



**STANISLAUS LAFCO
LOCAL AGENCY FORMATION COMMISSION**

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Chair Terry Withrow, County Member
Vice Chair Sue Zwahlen, City Member
Amy Bublak, City Member
Vito Chiesa, County Member
Bill O'Brien, Public Member
Charlie Goeken, Alternate City Member
Mani Grewal, Alternate County Member
Jami Aggers, Alternate Public Member

AGENDA
Wednesday, April 22, 2026
6:00 P.M.
Joint Chambers—Basement Level
1010 10th Street, Modesto, California 95354

- Members of the public may attend this meeting in person.
- You can also observe the live stream of the LAFCO meeting at:
<http://www.stancounty.com/sclive/>
- In addition, LAFCO meetings are broadcast live on local cable television. A list of cable channels is available at the following website:
<http://www.stancounty.com/planning/broadcasting.shtm>

1. CALL TO ORDER

- A. Pledge of Allegiance to the Flag.
- B. Introduction of Commissioners and Staff.

2. PUBLIC COMMENT PERIOD

This is the period in which persons may comment on items that are not listed on the regular agenda. All persons wishing to speak during this public comment portion of the meeting are asked to fill out a "Speaker Card" and provide it to the Commission Clerk. Each speaker will be limited to a three-minute presentation. No action will be taken by the Commission as a result of any item presented during the public comment period.

3. CORRESPONDENCE

No correspondence addressed to the Commission, individual Commissioners or staff will be accepted and/or considered unless it has been signed by the author or sufficiently identifies the person or persons responsible for its creation and submittal.

- A. Specific Correspondence.
- B. Informational Correspondence.

1. CALAFCO Board Retreat Summary.

C. "In the News."

4. DECLARATION OF CONFLICTS AND DISQUALIFICATIONS

5. CONSENT ITEMS

The following consent items are expected to be routine and non-controversial and will be acted upon by the Commission at one time without discussion, unless a request has been received prior to the discussion of the matter.

A. **MINUTES OF THE MARCH 25, 2026, LAFCO MEETING**
(Staff Recommendation: Accept the Minutes.)

B. **LAFCO APPLICATION NO. 2026-03 AND SPHERE OF INFLUENCE APPLICATION NO. 2026-02 – HOFFMAN RANCH CHANGE OF ORGANIZATION TO COUNTY SERVICE AREA NO. 21 (RIOPEL)**: to annex approximately 16 acres to County Service Area (CSA) 21 (Riopel) for the storm drainage and landscaping of a future subdivision located on the west side of Arnold Road, north of East Zeering Road, east of Riopel Avenue and south of Powell Road in the Denair area. The annexation to CSA 21 will also include a Sphere of Influence amendment. Stanislaus County, as Lead Agency under the California Environmental Quality Act (CEQA), approved a Mitigated Negative Declaration for the project. LAFCO, as a Responsible Agency, will consider the environmental documentation prepared by the County as part of its action. (Staff Recommendation: Approve the proposal and adopt Resolution No. 2026-08.)

C. **BUDGET ADJUSTMENT FOR FISCAL YEAR 2025-2026**: (Staff Recommendation: Approve the Budget Adjustment and adopt Resolution No. 2026-10.)

6. PUBLIC HEARING

Any member of the public may address the Commission with respect to a scheduled public hearing item. Comments should be limited to no more than three (3) minutes, unless additional time is permitted by the Chair. All persons wishing to speak are asked to fill out a "Speaker Card" and provide it to the Commission Clerk.

A. **PROPOSED LAFCO BUDGET FOR FISCAL YEAR (FY) 2026-2027**. The Commission will consider the adoption of the proposed LAFCO budget consistent with Government Code Sections 56380 and 56381. (Staff Recommendation: Approve the Proposed Budget and adopt Resolution No. 2026-09.)

7. OTHER BUSINESS

8. COMMISSIONER COMMENTS

Commission Members may provide comments regarding LAFCO matters.

9. ADDITIONAL MATTERS AT THE DISCRETION OF THE CHAIRPERSON

The Commission Chair may announce additional matters regarding LAFCO matters.

10. EXECUTIVE OFFICER'S REPORT

The Commission will receive a verbal report from the Executive Officer regarding current staff activities.

A. On the Horizon.

11. ADJOURNMENT

- A. Set the next meeting date of the Commission for May 27, 2026.
- B. Adjournment

LAFCO Disclosure Requirements

Disclosure of Campaign Contributions: If you wish to participate in a LAFCO proceeding, you are prohibited from making a campaign contribution of more than \$250 to any commissioner or alternate. This prohibition begins on the date you begin to actively support or oppose an application before LAFCO and continues until three months after a final decision is rendered by LAFCO. No commissioner or alternate may solicit or accept a campaign contribution of more than \$250 from you or your agent during this period if the commissioner or alternate knows, or has reason to know, that you will participate in the proceedings. If you or your agent have made a contribution of more than \$250 to any commissioner or alternate during the twelve (12) months preceding the decision, that commissioner or alternate must disqualify himself or herself from the decision. However, disqualification is not required if the commissioner or alternate returns the campaign contribution within thirty (30) days of learning both about the contribution and the fact that you are a participant in the proceedings.

Lobbying Disclosure: Any person or group lobbying the Commission or the Executive Officer in regard to an application before LAFCO must file a declaration prior to the hearing on the LAFCO application or at the time of the hearing if that is the initial contact. Any lobbyist speaking at the LAFCO hearing must so identify themselves as lobbyists and identify on the record the name of the person or entity making payment to them.

Disclosure of Political Expenditures and Contributions Regarding LAFCO Proceedings: If the proponents or opponents of a LAFCO proposal spend \$1,000 with respect to that proposal, they must report their contributions of \$100 or more and all of their expenditures under the rules of the Political Reform Act for local initiative measures to the LAFCO Office.

LAFCO Action in Court: All persons are invited to testify and submit written comments to the Commission. If you challenge a LAFCO action in court, you may be limited to issues raised at the public hearing or submitted as written comments prior to the close of the public hearing. All written materials received by staff 24 hours before the hearing will be distributed to the Commission.

Reasonable Accommodations: In compliance with the Americans with Disabilities Act, hearing devices are available for public use. If hearing devices are needed, please contact the LAFCO Clerk at 525-7660. Notification 24 hours prior to the meeting will enable the Clerk to make arrangements.

Alternative Formats: If requested, the agenda will be made available in alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 USC 12132) and the Federal rules and regulations adopted in implementation thereof.

Notice Regarding Non-English Speakers: Pursuant to California Constitution Article III, Section IV, establishing English as the official language for the State of California, and in accordance with California Code of Civil Procedure Section 185 which requires proceedings before any State Court to be in English, notice is hereby given that all proceedings before the Local Agency Formation Commission shall be in English and anyone wishing to address the Commission is required to have a translator present who will take an oath to make an accurate translation from any language not English into the English language.

Strong Foundation and Clear Direction

CALAFCO's Priorities for 2026 and Beyond



On February 26, the CALAFCO Board of Directors spent a full day focused on where the organization is headed and what members can expect over the next two years.

CALAFCO is in a strong position. Education programs are active and growing. Member outreach has improved. Governance has been reformed. The Board is clear on priorities and ready to execute.

Board members said so themselves, candidly and consistently throughout the retreat. Progress over the past year is real and visible, and the Board's focus now is on sustaining that momentum with consistent, reliable follow-through.

The retreat centered on fundamentals: the services members rely on, the reliability they expect, and the discipline required to deliver at that level.

HERE IS THE BOARD'S TWO-YEAR VISION:

1. Education Is the Top Priority

The Board identified education as the organization's highest priority. That includes CALAFCO University, the Staff Workshop, the Annual Conference, and webinars. The direction is to keep building on what is working and make sure programming stays practical and relevant for both commissioners and staff. A new emphasis includes making materials available after events conclude, so sessions have lasting value as an ongoing resource members can return to throughout the year.



2. Legislative Work: Present, Strategic, and Grounded

The Board wants CALAFCO to maintain a credible presence in Sacramento and serve as a resource for policymakers on LAFCO-related issues. Legislative efforts will be disciplined and selective, focused on issues with clear statewide relevance and genuine member support. Capacity is finite, and the Board is committed to directing it where it will have the most impact.

3. Governance Reforms Are in Place: Focus Shifts to Implementation

Recent changes to CALAFCO's governance structure, including allowing Executive Officers to serve on the Board and removing seat-type restrictions, were broadly supported at the retreat. The focus now is on making those changes work well in practice. Members were direct about the importance of clear roles. The Board sets policy direction, and the Executive Director manages day-to-day operations. That clarity benefits everyone.

4. Communication Is Improving and Will Keep Getting Better

Transparency and member outreach have improved, and Board members have noted it. The next step is to make communication even clearer and easier to access. Members want concise, timely updates on major initiatives, Board decisions, and working group activities. The website is on the agenda as well, with plans to develop it into a stronger information hub.

5. Building a Sustainable Staffing Model

The Board recognized the substantial work accomplished over the past year and is committed to building on it with a durable staffing structure. Expectations and resources need to align, and the organization is working toward a model that supports the Executive Director with the right capacity to deliver on member priorities over the long term.

6. Dues Structure Review Is a Near-Term Priority

The Board identified the dues structure as a priority for the coming year. The goal is a structure that is fair, transparent, and tied directly to the value members receive, with particular attention to equity across counties of different sizes. Members can expect an open process with clear communication as this work moves forward.

7. Serving Current Members and Growing the Community

The Board is committed to re-engaging LAFCOs that have stepped away and staying connected to those considering membership. The clearest path to both is continue deliver consistent value to current members. A strong track record of reliability and responsiveness is what makes membership worth maintaining and worth joining.

8. The Direction Is Clear

The Board left the retreat with a shared, practical commitment: stay focused, deliver on the fundamentals, and build on what is working. That means stronger education, clearer communication, an improved website, stable staffing, a fair dues structure, and consistent outreach to members across California.



 CALAFCO's strength comes from the people it serves. Questions, feedback, or ideas? Reach out to your Board representative or contact the CALAFCO office directly.

IN THE NEWS

Newspaper Articles

- Modesto Bee, March 25, 2026, “Turlock to renew fire administration contract with Modesto despite union opposition.”
- Oakdale Leader, March 31, 2026, “Valley Home, Knights Ferry fire staffing update issued.”
- Westside Connect, April 3, 2026, “WSCHD Board of Directors to decide on potential ballot measure in April.”
- Ceres Courier, April 7, 2026, “Subdivision map wins last extension.”
- Ceres Courier, April 15, 2026, “Copper Trails approved so now it’s up for annexation.”

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IN THE NEWS – Modesto Bee, March 25, 2026

Turlock to renew fire administration contract with Modesto despite union opposition

By Julietta Bisharyan

The Turlock City Council voted Tuesday to negotiate a new fire administrative services agreement with Modesto despite strong opposition from the firefighter labor group.

The vote was 3-2, with Councilmembers Kevin Bixel and Cassandra Abrams dissenting. The motion also added the creation of a citizen advisory board that includes a union member.

“I believe that we aren’t there yet, but I want Modesto to help us get there,” said Mayor Amy Bublak, whose vote broke the tie. “I want you to help us set this up so that in one or two, three years ... we’re prepared to be back and be Turlock Fire Department solely.”

A future council meeting will present a proposed contract for the council to consider.

Turlock has shared fire administrative services with Modesto since 2022, following a two-year vacancy in the permanent Turlock fire chief position. This regional partnership includes a shared fire chief and administrative support to TFD.

The contract is set to expire June 30.

Over time, concerns were raised regarding the shared administrative structure, including about local control and oversight, communication between agencies, cultural alignment and the impact on TFD’s organizational identity.

“It is not a perfect system. There are real challenges within the current model, and those have been identified and discussed openly,” Deputy Fire Chief Chris Jelinek said at the meeting.

He said he believes the concerns raised are not structural failures of the model but rather governance and communication issues that could be addressed. He hopes to make TFD a destination department rather than a steppingstone plagued with high turnover.

This item was on the agenda in January but was pulled for further work. The staff report prepared for the January meeting recommended that the contract be allowed to expire and that the city proceed with recruitment for a permanent Turlock fire chief. The new staff report for Tuesday’s meeting gave no recommendation.

Concerns from firefighters, public

On Jan. 26, Chad Hackett, president of the Turlock Firefighters labor group, Local 2434, wrote on Instagram that after a conversation and formal vote, the bargaining unit determined it did not support the contract renewal.

“While we acknowledge and appreciate the benefits we have experienced through this partnership, ... we believe the long-term needs of our department, our personnel, and most importantly, the residents of Turlock would be better served by returning to a model where we employ our own dedicated Fire Chief,” reads a statement included in the Instagram post.

NEWS – Modesto Bee, March 25, 2026 - Continued

Hackett cited the leadership instability as a primary concern. Turlock has had four deputy fire chiefs in five years, while Modesto has had three fire chiefs during that time. Both departments are currently led by an interim chief.

Fire Chief Kevin Wise retired in December. He became interim Chief in 2023 before becoming permanent in June 2024. Since Wise's retirement, Chief Shanon Evans has been serving as interim fire chief while also leading the Westport Fire District.

The statement wrote that the ongoing turnover has "disrupted continuity, hindered long-term planning, and impacted morale."

Hackett reiterated his concerns during public comment on Tuesday, adding that the contract has hurt the morale and sense of identity of the department. Several members of the union were also at the meeting.

"If you were a business owner entering into a major agreement with another company, would you hire your own attorney to represent you? Or would you pay the other company to have their attorney represent you?" Hackett said. "I think we know the answer."

During the presentation, multiple contract scenarios were presented. Some individuals pointed out that the report focused more on the cost analysis of new contract options without entertaining what an independent fire department would look like.

All public commenters sided with the labor group and advocated for TPD's independence, including mayoral candidate Jim Reape.

"I don't want you to be afraid that this can't be done with local control," Reape said. The two cities also have a contract regarding fire apparatus fleet maintenance services that have been in place since 2023. Turlock has since achieved full staffing, hired a fleet services manager to oversee the division and maintains certified technicians to perform preventative maintenance, inspections and major apparatus repairs in house, according to the staff report.

Earlier in the meeting, the council unanimously approved the purchase of a ladder truck, which includes a pump, water tank, hose and ground ladder, to replace TFD's aging aerial ladder truck for about \$2.37 million.

IN THE NEWS – Oakdale Leader, March 31, 2026

Valley Home, Knights Ferry fire staffing update issued

By Kristie Mayfield

At the recent Oakdale Fire Protection District meeting, board members along with Chief Clint Bray of the Stanislaus Consolidated Fire Protection District discussed developments regarding contract negotiations and the progress of the annexation study being conducted by Capitol Public Finance. Chief Bray reminded everyone that the study takes multiple factors into consideration including the amount of service calls, budgets and allocations for various services provided by the departments and that it will take several months to compile and analyze all of that information.

Once all of the data has been compiled, the information will be reviewed by multiple entities including the OFPD, City of Oakdale and Stanislaus County to determine further steps. Chief Bray reminded residents that there will be town hall meetings in which residents can voice concerns, ask questions and provide feedback prior to any final decisions being made. As of now, the process should be completed prior to the end of the current contract with the City of Modesto, which expires at the end of 2027.

Residents continued to express concern regarding coverage and staffing for their respective communities with OFPD currently providing staff for the Knights Ferry fire station only, as the number of service calls is significantly higher in Knights Ferry when compared to Valley Home.

Board member Rod Gambini sympathized with residents, noting, “We had to do something because the costs are going up and the money is not,” explaining why resources had to be allocated according to response times, service calls and so forth.

Chief Bray also explained that it takes the Oakdale Fire Department about 25 minutes to reach Knights Ferry compared to only eight minutes to reach Valley Home and that logistically it made more sense to staff Knights Ferry than Valley Home at this time.

Board members reminded residents that all of these decisions regarding staffing will be reevaluated once they review the data from the study and decide whether or not to move forward with the annexation. The next meeting for the OFPD will take place on Thursday, April 9 at 10 a.m. at the Valley Home Fire Station, 13200 Valley Home Road in Valley Home.

IN THE NEWS – Westside Connect, April 3, 2026

WSCHD Board of Directors to decide on potential ballot measure in April

By Navtej Hundal

West Side Healthcare District Board of Directors will decide next month on whether to pursue a potential ballot measure for November's midterm elections. Board member Robert Vargas was absent from Monday's meeting.

The discussion has been an ongoing matter since January, with last month's meeting focusing on a potential special meeting for further discussion. A follow-up meeting was not held.

Jessica Vived, an attorney from Wagner Helsley PC, said she recommends submitting a proposal through Stanislaus and Merced Counties by July 6, if the district wants a ballot measure for November's election.

The district has pursued ballot measures in the past, but some have failed to go through as of recent. In each of the last two election cycles, the district has failed to reach the required two-third votes for a parcel tax of \$69 per parcel.

With discussion about potential costs of pursuing ballot measure, Board President David Varnell suggested the idea of hiring a grant writer to help the district get grants. Varnell said that it's a suggestion that he's recently thought about.

Varnell later asked Leo Landaverde, the district's finance manager, about how much it cost for the district to push for Measure A in 2024. Landaverde, in response, said he doesn't remember the exact amount, but estimated it to be within the "low thousands." He added that legal fees, marketing and community events as other costing factors.

"Given what we know now from prior efforts at a measure, that [it] takes a lot of time and effort," Landaverde said.

Last September, the board discussed sending a two-page letter to local agencies for financial assistance. Some of the agencies include Stanislaus County Board of Supervisors and Merced County Board of Supervisors.

The letter mentioned the district's history, where its ambulance services operate and some of the economic setbacks it has faced in recent years. Some of the issues mentioned include adjusting to current economic conditions, the inability to offer a competitive salary to first responders in a rural area and the need to purchase equipment such as new ambulances to assist patients.

The board approved sending the letter to the agencies last October.

IN THE NEWS – Ceres Courier, April 7, 2026

Subdivision map wins last extension

By Jeff Benziger

Developers Grant and Steve Alvarnez still have hopes of seeing homes constructed in their two-phased Whitmore Ranch subdivision project in east Ceres. But because nothing has happened to date, they sought another two-year time extension for Phase 2 at Monday's Ceres Planning Commission meeting.

The commission voted 4-0 to approve an extension of the approval of the Phase 2 residential subdivision map of 8.4 acre with 46 homes. Now valid until and 2028, it's the last extension allowed by state law.

In 2024, the commission granted an extension of Phase 1, first approved in 2021, to create 107 residential lots.

City Engineer Michael Beltran noted that the delays of Phase 1 construction are due to the subdivision improvement agreement needing to be updated, which is exactly what then City Manager Doug Dunford said in February 2024.

"As soon as I receive that updated copy back I will be taking that to the council for approval," Beltran told the commission. He said the developer is talking to builders.

Commission Chairman Gary Condit called on the developer to answer, "Do you believe this will be your last time extension for this phase?" Grant Alvarnez replied, "so many city managers we've had, get it? There's been four or five so we're doing our best."

The project site was annexed 2014 when Art de Werk was acting city manager, and since then the city has been managed by Toby Wells, Tom Westbrook, Alex Terrazas and Doug Dunford.

The Courier reached out to Alvarnez for comment but he did not reply. However, in 2025, Alvarnez told the Courier that the project became mired with the changing demands of various city officials who came and went in that time. He cited the turnover of four city managers, five city engineers and three Community Development directors and two senior planners.

"So every new individual who came in made changes," he noted last year. "They actually required us to redesign the subdivision which kicked the can down the road about a year and a half and added a ton of expense to our project costs to redesign the sewer line."

He called the experience "very frustrating" and added "now you can imagine why houses in California are so expensive."

Located south of Whitmore Avenue and east of Moore Road, the 94-acre Mitchell Ranch project will include 196 single-family homes built on 19 acres. An additional 6.4 acres will be filled by high-density apartments or condominiums that could result in 160 living units. The remaining property will consist of 5.2 acres of open space, including a bike and pedestrian corridor leading to the junior high's western boundary. The La Rosa Elementary School and Cesar Chavez Jr. High School take up the rest of the acreage within the annexed area.

The low-density single-family residential lots will range in size from 5,000 to 8,727 square feet with the average lot size being 6,863 square feet; while the medium-density parcels will range from 2,211 to 2,648 square feet, with the average lot size being 2,429 square feet.

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Copper Trails approved so now it's up for annexation

By Jeff Benziger

The Ceres City Council voted 4-1 to approve the Environmental Impact Report and amendments to the General Plan to not only allow develop approximately 535 acres south of Ceres but also annex to the city a 146-acre county pocket north of Service Road.

The next step is for the Stanislaus County Local Agency Formation Commission (LAFCO) to consider and likely approve the Copper Trails Master Plan area.

With the exception of the county pocket north of Service Road, the proposed annexation area is bordered by Service Road at the north, the Union Pacific Railroad tracks, Highway 99 and Mitchell Road to the east, the TID Lower Lateral No. 2 canal to the south, and Blaker Road to the west. The project area encompasses Central Valley High School, Hanline Elementary School, and Hidahl Elementary School, along with rural homes and farmland.

At full buildout, Copper Trails could result in the development of approximately 2,392 dwelling units, nearly 1.2 million square feet of commercial uses, five park/open space sites and a trail network. A large regional shopping area of 107 acres is designated along the west side of Highway 99 between Service Road and E. Redwood Road. That could result in shopping centers, hotels, office uses in proximity to Highway 99 for visibility.

The Copper Trails Specific Plan designates the development of:

- 988 single-family residential units on approximately 178 acres designated as low density residential;
- 338 single-family residential units on approximately 38 acres designated as medium density residential;
- 336 residential units on approximately 17 acres designated as medium-high density residential;
- 730 multi-family units on approximately 29 acres designated as high density residential;
- Nearly 1.2-million square feet of non-residential uses on approximately 107 acres designated as Regional Commercial;
- Five neighborhood parks and several greenbelt corridors on approximately 42 acres designated as parks and open space;
- Community facilities that could include a new fire station on approximately three acres.

Vance Jones with lead consultant Wood Rogers explained that the plan addresses all aspects of land use and circulation, public services, public facilities, financing of improvements and implementation. It also includes development standards for residential uses and commercial uses. It includes design guidelines for just the visual character and design of streetscapes and neighborhoods and even residential and commercial architecture.

The plan also spells out all of the costs of any public improvements like and roadway widenings, and includes funding mechanisms that would be used to ensure that there is money available to construct those improvements.

