the letter we received from the Community Development Department in response to Application Number PA-22000049 (UP) at 21199 San Jose Rd (Subject Property).

Primary Concerns with this Application:

1. The Subject property has already been converted without County Planning Department approval, Environmental Health approval or any Building Department permits
2. The Subject property is currently operating as a religious worship facility
3. Impact to the community including traffic, noise, health, and safety.
4. Monitoring and verification of utilization
5. Financial impact this approval would have on surrounding residential properties

Subject Property Was Converted in October 2021

This Application requests approval to make modification to the existing house, and property. However, as the attached pictures show, **Most of these improvements were already done in October and November 2021 without approval or any permits.** The owner of the property has disregarded the County required approval process and most importantly have made structural, electrical, and other major changes to the exiting residential house without any County Building Department review, approval, or inspection of the work. This Code Violation should be an important consideration for the review of this Application.

Subject Property Stats:

Lot Size: 5.22 Acres
House Size: 2,007 SF – 3Bedroom/2Bathroom with 2 car garage
Property is zoned AG-40 with horse barn, single family residence.
Utility Services: Septic leach system, domestic well, and PG&E power
Property was purchased on 8/19/2021



This picture was taken from the real-estate listing and represents what the property looked like when purchased. Note there is a two-car garage and a small window in the garage.

Shortly after the property was purchased, construction began on the property and the garage was enclosed by adding French doors. The front facing window was also removed and French doors were added. The picture on the right was taken on November 1, 2021. Note the construction debris outside the old garage door and the construction debris under the tree in the front yard. There is a “no parking” sign on the tree in the front yard because cars began parking everywhere around the property and on the street. I counted 72 cars at one of the gatherings in the Fall of 2021.





This picture was taken on November 12, 2021 I noticed someone working on the house. I walked up to introduce myself as a neighbor and asked if they were the owner. The contractor said he was not the owner, and he was working for SVVP to convert the garage and den into a temple. He showed me the work he did to remove a wall between the garage and den, then the area where the worship center was constructed.



In addition to the proposed improvements listed on the Application, other improvements have also already been done. Surface gravel has been installed in the large grass field and it frequently has 30-45 cars parked there during worship events. The existing 1,800 SF barn that is shown on the proposed Site Plan has also been cleaned out and setup to host large gatherings, and to increase worship capacity.

Given, these identified inconsistencies between the existing improvements and the Application's proposed improvements the County should conduct a property site inspection as part of the Application review process.

Already Operating as Worship Facility

Shortly after these initial improvements were complete the Owner of the property started hosting frequent worship gathering at the property. These gathering have consisted of smaller week night sessions to very large weekend events with over 100 people.

Signage was installed to advertise this location. The religious group created a website that listed this address as their new location and listed details about worship times and events. Several of these events last for hours, sometimes with loud drums or other loud noises disturbing the neighbors. Numerous more gatherings occur each week as listed on their website event calendars for the month of August and September which show the weekly events and festivals. Each of these events has between 20-175 people at them and disturb neighbors with noise, traffic congestion, and block the road with cars. The events began in November of 2021, months before the permits were applied for.



The website advertises weekly temple times and several special events at the "new address 21199 San Jose Rd Tracy" beginning in November of 2021. Each event had "sponsorships" and collected money from attendees like a business.

This picture was taken on November 1, 2021 at the driveway by the road. This sign advertised the location and name of the new worship center. Googling this name revealed a that website advertised the worship times. www.svvp.org

TEMPLE TIMINGS
Monday - Sunday :
10:00 AM to 12:00 PM,
06:00 PM to 08:00 PM

During the winter months many of these events are after it get dark. Cars are parked on the street and blocking two-way traffic. The below pictures were taken on November 15, 2021, on a dark night, cars are parked across the fog line into the road. When events end, all the cars leave at the same time which causes traffic congestion on the small road making it difficult for local residents to use the road safely.





The photo above shows the back field used as a parking lot for an event on November 28, 2021. More than 30 cars were parked in the back field and another 12 cars were parked in the front yard and driveway. The back field has now been graveled to accommodate the large number of cars that park at the worship center multiple times a week.

On February 17, 2022 the picture below was taken showing cars parked along both sides of the narrow country road.



The below photos were taken on August 6, 2022 of a weekend gathering. Over 40 parked cars and a large tent was installed in back yard to increase worship space.



These photos and details should leave no uncertainty to the fact that the Owner has been using the Subject property as a religious worship facility frequently and for nearly one year without County approval. **The unpermitted conversions of the house, and existing use of the Subject property without approval should alone be sufficient justification for the County to reject this Application.**

Impact to the Community including traffic, noise, health, and safety.

It is appropriate and even necessary for the Community Development Department to consider the interest of neighboring property owners in reaching a decision. The Community Development Department is entitled to consider subjective matters such as the spiritual, physical, aesthetic and monetary effect the property may have on the surrounding neighborhood. Findings which relate to private community concerns such as traffic, parking and visual impact are ones which fall within the domain of public interest and welfare. The opinions of the neighbors may constitute substantial evidence on this issue.

The proposed location for the temple is **not advantageous for public convenience or welfare**, as it is in a residential area located in the country. The necessary infrastructure (streets, septic, water, etc) are not in place to support large gatherings.

The location of the temple will be **materially detrimental to the character of development in the immediate neighborhood**. All the surrounding properties are residential properties and agricultural properties, where homeowners have moved for peace and quiet.

Our family moved to a country property that is located on a dead end road and is surrounded by orchards for the peace and quiet and lack of public influences. I'm sure that others also move to country property for similar reasons. A worship center with large frequent gatherings will have a negative impact on that experience for our family and other neighbors.

The proposed use is not consistent with the various elements and objectives of the surrounding AG-40 properties. The current zoning does not support a worship center.

The conditions imposed by the new owners are 21199 San Jose Rd. in Tracy **do not protect the best interests of the surround property and neighborhood**. Since the house is converted to a worship center and does not have a full-time resident, it is often vacant. Unoccupied residential houses are statistically a target for crimes such as theft and vandalism. When a residence has signage for commercial or business use and it does not have full time occupants it is at a higher risk for crime. As an unoccupied target it will increase the risk of crime for neighboring properties.

This section of San Jose Road is not a through road and dead ends at the rail road tracks near Byron Hwy. There is not a public ROW to allow for a turnaround location at this dead end. So drivers are forced to turn around on private property well outside of the County road ROW. The County has installed signage to prevent this from happening. However, increased traffic created from the recent large events at the Subject property are traveling south on San Jose Road and then must turn around on private property. From our perspective there has been no effort from Owner of the Subject property to install any signage or other measures to prevent this from happening. My assumption is because they have no Approval for that use at the property they are trying to stay unnoticed without property signage.

Prior to the current Owner converting this space and operating as a worship facility we would see only a few cars per day drive past our house. There is only one house and orchards located south of our property. Now numerous cars a day drive past us at high speeds to the south, or they turn around in our driveways. **One of the cars almost hit our son while he was riding his bike in our driveway. The car was not looking where they were going and quickly backed into my driveway while my 7 year old son was riding his bike in our driveway. See below photo as example.**



Added traffic on a narrow County Road, that has limited public ROW and no public shoulder or turn around location will not accommodate the added traffic for this proposed use. Will the County Require a Traffic Impact Fee (TIF) from the Applicant? The County should require the Applicate to provide a Traffic Study Report that will identify current traffic volume, patterns and use. It will also determine what impact the proposed Application will have to existing traffic. This study will list recommend traffic improvements that should be required for approval.

