



**STAFF ANALYSIS ONLY:** The full report is available on the CDD website.

**Planning Commission Staff Report  
Item # 1, July 21, 2022  
Use Permit No. PA-2100164 and  
Development Agreement No. PA-2200028  
Prepared by: Alisa Goulart**

**PROJECT SUMMARY**

**Application Information**

**Property Owner:** Jiang’s Properties Management, LLC  
**Project Applicant:** JKL Sunshine, Inc.  
**Representative:** Zach Drivon, Drivon Consulting

**Project Site Information**

**Project Address:** 6820 East Navone Road, Stockton  
**Project Location:** At the south end of East Navone Road, 0.6 miles south of East Fairchild Lane, Stockton.

<b>Parcel Number (APN):</b>	101-120-31	<b>Water Supply:</b>	Private
<b>General Plan Designation:</b>	A/G	<b>Sewage Disposal:</b>	Private
<b>Zoning Designation:</b>	AG-40	<b>Storm Drainage:</b>	Private
<b>Project Size:</b>	5.00 acres	<b>100-Year Flood:</b>	No
<b>Parcel Size:</b>	6.99 acres	<b>Williamson Act:</b>	No
<b>Community:</b>	None	<b>Supervisorial District:</b>	4

**Environmental Review Information**

**CEQA Determination:** Mitigated Negative Declaration (Attachment E)

**Project Description**

This project is a Use Permit to establish a commercial cannabis cultivation and distribution facility to include the conversion of 3 existing structures totaling 24,130 square-feet for use in cannabis cultivation and 1 existing 4,720-square-foot structure for use in cannabis distribution. (Use Type: Commercial Cannabis – Cultivation and Distribution)

**Recommendation**

1. Forward to the Board of Supervisors the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan (Attachment E) and the Findings for Use Permit (Attachment D) with a recommendation of approval.
2. Forward to the Board of Supervisors with a recommendation of approval Use Permit No. PA-2100164 and Development Agreement No. PA-2200028 (Attachment F), based on the ability to make the required findings, with the Conditions of Approval (Attachment G) contained in the Staff Report.

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## NOTIFICATION & RESPONSES

(See Attachment B, Response Letters)

### Public Hearing Notices

Legal ad for the public hearing published in the Stockton Record: July 11, 2022.

Number of Public Hearing notices: 92

Date of Public Hearing notice mailing: July 8, 2022

### Referrals and Responses

- **Early Referral Date:** September 17, 2021
- **Project Referral with Environmental Determination Date:** May 12, 2022
- **Negative Declaration Posting Date:** May 12, 2022
- **OPR State Clearinghouse #:** 2022050258

Agency Referrals	Early Consultation	Public Hearing
<b>County Departments</b>		
Ag Commissioner		
Administrator's Office		
Assessor		
Community Development		
Building Division		6/22/2022
Fire Prevention Bureau		
Counsel's Office		
Public Works	10/26/2021	5/13/2022
Environmental Health	10/11/2021 10/28/2021	5/16/2022
Sheriff's Office	10/11/2021 3/3/2022	6/2/2022
Supervisor: District 4		
<b>State Agencies</b>		
C.V.R.W.Q.C.B.		
CA Highway Patrol		
CA Food and Agriculture		
Fish & Wildlife, Division: 2		
Native American Heritage Commission		
<b>Federal Agencies</b>		
F.E.M.A.		
<b>Local Agencies</b>		
Waterloo Morada Fire District		6/9/2022
Mosquito & Vector Control		6/24/2022
S.J.C.O.G.	9/20/2021	
ST&E Railroad		

Agency Referrals	Early Consultation	Public Hearing
<b>Local Agencies, Continued</b>		
San Joaquin Farm Bureau		
San Joaquin Air Pollution Control District	10/13/2022	6/9/2022
Stockton East Water District		
Linden Unified School District		
City of Lodi		
<b>Miscellaneous</b>		
Haley Flying Service		
P.G.&E.	9/20/2022 10/15/2021	
Precissi Flying Service		
Sierra Club		
Carpenter's Union		
CA Tribal TANF Partnership		
United Auburn Indian Community	5/31/2022	
CA Valley Miwok Tribe		
CA North Valley Yokuts Tribe		
Buena Vista Tribe Rancheria		

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# ANALYSIS

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## **Background**

In 2007, the Planning Commission approved Use Permit No. PA-0700046 for a 2,700-square-foot olive oil processing plant. The project was completed and the use was established.

In 2008, the Community Development Department approved Site Approval No. PA-0800254 for a packing plant and cold storage facility consisting of 25,600 square-feet. The project was completed and the use was established, operating concurrently with the olive oil processing plant.

In 2011, the Community Development Department approved Site Approval No. PA-1100207 to expand the olive oil processing plant with a 1,840-square-foot addition. The addition was completed.

Currently, the site is developed with 5 buildings totaling 36,850 square-feet. One building, the 8,000-square foot cold storage building, will not be utilized in the commercial cannabis project but will continue in its current use.

On May 21, 2019, the Board of Supervisors approved the current Commercial Cannabis ordinance (Development Title Chapter 9-1090), which permits Commercial Cannabis Cultivation and Distribution in the AG-40 (General Agriculture, 40-acre minimum) zone subject to an approved Use Permit application and Development Agreement.

## **Project Site**

The project site is located in the southeastern corner of Fairchild Industrial Park, east of Stockton. The entrance to the industrial park is on Fairchild Lane, 250 feet southeast of State Route 88. To the north and west of the project site are the industrial-zoned parcels of the park. All but three parcels in the industrial park are developed with industrial uses. Of the remaining three parcels, one is planted in an orchard and two are undeveloped at this time. To the south and east are agricultural lands with scattered residences. The nearest residence is approximately 385 feet southeast of the project site.

The project site is fenced and gated.

## **Operations**

The project proposes improving and utilizing 4 of the 5 existing buildings on the site. Three of the buildings are to be used for cannabis cultivation activities. Cultivation activities include growing, harvesting, and curing. The fourth building is to be used for cannabis processing and distribution activities and will include an office. Processing and distributing activities include packaging and labeling, both for product grown on site and for cannabis products purchased wholesale (cannabis flower, concentrates, and edible goods), and selling and transporting cannabis and cannabis products.

The facility anticipates operating 7 days a week, from 4:30 a.m. to 6:00 p.m. A maximum of 16 employees is anticipated to be on site at any given time. The transportation of cannabis and cannabis products is anticipated to include 25 weekly transport trips.

## **Access**

The locational criteria for Commercial Cannabis – Cultivation projects located in the AG zone require the parcel to be located a maximum of 2,000 feet from a major intersection or arterial road. Alternatively, a project can be on a parcel that is located more than 2,000 feet from a major intersection or arterial road if the following criteria are found to be true:

- There is sufficient ease of access from the proposed parcel to an arterial road;
- There is sufficient access for emergency vehicles; and,
- The applicant demonstrates that the parcel can be secured to the satisfaction of the County.

The subject property is located on Navone Road and is located 4,165 feet from a major intersection. Navone Road connects to Fairchild Lane which connects with State Route 88, a major intersection. Both Navone Road and Fairchild Lane are over 25-feet wide, paved, and well-maintained. From that point on State Route 88, it is approximately 2 miles to State Route 99.

The project location has been reviewed by the San Joaquin County Sheriff's Office and the Waterloo-Morada Fire District and was found to have adequate access. Additionally, the applicant will work with the San Joaquin County Sheriff's office to demonstrate that the parcel can be secured to the department's satisfaction. Therefore, access to the parcel has been determined to meet the above criteria for a location that is more than 2,000 feet from a major intersection or arterial road.

### **SJ County Sheriff**

The Sheriff's office has responded to the project referral with the requirement that the operator of the commercial cannabis operation submit a security plan for the project which will be reviewed and approved by the Sheriff's Office. Approval of a security plan must be completed prior to issuance of a building permit.

### **Biological Resources**

The proposed project was referred to the San Joaquin Council of Governments (SJCOG) for review. SJCOG uses State and Federal level take permits to satisfy habitat mitigation requirements under the San Joaquin Multi-Species Habitat Conservation Plan (SJMSCP). Because cannabis is classified as a controlled substance under Federal Law, any cannabis project proposed in San Joaquin County cannot participate in the SJMSCP. As a result, the Community Development Department required the applicant to submit a Biological Study for the project site prepared by an environmental consultant.

A review of biological resources, as part of an Initial Study prepared by BaseCamp Environmental, Inc. and dated February 2022, states that, because the project site is entirely developed and paved, no sensitive habitats are expected on the site due to the lack of vegetation. The review also states that, although tree removal associated with the project is unlikely, any tree removal during the general nesting season could impact migratory birds. The following mitigation measure is proposed to lessen project impacts on wildlife movement and is included in the Conditions of Approval and Mitigation Monitoring and Reporting Plan:

- Should tree removal associated with the proposed project be required during the general avian nesting season (February 1 to August 31), removal shall be preceded by a survey by a qualified biologist. If active nests are found, adequate marking of the nest site shall be provided, and tree or vegetation removal in the vicinity of the nest shall be delayed until the young fledge.

### **Commercial Cannabis Development Agreement**

Pursuant to Development Title Section 9-1305, the County may enter into a Development Agreement, pursuant to the California Government Code, with any person having a legal or equitable interest in real property located within the unincorporated area of the County. Development Title Section 9-1090 requires an applicant to enter into a Development Agreement in conjunction with a Use Permit prior to operating any commercial cannabis activities. Commercial Cannabis Development Agreement PA-2200028 was submitted to the Community Development Department and forwarded to the County Administrator's Office for negotiating with the project applicant.

Following negotiations, the applicant and the County Administrator have agreed upon terms for the Commercial Cannabis Development Agreement. The proposed Agreement has a 20-year term and requires the Applicant to pay the County Administrator the following Community Benefit fees:

- A one-time payment of \$15,000 within 20 calendar days of County's recording of the Commercial Cannabis Development Agreement;
- A one-time payment of \$7,500 within 30 calendar days upon the County's issuance of a Certificate of Occupancy for the Project buildings on the Property;

- 3.5% of Gross Revenues for all commercial cannabis activities performed on the Property, in quarterly installments, on the 15<sup>th</sup> day of January, April, June, and September.

Finally, the Applicant will hold \$20,000 of surety funds, to be paid to the County in the event of default of Gross Receipts Impact Fee payments by the licensee.

**Other Required Licenses:**

*San Joaquin County Annual Cannabis Licenses*

The proposed project includes commercial cannabis cultivation and distribution. Pursuant to Development Title Section 9-1090.3(a), all cultivation facilities must obtain a County Commercial Cannabis Cultivator License. Pursuant to Development Title Section 9-1090.4, all distribution facilities must obtain a County Commercial Cannabis Distributor License. Licenses are issued by the Environmental Health Department and must be renewed annually.

When applying for these licenses, applicants must submit supporting documents to include a security plan, a waste destruction plan, an odor control plan, and a pesticide use plan if applying for a cultivator license. These plans will be filed with the Environmental Health Department and reviewed by applicable divisions. The security plan is reviewed and approved by the Sheriff's Office. The pesticide use plan is reviewed and approved by the Agricultural Commissioner. The waste destruction plan and odor control plan are reviewed and approved by the Environmental Health Department.

*California State Annual Licenses*

The Department of Cannabis Control (DCC) is the lead state agency in regulating commercial cannabis licenses in California. A valid DCC license is required before performing any commercial cannabis activity. Types of commercial cannabis licenses include cultivation, distribution, manufacturing, testing laboratory, retail, and event organizers. State cannabis licenses must be renewed annually.

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## **RECOMMENDATION**

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It is recommended that the Planning Commission:

1. Forward to the Board of Supervisors with a recommendation of approval, Use Permit No. PA-2100164, Development Agreement No. PA-2200028 (Attachment F), Findings for Use Permit (Attachment D), Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan (Attachment E), and Conditions of Approval (Attachment G) contained in the Staff Report.

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**SAN JOAQUIN**  
— COUNTY —  
*Greatness grows here.*

## Community Development Department

Planning · Building · Code Enforcement · Fire Prevention · GIS

# Attachment A Site Plan

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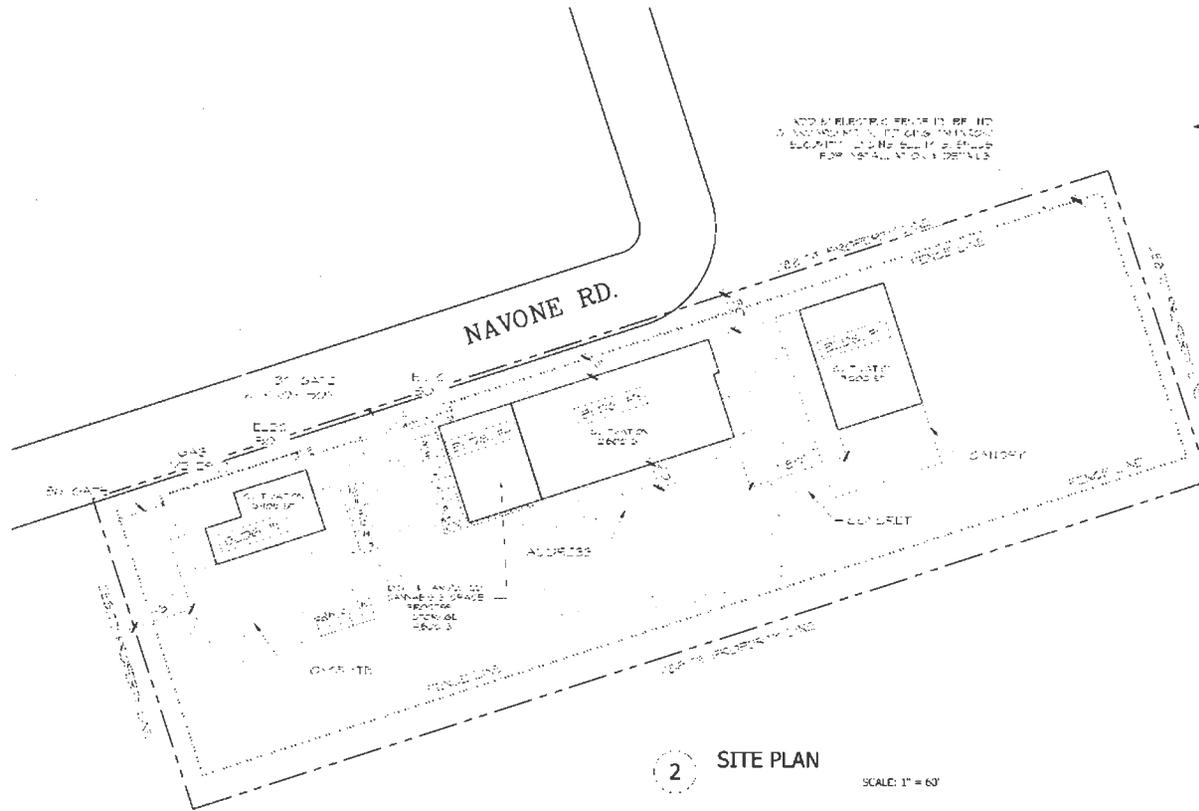


1 VICINITY MAP  
SCALE: NTS

JIANG'S PROPERTIES MNGMNT. LLC.  
330 RALSTON STREET  
SAN FRANCISCO, CA 94132

BUILDING #1,3,4 and 5  
6820 NAVONE RD.  
STOCKTON, CA 95205  
APN: 101-120-31

REVISED SITE PLAN  
Project # PA2100164



2 SITE PLAN  
SCALE: 1" = 60'

SHEET INDEX	
C1	COVER SHEET AND SITE PLAN
A1	BLDG #1 AND #5 FLOOR PLANS
A1.1	BLDG #1 AND #5 SECURITY LIGHTING
A1.2	BLDG #1 AND #5 PREMISES KEY
A2	BLDG #3 AND #4 FLOOR PLANS
A2.1	BLDG #3 AND #4 SECURITY LIGHTING
A2.2	BLDG #3 AND #4 PREMISES KEY
A3	BLDG #1 ELEVATIONS
A3.1	BLDG #5 ELEVATIONS
A3.2	BLDG #3 AND #4 ELEVATIONS

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## **Attachment B**

### **Response Letters**

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**DATE: 06-22-2022**

**PA- 2100164**

**Property owner:** Jiang's Properties Management, LLC  
330 Ralston St. San Francisco, CA 94132

**Applicant:** JKL Sunshine, Inc.  
6820 Navone Rd. Stockton

**APN / Address:** 101-120-31 / 6820 E. Navone Rd., Stockton

**Planner:** Alisa Goulart

**Project Description:** A Use Permit application for a commercial cannabis cultivation and production facility. The project proposes to convert an existing 7,000-square-foot building; a 13,200-square-foot building; and a 3,930-square-foot building to cannabis cultivation, and convert a 4,720-square-foot building for cannabis distribution. The facility will operate from 4:30 A.M. to 6:00 P.M. in 2 shifts, with 6 to 8 employees per shift. Onsite services will be provided for sewer, water, and storm water retention. This property is not under a Williamson Act Contract

**Building Conditions By:** Jay Clayton Interim Building Official (209) 468-9362

**BUILDING CODE REQUIREMENTS:** The following California Building Code (CBC) requirements will be applicable to the proposed project. The following items, along with a building permit application will be required when applying for a building permit through the Building Inspection Division:

1. A building permit for each separate structure or building is required. Submit plans, Specifications and supporting calculations, prepared by a Registered Design Professional (architect or engineer) for each structure or building, showing compliance with the applicable California Building Standards Code in effect on the application date for the building permit(s). Plans for the different buildings or structures may be combined into a single set of construction documents.
2. (Please visit <https://www.sjgov.org/commdev> for building permit check list(s) and application forms.
3. Projects that include the use of an existing structure or building that was approved with a different occupancy classification than the proposed use, will constitute a change of occupancy. A change of occupancy will require a code analysis report and necessary plans prepared by a Registered Design Professional (architect or engineer) in accordance with the California Building Code and Existing Building Code in effect on the application date for the building permit(s). The report and plans shall identify existing conditions, propose alterations necessary to bring each building into compliance with the code. The applicable accessibility requirements as outlined in Chapter 11B of the California Building code shall be included with the building permit plan set for each new or altered structure or building including the project site plan.
4. Adequate sanitary facilities shall be provided for the facility, per the requirements of Chapter 4 of the California Plumbing Code.
5. If the project includes landscaping, it will be required to comply with the Model Water Efficient Landscape Ordinance requirements of the California Code of Regulations, Title 22, Division 2, Chapter 2.7



**Department of Public Works**

**Kris Balaji, Director of Public Works**

**Fritz Buchman, Deputy Director/Development**

**David Tolliver, Deputy Director/Operations**

**Najee Zarif, Deputy Director/Engineering**

**Kristi Rhea, Business Administrator**

October 26, 2021

**MEMORANDUM**

**TO:** Community Development Department  
CONTACT PERSON: Alisa Goulart

**FROM:** Alex Chetley, Engineering Services Manager *CH* for  
Development Services Division

**SUBJECT:** PA-2100164; A Use Permit application for a commercial cannabis cultivation and production facility. The project proposes to convert an existing 7,000 square foot building, a 13,200 square foot building and a 3,930 square foot building to cannabis cultivation and convert a 4,720 square foot building for cannabis distribution; located on the south side of East Navone Road, 3,390 feet south of East Fairchild Lane, Stockton. (Supervisorial District 4)

**OWNER:** Jiang's Properties Management, LLC.                      **APPLICANT:** JKL Sunshine, Inc.

**ADDRESS:** 6820 E. Navone Road, Stockton                      **APN:** 101-120-31

**INFORMATION:**

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

Navone Road is a privately maintained road.

**RECOMMENDATIONS:**

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

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PA-2100164 (UP)

- 3) 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)
- 4) 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)
- 5) The Water Supply Facilities Impact Mitigation Fee shall be required for this development. The fee is due and payable prior to issuance of the building permit. The fee will be based on the current schedule at the time of payment. (Development Title Section 9-818.4 and Resolutions R-91-327, R-94-185 and R-97-5)
- 6) A copy of the Final Site Plan shall be submitted prior to release of building permit.
- 7) 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)

AC:CH



**Department of Public Works**

**Kris Balaji, Director of Public Works**

**Fritz Buchman, Deputy Director/Development**

**David Tolliver, Deputy Director/Operations**

**Najee Zarif, Deputy Director/Engineering**

**Kristi Rhea, Business Administrator**

May 13, 2022

**MEMORANDUM**

**TO:** Community Development Department  
CONTACT PERSON: Alisa Goulart

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

**SUBJECT:** PA-2100164 UP & PA-2200028 DA; Use Permit No. PA-2100164 and Development Agreement No. PA-2200028 applications for a commercial cannabis cultivation and distribution facility. The project proposes to convert an existing 7,000-square-foot building; a 13,200-square-foot building; and a 3,930-square-foot building for indoor cannabis cultivation; and convert a 4,720-square-foot building for cannabis distribution; located on the south side of East Navone Road, 3,390 feet south of East Fairchild Lane, Stockton. (Supervisory District 4)

**OWNER:** Jiang's Properties Management, LLC.

**APPLICANT:** JKL Sunshine, Inc.

**ADDRESS:** 6820 E. Navone Road, Stockton

**APN:** 101-120-31

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**RECOMMENDATIONS:**

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

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PA-2100164 (UP)

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AC:CH



## Environmental Health Department

**Jasjit Kang, REHS, Director**  
*Muniappa Naidu, REHS, Assistant Director*  
**PROGRAM COORDINATORS**  
Robert McClellon, REHS  
Jeff Carruesco, REHS, RDI  
Willy Ng, REHS  
Melissa Nissim, REHS  
Steven Shih, REHS

October 11, 2021

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

From: Michael Suszycki; (209) 598-7001   
Senior Registered Environmental Health Specialist

RE: **PA-2100164 (UP), Early Consultation, SU0014343 (2626)**  
**APN: 101-120-31 6820 E. Navone Rd., Stockton**

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

1. A soil suitability and nitrate loading study incorporating proposed staff and customer use shall be submitted to the Environmental Health Department, indicating that the area is suitable for septic system usage. The studies must be approved by the Environmental Health Department prior to issuance of building permit(s). (San Joaquin County Development Title, Section 9-1105.2(d)). The fee will be based on the current schedule at the time of payment.

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

2. 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 recordation of the Parcel Map. Samples are to be taken and analyzed by a State-approved laboratory (San Joaquin County Development Title, Section 9-1115.7).
3. Prior to issuance of building permit, submit to the Environmental Health Department revised site plans showing the location and configuration of any existing and proposed sewage disposal systems, along with the area required to be reserved for future sewage disposal repair/replacement (area for 100% sewage disposal replacement). The plans shall include the design calculations, including the maximum number of persons the sewage disposal system is proposed to serve. In addition, show on revised plans that the disposal field area will be barricaded so it cannot be driven over, parked on, or used as a storage area. This disposal field area must be used for that specific purpose only, and it cannot contain any underground utility lines (San Joaquin County Development Title, Section 9-1110.4(c)(5)).
4. An application for Waste Discharge Requirements must be submitted to the Central Valley Regional Water Quality Control Board prior to development (California Water Code, Article 4, Section 13260).

1868 E. Hazelton Avenue | Stockton, California 95205 | T 209 468-3420 | F 209 464-0138 | [www.sjgov.org/ehd](http://www.sjgov.org/ehd)

5. 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).
6. 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/](http://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). The applicant may contact the Program Coordinator of the CUPA program, Melissa Nissim (209) 468-3168, with any questions.
  - 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.
  - d) 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.).
  - e) Any amount of hazardous material stored in an Underground Storage Tank – Underground Storage Tank Program (HSC Sections 25286 & 25280 et sec.).
    - 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.
    - Additionally, an EHD UST permit to operate is required once the approved UST system is installed.
  - f) 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.).
    - Spill Prevention, Countermeasures and Control (SPCC) Plan requirement.
  - g) Threshold quantities of regulated substances stored onsite - California Accidental Release Prevention (CalARP) Program (Title 19, Section 2735.4 & HSC Section 25531 et sec.).
    - Risk Management Plan requirement for covered processes.

7. A valid Commercial Cannabis License is required to conduct Commercial Cannabis Activities. An approved Certification of Occupancy is required. Applicant shall contact Steven Shih, Program Coordinator, at (209) 468-9850 to obtain an application for Commercial Cannabis License (San Joaquin County Development Title, Section 4-10007 and 4-10013).



## Environmental Health Department

**Jasjit Kang, REHS, Director**  
*Muniappa Naidu, REHS, Assistant Director*  
**PROGRAM COORDINATORS**  
Robert McClellon, REHS  
Jeff Carruesco, REHS, RDI  
Willy Ng, REHS  
Melissa Nissim, REHS  
Steven Shih, REHS

October 28, 2021

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

From: Michael Suszycki; (209) 598-7001   
Senior Registered Environmental Health Specialist

RE: **PA-2100164 (UP), Early Consultation, SU0014343 (2626) - Revised**  
**APN: 101-120-31 6820 E. Navone Rd., Stockton**

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

1. A soil suitability and nitrate loading study incorporating proposed staff and customer use shall be submitted to the Environmental Health Department, indicating that the area is suitable for septic system usage. The studies must be approved by the Environmental Health Department prior to issuance of building permit(s). (San Joaquin County Development Title, Section 9-1105.2(d)). The fee will be based on the current schedule at the time of payment.

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

2. The existing private water wells shall be tested for 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).
3. Prior to issuance of building permit, submit to the Environmental Health Department revised site plans showing the location and configuration of any existing and proposed sewage disposal systems, along with the area required to be reserved for future sewage disposal repair/replacement (area for 100% sewage disposal replacement). The plans shall include the design calculations, including the maximum number of persons the sewage disposal system is proposed to serve. In addition, show on revised plans that the disposal field area will be barricaded so it cannot be driven over, parked on, or used as a storage area. This disposal field area must be used for that specific purpose only, and it cannot contain any underground utility lines (San Joaquin County Development Title, Section 9-1110.4(c)(5)).
4. Submit Water Provision Declaration form to the Environmental Health Department for review

1868 E. Hazelton Avenue | Stockton, California 95205 | T 209 468-3420 | F 209 464-0138 | [www.sjgov.org/ehd](http://www.sjgov.org/ehd)

5. 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.
6. 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/](http://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). The applicant may contact the Program Coordinator of the CUPA program, Melissa Nissim (209) 468-3168, with any questions.
  - 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.
  - d) 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.).
  - e) Any amount of hazardous material stored in an Underground Storage Tank – Underground Storage Tank Program (HSC Sections 25286 & 25280 et sec.).
    - 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.
    - Additionally, an EHD UST permit to operate is required once the approved UST system is installed.
  - f) 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.).
    - Spill Prevention, Countermeasures and Control (SPCC) Plan requirement.
  - g) Threshold quantities of regulated substances stored onsite - California Accidental Release Prevention (CalARP) Program (Title 19, Section 2735.4 & HSC Section 25531 et sec.).
    - Risk Management Plan requirement for covered processes.

7. A valid Commercial Cannabis License is required to conduct Commercial Cannabis Activities. An approved Certification of Occupancy is required. Applicant shall contact Steven Shih, Program Coordinator, at (209) 468-9850 to obtain an application for Commercial Cannabis License (San Joaquin County Development Title, Section 4-10007 and 4-10013).



## Environmental Health Department

**Jasjit Kang, REHS, Director**  
*Muniappa Naidu, REHS, Assistant Director*  
**PROGRAM COORDINATORS**  
Robert McClellon, REHS  
Jeff Carruesco, REHS, RDI  
Willy Ng, REHS  
Melissa Nissim, REHS  
Steven Shih, REHS  
Michelle Henry  
Elena Manzo

May 16, 2022

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

From: Frank Girardi; (209) 616-3044  
Senior Registered Environmental Health Specialist 

RE: **PA-2100164 (UP), PA-2200028 (DA) Referral, SU0014343 (2626); SU0014935 (2620)**  
**APN: 101-120-31 6820 E. Navone Rd., Stockton**

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

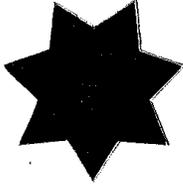
1. A soil suitability and nitrate loading study incorporating proposed staff and customer use shall be submitted to the Environmental Health Department, indicating that the area is suitable for septic system usage. The studies must be approved by the Environmental Health Department prior to issuance of building permit(s). (San Joaquin County Development Title, Section 9-1105.2(d)). The fee will be based on the current schedule at the time of payment.