“The benefits ... include just for the city, economic growth, new jobs, additional revenue streams from both sales and property taxes, new recreational facilities for city residents and consisting of parks and trails and green belts, and then housing, not only an increased supply of housing but a diverse supply of housing and the ability to help the city meet its state mandated requirements for the construction of new housing,” said Jones.

IN THE NEWS – Ceres Courier, April 15, 2026 - Continued

Jim Piatt, a property owner within the plan area, asked for approval, saying, “I believe it’s time that the city of Ceres puts more housing in, and I believe that is the ideal, perfect place with the schooling that was put there.”

Dan Nichols, a developer who is considering buying land in Copper Trails, asked what it would cost for Service Road to be widened and who will pay for it. He was told developer fees would cover the cost.

Ceres builder Harinder Toor urged the council to approve the plan which had origins dating back to 2005.

“The state has actually made it very clear that the cities in the state of California definitely need more housing, so we need to meet the obligations or faces the consequences,” said Toor. “And approving this subdivision helps the city of Ceres stay compliant and main control over its own growth. This project is much needed. It’ll basically help stabilize rising home prices. And also generate fees and property income tax, which the city is much, much needed. This project’s already gone through years of planning or visions and investments.”

Others were not supportive. Tim Pittman, who lives on a small ranch south of Service Road, said, “to be annexed into the city after 50 years would be devastating to my lifestyle and way of living.”

Farming and ranching can still continue in the plan area until the land is ultimately sold for development.

Kristi Britton, the assistant superintendent of Business Services for Ceres Unified School District, said an agreement between the property owners and the school district has been ironed out to ensure that CUSD has the adequate funding to increase classes for the additional students that development would bring to the city.

John Warren argued that Copper Trails is not needed and that buildout likely won’t develop in 30 years.

“We have West Landing out here that has building space for 4,000 homes,” said Warren. “That’s a whole bunch of people, at four people per home, figure that out with what the population would increase. Nobody is clamoring to go build over there at West Landing. They want to go someplace that’s not in the city. We don’t need that. It would probably be a good thing, but the city can’t afford that.”

He went on to suggest the project would financially burden the city, especially taking in an impoverished area of the county pocket.

Land use attorney George Petrulakis said it’s normal for a city to hear complaints about development spreading into rural areas but said the land has been designated for future growth in the Ceres General Plan for three decades.

Petrulakis said development – and the ultimate buyers of homes – eventually pays for all the costs of infrastructure.

“When I started this, 30 years ago, in the land use law, really nobody cared about housing in California,” said Petrulakis. “It was fairly affordable. It’s not that way anymore. Housing’s a high priority for all communities and even the state that tries their best to do something useful.”

He also said it gives Ceres a great opportunity to create another retail area west of Highway 99.

In terms of housing, said Petrulakis, Copper Trails will provide for a variety, from starter to modest to retirement housing.

IN THE NEWS – Ceres Courier, April 15, 2026 - Continued

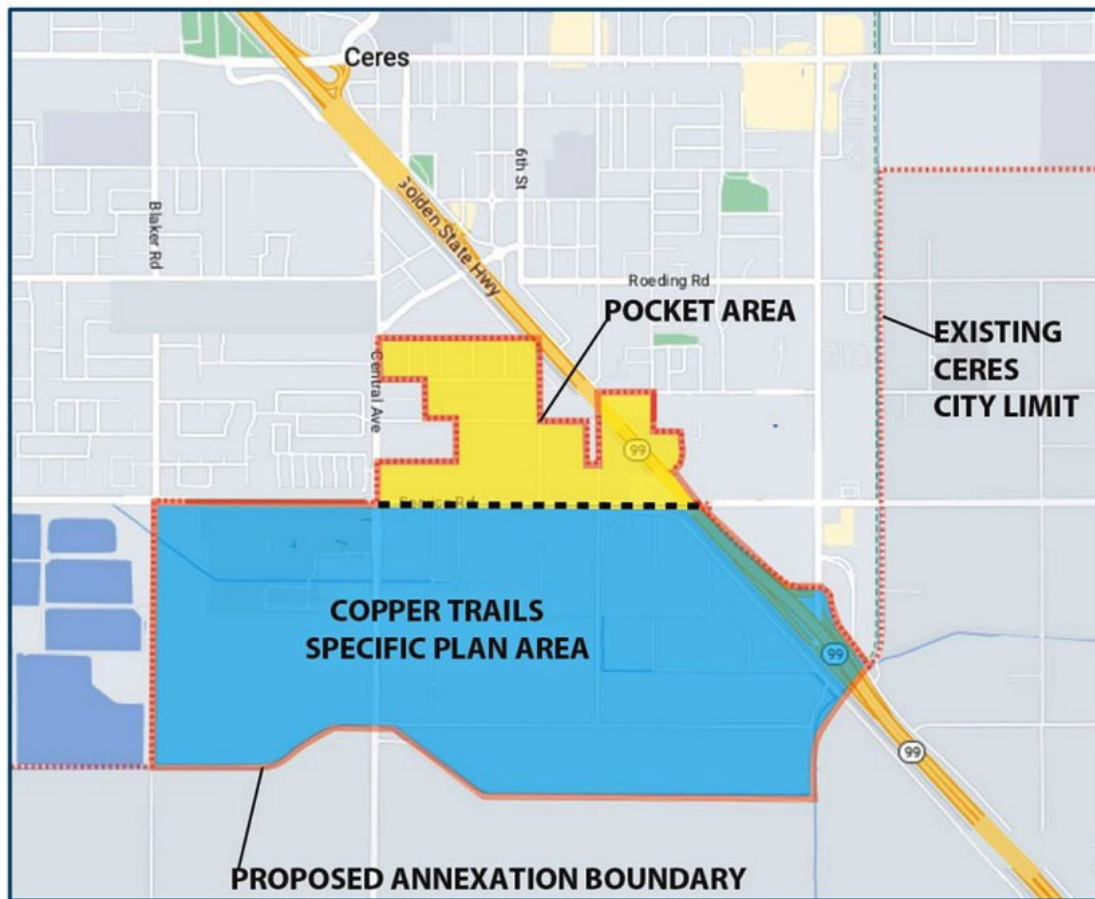
Jones clarified that the plan does not dictate the type of housing that is built, only providing the framework for such uses. The market will drive those types of housing.

“I’m excited for more homes,” said Vice Mayor Daniel Martinez. “It’s a requirement for cities to increase their housing numbers. Along with the additional homes, we’re bringing in additional jobs, we’re expanding our parks. We have more need for public works and for street workers. The school district will get more use of Hidahl and of Central Valley High School, be able to recruit more families to live in the area.”

Councilwoman Cerina Otero said Copper Trails “is a major growth opportunity because it’s going to bring housing and parks and more economic development. So I think that’s a good thing as we go into the future. I just want to ensure that we’re protecting today’s community while we’re planning responsibly because I’ve seen approval for other housing developments that just haven’t broke ground yet.”

Mayor Javier Lopez called the council’s decision “historic” and noted that “we’re trying everything in our power as this council to provide more housing for the Central Valley and ... part of this solution.”

Councilman James Casey voted no on all three agenda items related to Copper Trails.





**STANISLAUS LOCAL AGENCY FORMATION COMMISSION
MINUTES
March 25, 2026**

1. CALL TO ORDER

Chair Withrow called the meeting to order at 6:00 p.m.

- A. Pledge of Allegiance to Flag. Chair Withrow led in the pledge of allegiance to the flag.
- B. Introduction of Commissioners and Staff. Chair Withrow led in the introduction of the Commissioners and Staff.

Commissioners Present: Terry Withrow, Chair, County Member
Sue Zwahlen, Vice Chair, City Member
Bill O'Brien, Public Member
Vito Chiesa, County Member
Amy Bublak, Chair, City Member
Charlie Goeken, Alternate City Member
Jami Aggers, Alternate Public Member

Commissioners Absent: Mani Grewal, Alternate County Member

Staff Present: Sara Lytle-Pinhey, Executive Officer
Jennifer Vieira, Commission Clerk
Javier Camarena, Assistant Executive Officer
Shaun Wahid, LAFCO Counsel

2. PUBLIC COMMENT

Milt Trieweiler spoke regarding farmland protection.

3. CORRESPONDENCE

- A. Specific Correspondence.
None.
- B. Informational Correspondence.
 - 1. CALAFCO-U LAFCO 201 Webinar flier.
 - 2. CALAFCO Quarterly Update, March 6, 2026.
- C. In the News

4. DECLARATION OF CONFLICTS AND DISQUALIFICATIONS

None.

5. CONSENT ITEMS

A. MINUTES OF THE JANUARY 28, 2026, LAFCO MEETING

(Staff Recommendation: Accept the Minutes.)

B. LAFCO APPLICATION NO. 2026-01 – ELMWOOD ESTATES CHANGE OF ORGANIZATION TO COUNTY SERVICE AREA NO. 19 (TUOLUMNE-GRATTON)

The Commission will consider a request to annex 5 acres to County Service Area No. 19 (Tuolumne-Gratton) for the storm drainage and landscaping of a future subdivision located on the east side of Story Road, between Hillsdale Drive and Walton Street in the Denair area. The annexation to CSA No. 19 will also include a Sphere of Influence amendment. Stanislaus County, as Lead Agency under the California Environmental Quality Act (CEQA), approved a Negative Declaration for the project. LAFCO, as a Responsible Agency, will consider the environmental documentation prepared by the County as part of its action. (Staff Recommendation: Approve the proposal and adopt Resolution No. 2026-06.)

C. INDEPENDENT AUDIT FOR FISCAL YEARS 2023-2024 and 2024-2025. (Staff Recommendation: Accept and File Audit Report.)

Motion by Commissioner Chiesa, seconded by Commissioner Bublak, and carried with a 5-0 vote to approve the consent items, by the following vote:

Ayes: Commissioners: Bublak, Chiesa, O'Brien, Withrow and Zwahlen
Noes: Commissioners: None
Ineligible: Commissioners: Aggers and Goeken
Absent: Commissioners: Chiesa and Grewal
Abstention: Commissioners: None

6. PUBLIC HEARING

A. LAFCO APPLICATION NO. 2026-02 – FAHMY CHANGE OF ORGANIZATION TO THE CITY OF WATERFORD:

The Commission will consider a request from the City of Waterford to annex 43.27 acres located at the northeast intersection of North Eucalyptus Avenue and Yosemite Boulevard (State Highway 132) and adjacent to Richard M. Moon and Lucille Whitehead Schools. The proposed annexation includes an existing mobile home park, 19.2-acre future subdivision and additional properties. The City, as Lead Agency under the California Environmental Quality Act (CEQA), approved a Mitigated Negative Declaration for the project. LAFCO, as a Responsible Agency, will consider the environmental determination prepared by the City as part of its action. (Staff Recommendation: Approve the proposal and adopt Resolution No. 2026-07.)

Javier Camarena, Assistant Executive Officer, presented the item with a recommendation to approve the proposal.

Chair Withrow opened the Public Hearing at 6:12 p.m.

John Anderson, representing the City of Waterford; Mark Partin, resident; Milt Trieweiler, resident; and Dave Romano representing the landowners spoke. Chair Withrow closed the Public Hearing at 6:27 p.m.

Commissioner Goeken answered questions regarding the project.

Motion by Commissioner Chiesa, seconded by Commissioner Bublak, and carried with a 5-0 vote to approve the proposal, by the following vote:

Ayes: Commissioners: Bublak, Chiesa, O'Brien, Withrow and Zwahlen
Noes: Commissioners: None
Ineligible: Commissioners: Aggers and Goeken
Absent: Commissioners: Grewal
Abstention: Commissioners: None

7. OTHER BUSINESS

None.

8. COMMISSIONER COMMENTS

Commissioner Aggers stated that she attended the LAFCO 101.

9. ADDITIONAL MATTERS AT THE DISCRETION OF THE CHAIRPERSON

None.

10. EXECUTIVE OFFICER'S REPORT

The Executive Officer informed the Commission of the following:

- The LAFCO 101 hosted by CALAFCO is now available online. If you wish to view it let the Clerk know so she can set that up.
- CALAFCO is also hosting LAFCO 201 on April 22nd. Contact the clerk to sign up. It will be recorded to view later if you are unable to attend.
- Reminder that the annual 700 forms are due by next Wednesday.
- For the April meeting Staff is working on the Proposed Budget and a County Service Area annexation.
- Staff has also received a fire district reorganization application.

13. ADJOURNMENT

A. Chair Withrow adjourned the meeting at 6:35 p.m.

DRAFT

Sara Lytle-Pinhey, Executive Officer

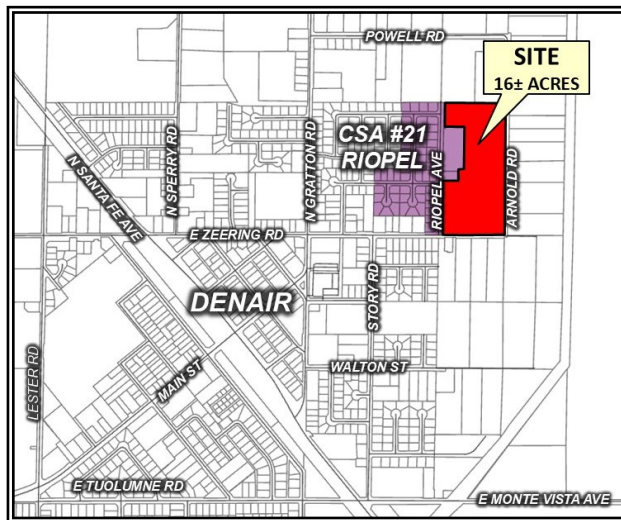
**EXECUTIVE OFFICER'S AGENDA REPORT
APRIL 22, 2026**

**LAFCO APPLICATION NO. 2026-03
SPHERE OF INFLUENCE UPDATE NO. 2026-03
HOFFMAN RANCH CHANGE OF ORGANIZATION TO
COUNTY SERVICE AREA NO. 21 (RIOPEL)**

PROPOSAL

The proposed project is a request to annex approximately 16 acres to County Service Area No. 21 (Riopel) to provide storm drainage, landscaping, and related services to a future subdivision.

1. Applicant: Stanislaus County, by Resolution of Application
2. Location: The project site is located on the west side of Arnold Road, north of East Zeering Road, east of Riopel Avenue and south of Powell Road in the Denair area.
3. Parcels Involved and Acreage:
The project site includes Assessor's Parcel Number (APN) 024-022-027 totaling approximately 16 acres (See Exhibit "A" Map and Legal Description).
4. Reason for Request: The annexation to CSA No. 21 is being requested in order to satisfy a condition of approval for a Stanislaus County subdivision. The CSA will provide storm drainage and landscaping services to the area. The Commission has previously reviewed and approved similar CSA annexations in the Denair area.



ENVIRONMENTAL REVIEW

Stanislaus County, through its planning process, assumed the role of Lead Agency under the California Environmental Quality Act (CEQA) for the 16-acre residential subdivision. The County approved a Mitigated Negative Declaration for the project (Exhibit B). LAFCO, as a Responsible Agency, must consider the environmental documentation prepared by Stanislaus County. The proposed annexation will not result in a change of land use under the current zoning, which is under Stanislaus County jurisdiction.

BACKGROUND

In 2023, Stanislaus County approved Rezone and Tentative Map Application No. PLN2021-0101 – Hoffman Ranch. The project allowed the property to be rezoned from Planned Development (P-D) 288 to a new P-D (369) and subdivided into 76 parcels. The project includes a condition of approval requiring annexation into CSA No. 21 to provide storm drainage and landscaping services to the area. As part of the CSA, services will generally include CSA administration, street-sweeping, maintenance of the storm drain system, park maintenance, drainage basin, landscaping, sidewalks, and streetscape. Maintenance and administration of the CSA will be provided by the Stanislaus County Department of Public Works and Department of Parks and Recreation. For more information, see the attached Plan for Services (Exhibit C).

FACTORS

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 requires several factors to be considered by a LAFCO when evaluating a proposal. The following discussion pertains to the factors, as set forth in Government Code Section 56668 and 56668.3:

- a. ***Population and population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years.***

The annexation is being proposed to provide storm drain and landscaping services to the area. The project site is zoned P-D 369 in the Stanislaus County Zoning Ordinance and is designated Planned Development in the General Plan and Low Density Residential in the Denair Community Plan. The proposed development is a legal use within the zoning district. Annexation to the District will not change or lead to change in the zoning. The subject parcel is located in Tax Code Area: 056-055. The current assessed value for the parcel within the proposed annexation area is \$994,213.

- b. ***The need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas.***

CSA 21 provides extended county services including CSA administration, street-sweeping, maintenance of the storm drain system, park maintenance, drainage basin, landscaping, sidewalks, and streetscape maintenance. Upon annexation, the territory will be subject to the approved formula for calculation and levy of annual assessments to pay for services provided by CSA 21.

- c. ***The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county.***

There are no social or economic communities of interest as defined by the Commission in the area. The proposal is consistent with adopted Commission policies to encourage efficient and effective delivery of governmental services.

- d. ***The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities set forth in Section 56377.***

The parcel is located within an area that is zoned P-D 369 by Stanislaus County. The proposed residential subdivision is consistent with the County's Zoning Ordinance. The proposed annexation will provide maintenance and related services for the subdivision's storm drain system and landscaping. There are no other plans to change the land use.

- e. ***The effect of the proposal on maintaining the physical and economic integrity of***

agricultural lands, as defined by Section 56016.

The proposal will not result in the loss of agricultural land and will not affect the physical and economic integrity of agricultural land. The property is part of the Denair Community Plan and is considered infill development. The project site was recently rezoned from Planned Development (P-D) 288 to P-D 369 by Stanislaus County.

- f. The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting proposed boundaries.***

The proposed boundary includes parcel 024-022-027 totaling approximately 16 acres. The proposed annexation also includes a sphere of influence (SOI) amendment to the CSA 21 SOI. The amendment will result in a coterminous SOI and CSA boundary.

- g. A regional transportation plan adopted pursuant to Section 65080***

The Regional Transportation Plan (RTP) is prepared and adopted by the Stanislaus Association of Governments (StanCOG) and is intended to determine the transportation needs of the region as well as the strategies for investing in the region's transportation system. The annexation will not change traffic or transportation routes for the area.

- h. The proposal's consistency with city or county general and specific plans***

The proposal is consistent with the Stanislaus County General Plan land use designation of "Planned Development", Denair Community Plan designation of "Low Density Residential", and zoning designation of P-D 369 (Planned Development).

- i. The sphere of influence of any local agency, which may be applicable to the proposal being reviewed.***

The proposed change of organization includes a sphere of influence (SOI) amendment to CSA 21. The amendment will result in a coterminous SOI and CSA boundary. The proposed territory is also within the Sphere of Influence of the Denair Fire Protection District, Turlock Mosquito Abatement District, Turlock Irrigation District, and Denair Community Services District.

- j. The comments of any affected local agency or other public agency.***

All affected agencies and jurisdictions have been notified pursuant to State law requirements and the Commission adopted policies. A referral response was received from the Denair Community Services District indicating that the proposal would not have an effect on the agency. No additional comments were received.

- k. The ability of the receiving entity to provide services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.***

Stanislaus County, as applicant for the proposed annexation, has indicated it is willing and

able to serve the proposal. Annexation to the County Service Area will allow the County to establish assessments to fund storm drain and landscape services for the subdivision. The CSA is a dependent district, with the Stanislaus County Board of Supervisors serving as the district's governing body.

l. Timely availability of water supplies adequate for projected needs as specified in Government Code Section 65352.5.

The site is planned for a subdivision containing 76 residential units and a park expansion. In 2023, the Denair Community Services District (CSD) annexed the area in order to serve it with sewer and water services.

The CSD currently has four groundwater wells, five lift stations, and an above-ground steel water tank to serve its customers. The CSD has the capacity to serve the existing facilities and infrastructure within its boundaries including the project site.

m. The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments consistent with Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7.

The proposed annexation includes a future subdivision that will add 76 residential lots for single family homes. These units will contribute towards fulfilling the County's regional housing needs allocation.

n. Any information or comments from the landowner or owners, voters, or residents of the affected territory.

The owner of the project site has consented to the proposed annexation. No information or comments, other than what was provided in the application, have been received as of the drafting of this report.

o. Any information relating to existing land use designations.

The project site is zoned P-D 369 (Planned Development) within the Stanislaus County Zoning Ordinance and is designated as "Low Density Residential" in both the General Plan and Denair Community Plan. The annexation will provide storm drain and landscaping services for the future residential subdivision. There are currently no plans to change the land uses.

p. The extent to which the proposal will promote environmental justice.

As defined by Government Code §56668, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services. Approval of the proposal would not result in the unfair treatment of any person based on race, culture or income with respect to the provision of services within the proposal area.

q. Information contained in a local mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard

zone pursuant to Section 51178 or maps that identify land determined to be in a state responsibility area pursuant to Section 4102 of the Public Resources Code, if it is determined that such information is relevant to the area that is the subject of the proposal.

The project site has not been identified as being within a very high fire hazard severity zone.

SPHERE OF INFLUENCE MODIFICATION

Spheres of influence that are established for a County Service Area (CSA) are typically coterminous with their boundaries. Expansion of an existing CSA and its sphere of influence is preferred rather than the formation of a new CSA. Pursuant to LAFCO Policies, a minor amendment to the sphere of influence of an agency may be processed and acted upon by the Commission without triggering a new or revised Municipal Service Review (MSR) where a previous MSR has been conducted and the amendment is less than 100 acres or three percent of the acreage within the District's existing SOI. The proposed annexation meets these criteria. Therefore, consistent with Commission policies, the proposal is being processed as a minor sphere amendment with no new Municipal Service Review required.

Sphere of Influence Determinations

Government Code §56425 gives purpose to the determination of a sphere of influence by charging the Commission with the responsibility of "planning and shaping the logical and orderly development of local governmental agencies." In approving a sphere of influence amendment, the Commission is required to make written determinations regarding the following factors:

1. *The present and planned land uses in the area, including agriculture and open-space lands.*

The County retains the responsibility for land use decisions within the CSA boundaries and sphere of influence. The area is zoned P-D 369 (Planned Development), has a General Plan designation of "Planned Development" and Community Plan designation of "Low-Density Residential". The project site is planned for a residential subdivision which is consistent with the County General Plan, Zoning Ordinance, and Denair Community Plan.

2. *The present and probable need for public facilities and services in the area.*

When the County approves development within an unincorporated area, it may require annexation to or formation of a County Service Area in order to provide extended services necessary to serve the land uses within the development boundaries. In this case, the CSA will provide storm drain and landscaping services to a residential subdivision. A more in-depth description of these services can be found in the "Plan for Services" (See Exhibit C)

3. *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.*

Improvements will be installed by the developer of the project site. Stanislaus County will maintain and operate these facilities with the funding provided through the CSA.

