



CITY OF HUGHSON
REGULARLY SCHEDULED
PLANNING COMMISSION MEETING
City Hall Council Chambers
7018 Pine Street, Hughson, CA

AGENDA
TUESDAY, JANUARY 17, 2017 – 6:00 P.M.

CALL TO ORDER: Chair Alan McFadon

ROLL CALL: Chair Alan McFadon
Vice Chair Ken Sartain
Commissioner Julie Ann Strain
Commissioner Brian Evans
Commissioner Kevin Cloherty

Staff to be Present: Jaylen French, Community Development Director
Susana Diaz, Deputy City Clerk
Monica Streeter, Deputy City Attorney

FLAG SALUTE: Chair Alan McFadon

RULES FOR ADDRESSING THE PLANNING COMMISSION

*Members of the audience who wish to address the Planning Commission are requested to complete one of the forms located on the table at the entrance of the Council Chambers and submit it to the City Clerk. **Filling out the card is voluntary.***

1. PUBLIC BUSINESS FROM THE FLOOR (No Action Can Be Taken):

Members of the Audience may address the Planning Commission on any item of interest to the public pertaining to the City and may step to the podium, State their name and City of Residence for the record (requirement of Name and City of Residence is optional) and make their presentation. Please limit presentations to five minutes. Since the Planning Commission cannot take action on matters not on the Agenda, unless the action is authorized by Section 54954.2 of the Government Code, items of concern which are not urgent in nature can be resolved more expeditiously by completing and submitting to the City Clerk a "Citizen Request Form" which may be obtained from the City Clerk.

2. PRESENTATIONS: NONE.

3. NEW BUSINESS:

3.1: Approve the Minutes of the Regular Meeting of December 20, 2016.

4. PUBLIC HEARING TO CONSIDER THE FOLLOWING:

4.1: Consideration and Discussion of Province Place Initial Study/Mitigated Negative Declaration and Mitigation Monitoring Program for Rezone Application No. 16-01, Vesting Tentative Subdivision Map No. 16-01 and Parcel Map, Design Review, Conditional Use Permit and Planned Development Application for the Proposed Province Place Residential Subdivision submitted by Windward Pacific Builders, d.b.a. WINPAC-Euclid Avenue, LLC Located at the Southwest Corner of Locust Street and Euclid Avenue, APN No. 018-026-016.

5. INFORMATIONAL ITEMS: NONE.

6. CORRESPONDENCE: NONE.

7. COMMENTS:

7.1: Staff Reports and Comments: (Information Only – No Action)

Community Development Director:

City Clerk:

City Attorney:

7.2: Commissioner Comments: (Information Only – No Action)

ADJOURNMENT:

WAIVER WARNING

If you challenge a decision/direction of the Planning Commission in court, you may be limited to raising only those issues you or someone else raised at a public hearing(s) described in this Agenda, or in written correspondence delivered to the City of Hughson at or prior to, the public hearing(s).

UPCOMING EVENTS:

January 23	▪ City Council Meeting @ City Hall Chambers, 7:00 P.M.
January 26	▪ Brown Act/AB 1234 Ethics Training, City Hall Chambers, 5:30 P.M.
February 13	▪ Lincoln’s Birthday Holiday - City Hall Closed
February 20	▪ President’s Day Holiday - City Hall Closed
February 27	▪ State of the City Address, Samaritan Village, 6:00 P.M.

**AMERICANS WITH DISABILITIES ACT/CALIFORNIA BROWN ACT
NOTIFICATION FOR THE CITY OF HUGHSON**

This Agenda shall be made available upon request in alternative formats to persons with a disability; as required by the Americans with Disabilities Act of 1990 (42 U.S.C. Section 12132) and the Ralph M. Brown Act (California Government Code Section 54954.2).

Disabled or Special needs Accommodation: In compliance with the Americans with Disabilities Act, persons requesting a disability related modification or accommodation in order to participate in the meeting and/or if you need assistance to attend or participate in a Planning Commission meeting, please contact the City Clerk’s office at (209) 883-4054. Notification at least 48-hours prior to the meeting will assist the City Clerk in assuring that reasonable accommodations are made to provide accessibility to the meeting.

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 Procedures Section 185, which requires proceedings before any State Court to be in English, notice is hereby given that all proceedings before the City of Hughson Planning Commission shall be in English and anyone wishing to address the Council 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.

AFFIDAVIT OF POSTING

DATE: January 13, 2017 **TIME:** 5:00 pm
NAME: Susana Diaz **TITLE:** Deputy City Clerk

General Information: The Hughson Planning Commission meets in the Council Chambers on the *third Tuesday* of each month at 6:00 p.m., unless otherwise noticed.

PC Agendas: The Planning Commission Agenda is now available for public review at the City’s website at www.hughson.org and City Clerk’s Office, 7018 Pine Street, Hughson, California on the Friday, prior to the scheduled meeting. Copies and/or subscriptions can be purchased for a nominal fee through the City Clerk’s Office.

Questions: Contact the City Clerk at (209) 883-4054.



CITY OF HUGHSON
PLANNING COMMISSION MEETING

CITY HALL COUNCIL CHAMBERS
7018 Pine Street, Hughson, CA

MINUTES
TUESDAY, DECEMBER 20, 2016 – 6:00 P.M.

CALL TO ORDER: Chair Alan McFadon

ROLL CALL:

Present: Chair Alan McFadon
Commissioner Brian Evans
Commissioner Kevin Cloherty
Commissioner Julie Ann Strain
Commissioner Ken Sartain

Staff Present: Jaylen French, Community Development Director
Susana Diaz, Deputy City Clerk

FLAG SALUTE: Chair Alan McFadon

1. PUBLIC BUSINESS FROM THE FLOOR (No Action Can Be Taken):

No Public Comments.

2. PRESENTATIONS:

2.1: National Chain Restaurant(s) in Hughson?

Director French initiated conversation regarding the Commissions' and the communities' desire to have national chain restaurant(s), i.e. fast food restaurants in Hughson. No action was sought or taken.

3. NEW BUSINESS:

3.1: Approve the Minutes of the Regular Meeting of October 18, 2016.

STRAIN/MCFADON 5-0-0-0 motion passes to approve the Minutes as presented.

3.2: Appoint a Planning Commission Chair and Vice Chair for 2017.

The Commission discussed the 2017 appointment of Chair and Vice Chair for Planning Commission.

SARTAIN/STRAIN 5-0-0-0 motion passes to re-appoint Commissioner McFadon as Chair to the Planning Commission.

STRAIN/CLOHERTY 5-0-0-0 motion passes to appoint Commissioner Sartain as Vice Chair to the Planning Commission.

4. PUBLIC HEARING TO CONSIDER THE FOLLOWING: NONE.

5. INFORMATION ITEMS:

5.1: Chain Link Fences.

Director French provided an update regarding the chain link fences in Hughson. No action was sought or taken.

6. CORRESPONDENCE: NONE.

7. COMMENTS:

7.1: Staff Reports and Comments: (Information Only – No Action)

Community Development Director: Director French provided an update on the Santa Fe Avenue and Hatch Road project.

Director French also provided an update on the Fox Road Sidewalk Infill project.

Director French informed the Commission that in January the Planning Commission will hold a hearing on the vesting tentative subdivision map

application for the property located at the Southwest corner of Locust Avenue and Euclid Road. The subdivision will consist of 39 single family dwellings.

City Clerk:

Deputy City Clerk Diaz informed the Planning Commission of an upcoming Brown Act and AB1234 Ethics training taking place January 26, 2017 in the Council Chambers of City Hall.

7.2: Commissioner Comments: (Information Only – No Action)

Commissioner Sartain wished everyone a Merry Christmas.

Commissioner Cloherty announced the birth of his first grandson. He is happy to be on the Planning Commission and is looking forward to working with the Commissioners.

Commissioner Evans wished everyone a Merry Christmas and a Happy New Year. He is happy to be on the Planning Commission and looks forward to serving on the Commission.

ADJOURNMENT:

Chair McFadon adjourned the meeting at 7:18 P.M.

ALAN MCFADON, Chair

Susana Diaz, Deputy City Clerk



**PLANNING COMMISSION
AGENDA ITEM NO. 4.1
SECTION 4: PUBLIC HEARING**

Meeting Date: January 17, 2017
Subject: Consideration and Discussion of Province Place Initial Study/Mitigated Negative Declaration and Mitigation Monitoring Program for Rezone Application No. 16-01, Vesting Tentative Subdivision Map No. 16-01 and Parcel Map, Design Review, Conditional Use Permit and Planned Development Application for the Proposed Province Place Residential Subdivision submitted by Windward Pacific Builders, d.b.a. WINPAC-Euclid Avenue, LLC Located at the Southwest Corner of Locust Street and Euclid Avenue, APN No. 018-026-016
Enclosures: Province Place Land Use Application Package
Design Review Package
Resolution No. 2017-02
Resolution No. 2017-03
Resolution No. PC 2017-01
Initial Study and Mitigated Negative Declaration and Mitigation Monitoring Program
Presented By: Jaylen French, Community Development Director

Recommendation:

1. Recommend adoption of Resolution No. 2017-01, a Resolution of the Hughson City Council recommending adoption of the Province Place Initial Study/Mitigated Negative Declaration and Mitigation Monitoring Program, and authorize City staff to file a Notice of Determination; and
2. Recommend adoption of Resolution No. 2017-02, a Resolution of the Hughson City Council recommending approval of Rezone Application No. 16-01 and Condition Use Permit, Vesting Tentative Subdivision Map No. 16-01 and the Parcel Map, and Planned Development; and
3. Adopt Resolution No. PC 2017-01, Province Place Design Review

Background and Overview:

Development Application

Applicant:	Windward Pacific Builders, d.b.a. WINPAC-Euclid Avenue, LLC.
Location:	Southwest corner of Locust Street and Euclid Avenue
APN:	018-026-016
Current Zoning:	Rural Residential (R-A)
Proposed Zoning:	Planned Development (P-D) <i>Similar to Medium Density Residential (R-2)</i>
Surrounding Zoning:	North: High Density Residential (R-3) Samaritan Village East: Agriculture, Stanislaus County South: Open Space (O-S), Hughson Arboretum and Gardens West: Open Space (O-S) Hughson Sports and Fitness Complex

The project proposal is to subdivide approximately 4.51± acres located at the southwest corner of Locust Street and Euclid Avenue (APN No. 018-026-016) into 39 single-family residential lots ranging in size from 2,907 to 3,962 square feet within a gated community. The proposed project will include associated street, sewer, water, and storm drainage improvements. Street improvements primarily consist of the construction of 'Private Streets' through the proposed project, with connections to Euclid Avenue to the east and Locust Street to the north.

The application package includes a Parcel Map which will create two separate parcels; a 4.51± acre parcel (project site) and a 0.34± acre parcel (remainder parcel). This approximately 14,238 square foot area (remainder parcel), which is a current homesite, will remain as is and be formally separated from the project development. The project applicant has agreed to complete the Euclid Avenue street improvements in front of this remainder parcel as part of the project site improvements.

The proposed project will necessitate a zone change of the subject property from Rural Residential (R-A) to Planned Development (P-D). Per the Hughson Municipal Code (HMC), "The purpose of the P-D planned development overlay zone is to encourage a creative and more efficient approach to the use of land and to provide for greater flexibility in the design of integrated developments than otherwise possible through strict application of zoning regulations." Further, "The P-D overlay zone may be applied to parcels of land of any size in any zone that are found by the Planning Commission to be suitable for the proposed development. An application for the establishment of a P-D zone shall also include an application for a Conditional Use Permit (CUP)."

Per Section 17.04.012 of the HMC, "Conditional use permits provide an opportunity to review the location, site development or conduct of certain land uses, activities

and structural features that generally have a distinct impact on the area in which they are located or are capable of creating special problems for bordering properties unless given careful attention. Use permits may be granted by the planning commission under the provisions of this section.” The CUP application is considered concurrently with the approval of the P-D zone.

General Plan & Zoning Consistency

Background

In 2012, the Hughson Unified School District, in coordination with the City of Hughson, acquired 15± acres of a 20± acre parcel located south of Locust Street and west of Euclid Avenue for the purposes of developing a sports and fitness complex. Subsequently, the parcel was split, leaving approximately 4.85 acres— i.e. the subject property.

General Plan Designation

The subject property is currently designated Low Density Residential (LDR) in the adopted City of Hughson General Plan (2005). Please see the figure below.

Zoning Classification

The subject property is zoned Rural Residential (R-A) per the City of Hughson Zoning Code. This is the only parcel in the City, which carries this zoning classification. Please see the figure below.

The project application includes a zone change to Planned Development (P-D). As stated previously, the purpose of the planned development overlay zone is to encourage a creative and more efficient approach to the use of land and to provide for greater flexibility in the design of integrated developments than otherwise possible through strict application of zoning regulations. As indicated in Table LU-3 from the Hughson General Plan, the P-D zone is an allowable zone in the Low Density Residential General Plan Designation; therefore a General Plan

TABLE LU-3 **GENERAL PLAN AND ZONING CODE CONSISTENCY MATRIX**

General Plan Designation	Zoning Districts									
	RA	R-1	R-2	R-3	C-1	C-2	C-3	I	PD	OS
Low Density Residential	X	X								X
Medium Density Residential			X							X
High Density Residential				X						X
Downtown Commercial						X				X
Neighborhood Commercial					X					X
General Commercial						X	X			X
Service Commercial							X			X
Industrial								X		X
Park/Open Space	X	X	X	X	X	X	X	X	X	X
Public Facility	X	X	X	X	X	X	X	X	X	X
Urban Reserve	A new zoning district will be needed to correspond to the Urban Reserve General Plan designation.									
Agriculture	A new zoning district will be needed to correspond to the Agriculture General Plan designation.									

Note: X = Consistent General Plan Designation and Zoning District

Amendment is not required.

Initial Study and Mitigated Negative Declaration (IS/MND)

The Province Place IS/MND has analyzed the potential environmental effects of the proposed project in the range of the environmental subject areas specified in the California Environmental Quality Act (CEQA) and the CEQA Guidelines. On the basis of this analysis, the City, acting as the Lead Agency and using its independent judgment and analysis, finds that the project will not have any significant environmental effects, with mitigation incorporated.

Pursuant to CEQA, the draft IS/MND was circulated to all interested parties and responsible agencies for review and comment. After the comment period closed, the City had received two (2) letters, one from the Central Valley Regional Water Quality Control Board and one from the Native American Heritage Commission. Neither letter raised issues that needed to be addressed per CEQA. Both were standard letters meant to remind the lead agency of the commenting agencies processes and protocols. Please see the attached letters. A Mitigated Negative Declaration has been prepared for approval concurrent with action on the vesting tentative subdivision map and zone change. In conclusion, based on the Initial Study/Mitigated Negative Declaration, it has been determined that the project will not have a significant effect on the environment based on the proposed mitigation.

Design Review

Design Review is a part of the submitted Province Place Application to address the proposed residential housing units as well as the site and street layout as well as orientation to the community and surrounding areas. Although the design review process may be considered subjective in nature, the City does have an adopted set of Design Expectations, which provide the objective criteria for which approval or denial should be based. Each applicant is required to submit a self certification checklist (Attached), to assist City staff's and the Planning Commission's review of the proposal.

The purpose of the Design Review process, as outlined in Section 17.04.020 of the Hughson Municipal Code (HMC), is "...to promote orderly, attractive and harmonious development, recognize environmental limitations on development, stabilize land values and investments and promote general welfare. The [design] review process aims to achieve these goals by preventing uses or structures which would not meet the specific intent, clauses or performance standards of this title or which would not properly relate to their sites, surrounding, traffic circulation, or environmental setting."

Further, the "City of Hughson has determined that all new development shall complement and enhance the community. It is the expectation that new development will address issues of community, place and identity through the thoughtful placement of neighborhoods, open spaces, streets and land use. The City's desire is to integrate many of the basic principles of community design common in traditional neighborhoods, with modern home-building technologies and market realities to create vital and distinctive places to live and call home. The adopted Design Expectations principles or guidelines provide direction as well as

establish criteria that serve as the basis of review by City staff and the Planning Commission for residential projects.”

In regards to the Design Review component, the Planning Commission may approve, conditionally approve or deny the project. The Commission shall approve a development review application only if the following findings can be made:

1. The proposed project is consistent with the General Plan, any adopted design expectations or design guidelines and the Hughson Municipal Code.
2. The proposed architecture and site design complements the surrounding neighborhood and/or district.
3. The proposed project is consistent with the general scale of structures and buildings in the surrounding neighborhood and/or district.

Staff has reviewed the materials and is of the opinion that the three (3) aforementioned findings can be made for conditional Design Review approval. The following is a summary of the design details.

Residential Units

The proposed Province Place residential units, in general, meet the City of Hughson Design Expectations; the applicant has proposed four (4) plans with two (2) elevations each. The units include varied exterior elements, including porches and balconies.

However, in City staff’s review the Designation Expectations call for a third elevation for a subdivision of this size. Additionally, City staff would like to address minor issues with three of the four plans. Please see the proposed condition of Design Review approval below.

Common Area

A common area—including such features as a decorative paver open area, grassed retention basin, bocce ball court, gazebo and barbeque area—is located in the center of the subdivision adjacent to the Hughson Sports and Fitness Complex (S&FC). The applicant is proposing a wrought-iron fence along the west side of the common area to provide visibility to the S&FC. This will be maintained by the established Homeowner’s Association.