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

2. The existing private water wells shall be tested for 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).
3. Prior to issuance of building permit, submit to the Environmental Health Department revised site plans showing the location and configuration of any existing and proposed sewage disposal systems, along with the area required to be reserved for future sewage disposal repair/replacement (area for 100% sewage disposal replacement). The plans shall include the design calculations, including the maximum number of persons the sewage disposal system is proposed to serve. In addition, show on revised plans that the disposal field area will be barricaded so it cannot be driven over, parked on, or used as a storage area. This disposal field area must be used for that specific purpose only, and it cannot contain any underground utility lines (San Joaquin County Development Title, Section 9-1110.4(c)(5)).
4. An application for Waste Discharge Requirements must be submitted to the Central Valley Regional Water Quality Control Board prior to development (California Water Code, Article 4, Section 13260).
5. Submit Water Provision Declaration form to the Environmental Health Department for review

1868 E. Hazelton Avenue | Stockton, California 95205 | T 209 468-3420 | F 209 464-0138 | [www.sjgov.org/ehd](http://www.sjgov.org/ehd)

6. 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).
7. 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.caiepa.ca.gov/](http://cers.caiepa.ca.gov/) and comply with the laws and regulations for the programs listed below (based on quantity of hazardous material in some cases). The applicant may contact the Program Coordinator of the CUPA program, Melissa Nissim (209) 468-3168, with any questions.
  - 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.
  - d) 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.).
  - e) Any amount of hazardous material stored in an Underground Storage Tank – Underground Storage Tank Program (HSC Sections 25286 & 25280 et sec.).
    - 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.
    - Additionally, an EHD UST permit to operate is required once the approved UST system is installed.
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  - g) Threshold quantities of regulated substances stored onsite - California Accidental Release Prevention (CalARP) Program (Title 19, Section 2735.4 & HSC Section 25531 et sec.).
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OFFICE OF  
**SHERIFF-CORONER**  
COUNTY OF SAN JOAQUIN

7000 Michael N. Canlis Blvd.  
French Camp, California 95231-9781

**Patrick Withrow**  
Sheriff-Coroner  
Public Administrator

October 11<sup>th</sup>, 2021

San Joaquin County  
Community Development Department  
Attn: Alisa Goulart  
1810 E. Hazelton Ave.  
Stockton, CA 95202

Dear Ms. Goulart,

The San Joaquin County Sheriff's Office is in receipt of Application Referral # PA-21-00164. This project is for a commercial cannabis cultivation and distribution facility located on the south side of E. Navone Rd., 3,390 feet south of E. Fairchild Lane, Stockton (APN/Address 101-120-31 / 6820 E. Navone Rd., Stockton). Upon review of the referral and corresponding attachments, the Sheriff's Office's position is that in the interest of public safety, the following requirements must be addressed before this project moves forward.

**Fencing** – A minimum of an 11' tall chain link dual perimeter fence must be in good repair and provide privacy (either solid/privacy slats or netting) constructed at or above industry standards. The entirety of the exterior fence line must include anti-climbing features (razor wire/barbed wire/etc.). A dual fence line perimeter system (exterior & interior) should run parallel at a maximum of 10' apart.

**Security guard** – It is recommended that a 24 hour licensed and armed private security guard (1 minimally, two recommended) be onsite.

**Alarms & Surveillance** – During hours of darkness (dusk to dawn), adequate and operational lighting within the area and around the entire exterior perimeter should be required. Alarm systems must be professionally monitored 24 hours a day (upon alarming) and include a beam-style system to cover the outer perimeter (large open areas) of the listed fence line. Motion detectors on interior portions of the operation along with glass breaks (where applicable). Also, industrial grade locking mechanisms must be installed on all entry/exit

CD-32

points (to include but not limited to man door(s)/vehicle gate(s)/roll-up door(s)).

The surveillance systems must be of High Definition (HD – 1080p) quality and cover all entry/exit points, areas where processed material(s), monies, and assets are stored, and cover the exterior perimeter fence line. A DVR or cloud-based backup system must archive video from all cameras for a minimum of 45 days. Onsite surveillance storage systems must be secured in a lockbox, cabinet, closet, or secured in another manner to protect from employee tampering or criminal theft. The surveillance system must allow remote access (via the internet) 24 hours a day by the Sheriff's Office.

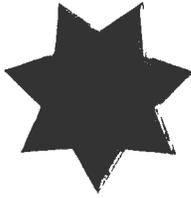
**Structures** – Structures as described within this application must ensure all walls and doors shall be of solid construction (not – plastic film) and shall include material designed to prevent entry except through designated entry/exit locations monitored by surveillance. Buildings associated with the cultivation, storage, and processing of cannabis shall be securable, lockable, and fully enclosed.

While this project is proposed as a single phase project, should it become a multi-phase project in the future, the Sheriff's Office requires reviewing and signing off the next phase security plan before authorizing the beginning of the next phase. This is to include onsite review, planning review, and signing off of these plans. If this project changes to a multi-phase project, the Sheriff's Office will require the same evaluation before authorization.

Sincerely,



Lieutenant J. Boles  
Community Revitalization Unit



**Patrick Withrow**  
Sheriff  
Public Administrator

OFFICE OF  
**SHERIFF**  
COUNTY OF SAN JOAQUIN  
7000 Michael N. Canlis Blvd.  
French Camp, California 95231-9781

February 3<sup>rd</sup>, 2022

To whom it may concern

**RE: Application for commercial cannabis cultivation; PA-2100164**

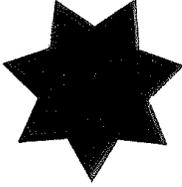
On 01/20/22, the San Joaquin County Metropolitan Narcotics Task Force concluded an investigation into an illegal marijuana cultivation operating throughout the county of San Joaquin.

Based on the outcome of the investigation, criminal charges were filed with the San Joaquin County District Attorney's Office for cultivation of marijuana, possession of marijuana for sale and conspiracy to commit a felony. These charges include persons who have been identified to be involved in this illegal cultivation and are directly involved in this application for a commercial cannabis cultivation.

Based on this information, it is the position of the Sheriff's Office that the consideration for this application is placed on hold pending the outcome of the criminal court case.

Sincerely,

Lieutenant James Boles



OFFICE OF  
**SHERIFF**

COUNTY OF SAN JOAQUIN

7000 Michael N. Canlis Blvd.  
French Camp, California 95231-9781

**Patrick Withrow**  
Sheriff  
Public Administrator

June 2<sup>nd</sup>, 2022

San Joaquin County  
Community Development Department  
Attn: Jennifer Jolley  
1810 E. Hazelton Ave.  
Stockton, CA 95202

Dear Ms. Jolley,

As discussed in our previous correspondence, the Sheriff's Office has concern of a commercial cannabis operation proposal located at 6820 Navone Rd., in the unincorporated area of the City of Stockton. While the Sheriff's Office maintains this concern, it is not directly related to an issue of land use entitlement purposes, which is separate from commercial cannabis licensing issues. As such, the Sheriff's Office has no opposition to the land use permit hearings and permitting process continuing.

In this project, as with all commercial cannabis projects, the Sheriff's Office requires a security plan to be submitted by the operator of the commercial cannabis operation, which will be reviewed and approved by the Sheriff's Office. This approval must be completed prior to issuance of any building permit for a commercial cannabis operation.

Sincerely,

Lieutenant J. Boles  
Administrative Lieutenant

CD-32

**Goulart, Alisa [CDD]**

---

**From:** Eric Walder <ewalder@wmfire.org>  
**Sent:** Thursday, June 9, 2022 11:28 AM  
**To:** Goulart, Alisa [CDD]  
**Cc:** Yolanda Palermo; Jason Culbertson  
**Subject:** Comment on Application PA - 2100164 and PA - 2200028

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

Good morning Alisa,

In regard to the application referral considering Commercial Cannabis the Waterloo Morada Fire District (WMFD) would like to provide comments regarding the commercial cannabis operation proposed off of Navone Rd. WMFD requests to be made aware of any manufacturing or extraction procedures otherwise known as honey oil that is commonly associated with large cannabis cultivations. These operations require the use of flammable and combustible gases to extract the THC product. Although initially this may not be part of the proposed operation, assurances and plans should be put in place to maintain compliance for the proposed use. It is unknown the impact this operation will have on the Fire Districts Operation and if there is a need or may be a need for the developer to mitigate any increased need for fire and life protection now or in the future.

Thank you,

*Eric G. Walder, EFO*

*Fire Chief*

**Waterloo Morada Fire District**

6925 E Foppiano Lane

Stockton, CA 95212

(209) 931-3107

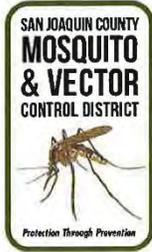
(209) 253-9455 cell

[www.wmfire.org](http://www.wmfire.org)



*OES Fire and Rescue Region IV Coordinator*

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OMAR KHWEISS  
MANAGER

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CITY OF STOCKTON

MICHAEL MANNA  
SAN JOAQUIN COUNTY

RICHARD SILVERMAN  
CITY OF MANTEGA

LEGAL ADVISOR  
CHRISTOPHER K. ELEY

May 24, 2022

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

**Re: PA-2100164**

San Joaquin County Mosquito and Vector Control District has reviewed the listed application referral(s) and provides the following comment(s):

1. PA-2100164

- Applicant must incorporate mosquito prevention best management practices for the design, construction, operations and maintenance of the proposed stormwater pond (copy of mosquito prevention/stormwater management guidelines attached).

Do not hesitate to contact me if you have any questions or need additional information.

Sincerely,

John Fritz  
Assistant Manager

7759 S. AIRPORT WAY, STOCKTON, CALIFORNIA 95206-3918  
(209) 982-4675 · FAX (209) 982-0120 · www.sjmosquito.org

### **General Stormwater Management Mosquito Control BMPs**

- Ensure Mosquito Control Agencies have access to infrastructure to inspect or make appropriate treatments when necessary.
- Manage sprinkler and irrigation systems to minimize runoff entering stormwater infrastructure.
- Avoid intentionally running water into stormwater systems by not washing sidewalks and driveways, washing cars on streets or driveways, etc.
- Inspect facilities weekly during warm weather for the presence of standing water or immature mosquitoes.
- Remove emergent vegetation and debris from gutters and channels that accumulate water.
- Consider mosquito production during the design, construction, and maintenance of stormwater infrastructure.
- Design and maintain systems to fully discharge captured water in 96 hours or less.
- Include access for maintenance in system design.
- Design systems with permanent water sources such as wetlands, ponds, sumps, and basins to minimize mosquito habitat and plan for routine larval mosquito inspection and control activities with the assistance of a local mosquito control program.

### **Stormwater Treatment Ponds and Constructed Treatment Wetlands**

- Whenever possible, stock stormwater ponds and constructed wetlands with mosquito-eating fish available from local mosquito control programs.
- Design and maintain accessible shorelines to allow for periodic maintenance and/or control of emergent and shoreline vegetation, and routine monitoring and control of mosquitoes. Emergent plant density should be routinely managed so mosquito predators can move throughout the vegetated areas and are not excluded from pond edges.
- Whenever possible, design and maintain deep zones in excess of four feet (1.2 m) to limit the spread of invasive emergent vegetation such as cattails. The edges below the water surface should be as steep as practicable and uniform to discourage dense plant growth that may provide immature mosquitoes with refuge from predators and increased nutrient availability.
- Use concrete or liners in shallow areas to discourage plant growth where vegetation is not necessary.
- Whenever possible, provide a means for easy dewatering if needed.
- Manage the spread and density of floating and submerged vegetation that encourages mosquito production (i.e., water hyacinth, water primrose, parrot's feather, duckweed, and filamentous algal mats).
- If possible, compartmentalize managed treatment wetlands so the maximum width of ponds does not exceed two times the effective distance (40 feet [12 m]) of land-based application technologies for mosquito control agents

#### **Reference:**

Best Management Practices for Mosquito Control in California (July 2012)  
Vector-Borne Disease Section  
California Department of Public Health  
<http://www.westnile.ca.gov/resources.php>



## 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.

### Ineligible for Coverage Under the SJMSCP

**To:** Alisa Goulart, San Joaquin County, Community Development Department

**From:** Laurel Boyd, SJCOG, Inc.

**Date:** September 20, 2021

**Local Jurisdiction Project Title:** PA-2100164 (UP)

**Assessor Parcel Number(s):** 101-120-31

**Local Jurisdiction Project Number:** PA-2100164 (UP)

Dear Ms. Goulart:

SJCOG, Inc. has reviewed the project referral for PA-2100164 (UP). This project consists of a Use Permit application for a commercial cannabis cultivation and production facility. The project proposes to convert an existing 7,000 square foot building; a 13,200 square foot building; and a 3,930 square foot building to cannabis cultivation, and convert a 4,720 square foot building for cannabis distribution. The facility will operate from 4:30 am to 6:00 pm in 2 shifts, with 6 to 8 employees per shift. Onsite services will be provided for sewer, water and storm water retention. The project site is on the south side of E. Navone Road, 3,390 feet south of E. Fairchild Lane, Stockton (APN/Address: 101-120-31/6820 E. Navone Road, Stockton).

The project description identifies **CANNABIS** as a part of the project. Cannabis is an illegal controlled substance under federal law (Title 21 USC Controlled Substances Act; <https://www.deadiversion.usdoj.gov/21cfr/21usc/>). The SJMSCP operates pursuant to a state and federal take permit. The federal permit was issued by the USFWS (a federal lead agency), and the federally issued permit **CANNOT** provide take coverage for the project impacts because the project includes activities that are illegal under federal law. Illegal activities are not permitted or eligible for coverage.

***This project CANNOT participate in the SJMSCP due to the inclusion of CANNABIS.***

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

1369192-2



October 13, 2021

Shirley Romero  
San Joaquin County  
Community Development Department  
1868 Hazelton Avenue  
Stockton, CA 95205

**Project: Conditional Use Permit for JKL Sunshine Corporation, Application No. PA-2100164**

**District CEQA Reference No: 20211020**

Dear Ms. Romero:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the project referenced above for San Joaquin County (County). The Project consists of converting an existing 7,000 square foot, 13,200 square foot, and 3,930 square foot building to a cannabis cultivation operation; and converting a 4,720 square foot building to a cannabis distribution warehouse (Project). The Project is located on 6820 E Navone Road in Stockton, CA (APN: 101-12-031).

The District offers the following comments regarding the Project:

1. It is important to note that cannabis growing, harvesting or processing operations, such as the proposed Project, are known to generate odors with a strong public nuisance potential. The District has reviewed the County adopted Cannabis Ordinance, which appropriately requires odor control as a condition of approval for cannabis operations. As discussed above the proposed Project would require odor control as indicated in the County's Cannabis Ordinance. Therefore, per the County's Cannabis Ordinance, the District recommends the County require odor control equipment prior to operation, as condition of approval for the proposed Project.

Cannabis operations are subject to District permits. The District recommends that the applicant contact the District prior to the start of facility construction to identify all applicable District rules and regulations that will apply to the proposed Project. As discussed above the proposed Project is likely to generate odors with a strong public nuisance potential. The odor control devices required to be installed must receive an Authority to Construct (ATC) permit from the District prior to installation and operation.

**Samir Sheikh**  
Executive Director/Air Pollution Control Officer

**Northern Region**  
4800 Enterprise Way  
Modesto, CA 95356-8718  
Tel: (209) 557-6400 FAX: (209) 557-6475

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

**Southern Region**  
34946 Flyover Court  
Bakersfield, CA 93308-9725  
Tel: (661) 392-5500 FAX: (661) 392-5585

[www.valleyair.org](http://www.valleyair.org)

[www.healthyairliving.com](http://www.healthyairliving.com)

Printed on recycled paper.

Additionally, if the proposed Project involves the installation of an engine to produce power using an electrical generator, it might be important that you be aware of the very strict state and local regulations that apply to this type of equipment. Furthermore, if it is determined that a permit is required for equipment proposed at the facility, then an ATC permit application must be submitted to the District and construction should not commence prior receiving an ATC permit from the District. District's Small Business Assistance (SBA) staff can be contacted at (209) 557-6446 to address any questions related to this matter.

The District has created a Cannabis Advisory to provide local public agencies and potential cannabis business operators located in the San Joaquin Valley with guidance regarding the air quality related requirements associated with this activity. For more information and guidance on how District rules and regulations apply to the aforementioned cannabis operations, please refer to the District's Cannabis Advisory at: <https://www.valleyair.org/busind/pto/cannabis-operations.htm>.

2. Based on information provided to the District, Project specific annual emissions of criteria pollutants are not expected to exceed any of the following District significance thresholds: 100 tons per year of carbon monoxide (CO), 10 tons per year of oxides of nitrogen (NOx), 10 tons per year of reactive organic gases (ROG), 27 tons per year of oxides of sulfur (SOx), 15 tons per year of particulate matter of 10 microns or less in size (PM10), or 15 tons per year of particulate matter of 2.5 microns or less in size (PM2.5). Therefore, the District concludes that the Project would have a less than significant impact on air quality when compared to the above-listed annual criteria pollutant emissions significance thresholds.
3. The proposed Project may be subject to District Rules and Regulations, including: Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). In the event an existing building will be renovated, partially demolished or removed, the Project may be subject to District Rule 4002 (National Emission Standards for Hazardous Air Pollutants). The above list of rules is neither exhaustive nor exclusive. To identify other District rules or regulations that apply to this Project or to obtain information about District permit requirements, the applicant can contact District's SBA staff at (209) 557-6446. Current District rules can be found online at: [www.valleyair.org/rules/1ruleslist.htm](http://www.valleyair.org/rules/1ruleslist.htm).
4. Should the proposed project result in at least 1-acre in size, the project proponent shall provide written notification to the District at least 48 hours prior to the project proponents intent to commence any earthmoving activities pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). Also, should the proposed project result in the disturbance of 5-acres or

more, or will include moving, depositing, or relocating more than 2,500 cubic yards per day of bulk materials, the project proponent shall submit to the District a Dust Control Plan pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). Should you have any questions regarding the written notification or Dust Control Plan requirements, please contact District Compliance staff at (559) 230-6062.

5. Per District Rule 9510 (Indirect Source Review) section 4.4.3, a development project on a facility whose primary functions are subject to District Rule 2201 or District Rule 2010 are exempt from the requirements of the rule. The District has reviewed the information provided and has determined that the primary functions of this Project are subject to District Rule 2201 (New and Modified Stationary Source Review Rule) or District Rule 2010 (Permits Required). As a result, District Rule 9510 requirements and related fees do not apply to the Project referenced above.
6. It is the policy of the State of California that renewable energy resources and zero-carbon resources supply 100% of retail sales of electricity to California end-use customers by December 31, 2045. While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, the production of solar energy is contributing to improving air quality and public health. The District suggests that the County consider the feasibility of incorporating solar power systems, as an emission reduction strategy for this Project.
7. The District recommends that a copy of the District's comments be provided to the Project proponent.

Thank you for your cooperation in this matter. If you have any questions or require further information, please contact Diana Walker by e-mail at [Diana.Walker@valleyair.org](mailto:Diana.Walker@valleyair.org) or by phone at (559) 230-5820.

Sincerely,

Brian Clements  
Director of Permit Services



For: Mark Montelongo  
Program Manager



June 9, 2022

Alisa Goulart  
San Joaquin County  
Community Development Department  
1868 Hazelton Avenue  
Stockton, CA 95205

**Project: Navone Road Cannabis Facility & PA-2100164**

**District CEQA Reference No: 20220659**

Dear Ms. Goulart:

The San Joaquin Valley Air Pollution Control District (District) has reviewed the Initial Study/Mitigated Negative Declaration (IS/MND) from the San Joaquin County (County). Per the IS/MND, the project consists of converting four (4) existing buildings totaling approximately 28,850 square feet to a cannabis cultivation operation/distribution warehouse (Project). The Project is located at 6820 Navone Road east of the City of Stockton.

The District offers the following comments regarding the Project:

**1) Project Related Emissions**

**1a) Construction Emissions**

The District recommends, to reduce impacts from construction-related diesel exhaust emissions, the Project should utilize the cleanest available off-road construction equipment, including the latest tier equipment.

**2) Truck Routing**

Truck routing involves the assessment of which roads Heavy Heavy-Duty (HHD) trucks take to and from their destination, and the emissions impact that the HHD trucks may have on residential communities and sensitive receptors. Per the IS/MND, the Project consists of a cannabis cultivation operation/distribution warehouse and has the potential to generate HHD truck trips (e.g. deliveries).

**Samir Sheikh**

Executive Director/Air Pollution Control Officer

**Northern Region**  
4800 Enterprise Way  
Modesto, CA 95356-8718  
Tel: (209) 557-6400 FAX: (209) 557-6475

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

**Southern Region**  
34946 Flyover Court  
Bakersfield, CA 93308-9725  
Tel: (661) 392-5500 FAX: (661) 392-5585

[www.valleyair.org](http://www.valleyair.org)

[www.healthyairliving.com](http://www.healthyairliving.com)

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The District recommends the County evaluate HHD truck routing patterns for the Project, with the aim of limiting exposure of residential communities and sensitive receptors to emissions. This evaluation would consider the current truck routes, the quantity and type of each truck (e.g., Medium Heavy-Duty, HHD, etc.), the destination and origin of each trip, traffic volume correlation with the time of day or the day of the week, overall Vehicle Miles Traveled (VMT), and associated exhaust emissions. The truck routing evaluation would also identify alternative truck routes and their impacts on VMT and air quality.

### **3) Reduce Idling of Heavy-Duty Trucks**

The goal of this strategy is to limit the potential for localized PM2.5 and toxic air contaminant impacts associated with failure to comply with the state's Heavy-Duty anti-idling regulation (e.g., limiting vehicle idling to specific time limits). The diesel exhaust from excessive idling has the potential to impose significant adverse health and environmental impacts.

Since the Project consists of a cannabis cultivation operation/distribution warehouse and has the potential to generate HHD truck trips (e.g. deliveries), the County should consider deploying strategies to ensure compliance of the anti-idling regulation, especially near sensitive receptors, and discuss the importance of limiting the amount of idling.

*Recommended Measure:* Construction and operational fleets limit vehicle idling pursuant to 13 CCR § 2485 and 13 CCR § 2480.

### **4) Electric On-Site Off-Road and On-Road Equipment**

Since the Project consists of a cannabis cultivation operation/distribution warehouse, it may have the potential to result in increased use of off-road equipment (e.g., forklifts). The District recommends that the IS/MND stipulate requirements for project proponents to utilize electric or zero emission off-road and on-road equipment.

### **5) Vegetative Barriers and Urban Greening**

There are residential units located east of the Project. The District suggests the County consider the feasibility of incorporating vegetative barriers and urban greening as a measure to further reduce air pollution exposure on sensitive receptors (e.g., residential units).

While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, vegetative barriers have been shown to be an additional measure to potentially reduce a population's exposure to air pollution through the interception of airborne particles and the uptake of gaseous

pollutants. Examples of vegetative barriers include, but are not limited to the following: trees, bushes, shrubs, or a mix of these. Generally, a higher and thicker vegetative barrier with full coverage will result in greater reductions in downwind pollutant concentrations. In the same manner, urban greening is also a way to help improve air quality and public health in addition to enhancing the overall beautification of a community with drought tolerant, low-maintenance greenery.

#### **6) Clean Lawn and Garden Equipment in the Community**

Since the Project consists of commercial development, gas-powered commercial lawn and garden equipment have the potential to result in an increase of NOx and PM2.5 emissions. Utilizing electric lawn care equipment can provide residents with immediate economic, environmental, and health benefits. The District recommends the Project proponent consider the District's Clean Green Yard Machines (CGYM) program which provides incentive funding for replacement of existing gas powered lawn and garden equipment. More information on the District CGYM program and funding can be found at: <http://www.valleyair.org/grants/cgym.htm> and <http://valleyair.org/grants/cgym-commercial.htm>.

#### **7) Electric Vehicle Chargers**

To support and accelerate the installation of electric vehicle charging equipment and development of required infrastructure, the District offers incentives to public agencies, businesses, and property owners of multi-unit dwellings to install electric charging infrastructure (Level 2 and 3 chargers). The purpose of the District's Charge Up! Incentive program is to promote clean air alternative-fuel technologies and the use of low or zero-emission vehicles. The District recommends that the County and project proponents install electric vehicle chargers at project sites, and at strategic locations.

Please visit [www.valleyair.org/grants/chargeup.htm](http://www.valleyair.org/grants/chargeup.htm) for more information.

#### **8) District Rules and Regulations**

The District issues permits for many types of air pollution sources, and regulates some activities that do not require permits. A project subject to District rules and regulations would reduce its impacts on air quality through compliance with the District's regulatory framework. In general, a regulation is a collection of individual rules, each of which deals with a specific topic. As an example, Regulation II (Permits) includes District Rule 2010 (Permits Required), Rule 2201 (New and Modified Stationary Source Review), Rule 2520 (Federally Mandated Operating Permits), and several other rules pertaining to District permitting requirements and processes.

The list of rules below is neither exhaustive nor exclusive. Current District rules can

be found online at: [www.valleyair.org/rules/1ruleslist.htm](http://www.valleyair.org/rules/1ruleslist.htm). To identify other District rules or regulations that apply to future projects, or to obtain information about District permit requirements, the project proponents are strongly encouraged to contact the District's Small Business Assistance (SBA) Office at (209) 557-6446.

**8a) District Rules 2010 and 2201 - Air Quality Permitting for Stationary Sources**

Stationary Source emissions include any building, structure, facility, or installation which emits or may emit any affected pollutant directly or as a fugitive emission. District Rule 2010 (Permits Required) requires operators of emission sources to obtain an Authority to Construct (ATC) and Permit to Operate (PTO) from the District. District Rule 2201 (New and Modified Stationary Source Review) requires that new and modified stationary sources of emissions mitigate their emissions using Best Available Control Technology (BACT).

As stated in the IS/MND, This Project will be subject to District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review) and will require District permits. Prior to construction, the Project proponent should submit to the District an application for an ATC. For further information or assistance, the project proponent may contact the District's SBA Office at (209) 557-6446.

**8b) District Rule 9510 - Indirect Source Review**

Per District Rule 9510 section 4.4.3, a development project on a facility whose primary functions are subject to District Rule 2201 or District Rule 2010 are exempt from the requirements of the rule. The District has reviewed the information provided and has determined that the primary functions of this Project are subject to District Rule 2201 (New and Modified Stationary Source Review Rule) or District Rule 2010 (Permits Required). As a result, District Rule 9510 requirements and related fees do not apply to the Project referenced above.

**8c) District Rule 4002 (National Emissions Standards for Hazardous Air Pollutants)**

In the event an existing building will be renovated, partially demolished or removed, the Project may be subject to District Rule 4002. This rule requires a thorough inspection for asbestos to be conducted before any regulated facility is demolished or renovated. Information on how to comply with District Rule 4002 can be found online at: <http://www.valleyair.org/busind/comply/asbestosbuln.htm>.

#### **8d) District Regulation VIII (Fugitive PM10 Prohibitions)**

As stated in the IS/MND, the project proponent will be required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan prior to commencing any earthmoving activities as described in Regulation VIII, specifically Rule 8021 – *Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities*.

Should the project result in at least 1-acre in size, the project proponent shall provide written notification to the District at least 48 hours prior to the project proponents intent to commence any earthmoving activities pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). Also, should the project result in the disturbance of 5-acres or more, or will include moving, depositing, or relocating more than 2,500 cubic yards per day of bulk materials, the project proponent shall submit to the District a Dust Control Plan pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). For additional information regarding the written notification or Dust Control Plan requirements, please contact District Compliance staff at (559) 230-5950.

The application for both the Construction Notification and Dust Control Plan can be found online at:

<https://www.valleyair.org/busind/comply/PM10/forms/DCP-Form.docx>

Information about District Regulation VIII can be found online at:

[http://www.valleyair.org/busind/comply/pm10/compliance\\_pm10.htm](http://www.valleyair.org/busind/comply/pm10/compliance_pm10.htm)

#### **8e) Other District Rules and Regulations**

The Project may also be subject to the following District rules: Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations).

**9) District Comment Letter**

The District recommends that a copy of the District's comments be provided to the Project proponent.

If you have any questions or require further information, please contact Patrick Chimienti by e-mail at [Patrick.Chimienti@valleyair.org](mailto:Patrick.Chimienti@valleyair.org) or by phone at (559) 230-6139.

Sincerely,

Brian Clements  
Director of Permit Services

A handwritten signature in black ink, appearing to read "Mark Montelongo". The signature is written in a cursive style with a large initial "M".

For: Mark Montelongo  
Program Manager

September 20, 2021

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

Ref: Gas and Electric Transmission and Distribution

Dear Alisa Goulart,

Thank you for submitting the PA-2100164 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](https://www.pge.com/en_US/business/services/building-and-renovation/overview/overview.page).
2. If the project being submitted is part of a larger project, please include the entire scope of your project, and not just a portion of it. PG&E's facilities are to be incorporated within any CEQA document. PG&E needs to verify that the CEQA document will identify any required future PG&E services.
3. An engineering deposit may be required to review plans for a project depending on the size, scope, and location of the project and as it relates to any rearrangement or new installation of PG&E facilities.

