



Planning Commission Staff Report

Item #1, December 19, 2019

Quarry Application No. QX-91-0006

Prepared by: John Funderburg

PROJECT SUMMARY

Applicant Information

Property Owners: Peter Garibaldi
Project Applicant: Peter Garibaldi

Project Site Information

Project Address: 8500 North Waverly Road, Linden
Project Location: On the east side of Waverly Road, 1/2 mile east, of Sheldon Road, east of Linden

Parcel Numbers (APN):	093-450-01;& 093-450-05	Water Supply:	Well
General Plan Designation:	A/G	Sewage Disposal:	Septic System
Zoning Designation:	AG-160	Storm Drainage:	On-Site
Project Size:	442.08	100-Year Flood:	No
Parcel Size:	442.08	Williamson Act:	Yes
Community:	None	Supervisorial District:	4

Environmental Review Information

CEQA Determination: Notice of Exemption (Attachment C, Environmental Review)

Project Description

A Revisions of Approved Actions for previously approved Quarry Permit No. QX-91-0006, Mine ID No. 91-39-0013 (North) and Mine ID No. 91-39-0059 (South). The revisions request is for quarry name identification purposes only consistent with the operator. The revisions request will not increase the permitted tonnage, existing operations, or final reclamation.

Recommendation

1. Adopt the previously approved Findings for Quarry Application QX-91-0006 (Attachment D, Findings);
2. Approve Revisions of Approved Application No. QX-91-0006 with the previously approved Conditions of Approval (Attachment E, Previously Approved Conditions of Approval) and

3. Adopt the previously approved Williamson Act Compatibility Principles for Quarry Application QX-91-0006 (Attachment F, Previously Approved Williamson Act Compatibility Principles)

NOTIFICATION & RESPONSES

(See Attachment B, Response Letters)

Public Hearing Notices

Legal ad for the public hearing published in the Stockton Record: December 9, 2019

Number of Public Hearing notices: 53

Date of Public Hearing notice mailing: December 6, 2019

Referrals and Responses

- **Project Referral with Environmental Determination Date:** Notice of Exemption

Agency Referrals	Response Date - Referral
County Departments	
Ag Commissioner	
Assessor	
Community Development	
Building Division	
Fire Prevention Bureau	
Public Works	10/9/2019
Environmental Health	10/9/2019
General Services	
Sheriff Office	
Surveyor	
State Agencies	
A.B.C.	
Department of Transportation	
District 10	
Division of Aeronautics	
C.H.P.	
C.R.W.Q.C.B.	10/19/2019
C.V.F.P.B.	
Fish & Wildlife, Division:	
O.E.S.	
Federal Agencies	
F.A.A.	
F.E.M.A.	
Army Corps of Engineers	

Agency Referrals	Response Date - Referral
Local Agencies	
A.L.U.C.	
CalWater	
City of Stockton	
Motezuma Fire District	
Mosquito & Vector Control	
S.J.C.O.G.	
San Joaquin Farm Bureau	
San Joaquin Air Pollution Control District	
S.E.W.D. Irrigation District	
Stockton Municipal Airport	
Stockton Unified School District	
Miscellaneous	
A.T.&T.	
B.I.A.	
Builders Exchange	
Carpenters Union	
Haley Flying Service	
Kathy Perez	
P.G.&E.	
Precissi Flying Service	
Sierra Club	

ANALYSIS

Background

The existing mining operation is located east of Linden and situated in the northeastern portion of San Joaquin County along the Stanislaus County border. Access to the existing mining operation is from Waverly Road, then easterly on an existing graveled road into the quarry mining area. Land uses to the east, north, and west include agricultural grazing land and scattered rural residences, and to the south the County owned Foothill Landfill. Livestock grazing is the principal land use within the project site vicinity.

The original Excavation Permit EP-81-0009 was approved and Environmental Impact Report EIR 81-0005 was certified by the Board of Supervisors on May 6, 1982. The application was approved for the excavation of 712,000 cubic yards of dredge tailings and overburden located on APN: 093-450-01.

On July 11, 1991, the Planning Commission approved the current Quarry Excavation Application No. QX-91-0006 for an expansion of EP-81-0009. The project approval included the excavation and reclamation of an additional 240 acres comprised of APN's 093-450-01 and 093-450-05.

The mining permit is vested under the previous approval of Excavation Permit EP-81-0009 and all mining activity has been subject to all applicable state Surface and Mining Reclamation (SMARA) Codes.

Mining Permit History

With the approval of the expansion permit in 1991 the mining operation became known as the North Waverly Road excavation permit North and South. The north operation is located on APN: 093-450-01 and is comprised of 241.18 acres, and the south operation is located on APN: 093-450-05 and is comprised of 200.90 acres. Both APN's are also recognized as two separate legal parcels with different mine operators located on each parcel.

Throughout the life of this permit there have been several operators who mined each site. In 2014, the south operation was transferred by sale from Cynthia Darby to Cal Materials (E.J. Rogers), while the north operation was retained by Peter Garibaldi.

To ensure the existing mining permit was clearly identified as a north and south operation for the purposes of submitting mining operation annual reports consistent with the state Surface Mining and Reclamation Act (SMARA). The Department of Mine Reclamation in 2014 issued a separate Mine ID No. to the south operation.

The Mine ID No. issued by the Department of Mine Reclamation for the south operation is 91-39-0059. The operator of record for the south operation is California Materials (E.J. Rogers).

The original Mine ID No. issued for the mine permit is 91-39-0013 and is only for the north operation. The operator of record for the north operation is Peter Garibaldi.

Revisions of Approved Actions

The current Revisions of Approved Actions request is for clarification of the quarry name (north and south) identification only, to ensure consistency with the operator and the state issued Mine ID No. The request will not increase the permitted tonnage, existing operations, or final reclamation for the quarry permit. The Community Development Department is able to recommend approval of this Revisions of Approved Actions application as all the findings can still be made in the affirmative.

RECOMMENDATION

It is recommended that the Planning Commission:

1. Adopt the previously approved Findings for Quarry Application QX-91-0006 (Attachment D, Findings);
2. Approve Revisions of Approved Application No. QX-91-0006 with the previously approved Conditions of Approval (Attachment E, Previously Approved Conditions of Approval) and
3. Adopt the previously approved Williamson Act Compatibility Principles for Quarry Application QX-91-0006 (Attachment F, Previously Approved Williamson Act Compatibility Principles)

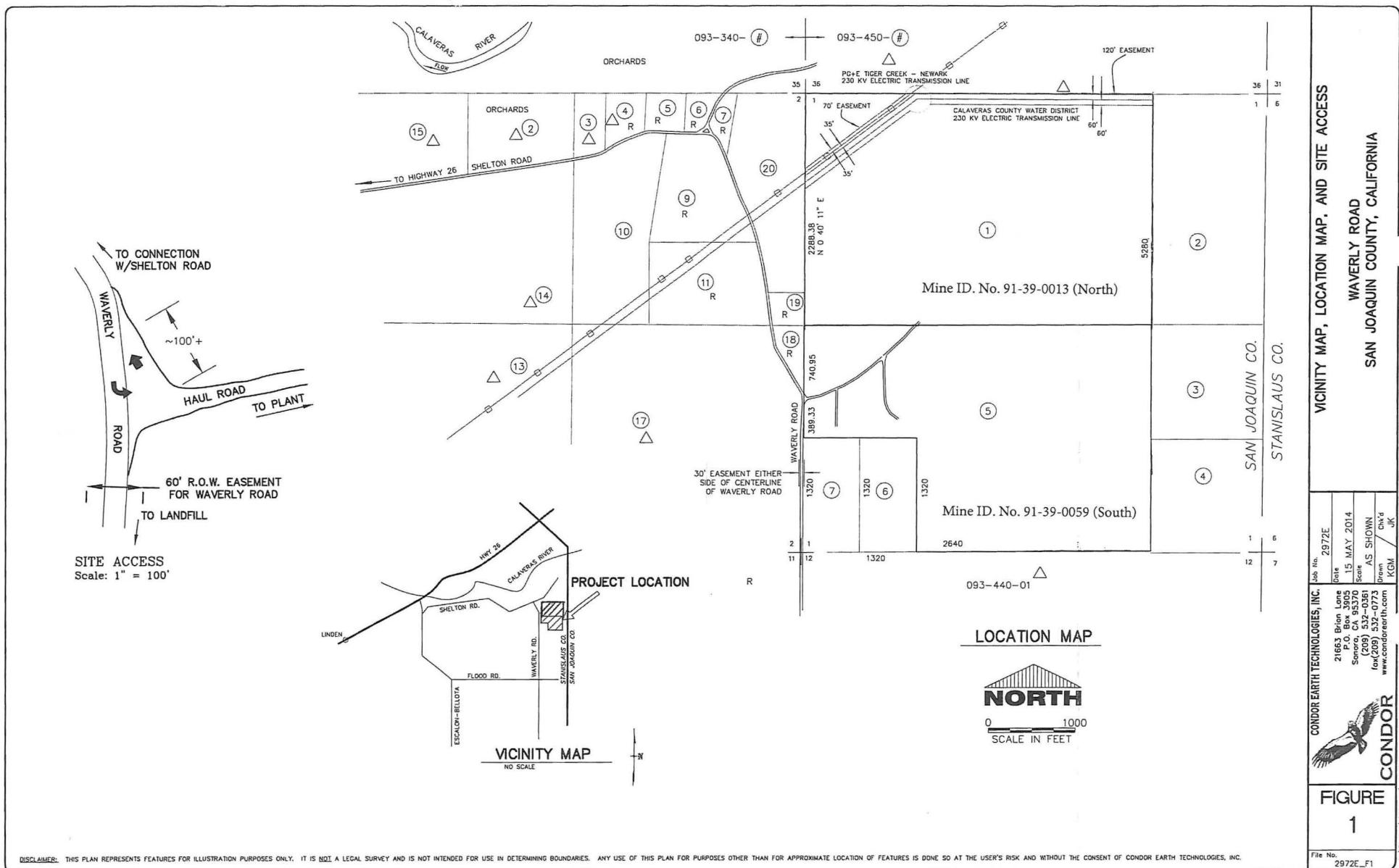


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Attachment A Site Plan





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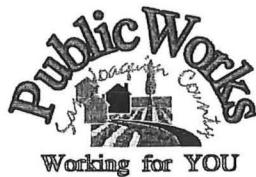
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Attachment B **Response Letters**



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Department of Public Works

Kris Balaji, Director of Public Works

Fritz Buchman, Deputy Director/Development

Alex Chetley, Interim Deputy Director/Engineering

Jim Stone, Deputy Director/Operations

Kristi Rhea, Manager of Strategic Initiatives

October 9, 2019

M E M O R A N D U M

TO: Community Development Department
CONTACT PERSON: John Funderburg

FROM: Awni Taha, Interim Engineering Services Manager
Development Services Division

SUBJECT: QX-91-0006; A Revisions of Approved Actions Application for a previously approved Quarry Permit No. QX-91-0006, Mine ID No. 91-39-0013 (North) and Mine ID No. 91-39-0059 (South). The revisions request is for the quarry name identification purposed only, consistent with the operator. The revision request will not increase the permitted tonnage, existing operations or final reclamation. (Supervisorial District 4)

PROPERTY OWNERS: Peter Garibaldi & California Materials

APPLICANT: Same

PROPERTY ADDRESS: 8500 N. Waverly Road, Linden

APN: 093-450-01 & -05

INFORMATION:

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

Waverly Road has an existing and planned right-of-way of 60 feet.

RECOMMENDATIONS:

1. None. All previous conditions shall apply.

AT:CH



Environmental Health Department

Linda Turkatte, REHS, Director

Kasey Foley, REHS, Assistant Director

PROGRAM COORDINATORS

Robert McClellan, REHS

Jeff Carruesco, REHS, RDI

Willy Ng, REHS

Muniappa Naidu, REHS

Michael Kith, REHS

October 9, 2019

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

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

RE: **QX-910006 (RA), Referral, SU0012580**
8500 N. Waverly Rd, Linden

All conditions of approval shall be complied with as stated in the EHD conditions of approval, dated September 18, 2017.



GAVIN NEWSOM
GOVERNOR



JARED BLUMENFELD
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Central Valley Regional Water Quality Control Board

18 October 2019

John Funderburg
San Joaquin County
Community Development Department
1810 East Hazelton Avenue
Stockton, CA 95205

CERTIFIED MAIL
7019 0700 0002 0112 0439

COMMENTS TO REQUEST FOR REVIEW FOR THE APPLICATION REFERRAL, QX-91-0006 (RAA) PROJECT, SAN JOAQUIN COUNTY

Pursuant to the San Joaquin County Community Development Department's 27 September 2019 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Application Referral* for the QX-91-0006 (RAA) Project, located in San Joaquin County.

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

I. Regulatory Setting

Basin Plan

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

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

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

of Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues. For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:

http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/

Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Implementation Policy is available on page 74 at:

https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_201805.pdf

In part it states:

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

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

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

II. Permitting Requirements

Construction Storm Water General Permit

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

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

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

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

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

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

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

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

Industrial Storm Water General Permit

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ. For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:

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

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACE). If a Section 404 permit is required by the USACE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements. If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACE at (916) 557-5250.

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

Clean Water Act Section 401 Permit – Water Quality Certification

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

https://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification/

Waste Discharge Requirements – Discharges to Waters of the State

If USACE determines that only non-jurisdictional waters of the State (i.e., "non-federal" waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation. For more information on the Waste Discharges to Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water/

Projects involving excavation or fill activities impacting less than 0.2 acre or 400 linear feet of non-jurisdictional waters of the state and projects involving dredging activities impacting less than 50 cubic yards of non-jurisdictional waters of the state may be eligible for coverage under the State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ (General Order 2004-0004). For more information on the General Order 2004-0004, visit the State Water Resources Control Board website at:

https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf

Waste Discharge Requirements – Discharges to Land

Before beginning mining, the property owner and operator (together) are required to have WDRs or other documents from the Regional Water Quality Control Board allowing discharge to land of mining waste. Mining waste as defined in the Porter-Cologne Water Quality Control Act is, "all solid, semisolid, and liquid waste materials from the extraction, beneficiation, and processing of ores and minerals. Mining waste includes, but is not limited to, soil, waste rock, and overburden, as defined in Section 2732 of the Public Resources Code, and tailings, slag, and other processed waste materials, including cementitious materials that are managed at the cement manufacturing facility where the materials were generated." This definition is very broad and covers all mining materials. Therefore, if you are planning to mine a report of waste discharge must be submitted with the proper

filling fees. For more information on waste discharges to land from mining activities, visit the Central Valley Water Board website at:
https://www.waterboards.ca.gov/centralvalley/water_issues/mining/

For more information on waste discharges to land, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_land/index.shtml

Dewatering Permit

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Risk General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Risk Waiver) R5-2013-0145. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Risk General Order and the application process, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf

For more information regarding the Low Risk Waiver and the application process, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2013-0145_res.pdf

Regulatory Compliance for Commercially Irrigated Agriculture

If the property will be used for commercial irrigated agricultural, the discharger will be required to obtain regulatory coverage under the Irrigated Lands Regulatory Program.

There are two options to comply:

1. **Obtain Coverage Under a Coalition Group.** Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board's website at:
https://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/regulatory_information/for_growers/coalition_groups/ or contact water board staff at (916) 464-4611 or via email at IrrLands@waterboards.ca.gov.

2. **Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General Order R5-2013-0100.** Dischargers not participating in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 11-100 acres are currently \$1,277 + \$8.53/Acre); the cost to prepare annual monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory Program, call the Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at IrrLands@waterboards.ca.gov.

Limited Threat General NPDES Permit

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Limited Threat Discharges to Surface Water* (Limited Threat General Order). A complete Notice of Intent must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order. For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

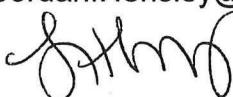
https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076-01.pdf

NPDES Permit

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

<https://www.waterboards.ca.gov/centralvalley/help/permit/>

If you have questions regarding these comments, please contact me at (916) 464-4812 or Jordan.Hensley@waterboards.ca.gov.



Jordan Hensley
Environmental Scientist



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Attachment C **Environmental Review**



NOTICE OF EXEMPTION

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

County Clerk, County of San Joaquin

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

Project Title: Revisions of Approved Actions for a previously approved Quarry Permit No. QX-91-0006

Project Location - Specific: The project site is on the east side of Waverly Road, between Shelton Road and Flood Road, east of Linden. (APN/Address: 093-450-01 & -05/8500 North Waverly Road, Linden) (Supervisorial District: 4)

Project Location – City: Linden

Project Location – County: San Joaquin County

Project Description: A Revisions of Approved Actions application for a previously approved Quarry Permit No. QX-91-0006, Mine ID. No. 91-39-0013 (North), and Mine ID. No. 91-39-0059 (South). The revisions request is for the quarry name identification purposes only, consistent with the operator. The revisions request will not increase the permitted tonnage, existing operations, or final reclamation.

The Property is zoned AG-160 (General Agriculture, 160-acre minimum) and the General Plan designation is A/G (General Agriculture).

Project Proponent(s): California Materials / Peter Garibaldi

Name of Public Agency Approving Project: San Joaquin County Community Development Department

Name of Person or Agency Carrying Out Project:

John Funderburg, Principal Planner
San Joaquin County Community Development Department

Exemption Status:

General Exemptions. Section 15061(b)(3)

Exemption Reason:

Processed under the provisions of California Code of Regulations Section 15061(b)(3), which are exempt from CEQA.

This project is exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines section 15061(b)(3). Section 15061(b)(3) states that "CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA." There is no possibility that this project may have a significant effect on the environment and, therefore, the amendment is not subject to CEQA.

Lead Agency Contact Person:

John Funderburg Phone: (209) 468-3160 FAX: (209) 468-3163 Email: jfunderburg@sjgov.org

Signature: _____

Date: _____

Name: Domenique Martorella

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 D

Previously Approved Findings

Previously Approved Findings

1. The proposal is for the removal of regionally significant or scarce deposits of mineral resources and not for the removal of prime farmland.
 - **This finding can be made because the property is classified as MRZ-3 by the State of California Division of Mines and Geology. Areas classified as MRZ-3 contain aggregate deposits of mineral resources. The property is not prime farmland and the applicant has provided information indicating that the site has substantial mineral deposits. Topsoil and overburden will remain on-site and each phase will be reclaimed to grazing land as excavation proceeds.**
2. The excavation will not have a detrimental effect on any surrounding agricultural land.
 - **This finding can be made because the quarry operation is compatible with the surrounding agricultural uses. The area is sparsely populated and is used for cattle grazing. Quarry activities will not involve the release of any process water onto adjacent properties, nor will there be any blasting or use of hazardous materials in the extraction or processing operations.**
3. The proposed rehabilitation of the property upon completion of the excavation will leave the property in a condition which will allow its reuse.
 - **This finding can be made because the overburden and top soil is being saved, and after the sand and gravel is removed, the overburden and topsoil will be replaced, and the property will once again be used for grazing cattle.**
4. Issuance of the permit shall not be significantly detrimental to the public health, safety, or welfare, or be injurious to the property or improvements in the vicinity.
 - **This finding can be made because the Environmental Initial Study prepared for QX-91-0006 found that the project would be compatible with surrounding existing and future uses and the project would not result in a significant, adverse impact on the environment. Also, the conditions of approval require that the excavation be set back 25-feet from all property lines and the perimeter of the quarry site be landscaped with a row of trees or earthen berm to provide a visual buffer for the quarry site from roadways.**



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Attachment E **Previously Approved** **Conditions of Approval**

Previously Approved Conditions of Approval

Quarry Excavation Application No. QX-91-0006 Revisions of Approved Actions was approved by the Planning Commission on _____. The effective date of approval is _____. This approval will expire on _____, which is 18 months from the date of approval, unless (1) all Conditions of Approval have been complied with, (2) all necessary building permits have been secured and remain in force, and (3) all necessary permits from other agencies have been secured 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. **DEVELOPMENT SERVICES DIVISION:**

Conditions of Approval:

- a. On July 11, 1991, the San Joaquin County Planning Commission approved QX-91-0006 subject to the approved conditions. All proposed excavation and rehabilitation shall be completed prior to the expiration of this permit in accordance with the application and reclamation plan.
- b. Plant operations shall not be carried on during the hours of 9:00 p.m. to 5:00 a.m., except during periods of declared national, stated or county emergency (Section 9-2244 (f)).
- c. A 100-foot set back is required from the natural swale and wetlands area.
- d. A 50-foot setback is required from the high water marks of the vernal pools shall be required.
- e. No excavation shall take place within twenty-five (25) feet of any property line or right-of-way (nor within the allowed slopes adjacent to said twenty-five (25) foot setback), unless the elevation prior to excavation is more than that of the abutting property, in which case the elevation within said twenty-five (25) foot setback shall at no time be less than that of the abutting property, at the property line. (Development Title Section 9-1415.3[j]))
- f. The maximum daily truck trips shall be 100.
- g. The plant and the open pit shall not be visible from Waverly Road. This shall be accomplished by berms and landscaping. (Section 9-2244 (o)).
- h. No stockpiled soil or material shall be placed closer than 25 feet to a property boundary (Section 9-2244 (b)).
- i. All private roads shall be maintained to control the creation of dust.
- j. Any night lighting established on the property shall be arranged and controlled to not illuminate public rights-of-way or adjacent properties (Section 9-2244 (g)).
- k. The topsoil shall be set aside, and upon completion of an excavation, the topsoil shall be replaced and the site leveled in conformance with the excavation permit (Section 9-2244 (i)).
- l. Slopes shall not exceed two feet horizontal to one foot vertical.
- m. The applicant shall pay a fee to the County of San Joaquin to cover the cost of periodic inspection of the excavation to ensure compliance with the provisions of the permit and administration of SMARA requirements (Section 9-2244 (s)).

- n. A performance guarantee, payable to San Joaquin County and the State Geologist, shall be required to ensure rehabilitation of the site and compliance with Conditions of Approval. The estimated cost of rehabilitation shall be reviewed by the Department of Public Works. The type of guarantee proposed by the applicant must be found acceptable by the County Counsel. The type of financial guarantee may be, but is not limited to, the following:
 - (1). A Surety Bond.
 - (2). A Trust Fund.
 - (3). An Irrevocable Letter of Credit.
- o. Dikes shall be constructed around areas under excavation outside of the expansion pit. Water shall be directed by pipe or ditch to and fro the settling ponds. Construction of dikes shall be subject to approval by the Department of Public works and the State Water Quality Control Board and shall be designed to prevent erosion, siltation, and water runoff from the site.
- p. A clearance permit shall be required from the Army Corps of Engineers prior to discharging fill material into drainages, wetlands, or vernal pools.
- q. Reclamation for the project shall be in accordance with the approved Reclamation Plan.

2. DEPARTMENT OF PUBLIC WORKS:

Ordinance Requirements:

The Ordinance Requirements listed below have been identified as pertinent to this project. Other Ordinance Requirements may also apply. Ordinance Requirements cannot be modified.

- a. The excavation plan shall be prepared by a Registered Civil Engineer and shall include the following:
 - (1). Detail of the access road (the first 100 feet from Waverly Road shall be paved).
 - (2). A plan of the haul route for County Roads.
 - (3). Final grading plan and drainage provision.
 - (4). Excavation boundaries and quantities of excavation and direction of excavation.
 - (5). Stockpile area for topsoil. (No excavation or stockpile shall be allowed within 25 feet of the property boundary or the County right-of-way.)
- b. Loads to the Waverly Road shall be restricted to the legal limit.
- c. An encroachment permit shall be required for work within the road right-of-way.
- d. Public Roads shall be kept free from mud, dirt and gravel resulting from quarry operations. All on-site haul roads shall be maintained so as to control the dust.
- e. A video tape of road conditions on Waverly Road from Shelton to Flood Road is required prior to the start of excavation. The condition of Waverly Road shall be reviewed with the Department of Public Works prior to the start of excavation and every five years thereafter. If it is determined necessary by the Department of Public Works during the excavation, the applicant shall construct an acceleration land and/ or a left-turn lane on Waverly Road to permit safe egress and ingress from the site. Road construction and design shall be subject to approval by the Department of Public Works. The applicant shall pay fees for the plan- check, inspection, and construction cost.

- f. A bond or cash deposit in the amount acceptable to the Department of Public Works shall be filed with the Department with a guarantee that if the permittee fails, refuses, or neglects to repair, under permit, any damages to Waverly Road which may result from the permittee's operations, the Department of Public Works may do to the work necessary to restore Waverly Road Equal to, or better than, its original condition by using the funds from said bond or cash deposit.
- g. A bond or cash deposit in the amount acceptable to the Department of Public Works shall be filed with the Department with a guarantee that if the permittee fails, refuses, or neglects to reclaim the project site, the Department of Public Works may do the work of reclamation by using the funds from the said bond or cash deposit. The progress of reclamation shall be reviewed with the Department of Public Works every five years and at the end of excavation.
- h. The Traffic Impact Mitigation Fee will be required for this development. The fee is due and payable at the time of building permit application. The fee is \$200.51 per daily trip-end in the Linden area. The fee shall be automatically adjusted annually by the Engineering Construction cost Index as published by the Engineering News Record.

3. PUBLIC HEALTH SERVICES:

Ordinance Requirements:

The Ordinance Requirements listed below have been identified as pertinent to this project. Other Ordinance Requirements may also apply. Ordinance Requirements cannot be modified.

- a. No excavation is permitted into the ground water table without specific approval from the Regional Water Quality Control Board, Central Valley Region (California Water Code, Chapter 4, Article 3, Section 13420).
- b. The materials from excavation shall not be deposited into the water course nor in any way contribute to the pollution thereof (California Water Code, Section 13376).
- c. An approved potable water supply must be provided for all employees (San Joaquin County Development Title, Section 9-1100.1).
- d. Approved sanitary facilities must be provided for all employees (San Joaquin County Development Title, Section 9-1100.1).
- e. Destroy the abandoned well(s) under permit and inspection by the Environmental Health Department as required by San Joaquin County Development Title, Section 9-1115.5(e).
- f. Before any hazardous materials/waste can be stored or used onsite, the owner/operator must report to the California Environmental Reporting System (CERS) which can be found at cers.calepa.ca.gov/ for the following:

Any amount of hazardous waste (for distribution centers this may include broken or damaged pallets (or individual containers) of hazardous materials, soaps, perfumes, cleaners, dyes, nicotine, over the counter medicines, or other household items packaged for sale that have been damaged; used oil, used oil filters, used oil contaminated absorbent/debris, waste antifreeze, used batteries or other universal waste, etc.) – **Hazardous Waste Program**

Onsite treatment of hazardous waste – Hazardous Waste Treatment Tiered Permitting Program

Reportable quantities of hazardous materials-reportable quantities are 55 gallons or more of liquids, 500 pounds for solids, or 200 cubic feet for compressed gases, with some exceptions. Carbon dioxide is a regulated substance and is required to be reported as a

hazardous material if storing 1,200 cubic feet (137 pounds) or more onsite in San Joaquin County – **Hazardous Materials Business Plan Program**

Any amount of hazardous material stored in an Underground Storage Tank – **Underground Storage Tank Program**

Storage of at least 1,320 gallons of petroleum aboveground or any amount of petroleum stored below grade in vault – **Aboveground Petroleum Storage Program**

Threshold quantities of regulated substances stored onsite – **California Accidental Release Prevention (CalARP) Program**

- g. If an underground storage tank (UST) system is installed, a permit is required to be submitted to, and approved by, the San Joaquin County Environmental Health Department (EHD) before any UST installation work can begin. Additionally, an EHD permit to operate the UST is required once the UST system is installed
- h. If 1,320 gallons or more of petroleum is to be stored aboveground then a Spill Prevention Countermeasures and Control (SPCC) is required. If any amount of petroleum is to be stored in a below grade vault, an SPCC plan is required.

