



## ATTACHMENT 4

### DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

1010 10<sup>TH</sup> Street, Suite 3400, Modesto, CA 95354

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## CEQA INITIAL STUDY

(Additional text is shown in bold and underline and deleted text in ~~strikeout~~.)

Adapted from CEQA Guidelines APPENDIX G Environmental Checklist Form, Final Text, January 1, 2020

1. **Project title:** General Plan Amendment and Rezone  
Application No. PLN2023-0031 – Secured  
Space South Storage  
SCH No. 2023090214
2. **Lead agency name and address:** Stanislaus County  
1010 10<sup>th</sup> Street, Suite 3400  
Modesto, CA 95354
3. **Contact person and phone number:** Kristin Doud, Deputy Director of Planning  
(209) 525-6330
4. **Project location:** 5024, 5028, and 5030 Rohde Road, between  
Esmar and Faith Home Roads, in the  
community of Keyes. (APN: 041-059-001 &  
041-059-002).
5. **Project sponsor's name and address:** Sakshi Enterprise, LLC., Biren Patel  
2801 Mitchell Road, #3074  
Ceres, CA 95307
6. **General Plan designation:** Planned Development
7. **Community Plan designation:** Medium Density Residential
8. **Zoning:** General Agriculture (A-2-10)
9. **Description of project:**

This is a request to amend the Community Plan designation and zoning designation of a five-acre parcel from Medium Density Residential and General Agriculture (A-2-10) to Planned Development (P-D) to allow for the operation of an existing mini-storage facility. The General Plan designation is Planned Development which is consistent with the proposed project and will remain unchanged; however, the Keyes Community Plan designation of Medium-Density Residential is not consistent with the proposed project and is proposed to be amended to Planned Development which requires an amendment to the Land Use Element of the General Plan. The site consists of 39,393 square feet of mini-storage made up of 13 buildings, nine feet three inches in height with mounted wall lighting, each containing multiple storage units ranging from 50 to 253 square feet in size. The mini-storage facility is currently operating; however, the required building permits and land use entitlements to operate were not obtained. Accordingly, land use entitlements (in the form of a general plan amendment and rezone) and building permits are required to allow continued operation of the mini-storage facility. The property is also improved with a legal non-conforming duplex and four-plex, which are proposed to remain, as well as the single-family dwelling which has been converted into an office for the mini-storage facility. Conversion of the single-family dwelling also occurred without building permits which will be required to be obtained to allow the continued use of the building as an office/apartment.

Approximately four of the five acres is currently developed with the mini-storage and residential units and the remaining one-acre of the site is vacant and unimproved. In addition to the mini-storage, office, and residential units the property

is improved with 24 parking spaces, chain link fencing with slats along the portion of road frontage where the residential units are located and wrought iron fencing with a secured access gate along the portion of road frontage where the mini-storage facility is located; a mixture of wood and metal fencing is installed along the side and rear property lines. The project proposes to install a mixture of ornamental trees and shrubs along the front of the office and residential units and a pole sign ten feet in height with a 5-foot-wide and 3.5-foot-tall sign for the mini-storage facility as well as a wall sign on the office building. The mini-storage facility has a maximum of three employees on-site per shift (one-shift per day), an average of three customers per day, and is open Monday through Friday from 9:30 a.m. to 5:30 p.m. and Saturday and Sunday from 10 a.m. to 3 p.m. The site is currently served by a private on-site well and septic systems; however, a will-serve letter has been issued by the Keyes Community Services District for water and sewer services.

- 10. Surrounding land uses and setting:** RV storage facility and mobile home park to the north; State Route 99 to the west and south; residential development and the Community of Keyes to the east and southeast.
- 11. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.):** San Joaquin Valley Air Pollution Control District  
Stanislaus County Department of Public Works  
Stanislaus Local Agency Formation Commission  
Keyes Community Services District  
**California Department of Toxic Substances Control**
- 12. Attachments:**
1. Central California Information Center records search, dated February 10, 2023
  2. Mitigation Monitoring and Reporting Program (MMRP) for the Keyes Community Plan, adopted April 18, 2000 (MMRP Keyes)

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

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

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

**DETERMINATION: (To be completed by the Lead Agency)**

On the basis of this initial evaluation:

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

**Signature on File.**  
Prepared by Kristin Doud, Deputy Director

**12/15/2023 (Amended February 2nd and March 25, 2024)**  
Date

**EVALUATION OF ENVIRONMENTAL IMPACTS:**

1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, than 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 Section XVII, “Earlier Analyses,” 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). References 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 significant 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 significant.

**ISSUES**

<b>I. AESTHETICS – Except as provided in Public Resources Code Section 21099, could the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Included</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>a) Have a substantial adverse effect on a scenic vista?</b>			<b>X</b>	
<b>b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?</b>			<b>X</b>	
<b>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 publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?</b>			<b>X</b>	
<b>d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?</b>		<b>X</b>		

**Discussion:** The site itself is not considered to be a scenic resource or unique scenic vista. Approximately four of the five acres is currently developed with the mini-storage and residential units and the remaining one-acre of the site is vacant and unimproved. In addition to the mini-storage, office, and residential units the property is improved with 24 parking spaces, chain link fencing with slats along the portion of road frontage where the residential units are located and wrought iron fencing with a secured access gate along the portion of road frontage where the mini-storage facility is located; a mixture of wood and metal fencing is installed along the side and rear property lines. The project proposes to install a mixture of ornamental trees and shrubs along the front of the office and residential units and a pole sign ten feet in height with a 5-foot-wide and 3.5-foot-tall sign for the mini-storage facility as well as a wall sign on the office building.

The site is located within the Keyes Community Plan. The Keyes Community Plan, adopted by the Board of Supervisors in April of 2000, identifies the project site as a Gateway area to Keyes, visible from State Route 99, that should be designed and landscaped to improve and enhance the appearance of the site and area. There is no existing design criteria for the Keyes Community; however, the Keyes Community Plan encourages attractive and orderly development which preserves a small town atmosphere; the development of large, non-residential sites, with generous landscaping and Highway Commercial type uses along State Route 99/Keyes Road Interchange; the development of "Gateway" treatments and positive, high quality landscaped edges along State Route 99 and major roads. To meet this requirement landscaping along the project site's road frontage will be required to be installed.

The Mitigation Monitoring and Reporting Program adopted with the Keyes Community Plan requires that all existing and future exterior lighting to be shielded and be aimed downward and towards the site so as to provide adequate illumination without off-site light spillage or a glare effect to adjacent properties and that the use of reflective surfaces on new multi-story development be oriented in such a way as to reduce glare to the adjacent roadways. With these mitigation measures applied to the project, aesthetic impacts associated with the project are considered to be less than significant with mitigation included.

**Mitigation:**

1. New multi-story development shall minimize the use of reflective surface and have those reflective surfaces which are used to be oriented in such a manner so as to reduce glare impacts along roadways.
2. New development shall include cut-off luminaries and/or shields. All exterior lighting shall be designed (aimed down and towards the site) to provide adequate illumination without a glare effect. Low intensity lights shall be used to minimize the visibility of the lighting from nearby areas, and to prevent "spill over" of light onto adjacent residential properties.

**References:** Keyes Community Plan, EIR and MMRP adopted April 2000; Referral response received from the Department of Public Works, dated October 20, 2023; Stanislaus County Zoning Ordinance; the Stanislaus County General Plan; and Support Documentation<sup>1</sup>.

<b>II. AGRICULTURE AND FOREST RESOURCES:</b> 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 Department 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:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?			X	
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?			X	
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))?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
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?			X	

**Discussion:** The site is not currently in agricultural production and is not enrolled in a Williamson Act Contract. Approximately four acres of the five-acre site is currently developed with the mini-storage and residential units and the remaining one-acre of the site is vacant and unimproved. The USDA Natural Resources Conservation Service's Eastern Stanislaus County Soil Survey indicates that 55 percent of the property is made up of Hanford sandy loam (HdA), with a Story Index Rating of 95 and a Grade of 1. The remaining 45 percent of the project site is made up of Tujunga loamy sand (TuA), which has a Story Index Rating of 76 and a Grade of 2. The Grade and Story Index Ratings of the soils qualify as prime soils. However, the California Department of Conservation's Important Farmland Maps identifies the site as Urban and Built-Up Land.

An RV storage facility and mobile home park are located north of the project site; State Route 99 to the west and south; a residential development and the Community of Keyes to the east and southeast. The nearest agricultural parcel, north across the TID Lateral No. 2 ½, is 6+ acres in size and is utilized for irrigated pasture. The nearest surrounding production agricultural lands are located 1,000+ feet from the project site, across State Highway 99, to the south and east (enrolled in Williamson Act Contracts) and 1,200+ feet from the project site to the east (not under a Williamson Act Contract).

All new or expanding uses approved by discretionary permit in the A-2 zoning district or on a parcel adjoining the A-2 zoning district are required to incorporate a minimum 150-foot-wide agricultural buffer setback, or 300-foot-wide buffer setback for people-intensive uses. Public roadways, utilities, drainage facilities, rivers and adjacent riparian areas, landscaping, parking lots, and similar low people intensive uses are permitted uses within the buffer setback area. The nearest A-2 zoned property is located 300+ feet to the northeast and southwest of the project site, which meets the 300-foot agricultural buffer requirement.

A referral response received from the Turlock Irrigation District (TID) indicated that TID's Upper Lateral 2.5 is located along the northern side of the project site, which has a 70-foot-wide right-of-way. If the half width of the canal's right-of-way has not been formally dedicated, dedication will be required. TID's response also requested that a masonry wall be constructed adjacent to the canal, in conformance with TID standards. Furthermore, TID's response requires that irrigation facilities that are no longer used, which includes two irrigation side gates located behind the Apartment 1 and 2 buildings, be removed in accordance with TID standards. TID's response indicated that any improvements to the property that impacts TID facilities must meet District standards and be approved by the District. The developer will be required to submit irrigation improvement plans and enter into an Irrigation Improvement Agreement prior to completing the required irrigation facility modifications, which includes a TID Board approved time and material fee associated with the review. Additionally, any work on District irrigation facilities may only occur during the non-irrigation season which typically runs from November 1, through March 1, but can vary.

The site is located within the Keyes Community Plan. The Mitigation Monitoring Plan (MMP) included in the EIR prepared for the Keyes Community Plan required that farmland mitigation be provided to address the conversion of Prime Farmland to non-agricultural use on areas identified as "prime" or "important" farmland. The project site is identified as "urban and built up" on the California Farmland Mapping Program and Keyes EIR Farmland maps and accordingly the farmland mitigation has not been applied to the project.

Impacts to agricultural resources are considered to be less than significant with mitigation.

**Mitigation:** None.

**References:** Application materials; Referral response from Turlock Irrigation District (TID), dated September 26, 2023; Keyes Community Plan, EIR and MMRP adopted April 2000; United States Department of Agriculture NRCS Web Soil Survey; California State Department of Conservation Farmland Mapping and Monitoring Program - Stanislaus County Farmland 2018; Stanislaus County General Plan; and Support Documentation<sup>1</sup>.

III. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
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?			X	
c) Expose sensitive receptors to substantial pollutant concentrations?			X	
d) Result in other emissions (such as those odors adversely affecting a substantial number of people)?			X	

**Discussion:** The proposed project is located within the San Joaquin Valley Air Basin (SJVAB) and, therefore, falls under the jurisdiction of the San Joaquin Valley Air Pollution Control District (SJVAPCD). In conjunction with the Stanislaus Council of Governments (StanCOG), the SJVAPCD is responsible for formulating and implementing air pollution control strategies. The SJVAPCD's most recent air quality plans are the 2007 PM10 (respirable particulate matter) Maintenance Plan, the 2008 PM2.5 (fine particulate matter) Plan, and the 2007 Ozone Plan. These plans establish a comprehensive air pollution control program leading to the attainment of state and federal air quality standards in the SJVAB, which has been classified

as “extreme non-attainment” for ozone, “attainment” for respirable particulate matter (PM-10), and “non-attainment” for PM 2.5, as defined by the Federal Clean Air Act.

The primary source of air pollutants generated by this project would be classified as being generated from "mobile" sources. Mobile sources would generally include dust from roads, farming, and automobile exhausts. Mobile sources are generally regulated by the Air Resources Board of the California Environmental Protection Agency (EPA) which sets emissions for vehicles and acts on issues regarding cleaner burning fuels and alternative fuel technologies. As such, the District has addressed most criteria air pollutants through basin wide programs and policies to prevent cumulative deterioration of air quality within the Basin. The project will increase traffic in the area and, thereby, impacting air quality.