Monitoring and Verification of Utilization

Given, the identified violations listed in this document it is clear that that Owner of the Subject property has not followed County established approval process. They have violated Building Codes to convert "non-livable" space to "livable space" without Permits. They have also been using a residential house to

host frequent large religious gatherings without County Approval. This has established a track record of not following the rules. Because of this we have no confidence that the requirements and/or conditions listed in the proposed Application will be inherited to.

The Application is for a religious assembly for a maximum of 49 people, yet on multiple occasions every month, **more than 49 people are already gather to worship at the Subject Property.** Last weekend over 36 cars were parked on the premises on Friday then on Saturday over 40 cars were parked on the premises and we counted over 75 people gathering to worship at the temple.

The proposed list of improvement and Site Plan attached to the Application are inconstant and misleading when compared to existing conditions. **They are now asking for approval for what has already been done.** I'm sure the County recognizes this is not acceptable practice.

Who will monitor and verify that the proposed utilization and max number of people will not exceed the number allowed to gather?

Who will monitor to prevent additional conversions, new structures or other improvements at the Subject property? The current owners already has a history of not following protocol and has already completed extensive renovations and construction without a permit.

Our concern is the neighbors would be the only one to monitoring or policing this use. That should not be our responsibility. If the County approves commercial use in AG zoning they should be required to monitor and verify compliance.

Financial Impact

The approval to convert the Subject property from its current residential use into commercial use for religious assembly will have a negative financial impact to the neighborhood. Neighboring an approved commercial property that frequently host large gathering of people for religious purposes will be less desirable for most people that typically move to the country for a more private and quiet experience. This reduced desirability will reduce the financial value of our property. When properties are unoccupied and only maintained for commercial use the curb appeal and maintenance typically suffer.

Recommended Actions:

- **County to send written notification to the Owner to cease all future worship gathering until after they receive County approval**
- Planning Community Development Department visits the site to verify current conditions and compare with proposed improvements.
- A rezoning requirement, as we do not believe a worship center is approved under an AG-40 zone.
- Require a Traffic Study Report that includes both Middle Road and San Jose Road to access the impact of increased traffic and required traffic related improvements or fees.

- Require County Environmental Health Department to review existing and proposed improvements for septic system and domestic well, to ensure that neighboring drinking wells are not impacted by overuse at this property.
- Monthly monitoring by Community Development Department of events to ensure they do not exceed the maximum 49 people in attendance.

Summary

It is our hope that the County Community Planning Department gives serious consideration to our comments and concerns as part of their review of this Application. I appreciate your time and effort on this Application review. Please don't hesitate to contact me with any questions or comments.

Sincerely,

Aaron Smud



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Community Development Department

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Attachment C **Agency Response Letters**

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DATE: 5/27/2022

PA-2200049

Property owner: SRI VEDA VIDYA PEETHAM

Applicant: ARVIND S IYER

APN / Address: 209-280-08

21199 S San Jose Rd

Planner: Alisa Goulart, Associate Planner

Project Description: House to Religious Conversion

Building Conditions By: Greg Davis, Senior Plan Checker (209) 468-3181

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 2019 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. A grading permit will be required for this project. Submit plans and grading calculations, including a statement of the estimated quantities of excavation and fill, prepared by a Registered Design Professional. The grading plan shall show the existing grade and finished grade in contour intervals of sufficient clarity to indicate the nature and extent of the work and show in detail that it complies with the requirements of the code. The plans shall show the existing grade on adjoining properties in sufficient detail to identify how grade changes will conform to the requirements of the code.
3. 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 structural plans and calculations, plumbing, electrical and mechanical drawings and energy report.
4. As noted in the Project Description, the phase one conversion of the existing residence to a religious worship 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
 - k. Risk Category analysis.
5. 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- 206.2.1
 6. 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
 7. At least one accessible route shall connect accessible building or facility entrances with all accessible spaces and elements within the building or facility which are otherwise connected by a circulation path. §11B-206.2.4
 8. 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.
 9. Adequate sanitary facilities shall be provided for the facility, per the requirements of Chapter 4 of the California Plumbing Code.
 10. 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.
 11. If the project includes landscaping, it will be required to comply with the Model Water Efficient Landscape Ordinance requirements of the California Code of Regulations, Title 22, Division 2, Chapter 2.7



Environmental Health Department

Jasjit Kang, REHS, Director

Muniappa Naidu, REHS, Assistant Director

PROGRAM COORDINATORS

Robert McClellon, REHS

Jeff Carruesco, REHS, RDI

Willy Ng, REHS

Steven Shih, REHS

Michelle Henry, REHS

Elena Manzo, REHS

May 18, 2022

To: San Joaquin County Community Development Department
Attention: Alisa Goulart

From: Aldara Salinas; (209) 616-3019
Environmental Health Specialist

RE: **PA-2200049 (UP), Early Consultation, SU0014868**
APN: 209-280-08 / 21199 S. San Jose Rd., Tracy)

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

1. Applicant shall contact Robert McClellon, Program Coordinator, Small Public Water System Program, at (209) 468-0332, to determine if the existing well can be permitted as a public water system prior to issuance of building permits. If a public water system is required, applicant shall submit a Small Public Water System preliminary technical report to the California State Water Resources Control Board, Division of Drinking Water (Water Board) at least six months before initiating construction of any water related improvement, as defined. The issuance of a permit to operate a small public water system by the local primacy agency (EHD) is prohibited without the concurrence of the Water Board. Please contact Brian Kidwell, P.E. with the SWRCB Division of Drinking Water at (209) 948-3963 concerning the requirements for preliminary technical report submittal prior to issuance of building permits.
2. If the Water Board determines that an onsite well shall be used as the potable water source, a permit application to operate Small Public Water System shall be submitted to the EHD for approval prior to issuance of building permits. To issue a permit to operate, concurrence from the Water Board is required. A yearly permit to operate a public water system will be required by the EHD prior to sign off of the certificate of final occupancy (San Joaquin County Development Title, Section 9-1120.2 and 9-1115.9.).
3. The supplier must possess adequate financial, managerial, and technical capability to assure delivery of pure, wholesome, and potable drinking water in accordance with San Joaquin County Development Title, Sections 9-1120.2 and 9-1115.9 and C.C.R., Title 22, and Health and Safety Code, Section 116525 116570.
4. The existing private water wells shall be tested for the chemical Dibromochloropropane (DBCP) and nitrates with the results submitted to the Environmental Health Department prior to issuance of building permit(s). Samples are to be taken and analyzed by a State-approved laboratory (San Joaquin County Development Title, Section 9-1115.7).
5. A soil suitability and nitrate loading study incorporating proposed staff and customer use shall be submitted to the Environmental Health Department, indicating that the area is suitable for septic system usage. The studies must be approved by the Environmental Health Department prior to issuance of building permit(s). (San Joaquin County Development Title, Section 9-1105.2(d)). The fee will be based on the current schedule at the time of payment.

