



**Planning Commission Staff Report
Item # 1, August 6, 2026
Use Permit Modification No. PA-2200053
Prepared by: Giuseppe Sanfilippo**

PROJECT SUMMARY

Applicant Information

Property Owner: Manteca Sportsmen Inc.
Project Applicant: San Joaquin County

Project Site Information

Project Address: 30261 South Airport Way, Manteca
Project Location: On the north side of South Airport Way, 0.5 miles east of Kasson Road, Manteca

Parcel Number (APN):	241-370-07	Water Supply:	Private (None)
General Plan Designation:	A/G	Sewage Disposal:	Private (None)
Zoning Designation:	AG-40	Storm Drainage:	Private (None)
Project Size:	0.92-acres	100-Year Flood:	Yes (AE)
Parcel Size:	12.55-acres	Williamson Act:	No
Community:	None	Supervisory District:	5

Environmental Review Information

CEQA Determination: Categorical Exemption Section 15321 Class 21 (Attachment D Environmental Determination)

Project Description

This project is a Modification to Use Permit No. UP-3009 that established the Manteca Sportsmen Club to add two Conditions of Approval to ensure that the gun range and related activities do not pose a danger to attendees and the public. These conditions include:

- A requirement for the installation of safety canopies to prevent projectiles from going over the levee at each rifle range shooting bench.
- A requirement for a certified range master to be on site during all hours of operation.

Recommendation

1. Adopt Finding Nos. 2, 3, and 6 for Modification of Use Permit (Attachment C), and
2. Approve Modification No. PA-2200053 to Use Permit No. UP-3009 with the revised Conditions of Approval (Attachment K) Nos. 1.d and 1.e.

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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 17, 2026.

Number of Public Hearing notices: 326

Date of Public Hearing notice mailing: July 17, 2026.

Referrals and Responses

- **Project Referral with Environmental Determination Date:** March 28, 2022

Project Re-Referral with Environmental Determination Date: March 6, 2025

Agency Referrals	Response Date - Referral	Response Date-Re Referral	Agency Referrals	Response Date - Referral	Response Date-Re Referral
County Departments			Local Agencies		
Ag Commissioner			2064 River Junction Reclamation District		
Assessor			Lathrop-Manteca Fire District		
Community Development			Mosquito Abatement		
Building Division			S.J.C.O.G.		
Fire Prevention Bureau			San Joaquin Farm Bureau		
Public Works		3/7/2025	San Joaquin Air Pollution Control District		
Environmental Health		3/10/2025	Manteca Unified School District		
General Services					
Sheriff Office					
Board of Supervisors, District 5					
State Agencies			Miscellaneous		
A.B.C.			A.T.&T.		
Department of Transportation			B.I.A.		
District 10			Builders Exchange		
Division of Aeronautics			Haley Flying Service		
C.H.P.			P.G.&E.		4/4/2025
C.R.W.Q.C.B.			Precissi Flying Service		
Fish & Wildlife, Division: 2			Sierra Club		
CA Native American Heritage Commission			United Auburn Indian Community		
CA Tribal TANF Partnership			CA Valley Miwok Tribe		
Federal Agencies			North Valley Yokuts Tribe		
F.A.A.			Buena Vista Rancheria		
F.E.M.A.			Farm Bureau		

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ANALYSIS

Background

On August 6, 1964, the Planning Commission approved Use Permit No. 3009 for a shooting range on the subject property subject to Conditions of Approval (Attachment E.). Condition of Approval No.1 stated that:

The permitted use shall not at any time develop into a nuisance, as herein defined. If, in the opinion of the Planning Commission or Board of Supervisors, any County Ordinance or State Law or regulations or conditions attached hereto are being violated in connection with the operation of this use, that they retain the power to revoke or modify this permit. For the Purposes of this use permit, a nuisance is defined as follows:

“Nuisance is defined as anything resulting from unreasonable or unlawful practices or from neglect which is, or tends to be, injurious to health, safety, or public welfare, or is unsightly or offensive to the senses so as to interfere with the comfortable enjoyment of life or property in the neighborhood area, as such neighborhood area is defined by the Planning Commission.”

In February 2022, a San Joaquin County Sheriff's Office (Sheriff's Office) investigated a complaint that stray bullets were landing on properties near the Manteca Sportsmen Inc.'s club property (APN: 241-370-07). A follow-up investigation by the Sheriff's Office confirmed that bullets from rifles fired at the Manteca Sportsmen Inc.'s shooting range were landing outside of the shooting range property causing a safety hazard to the public. Bullets were found up to 1-mile north of the shooting range on APN: 241-180-16, which is a site owned and operated by the San Joaquin County Office of Education (SJCOE). This site contains two educational facilities: a regional center for STEM and environmental exploration (Durham Ferry Outdoor Education Center) and a charter school (Historic Durham Ferry Academy).

Compliance Agreement

As a result of Sheriff's Office investigation, the Community Development Department determined that the shooting range operations were in violation of Use Permit No. 3009, Condition of Approval No. 1, because the shooting range had developed into a nuisance by neglecting to maintain all shooting range activities on-site and therefore creating a situation that could be injurious to health, safety, and public welfare. In order to ensure public safety, the Community Development Department and the Manteca Sportsmen Inc. entered into a Compliance Agreement (Attachment F) on March 9, 2022. The Compliance Agreement dictated that Manteca Sportsmen Inc. must:

- Immediately stop the outdoor use of certain types of rifles on the firing range that are more likely to result in bullets leaving the property;
- Staff the range with a certified rangemaster during all shooting activities to ensure shooters are operating at their shooting stations safely.
- Submit engineered plans for physical improvement that will prevent bullets from leaving the subject property; and
- Make changes to the shooting range operations to ensure the approved use of the property will not be detrimental to the public health or safety, or be a public nuisance, in addition to other terms.

In return, the Compliance Agreement also stated that the County will stay enforcement action during the term of the agreement, provided operations do not create an imminent threat to public health, safety, or welfare. Although the original Compliance Agreement was in effect only for a 1-year period and the most current addendum expired February 1, 2025, Manteca Sportsmen Inc. has remained in compliance by not operating the rifle range until all safety concerns are resolved. Other elements of the facility are still in operation and not subject to complaints or enforcement actions.

In addition to the Compliance Agreement, the Community Development Department also opened Code Enforcement Case No. EN-2300651 for tracking purposes while the case remains active and until a long-term solution has been approved.

Modification/Revocation

Pursuant to Development Title Section 9-802.130 Modification or Revocation, any permit granted under the Development Title may be revoked or modified if any of the conditions or terms of the permit are violated or if any law or regulation is violated. Additionally, as noted above, the Conditions of Approval for UP-3009 allow the Planning Commission to revoke or modify the permit if it were to become a nuisance. On March 17, 2022, Community Development Department staff requested that the Planning Commission formally proceed with the revocation or modification process to address the public safety concerns confirmed by the Sheriff's Office. In response, the Planning Commission directed staff to work with the Manteca Sportsmen Club and the Sheriff's Office to bring back proposed modifications to the Conditions of Approval to integrate physical and operational requirements to ensure that shooting range operations and related activities on the property do not pose a danger to the public, including attendees and staff of the nearby SJCOE facilities.

Proposed Conditions of Approval

On April 22, 2025, the Community Development Department met with the Sheriff's Office and Manteca Sportsmen Inc. to discuss necessary modifications to Use Permit No. 3009 to address safety concerns. As a result of this meeting, CDD staff developed the following recommended Conditions of Approval (Attachment K):

- 1.d Safety canopies shall be required to prevent projectiles from going over the levee at each rifle range shooting bench.
- 1.e. A certified range master shall be on site during all hours of operation.

Safety Canopy Review

In order to ensure that the proposed Conditions of Approval would address the safety concerns, the applicant submitted Building Permit No. COM-BP-2500328 with details regarding the proposed safety canopies. On July 18, 2025, staff from the Sheriff's Office conducted an on-site evaluation of a related mock-up of the proposed safety canopies prepared by Manteca Sportsmen Inc. The Deputy Building Official and Senior Planner assigned to the project were also present during this evaluation. A sniper for the Sheriff's Office determined that the safety canopy mock-up was insufficient but could be modified to prevent projectiles from going over the levee. The sniper recommended adding an 8.5-inch ballistic block at the shooting bench running the full width of the safety canopy and raising the safety canopy 2 inches from the rear.

In addition to the Sheriff's Office review of the proposed safety canopies, the Community Development Department directed Manteca Sportsmen Inc. to obtain confirmation from a ballistics expert that the safety canopies, with the modified proposal, would provide sufficient protection to the public by maintaining all bullets on the shooting range property. On December 30, 2025, the applicant submitted a letter from Gene Whisenand, owner of Trident Firearms Academy and a private investigator with experience providing expert witness testimony pertaining to ballistics in criminal cases. The letter stated that the use of AR 400 steel in the construction of the safety canopies would prevent the projectiles from leaving the shooting range site and flying over the levee. On January 5, 2026, the Sheriff's Office sent an e-mail stating that they had reviewed the letter and had no issues with the conclusions or the credentials of Mr. Whisenand.

As a result, the Deputy Building Official determined that Building Permit No. COM-BP-2500328 must reflect the proposed modifications to the safety canopies prior to approval of the plans. This requirement has also been incorporated into the proposed modified Conditions of Approval (1.f.1.a. & b.).

Upon finalizing the proposed modified Conditions of Approval, the project was scheduled for a public hearing at the Planning Commission on February 5, 2026. On January 29, 2026, the San Joaquin County Office of Education submitted an email requesting continuance of the item in order to procure the services of their own ballistics expert to review the design of the proposed safety canopies and conclusions of the Manteca Sportsmen Inc.'s ballistics expert. At the meeting, representatives for both Manteca Sportsmen Inc. and San Joaquin County Office of Education spoke regarding the continuance request. The

representative for Manteca Sportsmen Inc. requested that the Planning Commission keep the item on schedule, while the representatives for the San Joaquin County Office of Education requested a continuance to the March 5, 2026, Planning Commission meeting. The Planning Commission approved the request for continuance and the motion passed 4-1.

On February 27, 2026, Armed Profession Consulting, LLC, the ballistics expert for the San Joaquin County Office of Education submitted a report (Attachment J). At the March 5, 2026, Planning Commission Hearing, Manteca Sportsmen Inc. requested a continuance because their ballistics expert was unavailable to attend the meeting and did not have enough time to review the report. The continuance was requested to a date not specified when a full Commission was available. The Planning Commission approved the request for continuance and the motion passed 5 to 0.

The report prepared by the ballistics expert retained by the San Joaquin County Office of Education contains more stringent recommendations for re-opening of the rifle range. These recommendations include: use of the safety canopies as a short term 3 to 5 years solution, until a “no blue sky” baffle system can be installed; using 3/8” inch AR500 steel plates instead of AR400 on the shooting canopies; develop, publish, and enforce policies related to the safe operation of the rifle range; and repair the impact berm. The ballistics expert for Manteca Sportsmen Inc. reviewed the recommendations and determined that they are not warranted. As a result, staff recommends that no additional requirements be imposed upon the project as a result of the second report.

Findings

Pursuant to Development Title Section 9-802.130(d), the original decision-maker must make any one of six possible findings in order to modify or revoke a land use permit. The Community Development Department recommends that Findings Nos. 2, 3, and 6 can be made in the affirmative for modifying the land use permit, as discussed below and in Attachment C.

2. One or more of the conditions upon which such development approval was granted have been violated

This finding can be made as the project is in violation of the following condition: “The permitted use shall not at any time develop into a nuisance” by creating a safety concern. The Sheriff’s Department opened an investigation regarding bullets going over the levee and landing on properties up to 1-mile from the range.

3. The use or facility for which the development approval was granted is so conducted or maintained as to be detrimental to the public health or safety, or as to be a public nuisance of the conditions upon which such development approval was granted have been violated.

This finding can be made because bullets leaving the site and landing on parcels up to one-mile from the facility is potentially detrimental to public health and safety.

6. There is or has been a violation of or failure to observe the terms or conditions of the permit or approval, or the use has been conducted in violation of the provisions of this Title or any other applicable law or regulation.

This finding can be made as the project is in violation of the following condition: “The permitted use shall not at any time develop into a nuisance”.

CEQA Exemption

This application is for a modification to the Conditions of Approval for a shooting range to ensure that the facility is operated in a manner that is not a nuisance injurious to the health, safety, and public welfare. Pursuant to CEQA Guidelines Section 15321 Class 21, a project is exempt from CEQA if the activity is an enforcement action by a regulatory agency. Specifically, actions to enforce a land use entitlement or the standards administered and adopted by the regulatory agency are included under this exemption. Additionally, here 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 proposed modifications to the Conditions of Approval to address a violation of the approved land use permit will not cause a significant impact on the environment. Therefore, the project is exempt from CEQA.

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RECOMMENDATION

It is recommended that the Planning Commission:

1. Adopt Finding No. 2, 3, and 6 for Modification of Use Permit (Attachment C), and
2. Approve Modification No. PA-2200053 to Use Permit No. UP-3009 with the revised Conditions of Approval (Attachment K) Nos. 1.d and 1.e.

Attachments:

Attachment A – Site Plan
Attachment B – Agency Response Letters
Attachment C – Findings for Modification
Attachment D – Environmental Determination
Attachment E – Previously Approved Conditions of Approval
Attachment F – Compliance Agreement
Attachment G – Rifle Range Safety Canopy
Attachment H – Operational Procedures
Attachment I – Manteca Sportsmen Ballistics Expert Correspondence
Attachment J – San Joaquin County Office of Education Ballistics Expert Report
Attachment K – Conditions of Approval

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Attachment A **Site Plan**

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Range Baffle Foundation

Scope of work: Addition of fourteen (14) deflector structures at an existing rifle range.

Owner/Client

MORCO Sportsman, Inc.
2225 S. Airport Way
Manteca, CA 95337
Contact: Amy Smith
Phone: (209) 825-7119

Vicinity Map:



Project Data

Project Address: 2026 S Airport Way
Manteca, CA 95337
Project Address: 2026 S Airport Way
Manteca, CA 95337
City: Manteca, CA
County: San Joaquin
State: CA
Project Name: Range Baffle Foundation
Project Number: 13-001
Project Date: 11/13/2013

NOTE:
The design depicted on these drawings is intended to meet the structural
requirements of the California Building Code. The engineer is not a
licensed architect and does not intend to provide architectural services.
It is the responsibility of the architect to provide the architect with the
information necessary to complete the design. The engineer is not
responsible for the design of the structure or the construction of the
structure. The engineer is not responsible for the design of the structure
or the construction of the structure.



Site

Range Baffle Foundation
30261 S Airport Way
Manteca, CA 95337

Drawn By: JH
Checked: JH
Date: 11/13/2013

Design Project
By: JH
Date: 11/13/2013
11/13/2013

J. WAGNER
& ASSOCIATES

2125 N. HEDGECOCK ST.
MANTeca, CA 95337
(209) 227-7119



Title Sheet

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Attachment B **Agency Response** **Letters**

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Department of Public Works

Fritz Buchman, Director

Alex Chetley, Deputy Director - Development

Kristi Rhea, Deputy Director - Administration

David Tolliver, Deputy Director - Operations

Najee Zarif, Deputy Director - Engineering

March 7, 2025

MEMORANDUM

TO: Community Development Department
CONTACT PERSON: Giuseppe Sanfilippo

FROM: Shayan Rehman, Engineering Services Manager
Development Services Division SR

SUBJECT: PA-2200053 (MISC); Modification proceedings to add two Conditions of Approval for Use Permit No. UP 3009 for the Manteca Sportsmen Club to ensure that the gun range and related activities do not pose a danger to attendees and the public. The first additional Condition of Approval is to require 14 safety canopies at the rifle range to prevent projectiles from going over the levee. The second additional Condition of Approval is to require a certified range master at the rifle range during all hours of operation. The project site is not under a Williamson Act contract; located on the north side of South Airport Way, 0.5 miles east of Kasson Road, Manteca.
(Supervisory District 5)

OWNER: Manteca Sportsmen Inc.

APPLICANT: San Joaquin County

ADDRESS: 30261 S. Airport Way, Manteca

APN: 241-370-07

INFORMATION:

The site is currently located within a Federal Emergency Management Agency Designated Flood Hazard Area designated as Zone AE. The 100-Year Flood Elevation will be approximately 33-feet NAVD 1988.

RECOMMENDATIONS:

- 1) None. (All previous conditions shall apply.)

SR:GM:FS

1810 East Hazelton Avenue | Stockton, California 95205 | T 209 468 3000 | F 209 468 2999

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Environmental Health Department

Jasjit Kang, REHS, Director

Muniappa Naidu, REHS, Assistant Director

PROGRAM COORDINATORS

Jeff Carruesco, REHS, RDI

Willy Ng, REHS

Steven Shih, REHS

Elena Manzo, REHS

Natalia Subbotnikova, REHS

March 10, 2025

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

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

RE: **PA-2200053, (MISC), Referral, SU0014851**
30261 S. Airport Way, Manteca

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

1. Submit a Water Provision Declaration form to the Environmental Health Department for review.
2. Any existing wells or septic systems to be abandoned shall be destroyed under permit and inspection by the EHD (San Joaquin County Development Title, Section 9-605.010 & 9-601.020).
3. 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).
4. Before any hazardous materials/waste can be stored or used onsite, the owner/operator must report the use or storage of these hazardous materials to the California Environmental Reporting System (CERS) at cers.calepa.ca.gov/ and comply with the laws and regulations for the programs listed below (based on quantity of hazardous material in some cases). The applicant may contact the Program Coordinator of the CUPA program, Elena Manzo (209) 953-7699, 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.

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

- 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**



Pacific Gas and Electric Company
PGEPlanReview@pge.com
Land Management
300 Lakeside Drive
Oakland, CA 94612

April 4, 2025

Giuseppe Sanfilippo
San Joaquin County
Community Development Department

Re: PA-2200053 (MISC)

Dear Giuseppe,

Thank you for providing PG&E the opportunity to review your proposed plans for PA-2200053. Our review indicates the proposed work and/or improvements do not appear to directly interfere with any of PG&E's existing facilities or land rights.

Please note, this is our preliminary review and PG&E may provide additional comments in the future as the project progresses or if additional information is provided. If there are subsequent modifications made to the design, we ask that the plans be resubmitted for review to the email address listed below.

If PG&E gas and/or electric service are needed, please submit an application through PG&E's Your Project Portal: [Sign In \(yourprojects-pge.com\)](https://yourprojects-pge.com).

As a reminder, before any digging or excavation occurs, please contact Underground Service Alert (USA) by dialing 811 a minimum of two (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 this response, please contact me at (877) 259-8314 or pgeplanreview@pge.com

Sincerely,

PG&E Plan Review Team
Land Management

From: Gary Boswell <gdboswell21@gmail.com>

Sent: Thursday, January 22, 2026 4:01 PM

To: pcrecords [CDD] <pcrecords@sjgov.org>

Subject: PA-2200053

I just wanted to offer my opinion in favor of the proposed project (PA-2200053) at the Manteca Sportsman.

Gary Boswell
30000 Kasson Rd.
Tracy, CA 95304
209-612-7941

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Attachment C **Findings for Modification**

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FINDINGS FOR MODIFICATION

Pursuant to Development Title Section 9-802.130(d), a permit may be modified or revoked by the original decision-maker under any one of the following findings after a duly-noticed public hearing. Findings Nos. 2, 3, and 6 can be made in the affirmative.

1. The approval was obtained by means of fraud or misrepresentation of a material fact:

This finding cannot be made. The property owner met all prerequisites of the Use Permit application and obtained approval from the Planning Commission. There is no evidence or allegation that the approval was obtained or extended by fraud.

2. One or more of the conditions upon which such development approval was granted have been violated

**This finding can be made as the project is in violation of the following condition:
“The permitted use shall not at any time develop into a nuisance”**

3. The use or facility for which the development approval was granted is so conducted or maintained as to be detrimental to the public health or safety, or as to be a public nuisance of the conditions upon which such development approval was granted have been violated.

This finding can be made because bullets leaving the site and landing on parcels up to one-mile from the facility is potentially detrimental to public health and safety.

4. The use, building, or structure have been substantially expanded beyond what is set forth in the original permit, thereby causing substantial adverse impacts to the surrounding neighborhood.

This finding cannot be made. The facility occupies substantially the same footprint as is included in the approval, and has been recognized historically.

5. The use in question has ceased to exist or has been suspended for one year or more.

This finding cannot be made. The facility has been consistently in operation and has not ceased to operate for a period of one year or more.

6. There is or has been a violation of or failure to observe the terms or conditions of the permit or approval, or the use has been conducted in violation of the provisions of this Title or any other applicable law or regulation.

**This finding can be made as the project is in violation of the following condition:
“The permitted use shall not at any time develop into a nuisance”**

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Attachment D **Environmental** **Determination**

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NOTICE OF EXEMPTION

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

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

☒ County Clerk, County of San Joaquin

Project Title: Modification proceedings to add additional Conditions of Approval for Use Permit No. UP-3009 No. PA-2200053

Project Location - Specific: The project site is located on the north side of S Airport Way, 0.5 miles east of Kasson Rd., Manteca. . (APN/Address: 241-370-07 / 30261 S. Airport Way, Manteca) (Supervisory District: 5)

Project Location – City: Manteca

Project Location – County: San Joaquin County

Project Description: Modification application proceedings to add two Conditions of Approval for Use Permit No. UP 3009 for the Manteca Sportsmen Club to ensure that the gun range and related activities do not pose a danger to attendees and the public. The first additional Condition of Approval is to require 14 safety canopies at the rifle range to prevent projectiles from going over the levee. The second additional Condition of Approval is to require a certified range master at the rifle range during all hours of operation. The project site is not under a Williamson Act contract.

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

Project Proponent(s): Manteca Sportsmen Inc. / San Joaquin County

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

Name of Person or Agency Carrying Out Project: Giuseppe Sanfilippo, Senior Planner
San Joaquin County Community Development Department

Exemption Status:
Categorical Exemption. (15321)

Exemption Reason:
Processed under the provisions of the California Code of Regulations Section 15321, which are exempt from CEQA.

This project is exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15321. Class 21 consists of:

- (a) Actions by regulatory agencies to enforce or revoke a lease, permit, license, certificate, or other entitlement for use issued, adopted, or prescribed by the regulatory agency or enforcement of a law, general rule, standard, or objective, administered or adopted by the regulatory agency. Such actions include, but are not limited to, the following:
 - (1) The direct referral of a violation of lease, permit, license, certificate, or entitlement for use or of a general rule, standard, or objective to the Attorney General, District Attorney, or City Attorney as appropriate, for judicial enforcement;
 - (2) The adoption of an administrative decision or order enforcing or revoking the lease, permit, license, certificate, or entitlement for use or enforcing the general rule, standard, or objective.

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

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Attachment E
Previously Approved
Conditions of Approval for
Use Permit No. UP-3009

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USE PERMIT APPLICATION

Nº 3009

Ent
Date: July 15, 1964
Planning Commission
Public Hearing: 8-6-64

APPLICANT: MANTECA SPORTSMAN INC.
510 San Juan
Mailing Address: Manteca, California
Location of property involved: North side of Airport Way just east of the
Junction of Airport Way and San Joaquin River
Legal Owner of property: Same as above
Mailing Address:
Zoning: I-H Present Use:

REQUEST:

PISTOL RANGE

I (We) certify (or declare) under penalty of perjury that the foregoing is true and correct.

SIGNATURE OF APPLICANT:

BY: *John Loria*

Authorized Representative

San Joaquin County Planning Commission
1850 East Hamilton Avenue, Stockton 9, California

By: Louis Thanas, Planner II Date: July 15, 1964

Public Hearing Fee: \$15.00 Receipt No. 1450

ACTION:

Approved by the Planning Commission on August 6, 1964

Reason for Action: the proposal is consistent with existing uses and the general plan.

Subject to the operational standards listed on the reverse side.

Richard G. Feltz, Jr. & K.G. Director-Secretary

August 13, 1964 Date

Board of Supervisors action upon appeal from the decision of the Planning Commission:

Board Planning Commission decision by Resolution dated

UP3009

USE PERMIT CONDITIONS:

1. The permitted use shall not at any time develop into a nuisance, as herein defined. If, in the opinion of the Planning Commission or Board of Supervisors, any County Ordinance or State Law or regulations or conditions attached hereto are being violated in connection with the operation of this use, that they retain the power to revoke or modify this permit. For the purposes of this use permit, a nuisance is defined as follows:

"Nuisance is defined as anything resulting from unreasonable or unlawful practices or from neglect which is, or tends to be injurious to health, safety or public welfare, or is unsightly or offensive to the senses so as to interfere with the comfortable enjoyment of life or property in the neighborhood area, as such neighborhood area is defined by the Planning Commission."

2. The attached Plot Plan is hereby made a permanent part of this approved use permit and shall be identified as "EXHIBIT A," and all construction, reconstruction, moving, remodeling or other structural alteration shall be made in conformity therewith. Any variation from said Plot Plan shall be first approved by the Planning Department or Commission.
3. This use permit is granted under the condition that said permit not be transferred within a 90-day period after the date of approval.

STAFF REPORT INVESTIGATION
(See reverse for land use sketch)

APPLICANT Manassas Sportsman Inc. U.P. # 3009

LOCATION North Side of Airport Way Just E. of the
Junction of Airport Way & S. River ZONE HH

REQUEST Pistol Range

DATA:

Property description Sausage Shaped Parcel approximately
1500' long lying between Airport Way, and the S. River
Average depth is 300'
Land Use

Property 2 Residences (one appears vacant) Various
Small Utility Bldgs screened pens etc. An existing
Rifle Range on N.E. end of parcel.
Area Many small residences along & around the
River (None appears to be in proposed line of fire)
Vacant sparsely wooded land & Ag uses elsewhere.
Traffic Light but Road was under construction
Sanitation & much was likely detoured.

OBSERVATIONS:

General Plan or Planning Commission Policies G.P. Recreation
& Rec. Reserve, surrounded by ag.
Planning aspects _____

Relationship of proposed change to zoning _____

Note It appears that the Waterways have changed
considerably since Assessor's maps were made.
Changes were roughed in on reverse sketch.
Orientation indicated on reverse.