4. LINDEN-PETERS FIRE DISTRICT:

Ordinance Requirements:

The Ordinance Requirements listed below have been identified as pertinent to this project. Other Ordinance Requirements may also apply. Ordinance Requirements cannot be modified.

- a. Spark arresters shall be installed on all motorized equipment used on this site.
- b. Two fire extinguishers shall be provided on all motorized equipment used on this site as follows:
 - (1). One dry chemical type (minimum rating of 20B:C)
 - (2). One pressurized water type (minimum 2 gallons)
- c. A minimum 30-foot-wide clear fire break shall be maintained around the entire property, excluding any green and living landscape.

5. CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION:

Conditions of Approval:

- a. The applicant shall comply with Public Resource Code 4428 of the California Forest and Fire Laws.

6. AIR POLLUTION CONTROL DISTRICT:

Conditions of Approval:

- a. Application shall be made to the San Joaquin County Air Pollution Control District for the necessary air pollution permits, in compliance with the District's rule and regulations.
- b. The applicant shall notify the District in writing with respect to the actual date of construction/grading one week prior to said activities.
- c. Emissions generated during the construction process are of concern to the District. Dust control requirements shall be followed by the applicant.

- d. The applicant shall maintain adequate record keeping of mitigation measures, if applicable, for the Air Pollution control District staff when they make scheduled or unscheduled inspections.



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Attachment F Previously Approved Williamson Act Compatibility Principles

Williamson Act Compatibility Principles

1. The use will not significantly compromise the long-term productive agricultural capability of the subject contracted parcel or parcels or on other contracted lands in agricultural preserves.
 - **This finding can be made because the proposed quarry operation is a compatible use as defined in the Williamson Act. The entire site will be reclaimed to grazing land and open space upon the completion of the quarry operations. Thus, it will not significantly compromise the subject contracted parcel or parcels or on other contracted lands in agricultural preserves.**
2. The use will not significantly displace or impair current or reasonably foreseeable agricultural operations on the subject contracted parcel or parcels or on other contracted lands in agricultural preserves. Uses that significantly displace agricultural operations on the subject contracted parcel or parcels may be deemed compatible if they relate directly to the production of commercial agricultural products on the subject contracted parcel or parcels or neighboring lands.
 - **This finding can be made because the proposed use is for quarry operations. The subject contracted parcel is currently grazing lands. The quarry operations and subsequent reclamation plan to restore the contracted land to grazing lands will increase the subject contracted parcels agricultural viability.**
3. The use will not result in the significant removal of adjacent contracted land from agricultural or open-space use. In evaluating compatibility a board or council shall consider the impacts on non-contracted lands in the agricultural preserve or preserves.
 - **This finding can be made because the proposed quarry operation, is a temporary use for the extraction of mineral resources. The entire site will be reclaimed to grazing land, thus, allowing for the planting of vegetation for livestock grazing. Therefore it will not result in the significant removal of adjacent contracted land from agricultural or open-space use.**



Planning Commission Staff Report

Item #2, December 19, 2019

Use Permit No. PA-1900129

Prepared by: Stephanie Stowers

PROJECT SUMMARY

Applicant Information

Property Owner: Sargent Estates, LLC
Project Applicant: Sargent Estates, LLC

Project Site Information

Project Address:	15737 E. Sargent Road, Lodi		
Project Location:	At the northeast corner of E. Sargent Road and N. Tully Road, east of Lodi		
Parcel Number (APN):	053-070-06, 07, & 08	Water Supply:	Private
General Plan: Designation	A/G (General Agriculture & OS/RC (Resource Conservation))	Sewage Disposal:	Private
Zoning Designation:	AG-40 (General Agriculture, 40-acre minimum)	Storm Drainage:	Natural
Project Size:	198.45 acres	100-Year Flood:	X (Levee)
Parcel Size:	198.45 acres	Williamson Act:	No
Community:	None	Supervisorial District:	4

Environmental Review Information

CEQA Determination: Mitigated Negative Declaration

Project Description

This project is a Use Permit application to establish a commercial stable for a maximum of thirty (30) horses on three (3) parcels totaling 198.45 acres. The project proposes to utilize the following existing structures:

- 4,500 square foot barn for storage
- 32,500 square foot indoor arena for training
- 10,250 square foot stable for horse care
- 2,826 square foot training pen
- 2,040 square foot storage shed
- 1,800 square foot workshop
- 3,000 square foot barn for storage
- 800 square foot shed for storage

- Six (6) 60 square foot pasture shelters as shade structures

The project will also utilize an existing open arena, paths throughout the parcel, and existing pasture for grazing areas. (Use Type: Stable – Commercial)

Recommendation

1. Adopt the Mitigated Negative Declaration (Attachment C, Environmental Review);
2. Adopt the Findings for Use Permit (Attachment D, Findings);
3. Adopt the Williamson Act Principles of Compatibility (Attachment E, Williamson Act Principles of Compatibility); and
4. Approve Use Permit No. PA-1900129 with the attached Conditions of Approval (Attachment F, Conditions of Approval)

NOTIFICATION & RESPONSES

(See Attachment B, Response Letters)

Public Hearing Notices

Legal ad for the public hearing published in the Stockton Record: December 9, 2019

Number of Public Hearing notices: 63

Date of Public Hearing notice mailing: December 6, 2019

Referrals and Responses

- **Early Consultation Date:** July 19, 2019
- **Project Referral with Environmental Determination Date:** November 7, 2019
- **Mitigated Negative Declaration Posting Date:** November 1, 2019
- **OPR State Clearinghouse #:** 2019119009

Agency Referrals	Response Date - Early Consultation	Response Date - Referral
County Departments		
Community Development		
Building Division	7/30/19	
Fire Prevention Bureau	7/30/19	
Public Works	8/20/19	11/21/19
Environmental Health	8/20/19	
Sheriff Office		
Agricultural Commissioner		
Animal Control		
Board of Supervisors, District 4		
Code Enforcement		
Mosquito Abatement		
State Agencies		
Caltrans – District 10		
Regional Water Quality Control Board		
Dept. of Conservation		
Dept. of Water Resources		
Fish & Wildlife, Division: 2		
Native American Heritage Commission		
Federal Agencies		
F.E.M.A.		11/15/19
US Army Corps		
Farm Bureau		

Agency Referrals	Response Date - Early Consultation	Response Date - Referral
Local Agencies		
S.J.C.O.G.	8/9/19	11/19/19
San Joaquin Air Pollution Control District		
Lodi Unified School District		
Clements Rural Fire District		
North San Joaquin Water Cons. District		
Miscellaneous		
Carpenters Union		
Haley Flying Service		
P.G.&E.		
Precissi Flying Service		
Sierra Club		
AT&T		
Building Industry Association		
Builders Exchange		
CA Tribal TANF Partnership		
CA Valley Miwok Tribe		
North Valley Yokuts Tribe		
United Auburn Indian Community	8/6/19	11/20/19

ANALYSIS

Background

On May 7, 2019, the Community Development Department opened Enforcement Case Nos. EN-1900173, EN-1900174, and EN-1900175 for operating a commercial stable facility without a land use permit. Three (3) enforcement cases were opened because the facility encompasses three (3) separate legal parcels. On June 5, 2019, the applicant applied for the subject Use Permit application to bring the stable into compliance.

The proposed project will primarily utilize existing structures, which were built with permits for private use. These structures will be converted to commercial use with a building permit. The shade structures built without the benefit of permits must come into compliance by obtaining all applicable building permits. Because this application is a result of an ongoing open enforcement case, the project will continue to be monitored by the Planning and Code Enforcement Divisions in order to ensure the project site either complies with the Use Permit requirements or otherwise ceases operation.

Operations

The stable operates seven (7) days a week, and is open to customers from 8:00 a.m. to 5:00 p.m. The applicant states the facility has four (4) employees, and serves approximately five (5) customers per day. The stable will host up twelve (12) clinics, for a maximum of ten (10) attendees, per year (one [1] per month).

Merger

The project site spans three (3) separate legal parcels. However, all structures related to the commercial stable are located on one (1) parcel (APN: 053-070-07). This stand alone parcel can also accommodate all necessary improvements. As a result, a Merger or Lot Line Adjustment is not required as a Condition of Approval.

Parking

The applicant has requested a parking modification to allow for a reduction in the number of required parking stalls, and to waive the requirement to stripe the parking stalls.

Pursuant to Development Title Section 9-1015.3(b), 0.67 parking spaces are required per 1,000 square feet of building and 0.67 parking spaces are required per employee for the Stables - Commercial use type. As a result, a total of forty-two (42) parking spaces are required for this application. The applicant has requested to reduce the number of required parking stalls to twenty-five (25) based on the limited scope of current operations. The project proposes boarding a maximum of thirty (30) horses, and anticipates up to five (5) customers daily, with monthly clinics with a maximum of ten (10) attendees. Additionally, there is adequate open space to accommodate overflow parking areas, if necessary.

Pursuant to Development Title Section 9-1015.5(d) all parking stalls and directional arrows shall be delineated with paint. The applicant has requested to waive the requirement for striping because the striping can cause issues for horses. Specifically, horses may attempt to jump over striping, which, if located on asphalt and/or concrete can severely injure horses.

Pursuant to Development Title Section 9-1015.9, the parking requirements may be reduced by the Director if the parking requirements may be considered excessive due to the unusual nature of the establishment proposed. The Community Development Department recommends approving the modification requests as proposed. All other parking requirements will still be required in conformance with Development Title Chapter 9-1015, and all requirements for ADA (Americans with Disabilities Act) parking shall be met.

Williamson Act

The proposed site is currently under the California Land Conservation Act and is subject to Williamson Act contract No. 70-C1-112. The contract restricts development to uses that are compatible with the Williamson Act and Development Title Section 9-1805. "Compatible use" as defined in the Williamson Act includes uses determined by the County to be compatible with the agricultural, recreational, or open-space use of land within the preserve and subject to contract. (Government Code Section 51201[e]) Development Title Section 9-1810.3(1)(X) states that a commercial stable is a compatible use on contracted land.

Additionally, pursuant to Government Code Section 51238.1, uses approved on contracted lands shall be consistent with the Williamson Act Principles of Compatibility. The Community Development Department recommends that the proposed Principles of Compatibility, can be made in the affirmative (Attachment E, Williamson Act Principles of Compatibility).

United Auburn Indian Community

The United Auburn Indian Community (UAIC) submitted a letter dated August 6, 2019, which stated concerns that the proposed project may have the potential to impact cultural sites, and requested copies of any archaeological reports. This letter is a standard letter from UAIC, and Community Development Department staff spoke with a UAIC representative to ensure their concerns were met. Based on discussions with the UAIC representative, the following condition has been included in the recommended Conditions of Approval:

- 6.a. A construction worker tribal cultural resources awareness brochure shall be distributed by the project manager to the construction workers before any construction activities begin on the project site.

This brochure will be provided to the applicant prior to issuance of any building permit.

RECOMMENDATION

It is recommended that the Planning Commission:

1. Adopt the Mitigated Negative Declaration (Attachment C, Environmental Review);
2. Adopt the Findings for Use Permit (Attachment D, Findings);
3. Adopt the Williamson Act Principles of Compatibility (Attachment E, Williamson Act Principles of Compatibility); and
4. Approve Use Permit No. PA-1900129 with the attached Conditions of Approval (Attachment F, Conditions of Approval)



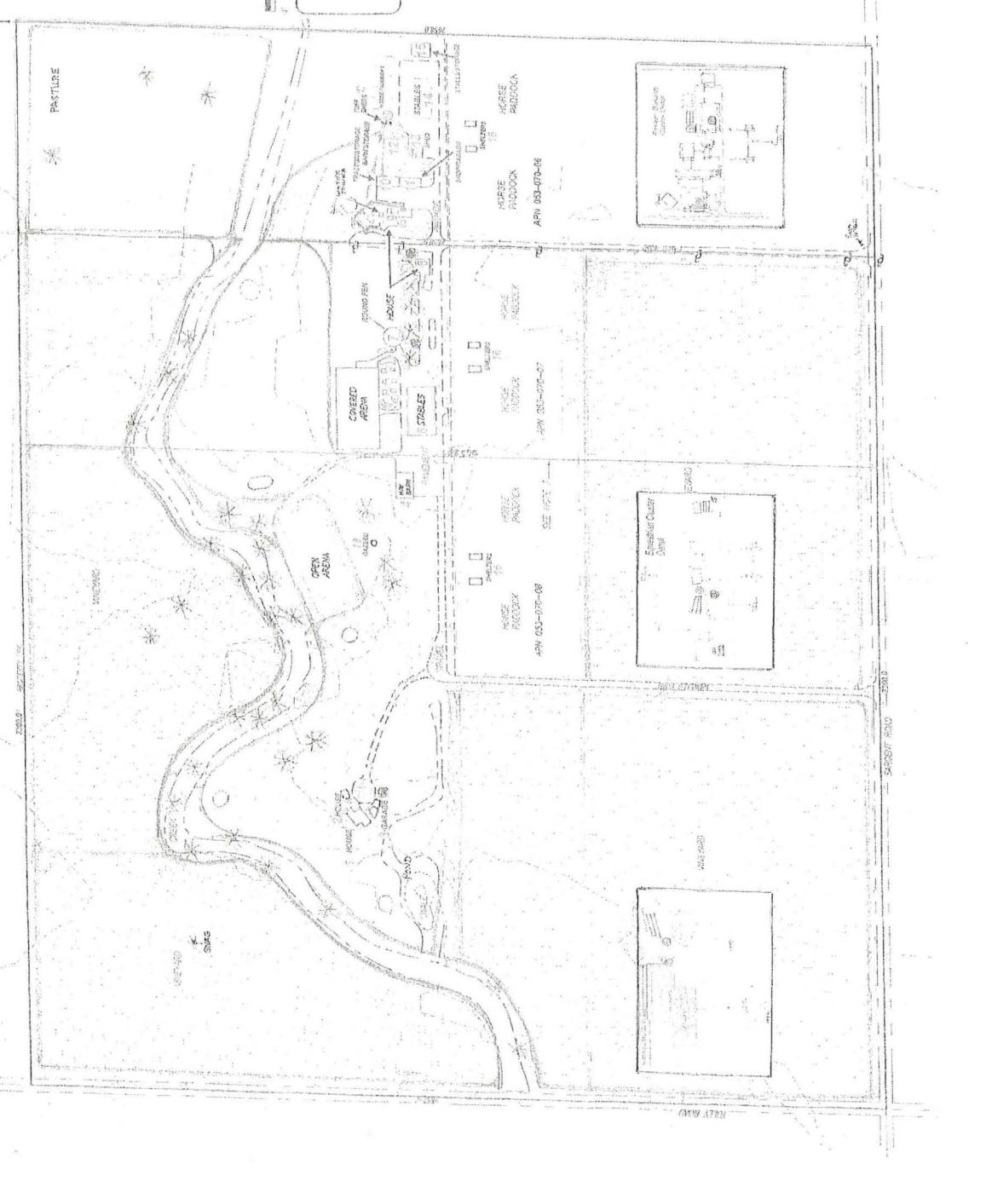
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Attachment A
Site Plan

SITE PLAN
SARGENT EQUESTRIAN, LLC PROPERTY

BEING THE S.W. 1/4 OF SEC. 5, TOW. 28E, M.D. 6th
SAN JACINTO COUNTY, CALIFORNIA
SCALE: 1" = 156' SHEET 1 OF 1 JANUARY 2015
SHOP LAND SURVEYING, CLEMENTS, CALIFORNIA



Site Plan submitted by August Sims 4/17/19
Construction started 7/10/19

01/25/2019



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Attachment B
Response Letters



DATE: July 30, 2019

PA-1900129 (UP)

Property owner: Sargent Estates LLC

Applicant: Same

APN / Address: 053-070-06, 15737 East Sargent Road, Lodi

Planner: Stephanie Stowers

Project Description: Establish a Commercial Stable

Building Conditions By: Mark Fine Deputy Director (Building Official) (209) 468-3180

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. The Project Description to establish a commercial stable proposes to use all existing buildings. The approved use of the existing buildings was for agricultural use. The proposed change in use from agricultural to commercial use 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 for the new use
 - j. Occupant load based on the CPC for the new use
 - k. Risk Category analysis. (Agricultural Buildings are allowed to be constructed to Risk Category I, whereas other occupancies require Risk Category II or II.)

Modifications to existing buildings are required to include upgrades related to disability access pursuant to the California Existing Building Code.

2. The required plans must be complete at the time of submittal for a building permit. The submitted 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.
3. 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

4. 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
5. At least one accessible route shall connect accessible building or facility entrances with all accessible spaces and elements within the building or facility, including mezzanines, which are otherwise connected by a circulation path. §11B-206.2.4
6. 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.
7. Adequate sanitary facilities shall be provided for the facility, per the requirements of Chapter 4 of the California Plumbing Code.
8. 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.
9. This project 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



Community Development Department

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To: Development Services:

Stephanie Stowers

Date: 7-30-19

(Contact person)

From: Fire Prevention:

Vic Solari

(Contact person)

209-468-3166

Subject:

PA-1900129(UP)

(Planning application referral number)

Project Summary: Establish a commercial stable for a maximum of 23 horses utilizing existing building on-site. No new construction is proposed. (APN: 053-070-06, -07, -08 at 15737 E. Sargent Rd.)

The following California Fire Code (CFC) requirements will be applicable to the proposed project. The following conditions shall be addressed prior to submittal of a building permit application to the Building Inspection Division.

1. CFC 507 Fire Protection Water Supply - Fire flow and hydrants shall be provided for the proposed project by the use of: CFC Appendix B.
2. If Fire Protection Systems are required they shall be installed according to the CFC, Chapter 9 and the appropriate standards and guides adopted in Chapter 35 of the California Building Code and the California Electrical Code.
3. CFC, Section 503 Fire Apparatus Access Roads - Shall be provided as required by this section. 503.1.2 - A secondary access may be required.
4. CFC, Section 906 Portable Fire Extinguishers – Provide portable fire extinguishers as required by this section.
5. CFC, Section 506 Key Box - A Knox® Box shall be installed according to the local fire department's instructions. Make application for the key box at the fire district having jurisdiction of this project. If there is an electronically controlled access gate at this site a Knox® key switch will also be required.
6. CFC, Section 5001.3.3.1 Properties of Hazardous Materials – A complete list of hazardous materials used and or stored at this site shall be provided.
7. CFC, Section 105 Permits: Operational Permit(s) may be required prior to occupancy.



Department of Public Works

Kris Balaji, Director of Public Works

Fritz Buchman, Deputy Director/Development

Jim Stone, Deputy Director/Operations

Najee Zarif, Interim Deputy Director/Engineering

Kristi Rhea, Manager of Strategic Initiatives

November 21, 2019

MEMORANDUM

TO: Community Development Department
CONTACT PERSON: Stephanie Stowers

FROM: Alex Chetley, Interim Engineering Services Manager
Development Services Division

SUBJECT: PA-1900129; A Use Permit application to establish a commercial stable for a maximum of thirty (30) horses on three (3) parcels totaling 198.45 acres. The project proposes to utilize the following existing structures: 4,5000 square foot barn for storage, 32,500 square foot indoor arena for training, 10,250 square foot stable for horse care, 2,826 square foot training pen, 2,040 square foot storage shed, 1,800 square foot workshop, 3,000 square foot barn for storage, 800 square foot shed for storage, and six (6) existing 60 square foot pasture shelters as shade structures; located on the northeast corner of East Sargent Road and North Tully Road, Lodi. (Supervisorial District 4)

PROPERTY OWNER: Sargent Estates, LLC.

APPLICANT: Same

ADDRESS: 15737 E. Sargent Road, Lodi

APN: 053-070-06, -07 & -08

INFORMATION:

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

Tully Road has an existing and a planned right-of-way width of 50 feet.

Sargent Road has an existing and a planned right-of-way width of 50 feet.

RECOMMENDATIONS:

1. 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)
2. A copy of the Final Site Plan shall be submitted prior to release of building permit.
3. 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)

Community Development Department
PA-1900129 (UP)

4. Prior to issuance of the occupancy permit, the driveway approach shall be improved in accordance with the requirements of San Joaquin County Improvement Standards Drawing No. R-17. (Development Title Section 9-1145.5)
5. The Traffic Impact Mitigation Fee shall be required for this application. The fee is due and payable at the time of building permit application. The fee shall be automatically adjusted July 1 of each year by the Engineering Construction Cost Index as published by the Engineering News Record. (Resolution R-00-433)
6. The Regional Transportation Impact Fee shall be required for this application. The fee is due and payable at the time of building permit application. The fee will be based on the current schedule at the time of payment. (Resolution R-06-38)

AC:CH



Environmental Health Department

Linda Turkatte, REHS, Director

Kasey Foley, REHS, Assistant Director

PROGRAM COORDINATORS

Robert McClellon, REHS

Jeff Carruesco, REHS, RDI

Willy Ng, REHS

Muniappa Naidu, REHS

Michael Kith, REHS

August 20, 2019

To: San Joaquin County Community Development Department
Attention: Stephanie Stowers

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

RE: **PA-1900129 (UP), Early Consultation, SU0012365**
15737 E. Sargent Rd, Lodi

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

A. A soil suitability study with nitrate evaluation 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 a building permit. (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.

B. Construction of an individual sewage disposal system(s) under permit and inspection by the Environmental Health Department is required at the time of development (San Joaquin County Development Title, Section 9-1110.3 & 9-1110.4).

C. 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).

D. Applicant is to prepare a manure management plan outlining the handling of all animal wastes and incorporating vector control measures. (Porter-Cologne Water Quality Act, Chapter 4, Section 13260-13263). The fee will be based on the current schedule at the time of payment.

E. Before any hazardous materials/waste can be stored or used onsite, the owner/operator must report the use or storage of these hazardous materials to the California Environmental

Reporting System (CERS) at cers.calepa.ca.gov/ and comply with the laws and regulations for the programs listed below (based on quantity of hazardous material in some cases).

- a. Any amount but not limited to the following hazardous waste; hazardous material spills, used oil, used oil filters, used oil-contaminated absorbent/debris, waste antifreeze, used batteries or other universal waste, etc. – **Hazardous Waste Program** (Health & Safety Code (HSC) Sections 25404 & 25180 et sec.)
- b. Onsite treatment of hazardous waste – **Hazardous Waste Treatment Tiered Permitting Program** (HSC Sections 25404 & 25200 et sec. & California Code of Regulations (CCR), Title 22, Section 67450.1 et sec.)
- c. Reportable quantities of hazardous materials-reportable quantities are 55 gallons or more of liquids, 500 pounds for solids, or 200 cubic feet for compressed gases, with some exceptions. Carbon dioxide is a regulated substance and is required to be reported as a hazardous material if storing 1,200 cubic feet (137 pounds) or more onsite in San Joaquin County – **Hazardous Materials Business Plan Program** (HSC Sections 25508 & 25500 et sec.)
- d. Any amount of hazardous material stored in an Underground Storage Tank – **Underground Storage Tank Program** (HSC Sections 25286 & 25280 et sec.)
 - i. If an underground storage tank (UST) system will be installed, a permit is required to be submitted to, and approved by, the San Joaquin County Environmental Health Department (EHD) before any UST installation work can begin.
 - ii. Additionally, an EHD UST permit to operate is required once the approved UST system is installed.
- e. Storage of at least 1,320 gallons of petroleum aboveground or any amount of petroleum stored below grade in a vault – **Aboveground Petroleum Storage Program** (HSC Sections 25270.6 & 25270 et sec.)
 - i. **Spill Prevention, Countermeasures and Control (SPCC) Plan requirement**
- f. Threshold quantities of regulated substances stored onsite - **California Accidental Release Prevention (CalARP) Program** (Title 19, Section 2735.4 & HSC Section 25531 et sec.)
 - i. **Risk Management Plan requirement for covered processes**



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 (RTLJ) ADVISORY AGENCY NOTICE TO SJCOG, Inc.

To: Stephanie Stowers, San Joaquin County, Community Development Department
From: Laurel Boyd, SJCOG, Inc.
Date: November 19, 2019

Local Jurisdiction Project Title: PA-1900129 (UP)

Assessor Parcel Number(s): 053-070-06, -07, -08

Local Jurisdiction Project Number: PA-1900129 (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. Stowers:

SJCOG, Inc. has reviewed the application referral for PA-1900129 (UP). This project consists of a Use Permit application to establish a commercial stable for a maximum of thirty (30) horses on three (3) parcels totaling 198.45 acres. The project proposes to utilize the following existing structures: 4,500 square foot barn for storage, 32,500 square foot indoor arena for training, 10,250 square foot stable for horse care, 2,826 square foot training pen, 2,040 square foot storage shed, 1,800 square foot workshop, 3,000 square foot barn for storage, 800 square foot shed for storage, and six (6) 60 square foot storage pasture shelters as shade structures. The project will also utilize an existing open arena and paths through out the parcel, as well as existing pasture for grazing area. The project site is located at the northeast corner of East Sargent Road and North Tully Road, east of Lodi (APN/Address: 053-070-06, -07, -08/15757 East Sargent Road, Lodi).

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.sjcg.org>

After 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

2 | S J C O G , I n c .

- 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, SJCOP, 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, SJCOP, 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.

Project Title: PA-1900129 (UP)

Landowner/Applicant: Sargent Estates, LLC

Assessor Parcel #s: 053-070-06, -07, -08

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

Local Jurisdiction Contact: Stephanie Stowers

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 (RTLJ) ADVISORY AGENCY NOTICE TO SJCOG, Inc.

To: Stephanie Stowers, San Joaquin County, Community Development Department

From: Laurel Boyd, SJCOG, Inc.

Date: August 9, 2019

Local Jurisdiction Project Title: PA-1900129 (UP)

Assessor Parcel Number(s): 053-070-06, -07, -08

Local Jurisdiction Project Number: PA-1900129 (UP)

Total Acres to be converted from Open Space Use: Unknown

Habitat Types to be Disturbed: Agricultural and Natural Habitat Land

Species Impact Findings: Findings to be determined by SJMSCP biologist.

Dear Ms. Stowers:

SJCOG, Inc. has reviewed the application referral for PA-1900129 (UP). This project consists of a Use Permit application to establish a commercial stable for a maximum of 23 horses on three (3) parcels totaling 198.45 acres in the AG-40 (General Agriculture, 40-acre minimum) zone. The project proposes the utilization of an existing 4,500 square foot hay barn for storage, an existing 32,500 square foot indoor arena for training horses, an existing 10,250 square foot stable for horse care, an existing 2,826 square foot round training pen, an existing 2,040 square foot storage shed, an existing 1,800 square foot workshop/garage, an existing 3,000 square foot barn for storage, an existing 800 square foot shed for storage, and 6 existing 60 square foot pasture shelters as shade structures. The project proposes no new construction. The project will utilize on-site well for water supply, septic system for sewage disposal, and natural drainage. The project site is located on the northeast corner of East Sargent Road and North Tully Road, Lodi (APN/Address: 053-070-06, -07, -08/15737 East Sargent Road, Lodi).

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.sjcg.org>

After 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, Inc.

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, S J C O G, 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, S J C O G, Inc. staff will sign the ITMMs. This is the effective date of the ITMMs.
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 - 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.