1868 E. Hazelton Avenue | Stockton, California 95205 | T 209 468-3420 | F 209 464-0138 | www.sjgov.org/ehd

The sewage disposal system shall comply with the onsite wastewater treatment systems standards of San Joaquin County prior to approval. A percolation test conducted in accordance with the E.P.A. Design Manual - Onsite Wastewater and Disposal Systems is required for each parcel. The fee will be based on the current schedule at the time of payment.

6. Construction of an individual sewage disposal system(s) under permit and inspection by the Environmental Health Department is required at the time of development based on the **Soil Suitability/ Nitrate Loading Study findings** (San Joaquin County Development Title, Section 9-1110.3 & 9-1110.4).
7. Any existing wells or septic systems to be abandoned shall be destroyed under permit and inspection by the EHD (San Joaquin County Development Title, Section 9-1110.3 & 9-1110.4)
8. Any geotechnical drilling shall be conducted under permit and inspection by The Environmental Health Department (San Joaquin County Development Title, Section 9-1115.3 and 9-1115.6).



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Department of Public Works

Kris Balaji, Director of Public Works

Fritz Buchman, Deputy Director/Development

David Tolliver, Deputy Director/Operations

Najee Zarif, Deputy Director/Engineering

Kristi Rhea, Business Administrator

May 18, 2022

MEMORANDUM

TO: Community Development Department
CONTACT PERSON: Alisa Goulart

FROM: Christopher Heylin, Development Services Engineer *CH*
Development Services Division

SUBJECT: PA-2200049; A Use Permit application for a religious assembly for a maximum of (49) people. The project proposes converting an 840-square-foot garage and a 408-square-foot room within an existing single family residence to worship space; located on the east side of S. San Jose Road, 500 feet south of West Middle Road, Tracy. (Supervisory District 5)

OWNER: Venkateshwara Chintapalli

APPLICANT: Sri Veda Vidya Peetham

ADDRESS: 21199 S. San Jose Road, Tracy

APN: 209-280-08

INFORMATION:

The site is currently located within a Federal Emergency Management Agency Designated Flood Hazard Area designated as Zone AE. The 100-Year Flood Elevation will be approximately 13-feet NAVD 1988.

San Jose Road has an existing right-of-way width of 40-feet and a planned right-of-way width of 50-feet.

RECOMMENDATIONS:

- 1) An encroachment permit shall be required for all work within road right-of-way. (Note: Driveway encroachment permits are for flatwork only – all vertical features, including but not limited to fences, walls, private light standards, rocks, landscaping and cobbles are not allowed in the right-of-way.) (Development Title Sections 9-1145.4 and 9-1145.5)
- 2) The driveway approach shall be improved in accordance with the requirements of San Joaquin County Improvement Standards Drawing No. R-17 prior to issuance of the occupancy permit. (Development Title Section 9-1145.5)

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PA-2200049 (UP)

- 3) The owner shall execute an Irrevocable Offer to Dedicate Road to result in a twenty-five (25) foot wide right-of-way from the centerline of San Jose Road to the property line across the parcel's frontage. (A fee based on the current fee schedule is required for processing per Development Title Table 9-240.2 in addition to a copy of the Grant Deed and a legal description of the parcel to be offered for dedication.) (Development Title Section 9-1150.5)
- 4) 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)
- 5) The Traffic Impact Mitigation Fee shall be required for any incremental traffic resulting from 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)
- 6) The Regional Transportation Impact Fee shall be required for any incremental traffic resulting from 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)
- 7) A copy of the Final Site Plan shall be submitted prior to release of building permit.

CH:DS



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Department of Public Works

Fritz Buchman, Director

*Alex Chetley, Deputy Director - Development
David Tolliver, Deputy Director - Operations
Najee Zarif, Deputy Director - Engineering
Kristi Rhea, Deputy Director - Administration*

February 14, 2023

M E M O R A N D U M

TO: Community Development Department
CONTACT PERSON: Alisa Goulart

FROM: Christopher Heylin, Development Services Engineer
Development Services Division

SUBJECT: PA-2200049; A Use Permit application for a religious assembly for a maximum of (49) people. The project proposes converting an 840-square-foot garage and a 408-square-foot room within an existing single family residence to worship space; located on the east side of S. San Jose Road, 500 feet south of West Middle Road, Tracy.
(Supervisory District 5)

OWNER: Venkateshwara Chintapalli

APPLICANT: Sri Veda Vidya Peetham

ADDRESS: 21199 S. San Jose Road, Tracy

APN: 209-280-08

INFORMATION:

The site is currently located within a Federal Emergency Management Agency Designated Flood Hazard Area designated as Zone AE. The 100-Year Flood Elevation will be approximately 13-feet NAVD 1988.

San Jose Road has an existing right-of-way width of 40-feet and a planned right-of-way width of 50-feet.

RECOMMENDATIONS:

- 1) An encroachment permit shall be required for all work within road right-of-way. (Note: Driveway encroachment permits are for flatwork only – all vertical features, including but not limited to fences, walls, private light standards, rocks, landscaping and cobbles are not allowed in the right-of-way.) (Development Title Sections 9-1145.4 and 9-1145.5)

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PA-2200049 (UP)

- 2) The driveway approach shall be improved in accordance with the requirements of San Joaquin County Improvement Standards Drawing No. R-17 prior to issuance of the occupancy permit. (Development Title Section 9-1145.5)
- 3) The driveway approaches shall have entrance only and exit only signage.
- 4) The owner shall execute an Irrevocable Offer to Dedicate Road to result in a twenty-five (25) foot wide right-of-way from the centerline of San Jose Road to the property line across the parcel's frontage. (A fee based on the current fee schedule is required for processing per Development Title Table 9-240.2 in addition to a copy of the Grant Deed and a legal description of the parcel to be offered for dedication.) (Development Title Section 9-1150.5)
- 5) 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)
- 6) The Traffic Impact Mitigation Fee shall be required for any incremental traffic resulting from 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)
- 7) The Regional Transportation Impact Fee shall be required for any incremental traffic resulting from 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)
- 8) A copy of the Final Site Plan shall be submitted prior to release of building permit.

CH:DS



S J C O G, Inc.

555 East Weber Avenue • Stockton, CA 95202 • (209) 235-0600 • FAX (209) 235-0438

San Joaquin County Multi-Species Habitat Conservation & Open Space Plan (SJMSCP)

SJMSCP RESPONSE TO LOCAL JURISDICTION (RTL) ADVISORY AGENCY NOTICE TO SJCOG, Inc.

To: Alisa Goulart, San Joaquin County, Community Development Department
From: Laurel Boyd, SJCOG, Inc. Phone: (209) 235-0574 Email: boyd@sjcog.org
Date: April 20, 2022
Local Jurisdiction Project Title: PA-2200049 (UP)
Assessor Parcel Number(s): 209-280-08
Local Jurisdiction Project Number: PA-2200049 (UP)
Total Acres to be converted from Open Space Use: Unknown
Habitat Types to be Disturbed: Agricultural Habitat Land
Species Impact Findings: Findings to be determined by SJMSCP biologist.