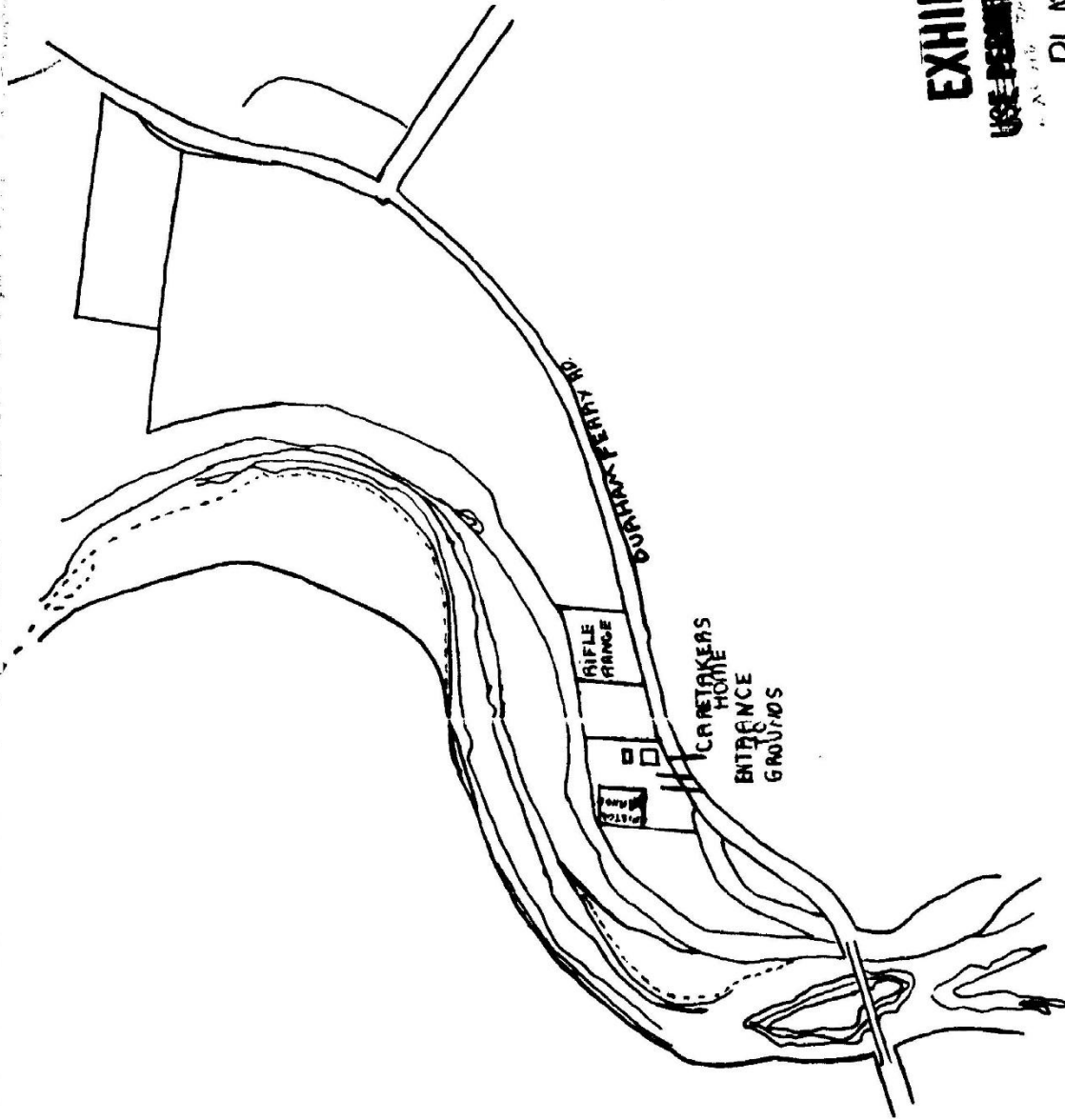
RECOMMENDATION:

UP 3009

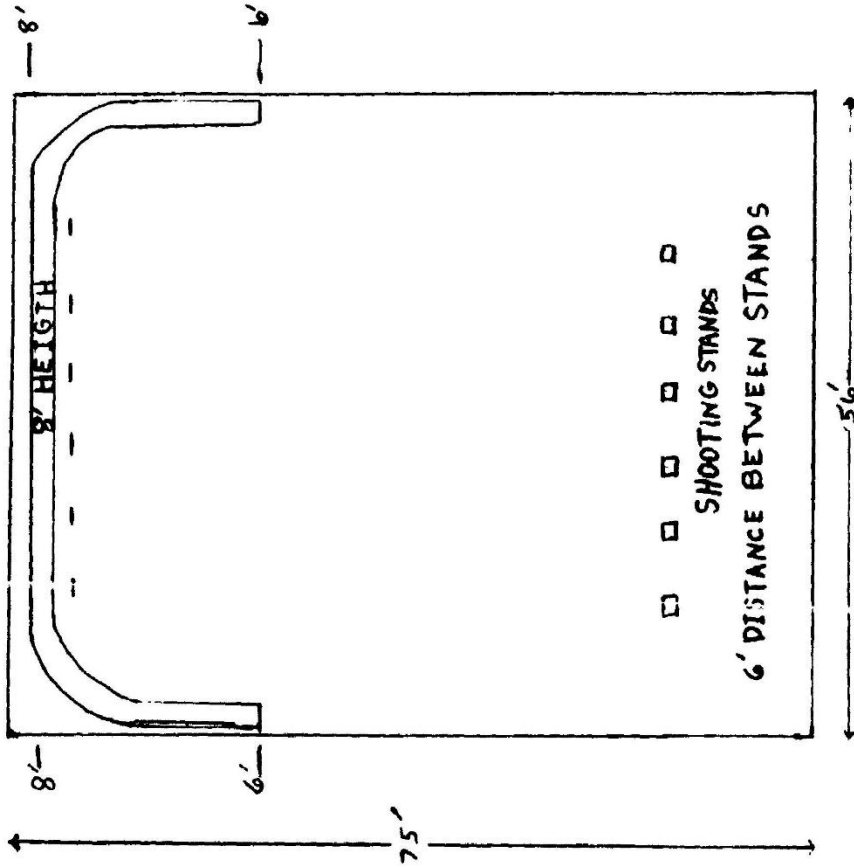
EXHIBIT A

USE PERMIT NO. 3009

PLATE NO. 1



SAN JUAN RIVER



DIRECTION OF SHOOT

8' REVENTMENT TO BE OF EARTH FILLED SACKS AND EARTH.

TOP OF REVENTMENT HAVE STRUCTURE CONSIDERING OF POLES AND MATERIAL TO HEIGHT 10' ABOVE REVENTMENT

SHOOTING STANDS
6' DISTANCE BETWEEN STANDS

UP 3009

EXHIBIT B

USE PERMIT NO. 3009

PLATE NO. 1

CERTIFICATE OF ACKNOWLEDGMENT BY PROPERTY OWNER

I, ^{PRESIDENT}~~the undersigned owner~~ of property located at

MANTECA SPORTSMAN INC.
(Street address, location or legal description of property involved)

JUNCTION OF AIRPORT WAY AND SAN JOAQUIN
RIVER, ROAD ALSO KNOWN AS DURHAM FERRY RD.

DO HEREBY AUTHORIZE John Loma
(Check) ☒ MY AGENT ☐ AS LESSEE () ☐ AS BUYER ()

Address 510 SAN JUAN, MANTECA, CALIF.

to request USE PERMIT
(Use Permit, Variance, or Reclassification requested)

FOR TO ERECT A PISTOL RANGE

on the above mentioned property.

Signed: Ernest A Goodrich President

Address: 819 Edythe St

Date: July 13th 1964

UP 3009

CERTIFICATE OF MAILING NOTICE OF PUBLIC HEARING
CONCERNING

USE PERMIT APPLICATION NO. 3009 of Manteca Sportsman Inc.

STATE OF CALIFORNIA) ss
COUNTY OF SAN JOAQUIN)

Toni Hallmark states:

That she is and at all times herein mentioned was a citizen of the United States, residing in the County of San Joaquin, State of California, over the age of eighteen years and not interested in the above matter:

That on July 30, 1964, she deposited in the United States Post Office, or mailing facility regularly maintained by the Government of the United States, at the City of Stockton, County of San Joaquin, State of California, a true copy of the NOTICE OF PUBLIC HEARING, as is attached hereto and made a part hereof, with postage fully prepaid and addressed respectively to each of the persons whose names and addresses appear on the latest adopted Tax Roll of the County of San Joaquin, as owning property within a distance of not less than 300' from, or adjacent to and opposite the exterior boundaries of the area actually occupied or to be occupied by the use which is the subject of the hearing; that said respective names and addresses are shown on the list attached hereto and made a part hereof; that said mailing took place not less than five days prior to the date of said hearing:

That there is a regular communication by mail between the place of mailing and each of the places so addressed.

I certify under penalty of perjury that the foregoing is true and correct.

Date at Stockton, California July 31, 1964

(S)

Toni Hallmark

UP 3009

On Thursday, **August 6, 1964** at 7:30 p.m. in the Planning Commission Auditorium, 1850 East Hazelton Avenue, Stockton, California, the Planning Commission will consider:

All persons interested in this matter are invited to be present and/or submit statements orally or in writing during or before said hearing.

[illegible]

BOARD OF TRUSTEES

A. R. Glover, M.D., Pres.
W. A. Stauffer, Sec'y
Robert H. Kinn
W. J. Johnson
E. C. Davis
James D. Baker, Jr., M. D.
C. E. Probert
H. L. Dickman
W. R. Mensinger, Jr.

SAN JOAQUIN LOCAL HEALTH DISTRICT

1601 East Hazelton Avenue, P. O. Box 2009
Stockton, California 95205

Jack J. Williams, M. D., District Health Officer

SERVICES

City of Tracy
City of Ripon
City of Lodi
City of Manteca
City of Escalon
City of Stockton
San Joaquin County
San Joaquin County
San Joaquin County

Aug 6, 1964

USE PERMIT APPLICATION # 3009 - MANTECA SPORTSMAN INC.

Recommend approval. Water and sewage systems already
approved by Health District.

RECEIVED
AUG 6 1964
SAN JOAQUIN COUNTY
PLANNING DEPARTMENT



**SAN JOAQUIN
COUNTY
PLANNING
DEPARTMENT

OFFICIAL
STAFF
REPORT**

**PLANNING COMMISSION
BOARD OF SUPERVISORS
OTHERS**

UP 3C
August 6, 1964

**PREPARED
REVIEWED
APPROVED
PRESENTED AT
MEETING OF**

SUBJECT

USE PERMIT APPLICATION NO. 3009 of MANTECA
SPORTSMAN INC.

REPORT

Application to establish a pistol range on property located on the north side of Airport Way just east of the junction of Airport Way and San Joaquin River.

Subject property is an elongated parcel with about 1200' frontage on Airport Way, and averages 300' in depth. There is an existing rifle range at the east end of the property, a caretaker's residence, shed, and some screened pens 1000' to the west. The proposed range is to be placed about 300' east of the caretaker's residence.

Recreational uses, including dense concentrations of resort cabins exist along the waterways and levees to the south and west. Agricultural uses predominate to the north east.

The area is intended for recreational use. As the orientation of the proposed range is on vacant land, and the use is compatible with existing uses and the General Plan, the staff recommends approval (unless evidence is presented at the hearing to indicate the pistol range may pose a danger to nearby residents).

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Community Development Department

Planning · Building · Code Enforcement · Fire Prevention

Attachment F **Compliance Agreement**

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1 **COMPLIANCE AGREEMENT**

2 **Manteca Sportsmen Club**

3 **30261 S. Airport Way, Manteca, California**

4 This agreement is by and between the County of San Joaquin, Community
5 Development Department (hereinafter referred to as the "County"), and the Manteca
6 Sportsmen Club as the owner of the Subject Property (hereinafter referred to as the
7 "Owner or Sportsman Club"). Collectively, the County and the Owner are the "Parties."

8 The Parties agree to the following Recitals:

9 A. This Agreement is regarding real property commonly known as 30261
10 S. Airport Way, Manteca, California, APN 241-370-07 (the "Subject Property").

11 B. On August 6, 1964, the County approved a Use Permit to establish a pistol
12 range on the Subject Property, in addition to an existing rifle range (the "Use
13 Permit").¹

14 C. The Use Permit contains the following Condition of Approval:

15 "The permitted use shall not at any time develop into a nuisance, as
16 herein defined. If, in the opinion of the Planning Commission or
17 Board of Supervisors, any County Ordinance or State Law or
18 regulations or conditions attached hereto are being violated in
19 connection with the operation of this use, that they retain the power
20 to revoke or modify this permit. For the purposes of this use permit,
21 "nuisance" is defined as follows:

22 "Nuisance is defined as anything resulting from
23 unreasonable or unlawful practices or from neglect which
24 is, or tends to be injurious to health, safety or public

1 On May 8, 1968, the County also approved a Use Permit for the addition of a club house for use by the Sportsmen Club on the Subject Property (the "1968 Use Permit"). The 1968 Use Permit also contains a condition prohibiting a nuisance.

COMPLIANCE AGREEMENT

Page 1 of 6

- 1 welfare, or is unsightly or offensive to the senses so as to
2 interfere with the comfortable enjoyment of life or property
3 in the neighborhood area, as such neighborhood area is
4 defined by the Planning Commission.”
- 5 D. No other Use Permit conditions of approval address the safe operation of the
6 rifle or pistol range.
- 7 E. The Sportsmen Club has been in continuous operation as a gun range since
8 the approval of the Use Permit.
- 9 F. In February 2022 the County Sheriff's Department conducted an investigation
10 and found that bullets from rifles fired from the Subject Property are landing
11 approximately 1 mile away on the grounds and have hit the buildings of the
12 Durham Ferry Outdoor Education Center, a regional center for STEM and
13 environmental exploration, owned and operated by San Joaquin County Office
14 of Education, and the Historic Durham Ferry Academy, a charter school on the
15 same grounds (collectively, the "School"), creating a risk of death and injury to
16 students and staff. The Sheriff found that such incidents have happened since
17 at least 2011, but recently increased in frequency. In addition to the rifle bullets
18 on the School grounds, the Sheriff's Department found bullets of varying sizes
19 fired from rifles and non-rifles outside of the approved boundaries of the gun
20 range, including on the levee adjacent to the gun range.
- 21 G. County contends that such findings constitute a threat to the public health or
22 safety and a nuisance in violation of the Use Permit.
- 23 H. Owner has not conducted its own investigation and does not have sufficient
24 independently developed information to endorse or rebut the Sheriff's
25 Department findings or the County's contentions.
- 26 I. County Development Title Chapter 9-230 allows for the Planning Commission
27 to initiate an action to modify any development approval, including a Use

COMPLIANCE AGREEMENT
Page 2 of 6

1 Permit, if they find that "the use or facility for which the development approval
2 was granted is so conducted or maintained as to be detrimental to the public
3 health or safety, or as to be a public nuisance."
4 J. The County and the Owner want to avoid any dangers created by bullets
5 leaving the Subject Property to ensure that the Sportsmen Club can continue
6 to operate safely on the Subject Property.
7 K. Accordingly, the Parties have agreed the best process to address the concern
8 of bullets leaving the Subject Property is to request the Planning Commission
9 to initiate the modification of the Use Permit pursuant to County Development
10 Title Section 9-230.3 and then to bring back for a public hearing proposed
11 modifications to the Use Permits that integrate physical and operational
12 requirements that ensure safe use of the Subject Property.
13 L. The Parties agree to the above stated facts and based on those facts now enter
14 into this Compliance Agreement.
15 The terms of this Compliance Agreement are as follows:
16 1. THE OWNER AGREES TO:
17 a. Immediately stop outdoor use of rifles firing center fire rifle calibers or rim
18 fire ammunition (hereinafter "Rifles") on the Subject Property, including but
19 not limited to the use of such Rifles in the rifle range and/or NRA National
20 Match Course, except as allowed in this Section.
21 i. The Owners can use cowboy action rifles firing pistol caliber
22 ammunition or rim fire ammunition in the cowboy action shooting
23 area and black powder muzzle loader rifles in the black power range
24 on the Subject Property but not within the rifle range and/or NRA
25 National Match Course.
26 ii. If the Owners provide evidence that limited or specific Rifle use on
27 the Subject Property outside of the existing rifle range can be done

COMPLIANCE AGREEMENT
Page 3 of 6

- 1 in a prescribed manner without bullets leaving the Subject Property,
2 then the County will consider a modification to this Agreement
3 allowing that limited or specific rifle use during the Term of this
4 Agreement.
- 5 b. Have a certified rangemaster present on the Subject Property during all
6 shooting activities to ensure compliance with this Agreement.
- 7 c. Submit to the County proposed modifications to the Use Permit within
8 **3 months** of the Effective Date for consideration by the County as
9 enforceable Conditions of Approval including but not limited to:
- 10 i. Engineered plans for physical improvements to the Subject Property
11 that will prevent bullets from leaving the Subject Property.
- 12 ii. Operational changes to the approved gun ranges/operation that will
13 ensure that the approved use of the Subject Property will not be
14 detrimental to the public health or safety, or be a public nuisance.
- 15 d. Respond to staff contacts and requests regarding the Subject Property and
16 any proposed physical or operational modifications to the Use Permit.
- 17 e. Owner understands that the failure to respond to staff in a reasonable time
18 and/or to complete necessary actions will be deemed a failure to move
19 forward in good faith and a breach of this Agreement.
- 20 f. Consent to inspections of the Subject Property by a County Code
21 Enforcement Officer during regular County business hours within 24 hours
22 of a request by the County, or at time otherwise agreed to by the Parties.
- 23 g. Operate the non-rifle operations on the Subject Property in a safe manner
24 such that the allowed operations do not create an imminent threat to public
25 health, safety, or welfare.

COMPLIANCE AGREEMENT
Page 4 of 6

- 1 h. Immediately cease all operations on the Subject Property if the County or
2 other governmental agency with lawful authority finds that such operations
3 create an imminent threat to public health, safety, or welfare.
- 4 2. COUNTY AGREES TO: Stay further enforcement action, including but not limited
5 to a revocation of the Use Permit pursuant to Development Title Chapter 9-230,
6 during the Term of this Agreement so long as operations do not create an imminent
7 threat to public health, safety, or welfare.
- 8 3. TERM OF AGREEMENT: This Agreement shall begin on the Effective Date and
9 remain in effect until the Planning Commission has approved modifications to the
10 Use Permits pursuant to Chapter 9-230 and all related Conditions of Approval are
11 completed or 1 year, whichever occurs first, or upon the transfer of ownership of
12 the Subject Property to a non-Party.
- 13 a. The Term of this Agreement can be modified only in a writing signed by all
14 Parties.
- 15 4. No Waiver: Nothing herein shall affect or be a waiver of the County's police powers
16 or the Owner's legal and allowed use of the Subject Property.
- 17 5. Effective Date: The effective date of this Compliance Agreement shall be the date
18 the last Party signs this Agreement.
- 19 6. Contact/Notification: The following people shall be the primary contact person for
20 their respective Parties in regards to this Agreement:
- 21 a. County?: Juanita Huerta, Senior Code Enforcement Officer
22 Email: jhuerta@sjgov.org
23 Telephone Main Office: (209) 468-3121
24 Telephone Direct: (209) 468-0977
- 25 b. Owner: Michael Maciel

- 2 This contact person may not be the same County employee assigned to work
with the Owner on the modification of the Use Permit.

COMPLIANCE AGREEMENT
Page 5 of 6

1 Email: SANTRUSTULAIT@YAHOO.COM
2 Telephone: 209-879-3148
3
4

5 Laurel K. Sipe Date: 3/1/2022
6 By: LAUREL K. SIPE, PRESIDENT
7 For Manteca Sportsmen Club
8

9 SAN JOAQUIN COUNTY
10 David W. Kwong Date: 03/09/2022
11 By: DAVID KWONG,
12 Community Development Department Director
13 For County of San Joaquin
14

15 APPROVED AS TO FORM:

16 [Signature]
17
18
19 ZAYANTE (ZOEY) P. MERRILL,
20 Deputy County Counsel
21 County of San Joaquin
22

23 J. Anthony Abbott 3/1/22
24 J. Anthony Abbott
25
26
27 Counsel for the Manteca Sportsmen Club

COMPLIANCE AGREEMENT
Page 6 of 6



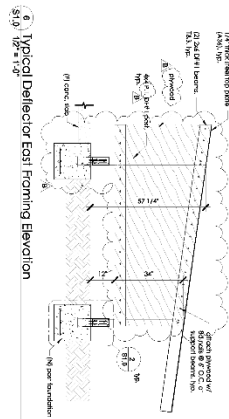
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Community Development Department

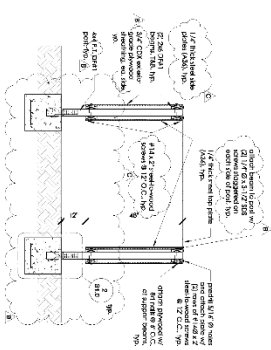
Planning · Building · Code Enforcement · Fire Prevention

Attachment G **Rifle Range Safety Canopy**

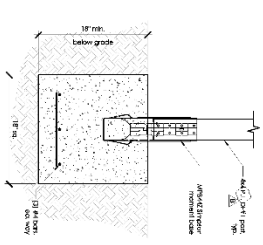
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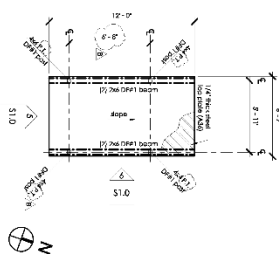
8. Typical Deflector East Framing Elevation
S1.0 1/2\"/>



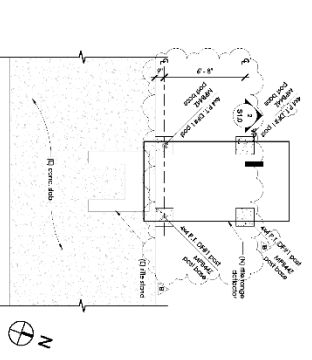
5. Typical Deflector South Framing Elevation
S1.0 1/2\"/>



2. INI Deflector Post Foundation
S1.0 1/2\"/>



4. Typical Deflector Framing Plan
S1.0 1/2\"/>



3. Typical Deflector Foundation Plan
S1.0 1/2\"/>

Range Deflector Structures

30261 S Airport Way
Manteca, CA 95337

Drawn by: CR
Checked: JLT
Date: 10/1/10
Project: Deflector
1. 10/1/10
2. 10/1/10
3. 10/1/10
4. 10/1/10
5. 10/1/10
6. 10/1/10
7. 10/1/10
8. 10/1/10
9. 10/1/10
10. 10/1/10

WAGNER
ASSOCIATES



Range Deflector
S1.0

General Notes:

[illegible]

Word

[illegible]

Foundation:

1000

Concrete:

[illegible]

Reinforcing Steel:

1. The authors are grateful to the following for their contribution to this study: the staff of the National Institute for Research in Nutrition and Food Safety (INIA) for the collection of the samples; the staff of the National Institute for Research in Nutrition and Food Safety (INIA) for the collection of the samples; the staff of the National Institute for Research in Nutrition and Food Safety (INIA) for the collection of the samples.
2. The authors are grateful to the following for their contribution to this study: the staff of the National Institute for Research in Nutrition and Food Safety (INIA) for the collection of the samples; the staff of the National Institute for Research in Nutrition and Food Safety (INIA) for the collection of the samples; the staff of the National Institute for Research in Nutrition and Food Safety (INIA) for the collection of the samples.
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Basis for Design

[illegible]

Special Inspection

spatial trajectory, and the probability for the baseline fit to be better than the fit to the data. The spatial trajectory was defined as the sequence of spatial coordinates of the CMC, and the probability was defined as the probability that the CMC would follow the spatial trajectory in the absence of the CMC. The spatial trajectory was defined as the sequence of spatial coordinates of the CMC, and the probability was defined as the probability that the CMC would follow the spatial trajectory in the absence of the CMC.

Code Compliance

At work and he performed in accordance with the following codes, including but not limited to:

- 2022 California Building Code
- 2022 California Academic Code
- 2022 California Health Code
- 2022 California Mechanical Code
- 2022 California Plumbing Code
- 2022 Building Energy Efficiency Standards
- 2022 California Electrical Building Code

Table 2304.10.2 - Fastening Schedule	2022 C.B.C.
DESCRIPTION OF BUILDING ELEMENTS	

[illegible]

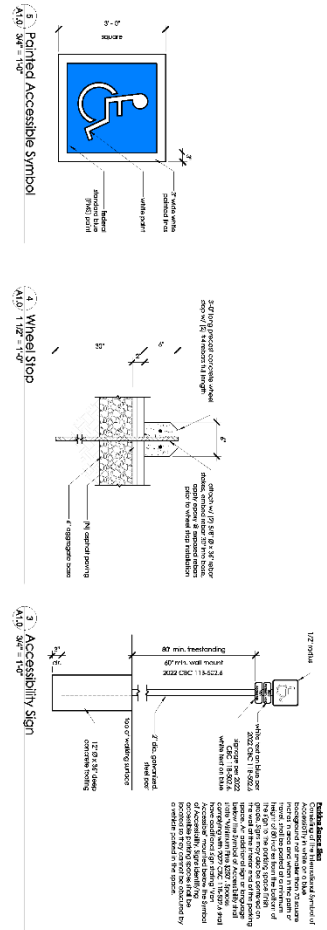
Range Deflector Structures
30261 S Airport Way
Manteca, CA 95337

Down by	GR
Checker	HJT
Job #	167740
Scale	None
Printer Schedule:	
#	Date Description
A	11/22/2024 CYC1 Plan Check



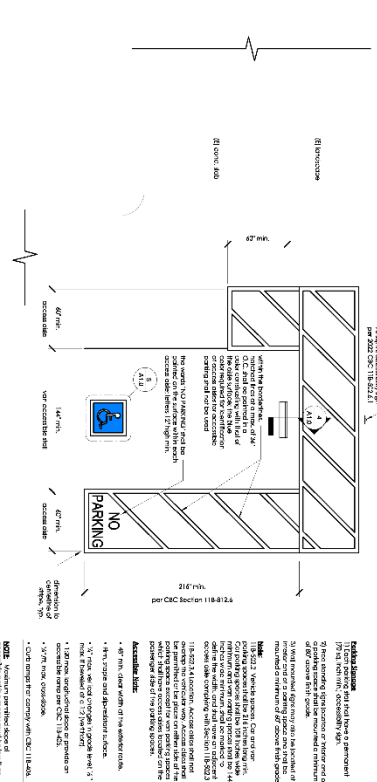
Structural Notes

0.0

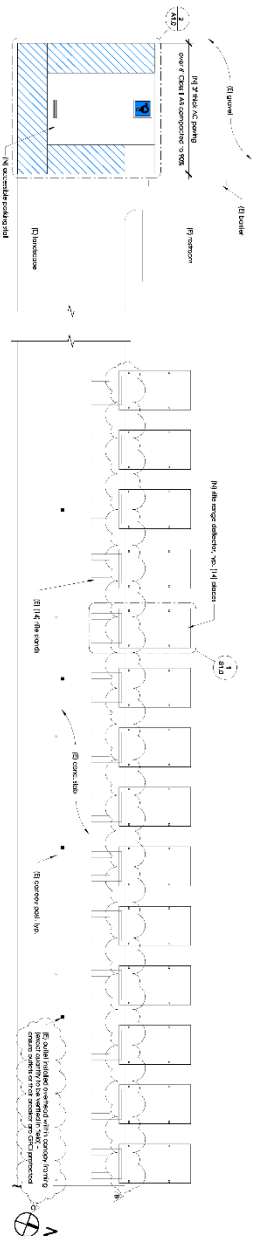


Range Deflector Structures
 30261 S Airport Way
 Manteca, CA 95337

Drawn By	GR
Checked	HT
Scale	As Shown
Notes	1. All dimensions are in feet and inches.
	2. All dimensions are to the center of the structure.
	3. All dimensions are to the finished ground surface.
	4. All dimensions are to the finished ground surface.
	5. All dimensions are to the finished ground surface.
	6. All dimensions are to the finished ground surface.
	7. All dimensions are to the finished ground surface.
	8. All dimensions are to the finished ground surface.
	9. All dimensions are to the finished ground surface.
	10. All dimensions are to the finished ground surface.