Project Title: PA-1900129 (UP)

Landowner/Applicant: Sargent Estates, LLC

Assessor Parcel #s: 053-070-06, -07, -08

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

Local Jurisdiction Contact: Stephanie Stowers

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.



MIWOK United Auburn Indian Community
MAIDU of the Auburn Rancheria

Gene Whitehouse
Chairman

John L. Williams
Vice Chairman

Calvin Moman
Secretary

Jason Camp
Treasurer

Gabe Cayton
Council Member

August 6, 2019

Stephanie Stowers
County of San Joaquin
1810 E. Hazelton Ave
Stockton, CA 95201

Subject: Early Consultation and Public Hearing Notification for the Sargent Estates Commercial Stables Project (PA-1900129)

Dear Stephanie Stowers,

Thank you for requesting information regarding the above referenced project. The United Auburn Indian Community (UAIC) of the Auburn Rancheria is comprised of Miwok and Southern Maidu (Nisenan) people whose tribal lands are within Placer County and whose service area includes El Dorado, Nevada, Placer, Sacramento, Sutter, and Yuba counties. The UAIC is concerned about development within its aboriginal territory that has potential to impact the lifeways, cultural sites, and landscapes that may be of sacred or ceremonial significance. We appreciate the opportunity to comment on this and other projects in your jurisdiction. The UAIC would like to consult on this project.

We would like to receive copies of any archaeological reports that are completed for the project in order to ascertain whether or not the project could affect cultural resources that may be of importance to the UAIC. We also request copies of future environmental documents for the proposed project so that we have the opportunity to comment on potential impacts and proposed mitigation measures related to cultural resources. The information gathered will provide us with a better understanding of the project and cultural resources on site and is invaluable for consultation purposes. Finally, please contact us if you know of any Native American cultural resources within your project area or if you discover any.

Thank you again for taking these matters into consideration, and for involving the UAIC in the planning process. We look forward to reviewing the additional documents requested. Please contact Anna M. Starkey, Cultural Regulatory Specialist, at (916) 251-1565 or email at astarkey@auburnrancheria.com if you have any questions.

Sincerely,

Gene Whitehouse,
Chairman

CC: Matthew Moore, Tribal Historic Preservation Officer



Inadvertent Discoveries Mitigation Measure

The following mitigation measure¹ is intended to address inadvertent discoveries of potential Tribal Cultural Resources (TCRs), archaeological, or cultural resources during a project's ground disturbing activities when a paid Native American no Tribal or Archaeological Monitor is present.

Cultural items include darkened soil (midden), shell fragments, faunal bone fragments, fire affected rock and clay, isolated artifacts, bowl mortars, handstones and pestles, flaked stone, and articulated, or disarticulated human remains. In general, the United Auburn Indian Community (UAIC) of the Auburn Rancheria does not consider archaeological data recovery or curation of artifacts to be appropriate or respectful. The types of treatment preferred by UAIC that protects, preserves, or restores the integrity of a TRC may include Tribal Monitoring, and recovery and reburial of cultural objects or cultural soil that is done with dignity and respect.

Recommendations of the treatment of a TCR will be documented in the project record. For any recommendations made by traditionally and culturally affiliated Native American Tribes that are not implemented, a justification for why the recommendation was not followed will be provided in the project record.

If potentially significant Tribal Cultural Resources (TCRs), cultural or archaeological resources are discovered during ground disturbing construction activities, all work shall cease within 100 feet of the find. A Native American Representative from traditionally and culturally affiliated Native American Tribes shall be immediately contacted to assess the significance and cultural value of the find and make recommendations for further evaluation and treatment, as necessary. A qualified cultural resources specialist meeting the Secretary of Interior's Standards and Qualifications for Archaeology, may also assess the significance of the find in joint consultation with Native American Representatives to ensure that Tribal values are considered. Work shall remain suspended or slowed within 100 feet of the find until the resource is evaluated, which shall occur within one day, but no more than two days, of the find.

The project applicant shall coordinate with a UAIC Tribal Representative any necessary investigation and evaluation of the discovery under the requirements of the CEQA, including AB 52. Preservation in place is the preferred alternative under CEQA and UAIC protocols, and every effort must be made to preserve the resources in place, including through project redesign. The contractor shall implement any measures deemed by CEQA lead agency to be necessary and feasible to preserve in place, avoid, or minimize significant effects to the resources, including the use of a paid Native American Monitor whenever work is occurring within 100 feet of the find.

If adverse impacts to a TCR, unique archeological, or other cultural resources occurs, then consultation with UAIC and other traditionally and culturally affiliated Native American Tribes regarding mitigation contained in the Public Resources Code sections 21084.3(a) and (b) and CEQA Guidelines section 15370 shall occur.

¹ Proposed Mitigation Measure includes suggested template language to assist lead CEQA agencies, and their consultants, in understanding the Tribe's policies and expectations. All measures are subject to periodic review and change by the consulting Tribe to reflect best practices and to be worded on a project scope and site specific basis.

Protocols for Discovery of Suspected Human Remains

The protocols for human remain discoveries are similar for other discoveries. It is important to treat any human remains with sensitivity, dignity, and respect.

1. All work will immediately stop within 100 feet of the find. Work will also stop in areas where there is reason to believe additional human remains could be located (generally determined by a tribal monitor and qualified archaeologist).
2. UAIC and the on-site project/construction manager will be notified immediately and the County coroner will be called.
3. The location of any Native American Human remains must remain strictly confidential.

Additional Information

When in doubt, stop work and notify the tribal monitor and construction manager.

Do not disturb or take photos of the find.
Do not share any information on social media.

Who We Are

The United Auburn Indian Community of the Auburn Rancheria (UAIC) is comprised of Miwok and Southern Maidu (Nisenan) people whose area of geographic traditional and cultural affiliation encompasses all of Amador, El Dorado, Nevada, Placer, Sacramento, Sutter and Yuba counties, as well as portions of Butte, Plumas, San Joaquin, Sierra, Solano and Yolo counties. The historic Auburn Rancheria is located in the Sierra Nevada foothills in Auburn, California.

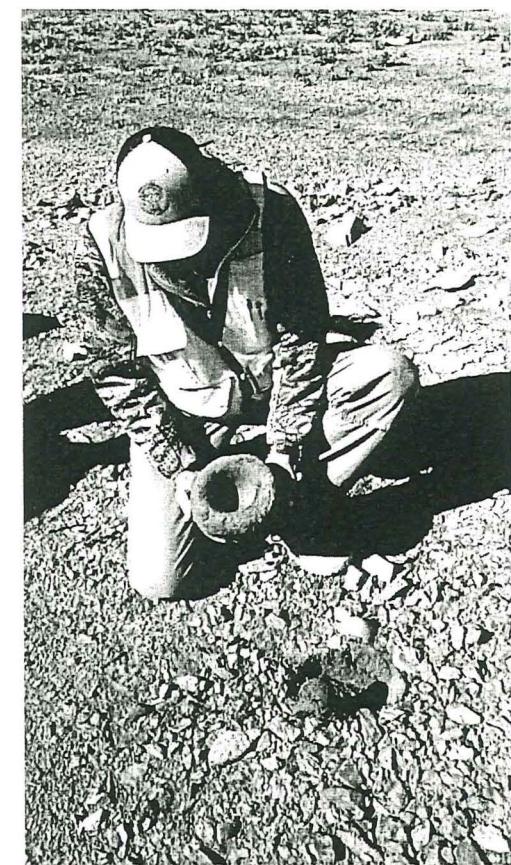
Learn more about us at
www.auburnrancheria.com



Tribal Historic Preservation Department

Main Tribal Office
(530) 883-2390

United Auburn Indian Community Tribal Cultural Resources



United Auburn Indian Community
of the Auburn Rancheria
10720 Indian Hill Road
Auburn CA, 95603

Protection Measures and Protocols

The UAIC has developed measures listed below to protect any unanticipated finds of tribal cultural resources (TCRs) and achieve compliance with federal, state and environmental laws.

1. All work must stop IMMEDIATELY within 100 feet of the find. Work may be stopped by the Tribal monitor or a qualified archaeologist. Work may continue on the rest of the project as long as project activities stay at least 100 feet away.
2. The on-site project/construction manager will immediately be informed of the possible find and contact a qualified archeologist or tribal monitor of the find.
3. Under NO circumstances will any contractor or employee collect the archaeological material/TCRs.
4. It is important for the integrity of the find and for culturally appropriate treatment, and that no violation is issued. Reasonable methods must be taken to ensure that there is no disturbance or damage (including theft) to the find and its context and surrounding areas.
5. It is important to respect the direction of the tribal monitor or other authorized tribal representative regarding identification and treatment of finds.
6. The location and nature of the discovery will be strictly confidential, shared only with individuals that need to know.

Examples of Tribal Cultural Resources

Many types of Tribal Cultural Resources (TCRs) are also considered archaeological/cultural resources. The most common types of TCRs include stone tools (projectile points, flaked stone, and milling stones), shell, beads, and a cultural soil called "midden". TCRs can also be native plants and cultural landscapes. Types of artifacts and sites from the historic-era include bottles, cans, ceramics, building foundations, and bricks.



Bedrock Mortars



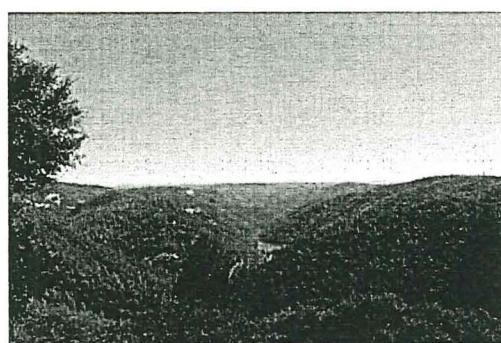
Projectile Point



Bowl Mortar



Handstone



Landscapes and Viewsheds



Native Plants

U.S. Department of Homeland Security
FEMA Region IX
1111 Broadway, Suite 1200
Oakland, CA. 94607-4052



FEMA

November 15, 2019

Stephanie Stowers, Project Manager
San Joaquin County
Community Development Department
1810 East Hazelton Avenue
Stockton, California 95205

Dear Ms. Stowers:

This is in response to your request for comments regarding Application Referral Application Number PA 1900129 (UP), Use Permit application, (APN/Address: 053-070-06, -07, -08/15737 East Sargent Road, Lodi) (Supervisorial District 4).

Please review the current effective Flood Insurance Rate Maps (FIRMs) for the County of San Joaquin (Community Number 060299), Maps revised October 20, 2016 and City of Lodi (Community Number 060300), Maps revised October 16, 2009. Please note that the City of Lodi, San Joaquin County, California is a participant in the National Flood Insurance Program (NFIP). The minimum, basic NFIP floodplain management building requirements are described in Vol. 44 Code of Federal Regulations (44 CFR), Sections 59 through 65.

A summary of these NFIP floodplain management building requirements are as follows:

- All buildings constructed within a riverine floodplain, (i.e., Flood Zones A, AO, AH, AE, and A1 through A30 as delineated on the FIRM), must be elevated so that the lowest floor is at or above the Base Flood Elevation level in accordance with the effective Flood Insurance Rate Map.
- If the area of construction is located within a Regulatory Floodway as delineated on the FIRM, any ***development*** must not increase base flood elevation levels. **The term "development" means any man-made change to improved or unimproved real estate, including but not limited to buildings, other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, and storage of equipment or materials.** A hydrologic and hydraulic analysis must be performed prior to the start of development, and must demonstrate that the development would not cause any rise in base flood levels. No rise is permitted within regulatory floodways.

Stephanie Stowers, Project Manager
Page 2
November 15, 2019

- Upon completion of any development that changes existing Special Flood Hazard Areas, the NFIP directs all participating communities to submit the appropriate hydrologic and hydraulic data to FEMA for a FIRM revision. In accordance with 44 CFR, Section 65.3, as soon as practicable, but not later than six months after such data becomes available, a community shall notify FEMA of the changes by submitting technical data for a flood map revision. To obtain copies of FEMA's Flood Map Revision Application Packages, please refer to the FEMA website at <http://www.fema.gov/business/nfip/forms.shtm>.

Please Note:

Many NFIP participating communities have adopted floodplain management building requirements which are more restrictive than the minimum federal standards described in 44 CFR. Please contact the local community's floodplain manager for more information on local floodplain management building requirements. The Lodi floodplain manager can be reached by calling Charles Swimley, Jr., Director, Public Works Department, at (209) 333-6706. The San Joaquin County floodplain manager can be reached by calling John Maguire, Engineering Services Manager, Flood Management Division, Public Works Department, at (209) 953-7617.

If you have any questions or concerns, please do not hesitate to call Brian Trushinski of the Mitigation staff at (510) 627-7183.

Sincerely,



Gregor Blackburn, CFM, Branch Chief
Floodplain Management and Insurance Branch

cc:

Charles Swimley, Jr., Director, Public Works Department, City of Lodi
John Maguire, Engineering Services Manager, Flood Management Division, Public Works
Department, San Joaquin County
Ray Lee, WREA, State of California, Department of Water Resources, North Central Region
Office
Brian Trushinski, Floodplain Manager Specialist, DHS/FEMA Region IX
Alessandro Amaglio, Environmental Officer, DHS/FEMA Region IX

Zimbra

sstowers@sjgov.org

Use Permit application for Sargent Equestrian Center at 15757 E. Sargent Rd in Lodi (PA-1900129 (UP))

From : Diane Kastama <dkastama@verizon.net> Sat, Aug 17, 2019 02:23 PM
Subject : Use Permit application for Sargent Equestrian Center at
15757 E. Sargent Rd in Lodi (PA-1900129 (UP))
To : sstowers@sjgov.org

Attn: Stephanie Stowers

Senior Planner

*San Joaquin Valley Community Development Department
1810 E. Hazelton Ave
Stockton, CA 95205*

Re: Use Permit application for Sargent Equestrian Center at 15757 E. Sargent Rd in Lodi (PA-1900129 (UP))

Dear Ms. Stowers,

I write today to support the Use Permit application for Sargent Equestrian Center at 15757 E. Sargent Rd in Lodi on behalf of the carriage driving community of central California.

I am President of non-profit United States Driving for the Disabled, Inc (www.usdfd.org). Our mission is to provide the extraordinary benefit of therapeutic driving to as many people as possible through sharing knowledge, experience, and serving as a resource for innovations in adaptive equipment for drivers, trainers, and programs offering carriage driving.

Sargent Equestrian Center has been very supportive of our mission and has hosted our Para Equestrian Drivers at various clinics. They have gone out of their way to provide an accessible facility, parking for trucks, horse trailers and stables all easily reachable by a wheelchair. There are not many top class facilities in the West that can provide such an accessible experience. Whether it is a clinic, show or just a play day, they provide a needed facility in a Central location of California.

As a top competitor in Open Competition along with being an individual with Paraplegia, I would hate to lose such a wonderful facility. It is very difficult to find carriage driving venues , and to lose one would be a great loss to the sport of Carriage Driving.

I fully support Sargent Equestrian Center's mission.

Thank you for your consideration,

Diane Kastama
620 Matilija Lane
Arroyo Grande, CA 93420
805-458-2428
dkastama@verizon.net

President United States Driving for the Disabled, Inc.
FEI Silver Medal of Honor
6 time Medalist in FEI Para Equestrian World Championships for Single Drivers

Committee member American Driving Society- Combined Driving
Committee member United States Equestrian for Para Driving Centers of Excellence

August 12, 2019

Stephanie Stowers, Senior Planner
San Joaquin County Community Development Dept
1810 E. Hazelton Avenue
Stockton, CA 95205

Re: Use Permit application for Sargent Equestrian Center at 15757 E. Sargent Rd in Lodi
(PA-1900129 (UP))

Dear Ms Stowers,

I write today in support of the Use Permit application for Sargent Equestrian Center at 15757 E. Sargent Road in Lodi, on behalf of the carriage driving community of Central California.

Carriage Driving is a competitive sport which started in England, and is well established in Europe and the East Coast here in the United States. I have been driving in competition nationally and internationally for many years and am a strong supporter of the sport on the West Coast. This is a challenging process due to the demands on facilities and the rarity of experienced trainers and suitable show venues.

Sargent Equestrian Center, under the guidance of Jeanne Williams, has made a huge contribution to this sport in all these areas. The facility has attracted excellent trainers, developed a large and dedicated community of drivers and held premier Combined Driving Events in Northern California, which has attracted competitors from as far as British Columbia.

I am wholeheartedly offering my support. It would be a major loss to the sport if Sargent Equestrian Center should close.

Thank you for your consideration.

Sincerely,


Fritz Grupe

Zimbra**sstowers@sjgov.org**

Use permitt

From : Jerry Belluomini <woolfdesign@yahoo.com>
Subject : Use permitt
To : sstowers@sjgov.org

Tue, Jul 30, 2019 09:56 AM

Neighbor:

I am writing you today to ask San Joaquin County to grant a use permit for Sargent Equestrian Center at 15757 E. Sargent Rd.

My house is located across Sargent Rd from the main gate at SEC and I have known Jeanne and Margot, the owners, since they came to introduce themselves in 2008. Since that time, I have found them to be warm welcoming neighbors. I have attended open houses, the annual caroling carriage drives to the Hanot Foundation and shows with my family. My grandchildren love to visit Sargent.

There have been no problems of smell, excessive dust, noise or obstructing traffic.

SEC has contributed to the sense of community in the area in a positive and unique way. I urge you to approve their Use Permit.

Jane and Jerry Belluomini
15370 E. Sargent Rd.
Lodi, CA 95240
(209) 727-3781

Zimbra**sstowers@sjgov.org****Sargent Equestrian Center Use Permit**

From : Howard Leal <htleal@att.net>
Subject : Sargent Equestrian Center Use Permit
To : sstowers@sjgov.org

Thu, Aug 15, 2019 03:30 PM

To Ms. Stowers,

I am writing this letter in support of Sargent Equestrian Center being issued a Use Permit for the clinics, events and playdays they offer to those of us involved in driving horses. I know there are a lot of facilities in your county that offer different types of horse riding sports, such as, Dressage, Eventing, Western Pleasure and Hunter, Jumper. Sargent offers a very unique sport venue that makes it very important to those of us who drive horses. The venue is beautiful and has a top of the line facility, very well kept, that allows us to hone our driving skills in a safe and supportive environment. This facility is supported by the American Driving Society and United States Equestrian Foundation, because of the work and quality of the events offered there. I am a para-driver, who is very grateful to this establishment for offering special support to those of us who have disabilities. I feel safe and there are always personnel who are there to help in any way needed to assist me when I am driving.

The loss of a facility would be huge blow for the driving community in our area, I hope San Joaquin County understands the importance of supporting the horse community and those who are disabled to be able to continue to enjoy the sport and animals we so love. I am no longer able to ride but still am passionate about horses and the partnership I have been able to establish with my Haflinger, Dancer in being a driver.

Thank you for your consideration of this Use Permit application and all that it means to the driving community.

Sincerely,
Theresa Leal



SAN JOAQUIN
COUNTY
Greatness grows here.

Community Development Department
Planning · Building · Neighborhood Preservation

Attachment C
Environmental Review



MITIGATED NEGATIVE DECLARATION

TO: Office of Planning & Research
P. O. Box 3044
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-1900129

PROJECT LOCATION: The project site is located on the northeast corner of East Sargent Road and North Tully Road, east of Lodi, San Joaquin County. (APN/Address: 053-070-06, -07, & -08/15737 East Sargent Road, Lodi) (Supervisorial District: 4)

PROJECT DESCRIPTION: A Use Permit application to establish a commercial stable for a maximum of thirty (30) horses on three (3) parcels totaling 198.45 acres. The project proposes to utilize the following existing structures:

4,500 square foot barn for storage
32,500 square foot indoor arena for training
10,250 square foot stable for horse care
2,826 square foot training pen
2,040 square foot storage shed
1,800 square foot workshop
3,000 square foot barn for storage
800 square foot shed for storage
Six (6) 60 square foot pasture shelters as shade structures.

The project will also utilize an existing open arena and paths throughout the parcel, as well as existing pasture for grazing area. (Use Type: Stable – Commercial)

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

PROPOSER: Sargent Estates LLC

This is a Notice of Intent to adopt a Mitigated Negative Declaration for this project as described. San Joaquin County has determined that through the Initial Study that contains proposed mitigation measures all potentially significant effects on the environment can be reduced to a less than significant level. The Negative Declaration and Initial Study can be viewed on the Community Development Department website at www.sjgov.org/commdev under Active Planning Applications.

Date: November 1, 2019

Contact Person:

Stephanie Stowers Phone: (209) 468-9653 FAX: (209) 468-3163 Email: sstowers@sjgov.org

INITIAL STUDY/NEGATIVE DECLARATION

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

LEAD AGENCY: San Joaquin County Community Development Department

PROJECT APPLICANT: Sargent Estates, LLC

PROJECT TITLE/FILE NUMBER(S): PA-1900129 (UP)

PROJECT DESCRIPTION: A Use Permit application to establish a commercial stable for a maximum of thirty (30) horses on three (3) parcels totaling 198.45 acres. The project proposes to utilize the following existing structures:

4,500 square foot barn for storage
32,500 square foot indoor arena for training
10,250 square foot stable for horse care
2,826 square foot training pen
2,040 square foot storage shed
1,800 square foot workshop
3,000 square foot barn for storage
800 square foot shed for storage
Six (6) 60 square foot pasture shelters as shade structures.

The project will also utilize an existing open arena and paths throughout the parcel, as well as existing pasture for grazing area. (Use Type: Stable – Commercial)

The project site is located at the northeast corner of E. Sargent Road and N. Tully Road, east of Lodi.

ASSESSORS PARCEL NO(S): 053-070-06, -07, -& -08

ACRES: 198.45 acres

GENERAL PLAN: A/G (General Agriculture) & OS/RC (Resource Conservation)

ZONING: AG-40 (General Agriculture, 40-acre minimum)

POTENTIAL POPULATION, NUMBER OF DWELLING UNITS, OR SQUARE FOOTAGE OF USE(S):

A commercial stable facility totaling 58,078 square feet; one single family residence, second unit dwelling, and accessory structures on each parcel

SURROUNDING LAND USES:

NORTH: Agricultural with scattered residences, Bear Creek
SOUTH: Agricultural with scattered residences, Middle Paddy Creek
EAST: Agricultural with scattered residences, Paddy Creek
WEST: Agricultural with scattered residences, Paddy Creek

REFERENCES AND SOURCES FOR DETERMINING ENVIRONMENTAL IMPACTS:

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

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

TRIBAL CULTURAL RESOURCES:

Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

No

GENERAL CONSIDERATIONS:

1. Does it appear that any environmental feature of the project will generate significant public concern or controversy?

Yes No

Nature of concern(s):

2. Will the project require approval or permits by agencies other than the County?

Yes No

Agency name(s):

3. Is the project within the Sphere of Influence, or within two miles, of any city?

Yes No

City:

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION: (To be completed by the Lead Agency) On the basis of this initial evaluation:

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

Signature

Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance.

ISSUES:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<u>I. AESTHETICS.</u>					
Except as provided in Public Resources Code Section 21099, would the project:					
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publically accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Impact Discussion:

The proposed project will have no impact on aesthetics. The proposed project site is located at north east corner of Sargent Road and Tully Road within unincorporated San Joaquin County, south west of the community of Lockeford. The project will convert existing agricultural structures to the commercial stable; the structures are similar in nature to agricultural structures found throughout San Joaquin County. Additionally, the site is not located along a scenic route or roadway as defined in the 2035 General Plan. The project site will be required to install parking lot and security lighting pursuant to Development Title Section 9-1015.5(g), however, lighting shall be designed to confine rays to the premises; no spillover beyond the property lines is permitted, as a result, the required lighting will have adversely affect day or nighttime views.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	Less Than Significant No Impact	Analyzed In The Impact

II. AGRICULTURE AND FORESTRY RESOURCES.

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. -- Would the project:

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?
- b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?
- c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?
- d) Result in the loss of forest land or conversion of forest land to non-forest use?
- e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

Impact Discussion:

The proposed project will have no impact on agriculture or forestry resources. The project site includes areas designated as Prime Farmland, Unique Farmland, and Farmland of statewide Importance, however, the proposed stable site is not located within any of these designations. Additionally, the project includes the conversion of existing structures to establish the commercial stable facility. The existing structures were built with permits as agricultural buildings. No new structures are proposed.

The proposed project site is subject to Williamson Act Contract No. WA-70-C1-0112, however pursuant to Development Title Section 9-1810.3(b)(1)(X), the Stable – Commercial use type is permitted on contracted lands. The proposed use is an agricultural use, and will utilize only existing structures, which will be converted to a commercial stable facility. The existing zoning (AG-40[General Agriculture, 40-acre minimum]) will remain, and the proposed use is permitted with an

approved Use Permit.

Williamson Act Principles of Compatibility:

1. The use will not significantly compromise the long-term productive agricultural capability of the subject contracted parcel or parcels or on other contracted lands in agricultural preserves.
 - **This Principle of Compatibility can be made because the commercial stable will not displace any agricultural operations. The proposed project will convert existing structures to be utilized as a commercial stable. The existing agricultural buildings were permitted on property under contract and are consistent with the A/G (General Agriculture) General Plan Designation. Therefore, the proposed project development area for the commercial stable will not compromise the long-term productive agricultural capability of the parcel as the parcels total 198.45 in size combined. Furthermore, pursuant to Development Title Section 9-1810.3(1)(X), a commercial stable is a compatible use on contracted land. If the project is approved, the Zoning and the General Plan land use designation of the subject parcel will remain the same, therefore the proposed project will not significantly compromise the long-term productive agricultural capability of the subject contracted parcel or other contracted lands in agricultural preserves.**
2. The use will not significantly displace or impair current or reasonably foreseeable agricultural operations on the subject contracted parcel or parcels or on other contracted lands in agricultural preserves. Uses that significantly displace agricultural operations on the subject contracted parcel or parcels may be deemed compatible if they relate directly to the production of commercial agricultural products on the subject contracted parcel or parcels or neighboring lands, including activities such as harvesting, processing, or shipping.
 - **This Principle of Compatibility can be made because the proposed commercial stable operation will not displace or impair current or reasonably foreseeable agricultural operations on the subject contracted parcel or on other contracted lands in agricultural preserves. The proposed project will convert existing agricultural structures to be used as the commercial stable, and all pasture areas are currently utilized as pasture for private horse raising practices. The surrounding land uses are agricultural with scattered residences. The addition of the proposed commercial stable will not change the existing uses on the project site nor on the surrounding parcels.**
3. The use will not result in the significant removal of adjacent contracted land from agricultural or open-space use. In evaluating compatibility a board or council shall consider the impacts on noncontracted lands in the agricultural preserve or preserves.
 - **This Principle of Compatibility can be made because the proposed use, a family operated commercial stable, will not result in the significant removal of adjacent contracted land from agricultural or open-space use, or negatively impact adjacent noncontracted lands in an agricultural preserve. Because the parcels are 198.45 acres in size combined, the proposed commercial stable operation will not displace or impair current agricultural operations or reasonably foreseeable agricultural operations on other contracted lands.**

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Impact

III. AIR QUALITY.

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- a) Conflict with or obstruct implementation of the applicable air quality plan?
- b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?
- c) Expose sensitive receptors to substantial pollutant concentrations?
- d) Result in substantial emissions (such as those leading to odors) adversely affecting a substantial number of people?