Dear Ms. Goulart:

SJCOG, Inc. has reviewed the application referral for PA-2200049 (UP). This project consists of a Use Permit application for a religious assembly for a maximum of 49 people. The project proposes converting a 840-square-foot garage and a 408-square-foot room within an existing single family residence to worship space. The project will be served by an on-site well for water, on-site septic system for sewage disposal, and natural storm drainage. The project site has access from S. San Jose Road. The project site is located east of S. San Jose Road, 500 feet south of W. Middle Road, Tracy (APN/Address: 209-280-08/21199 S. San Jose Road, Tracy).

San Joaquin County is a signatory to San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). Participation in the SJMSCP satisfies requirements of both the state and federal endangered species acts, and ensures that the impacts are mitigated below a level of significance in compliance with the California Environmental Quality Act (CEQA). The LOCAL JURISDICTION retains responsibility for ensuring that the appropriate Incidental Take Minimization Measure are properly implemented and monitored and that appropriate fees are paid in compliance with the SJMSCP. Although participation in the SJMSCP is voluntary, Local Jurisdiction/Lead Agencies should be aware that if project applicants choose against participating in the SJMSCP, they will be required to provide alternative mitigation in an amount and kind equal to that provided in the SJMSCP.

This project is subject to the SJMSCP and is located within the unmapped land use area. Per requirements of the SJMSCP, unmapped projects are subject to case-by-case review. This can be a 90 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. <http://www.sjcog.org>

If this project is approved by the Habitat Technical Advisory Committee and the SJCOG Inc. Board, the following process must occur to participate in the SJMSCP:

- Schedule a SJMSCP Biologist to perform a pre-construction survey **prior to any ground disturbance**
- SJMSCP Incidental take Minimization Measures and mitigation requirement:
 1. Incidental Take Minimization Measures (ITMMs) will be issued to the project and must be signed by the project applicant prior to any ground disturbance but no later than six (6) months from receipt of the ITMMs. If ITMMs are not signed within six months, the applicant must reapply for SJMSCP Coverage. Upon receipt of signed ITMMs from project applicant, SJCOG, Inc. staff will sign the ITMMs. This is the effective date of the ITMMs.
 2. Under no circumstance shall ground disturbance occur without compliance and satisfaction of the ITMMs.
 3. Upon issuance of fully executed ITMMs and prior to any ground disturbance, the project applicant must:
 - a. Post a bond for payment of the applicable SJMSCP fee covering the entirety of the project acreage being covered (the bond should be valid for no longer than a 6 month period); or
 - b. Pay the appropriate SJMSCP fee for the entirety of the project acreage being covered; or
 - c. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
 - d. Purchase approved mitigation bank credits.
 4. Within 6 months from the effective date of the ITMMs or issuance of a building permit, whichever occurs first, the project applicant must:

- a. Pay the appropriate SJMSCP for the entirety of the project acreage being covered; or
- b. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
- c. Purchase approved mitigation bank credits.

Failure to satisfy the obligations of the mitigation fee shall subject the bond to be called.

- Receive your Certificate of Payment and release the required permit

It should be noted that if this project has any potential impacts to waters of the United States [pursuant to Section 404 Clean Water Act], it would require the project to seek voluntary coverage through the unmapped process under the SJMSCP which could take up to 90 days. It may be prudent to obtain a preliminary wetlands map from a qualified consultant. If waters of the United States are confirmed on the project site, the Corps and the Regional Water Quality Control Board (RWQCB) would have regulatory authority over those mapped areas [pursuant to Section 404 and 401 of the Clean Water Act respectively] and permits would be required from each of these resource agencies prior to grading the project site.

If you have any questions, please call (209) 235-0600.



S J C O G , I n c .

San Joaquin County Multi-Species Habitat Conservation & Open Space Plan

555 East Weber Avenue • Stockton, CA 95202 • (209) 235-0600 • FAX (209) 235-0438

SJMSCP HOLD

TO: Local Jurisdiction: Community Development Department, Planning Department, Building Department, Engineering Department, Survey Department, Transportation Department, Other:

FROM: Laurel Boyd, SJCOG, Inc.

**DO NOT AUTHORIZE SITE DISTURBANCE
DO NOT ISSUE A BUILDING PERMIT
DO NOT ISSUE _____ FOR THIS PROJECT**

The landowner/developer for this site has requested coverage pursuant to the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). In accordance with that agreement, the Applicant has agreed to:

- 1) SJMSCP Incidental Take Minimization Measures and mitigation requirement:
 1. Incidental Take Minimization Measures (ITMMs) will be issued to the project and must be signed by the project applicant prior to any ground disturbance but no later than six (6) months from receipt of the ITMMs. If ITMMs are not signed within six months, the applicant must reapply for SJMSCP Coverage. Upon receipt of signed ITMMs from project applicant, SJCOG, Inc. staff will sign the ITMMs. This is the effective date of the ITMMs.
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- Failure to satisfy the obligations of the mitigation fee shall subject the bond to be called.

Project Title: PA-2200049 (UP)

Landowner: Venkateshwara Chintapalli

Applicant: Sri Veda Vidya Peetham

Assessor Parcel #: 209-280-08

T _____, R _____, Section(s): _____

Local Jurisdiction Contact: Alisa Goulart

The LOCAL JURISDICTION retains responsibility for ensuring that the appropriate Incidental Take Minimization Measures are properly implemented and monitored and that appropriate fees are paid in compliance with the SJMSCP.



S J C O G, Inc.

555 East Weber Avenue • Stockton, CA 95202 • (209) 235-0600 • FAX (209) 235-0438

San Joaquin County Multi-Species Habitat Conservation & Open Space Plan (SJMSCP)

SJMSCP RESPONSE TO LOCAL JURISDICTION (RTL) ADVISORY AGENCY NOTICE TO SJCOG, Inc.

To: Alisa Goulart, San Joaquin County, Community Development Department
From: Laurel Boyd, SJCOG, Inc. Phone: (209) 235-0574 Email: boyd@sjcog.org
Date: July 28, 2022
Local Jurisdiction Project Title: PA-2200049 (UP)
Assessor Parcel Number(s): 209-280-08
Local Jurisdiction Project Number: PA-2200049 (UP)
Total Acres to be converted from Open Space Use: Unknown
Habitat Types to be Disturbed: Agricultural Habitat Land
Species Impact Findings: Findings to be determined by SJMSCP biologist.

Dear Ms. Goulart:

SJCOG, Inc. has reviewed the application referral for PA-2200049 (UP). This project consists of a Use Permit application for a religious assembly for a maximum of 49 people. The project proposes converting a 840-square-foot garage and a 408-square-foot room within an existing single family residence to worship space. The project will be served by an on-site well for water, on-site septic system for sewage disposal, and natural storm drainage. The project site has access from S. San Jose Road. The project site is located east of S. San Jose Road, 500 feet south of W. Middle Road, Tracy (APN/Address: 209-280-08/21199 S. San Jose Road, Tracy).