2. [N] Accessible Parking Stall
 A1.0 1/2" = 1'-0"



1. Enlarged Site Plan
 A1.0 1/2" = 1'-0"

A1.0



J. WAGNER & ASSOCIATES
 2732 N.E. DUNDAS ST.
 SUITE 100
 PORTLAND, OR 97202
 (503) 255-1100
 www.jwagner.com

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Attachment H **Operational Procedures**

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RIFLE RANGE QUESTIONNAIRE

NAME _____ DATE _____ LICENSE # _____

EMAIL ADDRESS _____

1. What will you be shooting?
 - a. RIFLE _____
 - b. CALIBER _____
 - c. AMMO _____
2. Is this a new firearm for you? _____
3. How much firearms training have you had?
 - a. Basic firearm training by NRA _____
 - b. Basic training by friend or other _____
4. How long have you been shooting?
 - a. 0 TO 6 MONTHS _____
 - b. 6 MONTHS TO A YEAR _____
 - c. 1 TO 5 YEARS _____
5. DO YOU WISH TO RECEIVE NOTIFICATION OF RANGE
ACTIVITIES AND SPECIALS _____

NEW RANGE RULES:

1. ONLY ONE SHOOTER PER BENCH.
2. ONLY ONE PERSON PER BENCH MAY GO DOWN RANGE.
3. BEFORE GOING DOWN RANGE EACH PERSON WILL "CHECK OUT" WITH
THE RANGE SAFETY OFFICER BEFORE GOING DOWN RANGE.

C:\USERS\MSC\DOWNLOADS\RIFLE RANGE QUESTIONNAIRE.DOCX

Page 1

4. IMMEDIATELY, UPON RETURN FROM GOING DOWN RANGE, EACH PERSON WILL "CHECK IN" WITH THE RANGE SAFETY OFFICER.
5. NO ARMOR PIECERING OR INCENTEDARY AMMO IS ALLOWED. (TEST WITH MAGNET).
6. NO CALIBER LARGER THAN 30 CALIBER.
7. ANY ONE SHOOTING THE BAFFLES WILL BE ASKED TO LEAVE THE RANGE.
8. MSI staff and Range Safety Officers are the authority concerning all matters involving range operation and safety. Participants must heed all range commands without hesitation or risk expulsion from the facility. The range is not open unless a Range Safety Officer is present.
9. The baffles are placed to prevent rounds from leaving the property; ricochets and muffle the sounds of gunfire. A specific reason that the Manteca Sportsmen's range was upgraded is to allow gun owners to practice using their centerfire rifles safely and responsibly under the supervision of trained range safety officers.

SIGN-IN PROCEDURE TO USE THE RANGE.

1. Complete the questionnaire
2. Present your driver's license for scanning
 - a. Set-up MSI range account(WaiversForEver).
3. View the range safety video.
4. Read and sign the liability waiver (WaiversForEver).
5. Pay range use fee.

RIFLE RANGE RULES

EVERYONE, INCLUDING MEMBERS MUST SIGN IN BEFORE ENTERING THE GROUNDS OR RANGE. Non-Members must have a release of liability in their possession while on Manteca Sportsmen Inc. (MSI) ranges and grounds. Anyone 17 years or younger must be **ACCOMPANIED** by a parent or guardian.

Basic firearm rules (MSI sanctioned, Range Officer supervised, events may use modified rules)

Treat all firearms as if loaded!

1. Always point the muzzle in a **SAFE** direction (straight up or toward target).
2. Keep your finger **OFF** the trigger, except when shooting.
3. Keep the action **OPEN** and the firearm **UNLOADED**, except when shooting.
4. Do not **touch/handle/move ANYTHING** on the benches during a "CEASE FIRE".
5. Do not **handle/move/transport** firearms on/off ranges during a "CEASE FIRE"
6. **NO** rapid fire is allowed (Shooting faster than 1 shot **EVERY 5 SECONDS**).
7. Know your firearm and ammunition.
8. Be sure of your target ... and what's beyond!
9. Shoot only at authorized paper targets.
10. Know where others are at all times.
11. Wearing ear and eye protection is required.
12. Know and obey all range rules and Range Officer commands.
13. No alcohol or drugs.

Rifle Range Specific Operating Procedures and Rules

1. The Range Safety Officer shall enforce range rules and all other MSI range & safety rules. A copy of MSI rules can be requested at the sign in office. Anyone violating range or safety rules or is damaging MSI equipment or property will be asked to leave MSI grounds without refund of range fees and may be subject to prosecution and restoration, for any property damage.
2. The first three benches as you enter the rifle range from the parking lot are for rim fire rifles only (limited to .22 short, .22 long, .22 long-rifles, 22 magnums, .17HMR and .17 mach2). These benches are marked A, B, and C. The next 11 benches are for rim fire, center fire and muzzle loading rifles. No shotguns or pistols allowed (no Shot, Slugs or Sabots).
3. Carry uncased firearms with the **muzzle straight up, action open, magazine empty or out and finger off the trigger**. If the firearms are cased when bringing them to the range leave them in the case until putting them onto the bench at the firing line. All firearms are to be cased or uncased on the shooting bench with the muzzle pointed downrange. Close and turn the case if you open it and find the firearm not pointed downrange.

4. A cease-fire will be called at the discretion of the Range Safety Officer. *Before the range is closed*, shooters must unload, empty/remove the magazine, open cylinders and bolts, and lock their firearm actions open, and keep the firearm pointed down range. An empty chamber indicator must be placed between the bolt and the chamber to show the firearm is safe. No one should go down range until all the above mentioned actions are taken. The use of safety catches is not permitted in lieu of unloading the firearm. *Firearms and equipment on benches must not be handled, transported, or moved in any way during a cease-fire.* Muzzleloader shooters ONLY must be extended the courtesy to fire any round(s) in place when the cease-fire was called (except in an emergency).
 5. **NO ONE MAY GO FORWARD OF THE FIRING LINE** (*Front Edge of Shooting Benches*) **UNTIL THE "RANGE IS CLOSED" or "FIRING LINE IS CLEAR" HAS BEEN DECLARED AND THE LINE IS SAFE.**
 6. **During cease fire: Each person going down range must "check out" with the range safety officer, and "check back in" upon their return to the firing line.** Shooters may check and repair targets and retrieve brass forward of the firing line. Do not approach the shooting station for any reason. Step back from the Shooting Benches until you are given a "Commence Firing" or "Range is Hot" command. Even if you are through firing, no firearm is to be handled while a cease fire is in effect, do not remove your equipment from the bench until you hear the command to "Commence Firing" or "Range is Hot".
 7. Fire only from behind the firing line (Front Edge of shooting bench) and only at targets on frames numbered to the bench you are using. Do not cross fire targets or raise the muzzle of any firearm above the lower edge of the baffle and keep your finger off the trigger until your sights are on target and you are ready to shoot. Do not shoot the Baffles; Target frame holders or number boards. Do not load your gun until the command "Commence Firing" or "Range is Hot" is given.
 8. All shooting will be done from the bench. Position shooting (e.g. prone, kneeling, sitting, standing) is not allowed. The barrel muzzle shall extend past the edge of the bench/cement pad.
 9. Firing will be done **only at authorized paper targets** placed on MSI target frames. Exploding targets, cans, bottles, clay birds etc. are not authorized targets. Targets must fit within the target frame and not extend above or below the cardboard. You may not shoot at any wildlife (including gofers) on MSI property.
 10. Muzzle loading and tubular magazine rim fire rifles may be loaded with the muzzle pointed up. Muzzleloaders must be on the bench pointed down range before capping.
 11. Shooters are responsible for policing their litter, cartridge cases, etc. from all around their shooting station. Brass buckets are provided for discarded brass. Steel cases should be disposed of in the trash barrels. During a cease-fire the shooter may collect cases in front of the shooting bench. Do not touch the benches or place the spent cases on the bench until the command "Commence Firing" or "Range is Hot" is given.
 12. Good sportsmanship, safety & courtesy are required by all members, non-members and spectators at all times.
- Report all mishaps, injuries or damage immediately at the check-in office and complete an incident report.

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Page 4

RANGE SAFETY OFFICER COURSE TRAINING:

The NRA Range Safety Officer (RSO) program was developed in response to the demand for a nationally recognized range safety officer certification. To become a NRA Range Safety Officer, you must pass the RSO course and demonstrate that you possess the knowledge, skills, and attitude essential to organizing, conducting, and supervising safe shooting activities and range operations.

The RSO course content consists of RSO's roles and responsibilities, range standard operating procedures, range inspection and range rules, firearm stoppages and malfunctions, and Range Safety Briefings which include procedures to follow in the case of an emergency. RSO's who have successfully completed the course then have the ability to become a Chief Range Safety Officer, someone essential to training and supervising NRA Range Safety Officers and developing range standard operating procedures.

This 9-hour course is classroom-based only, NO LIVE AMMUNITION allowed in the classroom. There will not be any range session or live ammunition firing.

Safety is paramount, at any time everyone shall observe the three ALWAYS NRA rules for safe gun handling. ALWAYS keep the muzzle in a safe direction. ALWAYS keep your finger off from the trigger until ready to shoot. ALWAYS keep the action open until ready to shoot.

Lessons

Introduction to the NRA Basic Range Safety Officer Course

The Role of the NRA Range Safety Officer and Range Standard Operating Procedures

Range Inspection and Range Rules

Range Safety Briefing

Emergency Procedures

Firearm Stoppages and Malfunctions

Test and Review

Course Materials & Resources

Bring some snacks, water and lunch. We will not break for lunch or dinner time.

Bring a pen and notepad. All other materials for this course will be provided by the NRA-certified Chief Range Safety Officer teaching the RSO course.

Course Prerequisites

No pre-requisites are required for the in-class training. However, NRA RSOs should be experienced shooters, involved in many aspects of target shooting, training, and range supervision. The NRA encourages active shooters to learn more and become responsible for the safety of fellow shooters through this program.

Course Completion

You must complete all lessons, all hands-on exercises and administered test with a 90% pass rate in order to become a certified Range Safety Officer. Once you pass the course you will be directed to receive a completion certificate.

The hands-on drills consist of short standardized briefings like an introduction or a range safety briefing, use-case scenarios like an emergency procedure, and making safe or clearing stoppages for common actions (SA/DA revolvers, semi-automatic pistols, rifle and shotguns).

The format of this class requires an intensive involvement and participation of the students. The instructor may cancel or postpone the class due to low enrollment in the class. In this eventuality any payment from the student will be reimbursed.

RANGE COMMANDS

CEASE FIRE, CEASE FIRE, LOCK AND CLEAR ALL FIREARMES.

REMOVE YOUR MAGAZINE, LOCK THE BOLT OPEN AND INSERT THE CHAMBER SAFETY FLAG,

RSO TO CHECK EACH FIREARM.

PICKUP EVERY THING YOU NEED TO CHECK OR REPLACE TARGETS. (TARGETS, STAPLES, TAPE, ETC:)

THE RANGE IS NOW CLOSED. DO NOT TOUCH ANY THING ON THE BENCHES.

YOU MAY GO FORWARD TO RETRIEVE\ REPLACE YOUR TARGET.

EACH SHOOTER WILL CHECK OUT WITH THE RSO BEFORE GOING DOWN RANGE, BY STATING THEIR BENCH NUMBER.

UPON RETURN TO THE FIRING LINE:

EACH SHOOTER WILL CHECK IN WITH THE RSO BEFORE GOING TO THEIR BENCH, BY STATING THEIR BENCH NUMBER.

ONCE EVERYONE HAS RETURNED.

THE RSO IS TO VERIFY THAT THE RANGE IS CLEAR. AND GIVE THE COMMAND "THE RANGE IS NOW HOT. YOU MAY COMMENCE FIRING".

Welcome to the Manteca Sportsmen Club.

Our goal is to provide a safe environment for our members and the public to enjoy the shooting sports.

To achieve that goal, there are a numbers of rules that you will be required follow while using our rifle and pistol ranges.

Treat every firearm as if it loaded.

Do not point firearms at anything you are not willing to destroy. (You can't "un-shoot" something, or someone.)

Be sure of your background. (You own every bullet you fire.)

Keep your finger out of the trigger guard until you are ready to fire.

All firearms brought onto Club property must be unloaded and in a case.

Chamber flags are required for every uncased firearm. They are available for purchase at the Club office.

When taking firearms onto the pistol or rifle range, take them to the shooting bench, with muzzles pointed down-range. Immediately upon removing a firearm from its case, open the action and insert a chamber flag.

In order to enter the rifle or pistol ranges, nonmembers must wear a wristband purchased from the Club office.

Both the rifle and pistol ranges have designated firing positions. No more than two people will be allowed onto the ranges per firing position. Only one person at a time may fire from a designated position. Observers are not allowed into the designated range areas.

All shooters will strictly follow the instructions of the Range Safety Officer (RSO).

The RSO will declare the range "HOT" and will periodically call a "cease-fire" period to service targets or if an unsafe condition is observed.

If an unsafe condition is observed, any person may call "cease-fire".

During a "cease-fire" period, all firearms will be pointed down-range, have actions open and chamber flags installed. All persons will stay behind the RED LINE and not touch anything on the shooting benches.

Only when directed by the RSO will shooters go down-range to service targets.

On the rifle range all firing must be done from the seated position at the shooting benches. Standing or prone firing is not allowed except during supervised matches.

All rifles used on the rifle range must have functional sights and be sighted in.

If necessary, initial sighting can be done at designated stations on the pistol range.

On the pistol range all firing, except the limited use to sight in rifles, will be from the standing position, at designated stations.

Rifle caliber pistols, including AR and AK types, are not allowed on either range.

Stations A, B, and C on the rifle range are restricted to the use of rim-fire rifles only.

Rifles chambered for (list of restricted calibers) are not allowed on any ranges.

The use of shotguns or hand-guns is not allowed on the rifle range. Shotguns are not allowed on the pistol range.

Rim-fire rifles may be used on the pistol range, but only from the standing position.

On both ranges, shooters may only fire at approved targets. Intentionally shooting at target frames, lane designation numbers or other improvised targets is not allowed. Do not place targets in such a way that target frames will be damaged.

When finished shooting, bring cases to the shooting bench and keep muzzles down-range until the unloaded firearms are secured in their cases.

The Manteca Sportsmen Club recognizes that we cannot meet the wants and needs of all shooters. The preceding rules are designed to ensure the safety of our members and customers while on the ranges, and for the general public on surrounding properties.

Failure to follow these rules will result in you being told to leave the property. The Manteca Sportsmen Club thanks you for your cooperation. Enjoy safe shooting.

Manteca Sportsmen Rifle Range Policies and RSO Duties

RANGE SAFETY IS OUR NUMBER 1 PRIORITY

Policies

No shooting allowed without a RSO present on rifle range.

It is mandatory for all shooters to have eye & ear protection upon entering the rifle range.

All firearms must be transported onto rifle range in an appropriate case.

Firearms to be uncased and cased on shooting benches only, case within deflection chamber, barrel pointed downrange.

Chamber Safety Flags are required for all firearms on the shooting bench.

All firearms must have some sort of sights or scope.

Only one shooter at a time on a shooting bench.

Shooting is from seated position only and from shooting bench only, thru deflection chamber. No shooting from kneeling, standing or prone positions. No shooting from outside deflection chamber.

NO RAPID FIRE

No pistols on rifle range including AR & AK style pistols or pistol conversions.

Shooters who cannot demonstrate proficiency on 100 yard target will be directed to 50 or 25 yard range to demonstrate they can get on target, make needed sight adjustments, prior to returning to 100 yard range.

RSO's will not assist in any firearm repairs as it takes attention away from overall safety monitoring.

Failure to follow RSO instructions will result in shooter being ejected from range / property. Should shooter refuse have Sheriff called at 209-498-4400 or 911 if situation is exigent.

RSO Duties

Ensure all shooters are wearing eye & ear protection upon entering rifle range.

Ensure all firearms entering range are in an appropriate case.

Ensure all firearms are properly uncase or cased only on shooting bench.

Ensure all firearms on shooting bench have proper chamber safety flags.

Ensure all firearms are equipped with sights and/or scope.

Ensure that all shooting is done from bench only, thru deflection chamber.

Observe all shooters for signs of inexperience or unsafe practices and correct as needed.

Observe deflection chambers, ground and levee for errant strikes and correct shooter as needed.

Ensure safe muzzle direction is followed at all times.

Monitor downrange and levee for any traffic and call cease fire immediately if needed.

Ensure all shooters are behind Red Line during cease fire before allowing anyone downrange.

Ensure all firearms are unloaded, made safe, and chamber safety flags inserted prior to allowing shooters down range.

Ensure all shooters not going downrange remain behind Red Line during cease fire until all shooters have returned from downrange.

Ensure all shooters have returned from downrange and are behind Red Line before calling range Hot.

Rifle Range Opening Checklist

Ensure rifle range entry gate was locked upon opening range. If not inform Facility Manager immediately.

Perform radio check with main office to ensure radio communication is working.

Ensure all security cameras are working and are sighted in on proper view.

Inspect all target stands for damage, replace as needed.

Inspect all deflector chambers for errant round strikes and note bench number and location in log.

Inspect range area for any foreign objects and remove.

Ensure all brass has been swept up and placed in brass recycling containers.

Ensure all trash and debris is placed in proper containers.

Rifle Range Closing Checklist

Ensure all brass, trash and debris is cleared and placed in proper containers.

Ensure all shooting benches are empty of any object that might have been left behind. If any are found turn into main office to be secured.

Inspect all deflector chambers for errant round strikes and note bench number and location in log.

Ensure all security cameras are working and are sighted in on proper view.

Ensure all brass has been swept up and placed in brass recycling containers.

Ensure all trash and debris is placed in proper containers.

Ensure all shooters have left the range.

Close and lock rifle range entry gate.

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Attachment I
Manteca Sportsmen
Ballistics Expert
Correspondence

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GENE WHISENAND

P.O. Box 1319, Salida, CA 95368 ★ (209) 595-1451 ★ gene@ca-investigations.com
CA Investigations ★ Private Investigator ★ Firearm Training ★ Firearm Expert

December 24, 2025

John Swan
Manteca Sportsmen, Inc.
30261 S. Airport Way
Manteca, CA 95337

Re: Possibilities of re-opening the rifle range

Dear Mr. Swan,

I am proud, and honored that you requested my assistance with the reconstruction of the rifle range at your range. I know believe you are familiar with my professional history; however, I will recap that for you here. My main professions are as a firearms instructor, a criminal private investigator, and as an expert witness in firearms, gun manufacturer identification, use of force, ballistics, and I have been consulted as a gang expert. I am currently juggling about 30 criminal cases, from misdemeanor to felony, including a couple of special circumstance cases. I just finished within the last 30 days a firearm expert case in San Joaquin County and a trial is starting in Stanislaus County during the first week of January that I will be testifying as a firearms expert and use of force expert in. I still have multiple firearm cases and one use of force case in San Joaquin County. I was first deemed a firearm expert about 12 years ago. I have been a firearms instructor for 17 years now. I am the President, owner, and lead instructor, of Trident Firearms Academy, LLC. We have instructed police, military, security, including nuclear plant security forces, and quite a few citizens in those years. We teach everything from rifles to shotguns to handguns. For fun, I take pictures that have been published in numerous publications, including American Handgunner, Law Enforcement Technology Magazine, officer.com, and policeone.com. I even wrote a couple of articles for some of those publications. With that history out of the way, let me tell you what I know about shooting rifles and the benefit of using AR400 steel on your rifle range.

Your engineered plans indicate that you intend to use AR400 steel to help create a "tunnel" of sorts for your range. I believe that is a very good idea. AR400 is an industry standard in the shooting industry. Using the AR400 as part of the top of the tunnel will keep the errant shots from going over the back berm. By angling the steel if that wild shot hits the steel it will be deflected into the ground. From the plans that I have seen it will be impossible to fire a bullet directly into the top of the "tunnel", or baffle. Even if someone were to figure out how to do that, the bullets likely to be found on your range would not penetrate the steel of the quality and strength of the AR400. By using the AR400 steel on the side walls will also keep those errant shots from leaving the range, rather deflecting the in the berm as well.

I look forward to using your rifle range when it is completed. If I can be of any more help, please let me know.



Gene Whisenand

Page 1 of 1



RE: Manteca Sportsmen, PA-2200053

From Taiariol, Nicholas [SO] <ntaiariol@sjgov.org>
Date Mon 1/5/2026 12:32 PM
To Sanfilippo, Giuseppe [CDD] <gsanfilippo@sjgov.org>

We do not.

Lieutenant Nick Taiariol
Special Services Division
San Joaquin County Sheriff's Office
Cell- 209-406-9461
Desk- 209-468-5271
ntaiariol@sjgov.org

From: Sanfilippo, Giuseppe [CDD] <gsanfilippo@sjgov.org>
Sent: Friday, January 2, 2026 1:21 PM
To: Taiariol, Nicholas [SO] <ntaiariol@sjgov.org>
Subject: Manteca Sportsmen, PA-2200053

Good Afternoon,

The applicant for the Manteca Sportsmen's club submitted this letter from Gene Whisenand. Does the Sheriff's Office have any concerns regarding the conclusions of the letter or the credentials of Mr. Whisenand?

Thanks,

Giuseppe Sanfilippo

Giuseppe Sanfilippo, Senior Planner
San Joaquin County
Community Development Department

(209) 468-0227

www.sjgov.org/departments/cdd

gsanfilippo@sjgov.org

1810 East Hazelton Avenue, Stockton, CA 95205

Lobby hours: M-Th - 8 AM to 5 PM
Closed - Noon to 1 PM
F - 8 AM to Noon

For assistance with building, planning, or fire
permit applications, call: (209) 468-8414 or email:
cddcustomerservice@sjgov.org.



For information regarding Regional Early Action
Planning (REAP), visit the CDD website.
www.sjgov.org/departments/cdd



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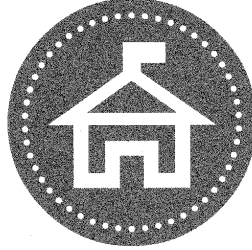
Community Development Department

Planning · Building · Code Enforcement · Fire Prevention

Attachment J **San Joaquin County** **Office of Education** **Ballistics Expert Report**

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Prepared for:



**SAN JOAQUIN COUNTY
OFFICE OF EDUCATION**

**Evaluation of Manteca Sportsman Inc.
(Rifle Range)**



February 27, 2026

Prepared by Armed Profession Consulting, LLC.

Evaluation Report

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Executive Summary

At the request of the San Joaquin County Office of Education (SJCOE), Armed Profession Consulting, LLC (APC) conducted an independent evaluation of the Manteca Sportsman Inc. (MSI) rifle range following alleged incidents of rifle rounds traveling beyond the range and striking the Durham Ferry Outdoor Education Center. The objective of the assessment was to determine whether MSI's proposed corrective measures – including a newly designed “safety canopy” and updated operating procedures – would effectively prevent projectiles from leaving the range and mitigate risk to surrounding property and personnel. The evaluation included a review of documents, on-site inspection, analysis of the proposed canopy mock-up, interview with the MSI President, and review of applicable industry standards and range development guidance.

The findings identified several critical deficiencies. The existing impact berm, approximately 10-12 feet in height, does not meet National Rifle Association (NRA) best-practice recommendations for a range without a natural backstop, where a 20-foot berm is typically advised. The berm also contains large rocks and hard materials that increase ricochet risk. The proposed steel safety canopy, designed to angle rounds downward into the impact berm, appears conceptually capable of reducing the risk of rounds clearing the berm; however, the initial design raises concerns regarding material specification (AR400 versus AR500 steel), potential noise amplification from enclosed steel sidewalls, and the fact that the canopy can be defeated under certain human-factors scenarios (e.g., a shooter firing outside the canopy without timely RSO intervention). Additionally, MSI currently has no active rifle range operating policies in place, creating a significant administrative and supervisory gap.

Based on these findings, three primary recommendations must be implemented before live-fire operations resume. First, the safety canopy may be used as a short-term mitigation measure (3-5 years), provided it is constructed with 3/8-inch AR500 steel and installed at every active shooting position; however, MSI should plan and transition to a permanent “no blue sky” overhead baffle system, which represents the national industry standard for preventing rounds from exiting an outdoor range. Second, MSI must develop, publish, and enforce comprehensive rifle range operating policies, including mandatory canopy use, defined firing positions, a minimum 1:5 RSO-to-shooter ratio, required safety briefings, and NRA-certified RSO oversight. Third, the impact berm must be reconstructed and resurfaced to remove rocks and hard objects and provide a minimum of 24 inches of soft, sifted soil in the impact zone to reduce ricochet potential.

In conclusion, the MSI rifle range should remain closed to live-fire operations until: (1) properly constructed safety canopies are installed at each shooting position, (2) enforceable operating policies and trained RSOs are in place, and (3) the impact berm

Evaluation Report

is rebuilt to meet minimum safety standards. These measures are necessary to mitigate risk, reduce liability exposure, and restore the range to a condition consistent with recognized industry safety practices.

Evaluation Report

Introduction

Armed Profession Consulting, LLC (APC) was contacted by a representative from the San Joaquin County Office of Education (SJCOE) on February 2nd, 2026, to provide an initial evaluation of a proposed solution to prevent rifle rounds from leaving a rifle range at the Manteca Sportsman Inc (MSI) located at 30261 S. Airport Way, Manteca, CA. There were supported allegations that some rifle rounds had struck the Durham Ferry Outdoor Education Center located at 29442 Airport Way, Manteca, CA nearly one mile beyond the MSI rifle range, which resulted in the closing of the MSI rifle range until a viable solution was identified and implemented.

Upon reviewing preliminary documents provided by SJCOE, and without having conducted an on-site evaluation, a positive recommendation of the proposed solution could not be given as there were too many unknown factors of concern.

APC was subsequently hired on February 10th, 2026, to conduct an on-site evaluation of the rifle range and proposed solutions. The date for the scheduled evaluation was February 24th, 2026.

The scope of the work, as requested by SJCOE, was as follows:

- Evaluation of the MSI rifle range
- Evaluation of the proposed "safety canopy" design and configuration
- Evaluate rifle range operating procedures to be implemented once range reopens
- Provide recommendations based on my findings.
- Attend County planning meeting to report findings to the Planning Commission

The objective of the evaluation was to determine if the solutions proposed by MSI, the proposed new rifle range policies and the designed "safety canopy", would prevent rounds from exiting the rifle range and mitigate any risk to surrounding structures and personnel outside of the range facility. Evaluations of other portions of the shooting facility was not conducted.