Impact Discussion:

The project is a Use Permit to establish a commercial stable operation for a maximum of thirty (30) horses. The San Joaquin Valley Unified Air Pollution Control District (SJVAPCD) has been established by the State in an effort to control and minimize air pollution. This project was referred to the SJVAPCD for review on July 19, 2019. At the time of development, the applicant will be required to meet the requirements for emissions and dust control as established by SJVAPCD. As a result, any impacts to air quality will be reduced to less-than-significant.

The project proposes to have access driveways and parking to surfaced in asphalt concrete. The project is expected to have a maximum of fifteen (15) customers per day. As a result of the proposed surfacing, dust generated by the movement of vehicles on to and off of the property is expected to be less than significant.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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IV. BIOLOGICAL RESOURCES.

Would the project:

- a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?
- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?
- c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
- d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?
- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
- f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Impact Discussion:

The California Department of Fish and Wildlife Natural Diversity Database lists *Buteo swainsoni* (Swainson's Hawk), *Agelaius tricolor* (tri-colored blackbird), *Ambystoma californiense* (California Tiger Salamander), and *Desmocerus californicus dimorphus* (valley elderberry longhorn beetle) as rare, endangered, or threatened species or habitat located on or near the site for the proposed project. SJCOG responded in a letter dated October 29, 2018, that the project site is subject to the SJMSCP. The applicant has confirmed participation in the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP), which will address any potential impacts to rare, endangered or threatened species, or habitat located on or near the site. Pursuant to the Final EIR/EIS for the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP), dated November 15, 2000, and certified by the San Joaquin Council of Governments on December 7, 2000, implementation of the SJMSCP is expected to reduce impacts to biological resources resulting from the proposed project to a less than significant level. Additionally, participation in the San Joaquin Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) will reduce the project's impact on resident or migratory wildlife corridors to less than significant.

The project site is located along Paddy Creek, and the riparian areas along Paddy Creek have a General Plan Designation of OS/RC (Resource Conservation). The proposed project will utilize existing structures that will be converted for use as a commercial stable. No new development is proposed, and the existing structures are located outside of the

OS/RC area. The stable will utilize an existing open arena that is located within the riparian area, as well as existing riding paths, however no additional modifications are proposed to these existing features. As a result, the project will have a less than significant impact on riparian habitat. No wetlands are located on the project site.

The project site is not expected to interfere with local policies protecting biological resources because the applicant will be required to comply with the County's policy regarding Native Oak Trees, Heritage Oak Trees, or Historical Trees. If any such trees exist on the property, the project will be subject to the Development Title ordinance requirements to protect and/or provide for replacement of the trees. In this way, any impact to protected biological resources will be reduced to less than significant.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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V. CULTURAL RESOURCES.

Would the project:

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

Impact Discussion:

The proposed project will convert existing structures to a commercial stable, and will utilize existing access driveways and paved areas, which will limit the scope for ground disturbance and construction. In the event human remains are encountered during any portion of the project, California state law requires that there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county has determined manner and cause of death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation (California Health and Safety Code - Section 7050.5). At the time development, if Human burials are found to be of Native American origin, the developer shall follow the procedures pursuant to Title 14, Division 6, Chapter 3, Article 5, Section 15064.5(e) of the California State Code of Regulations.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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VI. ENERGY.

Would the project:

- a) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation?
- b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact Discussion:

The California Energy Code (also titled The Energy Efficiency Standards for Residential and Non-residential Buildings) was created by the California Building Standards Commission in response to a legislative mandate to reduce California's energy consumption. The code's purpose is to advance the state's energy policy, develop renewable energy sources and prepare for energy emergencies. These standards are updated periodically by the California Energy Commission. The code includes energy conservation standards applicable to most buildings throughout California. These requirements will be applicable to the proposed project, and will be triggered at the time of building permit application, ensuring that any impact to the environment due to wasteful, inefficient, or unnecessary consumption of energy will be less than significant and preventing any conflict with state or local plans for energy efficiency and renewable energy.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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VII. GEOLOGY AND SOILS.

Would the project:

a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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ii) Strong seismic ground shaking?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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iii) Seismic-related ground failure, including liquefaction?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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iv) Landslides?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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b) Result in substantial soil erosion or the loss of topsoil?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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d) Be located on expansive soil and create direct or indirect risks to life or property?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Impact Discussion:

The Soil Survey of San Joaquin County classifies the soil on the parcel as *Bruella sandy loam, hard substratum, 0 to 2 percent slopes; Exeter sandy loam, 0 to 2 percent slopes; Hicksville loam, 0 to 2 percent slopes, occasionally flooded; San Joaquin loam, 2 to 8 percent slopes, eroded; San Joaquin loam, thick surface, 0 to 2 percent slopes; and San Joaquin complex, 0 to 1 percent slopes.*

Bruella sandy loam's permeability is moderately slow and water capacity is moderate. This unit is suited to homesite development. *Bruella sandy loam* has a storie index rating of 60 and a land capability of IIs irrigated and IVs nonirrigated.

Exeter sandy loam's permeability is moderate and water capacity is low. This unit is suited to irrigated row, field, and vineyard crops. *Exeter sandy loam* has a storie index rating of 32 and a land capability of IIIs irrigated and IVs

nonirrigated.

Hicksville loam's permeability is moderately slow and water capacity is high. This unit is suited to irrigated row, field, and vineyard crops. *Hicksville loam* has a storie index rating of 58 and a land capability of IIw irrigated and IVw nonirrigated.

San Joaquin loam, 2 to 8 percent slopes, eroded's permeability is very slow and water capacity is low. This unit is suited to irrigated vineyard crops. *San Joaquin loam, 2 to 8 percent slopes, eroded*, has a storie index rating of 20 and a land capability of IVe irrigated and nonirrigated.

San Joaquin loam thick surface, 0 to 2 percent slopes's permeability is very slow and water capacity is moderate. This unit is suited to irrigated pasture. *San Joaquin loam, thick surface, 0 to 2 percent slopes*, has a storie index rating of 32 and a land capability of III_s irrigated and IV_s nonirrigated.

San Joaquin complex's permeability is very slow and water capacity is low. This unit is suited to irrigated pasture. *San Joaquin complex* has a storie index rating of 28 and a land capability of IV_s irrigated and nonirrigated.

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

The project will not result in substantial soil erosion or the loss of topsoil because the project includes the conversion of existing structures, and no additional development. Any required improvements will be subject to grading and/or building permits. As a result, impacts to soil erosion or loss of topsoil will be less than significant.

The project site is relatively flat terrain where landslides have not historically been an issue. A soils report will be required for grading and foundations and all recommendations from a soils report must be incorporated into the construction plans. Therefore, any risks resulting from being located on an unstable unit will be reduced to less than significant.

The project will be served by an onsite septic tank or alternative waste water disposal system for the disposal of waste water. The Environmental Health Department is requiring a soil suitability/nitrate loading study to determine the appropriate system and design prior to issuance of building permit(s). The sewage disposal system shall comply with the onsite wastewater treatment systems standards of San Joaquin County prior to approval. A percolation test that meets absorption rates of the manual of septic tank practice or E.P.A. Design Manual for onsite wastewater treatment and disposal system is required for each parcel. With these standards in place, only soils capable of adequately supporting the use of septic tanks will be approved for the septic system.

The San Joaquin County General Plan 2035 indicates that the county will protect significant archeological and historical resources by requiring an archeological report prepared by a qualified cultural resource specialist prior to the issuance of any discretionary permit or approval in areas determined to contain significant historic or prehistoric archeological artifacts that could be disturbed by project construction. In this way, the County can minimize damage to unique paleontological resources or sites or geologic features.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Impact	Prior EIR
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VIII. GREENHOUSE GAS EMISSIONS.

Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Impact Discussion:

Emissions of GHGs contributing to global climate change are attributable in large part to human activities associated with the industrial/manufacturing, utility, transportation, residential, and agricultural sectors. Therefore, the cumulative global emissions of GHGs contributing to global climate change can be attributed to every nation, region, and city, and virtually every individual on earth. An individual project's GHG emissions are at a micro-scale level relative to global emissions and effects to global climate change; however, an individual project could result in a cumulatively considerable incremental contribution to a significant cumulative macro-scale impact. As such, impacts related to emissions of GHG are inherently considered cumulative impacts.

Implementation of the proposed project would cumulatively contribute to increases of GHG emissions. Estimated GHG emissions attributable to future development would be primarily associated with increases of carbon dioxide (CO₂) and, to a lesser extent, other GHG pollutants, such as methane (CH₄) and nitrous oxide (N₂O) associated with area sources, mobile sources or vehicles, utilities (electricity and natural gas), water usage, wastewater generation, and the generation of solid waste. The primary source of GHG emissions for the project would be mobile source emissions. The common unit of measurement for GHG is expressed in terms of annual metric tons of CO₂ equivalents (MTCO₂e/yr).

As noted previously, the proposed project will be subject to the rules and regulations of the SJVAPCD. The SJVAPCD has adopted the Guidance for Valley Land- use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA and the District Policy – Addressing GHG Emission Impacts for Stationary Source Projects Under CEQA When Serving as the Lead Agency.¹¹ The guidance and policy rely on the use of performance-based standards, otherwise known as Best Performance Standards (BPS) to assess significance of project specific greenhouse gas emissions on global climate change during the environmental review process, as required by CEQA. To be determined to have a less-than-significant individual and cumulative impact with regard to GHG emissions, projects must include BPS sufficient to reduce GHG emissions by 29 percent when compared to Business As Usual (BAU) GHG emissions. Per the SJVAPCD, BAU is defined as projected emissions for the 2002-2004 baseline period. Projects which do not achieve a 29 percent reduction from BAU levels with BPS alone are required to quantify additional project-specific reductions demonstrating a combined reduction of 29 percent. Potential mitigation measures may include, but not limited to: on-site renewable energy (e.g. solar photovoltaic systems), electric vehicle charging stations, the use of alternative-fueled vehicles, exceeding Title 24 energy efficiency standards, the installation of energy-efficient lighting and control systems, the installation of energy-efficient mechanical systems, the installation of drought-tolerant landscaping, efficient irrigation systems, and the use of low-flow plumbing fixtures.

It should be noted that neither the SJVAPCD nor the County provide project-level thresholds for construction-related GHG emissions. Construction GHG emissions are a one-time release and are, therefore, not typically expected to generate a significant contribution to global climate change. As such, the analysis herein is limited to discussion of long-term operational GHG emissions.

¹¹ San Joaquin Valley Air Pollution Control District. Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA. December 17, 2009. San Joaquin Valley Air Pollution Control District. District Policy Addressing GHG Emission Impacts for Stationary Source Projects Under CEQA When Serving as the Lead Agency. December 17, 2009.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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IX. HAZARDS AND HAZARDOUS MATERIALS.

Would the project:

- a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
- b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
- c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
- d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?
- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?
- f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

Impact Discussion:

The proposed project is for the establishment of a commercial stable, which will convert existing agricultural structures. Hazardous materials such as engine motor oil, antifreeze coolant, propane, nitrogen gas, and diesel fuel may be used and stored on site. The San Joaquin County Environmental Health Department (EHD) requires the owner/operator to report to the California Environmental Reporting System (CERS) before any hazardous materials/waste can be stored or used onsite. The existing regulatory framework for the transport and use of any hazardous materials will ensure any impact is less than significant.

The project site is not included on the California Department of Toxic Substances Control EnviroStor database map, compiled pursuant to Government Code 65962.5 and, therefore, will have no impact on the safety of the public or the environment.

The scope of the proposed project indicates that no additional emergency services will be required to provide for safe evacuation and adequate access to emergency equipment. As such, the project will not impair implementation of, or

interfere with, County-adopted emergency response plans.

Pursuant to the California Building code requirement, the project structure will have fire sprinklers installed inside the structure for safety. Implementation of this safety standard will result in any impact to people or structures from wildland fires being less than significant.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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X. HYDROLOGY AND WATER QUALITY.

Would the project:

- a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?
- b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?
- c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:
 - i) result in substantial erosion or siltation on- or off-site;
 - ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;
 - iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or
 - iv) impede or redirect flood flows?
- d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?
- e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Impact Discussion:

The proposed project's impact on hydrology and water is expected to be less than significant. The project will be served by the existing onsite well and septic system. The existing services were constructed under permit, and Construction of an individual domestic water well will be under permit and inspection by the Environmental Health Department. The sewage disposal system must comply with the onsite wastewater treatment systems standards of San Joaquin County. Therefore, the proposed project's impact on these resources will be less than significant.

The San Joaquin County Department of Public Works will require the applicant pay a Water Supply Facilities Impact Mitigation Fee. The Water Impact Mitigation Fee Program was established to finance San Joaquin County's share of the construction cost for the New Melones Water Conveyance Project, which is intended to mitigate the impact of ground and surface water depletion resulting from new development within the fee area. The fee area includes the unincorporated area of the County within the SEWD and Central San Joaquin Water Conservation District and the area within one-half mile north of the SEWD boundary along Eight Mile Road, between Rio Blanco Road and Alpine Road. The proposed project's impact on ground and surface water will be mitigated with the required Water Supply Facilities Impact Mitigation

Fee which will reduce any impact the project has on ground and surface water to less than significant.

The proposed project does not propose any substantial alteration to a drainage pattern, stream or river. All necessary drainage improvements onsite will be required as conditions of the construction of the project. The project will not result in substantial soil erosion because the site will be paved and landscaped subject to building code requirements.

Development Title Section 9-1135.2 requires all development projects to provide drainage facilities within and downstream from the development project. Storm water runoff shall be conveyed into a terminal drain or may be retained in a retention basin. The Department of Public Works requires that drainage facilities be provided in accordance with the San Joaquin County Development Standards. The proposed project plans call for storm water to be retained in an on-site retention pond. The Department of Public Works will determine the feasibility of the proposed retention pond.

The proposed project site is not in a tsunami or seiche zone. The site is not located in any flood zone. Therefore, there is no risk of release of pollutants due to inundation.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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XI. LAND USE AND PLANNING.

Would the project:

- a) Physically divide an established community?
- b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Impact Discussion:

The proposed project is for the establishment of a commercial stable, which will convert existing agricultural structures. The project is not a growth-inducing action nor is it in conflict with any existing or planned uses. The Stables - Commercial use type is a conditionally permitted in the AG-40 (General Agriculture, 40-Acre minimum) zone subject to an approved Use Permit application.

The proposed project will not be a conflict with any existing or planned uses or set a significant land use precedent. The proposed project is not in conflict with any Master Plans, Specific Plans, or Special Purpose Plans, or any other applicable plan adopted by the County.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Impact

XII. MINERAL RESOURCES.

Would the project:

- a) Result in the loss of availability of a known_mineral resource that would be of value to the region and the residents of the state?
- b) Result in the loss of availability of a locally- important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

Impact Discussion:

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

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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XIII. NOISE.

Would the project result in:

- a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
- b) Generation of excessive groundborne vibration or groundborne noise levels?
- c) For a project within the vicinity of a private airstrip or an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

Impact Discussion:

The proposed project will not generate a substantial increase to ambient noise levels or excessive groundborne vibration and noise in the vicinity of the project site. The proposed project is a commercial stable facility, which will utilize existing agricultural structures that will be converted for commercial use. These structures are located on a 198.45 acre project site, and are located approximately 1,450 feet southwest of the nearest residence. The stable is anticipating a maximum of five (5) customers on site per day, and will also host clinics up to once per month with a maximum of ten (10) attendees. As a result of the limited scope of the operation and distance from residences, the proposed project is anticipated to have no impact on noise levels.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	Less Than Significant No Impact	Analyzed In The Impact
			<input checked="" type="checkbox"/>	<input type="checkbox"/>

XIV. POPULATION AND HOUSING.

Would the project:

- a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?
- b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Impact Discussion:

The proposed project will not induce unplanned population growth, or displace an existing people or housing. The proposed project will establish a commercial stable, which will serve the existing developed agricultural community throughout San Joaquin County. The stable proposes no new development.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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XV. PUBLIC SERVICES.

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact Discussion:

The proposed project will establish a commercial stable facility, and will convert existing agricultural structures. The project scope is limited, resulting in the boarding of a maximum of thirty (30) horses. As a result, the proposed project is anticipated to have a less than significant impact on government facilities and services. The existing structures will be converted for commercial use, subject to building permits and the applicable building code and fire code requirements. No increase in population is anticipated as a result of the proposed project, and as a result, a less than significant impact is anticipated on schools, parks, and other facilities.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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XVI. RECREATION.

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Impact Discussion:

The proposed project will establish a commercial stable facility for a maximum of thirty (30) horses. The project will not increase the use of existing neighborhood parks, as it will not increase residents or homes within the vicinity. The project is anticipated to have no impact on existing recreational facilities, and will not result in the construction or expansion of recreational facilities. The proposed project will additionally provide private recreational services for the community above and beyond those already provided through existing neighborhood and regional parks. Due to the limited scope of the proposed project, impacts to recreation opportunities are anticipated to be less than significant

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Impact Prior EIR
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XVII. TRANSPORTATION.

Would the project:

- a) Conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadways, bicycle, and pedestrian facilities?
- b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?
- c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- d) Result in inadequate emergency access?

Impact Discussion:

The proposed project will establish a commercial stable for a maximum of thirty (30) horses. The project was referred to the Department of Public Works on July 19, 2019; the Department of Public Works reviewed the project, and determined that the proposed project was expected to have a less-than-significant impact on traffic and transit. The project will utilize existing public roadways (Sargent Road, Tully Road) and existing driveways, which were constructed with applicable encroachment permits. Pursuant to Development Title Section 9-1015(h)(1), the proposed stable must be served by a driveway no less than twenty (20) feet in width to comply with fire access requirements; additionally the driveway must be improved to, at minimum, utilize an all-weather surface, which meets the requirements for fire access. As a result, the proposed project will provide adequate emergency access.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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XVIII. TRIBAL CULTURAL RESOURCES.

a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Impact Discussion:

The proposed project will establish a commercial stable for a maximum of thirty (30) horses. At the time development, if Human burials are found to be of Native American origin, the developer shall follow the procedures pursuant to Title 14, Division 6, Chapter 3, Article 5, Section 15064.5(e) of the California State Code of Regulations. A referral was sent to Katherine Perez of the North Valley Yokuts Tribe for review. If human remains are encountered, all work shall halt in the vicinity and the County Coroner shall be notified immediately. At the same time, a qualified archaeologist shall be contacted to evaluate the finds. If Human burials are found to be of Native American origin, steps shall be taken pursuant to Section 15064.5(e) of Guidelines for California Environmental Quality Act.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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XIX. UTILITIES AND SERVICE SYSTEMS.

Would the project:

- a) Require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?
- b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?
- c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
- d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?
- e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Impact Discussion:

The proposed project will establish a commercial stable facility, and will convert existing agricultural structures. The Stables - Commercial use type may be conditionally permitted in the AG-40 (General Agriculture, 40-acre minimum) zone. There are no public services available in this area for water, sewer, or storm water drainage. Parcels zoned as agricultural may use a well for water, a septic tank for sewer, and retain all drainage on-site. No new development is proposed at this time. The existing development utilizes existing private facilities. The Environmental Health Department and the Department of Public Works will determine the size of these systems and ensure they comply with all applicable statutes and regulations.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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XX. WILDFIRE.

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

- a) Substantially impair an adopted emergency response plan or emergency evacuation plan?
- b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?
- c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?
- d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

Impact Discussion:

The proposed project will establish a commercial stable facility, and will convert existing agricultural structures. Pursuant to the San Joaquin Fire Severity Zone map, the project site is not located in or near a moderate, high, or very high fire zone designation. Therefore, the proposed project will have no impact on wildfire hazards

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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XXI. MANDATORY FINDINGS OF SIGNIFICANCE.

a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Impact Discussion:

The proposed application does not have the potential to degrade the environment or eliminate a plant or animal community. The project would not result in significant cumulative impacts or cause substantial adverse effects on human beings, either directly or indirectly.

Note: Authority cited: Sections 21083, 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080, 21083.05, 21095, Pub. Resources Code; Eureka Citizens for Responsible Govt. v. City of Eureka (2007) 147 Cal.App.4th 357; Protect the Historic Amador Waterways v. Amador Water Agency (2004) 116 Cal.App.4th at 1109; San Franciscans Upholding the Downtown Plan v. City and County of San Francisco (2002) 102 Cal.App.4th 656.



SAN JOAQUIN
COUNTY
Greatness grows here.

Community Development Department
Planning · Building · Neighborhood Preservation

Attachment D
Findings

FINDINGS FOR USE PERMIT

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 Commercial Stable use type is consistent with the General Plan's General Agriculture (A/G) designation and in turn may be conditionally permitted with a Use Permit application in the General Agriculture, 40 acre minimum (AG-40) zone. No development is proposed within the OS/RC (Resource Conservation) portion of the subject property. The proposed commercial stable is consistent with the goals, policies, standards, and maps of the General Plan, and there are no Master Plans or Special Purpose Plan applicable to this site.**
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 the necessary facilities and improvements are existing or proposed. The project site is already served by an on-site well and a septic system. The Environmental Health Department is requiring construction of an additional sewage disposal system for the project as a Condition of Approval. Also as a Condition of Approval, the Department of Public Works is requiring the developer to provide drainage facilities that meet the requirements of San Joaquin County Development Standards for any additional runoff attributed to this project development.**
3. The site is physically suitable for the type of development and for the intensity of development.
 - **This finding can be made because the project site is 198 acres and of adequate size and shape to accommodate the proposed use and all yards, building coverage, setbacks, parking areas and other requirements of this 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 Initial Study prepared for the project found no potentially significant environmental impacts. With the recommended conditions from the Environmental Health Department and the Department of Public Works, the project is expected to have a less than significant impact on public health, safety, and welfare. In addition, the project is not anticipated to be injurious to the property or improvements of adjacent properties.**
5. The use is compatible with adjoining land uses.
 - **This finding can be made because the proposed use will not interfere with nor alter the current land uses on adjacent properties. The adjacent parcels are primarily agricultural with scattered residences. The proposed use may be conditionally permitted in the AG-40 zone subject to an approved Use Permit application.**



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Attachment E
Williamson Act Principles of Compatibility

Williamson Act Principles of Compatibility

The proposed site is currently under the California Land Conservation Act and is subject to Williamson Act contract No. 70-C1-112. The contract restricts development to uses that are compatible with the Williamson Act and Development Title Section 9-1805. "Compatible use" as defined in the Williamson Act includes uses determined by the County to be compatible with the agricultural, recreational, or open-space use of land within the preserve and subject to contract. (Government Code Section 51201[e]) Development Title Section 9-1810.3(1)(X) permits commercial stables as compatible uses on contracted land.

Pursuant to Government Code Section 51238.1, uses approved on contracted lands shall be consistent with the following three principles of compatibility:

1. The use will not significantly compromise the long-term productive agricultural capability of the subject contracted parcel or parcels or on other contracted lands in agricultural preserves.
 - **This Principle of Compatibility can be made because the commercial stable will not displace any agricultural operations. The parcel is currently developed, and no additional structures are proposed. The proposed project will utilize existing structures totaling 58,076 square feet, and as a result, no production agricultural land will be converted as part of this application. If the project is approved, the Zoning and the General Plan land use designation of the subject parcel will remain the same, therefore, the proposed project will not significantly compromise the long-term productive agricultural capability of the subject contracted parcel or other contracted lands in agricultural preserves. Pursuant to Development Title Section 9-1810.3(1)(X), a stable is a compatible use on contracted land.**
2. The use will not significantly displace or impair current or reasonably foreseeable agricultural operations on the subject contracted parcel or parcels or on other contracted lands in agricultural preserves. Uses that significantly displace agricultural operations on the subject contracted parcel or parcels may be deemed compatible if they relate directly to the production of commercial agricultural products on the subject contracted parcel or parcels or neighboring lands, including activities such as harvesting, processing, or shipping.
 - **This Principle of Compatibility can be made because the proposed commercial stable will not displace or impair current or reasonably foreseeable agricultural operations on the subject contracted parcel or on other contracted lands in agricultural preserves. The proposed project area is currently developed and contains 58,076 square feet of existing structures to be utilized for the commercial stable. The conversion of these private agricultural into the proposed commercial stable will not change the existing uses on the site.**
3. The use will not result in the significant removal of adjacent contracted land from agricultural or open-space use. In evaluating compatibility a board or council shall consider the impacts on noncontracted lands in the agricultural preserve or preserves.
 - **This Principle of Compatibility can be made because the proposed use, a commercial stable, will not result in the significant removal of adjacent contracted land from agricultural or open-space use, or negatively impact adjacent noncontracted lands in an agricultural preserve.**



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Attachment F

Conditions of Approval

CONDITIONS OF APPROVAL
PA-1900129
SARGENT ESTATES, LLC

Use Permit Application No. PA-1900129 was approved by the Planning Commission on . The effective date of approval is . This approval will expire on , which is 18 months from the effective date of approval, unless (1) all Conditions of Approval have been complied with, (2) all necessary building permits have been issued and remain in force, and (3) all necessary permits from other agencies have been issued and remain in force.

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

1. COMMUNITY DEVELOPMENT DEPARTMENT ([209] 468-3121)

- 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 to establish a commercial stable for a maximum of thirty (30) horses on three (3) parcels totaling 198.45 acres as shown on the revised site plan dated July 11, 2019. The stable will utilize the following structures:
 - 4,500 square foot barn for storage
 - 32,500 square foot indoor arena for training
 - 10,250 square foot stable for horse care
 - 2,826 square foot training pen
 - 2,040 square foot storage shed
 - 1,800 square foot workshop
 - 3,000 square foot barn for storage
 - 800 square foot shed for storage
 - Six (6) 60 square foot pasture shelters as shade structures
- 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 parking spaces, driveways, and maneuvering areas shall be surfaced and permanently maintained with asphalt concrete or Portland cement concrete to provide a durable, dust free surface. Bumper guards shall be provided when necessary to protect adjacent structures or properties. (Development Title Section 9-1015.5[e])
 2. A minimum of twenty-five (25) parking spaces shall be provided. (Development Title

Section 9-1015.9)

3. Each parking stall shall be an unobstructed rectangle, minimum nine (9) feet wide and twenty (20) feet long. (Development Title Section 9-1015.5[b])
- 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])
- f. **LIGHTING:** Lighting shall be provided and comply with the following:
 1. If the parking area is to be used at night, parking lot and security lighting shall be installed. (Development Title Section 9-1015.5[g])
- g. **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])
- h. **ANIMAL REGULATIONS:** The following animal regulations apply and shall be provided:
 1. All animal enclosures, including but not limited to pens, cages, and feed areas, shall be maintained free from litter, garbage, and excessive accumulation of manure, so as to discourage the proliferation of flies, other disease vectors, and offensive odors. Premises shall be maintained in a neat and sanitary manner. (Development Title Section 9-1045.4[b])
 2. Except for movement on and off the property, animals shall not be kept or maintained in coops, pens, corrals, or within barns or similar structures, closer than 40 feet from any rear or side property line. (Development Title Section 9-1045.3)
- i. **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. The Project Description to establish a commercial stable proposes to use all existing buildings. The approved use of the existing buildings was for agricultural use. The proposed change in use from agricultural to commercial use 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 for the new use
- J. Occupant load based on the CPC for the new use
- K. Risk Category analysis. (Agricultural Buildings are allowed to be constructed to Risk Category I, whereas other occupancies require Risk Category II or II.)

Modifications to existing buildings are required to include upgrades related to disability access pursuant to the California Existing Building Code.