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This project is subject to the SJMSCP and is located within the unmapped land use area. Per requirements of the SJMSCP, unmapped projects are subject to case-by-case review. This can be a 90 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. <http://www.sjcog.org>

If this project is approved by the Habitat Technical Advisory Committee and the SJCOG Inc. Board, the following process must occur to participate in the SJMSCP:

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It should be noted that if this project has any potential impacts to waters of the United States [pursuant to Section 404 Clean Water Act], it would require the project to seek voluntary coverage through the unmapped process under the SJMSCP which could take up to 90 days. It may be prudent to obtain a preliminary wetlands map from a qualified consultant. If waters of the United States are confirmed on the project site, the Corps and the Regional Water Quality Control Board (RWQCB) would have regulatory authority over those mapped areas [pursuant to Section 404 and 401 of the Clean Water Act respectively] and permits would be required from each of these resource agencies prior to grading the project site.

If you have any questions, please call (209) 235-0600.



S J C O G , I n c .

San Joaquin County Multi-Species Habitat Conservation & Open Space Plan

555 East Weber Avenue • Stockton, CA 95202 • (209) 235-0600 • FAX (209) 235-0438

SJMSCP HOLD

TO: Local Jurisdiction: Community Development Department, Planning Department, Building Department, Engineering Department, Survey Department, Transportation Department, Other:

FROM: Laurel Boyd, SJCOG, Inc.

**DO NOT AUTHORIZE SITE DISTURBANCE
DO NOT ISSUE A BUILDING PERMIT
DO NOT ISSUE _____ FOR THIS PROJECT**

The landowner/developer for this site has requested coverage pursuant to the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). In accordance with that agreement, the Applicant has agreed to:

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Project Title: PA-2200049 (UP)

Landowner: Venkateshwara Chintapalli

Applicant: Sri Veda Vidya Peetham

Assessor Parcel #: 209-280-08

T _____, R _____, Section(s): _____

Local Jurisdiction Contact: Alisa Goulart

The LOCAL JURISDICTION retains responsibility for ensuring that the appropriate Incidental Take Minimization Measures are properly implemented and monitored and that appropriate fees are paid in compliance with the SJMSCP.

Goulart, Alisa [CDD]

From: Anna Cheng <acheng@auburnrancheria.com>
Sent: Wednesday, May 11, 2022 3:36 PM
To: Goulart, Alisa [CDD]
Subject: PA-2200049

CAUTION: This email is originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Ms. Goulart,

On behalf of the United Auburn Indian Community's Tribal Historic Preservation Department, thank you for the notification about the project referenced above. We have reviewed the project location and determined that it falls outside of the UAIC's geographic area of traditional and cultural affiliations. Therefore, we will not be commenting on the project.

Best,
Anna Cheng

The United Auburn Indian Community is now accepting electronic consultation request, project notifications, and requests for information! Please fill out and submit through our website. Do not mail hard copy letters or documents. <https://auburnrancheria.com/programs-services/tribal-preservation> Bookmark this link!



Anna Cheng
Cultural Regulatory Assistant
Tribal Historic Preservation Department | UAIC
10720 Indian Hill Road
Auburn, CA 95603
Cell: (530) 492-4822
acheng@auburnrancheria.com | www.auburnrancheria.com

Nothing in this e-mail is intended to constitute an electronic signature for purposes of the Electronic Signatures in Global and National Commerce Act (E-Sign Act), 15, U.S.C. §§ 7001 to 7006 or the Uniform Electronic Transactions Act of any state or the federal government unless a specific statement to the contrary is included in this e-mail.



April 19, 2022

Alisa Goulart
County of San Joaquin
1810 E Hazelton Ave
Stockton, CA 95205

Ref: Gas and Electric Transmission and Distribution

Dear Alisa Goulart,

Thank you for submitting the PA-2200049 plans for our review. PG&E will review the submitted plans in relationship to any existing Gas and Electric facilities within the project area. If the proposed project is adjacent/or within PG&E owned property and/or easements, we will be working with you to ensure compatible uses and activities near our facilities.

Attached you will find information and requirements as it relates to Gas facilities (Attachment 1) and Electric facilities (Attachment 2). Please review these in detail, as it is critical to ensure your safety and to protect PG&E's facilities and its existing rights.

Below is additional information for your review:

1. This plan review process does not replace the application process for PG&E gas or electric service your project may require. For these requests, please continue to work with PG&E Service Planning: https://www.pge.com/en_US/business/services/building-and-renovation/overview/overview.page.
2. If the project being submitted is part of a larger project, please include the entire scope of your project, and not just a portion of it. PG&E's facilities are to be incorporated within any CEQA document. PG&E needs to verify that the CEQA document will identify any required future PG&E services.
3. An engineering deposit may be required to review plans for a project depending on the size, scope, and location of the project and as it relates to any rearrangement or new installation of PG&E facilities.

Any proposed uses within the PG&E fee strip and/or easement, may include a California Public Utility Commission (CPUC) Section 851 filing. This requires the CPUC to render approval for a conveyance of rights for specific uses on PG&E's fee strip or easement. PG&E will advise if the necessity to incorporate a CPUC Section 851 filing is required.

This letter does not constitute PG&E's consent to use any portion of its easement for any purpose not previously conveyed. PG&E will provide a project specific response as required.

Sincerely,

Plan Review Team
Land Management

Attachment 1 – Gas Facilities

There could be gas transmission pipelines in this area which would be considered critical facilities for PG&E and a high priority subsurface installation under California law. Care must be taken to ensure safety and accessibility. So, please ensure that if PG&E approves work near gas transmission pipelines it is done in adherence with the below stipulations. Additionally, the following link provides additional information regarding legal requirements under California excavation laws: <https://www.usanorth811.org/images/pdfs/CA-LAW-2018.pdf>

1. **Standby Inspection:** A PG&E Gas Transmission Standby Inspector must be present during any demolition or construction activity that comes within 10 feet of the gas pipeline. This includes all grading, trenching, substructure depth verifications (potholes), asphalt or concrete demolition/removal, removal of trees, signs, light poles, etc. This inspection can be coordinated through the Underground Service Alert (USA) service at 811. A minimum notice of 48 hours is required. Ensure the USA markings and notifications are maintained throughout the duration of your work.
2. **Access:** At any time, PG&E may need to access, excavate, and perform work on the gas pipeline. Any construction equipment, materials, or spoils may need to be removed upon notice. Any temporary construction fencing installed within PG&E's easement would also need to be capable of being removed at any time upon notice. Any plans to cut temporary slopes exceeding a 1:4 grade within 10 feet of a gas transmission pipeline need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.

3. **Wheel Loads:** To prevent damage to the buried gas pipeline, there are weight limits that must be enforced whenever any equipment gets within 10 feet of traversing the pipe.

Ensure a list of the axle weights of all equipment being used is available for PG&E's Standby Inspector. To confirm the depth of cover, the pipeline may need to be potholed by hand in a few areas.

Due to the complex variability of tracked equipment, vibratory compaction equipment, and cranes, PG&E must evaluate those items on a case-by-case basis prior to use over the gas pipeline (provide a list of any proposed equipment of this type noting model numbers and specific attachments).