Alleys/Shared Driveways

The project calls for clusters of homes to be arranged around an alley or a shared driveway. This access will be improved as would a street, but is narrower than a typical city street is intended solely for ingress/egress to the residential units. No parking is allowed on these access points.

Exterior Wall & Entries

The applicant is proposing wood fencing with masonry pilasters along Euclid Avenue and Locust Street as well as decorative masonry type entry monuments. Please see Landscape Elevations. The sidewalk will be located directly adjacent to the street, as with the improvements at Samaritan Village to the north and a 10 foot landscape area is behind the sidewalk in front of the fence.

There will be a gate located at the connection to Euclid Avenue and to Locust Street. The gate at Locust Street will be the primary entrance and exit, whereas the gate at Euclid Avenue will be an exit for the residents or visitors. A man-gate will be provided at each location.

Based on the submitted Self-Certification Checklist, as well as City staff's review, there are two issues that do not fully meet the intent of the Design Expectations as described below:

1. Section A, Orientation to Built Community/Adjoining Development, #3: "Open community, without gates, unless permitted by City Council in special housing situation." The Residential Design Expectations clearly desire open communities. As indicated previously, the proposed project is to be gated at Euclid Avenue and Locust Street and include a private common area that will be maintained by an HOA. While gated communities are not preferred in the Design Expectations, the location of the proposed subdivision makes a certain amount of sense as it is located on the edge of the City adjacent to rural farmsteads. This development is not surrounded on all sides, nor will it be for the foreseeable future. Additionally, the proposed subdivision is located directly south of Samaritan Village, which is also gated.
2. Section E, Encourage Pedestrian Activity in Residential Neighborhoods, #1&2: "Pedestrian sidewalks or pathways on both sides of all streets." And, "Pedestrian sidewalk separated from the street curb by a landscape planter strip." The two main roadways, Province Place and Callie Way on the interior of the subdivision include sidewalks on one side of the roadway. However, the layout of the subdivision and the fact that it is gated makes it a pedestrian friendly subdivision. The sidewalk on Euclid Avenue and Locust Street is not separated by a landscape planter. The project proponent, in coordination with City staff, has decided to widen the landscape area between the project fencing and the street. This will provide a more aesthetic landscape area as well as alleviate future sidewalk cracking issues which arise as trees grow in these narrow planters.

The adopted Design Expectations indicate the preference of the City, and use of these is expected to improve quality and raise standards of excellence in development of properties. They are not intended as mandates. It is staff's opinion that the proposed project meets the intent of the Design Expectations and that with the prior explanation that all three findings can be made.

Conditions of Approval

Design Review is a discretionary approval; therefore, it is acceptable to place conditions of approval to address issues identified in the City's Design Expectations. City staff recommends that the Planning Commission conditionally approve the Design Review application with the following conditions of approval:

1. Provide a third elevation for each plan
2. Address the blank wall on Plan Two
3. Address the rear elevation on Plan Three

4. Address the south elevation on Plan Four
5. Install decorative bike rack(s) in the common area

CITY COUNCIL
CITY OF HUGHSON
RESOLUTION NO. 2017-02

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUGHSON ADOPTING A
MITIGATED NEGATIVE DECLARATION FOR VESTING TENTATIVE SUBDIVISION
MAP NO. 16-01 AND REZONE NO. 16-01, PROVINCE PLACE
APN: 018-026-016**

WHEREAS, Windward Pacific Builders d.b.a. WINPAC-Euclid Avenue, LLC has made application for a Vesting Tentative Subdivision Map, Zone Change, Parcel Map, Design Review, Planned Development and Condition Use Permit on APN 018-026-016; and

WHEREAS, in accordance with the California Environmental Quality Act (CEQA), an Initial Study/Mitigated Negative Declaration has been prepared; and

WHEREAS, there was a duly noticed public hearing before the Hughson Planning Commission on January 17, 2017 and the Planning Commission recommended to the City Council adoption of the Mitigated Negative Declaration; and

WHEREAS, subsequent to the duly noticed public hearing before the Hughson City Council held on January 23, 2017, the Hughson City Council finds, that the project is consistent with the intent of the General Plan adopted 2005.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hughson finds, acting as lead agency and using its independent judgment and analysis, based on the whole of the record before it, that there is no substantial evidence that the proposed project will have a significant effect on the environment, adopts a Mitigated Negative Declaration for the above-referenced project.

PASSED AND ADOPTED by the City Council of the City of Hughson at its regularly scheduled meeting on this 23rd day of January 2017 by the following roll call vote:

AYES: .

NOES: .

ABSTENTIONS: .

ABSENT:

JERAMY YOUNG, Mayor

ATTEST:

SUSANA DIAZ, Deputy City Clerk

CITY COUNCIL
CITY OF HUGHSON
RESOLUTION NO. 2017-03

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUGHSON REZONING
CERTAIN PROPERTY FOR THE PROPOSED PROVINCE PLACE RESIDENTIAL
SUBDIVISION
APN: 018-026-016**

WHEREAS, Windward Pacific Builders d.b.a. WINPAC-Euclid Avenue, LLC has made application for a Vesting Tentative Subdivision Map, which requires a Zone Change; and

WHEREAS, the official zoning map of the City of Hughson, established by Municipal Code 17.08.020 is to be amended by rezoning the parcel designated 018-026-016 on the Assessor's Map of Stanislaus County from Rural Residential (R-A) to Planned Development (P-D); and

WHEREAS, there was a duly noticed public hearing before the Hughson Planning Commission on January 17, 2017 and the Planning Commission recommended to the City Council approved the stated zone change; and

WHEREAS, subsequent to the duly noticed public hearing before the Hughson City Council held on January 23, 2017, the Hughson City Council finds that:

1. The action is consistent with the general plan or any applicable specific plan;
2. The action will not be detrimental to the public interest, health, safety, convenience, or welfare of the city; and
3. The site is suitable for the requested land uses, if applicable. (Ord. 08-06 § 1, 2008)

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hughson makes the aforementioned findings and hereby approves the stated zone change on APN 108-026-016.

PASSED AND ADOPTED by the City Council of the City of Hughson at its regularly scheduled meeting on this 23rd day of January 2017 by the following roll call vote:

AYES: .

NOES: .

ABSTENTIONS: .

ABSENT:

JERAMY YOUNG, Mayor

ATTEST:

SUSANA DIAZ, Deputy City Clerk

**CITY OF HUGHSON
PLANNING COMMISSION
RESOLUTION NO. PC 2017-01**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HUGHSON
CONDITIONALLY APPROVING DESIGN REVIEW FOR THE PROVINCE PLACE
SUBDIVISION**

WHEREAS, Windward Pacific Homes d.b.a. WINPAC-Euclid Avenue, LLC., submitted a development application including Vesting Tentative Subdivision Map No. 16-01, and Rezone No. 16-01, Parcel Map, Design Review, Planned Development and Conditional Use Permit for APN 018-026-016, located at the southwest corner of Locust Street and Euclid Avenue; and

WHEREAS, the Design Review application was submitted and reviewed pursuant to Hughson Municipal Code (HMC) Section 17.04.020; and

WHEREAS, the proposed Project was evaluated by the Planning Commission pursuant to the City of Hughson General Plan and Design Expectations and found be in conformance; and

WHEREAS, notice of the application was advertised in the local newspaper—the Hughson Chronicle—to solicit public input; and

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Hughson, pursuant to HMC 17.04.020(G)(3) does hereby conditionally approve the Design Review Application for the proposed Province Place subdivision subject to the following:

A. The Planning Commission makes the following findings in accordance with HMC Section 17.04.020 F:

1. The proposed project is consistent with the general plan, any applicable specific plans, any adopted design expectations or design guidelines, and the Hughson Municipal Code as conditioned herein.
2. The proposed architecture and site design complements the surrounding neighborhood and/or district.
3. The proposed project is consistent with the general scale of structures and buildings in the surrounding neighborhood and/or district.

B. The Planning Commission hereby conditionally approves the Design Review Application for the Project subject to the following condition:

1. Provide a third (3rd) elevation for each of the four (4) proposed plans
2. Address the blank wall on Plan Two
3. Address the rear elevation on Plan Three

4. Address the south elevation on Plan Four
5. Install decorative bike racks in the common area

PASSED AND ADOPTED by the Planning Commission of the City of Hughson at its regularly scheduled meeting on this 17th day of January 2017 by the following roll call vote:

AYES: .

NOES: .

ABSTENTIONS: .

ALAN MCFADON, Chair

ATTEST:

SUSANA DIAZ, Deputy City Clerk

PUBLIC REVIEW DRAFT INITIAL STUDY

Rezone Application No. 16-01
Subdivision Application No. 16-01
Design Review Application No. 16-01

Province Place

December 2, 2016

Prepared for:

City of Hughson
Community Development Department
7018 Pine Street
Hughson, California 95326

Prepared by:

J.B. Anderson Land Use Planning
139 S. Stockton Avenue
Ripon, California

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MITIGATED NEGATIVE DECLARATION

Lead Agency:
City of Hughson
7018 Pine Street
Hughson, California 95326

PROJECT NAME:

Rezone Application No. 16-01
Subdivision Application No. 16-01
Design Review Application No. 16-01

PROJECT PROPONENT AND LEAD AGENCY:

Project Applicant: Windward Pacific Builders
 135 S. 5th Street, Suite J
 Oakdale, CA 95361

Property Owner: Randall G. & Renee G. Brekke
 1900 11th Avenue
 Sacramento, CA 95818

Lead Agency: City of Hughson
 7018 Pine Street
 Hughson, CA 95326

PROJECT LOCATION:

The proposed project is located within the City of Hughson, an incorporated City within Stanislaus County. Specifically, the proposed project consists of approximately 4.16 net acres, and is bounded by Locust Street to the north, Hughson Arboretum and Gardens and E. Whitmore Avenue to the south, agricultural uses to the east and Hughson High School to the west. The Stanislaus County Assessor's Office recognizes the property as APN No. 018-026-005.

PROJECT DESCRIPTION:

The proposed project consists of a Tentative Subdivision Map, Parcel Map, Rezone and Design Review Application required to subdivide approximately 4.51± acres into thirty-nine (39) single-family residential lots with lot sizes ranging from 2,907 sq. ft. to 3,962 sq. ft. with a remainder parcel of 14,837 sq. ft. The proposed project will also include associated street, sewer, water, and storm drainage improvements. Street improvements primarily consist of the construction of 'Private Streets' through the proposed project,

with connections to Euclid Avenue to the east and Locust Street to the north. The proposed right-of-way (ROW) of the Private Streets is 34 feet north to south and 32 feet east to west.

Primary access to the overall project site will be provided by the proposed 'Private Streets' from Locust Street and Euclid Avenue. Domestic water infrastructure is proposed via installation of 1) an 8" water line through the project site and 2) extending the 12" water line south from the corner of Locust Street and Euclid Avenue to the 'Private Streets' entrance. Sanitary sewer infrastructure is proposed via installation of an 8" sewer line to connect to the City's existing sewer line on Orchard Lane, west of the Project site. Storm drainage is provided via connecting to the City of Hughson storm drain system to the City of Hughson standards.

ENVIRONMENTAL DETERMINATION:

The Lead Agency has prepared an Initial Study, following, which considers the potential environmental effects of the proposed project. The Initial Study shows that although the proposed project could have a significant effect on the environment, there will not be a significant effect in the case because revisions in the project have made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

MITIGATION MEASURES:

The following Mitigation Measures shall be incorporated into the proposed project:

AQ-1: During construction, the following basic control measures shall be incorporated at the construction/project site:

- *All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.*
- *All haul trucks transporting soil, sand, or other loose material off-site shall be covered.*
- *All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.*
- *All vehicle speeds on unpaved roads shall be limited to 15 mph.*
- *All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.*
- *Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxic control*

measure Title 13, Section 2485 of California Code of Regulation [CCR]). Clear signage shall be provided for construction workers at all access points.

- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.*
- Post a publicly visible sign with the telephone number and person to contact at the Air District regarding dust complaints. The Air District shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.*

NOISE-1: *Construction equipment shall be well maintained to be as quiet as possible. The following measures, when applicable, shall be implemented to reduce noise from construction activities:*

- All internal combustion engine-driven equipment shall be equipped with mufflers that are in good condition and appropriate for the equipment.*
- "Quiet" models of air compressors and other stationary noise sources shall be used, where technology exists.*
- Stationary noise-generating equipment shall be located as far as feasible from sensitive receptors (dwellings).*
- Unnecessary idling of internal combustion engines shall be prohibited.*
- Staging areas and construction material storage areas shall be located as far away as possible from adjacent sensitive land uses (dwellings).*
- Construction-related traffic shall be routed along major roadways (Euclid Avenue) and as far as feasible from sensitive receptors.*
- Residences or noise-sensitive land uses adjacent to construction sites shall be notified of the construction schedule in writing. The construction contractor shall designate a "construction liaison" that would be responsible for responding to any local complaints (e.g., starting too early, bad muffler, etc.) and shall institute reasonable measures to correct the problem. The construction contractor shall conspicuously post a telephone number for the liaison at the construction site.*
- The construction contractor shall hold a pre-construction meeting with the job inspectors and the general contractor/on-site project manager to confirm that noise mitigation and practices (including construction hours, construction schedule, and construction liaison) are completed.*

All of the above measures shall be included in the contract specifications that shall be reviewed and approved by the City of Hughson Community Development Department prior to the start of

construction. The above measures would reduce noise generated by the construction of the project to the extent feasible for the project's size.

TRANS-1: Although construction impacts are expected to be temporary, development of a construction management plan would reduce the potential for construction vehicle conflicts with other roadway users. The project applicant shall prepare a construction management plan for review and approval by the City of Hughson prior to any ground disturbance activity. The plan shall include:

- A project staging plan to maximize on-site storage of materials and equipment.
- A set of comprehensive traffic control measures, including scheduling of major truck trips and deliveries to avoid peak hours; lane closure proceedings; signs, cones, and other warning devices for drivers; and a designation of construction access routes.
- Permitted construction hours.
- Location of constructions staging.
- Identification of parking areas for construction employees, site visitors, and inspectors to minimize potential impacts on adjacent residences/properties.
- Provisions for street sweeping to remove construction related debris on public streets.

Implementation of the construction management plan would reduce the temporary construction traffic impact to a less than significant level.

Therefore, the Lead Agency proposes to adopt a Mitigated Negative Declaration for the project, in accordance with the provisions of the California Environmental Quality Act (CEQA) and the State CEQA Guidelines.



Mr. Jaylen French, Community Development Director

12/5/16

Date

1.0 INTRODUCTION

1.1 Lead Agency

The City of Hughson is the Lead Agency for the subject project pursuant to the California Environmental Quality Act (CEQA) and implementing regulations.¹ The Lead Agency has the principal responsibility for implementing and approving a project that may have a significant effect on the environment.

1.2 CEQA Overview

1.2.1 Purpose of CEQA

All discretionary projects within California are required to undergo environmental review under CEQA. A project is defined in CEQA Guidelines § 15378 as the whole of the action having the potential to result in a direct physical change or a reasonably foreseeable indirect change to the environment and is any of the following:

- An activity directly undertaken by any public agency, including, but not limited to, public works construction and related activities, clearing or grading land, improvements to existing public structures, enactment and amendment of zoning ordinances, and adoption and amendment of local General Plans or elements. An activity undertaken by a person that is supported in whole or in part through public agency contacts, grants, subsidies, loans, or other forms of assistance from one or more public agencies.
- An activity involving the issuance to a person of a lease, permit, license, certificate, or other entitlement for use by one or more public agencies.

CEQA Guidelines § 15002 lists the basic purposes of CEQA as follows:

- To inform governmental decision makers and the public about the potential, significant environmental effects of proposed activities;
- To identify the ways that environmental damage can be avoided or significantly reduced;
- To prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible; and
- To disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved.

¹ Public Resources Code §§ 21000 - 21177 and California Code of Regulations Title 14, Division 6, Chapter 3.

1.2.2 Authority to Mitigate

CEQA establishes a duty for public agencies to avoid or minimize environmental damage where feasible. Under CEQA Guidelines § 15041, a Lead Agency has authority to require feasible changes in any or all activities involved in the project to substantially lessen or avoid significant effects on the environment, consistent with applicable constitutional requirements such as the “nexus”² and “rough proportionality”³ standards.

CEQA allows a Lead Agency to approve a project even though the project would cause a significant effect on the environment if the agency makes a fully informed and publicly disclosed decision that there is no feasible way to lessen or avoid the significant effect. In such cases, the Lead Agency must specifically identify expected benefits and other overriding considerations from the project that outweigh the policy of reducing or avoiding significant environmental impacts of the project.

1.3 Purpose of Initial Study

The purposes of an Initial Study as listed in § 15063(c) of the CEQA Guidelines are to:

- Provide the Lead Agency with information necessary to decide if an Environmental Impact Report (EIR), Negative Declaration (ND), or Mitigated Negative Declaration (MND) should be prepared;
- Enable a Lead Agency to modify a project to mitigate adverse impacts before an EIR is prepared, thereby enabling the project to qualify for an ND or MND;
- Assist in the preparation of an EIR, if required, by focusing the EIR on adverse effects determined to be significant, identifying the adverse effects determined not to be significant, explaining the reasons for determining that potentially significant adverse effects would not be significant, and identifying whether a program EIR, or other process, can be used to analyze adverse environmental effects of the project;
- Facilitate an environmental assessment early during project design;
- Provide documentation in the ND or MND that a project would not have a significant effect on the environment;
- Eliminate unnecessary EIRs; or
- Determine if a previously prepared EIR could be used for the project.