- 2. The required plans must be complete at the time of submittal for a building permit. The submitted 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.
- 3. 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
- 4. 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
- 5. At least one accessible route shall connect accessible building or facility entrances with all accessible spaces and elements within the building or facility, including mezzanines, which are otherwise connected by a circulation path. §11B-206.2.4
- 6. 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.
- 7. Adequate sanitary facilities shall be provided for the facility, per the requirements of Chapter 4 of the California Plumbing Code.
- 8. 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.
- 9. This project 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
- j. **FIRE CODE REQUIREMENTS:** The following California Fire Code (CFC) requirements will be applicable to the proposed project. The following conditions shall be addressed prior to submittal of a building permit application to the Building Inspection Division:
 - 1. CFC 507 Fire Protection Water Supply - Fire flow and hydrants shall be provided for the proposed project by the use of: CFC Appendix B.

2. If Fire Protection Systems are required they shall be installed according to the CFC, Chapter 9 and the appropriate standards and guides adopted in Chapter 35 of the California Building Code and the California Electrical Code.
3. CFC, Section 503 Fire Apparatus Access Roads - Shall be provided as required by this section. 503.1.2 - A secondary access may be required.
4. CFC, Section 906 Portable Fire Extinguishers – Provide portable fire extinguishers as required by this section.
5. CFC, Section 506 Key Box - A Knox® Box shall be installed according to the local fire department's instructions. Make application for the key box at the fire district having jurisdiction of this project. If there is an electronically controlled access gate at this site a Knox® key switch will also be required.
6. CFC, Section 5001.3.3.1 Properties of Hazardous Materials – A complete list of hazardous materials used and or stored at this site shall be provided.
7. CFC, Section 105 Permits: Operational Permit(s) may be required prior to occupancy.

2. **DEPARTMENT OF PUBLIC WORKS** ([209] 468-3000)
 - a. The developer shall provide drainage facilities in accordance with the San Joaquin County Development Standards. Retention basins shall be fenced with six (6) foot high chain link fence or equal when the maximum design depth is 18 inches or more. Required retention basin capacity shall be calculated and submitted along with a drainage plan for review and approval, prior to release of building permit. (Development Title Section 9-1135)
 - b. A copy of the Final Site Plan shall be submitted prior to release of building permit.
 - c. 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)
 - d. Prior to issuance of the occupancy permit, the driveway approach shall be improved in accordance with the requirements of San Joaquin County Improvement Standards Drawing No. R-17 (Development Title Section 9-1145.5)
 - e. The Traffic Impact Mitigation Fee shall be required for this application. The fee is due and payable at the time of building permit application. The fee shall be automatically adjusted July 1 of each year by the Engineering Construction Cost Index as published by the Engineering News Record. (Resolution R-00-433)
 - f. The Regional Transportation Impact Fee shall be required for this application. The fee is due and payable at the time of building permit application. The fee will be based on the current schedule at the time of payment. (Resolution R-06-38)
3. **ENVIRONMENTAL HEALTH DEPARTMENT** ([209] 468-3420)
 - a. A soil suitability 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 a building permit. (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.

- b. Construction of an individual sewage disposal system(s) under permit and inspection by the Environmental Health Department is required at the time of development (San Joaquin County Development Title, Section 9-1110.3 & 9-1110.4).
- c. 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).
- d. Before any hazardous materials/waste can be stored or used onsite, the owner/operator must report the use or storage of these hazardous materials to the California Environmental Reporting System (CERS) at cers.calepa.ca.gov/ and comply with the laws and regulations for the programs listed below (based on quantity of hazardous material in some cases).
 1. Any amount but not limited to the following hazardous waste; hazardous material spills, used oil, used oil filters, used oil-contaminated absorbent/debris, waste antifreeze, used batteries or other universal waste, etc. – Hazardous Waste Program (Health &Safety Code (HSC) Sections 25404 & 25180 et sec.)
 2. Onsite treatment of hazardous waste – Hazardous Waste Treatment Tiered Permitting Program (HSC Sections 25404 & 25200 et sec. & California Code of Regulations (CCR), Title 22, Section 67450.1 et sec.)
 3. Reportable quantities of hazardous materials-reportable quantities are 55 gallons or more of liquids, 500 pounds for solids, or 200 cubic feet for compressed gases, with some exceptions. Carbon dioxide is a regulated substance and is required to be reported as a hazardous material if storing 1,200 cubic feet (137 pounds) or more onsite in San Joaquin County – Hazardous Materials Business Plan Program (HSC Sections 25508 & 25500 et sec.)
 4. Any amount of hazardous material stored in an Underground Storage Tank – Underground Storage Tank Program (HSC Sections 25286 & 25280 et sec.)
 - A. If an underground storage tank (UST) system will be installed, a permit is required to be submitted to, and approved by, the San Joaquin County Environmental Health Department (EHD) before any UST installation work can begin.
 - B. Additionally, an EHD UST permit to operate is required once the approved UST system is installed.
 5. Storage of at least 1,320 gallons of petroleum aboveground or any amount of petroleum stored below grade in a vault – Aboveground Petroleum Storage Program (HSC Sections 25270.6 & 25270 et sec.)
 - A. Spill Prevention, Countermeasures and Control (SPCC) Plan requirement

6. Threshold quantities of regulated substances stored onsite - California Accidental Release Prevention (CalARP) Program (Title 19, Section 2735.4 & HSC Section 25531 et sec.)

- A. Risk Management Plan requirement for covered processes

4. SAN JOAQUIN COUNCIL OF GOVERNMENTS ([209] 235-0600)

- a. This project is subject to the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). This can be up to a 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.

5. UNITED AUBURN INDIAN COMMUNITY ([530] 883-2390)

- a. A construction worker tribal cultural resources awareness brochure shall be distributed by the project manager to the construction workers before any construction activities begin on the project site.



Planning Commission Staff Report

Item #3, December 19, 2019

Variance No. PA-1900223

Prepared by: Stephanie Stowers

PROJECT SUMMARY

Applicant Information

Property Owner: San Joaquin County

Project Applicant: San Joaquin County/Dreyfuss + Blackford Architecture

Project Site Information

Project Address: 1601 E. Hazelton Avenue, Stockton

Project Location: At the northeast corner of East Hazelton Avenue and Wilson Way,

Stockton

Parcel Number (APN): 155-050-03, -04, &-05 **Water Supply:** Public (Stockton)

General Plan Designation: Commercial & **Sewage Disposal:** Public (Stockton)

Zoning Designation: Institutional
CG (General Commercial) &
PF (Public Facilities)

Project Size:	5.68 acres	Storm Drainage:	Public (Stockton)
Parcel Size:	5.68 acres	100-Year Flood:	X (Levee)
Community:	Stockton	Williamson Act:	No

Environmental Review Information

CEQA Determination: Notice of Exemption (Attachment A, Environmental Review)

Project Description

This project is a Variance application to reduce the street side setback along Delia Street from twenty (20) feet to ten (10) feet for the proposed new San Joaquin County Public Health Services facility. The proposed site is located within the city limits of the City of Stockton, but is under the jurisdiction of San Joaquin County because the proposed facility is a County project on a County-owned property. The proposed setback of ten (10) feet is consistent with the street side setback requirements of the City of Stockton. The underlying project includes the construction of a 30,300 square foot Public Health Services facility, which will replace the existing Public Health Services building currently on site.

Recommendation

1. Adopt the Findings for Variance (Attachment C, Findings); and
2. Approve Variance No. PA-1900223

NOTIFICATION & RESPONSES

(See Attachment B, Response Letters)

Public Hearing Notices

Legal ad for the public hearing published in the Stockton Record: December 9, 2019

Number of Public Hearing notices: 154

Date of Public Hearing notice mailing: December 6, 2019

Referrals and Responses

- **Early Consultation Date:** October 11, 2019
- **Project Referral with Environmental Determination Date:** November 27, 2019
- **OPR State Clearinghouse #:** N/A

Agency Referrals	Response Date - Early Consultation	Response Date - Referral
County Departments		
Assessor		
Community Development		
Building Division		
Fire Prevention Bureau		
Public Works	10/17/19	
Environmental Health	10/17/19	
General Services		
Sheriff Office		
State Agencies		
Fish & Wildlife, Division: 2		
Native American Heritage Commission		
Federal Agencies		
F.A.A.		
F.E.M.A.		11/19/19
Fish & Wildlife		

Agency Referrals	Response Date - Early Consultation	Response Date - Referral
Local Agencies		
CalWater		
City of Stockton		
Mosquito & Vector Control		
S.J.C.O.G.	10/18/19	
San Joaquin Farm Bureau		
San Joaquin Air Pollution Control District		
Stockton Unified School District		
Miscellaneous		
Carpenters Union		
Haley Flying Service		
P.G.&E.	10/24/19	
Precissi Flying Service		
Sierra Club		

ANALYSIS

Background

This Variance application is proposed as part of a San Joaquin County project to replace the existing Public Health Services building. The proposed new Public Health Services facility will be constructed within the existing parking area of the current Public Health Services facility to allow for the current operations to continue throughout the construction process. Upon completion of construction of the new facility, the existing Public Health Services building will be demolished, and on-site improvements will be completed.

The Variance application proposes to reduce the street side yard setback from twenty (20) feet to ten (10) feet. The proposal is consistent with the City of Stockton regulations for street side yard setbacks in the applicable zone, but does not meet the requirements of the San Joaquin County Development Title. Because the proposed project is a County project, the County development regulations apply. As a County project on County-owned property, the underlying project is not subject to any additional land use permitting.

CEQA Exemption

This application is a Variance, and the underlying development is not subject to discretionary land use permitting. Pursuant to the California Environmental Quality Act (CEQA), a project is not defined by the application, but the whole of an action that has the potential for resulting in impacts to the environment. As a result, the environmental review for the Variance encompassed the development of the new Public Health Services facility, which will replace the existing facility. The Community Development Department determined that the proposed project is exempt from CEQA under a Class 2 Categorical Exemption (CEQA Guidelines Section 15302). This exemption states that projects involving the replacement or reconstruction of existing structures or facilities on the same site and having substantially the same purpose and capacity are exempt from CEQA review.

Findings

In order to approve the Variance application, the Planning Commission is required to make three (3) findings in the affirmative pursuant to Development Title Section 9-827.5.

Finding 1: Special Circumstances

Because of the special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of the regulation deprives the property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

Applicant's Statement:

The request of this Variance is for the County of San Joaquin to permit a reduction to the side street setback distance from the County's regulation of twenty (20) feet and permit the project to adhere to the City of Stockton side street setback regulation of ten (10) feet.

The project site is located within the City of Stockton limits and properties in the surrounding vicinity and zone are held to the City of Stockton regulations of a side street setback of ten (10) feet.

The application of the County of San Joaquin's side street setback distance regulation does not align with the setback distance regulation of neighboring properties in the vicinity, in which the City of Stockton side street setback distance is followed.

- **The strict application of the regulation does deprive the property of privileges enjoyed by other properties in the vicinity under the same zoning classification because the County project is held to the standards of the San Joaquin County Development Title, not the zoning regulations for the City of Stockton, which govern all other properties in the vicinity. As a result, the proposed project is not permitted the same setback allowances as other properties in the area under the same or similar zoning and in the area. Because the project site is located within the city limits of the City of Stockton, a reduction of the street side setback for the proposed facility will provide the property the same building envelope as other properties in the vicinity.**

Finding 2: No Special Privileges

The granting of the Variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the property is situated.

Applicant's Statement:

The granting of this Variance does not constitute special privileges. Properties in the surrounding vicinity and zoning areas are within the City of Stockton limits, and are, therefore, held to the City of Stockton setback regulations of ten (10) feet for side streets as identified within Table 2-3 of the Stockton Municipal Code, Section 16.24.200.

The San Joaquin County Public Health Service variance aligns with the City of Stockton regulations for side street setback distance of ten (10) feet. The request of this variance only applies to the side street setback reduction to ten (10) feet.

- **The granting of this Variance will not constitute a grant of special privileges for the proposed Public Health Services facility. The proposed Variance will allow the proposed facility to maintain the same setbacks as all other properties within the vicinity. The City of Stockton zoning regulations permit for a ten (10) foot setback, as is proposed, and approval of this Variance will provide the same privileges to this property as others in the vicinity and zone of the project site.**

Finding 3: Use Authorized

The Variance will not authorize a use or activity, which is not otherwise expressly authorized by the regulation governing the parcel of property.

Applicant's Statement:

The request for the reduced side street setback variance to ten (10) feet would not authorize any uses or activities not permitted by the zone regulation governing the parcel of property.

The use and activities of the property will continue to serve the constituents of San Joaquin County, providing Public Health and Lab Services, as they have done so for the past fifty (50) years.

- **This finding can be made because the Variance application does not authorize a use that is not otherwise expressly authorized by the General Plan or Development Title. If the**

Variance application is approved, the applicant must apply for the applicable building permits to construct the new Public Health Services facility.

San Joaquin Council of Governments

San Joaquin Council of Governments has determined that the underlying project is subject to the 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. Although the proposed new Public Health Services facility project is exempt from CEQA as discussed above, SJMSCP participation will be required prior to issuance of building permits. The project site is located within a zero-fee area, but will have to comply with the SJMSCP.

RECOMMENDATION

It is recommended that the Planning Commission:

1. Adopt the Findings for Variance (Attachment C, Findings); and
2. Approve Variance No. PA-1900223.



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Attachment A **Environmental Review**



NOTICE OF EXEMPTION

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

 County Clerk, County of San Joaquin

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

Project Title: Variance No. PA-1900223

Project Location - Specific: The project site is on the northwest corner of Hazelton Avenue and Delia Street, Stockton. (APN/Address: 155-050-04/1601 East Hazelton Avenue, Stockton) (Supervisorial District: 1)

Project Location – City: Stockton

Project Location – County: San Joaquin County

Project Description: A Variance application to reduce the street side setback along Delia Street from twenty (20) feet to ten (10) feet for the proposed new San Joaquin County Public Health Services building. The project site is located within the city limits of the City of Stockton, but is under the jurisdiction of San Joaquin County because the proposed facility is a County project on County-owned property. The proposal is consistent with the street side setback requirements of the City of Stockton (ten [10] feet). The underlying project includes the construction of a 30,300 square foot Public Health Services building, which will replace the existing Public Health Services building currently on site.

The City of Stockton zoning designation is CG (General Commercial) & PF (Public Facilities), and the General Plan designation is Commercial & Institutional.

Project Proponent(s): San Joaquin County / Dreyfuss & Blackford Architecture

Name of Public Agency Approving Project: San Joaquin County Community Development Department

Name of Person or Agency Carrying Out Project:

Stephanie Stowers, Senior Planner
San Joaquin County Community Development Department

Exemption Status:

Categorical Exemption. (Class 2, Section 15302)

Exemption Reason:

Processed under the provisions of the California Code of Regulations Section 15302, which are exempt from CEQA.

This project is exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15302. Article 19 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 15302 Class 2 consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.

Lead Agency Contact Person:

Stephanie Stowers Phone: (209) 468-9653 FAX: (209) 468-3163 Email: sstowers@sjgov.org

Signature: _____

Date: _____

Name: Domenique Martorella

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 B
Response Letters



**SAN JOAQUIN
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Department of Public Works

Kris Balaji, Director of Public Works

Fritz Buchman, *Deputy Director/Development*

Alex Chetley, *Interim Deputy Director/Engineering*

Jim Stone, *Deputy Director/Operations*

Kristi Rhea, *Manager of Strategic Initiatives*

October 17, 2019

M E M O R A N D U M

RECEIVED

Oct 28 2019

San Joaquin County
Community Development

TO: Community Development Department
CONTACT PERSON: Stephanie Stowers

FROM: Awni Taha, Interim Engineering Services Manager **AT**
Development Services Division

SUBJECT: PA-1900223; A Flood Variance application to reduce the street side setback along Delia Street from twenty (20) feet to ten (10) feet for the proposed new San Joaquin County Public Health Services building. The project site is located within the city limits of the City of Stockton, but is under the jurisdiction of San Joaquin County because the proposed facility is a County project on County-owned property; located on the north west corner of Hazelton Avenue and Delia Street, Stockton. (Supervisorial District 1)

PROPERTY OWNER: San Joaquin County

APPLICANT: Dreyfuss & Blackford

ADDRESS: 1601 E. Hazelton Avenue, Stockton

APN: 155-050-04

INFORMATION:

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

RECOMMENDATIONS:

1. None.

AT:CH



SAN JOAQUIN
COUNTY
Greatness grows here.

Environmental Health Department

Linda Turkatte, REHS, Director

Kasey Foley, REHS, Assistant Director

PROGRAM COORDINATORS

Robert McClellon, REHS

Jeff Carruesco, REHS, RDI

Willy Ng, REHS

Muniappa Naidu, REHS

Michael Kith, REHS

October 17, 2019

To: San Joaquin County Community Development Department
Attention: Stephanie Stowers

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

RE: **PA-1900223 (VR), Early Consultation, SU0012606**
1601 E. Hazelton Ave, Stockton

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

- A. 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).

U.S. Department of Homeland Security
FEMA Region IX
1111 Broadway, Suite 1200
Oakland, CA 94607-4052



FEMA

November 19, 2019

Stephanie Stowers, Project Manager
San Joaquin County
Community Development Department
1810 East Hazelton Avenue
Stockton, California 95205

Dear Ms. Stowers:

This is in response to your request for comments regarding Application Referral Early Consultation Application Number PA 1900223 (VR), Variance application (APN/Address: 155-050-04/1601 East Hazelton Avenue, Stockton) (Supervisorial District 1).

Please review the current effective Flood Insurance Rate Maps (FIRMs) for the County of San Joaquin (Community Number 060299), Maps revised October 20, 2016 and City of Stockton (Community Number 060302), Maps revised October 16, 2009. Please note that the City of Stockton, San Joaquin County, California is a participant in the National Flood Insurance Program (NFIP). The minimum, basic NFIP floodplain management building requirements are described in Vol. 44 Code of Federal Regulations (44 CFR), Sections 59 through 65.

This request for a variance from sidewalk setback is only relevant for floodplain management purposes if the area of interest is within the high-risk Special Flood Hazard Area. If it is not within the SFHA, then there are no floodplain management building requirements.

A summary of these NFIP floodplain management building requirements are as follows:

- All buildings constructed within a riverine floodplain, (i.e., Flood Zones A, AO, AH, AE, and A1 through A30 as delineated on the FIRM), must be elevated so that the lowest floor is at or above the Base Flood Elevation level in accordance with the effective Flood Insurance Rate Map.
- If the area of construction is located within a Regulatory Floodway as delineated on the FIRM, any *development* must not increase base flood elevation levels. **The term "development" means any man-made change to improved or unimproved real estate, including but not limited to buildings, other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, and storage of equipment or materials.** A hydrologic and hydraulic analysis must be performed *prior* to the start of development, and must demonstrate that the development would not cause any *rise in* base flood levels. No rise is permitted within regulatory floodways.

Stephanie Stowers, Project Manager

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November 1⁹, 2019

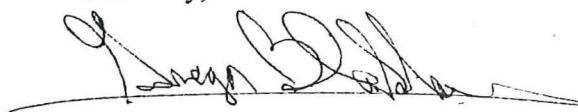
- Upon completion of any development that changes existing Special Flood Hazard Areas, the NFIP directs all participating communities to submit the appropriate hydrologic and hydraulic data to FEMA for a FIRM revision. In accordance with 44 CFR, Section 65.3, as soon as practicable, but not later than six months after such data becomes available, a community shall notify FEMA of the changes by submitting technical data for a flood map revision. To obtain copies of FEMA's Flood Map Revision Application Packages, please refer to the FEMA website at <http://www.fema.gov/business/nfip/forms.shtml>.

Please Note:

Many NFIP participating communities have adopted floodplain management building requirements which are more restrictive than the minimum federal standards described in 44 CFR. Please contact the local community's floodplain manager for more information on local floodplain management building requirements. The Stockton floodplain manager can be reached by calling David Kwong, Director, Community Development Department, at (209) 937-8444. The San Joaquin County floodplain manager can be reached by calling John Maguire, Engineering Services Manager, at (209) 953-7617.

If you have any questions or concerns, please do not hesitate to call Brian Trushinski of the Mitigation staff at (510) 627-7183.

Sincerely,



Gregor Blackburn, CFM, Branch Chief
Floodplain Management and Insurance Branch

cc:

David Kwong, Director, Community Development Department, City of Stockton

John Maguire, Engineering Services Manager, Flood Management Division, Public Works
Department, San Joaquin County

Ray Lee, WREA, State of California, Department of Water Resources, North Central Region
Office

Brian Trushinski, Floodplain Manager Specialist, DHS/FEMA Region IX
Alessandro Amaglio, Environmental Officer, DHS/FEMA Region IX



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 (RTLJ) ADVISORY AGENCY NOTICE TO SJCOP, Inc.

To: Stephanie Stowers, San Joaquin County, Community Development Department

From: Laurel Boyd, SJCOP, Inc.

Date: October 18, 2019

-Local Jurisdiction Project Title: PA-1900223 (VR)

Assessor Parcel Number(s): 155-050-04

Local Jurisdiction Project Number: PA-1900223 (VR)

Total Acres to be converted from Open Space Use: Unknown

Habitat Types to be Disturbed: Urban Habitat Land

Species Impact Findings: Findings to be determined by SJMSCP biologist.

Dear Ms. Stowers:

SJCOP, Inc. has reviewed the project referral for PA-1900223 (VR). This project consists of a Variance application to reduce the street side setback along Delia Street from twenty (20) feet to ten (10) feet for the proposed new San Joaquin County Public Health Services building. The project site is located with the city limits of the City of Stockton but is under the jurisdiction of San Joaquin County because the proposed facility is a County project on County-owned property. The proposal is consistent with the street side setback requirements of the City of Stockton (ten [10] feet). The underlying project includes the construction of a 30,300 square foot Public Health Services building, which will replace the existing Public Health Services building on site. The project site is on the northwest corner of Hazelton Avenue and Delia Street, Stockton (APN/Address: 155-050-04/1601 East Hazelton Avenue, Stockton).

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. This can be up to a 30 day process and it is recommended that the project applicant contact SJMSCP staff as early as possible. It is also recommended that the project applicant obtain an information package. <http://www.sjcop.org>

Please contact SJMSCP staff regarding completing the following steps to satisfy SJMSCP requirements:

- 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, SJCOP, 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, Inc.

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.
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.

Project Title: PA-1900223 (VR)

Landowner: San Joaquin County

Applicant: Dreyfuss & Blackford Architecture

Assessor Parcel #s: 155-050-04

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

Local Jurisdiction Contact: Stephanie Stowers

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.

October 24, 2019

Stephanie Stowers
San Joaquin County
1810 E. Hazelton Ave.
Stockton, CA 95205

Ref: Gas and Electric Transmission and Distribution

Dear Ms. Stowers,

Thank you for submitting 1601 East Hazelton Ave - PA-1900223 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: <http://usanorth811.org/wp-content/uploads/2017/05/CA-LAW-English.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° +/- 15°). 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 15 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. Sprinkler 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 have 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.



SAN JOAQUIN
COUNTY
Greatness grows here.

Community Development Department
Planning · Building · Neighborhood Preservation

Attachment C **Findings**

FINDINGS FOR VARIANCE

Finding 1: Special Circumstances

Because of the special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of the regulation deprives the property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

- **This finding can be made because the strict application of the regulation does deprive the property of privileges enjoyed by other properties in the vicinity under the same zoning classification because the County project is held to the standards of the San Joaquin County Development Title, not the zoning regulations for the City of Stockton, which govern all other properties in the vicinity. As a result, the proposed project is not permitted the same setback allowances as other properties in the area under the same or similar zoning and in the area. Because the project site is located within the city limits of the City of Stockton, a reduction of the street side setback for the proposed facility will provide the property the same building envelope as other properties in the vicinity.**

Finding 2: No Special Privileges

The granting of the Variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the property is situated.

- **This finding can be made because the granting of this Variance will not constitute a grant of special privileges for the proposed Public Health Services facility. The proposed Variance will allow the proposed facility to maintain the same setbacks as all other properties within the vicinity. The City of Stockton zoning regulations permit for a ten (10) foot setback, as is proposed, and approval of this Variance will provide the same privileges to this property as others in the vicinity and zone of the project site.**

Finding 3: Use Authorized

The Variance will not authorize a use or activity, which is not otherwise expressly authorized by the regulation governing the parcel of property.

- **This finding can be made because the Variance application does not authorize a use that is not otherwise expressly authorized by the General Plan or Development Title. If the Variance application is approved, the applicant must apply for the applicable building permits to construct the new Public Health Services facility.**



Planning Commission Staff Report

Item # 4, December 19, 2019

Road Name Change PA-1900248

Prepared by: Frank Girardi

PROJECT SUMMARY

Applicant Information

Property Owner: Mountain House Community Services District
Project Applicant: Mountain House Community Services District

Project Site Information

Project Location: Located between Great Valley Parkway and Central Parkway, within the Community of Mountain House

Community: Mountain House
Supervisorial District: 5

Environmental Review Information

CEQA Determination: Notice of Exemption (Attachment C, Environmental Review)

Project Description

This project is a Road Name Change application initiated by the Mountain House Community Services District to change the name of the east-west section of "De Anza Boulevard" between Central Parkway and Great Valley Parkway. The new road name proposed is "Arturo Boulevard". The proposed road name change is not anticipated to impact existing residences.

Recent amendments to the Master Plan and Specific Plan changed the internal roadway circulation within the Town Center area. As a result, De Anza Boulevard no longer extends through the Town Center. De Anza Boulevard west of Central Park Way is severed from the internal roadway circulation of the Town Center and no longer crosses Mountain House Creek. De Anza Boulevard west of Central Parkway and east of Great Valley Parkway should be renamed to avoid confusion for emergency response teams and the public at large.

Recommendation

1. Approve Road Name Change No. PA-1900248 with the attached Conditions of Approval (Attachment D, Conditions of Approval)

NOTIFICATION & RESPONSES

(See Attachment B, Response Letters)

Public Hearing Notices

Legal ad for the public hearing published in the Tracy Press: December 6, 2019

Legal ad for the public hearing published in the Stockton Record: December 9, 2019

Number of Public Hearing notices: 117

Date of Public Hearing notice mailing: December 6, 2019

Referrals and Responses

- **Project Referral with Environmental Determination Date:** November 1, 2019

Agency Referrals	Response Date - Referral
County Departments	
Ag Commissioner	
Assessor	
Community Development	
Buidling Division	
Fire Prevention Bureau	
Public Works	
Environmental Health	12/03/19
General Services	
Sheriff Office	
Surveyor	
State Agencies	
A.B.C.	
Department of Transportation	
District 10	
Division of Aeronautics	
C.H.P.	
C.R.W.Q.C.B.	
C.V.F.P.B.	
Fish & Wildlife, Division: 3	
O.E.S.	
Federal Agencies	
F.A.A.	
F.E.M.A.	
Army Corps of Engineers	

Agency Referrals	Response Date - Referral
Local Agencies	
A.L.U.C.	
CalWater	
City of Stockton	
Motezuma Fire District	
Mosquito & Vector Control	
S.J.C.O.G.	
San Joaquin Air Pollution Control District	
S.E.W.D. Irrigation District	
Stockton Municipal Airport	
Stockton Unified School District	
Mountain House Community Services District	
French Camp Fire District	
Mountain House Fire District	
Miscellaneous	
A.T.&T.	
Haley Flying Service	
Kathy Perez	
P.G.&E.	
Precissi Flying Service	
Sierra Club	

ANALYSIS

Background

The Mountain House Community Services District submitted this Road Name Change application to rename the east-west section of De-Anza Boulevard, between Central Parkway and Great Valley Parkway to "Arturo" Boulevard (see Attachment A, Site Plan).