Construction activities associated with new development can temporarily increase localized PM10, PM2.5, volatile organic compound (VOC), nitrogen oxides (NOX), sulfur oxides (SOX), and carbon monoxide (CO) concentrations a project's vicinity. The primary source of construction-related CO, SOX, VOC, and NOX emission is gasoline and diesel-powered, heavy-duty mobile construction equipment. Primary sources of PM10 and PM2.5 emissions are generally clearing and demolition activities, grading operations, construction vehicle traffic on unpaved ground, and wind blowing over exposed surfaces. No construction is proposed, but if construction were to occur in the future all applicable Air District permits would be required to be obtained and all District standards will be required to be met.

The project was referred to SJVAPCD, who did not respond. The SJVAPCD's Small Project Analysis Level (SPAL) Analysis indicates that the minimum threshold of significance for industrial projects is 1,506 trips per day. The mini-storage facility has a maximum of three employees on-site per shift (one-shift per day), an average of three customers per day, and is open Monday through Friday from 9:30 a.m. to 5:30 p.m. and Saturday and Sunday from 10 a.m. to 3 p.m. Accordingly, the project will create an average of 12 round trips per day, which is below the District's thresholds of significance for emissions.

The Mitigation Monitoring and Reporting Program (MMRP) prepared for the April 2000 update to the Keyes Community Plan included several mitigation measures regarding air impacts associated with construction and the operation of projects developed within the Keyes Community Plan to ensure Air District standards are met. However, the mitigation measures identified in the Keyes Community Plan MMRP are already required to be met through applicable Air District permitting and through enforcement of the California Building Code. Accordingly, Air Quality requirements are not applied as mitigation, but instead will be applied as development standards applicable to the project, which require that all applicable Air District permits be obtained, and that California Green Building Code be met.

An early consultation referral response received from the Department of Public Works indicated that a grading, drainage, and erosion/sediment control plan for the project will be required, subject to Public Works review, Standards, and Specifications. The project will be required to meet all applicable air district standards and to obtain all applicable Air District permits. Both requirements will be incorporated into the project as development standards.

Air impacts associated with the project are considered to be less-than significant.

**Mitigation:** None.

**References:** Application materials; Community Plan, EIR and MMRP adopted April 2000; Referral response received from the Department of Public Works, dated October 20, 2023; San Joaquin Valley Air Pollution Control District - Regulation VIII Fugitive Dust/PM-10 Synopsis; [www.valleyair.org](http://www.valleyair.org); and the Stanislaus County General Plan; and Support Documentation<sup>1</sup>.

IV. BIOLOGICAL RESOURCES -- Would the project:				
	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
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?		X		



b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X	
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?			X	
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?			X	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X	
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?		X		

**Discussion:** The project is located within the Ceres Quad of the California Natural Diversity Database (CNDDDB). There are nine animal species which are state or federally listed, threatened, or identified as species of special concern or a candidate of special concern within the Ceres CNDDDB Quad. Animal species include Swainson's hawk (SWHA), tricolored blackbird, burrowing owl, riffle sculpin, hardhead, chinook salmon - Central Valley fall / late fall-run ESU, valley elderberry longhorn beetle, and Townsend's big-eared bat. CNDDDB data shows a record of obscure bumble bee .64 miles northwest of the site, heartscale 2 miles southeast of the site, and two Swainson hawk records (one 3.5 miles southeast and the other is located 3.3 miles north of the project site).

An EIR was prepared for the Keyes Community Plan Update, which was adopted by the Board of Supervisors on April 18, 2000. A Mitigation Monitoring and Reporting Program for the Keyes Community Plan includes mitigation measures related to biological resources; specifically, regarding potential impacts to wetlands, valley elderberry longhorn beetle (VELB), Swainson's hawk and other raptors, oak trees, and special status species associated with valley grassland habitats. Based on the location and lack of suitable habitat on-site, the likelihood for special status species to exist on-site are very low. However, mitigation measures, as recommended by the survey and applicable mitigation measures as incorporated into the Mitigation Monitoring and Reporting Program of the Keyes Community Plan are incorporated below. An early consultation referral response was sent to the California Department of Fish and Game (CDFG); however, no response has been received to date. The project will not conflict with a Habitat Conservation Plan, a Natural Community Conservation Plan, or other locally approved conservation plans. Impacts to biological resources are considered to be less than significant with mitigation.

#### Mitigation:

3. Pre-construction surveys for Valley Elderberry Longhorn Beetle (VELB) on the site shall be conducted by a qualified biologist, in accordance with any applicable United States Fish and Wildlife protocols. Prior to the removal of any elderberry shrubs, the applicant shall obtain concurrence from US Fish and Wildlife Service regarding removing the shrubs. Prior to securing concurrence to remove the blue elderberry shrubs, the shrubs shall be protected with a no-disturbance buffer extending 10 feet from the driplines of the shrubs. Construction in the vicinity of the blue elderberry shrubs should occur between June 15 and April 15. During this time period, VELB (if present) would be within the interior portion of the stems of the shrubs and would not move (i.e., fly or walk) into the construction area.
4. If ground disturbing activity or construction commences between March 1 and September 15, pre-construction surveys for nesting Swainson's hawks (SWHA) shall be conducted by a qualified biologist. SWHA surveys shall be conducted a maximum of 10 days prior to the onset of grading or construction activities, within 0.5 miles of the project site area, in accordance with protocol developed by the Swainson's Hawk Technical Advisory Committee (SWHA TAC, 2000). If active nests are found, a qualified biologist, in consultation with the California Department of Fish and Wildlife (CDFW), shall determine the need (if any) for temporal restrictions on construction, including

but not limited to a minimum no-disturbance buffer of 0.5 miles to be maintained around active nests prior to and during any ground-disturbing activities until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival. If take cannot be avoided, take authorization through the issuance of an Incidental Take Permit (ITP), pursuant to Fish and Game Code section 2081 subdivision (b) is necessary to comply with CESA. The determination shall utilize criteria set forth by CDFW (CDFG, 1994).

5. If construction commences between February 1 and August 31, pre-construction surveys for burrowing owls on the site shall be conducted. If occupied burrows are found, a qualified biologist should determine the need (if any) for temporal restrictions on construction. The determinations shall be pursuant to criteria set forth by CDFW (CDFG, 2012).
6. Trees, shrubs, and grasslands in the site could be used by other birds protected by the Migratory Bird Treaty Act of 1918. If vegetation removal or construction commences during the general avian nesting season (March 1 through July 31), a pre-construction survey for nesting birds shall be completed. If active nests are found, work in the vicinity of the nest shall be delayed until the young fledge.
7. All oak trees over four inches in diameter shall be preserved to the maximum extent practical. Final development plans shall depict all oak trees proposed for removal. If oak trees four inches in diameter or more exist on the project site, the applicant shall submit a tree preservation plan to the Stanislaus County Planning Division for review and approval. The tree preservation plan shall include the following:
  - Any removed oak trees shall be replaced at a two to one tree replacement ratio.
  - The tree preservation plan shall include the location, number, species, and size of proposed replacement plantings.
  - The tree preservation plan shall include monitoring provisions for watering and landscaping to ensure survival and health of planted oak trees.
  - Replacement trees shall be monitored for a period not less than 5-years after replacement trees have been planted; Dead or dying trees shall be replaced.

**References:** Application materials; California Department of Fish and Wildlife's Natural Diversity Database Quad Species List; Keyes Community Plan, EIR and MMRP adopted April 2000; Stanislaus County General Plan; and Support Documentation<sup>1</sup>.

<b>V. CULTURAL RESOURCES -- Would the project:</b>				
	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to in § 15064.5?			X	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?			X	
c) Disturb any human remains, including those interred outside of formal cemeteries?			X	

**Discussion:** As this project is a General Plan Amendment it was referred to the tribes listed with the Native American Heritage Commission (NAHC), in accordance with SB 18, for a 90-day review period. Tribal notification of the project was not referred to any tribes in conjunction with AB 52 requirements, as Stanislaus County has not received any requests for consultation from the tribes listed with the NAHC. No responses from the tribal contacts were received. A records search conducted by the Central California Information Center (CCIC) indicated that there are no historical, cultural, or archeological resources recorded on-site and that the site has a low sensitivity for the discovery of such resources. A development standard will be added to the project which requires if any cultural or tribal resources are discovered during project-related

activities, all work is to stop, and the lead agency and a qualified professional are to be consulted to determine the importance and appropriate treatment of the find. Cultural Impacts are considered to be less-than significant.

**Mitigation:** None.

**References:** Application materials; Central California Information Center Report for the project site, dated February 10, 2023; Stanislaus County General Plan; and Support Documentation<sup>1</sup>.

<b>VI. ENERGY. -- Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Included</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?</b>			<b>X</b>	
<b>b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?</b>			<b>X</b>	

**Discussion:** The CEQA Guidelines Appendix F states that energy consuming equipment and processes, which will be used during construction or operation such as energy requirements of the project by fuel type and end use, energy conservation equipment and design features, energy supplies that would serve the project, total estimated daily vehicle trips to be generated by the project, and the additional energy consumed per-trip by mode, shall be taken into consideration when evaluating energy impacts. Additionally, the project's compliance with applicable state or local energy legislation, policies, and standards must be considered.

The project was referred to SJVAPCD, who did not respond. The SJVAPCD's Small Project Analysis Level (SPAL) Analysis indicates that the minimum threshold of significance for industrial projects is 1,506 trips per day. The mini-storage facility has a maximum of three employees on-site per shift (one-shift per day), an average of three customers per day, and is open Monday through Friday from 9:30 a.m. to 5:30 p.m. and Saturday and Sunday from 10 a.m. to 3 p.m. Accordingly, the project will create an average of 12 round trips per day, which is below the District's thresholds of significance for emissions.

The site is proposed to be served by the Turlock Irrigation District (TID) for electrical services. The project was referred to TID and they responded with no comments specific to on-site electric facilities.

No construction is proposed, but if construction were to occur in the future all applicable Air District permits would be required to be obtained and all Districts standards will be required to be met. Additionally, any future construction must meet California Green Building Standards Code (CALGreen Code), which includes mandatory provisions applicable to all new residential, commercial, and school buildings. The intent of the CALGreen Code is to establish minimum statewide standards to significantly reduce the greenhouse gas emissions from new construction. The Code includes provisions to reduce water use, wastewater generation, and solid waste generation, as well as requirements for bicycle parking and designated parking for fuel-efficient and carpool/vanpool vehicles in commercial development. It is the intent of the CALGreen Code that buildings constructed pursuant to the Code achieve at least a 15 percent reduction in energy usage when compared to the State's mandatory energy efficiency standards contained in Title 24. The Code also sets limits on VOCs (volatile organic compounds) and formaldehyde content of various building materials, architectural coatings, and adhesives.

Senate Bill 743 (SB743) requires that the transportation impacts under the California Environmental Quality Act (CEQA) evaluate impacts by using Vehicle Miles Traveled (VMT) as a metric. Stanislaus County has currently not adopted any significance thresholds for VMT, and projects are treated on a case-by-case basis for evaluation under CEQA. However, the State of California - Office of Planning and Research (OPR) has issued guidelines regarding VMT significance under CEQA. One of the guidelines, presented in the December 2018 document Technical Advisory on Evaluating Transportation Impacts in CEQA, states that locally serving retail would generally redistribute trips from other local uses, rather than generate new trips. The proposed project fits this description of locally serving retail and therefore is presumed to create a less-than significant transportation impact related to VMT.

The site is located within the Keyes Community Plan. The Mitigation Monitoring and Reporting Program (MMRP) prepared for the April 2000 update to the Keyes Community Plan included several mitigation measures regarding impacts to air quality during construction and operation of projects developed within the Keyes Community Plan to ensure Air District standards are met. However, the mitigation measures identified in the Keyes Community Plan MMRP are already required to be met through applicable Air District permitting and through enforcement of the California Building Code. Accordingly, Air Quality requirements are not applied as mitigation, but instead will be applied as development standards applicable to the project, which require that all applicable Air District permits be obtained and that California Green Building Code be met.

The project will be required to meet all applicable Air District standards and to obtain all applicable Air District permits. The proposed project would be consistent with all applicable renewable energy or energy efficiency requirements. Impacts related to Energy are considered to be less-than significant.

**Mitigation:** None.

**References:** Application materials; Keyes Community Plan, EIR and MMRP adopted April 2000; Referral response from Turlock Irrigation District (TID), dated September 26, 2023; Referral response received from the Department of Public Works, dated October 20, 2023; 2016 California Green Building Standards Code Title 24, Part 11(Cal Green); 2016 California Energy Code Title 24, Part 6; State of California - Office of Planning and Research (OPR) guidelines regarding VMT significance under CEQA; Stanislaus County General Plan; and Support Documentation<sup>1</sup>.