1.4 Other Agencies

Other public agencies are provided the opportunity to review and comment on the Initial Study. Each of these agency types is described briefly below.

² A nexus (connection) must be established between the mitigation measure and a legitimate governmental interest.

³ The mitigation measure must be “roughly proportional” to the impacts of the project.

- A Responsible Agency (14 California Code of Regulations [CCR] § 15381) is a public agency, other than the Lead Agency, that has discretionary approval power over the project, such as permit issuance or plan approval authority.
- A Trustee Agency⁴ (14 CCR § 15386) is a state agency having jurisdiction by law over natural resources affected by a project that are held in trust for the people of the State of California.
- Agencies with Jurisdiction by Law (14 CCR § 15366) are any public agencies that have authority (1) to grant a permit or other entitlement for use; (2) to provide funding for the project in question; or (3) to exercise authority over resources that may be affected by the project. Furthermore, a city or county will have jurisdiction by law with respect to a project when the city or county having primary jurisdiction over the area involved is: (1) the site of the project; (2) the area which the major environmental effects will occur; or (3) the area where those citizens most directly concerned by any such environmental effects reside.

1.5 Organization of Initial Study

This Initial Study is organized to satisfy CEQA Guidelines § 15063(d), and includes the following sections:

- Chapter 1, Introduction, which identifies the purpose and scope of the Initial Study.
- Chapter 2, Environmental Setting, which describes location, existing site conditions, land uses, zoning designations, topography, and vegetation associated with the program location, and surrounding area.
- Chapter 3, Project Description, which provides an overview of the program objectives.
- Chapter 4, Environmental Checklist, which presents checklist responses for each resource topic to briefly assess the impacts associated with the proposed project.
- Chapter 5, References, which includes a list of documents cited in the Initial Study.

⁴ The four Trustee Agencies in California listed in CEQA Guidelines § 15386 are California Department of Fish and Wildlife, State Lands Commission, State Department of Parks and Recreation, and University of California.

2.0 PROJECT DESCRIPTION

2.1 Project Location

The proposed project is located within the City of Hughson, an incorporated City within Stanislaus County. Specifically, the proposed project consists of approximately 4.16 net acres, and is bounded by Locust Street to the north, Hughson Arboretum and Gardens and E. Whitmore Avenue to the south, agricultural uses to the east and Hughson High School to the west. The Stanislaus County Assessor's Office recognizes the property as APN No. 018-026-005. Figure 2-1, Location Map, below illustrates the Project site and surrounding area.

2.2 Project Description

The proposed project consists of a Tentative Subdivision Map, Parcel Map, Rezone and Design Review Application required to subdivide approximately 4.51± acres into thirty-nine (39) single-family residential lots with lot sizes ranging from 2,907 sq. ft. to 3,962 sq. ft. with a remainder parcel of 14,837 sq. ft. The proposed project will also include associated street, sewer, water, and storm drainage improvements. Street improvements primarily consist of the construction of 'Private Streets' through the proposed project, with connections to Euclid Avenue to the east and Locust Street to the north. The proposed right-of-way (ROW) of the Private Streets is 34 feet north to south and 32 feet east to west.

Primary access to the overall project site will be provided by the proposed 'Private Streets' from Locust Street and Euclid Avenue. Domestic water infrastructure is proposed via installation of 1) an 8" water line through the project site and 2) extending the 12" water line south from the corner of Locust Street and Euclid Avenue to the 'Private Streets' entrance. Sanitary sewer infrastructure is proposed via installation of an 8" sewer line to connect to the City's existing sewer line on Orchard Lane, west of the Project site. Storm drainage is provided via connecting to the City of Hughson storm drain system to the City of Hughson standards.

Figure 2-2, Tentative Subdivision Map, illustrates the proposed project's layout and site plan.

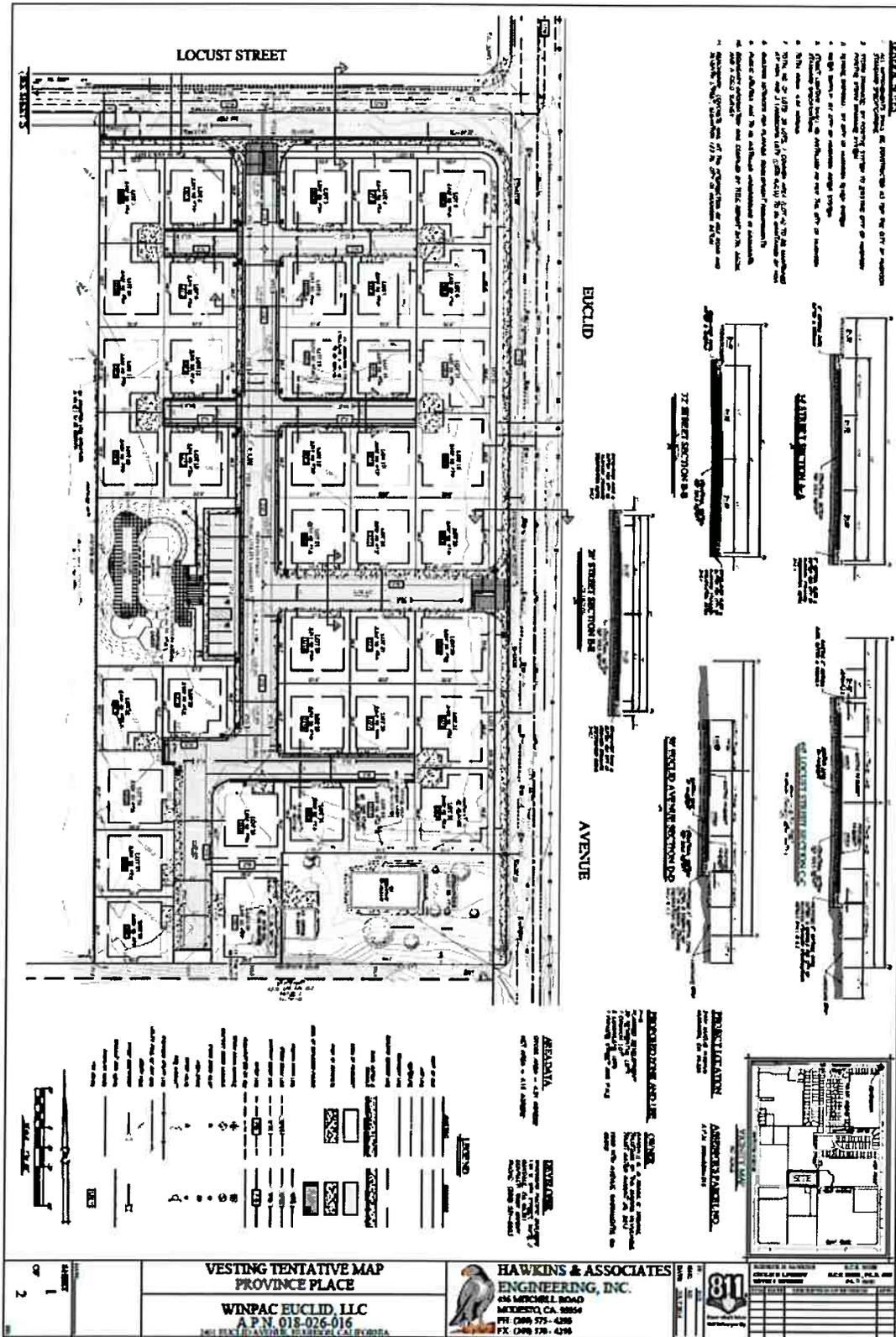
2.3 General Plan and Zoning Designations

The 4.51± acre site has a General Plan Designation of Low Density Residential (LDR) and is located within the R-A, Rural Residential zone district. The proposed project includes a Rezone from the R-A, Rural Residential zone district to the P-D, Planned Development zone district. Development of the proposed project will comply with the policies and ordinances of the City's General Plan and Zoning Ordinance.

Figure 2-1 – Location Map



Figure 2-2 – Tentative Subdivision Map



3.0 ENVIRONMENTAL SETTING

3.1 General

The proposed project site currently consists of vacant, undeveloped land that has been historically utilized for agricultural purposes. There is one existing residence located on the subject property that will remain as part of the development of the proposed project. The site is bounded by Locust Street to the north, the Hughson Arboretum and East Whitmore Avenue to the south, Euclid Avenue to the east, and Hughson High School grounds to the west. The existing residence will remain as part of the proposed Parcel Map, which will include subdividing the existing 4.51± acres into two (2) separate legal parcels. The Subdivision Map will then subdivision the new parcel into thirty-nine (39) residential lots.

4.0 ENVIRONMENTAL CHECKLIST

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" or as a "Potentially Significant Unless Mitigation Incorporated," as indicated by the checklist on the following pages.

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

Determination

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

Date

Mr. Jaylen French

Community Development Director

Evaluation of Environmental Impacts

A brief explanation is required for all answers except “No Impact” 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 (for example, 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 (for example the project would not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

All answers must take into account 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.

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.

“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.”

Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (such as general plans and zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated. A source list should be attached and other sources used or individuals contacted should be cited in the discussion.

Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

The explanation of each issue should identify the significance criteria or threshold, if any, used to evaluate each question.

4.1 Aesthetics

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	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, outcroppings, and historic buildings within a state scenic highway?				X
c. Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

a. Would the project have a substantial adverse effect on a scenic vista?

The project site is not identified as a scenic vista under the City’s 2005 General Plan. Therefore, the proposed project will have no impact.

b. Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

Interstate Route 5 from the Stanislaus County border to the San Joaquin County border is designated a State Scenic Highway. It parallels the Delta-Mendota Canal and the California Aqueduct and is called the West Side Freeway. The proposed project is located within the City of Hughson, and is not located on a state designated highway and based on a review of the California Department of Transportation website (<http://www.dot.ca.gov/design/lap/livability/scenic-highways/index.html>), the West Side Freeway runs for approximately 28.1 miles (North/South). The proposed project is not located or adjacent to Interstate 5, and therefore will have no impact to a state scenic highway.

c. Would the project substantially degrade the existing visual character or quality of the site and its surroundings?

The project site is level and the majority of the site is vacant, with the exception of the existing single family dwelling unit and detached garage at the southern end of the project site. The existing building and detached garage are to remain, as shown in the Tentative Subdivision Map. The project would visually improve the project site by adding landscaping and built elements that would be consistent with the single-family residential neighborhoods, found within the City. As required by City code, street trees approved by

the City of Hughson, will be planted along the site frontage on Euclid Avenue and Locust Street. Additional trees will be planted in the “common area”, identified as “Lot B”. The built elements of the project would include single-family homes with shared private drives and small lot design elements. The combined built and landscaped features of the project would not degrade the existing visual character or quality of the site or its surroundings.

d. Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

A detailed lighting plan has not yet been prepared for the project. The project would be expected to provide lighting that is typical of a residential subdivision. This lighting would mainly consist of interior home lighting, street lighting (including Private Streets and shared private driveways), and some lighting for private yard space. Lighting installed as part of the proposed project will comply with City standards. The project proponent will submit the proposed plan for street lighting on improvement plans for review and approval by the City of Hughson, therefore, will result in a less than significant effect.

4.2 Agriculture and Forestry Resources

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	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 Codes 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

a. Would the project 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?

A review of the Farmland Mapping and Monitoring Program of the California Resource Agency shows that the Project Location is identified as "Prime Farmland". Prime Farmland is "land which has the best combination of physical and chemical characteristics for the production of crops. It has the soil quality, growing season, and moisture supply needed to provide sustained high yields of crops when treated and managed, including water management, according to current farming methods. Prime Farmland must be used for the production of irrigated agricultural production at some time during the last four (4) years prior

to the mapping date.”⁵ According to the 2005 General Plan Environmental Impact Report (EIR), potential impacts resulting from the development of urban uses within the Hughson City limits would result in a significant and unavoidable impact to agricultural resources. As a result, the City adopted Findings and Statement of Overriding Considerations as part of the GP and EIR adoption. The proposed project will convert 4.51± acres of “Prime Farmland” to single-family residential lots, an urban use. However, the project site has General Plan Land Use Designation of Low Density Residential (LDR), zoned for urban uses, and the conversion of the project site from agriculture to urban uses has been previously analyzed in the City’s GP EIR.

b. Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?

The proposed project includes a request to rezone the property from R-A, Rural Residential to P-D, Planned Development zoning district. According to the City’s 2005 General Plan, the property does not have a Williamson Act contract. Therefore, the proposed project will not result in a significant conflict with the existing zoning for agricultural use or a Williamson Act contract.

c. Would the project (c) conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code § 12220(g)), timberland (as defined by Public Resources Codes § 4526), or timberland zoned Timberland Production (as defined by Government Code § 51104(g))?

The site is mostly vacant and does not include a forest or other vegetation found in forest areas. No forest land zoning exists at the site and therefore, the proposed project will have no impact.

d. Would the project result in the loss of forest land or conversion of forest land to non-forest use?

Please refer to the discussion under item (c), above.

e. Would the project 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?

Please refer to the discussion under item (c), above.

⁵ Hughson 2005 General Plan EIR, California Department of Conservation Farmland Mapping and Monitoring Program

4.3 Air Quality

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?			X	
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?		X		
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?		X		
d. Expose sensitive receptors to substantial pollutant concentrations?			X	
e. Create objectionable odors affecting a substantial number of people?			X	

4.3.1 Background

The proposed project is located in east Stanislaus County, which is a portion of the San Joaquin Valley Air Basin (SJVAB). Air quality management under the federal and state Clean Air Acts is the responsibility of the San Joaquin Valley Air Pollution Control District (SJVAPCD).

The federal and state governments have adopted ambient air quality standards (AAQS) for the primary air pollutants of concern, known as “criteria” air pollutants. Air quality is managed by the SJVAPCD to attain these standards. Primary standards are established to protect the public health; secondary standards are established to protect the public welfare. The attainment statuses of the SJVAB for Stanislaus County with respect to the applicable AAQS are shown in the following table.

The SJVAB is considered non-attainment for ozone and particulate matter (PM10 and PM2.5), because the AAQS for the pollutants are sometimes exceeded. The SJVAB is Attainment/Unclassified for carbon monoxide, but select areas, not including the City of Hughson, are required to abide by adopted carbon monoxide maintenance plans.

The California Air Resources Board (CARB) through the Air Toxics Program is responsible for the identification and control of exposure to air toxics, and notification of people that are subject to significant

air toxic exposure. A principal air toxic is diesel particulate matter, which is a component of diesel engine exhaust.

4.3.1.1 San Joaquin Valley Air Basin

The project is located within the San Joaquin Valley Air Basin (SJVAB), which includes all of Stanislaus County. The SJVAB covers approximately 25,000 square miles, including San Joaquin, Stanislaus, Merced, Madera, Fresno, Kings, and Tulare Counties, and the Valley portion of Kern County. The SJVAB consists of a continuous inter-mountain valley approximately 250 miles long and averaging 80 miles wide. The region’s topographic features restrict air movement through and out of the air basin. The SJVAB is highly susceptible to pollutant accumulation over time. Table 4.3-1 below shows the attainment status of the SJVAB for the CAAQS and NAAQS.

Table 4.3-1 SJVAB Attainment Status⁶

Pollutant	Designation/Classification	
	Ozone - One hour	No Federal Standard
Ozone - Eight hour	Nonattainment/Extreme	Nonattainment
PM ₁₀	Attainment	Nonattainment
PM _{2.5}	Nonattainment	Nonattainment
Carbon Monoxide	Attainment/Unclassified	Attainment/Unclassified
Nitrogen Dioxide	Attainment/Unclassified	Attainment
Sulfur Dioxide	Attainment/Unclassified	Attainment
Lead (Particulate)	No Designation/Classification	Attainment
Hydrogen Sulfide	No Federal Standard	Unclassified
Sulfates	No Federal Standard	Attainment
Visibility Reducing Particles	No Federal Standard	Unclassified
Vinyl Chloride	No Federal Standard	Attainment

It is thought that the bulk of the valley’s summer and winter air pollution is caused by locally generated emissions. Nearly all development projects within the SJVAB have the potential to generate air pollutants,

⁶ San Joaquin Valley Air Pollution Control District, 2016a. Ambient Air Quality Standards & Valley Attainment Status. <http://www.valleyair.org/aqinfo/attainment.htm>. Accessed October 2016.

increasing the difficulty in attaining state and federal ambient air quality standards. About 16.7 percent of pollutants in the SJVAB derive from stationary and area sources and approximately 11.4 percent come from farm equipment.

4.3.1.2 San Joaquin Valley Air Pollution Control District

The San Joaquin Valley Air Pollution Control District (SJVAPCD) is the agency principally responsible for comprehensive air pollution control in the SJVAB. The SJVAPCD has developed plans to attain state and federal standards for ozone and particulate matter. The SJVAPCD's air quality plans include emissions inventories to measure the sources of air pollutants, to evaluate how well different control methods have worked, and to show how air pollution will be reduced. The SJVAPCD develops rules and regulations, establishes permitting requirements, inspects emissions sources, and enforces such measures through educational programs or fines, when necessary.