Methodology

Several methods and sources were used to gather information and data to conduct an analysis of the MSI rifle range, their rifle range policies, and the potential impact to Durham Ferry Center. The methods and sources include:

- San Joaquin County Community Development Department Planning Commission Staff Report for Use Permit Modification No. PA-2200053, prepared by Giuseppe Sanfilippo, containing the following items:
 - Planning Commission analysis
 - Site plan
 - Response letters from SJC Public Works, SJC Environment Health Dept., and Pacific Gas & Electric Company
 - Planning Commission findings for modification
 - SJC Community Development Environment document / Notice of Exemption
 - Previously approved conditions of approval for Use Permit No. UP-3009 (1964 document)
 - Compliance agreement (March 2022)
 - Rifle Safety Canopy design plans by JC Wagner & Associates
 - Operational procedures by Manteca Sportsman Inc, which included a rifle range questionnaire for shooters, rifle range rules, safety video narrative, and Range Safety Officer (RSO) training and duties
 - Ballistic expert correspondence from Gene Whisenand, along with a related email from Lt. Nick Taiariol of San Joaquin County Sheriff's Office
 - Conditions of Approval document
- On-site evaluation of the MSI rifle range.
- On-site evaluation of wooden mock-up of the safety canopy design located at the MSI rifle range, including photographs.
- In-person interview of MSI President, John Swan.
- National Rifle Association (NRA) Range Operations & Development course materials
- National Law Enforcement Firearms Instructors Association (NLEFIA) 3-day / 24-hour Rangemaster Development course materials
- A resource book titled *The Law Enforcement Rangemaster: A Foundational Guide*
- Google Earth satellite imagery

Evaluation Report

Findings

Evaluation of the Rifle Range

The rifle range is approximately 100 yards long from the shooting benches to the in-ground target stands. The impact berm is approximately 5-10 feet beyond the target stands.

The impact berm height is approximately 10-12 feet high across the width of the range. According to Mr. Swan, the impact berm is dirt material that was placed over the side of the levy. It was installed by MSI to prevent impact and erosion to the levy itself. The depth of the dirt material is unknown, but the levy is inspected periodically by the county, according to Mr. Swan. The berm currently consists of dirt material with numerous large rocks ranging from two inches in diameter to 20 inches in length.

The ground between the shooting positions and the berm is covered in grass. The dirt underneath the grass was very soft and pliable when walked on.

There are no side berms or ballistic barriers on the right side or left side of the rifle range.

The shooting positions are stationary benches made of cinder block with a concrete slab as a tabletop. The shooting positions have an overhead cover approximately ten feet tall, made of wood, and supported by metal poles.

Evaluation of the Safety Canopy

A wooden mock-up of the proposed safety canopy was evaluated and photographed. Mr. Swan indicated the design concept was derived from another local range that has walls and an overhead cover that extend outward approximately ten feet for each shooting position. The proposed safety canopy is a scaled down version of that concept.

According to Mr. Swan, the safety canopy would comprise of four (4) concrete footers with metal brackets that would attach to four (4) wooden posts that would serve as the frame for the canopy. This design would ensure the safety canopy is not moveable but still allow for the wooden frame to be replaced when damaged by flood waters.

The wooden frame would serve as a mounting point for steel walls and overhead ceiling. The overhead ceiling is extended forward and angled downward to prevent fired rounds from rising to a height where they would pass over the impact berm. The

Evaluation Report

overhead ceiling and side walls are to be built with AR400 steel. The thickness of the steel plates was unknown.

The shooter side of the canopy would have a plywood barrier mounted low across the opening to prevent rifles from firing from a lower position, which could negate the effectiveness of the canopy. The mounted barrier ensures the canopy is utilized properly.

Evaluation of Rifle Range Operations

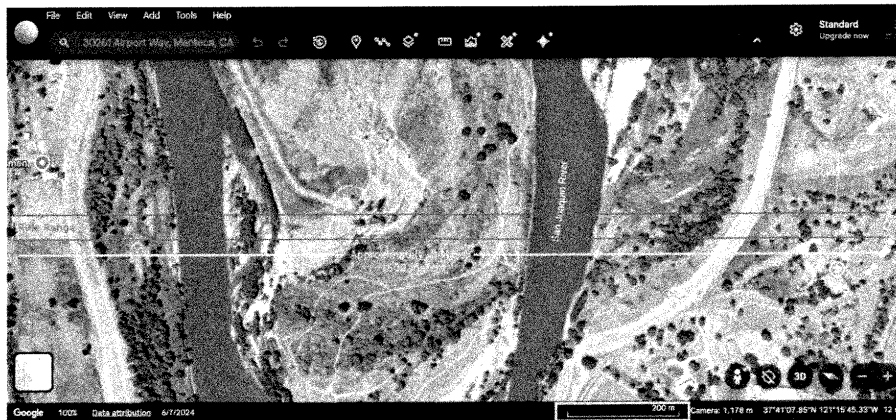
Per the MSI President, John Swan, the range polices and training video narrative included in the Planning Commission Staff Report were submitted by the previous President in 2022 and are not in current use. Mr. Swan indicated MSI is in the process of establishing new range polices and, therefore, none currently exists.

Evaluation Report

Analysis

Analysis of the Rifle Range

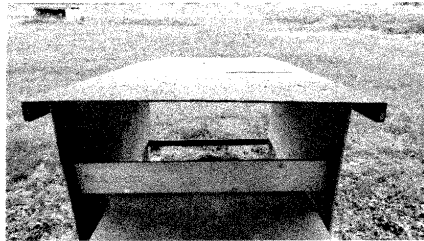
The primary issue with the rifle range is the impact berm. The height of the berm is approximately 10-12 feet high, which is acceptable by the National Rifle Association (NRA) recommendations if there is large natural backstop beyond the impact berm, such as a hill or small mountain, which in this case there is none. Therefore, the NRA recommendation is to have a 20-foot impact berm. While this is not an impossible task to achieve, there are some challenges associated with constructing a 20-foot berm on this rifle range. There are other ballistic barrier alternatives as well, however, there would be similar construction challenges, and the related cost would likely be higher. The safety canopy concept is a proposed alternative to the challenges that are associated with increasing the impact berm height.



Evaluation Report

Analysis of the Safety Canopy

The proposed design of the safety canopy appears to be adequate. The steel overhead ceiling having a downward angled slope, along with the mounted wooden barrier at the rear, should prevent rifle rounds from passing over the impact berm.



However, other aspects of the design for the safety canopy raise concerns. The use of steel plates as the sidewalls, in conjunction with a steel overhead ceiling and the ground below, will form a small "echo" chamber which will likely amplify the gunshot report. In addition, with only two openings, one facing downrange and one facing the shooter, the shooter will likely receive increased noise exposure from the gunshot report that most forms of hearing protection would struggle to mitigate as designed, thereby increasing the risk of hearing damage to shooters. An industrial hygienist or sound testing expert should conduct noise tests on the first canopy built before additional canopies are built.

To reduce the chance of creating an echo chamber, it is my recommendation that the canopy is constructed without the sidewalls. Steel sidewalls have no impact on keeping projectiles from passing over the impact berm. Therefore, a "skeletonized" version of the canopy should be considered. Removing the side walls and leaving the wooden frame in place to support the steel overhead ceiling would allow the gunshot report to dissipate in all directions, except upward, and prevent the sound from funneling directly back toward the shooter. Leaving the steel side walls in place as the

Evaluation Report

final design could increase liability to MSI and any person or entity that approved the design plans.

In addition, the top steel overhead ceiling should be made with 3/8-inch AR500 steel, not AR400 steel. AR400 steel is primarily for handgun rounds, whereas AR500 steel is primarily used for rifle rounds.

Finally, it should be noted this safety canopy can be defeated by a combination of two events – a shooter accidentally or intentionally shoots outside of the canopy, and a RSO fails to stop it from occurring due to being distracted or a lack of RSOs on the range. Although the likelihood of this occurring is minimal, it can still occur.

Analysis of the Rifle Range Operations

There is no analysis of rifle range operations and policies, as they do not currently exist.

Recommendations

Based on my evaluations, findings, and analysis I recommend the following actions before the MSI rifle range becomes operational:

- **The safety canopy is used as a short-term (3-5 years) solution.** The national industry standard to keep rounds from leaving an outdoor range is the use of a “no blue sky” overhead baffle design (see appendix). Designing, funding, and constructing an overhead baffle system will take time for MSI. The use of the safety canopy as a short-term solution will allow MSI to open the range for their members to use, will allow MSI to collect additional revenue from the range use, and will provide time for MSI to research construction and funding for overhead baffles for a more permanent, long-term solution. *No shooting should occur from any of the shooting positions on the rifle range unless a safety canopy, constructed as designed and approved, is mounted at the specific shooting position and there is the proper number of RSOs on the range.*
- **The safety canopy is built using 3/8-inch AR500 rated steel plates.** The use of AR400 rated steel is not adequate for rifle caliber rounds.
- **MSI must develop, publish, and enforce policies related to the safe operation of the rifle range.** These policies must include, but are not limited to, the following: *the use of safety canopies is mandatory by all shooters, the only authorized firing position is from a seated position at a bench, there must be a 1:5 RSO-to-shooter ratio on the rifle range to ensure the safety canopies are being used properly, new shooters must watch a safety video or receive a verbal safety briefing on the use of the rifle range and safety canopies, and all designated RSOs must have successfully completed the NRA Range Safety Officer training/certification course.* MSI should add any additional policies necessary for the safe and controlled operation of the rifle range. The 1:5 RSO-to-shooter ratio recommendation is based on the 1:5 instructor-to-student ratio required by the Arizona Peace Officer Standards & Training (AZ POST) commission for law enforcement agencies. In addition, the same ratio is highly recommended by the National Law Enforcement Firearms Instructors Association (NLEFIA) to maintain safety on a shooting line.
- **Repair the impact berm.** The impact berm dirt material should be sifted to remove all rocks and other hard objects. This is to prevent ricochets from bullet strikes. The impact zone should be comprised of 24 inches of soft dirt from top to bottom. The rifle range should not be operational until the berm meets this minimum standard.

Conclusion

MSI leadership and staff have significant work to complete before the rifle range can be considered fully operational. The findings and analysis support three clear requirements. First, while the proposed safety canopy may serve as an acceptable short-term measure to reduce the risk of rounds clearing the impact berm, it should not be relied upon as a permanent solution. As outlined in the analysis, the canopy can be defeated under certain conditions. By contrast, a properly engineered “no blue sky” overhead baffle system represents the national industry standard and is not susceptible to those same failure modes. MSI should work toward implementing this industry-standard design. The safety canopy concept buys MSI time to do so.

Second, comprehensive rifle range operating policies must be developed and formally published. These policies should ensure that properly trained Range Safety Officers (RSOs) actively supervise all live-fire activities and that safety canopies are used correctly and consistently.

Third, the impact berm must be resurfaced to remove rocks and other hard materials that could cause ricochets. Proper berm maintenance will significantly improve safety within the range and in the surrounding area.

Live-fire operations at the MSI rifle range should not resume until these three conditions are met.

Evaluation Report

Appendix

Evaluation Report

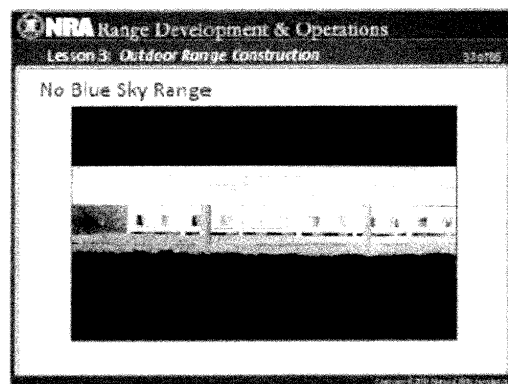
Notes:

Overhead baffles are used to keep rounds from straying outside of the backstop and side berms.

Overhead baffles can be built from plywood or wood and pea gravel, concrete and steel or rubber and steel, and can use a venetian blind-style baffling assembly.

While each of these designs will work to guide the rounds, some will work better than others, depending on the use of the range.

33 No Blue Sky Range

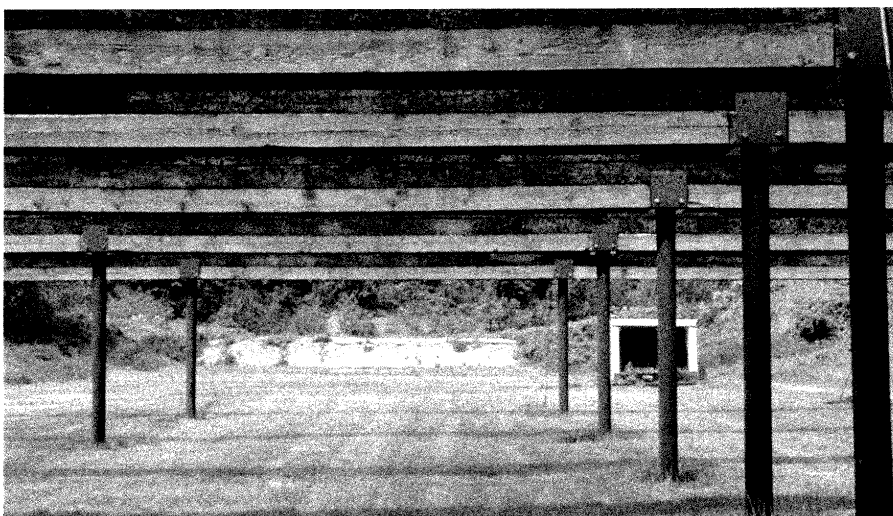
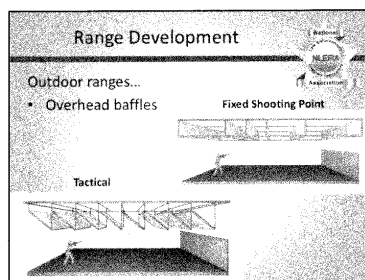


Notes:

The purpose of baffles is to make sure you can't shoot over the backstop or the side berms. This is extremely important especially if houses are behind the firing line. The "No Blue Sky" designation refers to the objective of having no sky visible between the baffles and top of the backstops, which helps ensure that the projectiles will remain within the defined safety zone.

NRA Range Development & Operations

Evaluation Report



Evaluation Report

About APC

Armed Profession Consulting, LLC is based out of Phoenix, AZ and owned by Jason Wuestenberg. After serving in the US military, Jason entered the career of law enforcement and joined the Phoenix Police Dept. in 1994. Jason honorably retired in 2017 after 22 years of service and held a leadership position for the last nine years of his career.

For the last six years of his career Jason served as a Rangemaster and was on the agency's Firearms Committee, Training Needs Committee, and Tactical Review Committee which conducted analysis of tactics that were applied in officer-involved shootings. In addition, Jason served as a training and policy advisor for the agency's Use of Force Board which determines if an officer-involved shooting is in or out of policy. Jason was also a Firearms Subject Matter Expert (SME) for Arizona Peace Officer Standards and Training (AZ POST).

As an agency Rangemaster, Jason's responsibilities included:

- Supervising full-time and adjunct firearms instructors
- Conducting selection process for firearms instructors
- Supervising firearms training programs
- Reviewing and approving training outlines
- Advising on development/revision of firearms policies
- Supervising daily range operations
- Supervising firearms qualifications
- Conducting/supervising rifle instructor certification courses
- Conducting/supervising shoot house training programs

Jason obtained 20+ law enforcement instructor certifications over his career. Jason also obtained an Associates degree in Law Enforcement Technologies, a Bachelors degree in Career & Technical Education, and a Masters degree in Leadership.

Jason founded the National Law Enforcement Firearms Instructors Association (NLEFIA) in 2015 and served as the Executive Director for ten years where he created several instructor development and certification courses and supervised over 15 national instructors.

Evaluation Report

As the Executive Director, Jason's responsibilities included:

- Select and supervise staff instructors across the nation
- Develop, review, and revise various firearms instructor development & certifications programs to be conducted across the nation
- Supervise the daily operations of the association
- Manage various budgets and cashflow
- Plan accordingly for growth and expansion of the association

Jason is one of the developers and lead instructors for the NLEFIA 3-day Rangemaster Development course taught to law enforcement rangemaster and firearms instructors.

Jason has been a presenter at several law enforcement instructor conferences and has covered topics such as rangemaster responsibilities, firearms qualifications, developing various firearms programs, and developing instructor-level training. Jason also co-authored three books titled ***Law Enforcement Rangemaster: A Foundational Guide***, ***Law Enforcement Advanced Firearms Instructor***, and ***Law Enforcement Tactical Firearms Instructor***. In addition, Jason was a columnist for Police1.com.

Evaluation Report

Statement on Use of Artificial Intelligence (AI)

The preparation of this final evaluation report incorporated the use of artificial intelligence (AI) tools to enhance research efficiency, analytical structuring, and editorial clarity. AI was utilized to assist in organizing information, refining language, improving formatting consistency, and accelerating the synthesis of non-confidential data inputs provided by the client and other authorized sources. All substantive analysis, conclusions, and recommendations were reviewed, validated, and approved by the consultant to ensure accuracy, contextual relevance, and professional integrity. The consultant retains full responsibility for the content, judgments, and outcomes presented in this report.

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SAN JOAQUIN
—COUNTY—
Greatness grows here.

Community Development Department

Planning · Building · Code Enforcement · Fire Prevention

Attachment K **Conditions of Approval**

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CONDITIONS OF APPROVAL

PA-2200053

Manteca Sportsmen, Inc. / San Joaquin County

Modification No. PA-2200053 of Use Permit UP-3009 was approved by the Planning Commission on August 6, 2026. The effective date of approval is August 16, 2026. This approval will expire on August 16, 2029, which is thirty-six (36) 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. The permitted use shall not at any time develop into a nuisance, as herein defined. If, in the opinion of the Planning Commission or Board of Supervisors, any County Ordinance or State Law or conditions attached hereto are being violated in connection with the operation of this use, that they retain the power to revoke or modify this permit. For the purposes of this use permit, a nuisance is defined as follows:

“Nuisance is defined as anything resulting from unreasonable or unlawful practices or from neglect which is, or tends to be injurious to health, safety, or public welfare, or is unsightly or offensive to the senses so as to interfere with the comfortable enjoyment of life or property in the neighborhood area, as such neighborhood area as defined by the Planning Commission”

- b. The attached Plot Plan is hereby made a permanent part of this approved use permit and shall be identified as “EXHIBIT A”, and all construction, reconstruction, moving, remodeling, or other structural alterations shall be made in conformity therewith. Any variation from said Plot Plan shall be first approved by the Planning Department or Commission.
- c. This use permit is granted under the condition that said permit not be transferred within a 90-day period after the date of approval.
- d. Safety canopies shall be required to prevent projectiles from going over the levee at each rifle range shooting bench as depicted on the site plan dated February 21, 2025.
- e. A certified range master shall be on site during all hours of operation.
- f. **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 9-802.110[a][2])
- g. **BUILDING CODE REQUIREMENTS:** The following California Building Code (CBC) and San Joaquin County Ordinance requirements will be applicable to the proposed project. The following conditions shall be addressed prior to submittal of a building permit application to the Building Inspection Division:

1. The building plans for the safety canopies shall incorporate the design modifications identified by the Sheriff's Department as discussed during the July 18, 2025, site visit.
 - a. Raise the rear of the safety canopy two inches
 - b. Incorporate an 8.5-inch ballistic bench the entire width of the safety canopy.
2. ENVIRONMENTAL HEALTH DEPARTMENT: (Contact: [209] 468-3420)
 1. Submit a Water Provision Declaration form to the Environmental Health Department for review.
 2. Any existing wells or septic systems to be abandoned shall be destroyed under permit and inspection by the EHD (San Joaquin County Development Title, Section 9-605.010 & 9-601.020).
 3. 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).
 4. Before any hazardous materials/waste can be stored or used onsite, the owner/operator must report the use or storage of these hazardous materials to the California Environmental Reporting System (CERS) at cers.calepa.ca.gov/ and comply with the laws and regulations for the programs listed below (based on quantity of hazardous material in some cases). The applicant may contact the Program Coordinator of the CUPA program, Elena Manzo (209) 953-7699, 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



Planning Commission Staff Report
Item # 2, August 6, 2026
Variance No. PA-2500134 and Minor Subdivision No. PA-2500133
Prepared by: Jessica Leal

PROJECT SUMMARY

Applicant Information

Property Owner: Jon Moreno
Project Applicant: Matthew Weber

Project Site Information

Project Address: 11052 East Weigum Street, Lodi
Project Location: On the west side of East Weigum Street, at the terminus of Weigum Court, 655 feet west of Tretheway Road, Lodi.

Parcel Number (APN):	051-140-26, & -29	Water Supply:	Private (Proposed Well)
General Plan Designation:	A/G	Sewage Disposal:	Private (Proposed Septic)
Zoning Designation:	AG-40	Storm Drainage:	Private (Natural Storm Drainage)
Project Size:	15.75 acres	100-Year Flood:	No
Parcel Size:	15.75 acres	Williamson Act:	No
Community:	None	Supervisory District:	4

Environmental Review Information

CEQA Determination: Mitigated Negative Declaration (Attachment D; Environmental Document)

Project Description

This project is comprised of two applications:

- Variance No. PA-2500134 proposes to reduce the minimum lot size in the AG-40 (General Agriculture, 40-acre minimum) zone from 40 acres to 5 acres.
- Minor Subdivision No. PA-2500133 proposes to subdivide one 15.75-acre legal lot into three parcels. Parcel 1 to contain 5.05 acres, Parcel 2 to contain 5.04 acres, and Parcel 3 to contain 5.03 acres. Parcel 1 will contain the existing single-family residence and a barn and will continue to utilize the existing access from East Weigum Street. Parcels 2 and 3 are currently vacant. Access to both parcels is proposed via a new access easement located along the eastern property line, connecting to East Weigum Street.

Recommendation

1. Deny Variance No. PA-2500134 and Minor Subdivision No. PA-2500133 based on the inability to make Variance Findings Nos. 1 and 3 and Minor Subdivision Findings Nos. 1 and 2 contained in the Staff Report (Attachment F, Findings)

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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 17, 2026.

Number of Public Hearing notices: 190

Date of Public Hearing notice mailing: July 17, 2026.

Referrals and Responses

- **Early Consultation Date:** October 17, 2025
- **Project Referral with Environmental Determination Date:** March 4, 2026
- **Mitigated Negative Declaration Posting Date:** March 3, 2026
- **OPR State Clearinghouse #:** 2026030322

Agency Referrals	Response Date - Early Consultation	Response Date - Referral
County Departments		
Assessor		
Community Development		
Building Division		
Fire Prevention Bureau		
Public Works	9/22/25 & 10/24/25	
Environmental Health	10/21/25 & 7/16/25	3/24/26
Supervisor: District 4		
Sheriff Office		
Mosquito Abatement		
Ag Commissioner		
State Agencies		
CA Native American Heritage Commission		
DTSC		3/12/26
Fish & Wildlife, Division: Region 2		
Federal Agencies		
US Fish & Wildlife		
F.E.M.A.		3/30/26

Agency Referrals	Response Date - Early Consultation	Response Date - Referral
Local Agencies		
Lodi Unified		
Mokelumne Fire District		
Reclamation District 17		
SJ Air Pollution Control District		
S.J.C.O.G.	10/21/25	3/10/26
North SJ Water Conservation District		
French Camp MAC		
Manteca Unified School District		
Miscellaneous		
Buena Vista Rancheria		
California Valley Miwok Tribe		
United Auburn Indian Community		
P.G.&E.	8/14/25 & 11/13/2025	3/26/26
Sierra Club	8/7/25	
Farm Bureau		
CA Tribal TANF Partnership		
North Valley Yokuts Tribe		

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ANALYSIS

Background

In 1908, a subdivision map for Crump Tract was filed, creating 12 lots, each exceeding 10 acres in size, bordered to the north by present day State Route 12 (East Victor Road) and to the east by North Tretheway Road. In August of 1973, a Lot Line Adjustment was approved as part of Division of Land No. 74-0018 to adjust the property line between two 10-acre parcels (Parcels 7 and 11 of Crump Tract) to result in one 5-acre parcel and one 15-acre parcel. The resultant 15-acre parcel is the subject parcel of these applications. This application also included approval of Private Right-of-Way No 74-0005, which approved access along an existing private road to the west of the project site.

In January of 2024, the applicant submitted the proposed Variance and Minor Subdivision as pre-applications. The pre-applications were reviewed at Development Committee on November 14, 2024, and subsequently, on May 5, 2025, full applications were submitted. In June of 2025, the Planning Division reviewed a building permit for an accessory dwelling unit (ADU) located on Parcel 2 of the proposed Minor Subdivision. This permit was issued on August 28, 2025. If the proposed Minor Subdivision is approved, the ADU will be converted to a primary residence. If the Minor Subdivision is not approved, the ADU will remain as an accessory use.

On July 27, 2026, the applicant provided an updated Tentative Map that relocates proposed access for Parcels 2 and 3 from the existing private access road located to the west of the site to propose access from Weigum Road via a new private access road. This revised Tentative Map is included as Attachment B.

Variance

Pursuant to Development Title Section 9-805.010, a Variance provides “a means of altering the requirements of this Title in specific instances where the strict application of those requirements would deprive a property of privileges enjoyed by other properties in the vicinity and under identical zoning, due to special circumstances applicable to the property involved.” This provision is consistent with the allowances set forth in the California Planning and Zoning Law¹, which authorizes cities and counties to grant variances when, due to special circumstances, the strict application of zoning requirements would deprive a property of rights enjoyed by other properties in the same zoning district.

Pursuant to Development Title Section 9-805.030, the Planning Commission is required to make four findings in the affirmative in order to approve the Variance application. Staff determined that Finding Nos. 1 and 3 cannot be made in the affirmative, as discussed below.

Findings

Finding No. 1 states:

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

Applicant's Statement:

¹ Government Code § 65906

“Given the size and location of this property it is inconsistent with zoning of AG-40. The size of the parcel and its location makes it difficult to farm, as there are houses very near the parcel, and a parcel this small is not conducive to generating sufficient income to make it economical to farm. Additionally, the parcels adjacent to this parcel are all 5 acres and below. In fact from Victor Road (Highway 12) south on Trethway to this property there are 31 parcels all of them 5 acres or less. The parcels to the east of this parcel to Trethway Road are all 5 acres or less, most being 1-acre parcels. Three parcels directly across Trethway to the east are 3-acre parcels that were created through a Variance approval in the early 1990s. This property and the surrounding parcels were previously zoned AU-5 and at some point rezoned to AG-40. In fact this parcel was previously two parcels that were merged when the zoning was AU-5. Not allowing this property to be split into three 5-acre parcels will deprive this property of being used like the surrounding parcels that are all 5 acres and below.”

Staff's Analysis:

This finding cannot be made because the subject parcel has no special circumstances which would deprive it of privileges enjoyed by other property in the vicinity and under identical zoning classification. The applicant's proposed finding that the parcels surrounding the subject parcel are similar or smaller in size does not constitute a finding of deprivation. The project vicinity has been zoned AG-40 since approximately 1985. Any surrounding parcels that are below 40 acres in size, similar to the subject parcel, are non-conforming parcels in the AG-40 zone that were created prior to the current Development Title provisions. These parcels all carry the same limitations and cannot subdivide into smaller parcels. As a result, the subject parcel is not deprived of any privileges enjoyed by properties in the vicinity with the same zoning designation.