<b>VII. GEOLOGY AND SOILS -- Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Included</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:</b>				
<b>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.</b>			X	
<b>ii) Strong seismic ground shaking?</b>			X	
<b>iii) Seismic-related ground failure, including liquefaction?</b>			X	
<b>iv) Landslides?</b>			X	
<b>b) Result in substantial soil erosion or the loss of topsoil?</b>			X	
<b>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?</b>			X	
<b>d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?</b>			X	
<b>e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?</b>			X	
<b>f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</b>			X	

**Discussion:** Approximately four of the five-acre site is currently developed with the mini-storage and residential units and the remaining one-acre of the site is vacant and unimproved. The USDA Natural Resources Conservation Service's Eastern Stanislaus County Soil Survey indicates that 55 percent of the property is made up of Hanford sandy loam (HdA) and the remaining 45 percent of the project site is made up of Tujunga loamy sand (TuA). As contained in Chapter 5 of the General Plan Support Documentation, the areas of the County subject to significant geologic hazard are located in the

Diablo Range, west of Interstate 5; however, as per the California Building Code, all of Stanislaus County is located within a geologic hazard zone (Seismic Design Category D, E, or F) and a soils test may be required at building permit application. Results from the soils test will determine if unstable or expansive soils are present. If such soils are present, special engineering of the structure will be required to compensate for the soil deficiency. This will be evaluated with the building permit process which is required as a development standard applied to the project.

The Department of Public Works reviewed the project and responded that a grading and drainage plan shall be submitted for review and approval which includes drainage calculations that verify compliance with the current State of California National Pollutant Discharge Elimination System (NPDES) General Construction Permit. The project proposes to connect to the Keyes Community Services District for public sewer services, and to maintain storm drainage on-site through a storm drain basin. When the site connects to Keyes CSD the existing on-site well and septic systems are required to be destroyed in accordance with DER standards.

The Mitigation Monitoring and Reporting Program (MMRP) prepared for the April 2000 update to the Keyes Community Plan included mitigation measures regarding the preparation of geotechnical reports and regarding septic systems prior to construction to ensure that they are developed appropriately based on the project site's soil type. Although the project has received a will-serve letter from the Keyes CSD for public sewer services, a referral response received from DER indicated that if the project is unable to connect to the public sewer system the site would be subject to installing a Measure X septic system that would be required to meet all DER standards, including LAMP setbacks. DER's requirements will be applied to the project as a development standard, not a mitigation measure, as the requirements are regulatory.

Impacts to Geology and Soils associated with the project are considered to be less than significant.

**Mitigation:** None.

**References:** Application materials; Keyes Community Plan, EIR and MMRP adopted April 2000; Referral response received from the Department of Public Works, dated October 20, 2023; Referral response received from the Department of Environmental Resources, dated September 26, 2023; Will-serve letter received from the Keyes Community Services District, dated January 3, 2022; Title 24 California Code of Regulations; Stanislaus County General Plan; and Support Documentation<sup>1</sup>.

<b>VIII. GREENHOUSE GAS EMISSIONS -- Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Included</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?</b>			<b>X</b>	
<b>b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?</b>			<b>X</b>	

**Discussion:** The principal Greenhouse Gasses (GHGs) are carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), sulfur hexafluoride (SF<sub>6</sub>), perfluorocarbons (PFCs), hydrofluorocarbons (HFCs), and water vapor (H<sub>2</sub>O). CO<sub>2</sub> is the reference gas for climate change because it is the predominant greenhouse gas emitted. To account for the varying warming potential of different GHGs, GHG emissions are often quantified and reported as CO<sub>2</sub> equivalents (CO<sub>2</sub>e). In 2006, California passed the California Global Warming Solutions Act of 2006 (Assembly Bill [AB] No. 32), which requires the California Air Resources Board (ARB) design and implement emission limits, regulations, and other measures, such that feasible and cost-effective statewide GHG emissions are reduced to 1990 levels by 2020. Two additional bills, SB 350 and SB32, were passed in 2015 further amending the states Renewables Portfolio Standard (RPS) for electrical generation and amending the reduction targets to 40 percent of 1990 levels by 2030.

The project was referred to SJVAPCD, who did not respond. The SJVAPCD's Small Project Analysis Level (SPAL) Analysis indicates that the minimum threshold of significance for industrial projects is 1,506 trips per day. The mini-storage facility has a maximum of three employees on-site per shift (one-shift per day), an average of three customers per day, and is open

Monday through Friday from 9:30 a.m. to 5:30 p.m. and Saturday and Sunday from 10 a.m. to 3 p.m. Accordingly, the project will create an average of 12 round trips per day, which is below the District's thresholds of significance for emissions.

No construction is proposed, but if construction were to occur in the future all applicable Air District permits would be required to be obtained and all Districts standards will be required to be met. Additionally, any future construction must meet California Green Building Standards Code (CALGreen Code), which includes mandatory provisions applicable to all new residential, commercial, and school buildings. The intent of the CALGreen Code is to establish minimum statewide standards to significantly reduce the greenhouse gas emissions from new construction. The Code includes provisions to reduce water use, wastewater generation, and solid waste generation, as well as requirements for bicycle parking and designated parking for fuel-efficient and carpool/vanpool vehicles in commercial development. It is the intent of the CALGreen Code that buildings constructed pursuant to the Code achieve at least a 15 percent reduction in energy usage when compared to the State's mandatory energy efficiency standards contained in Title 24. The Code also sets limits on VOCs (volatile organic compounds) and formaldehyde content of various building materials, architectural coatings, and adhesives.

Senate Bill 743 (SB743) requires that the transportation impacts under the California Environmental Quality Act (CEQA) evaluate impacts by using Vehicle Miles Traveled (VMT) as a metric. Stanislaus County has currently not adopted any significance thresholds for VMT, and projects are treated on a case-by-case basis for evaluation under CEQA. However, the State of California - Office of Planning and Research (OPR) has issued guidelines regarding VMT significance under CEQA. One of the guidelines, presented in the December 2018 document Technical Advisory on Evaluating Transportation Impacts in CEQA, states that locally serving retail would generally redistribute trips from other local uses, rather than generate new trips. The proposed project fits this description of locally serving retail and therefore is presumed to create a less-than significant transportation impact related to VMT.

The Mitigation Monitoring and Reporting Program (MMRP) prepared for the April 2000 update to the Keyes Community Plan included several mitigation measures regarding air quality impacts from construction and operation of projects developed within the Keyes Community Plan to ensure Air District standards are met. However, the mitigation measures identified in the Keyes Community Plan MMRP are already required to be met through applicable Air District permitting and through enforcement of the California Building Code. Accordingly, Air Quality requirements are not applied as mitigation, but instead will be applied as development standards applicable to the project, which require that all applicable Air District permits be obtained and that California Green Building Code be met.

The project will be required to meet all applicable Air District standards and to obtain all applicable Air District permits. Impacts associated with Greenhouse Gas Emissions are expected to have a less-than significant impact.

**Mitigation:** None.

**References:** Application materials; Keyes Community Plan, EIR and MMRP adopted April 2000; Referral response received from the Department of Public Works, dated October 20, 2023; 2016 California Green Building Standards Code Title 24, Part 11(Cal Green); 2016 California Energy Code Title 24, Part 6; State of California - Office of Planning and Research (OPR) guidelines regarding VMT significance under CEQA; Stanislaus County General Plan; and Support Documentation<sup>1</sup>.

<b>IX. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Included</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</b>			<b>X</b>	
<b>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?</b>		<b>X</b>		

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
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?			X	
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?				X
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?			X	

**Discussion:** The project was referred to the DER Hazardous Materials (Haz Mat) Division who responded saying they had no comments. Per the application, the operation will not include or generate any hazardous wastes associated with the project. No dumping or maintenance will occur on-site. If hazardous materials were to be stored on-site, the project would be required to obtain all applicable permits through Haz Mat. The applicant is required to use, store, and dispose of any hazardous materials in accordance with all applicable federal, state, and local regulations. These requirements will be applied to the development standards for the project.

Pesticide exposure is a risk in areas located in the vicinity of agriculture. Sources of exposure include contaminated groundwater, which is consumed, and drift from spray applications. Application of sprays is strictly controlled by the Agricultural Commissioner and can only be accomplished after first obtaining permits. Agricultural buffers are intended to reduce the risk of spray exposure to surrounding people. The nearest agricultural parcel, north across the TID Lateral No. 2 1/2, is 6+ acres in size and is utilized for irrigated pasture. However, the ministorage facility is located 300+ feet from this agricultural parcel which meets the County's agricultural buffer distance for people intensive uses, which this project is not. The project was referred to the Stanislaus County Agricultural Commissioner and no comments have been received to date. The project site is not listed on the EnviroStor database managed by the CA Department of Toxic Substances Control or within the vicinity of any airport. The project does not interfere with the Stanislaus County Local Hazard Mitigation Plan, which identifies risks posed by disasters and identifies ways to minimize damage from those disasters. The site is located in a Local Responsibility Area (LRA) for fire protection and is served by Keyes Fire Protection District. The project was referred to the District, however no response was received.

The Mitigation Monitoring and Reporting Program for the Keyes Community Plan included several mitigation measures that were specific to hazards and hazardous materials. However, only the non-regulatory mitigation measure to stop work in the event previously unidentified contamination is discovered during construction has been applied to the project as a mitigation measure as the other mitigation measure regarding a Phase 1 or 2 study is based on regulatory requirements. **As a responsible agency, the California Department of Toxic Substances Control has been included as an "Other Responsible Agency" on the Mitigation Monitoring and Reporting Program for this mitigation measure.**

Project impacts related to Hazards and Hazardous Materials are considered to be less-than significant impact with mitigation.

#### **Mitigation:**

- Construction contracts shall include a stop-work provision in the event previously unidentified contamination is discovered during construction so that appropriate actions can be taken to reduce potential human health and environmental hazards.

**References:** Application materials; Keyes Community Plan, EIR and MMRP adopted April 2000; Referral response received from the Department of Environmental Resources, dated September 26, 2023; Referral response received from the Department of Environmental Resources – Hazardous Materials Division, dated September 20, 2023; California Department of Toxic Substance Control's EnviroStor database; Stanislaus County General Plan; and Support Documentation<sup>1</sup>.

<b>X. HYDROLOGY AND WATER QUALITY - Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Included</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?</b>			<b>X</b>	
<b>b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?</b>			<b>X</b>	
<b>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:</b>			<b>X</b>	
<b>(i) result in substantial erosion or siltation on – or off-site;</b>			<b>X</b>	
<b>(ii) substantially increase the rate of amount of surface runoff in a manner which would result in flooding on- or off-site;</b>			<b>X</b>	
<b>(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</b>			<b>X</b>	
<b>(iv) impede or redirect flood flows?</b>			<b>X</b>	
<b>d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?</b>			<b>X</b>	
<b>e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?</b>			<b>X</b>	

**Discussion:** The project proposes to hook up to the Keyes CSD for water and sewer services and to maintain storm drainage on-site through a storm drain basin. Keyes CSD provided a will-serve letter that states the project site can hook up to the District for water provided they meet all Keyes CSD standards and obtain annexation approval from the Stanislaus Local Agency Formation Commission. When the site connects to Keyes CSD the existing on-site well and septic systems are required to be destroyed in accordance with DER standards. The project site is located within the West Turlock Subbasin and is covered by the Turlock Subbasin Groundwater Sustainability Management Agency. The Keyes CSD is required to meet any applicable state or regional Groundwater Sustainability Agency requirements. A referral response received from the Department of Environmental Resources (DER) indicating that if the project does not connect to public sewer, that any on-site septic system is required to meet Measure X and LAMP standards for on-site private waste systems. DER reviews and approves septic systems through the building permit process, which takes setbacks, soil type, and water table depth into consideration within the specific design requirements. All of these requirements will be incorporated into the project as development standards.