The SJVAPCD is directly responsible for reducing emissions from stationary (area and point), mobile, and indirect sources. It has responded to this requirement by preparing a series of Air Quality Management Plans (AQMPs) covering ozone and particulate matter. The AQMPs were prepared to comply with the federal and state Clean Air Acts and amendments, to accommodate growth, to reduce the high pollutant levels of pollutants in the SJVAB, to meet federal and state air quality standards, and to minimize the fiscal impact of pollution control measures on the local economy. The SJVAPCD adopted the 2016 Plan for the 2008 8-Hour Ozone Standard in June 2016 and the 2013 Plan for the Revoked 1-Hour Ozone Standard in September 2013. The 2016 plan satisfies Clean Air Act requirements and ensures expeditious attainment of the 75 parts per billion 8-hour ozone standard.⁷ On May 21, 2015, CARB approved the SJVAPCD's 2015 PM_{2.5} State Implementation Plan, which outlines the strategy to attain the federal 1997 24-hour PM_{2.5} standard by 2018 and the 1997 Annual PM_{2.5} standard by 2020.⁸ The AQMPs identify the control measures that will be implemented to reduce major sources of pollutants. SJVAPCD regulations ensure that stationary source emissions will be reduced or mitigated to below the SJVAPCD's significance thresholds. SJVAPCD implementation of new source review (NSR) ensures that there is no net increase in emissions above specified thresholds from new and modified stationary sources for all nonattainment pollutants and their precursors. Furthermore, in general, permitted sources emitting more than the NSR offset thresholds for any criteria pollutant must offset all emission increases in excess of the thresholds.

4.3.1.3 Applicable SJVAPCD Regulations

Regulation VIII, Fugitive PM₁₀ Prohibition, was adopted to reduce ambient concentrations of fine particulate matter by requiring actions to prevent, reduce, or mitigate anthropogenic fugitive dust emissions. Regulation VIII requires property owners, farmers, and public agencies to control fugitive dust

⁷ SJVAPCD, 2016e. Ozone Plans. http://www.valleyair.org/Air_Quality_Plans/Ozone_Plans.htm. Accessed September.

⁸ SJVAPCD, 2016f. Particulate Matter Plans. http://www.valleyair.org/Air_Quality_Plans/PM_Plans.htm. Accessed September.

emissions from specified outdoor sources, including construction sites, paved and unpaved roads, vacant land, bulk material transport, and similar activities.

Rule 4101, Visible Emissions was adopted in May 1992 and prohibits the emissions of visible air contaminants to the atmosphere.

Rule 9510, Indirect Source Review is intended to reduce a project's impact on air quality through project design elements or mitigation by payments of applicable off-site mitigation fees. Compliance with Rule 9510 will reduce construction exhaust NO_x and PM₁₀ off-site mitigation fees. Compliance with Rule 9510 will reduce construction exhaust NO_x and PM₁₀ emissions by 20 percent and 45 percent respectively. Compliance with Rule 9510 will reduce operational emissions of NO_x and PM₁₀ emissions by 33.3 percent and 50 percent respectively.

4.3.2 Discussion of Impacts

a. Would the project conflict with or obstruct implementation of the applicable air quality plan?

The proposed project would result in air emissions during its construction phase and during its operation phase. Construction emissions would be generated by construction equipment used during the site preparation and infrastructure/home construction processes. Operational emissions would be generated primarily by resident vehicles and indirectly by use of electricity.

The City of Hughson is located within the San Joaquin Valley Air Pollution Control District. The air district has published comprehensive guidance on evaluating, determining significance of, and mitigating air quality impacts on projects and plans. As noted in the above discussion, the air district's guidance is contained in the *Guide for Assessing and Mitigation Air Quality Impacts (GAMAQI)* and within the air district's California Environmental Quality Act Guidelines (CEQA guidelines). Because the proposed project is relatively small, the analysis of air quality impacts focuses on whether the proposed project meets the air district screening criteria for projects having a less than significant impact. As described in the GAMAQI and in the Small Project Analysis Level (SPAL), if a proposed project size is below a threshold of 152 single-family (dwellings) units, the proposed project's operational impacts for criteria pollutants would not be potentially significant and detailed air quality assessment is not needed. Also detailed is the screening criteria for construction impacts of new development projects. For single-family residential uses, construction emissions are less than significant for any/all projects that contain less than 325 dwelling units and project specific construction impacts would be considered to be Less Than Significant.

However, cumulative development projects in the project vicinity could have a cumulatively significant effect on air quality impacts associated with construction activity. The mitigation measure listed below as "AQ-1" will ensure that the project's contribution to cumulative air quality construction impacts would not be considerable and therefore, less than significant.

b. Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?

Please refer to the discussion under item (a), above.

c. Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

Please refer to the discussion under item (a), above.

d. Would the project expose sensitive receptors to substantial pollutant concentrations?

Sensitive receptors are defined as facilities that house or attract children, the elderly, and people with illnesses, or others who are especially sensitive to the effects of air pollutants. Hospitals, schools, convalescent facilities, and residential areas are examples of sensitive receptors.

As mentioned previously, the project itself falls below certain thresholds established by the air district and is considered to be less than significant in terms of negatively affecting the air quality. There are two (2) close sensitive receptors in the area: the Alexander Cohen Hospice House on Euclid Avenue to the north and Hughson High School to the west. However, mitigation measure listed below as "AQ-1" will ensure that the project's contribution to air quality impacts to sensitive receptors would not be considerable and therefore, less than significant.

e. Would the project create objectionable odors affecting a substantial number of people?

As mentioned previously, the project itself falls below the thresholds established by the air district and is considered to be less than significant in terms of negatively effecting the air quality and odors. As such, the proposed project would not be a significant source of odor during construction or during full build-out. Mitigation measure listed below as "AQ-1" will ensure that the project's contribution to air quality construction impacts, including odor, would not be considerable and therefore, less than significant.

Mitigation Measures:

The following mitigation measure(s) shall be incorporated into the proposed project in order to mitigation any potential impacts to a less than significant level:

AQ-1: During construction, the following basic control measures shall be incorporated at the construction/project site:

- *All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.*
- *All haul trucks transporting soil, sand, or other loose material off-site shall be covered.*

- *All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.*
- *All vehicle speeds on unpaved roads shall be limited to 15 mph.*
- *All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.*
- *Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxic control measure Title 13, Section 2485 of California Code of Regulation [CCR]). Clear signage shall be provided for construction workers at all access points.*
- *All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.*
- *Post a publicly visible sign with the telephone number and person to contact at the Air District regarding dust complaints. The Air District shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.*

4.4 Biological Resources

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	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 Wildlife ⁹ 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 Wildlife or U.S. Fish and Wildlife Service?			X	
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			X	
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native nursery sites?				X
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X	

⁹ Beginning January 1, 2013, the California Department of Fish and Game (CDFG) officially changed its name to California Department of Fish and Wildlife (CDFW); however, CEQA Guidelines Appendix G: Environmental Checklist Form has not been updated to reflect this name change.

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

- a. **Could the project 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 Wildlife or U.S. Fish and Wildlife Service?**

According to the City’s 2005 General Plan Environmental Impact Report (EIR), potential occurrences of sensitive plant and animal species in the Planning Area were identified through a search of the California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (CNDDDB). Review of these records as well as other relevant information, indicates that historical occurrences of several plant and animal species with special status have been reported from the Hughson vicinity. Of the animal species of concern identified in the 2005 General Plan EIR, none have actually been reported by the CNDDDB for Hughson and the SOI. Therefore, potential occurrences of any species as a candidate, sensitive, or special status is not likely to occur. In addition, the proposed project shall comply with Policies COS-3.2, 3.3, 3.4, and 3.5 of the City’s 2005 General Plan. Therefore, the proposed project will have a less than significant impact.

- b. **Could the project have a substantial adverse impact 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 Wildlife or U.S. Fish and Wildlife Service?**

According to the City’s 2005 General Plan EIR, riparian habitat is identified as being located at the banks and margin of the historic terraces along the Tuolumne River and woodland scrub near the northern ponding areas at the City’s wastewater treatment plant site, north of Hatch Road. This riparian habitat is located outside the City Limits and Sphere of Influence (SOI), north of the project site along the Tuolumne River. Therefore, the project will not result in a significant impact any riparian habitat or other sensitive natural community and is considered less than significant.

- c. Have a substantial adverse effect on federally protected wetlands as defined by § 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?**

According to the City's 2005 General Plan EIR, no conspicuous wetlands were observed within Hughson or the SOI during the field reconnaissance. The active channel of the Tuolumne River, generally below the ordinary high water mark, would be considered jurisdiction by the Corps. The project site is located within the City Limits of Hughson and south of the Tuolumne River. In addition, the proposed project shall comply with General Plan Policy COS-3.6 of the City's 2005 General Plan. Therefore, the project will not have an effect on federally protected wetlands and is considered less than significant.

- d. Could the project interfere substantially with the movement of any resident or migratory fish or wildlife species or with established resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?**

The proposed project will have no impact to resident or migratory fish or wildlife species and is not considered a wildlife corridor or wildlife nursery site. Therefore, the project will have no impact.

- e. Could the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?**

According to the 2005 General Plan EIR, the City does not have an adopted tree preservation ordinance that protects all trees on public and private lands. However, Hughson does have an adopted Street Tree Ordinance that addresses the removal of trees by new development in the City's Standard Conditions of Approval. The City's Standard Conditions of Approval include a couple of standards that serve to provide some protection for existing and newly planted trees. New development is required under Standards No. 100 to identify and receive permission for the removal of on-site trees. Once planted, Standard No. 101 requires adequate protection and watering infrastructure to be provided for parking lot trees, street trees and trees planting areas less than 10-feet in width. Historically, the project site was used for agricultural purposes. As such, there are no existing trees located on the project site, with the exception of trees located on the 14,837 sq. ft. lot that will remain as part of the proposed Parcel Map. The trees located on the remainder lot are to remain. There is one (1) tree to be removed as part of the proposed project, located on Lot 39. Because the project must adhere to the City's Standard Conditions of Approval, including Condition No. 100, the level of impact is less than significant.

- f. Could the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Communities Conservation Plan, or other approved local, regional, or state habitat conservation plan?**

According to the 2005 General Plan EIR, the Hughson area is primarily characterized by agricultural and urban development and there are no active Habitat Conservation Plans, Natural Community Conservation

Plans or other natural resource conservation plans in the Hughson area. As a result, the propose project will have no impact.

4.5 Cultural Resources

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?			X	
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?			X	
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	
d. Disturb any human remains, including those interred outside of formal cemeteries?			X	

a. Would the project cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?

According to the 2005 General Plan Environmental Impact Report (EIR), the Central California Information Center (CCIC) conducted a detailed search for prehistoric and historic resources within the Hughson city limits, Sphere of Influence (SOI) and immediate vicinity. A historical resource is defined as a building, structure, object, prehistoric or historic archeological site, or district possessing physical evidence of human activities over 45 years old. The CCIC survey of the Historic Property Data File for Stanislaus County found a listing of five (5) properties that were subject to evaluation within Hughson, but none of them are considered eligible for the National Register of Historic Places (NRHP) and none have been evaluated for the California Register.

Policy COS-4.2 of the 2005 General Plan states that, “prior to project approval, developers are required to provide an assessment by appropriate professionals regarding the presence and condition of on-site historical, archaeological and paleontological resources on and adjacent to the project site, the potential for adverse impacts on these resources and appropriate mitigation. As part of this assessment, historical buildings will be assessed as to the viability of their continued use and re-use. Areas within one (1) mile off the Tuolumne River should receive special attention due to the higher potential for archeological resources.” The project site is located over one (1) mile from the Tuolumne River and as part of the development of the project, one (1) existing out-building will be removed. According to the Stanislaus County Assessor’s office, the residential building was built in 1918 and by definition, is considered a historical resource. The proposed project does not propose any changes to the existing residential building

and two-car garage and will remain a continued use. As such, the proposed project will have a less than significant impact.

b. Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?

According to the 2005 General Plan EIR, that due to evidence of pre-historic human activity in the region, and the relatively long time that European settlements have occurred in Hughson, there is a possibility of cultural resources occurring in the City and the surrounding area. However, no prehistoric or historic archeological resources within the Hughson area have been reported to the CCIC. The proposed project is located outside of one (1) mile of the Tuolumne River, reducing the potential for archeological resource discovery. Policy COS-4.3 of the City's 2005 General Plan states that "if cultural resources, including archeological or paleontological resources, are uncovered during grading or other on-site excavation activities, construction should stop until appropriate mitigation is implemented. As such, the impact to archaeological resources is less than significant.

c. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

According to the 2005 General Plan EIR, the University of California Berkeley database of paleontological resources, the vertebrate fossils found closets to Hughson were located on the eastern edge of Modesto, and in the area between Empire and Waterford to the northeast side of Hughson. Although the chance of discovery of paleontological resources is low, the City has established guidelines in its Standard Conditions of Approval that encourage compliance with State and federal requirements for the protection of all cultural resources. According to these requirements, development that encounters or uncovers cultural resources, including paleontological resources, is required to halt construction, assess the situation and mitigate potential impacts to these resources as necessary. Therefore, the project will have a less than significant impact.

d. Would the project disturb any human remains, including those interred outside of formal cemeteries?

It is not anticipated that the proposed project will disturb any human remains. However, through development and construction of the proposed project, human remains may be identified, particularly during activities requiring ground disturbance (i.e. grading, trench digging, etc.). As such, the proposed project shall comply with Section 15064.5(e) of the CEQA Guidelines and Policy COS-4.3 of the City's 2005 General Plan. Therefore, the proposed project will have a less than significant impact on the potential to disturb any human remains.

4.6 Geology and Soils

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:			X	
i. (1) 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 risks to life or property?				X
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?			X	

a. Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

- i. **Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.**
- ii. **Strong seismic ground shaking?**
- iii. **Seismic-related ground failure, including liquefaction?**
- iv. **Landslides?**

According to the City's 2005 General Plan Environmental Impact Report (EIR), the City is located between two (2) seismically-active regions, the Sierra foothills and the Coast Range, and is therefore subject to risk of hazards associated with earthquakes. However, according to the US Geological Survey's National Seismic Hazard Mapping Project, ground-shaking seismic hazards in Hughson are lower than most of California. In addition, the California Department of Conservation's 2000 "Epicenters of and Areas Damaged by M>5 California Earthquakes, 1800-1999" map does not show any recorded damage from larger earthquakes in the Hughson area. Because no faults are located in the City, the potential for surface rupture (cracking or breaking of the ground during an earthquake) would be less than significant.

b. Would the project result in substantial soil erosion or the loss of topsoil?

The potential for grading and earthmoving during the project construction to result in erosion is a potentially significant impact. However, Policy PSF-8.5 of the City's 2005 General Plane states that that "new development will be required to provide for its storm water impacts." New development is required under Standard Conditions of Approval Nol. 87 to be responsible to prepare and implement a drainage improvement plan prepared by a licensed civil engineer depicting all final grades and on-site drainage control measures. In addition, a NPDES General Permit for Storm Water Discharges Associated with Construction Activities, NPDES No. CAS000002, Order 99-28-DWQ is required for this project. Therefore, no mitigation measures are required for this area and the level of impact is less than significant.

c. Would the project 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?

According to the City's 2005 General Plan EIR, the project site is located on Hanford soils and has limited potential for erosion. Liquefaction is a phenomenon primarily associated with saturated, cohesion less soil layers located close to the ground surface. During liquefaction, soils lose strength and ground failure may occur. The California Department of Conservation has not mapped the Hughson area to identify the potential for soil liquefaction. However, as soils must be saturated to be at risk of liquefaction, the areas in

Hughson most susceptible to liquefaction include areas along the Tuolumne River and where there are high groundwater levels. The proposed project is located south of the Tuolumne River, outside of the area considered to susceptible to liquefaction. In addition, Hughson requires all new development or substantial renovations comply with adopted Building codes and engineering requirements, which include seismic design, foundations and drainage, and requirements for geotechnical engineering studies for all major new buildings or earth works. As a result, no mitigation measures are required for this area and the level of impact is less than significant.

d. Would the project be located on expansive soil, as defined in Table 18-1 B of the Uniform Building Code (1994), creating substantial risks to life or property?

The proposed project is not located in an area known to contain expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994). Therefore, the proposed project will have no impact.

e. Would the Project Site 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?

The proposed project will connect to City services related to sewer. Therefore, the proposed project will have no impact.

4.7 Greenhouse Gas Emissions

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	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	

4.7.1 Background

CEQA requires that public agencies refrain from approving projects with significant adverse impacts from greenhouse gas (GHG) emissions and their consequent adverse impacts on the world’s climate if feasible alternatives or mitigation measures can substantially reduce or avoid these impacts. These gases trap heat in the atmosphere, and the major concern is that increases in GHG emissions are causing global climate change. It is thought that there is a direct link between increased emission of GHGs and long-term global temperature. GHGs allow sunlight to enter the atmosphere, but trap a portion of the outward-bound infrared radiation and warm up the air. Both natural processes and human activities generate GHGs.

The principal 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. GHG emissions are often quantified and reported as CO₂ equivalents (CO₂e) to account for the varying warming potential of different GHGs.

The City of Hughson adopted a Climate Action Plan (CAP) on December 9, 2013 in response to the State passing the Global Warming Solutions Act of 2006 (AB 32). AB 32 directs the State to reduce state-wide GHG emission to 1990 levels by 2020. One of the primary goals of the Hughson Climate Action Plan is to identify strategies to reduce the contribution of the community and municipal operations to GHG emissions. By using energy more efficiently, enhancing access to other modes of transportation, recycling waste, and conserving water, Hughson will be able to keep more dollars within the local community, create new green jobs, as well as improve public health and the quality of life.