Finding No. 3 states:

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

Applicant's Statement:

“Due to its location and surroundings, the property would enjoy no more than the privileges already enjoyed by the other properties adjacent to and in the vicinity of the property. Given that the 31 parcels closest to this property are 5 acres or less, granting this variance will allow this property to be used like the other surrounding parcels, and be consistent with the uses on the surrounding parcels.”

Staff's Analysis:

This finding cannot be made because granting this Variance will constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the property is situated. Parcels in the vicinity of the project site that are below the 40-acre minimum were created consistent with the General Plan, zoning, and code requirements that were in effect at that time. Surrounding property owners within the vicinity and with the same zoning classification are not permitted to subdivide parcels to less than the 40-acre minimum unless a specific Development Title exception applies. The exceptions to meeting the zone minimum include subdividing properties to create homesite parcels, homesite parcels for financing purposes, parcels for certain specified uses, parcels for dwellings on the same lot, and parcels based on lot size averaging (Development Title Section 9-203.030(a)(1)(A)). The underlying Minor Subdivision, as proposed, does not meet any of these exceptions.

Additionally, though the project site is located near numerous sub-standard parcels, the parcels located adjacent to the subject parcel to the west and south each contain approximately 20 acres and are currently planted with row crops consistent with agricultural nature of the vicinity.

Findings Nos. 2 and 4 can be made in the affirmative and can be found in Attachment F.

Minor Subdivision

Pursuant to Development Title Section 9-501-070, the eight findings must be made in the affirmative for a Minor Subdivision to be approved. Staff determined that Finding Nos. 1 and 2 cannot be made in the affirmative, as discussed below.

Findings

Finding No. 1 states:

The proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan, any applicable Specific Plan, pre-existing Special Purpose Plan, or Master Plan, the Development Title, and other applicable provisions of the County Code.

Staff's Analysis:

This finding cannot be made because Minor Subdivision No. PA-2500133 is not consistent with the General Plan or the Development Title. Pursuant to the Development Standards for the General Agriculture (A/G) General Plan designation (2035 General Plan, 3.1 Community Development Element, page 3.1-58), the minimum lot size for parcels designated as A/G is 20 acres, or 160 acres where no surface irrigation water is available. The subject parcel is located within an irrigation district. Furthermore, the AG-40 (General Agriculture, 40-acres minimum) zoning, which implements the A/G (General Agriculture) General Plan designation, does not allow for parcels to be subdivided below 40-acres. Because the subdivision as proposed does not meet the minimum required lot size of 40-acres, it is not consistent with the General Plan or Development Title, unless the Planning Commission approves a Variance to reduce the required minimum lot size and lot width for the AG-40 zone. No Master Plan, Specific Plan or Special Purpose Plan are applicable to Minor Subdivision No. PA-2500133.

Finding No. 2 states:

The site is physically suitable for the type of development and the proposed density of the development.

Staff's Analysis:

This finding cannot be made because the subdivision is proposing additional parcels in the AG-40 zone that do not meet the minimum lot size. The parcel is currently limited to one single-family residence. In the underlying A/G General Plan designation, the permitted density range is 0.0 to 0.05, or 1 residence per 20 acres. If the Minor Subdivision to create three parcels is approved, each parcel would be permitted to have one primary residence. Thus, the density would increase to 0.3 or 1 residence per 5 acres. The resulting Minor Subdivision affects the density requirements for future development. As a result, the site is not physically suitable for the potential density of future development.

Findings Nos. 3, 4, 5, 6, 7, and 8 can be made in the affirmative and can be found in Attachment F.

Opposition

The Planning Department received a letter of opposition from the Sierra Club and 3 from neighboring property owners (Attachment C). These letters express concerns regarding the land use compatibility, flood and groundwater impacts, private road maintenance and access, privacy and quality of life, stormwater management and flooding concern, groundwater and environmental resources, trespassing and illegal activity, and the consistency with planning documents.

Land Use Compatibility

The opposition expressed concern that the subdivision would further fragment the AG-40 zone by creating substandard parcels, reduce agricultural viability, and create conflicts between farming activities and new homes. They also expressed that smaller residential parcels would increase demand for services and infrastructure and add traffic to rural roads not designed for higher use. Further, the Sierra Club raises concerns regarding the potential loss of agricultural land resulting from the proposed project.

The proposed parcels would remain zoned AG-40 and would continue to allow agricultural uses consistent with the applicable zoning regulations. The County's Right-to-Farm provisions will require disclosure to future property owners that agricultural operations may result in customary inconveniences or discomforts, including noise, odors, insects, dust, or fumes, and that such conditions are not considered nuisances when associated with lawful agricultural activities. These provisions are intended to inform residents of the characteristics of living in an agricultural area and help reduce potential conflicts between agricultural operations and adjacent residential uses. Further, any future development would be required to comply with applicable County Development Title provisions, San Joaquin County Development Standards, the Environmental Health Department and the Department of Public Works requirements.

However, the Community Development Department recognizes the concerns raised regarding agricultural preservation, potential land use conflicts, and the long-term implications of residential development in agricultural areas. Staff has reviewed the proposed project with the applicable findings, and cannot make Minor Subdivision finding No. 2, which relates to the suitability of the site for the proposed development in the affirmative. The application proposes the creation of three 5-acre parcels that may not be suitable for an agricultural use for which the AG-40 zone is intended

Additionally, as discussed with Variance Finding No. 1, the applicant's assertion that the surrounding parcels are similar to or smaller than the subject parcel does not demonstrate a deprivation that would justify granting a variance. While there are parcels in the surrounding area that are smaller than the 40-acre minimum, those parcels are legal nonconforming parcels that predate the current Development Title provisions. Specifically, the area was subdivided as part of the Crump Tract subdivision in 1908, creating 12 parcels, each exceeding 10 acres and consistent with the regulations in effect at that time. As a result, the proposed subdivision is inconsistent with the longstanding agricultural zoning framework intended to preserve agricultural lands.

Services

The opposition stated concern that the proposed subdivision may worsen flooding in the vicinity by altering drainage patterns. They also expressed concern that additional small parcels may impact groundwater and worsen water quality for existing wells.

As part of the subdivision review process, the project must comply with applicable County Public Works requirements related to drainage and stormwater management. Any required drainage improvements

are required prior to development of the proposed parcels. Similarly, the project would be required to demonstrate compliance with applicable Environmental Health Department requirements for domestic water supply and on-site wastewater disposal. Potential environmental impacts associated with the project have been evaluated through the California Environmental Quality Act (CEQA) process and have been found to be less than significant.

Consistency with Planning Documents

The Sierra Club cites potential inconsistencies with California's Planning and Zoning Law, as well as the County's General Plan and Development Title. Specifically, the Sierra Club indicates that the project would allow for a use that is not authorized by the Development Title and General Plan, which would be in violation of the variance requirements found in California's Planning and Zoning Law and the Development Title. The Sierra Club asserts that the variance request is inconsistent with the County's Development Title, contending that "jurisdictions in California may not use a variance procedure to reduce parcel size regulations, or modify any other requirements, without adopting findings based on substantial evidence." Further, the Sierra Club argues that "pursuant to state law, variances cannot be approved to allow a use on property which is not normally permitted."

The Community Development Department is recommending denial based on the inability to make 2 of the necessary Variance findings in the affirmative. These findings are required by both the Development Title and California's Planning and Zoning Law². The Department concurs with the Sierra Club that variance procedures cannot be used to reduce parcel size regulations or modify other requirements without findings supported by substantial evidence. Furthermore, as detailed in Attachment F – Findings for Variance and Minor Subdivision, such findings have not been appropriately made and are not supported by substantial evidence to justify the approval of the Variance in this case. As discussed in Variance Finding No. 4, the project does not propose any new or unpermitted land uses because the requested Variance solely addresses parcel size and width and does not introduce any land use that would be inconsistent with the current zoning regulations governing the property. Any lot in the AG-40 zone is permitted to be developed with one single-family residence, one accessory dwelling unit, and one junior accessory dwelling unit per parcel by-right.

Private Road Maintenance, Access, and Privacy

Opposition stated concern regarding use of the existing private access road and responsibilities relating to maintenance of the existing private road that runs along the project site to the west.

Maintenance responsibilities, access rights, and cost-sharing arrangements for private roads are generally private civil matters unless otherwise addressed through recorded easements or conditions of subdivision approval. The proposed subdivision would be required to demonstrate adequate legal and physical access consistent with County subdivision standards. Further, the revised Tentative Map dated July 27, 2026, proposes to utilize Weigum Road for primary access to the project site, and does not propose to utilize the existing private right-of-way located immediately west of the site. Additionally, the request for installation of a privacy fence represents a private design consideration and is not required by the Development Title as part of the proposed subdivision.

Trespassing and Illegal Activity

The opposition stated concern that the proposed new parcels may increase illegal trespassing, illegal dumping, and illegal use of recreational vehicles in the vicinity by increasing access to the area. These concerns are not directly related to land use and are not considered as part of the necessary findings.

² Government Code §§ 65800-65912; § 65906.

The potential for such activities does not constitute a basis for approval or denial of a subdivision under the County's subdivision regulations.

Department of Toxic Substance Control

The Department of Toxic Substance Control submitted a comment letter on March 12, 2026. This letter expressed that agricultural areas rezoned for residential use may contain contaminants and recommended soil testing. However, the proposed application does not include a rezone, and the development of single-family residences is a permitted use in the AG-40 zone. As a result, Community Development Department staff has included this letter as informational and does not recommend additional Conditions of Approval related to these comments.

Environmental Document

An initial study dated March 3, 2026, concluded that any impacts associated with the proposed project may be reduced to less than significant levels with the incorporation of mitigation measures. The applicant has agreed to participate in the San Joaquin Council of Government's San Joaquin Multi-Species and Habitat Conservation Plan (SJMSCP), and participation in the plan was assumed in the initial study. The mitigated negative declaration (MND) was posted for review and public comment on April 1, 2026. A Mitigation Monitoring and Reporting Program (MMRP) has been drafted (Attachment E), and adoption of the MND and MMRP is recommended if the project is approved. The MMRP includes participation in the SJMSCP.

RECOMMENDATION

It is recommended that the Planning Commission:

1. Deny Variance No. PA-2500134 and Minor Subdivision No. PA-2500133 based on the inability to make Variance Findings Nos 1 and 3 and Minor Subdivision Findings Nos 1 and 2 contained in the Staff Report (Attachment F)

Attachments:

Attachment A – Tentative Map and Site Plan
Attachment B – Agency Response Letters
Attachment C – Comment Letters
Attachment D – Environmental Document
Attachment E – Mitigation Monitoring and Reporting Plan
Attachment F – Findings for Variance and Minor Subdivision
Attachment G – Conditions of Approval

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Attachment A **Tentative Map and Site** **Plan**

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TENTATIVE PARCEL MAP

BEING A RESUBDIVISION OF THE SOUTH 1/2 OF LOT 7 & LOT 11
AS SHOWN ON THAT CERTAIN MAP FILED FOR RECORD IN
BOOK 24 OF SURVEYS, PAGE 163, SAN JOAQUIN COUNTY RECORDS,
LYING IN SECTION 2, TOWNSHIP 3 NORTH, RANGE 7 EAST,
MOUNT DIABLO BASE AND MERIDIAN,
SAN JOAQUIN COUNTY, CALIFORNIA
JULY 1, 2026

NOTES:

OWNER:
JON MORENO
11047 WEIGUM ROAD
LODI, CA 95240

SUBMITTERS:
JON AND PATRICIA MORENO
11047 WEIGUM ROAD
LODI, CA 95240

PROJECT DESCRIPTION:
TO DIVIDE 15.12 ACRES INTO THREE PARTS, PARCEL 1 TO CONTAIN 5.05 ACRES,
PARCEL 2 TO CONTAIN 5.04 ACRES, PARCEL 3 TO CONTAIN 5.03 ACRES.

UTILITIES AND FACILITIES:
WATER: WEIGUM
SEWAGE DISPOSAL: SEPTIC
STORM DRAINAGE: ON-SITE
ELECTRICITY: PG&E
GAS: PG&E
TELEPHONE: AT&T
IRRIGATION: NSU/CO

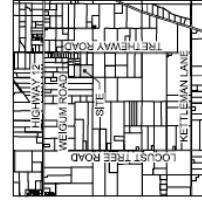
FLOOD INFORMATION:
FLOOD DESTINATION: ZONE X
COMMUNITY PANEL NO. 0607700195F DATED 10-16-2009
ASSESSOR PARCEL NUMBER:
051-440280 & 051-440280

ZONING:
AG-40

GENERAL PLAN:
GENERAL AGRICULTURE (AG)

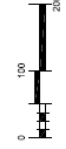
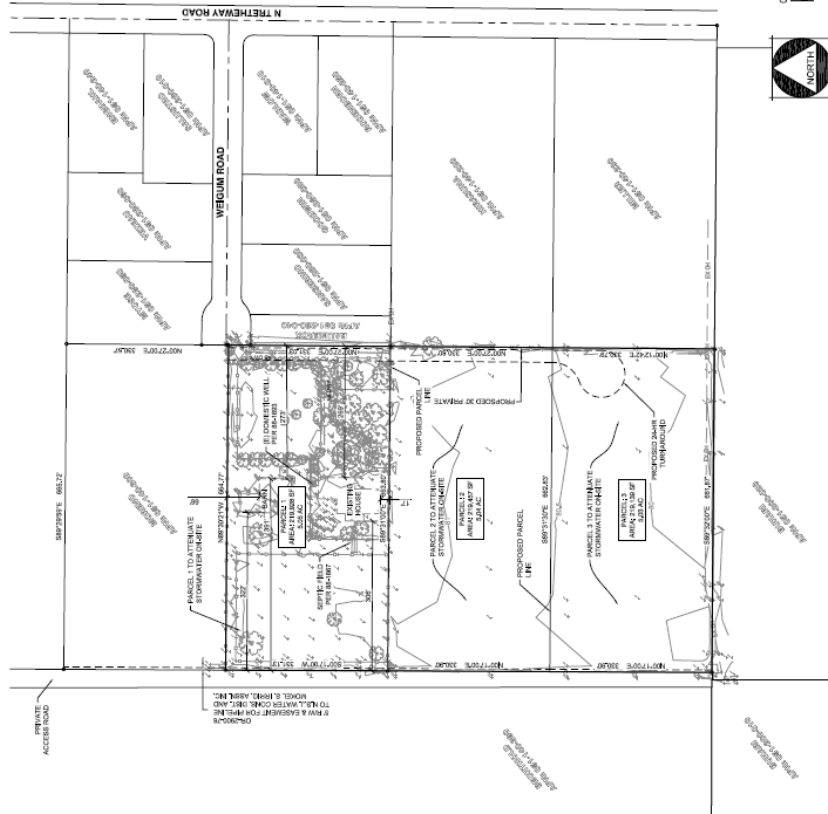
PROPERTY ADDRESS:
11052 E WEIGUM STREET & 16801 N TRETHERWAY ROAD
LODI, CA 95240

CIVIL ENGINEER:
MARSHALL T. SWIFT
NO. 087469



VICINITY MAP
NOT TO SCALE

MCR ENGINEERING, INC.
1242 DUPONT COURT
MANTENCA, CA 95336
TEL: (209) 239-8629
FAX: (209) 239-8659



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Attachment B **Agency Response** **Letters**

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Department of Public Works

Fritz Buchman, Director

Alex Chetley, Deputy Director - Development

Kristi Rhea, Deputy Director - Administration

David Tolliver, Deputy Director - Operations

Najee Zarif, Deputy Director - Engineering

September 22, 2025

MEMORANDUM

TO: Community Development Department
CONTACT PERSON: Rajnee Johal

FROM: Shayan Rehman, Engineering Services Manager
Development Services Division

SR

SUBJECT: PA-2500133 (MS); A Minor Subdivision application continuing pre-application PA-2400253 and PA-2400254 for a Variance requesting to reduce the minimum required parcel size in the AG-40 (General Agriculture, 40-acre minimum) zone from 40 acres to 5 acres in order to facilitate Minor Subdivision No. PA-2500133 that proposes to subdivide an existing 15.12-acre parcel into 3 parcels between 5.03 and 5.05 acres in size. Parcel 1 will utilize the existing access from Weigum Road. Proposed access to Parcels 2 and 3 is from the west side of the properties from an existing private road. All parcels will utilize onsite well and septic systems. Storm water drainage is natural. These parcels are not under Williamson Act contract; Located on the west side of E. Weigum Street, at the terminus of Weigum Court, 655 feet west of Tretheway Road Lodi.
(Supervisory District 4)

OWNERS: Jon Moreno

APPLICANT: Matthew Weber

ADDRESS: 11052 E. Weigum Street, Lodi

APN: 051-140-29

INFORMATION:

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

Weigum Street has an existing and planned right-of-way width of 60 feet.

The Unnamed Private Roadway has a width of 30 feet and was created by Map 04-37.

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.

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PA-2500133 (MS)

RECOMMENDATIONS:

- 1) A Parcel Map is required. (Development Title Section 9-501.030)
- 2) All easements of record shall be shown on the Parcel Map. (Development Title Section 9-505.080)
- 3) Prior to the issuance of a non-agricultural building permit on Parcel 1-3; a private access roadway with turnarounds shall be constructed in conformance with fire road standards and applicable San Joaquin County Improvement Standards. The required improvements shall be noticed on a Declaration of Minor Subdivision Restriction – Non Rescindable and recorded concurrently with the Parcel Map (contact Department of Public Works, Development Services Division for processing) (A fee for processing the Declaration will be required.) (Development Title 9-608.160[a])
- 4) Drainage from the improved portion of each parcel shall be retained on-site by a retention basin at the time of development of each parcel. A soils report to evaluate whether adequate percolation is available shall be submitted and approved for each parcel prior to development of any of the parcels. 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. (Development Title Section 9-606.010)
- 5) Prior to approval of the Parcel Map, the developer shall prepare and record a mechanism that notices future owners and provides for funding and maintenance of the roadway improvements. A copy shall be submitted to the Department of Public Works.

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.

SR:GM:GG



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Department of Public Works

Fritz Buchman, Director

Alex Chetley, Deputy Director - Development

Kristi Rhea, Deputy Director - Administration

David Tolliver, Deputy Director - Operations

Najee Zarif, Deputy Director - Engineering

October 24, 2025

MEMORANDUM

TO: Community Development Department
CONTACT PERSON: Jessica Leal

FROM: George Montross, Development Services Engineer *GM*
Development Services Division

SUBJECT: PA-2500134 (VR); A Variance application continuing pre-application PA-2400253 and PA-2400254 for a Variance requesting to reduce the minimum required parcel size in the AG-40 (General Agriculture, 40-acre minimum) zone from 40 acres to 5 acres in order to facilitate Minor Subdivision No. PA-2500133 that proposes to subdivide an existing 15.12-acre parcel into 3 parcels between 5.03 and 5.05 acres in size. Parcel 1 will utilize the existing access from Weigum Road. Proposed access to Parcels 2 and 3 is from the west side of the properties from an existing private road. All parcels will utilize onsite well and septic systems. Storm water drainage is natural. These parcels are not under Williamson Act contract; located on the west side and terminus of E. Weigum Street, Lodi.
(Supervisory District 4)

OWNER: Jon Moreno

APPLICANT: Matthew Weber

ADDRESS: 11052 E Weigum Street, Lodi

APN: 051-140-29

INFORMATION:

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

Weigum Street has an existing and planned right-of-way width of 60 feet.

The Unnamed Private Roadway has a width of 30 feet and was created by Map 04-37.

RECOMMENDATIONS:

1) None

GM:

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Environmental Health Department

Jasjit Kang, REHS, Director

Muniappa Naidu, REHS, Assistant Director

PROGRAM COORDINATORS

Jeff Carruesco, REHS, RDI

Willy Ng, REHS

Steven Shih, REHS

Elena Manzo, REHS

Natalia Subbotnikova, REHS

October 21, 2025

To: San Joaquin County Community Development Department
Attention: Jessica Leal

From: Aaron Gooderham (209) 616-3062 
Senior Registered Environmental Health Specialist

RE: **PA-2500134 (VR), Early Consultation, SU-2500744**
11052 E. Weigum Street, Lodi

The Environmental Health Department has the following comment: All Onsite Wastewater Treatment Systems (OWTS) must comply with San Joaquin County Local Agency Management Program (LAMP) and current OWTS standards.

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Environmental Health Department

Jasjit Kang, REHS, Director

Muniappa Naidu, REHS, Assistant Director

PROGRAM COORDINATORS

Jeff Carruesco, REHS, RDI

Willy Ng, REHS

Steven Shih, REHS

Elena Manzo, REHS

Natalia Subbotnikova, REHS

July 16, 2025

To: San Joaquin County Community Development Department
Attention: Rajnee Johal

From: Aaron Gooderham (209) 616-3062 
Senior Registered Environmental Health Specialist

RE: **PA-2500133 (MS), Early Consultation, SU-2500680**
11052 E. Weigum Street, Lodi

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. If the report indicates there is contamination, corrective action shall be taken, as recommended in the report and concurred with by Environmental Health Department prior to recordation of Parcel Map (San Joaquin County Development Title, Section 9-502.070(a)(c)).
2. A soil suitability and nitrate loading study incorporating proposed onsite waste water treatment system (OWTS) 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 parcel map. (San Joaquin County Development Title, Section 9-604.010(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.
3. 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 9-605.010).
4. The existing private water wells shall be tested for the chemical Dibromochloropropane (DBCP) and nitrates with the results submitted to the Environmental Health Department prior to recordation of the Parcel Map. Samples are to be taken and analyzed by a State-approved laboratory (San Joaquin County Development Title, Section 9-601.020(j)).

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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 9-601.010(b) and 9-601.020(i)).



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Environmental Health Department

Jasjit Kang, REHS, Director

Muniappa Naidu, REHS, Assistant Director

PROGRAM COORDINATORS

Jeff Carruesco, REHS, RDI

Willy Ng, REHS

Steven Shih, REHS

Elena Manzo, REHS

Natalia Subbotnikova, REHS

March 24, 2026

To: San Joaquin County Community Development Department
Attention: Jessica Leal

From: Aaron Gooderham (209) 616-3062 *AG*
Senior Registered Environmental Health Specialist

RE: **PA-2500134 (VR), Early Consultation, SU-2500744**
11052 E. Weigum Street, Lodi

The Environmental Health Department has the following comment: All Onsite Wastewater Treatment Systems (OWTS) must comply with San Joaquin County Local Agency Management Program (LAMP) and current OWTS standards.



Environmental Health Department

Jasjit Kang, REHS, Director

Muniappa Naidu, REHS, Assistant Director

PROGRAM COORDINATORS

Jeff Carruesco, REHS, RDI

Willy Ng, REHS

Steven Shih, REHS

Elena Manzo, REHS

Natalia Subbotnikova, REHS

March 24, 2026

To: San Joaquin County Community Development Department
Attention: Jessica Leal

From: Aaron Gooderham (209) 616-3062 
Senior Registered Environmental Health Specialist

RE: **PA-2500133 (MS), Referral, SU-2500680**
11052 E. Weigum Street, Lodi

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. If the report indicates there is contamination, corrective action shall be taken, as recommended in the report and concurred with by Environmental Health Department prior to recordation of Parcel Map (San Joaquin County Development Title, Section 9-502.070(a)(c)).

Note: The surface subsurface report has been reviewed and approved (SU-2500604).

2. A soil suitability and nitrate loading study incorporating proposed onsite waste water treatment system (OWTS) 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 parcel map. (San Joaquin County Development Title, Section 9-604.010(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.

3. 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 9-605.010).
4. The existing private water wells shall be tested for the chemical Dibromochloropropane (DBCP) and nitrates with the results submitted to the Environmental Health Department prior

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to recordation of the Parcel Map. Samples are to be taken and analyzed by a State-approved laboratory (San Joaquin County Development Title, Section 9-601.020(j)).

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 9-601.010(b) and 9-601.020(i)).



SJCOG, Inc.

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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: Jessica Leal, San Joaquin County, Community Development Department

From: Laurel Boyd, SJCOG, Inc.

Phone: (209) 235-0574

Email: boyd@sjcog.org

Date: October 21, 2025

Local Jurisdiction Project Title: PA-2500134 (VR)

Assessor Parcel Number(s): 051-140-29

Local Jurisdiction Project Number: PA-2500134 (VR)

Total Acres to be converted from Open Space Use: Unknown

Habitat Types to be Disturbed: Urban Habitat Land

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

Dear Ms. Leal:

SJCOG, Inc. has reviewed the application referral for PA-2500134 (VR). This project consists of a Variance application continuing pre-application PA-2400253 and PA-2400254 for a Variance requesting to reduce the minimum require parcel size in the AG-40 (General Agriculture, 40-acre minimum) zone from 40 acres to 5 acres in order to facilitate Minor Subdivision No. PA-2500133 that proposes to subdivide an existing 15.12-acre parcel into 3 parcels between 5.03 and 5.05 acres in size. Parcel 1 will utilize the existing access from Weigum Road. Proposed access to Parcels 2 and 3 is from the west side of the properties from an existing private road. All properties will utilize onsite well and septic systems. Storm Water drainage is natural. The project site is located on the west side and terminus of E. Weigum Street, Lodi (APN/Address: 051-140-29 / 11052 E Weigum Street, Lodi).

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

At this time, the applicant is requesting a Variance 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) 235-0574.



S J C O G , I n c .

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

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

SJMSCP HOLD

TO: Local Jurisdiction: Community Development Department, Planning Department, Building Department, Engineering Department, Survey Department, Transportation Department, 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-2500134 (VR)

Landowner: Jon Moreno

Applicant: Matthew Weber

Assessor Parcel #s: 051-140-29

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

Local Jurisdiction Contact: Jessica Leal

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

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

To: Jessica Leal, San Joaquin County, Community Development Department

From: Laurel Boyd, SJCOG, Inc.

Phone: (209) 235-0574

Email: boyd@sjcog.org

Date: March 10, 2026

Local Jurisdiction Project Title: PA-2500134 (VR), PA-2500133 (MS)

Assessor Parcel Number(s): 051-140-26, -29

Local Jurisdiction Project Number: PA-2500134 (VR), PA-2500133 (MS)

Total Acres to be converted from Open Space Use: Unknown

Habitat Types to be Disturbed: Urban Habitat Land

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

Dear Ms. Leal:

SJCOG, Inc. has reviewed the application referral for PA-2500134 (VR), PA-2500133 (MS). This project consists of a Variance and Minor Subdivision application comprised of two applications: A Variance to reduce the minimum lot size in the AG-40 (General Agriculture, 40-acre minimum) zone from 40 acres to 5 acres; and a Minor Subdivision to subdivide one legal parcel totaling 15.12-acres into 3 parcels between 5.03 and 5.05 acres in size. The site currently contains a single-family residence and a barn. While the applicant is not proposing to construct any additional dwellings or structures, the resulting subdivision would allow for an additional single-family residence and an accessory dwelling unit one each of the newly created lots. Parcel 1 will utilize the existing access from East Weigum Street. Proposed access to Parcels 2 and 3 is from an existing private road under Maps & Plats Volume 4, Page 37 from East State Route 12 on the west side of the proposed parcels. The project site is on the west side of E. Weigum Street, at the terminus of Weigum Court, 655 feet west of Tretheway Road, Lodi (APN/Address: 051-140-26, -29 / 11052 E. Weigum Street, Lodi).