This project was referred to the Regional Water Quality Control Board (RWQCB) which responded with a list of permitting programs that the project maybe subject to. The Department of Public Works reviewed the project and responded with a request that a grading and drainage plan be submitted for review and approval which includes drainage calculations that verify compliance with the current State of California National Pollutant Discharge Elimination System (NPDES) General Construction Permit. A referral response received from the Turlock Irrigation District (TID) indicated that TID's Upper Lateral 2.5 is located along the northerly side the project site, which has a 70-foot-wide right-of-way. If the half width of the canal's



right-of-way has not been formally dedicated, dedication will be required. TID's response also requested that a masonry wall be constructed adjacent to the canal, in conformance with TID standards. Furthermore, TID's response requires that irrigation facilities that are no longer used, which includes two irrigation side gates located behind the Apartment 1 and 2 buildings, be removed in accordance with TID standards. TID's response indicated that any improvements to the property that impacts TID facilities must meet District standards and be approved by the District. The developer will be required to submit irrigation improvement plans and enter into an Irrigation Improvement Agreement prior to completing the required irrigation facility modifications, which includes a TID Board approved time and material fee associated with the review. Additionally, any work on District irrigation facilities may only occur during the non-irrigation season which typically runs from November 1 through March 1, but can vary. These requirements will be applied to the development standards required for project implementation. Additionally, a development standard will be applied to the project that requires the landscaping plans comply with the California State Water Model Ordinance.

Areas subject to flooding have been identified in accordance with the Federal Emergency Management Act (FEMA). Run-off is not considered an issue because of several factors which limit the potential impact. These factors include the relatively flat terrain of the subject site, and relatively low rainfall intensities in the Central Valley. Areas subject to flooding have been identified in accordance with the Federal Emergency Management Act. The project site itself is located in Zone X (outside the 0.2 percent floodplain) and, as such, exposure to people or structures to a significant risk of loss/injury/death involving flooding due to levee/dam failure and/or alteration of a watercourse, at this location is not an issue with respect to this project. Flood zone requirements are enforced through the building permit process. The Building Permits Division also reviews building permits and determines if geotechnical reports are required with submission of building permits. A requirement to obtain all applicable building permits will be incorporated into the project's development standards.

The Mitigation Monitoring and Reporting Program (MMRP) prepared for the April 2000 update to the Keyes Community Plan included mitigation measures regarding hydrology and water quality and to ensure septic systems are developed appropriately based on the project site's soil type; however, the mitigation measures are all covered by regulatory requirements which will be enforced through the review of grading and building permits required to be obtained as development standards required to be met for project implementation.

As a result of the development standards required for this project, impacts associated with drainage, water quality, and runoff are expected to have a less-than significant impact.

**Mitigation:** None.

**References:** Application materials; Keyes Community Plan, EIR and MMRP adopted April 2000; Referral response received from the Department of Public Works, dated October 20, 2023; Referral response from Turlock Irrigation District (TID), dated September 26, 2023; Referral response received from the Department of Environmental Resources, dated September 26, 2023; Referral response received from the Regional Water Quality Control District, dated September 26, 2023; Will-serve letter received from the Keyes Community Services District, dated January 3, 2022; Stanislaus County General Plan; and Support Documentation<sup>1</sup>.

<b>XI. LAND USE AND PLANNING - Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Included</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>a) Physically divide an established community?</b>			<b>X</b>	
<b>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?</b>			<b>X</b>	

**Discussion:** This is a request to amend the Community Plan designation and zoning designation of a five-acre parcel from Medium Density Residential and General Agriculture (A-2-10) to Planned Development (P-D) to allow for the operation of an existing mini-storage facility. The General Plan designation is Planned Development which is consistent with the proposed project and will remain unchanged; however, the Keyes Community Plan designation of Medium-Density Residential is not consistent with the proposed project and is proposed to be amended to Planned Development which requires an amendment to the Land Use Element of the General Plan. The site consists of 39,393 square feet of mini-

storage made up of 13 buildings, nine feet three inches in height with mounted wall lighting, each containing multiple storage units ranging from 50 to 253 square feet in size. The mini-storage facility is currently operating; however, the required building permits and land use entitlements to operate were not obtained. Accordingly, land use entitlements (in the form of a general plan amendment and rezone) and building permits are required to allow continued operation of the mini-storage facility. The property is also improved with a legal non-conforming duplex and four-plex, which are proposed to remain, as well as the single-family dwelling which has been converted into an office for the mini-storage facility. Conversion of the single-family dwelling also occurred without building permits which will be required to be obtained to allow the continued use of the building as an office/apartment.

The Land Use Element describes the Planned Development designation as a designation intended for land which, because of demonstrably unique characteristics, may be suitable for a variety of uses without detrimental effects on other property. To approve a Rezone, the Planning Commission must find that it is consistent with the General Plan. Pursuant to the General Plan, the Planned Development zoning designation is consistent with the Planned Development General Plan Land Use designation.

Policy 26 and 27 of the Land Use Element of the Stanislaus County General Plan requires city support of projects located within a city sphere of influence (SOI) and consultation with cities when a project is located within one mile of a city SOI and within the City's General Plan area. Though the project does not meet either requirement for city referral, the project does propose to hook up to Keyes CSD for public sewer services which is provided with support from the City of Turlock. Accordingly, the project was referred to the City of Turlock for comment. A referral response received from the City of Turlock indicated they had no comments on the project.

The project is located within the Keyes Community Plan; the Mitigation Monitoring and Reporting Program for the Keyes Community Plan included mitigation measures addressing lighting, air quality, hydrology, hazardous materials, noise, biological resources, agricultural resources, traffic, public facilities, fire and school fees, and geology and soils. All of the mitigation measures applicable to the project, that are not already covered by regulatory programs or permitting, which will be required through the application of development standards, have been applied to the project. Those mitigation measures have been incorporated into the Aesthetics, Biological Resources, Hazards and Hazardous Materials, Noise, and Transportation Sections of this initial study. Additionally, requirements of the Keyes Community Plan regarding frontage landscaping and a reservation for a future pedestrian and biking path adjacent to the TID Lateral 2 ½ will also be incorporated into the project requirements.

The project will not physically divide an established community nor conflict with any habitat conservation plans. Project impacts related to land use and planning are considered to be less than significant.

**Mitigation:** None.

**References:** Application materials; Keyes Community Plan, EIR and MMRP adopted April 2000; Referral response received from the City of Turlock, dated September 14, 2023; Referral response received from the Stanislaus Local Agency Formation Commission (LAFCO), dated September 20, 2023; Will-serve letter received from the Keyes Community Services District, dated August 21, 2023; Stanislaus County General Plan; and Support Documentation<sup>1</sup>.

<b>XII. MINERAL RESOURCES - Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Included</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>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>			<b>X</b>	
<b>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?</b>			<b>X</b>	

**Discussion:** The location of all commercially viable mineral resources in Stanislaus County has been mapped by the State Division of Mines and Geology in Special Report 173. There are no known significant resources on the site, nor is the project site located in a geological area known to produce resources.

No significant impacts related to Mineral Resources have been identified.

**Mitigation:** None.

**References:** Application materials; Stanislaus County General Plan; and Support Documentation<sup>1</sup>.

XIII. NOISE - Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
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?		X		
b) Generation of excessive groundborne vibration or groundborne noise levels?			X	
c) For a project located 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?				X

**Discussion:** The mini-storage facility has a maximum of three employees on-site per shift (one-shift per day), an average of three customers per day, and is open Monday through Friday from 9:30 a.m. to 5:30 p.m. and Saturday and Sunday from 10 a.m. to 3 p.m. Accordingly, the project will create an average of 12 round trips per day. The Stanislaus County General Plan Noise Element identifies daytime (7:00 a.m. to 10:00 p.m.) maximum allowable average noise exposure for stationary noise sources to be an hourly average of 55 decibels and maximum level of 75 decibels, and nighttime (10:00 p.m. to 7:00 a.m.) to be an hourly average of 45 decibels and maximum of 65 decibels, measured at residential or other noise-sensitive land use on neighboring properties. The Stanislaus County General Plan identifies noise levels up to 75 dB Ldn (or CNEL) as the normally acceptable level of noise environment for industrial, manufacturing, utilities, and agriculture uses. The site itself is impacted by the noise generated from State Route 99. No construction is proposed, but if construction were to occur in the future noise associated with the construction work would be required to meet the noise ordinance and Noise Element standards.

The Mitigation Monitoring and Reporting Program for the Keyes Community Plan included several mitigation measures that were specific to noise. Those mitigation measures applicable to the project which have to do with mitigating potential noise impacts during construction have been applied to the project.

The site is not located within an airport land use plan. Noise impacts are considered to be less-than significant with mitigation included.

**Mitigation:**

9. Hours of construction on the project site shall be limited to 7:00 a.m. to 6:00 p.m. Monday thru Friday, with no construction allowed on holidays.
10. Any noisy construction equipment shall be located away from sensitive receptors, and, if necessary, temporary noise barriers shall be constructed between noise sources and sensitive receptors. All construction equipment shall be fitted with properly functioning mufflers.

**References:** Application materials; Keyes Community Plan, EIR and MMRP adopted April 2000; Stanislaus County Noise Control Ordinance, General Plan, and Support Documentation<sup>1</sup>.

<b>XIV. POPULATION AND HOUSING - Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Included</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>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>			<b>X</b>	
<b>b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?</b>			<b>X</b>	

**Discussion:** The property is improved with a legal non-conforming duplex and four-plex, which are proposed to remain. The site is not included in the vacant sites inventory for the 2016 Stanislaus County Housing Element, which covers the 5<sup>th</sup> cycle Regional Housing Needs Allocation (RHNA) for the County and will therefore not impact the County's ability to meet their RHNA. No population growth will be induced, nor will any existing housing be displaced as a result of this project.

Impacts related to Population and Housing are considered to be less-than significant.

**Mitigation:** None.

**References:** Application materials; Stanislaus County General Plan; and Support Documentation<sup>1</sup>.

<b>XV. PUBLIC SERVICES - Would the project result in:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Included</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>a) 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:</b>			<b>X</b>	
<b>Fire protection?</b>			<b>X</b>	
<b>Police protection?</b>			<b>X</b>	
<b>Schools?</b>			<b>X</b>	
<b>Parks?</b>			<b>X</b>	
<b>Other public facilities?</b>			<b>X</b>	

**Discussion:** The project site is served by the Keyes Fire District for fire protection services, the Keyes Union and Turlock Unified school districts for school services, the Stanislaus County Sheriff Department for police protection, the Keyes Community Services District for public water and sewer, Stanislaus County Parks and Recreation Department for parks facilities, and the Turlock Irrigation District (TID) for power. County adopted Public Facilities Fees, as well as fire and school fees are required to be paid based on the development type prior to issuance of a building permit. Payment of the applicable district fees will be required prior to issuance of a building permit.

The Mitigation Monitoring and Reporting Program (MMRP) prepared for the April 2000 update to the Keyes Community Plan included mitigation measures regarding the payment of applicable fire, parks, and public facility fees. Development standards regarding the payment of public facility and fire fees will be applied to the project. Residential subdivisions are required to pay park in lieu fees or to dedicate parkland based on the policies included in the State of California's Quimby Act and the Stanislaus County's Conservation and Open Space Element. However, as a highway commercial use the proposed development will only be responsible for paying the parks fees identified in the public facility fee schedules adopted by the Board of Supervisors. Development standards will also require that TID standards be met for the connection to electrical services.

A referral response received from the Turlock Irrigation District (TID) indicated that TID's Upper Lateral 2.5 is located along the northerly side the project site, which has a 70-foot-wide right-of-way. If the half width of the canal's right-of-way has not been formally dedicated, dedication will be required. TID's response also requested that a masonry wall be constructed adjacent to the canal, in conformance with TID standards. Furthermore, TID's response requires that irrigation facilities that are no longer used, which includes two irrigation side gates located behind the Apartment 1 and 2 buildings, be removed in accordance with TID standards. TID's response indicated that any improvements to the property that impacts TID facilities must meet District standards and be approved by the District. The developer will be required to submit irrigation improvement plans and enter into an Irrigation Improvement Agreement prior to completing the required irrigation facility modifications, which includes a TID Board approved time and material fee associated with the review. Additionally, any work on District irrigation facilities may only occur during the non-irrigation season which typically runs from November 1, through March 1, but can vary.

The project proposes to hook up to the Keyes CSD for water and sewer services and to maintain storm drainage on-site through a storm drain basin. Keyes CSD provided a will-serve letter that states the project site can hook up to the District for water and sewer provided they first obtain LAFCO approval to annex into the District and provided they meet all Keyes CSD standards. A referral response received from the Department of Environmental Resources (DER) indicated that if the project site was unable to connect to Keyes CSD for sewer services, any on-site septic system would be required to meet Measure X and LAMP standards for on-site private waste systems. When the site connects to Keyes CSD the existing on-site well and septic systems are required to be destroyed in accordance with DER standards. All of these requirements will be incorporated into the project as development standards.

The project is not anticipated to have any significant adverse impact on public services.