Included in the CAP, a project consistency checklist that provide individual projects the opportunity to demonstrate that they are minimizing GHG emissions, while ensuring that new development in the City will achieve a proportion of emissions reduction consistent with what is assumed in the CAP.

Development Project Consistency Checklist

If the actions described are undertaken by the City, all projects that meet the following criteria are exempt from providing additional analysis to calculate GHG emissions under CEQA:

1. New residential project developments are consistent with the 2005 Hughson General Plan land use designations and densities, would result in the same or higher density under the general plan amendment.
2. New residential project developments are consistent with the City's Zoning Code districts and densities, or would result in the same or higher density under a code change.
3. Project is consistent with the 2020 housing and employment projections assumed in this CAP.
4. Project is consistent with the City Codes and ordinances that require planting of new trees, protection of existing trees and replacement of trees that are removed, and implementing landscaping requirements.
5. New residential projects demonstrate energy efficiency at least 15% beyond Title 24 standards for energy efficiency (CalGreen Tier 1).
6. New industrial users implement the San Joaquin Valley Air Pollution Control District Best Performance Standards.
7. All commercial and industrial projects with 100 employees or more will implement a local trip reduction program consistent with the San Joaquin Valley Air Pollution Control District's employer Based Trip Reduction Program (Rule 9410).

4.7.2 Regulatory Setting

4.7.2.1 State of California

The Global Warming Solutions Act of 2006 (Assembly Bill 32) requires that CARB estimate the statewide 1990 GHG emission level and approve a statewide greenhouse gas emissions limit, equal to the 1990 level, to be achieved by 2020. Assembly Bill 1803, which became law in 2006, made CARB responsible for preparing, adopting, and updating California's GHG inventory. In April 2015, Governor Edmund G. Brown, Jr., issued an executive order to establish a California greenhouse gas reduction target of 40 percent below 1990 levels by 2030.

In August 2007, the legislature adopted Senate Bill 97, which required the Governor's Office of Planning and Research to prepare and transmit new CEQA guidelines for the mitigation of GHG emissions or the effects of GHG emissions to the Natural Resources Agency by July 1, 2009.

The amendments adopted to the CEQA guidelines became effective on March 18, 2010. A threshold of significance for GHG emissions was not specified in those amendments, nor do they prescribe assessment methodologies or specific mitigation measures. Instead, the amendments encourage lead agencies to

consider many factors in performing a CEQA analysis and rely on the lead agencies to make their own significance threshold determinations based on substantial evidence.

4.7.2.2 San Joaquin Valley Air Pollution Control District

In December 2009, the SJVAPCD adopted a policy to assist lead agencies, project proponents, permit applicants, and interested parties in assessing and reducing the impacts of project-specific GHGs on global climate change: District Policy – Addressing GHG Emission Impacts for Stationary Source Projects under CEQA. The policy relies on the use of performance-based standards, otherwise known as Best Performance Standards (BPSs) to assess significance of project-specific GHG emissions on global climate change during the environmental review process, as required by CEQA. BPSs for traditional stationary source projects include equipment type, equipment design, and operational and maintenance practices for the identified service, operation, or emissions unit class and category.¹⁰

Use of BPSs is a method of streamlining the CEQA process of evaluating significance and is not a required emission reduction measure. Projects implementing BPSs would be determined to have a less than cumulatively significant impact. Otherwise, demonstration of a 29 percent reduction in GHG emissions from a continuation of existing operations is required to determine that a project would have a less than cumulatively significant impact. The SJVAPCD has developed BPSs for the following stationary sources: boilers; steam generators; gasoline dispensing facilities; dry cleaners; oil and gas extraction, storage, transportation, refining operations; and co-generation.¹¹

4.7.3 Discussion of Impacts

a. Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

California Code of Regulations (CCR) Title 24, Part 6: California's Energy Efficiency Standards for Residential and Nonresidential Buildings, was first adopted in 1978 in response to a legislative mandate to reduce California's energy consumption. Since then, Title 24 has been amended with recognition that energy efficient buildings require less electricity and reduce fuel consumption, which in turn decreases GHG emissions. The current Title 24 standards were adopted in response to the requirements of AB32. Specifically, new development projects within California after January 1, 2011, are subject to 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 (CAL Green) Code (California Code of Regulations, Title 24, Part 11). As such, it is anticipated that the proposed project will not generate greenhouse gas emissions, either directly or indirectly, that may have a significant

¹⁰ SJVAPCD, 2009. District Policy – Addressing GHG Emission Impacts for Stationary Source Projects Under CEQA When Serving as the Lead Agency.

¹¹ SJVAPCD. 2016g. Best Performance Standards (BPS) for Stationary Sources. http://www.valleyair.org/programs/CCAP/bps/BPS_idx.htm#Oil&Gas. Accessed September.

impact on the environment or conflict with any plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

As discussed above, the City of Hughson has an adopted Climate Action Plan (CAP) in which includes a project consistency checklist. Below is a list of the proposed project's consistency with the City's CAP and the checklist:

- 1. New residential project developments are consistent with the 2005 Hughson General Plan land use designations and densities, would result in the same or higher density under the general plan amendment.**

The project site has a General Plan Land Use Designation of "Low Density Residential" (LDR) which allows up to seven (7) dwelling units per gross acre. The proposed project includes the Subdivision of 4.51± acres into thirty-nine (39) residential lots, with one (1) remainder lot as a result of the proposed Parcel Map. As a result, the density would be 8.6 dwelling units per gross acre. However, the Planned Development (P-D) zoning allows for increased densities (HMC 17.02.028). As a result, the proposed project is consistent with CAP checklist number one (1).

- 2. New residential project developments are consistent with the City's Zoning Code districts and densities, or would result in the same or higher density under a code change.**

The proposed project includes Rezone from "Residential Agricultural" (R-A) to "Planned Development" (P-D) that would result in higher density under the zone change. As a result, the project is consistent with CAP checklist item number two (2).

- 3. Project is consistent with the 2020 housing and employment projections assumed in this CAP.**

The Hughson CAP projected that in 2015, the City of Hughson would have a population of 7,012, 624 jobs and 2,291 dwelling units (Table 3-3 of the CAP). According to the Department of Finance, E-5 City/County Population and Housing Estimates for 2015, the City of Hughson population was 7,056 and 2,365 dwelling units in 2015. The proposed project is expected to increase the City's population by 129 persons (3.30 persons per household) and increase the City's housing stock by thirty-nine (39) dwelling units. This is consistent with the CAP population and household projections assumed in the CAP.

- 4. Project is consistent with the City Codes and ordinances that require planting of new trees, protection of existing trees and replacement of trees that are removed, and implementing landscaping requirements.**

As discussed in Section 4.4 (Biological Resources) of this Initial Study, the City does not have an adopted tree preservation ordinance. However, the City does have an adopted Street Tree Ordinance that addresses the removal of trees by new development in the City's Standard Conditions of Approval. The proposed project shall comply with the City's Standard Conditions of Approval, including conditions related to the planting of new trees and replacement of trees that are to be removed. As a result, the proposed project is consistent with this CAP checklist item.

- 5. New residential projects demonstrate energy efficiency at least 15% beyond Title 24 standards for energy efficiency (CalGreen Tier 1).**

In compliance with the City's 2005 General Plan, the proposed project shall comply with Policies related to energy conservation, including Polity COS-5.1 which requires new development to comply with State Title 24 energy resource conservation standards. As a result, the proposed project is consistent with this CAP checklist item.

6. New industrial users implement the San Joaquin Valley Air Pollution Control District Best Performance Standards.

The proposed project does not include any industrial uses. This CAP checklist item is not applicable.

7. All commercial and industrial projects with 100 employees or more will implement a local trip reduction program consistent with the San Joaquin Valley Air Pollution Control District's employer Based Trip Reduction Program (Rule 9410).

The proposed project does not include any commercial or industrial uses. This CAP checklist item is not applicable.

In accordance with the City of Hughson Climate Action Plan (CAP), the project is consistent with the City's CAP checklist and as a result, further GHG emissions analysis and mitigation under CEQA Guidelines Sections 15064(h) and 1513.5(b)(2) is not required.

b. Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Please refer to the discussion under item (a), above.

4.8 Hazards and Hazardous Materials

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	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 § 65962.5 or a list of hazardous substance release sites identified by the state Department of Health Services pursuant to § 25356 of the Health & Safety Code and, as a result, would it create a significant hazard to the public or the environment? [PRC § 21151.8(a)(1)(B)]				X
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?			X	

a. Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

The proposed project does not involve the transport, use, or disposal of hazardous materials. Therefore, the project will have no impact.

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?

The proposed project will not contribute to hazardous materials or create a significant hazard in its construction or upon its completion. Therefore, the project will have no impact.

c. Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Hughson High School is located west of the project site. However, the proposed project involves the development of single-family homes and does not include the potential to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste. Therefore, the project will have no impact.

d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5 or a list of hazardous substance release sites identified by the state Department of Health Services pursuant to § 25356 of the Health & Safety Code and, as a result, would it create a significant hazard to the public or the environment?

According to the City’s 2005 General Plan EIR, there are currently no Super-fund sites within Hughson and its Sphere of Influence (SOI). The nearest Superfund sites are in the cities of Modesto, Riverbank, and Turlock. A search of the DTSC’s Cal Sites database resulted in two (2) sites being identified as having either

released hazardous substances or a potential to release hazardous substances: the Hughson Chemical Company and Oxychem. The proposed project site was not included in on a list of hazardous materials sites and therefore, will have no impact.

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 for people residing or working in the project area?

According to the City's 2005 General Plan EIR, the closest airport to Hughson is the Modesto City-County Airport, located approximately six (6) miles west of Hughson. Limited regional airline service is provided from this airport. The proposed project is not located within an airport plan and not located within two (2) miles of a public airport and as a result, the project will have no impact.

f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

The proposed project is not located within the vicinity of a private airstrip. Please refer to the discussion under item (e), above.

g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

According to the City's 2005 General Plan EIR, the City of Hughson has the following plans in place to address and reduce risks involving hazards and hazardous materials:

- Hughson Emergency Operations Plan;
- Standard Conditions of Approval
- Hughson Fire Code

The proposed project will not impair or physically interfere with the above plans, including the Hughson Emergency Operations Plan, adopted in 2004, which includes emergency preparedness procedures and designated evacuation routes. The proposed project shall comply with the City's Standard Conditions of Approval, which include safety and preparedness for new projects, including Condition No. 12, which requires that adequate interim access for emergency vehicles is in place on sites prior to construction, and permanent emergency vehicle access be established prior to occupancy of any site. Therefore, the proposed project will have a less than significant impact.

h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

The proposed project will not expose people or structures to a significant risk of loss, injury or death involving wildland fires. According to the City's 2005 General Plan EIR, Hughson is primarily surrounded by agricultural land and the danger from wildland fire is considered low. The proposed project will develop a site that historically, was used for agricultural purposes to single-family homes including associated on- and

off-site improvements. In addition, the proposed project shall comply with the City General Plan Policies, including policies related to ensuring the Hughson Fire Protection District firefighters have quick and easy access to all areas within the Hughson Planning Area, including the project site as well as the City's Standard Conditions of Approval. Therefore, the proposed project will have a less than significant impact.

4.9 Hydrology and Water Quality

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Violate any water quality standards or waste discharge requirements?			X	
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			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, in a manner which would result in substantial erosion or siltation on- or off-site?			X	
d. Substantially alter the existing drainage pattern of the site or area, including through the alternation of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?			X	
e. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?			X	
f. Otherwise substantially degrade water quality?				X
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam, or dam inundation?				X
j. Cause inundation by seiche, tsunami, or mudflow?				X

a. Would the project violate any water quality standards or waste discharge requirements?

Construction activities associated with the proposed project would cause disturbance of soil during excavation work, which could adversely affect water quality. Contaminants from construction vehicles and equipment and sediment from soil erosion could increase the pollutant load in runoff being transported to receiving waters during development. Any construction activities, including grading, that would result in the disturbance of 1 acre or more would require compliance with the Regional Water Quality Control Board (Regional Water Board) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activity (Construction General Permit). The project site is 4.51± acres and would be subject to the provisions of the Construction General Permit, which require the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP) designed to reduce potential adverse impacts on surface water quality through the project construction period.

Operation of the proposed project could be a source of various storm water pollutants. Pollutants associated with the proposed residential development may include those associated with vehicle parking and landscaping, including oil and grease; organic compounds such as pesticides; and trash and debris. Such pollutants may also be present in non-storm water discharges, such as runoff from landscape irrigation. Operation of the project would be subject to the Regional Water Board’s Municipal Regional Permit (MRP), implemented in October 2009 by Order R2-2009-0074. Provision C.3 of the MRP addresses new development and redevelopment projects. The entire project site, consisting of all new impervious surfaces, must be included in the treatment system design (i.e., storm water treatment systems must be designed and sized to treat storm water runoff from the entire project). A Storm water Control Plan (SCP) must be prepared and submitted for the project site and must detail design elements and implementation measures to meet MRP requirements. The project would be required to include Low Impact Development (LID) design measures and a Storm water Facility Operation and Maintenance Plan must be prepared to ensure that storm water control measures are inspected, maintained, and funded for the life of the project.

The proposed project shall comply with the City's 2005 General Plan policies, including PSF-8.1, 8.3, 8.5, 8.6, and 8.7. In addition, the proposed project shall comply with the City's Standard Conditions of Approval, including the requirement for a NPDES General Permit for Storm Water Discharges Associated with Construction Activities (Condition No. 87).

Therefore, any potential impacts as a result of this project are mitigated through the General Plan Policies and the Standard Conditions of Approval and the project will not violate any water quality standards or waste discharge requirements and the project would have a less than significant impact in this area.

- b. Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?**

The proposed project would connect to the City of Hughson waster system and would not use groundwater during construction or operation. The City of Hughson provides domestic (potable) water service to all residents and businesses within the City through a system of groundwater wells, storage facilities, and a non-potable system that is tended to reduce demands on the City's potable groundwater sources. The City operates and maintains four (4) Wells. The active wells each produce between 1,000 and 1,200 gallons per minute (gpm) for a total of 4,500 gpm or 6.5 million gallons per day (mgd).¹² The proposed project includes a 12" waterline that will be constructed along Euclid Avenue from the existing 12" waterline at Locust Street to the entrance into the project site on Euclid Avenue. The project site will include a 8" waterline along the "Private Streets" and each private driveway to serve the project.

Should groundwater be encountered in excavations during installation of underground utilities or other construction facilities, groundwater would be managed in accordance with the SWPPP for the project and permits would be required prior to discharge of the dewatered groundwater to the storm or sanitary sewer. Therefore, no impact on groundwater supplies or recharge would be expected and the project will have a less than significant impact in this area.

- c. Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?**

The proposed project would not alter the course of a stream or a river. The project site is in a rural/urban area and although development of the site would affect local drainage patterns, compliance with construction- and operation-phase storm water requirements would ensure that development of the project would not result in substantial erosion or siltation on- or off-site.

¹² Thomson-Hysell Engineers. *City of Hughson Water System Master Plan*, October 2003, page 12

- d. Would the project substantially alter the existing drainage pattern of the site or area, including through the alternation of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?**

No alteration of a stream or river is proposed, or included as part of the proposed project. The proposed project would result in changes to drainage patterns at the project site from its current state. The project would have a less than significant impact in relation to this area.

- e. Would the project create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?**

The proposed project would result in an increase in pervious surfaces at the site. As a result, storm water runoff volume from the site would increase relative to existing conditions. The conceptual storm water management plan included in the tentative map submitted to the City shows the applicant's plan to capture and convey storm water via an 18" French drain along the "Private Street" to capture storm water runoff from each set of interior lots as well as the common area, located on the western end of the project site. Storm water will then be conveyed via a 18" storm drain to connect to the existing 24" storm drain, located in Locust Street. The City's 2005 General Plan Policies and Standard Conditions of Approval ensure the proposed project will not contribute or create substantial surface run-off that would result in flooding on- or off-site, exceeding storm water facility capacity or provide additional sources of polluted runoff and the impact is less than significant.

- f. Would the project otherwise substantially degrade water quality?**

Operation of the proposed project would not result in any substantial changes to on-site water quality, with the exception of potential impacts associated with storm water runoff. The project will connect to the City's water system. As such, no impacts are anticipated.

- g. Would the project place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?**

The project is not located within a 100-year flood hazard area as shown by the Federal Emergency Management Agency (FEMA), and therefore the proposed project would not place housing within such an area and have no impact in this area.

- h. Would the project place within a 100-year flood hazard area structures which would impede or redirect flood flows?**

As discussed above, the proposed project is not located within a 100-year flood hazard area and would not impede or redirect flood flows. The Tuolumne River is located north of the project site. Therefore, the proposed project would have no impact in this area.

i. Would the project expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam, or dam inundation?

According to the City's 2005 General Plan Environmental Impact Report (EIR), there is a slight risk in Hughson of flooding related to dam inundation from the Don Pedro Dam on the Tuolumne River, which is maintained by the Turlock Irrigation District (TID). Flooding would only occur in the event of dam failure, and would affect the entire city and surrounding areas, including the project site. To minimize the risk of dam failure, the California Department of Water Resources (DWR) Division of Safety and Dams inspects the Don Pedro Dam on an annual basis for safety. As such, no impacts are anticipated this area.

j. Would the project cause inundation by seiche, tsunami, or mudflow?