Only those property owners who benefit from the extended services provided by the CSA pay for them, which are funded through an assessment levied on parcels within the CSA

boundaries. Based on the information provided by the County, it can be determined that CSA 21 will have adequate controls and funding streams to provide the appropriate level of extended County services in order to serve the properties within the boundaries of the CSA.

4. *The existence of any social or economic community of interest in the area if the commission determines that they are relevant to the agency.*

There are no known social or economic communities of interest within the proposed Sphere of Influence.

5. *The present and probable need for sewer, municipal and industrial water, or structural fire protection of any disadvantaged unincorporated communities within the existing sphere of influence.*

The project site is located in Denair which has not been identified as a disadvantaged unincorporated community. The area is served by the Denair Fire Protection District for fire protection services and Denair CSD for sewer and water services.

DISCUSSION

Based on the information provided by Stanislaus County, annexation of project site can be considered a logical extension of the District's boundaries. Staff has determined that the proposed annexation is consistent with Government Code and LAFCO policies.

Waiver of Protest Proceedings

Pursuant to Government Code Section 56662(d), the Commission may waive protest proceedings for the proposal when the following conditions apply:

1. The territory is uninhabited.
2. All of the owners of land within the affected territory have given their written consent to the change of organization.
3. No subject agency has submitted written opposition to a waiver of protest proceedings.

As all the above conditions for the waiver of protest proceedings have been met, the Commission may waive the protest proceedings in their entirety.

ALTERNATIVES FOR COMMISSION ACTION

Following consideration of this report and any testimony or additional materials that are submitted at the public hearing for this proposal, the Commission may take one of the following actions:

- Option 1** APPROVE the proposal, as submitted by the applicant.
- Option 2** DENY the proposal.
- Option 3** CONTINUE this proposal to a future meeting for additional information.

STAFF RECOMMENDATION

Approve Option 1. Based on the information and discussion contained in this staff report, and the evidence presented, it is recommended that the Commission adopt Resolution No. 2026-08 (attached as Exhibit D), which:

- a. Certifies, as a Responsible Agency under CEQA, that the Commission has considered the environmental documentation prepared by Stanislaus County as Lead Agency;
- b. Finds the proposal to be consistent with State law and the Commission's adopted Policies and Procedures;
- c. Waives protest proceedings pursuant to Government Code Section 56662(d); and,
- d. Approves LAFCO Application No. 2026-03 and Sphere of Influence Update No. 2026-03 – Hoffman Ranch Change of Organization to County Service Area 21 (Riopel) as outlined in the resolution.

Respectfully submitted,

Javier Camarena

Javier Camarena
Assistant Executive Officer

Attachments - Exhibit A: Maps and Legal Description
Exhibit B: Notice of Determination, CEQA Initial Study, Mitigated Negative Declaration & Mitigation Monitoring Plan
Exhibit C: Plan for Services
Exhibit D: Draft LAFCO Resolution No. 2026-08

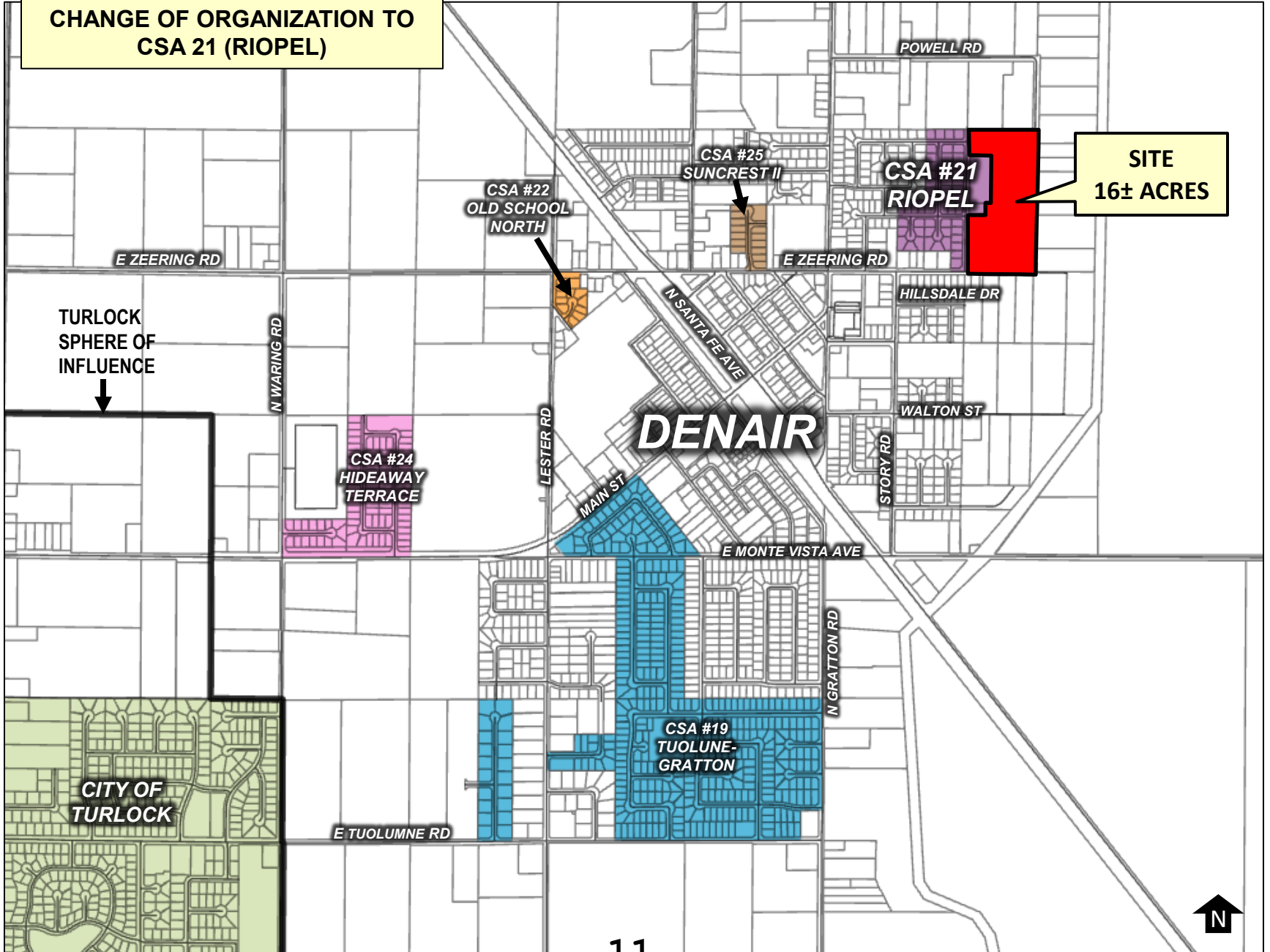
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EXHIBIT A

Maps & Legal Description

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**HOFFMAN RANCH
CHANGE OF ORGANIZATION TO
CSA 21 (RIOPEL)**



**SITE
16± ACRES**

LEGAL DESCRIPTION

Hoffman Ranch Change of Organization to County Service Area No.21 (Riopel)

The land referred to below is situated in the unincorporated area of the County of Stanislaus, State of California and is described as follows:

Being a portion of Lot 7 as shown on the map of the Elmwood Colony filed for record on April 11, 1905, in Volume 2 of Maps, at page 13, Stanislaus County Records, lying in the west half of Section 5, Township 5 South, Range 11 East, Mount Diablo Base & Meridian, more particularly described as follows:

BEGINNING at the intersection of the centerline of Zeering Road and the east right-of-way line of Riopel Avenue, the following (11) eleven courses and distances:

Course 1. North 01°15'01" East, 557.32 feet along the east right-of-way line of said Riopel Avenue, also being the east line of CSA 21 to the southwesterly corner of Lott 55 as shown on the map of Riopel Subdivision filed for record on March 9, 2006, in Book 42 of Maps, at page 99;

Course 2. Departing said east right-of-way line, South 39°07'11" East, 23.61 feet;

Course 3. South 89°39'29" East, 134.71 feet, along the southern line of said Lot 55;

Course 4. North 00°20'28" East, 109.99 feet, along the eastern of said Lot 55 and Lot 54 of said Riopel Subdivision;

Course 5. South 89°39'32" East, 60.00 feet, to the eastern line of said Lot 54;

Course 6. North 01°15'01" East, 430.46 feet, along the eastern line of said Lot 54;

Course 7. North 88°44'59" West, 208.23 feet, along the northern line of said Lot 54 to the east right-of-way line of said Riopel Avenue, also being the east line of CSA 21;

Course 8. North 01°15'01" East, 244.16 feet, along said east right-of-way line to the northwest corner of Lot 7 of said Elmwood Colony map;

Course 9. Along the north line of said Lot 7, South 89°44'00" East, 630.27 feet, to the northeast corner of said Lot 7, said corner being a point on the centerline of Arnold Road;

Course 10. Along the east line of said lot 7, South 01°16'28" West, 1327.70 feet, to southeast corner of Lot 7 said corner being a point on the centerline of said Zeering Road;

Course 11. North 89°40'17" West, 629.70 feet, along the centerline of Zeering Road, also being the north line of Annexation No. 96-12 "Zeering Road Change of Organization to the Denair Community Services District", also being the **POINT OF BEGINNING**;

LEGAL DESCRIPTION


**Hoffman Ranch Change of Organization to
County Service Area No.21 (Riopel)**

Containing 16.755 Acres, more or less.

A PLAT OF THE ABOVE DESCRIBED PARCEL(S) OF LAND IS ATTACHED HERETO AS EXHIBIT "A" AND BY THIS REFERENCE MADE A PART HEREOF.

END DESCRIPTION

This real property description has been prepared by me, or under my direction, in conformance with the requirements of the Professional Land Surveyors' Act.



Stephen J. Pyle
Professional Land Surveyor
California No. 8385



February 15, 2024

Date

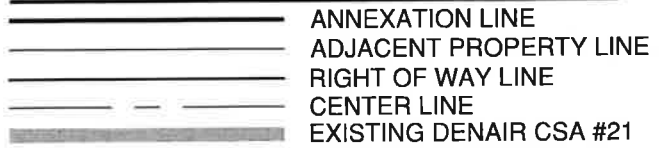
Y:\Jobs\39170 Dunkley Denair Subdivision\Survey\MapDwg\39170-EXH-ANNEXATION - CSA and Lighting District.dwg spyle 13:44:15 02/15/2024

APN INFORMATION

- 1 024-022-027 DUNKLEY ARTHUR W TRS
- 2 024-022-029 COUNTY OF STANISLAUS
- 3 024-022-030 COUNTY OF STANISLAUS

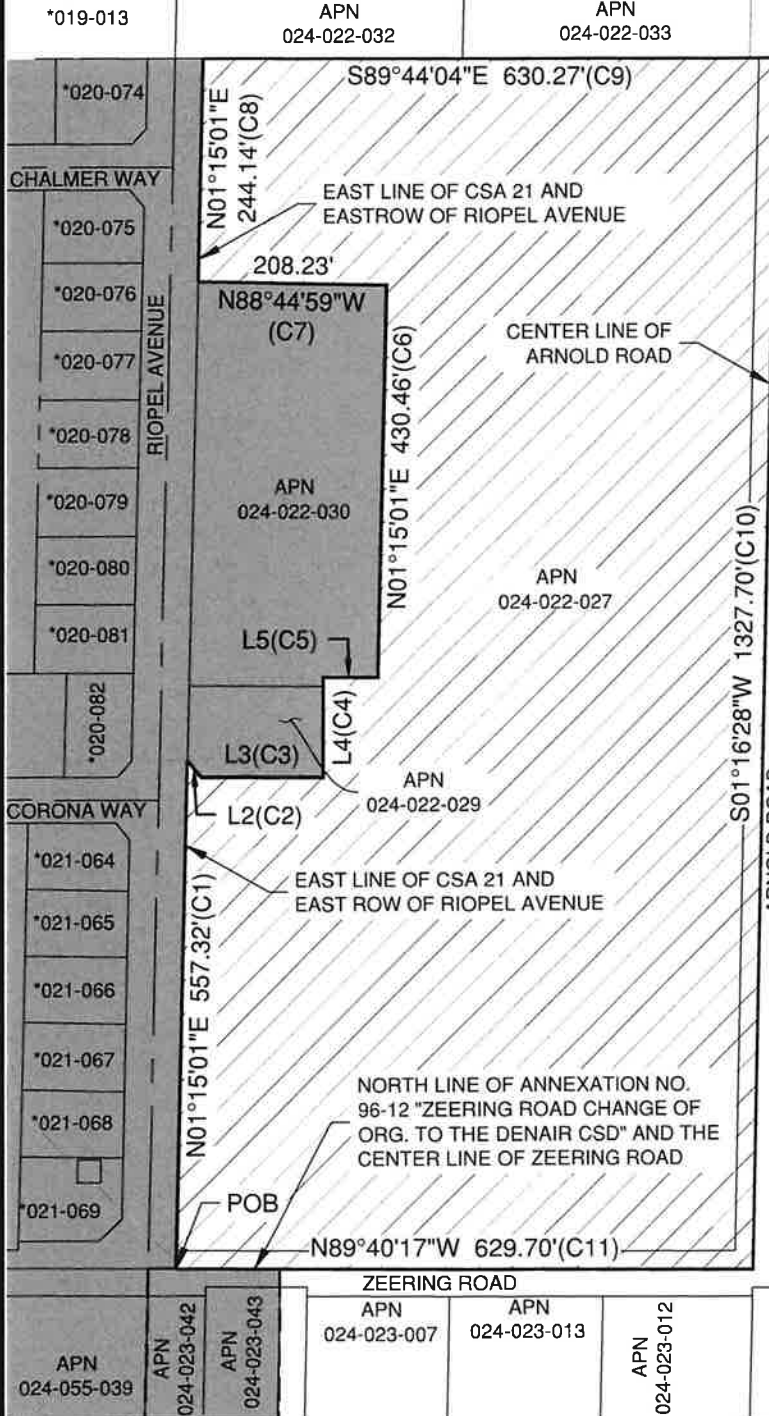
NOTE: * = APN 024-

LEGEND

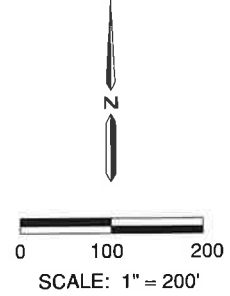


ABBREVIATIONS

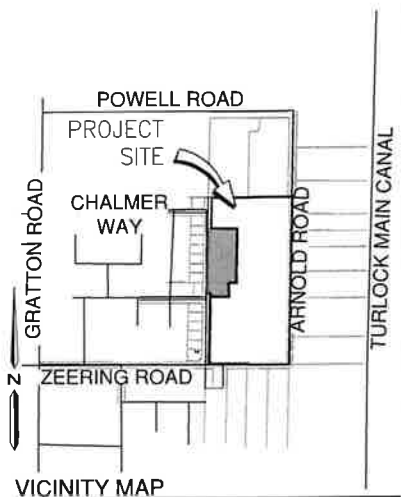
- ROW RIGHT-OF-WAY
- POB POINT OF BEGINNING
- CSA COMMUNITY SERVICE AREA
- CSD COMMUNITY SERVICES DISTRICT
- (C#) COURSE NUMBER



- APN 024-022-012
- APN 024-022-013
- APN 024-022-014
- APN 024-022-017 / 910-012-410
- APN 024-022-018
- APN 024-022-019
- APN 024-022-020
- APN 024-023-012



LINE TABLE		
LINE #	DIRECTION	LENGTH
L2	S39°07'11"E	23.61'
L3	S89°39'29"E	134.71'
L4	N0°20'28"E	109.99'
L5	S89°39'32"E	60.00'



NOT TO SCALE



Hoffman Ranch Change of Organization to County Service Area No.21 (Riopel)

HOFFMAN RANCH COUNTY SERVICE AREA (CSA) NO. 21 ANNEXATION	
SCALE: 1"=200'	DATE: 2024-02-15
JOB NO.: 39170	
FILE: 39170-CSA AND LIGHTING DIST.DWG	

1 of 1

EXHIBIT B

Notice of Determination, CEQA Initial Study, Mitigated Negative Declaration & Mitigation Monitoring Plan

*Appendices to the Initial Study can be found at
https://www.stanislauslafco.org/current_projects.shtm*

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FILED

June 13, 2023

DONNA LINDER

STANISLAUS COUNTY
CLERK-RECORDER

By: *J. M. Meacham*
Deputy Clerk

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

NOTICE OF DETERMINATION

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

Project Title: Rezone and Vesting Tentative Map Application No. PLN2021-0101 – Hoffman Ranch

Applicant Information: Dan Dunkley, 746 Division Street, Pleasanton, CA 94566 (209) 525-6330

Project Location: 4325 Arnold Road and 4302 Riopel Avenue, on the north side of East Zeering Road, between Riopel and Arnold Roads, in the Community of Denair, Stanislaus County (024-022-027).

Description of Project: Request to rezone a 15.9± acre parcel from Planned Development (P-D) (288) to a new P-D and to subdivide the project site into 76 parcels, ranging in size from 5,855 to 12,631 square feet and a 6,391± square foot park site expansion.

Name of Agency Approving Project: Stanislaus County Board of Supervisors

Lead Agency Contact Person: Kristen Anaya, Associate Planner

Telephone: (209) 525-6330

This is to advise that the Stanislaus County Board of Supervisors on **June 6, 2023** 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 10th 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-2023.shtm>.

6/13/23
Dated

Kristen Anaya
Kristen Anaya
Associate Planner

Date removed from posting 7-17-23



State of California - Department of Fish and Wildlife
2023 ENVIRONMENTAL DOCUMENT FILING FEE
CASH RECEIPT
 DFW 753.5a (REV. 01/01/23) Previously DFG 753.5a

Print **StartOver** **Finalize&Email**

RECEIPT NUMBER:
 50-06/13/2023-093
 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 06/13/2023
COUNTY/STATE AGENCY OF FILING STANISLAUS COUNTY	DOCUMENT NUMBER 50-2023-119	

PROJECT TITLE
 REZONE AND VESTING TENTATIVE MAP APPLICATION NO PLN 2021-0101 - HOFFMAN RANCH

PROJECT APPLICANT NAME DAN DUNKLEY	PROJECT APPLICANT EMAIL	PHONE NUMBER (209) 525-6330
PROJECT APPLICANT ADDRESS 746 DIVISION STREET	CITY PLEASANTON	STATE CA
		ZIP CODE 94566

PROJECT APPLICANT (Check appropriate box)
 Local Public Agency School District Other Special District State Agency Private Entity

CHECK APPLICABLE FEES:

Environmental Impact Report (EIR) \$ 3,839.25 \$ _____

Mitigated/Negative Declaration (MND)(ND) \$ 2,764.00 \$ 2,764.00

Certified Regulatory Program (CRP) document - payment due directly to CDFW \$ 1,305.25 \$ _____

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 186 **TOTAL RECEIVED \$ 2,821.00**

SIGNATURE X <i>Jennifer Mercado</i>	AGENCY OF FILING PRINTED NAME AND TITLE Jennifer Mercado Deputy Clerk
---	--



State of California - Department of Fish and Wildlife
2023 ENVIRONMENTAL DOCUMENT FILING FEE
CASH RECEIPT
 DFW 753.5a (REV. 01/01/23) 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



AMENDED CEQA INITIAL STUDY

Adapted from CEQA Guidelines APPENDIX G Environmental Checklist Form, Final Text, January 1, 2020
Amendments consisting of additions are reflected in bold text and deletions in strikethrough text.

- 1. **Project title:** Rezone and Vesting Tentative Subdivision Map Application No. PLN2021-0101 – Hoffman Ranch
- 2. **Lead agency name and address:** Stanislaus County
1010 10th Street, Suite 3400
Modesto, CA 95354
- 3. **Contact person and phone number:** Kristen Anaya, Associate Planner
(209) 525-6330
- 4. **Project location:** 4325 Arnold Road and 4302 Riopel Avenue, between East Zeering and Powell Roads, in the Community of Denair (APN: 024-022-027).
- 5. **Project sponsor’s name and address:** Dan Dunkley
239 Main Street, Suite E
Pleasanton, CA 94566
- 6. **General Plan designation:** Planned Development
- 7. **Community Plan designation:** Low-Density Residential
- 8. **Zoning:** Planned Development (P-D) (288)
- 9. **Description of project:**

Request to rezone a 15.9± acres parcel from Planned Development (P-D) (288) to a new Planned Development, to subdivide the project site into 76 parcels, ranging in size from 5,855 square-feet to 12,631 square-feet and a 6,391± square-foot park site expansion. The project site has a General Plan designation of Planned Development and a Denair Community Plan designation of Low-Density Residential. With the exception of lot coverage, development standards and permitted uses applicable to the lots will be consistent with those of the County’s Single-Family Residential (R-1) zoning district. The 76 single-family lots are proposed to allow a maximum aggregate building coverage of 50% for each, a 10% increase of the current 40% maximum aggregate building coverage requirement within R-1 zoning district. A tree planting plan has been included with the proposed project for each lot, which will require submittal of a landscape and irrigation plan upon development of each lot. If approved, each lot could be developed with one single-family dwelling, an accessory dwelling unit, and junior accessory dwelling unit.

As part of the project, the developer will extend the existing County-maintained Corona and Chalmer Ways eastward, through the proposed subdivision, terminating into Arnold Way along the eastern boundary. Interior 50-foot-wide roadways, including three cul-de-sacs, will be developed as part of the subdivision’s interior circulation. Each street frontage will be developed with curb, gutter, sidewalk, and street lighting. Stormwater is proposed to be managed by an existing dual use basin located on Assessor’s Parcel Number (APN) 024-022-030, which also serves the adjacent subdivision to the west. “Lot A” is proposed to dedicate a 6,391-square-foot expansion to the existing County park parcel, Hunter’s Pointe, located on APN 024-022-029, and develop park improvements consisting of a basketball court and shade structure, in accordance with the Stanislaus County Park Land In-Lieu Of Fees Policy. A “Can-Serve” letter for water and sewer services to serve the residential development has been issued from the Denair Community Services District (CSD) for the project, which included ~~requirements~~**conditions of approval** that the project **annex into the CSD’s boundaries, install all necessary water and sewer lines through the interior and outer boundary of the**

site, and pay all applicable connection fees. As part of the conditions for connection the development will also be required to pay its fair-share towards a required municipal well future capital improvement project consisting of a million gallon water tank, booster pumps, electrical upgrade, site work, and a backup generator.”