**Mitigation:** None.

**References:** Application materials; Keyes Community Plan, EIR and MMRP adopted April 2000; Referral response received from the Department of Environmental Resources, dated September 26, 2023; Referral response from Turlock Irrigation District (TID), dated September 26, 2023; Referral response received from the Department of Public Works, dated October 20, 2023; Referral response received from the Stanislaus Local Agency Formation Commission (LAFCO), dated September 20, 2023; Will-serve letter received from the Keyes Community Services District, dated August 21, 2023; Stanislaus County General Plan; and Support Documentation<sup>1</sup>.

<b>XVI. RECREATION - Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Included</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>a) 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>			<b>X</b>	
<b>b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?</b>			<b>X</b>	

**Discussion:** This project does not include any recreational facilities and is not anticipated to increase demands for recreational facilities, as such impacts typically are associated with residential development.

The Mitigation Monitoring and Reporting Program for the Keyes Community Plan included a mitigation measure regarding the payment of a fair share towards parks. Non-residential development pays parks fees through the payment of public facilities fees, which are collected during the issuance of a building permit. This requirement will be incorporated into the project as a development standard.

No significant impacts related to Recreation were identified.

**Mitigation:** None.

**References:** Application materials; Keyes Community Plan, EIR and MMRP adopted April 2000; Stanislaus County General Plan; and Support Documentation<sup>1</sup>.

<b>XVII. TRANSPORTATION - Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Included</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?</b>		<b>X</b>		
<b>b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?</b>			<b>X</b>	
<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)?</b>		<b>X</b>		
<b>d) Result in inadequate emergency access?</b>			<b>X</b>	

**Discussion:** The mini-storage facility has a maximum of three employees on-site per shift (one-shift per day), an average of three customers per day, and is open Monday through Friday from 9:30 a.m. to 5:30 p.m. and Saturday and Sunday from 10 a.m. to 3 p.m. Accordingly, the project will create an average of 12 round trips per day.

A response received from the Department of Public Works indicated that an encroachment permit is required to be obtained for any work in the County road right-of-way and that the developer is required to install or pay for the installation of any signage or marking determined to be needed. Additionally, Public Work's response stated that all gates shall have a storage depth adequate for all vehicles coming off the road and shall not block any travel lane or shoulder. Parking, loading, or unloading in the County road right-of-way associated with the project is prohibited. A grading, drainage, and erosion/sediment control plan for the project site shall be submitted that includes drainage calculations and enough information to verify that runoff from the project will not flow onto adjacent properties or Stanislaus County road right-of-way and is in compliance with the current State of California National Pollutant Discharge Elimination System (NPDES) General Construction Permit. All of these requirements will be applied to the project as development standards.

Senate Bill 743 (SB743) requires that the transportation impacts under the California Environmental Quality Act (CEQA) evaluate impacts by using Vehicle Miles Traveled (VMT) as a metric. Stanislaus County has currently not adopted any significance thresholds for VMT, and projects are treated on a case-by-case basis for evaluation under CEQA. However, the State of California - Office of Planning and Research (OPR) has issued guidelines regarding VMT significance under CEQA. One of the guidelines, presented in the December 2018 document Technical Advisory on Evaluating Transportation Impacts in CEQA, states that locally serving retail would generally redistribute trips from other local uses, rather than generate new trips. The proposed project fits this description of locally serving retail and therefore is presumed to create a less-than significant transportation impact related to VMT.

The project site is located within the Keyes Community Plan. The Mitigation Monitoring and Reporting Program (MMRP) prepared for the April 2000 update to the Keyes Community Plan included mitigation measures regarding the payment of a traffic mitigation fee for roadway projects identified in the Keyes Community Plan. This has been applied to the project as a mitigation measure. Public Facility Fees, which includes funding for the Regional Transportation Impact Fee (RTIF) that provides funding for identified County road projects throughout the County, will be required to be paid prior to issuance of a building permit. Additionally, requirements of the Keyes Community Plan regarding frontage landscaping and a reservation for a future pedestrian and biking path adjacent to the TID Lateral 2 1/2 will also be incorporated into the project requirements.

Impacts associated with Transportation are expected to have a less than significant impact with mitigation included.

#### **Mitigation:**

11. Prior to issuance of a building permit, the applicant shall pay the Keyes Community Plan Mitigation Funding Program fees for the proposed land uses per the Keyes Community Plan fee program adopted on April 18, 2000 at the time of building permit issuance. Based on a rate of \$862 per square-foot, a total of \$33,956.77 is required to be

~~paid prior to issuance of a building permit. These fees are adjusted for inflation using the Engineering News-Record construction cost index and shall be paid prior to building permit issuance.~~

**References:** Application materials; Keyes Community Plan, EIR and MMRP adopted April 2000; Referral response received from the Department of Public Works, dated October 20, 2023; Stanislaus County General Plan; and Support Documentation<sup>1</sup>.

<b>XVIII. TRIBAL CULTURAL RESOURCES - Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Included</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) 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:			X	
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			X	
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set for the in subdivision (c) of Public Resource 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.			X	

**Discussion:** As this project is a General Plan Amendment it was referred to the tribes listed with the Native American Heritage Commission (NAHC), in accordance with SB 18. No tribes responded with a request for consultation or with any project comments. Tribal notification of the project was not referred to any tribes in conjunction with AB 52 requirements, as Stanislaus County has not received any requests for consultation from the tribes listed with the NAHC. A records search conducted by the Central California Information Center (CCIC) indicated that there are no historical, cultural, paleontological, or archeological resources recorded on-site and that the site has a low sensitivity for the discovery of such resources. A development standard will be added to the project which requires if any cultural or tribal resources are discovered during project-related activities, all work is to stop, and the lead agency and a qualified professional are to be consulted to determine the importance and appropriate treatment of the find. Cultural Impacts are considered to be less-than significant.

**Mitigation:** None.

**References:** Application materials; Central California Information Center Report for the project site, dated February 10, 2023; County General Plan and Support Documentation<sup>1</sup>.

<b>XIX. UTILITIES AND SERVICE SYSTEMS – Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Included</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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?			X	

b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			X	
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?			X	
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?			X	
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			X	

**Discussion:** Limitations on providing services have not been identified. The project proposes to hook up to the Keyes CSD for water and sewer services and to maintain storm drainage on-site through a storm drain basin. Keyes CSD provided a will-serve letter that states the project site can hook up to the District for water and sewer provided they first obtain LAFCO approval to annex into the District and provided they meet all Keyes CSD standards. A referral response received from the Department of Environmental Resources (DER) indicated that if the project site was unable to connect to Keyes CSD for sewer services, any on-site septic system would be required to meet Measure X and LAMP standards for on-site private waste systems. When the site connects to Keyes CSD the existing on-site well and septic systems are required to be destroyed in accordance with DER standards. All of these requirements will be incorporated into the project as development standards.

A referral response received from the Turlock Irrigation District (TID) indicated that TID's Upper Lateral 2.5 is located along the northerly side the project site, which has a 70-foot-wide right-of-way. If the half width of the canal's right-of-way has not been formally dedicated, dedication will be required. TID's response also requested that a masonry wall be constructed adjacent to the canal, in conformance with TID standards. Furthermore, TID's response requires that irrigation facilities that are no longer used, which includes two irrigation side gates located behind the Apartment 1 and 2 buildings, be removed in accordance with TID standards. TID's response indicated that any improvements to the property that impacts TID facilities must meet District standards and be approved by the District. The developer will be required to submit irrigation improvement plans and enter into an Irrigation Improvement Agreement prior to completing the required irrigation facility modifications, which includes a TID Board approved time and material fee associated with the review. Additionally, any work on District irrigation facilities may only occur during the non-irrigation season which typically runs from November 1, through March 1, but can vary.

The Mitigation Monitoring and Reporting Program (MMRP) prepared for the April 2000 update to the Keyes Community Plan included mitigation measures regarding stormwater, water supply and quality, and regarding the preparation of geotechnical reports prior to installation of an on-site septic system. The water supply and sewer services will be provided by Keyes CSD which makes the mitigation regarding on-site well inapplicable. The remaining mitigation measures are being met through the grading and building permit review process, which will be incorporated into the project as a requirement per the development standards applied to the project.

The project is not anticipated to have a significant impact to utilities and service systems.

**Mitigation:** None.

**References:** Application materials; Keyes Community Plan, EIR and MMRP adopted April 2000; Referral response received from the Department of Public Works, dated October 20, 2023; Referral response from Turlock Irrigation District (TID), dated September 26, 2023; Referral response received from the Department of Environmental Resources, dated September 26, 2023; Referral response received from the Stanislaus Local Agency Formation Commission (LAFCO), dated September 20, 2023; Will-serve letter received from the Keyes Community Services District, dated August 21, 2023; Stanislaus; Stanislaus County General Plan; and Support Documentation<sup>1</sup>.



<b>XX. WILDFIRE – If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Included</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>a) Substantially impair an adopted emergency response plan or emergency evacuation plan?</b>			<b>X</b>	
<b>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?</b>			<b>X</b>	
<b>c) Require the installation of 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?</b>			<b>X</b>	
<b>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?</b>			<b>X</b>	

**Discussion:** The Stanislaus County Local Hazard Mitigation Plan identifies risks posed by disasters and identifies ways to minimize damage from those disasters. With the Wildfire Hazard Mitigation Activities of this plan in place, impacts to an adopted emergency response plan or emergency evacuation plan are anticipated to be less-than significant. The terrain of the site is relatively flat, and the site has access to a County-maintained road. The site is located in a Local Responsibility Area (LRA) for fire protection and is served by Keyes Fire Protection District. The project was referred to the District, but no response was received. California Building Code establishes minimum standards for the protection of life and property by increasing the ability of a building to resist intrusion of flame and embers. All construction is required to meet fire code, which will be verified through the building permit review process. A grading and drainage plan will be required and all fire protection, and emergency vehicle access standards met. These requirements will be applied as development standards for the project.

The Mitigation Monitoring and Reporting Program for the Keyes Community Plan included a mitigation measure regarding the payment of fire district fees. Fire fees are collected prior to the issuance of a building permit. This requirement will be incorporated into the project as a development standard.

Wildfire risk and risks associated with postfire land changes are considered to be less-than significant.

**Mitigation:** None.

**References:** Application materials; Keyes Community Plan, EIR and MMRP adopted April 2000; California Building Code Title 24, Part 2, Chapter 7; Stanislaus County Local Hazard Mitigation Plan; Stanislaus County General Plan; and Support Documentation<sup>1</sup>.

<b>XXI. MANDATORY FINDINGS OF SIGNIFICANCE -</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Included</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>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>			<b>X</b>	

<b>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.)</b>			<b>X</b>	
<b>c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</b>			<b>X</b>	

**Discussion:** The site is currently located along Rhode Road between Moore Road (which is the city limit for the City of Ceres) to the north and Faith Home Road to the south, within the unincorporated community of Keyes, parallel to State Highway 99. The site has a General Plan designation of Planned Development, a Keyes Community Plan designation of Medium Density Residential, and a zoning designation of General Agriculture (A-2-10). There is an existing RV sales facility located adjacent to the project site to the north and a residential subdivision adjacent to the south. There is property zoned general agriculture located northeast of the project site, including a 6.44-acre site that is owned by the property owner who also owns the RV sales site to the north and a 21-acre mobile home park; the mobile home park is the northern boundary for the Keyes Community Plan. A rezone was approved for highway commercial development and another use permit was recently approved for a private truck parking facility southeast of the site within the Keyes Community Plan. Additionally, there are several rezone applications being processed proposing highway commercial development on vacant parcels located southeast of the project site, within the Keyes Community Plan boundary. Agricultural property located outside of the Keyes Community Plan exists to the west, across State Highway 99 and to the northeast past the mobile home park. There are several use permit application requests to establish truck parking operations in the General Agricultural (A-2) zoning districts located southwest across Highway 99 and to the north of the project site. Further development of the Keyes area outside of the existing Community Plan boundary would be subject to what is permitted in their various zoning district or to an amendment of the Keyes Community Plan, which would require environmental review, including a cumulative impact analysis.

The site is developed with 39,393 square feet of mini-storage made up of 13 buildings which were developed without building permits or land use permits being obtained. A rezone is required to change the zoning designation from A-2-10 to Planned Development in order to approve development of the site with non- agricultural uses. A general plan amendment to change the Community Plan designation from Medium Density Residential to Planned Development to allow for commercial uses is also required to allow for continued operation of the ministorage facility. If the land use entitlement request is approved, building and grading permits will be required to be obtained. The property is also improved with a legal non-conforming duplex and four-plex, which are proposed to remain, as well as the single-family dwelling which has been converted into an office for the mini-storage facility. Conversion of the single-family dwelling also occurred without building permits which will be required to be obtained to allow the continued use of the building as an office/apartment.