De Anza Boulevard was originally proposed as a primary arterial street connecting Grant Line Road, the Town Center, and Great Valley Parkway. However, recent amendments to the Master Plan and Specific Plan documents changed the roadway circulation within the Town Center area.

De Anza Boulevard west of Central Park Way is severed from the internal roadway circulation of the Town Center to the south, and no longer crosses Mountain House Creek. De Anza Boulevard west of Central Parkway and east of Great Valley Parkway should be renamed to avoid confusion for emergency response teams and the public at large.

Addressing

No addresses will be affected as there are no residences using an address of De Anza Boulevard, between Central Parkway and Great Valley Parkway.

RECOMMENDATION

It is recommended that the Planning Commission:

1. Approve Road Name Change application No. PA-1900248 with the attached Conditions of Approval (Attachment D, Conditions of Approval)

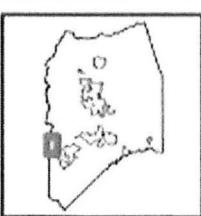
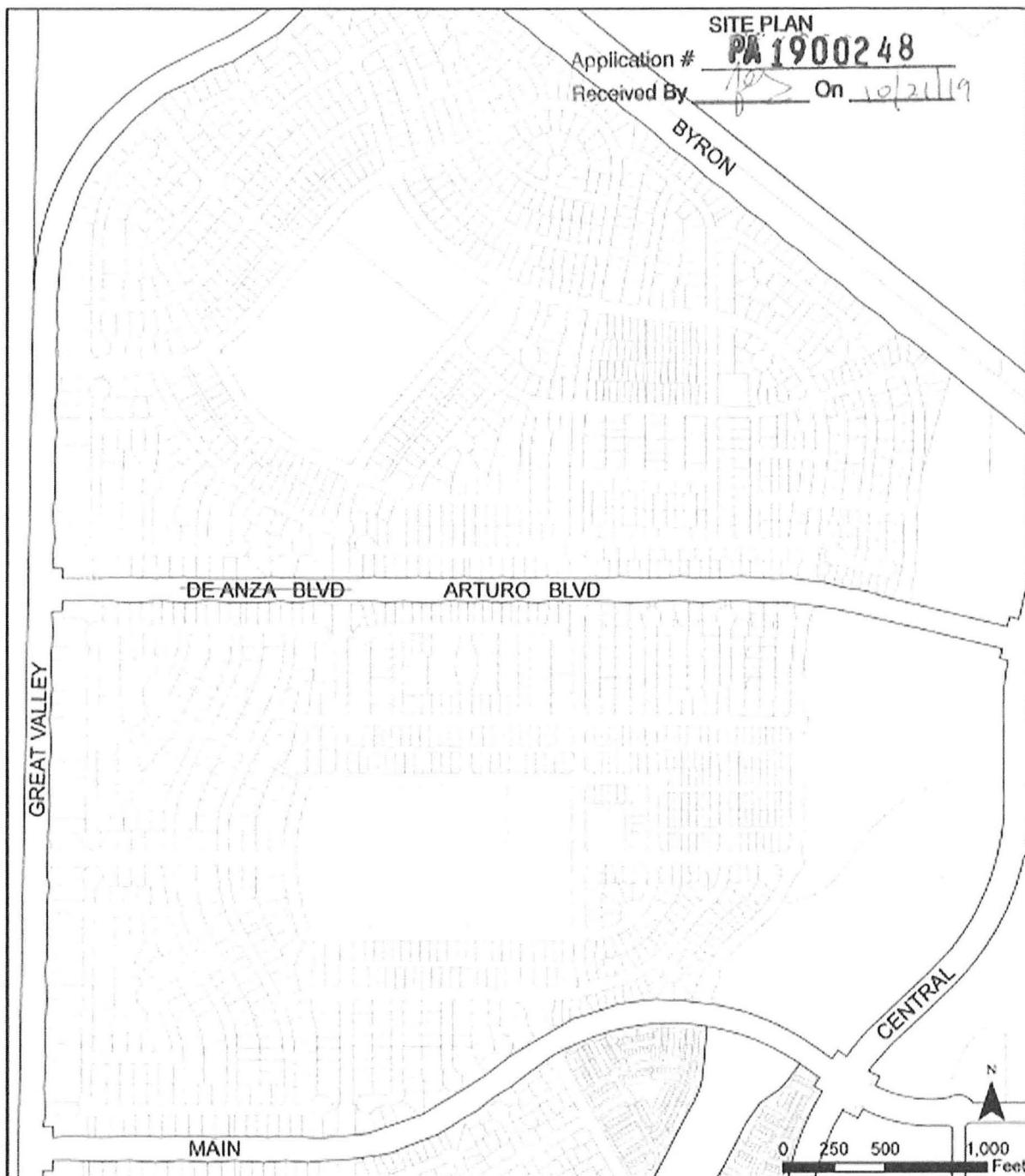


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Attachment A **Site Plan**



**SITE PLAN MAP
ROAD NAME CHANGE
FROM DE ANZA BLVD TO ARTURO BLVD**

The information on this map is based on the most current information available to
San Joaquin County Geographic Information Systems.
The County of San Joaquin does not warrant its accuracy or suitability for any particular purpose.
The information on this map is not intended to replace
engineering, financial or primary records research.



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Attachment B **Response Letters**



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Environmental Health Department

Kasey Foley, REHS, Interim Director

PROGRAM COORDINATORS

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

December 3, 2019

To: San Joaquin County Community Development Department
Attention: Frank Girardi

From: Aaron Gooderham; (209) 468-3442
Environmental Health Specialist

RE: **PA-1900248 (CP), Referral, SU0012634**
Mountain House Community

The Environmental Health Department has no comment.



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Attachment C Environmental Review

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: Road Name Change No. PA-1900248

Project Location - Specific: The project site is De Anza Boulevard (Supervisorial District: 5)

Project Location – City: Mountain House

Project Location – County: San Joaquin County

Project Description: Road Name Change application initiated by the Mountain House Community Services District to change the name of the east-west section of "De Anza Boulevard" between Central Parkway and Great Valley Parkway. The new road name proposed is "Arturo Boulevard". Recent amendments to the Master Plan and Specific Plan changed the roadway circulation within the Town Center area. De Anza Boulevard no longer extends through the Town Center. Consequently, De Anza west of Central is severed from De Anza south of Giotto Street. De Anza north should be renamed to avoid confusion for emergency response teams and the public at large. The proposed road name change is not anticipated to impact existing residences.

The Property is zoned Roads and the General Plan designation is Roads.

Project Proponent(s): Mountain House CSD / Nader Shareghi

Name of Public Agency Approving Project: San Joaquin County Community Development Department

Name of Person or Agency Carrying Out Project:

Frank Girardi, Associate Planner
San Joaquin County Community Development Department

Exemption Status:

Categorical Exemption. Section 15061(b)(3)

Exemption Reason:

Processed under the provisions of California Code of Regulations Section 15061(b)(3), which are exempt from CEQA.

This project is exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines section 15061(b)(3). Section 15061(b)(3) states that "CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA." There is no possibility that this project may have a significant effect on the environment and, therefore, the amendment is not subject to CEQA.

Lead Agency Contact Person:

Frank Girardi Phone: (209) 468-8469 FAX: (209) 468-3163 Email: fgirardi@sjgov.org

Signature: _____ Date: _____

Name: Domenique Martorella Title: Deputy County Clerk

Signed by Lead Agency



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Attachment D **Conditions of Approval**

CONDITIONS OF APPROVAL
PA-1900248
MOUNTAIN HOUSE COMMUNITY SERVICE DISTRICT

Road Name Change application No. PA-1900248 was approved by the Planning Commission on December 19, 2019. The effective date of approval is . This approval will expire on , which is 18 months from the effective date of approval, unless (1) all Conditions of Approval have been complied with, (2) all necessary building permits have been issued and remain in force, and (3) all necessary permits from other agencies have been issued and remain in force.

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

1. MOUNTAIN HOUSE COMMUNITY SERVICES (Contact: Nader Shareghi, 209-831-5666)
 - a. The applicant shall be responsible for changing all the affected street signs.
 - b. The new street name signs shall meet MHCSD Standards.



**Planning Commission Staff Report
Item #5, December 19, 2019
Jobs/Housing Review – Mountain House
Prepared by: John Funderburg**

PROJECT SUMMARY

Information

Owner: San Joaquin County – Community Development Department

Project Site Information

Community: Mountain House
Supervisorial District: 5

Project Description

The project is a review of the progress made by the Jobs/Housing Program in achieving a balance between jobs and housing in Mountain House. This review, formally referred to as a Jobs/Housing Review, is the first Jobs/Housing Review for the Mountain House Community. The role of the Planning Commission in this effort is to provide recommendations to the Board of Supervisors regarding the Planning Commission's review of the report.

Recommendation

1. Accept the attached report (Attachment "A"); and
2. Forward the Report to the Board of Supervisors for review and action, with the recommended Findings contained in the staff report. (Attachment "C")

NOTIFICATION & RESPONSES

(See Attachment B, Response Letters)

Public Hearing Notices

Legal ad for the public hearing published in the Tracy Press and Stockton Record:
December 9, 2019

Referrals and Responses

Agency Referrals	Response Date - Referral
County Departments	
Ag Commissioner	
Assessor	
Community Development	
Buidling Division	
Fire Prevention Bureau	
Public Works	
Environmental Health	
General Services	
Sheriff Office	
Surveyor	
State Agencies	
A.B.C.	
Department of Transportation	
District 10	
Division of Aeronautics	
C.H.P.	
C.R.W.Q.C.B.	
C.V.F.P.B.	
Fish & Wildlife, Division:	
O.E.S.	
Federal Agencies	
F.A.A.	
F.E.M.A.	
Army Corps of Engineers	

Agency Referrals	Response Date - Referral
Local Agencies	
A.L.U.C.	
CalWater	
City of Stockton	
Motezuma Fire District	
Mosquito & Vector Control	
S.J.C.O.G.	
San Joaquin Farm Bureau	
San Joaquin Air Pollution Control District	
S.E.W.D. Irrigation District	
Stockton Municipal Airport	
Stockton Unified School District	
Miscellaneous	
A.T.&T.	
B.I.A.	
Builders Exchange	
Carpenters Union	
Haley Flying Service	
Kathy Perez	
P.G.&E.	
Precissi Flying Service	
Sierra Club	

Agency Referrals	Response Date - Referral	Agency Referrals	Response Date - Referral
Special Notifications		Special Notifications Continued	
Trimark Communities LLC		California State Water Resources Control Board	
Gerry Kamilos		Tracy Rural Fire District	
Shea Homes Attn: Dave Best		Tracy Press	
Shea Homes Attn: Dave Sargent		Stockton Record	
Joe Machado		Land Utilization Alliance	
Mountain House CSD Attn: Nader Shareghi		South San Joaquin Irrigation Dist	
Mountain House CSD Attn: Steve Pinkerton		San Joaquin Valley Air Pollution Ctrl Dist Ceqa-Isr Division	
Sterling Pacific Assets Attn: Duane Grimsman		Katherine E. Perez Nototomne Cultural Preservation	
Carlson, Barbee, & Gibson Inc.		Old River Improvement Assoc Bobbie Landers	
MH284, LLC		Lisa Vonderbrueggen Contra Costa Newspaper	
Robert Chen O' Dell Engineering		Buchanan & Byron Airports	
Tracy City Fire Department		Modesto Irrigation District	
California Highway Patrol		French Camp-Mckinley Fire Dist	
San Joaquin Council of Governments		French Camp-Mckinley Fire Dist	
Matthews Land, Inc. Attn: Pat Matthews		Reclamation District No. 773 (Fabian Tract) Daniel J. Schroeder	
Lammersville Unified School		Reclamation District No. 1007 (Pico & Naglee)	
San Joaquin Area Flood Control Agency		Caltrans, District 10	
City Of Tracy Dev. Services-Planning		Caltrans Division Of Aeronautics	
City of Tracy City Manager's Office		Central Valley Regional Water Quality Control Board	

Agency Referrals	Response Date - Referral
Special Notifications Continued	
Modesto Irrigation District	
Mountain House Developers	
City Of Livermore Planning	
Bay Delta-Region 3 Department Of Fish & Wildlife	
U.S. Dept Of The Interior Fish & Wildlife	
Contra Costa Co. Planning	
PG&E – Plan Review	
Alameda County Planning Dept.	

ANALYSIS

Background

Jobs/Housing Program Objectives

The objective of the Jobs/Housing Program (the "Program") is to ensure that jobs and a corresponding amount of affordable housing are available to working residents in Mountain House. The primary, long term goal of the Program for Mountain House is to achieve a jobs-to-housing ratio of 0.99 at buildout, meaning that for every new home built one new job is created in the community. The Program also includes other jobs-to-housing ratios ("Best Case Ratios" and "Minimum Ratios") as goals to be met at specified intervals in the development of the community.

The Jobs/Housing Program is intended to be market-driven rather than agency-controlled. However, the Master Plan also requires the Program to contain quantifiable goals over time that will be reviewed as part of the County's on-going monitoring program. As such, the primary emphasis of the Jobs/Housing Program is to rely on market forces to attain desired Jobs/Housing goals, rather than an overt governmental action, such as restricting residential development to correct Jobs/Housing imbalances.

Jobs/Housing Program Implementation

As discussed in the Master Plan, one of the implementation measures of the Program (Master Plan, Section 3.9.2, Implementation (d)) is to conduct periodic Jobs/Housing Reviews. It states,

"The San Joaquin County Board of Supervisors shall hold a Public Hearing, referred to as a Jobs/Housing Review, to review the progress of the jobs/housing program at the following specified times:

- Prior to the approval of any Specific Plan which contains residential development, but no sooner than after 2,000 residential units have been constructed (excluding the first Specific Plan or Specific Plan Amendment).
- When 4,000, 8,000, 12,000, and 16,000 residential units have been completed and annual monitoring information becomes available, if a review has not already been conducted in the previous calendar year.
- At any other times determined appropriate by the Board of Supervisors (e.g., scheduling of a Jobs/Housing Review by the Board to evaluate the circumstances for non achievement of jobs/housing ratios)."

This Jobs/Housing Review has been prepared because more than 4,000 homes have been completed and monitoring information is now available. As of the end of 2018, 5,932 residential units in Mountain House have been completed (see Attachment "B" – Table 1).

Jobs/Housing Report

The basis for this review, the *first* Jobs/Housing Review for Mountain House, is the *Mountain House Jobs Housing Review Final Report* (the "Report"), which is included as an addendum to this staff report as Attachment "A". The report does the following:

- A. Provides an analysis indicating whether jobs-to-housing ratios as specified in the Master Plan have been achieved;
- B. Supports the recommendations of the Planning Commission, based on analysis provided by staff, to the Board of Supervisors ("Board") concerning this first Jobs/Housing Review; and
- C. Enables the Board of Supervisors to take one or more of several Master Plan required actions if the Board determines that jobs/housing targets are not being met.

Also, as discussed in the Master Plan it specifies that, if after a public hearing for the Jobs/Housing Review, the Board determines that jobs/housing targets are not being met, it could take one or more of the following actions:

1. Find that no action is necessary;
2. Direct County staff to revise jobs/housing targets;
3. Recommend that certain actions be taken to increase job creation; and
4. Approve future Specific Plans only if the Board is satisfied that the community will reach minimum jobs/housing ratios. (Master Plan Section 3.9.2, Implementation (d)]

Analysis

Findings of the Report

The primary finding of the Report is that the jobs-to-housing balance is not as high as projected at this stage of development in Mountain House, as indicated by the Minimum Ratios and the Best Case Ratios. Regarding these ratios, the Master Plan projects a Best Case [jobs-to-housing] Ratio of 0.79 and a Minimum [jobs-to-housing] Ratio of 0.70, with development of 4,000 housing units. The Report, however, estimates the Best Case Ratio at 0.17 with 5,932 units completed as of the end of 2018, and a Minimum Ratio of .09.

Concerning jobs that exist within Mountain House, the Report estimates there are 605 jobs, including full-time jobs and part-time jobs, as of the end of 2018. Of these jobs, only 13% are filled by people who also live in Mountain House. Almost all of the jobs in Mountain House are currently generated by institutional uses such as Lammersville Unified School District (LUSD) schools, Delta College, and public services. (Note: LUSD generated 393 of the 605 jobs in Mountain House.) Wages for jobs in Mountain House are similar to wages in other parts of the region, including the Stockton metropolitan area and the Oakland-Fremont-Hayward metropolitan area. While residential development is at about 38% of buildout (resulting in a total population of Mountain House estimated at 20,573), commercial development represents less than 5% of potential buildout of commercial space.

The jobs-to-housing ratios discussed in the Report are lagging behind because of market forces, notably, (inventory of vacant commercial and industrial acreages in competing areas, the changing commercial and industrial uses of land as the economy becomes more driven by e-commerce}, and the Great Recession (2006-2012).

Also, there are other factors outside of the Master Developer and County control that influence the jobs-to- housing ratios including:

- The US, California, and local state of the economy. Economic cycles of high growth and low growth, high unemployment and low unemployment are typical. Only four years after the development of Mountain House began the nation entered the Great Recession. Unemployment in San Joaquin County peaked at 16.5% in 2010. Recovery from this recession has been particularly slow due to the depth of the recession.
- The trend in land use and job creation as a greater volume of business transactions are conducted over the internet. E-commerce is growing and land uses are responding to the changing needs of industry. For the industry clusters in which San Joaquin County has historically been strong this e-commerce shift is likely to result in fewer jobs per 1,000 building square feet.

Types of Jobs Created To Date

The majority of jobs created in Mountain House to date are population-serving jobs created in non-basic industries to service the resident population of Mountain House. Only 10% of jobs created are regional, meaning they serve population outside of Mountain House. Regional jobs have been created by Delta College and the Lammersville Unified School District.

Very few (less than 5%) of the jobs created in Mountain House have been in sectors that the MHMP targets; specifically, biotech, professional health care services, high-tech, voice and data communication hardware and services, and financial services, real estate, accounting and legal services. All of the private sector commercial jobs are in the Wicklund commercial center and subdivision sales office.

Wicklund Center uses include a mini-market, chiropractor, gym, and dental office. Ninety percent of jobs created in Mountain House to date are from institutional uses (schools, Mountain House Community Services District (MHCSD) offices, Delta College, and the library). The job density for commercial uses is 3.6 jobs per 1,000 building square feet (or 230 square feet per job). This is not indicative of what buildout job density will be; rather, it is a function of the types of non-residential development that have occurred to date.

Current Job-Creation Efforts

There are several County programs aimed at job creation that Mountain House will benefit from in the next few years. As described in detail in the SJC Economic Development Vision and Implementation Plan (March 2013), public and private sector partnerships provide the thrust of economic development and job creation initiatives in San Joaquin County; the most active and successful of which is the San Joaquin Partnership (SJP).

SJP is focusing on highlighting opportunities in San Joaquin County, which includes proximity to high technology and innovation in Silicon Valley, and a low cost of living compared to the Bay Area. SJP particularly targets growth of the following industries:

- Advanced/Specialized Manufacturing
- Medical Equipment and Supplies
- Food Processing
- Agriculture Technology
- Energy Resources and Technologies
- Construction Materials
- Office and IT/Professional Services
- E-Commerce/Logistics Centers

The County also formed 'Business Team San Joaquin' linking economic and community development staff from the seven cities in the county in a bi-monthly exchange of information and education of economic development techniques.

As previously noted, the majority of jobs created in Mountain House have been population-serving jobs in non-basic industries. Non-basic jobs are essential to serve resident populations, but they do not stimulate economic development or have as large an economic impact (multiplier effect through the regional economy) as basic industries. However, as the community develops and matures more advanced manufacturing and commercial industries will be attracted to Mountain House.

In addition to the above job-creation efforts, there have been a number of commercial, office, retail, and industrial projects in the community that have recently been approved. As such, they have *not* been included in the Report in terms of their contribution to jobs and job creation. These projects will also help create a synergy for further development in the community. They are summarized below:

Neighborhood D-West

A new 11,663 square foot commercial/retail structure ,titled "Cordes Village Plaza" was approved by the Community Development Department in December of 2018. Building permits were issued in August of 2019 and site grading has commenced. Once the building construction is completed the structure will contain eight tenant spaces on a one-acre neighborhood commercial site and is estimated to produce **24 jobs**.

Neighborhood C

A new 7,800 square foot Childcare Center, and enclosed play area was approved by the Community Development Department in December of 2018. This project is estimated to produce **24 jobs**.

Neighborhood D-East

A new commercial and retail plaza, located at the northwest corner intersection of Grant Line Road and Mountain House Parkway, was recently approved in April of 2019 by the Board of Supervisors. This will include the first gas station/car wash and full service restaurants for the Mountain House community. This project is estimated to produce **140 jobs**.

Central Mountain House

Building and grading permits have been issued for the first industrial park project in Mountain House. Titled "Mountain Technology Center". The construction will include a complex of five integrated light industrial, office, technical, and manufacturing buildings with plazas and courtyards. The project area is located immediately east of Neighborhood F, at the northeast corner intersection of Mustang Boulevard and De Anza Boulevard. This project is estimated to produce **895 jobs**.

Town Center

Phase One of the future Town Center, consisting of building, grading, and street improvements, has begun. These improvements include the construction of Main Street, a new Town Hall (CSD Administration Building) and Library, and retail/commercial shopping plaza. At full buildout of the Town Center, it is estimated that over **2,000 jobs** will be produced.

Comments/Recommendations

Based on the information and analysis provided in the Report, CDD staff offers the following comments/recommendations:

- Market forces will dictate the types of non-residential development in Mountain House; however, there may need to be additional flexibility in the types of land uses permissible given the changing nature of business in an increasingly internet-driven economy, and the need for a changed retail experience since shopping is increasingly being conducted online.
- Assuming that current market trends continue, it may be appropriate to consider, at the next Jobs/Housing Review, the expansion of the job attraction program in the Master Plan (Appendix 3-A) to include selected transportation and wholesaling business activities that stimulate economic development or have as large an economic impact (multiplier effect through the regional economy) as basic industries (e.g., advanced manufacturing and data equipment suppliers)
- Given the lag in commercial and industrial jobs at this stage of development in Mountain House because of mitigating circumstances (as discussed in this staff report), and given the negative impact of said lag on jobs-to-housing ratios, it is recommended that the Board of Supervisors find that no action or revisions to the existing Jobs/Housing Program are necessary at this time, deferring future action until after the next Jobs/Housing Review has been completed and more commercial/industrial development has occurred.

RECOMMENDATION

It is recommended that the Planning Commission:

1. Accept the (*Mountain House Jobs Housing Review Final Report* (Attachment 'A'));
2. Forward the *Mountain House Jobs Housing Review Final Report* to the Board of Supervisors for review and action;
3. Recommend that the Board of Supervisors: accept the *Mountain House Jobs Housing Review Final Report*; and
 - a) Find that no action or revisions to the current Jobs/Housing Program are necessary at this time because of mitigating circumstances that have affected the rate of commercial and industrial development (and, therefore, jobs) in Mountain House (e.g., the Great Recession of 2006-2012, minimal commercial and industrial development due to the lag in the economy);
 - b) Defer action to revise or change the Jobs/Housing Program until after the *next* Jobs/Housing Review has been completed when more commercial/industrial development has occurred and jobs become available; and
 - c) Direct Community Development Department staff to begin evaluating which industries and businesses should be targeted for location in Mountain House as preparation for possibly revising at the next Jobs/Housing review, the Master Plan policies concerning job development should current market trends continue or if the lag time for creation of non-institutional jobs persists.



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Attachment A **Jobs/Housing Report**

MOUNTAIN HOUSE JOBS HOUSING REVIEW

FINAL REPORT
November 2019

MOUNTAIN HOUSE JOBS HOUSING REVIEW

*PREPARED FOR THE SAN JOAQUIN COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT*

PREPARED BY:
*Mintier Harnish
Hansford Consulting*

FINAL REPORT
November 2019

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1.3 Jobs to Housing Ratio Findings	3
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Section 1: EXECUTIVE SUMMARY

1.1 PURPOSE OF THE STUDY

This Mountain House Jobs Housing Review (the Study) has been prepared in fulfillment of Chapter Three Section 3.9 of the Mountain House Master Plan (MHMP) which specifies that the County shall review progress of the Mountain House jobs/housing program at the following intervals:

- Prior to approval of any Specific Plan containing residential development, but no sooner than after 2,000 residential units have been constructed (excluding the first Specific Plan or Specific Plan Amendment);
- When 4,000, 8,000, 12,000, and 16,000 residential units have been completed and annual monitoring information becomes available, if a review has not already been conducted in the previous calendar year; and
- At any other times determined appropriate by the Board of Supervisors (e.g., scheduling of a jobs/housing review by the Board to evaluate the circumstances for non-achievement of jobs/housing ratios).

The jobs/housing review has been triggered by the completion of more than 4,000 residential units. As of the end of December 2018, 5,932 residential units have been completed in Mountain House.

The MHMP jobs/housing program tracks the balance within the community between jobs and housing (the jobs to housing ratio). Mountain House has a job to housing ratio goal of 0.99 by project buildout. This ratio means that for every house in the community there are 0.99 jobs in the community.

1.2 ECONOMIC CONTEXT AND BACKGROUND

Mountain House is situated in the Altamont Corridor within San Joaquin County and abutting Alameda County. **Map 1** on the next page shows the Mountain House Census Designated Place (CDP) in relationship to other cities along the Altamont Corridor; specifically, Tracy and Manteca in San Joaquin County, and Pleasanton and Livermore in Alameda County. The CDP does not yet encompass the entire MHMP area; however, residential development outside of the CDP is very small to date. There is no new non-residential development south of Grant Line Road.

Development of Mountain House began in 2002. Today, residential land uses are a little over one-third developed; however, only a small amount of commercial building has been completed compared to buildout described in the MHMP. All the residential development to date has been single family (detached homes, homes with second units, and condominiums).

Map 1
Map of the Altamont Corridor



Almost all the non-residential development has been public-sector development (schools, college, and public services). Commercial development consists of a community market, a credit card processing office, real estate offices, a gymnasium, chiropractor, and dental offices.

Data shows that most employed Mountain House residents are commuting for work, with more than half of employees travelling at least 45 minutes and more than 25 miles. In addition, most jobs in Mountain House are being filled by persons living outside of Mountain House.

Approximately nine percent of jobs in Mountain House are filled by persons living in the community. While this percentage is low, it is similar to the city of Pleasanton. Wages of jobs located in Mountain House are very similar to those of similar occupations in Alameda County and San Joaquin County.

1.3 JOBS TO HOUSING RATIO FINDINGS

The primary finding of the Study is that the jobs to housing balance is not as high as it was estimated to be at this stage of development in the MHMP. Ninety-eight percent of employed persons living in Mountain House commute elsewhere for work. Because of minimal commercial and industrial development, job creation has not reached the estimate of 5,872 jobs at 5,932 residential units developed in the MHMP (based on achieving a MHMP jobs to housing ratio of 0.99 which is the buildout goal) or 4,686 jobs using a ratio of 0.79 (the MHMP projected ratio with completion of 4,000 units). Total Mountain House jobs (including full and part time jobs) is estimated at 605 as of December 2018. Almost all the jobs in Mountain House have been created by institutional uses such as schools, Delta College, and public services. Lammersville School District generated 393 out of the total 605 jobs in Mountain House.