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

At this time, the applicant is requesting a Variance 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) 235-0574.



S J C O G , I n c .

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

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

SJMSCP HOLD

TO: Local Jurisdiction: Community Development Department, Planning Department, Building Department, Engineering Department, Survey Department, Transportation Department, 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-2500134 (VR), PA-2500133 (MS)

Landowner: Jon Moreno

Applicant: Matthew Weber

Assessor Parcel #s: 051-140-26, -29

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

Local Jurisdiction Contact: Jessica Leal

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.



Yana Garcia
Secretary for
Environmental Protection



Department of Toxic Substances Control

Katherine M. Butler, MPH, Director
8800 Cal Center Drive
Sacramento, California 95826-3200
dtsc.ca.gov



Gavin Newsom
Governor

SENT VIA ELECTRONIC MAIL

March 12, 2026

Jessica Leal
Associate Planner
San Joaquin County Community Development Department
1810 East Hazelton Avenue
Stockton, CA 95205
jleal@sigov.org

RE: MITIGATED NEGATIVE DECLARATION FOR THE PA-2500134 (VR), PA-2500133 (MS) DATED MARCH 6, 2026, STATE CLEARINGHOUSE NUMBER [2026030322](#)

Dear Jessica Leal,

The Department of Toxic Substances Control (DTSC) reviewed the Mitigated Negative Declaration (MND) for the PA-2500134 (VR), PA-2500133 (MS) (Project). The Project is comprised of two applications: A Variance to reduce the minimum lot size in the General Agriculture, 40-acre minimum zone from 40-acres to 5-acres; and a Minor Subdivision to subdivide one legal parcel totaling 15.12-acres into 3 parcels between 5.03 and 5.05-acres in size. The site currently contains a single-family residence and a barn. While the applicant is not proposing to construct any additional dwellings or structures, the resulting subdivision would allow for an additional single-family residence and an accessory dwelling unit on each of the newly created lots. DTSC recommends and requests consideration of the following comments:

1. When agricultural crops and/or land uses are proposed or rezoned for residential use, several contaminants of concern (COCs) can be present. The Lead Agency shall identify the amounts of Pesticides and Organochlorine Pesticides (OCPs) historically used on the property. If present, OCPs

requiring further analysis are dichloro-diphenyl-trichloroethane, toxaphene, and dieldrin. Additionally, any level of arsenic present would require further analysis and sampling and must meet approved local area baselines or thresholds. If they do not, remedial action must take place to mitigate them below those thresholds. Additional COCs may be found in mixing/loading/storage areas, drainage ditches, farmhouses, or any other outbuildings and should be sampled and analyzed. If smudge pots had been routinely utilized, additional sampling for Polycyclic Aromatic Hydrocarbons and/or Total Petroleum Hydrocarbons may be required. These recommendations should be adhered to and become part of the environmental document. Please refer to the [DTSC's Human and Ecological Risk Office \(HERO\) webpage](#) for the most recent guidance and screening levels.

2. DTSC recommends all imported soil/fill material be tested to ensure all COCs meet screening levels as outlined in [DTSC's Preliminary Endangerment Assessment Guidance Manual](#). Furthermore, DTSC advises referencing the [DTSC Information Advisory Clean Imported Fill Material Fact Sheet](#) if importing fill is necessary. To minimize the possibility of introducing contaminated soil/fill material there should be documentation of the origins of the soil/fill material and, if applicable, sampling be conducted to ensure that the imported soil/fill material are suitable for the intended land use. The soil sampling should include analysis based on the source of the soil/fill and knowledge of prior land use.

DTSC would like to thank you for the opportunity to comment on the MND for the PA-2500134 (VR), PA-2500133 (MS). Thank you for your assistance in protecting California's people and environment from the harmful effects of toxic substances. If you have any questions or would like clarification on DTSC's comments, please respond to this letter or via our [CEQA Review email](#) for additional guidance.

Jessica Leal
March 12, 2026
Page 3

Sincerely,

Tamara Purvis

Tamara Purvis
Associate Environmental Planner
HWMP - Permitting Division – CEQA Unit
Department of Toxic Substances Control
Tamara.Purvis@dtsc.ca.gov

cc: (via email)

Governor's Office of Land Use and Climate Innovation
State Clearinghouse
state.clearinghouse@lci.ca.gov

Matthew Weber
Attorney
Downey Brand LLP / Project Applicant
mweber@downeybrand.com

Dave Kereazis
Associate Environmental Planner
HWMP-Permitting Division – CEQA Unit
Department of Toxic Substances Control
Dave.Kereazis@dtsc.ca.gov

Scott Wiley
Analyst II
HWMP - Permitting Division – CEQA Unit
Department of Toxic Substances Control
Scott.Wiley@dtsc.ca.gov



August 7, 2025

Via e-mail to:

Jennifer Jolley jjolley@sjgov.org

Rajnee Johal rjohal@sjgov.org

Eric Merlo emerlo@sjgov.org

Corinne King cking@sjgov.org

San Joaquin County Community Development Department

RE: PA-2400253 and PA-2400254 for a 3-lot subdivision

All:

The Sierra Club submits the following comments on these pending variance and subdivision applications.

A Minor Subdivision application continuing pre-application PA-2400253 and PA-2400254 is for a Variance requesting to reduce the minimum required parcel size in the AG-40 (General Agriculture, 40-acre minimum) zone from 40 acres to 5 acres in order to facilitate Minor Subdivision No. PA-2500133 that proposes to subdivide an existing 15.12-acre parcel into 3 parcels between 5.03 and 5.05 acres in size. The existing 15.1 acre parcel is located on the west side of E. Weigum St., 655 feet west of Tretheway Rd. east of the City of Lodi.

We are addressing these comments to all of you because we question whether junior staff in the Community Development Department are receiving adequate training. Specifically, these applications were accepted for processing even though both applications are in clear violation of State planning laws, and the County General Plan and Development Title.

At a minimum, we would strongly suggest that staff receive periodic training offered by the Cal Chapter American Planning Association and by County Counsel, in order to prevent more poor decisions in the future.

We raised similar concerns for two other subdivision and variance applications (PA-24000223 and PA-2300266 for a 7-lot Victor subdivision; and PA-2400062 and PA-2300296 for a 4-lot Vernalis subdivision). Our October 30, 2024 letter is attached. We summarize some of the same points here for these new applications, since the same circumstances apply.

These Two Applications are Contrary to State Planning Law and Cannot be Approved by San Joaquin County

As we stated in our October 30, 2024 letter, it is distressing that these two applications have been accepted by the San Joaquin County Community Development Department, since the applications requesting a variance to reduce the minimum parcel size of properties in the agricultural AG-40 zone from 40 acres to 5 acres are contrary to State planning law. Jurisdictions in California may not use a variance procedure to reduce parcel size regulations, or modify any other requirements, without adopting **findings based on substantial evidence** (*Topanga Assn. for a Scenic Community v. County of Los Angeles* (1974) and more recent decisions).

We doubt that such legal findings could be adopted in these two applications and sustained in a court of law. There is nothing unique about these properties other than they are flat agricultural properties whose owners wish to cash in on building five-acre ranchettes in a rural subdivision in areas that have been designated by the County General Plan as Agriculture with the existing zoning (AG-40) for many years.

We asked in our previous letter:

Can any of us imagine what the consequences would be to the preservation of agricultural lands if these two ill-fated variance applications were to be approved? Without a doubt, the approval of such illegal applications would open the floodgates for more dubious variance application to reduce the 40-acre minimum parcels size to build ranchettes throughout the rural agricultural areas of San Joaquin County. Is that what the Community Development Department wants to encourage?

If this property owner wishes to proceed with a lawful application to subdivide their 15-acre parcel to build three 5-acre ranchettes, then the appropriate actions are to apply for a General Plan Amendment and for a rezoning, to redesignate the lands from Agriculture to Rural Residential, and to rezone the lands from AG-40 to RR.

Pursuant to state law, variances cannot be approved to allow a use on property which is not normally permitted. Allowing 5-acre ranchettes to be built in an agricultural area with a 40 acre minimum parcel size constitutes a use that is not allowed in the agricultural zone.

Approval of such a variance is clearly prohibited by California planning law. Government Code 65906 states:

Variances from the terms of the zoning ordinances shall be granted only when, because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the zoning ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

Any variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated.

A variance shall not be granted for a parcel of property which authorizes a use or activity which is not otherwise expressly authorized by the zone regulation governing the parcel of property. The provisions of this section shall not apply to conditional use permits.

(emphasis added)

The San Joaquin County Development Title has incorporated this prohibition in Chapter 9-805, which states:

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

The County General Plan has established the following minimum parcel size of lands designated Agricultural:

Development Standards

Development within this designation is subject to the following standards:

Minimum Density: N/A

Maximum Density: 0.05 Dwelling Units/Acre (page 3.1-57)

The maximum residential density requirement in the General Plan for agricultural areas is equivalent to one dwelling unit per 20 acres. Approval of a subdivision to allow three 5- acre lots is not an allowed use in the areas designated as Agricultural.

Conclusion

It is unfortunate that we once again have to remind the San Joaquin County planning staff to follow explicit State planning laws, and the adopted policies and procedures in their own adopted General Plan and zoning regulations.

Please rectify the gross errors that have occurred when accepting these fatally flawed variance and subdivision applications and require the applicant to resubmit General Plan Amendments and rezoning applications, if they wish to proceed.

Sincerely,

s/s Eric Parfrey, member
parfrey@sbcglobal.net
(209) 641-3380

s/s Margo Praus, Chair,
s/s Mary Elizabeth M.S., R.E.H.S., Conservation Chair
Delta-Sierra Group, Sierra Club

cc: San Joaquin County Planning Commission
San Joaquin County Board of Supervisors

San Joaquin Farm Bureau
Robert Swanson, California Attorney General's Office
Aaron Isherwood and Joya Manjur, Sierra Club Environmental Law Program
Sean Wirth, Mother Lode Chapter Conservation Chair



October 30, 2024

Via e-mail to:

Jennifer Jolley jjolley@sigov.org
Makayla Miller memiller@sigov.org
San Joaquin County
Community Development Department

RE: PA-24000223 and PA-2300266 7-lot Victor subdivision; and PA-2400062 and PA-2300296 4-lot Vernalis subdivision

Ms. Jolley and Ms. Miller et al:

The Sierra Club submits the following comments on these two pending variance and subdivision applications. Our comments apply to the early consultation request for comments on applications PA-24000223 and PA-2300266, and also apply to the Notice of Intent to Adopt a Mitigated Negative Declaration for applications PA-2400062 and PA-2300296.

The first proposal, PA-24000223, is a variance and a major subdivision application to subdivide two parcels of 14.77 acres into 7 parcels ranging from 2 to 2.43 acres in size. The so-called variance application is to reduce the minimum lot size in the AG-40 (General Agriculture, 40 acre minimum) from 40 acres to 2 acres "in order to facilitate a Major Subdivision." Parcels 1 through 6 are landlocked and will access through a 20-foot private easement accessed on east Tretheway Road. Stockton. The project site is on the east side of Tretheway Road, 660 feet north of Victor Road, in the Victor unincorporated area. (See attached application referral.)

The second proposal, PA-2300266, is a variance and a major subdivision application to subdivide an existing 8.76-acre parcel into four 2 or 2+-acre parcels. Parcels 2, 3, and 4 are landlocked and will access through a 30-foot private easement. The accompanying variance application is to reduce the minimum required parcel size from 40-acres to 2 acres and lot width from 330 feet to 150 feet in the AG-40 (General Agriculture, 40-acre minimum) zone.

This property is zoned R-R (Rural Residential)/AG-40 (General Agriculture, 40-acre minimum) and the General Plan designation is R/R (Rural Residential)/ A/G (General Agriculture, 40-acre minimum). According to maps provided by staff it appears that approximately one half of the project site is within the Vernalis Rural Community, as designated by the County General Plan and zoned RR, and the other half is in the Agricultural GP designation, with AG-40 zoning. The project site is located east of S. Welty Rd., approximately 402 feet north of S. Ahern Rd., in the Vernalis unincorporated area south of SR 132 near the Stanislaus County line. (See attached application referral and location maps.)

Both Applications are Contrary to State Planning Law and Cannot be Approved by San Joaquin County

It is distressing that these two applications have been accepted by the San Joaquin County Community Development Department, since both applications requesting a variance to reduce the minimum parcel size of properties in the agricultural AG-40 zone from 40 acres to 2 acres are contrary to State planning law. Simply put, jurisdictions in California may not use a variance procedure to reduce parcel size regulations, or modify any other requirements, without adopting **findings based on substantial evidence** (*Topanga Assn. for a Scenic Community v. County of Los Angeles* (1974) and more recent decisions).

We doubt that such legal findings could be adopted in these two applications and sustained in a court of law. There is nothing unique about these properties other than they are flat agricultural properties whose owners wish to cash in on building two-acre ranchettes in a rural subdivision in areas that have been designated by the County General Plan as Agriculture and the existing zoning (AG-40) for many years.

Can any of us imagine what the consequences would be to the preservation of agricultural lands if these two ill-fated variance applications were to be approved? Without a doubt, the approval of such illegal applications would open the floodgates for more dubious variance application to reduce the 40-acre minimum parcels size to build ranchettes throughout the rural agricultural areas of San Joaquin County. Is that what the Community Development Department wants to encourage?

If these property owners wish to proceed with a lawful application to subdivide their lands to build ranchettes, then the appropriate actions are to apply for a General Plan Amendment and for a rezoning, to redesignate the lands from Agriculture to Rural Residential, and to rezone the lands from AG-40 to RR. These actions are required by State law to create a rural subdivision of 2-acre lots in an agricultural area.

Legal Definition of a Variance

A variance is a discretionary permit that modifies the requirements of an ordinance or area plan. Variances can be granted in cases where there are practical difficulties or unnecessary hardships in applying the regulations. They can provide relief from standards relating to: principal building height, floor area ratio, and setbacks from property lines.

Variances must be consistent with the zoning ordinance and general plan and not detrimental to the public safety and welfare. There are two types of variances: (1) **area variances**, which allow property owners to construct a building that goes against the physical requirements of a zoning ordinance; and (2) **use variances** allow property owners to use their property or land in a manner that's typically restricted by zoning laws

However, pursuant to state law, variances cannot be approved to allow a use on property which is not normally permitted. Allowing 2-acre ranchettes to be built in an agricultural area with a 40 acre minimum parcel size constitutes a use that is not allowed in the agricultural zone.

Approval of such a variance is clearly prohibited by California planning law. Government Code 65906 states:

Variances from the terms of the zoning ordinances shall be granted only when, because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the zoning ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

Any variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated.

A variance shall not be granted for a parcel of property which authorizes a use or activity which is not otherwise expressly authorized by the zone regulation governing the parcel of property. The provisions of this section shall not apply to conditional use permits.

(emphasis added)

The San Joaquin County Development Title has incorporated this prohibition in Chapter 9-805, which states:

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

The County General Plan has established the following minimum parcel size of lands designated Agricultural:

Development Standards

Development within this designation is subject to the following standards:

Minimum Density: N/A

Maximum Density: 0.05 Dwelling Units/Acre (page 3.1-57)

The maximum residential density requirement in the General Plan for agricultural areas is equivalent to one dwelling unit per 20 acres. Approval of a subdivision to allow two acre lots is not an allowed use in the areas designated as Agricultural.

Variances Should Not be Used to Reduce Parcel Sizes

Numerous jurisdictions in California have adopted zoning ordinances and associated planning documents that expressly prohibit the use of a variance application to reduce minimum parcel sizes. For example, **Marin County, San Luis Obispo County, and Imperial County have adopted policies and regulations that state unequivocally that** variances cannot be granted to relieve minimum lot size requirements. Closer to home, the City of Stockton has also adopted such a requirement in their planning documents.

Conclusion

It is unfortunate that we have to remind the San Joaquin County planning staff to follow explicit State planning laws, and the adopted policies and procedures in their own adopted General Plan and zoning regulations.

Please rectify the gross errors that occurred when accepting these fatally flawed variance and subdivision applications and require the applicants to resubmit General Plan Amendments and rezoning applications, if they wish to proceed.

If the County allows these deeply flawed applications to proceed we will take all steps available to oppose this illegal action including seeking legal remedies, if necessary.

Sincerely,

s/s Eric Parfrey, member
parfrey@sbcglobal.net
(209) 641-3380

s/s Margo Praus, Chair,
s/s Mary Elizabeth M.S., R.E.H.S., Conservation Chair
Delta-Sierra Group, Sierra Club

cc: San Joaquin County Planning Commission
San Joaquin County Board of Supervisors
San Joaquin Farm Bureau
Robert Swanson, California Attorney General's Office
Heather Minner and Kevin Bundy, Shute, Mihaly, & Weinberger
Aaron Isherwood and Joya Manjur, Sierra Club Environmental Law Program
Sean Wirth, Mother Lode Chapter Conservation Chair



FEMA

March 30, 2026

Jessica Leal, Project Planner
San Joaquin County
Community Development Department
1810 East Hazelton Avenue
Stockton, California 95205

Dear Ms. Leal:

This is in response to your request for comments regarding Application Referral Application Number PA 2500133 (MS) and PA 2500134 (VR) (APN/Address: 051-140-26, -29/11052 E. Weigum Street, Lodi) (Supervisorial District 4)..

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

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

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

www.fema.gov

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

Please Note:

Many NFIP participating communities have adopted floodplain management building requirements which are more restrictive than the minimum federal standards described in 44 CFR. Please contact the local community's floodplain manager for more information on local floodplain management building requirements. The Lodi floodplain manager can be reached by calling Charles E. Swimley, Jr., Deputy Director, Public Works Department, at (209) 333-6706. The San Joaquin County floodplain manager can be reached by calling V. Venki Narasimhalu, Senior Water Resources Engineer, at (209) 953-7611.

If you have any questions or concerns, please do not hesitate to contact Gabriel Riggle at gabriel.riggle@fema.dhs.gov of the Mitigation staff.

Sincerely,

XING LIU  Digitally signed by XING LIU
Date: 2026.04.08 09:40:19
-07'00'
Xing Liu, Branch Chief
Floodplain Management and Insurance Branch

cc:

Charles E. Swimley, Jr., Director, Public Works Department, City of Lodi
V. Venki Narasimhalu, Senior Water Resources Engineer, San Joaquin County
Alex Acosta, State of California, Department of Water Resources, North Central Region Office,
Anntonette Duncan, DWR NFIP Coordinator, State of California, Sacramento Headquarters Office
Gabriel Riggle, Emergency Management Specialist, DHS/FEMA Region IX
Jeffrey Symly, Environmental Officer, DHS/FEMA Region IX

www.fema.gov



Pacific Gas and Electric Company
PGEPlanReview@pge.com
Land Management
300 Lakeside Drive
Oakland, CA 94612

August 14, 2025

Re: Gas and Electric Transmission and Distribution

Dear Gerry Altamirano,

Thank you for providing PG&E the opportunity to review your proposed plans for PA-2500133 (MS). Our review indicates the proposed work and/or improvements do not appear to directly interfere with any of PG&E's existing facilities or land rights.

Please note, this is our preliminary review and PG&E may provide additional comments in the future as the project progresses or if additional information is provided. If there are subsequent modifications made to the design, we ask that the plans be resubmitted for review to the email address listed below.

If PG&E gas and/or electric service are needed, please submit an application through PG&E's Your Project Portal: [Sign In \(yourprojects-pge.com\)](https://yourprojects-pge.com).

As a reminder, before any digging or excavation occurs, please contact Underground Service Alert (USA) by dialing 811 a minimum of two (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 this response, please contact me at (877) 259-8314 or pgeplanreview@pge.com

Sincerely,

PG&E Plan Review Team
Land Management



Pacific Gas and Electric Company
PGEPlanReview@pge.com
Land Management
300 Lakeside Drive
Oakland, CA 94612

November 13, 2025

Re: Gas and Electric Transmission and Distribution

Dear Sean Cardenas,

Thank you for providing PG&E the opportunity to review your proposed plans for PA-2500134 (VR). Our review indicates the proposed work and/or improvements do not appear to directly interfere with any of PG&E's existing facilities or land rights.

Please note, this is our preliminary review and PG&E may provide additional comments in the future as the project progresses or if additional information is provided. If there are subsequent modifications made to the design, we ask that the plans be resubmitted for review to the email address listed below.

If PG&E gas and/or electric service are needed, please submit an application through PG&E's Your Project Portal: [Sign In \(yourprojects-pge.com\)](https://yourprojects-pge.com).

As a reminder, before any digging or excavation occurs, please contact Underground Service Alert (USA) by dialing 811 a minimum of two (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 this response, please contact me at (877) 259-8314 or pgeplanreview@pge.com

Sincerely,

PG&E Plan Review Team
Land Management



Pacific Gas and Electric Company
PGEPlanReview@pge.com
Land Management
300 Lakeside Drive
Oakland, CA 94612

March 26, 2026

Re: Gas and Electric Transmission and Distribution

Dear San Joaquin County Planning,

Thank you for providing PG&E the opportunity to review your proposed plans for PA-2500133, -34 (MS, VR). Our review indicates the proposed work and/or improvements do not appear to directly interfere with any of PG&E's existing facilities or land rights.

Please note, this is our preliminary review and PG&E may provide additional comments in the future as the project progresses or if additional information is provided. If there are subsequent modifications made to the design, we ask that the plans be resubmitted for review to the email address listed below.

If PG&E gas and/or electric service are needed, please submit an application through PG&E's Your Project Portal: [Sign In \(yourprojects-pge.com\)](https://yourprojects-pge.com).

As a reminder, before any digging or excavation occurs, please contact Underground Service Alert (USA) by dialing 811 a minimum of two (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 this response, please contact me at (877) 259-8314 or pgeplanreview@pge.com

Sincerely,

PG&E Plan Review Team
Land Management

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Community Development Department

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Attachment C **Comment Letters**

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Leal, Jessica [CDD]

From: Kathi Thomas <kathi209@sbcglobal.net>
Sent: Wednesday, March 11, 2026 2:12 PM
To: Leal, Jessica [CDD]
Subject: Application for subdivide parcels

Follow Up Flag: Follow up
Flag Status: Flagged

You don't often get email from kathi209@sbcglobal.net. [Learn why this is important](#)

Application Numbers: PA2500134 (VR)
PA2500133 (MS)

To Whom It May Concern,

I am writing to formally oppose the proposal to reduce the minimum lot size in the AG-40 zone from 40 acres to 5 acres. Also, including the 15 12- acres into 3 parcels between 5.03 to 5.05 acres.

1. Loss of Agricultural Productivity

Forty-acre parcels support commercial-scale farming, grazing, and other agricultural operations. Reducing parcels to 5 acres fragments farmland into pieces too small to sustain meaningful agricultural production. Once divided, these lands rarely return to agricultural use.

2. Increased Pressure for Rural Residential Development

Small parcels inevitably attract residential development rather than farming. This brings

Increased traffic on rural roads not designed for higher volumes.

Greater demand for emergency services, water, and infrastructure

Conflicts between new residents and existing agricultural operations (noise, dust, spraying, livestock)

3. Threats to Groundwater and Environmental Resources

Five-acre residential parcels typically rely on independent wells and septic systems. Concentrating many of these in a historically agricultural area.

I trust these concerns will be considered when deciding whether to approve or deny the conversion of 40-acre agricultural land into 5-acre parcels that can be available for single-family homes in a subdivision in the future.

Thank you.

Kathi Thomas

Leal, Jessica [CDD]

From: Jennelle Baker <jennelle13@hotmail.com>
Sent: Tuesday, March 17, 2026 5:08 PM
To: Leal, Jessica [CDD]
Cc: Jonathan Baker
Subject: 11052 E. Weigum St - Application Numbers PA-2500134 (VR) and PA-2500133

Follow Up Flag: Follow up
Flag Status: Flagged

You don't often get email from jennelle13@hotmail.com. [Learn why this is important](#)

Good Afternoon Ms. Leal,

My name is Jennelle Baker-Bechthold, and my husband, Jonathan, and I are the owners of 10880 E Hwy 12, Lodi, CA 95240 (the residence). My parents, William and Leonora, own the surrounding agricultural land adjacent to our property.

I recently received the application referral you sent by mail and would like to share several questions and concerns regarding the proposed subdivision:

1. Existing Structure on Parcel 2

The letter indicates that no additional dwellings or structures are proposed; however, there is currently a partially constructed home on the proposed Parcel 2. Is the County aware of this structure? I would be happy to provide photos if helpful.

2. Private Road Ownership and Maintenance

The proposal notes that access to Parcels 2 and 3 will be via an existing private road. Could you please clarify:

- Who owns this private road?
- Who is responsible for its maintenance and upkeep?

Historically, my parents and the previous owners of 10950 E Hwy 12 maintained this road as a shared driveway since approximately 1982. The current owners of 10950 have been unable to contribute to maintenance, and the road has deteriorated, particularly due to their use of a car-carrier semi-truck. With the addition of two more parcels, we are concerned about how maintenance responsibilities will be handled moving forward.

3. Traffic, Safety, and Privacy Concerns

The increased use of the private road would significantly impact the safety and privacy of our home, especially with young children (ages 11 and 9). To help mitigate these concerns, we would propose the applicant install a privacy fence along the west side of the private road, extending from Highway 12 to the far end of the subdivided parcels.

4. Trespassing and Illegal Activity

We have already experienced issues with illegal dumping on the back portion of my parents' property.

Increased traffic and visibility may lead to more trespassing, including use of motorcycles, ATVs, scooters, and other vehicles, which has been an ongoing issue in the area.

5. **Agricultural Impacts**

Our family operates an active vineyard adjacent to the proposed parcels. Agricultural dust and particle drift naturally occur, particularly with prevailing west-to-east winds. While we understand that future buyers are typically required to acknowledge agricultural activity, we want to ensure this is clearly communicated and considered.

We appreciate your time and attention to these matters and would welcome any clarification you can provide. Please feel free to reach out if additional information or documentation from our side would be helpful.

Thank you,

Jennelle Baker-Bechthold

Leal, Jessica [CDD]

From: beth stoeber <worfolk@softcom.net>
Sent: Tuesday, March 31, 2026 4:43 PM
To: Leal, Jessica [CDD]
Cc: David Worfolk
Subject: App. number PA-2500134 (VR) and PA-2500133 (MS)

[You don't often get email from worfolk@softcom.net. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

This is in regards to the above pending application to subdivide existing larger parcels into smaller, buildable lots. My wife and I live at 16178 N. Locust Tree Rd., to the Southeast of the proposed lots. We farm grapes on the adjacent 40 acres to these proposed lots. Our objections to this subdivision and future housing construction on this property are three-fold.