P-D (288) was adopted by the Board of Supervisors on April 20, 2004 (General Plan Amendment 2003-01, Rezone 2003-03, and Tentative Map 2002-02 – Riopel Property (“Pope Subdivision”), which created the Rural Residential-zoned 53-lot subdivision located immediately west of the project site. The project site was included in creation of P-D (288), which was utilized to create two parcels, for development of a dual use drainage basin and park serving the subdivision to the west. The subsequent 15.9± acres parcel was not approved for further subdivision or use. Consequently, development of the site requires a new rezone and tentative map. If approved the applicant proposes for construction to begin within two years of project approval.

- 10. **Surrounding land uses and setting:** Single-family residential development to the west, scattered ranchette parcels and irrigated farmland to the north, east, and south; confined animal facility to the southeast.
- 11. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.):** Stanislaus County Department of Public Works
Department of Environmental Resources
Denair Community Services District
- 12. **Attachments:**
 - I. Central California Information Center Records, dated September 10, 2021
 - II. California Emissions Estimator Model results, prepared by Insite Environmental, dated July 7, 2022
 - III. Phase I Environmental Site Assessment, prepared by Krazan and Associates, Inc., dated May 14, 2021
 - IV. Transportation Impact Assessment, prepared by Barrios Transportation Consulting, dated September 23, 2022
 - V. Mitigation Monitoring and Reporting Program, dated February 22, 2023

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

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

Signature on File _____
 Prepared by Kristen Anaya, Associate Planner

February 22, 2023 (as updated on April 26, 2023) _____
 Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- 4) “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from 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

I. AESTHETICS – Except as provided in Public Resources Code Section 21099, could the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?			X	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			X	
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?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

Discussion: The site itself is not considered to be a scenic resource or unique scenic vista. The site is designated Low-Density Residential within the Denair Community Plan. Neither Stanislaus County nor Denair Community Plan standards generally dictate the need or desire for architectural review of agricultural or residential subdivisions. The proposed project will rezone a 15.9± acres parcel from Planned Development (P-D) (288) to a new Planned Development and to subdivide the project site into 76 parcels, ranging in size from 5,855 square-feet to 12,631 square-feet and a 6,391± square-foot park site expansion.

The project site is currently vacant, but has been previously planted in row crops. The site is surrounded by single-family residential development to the west; scattered ranchettes and irrigated farmland to the north, east, and south; and confined animal facility to the southeast.

The applicant proposes to install street lighting, curb, gutter, and sidewalk for the entire subdivision. Additionally, the developer will extend the existing County-maintained Corona and Chalmer Ways eastward, through the proposed subdivision, terminating into Arnold Way. Interior 50-foot-wide roadways including three cul-de-sacs will be developed as part of the subdivision’s interior circulation. Stormwater is proposed to be managed for the development through an existing 2.09 acres stormwater basin located on APN 024-022-030, which currently serves the existing residential development to the west. As part of the overall development plan, the proposed project includes a landscaping and tree planting plan. The applicant proposes to plant trees along the frontages of all lots and along the eastern frontage of the existing storm drainage basin, for an overall total of 137 trees. A referral response from the Department of Parks and Recreation provided a list of approved trees, requested that any street trees be planted at least three feet from hard surfaces such as curb, gutter, and sidewalk, and requested that the tree planting plan be submitted for review and approval. A basketball court and shade structure are proposed to be installed within Lot A, the Hunter’s Pointe expansion. These project features will enhance the site’s overall visual character as well as blending with the existing surrounding development.

A referral response was received from the County’s Public Works Department requiring annexation of the project to the existing Community Service Area (CSA) #21 - *Riopel* and the Denair Highway Lighting and Landscaping District, to ensure future maintenance and eventual replacement of the storm drainage system and facilities, and any landscaped areas. Development standards have been added to the project addressing Public Works’ requirements.

The project is not expected to degrade any existing visual character of the site or surrounding area. Lighting installed with the subdivision shall be designed to reduce any potential impacts of glare per the County’s Public Works adopted Standards and Specifications.

Mitigation: None.

References: Referral Response from the Stanislaus County Department of Public Works, dated September 29, 2022; Referral Response from the Stanislaus County Department of Parks and Recreation, dated April 21, 2022; Application Information; Stanislaus County Zoning Ordinance; the Stanislaus County General Plan; and Support Documentation¹.

II. AGRICULTURE AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California 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 project site is 15.9± acres in size and presently unimproved, but in the past had been planted with row crops. The project site is classified by The California Department of Conservation Farmland Mapping and Monitoring Program as a being comprised of “Grazing Land.” The United States Department of Agriculture Natural Resources Conservation Service (USDA NRCS) Web Soil Survey indicates that the project site’s soil primarily consists of: Grade 3 Greenfield sandy loam, deep over hardpan, 0 to 3 percent slopes, Storie Index rating 47 (10.2± acres), Grade 4 Madera sandy loam, 0 to 2 percent slopes, Storie Index rating 30 (4.7± acres), and Grade 1 Hanford sandy loam, 0 to 3 percent slopes, Storie Index rating 93 (0.8± acres). Grade 1 soils are considered to be prime farmland; however, as the site’s General Plan Designation and zoning were previously amended to Planned Development and includes a Denair Community Plan designation of Low-Density Residential, the site would not be considered Prime Farmland nor will the project convert any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use.

The project was referred to the Turlock Irrigation District (TID), who provided a referral response indicating that an irrigation pipeline belonging to Improvement District (ID) 573A runs along the western edge of the subject project. There are no electrical facilities on the parcel; however, there are two conduit stub-outs to the west that will be fed to serve the proposed subdivision: one located within Chalmer Way that terminates west where the project parcel begins, and one located at the

north end of the existing Hunter's Pointe Park, that terminates west at the project parcel boundaries. TID requested the developer enter into an irrigation improvements agreement and submit both irrigation improvement plans for any irrigation facility modifications, and the final map including an application for electrical facility extensions for approval by TID's Engineering Department prior to recording of the final map. Additionally, TID indicated that the developer must apply for abandonment from ID 573A since the subsequent parcels will no longer have direct access to water or irrigate. The District also requested that a 10-foot Public Utility Easement be dedicated along all street frontages, and that development of the proposed lots have a minimum 15-foot building setback from both the front property line and from back-of-sidewalk. Development standards will be placed on the project reflecting these requirements.

Surrounding uses include single-family residential development to the west, ranchette parcels and irrigated farmland to the north, east, and south, and confined animal facility to the southeast. In December of 2007, Stanislaus County adopted an updated Agricultural Element which incorporated guidelines for the implementation of agricultural buffers applicable to new and expanding non-agricultural uses within or adjacent to the A-2 Zoning District. Appendix A states: "All projects shall incorporate a minimum 150-foot-wide buffer setback. Projects which propose people intensive outdoor activities shall incorporate a minimum 300-foot-wide buffer setback." The purpose of these guidelines is to protect the long-term health of agriculture by minimizing conflicts such as spray drift and trespassing resulting from the interaction of agricultural and non-agricultural uses. Alternatives may be approved, provided the Planning Commission finds that the alternative provides equal or greater protection than the existing buffer standards. It is the opinion of staff that the proposed use is not a people intensive outdoor use. As mentioned, a residential subdivision is located west of the project site. Although the ranchette parcels to the east and south (all within approximately 50-feet from the project site) are agriculturally zoned, they are not in agricultural production, are designated as either Estate Residential or Low-Density Residential in the Denair Community Plan, and are improved with a single-family dwellings and accessory structures. Ranchettes are considered to be residential in nature as categorized under Goal Two of the Agriculture Element of the General Plan. Accordingly, the applicant is requesting an agricultural buffer alternative, consisting of a reduced distance of an at least 50-feet and physical separation of Arnold and East Zeering Roads, from the A-2 parcels to the east and south. The nearest parcels in agricultural production are two 5± acres ranchette parcels which bound the project site to the north but are designated Low Density Residential in the Denair Community Plan. Provision of 150-feet of distance is not feasible as the project site is immediately adjacent to the two northern parcels. Given the farming status of the two ranchette parcels to the north, the Agricultural Commissioner's Office has requested that an Agricultural Buffer alternative consisting of a solid eight-foot wood privacy fence be constructed along the northern property line of the proposed project. This requirement will be added as a development standard to the project.

The project parcel is not enrolled in a Williamson Act Contract. The nearest parcel enrolled under contract is a 326.4± acres parcel that is not in the Denair Community Plan and is located approximately 600+ feet away from the project site to the east, separated from the project site by ranchette parcels and a 100-foot-wide TID Main Canal. Therefore, the project is not anticipated to conflict with existing Williamson Act Contracts.

The Denair Community Plan outlines the future growth patterns of Denair and is used in conjunction with the General Plan to indicate the desired land use 'vision' for the town and to guide future growth patterns. Further residential development of the area would generally be confined within the Community Plan boundaries in areas with residential designations, or additional land use entitlements consisting of either Community Plan, General Plan, or zoning designation amendments would be required, subject to additional CEQA review. Residential development of land with a zoning or general plan designation of Agriculture also requires consistency with the Stanislaus County Zoning Ordinance Chapter 21.118 – 30-Year Land Use Restriction, or Measure E, which prohibits conversion of agriculturally designated land to residential without support of a majority vote by County voters at a special or general election. As residential development is limited to the current boundaries of the Denair Community Plan, the proposed project if approved is not anticipated to induce conversion of surrounding farmland to non-agriculture uses; nor will it conflict with existing zoning or a Williamson Act Contract. Additionally, although permits for spraying pesticides have been issued to the two parcels to the north of the project site, the proposed Agricultural Buffer will provide physical separation between the proposed subdivision and farming activities.

The project site is considered an in-fill development and will not contribute to the loss of farmland or forest land.

Mitigation: None.

References: E-mail correspondence from the Agricultural Commissioner's Office, dated May 17, 2022; Referral Response from Turlock Irrigation District, dated January 24, 2022; Natural Resources Conservation Service Soil Survey; application information; Stanislaus Soil Survey (1957); California State Department of Conservation Farmland Mapping and Monitoring Program - Stanislaus County Farmland 2018; Stanislaus County General Plan and Support Documentation¹.

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 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.

Potential impacts on local and regional air quality are anticipated to be less than significant, falling below SJVAPCD thresholds, as a result of the nature of the proposed project and project’s operation after construction. Implementation of the proposed project would fall below the SJVAPCD significance thresholds for both short-term construction and long-term operational emissions, as discussed below. Because construction and operation of the project would not exceed the SJVAPCD significance thresholds, the proposed project would not increase the frequency or severity of existing air quality standards or the interim emission reductions specified in the air plans.

A project referral response from the Air District indicated that the proposed project is below the District’s thresholds of significance for criteria pollutants, but requested the applicant perform an assessment of project emissions from both project-specific permitted equipment and activities using the California Emission Estimator Model (CalEEMod), to determine if emissions will contribute or cause violation of ambient air quality standards, and recommended an Ambient Air Quality Assessment (AAQA) to be performed for the project if the project criteria pollutants emissions exceed 100 pounds per day. Insite Environmental prepared a CalEEMod analysis of the project, dated July 7, 2022, which indicated the project emissions will not exceed 100 pounds per day; therefore, the project is not expected to cause or contribute to air quality standard violations. The results were provided to Air District staff, who concurred with the findings.

The District’s Small Project Analysis Level (SPAL) guidance identifies thresholds of significance for criteria pollutant emissions, which are based on the District’s New Source Review (NSR) offset requirements for stationary sources. Using project type and size, the District has pre-qualified emissions and determined a size below which it is reasonable to conclude that a project would not exceed applicable thresholds of significance for criteria pollutants. In the interest of streamlining CEQA requirements, projects that fit the descriptions and are less than the project sizes provided by the District are deemed to have a less than significant impact on air quality due to criteria pollutant emissions and as such are excluded from quantifying criteria pollutant emissions for CEQA purposes. The District’s threshold of significance for residential projects is identified as 155 units, and less than 800 additional trips per day. The project proposes 76 residential lots, and one lot (Lot A) that is proposed to be dedicated as a park expansion. The proposed project has the potential to develop a maximum of 152 new dwelling units, inclusive of each new lot able to be developed with one single-family dwelling, and one accessory

dwelling unit (ADU). One junior accessory dwelling unit (JADU) per lot is also permitted under a single-family residential Planned Development zoning district; however, the JADU would not count as a separate dwelling unit, as the JADU consists of living space within the primary home. According to the Federal Highway Administration the average daily vehicle trips per household is 5.11, which would equal approximately 776.72 additional trips per-day as a result of project approval (152 new units x 5.11 = 776.72), which would be below the District’s threshold of significance.

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. Construction activities associated with the proposed project would consist primarily of constructing the dwelling units and installing road and sidewalk improvements. These activities would not require any substantial use of heavy-duty construction equipment and would require little or no demolition or grading as the site is presently unimproved and considered to be topographically flat. As evaluated in the project’s CalEEMod results, emissions would be minimal. Furthermore, all construction activities would occur in compliance with all SJVAPCD regulations; therefore, construction emissions would be less than significant without mitigation. Potential impacts on local and regional air quality are anticipated to be less than significant, falling below SJVAPCD thresholds, as a result of the nature of the potential construction of up to 152 new residential units and project’s operation after construction.

For these reasons discussed above, the proposed project would be consistent with the applicable air quality plans. Also, the proposed project would not conflict with applicable regional plans or policies adopted by agencies with jurisdiction over the project and would be considered to have a less than significant impact.

Mitigation: None.

References: Application information; California Emissions Estimator Model results, prepared by Insite Environmental, dated July 7, 2022; San Joaquin Valley Air Pollution Control District’s Small Project Analysis Level (SPAL) guidance, November 13, 2020; Federal Highway Administration, Summary of Travel Trends: 2017 National Household Travel Survey; Referral Response from the San Joaquin Valley Air Pollution Control District, dated January 26, 2022; E-mail correspondence from the San Joaquin Valley Air Pollution Control District, dated January 23, 2022 and May 23, 2022; San Joaquin Valley Air Pollution Control District - Regulation VIII Fugitive Dust/PM-10 Synopsis; www.valleyair.org; and the Stanislaus County General Plan and Support Documentation¹.

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	

<p>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?</p>		<p>X</p>		
<p>e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?</p>			<p>X</p>	
<p>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?</p>			<p>X</p>	

Discussion: The project is located within the Denair Quad of the California Natural Diversity Database based on the U.S. Geographical quadrangle map series. According to aerial imagery and application materials, the surrounding area to the west is built up almost entirely with urban uses, and the area to the east is improved with ranchettes, and agricultural parcels, which are routinely disturbed in conjunction with farming practices.

Based on search results from the California Natural Diversity Database (CNDDDB), there are two animals, one insect and one plant species, which are state or federally listed, threatened, or identified as species of special concern or a candidate of special concern within the Denair CNDDDB Quad. These species include the Swainson’s hawk, steelhead – Central Valley DPS, valley elderberry longhorn beetle, and San Joaquin Valley Orcutt grass. There are no reported sightings of any of the aforementioned species on the project site; however, a Swainson’s hawk nesting site was observed on June 7, 1994, 1.25± miles northeast of the project site according to the CNDDDB. There is no known sensitive or protected species or natural community located on the site.

An early consultation was referred to the California Department of Fish and Wildlife (CDFW) and no response was received. In follow-up correspondence, CDFW staff requested a mitigation measure to Swainson’s hawk foraging habitat and requested that mitigation regarding no-disturbance active nest buffers, and temporal restrictions on construction during bird non-nesting season be applied to the project. A mitigation measure has been added to the project requiring pre-construction surveys by a qualified biologist, implementation of no-disturbance buffers, temporal restrictions on construction, and requiring an Incidental Take Permit be obtained if take cannot be avoided. CDFW staff reviewed and accepted the proposed mitigation. With mitigation in place, it does not appear this project will result in impacts to endangered species or habitats, locally designated species, or wildlife dispersal or mitigation corridors.

The project will not conflict with a Habitat Conservation Plan, a Natural Community Conservation Plan, or other locally approved conservation plans. Impacts to endangered species or habitats, locally designated species, or wildlife dispersal or mitigation corridors are considered to be less than significant.

Mitigation: 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 the California Endangered Species Act (CESA). The determination shall utilize criteria set forth by CDFW (CDFG, 1994).

References: E-mail correspondence from the California Department of Fish and Wildlife, dated June 28, 2022 and January 13, 2023; California Department of Fish and Wildlife’s Natural Diversity Database Quad Species List; Stanislaus County General Plan and Support Documentation¹.

V. CULTURAL RESOURCES -- Would the project:	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: A records search conducted by the Central California Information Center (CCIC) for the project site 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. The report from the CCIC indicated that historic buildings and structure have been recorded within Denair and the surrounding vicinity. Since the project area has not been subject to previous investigations, there may be unidentified features involved in the project area that are 45 years or older and considered as historical resources requiring further study. The CCIC recommend further review for the possibility of identifying prehistoric or historic-era archaeological resources if ground disturbance is considered a part of the current project. If archaeological resources are encountered during project-related activities, work should be halted in the vicinity of the discovered materials until a qualified professional archaeologist has evaluated the situation and provided appropriate recommendations. If Native American remains are found, the County Coroner and the Native American Heritage Commission are to be notified immediately for recommended procedures. If human remains are uncovered, all work within 100 feet of the find should halt in compliance with Section 15064.5(e) (1) of the CEQA Guidelines and Public Resources Code Section 7060.5. Development standards will be added to the project to ensure these requirements are met.

The County does not use age as an indication of historic resources. Further, as the site is presently unimproved with any structures, demolition or impact on existing buildings is not considered a significant impact to cultural resources.

Mitigation: None.

References: Central California Information Center Report for the project site, dated September 10, 2021; Stanislaus County General Plan, and Support Documentation¹.

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

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 proposes to rezone a 15.9± acres parcel from Planned Development (P-D) (288) to a new Planned Development and to allow for its subdivision into 76 single-family lots. All subsequent building permits for single-family dwellings would need to be in compliance with Title 24, Green Building Code, which includes energy efficiency requirements.

All proposed street lighting will be required to meet Public Works' standards and specifications as part of the improvement plans prior to acceptance of the improvement plans.

The project was referred to the Turlock Irrigation District (TID), who provided a referral response indicating that an irrigation pipeline belonging to Improvement District (ID) 573A runs along the western edge of the subject project. There are no electrical facilities on the parcel; however, there are two conduit stub-outs to the west that will be fed to serve the proposed subdivision: one located within Chalmer Way that terminates west where the project parcel begins, and one located at the north end of the existing Hunter's Pointe Park, that terminates west at the project parcel boundaries. TID requested the developer enter into an irrigation improvements agreement and submit both irrigation improvement plans for any irrigation facility modifications, and the final map including an application for electrical facility extensions for approval by the District's Engineering Department prior to recording of the final map. Additionally, TID indicated that the developer must apply for abandonment from ID 573A since the subsequent parcels will no longer have direct access to water or irrigate. TID also requested that a 10-foot Public Utility Easement be dedicated along all street frontages, and that development of the proposed lots have a minimum 15-foot building setback from both the front property line and from back-of-sidewalk. Development standards will be placed on the project reflecting these requirements.

It does not appear this project will result in significant impacts to the wasteful, inefficient, or unnecessary consumption of energy resources. A condition of approval will be added to this project to address compliance with Title 24, Green Building Code, for projects that require energy efficiency.

Mitigation: None.

References: Application Information; CEQA Guidelines; Title 16 of County Code; CA Building Code; Stanislaus County Zoning Ordinance (Title 21); Referral Response from Turlock Irrigation District, dated January 24, 2022; Stanislaus County 2016 General Plan EIR; Stanislaus County General Plan and Support Documentation¹.

VII. GEOLOGY AND SOILS -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?			X	
b) Result in substantial soil erosion or the loss of topsoil?			X	
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?			X	
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?			X	

<p>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?</p>			<p>X</p>	
<p>f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</p>			<p>X</p>	

Discussion: The USDA Natural Resources Conservation Service’s Eastern Stanislaus County Soil Survey indicates that the property is made up of: Greenfield sandy loam, deep over hardpan, 0 to 3 percent slopes (10.2± acres), Madera sandy loam, 0 to 2 percent slopes (4.7± acres), and Hanford sandy loam, 0 to 3 percent slopes (0.8± acres). 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. Department of Environmental Resources (DER), Public Works, and the Building Permits Division review and approve any building permit to ensure their standards are met. Any earth moving must be approved by Public Works as complying with adopted Standards and Specifications, which consider the potential for erosion and run-off prior to permit approval. The project was referred to Public Works who responded that prior to the recording of the final map, a complete set of improvement plans that are consistent with the Stanislaus County Standards and Specifications and the tentative map shall be submitted and approved by Stanislaus County Public Works. A soils report for the drainage basin was prepared in conjunction with this request, to determine whether the existing basin is adequately sized, and if deepening the basin was feasible. Based on the information, Public Works determined that the basin may be deepened, as needed to accommodate the drainage needs of the additional 76 residential lots; however, a current soils report for the project site and a grading, drainage, and erosion/sediment control plan shall be submitted prior to acceptance of the improvement plans. Public Works’ requirements will be placed on the project as Development Standards.

The Building Division may utilize the results from the soils test, or require additional soils tests, to determine if unstable or expansive soils are present. If such soils are present, special engineering of any structures will be required to compensate for the soil deficiency. Any structures resulting from this project will be required to be designed and built according to building standards appropriate to withstand shaking for the area in which they are constructed. Likewise, any addition or expansion of a septic tank or alternative wastewater disposal system would require the approval of DER through the building permit process, which also takes soil type into consideration within the specific design requirements.

The project proposes creation of 76-lots for single-family dwelling units. The site will be served public water and sewer by the Denair Community Services District (CSD). The Denair CSD provided a “can-serve” letter indicating their ability to serve the project site with public water and sewer on the condition that the project pay its fair-share towards a planned municipal well in the future. The letter indicated that the Denair CSD will require the owner/developer to enter into an agreement with the Denair CSD to construct and pay for necessary infrastructure to enable the Denair CSD to provide water and sewer services to the project. The agreement will require the infrastructure be constructed to Denair CSD specifications, and that security be given to the Denair CSD to guarantee performance and payment for the infrastructure, and that all current connection fees be paid in full prior to issuance of a formal “Will-Serve” letter to the property owner/developer. Additionally, the applicant may be required to pay a fair-share fee for future facilities for Denair CSD services. The formal Will-Serve letter must be presented to the Stanislaus County Building Permits Division prior to issuance of a building permit for any residential structure. The CSD’s comments will be applied to the project as development standards. No septic facilities are proposed as part of the project request. A referral response was received from DER requiring the development obtain a formal Will-Serve letter from the CSD for sewer and water services.