The project is proposed to be served with public water and sewer by the Keyes Community Services District (CSD). They have received a will-serve letter and will be required to get LAFCO approval, meet all Keyes CSD standards, and pay all applicable connection fees prior to connecting to the system for services. All stormwater will be maintained on-site which will be required to meet Public Works standards, which will be verified through the building/grading permit process.

The Mitigation Monitoring and Reporting Program for the Keyes Community Plan included mitigation measures addressing lighting, air quality, hydrology, hazardous materials, noise, biological resources, agricultural resources, traffic, public facilities, fire and school fees, and geology and soils. All of the mitigation measures applicable to the project, that are not already covered by regulatory programs or permitting, which will be required through the application of development standards have been applied to the project. Those mitigation measures have been incorporated into the Aesthetics, Biological Resources, Hazards and Hazardous Materials, Noise, and Transportation Sections of this initial study.

Review of this project has not indicated any potential for cumulative impacts which might significantly impact the environmental quality of the site and/or the surrounding area.

**Mitigation:** None.

**References:** Application materials; Keyes Community Plan, EIR and MMRP adopted April 2000; Initial Study; Stanislaus County General Plan; and Support Documentation<sup>1</sup>.

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Stanislaus County General Plan; and Support Documentation<sup>1</sup> adopted in August 23, 2016, as amended. **Housing Element** adopted on April 5, 2016.



## MITIGATED NEGATIVE DECLARATION

**NAME OF PROJECT:** General Plan Amendment and Rezone Application No. PLN2023-0031 - Secured Space Self Storage

**LOCATION OF PROJECT:** 5024, 5028, and 5030 Rohde Road, between Esmar and Faith Home Roads, in the community of Keyes

**PROJECT DEVELOPER:** Sakshi Enterprise, LLC., Biren Patel

**DESCRIPTION OF PROJECT:** This is a request to amend the Community Plan designation from Medium-Density Residential to Commercial and the zoning designation from General Agriculture (A-2-10) to Planned Development (P-D) to allow for the operation of an existing mini-storage facility on a 4.67± acre parcel.

Based upon the Amended Initial Study, dated **December 15, 2023, as amended on February 2, 2024**, the Environmental Coordinator finds as follows:

1. This project does not have the potential to degrade the quality of the environment, nor to curtail the diversity of the environment.
2. This project will not have a detrimental effect upon either short-term or long-term environmental goals.
3. This project will not have impacts which are individually limited but cumulatively considerable.
4. This project will not have environmental impacts which will cause substantial adverse effects upon human beings, either directly or indirectly.

The aforementioned findings are contingent upon the following mitigation measures (if indicated) which shall be incorporated into this project:

1. New multistory development shall minimize the use of reflective surface and have those reflective surfaces which are used to be oriented in such a manner so as to reduce glare impacts along roadways.
2. New development shall include cut-off luminaries and/or shields. All exterior lighting shall be designed (aimed down and towards the site) to provide adequate illumination without a glare effect. Low intensity lights shall be used to minimize the visibility of the lighting from nearby areas, and to prevent "spill over" of light onto adjacent residential properties.
3. Pre-construction surveys for Valley Elderberry Longhorn Beetle (VELB) on the site shall be conducted by a qualified biologist, in accordance with any applicable United States Fish and Wildlife protocols. Prior to the removal of any elderberry shrubs, the applicant shall obtain concurrence from US Fish and Wildlife Service regarding removing the shrubs. Prior to securing concurrence to remove the blue elderberry shrubs, the shrubs shall be protected with a no-disturbance buffer extending 10 feet from the driplines of the shrubs. Construction in the vicinity of the blue elderberry shrubs should occur between June 15 and April 15. During this time period, VELB (if present) would be within the interior portion of the stems of the shrubs and would not move (i.e., fly or walk) into the construction area.

4. If ground disturbing activity or construction commences between March 1 and September 15, pre-construction surveys for nesting Swainson's hawks (SWHA) shall be conducted by a qualified biologist. SWHA surveys shall be conducted a maximum of 10 days prior to the onset of grading or construction activities, within 0.5 miles of the project site area, in accordance with protocol developed by the Swainson's Hawk Technical Advisory Committee (SWHA TAC, 2000). If active nests are found, a qualified biologist, in consultation with the California Department of Fish and Wildlife (CDFW), shall determine the need (if any) for temporal restrictions on construction, including but not limited to a minimum no-disturbance buffer of 0.5 miles to be maintained around active nests prior to and during any ground-disturbing activities until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival. If take cannot be avoided, take authorization through the issuance of an Incidental Take Permit (ITP), pursuant to Fish and Game Code section 2081 subdivision (b) is necessary to comply with CESA. The determination shall utilize criteria set forth by CDFW (CDFG, 1994).
5. If construction commences between February 1 and August 31, pre-construction surveys for burrowing owls on the site shall be conducted. If occupied burrows are found, a qualified biologist should determine the need (if any) for temporal restrictions on construction. The determinations shall be pursuant to criteria set forth by CDFW (CDFG, 2012).
6. Trees, shrubs, and grasslands in the site could be used by other birds protected by the Migratory Bird Treaty Act of 1918. If vegetation removal or construction commences during the general avian nesting season (March 1 through July 31), a pre-construction survey for nesting birds shall be completed. If active nests are found, work in the vicinity of the nest shall be delayed until the young fledge.
7. All oak trees over four inches in diameter shall be preserved to the maximum extent practical. Final development plans shall depict all oak trees proposed for removal. If oak trees four inches in diameter or more exist on the project site, the applicant shall submit a tree preservation plan to the Stanislaus County Planning Division for review and approval. The tree preservation plan shall include the following:
  - Any removed oak trees shall be replaced at a two-to-one tree replacement ratio.
  - The tree preservation plan shall include the location, number, species, and size of proposed replacement plantings.
  - The tree preservation plan shall include monitoring provisions for watering and landscaping to ensure survival and health of planted oak trees.
  - Replacement trees shall be monitored for a period no less than 5 years after replacement trees have been planted; Dead or dying trees shall be replaced.
8. Construction contracts shall include a stop-work provision in the event previously unidentified contamination is discovered during construction so that appropriate actions can be taken to reduce potential human health and environmental hazards.
9. Hours of construction on the project site shall be limited to 7:00 a.m. to 6:00 p.m. Monday thru Friday, with no construction allowed on holidays.
10. Any noisy construction equipment shall be located away from sensitive receptors, and, if necessary, temporary noise barriers shall be constructed between noise sources and sensitive receptors. All construction equipment shall be fitted with properly functioning mufflers.



**DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT**

1010 10<sup>TH</sup> Street, Suite 3400, Modesto, CA 95354  
Planning Phone: (209) 525-6330 Fax: (209) 525-5911  
Building Phone: (209) 525-6557 Fax: (209) 525-7759

11. Prior to issuance of a building permit, the applicant shall pay the Keyes Community Plan Mitigation Funding Program fees for the proposed land uses per the Keyes Community Plan fee program adopted at the time of building permit issuance. These fees are adjusted for inflation using the Engineering News-Record construction cost index and shall be paid prior to building permit issuance.

The Amended Initial Study and other environmental documents are available for public review at the Department of Planning and Community Development, 1010 10th Street, Suite 3400, Modesto, California.

Initial Study prepared by: Kristy Doud, Deputy Director

Submit comments to: Stanislaus County  
Planning and Community Development Department  
1010 10th Street, Suite 3400  
Modesto, California 95354



STANISLAUS COUNTY CLERK  
CEQA FILING COVER SHEET

Mail to: Stanislaus County  
Name: Department of Planning and  
Community Development  
Address: 1010 10th Street Suite 3400  
City, State, Zip: Modesto, CA 95354

50-2024-062

**FILED**

April 18, 2024  
DONNA LINDER

STANISLAUS COUNTY  
CLERK-RECORDER

By: Donna Linder  
Deputy Clerk

THIS SPACE FOR CLERK'S USE ONLY

Complete and attach this form to each CEQA Notice filed with the County Clerk

TYPE OR PRINT CLEARLY

Project Title

General Plan Amendment and Rezone Application NO.  
PLN2023-0031-Secured Space<sup>self</sup> Storage.

Check Document being Filed:

- ☐ Environmental Impact Report (EIR)  
☒ Mitigated Negative Declaration (MND) or Negative Declaration (ND)  
☐ Notice of Exemption (NOE)  
☐ Other (Please fill in type):

FILED IN THE OFFICE OF THE STANISLAUS	
COUNTY CLERK ON <u>04/18/2024</u>	
Posted <u>04/18/2024</u>	Removed <u>05/22/2024</u>
Returned to agency on _____	
DEPUTY <u>Donna Linder</u>	

Filing fees are due at the time a Notice of Determination/Exemption is filed with our office. For more information on filing fees and No Effect Determinations, please refer to California Code of Regulations, Title 14, section 753.5.

STANISLAUS COUNTY  
DEPARTMENT OF PLANNING AND  
COMMUNITY DEVELOPMENT  
1010 10<sup>th</sup> Street, Suite 3400  
Modesto, California 95354

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### NOTICE OF DETERMINATION

Filing of Notice of Determination in Compliance with Section 21108 or 21152 of the Public Resources Code

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**Project Title:** General Plan Amendment and Rezone Application No. PLN2023-0031 – Secured Space Self Storage

**Applicant Information:** Sakshi Enterprise, LLC., Biren Patel, 2801 Mitchell Road, #3074, Ceres, CA 95307, (209) 485-5166

**Project Location:** 5024, 5028, and 5030 Rohde Road, between Esmar and Faith Home Roads, in the Keyes area, Stanislaus County APNs: 041-059-001 and 041-059-002.

**Description of Project:** Request to amend the Community Plan designation from Medium-Density Residential to Commercial and the zoning designation from General Agriculture (A-2-10) to Planned Development (P-D) to allow for the operation of an existing mini-storage facility on a 4.67 ± acre parcel.

**Name of Agency Approving Project:** Stanislaus County Board of Supervisors

**Lead Agency Contact Person:** Kristy Doud, Deputy Director

**Telephone:** (209) 525-6330

This is to advise that the Stanislaus County Board of Supervisors on **April 16, 2024** has approved the above described project and has made the following determinations regarding the above described project:

1. The project **will not** have a significant effect on the environment.
2. A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA.

The **Mitigated Negative Declaration** and record of project approval may be examined at:  
Stanislaus County Department of Planning and Community Development  
1010 10<sup>th</sup> Street, Suite 3400  
Modesto, California 95354

3. Mitigation measures **were** made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan **was** adopted for this project.
5. A statement of Overriding Considerations **was not** adopted for this project.
6. Findings **were** made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the Negative Declaration, is available to the General Public at <http://www.stancounty.com/planning/agenda/agenda-min-2024.shtm>.

Dated

4/17/24

  
Kristy Doud  
Deputy Director





State of California - Department of Fish and Wildlife  
**2024 ENVIRONMENTAL DOCUMENT FILING FEE  
CASH RECEIPT**

DFW 753.5a (REV. 01/01/24) Previously DFG 753.5a

Print

StartOver

Save

RECEIPT NUMBER:

50-04/18/2024-044

STATE CLEARINGHOUSE NUMBER (If applicable)

**SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.**

LEAD AGENCY

STANISLAUS COUNTY DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

LEAD AGENCY EMAIL

DATE

04/18/2024

COUNTY/STATE AGENCY OF FILING

STANISLAUS COUNTY

DOCUMENT NUMBER

50-2024-062

PROJECT TITLE

GENERAL PLAN AMENDMENT AND REZONE APPLICATION NO. PLN2023-0031 - SECURED SPACE SELF STORAGE

PROJECT APPLICANT NAME

SAKSHI ENTERPRISES, LLC., BIREN PATEL

PROJECT APPLICANT EMAIL

PHONE NUMBER

(209) 485-5166

PROJECT APPLICANT ADDRESS

2801 MITCHELL RD, #3074

CITY

CERES

STATE

CA

ZIP CODE

95307

PROJECT APPLICANT (Check appropriate box)

☐ Local Public Agency ☐ School District ☐ Other Special District ☐ State Agency ☒ Private Entity

**CHECK APPLICABLE FEES:**

☐ Environmental Impact Report (EIR) \$ 4,051.25 \$ \_\_\_\_\_  
☒ Mitigated/Negative Declaration (MND)(ND) \$ 2,916.75 \$ 2,916.75  
☐ Certified Regulatory Program (CRP) document - payment due directly to CDFW \$ 1,377.25 \$ \_\_\_\_\_  
  
☐ Exempt from fee  
    ☐ Notice of Exemption (attach)  
    ☐ CDFW No Effect Determination (attach)  
☐ Fee previously paid (attach previously issued cash receipt copy)

☐ Water Right Application or Petition Fee (State Water Resources Control Board only) \$ 850.00 \$ \_\_\_\_\_  
☒ County documentary handling fee \$ 57.00 \$ 57.00  
☐ Other \$ \_\_\_\_\_

**PAYMENT METHOD:**

☐ Cash ☐ Credit ☒ Check ☐ Other 6821

**TOTAL RECEIVED \$ 2,973.75**

SIGNATURE

X *Romeo Mora*

AGENCY OF FILING PRINTED NAME AND TITLE

Romeo Mora Deputy Clerk



State of California - Department of Fish and Wildlife  
**2024 ENVIRONMENTAL DOCUMENT FILING FEE**  
**CASH RECEIPT**  
DFW 753.5a (REV. 01/01/24) Previously DFG 753.5a

**NOTICE**

Each project applicant shall remit to the county clerk the environmental filing fee before or at the time of filing a Notice of Determination (Pub. Resources Code, § 21152; Fish & G. Code, § 711.4, subdivision (d); Cal. Code Regs., tit. 14, § 753.5). Without the appropriate fee, statutory or categorical exemption, or a valid No Effect Determination issued by the California Department of Fish and Wildlife (CDFW), the Notice of Determination is not operative, vested, or final, and shall not be accepted by the county clerk.