No enclosed surface water bodies, which might be subject to potential impacts from seiches, are located in the project site vicinity. Based on its location, inland from coastal areas, the project site would not be subject to tsunami effects. The project site is not located in an area susceptible to mudflows. As such, no impacts are anticipated in this area.

4.10 Land Use and Planning

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Physically divide an established community?				X
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			X	
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

a. Would the project physically divide an established community?

The proposed residential development would occur on a site that includes the removal of one (1) existing building located on the southern end of the project site. However, the existing residence is to remain as part of the proposed parcel map. Historically, the project site has been used for agricultural purposes. However, the project site is designated for Low Density Residential (LDR), and the City’s General Plan anticipated future residential development at this site. The project site is located within the City Limits and adjacent to existing residential development. Thus, an established community would not be divided or affected by the project. All existing residential development within the vicinity of project would remain. Therefore, the proposed project will have a less than significant impact.

b. Would the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

The City of Hughson 2005 General Plan designation for the project site is “Low Density Residential” (LDR) which allows up to seven (7) dwellings per gross acre. The project’s proposal for thirty-nine (39) single-family residential lots on a total of 4.51± acres, which equals 8.6 dwellings per gross acre. The project site is currently zoned as “Rural Residential” (RA) but, as part of the proposed project, would be rezoned to the “Planned Development overlay zone” (P-D) zoning district. Under the proposed P-D zoning, building setbacks, density and lot sizes would be as shown on the proposed tentative subdivision map and these

would become conditions of approval for the project. With the proposed rezoning, the project would comply with the regulations and policies related to the not zoning and no significant impacts would result.

c. Would the project conflict with any applicable habitat conservation plan or natural community conservation plan?

No habitat conservation plan or community conservation plan applies to the project site. Thus, the project would have no impact.

4.11 Mineral Resources

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	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

a. Would the project 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?

According to the City's 2005 General Plan Environmental Impact Report (EIR), no portion of the Hughson city limits or Sphere of Influence (SOI) is designated by the California Department of Conservation as having the potential for being a significant source of composite materials or industrial materials. The proposed project is located in an area defined in the 2005 General Plan as being a future residential area. Specifically, the land use designation of the project site is listed as Low Density Residential (LDR) in the General Plan. As such, the proposed project will have no impact to mineral resources of Statewide or local importance.

b. Would the project 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?

Please refer to the discussion under item (a), above.

4.12 Noise

Would the project result in:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Exposure of persons to or generation of noise level in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?		X		
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			X	
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

4.12.1 Background

Noise is defined as sound that is loud, unpleasant, unexpected, or undesired. Three components make up sound: source, path, and receiver. All three components must be present for sound to exist. Sound, traveling in the form of waves from a source, exerts a sound pressure level (referred to as sound level) which is measured in decibels (dB), with zero dB corresponding roughly to the threshold of human hearing, and 120 to 140 dB corresponding to the threshold of pain. The perception of sound and noise is determined by its effects on receptors. Examples of sensitive noise receptors are facilities or areas, including residential areas, hospitals, and schools, where excessive noise levels would be considered an annoyance. The “A-

weighted” noise scale (measured in A-weighted decibels (dBA)) was developed because it corresponds closer to people’s subjective judgment of sound levels.

Noise sources are classified in two forms: (1) point sources, such as stationary equipment or individual vehicles; and (2) line sources, such as a roadway with large number of cars. Sound generated by a point source typically attenuates at a rate of 6 dBA for each doubling of distance from the source to the receptor at acoustically soft sites such as vacant land.¹³ Sound levels can also be attenuated by placement of barriers such as solid walls or berms between the source and receptor.

Community reaction to noise is assessed on a scale that averages varying noise exposures over time and quantifies the results in terms of a single value. The Community Noise Equivalent Level (CNEL) is an average A-weighted scale measured over a 24-hour period and adjusted to account for increased sensitivity to noise levels during evening and nighttime hours. A CNEL noise measurement is obtained after adding 5 decibels to sound levels occurring during the evening from 7:00 p.m. to 10:00 p.m., and 10 decibels to sound occurring during the nighttime from 10:00 p.m. to 7:00 a.m. The major sources of noise in Stanislaus County are roadway traffic, railroad noise, airport operations, and industrial activities. The quietest areas of unincorporated Stanislaus County are those that are removed from major transportation-related noise sources and local industrial or other stationary noise sources.

Vibration is sound radiated through the ground. Typical sources of ground-borne vibration are construction equipment, steel-wheeled trains, and traffic on rough roads, which can create vibration waves that propagate through the soil to the foundations of nearby buildings. Ground-borne vibration is almost never annoying to people who are outdoors. Although the motion of the ground may be perceived without the effects associated with the shaking of a building, the motion does not provoke the same adverse human reaction. The rumbling sound caused by the vibration of room surfaces is called ground-borne noise, which is usually characterized with the A-weighted sound level. Ground-borne noise is perceived as louder than the same broadband noise because the human ear perceives sound dominated by low-frequency components as louder than broadband sounds that have the same A-weighted level. The background vibration velocity level perceptibility threshold is about 65 vibration decibels (VdB), and human response to vibration is not usually significant unless the vibration exceeds 70 VdB. For most people, a vibration-velocity level of 75 VdB is the approximate dividing line between barely perceptible and distinctly perceptible levels.¹⁴

¹³ La Plata County, 2002. La Plata County Impact Report, Coal Bed Methane Development. October 2002. http://lpcdds.org/UserFiles/Servers/Server_1323669/File/2002%20Oil%20and%20Gas%20Impact%20Report.pdf.

¹⁴ U.S. Department of Transportation, Federal Transit Authority, Office of Planning and Environment, 2006. Transit Noise and Vibration Impact Assessment. May 2006.

4.12.2 Discussion of Impacts

a. Would the project expose persons to or generate noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Various types of equipment would be used for construction of the proposed project. Noise impacts resulting from construction activities would depend on the noise generated by various pieces of construction equipment, the timing and duration of noise-generating activities, and the distance between construction noise sources and noise-sensitive receptors. Construction noise impacts primarily result when construction activities occur during noise-sensitive times of the day (early morning, evening, or nighttime hours), when the construction occurs in areas immediately adjoining noise-sensitive land uses, or when construction lasts over extended periods of time. The loudest expected phase of construction is grading and earthwork, which would likely include the use of dozers, backhoes, and graders. The project is adjacent to Alexander Cohen Hospice House to the north and Hughson High School to the west, both considered sensitive receptors to noise. Use of construction equipment could be a short-term source of impact on these noise-sensitive uses. According to the City's 2005 General Plan Environmental Impact Report (EIR), typical noise levels generated by project construction would generally peak between 90 to 105 dBA at a distance of 50 feet from the center of the site during busy construction periods. However, the City's Standard Conditions of Approval (Condition No. 49) states that "all site improvements and all construction involved in site improvements, building construction, and house construction activities shall be limited to the hours of 7:00 a.m. to 7:00 p.m., Monday through Friday, and 8:00 a.m. to 6:00 p.m., on Saturday, and 9:00 a.m. to 6:00 p.m., on Sunday. All construction equipment must meet Department of Motor Vehicles (DMV) noise standards and shall be equipped with muffling devices." At project completion, noise related circumstances will be regulated by Hughson Municipal Code Chapter 9.30: *Regulation of Noise*.

Therefore, temporary construction would not occur within hours prohibited by the Hughson Standard Conditions of Approval and as a result, would not occur during the more noise-sensitive times of day. However, sensitive receptors, specifically the Alexander Cohen Hospice House and Hughson High School will be susceptible to noise-related impacts during construction. The mitigation measure listed below as "NOISE-1" will ensure that the project's contribution to noise construction impacts would not be considerable and therefore, less than significant.

b. Would the project expose persons to or generate excessive groundborne vibration or groundborne noise levels?

In general, ground borne vibration from standard construction practices is only a potential issue when the vibration occurs within 25 feet of sensitive uses. The project site is adjacent to residential uses and the Alexander Cohen Hospice House to the north. Construction is proposed within 25 feet of this sensitive use. However, construction is a temporary activity and construction times would not occur during the more noise-sensitive times of the day, per the City's 2005 General Plan and the Standard Conditions of Approval. Therefore, short construction period and limited scope of the project and construction activities, will result in a less than significant, short-term vibration impact, if any.

c. Would the project cause a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

As discussed under item (c), the majority of noise impacts would result from construction activities by various pieces of construction equipment, the timing, and duration of noise-generating activities, the distance between construction noise sources and noise-sensitive receptors. Following the construction of the project, permanent noise impacts are expected to increase in comparison with existing levels without the project. However, the proposed project shall comply with the City's Noise Ordinance and General Plan policies related to noise. For instance, the City of Hughson Noise Ordinance contained in Chapter 9.30 of the Municipal Code, provides detailed regulation of the noise environment in Hughson. The Ordinance states that it is unlawful to make "unnecessary or unusual noise which unreasonably disturbs the peace and quiet of any zoned classified R-A, R-1, R-2, R-3, C-1, C-2 or C-3 which causes discomfort or annoyance" to an average person within the those zones, and which is audible without amplification 50 feet or more from the source of the noise. The City enforces the Noise Ordinance from 10:00 p.m. to 7:00 a.m. Monday through Friday, and from 10:00 p.m. to 8:00 a.m. on Saturday, Sunday and holidays. In addition, the proposed project shall comply with General Plan Policies N-1.2, N-1.3, N-1.4 and N-1.5. As a result, the proposed project will have a less than significant impact in this area.

d. Would the project cause a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

As discussed under item (a) above, temporary construction work could result in a temporary increase in noise levels in the project vicinity. IN order to ensure that project construction noise remain at a level as to not become a nuisance, construction hours are limited per the City's Standard Conditions of Approval. Given the relatively short construction period and limited scope of the project and construction activities, this will result in a less than significant, short-term noise impact.

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 expose people residing or working in the project area to excessive noise levels?

The project site is not located within an airport land use plan or within two (2) miles of an airport or private airstrip. Therefore, implementation of the proposed project would not expose persons within the project site to high levels of airport-related noise. There would be no impact.

f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

Please refer to the discussion under item (e), above.

Mitigation Measures:

The following mitigation measure(s) shall be incorporated into the proposed project in order to mitigation any potential impacts to a less than significant level:

NOISE-1: *Construction equipment shall be well maintained to be as quiet as possible. The following measures, when applicable, shall be implemented to reduce noise from construction activities:*

- *All internal combustion engine-driven equipment shall be equipped with mufflers that are in good condition and appropriate for the equipment.*
- *“Quiet” models of air compressors and other stationary noise sources shall be used, where technology exists.*
- *Stationary noise-generating equipment shall be located as far as feasible from sensitive receptors (dwellings).*
- *Unnecessary idling of internal combustion engines shall be prohibited.*
- *Staging areas and construction material storage areas shall be located as far away as possible from adjacent sensitive land uses (dwellings).*
- *Construction-related traffic shall be routed along major roadways (Euclid Avenue) and as far as feasible from sensitive receptors.*
- *Residences or noise-sensitive land uses adjacent to construction sites shall be notified of the construction schedule in writing. The construction contractor shall designate a “construction liaison” that would be responsible for responding to any local complaints (e.g., starting too early, bad muffler, etc.) and shall institute reasonable measures to correct the problem. The construction contractor shall conspicuously post a telephone number for the liaison at the construction site.*
- *The construction contractor shall hold a pre-construction meeting with the job inspectors and the general contractor/on-site project manager to confirm that noise mitigation and practices (including construction hours, construction schedule, and construction liaison) are completed.*

All of the above measures shall be included in the contract specifications that shall be reviewed and approved by the City of Hughson Community Development Department prior to the start of construction. The above measures would reduce noise generated by the construction of the project to the extent feasible for the project’s size.

4.13 Population and Housing

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Induce substantial 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)?			X	
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

4.13.1 Discussion of Impacts

- a. **Would the project induce substantial growth in an area either directly (for example, by proposing new homes and business) or indirectly (for example, through extension of roads or other infrastructure)?**

With an average of 3.30 persons per household in the City of Hughson (based on California Department of Finance 2016 data¹⁵) and 39 new dwellings proposed, the project would generate approximately 129 people. The proposed project is consistent with the general plan land use designation and densities and the proposed City zoning classification for the site (Planned Development (P-D)). The proposed project would contribute to the impacts of the population growth that have already been assessed and mitigated to the extent possible as part of the City’s General Plan 2005 Environmental Impact Report (EIR) process. As such, the proposed project will serve as an implementation tool a portion of future build out estimates identified in the 2005 General Plan and any potential impacts are considered less than significant.

- b. **Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?**

The proposed project will not require the displacement of existing housing which would necessitate the construction of replacement housing. As part of the proposed project, one (1) existing out-building will be

¹⁵ State of California, Department of Finance, *E-5 Population and Housing Estimates for Cities, Counties and the State – January 1, 2011 – 2016*. Sacramento, California, May 2016

removed, located on the southern end of the project site (on Lot 39). However, an existing house located on the 14,837 sq. ft. remainder parcel will remain. This project will not displace any number of existing housing or people and therefore, will have no impact.

c. Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

Please refer to discussion under item (b), above.

4.14 Public Services

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, 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:				
a. Fire protection?			X	
b. Police protection?			X	
c. Schools?			X	
d. Parks?			X	
e. Other public facilities?			X	
f. Does the site promote the joint use of parks, libraries, museums, and other public services?			X	

- a. Fire protection?
- b. Police protection?
- c. Schools?
- d. Parks?
- e. Other public facilities?
- f. Does the site promote the joint use of parks, libraries, museums, and other public services?

Public services are available and can be extended to serve future development. With regard to K-12 schools, the project application is required to pay the standard fees for both the elementary and high school districts at time of construction.

The Hughson Fire Protection District (Hughson FPD), established in 1915, is responsible for the primary provision of fire service and emergency medical response in Hughson and for its residents. The Hughson FPD services over 10,000 people throughout approximately 35 square miles in and around the City. The Hughson FPD's staff consists of a full-time Fire Chief and 29 volunteers. Volunteers are required to complete at least 240 hours of training per year. The District's only station is located at 2315 Charles Street, in downtown Hughson. The proposed project shall comply with the City's 2005 General Plan Policies PSF-2.1 through 2.6 to ensure the Hughson FPD maintains adequate fire protection to Hughson.

The City of Hughson is served by the Stanislaus County Sheriff's Department (under contract). The Department operates a based station attached to City Hall, which is located at 7018 Pine Street in Hughson. The contracted level of service includes four (4) patrol vehicles dedicated to Hughson and an agreed staff allocation of 0.85 officers per 1,000 residents. Based on a review of the 2015 Year End Report, the

Stanislaus County Sheriff's Department employs a Chief of Police, a Sergeant, and five (5) Sworn Deputies to service Hughson. This calculates to a ratio of approximately 0.70 sworn officers per 1,000 population, using the Department of Finance estimate for 2016 at 7,150. The proposed project would increase the population by 128. This changes the ratio to 0.69 per 1,000 population.

The proposed project will be required to pay the applicable Capital Facilities Fees (CFF) and/or Public Facilities Fees (PFF) associated with the services and facilities. Therefore, the proposed project will have a less than significant impact.

4.15 Recreation

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	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	

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?

The proposed project includes a 14,345 sq. ft. common area, with amenities including a volleyball court, bocce ball, sitting area and gazebo. In addition, the payment of in lieu of Parks and Recreation, in accordance with the 2005 General Plan, would be required by the City of Hughson as part of the standard development review and building permit process for the project. For this reason, the project would not be expected to increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.

b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

As noted under item (a) above, the proposed project includes a 14,345 sq. ft. common area, with amenities. In addition, the recreational needs of the project are expected to be further met by the existing recreational facilities in the area, and the project would not require the construction or expansion of other recreational facilities. The proposed project’s impact would therefore be considered less than significant.

4.16 Transportation and Traffic

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?		X		
b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?				X
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location, which results in substantial safety risks?				X
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
e. Result in inadequate emergency access?				X
f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?				X
g.				

- a. Would the project conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?**

The proposed project's circulation does not conflict with the City's 2005 General Plan Circulation Element or Municipal Code. According to the City's 2005 General Plan Environmental Impact Report (EIR), Locust Street is a 2-lane minor collector that runs east to west and future expansions is expected to Geer Road and Euclid Avenue is a 2-lane major collector that runs north to south. The project may have an impact on the transportation/circulation system during construction. Potential transportation system impacts during the construction phase of the proposed project include potential to disrupt traffic flows on the area roadways through the addition of heavy-duty construction vehicles turning in and out of the project site and sharing the roadway with normal vehicle traffic, creating potential conflicts. In addition, the expansion of the City's Sanitary Sewer line west along Locust Street and north on Orchard Lane may disrupt traffic flows. These impacts would be temporary but potentially significant. As such, Mitigation Measure TRANS-1 has been incorporated.

- b. Would the project conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?**

The proposed project will not result in an increase or conflict to the level of service standards and travel demand for the City of Hughson. The project will be required to and does conform to, the circulation standards and policies set forth by the City's 2005 General Plan. Therefore the proposed project will have no impact.

- c. Would the project result in a change in air traffic patterns, including either an increase in traffic levels or a change in location, which results in substantial safety risks?**

The proposed project will not result in the change of air patterns. Therefore, the proposed project will have no impact in this area.