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

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

Sincerely,

Plan Review Team  
Land Management

### Attachment 1 – Gas Facilities

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## Attachment 2 – Electric Facilities

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

1. **Buildings and Other Structures:** No buildings or other structures including the foot print and eave of any buildings, swimming pools, wells or similar structures will be permitted within fee strip(s) and/or easement(s) areas. PG&E's transmission easement shall be designated on subdivision/parcel maps as "RESTRICTED USE AREA – NO BUILDING."
2. **Grading:** Cuts, trenches or excavations may not be made within 25 feet of our towers. Developers must submit grading plans and site development plans (including geotechnical reports if applicable), signed and dated, for PG&E's review. PG&E engineers must review grade changes in the vicinity of our towers. No fills will be allowed which would impair ground-to-conductor clearances. Towers shall not be left on mounds without adequate road access to base of tower or structure.
3. **Fences:** Walls, fences, and other structures must be installed at locations that do not affect the safe operation of PG&E's facilities. Heavy equipment access to our facilities must be maintained at all times. Metal fences are to be grounded to PG&E specifications. No wall, fence or other like structure is to be installed within 10 feet of tower footings and unrestricted access must be maintained from a tower structure to the nearest street. Walls, fences and other structures proposed along or within the fee strip(s) and/or easement(s) will require PG&E review; submit plans to PG&E Centralized Review Team for review and comment.
4. **Landscaping:** Vegetation may be allowed; subject to review of plans. On overhead electric transmission fee strip(s) and/or easement(s), trees and shrubs are limited to those varieties that do not exceed 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. Sprinklers systems may be allowed; subject to review. Leach fields and septic tanks are not allowed. Construction plans must be submitted to PG&E for review and approval prior to the commencement of any construction.

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

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

12. Construction Activity: Since construction activity will take place near PG&E's overhead electric lines, please be advised it is the contractor's responsibility to be aware of, and observe the minimum clearances for both workers and equipment operating near high voltage electric lines set out in the High-Voltage Electrical Safety Orders of the California Division of Industrial Safety (<https://www.dir.ca.gov/Title8/sb5g2.html>), as well as any other safety regulations. Contractors shall comply with California Public Utilities Commission General Order 95 ([http://www.cpuc.ca.gov/gos/GO95/go\\_95\\_startup\\_page.html](http://www.cpuc.ca.gov/gos/GO95/go_95_startup_page.html)) and all other safety rules. No construction may occur within 25 feet of PG&E's towers. All excavation activities may only commence after 811 protocols has been followed.

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

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

October 15, 2021

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

Re: PA-2100164 Cannabis Site  
6820 E Navone Road, Stockton, CA

Dear Alisa Goulart,

Thank you for providing PG&E the opportunity to review your proposed plans for PA-2100164 Cannabis Site dated September 17, 2021. Our review indicates your proposed improvements do not appear to directly interfere with existing PG&E facilities or impact our easement rights.

Please note this is our preliminary review and PG&E reserves the right for additional future review as needed. This letter shall not in any way alter, modify, or terminate any provision of any existing easement rights. If there are subsequent modifications made to your design, we ask that you resubmit the plans to the email address listed below.

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

As a reminder, before any digging or excavation occurs, please contact Underground Service Alert (USA) by dialing 811 a minimum of 2 working days prior to commencing any work. This free and independent service will ensure that all existing underground utilities are identified and marked on-site.

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

Sincerely,

PG&E Plan Review Team  
Land Management

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**Goulart, Alisa [CDD]**

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**From:** Anna Cheng <acheng@auburnrancheria.com>  
**Sent:** Tuesday, May 31, 2022 12:45 PM  
**To:** Goulart, Alisa [CDD]  
**Subject:** PA-2100164 (UP), PA-2200028 (DA)

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

Dear Ms. Goulart,

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

Best,  
Anna Cheng

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



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

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



## **Attachment C**

### **Environmental Review**

Due to the size of this attachment the document is available as a separate file. Attachment C is available on the CDD website at the following location:

<https://www.sjgov.org/commdev/cgi-bin/cdyn.exe/file/APD%20Documents/PA-2100164/07-21-22%20PC%20Staff%20Report%20-%20Attachment%20C%20-%20Environmental%20Review.PDF>

Please be advised that the file may take a while to download and open.

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**SAN JOAQUIN**  
—COUNTY—  
*Greatness grows here.*

## Community Development Department

Planning · Building · Code Enforcement · Fire Prevention · GIS

# **Attachment D**

## **Findings for Use Permit**

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## FINDINGS FOR USE PERMIT

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PA-2100164 (UP)  
JIANG'S PROPERTIES MANAGEMENT, LLC / JKL SUNSHINE, INC.

1. The proposed use is consistent with the goals, policies, standards, and maps of the General Plan, any applicable Master Plan, Specific Plan, and Special Purpose Plan, and any other applicable plan adopted by the County.
  - **This finding can be made because the use type Commercial Cannabis – Cultivation and Distribution may be conditionally permitted in the AG-40 (General Agriculture, 40-acre minimum) zone with an approved Use Permit application and Commercial Cannabis Development Agreement. The project site has a General Plan designation of A/G (General Agriculture), and the AG-40 zone is an implementing zone for this designation. There are no Master Plans, Specific Plans, or Special Purpose Plans in the vicinity.**
2. Adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, and the proposed improvements are properly related to existing and proposed roadways.
  - **This finding can be made because adequate utilities, access roads, sanitation, drainage, and other necessary facilities have been provided and the proposed improvements are properly related to existing and proposed streets and highways. The project site is already served by a wastewater treatment system and storm drainage retention pond. A well will be constructed under permit and inspection by the Environmental Health Department. Additionally, all activities of the proposed project will be conducted indoors as required by Development Title Section 9-1090.3(c).**

The locational criteria for Commercial Cannabis – Cultivation projects that take place on a parcel located in the AG zone require that the parcel be located a maximum of 2,000 feet from a major intersection or arterial road. A project can be on a parcel that is located more than 2,000 feet from a major intersection or arterial road if the following criteria are found to be true:

- **There is sufficient ease of access from the proposed parcel to an arterial road;**
- **There is sufficient access for emergency vehicles; and,**
- **The applicant demonstrates that the parcel can be secured to the satisfaction of the County.**

The subject property is located on Navone Road and is located 4,165 feet from a major intersection. Navone Road connects to Fairchild Lane which connects with State Route 88, a major intersection. Both Navone Road and Fairchild Lane are over 25-feet wide, paved, and well-maintained. From that point on State Route 88, it is approximately 2 miles to State Route 99. This roadway network provides ease of access to and from the project site, including for emergency vehicles. The project location has been reviewed by the San Joaquin County Sheriff's Office and the Waterloo-Morada Fire District and was found to have adequate access. Lastly, the applicant will work with the San Joaquin County Sheriff's office to demonstrate that the parcel can be secured to the department's satisfaction.

3. The site is physically suitable for the type of development and for the intensity of development.
  - **This finding can be made because the 6.99-acre parcel is of adequate size and shape to accommodate the proposed uses and the existing cold storage use which will remain, as well as yards, building coverage, setbacks, parking areas and other requirements of the Development Title.**
4. Issuance of the permit will not be significantly detrimental to the public health, safety, or welfare, or be injurious to the property or improvements of adjacent properties.

- **This finding can be made because the Initial Study prepared for this project found no potential environmental impacts that could not be mitigated to a less than significant level. Adoption of the Mitigation Monitoring and Reporting Plan will ensure that all mitigation measures are completed. The project has been conditioned to meet San Joaquin County development regulations that protect public health, safety, and welfare and ensure the project is not injurious to adjacent properties.**

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.**



**SAN JOAQUIN**  
— COUNTY —  
*Greatness grows here.*

## Community Development Department

Planning · Building · Code Enforcement · Fire Prevention · GIS

# **Attachment E**

## **Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan**

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**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-2100164 and Development Agreement No. PA-2200028

**PROJECT LOCATION:** The project site is located on the south side of E. Navone Rd.; 3,390 feet south of E. Fairchild Ln., Stockton, San Joaquin County. (APN/Address: 101-120-31 / 6820 E. Navone Rd., Stockton) (Supervisorial District: 4)

**PROJECT DESCRIPTION:** Use Permit No. PA-2100164 and Development Agreement No. PA-2200028 applications for a commercial cannabis cultivation and distribution facility. The project proposes to convert an existing 7,000-square-foot building; a 13,200-square-foot building; and a 3,930-square-foot building for indoor cannabis cultivation; and convert a 4,720-square-foot building for cannabis distribution. The facility will operate from 4:30 A.M. to 6:00 P.M. in two shifts, with 6 to 8 employees per shift. On site services will be provided for water, sewer, and storm water detention. A 10-foot-high electrified fence will surround the facility.

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

**PROPONENT:** Jiang's Properties Management, LLC / JKL Sunshine, Inc.

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 Mitigated Negative Declaration and Initial Study can be viewed on the Community Development Department website at [www.sjgov.org/commdev](http://www.sjgov.org/commdev) under Active Planning Applications.

Date: May 12, 2022

Contact Person:  
 Alisa Goulart Phone: (209) 468-0222 FAX: (209) 468-3163 Email: [alisa.goulart@sjgov.org](mailto:alisa.goulart@sjgov.org)

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Impact	Mitigation Measure/Condition	Type of Review		Agency for Monitoring and Reporting Compliance	Action Indicating Compliance or Review	Verification of Compliance or Annual Review of Conditions		
		Monitoring	Reporting			By	Date	Remarks
IV. Biological Resources	Should tree removal associated with the proposed project be required during the general avian nesting season (February 1 to August 31), removal shall be proceeded by a survey by a qualified biologist. If active nests are found, adequate marking of the nest site shall be provided, and tree or vegetation removal in the vicinity of the nest shall be delayed until the young fledge.		X	SI County Community Development Department	Applicant reporting.			

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## **Attachment F Development Agreement**

Due to the size of this attachment the document is available as a separate file. Attachment F is available on the CDD website at the following location:

[https://www.sjgov.org/commdev/cgi-bin/cdyn.exe/file/APD%20Documents/PA-2100164/07-21-22%20PC%20Staff%20Report%20-%20Attachment F%20-%20Development%20Agreement.PDF](https://www.sjgov.org/commdev/cgi-bin/cdyn.exe/file/APD%20Documents/PA-2100164/07-21-22%20PC%20Staff%20Report%20-%20Attachment%20F%20-%20Development%20Agreement.PDF)

Please be advised that the file may take a while to download and open.

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## **Attachment G**

### **Conditions of Approval**

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# CONDITIONS OF APPROVAL

PA-2100164

JIANG'S PROPERTIES MANAGEMENT, LLC / JKL SUNSHINE, INC.

Use Permit Application No. PA-2100164 and Development Agreement PA-2200028 were approved by the Board of Supervisors on . The effective date of approval is . This approval will expire on , which is eighteen (18) months from the effective date of approval, unless (1) all Conditions of Approval have been complied with, (2) all necessary building permits have been issued and remain in force, and (3) all necessary permits from other agencies have been issued and remain in force.

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

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

- 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 for a commercial cannabis cultivation and distribution facility to include utilizing three existing structures totaling 24,130 square-feet for use in cannabis cultivation, and one existing 4,720-square-foot structure for use in cannabis distribution as shown on the site plan dated September 10, 2021. (Use Type: Commercial Cannabis – Cultivation and Distribution)
- c. **COMMERCIAL CANNABIS DEVELOPMENT AGREEMENT:** The project shall comply with the terms of Development Agreement No. PA-2200028.
- d. **MITIGATION MONITORING AND REPORTING PROGRAM (MMRP):** The project shall comply with all required mitigations included in the MMRP dated July 3, 2022 (attached).
- e. **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)
- f. **PRE-CONSTRUCTION ACTIVITY:** A pre-construction survey shall be performed prior to commencement of tree or vegetation removal taking place during the general avian nesting season (February 1 – August 31) subject to the following measure:
  1. Removal shall be proceeded by a survey by a qualified biologist. If active nests are found, adequate marking of the nest site shall be provided, and tree or vegetation removal in the vicinity of the nest shall be delayed until the young fledge.
- e. **PARKING:** Off-street parking shall be provided and comply with the following:
  1. All driveways and maneuvering areas shall be surfaced and permanently maintained with asphalt concrete or Portland cement to provide a durable, dust free surface. Bumper guards shall be provided when necessary to protect adjacent structures or properties. (Development Title Section 9-1015.5[e])
  2. A minimum of 18 parking spaces shall be required. (Development Title Section 9-1015.9)

- f. **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 25 feet for two-way aisles and 16 feet for one-way aisles, except that in no case shall driveways designated as fire department access be less than 20 feet wide. (Development Title Section 9-1015.5[h][1])
- g. **LIGHTING:** Lighting shall be provided and comply with the following:
1. If the parking area is to be used at night, parking lot lighting shall be installed. (Development Title Section 9-1015.5[g])
  2. Any lighting shall be designed to confine direct rays to the premises. No spillover beyond the property lines shall be permitted except onto public thoroughfares, provided, however, that such light shall not cause a hazard to motorists. (Development Title Section 9-1015.5[g][4])
- h. **SIGNS:** All signage must comply with applicable provisions of Chapters 9-1700, Title 4, Division 10, Chapter 1 Section 4-10048, and Code of Regulations Title 16, Division 42, Bureau of Cannabis Control Article 4, and include the following restrictions:
1. No product signs inside the premises shall be viewable by the public from outside the premises.
  2. Off-premises signs shall be prohibited by licensee or third party. (Development Title Section 9-1090.3(i))
- i. **TRIBAL CULTURAL RESOURCES:** If, in the course of development, potential tribal cultural resources (TCRs) are discovered, all work within 100 feet of the find shall halt until a Tribal Representative from a California Native American tribe that is traditionally and culturally affiliated with a geographic area can evaluate the materials and make recommendations for further action.
- j. **BUILDING DEPARTMENT:** The following California Building Code (CBC) requirements will be applicable to the proposed project. The following items, along with a building permit application will be required when applying for a building permit through the Building Inspection Division:
1. A building permit for each separate structure or building is required. Submit plans, Specifications and supporting calculations, prepared by a Registered Design Professional (architect or engineer) for each structure or building, showing compliance with the applicable California Building Standards Code in effect on the application date for the building permit(s). Plans for the different buildings or structures may be combined into a single set of construction documents.
  2. Please visit <https://www.sjgov.org/commdev> for building permit check list(s) and application forms.
  3. Projects that include the use of an existing structure or building that was approved with a different occupancy classification than the proposed use, will constitute a change of occupancy. A change of occupancy will require a code analysis report and necessary plans prepared by a Registered Design Professional (architect or engineer) in accordance with the California Building Code and Existing Building Code in effect on the application date for the building permit(s). The report and plans shall identify existing conditions, propose alterations necessary to bring each building into compliance with the code. The applicable accessibility requirements as outlined in Chapter 11B of the California Building code shall be included with the building permit plan set for each new or altered structure or building including the project site plan.
  4. Adequate sanitary facilities shall be provided for the facility, per the requirements of Chapter 4 of the California Plumbing Code.
  5. If the project includes landscaping, it will be required to comply with the Model Water Efficient Landscape Ordinance requirements of the California Code of Regulations, Title 22, Division 2,

## Chapter 2.7

2. DEPARTMENT OF PUBLIC WORKS (Contact: [209] 468-3000)
  - a. An encroachment permit shall be required for all work within road right-of-way. (Note: Driveway encroachment permits are for flatwork only – all vertical features, including but not limited to fences, walls, private light standards, rock, landscaping and cobbles are not allowed in the right-of-way.) (Development Title Sections 9-1145.4 and 9-1145.5)
  - b. The driveway approach shall be improved in accordance with the requirements of San Joaquin County Improvement Standards Drawing No. R-17 prior to issuance of the occupancy permit. (Development Title Section 9-1145.5)
  - c. The 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. (Resolutions R-00-433)
  - d. 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)
  - e. A copy of the Final Site Plan shall be submitted prior to release of building permit.
  - f. The Water Supply Facilities Impact Mitigation Fee shall be required for this development. The fee is due and payable prior to issuance of the building permit. The fee will be based on the current schedule at the time of payment. (Development Title Section 9-818.4 and Resolutions R-91-327, R-94-185 and R-97-5)
  - g. A copy of the Final Site Plan shall be submitted prior to release of building permit.
  - h. The developer shall provide drainage facilities in accordance with the San Joaquin County Development Standards. Retention basins shall be fenced with 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)
3. ENVIRONMENTAL HEALTH DEPARTMENT (Contact: [209] 468-3420)
  - a. A soil suitability and nitrate loading study incorporating proposed staff and customer use shall be submitted to the Environmental Health Department (EHD), indicating that the area is suitable for septic system usage. The studies must be approved by the EHD prior to issuance of building permit(s). (San Joaquin County Development Title, Section 9-1105.2[D]). The fee will be based on the current schedule at the time of payment.

The sewage disposal system shall comply with the onsite wastewater treatment systems standards of San Joaquin County prior to approval. A percolation test conducted in accordance with the E.P.A. Design Manual – Onsite Wastewater and Disposal Systems is required for each parcel. The fee will be based on the current schedule at the time of payment.
  - b. The existing private water wells shall be tested for nitrates with the results submitted to the EHD 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).
  - c. Prior to issuance of building permit, submit to the EHD revised site plans showing the location and configuration of any existing and proposed sewage disposal systems, along with the area required to be reserved for future sewage disposal repair/replacement (Area for 100% sewage disposal replacement). The plans shall include the design calculations, including the maximum number of persons the sewage disposal system is proposed to serve. In addition, show on revised plans that

the disposal field area will be barricaded so it cannot be driven over, parked on, or used as a storage area. This disposal field area must be used for that specific purpose only, and it cannot contain any underground utility lines (San Joaquin County Development Title, Section 9-1110.4[c][5]).

- d. An application for Waste Discharge Requirements must be submitted to the Central Valley regional Water Quality Control Board prior to development (California Water Code, Article 4, Section 13260).
- e. Submit Water Provision Declaration form to the EHD for review.
- f. Any geotechnical drilling shall be conducted under permit and inspection by the EHD (San Joaquin County Development Title, Section 9-1115.3 and 9-1115.6).
- g. Before any hazardous materials/waste can be stored or used onsite, the owner/operator must report the use or storage of these hazardous materials in the California Environmental Reporting System (CERS) at [cers.calepa.ca.gov/](http://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). The applicant may contact the Program Coordinator of the Certified Unified Program Agencies (CUPA) program, Melissa Nissim (209) 468-3168, with any questions.
  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.
  4. 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.).
  5. Any amount of hazardous material stored in an Underground Storage Tank – Underground Storage Tank Program (HSC Sections 25286 & 25280 et sec.).
    - If an underground storage tank (UST) system will be installed, a permit is required to be submitted to, and approved by, the EHD before any UST installation work can begin.
    - Additionally, an EHD UST permit to operate is required once the approved UST system is installed.
  6. 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.).
    - Spill Prevention, Countermeasures and Control (SPCC) Plan requirement.
  7. Threshold quantities of regulation substances stored onsite – California Accidental Release Prevention (CalARP) Program (Title 19, Section 2735.4 & HSC Section 25531 et sec.).
    - Risk Management Plan requirement for covered processes.
- h. A valid Commercial Cannabis License is required to Conduct Commercial Cannabis Activities. An approved Certification of Occupancy is required. Applicant shall contact Steven Shih, Program

Coordinator, at (209) 468-9850 to obtain an application for Commercial Cannabis License (San Joaquin County Development Title, Section 4-10007 and 4-10013).

4. SJ COUNTY SHERIFF'S OFFICE (Contact: [209] 468-4400)
  - a. A security plan shall be reviewed and approved by the Sheriff's Office prior to issuance of a building permit.
  
5. AIR POLLUTION CONTROL DISTRICT (Contact: [559] 230-6000)
  - a. To reduce impacts from construction-related diesel exhaust emissions, the Project should utilize the cleanest available off-road construction equipment, including the latest tier equipment.
  - b. Ensure compliance with the state's Heavy-Duty anti-idling regulation (e.g., limiting vehicle idling to specific time limits).
  - c. Utilize electric or zero emission off-road and on-road equipment.
  - d. The District suggests incorporating vegetative barriers and urban greening to further reduce air pollution exposure on sensitive receptors.
  - e. Prior to commencing construction on any permit-required equipment or process, including odor control devices, a finalized Authority to Construct (ATC) must be issued to the Project proponent by the District.
  - f. Current District rules can be found online at: [www.valleyair.org/rules/1ruleslist.htm](http://www.valleyair.org/rules/1ruleslist.htm). To identify other District rules or regulations that apply to this project or to obtain information about District permit requirements, the application is strongly encouraged to contact the District's Small Business Assistance (SBA) Office at (209) 557-6446.
  
6. MOSQUITO & VECTOR CONTROL DISTRICT (Contact: [209] 982-4675)
  - a. Applicant must incorporate mosquito prevention best management practices for the design, construction, operations and maintenance of the proposed stormwater pond.
    1. General Stormwater Management Mosquito Control BMPs:
      - A. Ensure Mosquito Control Agencies have access to infrastructure to inspect or make appropriate treatments when necessary.
      - B. Manage sprinkler and irrigation systems to minimize runoff entering stormwater infrastructure.
      - C. Avoid intentionally running water into stormwater systems by not washing sidewalks and driveways, washing cars on streets or driveways, etc.
      - D. Inspect facilities weekly during warm weather for the presence of standing water or immature mosquitoes.
      - E. Remove emergent vegetation and debris from gutters and channels that accumulate water.
      - F. Consider mosquito production during the design, construction, and maintenance of stormwater infrastructure.
      - G. Design and maintain systems to fully discharge captured water in 96 hours or less.
      - H. Include access for maintenance in system design.

- I. Design systems with permanent water sources such as wetlands, ponds, sumps, and basins to minimize mosquito habitat and plan for routine larval mosquito inspection and control activities with the assistance of a local mosquito control program.
2. Stormwater Treatment Ponds and Constructed Treatment Wetlands:
    - A. Whenever possible, stock stormwater ponds and constructed wetlands with mosquito-eating fish available from local mosquito control programs.
    - B. Design and maintain accessible shorelines to allow for periodic maintenance and/or control of emergent and shoreline vegetation, and routine monitoring and control of mosquitoes. Emergent plant density should be routinely managed so mosquito predators can move throughout the vegetated areas and are not excluded from pond edges.
    - C. Whenever possible, design and maintain deep zones in excess of 4 feet (1.2 m) to limit the spread of invasive emergent vegetation such as cattails. The edges below the water surface should be as steep as practicable and uniform to discourage dense plant growth that may provide immature mosquitoes with refuge from predators and increased nutrient availability.
    - D. Use concrete or liners in shallow areas to discourage plant growth where vegetation is not necessary.
    - E. Whenever possible, provide a means for easy dewatering if needed.
    - F. Manage the spread and density of floating and submerged vegetation that encourages mosquito production (i.e., water hyacinth, water primrose, parrot's feather, duckweed, and filamentous algal mats).
    - G. If possible, compartmentalize managed treatment wetlands so the maximum width of ponds does not exceed 2 times the effective distance (40 feet [12 m]) of land-based application technologies for mosquito control agents.



**STAFF ANALYSIS ONLY:** The full report is available on the CDD website.

**Planning Commission Staff Report**  
**Item # 2, July 21, 2022**

**General Plan Amendment No. PA-2200131**  
**Master Plan Amendment No. PA-2100205**  
**Specific Plan Amendment No. PA-2100206**  
**Zoning Reclassification No. PA-2200132**  
**Revision to Approved Action No. PA-0600327**

**Prepared by: John B. Anderson**

**PROJECT SUMMARY**

**Applicant Information**

**Property Owner:** Mountain House Developer, LLC, a Delaware limited liability company  
**Project Applicant:** Resmark Companies

**Project Site Information**

**Project Address:** Undeveloped portions of Mountain House, Specific Plan Area II including Neighborhood's H, I, J, K, L and the Town Center.  
**Project Location:** The project site is located north and south of Byron Highway and includes lands south of Old River along Kelso Road, Mountain House.

<b>Parcel Number (APN):</b>	Numerous	<b>Water Supply:</b>	Public (MHCSD)
<b>General Plan Designation:</b>	C/R, C/C, C/G, M/X, R/L, R/M, R/MH, R/H, P, OS/O, I/L, I/G	<b>Sewage Disposal:</b>	Public (MHCSD)
<b>Zoning Designation:</b>	R-VL, R-L, R-M, R-MH, C-N, C-O, C-G, C-C, C-R, M-X, I-L, OS/RC, OS/O, P-F	<b>Storm Drainage:</b>	Public (MHCSD)
<b>Project Size:</b>	645 ± acres	<b>100-Year Flood:</b>	Yes (X)
<b>Parcel Size:</b>	645 ± acres	<b>Williamson Act:</b>	No
<b>Community:</b>	Mountain House	<b>Supervisory District:</b>	5

**Environmental Review Information**

**CEQA Determination:** Mitigated Negative Declaration (Attachment A, Initial Study and Mitigated Negative Declaration, dated April 2022)

## Project Description

This project consists of five (5) separate applications: 1) a General Plan Amendment No. PA -2200131; 2) a Master Plan Amendment No. PA-2100205 (MP); 3) a Specific Plan II Amendment No. PA-2100206 (SP); 4) a Zoning Reclassification No. 2200132; and 5) a Revision to Approved Action No. PA – 0600327.

The proposed project is part of a multi stepped process initiated in late 2020 by Mountain House Developers, LLC (MHD) to modify the approved Tentative Maps for Neighborhoods I and L to better respond to market conditions. The earlier concept was to promote age-restricted and age-targeted housing types such as Del Webb and other housing product which would benefit from the Golf Course amenities. MHD believes this market condition was overstated in 2004 with the original Specific Plan II approvals. MHD is therefore seeking to reduce the number of age restricted housing from a planned 2,587 units to 873. Step One involved a revised lotting plan and circulation plan for various Neighborhoods north of the Byron Highway. These revisions were found to be in substantial conformance with the approved Tentative Map by the Community Development Department (CDD) on July 21, 2021 (Attachment B – CDD TM Conformity).

Step two of the modifications initiated by MHD involved numerous changes to text, map figures and tables in the Mountain House Master Plan and Mountain House Specific Plan II (Attachments C, D and E).

The project would result in changes to the following areas within the Master Plan/Specific Plan II including the Town Center, and Neighborhoods H, I, J, and L. MHD is also requesting the elimination of the prior Condition of Approval requiring that Neighborhood I be restricted to active-adult residents. Step two discussed above requires amendments to the Master Plan, Specific Plan II, and revisions to the conditions of approval for Neighborhood I. Additionally, MHD is proposing to add a 16-acre K-8 school site to accommodate the additional students generated by the proposed changes to Neighborhood I to allow non-age restricted housing.

Specific changes to the Mountain House Master Plan and Specific Plan II include:

### Town Center

- *Redesignate 5.2 acres of PF (Private Facility-Private) to Residential Medium High (RMH) with a potential yield of 73 residential dwelling units.*
- *Relocate 1.8 acres of PF (Public Facility) earmarked for a future police station from Vivaldi Street to the southwest corner of Raphael Street and Byron Road.*
- *Redesignate 4.1 acres of MX (Mixed Use) land uses to Community Park.*
- *Eliminate a segment of Vivaldi Street (from Raphael Street to Providence) and integrate that segment into Community Park. This may also require a right-of-way vacation by the MHCSO.*

### Neighborhood H

- *Redesignate 11.5 acres from RH (Residential High, Senior) to RMH (Residential Medium Density) with a potential yield of 161 dwelling units.*
- *Eliminate Senior designation for 5-acre RMH (Residential Medium Density) parcel with a yield of 70 dwelling units.*

### Neighborhood I

- *Eliminate the active-adult designation from the entire neighborhood by amending the Master Plan, Specific Plan II, and the approved Tentative Subdivision Map.*
- *Redesignate 16 acres from Commercial Recreation Open Space (OS) to K-8 School.*
- *Redesignate 5 acres from Commercial Recreation OS to Neighborhood Park.*

## Neighborhood J

- *Redesignate approximately 20 acres from Commercial Recreation OS to PF (Public Facilities-Community Park). This is the relocation of North Community Park from its current location east of Central Parkway and north of Byron Road.*

## Neighborhood L

- *Redesignate 22 acres from Community Park to PF (Public Facilities-Private). (The anticipated specific uses for the PF are not known at this time.)*
- *Relocate the K-8 School approximately 1,000 feet south of its prior proposed location.*
- *Relocate Neighborhood Park approximately 1,300 feet south of its prior proposed location.*
- *Relocate 1-acre Neighborhood Commercial site approximately 1,300 feet south-east of its existing location.*

## **Recommendations**

1. Forward a recommendation to the Board of Supervisors to approve the suggested General Plan Amendment Application No. 2200131 and proposed Mitigated Negative Declaration with the “Basis for a General Plan Amendment” (Attachment H);
2. Forward a recommendation to the Board of Supervisors to approve the suggested Mountain House Master Plan Amendment Application No. 2100204 with the “Basis for a Master Plan Amendment” and Specific Plan II Amendment (Attachment I);
3. Forward a recommendation to the Board of Supervisors to approve the suggested Mountain House Specific Plan II Amendment No. 2100205 with the “Basis for Specific Plan Amendment” (Attachment J);
4. Forward a recommendation to the Board of Supervisors to approve the Zone Reclassification Application No. 2200132 for the effected properties based on the ability to make the required “Basis for Zone Reclassification.” (Attachment K);
5. Forward a recommendation to the Board of Supervisors to approve Revisions for Actions for Major Subdivision Application No. PA-0600327, based on the Revisions of Approved Action Findings, the Revised Conditions of Approval, and the previously approved findings for Major Subdivision Application No. PA-0600327 contained within this staff report (Attachment L).