The MHMP estimated a best-case jobs to housing ratio of 0.79 with development of 4,000 housing units. This Study finds the best-case ratio to be 0.17 with 5,932 units completed. The minimum ratio, which is defined in the MHMP and in Section 3 of the Study, is 0.09 with 5,932 units completed, which compares to an estimate of 0.70 in the MHMP with development of 4,000 units.

Figure 1 depicts the different jobs to housing ratios calculated in the Study for Mountain House.

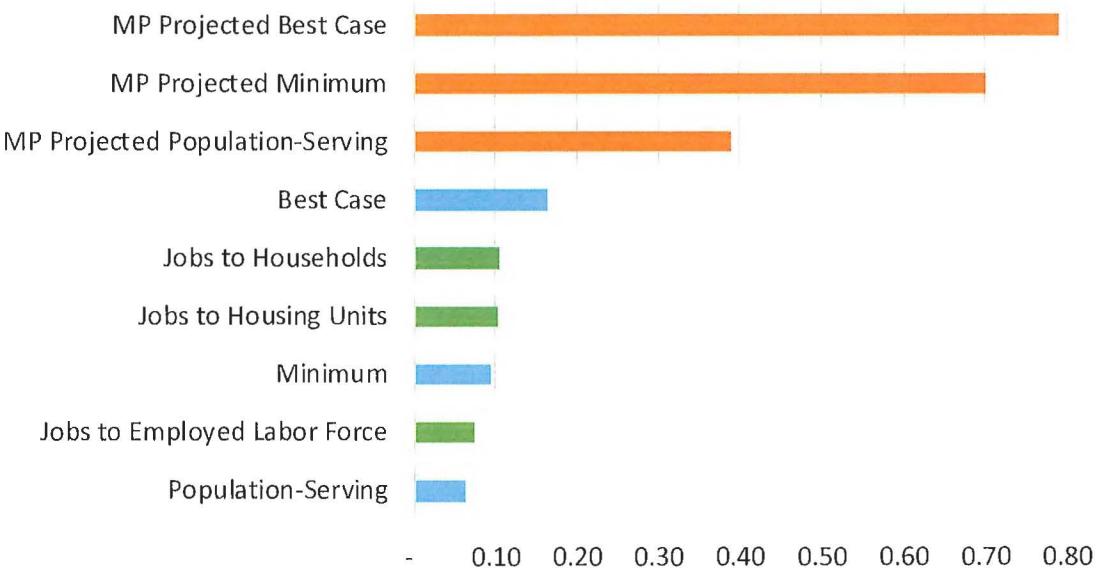
The orange colored bars in the figure show the estimated MHMP projected ratios at 4,000 units. These are labeled “MP Projected Best Case”, “MP Projected Minimum”, and “MP Projected Population-Serving”.

The blue bars labeled “Best Case”, “Minimum”, and “Population-Serving”, show calculated current ratios at 5,932 units completed, using the same formulas in the MHMP. Population-Serving only counts jobs that serve Mountain House residents. The figure shows that within Mountain House the number of jobs generated per residential unit is not as high as estimated in the MHMP using any of the three jobs to housing ratio methodologies.

Figure 1 also shows industry standard jobs to housing ratios. These are green bars labeled “Jobs to Households”, “Jobs to Housing Units”, and “Jobs to Employed Labor Force”.

Figure 1

Mountain House Jobs/Housing Ratios



The minimum ratio accounts for all jobs excluding any construction-phase related jobs in Mountain House and can be compared to other communities along the Altamont Corridor. **Table 1** shows that the Mountain House jobs to housing ratios are lower than those of the comparison communities; however, as Mountain House continues to develop the ratio is anticipated to improve. The best-case ratio cannot be compared with other communities because it includes an estimate of jobs created during the construction of new buildings which is both uncommon and difficult to measure.

Table 1
Comparison Jobs to Housing Ratios

Ratio	Pleasanton	Livermore	Tracy	Manteca	Mountain House	Joaquin County
Mountain House MP Ratios						
Minimum	1.74	0.98	0.57	0.50	0.09	0.78
Best Case	n/a	n/a	n/a	n/a	0.17	n/a
Industry Standard Ratios						
Jobs to Housing Units	2.18	1.44	0.90	0.66	0.10	0.96
Jobs to Households	2.27	1.49	0.93	0.70	0.11	1.03
Jobs to Employed Labor Force	1.62	0.95	0.57	0.52	0.07	0.78

Source: Mountain House Specific Plan and HEC.

1.4 ORGANIZATION OF THE STUDY

Following the executive summary are three sections:

1. Section 2 presents economic analysis on land use, population, housing, jobs, labor force, and wages.
2. Section 3 provides the jobs to housing ratios methodologies and results.
3. Section 4 includes the findings of the Study.

Appendix A provides support tables for the Jobs/Housing review.

Section 2: ECONOMIC ANALYSIS

2.1 LAND USE AND DEVELOPMENT

The MHMP includes development of 4,350 gross acres with 15,705 total residential units, and 11,207,276 square feet of commercial and industrial buildings at project buildout. In addition, it includes development of schools, public facilities, recreation spaces and other public uses. **Table 2** summarizes land use at buildout of Mountain House. Of note, the MHMP anticipates an average of 2.50 persons per unit, an average of 480 square feet of commercial space per employee, and an average of 639 square feet per industrial land use employee. These factors result in an estimated total population of 39,191 and 19,903 commercial and industrial (private-sector) jobs. The MHMP also projects 1,700 jobs to be generated by institutional uses, which includes schools and other public uses, and recreational land uses.

Map 2 shows development of Mountain House as of December 2018. The map shows each of the neighborhoods included in the MHMP and illustrates that development to date has occurred in neighborhoods A/B, C, D, E, F, G, and H. Five elementary schools and the high school have been built, as well as a few commercial and other institutional buildings. Delta College operates out of commercial coach buildings in the southern portion of the plan area.

Table 3 quantifies cumulative development by year through the end of 2018. In total, 5,932 residential units (38 percent of buildout units) have been completed. More than 85% of the residential units are single family. No multi-family (apartment) buildings have been developed. Non-residential development completed includes 41,428 building square feet of commercial space and 625,586 building square feet of institutional space (including 30,000 square feet of commercial coach buildings at Delta College). Commercial development to date represents less than 1 percent of potential buildout of commercial space in Mountain House. About one quarter percent (1/4%) of all other non-residential use acreage has been developed. **Tables A-1** through **A-3** in Appendix A provide supporting data to the summarized information shown in **Table 3**.

2.2 POPULATION AND HOUSING

The 2017 ACS reported population for Mountain House was primarily housed in owner occupied housing (73 percent); 27% of the population was housed in rental units.

As shown in **Table 2** on the next page, the MHMP persons per dwelling unit factors range from 1.80 for age-restricted units to 3.12 for very low and low-density housing; for all residential development, the persons per dwelling unit average is 2.50.

The United States Census 2017 5-Year American Community Survey (ACS) data, which is the most recent available for the Study, reports an average of 3.58 persons per occupied unit for Mountain House. This compares to the San Joaquin County (County) average of 3.24. Using the 2017 ACS average of 3.58 person per occupied unit and a vacancy rate of 3.2 percent, the population of Mountain House is estimated at 20,573 (as of the end of December 2018).

Table 2
Master Plan Developable Properties

Buildout Land Use	Gross Acres	Net Acres	Unit Density / Floor Area	Residential Units / Non-Residential Square Feet	Persons per Unit / Jobs per Acre	Population / Jobs	Sq. Ft. per Job
Residential							
Very Low Density	63.7		2.00	121	3.12	378	
Low Density	884.3		4.50	3,932	3.12	12,268	
Low Density / Age Restricted	257.4		4.50	1,158	1.80	2,085	
Medium Density	866.1		6.00	5,267	2.70	14,221	
Medium Density / Age Restricted	177.6		6.00	1,066	1.80	1,918	
Medium High Density	182.0		14.00	2,527	2.00	5,054	
Medium High Density / Senior Housing	5.0		14.00	70	2.00	140	
High Density	40.2		20.00	804	2.00	1,608	
High Density / Senior Housing	11.5		20.00	230	2.00	460	
Mixed Use Town Center				200	2.00	400	
Bonus Units							
Town Center				240	2.00	480	
HD Housing				90	2.00	180	
Total Residential	2,487.8			15,705	2.50	39,191	
Non-Residential							
Commercial [2]							
Neighborhood Commercial	12.5	11.9	0.25	129,319	24.0	300	431
Community Commercial	129.3	122.8	0.25	1,337,673	24.0	3,103	431
General Commercial	29.2	27.7	0.25	302,089	24.0	701	431
Office Commercial	60.7	57.7	0.35	879,161	44.0	2,671	329
Commercial Recreation (Golf Course)	222.2	211.1	n/a	60,000	n/a	100	n/a
Town Center Mixed Use	39.1	37.1	1.00	1,618,036	51.0	1,994	811
Old River Mixed Use	14.0	13.3	0.50	289,674	51.0	714	406
Subtotal Commercial [3]	507.0	481.7		4,615,951	218.0	9,583	480
Industrial [2]							
Limited Industrial - N. of Byron	83.9	79.7	0.40	1,388,780	26.0	2,181	637
Limited Industrial - S. of Byron	204.3	194.1	0.40	3,381,737	32.3	6,599	512
General Industrial	110.0	104.5	0.40	1,820,808	14.0	1,540	1,182
Subtotal Industrial	398.2	378.3		6,591,325	72.3	10,320	639
Schools							
K-8	160.0	140.8			2.5	400	
High School	46.5	40.9			2.5	116	
Community College	107.9	95.0			n/a	532	
Subtotal Schools	314.4	276.7				1,048	
Public							
Transit	10.0	8.8			5.0	50	
Wastewater/Service Yards	50.0	44.0			5.0	250	
Water Treatment Plant	18.5	16.3			5.0	93	
Public Facilities (public)	12.2	10.7			5.0	61	
Public Facilities (private)	20.3	17.9			5.0	102	
Subtotal Public	111.0	97.7			25.0	555	
Open Space / Recreation							
Neighborhood Park	63.9	63.9			0.2	13	
Community Park	185.1	185.1			0.2	37	
Regional Park	82.0	82.0			0.2	16	
Lake / Dry Creek / Golf Course	155.7	155.7			n/a	31	
Water Quality Basin	21.0	21.0			n/a	0	
Wetland / Resource Conservation	24.7	24.7			n/a	0	
Subtotal Open Space / Recreation	532.4	532.4				97	
Total Non-Residential	1,863.0	1,766.7		11,207,276		21,604	
Total Gross Acres [4]	4,350.8						

Source: Mountain House Master Plan revised March 2008.

[1] Floor Area Ratios (FAR) are derived from Specific Plan II FARs.

[2] Commercial and Industrial building square footage is calculated by multiplying 95% of MHMP gross acreage for each land use category by FAR for said land use category.

[3] Calculation of square feet per employee excludes commercial recreation.

[4] Gross acreage excludes arterial roadways and specified collector roads in the Town Center.

Map 2
Mountain House Land Use Parcels with Buildings

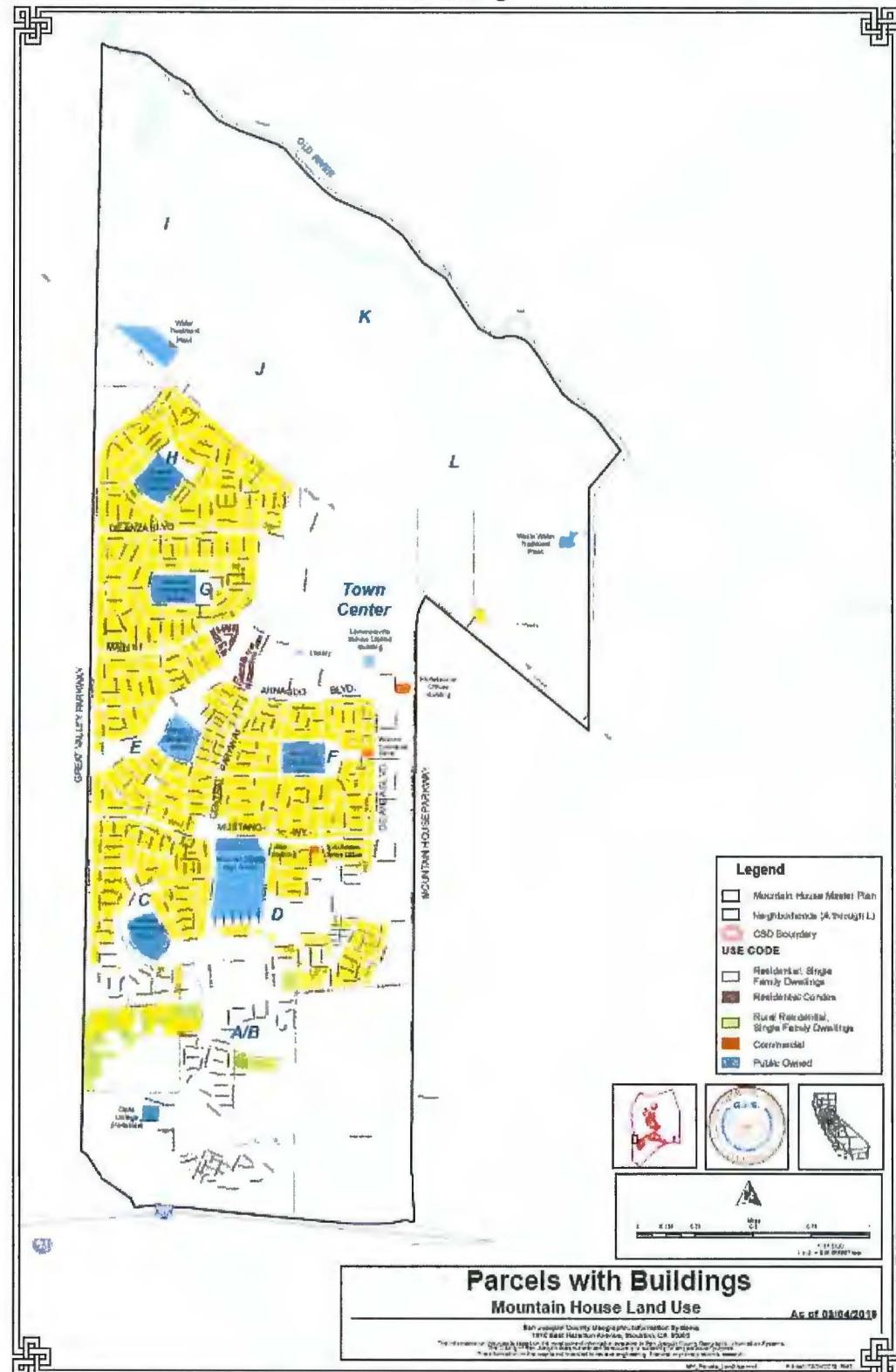


Table 3
Cumulative Increase in Housing Units, Non-Residential Building Sq. Ft. and Estimated Jobs

Units, Building Sq. Ft. and Jobs	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Number of Housing Units [1]	222	758	1,201	1,982	2,711	3,064	3,198	3,254	3,419	3,626	4,039	4,272	4,661	5,160	5,281	5,932
Number of Persons [2]	770	2,629	4,165	6,874	9,402	10,626	11,091	11,285	11,857	12,575	14,008	14,816	16,165	17,895	18,315	20,573
Non-Residential Building Square Feet																
Commercial	11,181	11,181	39,821	39,821	39,821	39,821	39,821	39,821	39,821	39,821	41,428	41,428	41,428	41,428	41,428	41,428
Institutional	0	71,818	71,818	71,818	133,375	163,375	163,375	232,868	240,699	240,699	545,318	545,318	545,318	545,318	545,318	625,586
Jobs																
Population-Serving	26	100	192	192	249	249	249	303	352	352	482	482	482	482	482	525
Regional	0	0	0	0	0	67	67	67	80	80	80	80	80	80	80	80
Total Jobs	26	100	192	192	249	316	316	370	432	432	562	562	562	562	562	605

Source: San Joaquin County.

[1] Includes single family homes, second units, and condominiums in neighborhoods A/B, C, D, E, F, G and H.

[2] Cumulative population is based on 2017 ACS factors of 3.58 persons per occupied unit and 96.8% occupancy.

Application of the MHMP average persons per unit of 2.50 to 5,932 units multiplied by an occupancy factor of 95 percent (also assumed in the Master Plan) results in a population estimate of 14,830. The calculated population is greater using 2017 ACS data than using MHMP estimates of persons per unit and vacancy rate.

Table 4 below compares persons per unit with Altamont Corridor comparison cities and the County. All of the comparison cities have an average persons per occupied unit greater than the MHMP assumed. Note that the table shows two columns for Mountain House. The first column provides the ACS data and the second column provides the known data at the County level with inferences for number of occupied units, persons per unit, labor force, labor force employed, and the unemployment rate. The difference between the ACS number of jobs and actual number of jobs is most likely due to the fact that the ACS counts jobs differently (full and part time jobs and primary jobs versus total jobs). Self-employed persons may be included in the ACS data; they are not included in the County-level data.

Table 4
Population, Housing, Labor Force and Jobs

Item	Pleasanton	Livermore	Tracy	Manteca	Mountain House	Mountain House [1]	San Joaquin
<i>Source: American Factfinder (2017 ACS Data)</i>							
Total Population	79,341	88,232	87,613	75,314	15,010	20,573	724,153
Total Housing Units	29,064	32,458	26,359	24,644	4,328	5,932	239,253
Occupied Units (Households)	27,922	31,347	25,469	23,495	4,190	5,743	223,808
Persons per Unit	2.84	2.81	3.44	3.21	3.58	3.58	3.24
<i>Source: American Factfinder (2017 ACS Data)</i>							
Labor Force	40,604	48,986	45,109	35,341	6,446	8,835	329,535
Labor Force Employed	39,199	47,069	41,756	31,778	6,020	8,251	296,264
Unemployment Rate	3.5%	3.9%	7.4%	10.1%	6.6%	6.6%	10.1%
<i>Source: On the Map (2017 ACS Data)</i>							
Jobs	68,294	51,413	29,920	16,862	826	605	245,891

Source: US Census Bureau.

[1] The Mountain House data is as of December 2018 using 2017 ACS persons per unit, as well as 2017 ACS labor force to population ratio and unemployment rate.

Map 3 on the next page illustrates the Altamont Corridor census places.

2.3 LABOR FORCE, JOBS AND WAGES

2.3.1. Labor Force

The civilian labor force represents those persons aged 16 and over able to work. Per the US Census Bureau, the total Mountain House civilian labor force was 6,446 persons (43 percent of total population) in 2017. Of those persons able to work, 6,020 were reported as employed.

Map 3
Altamont Corridor Census Places

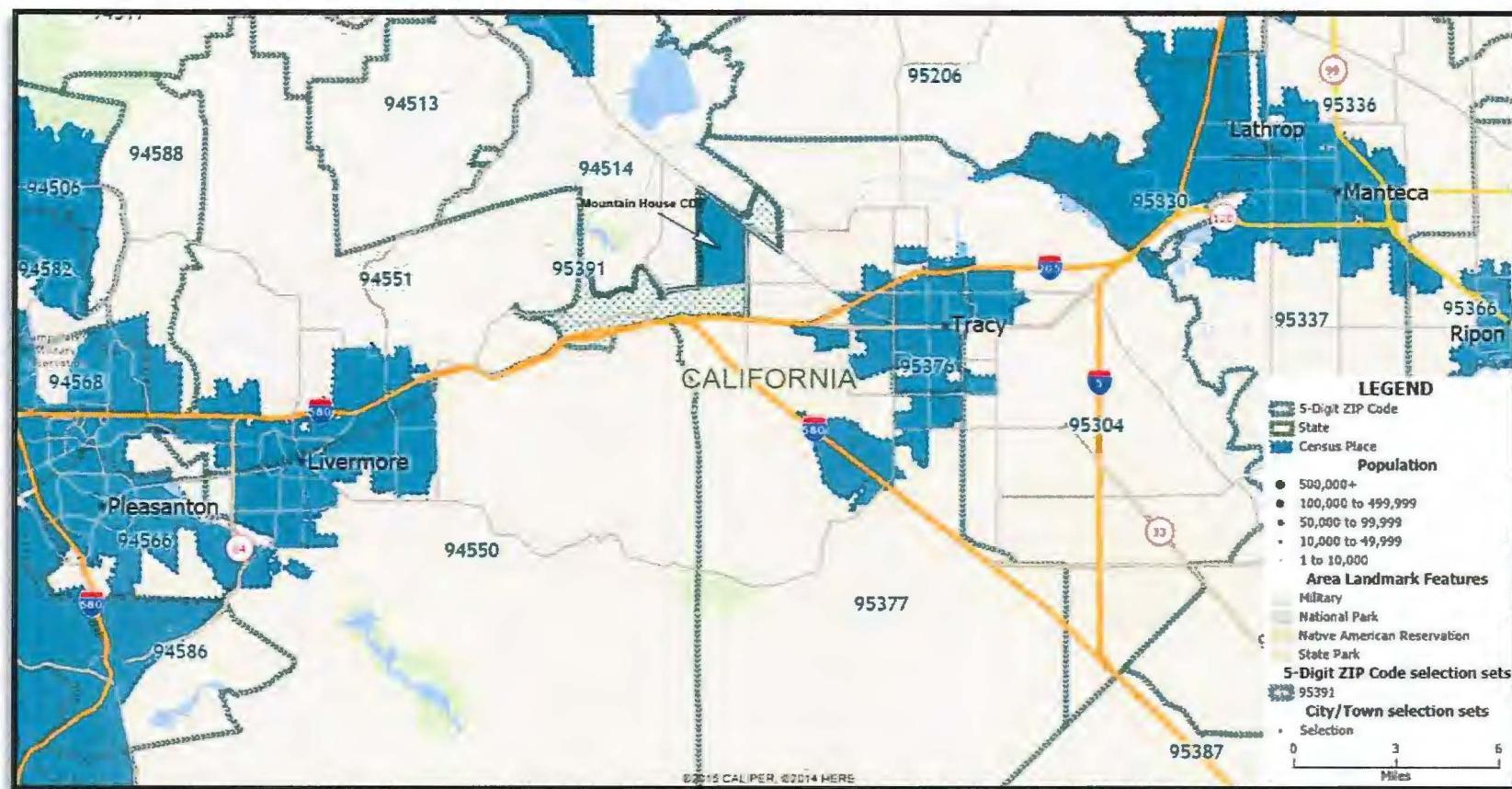


Table 5 shows occupations of the employed Mountain House labor force in 2017. More than 50% of residents were employed in management, business, science and arts occupations, about one-quarter in sales and office occupations, and the remainder in service, natural resources, construction and maintenance, and production, transportation and material moving.

Table 5
Occupations of Mountain House Labor Force

Occupation	% of Labor Force	
	Labor Force	Force
Occupation of Civilian Labor Force		
Management, Business, Science & Arts	3,209	53%
Service	470	8%
Sales and Office	1,559	26%
Natural resources, construction & maintenance	397	7%
Production, transportation & material moving	385	6%
Total	6,020	100%

Source: Bureau of Labor Statistics and 2017 5-year American Community Survey.

The 2017 unemployment rate for Mountain House was approximately 6.6 percent. **Table 4** compares unemployment rates for 2017. The unemployment rate in Mountain House was higher than in Pleasanton and Livermore, but lower than in Tracy, Manteca, and San Joaquin County.

2.3.2 Jobs

It is estimated that the total number of jobs in Mountain House is currently 605. Of these jobs, 80 are considered regional jobs. The MHMP distinguishes between population-serving jobs and regional jobs. Population-serving jobs are jobs created to service the resident population of Mountain House. Examples include teachers, Community Services District (CSD) staff, real estate office staff, gym staff, and so forth. The Study counts Delta College jobs and a portion of the Lammersville School District administrative staff jobs as regional because they service population outside of Mountain House.

On average, there are about 250 square feet per employee in developed commercial spaces (see **Table 6**). No industrial uses have yet been developed in Mountain House. Square feet per employee is typical for the types of uses in the Wicklund Commercial Center, which includes a market, chiropractor, dental office, and fitness center. Regionally, these types of businesses are occupied in the range of 200-250 square feet per employee. Note that the MHMP estimated 480 square feet per employee for commercial buildings.

Table 6
Estimated Square Feet per Employee in Mountain House

Non-Residential	Total Space	Space Occupied (approx.)	Vacancy Rate	Number of Employees	Square Feet per Employee	
					[1]	(Occupied Space)
Commercial Uses			[2]			
Wicklund Commercial Center	11,181	7,268	35%	26	280	
Subdivision Sales Office	1,607	1,607	0%	8	201	
Professional Offices & Services Bldg [3]	28,640	22,912	20%	92	250	
Subtotal Commercial Uses	41,428	31,787	23%	126		253
Institutional Uses						
Delta College	30,000			67	448	
Lammersville School District						
Administrative Offices	7,831			62	126	
Mountain House High School	232,728			64	3,636	
Altamont Elementary	66,131			49	1,350	
Bethany Elementary	61,557			57	1,080	
Hansen Elementary	80,268			43	1,867	
Questa Elementary	69,493			54	1,287	
Wicklund Elementary	62,309			64	974	
Library	5,760			9	640	
Fire Station	9,509			10	951	
Subtotal Institutional Uses	625,586			479		1,306
Subtotal Non-Residential	667,014			605		
Population-Serving				525		
Regional [4]				80		

Source: San Joaquin County, Lammersville School District, and Mountain House CSD.

[1] Full and part-time positions as of December 2018.

[2] Approximate square feet based on HEC research.

[3] A portion of the building is the administrative offices of the Mountain House Community Services District.

[4] Includes Delta College and a portion of the Lammersville School District Administrative staff.

The following discussion on jobs is derived from the US Census Bureau's data tool 'On the Map' using 2017 ACS data. The total number of jobs reported in Mountain House was 826. Of those jobs, 71 (9 percent) were filled by persons also living in Mountain House. **Table 7** shows number of workers living in each comparison community in the Altamont Corridor as well as the number of persons living in the area employed elsewhere. The data in **Table 7** indicates whether a community primarily commutes elsewhere to work.

Table 7
Persons Living and Working in the Area – Including Comparison Places

Employment	Census Designated Place					Mountain House	San Joaquin County
	Pleasanton	Livermore	Tracy	Manteca			
Workers in the Area							
Employed in Area, Live Elsewhere	61,852	40,763	24,409	13,311	755	107,074	
Living and Working in the Area	6,442	10,650	5,511	3,551	71	138,817	
Total Workers in the Area	68,294	51,413	29,920	16,862	826	245,891	
Percent of Workers Living and Working in the Same Area							
	9%	21%	18%	21%	9%	56%	
Living in the Area	37,264	45,953	35,921	31,522	4,071	288,874	
Live in Area, Employed Elsewhere	30,822	35,303	30,410	27,971	4,000	150,057	
Percentage of Employed Labor Force Working Elsewhere							
	83%	77%	85%	89%	98%	52%	

Source: <http://onthemap.ces.census.gov/> using 2017 ACS data.

[1] See Table 8.

[2] See Table 9.

Only 9 percent of workers live and work in Pleasanton; about 21 percent of persons in Livermore and Manteca and 18 percent of persons in Tracy work where they live. For San Joaquin County, 56 percent of persons live and work in the same county.