- d. Would the project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?**

Street improvements installed as part of the proposed project will not result in immediate construction or design hazards. As such, hazards due to a design feature are not anticipated to occur. Therefore, the proposed project will have no impact.

- e. Would the project result in inadequate emergency access?**

The proposed project, as designed, will not result in inadequate emergency access. Therefore, the proposed project will have no impact.

f. Would the project conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

The proposed project will not conflict with any adopted policies, plans or programs regarding public transit, or bicycle facilities. Therefore, the proposed project will have no impact.

Mitigation Measures:

The following mitigation measure(s) shall be incorporated into the proposed project in order to mitigation any potential impacts to a less than significant level:

***TRANS-1:** Although construction impacts are expected to be temporary, development of a construction management plan would reduce the potential for construction vehicle conflicts with other roadway users. The project applicant shall prepare a construction management plan for review and approval by the City of Hughson prior to any ground disturbance activity. The plan shall include:*

- *A project staging plan to maximize on-site storage of materials and equipment.*
- *A set of comprehensive traffic control measures, including scheduling of major truck trips and deliveries to avoid peak hours; lane closure proceedings; signs, cones, and other warning devices for drivers; and a designation of construction access routes.*
- *Permitted construction hours.*
- *Location of constructions staging.*
- *Identification of parking areas for construction employees, site visitors, and inspectors to minimize potential impacts on adjacent residences/properties.*
- *Provisions for street sweeping to remove construction related debris on public streets.*

Implementation of the construction management plan would reduce the temporary construction traffic impact to a less than significant level.

4.17 Utilities and Service Systems

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board (RWQCB)?			X	
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
c. Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X	
e. 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
f. Would the project be served by a landfill with sufficient permitted capacity to accommodate the project’s solid waste disposal needs?				X
g. Would the project comply with federal, state, and local statutes and regulations related to solid waste?				X

a. **Would the project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board (RWQCB)?**

The proposed project would include underground sewer line connections to the City of Hughson's existing sanitary sewer line at Orchard Lane; with connections to the project site at the proposed "Private Street" and Locust Street intersection. Based on an average wastewater generation rates (107 gallons per day per single-family dwelling unit) contained in the 2005 Municipal Service Review, the proposed 39 single-family dwelling units would generate about 4,173 gallons of wastewater per day. The proposed project impact related to construction or expansion of wastewater facilities would be considered less than significant.

b. Would the project require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

The proposed project would not require or result in the construction of new water supply or off-site distribution facilities. The proposed project would include underground water line connections to the City of Hughson's existing water line at Euclid Avenue and Locust Street. Environmental effects of on-site construction of proposed water line connections are evaluated throughout this Initial Study. The project's impact related to construction or expansion of water facilities would be considered less than significant.

c. Would the project require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

According to the Tentative Map that was submitted to the City, the proposed connection to the City's storm drainage system will come from the installation of a 18" French drain that will drain northerly to a new 18" storm drain and then connect to the existing 24" storm drain in Locust Street. Storm water will be collected at the corner of each set of lots and convey into the main French drain line in "Private Street" in addition to the French drain located in Lot B (Common Area). The required connection is not anticipated to have any environmental effects and therefore will have a less than significant impact in this area.

d. Would the project have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

It is anticipated that the City of Hughson will have sufficient water supplies available to serve the project from existing entitlements and resources, without the need for new or expanded entitlements. The project would therefore have a less than significant impact in relation to this criterion. Please refer to item (b) above.

e. Would the project 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?

The City of Hughson has determined that it has or will have adequate capacity to serve the projected wastewater demand from the project in addition to the City's existing and future commitments. The projects impact would therefore be less than significant. Please refer to item (a) above.

f. Would the project be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

According to the City's 2005 General Plan EIR, solid waste and recycling is collected in Hughson through contracts with private solid waste providers. Household and commercial garbage is collected on-site, on a weekly basis, under exclusive franchise agreement with R&R Disposal Service, a division of Waste Management, Inc. Garbage is transported first to a transfer station in Modesto, where it is sorted to remove items that can be recycled. About 60 percent of the remaining waste that cannot be recycled is then sent to the Stanislaus County Fink Road landfill, located in Crow's Landing. The other 40 percent is split between various facilities located in and outside of the County. It is expected that the proposed project will increase the generation of solid waste. However, the Fink Road Landfill has sufficient permitted capacity to accommodate the project's solid waste disposal needs, and the addition of project waste would not diminish the anticipated life span of the landfill. The project would therefore be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs, and the project's impact in relation to this would be less than significant.

g. Would the project comply with federal, state, and local statutes and regulations related to solid waste?

The project would comply with federal, state, and local statutes and regulations related to solid waste and would not cause solid waste providers to be out of compliance with applicable statutes and regulations related to solid waste. As such, the project's impact in relation to this area would therefore be less than significant.

4.18 Mandatory Findings of Significance

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a. The potential to 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, 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. 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. Environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				X

- a. **The potential to degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, 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?**

Finding (a) is checked as "Less Than Significant with Mitigation Incorporated" on the basis of the proposed project's potential impacts on air quality, noise and transportation resources, as described in Sections 4.3, 4.12 and 4.16 of this Initial Study. Potential impacts were identified in these issue areas but they were identified to be less than significant.

- b. Impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental efforts 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)?**

As described in the Initial Study, the potential environmental effects of the proposed project will be either less than significant, or will have no impact at all. Therefore, the finding (b) is checked as “No Impact”.

- c. Environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?**

The Initial Study has considered the potential environmental impacts of the proposed project in the discrete issue areas outlined in the CEQA Environmental Checklist. During the environmental analysis, the potential for the project to result in substantial impacts on human beings in these issue areas, as well as the potential for substantial impacts on human beings to occur outside of these issue areas, was considered, and no other such impacts were identified.

5.0 REFERENCES

In accordance with Section 15063(a)(3) of the CEQA Guidelines, the following expert opinion, technical studies, and substantial evidence has been referenced and/or cited in the discussion included in the Section 4, Environmental Checklist:

1. The City of Hughson 2005 General Plan, dated December 12, 2005
2. The City of Hughson 2005 General Plan Environmental Impact Report, dated June 30, 2005
3. The City of Hughson Water System Master Plan, dated October 2003
4. The City of Hughson Standard Conditions of Approval
5. The City of Hughson Municipal Code
6. The City of Hughson Noise Ordinance
7. The City of Hughson Climate Action Plan, dated December 9, 2013
8. State of California, Department of Finance, *E-5 Population and Housing Estimates for Cities, Counties and the State – January 1, 2011 – 2016*. Sacramento, California, May 2016
9. California Department of Transportation Online Database for State Scenic Highways (<http://www.dot.ca.gov/design/lap/livability/scenic-highways/index.html>).
10. California Department of Conservation Farmland Mapping and Monitoring Program, published August 2015
11. Guide for Assessing and Mitigating Air Quality Impacts, adopted March 10, 2015, prepared by the San Joaquin Valley Air Pollution Control District.
12. Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA, dated December 17, 2009, prepared by the San Joaquin Valley Air Pollution Control District.
13. Flood Insurance Rate Map (FIRM) No. 06099C0600E, effective on September 9, 2008 prepared by the Federal Emergency Management Association (FEMA).



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Central Valley Regional Water Quality Control Board

CITY OF HUGHSON

21 December 2016

DEC 23 2016

RECEIVED

Jaylen French
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CERTIFIED MAIL
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COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, PROVINCE PLACE – REZONE, TENTATIVE SUBDIVISION MAP, AND DESIGN REVIEW APPLICATION NO. 2016-01 PROJECT, SCH# 2016121019, STANISLAUS COUNTY

Pursuant to the State Clearinghouse's 6 December 2016 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Mitigated Negative Declaration* for the Province Place – Rezone, Tentative Subdivision Map, and Design Review Application No. 2016-01 Project, located in Stanislaus County.

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

I. Regulatory Setting

Basin Plan

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

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

Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues.

For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:

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

Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Policy is available on page IV-15.01 at:

http://www.waterboards.ca.gov/centralvalleywater_issues/basin_plans/sacsjr.pdf

In part it states:

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

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

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

II. Permitting Requirements

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to

restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP).

For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

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

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

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

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

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

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

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

Industrial Storm Water General Permit

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ.

For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:

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

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the

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

United States Army Corps of Engineers (USACOE). If a Section 404 permit is required by the USACOE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements.

If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACOE at (916) 557-5250.

Clean Water Act Section 401 Permit – Water Quality Certification

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

Waste Discharge Requirements – Discharges to Waters of the State

If USACOE determines that only non-jurisdictional waters of the State (i.e., “non-federal” waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation.

For more information on the Water Quality Certification and WDR processes, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/help/business_help/permit2.shtml.

Dewatering Permit

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

For more information regarding the Low Risk General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf

For more information regarding the Low Risk Waiver and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2013-0145_res.pdf

Regulatory Compliance for Commercially Irrigated Agriculture

If the property will be used for commercial irrigated agricultural, the discharger will be required to obtain regulatory coverage under the Irrigated Lands Regulatory Program. There are two options to comply:

1. **Obtain Coverage Under a Coalition Group.** Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board's website at: http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/app_approval/index.shtml; or contact water board staff at (916) 464-4611 or via email at IrrLands@waterboards.ca.gov.
2. **Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General Order R5-2013-0100.** Dischargers not participating in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 10-100 acres are currently \$1,084 + \$6.70/Acre); the cost to prepare annual monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory Program, call the Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at IrrLands@waterboards.ca.gov.

Low or Limited Threat General NPDES Permit

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be

covered under the General Order for *Dewatering and Other Low Threat Discharges to Surface Waters* (Low Threat General Order) or the General Order for *Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water* (Limited Threat General Order). A complete application must be submitted to the Central Valley Water Board to obtain coverage under these General NPDES permits.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0074.pdf

For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0073.pdf

NPDES Permit

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

For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/help/business_help/permit3.shtml

If you have questions regarding these comments, please contact me at (916) 464-4644 or Stephanie.Tadlock@waterboards.ca.gov.



Stephanie Tadlock
Environmental Scientist

cc: State Clearinghouse unit, Governor's Office of Planning and Research, Sacramento

change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment.⁶ Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource.⁷ Your project may also be subject to **Senate Bill 18 (SB 18)** (Burton, Chapter 905, Statutes of 2004), Government Code 65352.3, if it also involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space. **Both SB 18 and AB 52 have tribal consultation requirements.** Additionally, if your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966⁸ may also apply.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

Agencies should be aware that AB 52 does not preclude agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52. For that reason, we urge you to continue to request Native American Tribal Consultation Lists and Sacred Lands File searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>. Additional information regarding AB 52 can be found online at http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf, entitled "Tribal Consultation Under AB 52: Requirements and Best Practices".

The NAHC recommends lead agencies consult with all California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources.

A brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments is also attached.

Please contact me at gayle.totton@nahc.ca.gov or call (916) 373-3710 if you have any questions.

Sincerely,



Gayle Totton, B.S., M.A., Ph.D
Associate Governmental Project Analyst

Attachment

cc: State Clearinghouse

⁶ Pub. Resources Code § 21084.2

⁷ Pub. Resources Code § 21084.3 (a)

⁸ 154 U.S.C. 300101, 36 C.F.R. § 800 et seq.

Pertinent Statutory Information:

Under AB 52:

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a **lead agency** shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice.

A **lead agency** shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project.⁹ and **prior to the release of a negative declaration, mitigated negative declaration or environmental impact report.** For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code § 65352.4 (SB 18)."¹⁰

The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

- a. Alternatives to the project.
- b. Recommended mitigation measures.
- c. Significant effects.¹¹

1. The following topics are discretionary topics of consultation:

- a. Type of environmental review necessary.
- b. Significance of the tribal cultural resources.
- c. Significance of the project's impacts on tribal cultural resources.

If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency.¹²

With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process **shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code sections 6254 (r) and 6254.10.** Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public.¹³

If a project may have a significant impact on a tribal cultural resource, **the lead agency's environmental document shall discuss** both of the following:

- a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
- b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code section 21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource.¹⁴

Consultation with a tribe shall be considered concluded when either of the following occurs:

- a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
- b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached.¹⁵

Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code section 21080.3.2 **shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program**, if determined to avoid or lessen the impact pursuant to Public Resources Code section 21082.3, subdivision (b), paragraph 2, and shall be fully enforceable.¹⁶

If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, **the lead agency shall consider feasible mitigation** pursuant to Public Resources Code section 21084.3 (b).¹⁷

An environmental impact report **may not be certified**, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:

- a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code sections 21080.3.1 and 21080.3.2 and concluded pursuant to Public Resources Code section 21080.3.2.
- b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.

⁹ Pub. Resources Code § 21080.3.1, subds. (d) and (e)

¹⁰ Pub. Resources Code § 21080.3.1 (b)

¹¹ Pub. Resources Code § 21080.3.2 (a)

¹² Pub. Resources Code § 21080.3.2 (a)

¹³ Pub. Resources Code § 21082.3 (c)(1)

¹⁴ Pub. Resources Code § 21082.3 (b)

¹⁵ Pub. Resources Code § 21080.3.2 (b)

¹⁶ Pub. Resources Code § 21082.3 (a)

¹⁷ Pub. Resources Code § 21082.3 (e)

- c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code section 21080.3.1 (d) and the tribe failed to request consultation within 30 days.¹⁸

This process should be documented in the Tribal Cultural Resources section of your environmental document.

Under SB 18:

Government Code § 65352.3 (a) (1) requires consultation with Native Americans on general plan proposals for the purposes of "preserving or mitigating impacts to places, features, and objects described § 5097.9 and § 5091.993 of the Public Resources Code that are located within the city or county's jurisdiction. Government Code § 65560 (a), (b), and (c) provides for consultation with Native American tribes on the open-space element of a county or city general plan for the purposes of protecting places, features, and objects described in Sections 5097.9 and 5097.993 of the Public Resources Code.

- SB 18 applies to **local governments** and requires them to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf
- **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.**¹⁹
- **There is no Statutory Time Limit on Tribal Consultation under the law.**
- **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research,²⁰ the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code sections 5097.9 and 5097.993 that are within the city's or county's jurisdiction.²¹
- **Conclusion Tribal Consultation:** Consultation should be concluded at the point in which:
 - The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation.²²

NAHC Recommendations for Cultural Resources Assessments:

- Contact the NAHC for:
 - A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - A Native American Tribal Contact List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
 - The request form can be found at <http://nahc.ca.gov/resources/forms/>.
- Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
 - If part or the entire APE has been previously surveyed for cultural resources.
 - If any known cultural resources have been already been recorded on or adjacent to the APE.
 - If the probability is low, moderate, or high that cultural resources are located in the APE.
 - If a survey is required to determine whether previously unrecorded cultural resources are present.
- If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

¹⁸ Pub. Resources Code § 21082.3 (d)

¹⁹ (Gov. Code § 65352.3 (a)(2)).

²⁰ pursuant to Gov. Code section 65040.2,

²¹ (Gov. Code § 65352.3 (b)).

²² (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Examples of Mitigation Measures That May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:

- Avoidance and preservation of the resources in place, including, but not limited to:
 - Planning and construction to avoid the resources and protect the cultural and natural context.
 - Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
- Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - Protecting the cultural character and integrity of the resource.
 - Protecting the traditional use of the resource.
 - Protecting the confidentiality of the resource.
- Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
- Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed.²³
- Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated.²⁴

The lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.

- Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources.²⁵ In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
- Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
- Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code section 7050.5, Public Resources Code section 5097.98, and Cal. Code Regs., tit. 14, section 15064.5, subdivisions (d) and (e) (CEQA Guidelines section 15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

²³ (Civ. Code § 815.3 (c)).

²⁴ (Pub. Resources Code § 5097.991).

²⁵ per Cal. Code Regs., tit. 14, section 15064.5(f) (CEQA Guidelines section 15064.5(f)).