The project site is not located near an active fault or within a high earthquake zone. Landslides are not likely due to the flat terrain of the area. Compliance with the Storm Water Pollution Prevention Program (SWPPP), with the Alquist-Priolo Earthquake Fault Zoning Act, and the California Building Code are all required through the building and grading permit review process which would reduce the risk of loss, injury, or death due to earthquake or soil erosion to less than significant.

Mitigation: None.

References: Application information; USDA – NRCS Web Soil Survey; Referral Response received from Stanislaus County Department of Public Works, dated September 29, 2022; Letter received from Denair Community Services District, dated May 5, 2022; Referral Response from the Stanislaus County Department of Environmental Resources, dated January 25, 2022; Stanislaus County General Plan and Support Documentation¹.

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

Discussion: The principal Greenhouse Gasses (GHGs) are carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), sulfur hexafluoride (SF₆), perfluorocarbons (PFCs), hydrofluorocarbons (HFCs), and water vapor (H₂O). CO₂ 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 CO₂ equivalents (CO₂e). 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% of 1990 levels by 2030. GHGs emissions resulting from residential projects include emissions from temporary construction activities, energy consumption, and additional vehicle trips.

This project is a request to rezone a 15.9± acres parcel from Planned Development (P-D) (288) to a new Planned Development and to subdivide the project site into 76 parcels, ranging in size from 5,855 square-feet to 12,631 square-feet and a 6,391± square-foot park site expansion. With the exception of lot coverage, development standards and permitted uses applicable to the lots will be consistent with those of the County’s Single-Family Residential (R-1) zoning district. The 76 single-family lots are proposed to allow a maximum aggregate building coverage of 50% for each, a 10% increase of the current 40% maximum aggregate building coverage requirement within R-1 zoning district. The developer has proposed to dedicate “Lot A” as a 6,391-square-foot expansion to the existing County park parcel, Hunter’s Pointe, located on Assessor’s Parcel Number (APN) 024-022-029, and develop park improvements. The proposed project has the potential to develop a maximum of 152 new dwelling units, inclusive of each new lot able to be developed with one single-family dwelling, and one accessory dwelling unit (ADU). One junior accessory dwelling unit (JADU) per lot is also permitted under a single-family residential Planned Development zoning district; however, the JADU would not count as a separate dwelling unit, as the JADU consists of converted living space within the primary home.

As required by CEQA Guidelines Section 15064.3, potential impacts regarding Green House Gas Emissions should be evaluated using Vehicle Miles Traveled (VMT). 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. The CEQA Guidelines identify vehicle miles traveled (VMT), which is the amount and distance of automobile travel attributable to a project, as the most appropriate measure of transportation impacts.

The project was referred to the Stanislaus County Environmental Review Committee, who responded to the project requesting a traffic impact study to quantify project specific impacts to local roads and intersections. A Transportation Impact Assessment, dated May 17, 2022, was prepared by Barrios Transportation Consulting. Using the Institute of Transportation Engineers (ITE) Trip Generation Manual (11th Edition), the project’s trip generation was estimated to result in 717 new daily vehicle trips, including approximately 58 morning peak hour trips and 77 evening peak hour trips. While vehicle miles of travel (VMT) is the current metric for which projects’ traffic impacts must be evaluated under CEQA, the Stanislaus County General Plan still has a policy to maintain level of service (LOS) C or better operations at intersections during the peak hour. LOS is a method to qualify traffic flow based on factors such as speed, travel time, delay, and freedom to maneuver. Six levels of service are defined ranging from LOS A (free-flow conditions) to LOS F (over capacity conditions). LOS E corresponds to operations “at capacity”. When volumes exceed capacity, stop-and-go conditions result, and operations are designated LOS F.

The Assessment quantified the project’s traffic impacts through both Level of Service (LOS). Six intersections in Denair were evaluated for conditions during both morning and evening peak hours (7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.), including: Santa Fe Avenue and Zeering Road; Gratton and Zeering Roads; Riopel Avenue and Zeering Road; Santa Fe Avenue and Main Street; Lester Road and Main Street; and Santa Fe Avenue and Monte Vista Avenue. Based on the

assessment of both existing cumulative conditions, the project is not expected to add a substantial number of trips to the roadway network and therefore, intersection operations are anticipated to remain relatively unchanged compared to baseline cumulative conditions. All intersections that were evaluated will continue to operate at LOS C or better conditions. With respect to VMT, the project is considered an infill residential project, as the project site was already identified in the Denair Community Plan for residential uses and were therefore accounted for under previous environmental analysis. Additionally, projects within one-half mile of either an existing major transit stop or a stop along an existing high-quality transit corridor should be presumed to cause a less than significant transportation impact. A major transit stop is defined as a site containing an existing rail transit station. The Turlock-Denair Amtrak station, a passenger transit line, is located approximately .46± miles to the southwest of the project site. Accordingly, VMT impacts are considered to be less than significant.

The proposed project will result in short-term emissions of GHGs during construction. These emissions, primarily CO₂, CH₄, and N₂O, are the result of fuel combustion by construction equipment and motor vehicles. The other primary GHGs (HFCs, PFCs, and SF₆) are typically associated with specific industrial sources and are not expected to be emitted by the proposed project. Use of heavy-duty construction equipment would be very limited as the site is considered relatively topographically flat. As described above in Section III - *Air Quality* of this report, the project was referred to the San Joaquin Valley Air Pollution Control District, who requested that the California Emissions Estimator Model (CalEEMod) be used to quantify the project's emissions resulting from both permitted and non-permitted, station and mobile, sources. Based on the CalEEMod results performed by, the project will result in less than 100 pounds of project emissions per day and therefore will not contribute or cause violations to air quality emission standards. Additionally, the Air District indicated the project is below the District's thresholds of significance for criteria pollutants; therefore, the emissions of CO₂ from construction would be less than significant. Additionally, the construction of the proposed buildings is subject to the mandatory planning and design, energy efficiency, water efficiency and conservation, material conservation and resources efficiency, and environmental quality measures of the California Green Building Standards (CALGreen) Code (California Code of Regulations, Title 24, Part 11). All proposed construction activities associated with this project are considered to be less than significant as they are temporary in nature and are subject to meeting SJVAPCD standards for air quality control. Accordingly, no significant impacts to GHG emissions are anticipated.

Mitigation: None.

References: Application Materials; Referral Response from the Environmental Review Committee, dated January 26, 2022; California Emissions Estimator Model results, prepared by Insite Environmental, dated July 7, 2022; Transportation Impact Assessment, prepared by Barrios Transportation Consulting, dated May 17, 2022; San Joaquin Valley Air Pollution Control District's; Referral Response from the San Joaquin Valley Air Pollution Control District, dated January 26, 2022; E-mail correspondence from the San Joaquin Valley Air Pollution Control District, dated January 23, 2022 and May 23, 2022; County General Plan and Support Documentation¹.

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

<p>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?</p>			<p>X</p>	
<p>f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?</p>			<p>X</p>	
<p>g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?</p>			<p>X</p>	

Discussion: The project was referred to the Department of Environmental Resources (DER) Hazardous Materials Division, which is responsible for overseeing hazardous materials. The Hazardous Materials Division (HazMat) requested that should the project involve installation of monitoring wells or borings, the developer must submit a permit application to HazMat, as well as notify DER staff should any underground storage tanks, buried chemicals, buried refuse, or contaminated soil be discovered during grading or construction. A Phase I Environmental Site Assessment, dated May 14, 2021, was prepared by Krazan & Associates, Inc. in conjunction with this project. The Assessment identified 6,000-square-foot, 3-foot-high mounded soil present on the project site of unknown origin. Per the report, upon site reconnaissance, no odors, staining, discoloration stressed vegetation, or other obvious signs of hazardous materials were noted in connection with the soil mounds. However, the composition of the soil with respect to potential contaminants is unknown at this time. The Assessment recommended that a Phase II Limited Soils Assessment be conducted at the time of development. Additionally, HazMat staff responded to the assessment, requiring that the soil mounds be fully investigated prior to issuance of grading permit, including testing for various chemicals and volatile organic compounds/hydrocarbons in accordance with Environmental Protection Agency guidance and policies. These comments will be added as development standards for the project.

Pesticide exposure is a risk in areas located in the vicinity of agricultural uses. Sources of exposure include contaminated groundwater, which is consumed and drift from spray applications. Application of sprays are strictly controlled by the Agricultural Commissioner and can only be accomplished after first obtaining permits. Additionally, agricultural buffers are intended to reduce the risk of spray exposure to surrounding people. In December of 2007, Stanislaus County adopted an updated Agricultural Element which incorporated guidelines for the implementation of agricultural buffers applicable to new and expanding non-agricultural uses within or adjacent to the A-2 Zoning District. Appendix A states: "All projects shall incorporate a minimum 150-foot-wide buffer setback. Projects which propose people intensive outdoor activities shall incorporate a minimum 300-foot-wide buffer setback." The purpose of these guidelines is to protect the long-term health of agriculture by minimizing conflicts such as spray drift and trespassing resulting from the interaction of agricultural and non-agricultural uses. Alternatives may be approved, provided the Planning Commission finds that the alternative provides equal or greater protection than the existing buffer standards. The project proposes to create 76 residential lots which is not considered to be a people intensive outdoor use. It is the opinion of staff that the proposed use is not a people intensive outdoor use. As mentioned, a residential subdivision is located west of the project site which does not trigger any Agricultural Buffer requirements. Although the ranchette parcels to the east and south, all within approximately 50-feet from the project site are agriculturally zoned, they are not in agricultural production, are designated as either Estate Residential or Low-Density Residential in the Denair Community Plan, and are improved with a single-family dwellings and accessory structures. Ranchettes are considered to be residential in nature as categorized under Goal Two of the Agriculture Element of the General Plan. The nearest parcels in agricultural production are two 5± acres ranchette parcels which bound the project site to the north but are designated Low Density Residential in the Denair Community Plan. Accordingly, the County's requirement for an agricultural buffer is required between the project site and the parcels to the north only. Provision of 150-feet of distance is not feasible as the project site is immediately adjacent to the two northern parcels, which requires an alternative to be proposed. Given the farming status of the two ranchette parcels to the north, the Agricultural Commissioner's Office has requested that an Agricultural Buffer alternative consisting of a solid eight-foot wood privacy fence be constructed along the northern property line of the proposed project. This requirement will be added as a development standard to the project.

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. HazMat notified the Stanislaus County Planning Department of the presence of an open Central Valley Regional Water Quality Control Board (CVRWQCB) case (T0609997924) for a Leaking Underground Storage Tank (LUST) located 0.3± miles to the west of the project site at 4740 Main Street; however, groundwater is not known to

be contaminated within the project site area. The site is not known to be within the vicinity of any mining activities, past or present. The project will be served by the Denair Community Services District for their domestic water and sewer services. The Hazardous Material Division indicated that the project will not have a significant effect on the environment. Additionally, the project was referred to the Stanislaus County Environmental Review Committee (ERC), which did not expand on the comments provided by HazMat that were discussed previously.

The project was referred to the Department of Toxic Substances Control (DTSC), who responded to the project indicating that tailpipe emissions from vehicles using leaded gasoline resulted in aerially deposited lead (ADL) being deposited in and along roadways throughout California. Due to the potential for ADL-contaminated soil, DTSC recommended that soil samples be collected and analyzed prior to issuance of a grading or building permit. Their response also indicated that any imported soil utilized for backfill should be sampled to ensure the imported soil is free from contamination, and that due to the site's past agricultural usage, proper investigation for organochlorinated pesticides should occur via a Phase 2 Study prior to issuance of a grading or building permit. These recommendations will be added as a Development Standards to the project. DTSC also recommended that sites which were used for mining activities, or in the vicinity of past or present mining activities, should be investigated for mine waste. The project site has no known history of mining, nor is there any known mining activities in the vicinity of the project site. Further, they recommended surveys be conducted for presence of lead-based paint products, mercury, asbestos, and polychlorinated biphenyl caulk in the event that buildings are to be demolished on the project site. The project site is presently unimproved and therefore, no demolition is proposed to occur.

The site is located in a Local Responsibility Area (LRA) for fire protection and is served by Denair Fire Protection District. The project was referred to the District; however, no response has been received to date. Each subsequent building permit for the residential development will be required to meet any relevant State of California Fire Code requirement prior to issuance.

The project site is not within the vicinity of any airstrip or wildlands. With development standards in place, no significant impacts associated with hazards or hazardous materials are anticipated to occur as a result of the proposed project.

Mitigation: None.

References: Phase I Environmental Site Assessment, dated May 14, 2021, was prepared by Krazan & Associates, Inc.; Referral Response from the Environmental Review Committee, dated January 21, 2022; Referral Responses from Department of Environmental Resources – Hazardous Materials Division, dated January 21, 2022; Referral Response from the Department of Toxic Substances Control, dated January 20, 2022; Stanislaus County General Plan and Support Documentation¹.

X. HYDROLOGY AND WATER QUALITY -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?			X	
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			X	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i) result in substantial erosion or siltation on- or off-site;			X	
ii) substantially increase the rate of amount of surface runoff in a manner which would result in flooding on- or off-site.			X	

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			X	
iv) impede or redirect flood flows?			X	
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?			X	
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			X	

Discussion: Areas subject to flooding have been identified in accordance with the Federal Emergency Management Act (FEMA). The project site is located in FEMA Flood Zone X, which includes areas determined to be outside the 0.2% annual chance floodplains. All flood zone requirements are addressed by the Building Permits Division during the building permit process.

The project is a request to rezone a 15.9± acres parcel from Planned Development (P-D) (288) to a new Planned Development and to subdivide the project site into 76 parcels, ranging in size from 5,855 square-feet to 12,631 square-feet and a 6,391± square-foot park site expansion. As required by the Stanislaus County General Plan’s Land Use Element Sphere of Influence (SOI) Policy No. 27, projects within the sphere of influence of a sanitary sewer district, domestic water district, or community services district, shall be forwarded to the district board for comment regarding the ability of the district to provide services. Although the project site is not within the Denair Community Service District (CSD) boundaries, it is located within the CSD’s Local Agency Formation Commission’s (LAFCO) adopted Sphere of Influence (SOI). The applicant has provided a “Can-Serve” letter issued by the CSD, stating their ability to serve the proposed ~~lots~~**residential development** with sewer and water services. As a condition of service, the CSD will require the owner/developer to enter into an agreement to construct and pay for necessary infrastructure to enable the District to provide water and sewer services to the project. The agreement will require the infrastructure be constructed to District specifications, and that security be given to the District to guarantee performance and payment for the infrastructure, and that all current connection fees be paid in full. Additionally, the applicant ~~may be~~ **will be** required to pay a fair-share fee for future facilities for District services. **While the development will be required to install new water and sewer lines within the interior and western boundary of the project site for service, no new facilities are required in order for the proposed development to be served under the CSD’s existing capacity. However, the CSD has identified a planned capital improvement project consisting of installation of a million-gallon water tank, booster pumps, electrical upgrade, site work and a backup generator, and an 1,800-foot tank fill line, which all new development projects will contribute a fair-share payment towards.** Development standards will be added to the project to reflect the CSD’s conditions for services. In accordance with the implementation measures listed under Goal Two, Policy Two of the Denair Community Plan, the sizing of sewer and water lines should be reduced as they approach the northerly, westerly and easterly periphery of the Denair Community Plan area to limit growth influences beyond the Plan area. There is an existing 12-inch water main in East Zeering Road that stops at Riopel Avenue, which will need to be extended east to Arnold Road and then north to the edge of the project site boundaries; however, this is needed to maintain adequate water pressure and fire flow conditions. Otherwise, 8-inch pipes will be routed through the interior roadways of the project site to serve the proposed subdivision. The project was referred to LAFCO who responded to the project requiring the developer to annex into the CSD’s boundaries and obtain LAFCO approval prior to extension of services. Additionally, a referral response was received from the Department of Environmental Resources (DER) who will require the project site obtain a “Will-Serve” letter for water and sewer services to serve the development issued from the Denair CSD prior to issuance of a building permit. These requirements will be reflected in the development standards for this project.

Water quality in Stanislaus County is regulated by the Regional Water Quality Control Board, Central Valley Region, (RWQCB) under a Water Quality Control Plan (Basin Plan) for the Sacramento and San Joaquin River Basins. Under the Basin Plan, the RWQCB issues Waste Discharge Requirements (WDRs) to regulate discharges with the potential to degrade surface water and/or groundwater quality. In addition, the RWQCB issues orders to cease and desist, conduct water quality investigations, or implement corrective actions. The Stanislaus County Department of Public Works manages compliance with WDRs for some projects under a Memorandum of Understanding with the RWQCB. A response was received from the Department of Environmental Resources Hazardous Materials Division as previously mentioned in Section IX - *Hazards and Hazardous Materials*, which indicated the presence of an open Central Valley Regional Water Quality Control Board (CVRWQCB) case (T0609997924) for a Leaking Underground Storage Tank (LUST) located 0.3± miles to the southwest of the project site at 4740 Main Street; however, groundwater is not known to be contaminated within

the project site area. The CSD would be subject to regulatory requirements related to efforts to address any future water contamination issues. The project was referred to RWQCB who responded to the project with a list of regulatory programs and permits that may apply to the project. A development standard will be added to the project requiring the applicant contact and coordinate with RWQCB to determine if any permits or Water Board requirements be obtained/met prior to issuance of a building permit.

By virtue of the proposed paving for the roadways, building pads, driveways, and sidewalk improvements, the current absorption patterns of water upon this property will be altered, and as such, a Grading and Drainage Plan shall be approved prior to issuance of any building permit as required by Public Works. Stormwater is proposed to be managed by the existing basin located on Assessor Parcel Number (APN) 024-022-030, which currently serves the existing residential development to the west. The basin is currently planted in turf and is dual use for recreational purposes. A soils report for the drainage basin was prepared in conjunction with this request, to determine whether the existing basin is adequately sized, and if deepening the basin was feasible. Based on the information, Public Works determined that the basin may be deepened, as needed to accommodate the drainage needs of the additional 76 residential lots. Prior to recording of the final map, the developer will be required to submit improvement plans demonstrating the required modifications to the existing basin.

A referral response was received from the County's Public Works Department requiring annexation of the project to the existing Community Service Area (CSA) #21 - *Riopel* and the Denair Highway Lighting and Landscaping District to ensure future maintenance and eventual replacement of the storm drainage system and facilities, and any landscaped areas. Development standards have been added to the project addressing Public Works' requirements. Prior to the recording of the final map, a complete set of improvement plans that are consistent with the Stanislaus County Standards and Specifications and the tentative map shall be submitted and approved by Stanislaus County Public Works; additionally, a current soils report for the area to be subdivided and grading, drainage, and erosion/sediment control plan shall be submitted prior to acceptance of the improvement plans. Public Works' requirements will be placed on the project as Development Standards.

Groundwater management in California is regulated under the 2014 California Sustainable Groundwater Management Act (SGMA), which requires the formation of local Groundwater Sustainability Agencies (GSAs) to oversee the development and implementation of Groundwater Sustainability Plans (GSPs). SGMA defines sustainable groundwater management as the prevention of "undesirable results," including significant and unreasonable chronic groundwater levels, reduction of groundwater storage, degraded water quality, land subsidence, and/or depletions of interconnected surface water. GSPs define minimum thresholds and measurable objectives for sustainable groundwater management, designate monitoring networks to assess compliance with these management criteria and prescribe management actions and projects to achieve sustainability objectives within 20 years of their adoption.

Public and private water agencies and user groups within each of the four groundwater subbasins underlying the County work together as GSAs to implement SGMA. DER is a participating member in five GSAs. GSPs were adopted in January 2020 for the portions of the County underlain by the Eastern San Joaquin and Delta-Mendota Groundwater Subbasins and were adopted for the Turlock and Modesto Subbasins as required by January 31, 2022. The subject project is located within the West Turlock Groundwater Subbasin and the jurisdiction of the Turlock GSA; any modification, expansion, or addition of a municipal well by the Denair CSD is subject to meeting any applicable requirements of the Turlock GSP.

Groundwater management in Stanislaus County is also regulated under the County Groundwater Ordinance, adopted in 2014. In addition to GSPs and the Groundwater Ordinance, the County General Plan includes goals, policies, and implementation measures focused on protecting groundwater resources. The Groundwater Ordinance is aligned with SGMA in its objective to prevent "undesirable results". To this end, the Groundwater Ordinance requires that applications for new wells that are not exempt from the Ordinance are accompanied by substantial evidence that operation of the new well will not result in unsustainable groundwater extraction. Further, the owner of any well from which the County reasonably concludes groundwater may be unsustainably withdrawn, is required to provide substantial evidence of sustainable extraction. No new wells are anticipated to be installed as a result of this project. However, if a new well were developed in the future by the CSD, the drilling of a new well would be regulated by DER and the Turlock GSP, which would include an environmental analysis consistent with the California Environmental Quality Act (CEQA) with the CSD acting as lead agency. Additionally, projects with a potential to affect groundwater recharge or that involve the construction of new wells are referred to the DER for review. DER evaluates projects which for compliance with the County Groundwater Ordinance and refers projects to the applicable GSAs for determination whether or not they are compliance with an approved GSP.

No new septic systems are proposed under this request.

The project was referred to the Turlock Irrigation District (TID), who provided a referral response indicating that an irrigation pipeline belonging to Improvement District (ID) 573A runs along the western edge of the subject project. TID requested the developer enter into an irrigation improvements agreement and submit both irrigation improvement plans for any irrigation facility modifications for approval by the District’s Engineering Department prior to recording of the final map. Additionally, TID indicated that the developer must apply for abandonment from ID 573A since the subsequent parcels will no longer have direct access to water or irrigate. Development standards will be placed on the project reflecting these requirements. 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: Can-Serve Letter received from Denair Community Services District, dated May 5, 2022; Referral Response from the Stanislaus County Department of Environmental Resources, dated January 25, 2022; Referral Response received from Stanislaus County Department of Environmental Resources - Hazardous Materials Division, dated January 21, 2022; Referral Response received from Stanislaus County Department of Public Works, dated September 29, 2022; Referral Response from Turlock Irrigation District, dated January 26, 2022; Referral Response from Regional Water Quality Control Board, dated January 29, 2022; Stanislaus County General Plan and Support Documentation¹.