First, we acknowledge that there is a downturn in profitable farming ventures, including grapes, cherries and almonds, based on market issues beyond our current control. While there is possibly a "housing shortage" in the area, turning prime, arable land into building sites is a short-sighted housing strategy. Past history has shown that, time and time again, these fluctuations in farming viability are cyclable and markets more often than not return, making farming a still-profitable and invaluable venture into the future. But if we continue to allow prime, arable land to be turned into permanent building sites, we will lose that valuable, sustainable resource forever. Nowhere that we know of have buildings been demolished to make way for farming. Too often, people purchase prime agricultural properties, build their home, and then gamble that they will be able to profit from subdividing the remainder. As farmers, we are very adverse to this activity.

Secondly, during the heavy rains of January, 2023, our vineyards, as well as adjacent properties along Locust Tree Rd. became inundated with water, something that hadn't happened in recent history. Our vineyards became small lakes, that did not recede for 3-4 weeks. Our access road became a small river. As part of the investigation into flood causes, it was suggested by Public Works that the natural raparian flow of rainwaters, from East to West, out of the Lockeford drainage area, was interrupted by the roadway that was built to serve the existing housing developement to the North. This same road, I believe, is what the new access road for the proposed housing lots will extend from. Apparently, when the roadway was established, the county had required that culverts be established to allow the historical water travel under the new roadbed and through to the farmland directly West of those houses. We were informed that these culverts were never built and that the flow of floodwater was redirected to the South and through the vineyards to the South, out to Locust Tree Rd., and continuing to the South-west. It was a serious water issue that resulted in at least one additional culvert being added to Locust Tree Rd. to the South of us. With all of this in mind, we are concerned that extending that access road further South to meet the needs of new housing, without sufficient research into stormwater issues, will exacerbate an already serious issue.

We urge the CDD to consider the long term loss of prime farmland as a priority issue for our communities. And we ask that more far-reaching water control issues be prioritized. Finally, with all due respect, the property owners knew the zoning requirements before purchasing or building their own home. We hope that they can be good stewards of the rich farmland that they possess.

Sincerely,

David Worfolk
16178 N. Locust Tree Rd.
Lodi, CA 95240



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Attachment D **Environmental** **Document**

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MITIGATED NEGATIVE DECLARATION

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

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

☒ County Clerk, County of San Joaquin

PROJECT TITLE: Variance and Minor Subdivision No. PA-2500134 and PA-2500133

PROJECT LOCATION: The project site is Lodi, San Joaquin County. (APN/Address: 051-140-26, -29 / 11052 E. Weigum St., Lodi) (Supervisory District: 4)

PROJECT DESCRIPTION: A Variance and Minor Subdivision application comprised of two applications: A Variance to reduce the minimum lot size in the AG-40 (General Agriculture, 40-acre minimum) zone from 40-acres to 5-acres; and a Minor Subdivision to subdivide one legal parcel totaling 15.12-acres into 3 parcels between 5.03 and 5.05-acres in size. The site currently contains a single-family residence and a barn. While the applicant is not proposing to construct any additional dwellings or structures, the resulting subdivision would allow for an additional single-family residence and an accessory dwelling unit on each of the newly created lots. Parcel 1 will utilize the existing access from East Weigum Street. Proposed access to Parcels 2 and 3 is from a existing private road under Maps & Plats Volume 4, Page 37 from East State Route 12 on the west side of the proposed parcels.

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

PROPOSER: Jon Moreno / Matthew Weber

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 under Active Planning Applications.

Date: March 3, 2026

Contact Person:

Jessica Leal Phone: (209) 468-3140 Fax: (209) 468-3163 Email: jleal@sjgov.org

INITIAL STUDY/NEGATIVE DECLARATION

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

Lead Agency: San Joaquin County Community Development Department

Project Applicant: Jon Moreno/ Matthew Weber

Project Title/File Number(s): PA-2500134 & PA-2500133

Project Description: This project is comprised of two applications: A Variance to reduce the minimum lot size in the AG-40 (General Agriculture, 40-acre minimum) zone from 40-acres to 5-acres; and a Minor Subdivision to subdivide one legal parcel totaling 15.12-acres into 3 parcels between 5.03 and 5.05-acres in size. The site currently contains a single-family residence and a barn. While the applicant is not proposing to construct any additional dwellings or structures, the resulting subdivision would allow for an additional single-family residence and an accessory dwelling unit on each of the newly created lots. Parcel 1 will utilize the existing access from East Weigum Street. Proposed access to Parcels 2 and 3 is from an existing private road under Maps & Plats Volume 4, Page 37 from East State Route 12 on the west side of the proposed parcels.

The project site is located on the west side of East Weigum Road, at the terminus of Weigum Court, 655 feet west of North Tretheway Road, Lodi.

Assessor's Parcel No(s): 051-140-26 & -29

Acres: 15.12-acres

General Plan: A/G (General Agriculture)

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

Potential Population, Number of Dwelling Units, or Square Footage of Use(s):

A single-family residence, accessory of dwelling unit, and accessory buildings on each lot.

Surrounding Land Uses:

North: Agricultural with small AG-40 parcels developed with scattered residences

South: Agricultural with scattered residences

East: Agricultural with small AG-40 parcels developed with scattered residences

West: Agricultural with scattered residences

References and Sources for Determining Environmental Impacts:

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

Many of these original source materials have been collected from other public agencies or from previously prepared EIR's and other technical studies. Additional standard sources which should be specifically cited below include on-site visits by staff (March 2, 2026), staff knowledge or experience; and independent environmental studies submitted to the County as part of the project application. Copies of these reports can be found by contacting the Community Development Department.

Tribal Cultural Resources:

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

No

1. PA-2500134 (VR) & PA-2500133 (MS)- Initial Study

General Considerations:

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

☐ Yes ☒ No

Nature of concern(s):

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

☐ Yes ☒ No

Agency name(s):

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

☐ Yes ☒ No

2. PA-2500134 (VR) & PA-2500133 (MS)- Initial Study

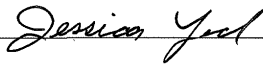
ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

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

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


 Jessica Leal
 Associate Planner

3/3/20
 Date

3. PA-2500134 (VR) & PA-2500133 (MS)- Initial Study

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

4. PA-2500134 (VR) & PA-2500133 (MS)- Initial Study

ISSUES:

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

Impact Discussion:

This project is comprised of two applications: A Variance to reduce the minimum lot size in the AG-40 (General Agriculture, 40-acre minimum) zone from 40-acres to 5-acres; and a Minor Subdivision to subdivide one legal parcel totaling 15.12-acres into 3 parcels between 5.03 and 5.05-acres in size. The site currently contains a single-family residence and a barn. While the applicant is not proposing to construct any additional dwellings or structures, the resulting subdivision would allow for an additional single-family residence and an accessory dwelling unit on each of the newly created lots.

- a-c) The project site is located on the west side of East Weigum Street, which is a county-maintained road. The project is not located along a designated scenic route pursuant to 2035 General Plan Figure 12-2. The surrounding area is a mixture of agricultural and residential uses. The potential of additional single-family residences would not have a significant or adverse effect on visual character, public views, or scenic vistas and would be visually consistent with surrounding development.
- d) Any future development would be required to follow the San Joaquin Development Title requirements contained in Chapter 9-403 Lighting and Illumination, and as a result, the proposed project is not anticipated to create any new source of substantial light or glare affecting day or nighttime views in the area. As a result, the proposed project is anticipated to have a less than significant impact on aesthetics.

5. PA-2500134 (VR) & PA-2500133 (MS)- Initial Study

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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II. Agriculture and Forestry Resources.

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

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

Impact Discussion:

This project is comprised of two applications: A Variance to reduce the minimum lot size in the AG-40 (General Agriculture, 40-acre minimum) zone from 40-acres to 5-acres; and a Minor Subdivision to subdivide one legal parcel totaling 15.12-acres into 3 parcels between 5.03 and 5.05-acres in size. The site currently contains a single-family residence and a barn. While the applicant is not proposing to construct any additional dwellings or structures, the resulting subdivision would allow for an additional single-family residence and an accessory dwelling unit on each of the newly created lots.

- a-e) The project site is currently zoned AG-40 and is not categorized as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The project site is not under Williamson Act contract. Additionally, the project site is within an

6. PA-2500134 (VR) & PA-2500133 (MS)- Initial Study

existing developed area, surrounded by small homesites, thus limiting the viability of farming potential onsite. Potential future development of a single-family residence and accessory dwelling units is permitted in the AG-40 zone.

Additionally, if approved, the site will remain in an agricultural zone designation and therefore will maintain the ability for agricultural uses to occur. Therefore, the project will not convert prime farmland, nor conflict with the current zoning or a Williamson Act contract.

There are no forest resources or zoning for forestlands or timberlands, as defined by Public Resources Code and government Code, located on or near the project site. There are no proposals to make changes to the existing environment resulting in the conversion of farmland to a non-agriculture use. As a result, the project is anticipated to have a less than significant impact on agriculture and forestry resources.

7. PA-2500134 (VR) & PA-2500133 (MS)- Initial Study

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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III. Air Quality.

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

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

Impact Discussion:

This project is comprised of two applications: A Variance to reduce the minimum lot size in the AG-40 (General Agriculture, 40-acre minimum) zone from 40-acres to 5-acres; and a Minor Subdivision to subdivide one legal parcel totaling 15.12-acres into 3 parcels between 5.03 and 5.05-acres in size. The site currently contains a single-family residence and a barn. While the applicant is not proposing to construct any additional dwellings or structures, the resulting subdivision would allow for an additional single-family residence and an accessory dwelling unit on each of the newly created lots.

- a-d) The project site is in the San Joaquin County Valley Air Basin, which is regulated by the San Joaquin Valley Unified Air Pollution Control District (SJVAPCD). The SJVAPCD is the lead air quality regulatory agency for the San Joaquin County. The applicant will be required to meet existing requirements for emissions and dust control as established by SJVAPCD. The project was referred to the SJVAPCD for review but did not obtain a response.

8. PA-2500134 (VR) & PA-2500133 (MS)- Initial Study

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

Would the project:

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

Impact Discussion:

This project is comprised of two applications: A Variance to reduce the minimum lot size in the AG-40 (General Agriculture, 40-acre minimum) zone from 40-acres to 5-acres; and a Minor Subdivision to subdivide one legal parcel totaling 15.12-acres into 3 parcels between 5.03 and 5.05-acres in size. The site currently contains a single-family residence and a barn. While the applicant is not proposing to construct any additional dwellings or structures, the resulting subdivision would allow for an additional single-family residence and an accessory dwelling unit on each of the newly created lots.

- a-f) A referral was sent to the San Joaquin Council of Governments (SJCOG) on October 17, 2025, for review. The San Joaquin Council of Governments (SJCOG) has determined that the project is subject to the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) for any future development that results in ground disturbance. Participation in the SJMSCP provides compensation for the conversion of Open Space to non-Open Space uses which affect the plant, fish and wildlife species covered by the Plan. If the Variance and subsequent Minor Subdivision are approved, any future ground disturbance at the site would be subject to the SJMSCP as a Condition of Approval of the Minor Subdivision.

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

Would the project:

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

Impact Discussion:

This project is comprised of two applications: A Variance to reduce the minimum lot size in the AG-40 (General Agriculture, 40-acre minimum) zone from 40-acres to 5-acres; and a Minor Subdivision to subdivide one legal parcel totaling 15.12-acres into 3 parcels between 5.03 and 5.05-acres in size. The site currently contains a single-family residence and a barn. While the applicant is not proposing to construct any additional dwellings or structures, the resulting subdivision would allow for an additional single-family residence and an accessory dwelling unit on each of the newly created lots.

- a-c) There are no known historical or archaeological resources on the site. Additionally, there are no known human remains located on the site. If unique archaeological resources are discovered on the site during project construction, the site shall be treated in accordance with the provisions of Public Resources Code Section 21083.2. If any historical resources are discovered on site, the developer shall follow the procedures in State CEQA Guidelines Section 15064.5

In the event human remains are discovered at any point of the project, California state law requires that there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county has determined the manner and cause of death. Recommendations concerning the treatment and disposition of the human remains shall have been made to the person responsible for the excavation (California Health and Safety Code - Section 7050.5). At the time development, if Human burials are found to be of Native American origin, the developer shall follow the procedures pursuant to State CEQA Guidelines Section 15064.5. As a result, the project is anticipated to have a less than significant impact on cultural resources.

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

Would the project:

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

Impact Discussion:

This project is comprised of two applications: A Variance to reduce the minimum lot size in the AG-40 (General Agriculture, 40-acre minimum) zone from 40-acres to 5-acres; and a Minor Subdivision to subdivide one legal parcel totaling 15.12-acres into 3 parcels between 5.03 and 5.05-acres in size. The site currently contains a single-family residence and a barn. While the applicant is not proposing to construct any additional dwellings or structures, the resulting subdivision would allow for an additional single-family residence and an accessory dwelling unit on each of the newly created lots.

- a-b) The California Energy Code (also titled The Energy Efficiency Standards for Residential and Non-residential Buildings) was created by the California Building Standards Commission in response to a legislative mandate to reduce California's energy consumption. The code's purpose is to advance the state's energy policy, develop renewable energy sources and prepare for energy emergencies. These standards are updated periodically by the California Energy Commission. The code includes energy conservation standards applicable to most buildings throughout California.

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

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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VII. Geology And Soils.

Would the project:

- | | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: | ☐ | ☐ | ☒ | ☐ | ☐ |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | ☐ | ☐ | ☒ | ☐ | ☐ |
| ii) Strong seismic ground shaking? | ☐ | ☐ | ☒ | ☐ | ☐ |
| iii) Seismic-related ground failure, including liquefaction? | ☐ | ☐ | ☒ | ☐ | ☐ |
| iv) Landslides? | ☐ | ☐ | ☒ | ☐ | ☐ |
| b) Result in substantial soil erosion or the loss of topsoil? | ☐ | ☐ | ☒ | ☐ | ☐ |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse? | ☐ | ☐ | ☒ | ☐ | ☐ |
| d) Be located on expansive soil and create direct or indirect risks to life or property? | ☐ | ☐ | ☒ | ☐ | ☐ |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? | ☐ | ☐ | ☒ | ☐ | ☐ |
| f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | ☐ | ☐ | ☒ | ☐ | ☐ |

Impact Discussion:

This project is comprised of two applications: A Variance to reduce the minimum lot size in the AG-40 (General Agriculture, 40-acre minimum) zone from 40-acres to 5-acres; and a Minor Subdivision to subdivide one legal parcel totaling 15.12-acres into 3 parcels between 5.03 and 5.05-acres in size. The site currently contains a single-family residence and a barn. While the applicant is not proposing to construct any additional dwellings or structures, the resulting subdivision would allow for an additional single-family residence and an accessory dwelling unit on each of the newly created lots.

- a) According to the California Department of Conservation's California Geological Survey, the project site is not located within an earthquake fault zone. However, like other areas located in seismically active Northern California, the project area is susceptible to strong ground shaking during an earthquake, and the site would not be affected by ground shaking more than any other area in the region. The project site is relatively flat, and all building permit submittals for the project will be reviewed by the Building Division for compliance with the California Building Code, which includes seismic requirements, and is not anticipated to directly or indirectly cause potential substantial adverse effects related to seismic-related ground failure or landslides. Therefore, any related impacts are anticipated to be less than significant.

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- b-c) As part of the project design process, a soils report will be required for grading and foundations and all recommendations from a soils report must be incorporated into the construction plans. As a result of these grading recommendations, which are required by the California Building Code (CBC), the project would not be susceptible to the effects of any loss of topsoil, soil erosion, potential lateral spreading, subsidence, or liquefaction. Compliance with the CBC and the engineering recommendations in the site-specific soils report would ensure structural integrity in the event that seismic-related issues are experienced at the project site. Therefore, impacts associated with unstable geologic units are expected to be less than significant.
- d) The proposed project is located on property with high probability of expansive soil; however, the Building Department will review the required soils report and will not issue a Building Permit if it is found the development of the site could lead to the risk of a loss of life because of the expansiveness of the soil. As a result, it can be anticipated that any risk to life from potential future development would be considered less than significant.
- e) The project site is currently served by one onsite wastewater septic system. Any changes or additions to the system will be under permit and approval by the San Joaquin County Environmental Health Department and will have to meet the county's standards. As such, the project is expected to have a less than significant impact related to adequately supporting a wastewater system.
- f) The project area has not been determined to contain significant historic or prehistoric archeological artifacts that could be disturbed by potential future site development. The project site also does not contain any known unique geologic features. Therefore, damage to unique paleontological resources, sites or geologic features is expected to be less than significant.

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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VIII. Greenhouse Gas Emissions.

Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	☒	☐

Impact Discussion:

This project is comprised of two applications: A Variance to reduce the minimum lot size in the AG-40 (General Agriculture, 40-acre minimum) zone from 40-acres to 5-acres; and a Minor Subdivision to subdivide one legal parcel totaling 15.12-acres into 3 parcels between 5.03 and 5.05-acres in size. The site currently contains a single-family residence and a barn. While the applicant is not proposing to construct any additional dwellings or structures, the resulting subdivision would allow for an additional single-family residence and an accessory dwelling unit on each of the newly created lots.

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

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

As noted previously, the project will be subject to the rules and regulations of the SJVAPCD. The SJVAPCD has adopted the Guidance for Valley Land- use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA and the District Policy - Addressing GHG Emission Impacts for Stationary Source Projects Under CEQA When Serving as the Lead Agency¹. The guidance and policy rely on the use of performance-based standards, otherwise known as Best Performance Standards (BPS) to assess significance of project specific greenhouse gas emissions on global climate change during the environmental review process, as required by CEQA. To be determined to have a less-than-significant individual and cumulative impact with regard to GHG emissions, projects must include BPS sufficient to reduce GHG emissions by 29 percent when compared to Business As Usual (BAU) GHG emissions. Per the SJVAPCD, BAU is defined as projected emissions for the 2002-2004 baseline period. Projects which do not achieve a 29 percent reduction from BAU levels with BPS alone are required to quantify additional project-specific reductions demonstrating a combined reduction of 29 percent. Potential mitigation measures may include, but not limited to: on-site renewable energy (e.g. solar photovoltaic systems), electric vehicle charging stations, the use of alternative-fueled vehicles, exceeding Title 24 energy efficiency standards, the installation of energy-efficient lighting and control systems, the installation of energy-efficient mechanical systems, the installation of drought-tolerant landscaping, efficient irrigation systems, and the use of low-flow plumbing fixtures.

It should be noted that neither the SJVAPCD nor the County provide project-level thresholds for construction-related GHG emissions. Construction GHG emissions are a one-time release and are, therefore, not typically expected to generate a significant contribution to global climate change.

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¹ San Joaquin Valley Air Pollution Control District. *Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA*. December 17, 2009. San Joaquin Valley Air Pollution Control District. *District Policy Addressing GHG Emission Impacts for Stationary Source Projects Under CEQA When Serving as the Lead Agency*. December 17, 2009.

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<u>IX. Hazards and Hazardous Materials.</u>					
Would the project:					
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐	☐
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☒	☐	☐
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☒	☐	☐
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐	☐
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☒	☐	☐

Impact Discussion:

This project is comprised of two applications: A Variance to reduce the minimum lot size in the AG-40 (General Agriculture, 40-acre minimum) zone from 40-acres to 5-acres; and a Minor Subdivision to subdivide one legal parcel totaling 15.12-acres into 3 parcels between 5.03 and 5.05-acres in size. The site currently contains a single-family residence and a barn. While the applicant is not proposing to construct any additional dwellings or structures, the resulting subdivision would allow for an additional single-family residence and an accessory dwelling unit on each of the newly created lots.

- a-d) Any future development of the parcels will be residential or agricultural and the project site is not anticipated to be the site of an industrial or commercial use that might include the use and/or storage of hazardous materials/waste. The site is also not included on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Additionally, the proposed application will not result in, create, or induce hazards and associated risks the public. As the proposed application does not include the construction of any dwellings or structures, impacts are anticipated to be less than significant related to the transport, use, or storage of hazardous materials during construction activities. However, potential future construction activities for the project site may involve the use of toxic or hazardous materials such as

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paint, fuels, and solvents. These would be subject to federal, state, and local laws and requirements designed to minimize and avoid potential health and safety risks associated with hazardous materials. The project's propensity for releasing toxins into the environment is also expected to be less than significant.

- e) The project site is not located within the vicinity of a private airstrip, an airport land use plan, or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport. Therefore, the project would not result in a safety hazard or excessive noise for people residing or working in the project area related to airports.
- f) The project does not include any proposed construction, but any future development of the site would be reviewed for emergency access. As a result, impacts related to the impairing implementation of or physically interfering with an adopted emergency response plan or emergency evacuation plan are anticipated to be less than significant.
- g) The project site is not located within a Fire Hazard Severity Zone or a Very High Fire Hazard Severity Zone according to the Local Responsibility and State Responsibility Area maps by the California Department of Forestry and Fire Protection (CAL FIRE 2020). Therefore, the project is not expected to expose people or structure, directly or indirectly, to wildland fires and would have a less than significant impact related to wildlands.

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<u>X. Hydrology and Water Quality.</u>					
Would the project:					
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☒	☐	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	☐	☐	☒	☐	☐
i) result in substantial erosion or siltation on- or off-site;	☐	☐	☒	☐	☐
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	☐	☐	☒	☐	☐
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☒	☐	☐
iv) impede or redirect flood flows?	☐	☐	☒	☐	☐
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☒	☐	☐
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐	☐

Impact Discussion:

This project is comprised of two applications: A Variance to reduce the minimum lot size in the AG-40 (General Agriculture, 40-acre minimum) zone from 40-acres to 5-acres; and a Minor Subdivision to subdivide one legal parcel totaling 15.12-acres into 3 parcels between 5.03 and 5.05-acres in size. The site currently contains a single-family residence and a barn. While the applicant is not proposing to construct any additional dwellings or structures, the resulting subdivision would allow for an additional single-family residence and an accessory dwelling unit on each of the newly created lots.

- a-b, e) As there is no proposed construction, the proposed Variance application to facilitate a Minor Subdivision will not degrade surface or ground water quality, substantially decrease groundwater supplies, or interfere substantially with groundwater recharge. However, any future development of the site would be subject to the rules and requirements of the Environmental Health Department related to water quality, and subject to the rules and requirements of the Department of Public Works related to storm drainage and groundwater. As a result, impacts to water quality, groundwater, and storm drainage and any related implementation or management plans are expected to be less than significant.

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- c) The site is approximately 1-mile Southeast of Mokelumne River. The proposed project does not include the construction of any new dwellings or structures, and the potential future Minor Subdivision will not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. A Building Permit will be required for any future development of the project site, and any necessary drainage improvements will be subject to the San Joaquin County Development Standards, which are reviewed by the Department of Public Works. Therefore, the project and any future potential development is expected to have a less than significant impact on the drainage pattern of the site.
- d) The project site is not currently located within a Federal Emergency Management Agency Designated Flood Hazard Area Zone AE. The project site is not located within a tsunami or seiche zone. A referral was sent to the Department of Public Works, Flood Control Division on October 17, 2025, for comments. No recommendations were provided; however, any future development of the site will have to comply with Development Title Section 9-703 regarding flood hazard requirements. As a result, impacts related to flooding are anticipated to be less than significant.

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<u>XI. Land Use and Planning.</u>					
Would the project:					
a) Physically divide an established community?	☐	☐	☒	☐	☐
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐	☐

Impact Discussion:

This project is comprised of two applications: A Variance to reduce the minimum lot size in the AG-40 (General Agriculture, 40-acre minimum) zone from 40-acres to 5-acres; and a Minor Subdivision to subdivide one legal parcel totaling 15.12-acres into 3 parcels between 5.03 and 5.05-acres in size. The site currently contains a single-family residence and a barn. While the applicant is not proposing to construct any additional dwellings or structures, the resulting subdivision would allow for an additional single-family residence and an accessory dwelling unit on each of the newly created lots.

- a-b) The project site is located within a rural area outside of a General Plan-defined community. Therefore, the project will not physically divide an established community. The existing AG-40 zoning and General Plan designation of A/G (General Agriculture) for the project site will remain the same for the project site, even if the project is approved. If the Variance and Minor Subdivision application are approved, five additional dwellings could be built under the current AG-40 zoning. The potential for a new single-family residence and accessory structures on each proposed parcel is anticipated to have less than significant impact on surrounding parcels and will not create premature development pressure on surrounding agricultural lands to convert land from agricultural uses to non-agricultural uses. Additionally, the proposed project will not be in conflict with any existing or planned uses or set a significant land use precedent, nor will it be in conflict with any Master Plans, Specific Plans, or Special Purpose Plans, or any other applicable plan adopted by the County. Therefore, impacts related to land use conflicts are anticipated to be less than significant.

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<u>XII. Mineral Resources.</u>					
Would the project:					
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☒	☐	☐
b) Result in the loss of availability of a locally- important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☒	☐	☐

Impact Discussion:

This project is comprised of two applications: A Variance to reduce the minimum lot size in the AG-40 (General Agriculture, 40-acre minimum) zone from 40-acres to 5-acres; and a Minor Subdivision to subdivide one legal parcel totaling 15.12-acres into 3 parcels between 5.03 and 5.05-acres in size. The site currently contains a single-family residence and a barn. While the applicant is not proposing to construct any additional dwellings or structures, the resulting subdivision would allow for an additional single-family residence and an accessory dwelling unit on each of the newly created lots.

- a-b) San Joaquin County applies a mineral resource zone (MRZ) designation to land that meets the significant mineral deposits definition by the State Division of Mines and Geology. The project site is not located within a mineral resource zone. Additionally, there currently is no mining activity in the area, and the surrounding area is developed with agricultural and residential uses. The proposed project will not result in the loss of availability of a known mineral resource of a resource recovery site because the site does not contain minerals of significance or known mineral resources. Therefore, the proposed project will have less than a significant impact on the availability of mineral resources or mineral resource recovery sites within San Joaquin County.

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<u>XIII. Noise.</u>					
Would the project result in:					
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐	☐
b) Generation of excessive ground borne vibration or ground borne noise levels?	☐	☐	☒	☐	☐
c) For a project within the vicinity of a private airstrip or an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒	☐

Impact Discussion:

This project is comprised of two applications: A Variance to reduce the minimum lot size in the AG-40 (General Agriculture, 40-acre minimum) zone from 40-acres to 5-acres; and a Minor Subdivision to subdivide one legal parcel totaling 15.12-acres into 3 parcels between 5.03 and 5.05-acres in size. The site currently contains a single-family residence and a barn. While the applicant is not proposing to construct any additional dwellings or structures, the resulting subdivision would allow for an additional single-family residence and an accessory dwelling unit on each of the newly created lots.