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# NOTIFICATION & RESPONSES

(See Attachment F, Response Letters)

## Public Hearing Notices

Legal ad for the public hearing published in the Stockton Record: July 11, 2022.

Number of Public Hearing notices: 305

Date of Public Hearing notice mailing: July 8, 2022.

## Referrals and Responses

Early Consultation Date: October 1, 2021

### Project Referral with Environmental Determination

Date: April 11, 2022

Mitigated Negative Declaration Posting Date:

April 11, 2022

OPR State Clearinghouse #:

2022040227

Agency Referrals	Response Date - Early Consultation	Response Date - Referral
<b>County Departments</b>		
Ag Commissioner		
Assessor		
Community Development	5/5/22	
Building Division		
Fire Prevention Bureau		
Public Works	12/27/21	
Environmental Health	10/28/21	
General Services		
Sheriff Office		
Surveyor		
SJC Parks & Rec		
<b>State Agencies</b>		
A.B.C.		
Department of Transportation		
District 10		
Division of Aeronautics		
C.H.P.		
C.R.W.Q.C.B.		5/10/22
C.V.F.P.B.		
Fish & Wildlife, Division:		
O.E.S.		
<b>Federal Agencies</b>		
F.A.A.		
F.E.M.A.		
Army Corps of Engineers		

Agency Referrals	Response Date - Early Consultation	Response Date - Referral
<b>Local Agencies</b>		
A.L.U.C.		
CalWater		
MHCSD		
Motetzuma Fire District		
Mosquito & Vector Control		
S.J.C.O.G.		
San Joaquin Farm Bureau		
SJVAPCD		
SSJID		
Byron Airport		
Lammersville Unified		
Contra Costa County Reclamation District #: 773 Fabian Tract		
<b>Miscellaneous</b>		
A.T.&T.		
B.I.A.		
Builders Exchange		
Carpenters Union		
Haley Flying Service		
Kathy Perez		
P.G.&E.		
Precissi Flying Service		
Sierra Club		
UPRR		
Buena Vista Rancheria		
Jerry Gonsalves		
David Dacus		

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# ANALYSIS

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## **Background**

Mountain House is a 4,784-acre Master Plan Community located in western San Joaquin County. The Mountain House Master Plan was approved in 1994 after certification of Final Environmental Impact Report (State Clearinghouse No. 90020776) for the Mountain House Master Plan and Specific Plan I.

Subsequently, Specific Plan II was approved in 2004 to implement the goals and objectives of the Master Plan for Neighborhoods C, D, H, I, J, K, L and the Town Center. An Initial Study and Mitigated Negative Declaration were approved prior to adoption of Specific Plan II. Concurrent with the approval of Specific Plan II, the Master Developer (Trimark Communities, LLC) and San Joaquin County executed a Specific Plan II Development Agreement, amendments to the Master Plan and other related Community Approvals. Collectively, these approvals vested the rights of the developer to develop the number of dwelling units and non-residential acreage specified in Specific Plan II. More specifically, the developer of Specific Plan II has a vested right to build out according to the policies, standards, and ordinances of San Joaquin County existing at the time the Development Agreement was executed. This right is a Vested Element of the Development Agreement between the Developer and San Joaquin County. Part of the Vested Element includes the density and pace of development of Specific Plan II. The Development Agreement date was December 1, 2000, and date of expiration is December 1, 2025.

Neighborhoods C, D, H and portions of the Town Center have been fully developed in accordance with community approvals. Significant infrastructure was installed by Mountain House Developers (MHD) in 2006 to support Neighborhoods I, J, K and L. As a result of mass grading and infrastructure installation, approximately 85% of the project area previously approved for development has been disturbed. In total, MHD has spent over \$24 Million for infrastructure to support developments north of Byron Road (Neighborhoods I, J, K and L). Specifically, a bridge across Byron Road and the railroad tracks, two miles of underground utilities (storm drain pipelines, gravity sewer pipelines, sewer force main pipelines and water pipelines, reclaimed water lines) and grading. The grading included the excavation of ponds that serve as storm water quality treatment facilities for current and future Mountain House subdivisions. Storage reservoirs were also constructed in the Neighborhood L area to store treated effluent from the Mountain House Community Services District (MHCS D) Wastewater Treatment Plant. These reservoirs have been decommissioned and will eventually be demolished.

In 2007, Master Plan Amendment (PA-0600335) and Specific Plan II Amendment (PA-0600337) were approved. The 2007 approvals revised the Neighborhoods I and J land plans and included new tentative maps to implement a new lot layout, revise the golf course layout and eliminate the previously proposed work within the boundaries of Dry Creek (which would have required a United States Army Corps of Engineers Section 404 Permit pursuant to the Clean Water Act) in favor of leaving the existing Dry Creek wetland areas in place.

After the conclusion of the mass grading work, but before the roadways were paved, MHD put development on hold in 2008 due to the Great Recession. MHD has since maintained the Neighborhoods I, J, K and L area and the storm water quality features within it.

Master Plan Amendment (PA-1700002) and Specific Plan II Amendment (PA-1700004) were approved in 2017, revising the land plan of the Town Center to adjust the roadway network and relocate various land uses within the Town Center.

Master Plan Amendment (PA-1800039) and Specific Plan II Amendment (PA1800040) were approved in 2019, in order, to reflect Neighborhoods J and K Final Map refinements in the Master Plan and Specific Plan II, including lot layout revisions, conversion of the golf course to open space and reallocation of a portion of the age restricted units within Neighborhoods J and K.

MHD is now preparing to develop Neighborhoods I, J, K and L in phases, and is seeking slight modifications to the community approvals to reflect changed market conditions. The modifications do not increase the number of approved units or the overall density or intensity of development.

## History

On July 21, 2021, the Community Development Department approved a request from MHD to find the minor modifications to the approved Tentative Maps for Neighborhoods I and L to be in substantial conformance with PA-0600327 (Attachment B). The changes are depicted below:

Figure 1 – Neighborhood I – Approved Tentative Map vs. Proposed Final Map

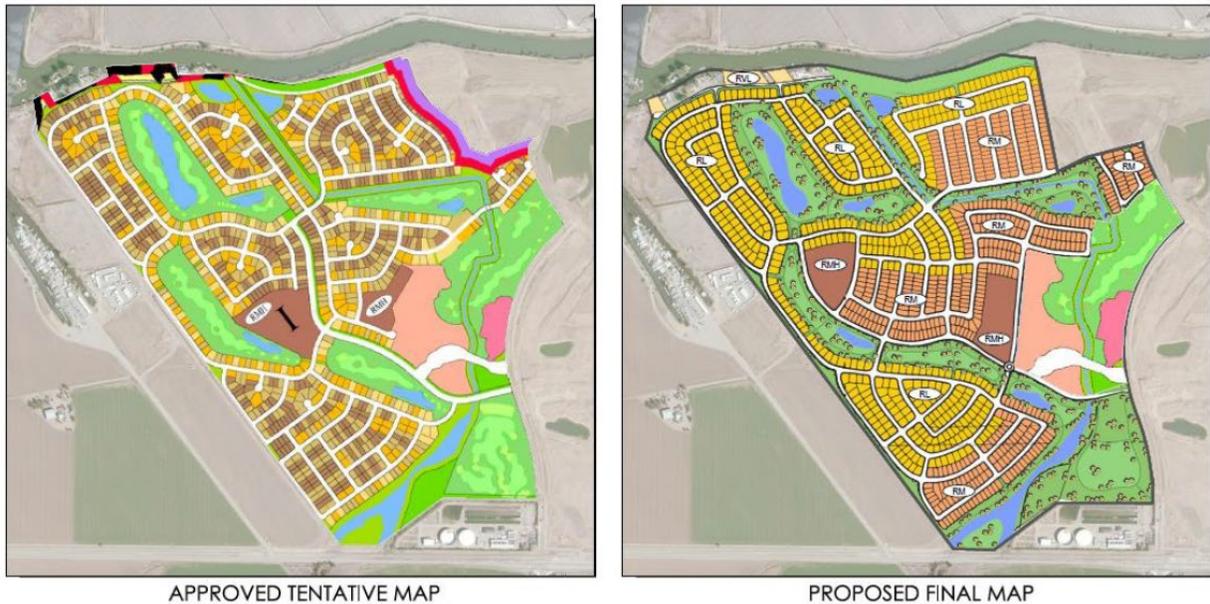
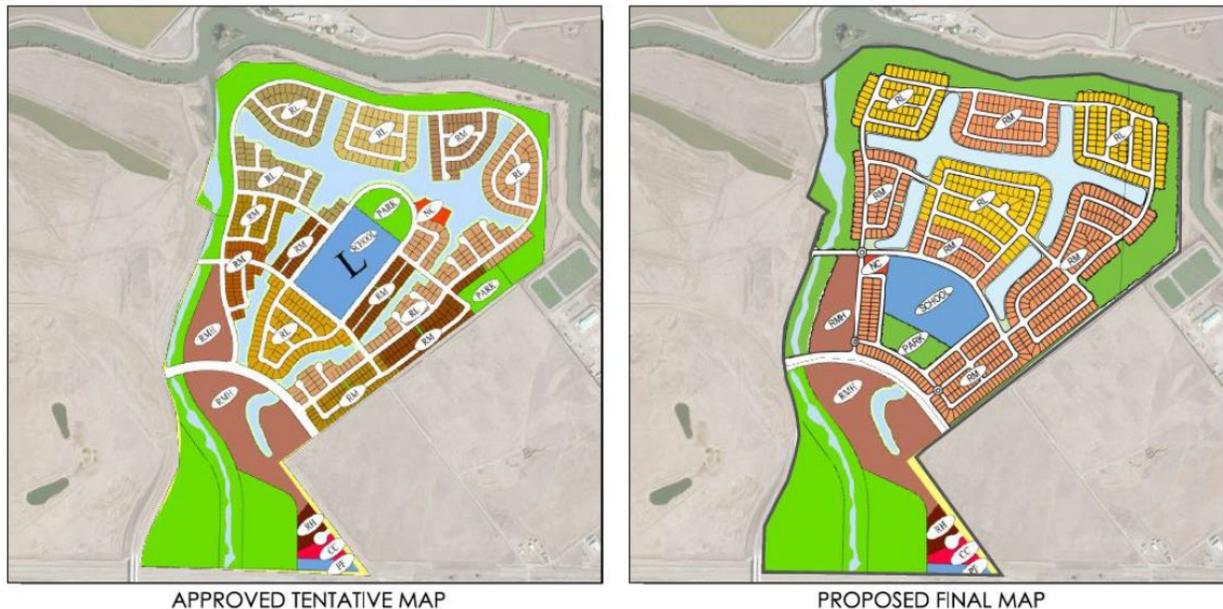


Figure 2 -Neighborhood L – Approved Tentative Map vs. Proposed Final Map



## The General Plan Map Amendment, Master Plan Amendment, Specific Plan II Amendment and Zone Reclassification

As described above under the project description MHD has suggested a number of changes to the development plan to accommodate concerns expressed by the Mountain House CSD, as well as the Lammersville Unified School District. The objectives of these amendments is to:

1. Update the Neighborhood I and L Tentative Subdivision Maps to reflect current market demand, without increasing the total number of dwelling units. In particular, to eliminate the requirement that each house in Neighborhood I be occupied by active-adult residents aged 55 and above.
2. As part of eliminating the active-adult designation in Neighborhood I, provide a K-8 school site to accommodate school age kids within the subdivision.
3. Modify the land use designations in Neighborhood H to reflect changed market demand, to balance the reduced higher density units in Neighborhood H by rezoning a corresponding acreage of higher density units in the Town Center, and to ensure no net loss of higher density housing.
4. Expand the acreage and location of the Central Community Park to accommodate the recreational needs of the Mountain House community, while ensuring that recreational services can be delivered in an efficient and cost-effective manner.
5. Relocate North Community Park to a more central location with easier vehicular and pedestrian access for residents

To accommodate these changes a number of modifications needed to be made to the text, figures and tables in both the Master Plan as well as the Specific Plan II (Attachments C, D, and E). All of these changes are supported by the MHCSD, SJ County, and Lammersville Unified SD.

### **Age Restricted Housing, Senior Housing and Revisions to Approved Action**

The number of senior residential Units within the Mountain House Master Plan has varied over time. The original Master Plan adopted November 10, 1994 included 261 senior residential units. Small changes were made in subsequent amendments. In 2004, Specific Plan II was adopted and the Master Plan was amended to significantly increase the total number of senior residential and age-restricted housing units in Mountain House to 2,905. A 2019 Specific Plan Amendment reduced the number of age restricted housing units to 2, 587. The proposed amendments by MHD in 2022 would reduce the total number of senior residential units in Mountain House to about 873. This proposal would suggest elimination of conditions associated with Neighborhood I for age restricted housing, (see Attachment L for Modified Conditions). At 873 senior residential units, there are still 612 more senior residential units in the proposed Master Plan revisions than the 261 senior residential units that were anticipated in the original 1994 Master Plan.

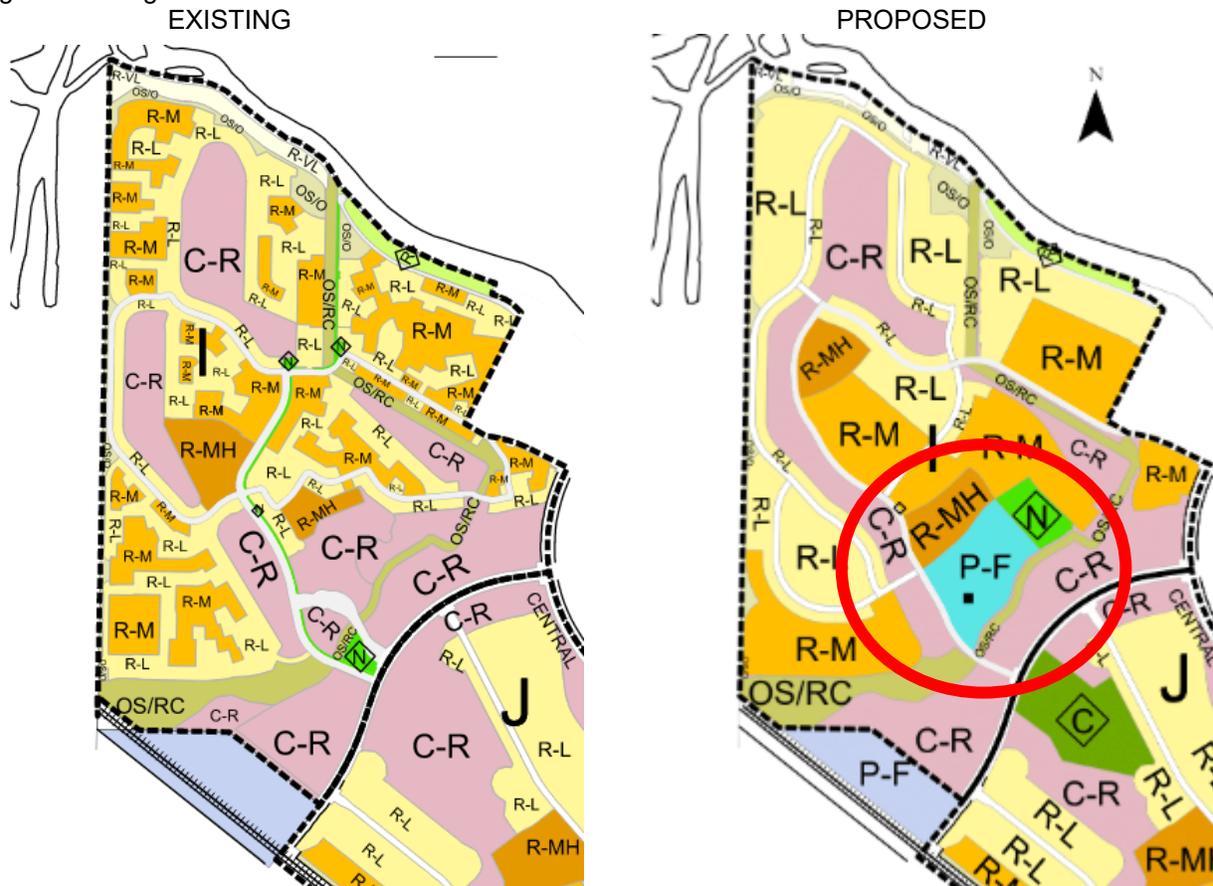
Figure 3 – Remaining Active Adult Areas - Neighborhood J &K



### **Neighborhood I and Student Demand for K-8 Schools**

Because of the requested change from age restricted housing to non-age restricted housing, MHD has had to revise the approved land plan to accommodate an additional K-8 school site in Neighborhood I. The requirement and proposed location has been coordinated with the MHCSD and the Lammersville Unified School District. Figure 4 below depicts the proposed changes to Neighborhood I.

Figure 4 – Neighborhood I – Planned K-8 School and Park Site



**Parks and Open Space**

In 2020 the MHCS D retained MIG, Inc. of Berkeley to evaluate the Parks and Opens Space functions both existing and planned within the Mountain House Community. The efforts by the MHCS D and MIG resulted in broad range of community involvement including well over 700 completed survey’s, and numerous open house events where residents could state their views relative to community parks priorities. The original 2004 Mountain House Master Plan suggested a network of parks and open space comprised of nearly 727 acres at a planned park to population ratio of 18.5 acres of park per 1,000 residents. In comparison, the County standard is 5 acres per 1,000 population and the City of Tracy provides 6 acres per 1,000 population.

Through the efforts of MIG, Inc, the MHCS D evaluated the approved 2004 Master Plan Parks and Open Space requirements against the desires of the community while balancing financial responsibilities associated with maintaining the resources suggested. The results of MIG, Inc. work was published in May of 2021 and suggested many changes to the adopted Mountain House Master Plan and associated Specific Plans (Attachment B). MHCS D is in the process of working with the County to determine the best course of action to fully incorporate the suggestions of the MIG study into the adopted Master Plan and Specific Plans. Meaning that CDD staff will be bringing back to the Planning Commission and the Board of Supervisors at a future date, a comprehensive revision to the Mountain House Planning documents to memorialize the suggested Parks and Open Space changes by mitigation. A significant change to reduce the amount of Parks and Open Space to 480 acres and a revised park to population ratio of 10.4 acres of parks per 1,000 residents. Figure 5 represents the latest concept.

Figure 5 – MHCS D Parks, Trails and open Space Concept



The MHD proposal presented in this application includes notable revisions to the Parks and Open Space Plan as envisioned with the 2004 Master Plan. First, the proposed North Community Park will be relocated from Neighborhood L to the western edge of Neighborhood J. Second the proposed elementary school in Neighborhood I will be matched with a 5-acre Neighborhood Park. Lastly the 4.1-acre property designated for MX uses is being proposed for P-F to accommodate an expansion of the Community Park in the Town Center.

Figure 6 – Neighborhood I - Neighborhood Park and Neighborhood J – Community Park  
 EXISTING PROPOSED

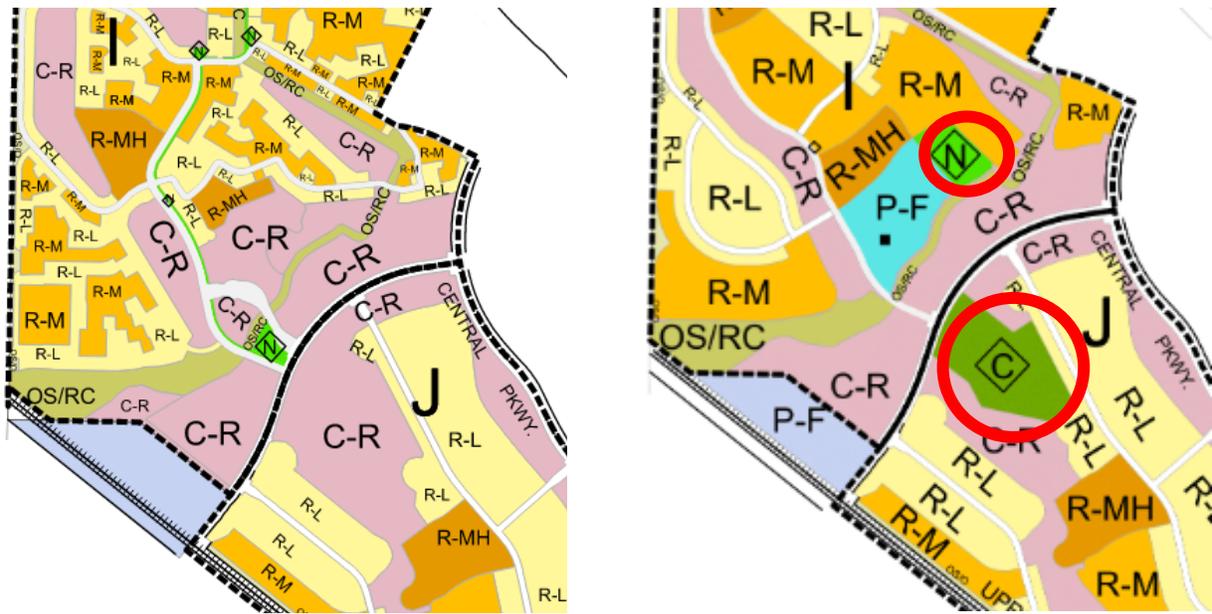
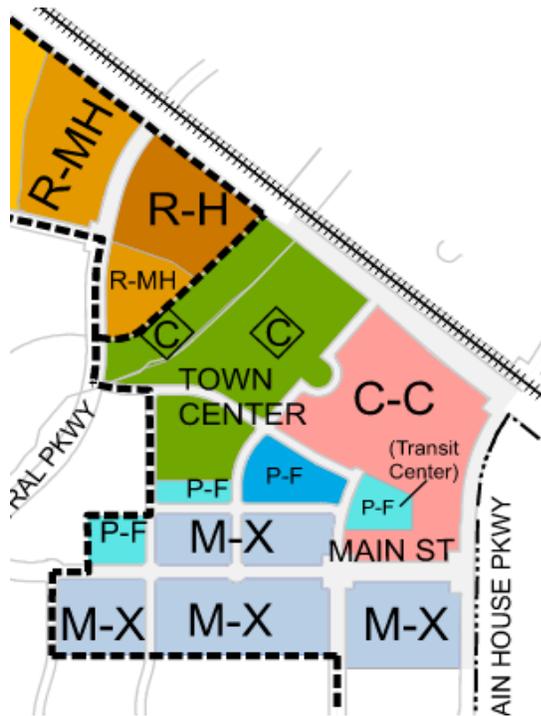
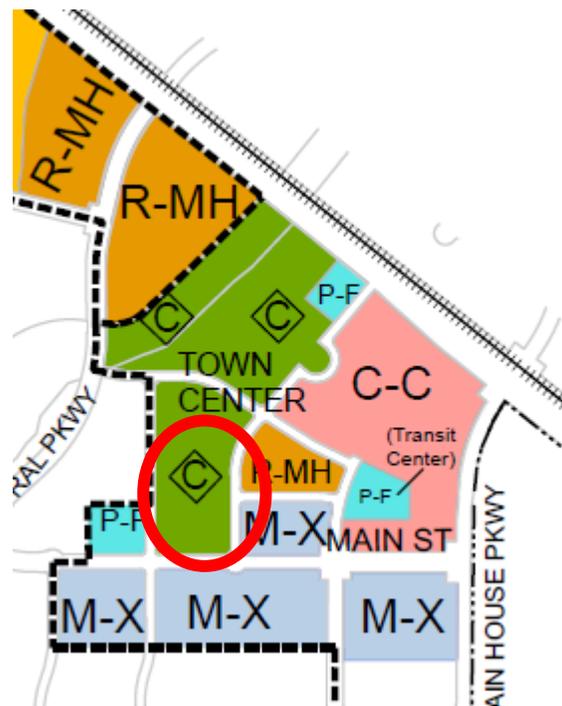


Figure 7 – Town Center – Community Park Expansion  
 EXISTING



PROPOSED



**Kelso Road Association**

Tremendous concern has been expressed regarding the commitments of the developers to the existing homes along the Old River levee at the end of Kelso Road. This is the area along the project’s northern boundary adjacent to Neighborhood I. To confirm the developers have committed to installing a new paved road complete with wet and dry utilities. Access to this new roadway will be provided by the developers of Neighborhood I in a number of locations illustrated below through publicly maintained access point to the

adjacent subdivision streets. The current temporary access constructed by MHD to serve the Kelso Road residents will be abandoned in favor of this new permanent access.

Figure 8 – Kelso Road Access points through Neighborhood I



### **SB 5 and 200-Year Flood Compliance**

Since the initial adoption of the Mountain House Master Plan in 1994 and the Specific Plan II in 2004, the State of California has imposed planning requirements and development restrictions within defined waterways in California. Old River is one of the affected waterways. SB 5 200-year flood protection signed into law by the Governor in 2007 imposed a greater level of required flood protection as determined by the Department of Water Resources through Urban Level of Flood Protection Criteria (ULOPC). The ULOPC requires that Urban Level of Flood Protection (ULOP) be defined for affected areas and includes consideration for impacts associated with climate change. As part of these proposed amendments MHD retained the professional expertise of Peterson Brustad, Inc to define the ULOP area for the neighborhoods adjacent to Old River. The modeling criteria was as defined by the State through the 2017 updated Central Valley Flood Protection Plan modified by the San Joaquin Area Flood Control Agency (SJAFCFA).

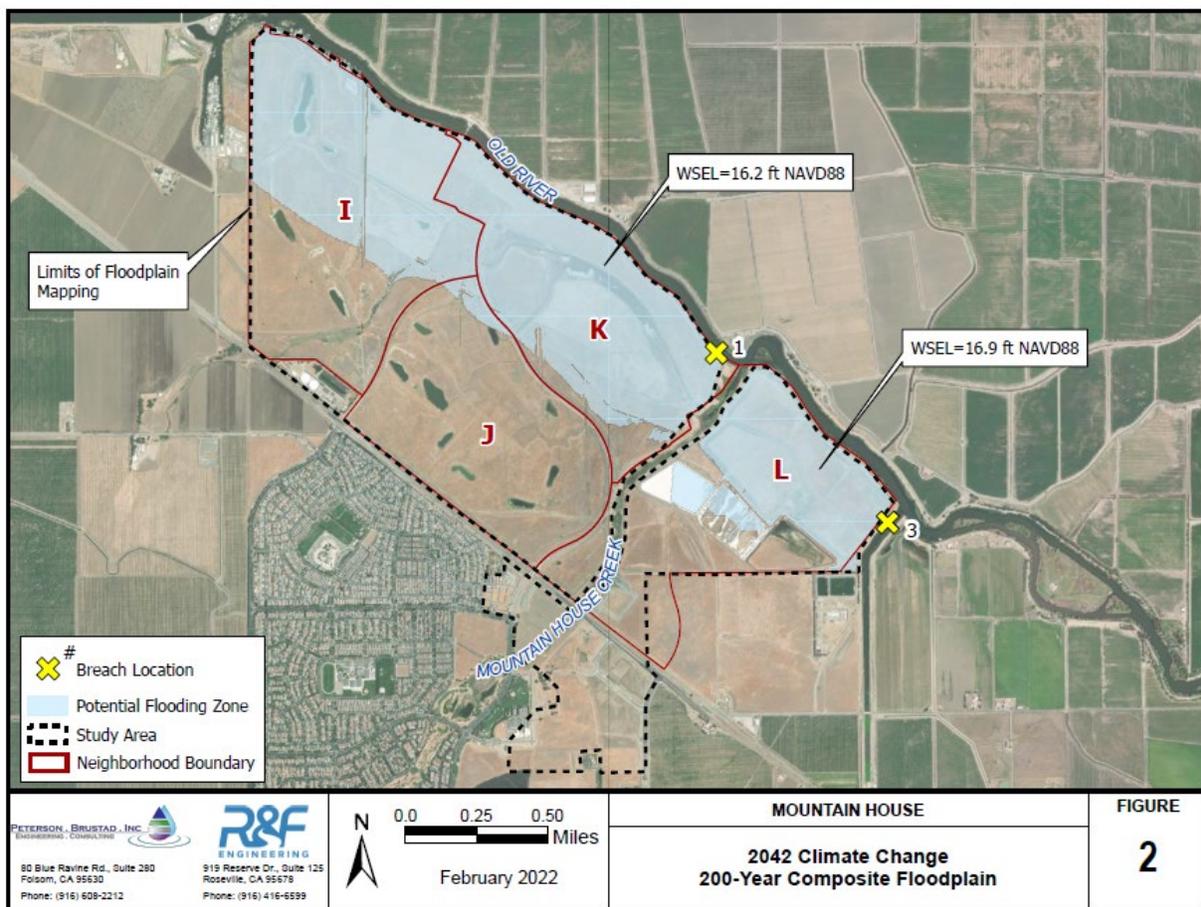
The Peterson Brustad Inc. memorandum prepared for the project dated March 9, 2022 used the best available information, as required by SB 5, to determine that the 200-year floodplain water surface elevation in the Specific Plan II area (presented in the IS/MND with Attachment A). The Peterson Brustad study of 2022 identified a flood elevation of 16.2 feet for Neighborhoods I, J and K, and 16.9 feet for Neighborhood L (Peterson Brustad Inc. and R&F Engineering 2022). Therefore, the building pad elevations must have a minimum elevation of 13.2 feet for Neighborhoods I, J and K and 13.9 feet for Neighborhood L. The applicant proposes to mitigate this potential flood hazard by using engineered fill to fill the areas behind the existing levee and elevate proposed building pads so that the building pads will not experience more than 3 feet of flooding during a 200-year flood event.