**COUNTY DOCUMENTARY HANDLING FEE**

The county clerk may charge a documentary handling fee of fifty dollars (\$50) per filing in addition to the environmental filing fee (Fish & G. Code, § 711.4, subd. (e); Cal. Code Regs., tit. 14, § 753.5, subd. (g)(1)). A county board of supervisors shall have the authority to increase or decrease the fee or charge, that is otherwise authorized to be levied by another provision of law, in the amount reasonably necessary to recover the cost of providing any product or service or the cost of enforcing any regulation for which the fee or charge is levied (Gov. Code, § 54985, subd. (a)).

**COLLECTION PROCEDURES FOR COUNTY GOVERNMENTS**

**Filing Notice of Determination (NOD):**

- ☐ Collect environmental filing fee or copy of previously issued cash receipt. *(Do not collect fee if project applicant presents a No Effect Determination signed by CDFW. An additional fee is required for each separate environmental document. An addendum is not considered a separate environmental document. Checks should be made payable to the county.)*
- ☐ Issue cash receipt to project applicant.
- ☐ Attach copy of cash receipt and, if applicable, previously issued cash receipt, to NOD.
- ☐ Mail filing fees for CRP document to CDFW prior to filing the NOD or equivalent final approval (Cal. Code Regs. Tit. 14, § 753.5 (b)(5)). The CRP should request receipt from CDFW to show proof of payment for filing the NOD or equivalent approval. Please mail payment to address below made attention to the Cash Receipts Unit of the Accounting Services Branch.

If the project applicant presents a **No Effect Determination** signed by CDFW, also:

- ☐ Attach No Effect Determination to NOD *(no environmental filing fee is due)*.

**Filing Notice of Exemption (NOE) (Statutorily or categorically exempt project (Cal. Code Regs., tit. 14, §§ 15260-15285, 15300-15333))**

- ☐ Issue cash receipt to project applicant.
- ☐ Attach copy of cash receipt to NOE *(no environmental filing fee is due)*.

**Within 30 days after the end of each month in which the environmental filing fees are collected**, each county shall summarize and record the amount collected on the monthly State of California Form No. CA25 (TC31) and remit the amount collected to the State Treasurer. Identify the remittance on Form No. CA25 as "Environmental Document Filing Fees" per Fish and Game Code section 711.4.

**The county clerk shall mail the following documents to CDFW on a monthly basis:**

- ✓ A photocopy of the monthly State of California Form No. CA25 (TC31)
- ✓ CDFW/ASB copies of all cash receipts (including all voided receipts)
- ✓ A copy of all CDFW No Effect Determinations filed in lieu of fee payment
- ✓ A copy of all NODs filed with the county during the preceding month
- ✓ A list of the name, address and telephone number of all project applicants for which an NOD has been filed. If this information is contained on the cash receipt filed with CDFW under California Code of Regulations, title 14, section 753.5, subdivision (e)(6), no additional information is required.

**DOCUMENT RETENTION**

The county shall retain two copies of the cash receipt (for lead agency and county clerk) and a copy of all documents described above for at least 12 months.

**RECEIPT NUMBER**

- # The first two digits automatically populate by making the appropriate selection in the County/State Agency of Filing drop down menu.
- # The next eight digits automatically populate when a date is entered.
- # The last three digits correspond with the sequential order of issuance for each calendar year. For example, the first receipt number issued on January 1 should end in 001. If a county issued 252 receipts for the year ending on December 31, the last receipt number should end in 252. CDFW recommends that counties and state agencies 1) save a local copy of this form, and 2) track receipt numbers on a spreadsheet tabbed by month to ensure accuracy.

**DO NOT COMBINE THE ENVIRONMENTAL FEES WITH THE STATE SHARE OF FISH AND WILDLIFE FEES.**

**Mail to:**

California Department of Fish and Wildlife  
Accounting Services Branch  
P.O. Box 944209  
Sacramento, California 94244-2090

Donna Linder  
Stanislaus  
County Clerk-Recorder  
1021 "I" Street  
Modesto, CA 95354  
(209) 525-5279

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Public

Receipt No.: RPT20240000020635

Finalization No.: 2024204925

Cashier: moraro

Register: CHLSZV2

Date/Time: 04/18/2024 12:17 PM

Description	Fee
Mitigated Negative Declaration (MND)	
Filing Time:	12:17 PM
Filing Fee:	\$2,916.75
Filing Total:	\$2,916.75
<hr/>	
Administration Fee	
Filing Time:	12:17 PM
Filing Fee:	\$57.00
Filing Total:	\$57.00
<hr/>	
Total Amount Due:	\$2,973.75
<hr/>	
Total Paid	
Check Tendered:	\$2,973.75
#6821	
Amount Due:	\$0.00

THANK YOU  
PLEASE KEEP FOR REFERENCE

Donna Linder  
Stanislaus  
County Clerk-Recorder  
1021 "I" Street  
Modesto, CA 95354  
(209) 525-5279

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Public

Receipt No.: RPT20240000022810

Finalization No.: 2024207046

Cashier: JAC

Register: CHKQZV2

Date/Time: 04/30/2024 03:10 PM

Description	Fee
Basic Recording	
Document No.:	2024-0019659
Recording Time:	03:10 PM
Recording Fee:	No Fee
Recording Total:	No Fee

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Total Amount Due:

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Total Paid

No Fee

Amount Due: \$0.00

THANK YOU  
PLEASE KEEP FOR REFERENCE

Recording Requested By And For The Benefit Of  
And, When Recorded, Mail To:



County of Stanislaus  
Department of Planning and  
Community Development  
1010 Tenth Street, Suite 3400  
Modesto, CA 95354

**Stanislaus County Recorder**  
**Donna Linder, County Clerk-Recorder**

**DOC- 2024-0019659**

**Tuesday, April 30, 2024 15:10:33**

**Customer: Public**

**Total Paid: No Fee**

**Receipt #: 2024207046**

**JAC/CHKQZV2/1-9**

Space Above Reserved for Recorder's Use

### NOTICE OF ADMINISTRATIVE CONDITIONS AND RESTRICTIONS

PLEASE TAKE NOTICE that the COUNTY OF STANISLAUS approved the land use development described below subject to administrative conditions and restrictions, copies of which are attached to this notice and incorporated herein by reference. The conditions and restrictions affect development of the property or parcels described below and are binding upon the named landowners and their successors in interest.

Property Owner(s): Sakshi Enterprise, LLC., Biren Patel

Project Site Address: 5024, 5028, and 5030 Rohde Road, between Esmar and Faith  
Home Roads, in the Keyes area.

Assessor's Parcel Number(s): 041-059-001 and 041-059-002

General Plan Designation: Planned Development

Zoning District: A-2-10 (General Agriculture)

Community Plan Designation: Medium-Density Residential

Project Name/Description: **General Plan Amendment and Rezone Application No. PLN2023-0031 – Secured Space Self Storage** – Request to amend the Community Plan designation from Medium-Density Residential to Commercial and the zoning designation from General Agriculture (A-2-10) to Planned Development (P-D) to allow for the operation of an existing mini-storage facility on a 4.67 ± acre parcel.

The undersigned duly authorized officer of Stanislaus County declares that the foregoing is true and correct under penalty of perjury under the laws of the State of California.

4/30/2024  
Dated

Kristy Doud  
Kristy Doud, Deputy Director  
Stanislaus County  
Planning and Community Development

#### ATTACHMENTS:

1. Development Standards and Mitigation Measures/Development Schedule
2. Project Area Map (For Illustrative Purposes Only)

XC

## **DEVELOPMENT STANDARDS AND MITIGATION MEASURES**

### **GENERAL PLAN AMENDMENT AND REZONE APPLICATION NO. PLN2023-0031 SECURED SPACE SELF STORAGE**

#### **Department of Planning and Community Development**

1. Use(s) shall be conducted as described in the application and supporting information (including the plot plan) as approved by the Board of Supervisors and in accordance with other laws and ordinances.
2. Pursuant to Section 711.4 of the California Fish and Game Code (effective January 1, 2014), the applicant is required to pay a California Department of Fish and Wildlife (formerly the Department of Fish and Game) fee at the time of filing a "Notice of Determination." Within five (5) days of approval of this project by the Planning Commission or Board of Supervisors, the applicant shall submit to the Department of Planning and Community Development a check for **\$2,973.75**, made payable to **Stanislaus County**, for the payment of California Department of Fish and Wildlife and Clerk-Recorder filing fees.

Pursuant to Section 711.4 (e) (3) of the California Fish and Game Code, no project shall be operative, vested, or final, nor shall local government permits for the project be valid, until the filing fees required pursuant to this section are paid.

3. The Department of Planning and Community Development shall record a Notice of Administrative Conditions and Restrictions with the County Clerk-Recorder's Office within 30 days of project approval. The Notice includes: Development Standards and Schedule; any adopted Mitigation Measures; and a project area map.
4. Developer shall pay all Public Facilities Impact Fees and Fire Facilities Fees as adopted by Resolution of the Board of Supervisors. The fees shall be payable at the time of issuance of a building permit for any construction in the development project and shall be based on the rates in effect at the time of building permit issuance.
5. The applicant/owner is required to defend, indemnify, or hold harmless the County, its officers, and employees from any claim, action, or proceedings against the County to set aside the approval of the project which is brought within the applicable statute of limitations. The County shall promptly notify the applicant of any claim, action, or proceeding to set aside the approval and shall cooperate fully in the defense.
6. No operations shall be conducted on any premises in such a manner as to cause an unreasonable amount of noise, odor, dust, smoke, vibration, or electrical interference detectable off the site.
7. During the construction phases of the project, if any human remains, significant or potentially unique, are found, all construction activities in the area shall cease until a qualified archeologist can be consulted. Construction activities shall not resume in the area until an on-site archeological mitigation program has been approved by a qualified

archeologist. The Central California Information Center shall be notified if the find is deemed historically or culturally significant.