- a-b) While the Variance and Minor Subdivision application does not propose construction or physical changes to the property, any subsequent development project may have equipment utilized in the grading of the site that will temporarily increase the areas' ambient noise levels. Any future development will be required to comply with the County's Noise Ordinance, including Development Title 9-404.060, which states that noise sources associated with construction are exempt from the provisions of the Noise Ordinance, provided such activities do not take place before 6:00 am or after 9:00 om on weekdays. Therefore, noise generation associated with any future projects is anticipated to be less than significant.
- c) The project is not located within two miles of a public airport, airport land use plan or private air strip. As a result, there are no anticipated impacts related to exposing people to excessive noise levels related to airports or airstrips in the project area.

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<u>XIV. Population and Housing.</u>					
Would the project:					
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐	☐
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☒	☐	☐

Impact Discussion:

This project is comprised of two applications: A Variance to reduce the minimum lot size in the AG-40 (General Agriculture, 40-acre minimum) zone from 40-acres to 5-acres; and a Minor Subdivision to subdivide one legal parcel totaling 15.12-acres into 3 parcels between 5.03 and 5.05-acres in size. The site currently contains a single-family residence and a barn. While the applicant is not proposing to construct any additional dwellings or structures, the resulting subdivision would allow for an additional single-family residence and an accessory dwelling unit on each of the newly created lots.

- a-b) If the Variance and Minor Subdivision application are approved, the creation of three parcels could result in a maximum of one single-family residence and one accessory dwelling unit on each parcel. This would not provide for substantial population growth. The project also would not displace substantial numbers of existing people or housing or necessitate the construction of replacement housing. Therefore, the project is expected to have a less than significant impact on population and housing.

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

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

Fire protection?	☐	☐	☒	☐	☐
Police protection?	☐	☐	☒	☐	☐
Schools?	☐	☐	☒	☐	☐
Parks?	☐	☐	☒	☐	☐
Other public facilities?	☐	☐	☒	☐	☐

Impact Discussion:

This project is comprised of two applications: A Variance to reduce the minimum lot size in the AG-40 (General Agriculture, 40-acre minimum) zone from 40-acres to 5-acres; and a Minor Subdivision to subdivide one legal parcel totaling 15.12-acres into 3 parcels between 5.03 and 5.05-acres in size. The site currently contains a single-family residence and a barn. While the applicant is not proposing to construct any additional dwellings or structures, the resulting subdivision would allow for an additional single-family residence and an accessory dwelling unit on each of the newly created lots.

- a) The project site is within the Mokelumne Fire District for fire protection, is served by the San Joaquin County Sheriff's Office for police protection, and is within the Lodi Unified School District. A referral was sent to the applicable agencies on October 17, 2025, and no responses were received pertaining to concerns about response times or the need for new facilities. The proposed project is not anticipated to result in substantial adverse physical impacts to existing service ratios, response times or other performance objectives for fire protection or police protection.

Furthermore, there are no parks near the project site, and the proposed project would not require the addition of schools or park areas. If the Variance and Minor Subdivision applications are approved, the creation of three parcels could result in a maximum of three single-family residences and three accessory dwelling units, which would not have a substantial impact on public services. Therefore, the project is expected to have a less than significant impact on existing public services and would not create a need for new public services.

24. PA-2500134 (VR) & PA-2500133 (MS)- Initial Study

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<u>XVI. Recreation.</u>					
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒	☐
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒	☐

Impact Discussion:

This project is comprised of two applications: A Variance to reduce the minimum lot size in the AG-40 (General Agriculture, 40-acre minimum) zone from 40-acres to 5-acres; and a Minor Subdivision to subdivide one legal parcel totaling 15.12-acres into 3 parcels between 5.03 and 5.05-acres in size. The site currently contains a single-family residence and a barn. While the applicant is not proposing to construct any additional dwellings or structures, the resulting subdivision would allow for an additional single-family residence and an accessory dwelling unit on each of the newly created lots.

- a-b) If the Variance and Minor Subdivision application are approved, the creation of three parcels could result in a maximum of three single-family residences and three accessory dwelling units. Additionally, the project does not include proposed recreation facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment. Therefore, the project is expected to have less than significant impact on the use of recreational facilities and does not include or require the construction or expansion of recreation facilities.

25. PA-2500134 (VR) & PA-2500133 (MS)- Initial Study

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<u>XVII. Transportation.</u>					
Would the project:					
a) Conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadways, bicycle, and pedestrian facilities?	☐	☐	☒	☐	☐
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	☐	☐	☒	☐	☐
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐	☐
d) Result in inadequate emergency access?	☐	☐	☒	☐	☐

Impact Discussion:

This project is comprised of two applications: A Variance to reduce the minimum lot size in the AG-40 (General Agriculture, 40-acre minimum) zone from 40-acres to 5-acres; and a Minor Subdivision to subdivide one legal parcel totaling 15.12-acres into 3 parcels between 5.03 and 5.05-acres in size. The site currently contains a single-family residence and a barn. While the applicant is not proposing to construct any additional dwellings or structures, the resulting subdivision would allow for an additional single-family residence and an accessory dwelling unit on each of the newly created lots.

- a) The proposed Variance and Minor Subdivision do not propose a change to the General Plan designation or zoning, and any use resulting from the proposed project would not conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadways, bicycle, and pedestrian facilities.
- b) While San Joaquin County has not yet adopted guidelines for implementing the requirements of SB 743 to address VMT, it is possible to determine the impacts of the proposed project based on Governor's Office of Land Use and Climate Innovation (LCI) direction and the preliminary background information developed by the County based on these findings. The project is a small project that is consistent with the San Joaquin Council of Governments Sustainable Communities Strategy and the 2035 General Plan. Based on this information, the project can be deemed to have a less than significant impact on transportation.
- c) The project site proposes access for two of the proposed parcels from an existing unnamed private road with a width of 10-feet. The other parcel will utilize the existing access East Weigum Street, which has an existing and planned right-of-way width of 60-feet. Although the project does not propose any new development, if future development is proposed, the applicant would be required to meet design standards for driveways, egress, and ingress as required by the Development Title, the San Joaquin County Development Standards, and the Public Works Department. Therefore, potential impacts from hazards related to geometric design features or incompatible uses are less than significant.
- d) The project site is within the Mokelumne Fire District for fire protection and is served by the San Joaquin County Sheriff's Office for police protection. A referral was sent to the applicable agencies on October 17, 2025, and no responses were received pertaining to concerns about inadequate emergency access. Additionally, the Sheriff's Office, Mokelumne Fire District, and Emergency Medical Services are responsible for providing emergency services and will review any proposed future development projects to ensure the property is able to adhere to development requirements related to emergency access. As a result, the project and any future development is anticipated to have adequate emergency access and create a less than significant impact.

26. PA-2500134 (VR) & PA-2500133 (MS)- Initial Study

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<u>XVIII. Tribal Cultural Resources.</u>					
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:					
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☐	☒	☐	☐
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☒	☐	☐

Impact Discussion:

This project is comprised of two applications: A Variance to reduce the minimum lot size in the AG-40 (General Agriculture, 40-acre minimum) zone from 40-acres to 5-acres; and a Minor Subdivision to subdivide one legal parcel totaling 15.12-acres into 3 parcels between 5.03 and 5.05-acres in size. The site currently contains a single-family residence and a barn. While the applicant is not proposing to construct any additional dwellings or structures, the resulting subdivision would allow for an additional single-family residence and an accessory dwelling unit on each of the newly created lots.

- a) On October 17, 2025, referrals were sent to United Auburn Indian Community, California Valley Miwok Tribe, California Tribal TANF Partnership, North Valley Yokuts Tribe, and Buena Vista Rancheria for review. No responses were provided. However, if human burials found to be of Native American origin are encountered at the time of development, all work shall halt in the vicinity and the County Coroner shall be notified immediately. At the same time, a qualified archaeologist shall be contacted to evaluate the find. The developer shall follow the procedures pursuant to the procedures in State CEQA Guidelines Section 15064.5

27. PA-2500134 (VR) & PA-2500133 (MS)- Initial Study

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<u>XIX. Utilities and Service Systems.</u>					
Would the project:					
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐	☐
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	☐	☐	☒	☐	☐
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐	☐
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐	☐
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐	☐

Impact Discussion:

This project is comprised of two applications: A Variance to reduce the minimum lot size in the AG-40 (General Agriculture, 40-acre minimum) zone from 40-acres to 5-acres; and a Minor Subdivision to subdivide one legal parcel totaling 15.12-acres into 3 parcels between 5.03 and 5.05-acres in size. The site currently contains a single-family residence and a barn. While the applicant is not proposing to construct any additional dwellings or structures, the resulting subdivision would allow for an additional single-family residence and an accessory dwelling unit on each of the newly created lots.

- a-e) There are no public services available in the area for water, sewer, or storm water drainage. The Variance and Minor Subdivision application does not propose construction or physical changes to the property. However, the site is currently served by an existing well and septic system which must be maintained under a permit by the San Joaquin County Environmental Health Department. Additionally, as an ordinance requirement, the property is required to keep all storm drainage on site and follow all San Joaquin County Public Works rules and requirements pertaining to storm drainage. Any future development utilizing on-site services will also be required to obtain the proper permits for any proposed well or septic system and retain all stormwater on site. Therefore, the project is expected to have a less than significant impact related to new or expanded utilities and service systems.

28. PA-2500134 (VR) & PA-2500133 (MS)- Initial Study

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<u>XX. Wildfire.</u>					
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:					
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐	☐
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☒	☐	☐
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☒	☐	☐
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☒	☐	☐

Impact Discussion:

This project is comprised of two applications: A Variance to reduce the minimum lot size in the AG-40 (General Agriculture, 40-acre minimum) zone from 40-acres to 5-acres; and a Minor Subdivision to subdivide one legal parcel totaling 15.12-acres into 3 parcels between 5.03 and 5.05-acres in size. The site currently contains a single-family residence and a barn. While the applicant is not proposing to construct any additional dwellings or structures, the resulting subdivision would allow for an additional single-family residence and an accessory dwelling unit on each of the newly created lots.

- a-d) The project proposal has the potential for three additional single-family residences and three accessory dwelling units. The project site is located in a rural, agricultural area east of the City of Lodi, CA, and is not identified as a Community at Risk from Wildfire by Cal Fire's "Fire Risk Assessment Program". Communities at Risk from Wildfire are those places within 1.5 miles of areas of High or Very High wildfire threat as determined from GDF-FRAP fuels and hazard data. Therefore, no impacts associated with wildfire are anticipated.

The project site and surrounding area are generally flat, with no significant slopes, drainage features, or unstable soil conditions that would affect wildfire behavior or create risks related to flooding, landslides, post-fire slope instability, or runoff. Local wind conditions are typical for the region and are not expected to exacerbate wildfire hazards. The site is not located within a designated flood hazard area, and no conditions exist that would expose people or structures to these hazards. As a result, impacts would be less than significant.

29. PA-2500134 (VR) & PA-2500133 (MS)- Initial Study

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<u>XXI. Mandatory Findings of Significance.</u>					
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☒	☐	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☒	☐	☐
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐	☐

Impact Discussion:

This project is comprised of two applications: A Variance to reduce the minimum lot size in the AG-40 (General Agriculture, 40-acre minimum) zone from 40-acres to 5-acres; and a Minor Subdivision to subdivide one legal parcel totaling 15.12-acres into 3 parcels between 5.03 and 5.05-acres in size. The site currently contains a single-family residence and a barn. While the applicant is not proposing to construct any additional dwellings or structures, the resulting subdivision would allow for an additional single-family residence and an accessory dwelling unit on each of the newly created lots.

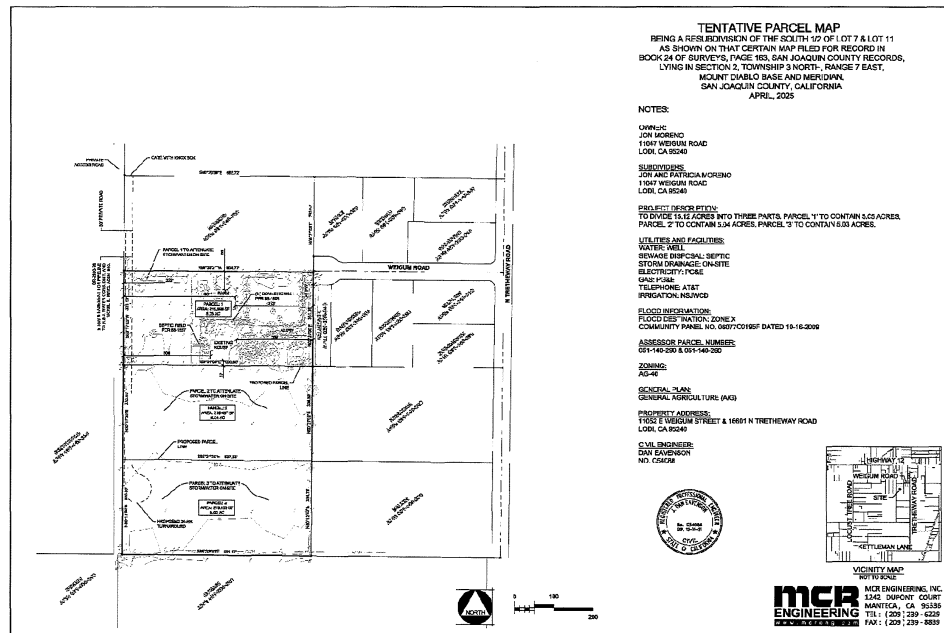
- a-c) The proposed application does not have the potential to degrade the environment or eliminate a plant or animal community or eliminate important examples of major periods of California history or prehistory. Nor will the project result in significant cumulative impacts or cause substantial adverse effects on human beings, either directly or indirectly.

Although the project may result in localized environmental impacts, these impacts are limited in scope and duration and are not expected to contribute significantly to cumulative environmental degradation in the area. The project is consistent with land use and zoning plans, and similar uses have been established nearby.

The project does not involve activities that pose a substantial risk to public health or safety. Construction and operational activities will be subject to existing regulatory standards related to air quality, noise, and traffic safety. Furthermore, truck parking facilities typically serve existing freight routes and reduce the need for illegal or unpermitted truck parking in nearby communities, potentially improving public safety and roadway efficiency. With adherence to applicable regulations and implementation of best management practices, the project is not expected to cause substantial adverse effects on human beings, either directly or indirectly.

Review of this project has not indicated any features which might significantly impact the environmental quality of the site and/or surrounding area even on a cumulative basis. Mitigation measures have been identified in areas where a potentially significant impact has been identified and these measures, including a Mitigation Monitoring and Reporting Program (MMRP), which must be followed as a Condition of Approval, will reduce these impacts to a less-than-significant level.

30. PA-2500134 (VR) & PA-2500133 (MS)- Initial Study





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Attachment E **Mitigation Monitoring** **and Reporting Program**

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Mitigation Monitoring Reporting Plan – PA-2500134, -133 December 19, 2025

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	Participation in the SJMSCP	X		San Joaquin County Council of Governments	The developer shall apply to the San Joaquin Council of Governments (SJCOG) for coverage under the San Joaquin County Multi-Species Open Space and Habitat Conservation Plan (SJMSCP). The project site shall be inspected by the SJMSCP biologist, who will recommend which Incidental Take Minimization Measures set forth in the SJMSCP should be applied to the project and implemented. The project applicant shall pay the required SJMSCP fee, if any, and be responsible for the implementation of the specified Incidental Take Minimization Measures.			

32. PA-2500134 (VR) & PA-2500133 (MS)- Initial Study

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Attachment F **Findings for Variance** **and Minor Subdivision**

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FINDINGS

PA-2500134 & PA-2500133
JON MORENO/ MATTHEW WEBER

Variance No. PA-2500134

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

- This finding cannot be made because the subject parcel has no special circumstances which would deprive it of privileges enjoyed by other property in the vicinity and under identical zoning classification. The applicant's proposed finding that the parcels surrounding the subject parcel are similar or smaller in size does not constitute a finding of deprivation. The surrounding parcels that are below 40 acres in size are non-conforming parcels in the AG-40 zone that were created prior to the current Development Title provisions.

This area was subdivided as part of the Crump Tract subdivision in 1908, which created 12 parcels, each exceeding 10 acres in size and pursuant to the standards in place at that time. The subject parcel has been zoned AG-40 (General Agriculture, 40-acre minimum) since 1985. This zoning has been carried forward to today. As a result, the creation of a 5-acre parcel has not been permitted in this area for over 41 years, unless a specific exception was utilized. Pursuant to Development Title Section 9-203.030(a)(1), there are several exceptions that allow for the creation of parcels smaller than the zone minimum, each with clearly prescribed criteria. The first exception is the creation of a homesite parcel. The other exceptions include creating parcels for certain specified uses, parcels for dwellings on the same lot, and parcels based on lot size averaging. Ultimately, the underlying subdivision, as proposed, does not meet any of these exceptions contained in the Development Title.

2. The Variance will not be detrimental or injurious to property or improvements in the vicinity of the subject property, or the public health, safety or general welfare.

- This finding can be made because the proposed 5 acre parcels are large enough to support onsite services and all other Development Title requirements. Parcel 1 currently is developed with a single-family residence and has the potential to develop an accessory dwelling unit and accessory structures. If this subdivision is approved, proposed Parcel 2 and Parcel 3 may each be developed with a single-family residence and accessory dwelling unit, and accessory structures. The additional parcels will not be detrimental or injurious to other properties in the vicinity because two additional single-family residence and three accessory dwelling unit will not be injurious to property or improvements in the vicinity of the subject property or the public health, safety, or general welfare.

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

- This finding cannot be made because granting this Variance will constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the property is situated. Parcels in the vicinity of the project site that are below the 40-acre minimum were created consistent with the General Plan, zoning, and code requirements that were in effect at that time. Surrounding property owners within the vicinity and with the same zoning classification are not permitted to subdivide parcels to less than the 40-acre minimum unless a specific Development Title exception applies. The exceptions to meeting the zone minimum include subdividing properties to create homesite parcels, homesite parcels for financing purposes, parcels for certain specified uses, parcels for dwellings on the same lot, and parcels based on lot size averaging (Development Title Section 9-203.030(a)(1)(A)). The underlying Minor Subdivision, as proposed, does not meet any of these exceptions.

4. The Variance will not authorize a use or activity which is not otherwise expressly authorized by the regulation governing the parcel of property.
 - **This finding can be made because the Variance application does not authorize a use that is not otherwise expressly authorized by the General Plan or Development Title. The Variance request would allow for an underlying subdivision to create parcels below the zone minimum, and the proposal does not include any new uses. The property is currently developed with a single-family residence, which is a permitted use in the AG-40 (General Agriculture, 40-acre minimum) zone and would allow for residential and agricultural development as permitted in the AG-40 zone on the subsequent parcels. The subdivision as proposed appears to meet Development Title requirements if the Variance is granted.**

Minor Subdivision No. PA-2500133

1. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan, any applicable Specific Plan, pre-existing Special Purpose Plan, or Master Plan, the Development Title, and other applicable provisions of the County Code.
 - **This finding cannot be made because Minor Subdivision No. PA-2500133 is not consistent with the General Plan or the Development Title. Pursuant to the Development Standards for the General Agriculture (A/G) General Plan designation (2035 General Plan, 3.1 Community Development Element, page 3.1-57), the minimum lot size for parcels designated as A/G is 20 acres, or 160 acres where no surface irrigation water is available. The subject parcel is located within an irrigation district. Furthermore, the AG-40 (General Agriculture, 40-acres minimum) zoning, which implements the A/G (General Agriculture) General Plan designation, does not allow for parcels to be subdivided below 40-acres. Because the subdivision as proposed does not meet the minimum required lot size of 40-acres, it is not consistent with the General Plan or Development Title, unless the Planning Commission approves a Variance to reduce the required minimum lot size and lot width for the AG-40 zone. No Master Plan, Specific Plan or Special Purpose Plan are applicable to Minor Subdivision No. PA-2500133.**
2. The site is physically suitable for the type of development and the proposed density of the development.
 - **This finding cannot be made because the subdivision is proposing additional parcels in the AG-40 zone that do not meet the minimum lot size. The parcel is currently limited to one single-family residence. In the underlying A/G General Plan designation, the permitted density range is 0.0 to 0.05, or 1 residence per 20 acres. If the Minor Subdivision to create three parcels is approved, each parcel would be permitted to have one primary residence. Thus, the density would increase to 0.3 or 1 residences per 5 acres. The resulting Minor Subdivision affects the density requirements for future development. As a result, the site is not physically suitable for the potential density of future development.**
3. The proposed subdivision, together with the provisions for its design and improvement, are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat, unless an Environmental Impact Report (EIR) was prepared and a finding was made that specific economic, social, or other considerations make the mitigation measures or project alternatives infeasible, pursuant to Section 21081(a)(3) of the Public Resources Code.
 - **This finding can be made because the subdivision will facilitate future residential development. The future ground disturbing activities (e.g. roads, curb, gutter, electrical, water, etc.) and physical structures that require ground disturbance on this or subsequent divided parcels will be subject to participate in the San Joaquin Multi-Species Habitat Conservation and Open Space Plan before any ground disturbance occurs. The subdivision is not likely to cause substantial environmental damage or substantially and avoidably injuring fish and wildlife in their habitat.**

4. The proposed subdivision, together with the provisions for its design and improvement, is not likely to cause serious public health problems.
 - **This finding can be made because the parcels are permitted one single-family dwelling, one accessory dwelling unit, one junior accessory dwelling unit. Additionally, the AG-40 zone designation of the proposed parcels permits agricultural structures and up to 12 farm employee housing units without discretionary review. The Initial Study prepared for this project concludes that the Minor Subdivision creates a less than significant impact on public health.**
5. The proposed subdivision, together with the provisions for its design and improvement, will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision. The County may approve a map if it finds that alternate easements for access or for use will be provided and that these easements will be substantially equivalent to ones previously acquired by the public.
 - **This finding can be made because 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.**
6. Water and wastewater disposal services will be available and sufficient to serve a proposed subdivision. If the subdivision has more than 500 dwelling units, this finding must be in accordance with Section 66473.7 of the Subdivision Map Act.
 - **This finding can be made because parcels in the AG-40 zone allow for the use of a well for water and an individual septic system for wastewater subject to the rules and regulations of the Environmental Health Department. All proposed parcels would be permitted one single-family dwelling, one accessory dwelling unit, one junior accessory dwelling unit, and up to 12 farm employee units. The Environmental Health Department would have to approve the number of residences onsite in accordance with their requirements regarding well water and septic wastewater treatment density. In the event all parcels are permitted the maximum number of residences, the number of residences would be less than 500 and exempt from Section 66473.7 of the Subdivision Map Act.**
7. Any land or improvement to be dedicated to the County or other public agency is consistent with the General Plan, any applicable Specific Plan, pre-existing Special Purpose Plan, or Master Plan, and any other applicable plan adopted by the County.
 - **This finding can be made because any land or improvements dedicated to the County would be 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 of the Department of Public Works for dedication and/or construction.**
8. The design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.
 - **This finding can be made because the proposed Minor Subdivision, as designed, can make use of passive heating and cooler. Future development of single-family housing on the proposed new parcels could be located facing westerly, allowing the afternoon sun to passively or actively heat the new homes with the use of rooftop solar panels.**

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Attachment G **Conditions of Approval**

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CONDITIONS OF APPROVAL

(if approved)

PA-2500133

JON MORENO/ MATTHEW WEBER

Minor Subdivision Application No. PA-2500133 was approved by the Planning Commission on . The effective date of approval is . This tentative map approval will expire on , which is 36 months from the effective date of approval, unless (1) all Conditions of Approval have been complied with and (2) a Parcel Map 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 Certificate of Compliance. 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: Community Development Department, [209] 468-3121)
 - a. **TENTATIVE MAP:** The Parcel Map shall substantially conform to the approved tentative map dated July 27, 2026.
 - b. **RIGHT TO FARM:** Pursuant to San Joaquin County Code Section 6-9004(b), the following note shall be recorded as a Notice of Minor Subdivision Restriction with the Parcel Map:
 1. All persons purchasing parcels within the boundaries of this approved map should be prepared to accept the inconveniences or discomforts associated with agricultural operations or activities, such as noise, odors, insects, dust, or fumes. San Joaquin County has determined that such inconveniences or discomforts shall not be considered to be a nuisance.
 - c. **LOT SIZE:** The following lot size regulations shall apply to this map:
 1. All parcels shall have a minimum lot size of 5 acres.
 - d. **LOT WIDTH:** The following lot width regulations shall apply to this map:
 1. All parcels shall have a minimum lot width of 330 feet, measured at the front yard setback line. (Development Title Table 9-203.030)
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 see memo dated March 10, 2026):
 - 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 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:

1. "Parcels 1, Parcel 2, and Parcel 3 are subject to the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). At the time of development of Parcels 1 or 2 or 3 any structures that require ground disturbance on this or 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."
4. DEPARTMENT OF PUBLIC WORKS (Contact: [209] 468-3000, see memo dated September 22 and October 24, 2025)
- a. A Parcel Map is required. (Development Title Section 9-501.030)
 - b. All easements of record shall be shown on the Parcel Map. (Development Title Section 9-505.080)
 - c. Prior to the issuance of a non-agricultural building permit on Parcel 1-3; a private access roadway with turnarounds shall be constructed in conformance with fire road standards and applicable San Joaquin County Improvement Standards. The required improvements shall be noticed on a Declaration of Minor Subdivision Restriction – Non Rescindable and recorded concurrently with the Parcel Map (contact Department of Public Works, Development Services Division for processing) (A fee for processing the Declaration will be required.) (Development Title 9-608.160[a])
 - d. Drainage from the improved portion of each parcel shall be retained on-site by a retention basin at the time of development of each parcel. A soils report to evaluate whether adequate percolation is available shall be submitted and approved for each parcel prior to development of any of the parcels. 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. (Development Title Section 9-606.010)
 - e. Prior to approval of the Parcel Map, the developer shall prepare and record a mechanism that notifies future owners and provides for funding and maintenance of the roadway improvements. A copy shall be submitted to the Department of Public Works.
 - f. 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] 468-3420, see memo dated March 24, 2026)
- 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 Department prior to recordation of Parcel Map (San Joaquin County Development Title, Section 9-502.070(a)(c)).

Note: The surface subsurface report has been reviewed and approved (SU-2500604).

- b. A soil suitability and nitrate loading study incorporating proposed onsite waste water treatment system (OVVTS) 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 parcel map. (San Joaquin County Development Title, Section 9-604.010(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.

- 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 based on the Soil Suitability/ Nitrate Loading Study findings (San Joaquin County Development Title, Section 9-605.010).
- d. The existing private water wells shall be tested for the chemical Dibromochloropropane (DBCP) and nitrates with the results submitted to the Environmental Health Department prior to recordation of the Parcel Map. Samples are to be taken and analyzed by a State-approved laboratory (San Joaquin County Development Title, Section 9-601.020(j)).
- e. 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).
- f. Any geotechnical drilling shall be conducted under permit and inspection by The Environmental Health Department (San Joaquin County Development Title, Section 9-601.010(b) and 9-601.020(i)).