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

Discussion: Request to rezone a 15.9± acres parcel from Planned Development (P-D) (288) to a new Planned Development and to subdivide the project site into 76 parcels, ranging in size from 5,855 square-feet to 12,631 square-feet and a 6,391± square-foot park site expansion. The project site has a General Plan designation of Planned Development and a Denair Community Plan designation of Low-Density Residential. With the exception of lot coverage, development standards and permitted uses applicable to the lots will be consistent with those of the County’s Single-Family Residential (R-1) zoning district. The 76 single-family lots are proposed to allow a maximum aggregate building coverage of 50% for each, a 10% increase of the current 40% maximum aggregate building coverage requirement within R-1 zoning district. A tree planting plan has been included with the proposed project for each lot, which will require submittal of a landscape and irrigation plan upon development of each lot. A tree planting plan has been included with the proposed project for each lot, which will require submittal of a landscape and irrigation plan upon development of each lot. A referral response from the Department of Parks and Recreation provided a list of approved trees, requested that any street trees be planted at least three feet from hard surfaces such as curb, gutter, and sidewalk, and requested that the tree planting plan be submitted for review and approval. The land dedicated for the Hunter’s Pointe park expansion will include improvements consisting of a basketball court, shade structure, and picnic table and be dedicated to Stanislaus County in accordance with the Stanislaus County Park Land In-Lieu Of Fees Policy, pursuant to General Plan Amendment No. 2003-02.

P-D (288) was adopted by the Board of Supervisors on April 20, 2004 (General Plan Amendment 2003-01, Rezone 2003-03, and Tentative Map 2002-02 – *Riopel Property* (“Pope Subdivision”), which created the Rural Residential zoned 53 lot subdivision located immediately west of the project site. The project site was included in creation of P-D (288), which was utilized to create two parcels, for development of a dual use drainage basin and park serving the subdivision to the west. The subsequent 15.9± acres parcel was not approved for further subdivision or use. Consequently, development of the site requires a new rezone and tentative map. If approved the applicant proposes for construction to begin within two years of project approval.

The project site is designated as Low-Density Residential (LDR) in the Denair Community Plan of the County General Plan. The project site is situated near the northeast corner of the Community Plan, buffered from the edge of the Community Plan boundaries by approximately 600-feet of distance consisting of the parcels zoned A-2 and designated Estate Residential in the Denair Community Plan fronting on Arnold Road to the east. The project site is surrounded by single-family residential development to the west, scattered ranchette parcels and irrigated farmland to the north, east, and south, and confined animal facility to the southeast. All immediately surrounding parcels zoned A-2, consisting of the adjacent parcels to the

north, east, and south are designated as Urban Transition under the Land Use Element and either Low-Density Residential or Estate Residential under the Denair Community Plan. The project is considered consistent with the LDR Community Plan designation and similar to development immediately west of the project site. The site is not anticipated to divide an established community, nor is it anticipated to be growth inducing. While residential development of the parcels with these Community Plan designations was considered in the Denair Community Plan Environmental Impact Report (EIR), a zoning change would need to be approved prior to any subdivision and residential development occurring, which will require project-level CEQA analysis and consistency with the Stanislaus County Zoning Ordinance Chapter 21.118 – *30-Year Land Use Restriction* (“Measure E”). Measure E prohibits conversion from agricultural zoning to residential without approval by a majority vote of county voters at a general or special election, which will further limit urban growth beyond the project site.

The LDR Community Plan designation allows for zero to eight units per net acre. If approved, each lot could be developed with one single-family dwelling, an accessory dwelling unit, and junior accessory dwelling unit; however, maximum density restrictions are not considered when developing accessory dwelling units in accordance with Senate Bill (SB) 13. The project proposes to create 76 lots ranging in size from 5,855 square-feet to 12,631 square-feet in size on 15.7± net acres (excepting the park dedication and street development), near the northeastern border of the community of Denair, which equates to a total net density of 4.8± units per net acre. The proposed Planned Development zoning district will include all uses and development standards permitted in the Stanislaus County Single-Family Residential (R-1) zoning district, with the exception of lot coverage. The applicant has proposed the resulting parcels be permitted to develop a cumulative building footprint of up to 50% of the total lot size, an increase of 10% from the current R-1 zoning district allowances. The applicant has requested this to achieve a greater flexibility in siting the housing product offered. The proposed lots will be served by the Denair Community Service District (CSD) for public water and sewer services. The proposed lot configuration and density will be consistent with the General Plan and zoning designations of Planned Development, and with the Community Plan designation of Low Density Residential, the zoning designation of the R-1 zoning district, and the Subdivision Map Act.

The intent of the LDR Community Plan designation is to provide appropriate locations and adequate areas for single-family detached homes in either conventional or clustered configurations. Under the LDR designation, residential building intensity, when served by a community services district or sanitary sewer district and public water district, is zero to eight units per acre. The project proposes a density of 4.8 units per net acre for the project site, which is consistent with the site's General Plan Designation of LDR. The General Plan and Community Plan designations do not factor in increased densities associated with the development of an Accessory Dwelling Unit (ADU) or Junior Accessory Dwelling Unit (JADU). If approved, each of the 76 developable residential parcels would be able to develop one single-family dwelling, one ADU, and one JADU. Section 21.74.040(D) of the County's Zoning Ordinance does not consider ADU's, developed in accordance with County regulations, as a part of the allowed overall density of a parcel's General Plan designation.

As required by the Stanislaus County General Plan's Land Use Element Sphere of Influence (SOI) Policy No. 27, projects within the sphere of influence of a sanitary sewer district, domestic water district, or community services district, shall be forwarded to the district board for comment regarding the ability of the district to provide services. As previously mentioned, the project site is not within the Denair CSD district boundaries, but is located within the CSD's Local Agency Formation Commission's (LAFCO) adopted Sphere of Influence (SOI). The applicant has provided a “Can-Serve” letter issued by the CSD, stating their ability to serve the proposed lots with sewer and water services. As a condition of service, the CSD will require the owner/developer to enter into an agreement to construct and pay for necessary infrastructure to enable the District to provide water and sewer services to the project. The agreement will require the infrastructure be constructed to District specifications, and that security be given to the District to guarantee performance and payment for the infrastructure, and that all current connection fees be paid in full. Additionally, the applicant may be required to pay a fair share fee for future facilities for District services. Development standards will be added to the project to reflect the CSD's conditions for services. In accordance with the implementation measures listed under Goal Two, Policy Two of the Denair Community Plan, the sizing of sewer and water lines should be reduced as they approach the northerly, westerly and easterly periphery of the Denair Community Plan area to limit growth influences beyond the Plan area. The project was referred to LAFCO who responded to the project requiring the developer to annex into the CSD's boundaries and obtain LAFCO approval prior to extension of services. Additional information provided by the CSD indicated that the existing sewer and water pipelines are sufficient size to serve the proposed subdivisions.

The SOI Policy No. 27 also requires that projects located within the boundaries of a Municipal Advisory Council (MAC) shall be referred to the MAC and the decision-making body give consideration to any comments received from the MAC. The proposed project is located within the Denair MAC boundaries and, accordingly, has been referred to the Denair MAC and no formal response has been received to date. The Denair MAC has requested to hear the project proposal and make a recommendation at a regularly scheduled monthly meeting following circulation of this environmental document.

In December of 2007, Stanislaus County adopted an updated Agricultural Element which incorporated guidelines for the implementation of agricultural buffers applicable to new and expanding non-agricultural uses within or adjacent to the A-2 Zoning District. Appendix A states: "All projects shall incorporate a minimum 150-foot-wide buffer setback. Projects which propose people intensive outdoor activities shall incorporate a minimum 300-foot-wide buffer setback." The purpose of these guidelines is to protect the long-term health of agriculture by minimizing conflicts such as spray drift and trespassing resulting from the interaction of agricultural and non-agricultural uses. Alternatives may be approved, provided the Planning Commission finds that the alternative provides equal or greater protection than the existing buffer standards. It is the opinion of staff that the proposed use is not a people intensive outdoor use. As mentioned, a residential subdivision is located west of the project site. Although the ranchette parcels to the east and south, all within approximately 50-feet from the project site are agriculturally zoned, they are not in agricultural production, are designated as either Estate Residential or Low-Density Residential in the Denair Community Plan, and are improved with a single-family dwellings and accessory structures. Ranchettes are considered to be residential in nature as categorized under Goal Two of the Agriculture Element of the General Plan. Accordingly, the applicant is requesting an agricultural buffer alternative, consisting of a reduced distance of an at least 50-feet and physical separation of Arnold and East Zeering Roads, from the A-2 parcels to the east and south. The nearest parcels in agricultural production are two 5± acres ranchette parcels which bound the project site to the north but are designated Low Density Residential in the Denair Community Plan. Provision of 150-feet of distance is not feasible as the project site is immediately adjacent to the two northern parcels. Given the farming status of the two ranchette parcels to the north, the Agricultural Commissioner's Office has requested that an Agricultural Buffer alternative consisting of a solid eight-foot wood privacy fence be constructed along the northern property line of the proposed project. This requirement will be added as a development standard to the project.

The General Plan and the Denair Community Plan requires at least three net acres of developed neighborhood parks, or the maximum number allowed by law, to be provided for every 1,000 residents. The project site abuts the County's Hunter's Pointe Park. Currently, Hunter's Pointe Park is approximately 0.34± acres in size. The Stanislaus County Parks and Recreation Park Land In-Lieu Of Fees Policy ("Policy") requires new subdivisions creating 53 parcels or more to build a park with amenities. Options to the developer include, land dedication, installation of equipment, park site development, payment of in-lieu fees or combination thereof. Based on the Policy, a 76-lot subdivision is required to dedicate 0.70 acres of land to serve the additional residents, payment of a \$2,050 in-lieu fee per lot, development of park improvements of equivalent value, or a combination thereof. Given the County's existing Hunter's Pointe Park abuts the project site to the west, the applicant has agreed to dedicate 0.15± acres at the easterly portion of the park, to serve as a park expansion (which is equivalent to a required park acreage dedication for 16 lots), leaving 0.56± acres remaining required to be dedicated. In-lieu of additional land dedication, the applicant has opted to develop the park expansion site with a basketball court and shade structure, bids for which have been provided and meet the equivalent cost of the in-lieu fees for 60 lots/0.56 acres. The proposed dedication would be consistent with General Plan and Community Plan parks goals.

The Denair Community Plan outlines the future growth patterns of Denair and is used in conjunction with the General Plan to indicate the desired land use 'vision' for the town and to guide future growth patterns. Any request for a General Plan amendment or rezoning of the property must be consistent with the proposed use category on the Community Plan map and the Community Plan in general. Community Plans on a whole must be consistent with the overall General Plan. In this case, the project is consistent with both the General Plan and Community Plan designations of Planned Development and Low-Density Residential, respectively. Further residential development of the area would generally be confined within the Community Plan boundaries in areas with residential designations, or additional land use entitlements consisting of either Community Plan, General Plan, or zoning designation amendments would be required, subject to additional California Environmental Quality Act (CEQA) review. Residential development of land with a zoning or general plan designation of Agriculture also requires consistency with the Stanislaus County Zoning Ordinance Chapter 21.118 – 30-Year Land Use Restriction, or Measure E, which prohibits conversion of agriculturally designated land to residential without support of a majority vote by County voters at a special or general election. The proposed project will not create significant service extensions or new infrastructure which could be considered as growth inducing, as the Denair Community Service District's (CSD) Local Agency Formation Commission (LAFCO) adopted district boundaries and Sphere of Influence (SOI) identify the extent of the existing and planned service areas, with areas outside these boundaries generally considered unsuitable for growth and provision of services. Additionally, in accordance with the implementation measures listed under Goal Two, Policy Two of the Denair Community Plan, the sizing of sewer and water lines should be reduced as they approach the northerly, westerly and easterly periphery of the Denair Community Plan area to limit growth influences beyond the Plan area. There is an existing 12-inch water main in East Zeering Road that stops at Riopel Avenue, which will need to be extended east to Arnold Road and then north to the edge of the project site boundaries to maintain adequate water pressure and fire flow conditions. An existing eight inch water main at Riopel Avenue with a stub-out at Corona Way will be extended throughout the proposed roads within the proposed subdivision. An existing eight inch sewer main that will also be extended throughout the development. None of the existing pipelines will need to be upgraded or increased in size to serve the

development. Accordingly, the project is not anticipated to be growth inducing. The Land Use section of the Denair Community Plan states that the future growth forecasted for Denair translates into demand for a variety of housing types. The four Goals of the Denair Community Plan are:

- Goal One – Reinforce Denair’s small rural town character;
- Goal Two – Provide a well-defined community edge between Denair and adjacent agricultural land, as well as between Denair and the City of Turlock;
- Goal Three – Provide for non-motorized transportation needs of the Denair community; and
- Goal Four – Provide for the recreational needs of residents of the Denair community.

The project is proposing development at a scale consistent with other residential development within the community, is providing sidewalk improvements aimed at improving nonmotorized transportation and providing a park expansion that will benefit both the project and the greater community. The proposed tree planting will serve to enhance the character of the community

Mitigation: None.

References: Letter from Denair Community Services District, dated May 5, 2022; E-mail correspondence from the Denair Community Services District, dated February 17, 2023; E-mail correspondence from the Agricultural Commissioner’s Office, dated May 17, 2022; Stanislaus County Parks and Recreation Park Land In-Lieu Of Fees Policy, adopted by General Plan Amendment No. 2003-02; Referral Response from the Department of Parks and Recreation, dated April 21, 2022 and February 9, 2022; Referral Response from Local Agency Formation Commission, dated January 14, 2022; Stanislaus County General Plan and Support Documentation¹.

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

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.

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation¹.

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	

<p>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?</p>			<p>X</p>	
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Discussion: The Stanislaus County General Plan identifies noise levels up to 55 dB Ldn (or CNEL) as the normally acceptable level of noise for Residential uses during daytime hours from 7:00 a.m. to 10:00 p.m. and 45 dB Ldn during nighttime hours between 10:00 p.m. and 7:00 a.m. The nearest sensitive noise receptors adjacent to the project site are the single-family dwellings abutting the project site to the west. The proposed project is required to comply with the noise standards included in the General Plan and Noise Control Ordinance. On-site grading and construction resulting from this project may result in a temporary increase in the area’s ambient noise levels; however, noise impacts associated with on-site activities and traffic are not anticipated to exceed the normally acceptable level of noise. The site itself is impacted by the noise generated from adjacent roadways.

The site is not located within an airport land use plan. Noise impacts associated with the proposed project are considered to be less than significant.

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation¹.

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

Discussion: The vacant sites inventory for the 2016 Stanislaus County Housing Element, which covers the 5th cycle Regional Housing Needs Allocation (RHNA) for the County, identified Denair as having a realistic capacity for producing an additional 35 housing units, made up of 17 above moderate units and 18 moderate and below moderate units. Although the project site is not included in the vacant sites inventory, the project would produce 76 new single-family above moderate residential units, which will assist the County in producing a portion of the above moderate units identified as being needed within Stanislaus County.

The proposed project will not create significant service extensions or new infrastructure which could be considered as growth inducing, as services are available to neighboring properties. The Denair Community Plan outlines the future growth patterns of Denair and is used in conjunction with the General Plan to indicate the desired land use ‘vision’ for the town and to guide future growth patterns. Further residential development of the area would generally be confined within the Community Plan boundaries in areas with residential designations, or additional land use entitlements consisting of either Community Plan, General Plan, or zoning designation amendments would be required, subject to additional CEQA review. Residential development of land with a zoning or general plan designation of Agriculture also requires consistency with the Stanislaus County Zoning Ordinance Chapter 21.118 – *30-Year Land Use Restriction*, or Measure E, which prohibits conversion of agriculturally-designated land to residential without support of a majority vote by County voters at a special or general election. As residential development is limited to the current boundaries of the Denair Community Plan, the proposed project if approved is not anticipated to induce conversion of surrounding farmland to non-agriculture uses; nor will it conflict with existing zoning or a Williamson Act Contract. Additionally, although permits for spraying pesticides have been issued to the two parcels to the north of the project site, the proposed Agricultural Buffer will provide physical separation between the proposed subdivision and farming activities. Additionally, in accordance with the implementation

measures listed under Goal Two, Policy Two of the Denair Community Plan, the sizing of sewer and water lines should be reduced as they approach the northerly, westerly and easterly periphery of the Denair Community Plan area to limit growth influences beyond the Plan area.

The project site is designated as Planned Development (P-D) in the Land Use Element of the General Plan and Low-Density Residential (LDR) in the Denair Community Plan. The intent of the LDR designation is to provide appropriate locations and adequate areas for single-family detached homes in either conventional or clustered configurations. The LDR designation is the same for the General Plan and the Denair Community Plan. Under the LDR designation, residential building intensity, when served by a community services district or sanitary sewer district and public water district, is zero to eight units per acre. The maximum number of residential units the proposed project could develop is 76 units, with each new lot capable of being developed with one single-family dwelling and one accessory dwelling unit (ADU) each; as mentioned in Section XI - *Land Use and Planning*, maximum density restrictions are not considered when developing accessory dwelling units in accordance with Senate Bill (SB) 13 and the Stanislaus County Zoning Ordinance. The project proposes a density of 4.8 units per net acre for the project site, which is consistent with the site’s General Plan Designation of Planned Development and Community Plan designation of LDR.

The extension of Denair CSD water and sewer services will not induce any further growth as the development is an infill project. The nearest existing water mains are 12-inches within East Zeering Road and 8-inches at Corona Way. The existing sewer main is 8-inches at Riopel Avenue. No increase in the sizes of pipelines is needed to serve the development; however, existing pipelines will be extended east through the proposed subdivision to serve the development. The site is located adjacent to urban development to the west, and agriculturally zoned parcel to the north, east, and south.

Mitigation: None.

References: E-mail correspondence from the Denair Community Services District, dated February 17, 2023; Stanislaus County General Plan and Support Documentation¹.

XV. PUBLIC SERVICES --	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Would the project result in the substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?			X	
Police protection?			X	
Schools?			X	
Parks?			X	
Other public facilities?			X	

Discussion: The project site is served by Denair Rural Fire District, the Denair Unified and Turlock Unified School District, Stanislaus County Sheriff Department for police protections, the Denair 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. All new dwellings will be required to pay the applicable Public Facility Fees through the building permit process. The Sheriff’s Department also uses a standardized fee for new dwellings that will be incorporated into the Development Standards.

The project was referred to the Denair Fire Protection District, but no comments have been received to date. All improvements will be reviewed by the Stanislaus County Fire Prevention Bureau and will be required to meet all State and Local fire code requirements.

As discussed in Section XI – *Land Use and Planning*, the General Plan and the Denair Community Plan requires at least three net acres of developed neighborhood parks, or the maximum number allowed by law, to be provided for every 1,000 residents. The General Plan and the Denair Community Plan requires at least three net acres of developed neighborhood parks, or the maximum number allowed by law, to be provided for every 1,000 residents. The project site abuts the County's Hunter's Pointe Park. Currently, Hunter's Pointe Park is approximately 0.34± acres in size. The Stanislaus County Parks and Recreation Park Land In-Lieu Of Fees Policy ("Policy") requires new subdivisions creating 53 parcels or more to build a park with amenities. Options to the developer include, land dedication, installation of equipment, park site development, payment of in-lieu fees or combination thereof. Based on the Policy, a 76-lot subdivision is required to dedicate 0.70 acres of land to serve the additional residents, payment of a \$2,050 in-lieu fee per lot, development of park improvements of equivalent value, or a combination thereof. Given the County's existing Hunter's Pointe Park abuts the project site to the west, the applicant has agreed to dedicate 0.15± acres at the easterly portion of the park, to serve as a park expansion (which is equivalent to a required park acreage dedication for 16 lots), leaving 0.56± acres remaining required to be dedicated. In-lieu of additional land dedication, the applicant has opted to develop the park expansion site with a basketball court and shade structure, bids for which have been provided and meet the equivalent cost of the in-lieu fees for 60 lots/0.56 acres. The proposed dedication would be consistent with General Plan and Community Plan parks goals.

A referral response was received from the County's Public Works Department requiring annexation of the project to the existing Community Service Area (CSA) #21 - Riopel and the Denair Highway Lighting and Landscaping District to ensure future maintenance and eventual replacement of the storm drainage system and facilities, and any landscaped areas and requirements regarding connection to the Denair CSD prior to the final map being recorded. The applicant proposes to install street lighting, curb, gutter, and sidewalk for the entire subdivision including in the development of the residential subdivision, the developer will extend the existing County-maintained Corona and Chalmer Ways eastward, through the proposed subdivision, terminating into Arnold Way. Interior 50-foot-wide roadways including three cul-de-sacs will be developed as part of the subdivision's interior circulation. Development standards have been added to the project addressing Public Works' requirements.

The project was referred to the Turlock Irrigation District (TID), who provided a referral response indicating that an irrigation pipeline belonging to Improvement District (ID) 573A runs along the western edge of the subject project. There are no electrical facilities on the parcel; however, there are two conduit stub-outs to the west that will be fed to serve the proposed subdivision: one located within Chalmer Way that terminates west where the project parcel begins, and one located at the north end of the existing Hunter's Pointe Park, that terminates west at the project parcel boundaries. TID requested the developer enter into an irrigation improvements agreement and submit both irrigation improvement plans for any irrigation facility modifications, and the final map including an application for electrical facility extensions for approval by the District's Engineering Department prior to recording of the final map. Additionally, TID indicated that the developer must apply for abandonment from ID 573A since the subsequent parcels will no longer have direct access to water or irrigate. The District also requested that a 10-foot Public Utility Easement be dedicated along all street frontages, and that development of the proposed lots have a minimum 15-foot building setback from both the front property line and from back-of-sidewalk. Development standards will be placed on the project reflecting these requirements.

Although the project site is not within the Denair CSD district boundaries, it is located within the CSD's Local Agency Formation Commission's (LAFCO)-adopted Sphere of Influence. The applicant has provided a "Can Serve" letter issued by the CSD, stating their ability to serve the proposed lots with sewer and water services. As a condition of service, the CSD will require the owner/developer to enter into an agreement to construct and pay for necessary infrastructure to enable the District to provide water and sewer services to the project. The agreement will require the infrastructure be constructed to District specifications, and that security be given to the District to guarantee performance and payment for the infrastructure, and that all current connection fees be paid in full. Additionally, the applicant may be required to pay a fair share fee for future facilities for District services. Development standards will be added to the project to reflect the CSD's conditions for services. In accordance with the implementation measures listed under Goal Two, Policy Two of the Denair Community Plan, the sizing of sewer and water lines should be reduced as they approach the northerly, westerly and easterly periphery of the Denair Community Plan area to limit growth influences beyond the Plan area. There is an existing 12-inch water main in East Zeering Road that stops at Riopel Avenue, which will need to be extended east to Arnold Road and then north to the edge of the project site boundaries; however, this is needed to maintain adequate water pressure and fire flow conditions. Otherwise, 8-inch pipes will be routed through the interior roadways of the project site to serve the proposed subdivision. The project was referred to LAFCO who responded to the project requiring the developer to annex into the CSD's boundaries

and obtain LAFCO approval prior to extension of services. Additionally, a referral response was received from the Department of Environmental Resources who will require the project site obtain a “Will-Serve” letter for water and sewer services to serve the development issued from the Denair CSD prior to issuance of a building permit. These requirements will be reflected in the development standards for this project.