No equipment may be set up over the gas pipeline while operating. Ensure crane outriggers are at least 10 feet from the centerline of the gas pipeline. Transport trucks must not be parked over the gas pipeline while being loaded or unloaded.

4. **Grading:** PG&E requires a minimum of 36 inches of cover over gas pipelines (or existing grade if less) and a maximum of 7 feet of cover at all locations. The graded surface cannot exceed a cross slope of 1:4.
5. **Excavating:** Any digging within 2 feet of a gas pipeline must be dug by hand. Note that while the minimum clearance is only 12 inches, any excavation work within 24 inches of the edge of a pipeline must be done with hand tools. So to avoid having to dig a trench entirely with hand tools, the edge of the trench must be over 24 inches away. (Doing the math for a 24 inch

wide trench being dug along a 36 inch pipeline, the centerline of the trench would need to be at least 54 inches [$24/2 + 24 + 36/2 = 54$] away, or be entirely dug by hand.)

Water jetting to assist vacuum excavating must be limited to 1000 psig and directed at a 40° angle to the pipe. All pile driving must be kept a minimum of 3 feet away.

Any plans to expose and support a PG&E gas transmission pipeline across an open excavation need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.

6. Boring/Trenchless Installations: PG&E Pipeline Services must review and approve all plans to bore across or parallel to (within 10 feet) a gas transmission pipeline. There are stringent criteria to pothole the gas transmission facility at regular intervals for all parallel bore installations.

For bore paths that cross gas transmission pipelines perpendicularly, the pipeline must be potholed a minimum of 2 feet in the horizontal direction of the bore path and a minimum of 12 inches in the vertical direction from the bottom of the pipe with minimum clearances measured from the edge of the pipe in both directions. Standby personnel must watch the locator trace (and every ream pass) the path of the bore as it approaches the pipeline and visually monitor the pothole (with the exposed transmission pipe) as the bore traverses the pipeline to ensure adequate clearance with the pipeline. The pothole width must account for the inaccuracy of the locating equipment.

7. Substructures: All utility crossings of a gas pipeline should be made as close to perpendicular as feasible ($90^\circ \pm 15^\circ$). All utility lines crossing the gas pipeline must have a minimum of 12 inches of separation from the gas pipeline. Parallel utilities, pole bases, water line 'kicker blocks', storm drain inlets, water meters, valves, back pressure devices or other utility substructures are not allowed in the PG&E gas pipeline easement.

If previously retired PG&E facilities are in conflict with proposed substructures, PG&E must verify they are safe prior to removal. This includes verification testing of the contents of the facilities, as well as environmental testing of the coating and internal surfaces. Timelines for PG&E completion of this verification will vary depending on the type and location of facilities in conflict.

8. Structures: No structures are to be built within the PG&E gas pipeline easement. This includes buildings, retaining walls, fences, decks, patios, carports, septic tanks, storage sheds, tanks, loading ramps, or any structure that could limit PG&E's ability to access its facilities.

9. Fencing: Permanent fencing is not allowed within PG&E easements except for perpendicular crossings which must include a 16 foot wide gate for vehicular access. Gates will be secured with PG&E corporation locks.

10. Landscaping: Landscaping must be designed to allow PG&E to access the pipeline for maintenance and not interfere with pipeline coatings or other cathodic protection systems. No trees, shrubs, brush, vines, and other vegetation may be planted within the easement area. Only those plants, ground covers, grasses, flowers, and low-growing plants that grow unsupported to a maximum of four feet (4') in height at maturity may be planted within the easement area.

11. Cathodic Protection: PG&E pipelines are protected from corrosion with an "Impressed Current" cathodic protection system. Any proposed facilities, such as metal conduit, pipes, service lines, ground rods, anodes, wires, etc. that might affect the pipeline cathodic protection system must be reviewed and approved by PG&E Corrosion Engineering.

12. Pipeline Marker Signs: PG&E needs to maintain pipeline marker signs for gas transmission pipelines in order to ensure public awareness of the presence of the pipelines. With prior written approval from PG&E Pipeline Services, an existing PG&E pipeline marker sign that is in direct conflict with proposed developments may be temporarily relocated to accommodate construction work. The pipeline marker must be moved back once construction is complete.

13. PG&E is also the provider of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E's facilities must be reviewed and approved by PG&E to ensure that no impact occurs which may endanger the safe operation of its facilities.

Attachment 2 – Electric Facilities

It is PG&E's policy to permit certain uses on a case by case basis within its electric transmission fee strip(s) and/or easement(s) provided such uses and manner in which they are exercised, will not interfere with PG&E's rights or endanger its facilities. Some examples/restrictions are as follows:

1. Buildings and Other Structures: No buildings or other structures including the foot print and eave of any buildings, swimming pools, wells or similar structures will be permitted within fee strip(s) and/or easement(s) areas. PG&E's transmission easement shall be designated on subdivision/parcel maps as **"RESTRICTED USE AREA – NO BUILDING."**
2. Grading: Cuts, trenches or excavations may not be made within 25 feet of our towers. Developers must submit grading plans and site development plans (including geotechnical reports if applicable), signed and dated, for PG&E's review. PG&E engineers must review grade changes in the vicinity of our towers. No fills will be allowed which would impair ground-to-conductor clearances. Towers shall not be left on mounds without adequate road access to base of tower or structure.
3. Fences: Walls, fences, and other structures must be installed at locations that do not affect the safe operation of PG&E's facilities. Heavy equipment access to our facilities must be maintained at all times. Metal fences are to be grounded to PG&E specifications. No wall, fence or other like structure is to be installed within 10 feet of tower footings and unrestricted access must be maintained from a tower structure to the nearest street. Walls, fences and other structures proposed along or within the fee strip(s) and/or easement(s) will require PG&E review; submit plans to PG&E Centralized Review Team for review and comment.
4. Landscaping: Vegetation may be allowed; subject to review of plans. On overhead electric transmission fee strip(s) and/or easement(s), trees and shrubs are limited to those varieties that do not exceed 10 feet in height at maturity. PG&E must have access to its facilities at all times, including access by heavy equipment. No planting is to occur within the footprint of the tower legs. Greenbelts are encouraged.
5. Reservoirs, Sumps, Drainage Basins, and Ponds: Prohibited within PG&E's fee strip(s) and/or easement(s) for electric transmission lines.
6. Automobile Parking: Short term parking of movable passenger vehicles and light trucks (pickups, vans, etc.) is allowed. The lighting within these parking areas will need to be reviewed by PG&E; approval will be on a case by case basis. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications. Blocked-up vehicles are not allowed. Carports, canopies, or awnings are not allowed.
7. Storage of Flammable, Explosive or Corrosive Materials: There shall be no storage of fuel or combustibles and no fueling of vehicles within PG&E's easement. No trash bins or incinerators are allowed.

8. Streets and Roads: Access to facilities must be maintained at all times. Street lights may be allowed in the fee strip(s) and/or easement(s) but in all cases must be reviewed by PG&E for proper clearance. Roads and utilities should cross the transmission easement as nearly at right angles as possible. Road intersections will not be allowed within the transmission easement.