The applicant is further proposing to place a notation on all Final Maps which reads: “

**SB 5 COMPLIANCE**

200-YEAR FLOODPLAIN MODELING AND MAPPING FOR THE MOUNTAIN HOUSE COMMUNITY (COMMUNITY) WAS PREPARED BY PETERSON BRUSTAD, INC. (PBI) AND THE RESULTS WERE ISSUED IN A MEMO DATED MARCH 9, 2022 (COPY ON FILE WITH BOTH THE PUBLIC WORKS DEPARTMENTS OF MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT (PWMHCS) AND SAN JOAQUIN COUNTY). THE PURPOSE OF THE STUDY WAS TO ESTABLISH REQUIREMENTS AND RESTRICTIONS FOR DEVELOPMENT OF THE COMMUNITY WITHIN THE 200-YEAR FLOODPLAIN WHICH WOULD COMPLY WITH CALIFORNIA SENATE BILL SB 5 (2007) (SB 5). RESULTS OF THE STUDY INDICATED THAT THE 200-YEAR FLOODPLAIN WOULD HAVE AN ELEVATION OF 16.2 FEET-NAVD88 AND THAT SB 5 WOULD ONLY APPLY TO ANY LAND WITHIN THE COMMUNITY THAT IS GRADED TO AN ELEVATION OF 13.2 FEET-NAVD88 OR LOWER. PER APPROVED GRADING PLANS FOR NEIGHBORHOOD J (COPY ON FILE WITH THE PWMHCS), WHICH ENCOMPASS THIS MAP, ALL PAD GRADES ARE ABOVE ELEVATION 13.2 FEET-NAVD88 OR HIGHER, AS SUCH NEIGHBORHOOD J PROVIDES THE URBAN LEVEL OF FLOOD PROTECTION REQUIRED BY SB 5.

Figure 9 – 200 - Year Flood Elevation



**Applicants Justification for the General Plan, Mountain House Master Plan and Specific Plan II Amendments**

On July 21, 2021, the San Joaquin County Community Development Department approved a request by Mountain House Developers (MHD) for a determination that revisions to the proposed final maps for neighborhoods I and L are in substantial conformance to the approved tentative maps. The County granted the approval on subject to future approval of certain amendments to the General Plan, Mountain House Master Plan and Specific Plan II that had been submitted concurrently with the final map revisions. The following is a summary of MHD’s justification for the final map revisions and the corresponding General Plan, Mountain House Master Plan and Specific Plan II amendments.

## 1. Changed Market Conditions.

Subsequent to the original approval of the tentative maps, there have been significant changes in the housing market, especially for age-restricted and age-targeted housing products. Neighborhoods I and J were approved as age-restricted communities with occupancy limited to residents aged 55 and above. The lotting design was a mix of lot sizes within each neighborhood. This community model, which involved large, single amenity communities (such as Del Webb and their golf-oriented design), no longer meet the current market needs. The active adult community market continues to shift to Baby Boomers and Gen – X buyers that are seeking smaller age-restricted communities within larger, multi-generational master planned communities, offering lifestyle experiences in the areas of health and wellness, family and social connections and connectivity to nature.

Today's retirees are seeking communities that are focused on lifestyle and experiences rather than a single amenity. Boomers are living and working longer and have greater mobility and wealth than previous generations. In short, they will want to retire differently than generations before.

They are seeking communities that showcase important qualities including:

- Multigenerational Living - that allows proximity to family members and provides a variety of housing options with well-designed homes.
- Ageless Living - that allows a balanced lifestyle with variety of recreational and social experiences in proximity to shopping and services.
- Authentic Lifestyle - based on experiences, discovery, choice and personal growth.

The proposed revisions are designed to address these consumer demands and as a result will be more successful in attracting a broader segment of homebuyers and providing a broader array of retail opportunities.

The revised lotting design respects the underlying land plan but improves the spatial diversity of homes sites, enhances the relationship of homes and people to open space and recreation areas, arranges lotting in a rational way and links the homes with public trails.

In response to the changing market conditions described above, and in an effort to broaden the market appeal of the Mountain House Master Plan, MHD is proposing a series of modifications to the land plan that is reflected in this application.

## 2. Master Plan Amendment Required Findings

Chapter 17.15 of the Mountain House Master Plan stipulates that “amendment to the Master Plan shall require analysis to ensure internal consistency within the Master Plan and consistency with other plans relevant to Mountain House. This analysis shall include but not be limited to the following: Any impacts on the MOUNTAIN HOUSE MASTER PLAN Chapter Seventeen Page 17.20 Jobs/Housing and Affordable Housing Programs and the adequacy of water, wastewater, and transportation facilities shall be analyzed, along with any financial or fiscal impacts”. The following is an analysis verifying compliance with this requirement:

- **Internal consistency within the Master Plan and consistency with other plans relevant to Mountain House.** The proposed amendments involve minor modifications to land uses. No changes are proposed for goals, policies or implementation measures. There is no net increase in the total number of single-family units. There is a net increase of 5 multi-family dwelling units to ensure there are no conflicts with the affordable housing and jobs-housing balance.
- **Jobs/Housing and Affordable Housing Programs.** The proposed amendments will result in a net increase of 5 multi-family dwelling units and no changes in the number of single-family dwelling units. All policies and programs for affordable housing will remain intact.

The proposed amendments will result in 153 fewer jobs than the existing Master Plan and Specific Plan II. The reduction is a result of converting 4.1 acres of Mixed Use in the Town Center to Public Facilities (P-F) Park. This amendment has been proposed by Mountain House Community Services District to allow a new aquatic and community center to be located next to the existing Town Hall/Library.

Because the amendment will provide a significant public benefit, we believe this is an acceptable tradeoff.

- **Adequacy of water, wastewater, and transportation facilities.** Water supply, storage and distribution for the project have been analyzed and peer reviewed under the direction of the County and their consultants. The analyses concluded that there is adequate capacity for the project.

Wastewater capacity has also been analyzed and peer reviewed under the direction of the County and their consultants. The analyses concluded that there is adequate capacity for the project.

Transportation impacts from the project were analyzed by TJKM Transportation Engineers and peer-reviewed by San Joaquin County Public Works and ICF environmental consultants. They concluded that the project will not have adverse transportation impacts. These findings are incorporated into the CEQA Analysis for the project.

- **Financial or fiscal impacts.** The proposed amendments involve minor revisions to the land uses and are not expected to have significant financial impacts. Converting 4.1 acres of Mixed Use in the Town Center to Public Facilities (P-F) Park could result in reduction of potential sales tax and property taxes for the project. However, this conversion has a public benefit of providing much-needed recreational facilities for the entire community.

### 3. Conclusion

The proposed amendments to the Master Plan and Specific Plan II are supportive of, and consistent with, the policies in these documents regarding the compatibility and protection of adjacent land uses, supportive of Master Plan and Specific Plan provisions regarding the development and location of land uses and facilities within Mountain House and does not significantly affect existing acreage and densities of proposed land use designations. No significant changes in jobs are expected that would adversely affect the jobs/housing ratios anticipated for the community. Lastly, the amendments do not increase the demand for public services and does not negatively affect the Public Financing Plan.

### **Consistency with Adopted General Plan, Mountain House Master Plan and Specific Plan II**

Chapter 9-803.3.1M, 9-804.3.1M and 9-806.3.1M require specific studies associated with any change to the General Plan, Master Plan or associated Specific Plans. The County Development Code states: "Prior to taking action on an application for a General Plan, Master Plan and/or a Specific Plan Amendment, the impact of the proposed Amendments on the jobs/housing program and on housing affordability shall be determined. In addition, the consistency with the policies of the Public Financing Plan shall be analyzed and the potential impact of the proposed Amendments on the financial and fiscal resources of the community and the County shall be determined."

The proposed amendments to the San Joaquin County General Plan Maps, the Mountain House Master Plan and Specific Plan II document, were reviewed for consistency with the General Plan, Mountain House Master Plan, other Specific Plans, and the Mountain House Public Financing Plan.

1. Based on the evidence supplied in this Staff Report, the proposed Amendments are supportive of Mountain House Master Plan policies and Specific Plan II provisions regarding the development proposed;
2. The proposal does not adversely affect planned employment for the Mountain House Community;
3. The proposed project does not represent a significant change in jobs that are expected and does not adversely affect the number of jobs projected or the jobs/housing ratios anticipated for the community;
4. The proposal conforms to the applicable provisions of the Mountain House Design Manuals as amended, including provisions concerning standards for site planning and landscape design, and architectural styles,
5. The proposal does not increase the demand for public services; and

The proposal does not suggest amendments to the Jobs/Housing Program or Affordable Housing programs.

## RECOMMENDATION

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It is recommended that the Planning Commission:

- 1. Forward a recommendation to the Board of Supervisors to approve the suggested General Plan Amendment Application No. 2200131 and proposed Mitigated Negative Declaration with the “Basis for a General Plan Amendment” (Attachment H);
- 2. Forward a recommendation to the Board of Supervisors to approve the suggested Mountain House Master Plan Amendment Application No. 2100204 with the “Basis for a Master Plan Amendment” and Specific Plan II Amendment (Attachment I);
- 3. Forward a recommendation to the Board of Supervisors to approve the suggested Mountain House Specific Plan II Amendment No. 2100205 with the “Basis for Specific Plan Amendment” (Attachment J);
- 4. Forward a recommendation to the Board of Supervisors to approve the Rezone Reclassification Application No. 2200132 for the effected properties based on the ability to make the required “Basis for Zone Reclassification.” (Attachment K);
- 5. Forward a recommendation to the Board of Supervisors to approve Revisions for Actions for Major Subdivision Application No. PA-0600327, based on the Revisions of Approved Action Findings, the Revised Conditions of Approval, and the previously approved findings for Major Subdivision Application No. PA-0600327 contained within this staff report (Attachment L).

### Attachments

Attachment A - IS / MND dated April 2022

Attachment B - TM PA – 0600327, Substantial Compliance Approval, July 21, 2021

Attachment C - Redline Text: MP & SP II

Attachment D - Figures – Existing and Proposed: MP & SP II

Attachment E - Highlight Changes to Tables: MP & SP II

Attachment F - Agency Response Letters

Attachment G - MH Parks, Recreation and Leisure Plan, May 2021

Attachment H - Basis for GP and Revised GP Land Use Map

Attachment I - Basis for MP

Attachment J - Basis for SP II

Attachment K - Zone Reclassification and Revised Zoning Exhibit

Attachment L - Revised Conditions of Approval

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**Attachment A**  
**Initial Study / Mitigated**  
**Negative Declaration**  
**dated April 2022**

This section of the Staff Report is available in the full version located on the CDD website at:

<https://www.sjgov.org/commdev/cgi-bin/cdyn.exe/file/APD%20Documents/PA-2100205/Planning%20Commission%20Staff%20Report.pdf>



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**Attachment B**  
**TM PA – 0600327, Substantial**  
**Compliance Approval,**  
**July 21, 2001**

This section of the Staff Report is available in the full version located on the CDD website at:

<https://www.sjgov.org/commdev/cgi-bin/cdyn.exe/file/APD%20Documents/PA-2100205/Planning%20Commission%20Staff%20Report.pdf>



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# **Attachment C**

## **Redline Text - Mountain House Master Plan and Specific Plan II**

This section of the Staff Report is available in the full version located on the CDD website at:

<https://www.sjgov.org/commdev/cgi-bin/cdyn.exe/file/APD%20Documents/PA-2100205/Planning%20Commission%20Staff%20Report.pdf>



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# **Attachment D**

## **Figures**

### **Existing and Proposed – Mountain House Master Plan and Specific Plan II**

This section of the Staff Report is available in the full version located on the CDD website at:

<https://www.sjgov.org/commdev/cgi-bin/cdyn.exe/file/APD%20Documents/PA-2100205/Planning%20Commission%20Staff%20Report.pdf>



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**Attachment E**  
**Highlighted Changes to Tables**  
**Mountain House Master Plan**  
**and Specific Plan II**

This section of the Staff Report is available in the full version located on the CDD website at:

<https://www.sjgov.org/commdev/cgi-bin/cdyn.exe/file/APD%20Documents/PA-2100205/Planning%20Commission%20Staff%20Report.pdf>



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# Attachment F Agency Response Letters

This section of the Staff Report is available in the full version located on the CDD website at:

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# **Attachment G**

## **MH Parks, Recreation and Leisure Plan, May 2021**

This section of the Staff Report is available in the full version located on the CDD website at:

<https://www.sjgov.org/commdev/cgi-bin/cdyn.exe/file/APD%20Documents/PA-2100205/Planning%20Commission%20Staff%20Report.pdf>



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**Attachment H**  
**Basis for General Plan**  
**Amendment and Revised**  
**GP Land Use Map**

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# BASIS FOR GENERAL PLAN, MOUNTAIN HOUSE MASTER PLAN AND SPECIFIC PLAN II AMENDMENT AND FINDINGS FOR ZONE RECLASSIFICATION

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## BASIS FOR THE GENERAL PLAN AMENDMENTS

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- A. The General Plan Amendment is consistent with the overall Policies of the General Plan and the Mountain House Public Financing Plan.
1. This determination can be made because, adoption of the proposed revisions: 1) is supportive of, and consistent with, the policies in these documents regarding the compatibility and protection of adjacent land uses; 2) is supportive of Master Plan and Specific Plan provisions regarding the development and location of Economic Development and Employment projects and facilities within Mountain House; 3) does not significantly affect existing acreage and densities of proposed land use designations; 4) no significant changes in jobs are expected that would adversely affect the number of jobs projected or the jobs/housing ratios anticipated for the community; 5) does not increase the demand for public services and does not negatively affect the Public Financing Plan; and 6) no amendments to the Jobs/Housing Program or Affordable Housing program are being proposed.
- B. The General Plan Amendment shall not adversely affect the jobs/housing program and housing affordability; and
1. This determination can be made because: 1) no changes are proposed to the Jobs/Housing Program or to the Affordable Housing Program; and 2) no significant changes in jobs are expected that would adversely affect the number of jobs projected or the jobs/housing ratios anticipated for the Community as a part of the current or Specific Plan II amendment application.
- C. All applicable provisions of the Mountain House Development Agreement have been met.
1. This determination can be made because: 1) the provisions of the Trimark Communities Development Agreement (*i.e., the Development Agreement by and between County of San Joaquin and Trimark Communities, Relative to the Development of Certain Property within the Mountain House Community*) that are applicable to the subject properties are not affected by the proposed project; 2) the Trimark Communities Development Agreement incorporates provisions of the existing, principal Mountain House Development Agreement (*Amended and Restated Master Plan Development Agreement by and between County of San Joaquin and Trimark Communities Relative to the Development of Certain Property within the Mountain House Community*) and no modification or supplementation of those antecedent provisions was determined to be necessary; and 3) the Trimark Communities Development Agreement vests certain provisions/sections of the General Plan, Master Plan, the Mountain House Development Title, and Specific Plan II, and the proposed project does not change or alter those provisions/sections.

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# **Attachment I**

## **Basis for Master Plan Amendment**

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## **BASIS FOR THE MOUNTAIN HOUSE MASTER PLAN AMENDMENTS**

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- A. The Mountain House Master Plan Amendment is consistent with the General Plan and the Mountain House Public Financing Plan.
- This determination can be made because, adoption of the proposed revisions: 1) is supportive of, and consistent with, the policies in these documents regarding the compatibility and protection of adjacent land uses; 2) is supportive of overall Master Plan and Specific Plan provisions regarding the development and location of Economic Development and Employment projects and facilities within Mountain House; 3) does not significantly affect existing acreage and densities of proposed land use designations; 4) no significant changes in jobs are expected that would adversely affect the number of jobs projected or the jobs/housing ratios anticipated for the community; 5) does not increase the demand for public services and does not negatively affect the Public Financing Plan; and 6) no amendments to the Jobs/Housing Program or Affordable Housing program are being proposed.**
- B. The Master Plan Amendment shall not adversely affect the jobs/housing program and housing affordability; and
- This determination can be made because: 1) no changes are proposed to the Jobs/Housing Program or to the Affordable Housing Program; and 2) no significant changes in jobs are expected that would adversely affect the number of jobs projected or the jobs/housing ratios anticipated for the Community as a part of the current or Specific Plan II amendment application.**
- C. All applicable provisions of the Mountain House Development Agreement have been met.
- This determination can be made because: 1) the provisions of the Trimark Communities Development Agreement (*i.e., the Development Agreement by and between County of San Joaquin and Trimark Communities, Relative to the Development of Certain Property within the Mountain House Community*) that are applicable to the subject properties are not affected by the proposed project; 2) the Trimark Communities Development Agreement incorporates provisions of the existing, principal Mountain House Development Agreement (*Amended and Restated Master Plan Development Agreement by and between County of San Joaquin and Trimark Communities Relative to the Development of Certain Property within the Mountain House Community*) and no modification or supplementation of those antecedent provisions was determined to be necessary; and 3) the Trimark Communities Development Agreement vests certain provisions/sections of the General Plan, Master Plan, the Mountain House Development Title, and Specific Plan II, and the proposed project does not change or alter those provisions/sections.**
-

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## **Attachment J**

### **Basis for Specific Pan II Amendment**

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## BASIS FOR SPECIFIC PLAN II AMENDMENT

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- A. The Specific Plan Amendment is consistent with the General Plan, the Master Plan, and the Public Financing Plan.
- This determination can be made because, adoption of the proposed map figure and the revision to the text of the Specific Plan II (as amended), the project: 1) is supportive of, and consistent with, the policies in these documents regarding the compatibility and protection of adjacent land uses; 2) is supportive of policies regarding the encouragement of industrial activities that have the potential for creating jobs for residents of the Mountain House Community 3) does not affect existing acreage, densities, and the number of housing unit by residential land use designation; and 4) does not increase the demand on public services.**
- B. The Specific Plan II Amendment shall not adversely affect the jobs/housing program and housing affordability; and
- This determination can be made because: 1) no changes are proposed to the Jobs/Housing Program or to the Affordable Housing Program; and 2) no significant changes in jobs are expected that would adversely affect the number of jobs projected or the jobs/housing ratios anticipated for the Community as a part of the current or Specific Plan II amendment application.**
- C. All applicable provisions of the Mountain House Development Agreement have been met.
- This determination can be made because: 1) the provisions of the Trimark Communities Development Agreement (*i.e., the Development Agreement by and between County of San Joaquin and Trimark Communities, Relative to the Development of Certain Property within the Mountain House Community*) that are applicable to the subject properties are not affected by the proposed project; 2) the Trimark Communities Development Agreement incorporates provisions of the existing, principal Mountain House Development Agreement (*Amended and Restated Master Plan Development Agreement by and between County of San Joaquin and Trimark Communities Relative to the Development of Certain Property within the Mountain House Community*) and no modification or supplementation of those antecedent provisions was determined to be necessary; and 3) the Trimark Communities Development Agreement vests certain provisions/sections of the General Plan, Master Plan, the Mountain House Development Title, and Specific Plan I, and the proposed project does not change or alter those provisions/sections.**

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**Community Development Department**

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# **Attachment K**

## **Basis for Zone Reclassification and Revised Zoning Exhibit**

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## FINDINGS FOR ZONING RECLASSIFICATION

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- A. The proposed use is consistent with the goals, policies, standards, and maps of the General Plan, any applicable Master Plan, Specific Plan, and Special Purpose Plan, and any other applicable plan adopted by the County.
- This finding can be made because the use types are supportive of the Master Plan and Specific Plan II provisions regarding the development.**
- B. Adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, and the proposed improvements are properly related to existing and proposed roadways.
- This finding can be made because adequate utilities, roadway improvements and other necessary facilities will be provided and there is sufficient area on the parcel for the buildings.**
- C. The site is physically suitable for the type of development and for the intensity of development.
- This finding can be made because the property involved is of adequate size and shape to accommodate the proposed development, building coverage, setbacks, and parking areas meet the requirements of the Development Title.**
- D. 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.**
- E. 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.**
- F. All applicable provisions of the Mountain House Development Agreement have been met.
- This determination can be made because: 1) the provisions of the Trimark Communities Development Agreement (i.e., the *Development Agreement by and between County of San Joaquin and Trimark Communities, Relative to the Development of Certain Property within the Mountain House Community*) that are applicable to the subject properties are not affected by the proposed project; 2) the Trimark Communities Development Agreement incorporates provisions of the existing, principal Mountain House Development Agreement (*Amended and Restated Master Plan Development Agreement by and between County of San Joaquin and Trimark Communities Relative to the Development of Certain Property within the Mountain House Community*) and no modification or supplementation of those antecedent provisions was determined to be necessary; and 3) the Trimark Communities Development Agreement vests certain provisions/sections of the General Plan, Master Plan, the Mountain House Development Title, and Specific Plan I, and the proposed project does not change or alter those provisions/sections.**

MOUNTAIN HOUSE SPECIFIC PLAN II

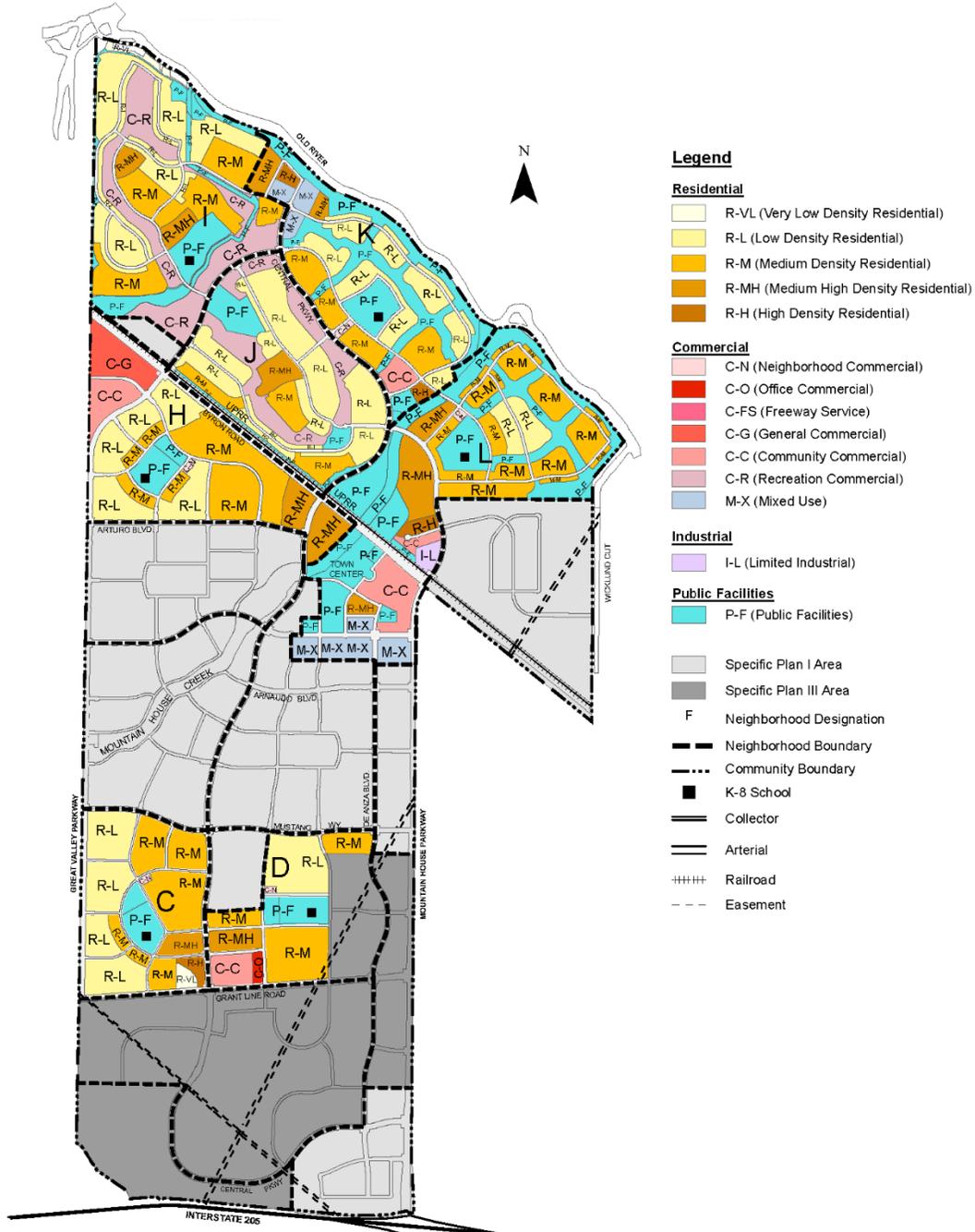


FIGURE 3.2 – SPII ZONING



## **Attachment L**

### **Modified Conditions of Approval**

This section of the Staff Report is available in the full version located on the CDD website at:

<https://www.sjgov.org/commdev/cgi-bin/cdyn.exe/file/APD%20Documents/PA-2100205/Planning%20Commission%20Staff%20Report.pdf>



**Planning Commission Staff Report**  
**Item # 3, July 21, 2022**  
**Time Extension for Major Subdivision No. PA-0500467**  
**Prepared by: Giuseppe Sanfilippo**

**PROJECT SUMMARY**

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**Applicant Information**

**Property Owner:** Ernest J. Gudel  
**Project Applicant:** Dillon & Murphy (c/o Joe Murphy)

**Project Site Information**

**Project Address:** 26618 North Lower Sacramento Road  
**Project Location:** On the east side of North Lower Sacramento Road, 1,200 feet south of Liberty Road north of Lodi, Collierville.

<b>Parcel Number (APN):</b>	005-030-08	<b>Water Supply:</b>	Public (CSA 29)
<b>General Plan Designation:</b>	R/R	<b>Sewage Disposal:</b>	Private (Septic)
<b>Zoning Designation:</b>	R-R	<b>Storm Drainage:</b>	Public (CSA 29)
<b>Project Size:</b>	39.21 acres	<b>100-Year Flood:</b>	No (X)
<b>Parcel Size:</b>	39.21 acres	<b>Williamson Act:</b>	No
<b>Community:</b>	Collierville	<b>Supervisory District:</b>	4

**Environmental Review Information**

**CEQA Determination:** Environmental Determination. (Notice of Exemption [Attachment C])

---

**Project Description**

This project is a one-year Time Extension application for previously approved Major Subdivision application for a 34-lot subdivision consisting of 33 one (1) acre lots with 1 parcel designated for a storm drainage pond.

If the one-year Time Extension is approved, the expiration date for the project will be May 12, 2023.

**Recommendation**

1. Approve Time Extension for Major Subdivision No. PA-0500467 with the previously approved Findings for Major Subdivision (Attachment D), and the updated Conditions of Approval (Attachment E) contained in the Staff Report.

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# NOTIFICATION & RESPONSES

(See Attachment B, Response Letters)

**Public Hearing Notices**

Legal ad for the public hearing published in the Stockton Record: July 11, 2022.

Number of Public Hearing notices: 85

Date of Public Hearing notice mailing: July 8, 2022.

**Referrals and Responses**

- **Project Referral with Environmental Determination Date: May 17, 2022**

Agency Referrals	Response Date - Referral
<b>County Departments</b>	
SJC Supervisor (Dist. 4)	
Assessor	
Community Development	
Building Division	
Fire Prevention Bureau	
Public Works	May 20, 2022
Environmental Health	May 24, 2022
General Services	
Sheriff Office	
Surveyor	
<b>State Agencies</b>	
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.	
<b>Federal Agencies</b>	
F.A.A.	
F.E.M.A.	
Army Corps of Engineers	

Agency Referrals	Response Date - Referral
<b>Local Agencies</b>	
A.L.U.C.	
Galt Union Elementary School District	
Galt Union High School District	
Woodbridge Fire District	
Mosquito & Vector Control	
S.J.C.O.G.	
San Joaquin Farm Bureau	
San Joaquin Air Pollution Control District	
United Auburn Indian Community	May 17, 2022
Lodi (Lind's) Airport	
California Tribal TANF Partnership	
<b>Miscellaneous</b>	
A.T.&T.	
B.I.A.	
Builders Exchange	
North Valley Yokuts Tribe	
Haley Flying Service	
Kathy Perez	
P.G.&E.	May 26, 2022
Precissi Flying Service	
Sierra Club	

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# ANALYSIS

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## **Background**

On May 3, 2007, the Planning Commission approved Major Subdivision PA-0500467 to subdivide a 39.21-acre parcel of land into 33 one-acre lots and a designated remainder to be used for a storm drainage pond. The map had an original expiration date of May 12, 2010. The State of California granted a number of automatic time extensions for approved subdivisions by passing either a Senate Bill or an Assembly Bill. The purpose of the extensions was to allow additional time to complete the required improvements and record the necessary maps. A total of 4 time extensions, totaling 7 additional years, were granted for this project resulting in a revised expiration date of May 12, 2017.