Mitigation: None.

References: Referral Response received from Stanislaus County Department of Public Works, dated September 29, 2022; Referral Response from Turlock Irrigation District, dated January 24, 2022; Letter from Denair Community Services District, dated May 5, 2022; Stanislaus County General Plan and Support Documentation¹.

XVI. RECREATION --	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X	
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			X	

Discussion: The General Plan and the Denair Community Plan requires at least three net acres of developed neighborhood parks, or the maximum number allowed by law, to be provided for every 1,000 residents. The project site abuts the County’s Hunter’s Pointe park and a 2.09± acres dual use stormwater drainage basin.

The General Plan and the Denair Community Plan requires at least three net acres of developed neighborhood parks, or the maximum number allowed by law, to be provided for every 1,000 residents. The General Plan and the Denair Community Plan requires at least three net acres of developed neighborhood parks, or the maximum number allowed by law, to be provided for every 1,000 residents. The project site abuts the County’s Hunter’s Pointe Park. Currently, Hunter’s Pointe Park is approximately 0.34± acres in size. The Stanislaus County Parks and Recreation Park Land In-Lieu Of Fees Policy (“Policy”) requires new subdivisions creating 53 parcels or more to build a park with amenities. Options to the developer include, land dedication, installation of equipment, park site development, payment of in-lieu fees or combination thereof. Based on the Policy, a 76-lot subdivision is required to dedicate 0.70 acres of land to serve the additional residents, payment of a \$2,050 in-lieu fee per lot, development of park improvements of equivalent value, or a combination thereof. Given the County’s existing Hunter’s Pointe Park abuts the project site to the west, the applicant has agreed to dedicate 0.15± acres at the easterly portion of the park, to serve as a park expansion (which is equivalent to a required park acreage dedication for 16 lots), leaving 0.56± acres remaining required to be dedicated. In-lieu of additional land dedication, the applicant has opted to develop the park expansion site with a basketball court and shade structure, bids for which have been provided and meet the equivalent cost of the in-lieu fees for 60 lots/0.56 acres. The proposed dedication would be consistent with General Plan and Community Plan parks goals.

Mitigation: None.

References: Stanislaus County Parks and Recreation Park Land In-Lieu Of Fees Policy, adopted by General Plan Amendment No. 2003-02; E-mail correspondence from the Department of Parks and Recreation, dated November 13, 2022; Stanislaus County General Plan and Support Documentation¹.

XVII. TRANSPORTATION -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?			X	

b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?			X	
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	
d) Result in inadequate emergency access?			X	

Discussion: This project is a request to rezone a 15.9± acres parcel from Planned Development (P-D) (288) to a new Planned Development and to subdivide the project site into 76 parcels, ranging in size from 5,855 square-feet to 12,631 square-feet and a 6,391± square-foot park site expansion. The project site has a General Plan designation of Planned Development and a Denair Community Plan designation of Low-Density Residential. As part of the subdivision development, the applicant proposes to install street lighting, curb, gutter, and sidewalk for the entire subdivision, as well as the extension of the existing County-maintained Corona and Chalmer Ways eastward, through the proposed subdivision, terminating into Arnold Way. Interior 50-foot-wide roadways including three cul-de-sacs will be developed as part of the subdivision’s interior circulation.

A referral response was received from the County’s Public Works Department, which included requirements for site development standards that would account for the County’s Standards and Specifications for subdivisions. Development standards were also included for: right-of-way dedication for Zeering and Arnold Roads; requirements for final map recordation; requirements for submission of improvement plans; grading and drainage plan requirements, including removal or relocation of existing irrigation facilities and provision of a soil report; inclusion of a 10-foot Public Utilities Easement along the frontage of each parcel; annexation of the project to the existing Community Service District and Lighting and Landscaping District for funding of improvement maintenance; and annexation of the project to the Ripel county service area (CSA) to provide funds to ensure future maintenance and eventual replacement of the storm drainage system, and any landscaped areas. These requirements will be added to the project as development standards.

The project was referred to the Stanislaus County Environmental Review Committee (ERC), who responded to the project requesting a traffic impact study to quantify project-specific impacts to local roads and intersections. A Transportation Impact Assessment, dated May 17, 2022, was prepared by Barrios Transportation Consulting. Using the Institute of Transportation Engineers (ITE) Trip Generation Manual (11th Edition), the project’s trip generation was estimated to result in 717 new daily vehicle trips, including approximately 58 morning peak hour trips and 77 evening peak hour trips.

As required by the California Environmental Quality Act (CEQA) Guidelines Section 15064.3, potential impacts to transportation should be evaluated using Vehicle Miles Traveled (VMT). 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. The CEQA Guidelines identify vehicle miles traveled (VMT), which is the amount and distance of automobile travel attributable to a project, as the most appropriate measure of transportation impacts. According to the same technical advisory from OPR, projects that generate or attract fewer than 110 trips per-day generally or achieves a 15% reduction of VMT may be assumed to cause a less than significant transportation impact. The VMT increase associated with the proposed project is proposed to exceed 110 trips per-day; however, the project is considered an infill residential project, as the project site was already identified in the Denair Community Plan for residential uses, which was accounted for under previous environmental analysis. Accordingly, an analysis of VMT is not triggered due to the project’s consistently with previously adopted land use plans. Additionally, projects within one-half mile of either an existing major transit stop or a stop along an existing high-quality transit corridor should be presumed to cause a less than significant transportation impact. A major transit stop is defined as a site containing an existing rail transit station. The Turlock-Denair Amtrak station, a passenger transit line, is located .46± miles to west of the project site and provides connection from Bakersfield, through Denair and Stockton, to both the Sacramento Valley Station in Sacramento and the Jack London Square Station in Oakland. Accordingly, VMT impacts are considered to be less than significant.

While vehicle miles of travel (VMT) is the current metric for which projects’ traffic impacts must be evaluated under CEQA, the Stanislaus County General Plan still has a policy to maintain level of service (LOS) C or better operations at intersections during the peak hour. LOS is a method to qualify traffic flow based on factors such as speed, travel time, delay, and freedom to maneuver. Six levels of service are defined ranging from LOS A (free-flow conditions) to LOS F (over capacity conditions). LOS E corresponds to operations “at capacity”. When volumes exceed capacity, stop-and-go conditions result, and operations are designated LOS F. The Assessment quantified the project’s traffic impacts through both Level of Service (LOS) and Vehicle Miles Traveled (VMT). Six intersections in Denair were evaluated for conditions during both morning

and evening peak hours (7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.). Based on the assessment of both existing cumulative conditions, the project is not expected to add a substantial number of trips to the roadway network and therefore, intersection operations are anticipated to remain relatively unchanged compared to baseline cumulative conditions. To mirror existing signage, the Assessment recommended that a “STOP” sign and associated striping be installed at the westbound approach to the Chalmer Way extension/Riopel Avenue intersection, at the eastbound approach to the Chalmer Way extension/Arnold Road intersection, and to the westbound approach to Corona Way extension/Riopel Avenue intersection. Additionally, as two new connections to Arnold Road (identified as “Court D” and “Street B” on the associated site plan) are proposed, the Assessment recommends that a side street stop sign and striping be installed at the eastbound approach to proposed “Court D”/Arnold Road intersection, and at the eastbound approach to proposed “Street B”/Arnold Road intersection. Public Works reviewed the Transportation Impact Assessment and accepted the findings. These recommendations will be added as development standards under Public Works’ requirements. **Additionally, although not identified in the traffic study as a project-specific area of concern, the Department of Public Works is adding a development standard requiring installation of two radar speed feedback signs to be installed by the developer along East Zeering Way to help deter speeding and respond to concerns raised by the public during community meetings.**

Frontage improvements proposed for the development include curb, gutter, and sidewalk for the entire subdivision. As part of the map design, two new County-maintained roadways will be installed by the developer, and existing Corona and Chalmer Ways will be extended to provide the subdivision two outlets to Arnold Road and Riopel Avenue. Three cul-de-sacs will be utilized in the map design.

All development on-site will be required to pay applicable County PFF fees, which will be utilized for maintenance and traffic congestion improvements to all County roadways.

The proposed project is not anticipated to conflict with any transportation program, plan, ordinance or policy.

Mitigation: None.

References: Application Materials; Referral Response from the Environmental Review Committee, dated January 26, 2022; Referral Response from the Stanislaus County Department of Public Works, dated September 29, 2022; Transportation Impact Assessment, prepared by Barrios Transportation Consulting, dated May 17, 2022; Referral Response from the Environmental Review Committee, dated January 26, 2022; Transportation Impact Assessment, prepared by Barrios Transportation Consulting, dated May 17, 2022; Federal Highway Administration, Summary of Travel Trends: 2017 National Household Travel Survey; Stanislaus County General Plan and Support Documentation¹.

XVIII. TRIBAL CULTURAL RESOURCES -- Would the project:	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 tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California native American tribe, and that is:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or			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	
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Discussion: It does not appear this project will result in significant impacts to any tribal cultural resource. The site is currently vacant; however, the surrounding area has been developed with single-family dwellings and residential and agricultural accessory structures. As discussed in Section V – *Cultural Resources* of this report, the records search indicated there may be unidentified features involved in the project area that are 45 years or older and considered as historical resources requiring further study. The Central California Information Center (CCIC) recommend further review for the possibility of identifying prehistoric or historic-era archaeological resources if ground disturbance is considered a part of the current project. The CCIC recommendations as mentioned in the “Cultural Resources” section of this report will be applied to the project.

In accordance with SB 18 and AB 52, this project was not referred to the tribes listed with the Native American Heritage Commission (NAHC) as the project is not a General Plan Amendment and no tribes have requested consultation or project referral noticing.

It does not appear that this project will result in significant impacts to any tribal cultural resources

Mitigation: None.

References: Application Information; Central California Information Center Report for the project site, dated September 10, 2021; Stanislaus County General Plan and Support Documentation¹.

XIX. UTILITIES AND SERVICE SYSTEMS -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
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. Stormwater is proposed to be managed by the existing basin located on Assessor Parcel Number (APN) 024-022-030, which currently serves an existing residential development to the west. A referral response was received from the County’s Public Works Department requiring annexation of the project to the existing Community Service Area (CSA) #21 - Riopel and the Denair Highway Lighting and Landscaping District to ensure future maintenance and eventual replacement of the storm drainage system and facilities, and any landscaped areas.

The project was referred to the Turlock Irrigation District (TID), who provided a referral response indicating that an irrigation pipeline belonging to Improvement District (ID) 573A runs along the western edge of the subject project. There are no electrical facilities on the parcel; however, there are two conduit stub-outs to the west that will be fed to serve the proposed subdivision: one located within Chalmer Way that terminates west where the project parcel begins, and one located at the north end of the existing Hunter’s Pointe Park, that terminates west at the project parcel boundaries. TID requested the developer enter into an irrigation improvements agreement and submit both irrigation improvement plans for any irrigation facility modifications, and the final map including an application for electrical facility extensions for approval by the District’s Engineering Department prior to recording of the final map. Additionally, TID indicated that the developer must apply for abandonment from ID 573A since the subsequent parcels will no longer have direct access to water or irrigate. The District also requested that a 10-foot Public Utility Easement be dedicated along all street frontages, and that development of the proposed lots have a minimum 15-foot building setback from both the front property line and from back-of-sidewalk. Development standards will be placed on the project reflecting these requirements.

Although the project site is not within the Denair CSD district boundaries, it is located within the CSD’s Local Agency Formation Commission’s (LAFCO) adopted Sphere of Influence (SOI). The applicant has provided a “Can-Serve” letter issued by the Denair CSD, stating their ability to serve the proposed lots with sewer and water services. As a condition of service, the CSD will require the owner/developer to enter into an agreement to construct and pay for necessary infrastructure to enable the District to provide water and sewer services to the project. The agreement will require the infrastructure be constructed to District specifications, and that security be given to the District to guarantee performance and payment for the infrastructure, and that all current connection fees be paid in full. Additionally, the applicant may be required to pay a fair share fee for future facilities for District services. Development standards will be added to the project to reflect the CSD’s conditions for services. In accordance with the implementation measures listed under Goal Two, Policy Two of the Denair Community Plan, the sizing of sewer and water lines should be reduced as they approach the northerly, westerly and easterly periphery of the Denair Community Plan area to limit growth influences beyond the Plan area. The nearest existing water mains are 12-inches within East Zeering Road and eight inches at Corona Way. The existing sewer main is eight inches at Riopel Avenue. No increase in the sizes of pipelines is needed to serve the development; however, the existing 12-inch water main in East Zeering Road that stops at Riopel Avenue, will need to be extended east to Arnold Road and then north to the edge of the project site boundaries in order to maintain adequate water pressure and fire flow conditions. Otherwise, 8-inch pipes will be routed through the interior roadways of the project site to serve the proposed subdivision. The project was referred to LAFCO who responded to the project requiring the developer to annex into the Denair CSD’s boundaries and obtain LAFCO approval prior to extension of services. Additionally, a referral response was received from the Department of Environmental Resources (DER) who will require the project site obtain a “Will-Serve” letter for water and sewer services to serve the development issued from the Denair CSD prior to issuance of a building permit. The Department of Public Works will review and approve grading and drainage plans prior to construction. Development standards will be added to the project to reflect these requirements. These requirements will be reflected in the development standards for this project.

Mitigation: None.

References: Referral Response from Local Agency Formation Commission, dated January 14, 2022; Letter received from Denair Community Services District, dated May 5, 2022; Referral Response from the Stanislaus County Department of Environmental Resources, dated January 25, 2022; Referral Response received from Stanislaus County Department of Public Works, dated September 29, 2022; Referral Response from Turlock Irrigation District, dated January 26, 2022; Stanislaus County General Plan and Support Documentation¹.

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

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?			X	
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?			X	
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?			X	

Discussion: The Stanislaus County Local Hazard Mitigation Plan from the Department of Emergency Services, 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 the Denair Fire Protection District. The project was referred to the Denair Fire Protection District, but no comments have been received to date. All improvements will be reviewed by the Stanislaus County Fire Prevention Bureau and will be required to meet all state and local fire code requirements.

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation¹.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE --	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
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?		X		
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.)			X	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

Discussion: Review of this project has not indicated any features which might significantly impact the environmental quality of the site and/or the surrounding area. The project site is currently vacant, was previously planted in row crops, and is surrounded by single-family residential development to the west, ranchette parcels and irrigated farmland to the north, east, and south; and confined animal facility to the southeast.

The project site is designated as Low-Density Residential (LDR) in the Denair Community Plan of the County General Plan, Planned Development in the Stanislaus County General Plan, and has a zoning designation of P-D 288. The project site is situated near the northeast corner of Denair, buffered from the edge of the Community Plan boundaries by approximately 600-feet of distance consisting of the parcels zoned A-2 and designated Estate Residential in the Denair Community Plan fronting on Arnold Road to the east. All immediately surrounding parcels zoned A-2, consisting of the adjacent parcels to the north, east, and south are designated as Urban Transition under the Land Use Element and either Low-Density Residential or Estate Residential under the Denair Community Plan; however, the adjacent agriculturally zoned parcels, with the exception of two 5± acres parcels to the north, are not actively farmed. While residential development of the parcels with these Community Plan designations was considered in the Denair Community Plan Environmental Impact Report (EIR), a zoning change would need to be approved prior to any subdivision and residential development occurring, which will require project-level CEQA analysis and consistency with the Stanislaus County Zoning Ordinance Chapter 21.118 – *30-Year Land Use Restriction* (“Measure E”). Measure E prohibits conversion from agricultural zoning to residential without approval by a majority vote of county voters at a general or special election, which will further limit urban growth beyond the project site, which will further limit urban growth beyond the project site. Any development of the surrounding area would be subject to the permitted uses of the applicable zoning district the property is located within or would require additional land use entitlements and environmental review.

No cumulative impacts are anticipated as a result of this project. Based on the Transportation Impact Assessment prepared for the project for both existing cumulative conditions and cumulative conditions with consideration of the proposed project, the project is not expected to add a substantial number of trips to the roadway network and therefore, intersection operations are anticipated to remain relatively unchanged compared to baseline cumulative conditions. The proposed project will not create significant service extensions or new infrastructure which could be considered as growth inducing, as services are available to neighboring properties. Additionally, in accordance with the implementation measures listed under Goal Two, Policy Two of the Denair Community Plan, the sizing of sewer and water lines should be reduced as they approach the northerly, westerly and easterly periphery of the Denair Community Plan area to limit growth influences beyond the Plan area. The nearest existing water mains are 12-inches within East Zeering Road and eight inches at Corona Way. The existing sewer main is eight inches at Riopel Avenue. Although the existing pipelines will be extended east through the proposed subdivision to serve the development, including a new water and sewer main within Arnold Road terminating at the northern boundary of the project site, the existing pipeline infrastructure will not be upgraded or increased in size to accommodate the proposed subdivision. The 12-inch pipe will be extended along the project site periphery in order to maintain adequate water pressure and fire flow conditions As discussed in Section IV – *Biological Resources* above, the project has potential to impact Swainson’s Hawk due to the site being potential foraging habitat; however, mitigation requiring pre-construction surveys, temporal limits on construction, avoidance, and if necessary, require the applicant to obtain an Incidental Take Permit from the California Department of Fish and Wildlife, have been added to the project.

Mitigation: See Mitigation Measure No. 1.

References: Initial Study; Stanislaus County General Plan and Support Documentation¹.

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



MITIGATED NEGATIVE DECLARATION

NAME OF PROJECT: Rezone and Vesting Tentative Map Application No. PLN2021-0101 – Hoffman Ranch

LOCATION OF PROJECT: East Keyes Road, between North Golden State Boulevard and State Route 99, in the Community of Keyes.
APN: 024-022-027

PROJECT DEVELOPER: Dan Dunkley

DESCRIPTION OF PROJECT: This is a request to rezone a 15.9± ac parcel from (P-D) (288) to a new P-D & to subdivide the project site into 76 parcels, ranging in size from 5,855 sq-ft to 12,631 sq-ft & a 6,391± sq-ft park site expansion.

Based upon the Initial Study, dated **February 22, 2023 (as updated on April 26, 2023)**, 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. 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).

The 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, 95354.

Initial Study prepared by: Kristen Anaya, Associate Planner

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

Stanislaus County

Planning and Community Development

Mitigation Monitoring and Reporting Program

Adapted from CEQA Guidelines sec. 15097 Final Text, October 26, 1998

February 22, 2023

- 1. Project title and location: Rezone and Vesting Tentative Subdivision Map Application No. PLN2021-0101 – Hoffman Ranch
4325 Arnold Road & 4302 Riopel Avenue, between East Zeering and Powell Roads, in the Community of Denair (APN: 024-022-027).
- 2. Project Applicant name and address: Dan Dunkley
239 Main Street, Suite E
Pleasanton, CA 94566
- 3. Person Responsible for Implementing Mitigation Program (Applicant Representative): Dan Dunkley
- 4. Contact person at County: Kristen Anaya, Associate Planner (209) 525-6330

MITIGATION MEASURES AND MONITORING PROGRAM:

List all Mitigation Measures by topic as identified in the Mitigated Negative Declaration and complete the form for each measure.

IV. BIOLOGICAL RESOURCES

Mitigation Measure No. 1: 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).

- Who Implements the Measure: Applicant/Developer
- When should the measure be implemented: Prior to ground disturbing activities
- When should it be completed: Upon completion of ground-disturbing activities
- Who verifies compliance: Stanislaus County Planning Department, in consultation with California Department of Fish & Wildlife

Other Responsible Agencies:

California Department of Fish & Wildlife

I, the undersigned, do hereby certify that I understand and agree to be responsible for implementing the Mitigation Program for the above listed project.

Signature on file.

Person Responsible for Implementing
Mitigation Program

February 22, 2023

Date

SUMMARY OF RESPONSES FOR ENVIRONMENTAL REVIEW REFERRALS

PROJECT: REZ TM APP NO. PLN2021-0101 - HOFFMAN RANCH

REFERRED TO:	RESPONDED			RESPONSE			MITIGATION MEASURES		CONDITIONS			
	2 WK	30 DAY	PUBLIC HEARING NOTICE	YES	NO	WILL NOT HAVE SIGNIFICANT IMPACT	MAY HAVE SIGNIFICANT IMPACT	NO COMMENT NON CEQA	YES	NO	YES	NO
CA DEPT OF FISH & WILDLIFE	X	X	X		X							
CA OPR STATE CLEARINGHOUSE	X	X	X		X							
CA WATER RESOURCES CONTROL BOARD: DIV 10.	X	X	X		X							
CA RWQCB CENTRAL VALLEY REGION	X	X	X	X				X		X	X	
CITY OF: TURLOCK	X	X	X		X							
COMMUNITY SERVICES DIIST: DENAIR	X	X	X	X				X		X	X	
COOPERATIVE EXTENSION	X	X	X		X							
FIRE PROTECTION DIST: DENAIR	X	X	X		X							
GSA: TURLOCK	X	X	X		X							
IRRIGATION DISTRICT: TID	X	X	X	X				X		X	X	
MOSQUITO DISTRICT: TURLOCK	X	X	X		X							
MT VALLEY EMERGENCY MEDICAL	X	X	X		X							
MUNICIPAL ADVISORY COUNCIL: DENAIR	X	X	X	X				X		X	X	
PACIFIC GAS & ELECTRIC	X	X	X		X							
POSTMASTER: DENAIR	X	X	X		X							
RAILROAD: BNSF	X	X	X		X							
SAN JOAQUIN VALLEY APCD	X	X	X	X			X				X	
SCHOOL DISTRICT 1: DENAIR UNIFIED	X	X	X		X							
STAN CO AG COMMISSIONER	X	X	X		X							
STAN CO BUILDING PERMITS DIVISION	X	X	X	X				X		X	X	
STAN CO CEO	X	X	X		X							
STAN CO DER	X	X	X	X				X		X	X	
STAN CO ERC	X	X	X	X			X			X		X
STAN CO HAZARDOUS MATERIALS	X	X	X	X				X		X	X	
STAN CO PARKS & RECREATION	X	X	X	X				X		X	X	
STAN CO PUBLIC WORKS	X	X	X	X			X		X		X	
STAN CO SHERIFF	X	X	X		X							
STAN CO SUPERVISOR DIST 2: CHIESA	X	X	X		X							
STAN COUNTY COUNSEL	X	X	X		X							
STANISLAUS FIRE PREVENTION BUREAU	X	X	X		X							
STANISLAUS LAFCO	X	X	X		X							
SURROUNDING LAND OWNERS		X	X	X				X		X		X
TELEPHONE COMPANY: ATT	X	X	X		X							
TRIBAL CONTACTS												
(CA Government Code §65352.3)	X	X	X		X							

I:\Planning\Staff Reports\REZ\2021\PLN2021-0101 - Hoffman Ranch\Planning Commission\Meeting Date\Staff Report\Exhibit I - Environmental Review Referrals.xls

EXHIBIT I

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EXHIBIT C

Plan for Services

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Plan for Services
Hoffman Ranch Subdivision
Annexation into CSA #21 Riopel
Denair, CA
FY 2025-2026

BACKGROUND

County Service Area No. 21 (CSA 21) - Riopel - was established in December 2005, to provide extended maintenance services for the park, storm drain system and landscaping at the storm drain basin within the Riopel Subdivision.