9. Pipelines: Pipelines may be allowed provided crossings are held to a minimum and to be as nearly perpendicular as possible. Pipelines within 25 feet of PG&E structures require review by PG&E. Sprinklers systems may be allowed; subject to review. Leach fields and septic tanks are not allowed. Construction plans must be submitted to PG&E for review and approval prior to the commencement of any construction.

10. Signs: Signs are not allowed except in rare cases subject to individual review by PG&E.

11. Recreation Areas: Playgrounds, parks, tennis courts, basketball courts, barbecue and light trucks (pickups, vans, etc.) may be allowed; subject to review of plans. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications.

12. Construction Activity: Since construction activity will take place near PG&E's overhead electric lines, please be advised it is the contractor's responsibility to be aware of, and observe the minimum clearances for both workers and equipment operating near high voltage electric lines set out in the High-Voltage Electrical Safety Orders of the California Division of Industrial Safety (<https://www.dir.ca.gov/Title8/sb5g2.html>), as well as any other safety regulations. Contractors shall comply with California Public Utilities Commission General Order 95 (http://www.cpuc.ca.gov/gos/GO95/go_95_startup_page.html) and all other safety rules. No construction may occur within 25 feet of PG&E's towers. All excavation activities may only commence after 811 protocols has been followed.

Contractor shall ensure the protection of PG&E's towers and poles from vehicular damage by (installing protective barriers) Plans for protection barriers must be approved by PG&E prior to construction.

13. PG&E is also the owner of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E's facilities must be reviewed and approved by PG&E to ensure that no impact occurs that may endanger the safe and reliable operation of its facilities.

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Attachment D **Environmental Review**

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NOTICE OF EXEMPTION

TO: ☒ Office of Planning & Research
P. O. Box 3044, Room 212
Sacramento, California 95812-3044

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

☒ County Clerk, County of San Joaquin

Project Title: Use Permit No. PA-2200049

Project Location - Specific: The project site is located east of S. San Jose Rd., 500 feet south of W. Middle Rd., Tracy.
(APN/Address: 209-280-08 / 21199 S. San Jose Rd., Tracy) (Supervisory District: 5)

Project Location - City: Tracy

Project Location - County: San Joaquin County

Project Description: Use Permit application for a religious assembly with a maximum capacity of 49 persons to include conversion of a 2,000 square foot residence and 840 square foot attached garage, a 268 square foot restroom addition, and utilization of a 1,500 square foot barn and 631 square foot storage shed for storage. The project will be served by an on-site well for water, on-site septic system for sewage disposal, and natural storm drainage. The project site has direct access from S. San Jose Rd. The project site is not under a Williamson Act Contract.

The Property is zoned AG-40 (General Agriculture, 40-acre minimum) and the General Plan designation is A/G (General Agriculture).

Project Proponent(s): Venkateshwara Chintapalli / Sri Veda Vidya Peetham

Name of Public Agency Approving Project: San Joaquin County Planning Commission

Name of Person or Agency Carrying Out Project: Alisa Goulart, Associate Planner
San Joaquin County Community Development Department

Exemption Status:
Categorical Exemption. (Section 15303, Class 3)

Exemption Reason:
This project is exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15303. Class 3 Categorical Exemptions includes a list of classes of projects that have been determined not to have a significant effect on the environment and that are, therefore, exempt from the provisions of CEQA. Section 15303 lists Class 3 projects, which include "the conversion of existing small structures from one use to another where only minor modifications are made to the exterior of the structure." The proposed religious assembly will be converted from an existing residence with no expected significant effect on the environment and, therefore, the project is not subject to CEQA.

Lead Agency Contact Person:
Alisa Goulart Phone: (209) 468-0222 Fax: (209) 468-3163 Email: alisa.goulart@sjgov.org

Signature: _____ Date: _____

Name: Allen Asio Title: Deputy County Clerk

Signed by Lead Agency

Date Received for filing at OPR: _____

*Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.*

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Attachment E **Findings for Use Permit**

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FINDINGS FOR USE PERMIT

PA-2200049 (UP)

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 use type Religious Assembly - Neighborhood may be conditionally permitted in the AG-40 (General Agriculture, 40 acre minimum) zone with an approved Use Permit application. The project site has a General Plan designation of A/G (General Agriculture), and the AG-40 zone is an implementing zone for this designation. There are no Master Plans, Specific Plans, or Special Purpose 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 are proposed or have been provided and the proposed improvements are properly related to existing and proposed streets and highways. The project site is already served by on-site well, wastewater treatment system, and storm drainage constructed under permit and inspection by the Environmental Health Department and the Department of Public Works. Any required improvements will be done under permit from the respective department.**

Pursuant to Development Title Section 9-1150.4, a traffic study is required when traffic caused by the project is expected to exceed 50 vehicles during any hour. The project is a religious assembly for a maximum of 49 attendees which is not expected to exceed 50 vehicle trips during any hour. Therefore, a traffic study was not required. Additionally, pursuant to the San Joaquin County Vehicle Miles Traveled (VMT) Analysis Screening Tool, the project is expected to produce less than 110 daily trips therefore was screened out from requiring a VMT analysis.
3. The site is physically suitable for the type of development and for the intensity of development.
 - **This finding can be made because the 5.22-acre parcel is of adequate size and shape to accommodate the proposed, and existing, uses, and all yards, building coverage, setbacks, parking areas and other requirements of the Development Title. The proposed site plan depicts 25 parking spaces on site, which exceeds the requirements of the Development Title.**
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 the project has been conditioned to meet San Joaquin County development regulations that protect public health, safety, and welfare and ensure the project is not injurious to adjacent properties. The proposed project is subject to the provisions of the San Joaquin County noise ordinance (Development Title Section 9-1005.9) and will have to comply with sound level limitations and prevent noise levels from exceeding the standards specified in Development Title Table 9-1025.9, Part II.#**
5. The use is compatible with adjoining land uses.
 - **This finding can be made because the proposed use will not result in the need to rezone the project site, nor will it interfere with surrounding agricultural uses and scattered residences. The subject property is zoned AG-40 (General Agriculture, 40-acre minimum), as is the surrounding area. The proposed religious assembly is primarily a conversion of existing structures and may be conditionally permitted in the AG-40 zone with an approved Use**

Permit. The parking area, which abuts the neighboring property will be screened due to the existing residential use on that property. The recommended Conditions of Approval will ensure that the use is compatible with adjoining land uses.