On May 5, 2016, the Planning Commission approved a five-year Time Extension for this project. This subdivision abuts previously approved Major Subdivision No. PA-0400074, which is now expired. The developers for each subdivision entered into a private agreement that outlined their commitment to develop one common public water system serving both developments, to become a zone within County Service Area (CSA 29) maintained by the Department of Public Works. Although the applicant originally requested a 6-year time extension at the time, the applicant reduced the request to 5-years to align with the neighboring Major Subdivision, to implement the construction of the public water system as recommended by the Department of Public Works. The five-year Time Extension resulted in an expiration date of May 12, 2022. With PA-0400074 expired, the applicant for PA-0500467 applied for this one-year Time Extension on May 2, 2022, which, if approved will result in a new expiration date of May 12, 2023. All water improvements must be completed prior to recordation of this map.

## **Neighborhood Response**

The Community Development Department received an opposition e-mail from a neighbor for this Time Extension on June 2, 2022. The response cites ground water supply concerns and land use compatibility with regards to the proposed housing density and layout.

Groundwater: With regards to groundwater supply, the project is conditioned to connect to an existing public water system subject to the rules and regulations of the Department of Public Works and the Environmental Health Department. As a result, the project is not anticipated to result in significant impacts to groundwater supply or quality. Additionally, the project currently under review is a Time Extension only.

Density and Layout: With regards to residential density and project layout, the zoning of the parcel is R-R (Rural Residential), and the General Plan designation is R/R (Rural Residential). The proposed subdivision is a rural residential subdivision consistent with the General Plan and Development Title requirements. Pursuant to Development Title Section 9-310.3, a minimum parcel size of one-acre is required because both water and storm drainage are provided by a public district. As a result, the Major Subdivision as designed is consistent with both the Development Title standards and the General Plan density. Additionally, the project currently is under review for the Time Extension only.

## **CEQA Exemption**

This one-year Time Extension for previously approved Major Subdivision is being processed under a California Environmental Quality Act (CEQA) exemption. CEQA Guidelines Section 15061(b)(3) states that a project is exempt from CEQA if the activity is covered by the general rule that CEQA applies only to projects that 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. The Community Development Department has determined that the Time Extension will not cause a significant effect on the environment because the Time Extension does not add any new environmental impacts above and beyond what were reviewed with the original application.

### **Updated Environmental Health Response**

On May 24, 2022, the Environmental Health Department provided a comment letter on the time extension, including updated Conditions of Approval. The Conditions of Approval were updated to include ordinance requirements that were not previously stated as clarification. The applicant has reviewed the updated conditions, and they have been included in the recommended Conditions of Approval.

## **RECOMMENDATION**

---

It is recommended that the Planning Commission:

1. Approve Time Extension for Major Subdivision No. PA-0500467 with the previously approved Findings for Major Subdivision (Attachment D), and the updated Conditions of Approval (Attachment E) contained in the Staff Report.

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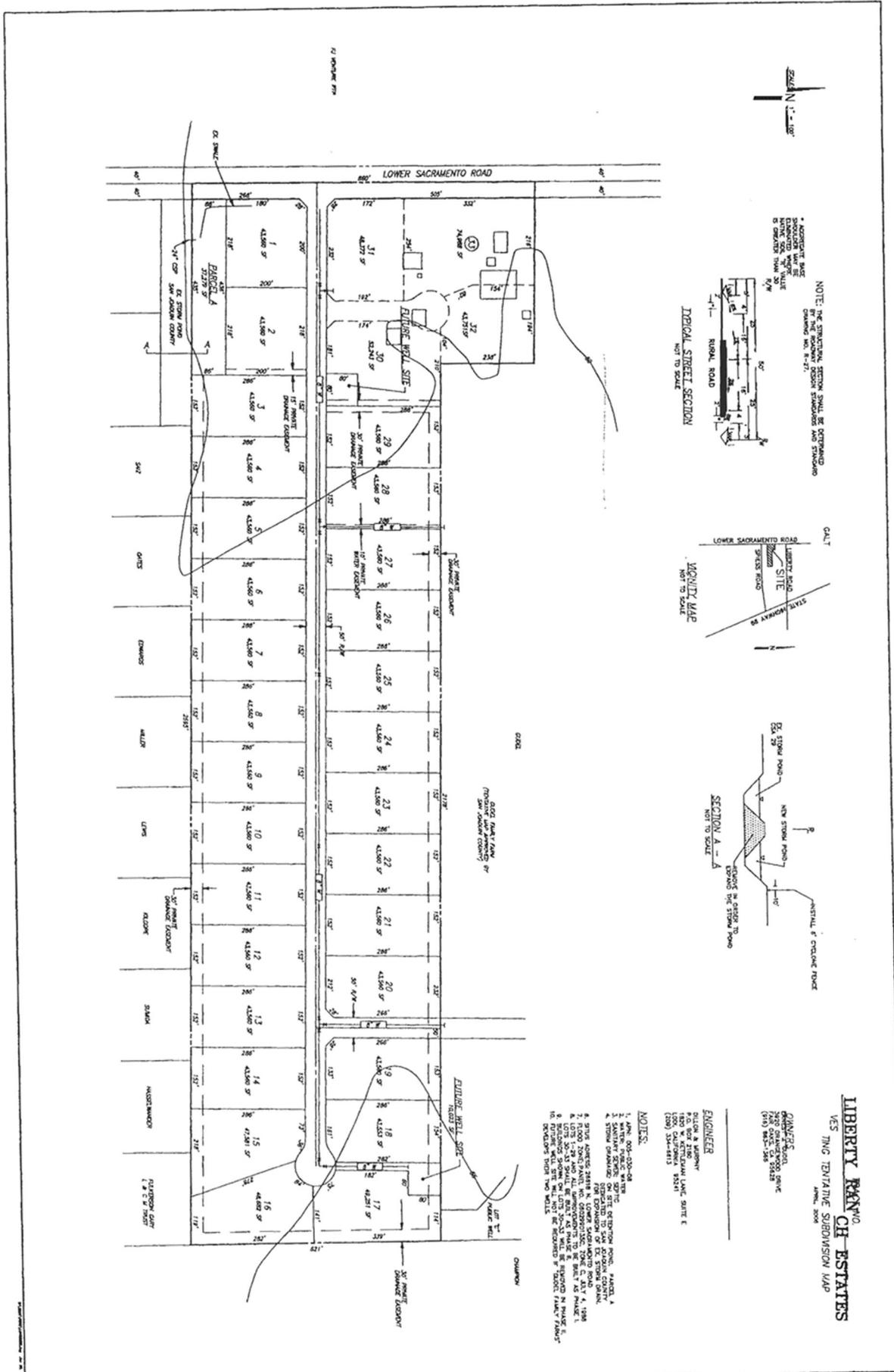
## Community Development Department

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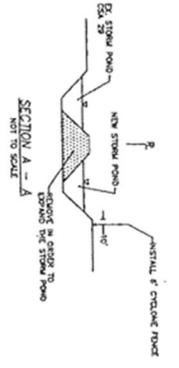
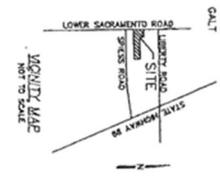
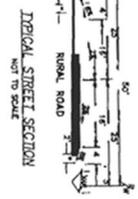
# Attachment A

## Site Plan

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NOTE: THE STRUCTURAL SECTION SHALL BE PREPARED BY THE ARCHITECT IN ACCORDANCE WITH THE CALIFORNIA ENGINEERING PROFESSIONAL STANDARDS AND SPECIFICATIONS, CHAPTER 18, SECTION 18.01.



Application # PA-0500467  
Filed by MO on 2/1/07

**LIBERTY RANCH CH ESTATES**  
INC. TENTATIVE SUBDIVISION MAP  
APRIL, 2008

OWNER:  
LIBERTY RANCH CH ESTATES, INC.  
1000 W. KENTUCKY LANE, SUITE 110  
SACRAMENTO, CALIFORNIA 95811  
(916) 943-1388

ENGINEER:

PLUCKIN & ASSOCIATES  
1000 W. KENTUCKY LANE, SUITE 110  
SACRAMENTO, CALIFORNIA 95811  
(916) 943-1388

NOTES:

1. APRIL 2008 - 020-08
2. WATER POND AND POND
3. STORM DRAINAGE ON SITE DETENTION POND, PARCEL A
4. STORM DRAINAGE ON SITE DETENTION POND, PARCEL A
5. STORM DRAINAGE ON SITE DETENTION POND, PARCEL A
6. STORM DRAINAGE ON SITE DETENTION POND, PARCEL A
7. STORM DRAINAGE ON SITE DETENTION POND, PARCEL A
8. STORM DRAINAGE ON SITE DETENTION POND, PARCEL A
9. STORM DRAINAGE ON SITE DETENTION POND, PARCEL A
10. STORM DRAINAGE ON SITE DETENTION POND, PARCEL A
11. STORM DRAINAGE ON SITE DETENTION POND, PARCEL A
12. STORM DRAINAGE ON SITE DETENTION POND, PARCEL A
13. STORM DRAINAGE ON SITE DETENTION POND, PARCEL A
14. STORM DRAINAGE ON SITE DETENTION POND, PARCEL A
15. STORM DRAINAGE ON SITE DETENTION POND, PARCEL A
16. STORM DRAINAGE ON SITE DETENTION POND, PARCEL A

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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*

*David Tolliver, Deputy Director/Operations*

*Najee Zarif, Deputy Director/Engineering*

*Kristi Rhea, Business Administrator*

May 20, 2022

**MEMORANDUM**

**TO:** Community Development Department  
CONTACT PERSON: Giuseppe Sanfilippo

**FROM:** Christopher Heylin, Development Services Engineer <sup>CH</sup>  
Development Services Division

**SUBJECT:** PA-0500467; A One-Year Time Extension for a previously approved Major Subdivision application for a (34) lot subdivision consisting of 33 one-acre lots and one parcel designated for a storm drainage pond. (29) lots and the storm drainage pond will be built in Phase 1; the remaining lot encompassing the house and improvements will be subdivided into (4) lots in Phase 2; located on the east side of N. Lower Sacramento Road, 1,200 feet south to Liberty Road, north of Lodi in Collierville. (Supervisory District 4)

**OWNER:** Ernest J. Gudel

**APPLICANT:** Same

**ADDRESS:** 26618 N. Lower Sacramento Road, Galt

**APN:** 005-030-08

**INFORMATION:**

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

Lower Sacramento Road has an existing right-of-way width of 80 feet and a planned right-of-way width of 84 feet.

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

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

**RECOMMENDATIONS:**

1. None. All previous conditions apply.

**CH:DS**

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## Environmental Health Department

**Jasjit Kang, REHS, Director**

Muniappa Naidu, REHS, Assistant Director

**PROGRAM COORDINATORS**

Robert McClellon, REHS

Jeff Carruesco, REHS, RDI

Willy Ng, REHS

Steven Shih, REHS

Michelle Henry, REHS

Elena Manzo, REHS

May 24, 2022

To: San Joaquin County Community Development Department  
Attention: Giuseppe Sanfilippo

From: Francisco Garcia Ruiz; (209) 616-3032   
Environmental Health Specialist

RE: **PA-0500467 (SU, TE 2), Referral, SU0010757**  
**26618 N Lower Sacramento Rd; Galt**

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The Environmental Health Department would have no objections to the proposed time extension of this application; however, All of the following conditions of approval dated February 23, 2016 are still in effect.

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

**NOTE: A Surface/Subsurface Contamination Report dated April 2006 and addendum dated May 2006, were reviews by the Environmental Health Department. An additional addendum addressing outstanding issues shall be submitted to and approved by the Environmental Health Department before the report can be given final approval.**

- B. A soil suitability and nitrate loading study incorporating proposed staff and customer use shall be submitted to the Environmental Health Department, indicating that the area is suitable for septic system usage. The studies must be approved by the Environmental Health Department prior to approval of a parcel or final map. (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

**NOTE: If percolation tests fail, then additional percolation tests are to be conducted in areas of proposed engineer-designed septic systems. All percolation tests are to be a minimum of 100-feet away from wetland boundary. Prior to approval of percolation tests, a Parcel Map shall be submitted to the Environmental Health Department with dimensions of Septage area required by percolation tests under the San Joaquin County Sewage Standards, Section 10.3.4.**

1868 E. Hazelton Avenue | Stockton, California 95205 | T 209 468-3420 | F 209 464-0138 | [www.sjgov.org/ehd](http://www.sjgov.org/ehd)

- C. 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). Estate type zoning (R-R1) shall require a double-leach-field-system with an alternating distribution box to be installed at time of construction.
- D. A sewage disposal area is indicated by the septic tank soil suitability study and/or percolation tests must be shown for each parcel on the final subdivisions improvement plans (San Joaquin County Development Title, Section 9-1105.2)
- E. The revised subdivision map shall identify any existing wells on this project site. An existing agricultural well appears to be located along the southern property line.
- F. Connection to an approved public water supply system is required (San Joaquin County Development Title, Section 9-1120.2)
- G. A Test Well will be required to meet the following:
  - 1. Water quality tested to meet requirements of Title 22, CCR (Safe Drinking Water Act).
  - 2. Water quantity tested to show an adequate source.
  - 3. Results approved by the Environmental Health Department and County Public Works prior to final approval of improvement plans.
- H. The project shall be served by a public water system conforming to the requirements of San Joaquin County Environmental Health Department and the Department of Public Works. The system shall provide adequate domestic and fire water supply in conformance to the requirements of the County Fire Warden and the local Fire District. A test well showing that the production well(s) will meet all applicable standards is required prior to the approval of the improvements Plans or any work within the site.
- I. The applicant shall provide written confirmation from the water providers that improvements have been constructed or financial arrangements have been made for any improvements required by the agency and that the agency has or will have the capacity to serve the proposed development. Said written confirmation shall be submitted prior to the issuance of a building permit (San Joaquin County Development Title, Section 9-1120.2)
- J. The Environmental Health Department requires the abandoned agricultural well(s) and abandoned domestic well(s), not shown on the tentative map, be destroyed under permit and inspection by the Environmental Health Department (San Joaquin County Development Title, Section 9-1115.5(e)).
- K. The Environmental Health Department requires applicant to open, pump, and backfill the septic tank, seepage pit or excavation under permit and inspection by the Environmental Health Department (San Joaquin County Development Title, Section 9-1110.3 and 9-1110.4)
- L. Any geotechnical drilling shall be conducted under permit and inspected by Environmental Health Department (San Joaquin County Development Title, Section 9-1115.3 and 9-1115.6)
- M. Refuse, garbage, and other solid waste material must be stored, removed, and transported to an approved landfill in accordance with San Joaquin County Ordinance Code, Section 5-2400.
- N. Demolition of all dilapidated structure(s) and remove of all demolition material from premises to an approved landfill site are required in accordance with San Joaquin County Ordinance Code, Section 5-2401.

- O. In areas zoned Rural Residential, where parcels one (1) acre or more in size suitability of an area for septic tank usage will be considered if served by a public water system and public storm drainage system (San Joaquin County Development Title, Section 9-1105.2 (d)(6)).



**Thank you for consulting with the UAIC  
Please complete one form for each notification.**

**How to submit a consultation notification or project update:**

1. One form must be completed for each project.
2. Forms cannot be saved and completed at a later time.
3. Include all relevant project information.
4. Upload file attachments. Multiple files can be attached.
5. Submit form.
6. You will receive a submission receipt via email when submission is complete. UAIC prefers our online submission form over certified or hard copy letters.

Contact the Tribal Office at (530) 883-2390 for questions or concerns. Ask for Tribal Historic Preservation or use the [contact form located on our website](#).

**Contact Information**

**Consulting on Behalf of \*** San Joaquin County Community Development Department  
Lead Agency, Consulting Firm, Tribe

**Mailing Address**

Street Address  
1810 E. Hazelton Ave.  
Address Line 2  
City Stockton State / Province / Region California  
Postal / Zip Code 95205

**Point of Contact for Consultation \*** Giuseppe Sanfilippo  
Primary Contact Name

**Point of Contact Email \*** gsanfilippo@sjgov.org

**Second Point of Contact**  Yes  
Is there more than one point of contact for this project?

**Regulatory**

**Consulting Under \*** This project fall under the following regulatory requirements:  
 Federal       State of California       Federal and State  
 Other  
 County

**Project Notification Information**

**Project Name \*** Time Extension for previously approved Major Subdivision PA-0500467  
Please include Name and Reference Number (if applicable)

This is a \*

- New Project  
 Public Hearing  
 Notice of Availability (NOA)  
 Other
- Notice of Preparation (NOP)  
 Existing Project  
 Request for Information

**Project Description** A 1-Year Time Extension application for previously approved Major Subdivision application for a 34 lot subdivision consisting of 33 one-acre lots with one parcel designated for a storm drainage pond that will be built in 2 phases.

Twenty-nine lots and the storm drainage pond will be built in phase 1. The remaining lot encompassing the house and improvements will be subdivided into 4 lots in phase 2. The "future well site" is shown and will be built if necessary per the department of Public Works.

Please include a brief project description

**Location** The project site is on east side of N. Lower Sacramento Rd., 1,200 feet south of Liberty Rd., north of Lodi in Collierville. (APNAddress: 005-030-08 / 26618 N. Lower Sacramento Rd., Galt) (Supervisorial District: 4)  
Please include county, city, and address (if available)

### Project Documents

Documents uploaded to this form are secure and only accessible by the Tribal Historic Preservation team

**Notification** Attach notification letters or announcement  
PA-0500467 (SU, TE 2) Referral - Neighborhood.pdf 205.55KB  
50mb maximum upload size (per file)

**Reports** Attach project reports, project descriptions, or supporting documents  
50mb maximum upload size (per file)

**Location Map** Attach maps and location files. Shape files are preferred  
PA-0500467 (SU) Revised Tentative Map.pdf 83.39KB  
File extensions allowed: pdf, jpg, png, kmz, lpk, dbf, prj, shp, abn, sbx, xml, shx, cpg.  
NOTE: 50mb maximum upload size (per file).

### Send Submission Receipt To

Primary Contact  Secondary Contact  Different Email

**New Email \*** aasio@sjgov.org

\*\*\*This form submission page is offered for the convenience of consulting agencies, developers, and their respective consultants. UAIC reviews all submissions received, but makes no guarantee that submission via this online form satisfies any particular consultation or notice requirement that exists under state or federal law.



May 26, 2022

Giuseppe Sanfilippo  
County of San Joaquin  
1810 E Hazelton ave  
Stockton, CA 95205

Ref: Gas and Electric Transmission and Distribution

Dear Giuseppe Sanfilippo,

Thank you for submitting the PA-0500467 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](https://www.pge.com/en_US/business/services/building-and-renovation/overview/overview.page).
2. If the project being submitted is part of a larger project, please include the entire scope of your project, and not just a portion of it. PG&E's facilities are to be incorporated within any CEQA document. PG&E needs to verify that the CEQA document will identify any required future PG&E services.
3. An engineering deposit may be required to review plans for a project depending on the size, scope, and location of the project and as it relates to any rearrangement or new installation of PG&E facilities.

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

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

Sincerely,

Plan Review Team  
Land Management

### Attachment 1 – Gas Facilities

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## Attachment 2 – Electric Facilities

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

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

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

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

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

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

12. Construction Activity: Since construction activity will take place near PG&E's overhead electric lines, please be advised it is the contractor's responsibility to be aware of, and observe the minimum clearances for both workers and equipment operating near high voltage electric lines set out in the High-Voltage Electrical Safety Orders of the California Division of Industrial Safety (<https://www.dir.ca.gov/Title8/sb5g2.html>), as well as any other safety regulations. Contractors shall comply with California Public Utilities Commission General Order 95 ([http://www.cpuc.ca.gov/gos/GO95/go\\_95\\_startup\\_page.html](http://www.cpuc.ca.gov/gos/GO95/go_95_startup_page.html)) and all other safety rules. No construction may occur within 25 feet of PG&E's towers. All excavation activities may only commence after 811 protocols has been followed.

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

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

**From:** [Gshmeed](#)  
**To:** [Sanfilippo, Giuseppe \[CDD\]](#); [Planning \[CDD\]](#)  
**Subject:** PA-0500467 (SU, TE 2)  
**Date:** Tuesday, May 31, 2022 6:15:32 PM

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

Giuseppe Sanfilippo and Planning Commission

In regard to application number PA -0500467, I would like to be on record that this project should not be renewed and no longer move forward. There are many reasons starting with the project location in an agricultural district where many houses are already built. At this time due to groundwater overdraft and drought conditions there would not even be enough groundwater to support this number of houses. Being the applicant is looking for another extension I do not feel it is warranted to extend that extension at this time or at any time in the future. Another good reason not to put this application through as it does not match the footprint of other developments in the area; these are only proposed at one acre lots and all the surrounding lots are at two acres or above and that therefore causes trouble for many of us in the area concerning our property values.

Once again, I would like to go on record to not grant an extension or any extension in the future. Just the fact alone that our groundwater is overused and not being replaced due to drought conditions should be enough to stop this development.

Thank you for your time in this matter

Galen Schmiedt  
2354 E Spiess Rd  
Acampo, CA 95220

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## Community Development Department

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# **Attachment C**

## **Environmental Review**

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**DRAFT  
 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:** 1-Year Time Extension for previously approved Major Subdivision No. PA-0500467

**Project Location - Specific:** The project site is located on the east side of N. Lower Sacramento Rd.; 1,200 feet south of Liberty Rd.; north of Lodi, in the community of Collierville. (APN/Address: 005-030-08 / 26618 N. Lower Sacramento Rd., Galt) (Supervisory District: 4)

**Project Location – City:** Galt

**Project Location – County:** San Joaquin County

**Project Description:** 1-Year Time Extension for previously approved Major Subdivision application for a 34-lot subdivision consisting of 33 one-acre lots with one parcel designated for a storm drainage pond that will be built in 2 phases.

29 lots and the storm drainage pond will be built in Phase 1. The remaining lot encompassing the house and improvements will be subdivided into 4 lots in Phase 2. The "future well site" is shown and will be built, if necessary, per the department of Public Works.

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

**Project Proponent(s):** Ernest J. Gudel / Dillon & Murphy

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

**Name of Person or Agency Carrying Out Project:** Giuseppe Sanfilippo, Associate 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 project is not subject to CEQA.

**Lead Agency Contact Person:**  
 Giuseppe Sanfilippo Phone: (209) 468-0227 Fax: (209) 468-3163 Email: gsanfilippo@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 for**  
**Major Subdivision**

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## PREVIOUSLY APPROVED FINDINGS FOR MAJOR SUBDIVISION

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PA-0500467

ERNEST J. GUEDEL / DILLON & MURPHY

1. The proposed subdivision is consistent with 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 parcels have a General Plan designation of R/R (Rural Residential). As such, the proposed project is consistent with the General Plan and Development Title. There are no Specific Plans or Special Purpose Plans. As required by the Public Works Department, a Master Plan for a water system shall be prepared prior to approval of the Final Map.**
2. The design or improvement of the proposed subdivision is consistent with the General Plan and any applicable Specific Plan or Special Purpose Plan.
  - **This finding can be made because the design and improvement of the proposed subdivision are consistent with standards contained in the General Plan as reflected in the tentative map. The water, and storm drainage services will be constructed by the applicant and maintained by the Department of Public Works (CSA#29). As required, engineer designed septic systems are to be installed under permit and inspection with the Environmental Health Department. There are no Specific Plans or Special Purpose Plans.**
3. The site is physically suitable for the type of development proposed.
  - **This finding can be made because the tentative map is consistent with the General Plan density requirement of 1 to 5 dwelling units per 5 gross acres (1-5 du/5ga). The project's proposed one-acre minimum lot size complies with the service requirements in Development Services Section 9-1105.2 (d)(6) by providing public storm water drainage services and public water services through CSA #29. Each parcel will have private septic system. All other development requirements contained in the Development Title and County standards are otherwise satisfied.**
4. The site is physically suitable for the proposed density of development.
  - **This finding can be made because the number of parcels proposed is consistent with the R/R General Plan density requirement of 1-5 dwelling units per five gross acres. The average lot size is greater than one acre and the entire project area is 39.21 acres, which results in a density of less than 1 du/ga.**
5. Neither the design of the subdivision nor any proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
  - **This finding can be made because the Initial Study prepared for this project did not identify any known rare or endangered species or habitats or other substantial environmental adverse effects. A noise study was conducted by Bollard & Brennan Inc. dated August 3, 2006, and a traffic study was conducted by DKS Associates dated December 15, 2006. Both studies concluded no mitigation was required beyond standard Development Title requirements.**
6. The design of the subdivision or type of improvements is not likely to cause significant public health problems.
  - **This finding can be made because the subdivision will be served by public water and public stormwater drainage by County Service Area No. 29. Additionally, the Environmental Health Department is requiring engineer designed septic systems that will be installed under permit and inspection with the Environmental Health Department.**

7. The design of the subdivision or the types of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.
  - **This finding can be made because there are no public easements within the subdivision.**
8. Any land or improvements to be dedicated to the County or other public agency is consistent with the General Plan, any applicable Specific Plan and Special Purpose Plan, and any other applicable plan adopted by the County.
  - **This finding can be made because all lands and improvements to be dedicated to the County are consistent with the General Plan and any other applicable plan adopted by the County. Specifically, the Department of Public Works is required as a condition of approval that the applicant dedicate an additional right of way of Lower Sacramento Road to the County and improve it to County Standards for arterial roads and dedicate the proposed main access road right-of-way and improve it to County Standards for a 50 foot right-of-way. There is no Specific Plan or Special Purpose Plan in the project vicinity.**
9. The design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision, as required by Government Code Section 66473.1.
  - **This finding can be made because the lots are large enough so that individual dwellings can be situated to take advantage of solar orientation.**



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## Community Development Department

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# **Attachment E**

## **Updated Conditions of Approval**

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# UPDATED CONDITIONS OF APPROVAL

PA-0500467

ERNEST J. GUDEL / DILLON & MURPHY

**One (1) year Time Extension for Major Subdivision Application No PA-0500467 was approved by the Planning Commission on July 21, 2022. The original effective date of approval was May 13, 2007. This tentative map approval will expire on May 12, 2023, which is sixteen (16) years from the effective date of approval, unless (1) all Conditions of Approval have been complied with and (2) a Final Map has been filed with and accepted by the County Surveyor.**

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

1. **COMMUNITY DEVELOPMENT DEPARTMENT** (Contact: [209] 468-3121)
  - a. **TENTATIVE MAP:** The Final Map shall substantially conform to the approved tentative map dated February 1, 2007.
  - b. **RIGHT TO FARM:** Pursuant to San Joaquin County Code Section 6-9004(b), the following note shall be placed on the Final Map:
    1. All persons purchasing lots within the boundaries of this approved map should be prepared to accept the inconveniences or discomforts associated with agricultural operations or activities, such as noise, odors, insects, dust or fumes. San Joaquin County has determined that such inconveniences or discomforts shall not be considered a nuisance.
  - c. **LOT SIZE AND WIDTH:** The following lot size and width regulations shall apply to this map:
    1. All parcels shall have a minimum lot width 150 feet, measured a distance of 20 feet back from the front lot line.
    2. All parcels shall have a minimum lot area of 1 acre.
  - d. **ROAD NAMES:** All subdivision road names shall be submitted to the Community Development Department for approval by the Director. Contact Kimberly Wallace at 468-0816 for road name standards. (Development Title Section 9-1150.18)
  - e. **LANDSCAPING:** Landscaping shall be provided and comply with the following:
    1. Street trees are required as specified in Section 9-1020.4 of the Development Title.
    2. A minimum of 3 trees shall be planted for each lot frontage. (9-1020.4[a])
    3. For corner lots (Lots 1, 2, 19, 20, and 30-33), street trees shall be required on both street frontages. The trees cannot interfere with sight distances and setbacks. (9-1020.4[b])
  - f. **RESTRICTED ACCESS:** To restrict access, a fence or wall shall be constructed along the western property line of Lots 1, 31, and 33. The fence or wall shall be included on the subdivision improvement plans. The plans for the fence or wall shall be reviewed and approved by the Community Development Department prior to approval of the subdivision improvement plans. (9-1150.10)
  - g. **WILLIAMSON ACT:** The Final Map cannot be recorded until the property's Williamson Act contract expires. (Subdivision Map Act Section 9-66474.4[a][2])

- h. **DEMOLITION PERMIT:** A demolition permit must be issued for the existing structures on Lots 30-33 prior to approval of Phase Two of the Final Map.
- i. **UNIFORM FIRE CODE:** The following Uniform Fire Code requirements will be applicable:
  1. Fire flow and hydrants will be provided for the proposed project by use of Appendix III-A and III B of the California Fire Code and type, size and location of hydrants to be approved by the Woodbridge Fire Department or option two, the installation of residential sprinklers will be required in each residential structure.
  2. Fire department access roads shall be in accordance with Section 902.2 of the California Fire Code and the Standard adopted by San Joaquin County Fire Chief's Association.
  3. The fire access road will be completed before the County Surveyor's office will file the map for record. Please contact Fire Prevention at 209-468-3380 to schedule an inspection of the completed road.
  4. All undeveloped parcels or portions of undeveloped parcels which are created as a result of this planning application shall remain free of weeds, debris, or any other combustible vegetation such as abandoned orchards or vineyards throughout the year to the satisfaction of the Fire Jurisdiction Having Authority. (CFC 1103.2.40)
  5. Fire Department access to property/buildings shall be in accordance with 902.4 of the Uniform Fire Code (key boxes).
  6. Key Box and Access Systems information as provided by the Woodbridge Fire District.
  7. Location of key box and or access system as per direction of Woodbridge Fire District.
  8. Fire Sprinkler systems shall be installed according to Article 10 of the California Fire Code and the appropriate standards and guides adopted in Chapter 35 of the California Building Code and the California Electrical Code.
  9. This project shall comply with the San Joaquin County Development Title Section 9-1150.18, Road Naming Procedures. Please contact the Community Development Department at 468-2193 to complete this process prior to requesting Fire Department approval.