8. The applicant/business owner shall obtain a valid Stanislaus County Business License prior to final of any tenant improvement and/or Certificate of Occupancies. A valid Business License shall be maintained by the occupants at all times.
9. The applicant will be required to contact and coordinate with the SJVAPCD to obtain any required permits and to conduct any studies required by the District prior to operation.
10. Pursuant to Section 404 of the Clean Water Act, prior to construction, the developer shall be responsible for contacting the US Army Corps of Engineers to determine if any "wetlands," "waters of the United States," or other areas under the jurisdiction of the Corps of Engineers are present on the project site, and shall be responsible for obtaining all appropriate permits or authorizations from the Corps, including all necessary water quality certifications, if necessary.
11. Pursuant to the federal and state Endangered Species Acts, prior to construction, the developer shall be responsible for contacting the US Fish and Wildlife Service and California Department of Fish and Game to determine if any special status plant or animal species are present on the project site and shall be responsible for obtaining all appropriate permits or authorizations from these agencies, if necessary.
12. Building Permits for all unpermitted onsite improvements, including but not limited to the mini storage buildings and the residential conversion to an office, shall be obtained through the Stanislaus County Building Permits Division in conformance with the approved Development Schedule.
13. Prior to issuance of any building permit, a photometric lighting plan shall be submitted for review and approval by the Planning Department. All exterior lighting shall be designed (aimed down and toward the site) to provide adequate illumination without a glare effect. This shall include, but not be limited to, the use of shielded light fixtures to prevent skyglow (light spilling into the night sky) and the installation of shielded fixtures to prevent light trespass (glare and spill light that shines onto neighboring properties). The height of any freestanding lighting fixtures should not exceed 15 feet above grade.
14. A landscaping plan, including a mixture of ornamental trees and shrubs along the front of the office and along the road frontage, shall be submitted for review and approval prior to issuance of any building permit. In conformance with the Planned Industrial zoning ordinance (Chapter 21.42) landscaping shall cover a minimum of 5% of the developed portion of the site. Landscape plans shall meet current State of California water use requirements at the time of submittal. The review of the landscape plan shall be subject to applicable County landscape review and inspection fees in effect at the time of review and inspection. Landscaping shall be installed and inspected prior to final of grading or building permit.
15. All landscaped areas, fences, and walls shall be maintained in an attractive condition and in compliance with the approved final landscape and irrigation plan. The premises shall be kept free of weeds, trash, and other debris. Dead or dying plants shall be replaced

with materials of equal size and similar variety within 30 days, at the property owner's expense.

16. A final sign plan for all proposed on-site signs indicating the location, height, area of the sign(s), and message shall be approved by the Planning Director and shall be limited to one monument sign, a maximum of six feet in height and located along the road frontage, and one wall sign located on the office building. The area of the monument sign shall not exceed twelve square feet and the face of the wall sign shall not exceed 5-feet by 3.5-feet-in size. Signage shall be non-flashing, non-animated, and nonmoving. Directional signs are permitted as needed.
17. A fencing/wall plan shall be submitted to the Planning Department for review and approval prior to issuance of a building permit. All fencing/walls shall be installed prior to issuance of a certificate of occupancy. A masonry wall shall be installed along the portions of the property abutting residential development and the Turlock Irrigation District's (TID) Lateral No. 2 ½. The masonry wall abutting residential uses shall be eight feet in height. The masonry wall located along TID Lateral No. 2 ½ shall meet the TID's standards. The existing fencing along the road frontage of the site may remain, provided it meets setback, vision clearance, and storage depth requirements.
18. Onsite parking shall meet the standards described in Chapter 21.76 – Off-Street Parking. The mini-storage facility shall meet the County's parking standards for Manufacturing or assembly plants or wholesale warehouses, and the residential uses shall meet the County's parking standards for Dwellings. Parking spaces shall be designed and improved in accordance with the County Department of Public Works Standards and Specifications.
19. All driveways, drive aisles, including truck drive aisles, truck parking areas, and customer and employee vehicle parking areas shall be paved. Pavement and parking spaces shall be installed in accordance with all applicable Stanislaus County standards.
20. Trash bins shall be kept in trash enclosures constructed of materials compatible with the architecture of the development. Trash enclosures shall be placed in locations as approved by the refuse collecting agency and the Planning Director. Location and design shall be approved prior to issuance of any building permit.
21. Development Standards not specified, including but not limited to setbacks, height limits, and lot coverage limits, shall be in conformance with Chapter 21.42 – Planned Industrial of the Stanislaus County Zoning Ordinance.
22. If the two Assessor Parcel Numbers included in the project description are determined to be separate legal parcels, a Merger shall be completed prior to issuance of a building permit.

**Department of Public Works**

23. No parking, loading or unloading of vehicles will be permitted within the County road right-of-way.



24. The developer will be required to install or pay for the installation of any signs and/or markings, if warranted.
25. An Encroachment Permit shall be obtained for driveway approaches at all points of ingress and egress on the project site and any other work done within the County right of way. Driveway Approaches shall be installed per Stanislaus County Public Works Standards and Specifications Plate 3-G3, Commercial Driveways.
26. The storage depth outside of any gate shall be adequate for vehicles coming off the road. The entry vehicles shall not block any travel lane or shoulder. If the storage depth is inadequate, it may require that the fence be moved further into the property.
27. A grading, drainage, and erosion/sediment control plan for the project site shall be submitted for any building permit that will create a larger or smaller building footprint. The grading and drainage plan shall include the following information:
  - a. The plan shall contain drainage calculations and enough information to verify that runoff from project will not flow onto adjacent properties and Stanislaus County road right-of-way. Public Works will review and approve the drainage calculations.
  - b. For projects greater than one acre in size, the grading drainage and erosion/sediment control plan shall comply with the current State of California National Pollutant Discharge Elimination System (NPDES) General Construction Permit. A Waste Discharge Identification Number (WDID) and a copy of the Notice of Intent (NOI) and the project's Storm Water Pollution Prevention Plan (SWPPP) shall be provided prior to the approval of any grading, if applicable.
  - c. The applicant of the grading permit shall pay the current Stanislaus County Public Works weighted labor rate for review of the grading plan.
  - d. The applicant of the grading permit shall pay the current Stanislaus County Public Works weighted labor rate for all on-site inspections. The Public Works inspector shall be contacted 48 hours prior to the commencement of any grading or drainage work on-site.

#### **Department of Environmental Resources**

28. Prior to building permit final, the applicant(s) shall demonstrate and secure any necessary permits for the destruction of all onsite wastewater treatment systems (OWTS) and/or water wells impacted or proposed by this project, under the direction of the Stanislaus County Department of Environmental Resources (DER).
29. All applicable County Local Agency Management Program (LAMP) standards and required setbacks are to be met.

#### **Building Permits Division**

30. Building permits are required and the project must conform with the California Code of Regulations, Title 24. Building permits shall be obtained within the timeframe specified in the Development Schedule.

**Keyes Community Services District**

31. All water service line connections must be installed to District standards and according to plans approved by the District, at the expense of the owner.
32. All applicable District connections, facilities and inspection fees must be paid upon application for connections.
33. The applicant/operator shall comply with all District rules and regulations.
34. A new will-serve letter is required if connection is not initiated before August 22, 2024.
35. Prior to connection Local Agency Formation Commission (LAFCO) approval is required.
36. Water and sewer connection plans shall be submitted to and approved by the District.

**Turlock Irrigation District (TID)**

37. Prior to issuance of a building permit, the applicant shall consult with the district to determine if additional right-of-way is required to be dedicated for District Lateral No. 2 ½. The District's Upper Lateral 2.5 has a 70-foot wide right of way.
38. Concurrent with any building permit a masonry wall shall be constructed along the portions of the site that abut the District's Lateral No. 2 ½. District standards require that developments adjoining District canals shall construct a masonry or concrete wall adjacent to the canal per CS 166. It will be necessary for the developer to submit plans detailing the existing and proposed site improvements relative to the District's canal, in order for the District to determine specific impacts and requirements along the canal. District requirements shall be implemented into the construction and maintenance of the wall.
39. There are two side gates in the canal that serve(d) the subject parcels. One is located behind the Apartment 1& 2 building, and the other is adjacent to the undeveloped area of the parcel. District standards require that irrigation facilities that are no longer used shall be removed. Prior to issuance of a building permit, the Developer shall remove the side gates from the canal per District requirements. The developer will need to provide irrigation improvement plans and enter into an Irrigation Improvements Agreement for the required irrigation facility modifications. There is a District Board approved time and material fee associated with this review.
40. Any improvements to this property which impact irrigation facilities shall be subject to the District's approval and meet all District standards and specifications.
41. Work on irrigation facilities shall only be performed during the non-irrigation season which typically runs from November 1, thru March 1, but can vary. Approval from TID to work on facilities shall be obtain in advance of any work occurring.

**Local Agency Formation Commission (LAFCO)**

42. LAFCO approval of an annexation must be obtained prior to the extension of sewer and water services by the Keyes Community Services District.

**Mitigation Measures**

43. New multistory development shall minimize the use of reflective surface and have those reflective surfaces which are used to be oriented in such a manner so as to reduce glare impacts along roadways.
44. New development shall include cut-off luminaries and/or shields. All exterior lighting shall be designed (aimed down and towards the site) to provide adequate illumination without a glare effect. Low intensity lights shall be used to minimize the visibility of the lighting from nearby areas, and to prevent "spill over" of light onto adjacent residential properties.
45. Pre-construction surveys for Valley Elderberry Longhorn Beetle (VELB) on the site shall be conducted by a qualified biologist, in accordance with any applicable United States Fish and Wildlife protocols. Prior to the removal of any elderberry shrubs, the applicant shall obtain concurrence from US Fish and Wildlife Service regarding removing the shrubs. Prior to securing concurrence to remove the blue elderberry shrubs, the shrubs shall be protected with a no-disturbance buffer extending 10 feet from the driplines of the shrubs. Construction in the vicinity of the blue elderberry shrubs should occur between June 15 and April 15. During this time period, VELB (if present) would be within the interior portion of the stems of the shrubs and would not move (i.e., fly or walk) into the construction area.
46. If ground disturbing activity or construction commences between March 1 and September 15, pre-construction surveys for nesting Swainson's hawks (SWHA) shall be conducted by a qualified biologist. SWHA surveys shall be conducted a maximum of 10 days prior to the onset of grading or construction activities, within 0.5 miles of the project site area, in accordance with protocol developed by the Swainson's Hawk Technical Advisory Committee (SWHA TAC, 2000). If active nests are found, a qualified biologist, in consultation with the California Department of Fish and Wildlife (CDFW), shall determine the need (if any) for temporal restrictions on construction, including but not limited to a minimum no-disturbance buffer of 0.5 miles to be maintained around active nests prior to and during any ground-disturbing activities until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival. If take cannot be avoided, take authorization through the issuance of an Incidental Take Permit (ITP), pursuant to Fish and Game Code section 2081 subdivision (b) is necessary to comply with CESA. The determination shall utilize criteria set forth by CDFW (CDFG, 1994).
47. If construction commences between February 1 and August 31, pre-construction surveys for burrowing owls on the site shall be conducted. If occupied burrows are found, a qualified biologist should determine the need (if any) for temporal restrictions on construction. The determinations shall be pursuant to criteria set forth by CDFW (CDFG, 2012).
48. Trees, shrubs, and grasslands in the site could be used by other birds protected by the Migratory Bird Treaty Act of 1918. If vegetation removal or construction commences during the general avian nesting season (March 1 through July 31), a pre-construction survey for nesting birds shall be completed. If active nests are found, work in the vicinity of the nest shall be delayed until the young fledge.

49. All oak trees over four inches in diameter shall be preserved to the maximum extent practical. Final development plans shall depict all oak trees proposed for removal. If oak trees four inches in diameter or more exist on the project site, the applicant shall submit a tree preservation plan to the Stanislaus County Planning Division for review and approval. The tree preservation plan shall include the following:
- Any removed oak trees shall be replaced at a two-to-one tree replacement ratio.
  - The tree preservation plan shall include the location, number, species, and size of proposed replacement plantings.
  - The tree preservation plan shall include monitoring provisions for watering and landscaping to ensure survival and health of planted oak trees.
  - Replacement trees shall be monitored for a period no less than 5 years after replacement trees have been planted; Dead or dying trees shall be replaced.
50. Construction contracts shall include a stop-work provision in the event previously unidentified contamination is discovered during construction so that appropriate actions can be taken to reduce potential human health and environmental hazards.
51. Hours of construction on the project site shall be limited to 7:00 a.m. to 6:00 p.m. Monday thru Friday, with no construction allowed on holidays.
52. Any noisy construction equipment shall be located away from sensitive receptors, and, if necessary, temporary noise barriers shall be constructed between noise sources and sensitive receptors. All construction equipment shall be fitted with properly functioning mufflers.
53. Prior to issuance of a building permit, the applicant shall pay the Keyes Community Plan Mitigation Funding Program fees for the proposed land uses per the Keyes Community Plan fee program adopted on April 18, 2000 at the time of building permit issuance. **Based on a rate of \$862 per square-foot, a total of \$33,956.77 is required to be paid prior to issuance of a building permit.** ~~These fees are adjusted for inflation using the Engineering News-Record construction cost index and shall be paid prior to building permit issuance.~~
54. **Applicant shall pay all applicable taxes that would have been due since the establishment of the mini-storage facility, as required by law.**

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*Please note: If Conditions of Approval/Development Standards are amended by the Planning Commission or Board of Supervisors, such amendments will be noted in the upper right-hand corner of the Conditions of Approval/Development Standards; new wording is in **bold**, and deleted wording will have a ~~line through it~~.*

For Illustrative Purpose Only