Public Works is seeking to annex Hoffman Ranch, a future subdivision, into CSA 21. The annexation will add a single parcel totaling 19.56 acres. Once construction is complete, the future subdivision will add 76 residential lots, and a Lot A/park expansion. Once the annexation is complete and construction of Hoffman Ranch has been completed, CSA 21 will consist of 129 residential lots, a park, a sewer lift station lot, and a landscaped storm drain basin lot.

DESCRIPTION OF SERVICES

CSA 21 currently provides ongoing maintenance, operation, and servicing, of the storm drain basin, storm drain system, and park. The special benefit assessments to be levied for this CSA are intended to provide a revenue source for all the maintenance, and servicing of the service area's improvements including, but not limited to, the materials, equipment, labor and administrative expenses. However, the assessments are not intended to fund reconstruction or major renovations of the improvements and facilities. The maintenance, operation, and servicing of the storm drain system are funded entirely or partially through the service area assessments and are generally described as:

- Periodic cleaning and maintenance (as needed) on 1,803 linear feet of 18-inch pipe, 36 linear feet of 24-inch pipe; 341 linear feet of 30 inch pipe, and 75 linear feet of 36 inch pipe;
- Periodic cleaning and maintenance of 17 catch basins and 11 manholes;
- Repair curb and gutter as needed to maintain the storm drain system (5,400 linear feet of curb and gutter);
- Periodic streets sweeping to prevent build-up of silt and other damaging materials to the storm drain system. All debris is contained and hauled offsite with containment bins;
- Annual repairs and general maintenance to storm drain basin (erosion control, weed spraying, grading/excavation as needed);
- The Parks and Recreation Department provides continual maintenance of the park/storm drain basin public use area and the park within the Service Area (i.e. irrigation, mowing, playground equipment replacement, and pest control).

The following infrastructure will be added by the annexation and receive the same benefits described above:

- 517 linear feet of 12-inch PVC Storm pipe, 2,462 linear feet of 18-inch RCP Storm pipe, 614 linear feet 24-inch RCP Storm pipe;
- 16 catch basins and 12 manholes;
- 4,465 linear feet of 6-inch vertical curb & gutter, 3,319 linear feet of 4.5" drive over curb & gutter;
- 6,350 square feet of landscaped park area, an expansion of the existing park area.

BUDGET ANALYSIS

It is estimated there will be a fund balance on June 30, 2025 of \$78,211.21. This amount was generated in order to have funds available for capital improvements in the storm drainage system. Based on operating experience, this fund balance can be reduced while still being adequate for future capital needs. For park/storm basin and Hunter's Pointe Park Maintenance, a capital reserve in the amount of \$6,000 has been established for costs associated with a catastrophic event with regards to vandalized irrigation, turf, trees or playground equipment.

The threat to stormwater quality comes from the urbanized areas within the County, which the CSA's encompass. The County is mandated by the State Water Resources Control Board, Water Quality Order No. 2013-0001-DWQ to regulate stormwater within these urbanized areas. The CSA's receive additional services above the General Benefit for the following permit areas: Education and Outreach (E.7), Public Involvement and Participation Program (E.8), Illicit Discharge Detection and Elimination Program (E.9), Post-Construction Stormwater Management Program (E.12), Water Quality Monitoring (E.13), Program Effectiveness Assessment and Improvement (E.14), Total Maximum Daily Loads Compliance Requirements (E.15) and the Annual Reporting Program (E.16).

The fee structure to implement the state requirements has not been determined for Fiscal Year 2025-2026. An estimated annual fee of \$5 per parcel is included in this year's budget. Any surplus or shortfall will be adjusted in future calculations.

The fiscal year is the 12-month period from July 1st through June 30th of the following year. The annual assessment is received with property taxes collected in December and April. This means the fiscal year starts on July 1st, but the first installment of the annual assessment will not be collected until December, creating a 6-month lag in receiving the money necessary to maintain the various services provided. Therefore, a reserve of \$16,591 one half of the annual operating budget, will be carried forward from available fund balance to cover costs from July 1st to December 31st.

The assessment for Fiscal Year 2025-2026 is \$479.89 per Equivalent Benefit Unit (EBU). There is no change in the assessment from Fiscal Year 2024-2025. Available fund balance in the amount of \$7,278 will be used to offset a portion of the operations and maintenance costs, thereby keeping the assessment equal to the previous year.

ASSESSMENT FORMULA

Proposition 218, a statewide initiative approved by the voters in November 1996, requires property owners approve any change in the method of calculating assessment and any increase in the assessment rate through a ballot procedure. An assessment ballot procedure occurred during the formation of CSA 21 in December 20, 2005. A majority protest was not filed regarding the method for calculating the annual assessment and the levy of the annual assessment to pay for services provided by CSA 21. Therefore, a method for calculating the annual assessment has been approved and is in place. The method that is being used to calculate the assessment is the total cost to operate and maintain the park, storm drain system and landscaped storm drain basin minus use of fund balance divided by the number of EBUs within CSA 21.

$$\frac{\text{(Total Cost of Operations \& Maintenance-Use of Fund Balance)}}{\text{Total EBUs}} = \text{Assessment per EBU}$$

ASSESSMENT CALCULATION:

2025-2026 Assessment: $\$25,902.54 / 53.976 \text{ EBU} = \479.89 per EBU

2024-2025 Assessment: $\$25,902.54 / 53.976 \text{ EBU} = \479.89 per EBU

If the annexation project is approved, the assessment of proposed parcels will start in Fiscal Year 2026-2027. A deposit of \$44,773.93 from the developer that covers 1st year of Operation and Maintenance will be transferred to the CSA 21 fund. Thus, the fund balance of CSA 21 will be sufficient to cover services provided in the annexed area.

Since a formula or method for calculating the annual assessment has been approved per Proposition 218, no ballot procedure is necessary to approve the change in assessment. Therefore, the Fiscal Year 2025-2026 assessment is in compliance with Proposition 218.

EXISTING SERVICE AREA BUDGET

CSA 21 - Riopel	
EXPENSE DESCRIPTION	TOTAL BUDGET
<u>ADMINISTRATION</u>	
County Administration	\$ 1,000.00
Miscellaneous/Other Admin Fees	\$ -
Total	\$ 1,000.00
<u>PARKS & RECREATION</u>	
Parks Labor	\$ 9,416.00
Parks Vandalism/Graffiti	\$ 675.00
Parks Utilities	\$ 10,500.00
Parks Other Supplies	\$ 400.00
Maintenence - Structures & Grounds	\$ -
Total	\$ 20,991.00
<u>PUBLIC WORKS</u>	
SWRCB Permit Requireme	\$ 280.00
Cleaning Drainage System	\$ 3,000.00
Street Sweeping	\$ 9,500.00
Curb & Gutter Repair	\$ -
Weed Spraying	\$ 785.54
Erosion Control	\$ -
Separator Cleaning	\$ -
Total	\$ 13,565.54
Capital Improvement Reserve	\$ -
General Benefit (-)	\$ (2,375.00)
Total Administration, Parks & Rec, Public Works Budget	\$ 33,181.54
<u>Adjustments to Available Fund Balance</u>	
Beginning Fund Balance (Estimated for 2025-26)	\$ 78,211.21
General Fund (or PW) Loan Repayment/Advance (-)	\$ -
Other Revenues/General Fund (Contributions I.e. Grants) (+)	\$ -
Capital Improvement Expenditure (pumps etc.) (-)	\$ -
6 Months Operating Reserve (-)	\$ (16,590.77)
Use of Fund Balance for FY2025-26 (-)	\$ (7,278.00)
Contingency Reserve (-)	\$ -
Current Fund Balance	\$ 54,342.44
Required Capital Reserve -Parks (-)	\$ (6,000.00)
Availbale Fund Balance	\$ 48,342.44
Total Administration, Parks & Rec, Public Works Budget	\$ 33,181.54
Use of Fund Balance (-)	\$ (7,278.00)
Balance to Levy	\$ 25,903.54
<u>District Statistics</u>	
Total Parcels	56
Parcels Levied	56
Total EBU	53.98
Levy EBU	\$ 479.89

SERVICE AREA BUDGET AFTER ANNEXATION

CSA 21 - Riopel	
EXPENSE DESCRIPTION	TOTAL BUDGET
ADMINISTRATION	
County Administration	\$ 1,000.00
Miscellaneous/Other Admin Fees	\$ -
Total	\$ 1,000.00
PARKS & RECREATION	
Parks Labor	\$ 9,416.00
Parks Vandalism/Graffiti	\$ 675.00
Parks Utilities	\$ 10,500.00
Parks Other Supplies	\$ 400.00
Maintenence - Structures & Grounds	\$ -
Total	\$ 20,991.00
PUBLIC WORKS	
SWRCB Permit Requirem€	\$ 280.00
Cleaning Drainage System	\$ 3,000.00
Street Sweeping	\$ 9,500.00
Curb & Gutter Repair	\$ -
Weed Spraying	\$ 785.54
Erosion Control	\$ -
Separator Cleaning	\$ -
Total	\$ 13,565.54
Capital Improvement Reserve	\$ -
General Benefit (-)	\$ (2,375.00)
Total Administration, Parks & Rec, Public Works Budget	\$ 33,181.54
Adjustments to Available Fund Balance	
Beginning Fund Balance (Estimated for 2025-26)	\$ 122,985.14
General Fund (or PW) Loan Repayment/Advance (-)	\$ -
Other Revenues/General Fund (Contributions I.e. Grants) (+)	\$ -
Capital Improvement Expenditure (pumps etc.) (-)	\$ -
6 Months Operating Reserve (-)	\$ (16,590.77)
Use of Fund Balance for FY2025-26 (-)	\$ (7,278.00)
Contingency Reserve (-)	\$ -
Current Fund Balance	\$ 54,342.44
Required Capital Reserve -Parks (-)	\$ (6,000.00)
Availbale Fund Balance	\$ 48,342.44
Total Administration, Parks & Rec, Public Works Budget	\$ 33,181.54
Use of Fund Balance (-)	\$ (7,278.00)
Balance to Levy	\$ 25,903.54
District Statistics	
Total Parcels	56
Parcels Levied	56
Total EBU	53.98
Levy EBU	\$ 479.89

CONSENT FOR ANNEXATION OF
TERRITORY TO COUNTY SERVICE AREA NO. 21 – Riopel
(Hoffman Ranch subdivision Annexation)

LGI Homes, hereinafter referred to as "Owner", owns and has titles to the properties APN 024-022-027 located in Stanislaus County, California as described on Exhibits "A" and "B" attached hereto and hereinafter referred to as "Property".

Owner hereby consents to the annexation of the Property to the County Service Area No. 21 - Riopel for the purpose of receiving extended county services to or within the Property and to pay the Fiscal Year 2025/2026 assessment in the amount of \$479.89 per Equivalent Benefit Unit (EBU). Assessment amount per EBU and the parcel assessment is calculated using the County Service Area Assessment Formulas:

Total Operation & Maintenance Cost - Use of Fund Balance / Total Equivalent Benefit Units (EBU) = Levy (Assessment) per Equivalent Benefit Unit (EBU)

Parcel EBU x Levy (Assessment) per EBU = Parcel Assessment.

Owner acknowledges that the extended County services are park and streetscape maintenance, storm drainage control, and storm drainage system maintenance, and the annexation will be pursuant to Government Code Section 25210 et seq.

Owner declares under penalty of perjury that the foregoing is true and correct and that the Consent for Annexation of Territory to County Service Area No. 21 was executed this 14th day of November, 2025.

Owner or Corporate Officer

Evan Licht
Print Name


Signature

Officer
Title

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EXHIBIT D

Draft LAFCO Resolution No. 2026-08

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**STANISLAUS COUNTY LOCAL AGENCY
FORMATION COMMISSION**

RESOLUTION

DATE: April 22, 2026

NO. 2026-08

SUBJECT: LAFCO APPLICATION NO. 2026-03 SPHERE OF INFLUENCE UPDATE NO. 2026-03 – HOFFMAN RANCH ESTATES CHANGE OF ORGANIZATION TO COUNTY SERVICE AREA NO. 21 (RIOPEL)

On the motion of Commissioner _____, seconded by Commissioner _____, and approved by the following vote:

Ayes: Commissioners:
Noes: Commissioners:
Absent: Commissioners:
Ineligible: Commissioners:

THE FOLLOWING RESOLUTION WAS ADOPTED:

WHEREAS, Stanislaus County has requested to annex approximately 16 acres located on the west side of Arnold Road, north of East Zeering Road, east of Riopel Avenue and south of Powell Road in the Denair area into County Service Area No. 21 (Riopel);

WHEREAS, the Commission has conducted a public hearing to consider the proposal on April 22, 2026, and notice of said hearing was given at the time and in the form and manner provided by law;

WHEREAS, the territory is considered uninhabited as it contains less than 12 registered voters;

WHEREAS, the purpose of the proposal is to allow the subject territory to receive extended county services offered by County Service Area No. 21, including CSA administration, street-sweeping, storm drain system maintenance, park maintenance, drainage basin, landscaping, sidewalks, and streetscape;

WHEREAS, Stanislaus County, as Lead Agency, prepared and subsequently approved a Negative Declaration for the proposal in compliance with the California Environmental Quality Act (CEQA);

WHEREAS, the proposal would not result in the loss of agricultural land, as the site has historically been designated for planned residential uses;

WHEREAS, the proposal includes a simultaneous sphere of influence amendment, coterminous with the annexation, in order to maintain consistency with the sphere of influence of CSA No. 21;

WHEREAS, proceedings for adoption and amendment of a sphere of influence are governed by the Cortese-Knox-Hertzberg local Government Reorganization Act, Section 56000 et seq. of the Government Code;

WHEREAS, Commission policies allow a minor amendment to a sphere of influence of any agency without triggering a new or revised Municipal Service Review (MSR) when a previous MSR has been conducted;

WHEREAS, on January 13, 2026, the Stanislaus County Board of Supervisors adopted Resolution No. 2026-0028 requesting the annexation to County Service Area No. 21;

WHEREAS, Stanislaus County has prepared an Engineer's Study identifying the assessment formula to be applied to the territory and its compliance with Proposition 218;

WHEREAS, in the form and manner provided by law pursuant to Government Code Sections 56153 and 56157, the Executive Officer has given notice of the public hearing by the Commission on this matter; and

WHEREAS, the Commission has, in evaluating the proposal, considered the report submitted by the Executive Officer, which included determinations and factors set forth in Government Code Sections 56425 and 56668, and any testimony and evidence presented at the meeting held on April 22, 2026.

NOW, THEREFORE, BE IT RESOLVED that the Commission:

1. Certifies, in accordance with CEQA, as a Responsible Agency, that it has considered the Negative Declaration prepared by Stanislaus County.
2. Determines that: (a) the subject territory will be within the County Service Area No. 21 Sphere of Influence with approval of the modification; (b) approval of the proposal is consistent with all applicable spheres of influence, overall Commission policies and local general plans; (c) there are less than twelve (12) registered voters within the territory and it is considered uninhabited; (d) all the owners of land within the subject territory have given their written consent to the annexation; (e) no subject agencies have submitted written protest to a waiver of protest proceedings; and (f) the proposal is in the interest of the landowners within the territory.
3. Approves the proposal subject to the following terms and conditions:
 - a. The applicant shall pay State Board of Equalization fees, pursuant to Government Code Section 54902.5.
 - b. The applicant agrees to defend, hold harmless and indemnify LAFCO and/or its agents, officers and employees from any claim, action or proceeding brought against any of them, the purpose of which is to attack, set aside, void or annul LAFCO's action on a proposal or any action relating to or arising out of such approval, and provide for the reimbursement or assumption of all legal costs in connection with that approval.
 - c. In accordance with Government Code Sections 56886(t) and 57330, the subject territory shall be subject to the levying and collection of all previously authorized charges, fees, assessments or taxes of County Service Area No. 21.

- d. The effective date of the change of organization shall be the date of recordation of the Certificate of Completion.
 - e. The application submitted has been processed as a change of organization consisting of annexation to County Service Area No. 21.
4. Designates the proposal as the "Hoffman Ranch Change of Organization to County Service Area No. 21 (Riopel)".
 5. Waives the protest proceedings pursuant to Government Code Section 56662(d) and orders the change of organization subject to the requirements of Government Code Section 57200 et. seq.
 6. Authorizes and directs the Executive Officer to prepare and execute a Certificate of Completion in accordance with Government Code Section 57203, upon receipt of a map and legal description prepared pursuant to the requirements of the State Board of Equalization and accepted to form by the Executive Officer, subject to the specified terms and conditions.

DRAFT

ATTEST:

Sara Lytle-Pinhey
Executive Officer

**EXECUTIVE OFFICER'S AGENDA REPORT
APRIL 22, 2026**

TO: LAFCO Commissioners

FROM: Sara Lytle-Pinhey, Executive Officer *SLP*

SUBJECT: BUDGET ADJUSTMENT FOR FISCAL YEAR 2025-2026

RECOMMENDATION

It is recommended that the Commission adopt Resolution No. 2026-10, approving a budget adjustment for Fiscal Year 2025-2026.

DISCUSSION

In August 2025, the Stanislaus County Board of Supervisors approved a 4% salary for unrepresented employees. This action occurred after the Commission's adoption of the final budget and the impact of a 4% salary increase was not fully anticipated. Staff presented a Mid-Year Budget report to the Commission projecting that a minor budget adjustment would be needed to ensure the Salaries and Benefits category does not exceed what was budgeted overall by year end. The following table outlines the Commission's adopted budget as compared to the year-end projection for the current fiscal year.

LAFCO FY 2025-2026 Adopted Budget vs. Year-End Projections

	Adopted Budget (FY 2025-2026)	Year-End Projection	Underbudget/ (Overbudget)
EXPENSES			
Salaries & Benefits	\$633,180	\$636,932	(3,752)
Services & Supplies	116,620	98,255	18,365
Other Charges	1,200	1,200	-
Total Expenses	\$751,000	\$736,387	\$14,613
REVENUES			
City/County Contributions	\$711,000	\$711,000	-
Applications & Other Revenues	20,000	42,680	22,680
Interest Earnings	--	21,300	21,300
Total Revenues	\$731,000	\$774,785	(43,980)
<i>Anticipated Use of Fund Balance</i>	<i>20,000</i>		
<i>Total Budget</i>	<i>\$751,000</i>		

The Commission's total expenditures for year-end are projected to be well within the amount budgeted for Fiscal Year 2025-2026. However, due to the unanticipated increase in salaries approved in August 2025, the Salaries & Benefits category is anticipated to exceed the budget by nearly \$4,000. Within the Services and Supplies category, the Commission maintains miscellaneous expense account (#62400) budgeted for \$5,500 that is intended to cover unexpected expenses during the year (e.g. replacement of computer equipment). Expenditures within the Services and Supplies category are anticipated to be underbudget by approximately \$18,000. Therefore, Staff is recommending a minor budget adjustment that would transfer \$5,000 from its miscellaneous expense account to Salaries & Benefits to ensure the category remains within budget.

CONCLUSION

Approval of the proposed transfer will not negatively affect the Commission's fund balance or require additional funds from the contributing agencies. Staff has prepared the attached Resolution that would approve a one-time transfer of \$5,000 from the Miscellaneous Expense Account (#62400) of the Services and Supplies category to the Salaries and Benefits category and would authorize LAFCO Staff and the County Auditor to take the necessary steps to effectuate the budget adjustment.

Attachment: Resolution No. 2026-10

**STANISLAUS COUNTY LOCAL AGENCY
FORMATION COMMISSION**

RESOLUTION

DATE: April 22, 2026

NO. 2026-10

SUBJECT: Adoption of a Budget Adjustment for Fiscal Year 2025-2026

On the motion of Commissioner _____, seconded by Commissioner _____, and approved by the following vote:

Ayes: Commissioners:
Noes: Commissioners:
Absent: Commissioners:
Ineligible: Commissioners:

THE FOLLOWING RESOLUTION WAS ADOPTED:

WHEREAS, the Stanislaus Local Agency Formation Commission annually adopts a final budget to fulfill its purposes and functions that are set by State law;

WHEREAS, the Commission adopted a final budget for Fiscal Year 2025-2026 at its May 28, 2025 meeting;

WHEREAS, LAFCO Staff has determined that there will be a shortfall in the Salaries and Benefits category due to an unanticipated increase in salaries approved by the Stanislaus County Board of Supervisors for unrepresented employees, including LAFCO Staff;

WHEREAS, the Commission heard and considered a budget adjustment of \$5,000 from the Miscellaneous Expense Account (#62400) to be transferred from the Services and Supplies category to the Salaries and Benefits category; and

WHEREAS, the Commission heard and fully considered all the evidence presented at a public meeting held on the proposed budget adjustment on April 22, 2026.

NOW, THEREFORE, BE IT RESOLVED that the Commission:

1. Approves a one-time transfer of \$5,000 from the Miscellaneous Expense Account (#62400) of the Services and Supplies category to the Salaries and Benefits category.
2. Authorizes LAFCO Staff and the County Auditor to take the necessary steps to effectuate the budget adjustment.

DRAFT

ATTEST:

Sara Lytle-Pinhey
Executive Officer