2. COUNTY COUNSEL

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

3. DEPARTMENT OF PUBLIC WORKS (Contact: [209] 468-3000)

- a. A Master Plan for the water system shall be prepared prior to approval of the Final Map. The Master Plan shall include the development to the north, APN 005-030-07. The Master Plan shall determine the final points of connection of water lines for both developments.
- b. All improvements shall be in conformance with the current Improvement Standards and Specifications of the County of San Joaquin. All improvement plans and specifications shall include a grading plan for each individual lot, if applicable. These improvement plans and specifications are subject to plan check and field inspection fees and must be approved by Public Works prior to approval of the Final Map. (Development Title Section 9-1100, Resolution R-92-814)
- c. A grading plan shall be submitted as a part of the improvement plans and approved prior to approval

of the Final Map. The grading plan shall contain the information listed in the California Building Code, Appendix, Chapter 33, Section 3309, with complete drainage details and elevation of adjacent parcels. Retaining wall details shall be submitted where applicable. Grading in excess of 5,000 cubic yards shall comply with Sections 3309.3 and 3304.4 for "Engineered Grading Requirements." Grading that disturbs more than one acre will require a National Pollutant Discharge Elimination System permit.

- d. If improvements referred to herein are not completed prior to approval of the Final Map, the subdivider shall execute an agreement with the County of San Joaquin ensuring the completion of improvements within one year after recording the Final Map. (Development Title Section 9-1100.3[j])
- e. A Preliminary Soils Report is required in accordance with County standards for the purpose of determining the R-Value for the design of the roads. (Development Title Section 9-910.2)
- f. Water meters, with electronic reading capabilities, shall be installed on all water services. (Board Order B-91-650)
- g. All traffic signs and markings shall conform to the Manual on Uniform Traffic Control Devices, Caltrans Traffic Manual, and/or San Joaquin County standards and shall be shown on the improvement plans. (Development Title Section 9-1150.2)
- h. All utilities shall be underground except power transmission facilities of 35 KV or greater. Public utility easements shall be provided along the road frontage of the subdivision and as required by the public utility companies. (Development Title Section 9-1155.2)
- i. The proposed main access road right-of-way shall be dedicated on the Final Map and improved to County standards for a 50-foot-wide right-of-way rural street. The proposed stub street and cul-de-sac road right-of-way rural residential street. Street names shall be approved by the Community Development Department prior to approval of the Improvement Plan or Final Map. (Development Title Section 9-1150.5[b])
- j. Dedication to result in a 42-foot-wide right-of-way from the centerline of Lower Sacramento Road to the property line shall be required on the Final Map and improved on the subdivided side to County standards for one-half of an 84-foot-wide right-of-way minor arterial street. (Development Title Section 9-1150.5[b])
- k. A community detention pond shall be provided to meet the requirements of the County and to provide adequate drainage for the subdivision. All drainage facilities shall be located in easements dedicated to the County and shall meet County standards. Hydrologic and hydraulic analyses shall be provided and demonstrate that all property, both downstream and upstream of the discharge, will not be subject to a higher flood level as a result of the proposed drainage and that the downstream facilities have adequate capacity. Service shall be provided by County Service Area 29. (Development Title Section 9-1135.2)
- l. The project shall be served by a public water system conforming to the requirements of Environmental Health and Public Works. The system shall provide adequate domestic and fire water supply in conformance with requirements of the County Fire Warden and the local fire district. A test well showing that the production well will meet all applicable standards is required prior to approval of the improvement plans or any work within the site. All necessary easements shall be dedicated to the County. Service shall be provided by County Service Area 29. (Development Title Section 9-1120.2)
- m. Street lighting shall be provided at the intersections, roundabouts, and cul-de-sacs. (Development Title Section 9-1150.11)
- n. Annexation of the development into and expansion of services of CSA 29 for storm drainage, street lighting, and water service shall be required prior to approval of the Improvement Plans. A fee shall be required to process the annexation.
- o. The subdivider shall agree to and shall pay user fees for the utility services from the time improvements are accepted by the County until the lots are placed on the County tax rolls, or up to an 18-month

period, as the case may be. (Subdivision Map Act Section 66493)

- p. Access rights shall be dedicated and restricted for Lots 1, 31, and 33 along the frontage of Lower Sacramento Road on the Final Map. (Development Title Section 9-1150.5)
- q. The property shall transfer to a zone within County Service Area 29, prior to approval of the Improvement Plans, to provide water service and storm facilities. A new assessment for the zone shall be approved by the property owners prior to approval of the Improvement Plans. The assessment for the new zone shall be based on the cost for the maintenance, operation, system improvements, and any replacement program of facilities within CSA 29. The applicant shall pay for the cost to process the transfer and assessment for the new zone. In addition, the applicant shall pay for the maintenance and operation of the system from the time the facilities are accepted by the District until the transferred area is placed on the assessment role of the District. (Development Title Section 9-1100.5)

NOTE: Any construction activity that results in the disturbance of at least 1 acre of soil shall require a State NPDES construction permit.

NOTE: In Rural Residential roadways, A.C. dikes shall be prohibited, and the shoulder width shall be 6 feet wide.

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

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

NOTE: A Surface/Subsurface Contamination Report dated April 2006 and addendum dated May 2006 were reviewed by Environmental Health. An additional addendum addressing outstanding issues shall be submitted to and approved by Environmental Health before the report can be given final approval.

- b. A soil suitability and nitrate loading study incorporating proposed staff and customer use shall be submitted to the Environmental Health Department, indicating that the area is suitable for septic system usage. The studies must be approved by the Environmental Health Department prior to approval of a parcel or final map. (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

NOTE: If percolation tests fail, then additional percolation tests are to be conducted in areas of proposed engineer-designed septic systems. All percolation tests are to be a minimum of 100-feet away from wetland boundary. Prior to approval of percolation tests, a Parcel Map shall be submitted to the Environmental Health Department with dimensions of Septage area required by percolation tests under the San Joaquin County Sewage Standards, Section 10.3.4.

- c. 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). Estate type zoning (R-R1) shall require a double-leach-field-system with an alternating distribution box to be installed at time of construction.

- d. A sewage disposal area as indicated by the septic tank soil suitability study and/or percolation tests must be shown for each parcel on the final subdivision improvement plans. (Development Title Section 9-1105.2).
  - e. The revised subdivision map shall identify any existing wells on this project site. An existing agricultural well appears to be located along the southern property line.
  - f. Connection to an approved public water supply system is required. (Development Title Section 9-1120.2)
  - g. A test well will be required to meet the following:
    - 1. Water quality tested to meet requirements of Title 22, CCR (Safe Drinking Water Act).
    - 2. Water quantity tested to show an adequate source.
    - 3. Results approved by Environmental Health and Public Works prior to final approval of improvement plans.
  - h. The project shall be served by a public water system conforming to the requirements of Environmental Health and Public Works. The system shall provide adequate domestic and fire water supply in conformance to the requirements of the County Fire Warden and the local fire district. A test well showing that the production wells will meet all applicable standards is required prior to approval of the improvement plans or any work within the site.
  - i. The project shall be served by a public water system conforming to the requirements of San Joaquin County Environmental Health Department and the Department of Public Works. The system shall provide adequate domestic and fire water supply in conformance to the requirements of the County Fire Warden and the local Fire District. A test well showing that the production well(s) will meet all applicable standards is required prior to the approval of the improvements Plans or any work within the site.
  - j. The Environmental Health requires that the abandoned agricultural wells and abandoned domestic wells, not shown on the tentative map, be destroyed under permit and inspection by Environmental Health. (Development Title Section 9-1115.5[e])
  - k. The Environmental Health requires the applicant to open, pump, and backfill the septic tank, seepage pit, or excavation under permit and inspection by Environmental Health. (Development Title Sections 9-1110.3 and 9-1110.4)
  - l. Any geotechnical drilling shall be conducted under permit and inspection by Environmental Health. (Development Title Sections 9-1115.3 and 9-1115.6)
  - m. Refuse, garbage, and other solid waste material must be stored, removed, and transported to an approved landfill in accordance with San Joaquin County Ordinance Code Section 5-2400.
  - n. Demolition of dilapidated structures and removal of all demolition material from the premises to an approved landfill site are required in accordance with San Joaquin County Ordinance Code Section 5-2401.
5. DEPARTMENT OF PARKS AND RECREATION (Contact: [209] 331-2020)
- a. The collection of in-lieu fees for park development is a requirement for approval of any new residential lots create in the subdivision.
6. SAN JOAQUIN COUNCIL OF GOVERNMENTS (Contact: [209] 235-0600)
- a. This project is subject to the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). Please contact SJMSCP regarding the following steps to satisfy SJMSCP

requirements:

1. Schedule a SJMSCP biologist to perform a pre-construction survey prior to any ground disturbance.
2. Sign and return Incidental Take Minimization Measures to SJMSCP staff (given to project applicant after the pre-construction survey is completed).
3. Pay the appropriate fee based on SJMSCP findings.
4. Receive the Certificate of Payment to release the required permit.



**Planning Commission Staff Report**  
**Item # 4, July 21, 2022**  
**General Plan Text Amendment, Zone Reclassification, & Minor**  
**Subdivision Nos. PA-2200083, 84, & 89**  
**Prepared by: Stephanie Stowers**

**PROJECT SUMMARY**

**Applicant Information**

**Property Owner:** Woodbridge Partners, Inc  
**Project Applicant:** Dillon & Murphy

**Project Site Information**

**Project Address:** 18846 N. State Route 99 East Frontage Road, Acampo  
**Project Location:** At the northeast corner of N. State Route 99 East Frontage Road and Clarksdale Road, north of Lodi.

<b>Parcel Number (APN):</b>	017-090-51	<b>Water Supply:</b>	Private
<b>General Plan Designation:</b>	I/G	<b>Sewage Disposal:</b>	Private
<b>Zoning Designation:</b>	AG-20 & -40	<b>Storm Drainage:</b>	Private
<b>Project Size:</b>	26.38 acres	<b>100-Year Flood:</b>	No
<b>Parcel Size:</b>	26.38 acres	<b>Williamson Act:</b>	No
<b>Community:</b>	None	<b>Supervisorial District:</b>	4

**Environmental Review Information**

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

**Project Description**

The project includes 3 applications, a General Plan Map Amendment (PA-2200083), a Zone Reclassification (PA-2200084), and a Minor Subdivision (PA-2200089). The description is as follows:

- PA-2200083: A General Plan Map Amendment to change the General Plan designation of a 26.38-acre parcel from I/G (General Industrial) to A/I (Agricultural Industrial).
- PA-2200084: A Zone Reclassification to change the zoning of the same 26.38-acre parcel from AG-20 and -40 (General Agriculture, 20-acre or 40-acre minimum) to AI (Agricultural Industrial)
- PA-2200089: A Minor Subdivision to subdivide the same existing 26.38-acre parcel into 3 parcels and a Designated Remainder. Parcel 1 to contain 7.28 acres, Parcel 2 to contain 4.42 acres, Parcel 3 to contain 6.38 acres, and the Designated Remainder to include 8.32 acres.

**Recommendation**

1. Forward General Plan Map Amendment No. PA-2200083 to the Board of Supervisors with a recommendation of intent to approve based on the ability to make the required Basis for a General Plan Map Amendment (See Attachment D);
2. Forward Zone Reclassification No. PA-2200084 to the Board of Supervisors with a recommendation of intent to approve based on the ability to make the required Bases for a Zone Reclassification (See

Attachment D), and;

3. Forward Minor Subdivision No. PA-2200089 to the Board of Supervisors with a recommendation of intent to approve based on the ability to make the required Findings for Minor Subdivision (See Attachment D) with the attached Conditions of Approval (See Attachment E).

## NOTIFICATION & RESPONSES

(See Attachment B, Response Letters)

### Public Hearing Notices

Legal ad for the public hearing published in the Stockton Record: July 11, 2022

Number of Public Hearing notices: 96

Date of Public Hearing notice mailing: July 8, 2022

### Referrals and Responses

- **Early Referral Date:** May 4, 2022
- **Project Referral with Environmental Determination Date:** June 21, 2022

Agency Referrals	Response Date – Neighborhood Referral	Response Date - Referral	Agency Referrals	Response Date – Neighborhood Referral	Response Date - Referral
<b>County Departments</b>			<b>Local Agencies</b>		
Ag Commissioner			San Joaquin Air Pollution Control District		
Assessor			S.J.C.O.G.		6/22/22
Board of Supervisors: District 4			N. San Joaquin Water Conservation District		
Community Development Building Division			San Joaquin Farm Bureau		
Fire Prevention Bureau			Mosquito Abatement		
Environmental Health	5/19/22		City of Lodi		
Parks & Recreation			Woodbridge Fire District		
Public Works	6/6/22		Lodi Unified School District		
Sheriff Office			PG&E		
Surveyor			Buena Vista Rancheria		
<b>State Agencies</b>			CA Tribal TANF Partnership		
Department of Transportation District 10			CA Valley Miwok Tribe		
C.H.P.			North Valley Yokuts Tribe		
Fish & Wildlife, Division: 2			United Auburn Indian Community		
CA Native American Heritage Commission			Haley Flying Service		
Central Valley Flood Protection Board			Precissi Flying Service		
<b>Federal Agencies</b>			Sierra Club		
F.E.M.A.					
Fish & Wildlife					

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# ANALYSIS

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## **Background**

### *History*

On September 7, 1961, the Planning Commission approved Use Permit No. UP-1967 to establish a meat products manufacturing facility at the project site. On June 10, 1976, the Board of Zoning Adjustment approved Development Plan No. DP-76-0119 to expand the meat products manufacturing facility, and Variance No. V-76-0065 to reduce the minimum setback of a 6-foot-tall solid fence with 3 strands of barbed wire from 30 feet to 0 feet. On May 13, 1982, the Community Development Department approved Development Plan No. DP-82-0079 for another expansion to the meat processing facility.

### *General Plan Update*

On December 13, 2016, the Board of Supervisors adopted a comprehensive update of the General Plan. As part of the General Plan update process, the County accepted landowner requests to change the General Plan land use designation of their properties to reflect their preferred land use for the property. The applicant submitted a request to change the land use designation of the subject parcel (APN: 017-090-57) from A/G (General Agriculture) to I/G (General Industrial), which was approved by the Board of Supervisors as part of the General Plan update.

Although the parcel was designated as I/G (General Industrial) with the adoption of General Plan 2035, the site has maintained an agricultural zoning designation. In order to reclassify the zone to the corresponding I-G (General Industrial) zone, full public services are required, including public sewer, public water, and public storm drainage. The nearest public utility districts are located over a quarter of a mile south of the project site, in the City of Lodi and across the Mokelumne River. As a result, connecting to services is infeasible at this time.

### *Cannabis Development*

On August 5, 2020, the property owner applied for a Use Permit, PA-2000133, for a commercial cannabis operation utilizing 3 existing buildings totaling 124,650 square-feet for cannabis cultivation and processing and an office, an existing 1,000-square-foot building for storage, and an existing 2,600-square-foot wastewater treatment building. Due to the existing incompatibility between the General Plan designation (I/G [General Industrial]) and zone (AG-20 & 40 [General Agriculture, 20-acre or 40-acre minimum]), a General Plan Amendment or Zone Reclassification was necessary to move forward with processing. This project has been placed on hold, with no developments since March of 2021.

### *Agricultural Industrial Update*

On January 25, 2022, the Board of Supervisors adopted policies to create the A/I (Agriculture Industrial) General Plan designation and some development standards for the AI (Agriculture Industrial) zoning designation. The A/I designation and AI zone are intended to help alleviate the truck parking shortages by allowing limited truck uses in areas of the County where truck parking would otherwise be prohibited, but still allow for all uses currently permitted in the AG-40 (General Agriculture, 40-acre minimum) zone. On March 31, 2022, the applicant submitted the applications currently under review because the newly adopted General Plan Designation and zone would allow for additional development opportunities on site without reliance on public services.

## **General Plan Amendment**

In order to approve a General Plan Map Amendment, the Planning Commission and Board of Supervisors shall determine that the internal consistency of the General Plan is maintained in adoption of the proposed General Plan Amendment. (Development Title Section 9-803.4) The proposed change must be consistent with all of the various General Plan goals, policies, objectives, and implementation measures.

- Agriculture Industrial (A/I)

This designation provides for limited dry uses that complement both agricultural and industrial business, and will not generate a significant amount of waste or utilize a large amount of water. Other agricultural uses may also be permitted where feasible; however, the Agriculture - Industrial designation generally applies to parcels that are not ideal for large-scale or small-scale farming operations due to size, location, irregular shape or classification of farmland, and are not likely to develop during the planning period of the General Plan due to a lack of available public services. Typical uses include truck parking, truck sales, and other limited dry uses not dependent on public services. Parcels considered for this designation shall be located within a 0.5-mile radius from the centerline of an interchange along Interstate 5, Interstate 205, I-580, State Route 99, or other state highway. Parcels must also have access to a publicly maintained roadway and be located outside of the primary and secondary zones of the Delta.

- **The subject parcel meets the outlined locational criteria, with the parcel being located at the northeast corner of N. State Route 99 E. Frontage Road and Clarksdale Road. The parcel is not in an area designated Prime Farmland, and the project location is within 0.5 miles from the centerline of the nearest interchange for State Route 99. Additionally, the project site is located outside of the primary and secondary zones of the Delta.**
- **The project site is not in a service district for public water, public sewer, and public storm drainage. As a result, any subsequent development projects must be served by an on-site well, on-site wastewater disposal system, and on-site storm drainage. The A/I General Plan designation specifies that the designation is suitable for limited dry uses, which can be accommodated by on-site sewer, water, and storm drainage.**

- Infrastructure Requirements

The proposed project site is an agricultural area. The General Plan contains the following infrastructure requirements for Agricultural Areas:

→ *Water System (Table IS-1)*

Private individual water wells may be permitted if there are no groundwater quality issues.

→ *Wastewater Treatment (Table IS-2)*

Private Individual or commercial wastewater treatment systems may be permitted.

→ *Stormwater Drainage Supply (Table IS-3)*

On-site drainage may be permitted.

- **The site may utilize an on-site well for water supply, an individual commercial septic system for wastewater disposal, and on-site storm drainage. Therefore, the proposed project appears to meet the infrastructure requirements of the General Plan for this project.**

### Zone Reclassification

Pursuant to Development Title Section 9-600.1(b), the Agriculture Industrial (AI) Zone is established to provide dry uses that complement both agricultural and industrial businesses on parcels not considered ideal locations for farming due to size, location, irregular shape, or classification of farmland. This zone is intended to implement the Agriculture Industrial (A/I) land use category of the General Plan. The project site is not ideal for farming due to location and the soil classification. Therefore, the project site is suitable for the proposed General Plan and Zoning designations.

Additionally, Development Title Section 9-812.4 states that prior to approving a Zone Reclassification, the Planning Commission and Board of Supervisors shall determine that all of the following are true:

- a) The proposed zone is consistent with the General Plan, any applicable Master Plans, and any applicable Specific Plan;

**The proposed zone is Agriculture Industrial (AI), which is an implementing zone of the A/I land use designation. Therefore, if the proposal to amend the land use designation to A/I is approved, the proposed zone change to AI would be consistent with the General Plan. There are no Master Plans or Specific Plans affecting the subject parcel.**

- b) The proposed zone district is reasonable and beneficial at the time.

**The parcel site and buildings associated with the meat processing facility are currently vacant, and have not been in use in over 20 years. The current AG-40 (General Agriculture, 40-acre minimum) zone allows for limited development opportunities for the existing developed site, and industrial development consistent with the General Plan designation of I/G (General Industrial) Services is not feasible due to the lack of public services.**

**Pursuant to the 2035 General Plan, on-site water, on-site sewer, and on-site storm drainage are allowed for AI properties located outside of a community. Any on-site services proposed for subsequent projects will be required to meet the requirements of the Environmental Health Department for well and septic systems, and the Department of Public Works for on-site stormwater retention. Therefore, the proposed AI zone would be reasonable and beneficial for the project site.**

### **CEQA Analysis**

This project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3), and a Notice of Exemption will be filed if the project is approved. This project will change the General Plan designation and Zoning of a single parcel to an Agriculture-Industrial (A/I) General Plan designation and the corresponding Agriculture Industrial (AI) zoning, and subdivide the parcel into three parcels and a Designated Remainder.

The subject parcel is currently designated I/G (General Industrial), a significantly more intensive land use designation. No details regarding the future use of the parcels have been provided for review. With the proposed applications, the parcels will be limited to primarily agricultural uses, and limited truck parking (with a maximum of 25 permitted combined trucks and trailers and a maximum total square footage of less than 1,000 square-feet) and/or truck sales (with a maximum square footage of building space utilized for truck sales is 12,500 square-feet). Any project that exceeds these thresholds will require a discretionary application that is subject to CEQA. Additionally, the proposed subdivision will create large lots, between 4 and 9 acres in size, around existing development. This subdivision is not anticipated to create a significant impact on the environment as any combined future ministerial projects will not create a significant impact on the environment. As a result, the project and all related applications, are exempt from CEQA.

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## **RECOMMENDATION**

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It is recommended that the Planning Commission:

1. Forward General Plan Map Amendment No. PA-2200083 to the Board of Supervisors with a recommendation of intent to approve based on the ability to make the required Basis for a General Plan Map Amendment (See Attachment D);
2. Forward Zone Reclassification No. PA-2200084 to the Board of Supervisors with a recommendation of intent to approve based on the ability to make the required Bases for a Zone Reclassification (See Attachment D), and;
3. Forward Minor Subdivision No. PA-2200089 to the Board of Supervisors with a recommendation of intent to approve based on the ability to make the required Findings for Minor Subdivision (See Attachment D).

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**SAN JOAQUIN**  
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## Community Development Department

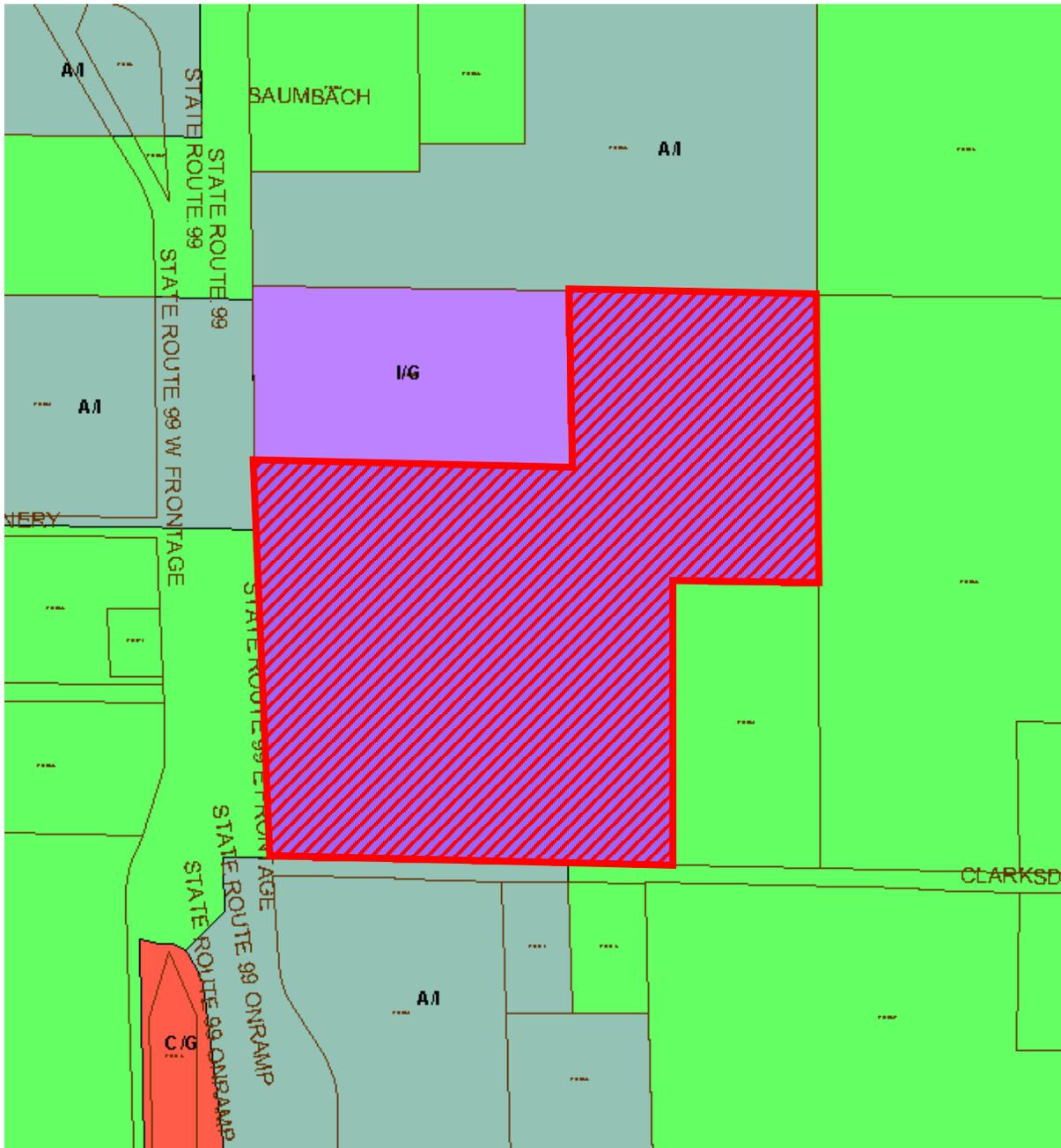
Planning · Building · Code Enforcement · Fire Prevention · GIS