Table 8 on the following page shows that of the persons commuting into Mountain House for work just over a quarter originated from Tracy. Of the employed persons living in Mountain House, 98 percent were employed elsewhere. Location of jobs includes cities in the Altamont Corridor and elsewhere (see **Table 9**). The data show that most people who live in Mountain House are travelling elsewhere for work and that most people working in Mountain House are originating from elsewhere. These patterns are similar to those of the cities in the Altamont Corridor, although the percentage of persons commuting into the area for work is slightly higher in Mountain House.

Table 8
Workers Employed in Mountain House Living Elsewhere

Origin (Where Worker Lives)	Workers	Percentage of Workers
Tracy	200	26%
Stockton	61	8%
Manteca	45	6%
Livermore	28	4%
Brentwood	19	3%
Modesto	13	2%
San Jose	16	2%
Lathrop	10	1%
Elk Grove	10	1%
Other	353	47%
Total	755	100%

Source: <http://onthemap.ces.census.gov/> using 2017 ACS data.

Table 9
Residents in Mountain House Commuting

Mountain House Residents Commuting	Workers	Percentage of Workers
Tracy	380	10%
Livermore	337	8%
San Jose	253	6%
Pleasanton	246	6%
Stockton	201	5%
Fremont	142	4%
Oakland	139	3%
San Francisco	120	3%
Sacramento	112	3%
Modesto	87	2%
Other	1,983	50%
Total	4,000	100%

Source: <http://onthemap.ces.census.gov/> using 2017 ACS data.

Evidence that employed persons residing in Mountain House are travelling beyond Mountain House is also found in **Table 10** below. A large proportion of residents (about 59 percent) are travelling at least 25 miles to work. Many residents are travelling further than 60 miles to work.

Table 10
Jobs Distance from Mountain House

Distance from Mountain House	Employed Labor Force	% of Total
Less than 10 miles	569	14%
10 to 24 miles	1,077	26%
25 to 60 miles	1,715	42%
Greater than 60 miles	710	17%
Total Employed Labor Force	4,071	100%

Source: <http://onthemap.ces.census.gov/> using 2017 ACS data.

Table 11 compares travel time to work for residents in Mountain House with residents in San Joaquin County using 2017 ACS data. More than 60 percent of Mountain House residents spend more than 45 minutes travelling to work. In contrast, for the County as a whole, about 25 percent of residents spend more than 45 minutes travelling to work.

Table 11
Travel Time to Work

Travel Time	Mountain House	San Joaquin County
	% of Persons Travelling	% of Persons Travelling
< 10 minutes	4%	13%
10-14 minutes	3%	15%
15-19 minutes	2%	15%
20-24 minutes	4%	13%
25-29 minutes	7%	5%
30-34 minutes	5%	10%
35-44 minutes	11%	4%
45-59 minutes	22%	7%
60+ minutes	42%	18%
Total	100%	100%

Source: 2017 5-year American Community Survey, US Census Bureau.

2.3.3 Wages

Almost all the jobs in Mountain House are generated by institutional uses such as Lammersville School District (the largest employer), Mountain House CSD, and Delta College. **Table A-4** in Appendix A provides sample wages for jobs in Mountain House.

In **Table 12** below the sample of Mountain House jobs by occupation is compared with wages for San Joaquin County using Stockton Metropolitan Statistical Area (MSA) data and Alameda County using the Oakland-Fremont-Hayward Metropolitan Division data which is supplied by the California Economic Development Department. Since the sample size is not large for Mountain House, the Mountain House wages as a percentage of San Joaquin County wages and Alameda County wages should not be given much weight. They do generally indicate however that wages for institutional jobs are similar to those found in other parts of San Joaquin County, and in Alameda County.

Table 12
Comparison of 2018 Mean Annual Wages

Occupation	2018 1st Quarter Mean Annual Wages		2018 Mountain House		
	San Joaquin County [1]	Alameda County [2]	Sample	As % of	
			Median Wages	San Joaquin Co.	As % of Alameda Co.
All Occupations	\$47,821	\$64,221	\$67,863	142%	106%
Management Occupations	\$112,196	\$143,232	\$139,220	124%	97%
Business and Financial Operations Occupations	\$71,677	\$91,375	\$52,533	73%	57%
Computer and Mathematical Occupations	\$77,267	\$109,549	\$60,237	78%	55%
Architecture and Engineering Occupations	\$86,284	\$100,491	\$96,144	111%	96%
Life, Physical, and Social Science Occupations	\$66,615	\$91,768		n/a	n/a
Community and Social Services Occupations	\$49,250	\$58,765	\$80,257	163%	137%
Legal Occupations	\$78,922	\$124,344		n/a	n/a
Education, Training, and Library Occupations	\$60,715	\$63,111	\$75,443	124%	120%
Arts, Design, Entertainment, Sports, and Media Occupations	\$49,809	\$57,343		n/a	n/a
Healthcare Practitioners and Technical Occupations	\$96,205	\$104,705		n/a	n/a
Healthcare Support Occupations	\$37,472	\$40,733		n/a	n/a
Protective Service Occupations	\$58,909	\$65,276		n/a	n/a
Food Preparation and Serving-Related Occupations	\$27,598	\$30,509	\$36,234	131%	119%
Building and Grounds Cleaning and Maintenance Occupations	\$31,558	\$38,707	\$67,001	212%	173%
Personal Care and Service Occupations	\$26,991	\$31,218		n/a	n/a
Sales and Related Occupations	\$37,675	\$48,925		n/a	n/a
Office and Administrative Support Occupations	\$38,641	\$46,655	\$50,655	131%	109%
Farming, Fishing, and Forestry Occupations	\$27,116	\$33,722		n/a	n/a
Construction and Extraction Occupations	\$54,272	\$69,398		n/a	n/a
Installation, Maintenance, and Repair Occupations	\$50,604	\$59,733		n/a	n/a
Production Occupations	\$37,748	\$44,289		n/a	n/a
Transportation and Material Moving Occupations	\$40,823	\$44,852		n/a	n/a

Source: California EDD Occupational Employment Statistics Survey, Lammersville School District and Mountain House CSD.

[1] Stockton MSA.

[2] Oakland-Fremont-Hayward Metropolitan Division.

Section 3: JOBS TO HOUSING ANALYSIS

3.1 JOBS TO HOUSING RATIOS

Jobs-housing ratios (ratios) provide an indicator of how well land uses are meeting economic development goals. An area with a jobs-housing balance ratio greater than 1.0 has more jobs than workers available within the area, suggesting an inflow of workers, which in turn implies greater drive time, and potentially congestion and pollution in an area. An area with a jobs-housing balance smaller than 1.0 has fewer jobs than workers available within the area, suggesting an outflow of workers; this also implies greater drive time and associated increased congestion and pollution in an area. Jobs to housing balance is a tool for local planners to assess how balanced their land uses are to meet the needs of current economic drivers and future potential growth.¹

The MHMP includes the calculation of three ratios. All three ratios are calculated as the ratio of required housing to available housing. The MHMP Project buildout ratio of 0.99 is calculated as follows:

$$\text{Ratio} = \frac{\text{Required Housing} = (\# \text{Jobs} / \text{Average } \# \text{Employed Residents per HH}) \times (1 + \text{vacancy rate})}{\text{Available Housing} = \# \text{of Housing Units Built and Available for Occupancy}}$$

The calculation of employed residents per household in the Altamont Corridor is shown in **Table A-5** in Appendix A. Available housing is the number of completed residential units for two of the ratios; for one ratio, available housing is the number of completed residential units three years ago. Required housing differs between the three ratios because the number of jobs is different in each ratio. The three ratios are defined as:

1. Population-serving jobs ratio: Available housing reflects units completed. The total number of jobs includes only jobs that directly serve the residents of Mountain House.
2. Minimum ratio: Available housing reflects a 3-year lag in units completed. The total number of jobs includes all jobs (population-serving and regional).
3. Best case ratio. Available housing reflects units completed. The total number of jobs includes all jobs and direct construction jobs.

Neither the formula used to calculate the ratios nor the inclusion of direct construction jobs are typical in calculation of jobs to housing ratios. In this section of the report the MHMP ratios are compared with industry standard ratios.

¹ California Government Code Section 65890.1 “balancing of employment-generating land uses and residential land uses improves economic and housing opportunities and reduces loss of economic productivity caused by transportation delay.”

3.1.1 MHMP Ratios

Table 13 below shows the MHMP ratios using the formula defined in the MHMP. The number of employed residents per household, which is a key assumption in the jobs/housing ratio formula, is currently the same as that estimated in the MHMP according to 2017 ACS data. The vacancy rate will change over time depending on factors such as total supply of units on the market, the general health of the economy, and the job market. The 2017 ACS data indicates a vacancy rate of 3.2 percent whereas the MHMP estimated a vacancy rate of 5.0 percent.

Table 13
Calculated Mountain House Master Plan Ratios

Item	Formula	Calculated MHMP Ratios			MHMP Buildout Estimate
		Population Serving Only	Min. Ratio	Best Ratio [1]	
Residential Units Completed [2], [3]	a	[2] 5,932	[3] 4,661	[2] 5,932	16,105
Number of Permanent Jobs	b	525	605	1,397	21,924
Employed Residents per Household [4]	c	1.44	1.44	1.44	1.44
Vacancy Rate	d	3.2%	3.2%	3.2%	5%
Required Housing	$e = (b/c)*(1+d)$	377	434	1,004	15,986
Jobs / Housing Ratio	$f = e/a$	0.06	0.09	0.17	0.99
Master Plan Estimates @ 4,000 Units		0.39	0.70	0.79	

Source: HEC and "Economic Impact Study of the Proposed Housing Development in Stockton, CA", March 25, 2015 by the Eberhardt School of Business, University of the Pacific.

[1] There is no data source that provides the exact number of construction jobs generated by development in Mountain House.

HEC estimated direct construction jobs using results of an input-output analysis prepared by the University of the Pacific for new housing in Stockton. The study concludes that for every 1,000 homes built in San Joaquin County there are 2,138 direct construction jobs generated. The ratio of 2.1 is applied to the average number of units built per year (2003-2018).

Average Number of Homes Built per Year	371
Ratio of Construction Jobs to Homes	2.138
Construction Jobs Generated	793

[2] Residential units completed at the end of 2018.

[3] Residential units completed at the end of 2015.

[4] The MHMP assumes 1.44 employed residents per household throughout project development; this matches 2017 ACS data.

The MHMP estimated that at approximately 4,000 units developed the jobs to housing ratio would be 0.39 for population-serving jobs, 0.70 under the minimum ratio, and 0.79 under the best-case ratio. The current estimates for population-serving jobs and best-case ratios at 5,932 units are 0.06 and 0.17, respectively. The current estimate for the minimum ratio at 4,661 units completed at the end of 2015 is 0.09. The jobs to housing ratio is lower at this stage in development than it was estimated to be in the MHMP using any of the three different MHMP ratios.

Using the MHMP formula, the minimum ratio is compared with Altamont Corridor comparison places and the County in Table 14. The minimum ratio for Mountain House is much lower than for the comparison places. Pleasanton has a ratio of 1.74. All the other communities have ratios

less than one, which implies that there are less jobs in those communities than can be filled by the resident labor force. In Pleasanton, there are more jobs available than the resident labor force can fill.

Table 14
Calculation of Jobs/Housing Ratios – Includes Comparison Places

Item	Formula	Pleasanton	Livermore	Tracy	Manteca	Mountain House	San Joaquin County
<i>All ratios are "minimum ratios"</i>							
Residential Units Available [1]	a	26,980	31,473	26,223	25,306	4,661	239,405
Number of Permanent Jobs	b	63,462	46,744	23,732	16,377	605	230,784
Employed Residents per Household	c	1.40	1.56	1.64	1.35	1.44	1.32
Vacancy Rate	d	3.9%	3.4%	3.4%	4.7%	3.2%	6.5%
Required Housing	$e = (b/c)*(1+d)$	46,981	30,936	14,964	12,673	434	185,597
Jobs / Housing Ratio	$f = e/a$	1.74	0.98	0.57	0.50	0.09	0.78

Source: San Joaquin County, Mountain House Master Plan, California Department of Finance, and HEC.

[1] Residential units as of 1/1/2016.

Comparison ratios are illustrated in **Figure 2**. It is expected that as Mountain House continues to develop and more commercial space becomes available the minimum ratio will improve.

Table 15 on the following page compares the three industry standard ratios using data provided in **Table 4**. The standard industry ratio calculations also show Mountain House having lower jobs to housing ratios than the comparison places.

Figure 2
Comparison of Minimum Job/Housing Ratios (Master Plan Definition)

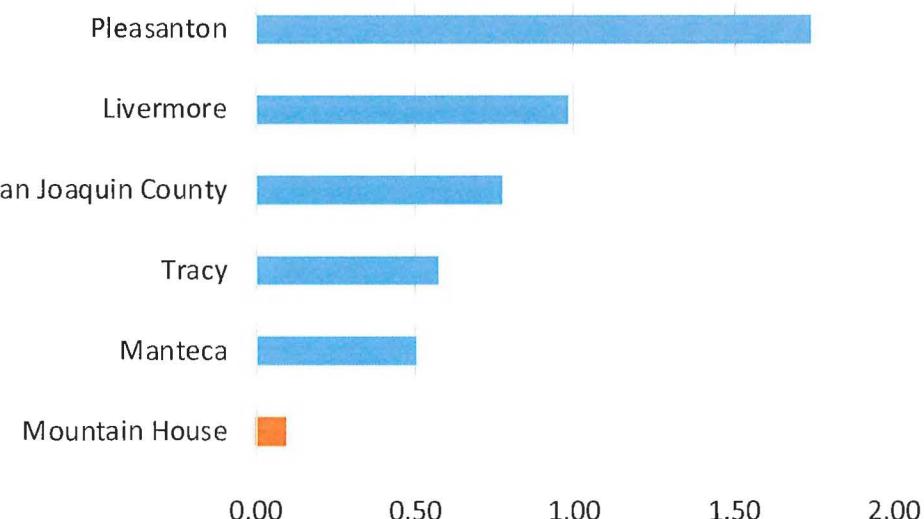


Table 15**Jobs to Housing Ratios Using Industry Standard Ratios – Includes Comparison Places**

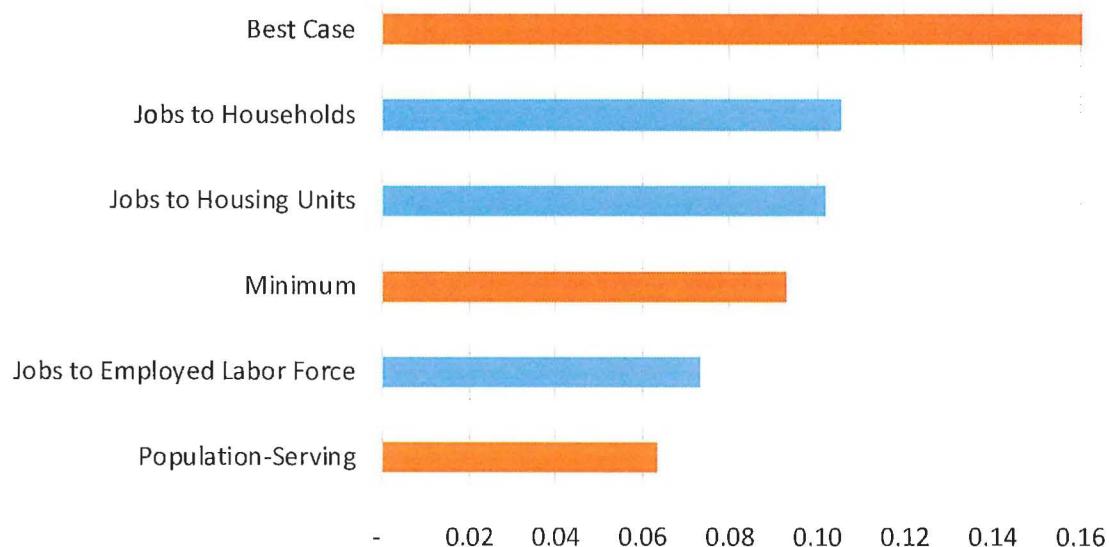
Ratios [1]	Pleasanton	Livermore	Tracy	Manteca	Mountain House	San Joaquin County
Jobs to Housing Units Ratio	2.18	1.44	0.90	0.66	0.10	0.96
Jobs to Households Ratio	2.27	1.49	0.93	0.70	0.11	1.03
Jobs to Employed Labor Force Ratio	1.62	0.95	0.57	0.52	0.07	0.78

Source: HEC.

[1] Ratios calculated using data shown in Table 4 (2015 and 2017 ACS data).

Figure 3 compares the MHMP ratios (orange bars) and standard industry ratios (blue bars) for Mountain House at 5,932 units of development.

Figure 3
Comparison of Mountain House Ratios



Section 4: FINDINGS

The following major findings can be made from the Study:

4.1 LAND USE, POPULATION, AND JOBS

- MHMP residential development is at about 38 percent of buildout. Commercial development is less than 1 percent developed, and other non-residential land uses are about one quarter percent (1/4%) developed. Total population of Mountain House is estimated at 20,573. Development of commercial space, and consequently total jobs generated, is behind the MHMP estimates at development of 4,000 residential units.
- Total job creation is currently 605 jobs, most of which has been generated by institutional land uses. Because of minimal commercial and industrial development, job creation has not reached the estimate of 5,872 jobs at 5,932 residential units developed in the MHMP (based on achieving a MHMP jobs to housing ratio of 0.99 which is the buildout goal) or 4,686 jobs using a ratio of 0.79 (the MHMP projected ratio with completion of 4,000 units).
- The unemployment rate of the civilian labor force in 2017 (most recent year of data available) was better than nearby communities in San Joaquin County. Unemployment in the communities of Pleasanton and Livermore in Alameda County was lower than in Mountain House.
- Ninety-eight percent of people who live in Mountain House are employed/work elsewhere (not in Mountain House). This compares with 52 percent of the population in San Joaquin County, and between 77 percent and 89 percent in cities along the Altamont Corridor. Generally, commuting for work is more prevalent in the Altamont Corridor than elsewhere in the County. More than half of workers travel more than 45 minutes (and more than 25 miles) from their residence in Mountain House to work.
- Job occupations of Mountain House residents are more than 50 percent management, business and science, one-quarter sales and office occupations, and the remainder other occupations. Management and business occupations typically pay higher wages than the mean annual wage of all occupations in the region.
- Of the total number of jobs in Mountain House, 9 percent are filled by people who also live in Mountain House. The percentage is similar to Pleasanton but lower than the other Altamont Corridor cities where about 20 percent of jobs are filled by persons living in those cities.

- Wages for jobs (almost all institutional) in Mountain House are similar to wages in other parts of the region including the Stockton metropolitan area and the Oakland-Fremont-Hayward metropolitan area.

4.2 JOBS TO HOUSING RATIOS

- At the 4,000-unit development stage, the MHMP estimated a minimum jobs to housing ratio of 0.70, and a best-case ratio of 0.79. Based on MHMP ratios, the current minimum ratio is estimated to be 0.09 and the best-case ratio is estimated to be 0.17. Actual ratios are lower than projected in the MHMP at the current (2018) stage of buildout.
- The Mountain House minimum ratio of 0.09 compares to 1.74 for Pleasanton, 0.98 for Livermore, 0.57 for Tracy, and 0.50 for Manteca. This result indicates that more people commute into Pleasanton than commute out of Pleasanton for work, Livermore is balanced, and more people commute out of Tracy, Manteca, and Mountain House for work than commute in.

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MOUNTAIN HOUSE JOBS HOUSING REVIEW

Appendix

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Table A-1

Mountain House Jobs / Housing Review

Annual Increase in Housing Units, Non-Residential Square Feet and Estimated Jobs

Units, Building Sq. Ft. and Jobs	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Number of Housing Units [1]	222	536	443	781	729	353	134	56	165	207	413	233	389	499	121	651
Estimated New Persons [2]	770	1,859	1,536	2,709	2,528	1,224	465	194	572	718	1,432	808	1,349	1,731	420	2,258
Non-Residential Building Square Feet																
Commercial	11,181	0	28,640	0	0	0	0	0	0	0	0	1,607	0	0	0	0
Institutional	0	71,818	0	0	61,557	30,000	0	69,493	7,831	0	0	304,619	0	0	0	80,268
Jobs																
Population-Serving	26	74	92	0	57	0	0	54	49	0	0	130	0	0	0	43
Regional	0	0	0	0	0	67	0	0	13	0	0	0	0	0	0	0
Total Jobs	26	74	92	0	57	67	0	54	62	0	0	130	0	0	0	43

Source: San Joaquin County.

[1] Includes single family homes, second units, and condominiums in neighborhoods A/B, C, D, E, F, G and H.

[2] Cumulative population is based on 2017 ACS factors of 3.58 persons per occupied unit and 96.8% occupancy.

Table A-2**Mountain House Jobs / Housing Review****Annual Completion of Residential Units in Mountain House**

Completed Residential Units	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	Total
Single Units	208	516	435	605	632	297	103	54	164	207	413	231	245	416	121	451	5,098
Second Units	14	20	8	30	51	21	9	2	1	0	0	2	85	83	0	200	526
Condominiums	0	0	0	146	46	35	22	0	0	0	0	0	59	0	0	0	308
Total Complete Units	222	536	443	781	729	353	134	56	165	207	413	233	389	499	121	651	5,932

Source: San Joaquin County Historical Sales Data and Community Development Department.

Table A-3
Mountain House Jobs / Housing Review
Annual Development of Non-Residential Square Feet

Non-Residential Use	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	Total
Commercial Uses																	
Wicklund Commercial Center	11,181	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	11,181
Subdivision Sales Office	0	0	0	0	0	0	0	0	0	0	0	0	1,607	0	0	0	1,607
Professional Offices	0	0	28,640	0	0	0	0	0	0	0	0	0	0	0	0	0	28,640
Subtotal Commercial	11,181	0	28,640	0	0	0	0	0	0	0	0	0	1,607	0	0	0	41,428
Institutional Uses																	
Delta College	0	0	0	0	0	30,000	0	0	0	0	0	0	0	0	0	0	30,000
Lammersville School District	0	62,309	0	0	61,557	0	0	69,493	7,831	0	0	298,859	0	0	0	80,268	580,317
Library	0	0	0	0	0	0	0	0	0	0	0	5,760	0	0	0	0	5,760
Fire Station	0	9,509	0	0	0	0	0	0	0	0	0	0	0	0	0	0	9,509
Subtotal Institutional	0	71,818	0	0	61,557	30,000	0	69,493	7,831	0	0	304,619	0	0	0	80,268	625,586
Total Non-Residential	11,181	71,818	28,640	0	61,557	30,000	0	69,493	7,831	0	0	306,226	0	0	0	80,268	667,014
Jobs																	
Population-Serving	26	74	92	0	57	0	0	54	49	0	0	130	0	0	0	43	525
Regional	0	0	0	0	0	67	0	0	13	0	0	0	0	0	0	0	80
Total Jobs	26	74	92	0	57	67	0	54	62	0	0	130	0	0	0	43	605

Source: San Joaquin County January 2019 and HEC.

Table A-4
Mountain House Jobs / Housing Review
Sample Wages for Jobs in Mountain House

Job	2018 Annual Wages	Job	2018 Annual Wages	
Management Occupations			Education, Training, and Library Occupations	
General Manager	\$199,241	Library Technician	\$33,280	
Administrative Services Director	\$157,222	High School Principal	\$132,947	
Assistant Superintendent	\$146,617	Teacher CL2	\$69,031	
Public Works Director	\$173,434	Teacher CL3	\$73,921	
O & M Supervisor	\$97,642	Teacher CL4	\$76,965	
School Director of Maintenance & Ops	\$74,280	Teacher CL5	\$102,888	
Chief Business Official of Schools	\$120,886			
Director Certificated Management	\$131,822	Food Preparation and Serving-Related Occupations		
		Food Services Director	\$53,980	
Business and Financial Operations Occupations				
Accounting Technician I	\$52,533	Food Services Admin. Secretary	\$41,870	
Accountant I	\$54,299	Food Leader (School)	\$36,234	
K-8 Office Supervisor	\$44,554	Food Service Worker	\$33,280	
Administrative Assistant	\$44,554	Cafeteria Tech	\$28,330	
Business Services Specialist	\$53,706	Building and Grounds Cleaning and Maintenance Occupations		
HR Analyst	\$53,706	Senior Public Works Inspector	\$75,351	
Accounting Clerk	\$40,997	Inspector/Code Enforcement Officer	\$69,707	
		Maintenance Worker II	\$41,925	
Architecture and Engineering Occupations			Supervisor of Operations - Schools	
Engineer I	\$68,793		\$64,295	
Engineer II	\$83,229	Office and Administrative Support Occupations		
Engineer IV	\$109,058	Accounting Technician	\$52,533	
Engineer V	\$110,318	Administrative Secretary	\$24,593	
		Deputy Secretary of the Board	\$87,829	
Community and Social Services Occupations				
School Counselor	\$88,516	Schools Executive Assistant	\$66,932	
Coordinator of Special Education	\$88,962	Office Assistant	\$43,286	
Recreation Coordinator	\$64,941	High School Office Supervisor	\$48,776	
School Nurse	\$74,280	District Courier	\$29,744	
Occupational Therapist	\$86,233	Computer and Mathematical Occupations		
Speech Pathologist	\$59,072	IT Program Manager	\$70,670	
		Info Tech I	\$40,331	
		Information Technician	\$60,237	

Source: Lammersville School District and Mountain House CSD, 2019.

Table A-5
Mountain House Jobs / Housing Review
Employed Residents per Household - Includes Comparison Places

Calculation	Pleasanton	Livermore	Tracy	Manteca	Mountain House	San Joaquin County
Miles from Mountain House	21	12	6	19	0	n/a
Miles from Pleasanton	0	9	27	40	21	n/a
Persons per Unit (see Table 4)	2.84	2.81	3.44	3.21	3.58	3.24
Employed Residents (see Table 4)	39,199	48,986	41,756	31,778	6,020	296,264
Households (see Table 4)	27,922	31,347	25,469	23,495	4,190	223,808
Employed Residents per Household	1.40	1.56	1.64	1.35	1.44	1.32

Source: US Census 5-year 2017 American Community Survey and HEC.



Attachment B
Table 1

TABLE 1: COMPLETED RESIDENTIAL UNITS BY YEAR , 2003-2018

Source: San Joaquin County Community Development Department

YEAR	Single Units	Second Units	Condos	Total
2003	208	14		222
2004	516	20		536
2005	435	8		443
2006	605	30	146	781
2007	632	51	46	729
2008	297	21	35	353
2009	103	9	22	134
2010	54	2		56
2011	164	1		165
2012	207			207
2013	413			413
2014	231	2		233
2015	245	85	59	389
2016	416	83		499
2017	121			121
2018	451	200		651
TOTAL	5098	526	308	5932



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Attachment C Findings

Mountain House Jobs Housing Review Final Report (Findings)

- a) Find that no action or revisions to the current Jobs/Housing Program are necessary at this time because of mitigating circumstances that have affected the rate of commercial and industrial development (and, therefore, jobs) in Mountain House (e.g., the Great Recession of 2006-2012, minimal commercial and industrial development due to the lag in the economy);
- b) Defer action to revise or change the Jobs/Housing Program until after the *next* Jobs/Housing Review has been completed when more commercial/industrial development has occurred and jobs become available; and
- c) Direct Community Development Department staff to begin evaluating which industries and businesses should be targeted for location in Mountain House as preparation for possibly revising at the next Jobs/Housing review, the Master Plan policies concerning job development should current market trends continue or if the lag time for creation of non-institutional jobs persists.