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Attachment F **Conditions of Approval**

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CONDITIONS OF APPROVAL

PA-2200049 CHINTAPALLI, ETAL / PEETHAM

Use Permit Application No. PA-2200049 was approved by the Planning Commission on . The effective date of approval is . This approval will expire on , which is eighteen (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 (Contact: [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 a religious assembly with a maximum capacity of 49 persons as shown on the revised site plan dated January 21, 2023. (Use Type: Religious Assembly – Neighborhood). The project proposal includes:
 - Convert:
 - 2,000-square-foot residence into a prayer hall, office, storage room, and restrooms
 - 840-square-foot attached garage into a second prayer hall
 - 1,500-square-foot barn into a storage building
 - 631-square-foot personal storage building for storage related to the religious assembly use
 - Construct:
 - 268-square-foot accessible restrooms
- 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. **PARKING:** Off-street parking shall be provided and comply with the following:
 1. All driveways and maneuvering areas shall be surfaced and permanently maintained with asphalt concrete or Portland cement 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])
 2. A minimum of 16 parking spaces shall be provided. (0.33 spaces for each seat) (Development Title Section 9-1015.3)
- e. **ACCESS AND CIRCULATION:** The following requirements apply and shall be shown on the Site Plan:

1. 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])
 2. Vehicle access gates shall be recessed from the property line a minimum of 10 feet unless there are at least 16 feet between the property line and the edge of the travelled roadway, in which case the setback is waived. (Development Title Section 9-1022.2[f])
- f. **LIGHTING:** Lighting shall be provided and comply with the following:
1. All exterior doors shall be illuminated with a minimum of 0.5-foot candles of light during hours of darkness. (Development Title Section 9-1015.5[g])
 2. All lighting shall be designed to confine direct rays to the premises. No spillover beyond the property lines shall be permitted, except onto public roads, provided, however, that such light shall not cause a hazard to motorists. (Development Title Section 9-1015.5[g][4])
- g. **SCREENING:** Screening shall be provided and comply with the following:
1. Dense plant materials in such quantity and location to achieve an effective visual screen shall be planted along the southern property line of APN 209-280-21, adjacent to the parking area. (Development Title Section 9-1020.10)
 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 3 years of installation. If a hedge fails to retain such density any time after this 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])
- h. **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])
- i. **BUILDING CODE:** 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 2019 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. A grading permit will be required for this project. Submit plans and grading calculations, including a statement of the estimated quantities of excavation and fill, prepared by a Registered Design Professional. The grading plan shall show the existing grade and finished grade in contour intervals of sufficient clarity to indicate the nature and extent of the work and show in detail that it complies with the requirements of the code. The plans shall show the existing grade on adjoining properties in sufficient detail to identify how grade changes will conform to the requirements of the code.
 3. 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.
 4. As noted in the Project Description, the phase one conversion of the existing residence to a

religious worship 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
 - K. Risk Category analysis
- 5. Accessible routes shall be provided per CBC § 11B-206. At least one (1) 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 (1) route is provided, all routes must be accessible. §11B-206.2.1
 - 6. At least one (1) accessible route shall connect accessible buildings, accessible facilities, accessible elements and accessible spaces that are on the same site. §11B-206.2.2
 - 7. At least one (1) 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
 - 8. 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.
 - 9. Adequate sanitary facilities shall be provided for the facility, per the requirements of Chapter 4 of the California Plumbing Code.
 - 10. 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.
 - 11. Landscaping 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
3. DEPARTMENT OF PUBLIC WORKS (Contact: [209] 468-3000)
- a. An encroachment permit shall be required for all work within road right-of-way. (Note: Driveway encroachment permits are for flatwork only – all vertical features, including but not limited to fences, walls, private light standards, rocks, landscaping and cobbles are not allowed in the right-of-way.) (Development Title Sections 9-1145.4 and 9-1145.5)
 - b. The driveway approach shall be improved in accordance with the requirements of San Joaquin County Improvement Standards Drawing No. R-17 prior to issuance of the occupancy permit. (Development Title Section 9-1145.5)
 - c. The driveway approaches shall have entrance only and exit only signage.

- d. The owner shall execute an Irrevocable Offer to Dedicate Road to result in a twenty-five (25) foot wide right-of-way from the centerline of San Jose Road to the property line across the parcel's frontage. (A fee based on the current fee schedule is required for processing per Development Title Table 9-240.2 in addition to a copy of the Grant Deed and a legal description of the parcel to be offered for dedication.) (Development Title Section 9-1150.5)
- e. 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)
- f. The Traffic Impact Mitigation Fee shall be required for any incremental traffic resulting from 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)
- g. The Regional Transportation Impact Fee shall be required for any incremental traffic resulting from 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)
- h. A copy of the Final Site Plan shall be submitted prior to release of building permit.

4. ENVIRONMENTAL HEALTH DEPARTMENT (Contact: [209] 468-3420)

- a. Applicant shall contact Robert McClellon, Program Coordinator, Small Public Water System Program, at (209) 468-0332, to determine if the existing well can be permitted as a public water system prior to issuance of building permits. If a public water system is required, applicant shall submit a Small Public Water System preliminary technical report to the California State Water Resources Control Board, Division of Drinking Water (Water Board) at least six months before initiating construction of any water related improvement, as defined. The issuance of a permit to operate a small public water system by the local primacy agency (EHD) is prohibited without the concurrence of the Water Board. Please contact Brian Kidwell, P.E. with the SWRCB Division of Drinking Water at (209) 948-3963 concerning the requirements for preliminary technical report submittal prior to issuance of building permits.
- b. If the Water Board determines that an onsite well shall be used as the potable water source, a permit application to operate Small Public Water System shall be submitted to the EHD for approval prior to issuance of building permits. To issue a permit to operate, concurrence from the Water Board is required. A yearly permit to operate a public water system will be required by the EHD prior to sign off of the certificate of final occupancy (San Joaquin County Development Title, Section 9-1120.2 and 9-1115.9.).
- c. The supplier must possess adequate financial, managerial, and technical capability to assure delivery of pure, wholesome, and potable drinking water in accordance with San Joaquin County Development Title, Sections 9-1120.2 and 9-1115.9 and C.C.R., Title 22, and Health and Safety Code, Section 116525 116570.
- d. The existing private water wells shall be tested for the chemical Dibromochloropropane (DBCP) and nitrates with the results submitted to the Environmental Health Department prior to issuance of building permit(s). Samples are to be taken and analyzed by a State-approved laboratory (San Joaquin County Development Title, Section 9-1115.7).
- e. A soil suitability and nitrate loading study incorporating proposed staff and customer use shall be submitted to the Environmental Health Department, indicating that the area is suitable for septic system usage. The studies must be approved by the Environmental Health Department prior to

issuance of building permit(s). (San Joaquin County Development Title, Section 9-1105.2(d)). The fee will be based on the current schedule at the time of payment.

The sewage disposal system shall comply with the onsite wastewater treatment systems standards of San Joaquin County prior to approval. A percolation test conducted in accordance with the E.P.A. Design Manual - Onsite Wastewater and Disposal Systems is required for each parcel. The fee will be based on the current schedule at the time of payment.

- f. Construction of an individual sewage disposal system(s) under permit and inspection by the Environmental Health Department is required at the time of development based on the Soil Suitability/ Nitrate Loading Study findings (San Joaquin County Development Title, Section 9-1110.3 & 9-1110.4).
- g. Any existing wells or septic systems to be abandoned shall be destroyed under permit and inspection by the EHD (San Joaquin County Development Title, Section 9-1110.3 & 9-1110.4)
- h. Any geotechnical drilling shall be conducted under permit and inspection by The Environmental Health Department (San Joaquin County Development Title, Section 9-1115.3 and 9-1115.6).

5. SAN JOAQUIN COUNCIL OF GOVERNMENTS (Contact: [209] 235-0600)

- a. This project is subject to the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) must provide a Certificate of Payment prior to issuance of any grading or building permits.