# **Attachment A**

## **General Plan Map, Zoning Map, & Tentative Map**

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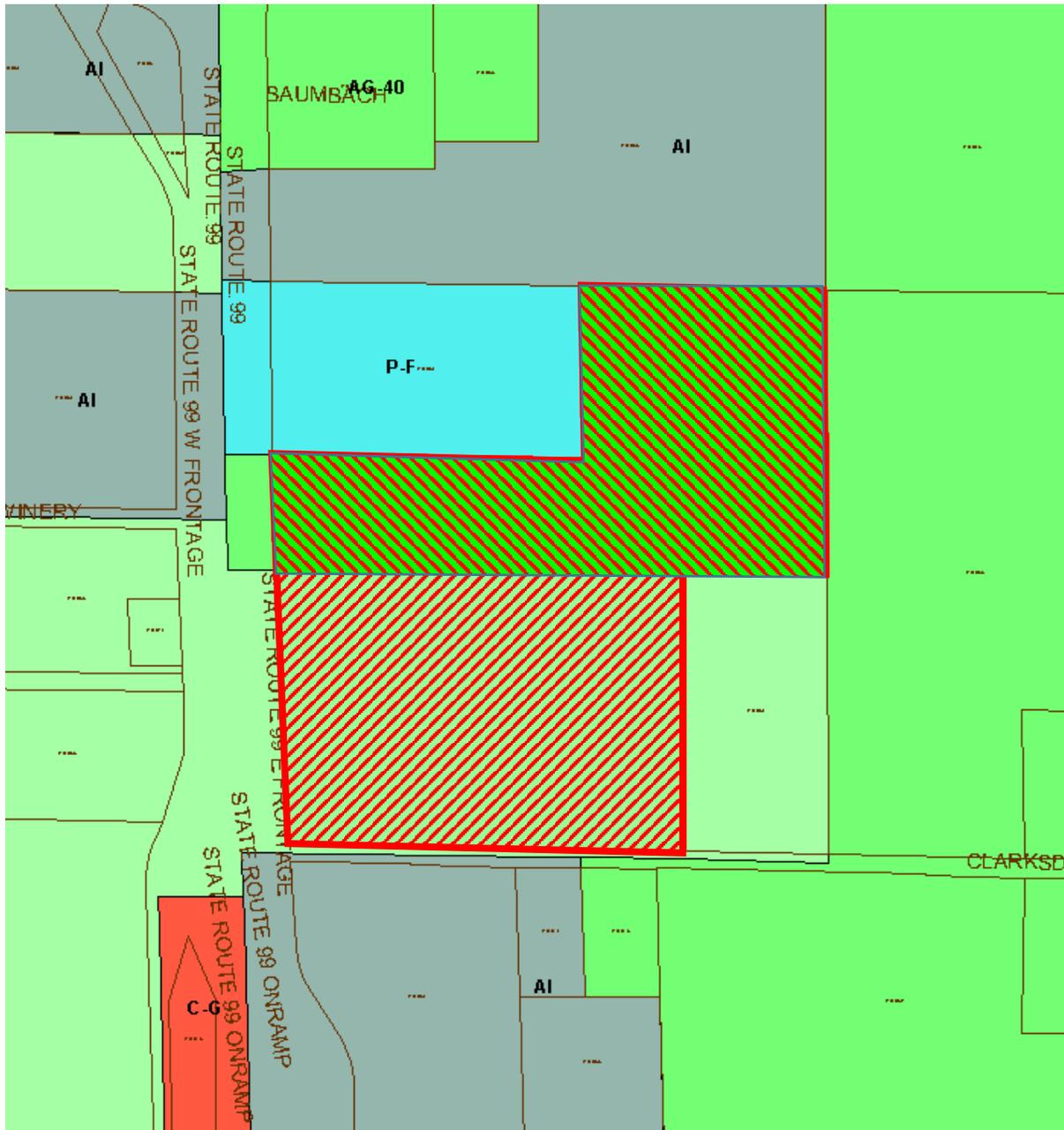
# General Plan Designation



Existing General Plan Designation: I/G

Proposed General Plan Designation: A/I

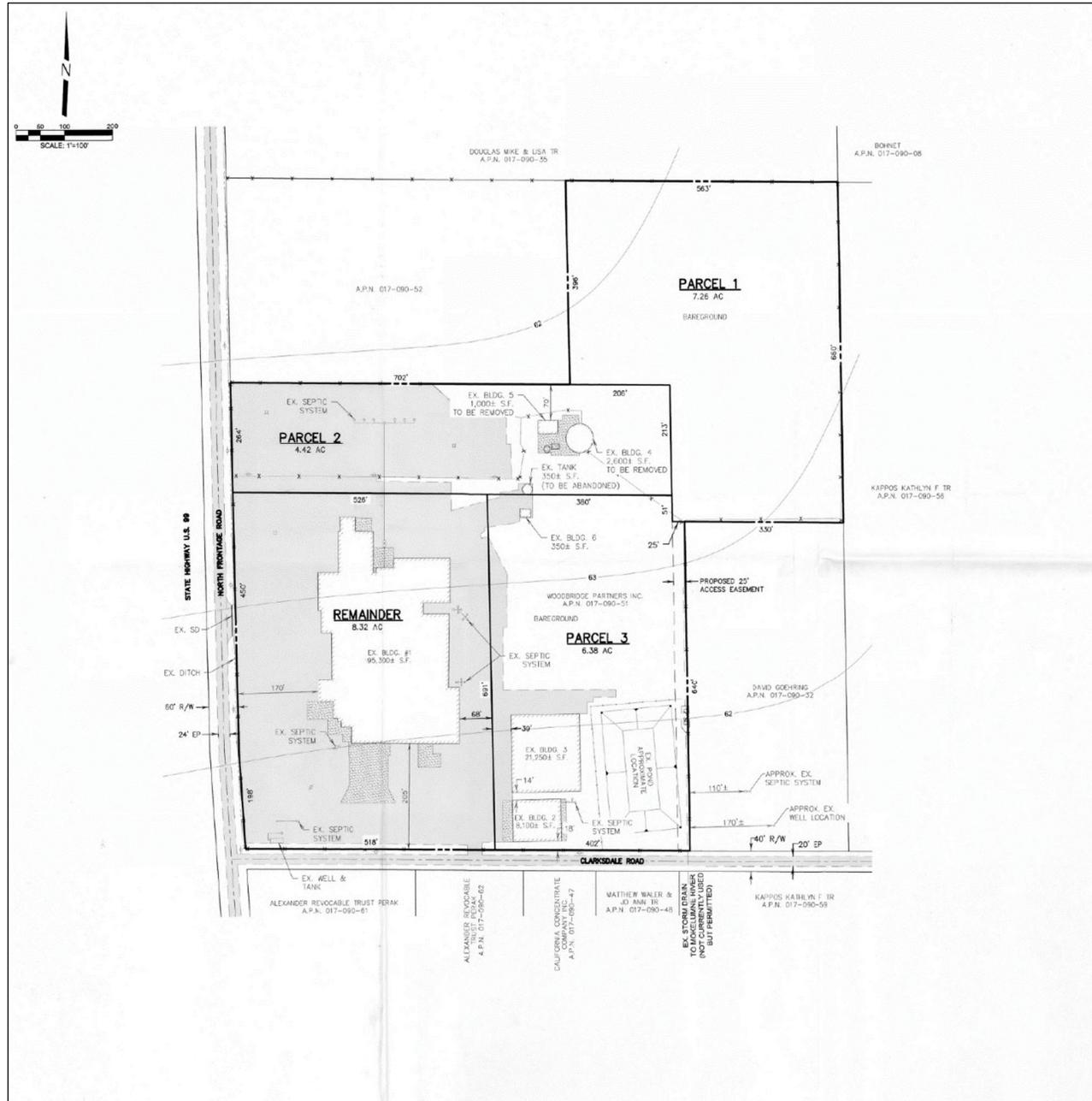
# Zone



Existing Zone: AG-20 & AG-40

Proposed Zone: AI

# Tentative Map



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## Community Development Department

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## **Attachment B** **Response Letters**

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**SAN JOAQUIN**  
 COUNTY  
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**Environmental Health Department**

**Jasjit Kang, REHS, Director**  
*Muniappa Naidu, REHS, Assistant Director*  
**PROGRAM COORDINATORS**  
 Robert McClellon, REHS  
 Jeff Carruesco, REHS, RDI  
 Willy Ng, REHS  
 Steven Shih, REHS  
 Michelle Henry, REHS  
 Elena Manzo, REHS

May 19, 2022

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

From: Francisco Garcia Ruiz; 209-616-3032   
 Environmental Health Specialist

RE: **PA-2200083 (GP), PA-2200084 (ZR), Early Consultation, SU0014911, SU0014912**

**APN: 017-090-51 / 18846 N St Rte 99 E. Frontage Rd, Acampo**

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

1. A soil suitability and nitrate loading study incorporating proposed staff and customer use shall be submitted to the Environmental Health Department, indicating that the area is suitable for septic system usage. The studies must be approved by the Environmental Health Department prior to issuance of building permit(s). (San Joaquin County Development Title, Section 9-1105.2(d)). The fee will be based on the current schedule at the time of payment.

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

**NOTE:** Environmental Health Department has received and approved a soil suitability nitrate loading study service request (SR0085108) dated April 6, 2022.

1868 E. Hazelton Avenue | Stockton, California 95205 | T 209 468-3420 | F 209 464-0138 | [www.sjgov.org/ehd](http://www.sjgov.org/ehd)



**SAN JOAQUIN**  
 COUNTY  
*Greatness grows here.*

**Environmental Health Department**

**Jasjit Kang, REHS, Director**  
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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.

**NOTE:** Environmental Health Department has received and approved a soil suitability nitrate loading study service request (SR0085108) dated April 6, 2022.

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**SAN JOAQUIN**  
— COUNTY —  
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## Environmental Health Department

**Jasjit Kang, REHS, Director**  
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**PROGRAM COORDINATORS**  
Robert McClellon, REHS  
Jeff Carruesco, REHS, RDI  
Willy Ng, REHS  
Steven Shih, REHS  
Michelle Henry, REHS  
Elena Manzo, REHS

May 19, 2022

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

From: Francisco Garcia Ruiz; (209) 616-3032   
Environmental Health Specialist

RE: **PA-2200089 (MS), Early Consultation, SU0014913 (2622)**  
**APN: 017-090-51, 18846 N. St. Rte. 99 E. Frontage Rd, Acampo**

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

1. A qualified environmental professional shall prepare a surface and subsurface contamination report, identifying any potential source of surface or subsurface contamination caused by past or current land uses. The report shall include evaluation of non-point source of hazardous materials, including agricultural chemical residues, as well as potential point sources, such as fuel storage tanks, septic systems, or chemical storage areas. The report shall be submitted to the Environmental Health Department at time of submittal of a tentative map (San Joaquin County Development Title, Section 9-905.12)

**Note:** The San Joaquin County Environmental Health Department has received and reviewed a surface and subsurface contamination report (SR0085106) dated April 5, 2022 and has found that the report meets the requirements of San Joaquin County Code Title 9, section 9-905.12 (a).

2. A soil suitability and nitrate loading study incorporating proposed staff and customer use shall be submitted to the Environmental Health Department, indicating that the area is suitable for septic system usage. The studies must be approved by the Environmental Health Department prior to approval of a parcel or final map. (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.

**Note:** The Environmental Health Department received a Soil Suitability/Nitrate Loading Study (SR0085108) dated April 6, 2022 that has been approved

3. The designated remainder parcel is non-buildable for living structures until the Environmental Health Department receives and approves a Soil Suitability and Nitrate Loading Study showing the remainder parcel is suitable for septic system usage including a percolation test (San Joaquin County Development Title, Section 9-1105.11(b)).

1868 E. Hazelton Avenue | Stockton, California 95205 | T 209 468-3420 | F 209 464-0138 | [www.sjgov.org/ehd](http://www.sjgov.org/ehd)

4. Construction of an individual sewage disposal system(s) under permit and inspection by the Environmental Health Department is required at the time of development based on the Soil Suitability/ Nitrate Loading Study findings (San Joaquin County Development Title, Section 9-1110.3 & 9-1110.4).
5. Construction of an individual domestic water well under permit and inspection by the Environmental Health Department is required at the time of development (San Joaquin County Development Title, Section 9-1115.3).
6. 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).
7. 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/](http://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). The applicant may contact the Program Coordinator of the CUPA program, Melissa Nissim (209) 468-3168, with any questions.
  - 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**



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**Department of Public Works**

Fritz Buchman, Interim Director of Public Works  
 David Tolliver, Deputy Director/Operations  
 Najee Zarif, Deputy Director/Engineering  
 Kristi Rhea, Business Administrator

June 6, 2022

MEMORANDUM

TO: Community Development Department  
 CONTACT PERSON: Stephanie Stowers

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

SUBJECT: PA-2200083 (GP), PA-2200084 (ZR), PA-2200089 (MS). A General Plan Amendment to change the General Plan designation of an existing 26.38 acre parcel from I/G to A/I. A Zone Reclassification to change the zoning of the same existing 26.38 acre parcel from AG-20 & AG-40 to AI. A Minor Subdivision to subdivide the existing 26.38 acre parcel into 3 parcels and a designated remainder. Parcel 1 to contain 7.28 acres. Parcel 2 to contain 4.42 acres. Parcel 3 to contain 6.38 acres Designated Remainder to contain 8.32 acres. (Supervisorial District 4)

OWNER: Woodbridge Partners, Inc.

APPLICANT: Dillon & Murphy

ADDRESS: 18846 N. State Route 99 E. Frontage Road, Acampo

APN: 017-090-51

INFORMATION:

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

The site is outside the Phase 1 & 2 areas of the National Pollutant Discharge Elimination System (NPDES).

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

State Route 99 E. Frontage Road has an existing and planned right-of-way of 60 feet.

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

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

RECOMMENDATIONS:

- 1) A Parcel Map is required. (Development Title Section 9-915.2)

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- 2) All easements of record shall be shown on the Parcel Map. (Development Title Section 9-910.20)
- 3) An Irrevocable Offer to Dedicate Road to result in a 50 foot wide right-of-way from the centerline of Clarksdale Road to the property line shall be required across the frontage of Parcel 3. The Irrevocable Offer of Dedication shall be made on the Parcel Map. (Development Title Section 9-1150.5)
- 4) Proposed private access and utility easement across Parcel 3 including turnaround accommodations at the termination shall be provided for the benefit of Parcel 1. The required easement shall be shown on the Parcel Map and shall be noticed on a recorded Notice of Minor Subdivision Restriction. The Notice shall read as follows:

We also hereby make an irrevocable offer to provide a minimum twenty-five (25') foot wide private access and utility easement across Parcel 3, including turnaround accommodations at its termination, for the benefit of Parcel 1 upon conveyance of any of the parcels to another party.

Informational Notes:

- (i.) At the time the parcels are developed, the developer shall provide drainage facilities in accordance with the San Joaquin County Development Standards.
- (ii.) Any construction activity that results in the disturbance of at least one (1) acre of soil shall require a State NPDES construction permit. Dischargers whose projects disturb 1 or more acres of soil or whose projects disturb less than 1 acre of soil and is not part of a larger common plan of development, are required to obtain coverage under the current General Permit for Discharges of Storm Water Associated with Construction Activity.
- (iii.) This property is subject to the requirements of San Joaquin County Mosquito & Vector Control District (209-982-4675) and the California Health and Safety Code for the prevention of mosquitoes. Best Management Practices (BMP) guidelines for stormwater devices, ponds and wetlands are available.

CH:DS:AC



**S J C O G , I n c .**

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*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. Phone: (209) 235-0574 Email: boyd@sjcog.org  
**Date:** June 22, 2022  
**Local Jurisdiction Project Title:** PA-2200083 (GP), PA-2200084 (ZR), PA-2200089 (MS)  
**Assessor Parcel Number(s):** 017-090-51  
**Local Jurisdiction Project Number:** PA-2200083 (GP), PA-2200084 (ZR), PA-2200089 (MS)  
**Total Acres to be converted from Open Space Use:** Unknown  
**Habitat Types to be Disturbed:** Multi-Purpose Open Space and Urban Habitat Land  
**Species Impact Findings:** Findings to be determined by SJMSCP biologist.

Dear Ms. Stowers:

SJCOG, Inc. has reviewed the application referral for PA-2200083 (GP), PA-2200084 (ZR), PA-2200089 (MS). This project consists of 3 applications:

PA-2200083: A General Plan Amendment to change the General Plan designation of an existing 26.38 acre parcel from I/G (General Industrial) to A/I (Agricultural Industrial).

PA-2200084: A Zone Reclassification to change the zoning of the same existing 26.38-acre parcel from AG-20 & -40 (General Agriculture, 20-acre or 40-acre minimum) to AI (Agricultural Industrial).

PA-2200089 (MS): A Minor Subdivision to subdivide the existing 26.38-acre parcel into 3 parcels and a designated remainder. Parcel 1 to contain 7.28 acres. Parcel 2 to contain 4.42 acres. Parcel 3 to contain 6.38 acres. Designated Remainder to contain 8.32 acres.

There are no underlying projects at this time. The project site is located on the east side of N. State Route 99 E. Frontage Road; 2,850 feet north of Turner Road, Lodi (APN/Address: 017-090-51/ 18846 N. State Route 99 E. Frontage Road, Acampo).

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.

***At this time, the applicant is requesting a General Plan Amendment, Zone Reclassification, and Minor Subdivision with no ground disturbance. Any future ground disturbing activities (e.g. roads, curb, gutter, electrical, water, etc.) or any physical structures that require ground disturbance on this or subsequent divided parcels will be subject to participate in the SJMSCP before ANY ground disturbance occurs and should be resubmitted to this agency. Current or future owners of this-or subdivided properties should be made aware of the conditions that are placed by the SJMSCP on future development on the created parcels.***

***This Project is subject to the 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. <http://www.sjcog.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, SJCOG, Inc. staff will sign the ITMMs. This is the effective date of the ITMMs.
  2. Under no circumstance shall ground disturbance occur without compliance and satisfaction of the ITMMs.
  3. Upon issuance of fully executed ITMMs and prior to any ground disturbance, the project applicant must:
    - a. Post a bond for payment of the applicable SJMSCP fee covering the entirety of the project acreage being covered (the bond should be valid for no longer than a 6 month period); or
    - b. Pay the appropriate SJMSCP fee for the entirety of the project acreage being covered; or
    - c. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
    - d. Purchase approved mitigation bank credits.
  4. Within 6 months from the effective date of the ITMMs or issuance of a building permit, whichever occurs first, the project applicant must:
    - a. Pay the appropriate SJMSCP for the entirety of the project acreage being covered; or
    - b. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
    - c. Purchase approved mitigation bank credits.

Failure to satisfy the obligations of the mitigation fee shall subject the bond to be called.
- Receive your Certificate of Payment and release the required permit

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

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



**S J C O G , I n c .**

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

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**SJMSCP HOLD**

**TO:** Local Jurisdiction: Community Development Department, Planning Department, Building Department, Engineering Department, Survey Department, Transportation Department, Public Works 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-2200083 (GP), PA-2200084 (ZR), PA-2200089 (MS)

Landowner: Woodbridge Partners, Inc. Applicant: Dillon & Murphy

Assessor Parcel #s: 017-090-51

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.**

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## Community Development Department

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# **Attachment C**

## **Environmental Review**

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**DRAFT  
 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:** General Plan Map Amendment No. PA-2200083, Zone Reclassification No. PA-2200084, and Minor Subdivision No. PA-2200089.

**Project Location - Specific:** The project site is located at the northeast corner of N. State Route 99 E. Frontage Rd. and Clarksdale Rd., north of Lodi. (APN/Address: 017-090-51 / 18846 N. State Route 99 E. Frontage Rd., Acampo) (Supervisory District: 4)

**Project Location – City:** Acampo

**Project Location – County:** San Joaquin County

**Project Description:** The project includes 3 applications; the description is as follows:

- General Plan Map Amendment No. PA-2200083 to change the General Plan designation of an existing 26.38-acre parcel from I/G (General Industrial) to A/I (Agricultural Industrial).
- Zone Reclassification No. PA-2200084 to change the zoning of the same existing 26.38-acre parcel from AG-20 and -40 (General Agriculture, 20-acre or 40-acre minimum) to AI (Agricultural Industrial)
- Minor Subdivision No. PA-2200089 to subdivide the same existing 26.38-acre parcel into 3 parcels and a Designated Remainder. Parcel 1 to contain 7.28 acres, Parcel 2 to contain 4.42 acres, Parcel 3 to contain 6.38 acres, and the Designated Remainder to include 8.32 acres.

The Property is zoned AG-40 (General Agriculture, 40-acre minimum) and AG-20 (General Agriculture, 20-acre minimum). The General Plan designation is I/G (General Industrial).

**Project Proponent(s):** Woodbridge Partners, Inc / Dillon & Murphy

**Name of Public Agency Approving Project:** San Joaquin County Board of Supervisors

**Name of Person or Agency Carrying Out Project:** Stephanie Stowers, Senior 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 project is not subject to CEQA.

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

**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: \_\_\_\_\_

DRAFT

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



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## Community Development Department

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## **Attachment D** **Findings**

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# Findings for General Plan Map Amendment, Zone Reclassification, and Minor Subdivision

PA-2200083, 84, 89  
WOODBRIIDGE PARTNERS, INC. / DILLON & MURPHY

## General Plan Map Amendment (PA-2200083)

1. The internal consistency of the General Plan is maintained in adoption of the Map Amendment.
  - This finding can be made because the location proposed for a General Plan Map Amendment to the A/I (Agriculture-Industrial) designation is consistent with the goals and locational criteria outlined in the General Plan.

## Zone Reclassifications (PA-2800084)

1. The proposed zone is consistent with the General Plan, any applicable Master Plans, and any applicable Specific Plan.
  - The proposed AI (Agriculture-Industrial) zone is an implementing zone for the A/I (Agriculture-Industrial) General Plan designation. There are no applicable Master Plans or Specific Plans in the various vicinities.
2. The proposed zone district is reasonable and beneficial at the time.
  - The parcel site and buildings associated with the meat processing facility are currently vacant, and have not been in use in over 20 years. The current AG-40 (General Agriculture, 40-acre minimum) zone allows for limited development opportunities for the existing developed site, and industrial development consistent with the General Plan designation of I/G (General Industrial) Services is not feasible due to the lack of public services.

Pursuant to the 2035 General Plan, on-site water, on-site sewer, and on-site storm drainage are allowed for AI properties located outside of a community. Any on-site services proposed for subsequent projects will be required to meet the requirements of the Environmental Health Department for well and septic systems, and the Department of Public Works for on-site stormwater retention. Therefore, the proposed AI zone would be reasonable and beneficial for the project site.

## Minor Subdivision (PA-2200089)

1. The proposed subdivision is consistent with the General Plan, any applicable Master Plan, Specific Plan, and Special Purpose Plan and any other applicable plan adopted by the County.
  - Minor Subdivision No. PA-2200089 is consistent with the General Plan because the proposed AI (Agricultural Industrial) zoning of the subject parcel permits the division proposed and the AI zoning is an implementing zone for the parcel's proposed A/I (Agricultural Industrial) land use designation. Further, no Master Plan, Specific Plan, or Special Purpose Plan are applicable to Minor Subdivision No. PA-2200089.
2. The design or improvement of the proposed subdivision is consistent with the General Plan and any applicable Specific Plan or Special Purpose Plan.
  - The design or improvement of the proposed subdivision is consistent with the General Plan and any applicable Specific Plan or Special Purpose Plan because the design and improvements meet the minimum standards contained in the General Plan as reflected in the Tentative Map.

3. The site is physically suitable for the type of development proposed.
  - **No development is proposed with this subdivision. The site is physically suitable for the type of subdivision proposed because all requirements contained in the Development Title and all minimum County standards are met.**
4. The site is physically suitable for the proposed density of development.
  - **The subdivision does not propose any development. The resulting parcels are physically suitable to meet density requirements for any future development.**
5. Neither the design of the subdivision nor any proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
  - **The subdivision does not propose any development or improvements; therefore, the subdivision is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.**
6. The design of the subdivision or type of improvement is not likely to cause significant public health problems.
  - **The subdivision does not propose any development or improvements; therefore, the design of the subdivision is not likely to cause significant public health problems.**
7. The design of the subdivision or the types of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.
  - **The design of the subdivision will not conflict with easements acquired by the public at large for access through or use of the property within the proposed subdivision because, if it is found that alternate easements for access or for use are necessary, these will be substantially equivalent to ones previously acquired by the public.**
8. Any land or improvements to be dedicated to the County or other public agency is consistent with the General Plan, any applicable Specific Plan and Special Purpose Plan, and any other applicable plan adopted by the County.
  - **Any land or improvements to be dedicated to the County is consistent with the General Plan, any applicable Specific Plan and Special Purpose Plan, and other applicable plan adopted by the County because any such improvements or land must meet County standards and requirements for dedication and/or construction.**
9. The design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision, as required by Government Code Section 66473.1.
  - **The subdivision does not propose any development; therefore, the subdivision does not involve Government Code Section 66473.1.**



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## Community Development Department

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# Attachment E

## Conditions of Approval

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# Conditions of Approval

PA-2200089

WOODBRIIDGE PARTNERS, INC. / DILLON & MURPHY

Minor Subdivision Application No. PA-2200089 was approved by the Board of Supervisors on . The effective date of approval is . This tentative map approval will expire on , which is three (3) years from the effective date of approval, unless (1) all Conditions of Approval have been complied with and (2) a Certificate of Compliance has been filed with and accepted by the County Surveyor.

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

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

- a. **TENTATIVE MAP:** The Parcel Map shall substantially conform with the approved tentative map dated April 25, 2022
- b. **LOT SIZE AND WIDTH:** The following lot size and width regulations shall apply to this Parcel Map:
  1. Parcel 1 shall contain 7.28 acres.
  2. Parcel 2 shall contain 4.42 acres.
  3. Parcel 3 shall contain 6.38 acres.
  4. Designated Remainder shall contain 8.32 acres.

2. COUNTY COUNSEL

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

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

- a. This project is subject to the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). At the time of development, any structures that require ground disturbance on this or the subsequent divided parcels will be subject to participate in the SJMSCP and should be resubmitted to the San Joaquin Council of Governments to ensure biological and mitigation obligations are satisfied. The following note shall be recorded as a Notice of Minor Subdivision Restriction with the Parcel Map:

Parcels 1, 2, 3 & the Designated Remainder are subject to the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). At the time of development of Parcels 1, 2, 3 and/or the Designated Remainder, any structure(s) that require ground disturbance on this or subsequent divided parcels will be subject to participate in the SJMSCP and development plans should be submitted to the San Joaquin Council of Governments to ensure biological and mitigation obligations are satisfied.

4. DEPARTMENT OF PUBLIC WORKS (Contact: [209] 468-3000)

- a. A Parcel Map is required. (Development Title Section 9-915.2)

- b. All easements of record shall be shown on the Parcel Map. (Development Title Section 9-910.20)
- c. An Irrevocable Offer to Dedicate Road to result in a 50-foot-wide right-of-way from the centerline of Clarksdale Road to the property line shall be required across the frontage of Parcel 3. The Irrevocable Offer of Dedication shall be made on the Parcel Map. (Development Title Section 9-1150.5)
- d. Proposed private access and utility easement across Parcel 3 including turnaround accommodations at the termination shall be provided for the benefit of Parcel 1. The required easement shall be shown on the Parcel Map and shall be noticed on a recorded Notice of Minor Subdivision Restriction. The Notice shall read as follows:

We also hereby make an irrevocable offer to provide a minimum 25-foot-wide private access and utility easement across Parcel 3, including turnaround accommodations at its termination, for the benefit of Parcel 1 upon conveyance of any of the parcels to another party.

Informational Notes:

- 1. At the time the parcels are developed, the developer shall provide drainage facilities in accordance with the San Joaquin County Development Standards.
  - 2. Any construction activity that results in the disturbance of at least one (1) acre of soil shall require a State NPDES construction permit. Dischargers whose projects disturb 1 or more acres of soil or whose projects disturb less than 1 acre of soil and is not part of a larger common plan of development, are required to obtain coverage under the current General Permit for Discharges of Storm Water Associated with Construction Activity.
  - 3. This property is subject to the requirements of San Joaquin County Mosquito & Vector Control District (209-982-4675) and the California Health and Safety Code for the prevention of mosquitoes. Best Management Practices (BMP) guidelines for stormwater devices, ponds and wetlands are available.
5. ENVIRONMENTAL HEALTH DEPARTMENT (Contact: [209] 468-3000)

- a. A qualified environmental professional shall prepare a surface and subsurface contamination report, identifying any potential source of surface or subsurface contamination caused by past or current land uses. The report shall include evaluation of non-point source of hazardous materials, including agricultural chemical residues, as well as potential point sources, such as fuel storage tanks, septic systems, or chemical storage areas. The report shall be submitted to the Environmental Health Department (EHD) at time of submittal of a tentative map (San Joaquin County Development Title, Section 9-905.12)

**Note:** The San Joaquin County Environmental Health Department has received and reviewed a surface and subsurface contamination report (SR0085106) dated April 5, 2022, and has found that the report meets the requirements of San Joaquin County Code Title 9, section 9-905.12(a).

- b. A soil suitability and nitrate loading study incorporating proposed staff and customer use shall be submitted to the EHD, indicating that the area is suitable for septic system usage. The studies must be approved by the Environmental Health Department prior to approval of a parcel or final map. (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.

**Note:** The Environmental Health Department received a Soil Suitability/Nitrate Loading Study (SR0085108) dated April 6, 2022, that has been approved

- c. The designated remainder parcel is non-buildable for living structures until the EHD receives and approves a Soil Suitability and Nitrate Loading Study showing the remainder parcel is suitable for septic system usage including a percolation test (San Joaquin County Development Title, Section 9-1105.11[b]).
- d. Construction of an individual sewage disposal system(s) under permit and inspection by the EHD is required at the time of development based on the Soil Suitability/ Nitrate Loading Study findings (San Joaquin County Development Title, Section 9-1110.3 & 9-1110.4).
- e. Construction of an individual domestic water well under permit and inspection by the EHD is required at the time of development (San Joaquin County Development Title, Section 9-1115.3).
- f. Any geotechnical drilling shall be conducted under permit and inspection by the EHD (San Joaquin County Development Title, Section 9-1115.3 and 9-1115.6).
- g. 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/](http://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). The applicant may contact the Program Coordinator of the Certified Unified Program Agencies (CUPA) program, Melissa Nissim (209) 468-3168, with any questions.
  - 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 (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.