Hughson Planning Commission
January 17, 2017

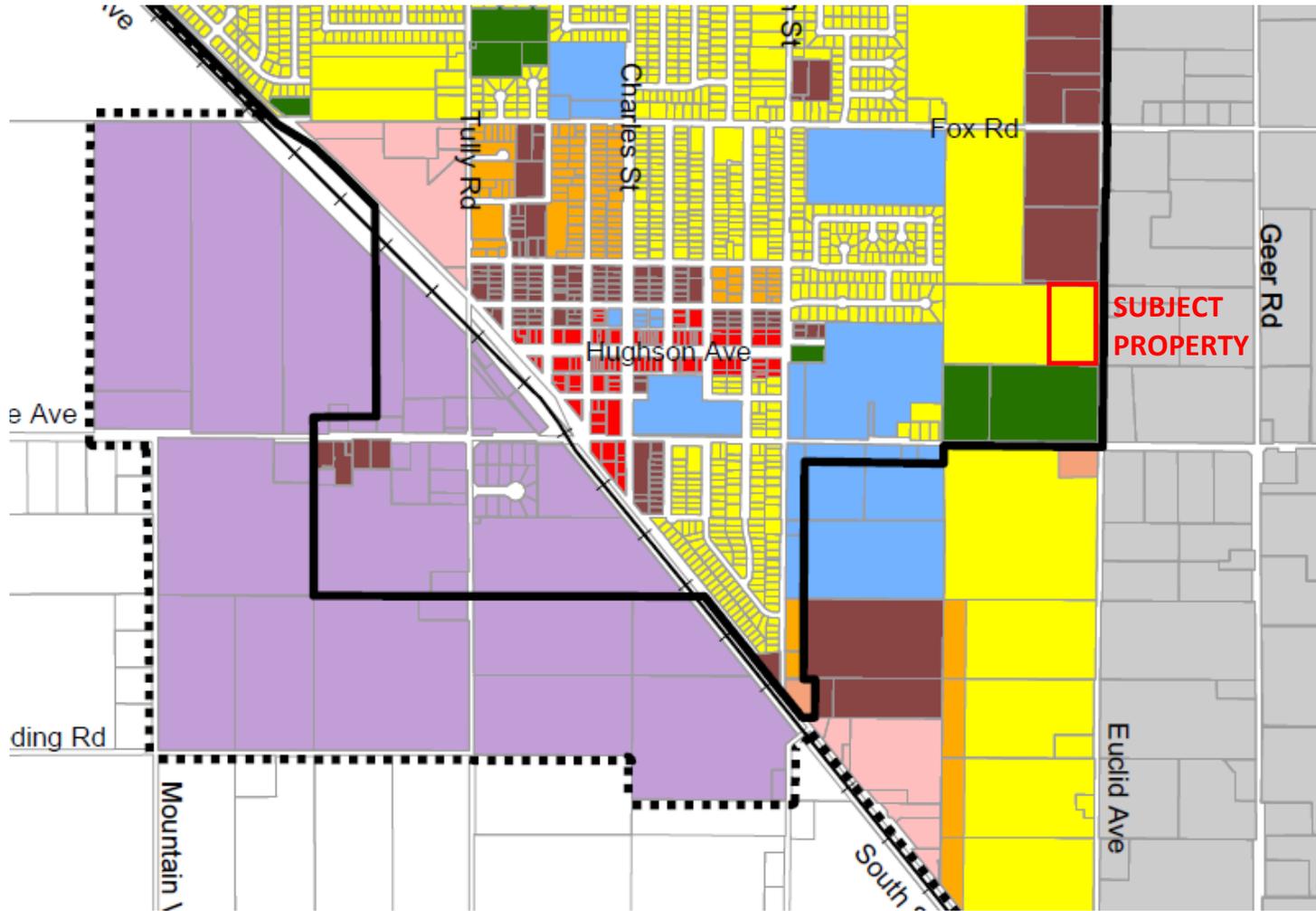


Province Place Development Application
Vicinity Map



Province Place Development Application Site Map

Hughson Planning Commission
January 17, 2017



Province Place
 Development Application
General Plan Map

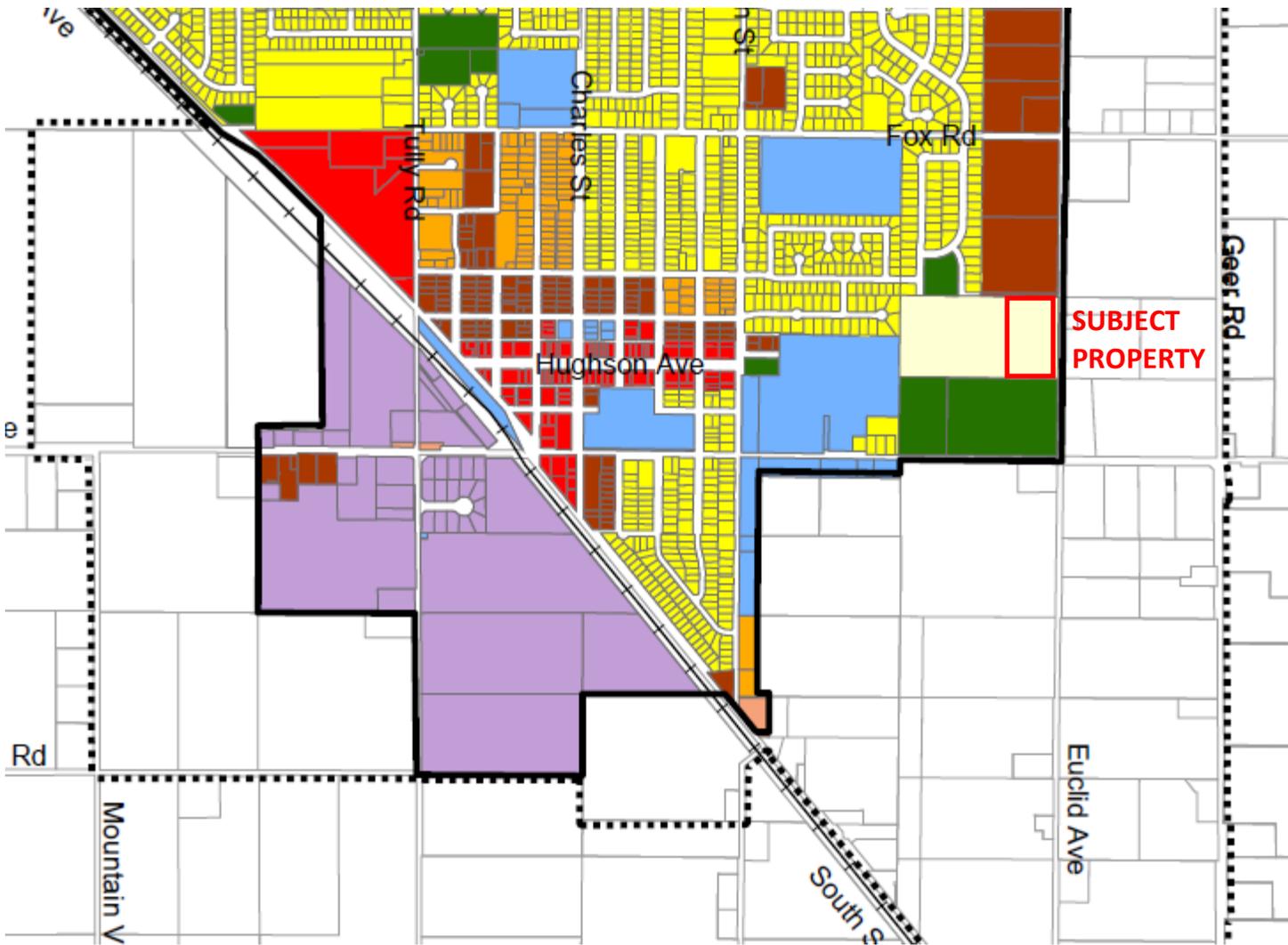
Hughson Planning Commission
 January 17, 2017

- | | | | |
|---------------------------------|--------------------------------|---|----------------------------|
| Residential Designations | Commercial Designations | Industrial Designations | Sphere of Influence |
| Low Density Residential | Downtown Commercial | Industrial | City Limits |
| Medium Density Residential | Neighborhood Commercial | Public/Quasi-Public Designations | |
| High Density Residential | General Commercial | Park/Open Space | |
| Urban Reserve | Service Commercial | Public Facility | |

FIGURE LU-4

**LAND USE
 DESIGNATIONS**

 CITY OF HUGHSON
 GENERAL PLAN



Residential Designations:

- R-A Rural Residential
- R-1 Low Density Residential
- R-2 Medium Density Residential
- R-3 High Density Residential

Commercial Designations:

- C-1 Neighborhood Commercial
- C-2 General Commercial
- C-3 Service Commercial

Industrial Designations:

- I Industrial

Public/Quasi-Public Designations:

- O-S Park/Open Space
- P-F Public Facility

City Limits
 City Limits

Sphere of Influence
 Sphere of Influence



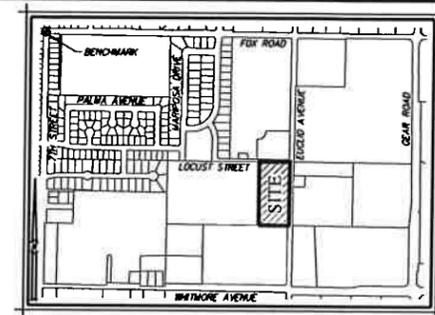
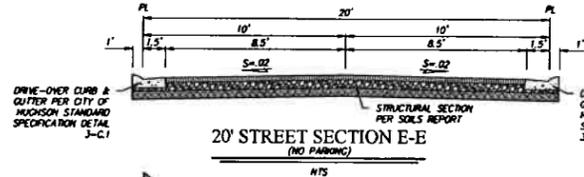
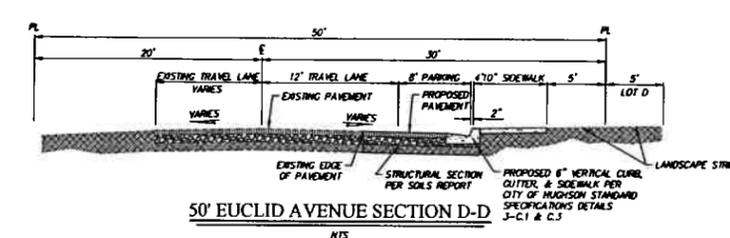
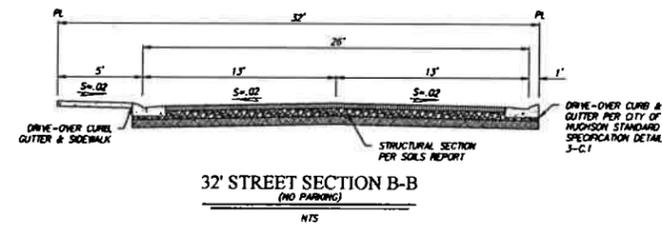
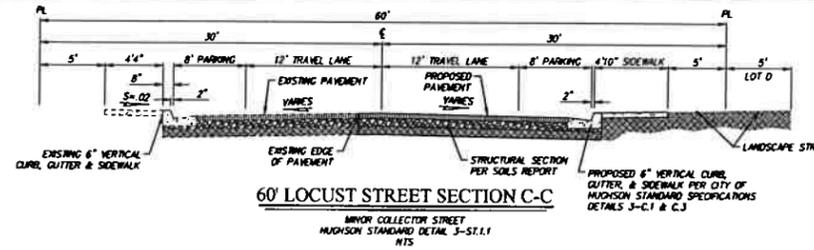
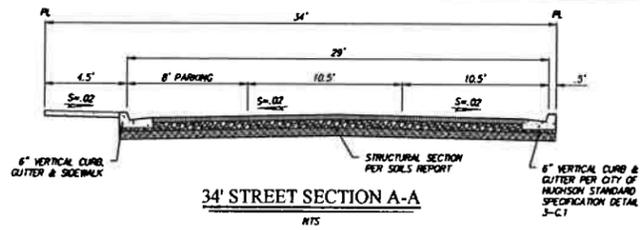
Province Place Development Application

Zoning Map

Hughson Planning Commission
 January 17, 2017

GENERAL NOTES

1. ALL IMPROVEMENTS SHALL BE CONSTRUCTED AS PER THE CITY OF HUGHSON STANDARD SPECIFICATIONS.
2. STORM DRAINAGE: BY POSITIVE SYSTEM TO EXISTING CITY OF HUGHSON POSITIVE STORM DRAINAGE SYSTEM.
3. SEWAGE DISPOSAL: BY CITY OF HUGHSON SEWER SYSTEM.
4. WATER SUPPLY: BY CITY OF HUGHSON WATER SYSTEM.
5. STREET LIGHTING SHALL BE INSTALLED AS PER THE CITY OF HUGHSON STANDARD SPECIFICATIONS.
6. TOTAL AREA: 4.51 ACRES±
7. TOTAL NO. OF LOTS: 39 LOTS, 1 COMMON AREA (LOT A) TO BE MAINTAINED BY HOA, AND 3 LANDSCAPE LOTS (LOTS B,C,D) TO BE MAINTAINED BY HOA.
8. BUILDING SETBACKS PER PLANNED DEVELOPMENT REQUIREMENTS.
9. PUBLIC UTILITIES ARE TO BE INSTALLED UNDERGROUND IN EASEMENTS.
10. BOUNDARY INFORMATION WAS COMPILED BY TITLE REPORT DATA, DEEDS, AND A FIELD SURVEY.
11. BENCHMARK: CONCRETE NAIL AT THE INTERSECTION OF FOX ROAD AND SEVENTH STREET, ELEVATION 123.76, CITY OF HUGHSON DATUM.



PROJECT LOCATION
2401 EUCLID AVENUE
HUGHSON, CA 95326

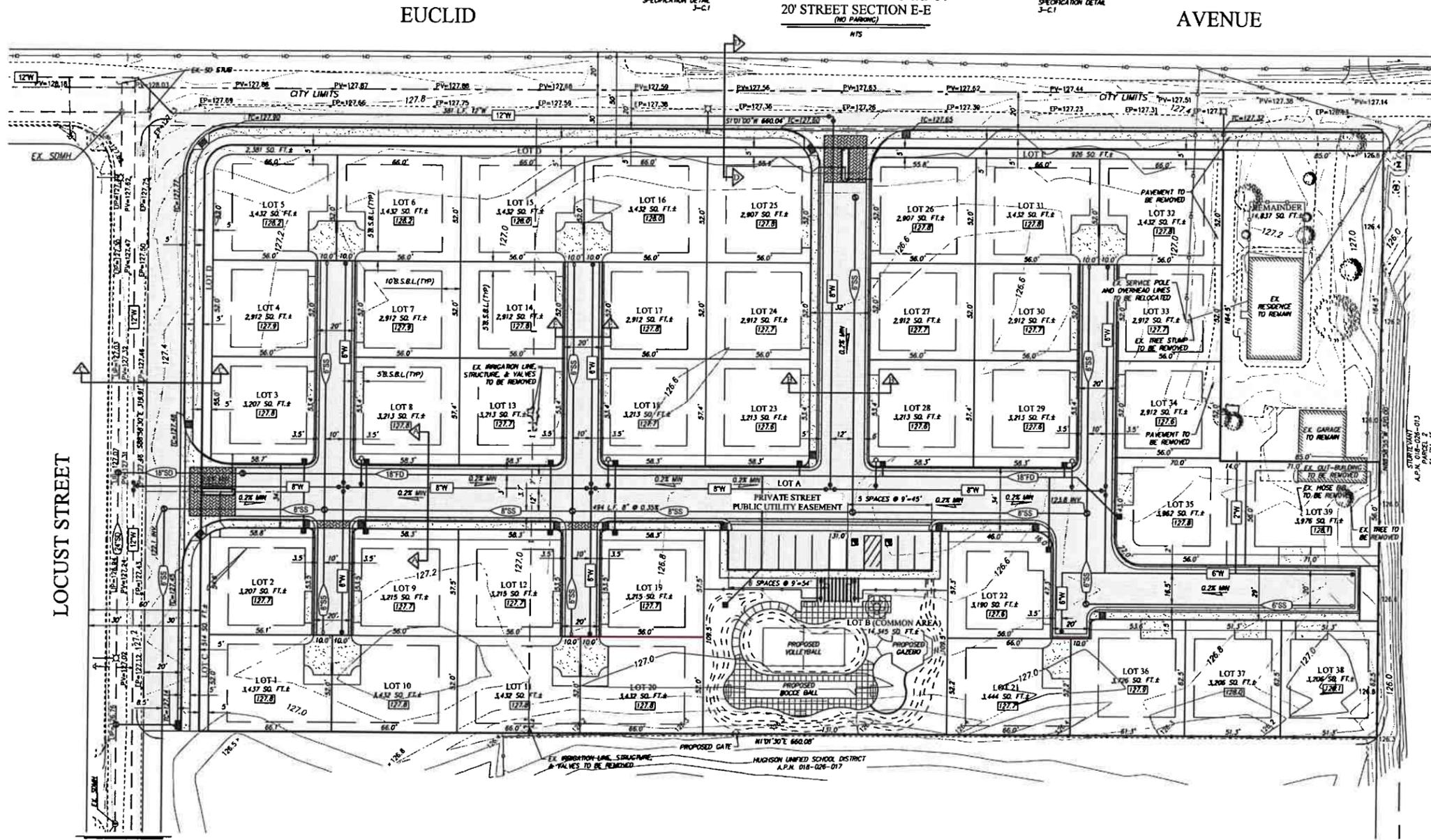
ASSESSOR'S PARCEL NO.
A.P.N. 018-026-016

PROPOSED ZONE AND USE
P-D
PLANNED DEVELOPMENT
39 RESIDENTIAL LOTS
1 COMMON LOT
3 LANDSCAPE LOTS
1 PRIVATE STREET AND P.U.E.

OWNER
RANDALL G. & RENEE G. BREKKE,
TRUSTEES OF THE BREKKE REVOCABLE
TRUST DATED AUGUST 29, 2013
1900 11TH AVENUE, SACRAMENTO, CA
95818

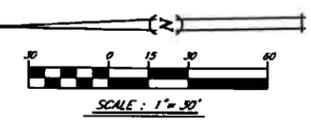
AREA DATA
GROSS AREA - 4.51 ACRES±
NET AREA - 4.16 ACRES±

DEVELOPER
WINPAC BUILDERS
135 S. 5TH STREET, SUITE J
OAKDALE, CA 95361
CONTACT: TROY WRIGHT
PHONE: (209) 521-0803



LEGEND

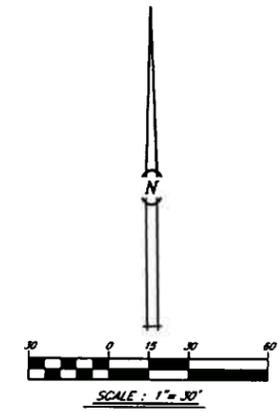
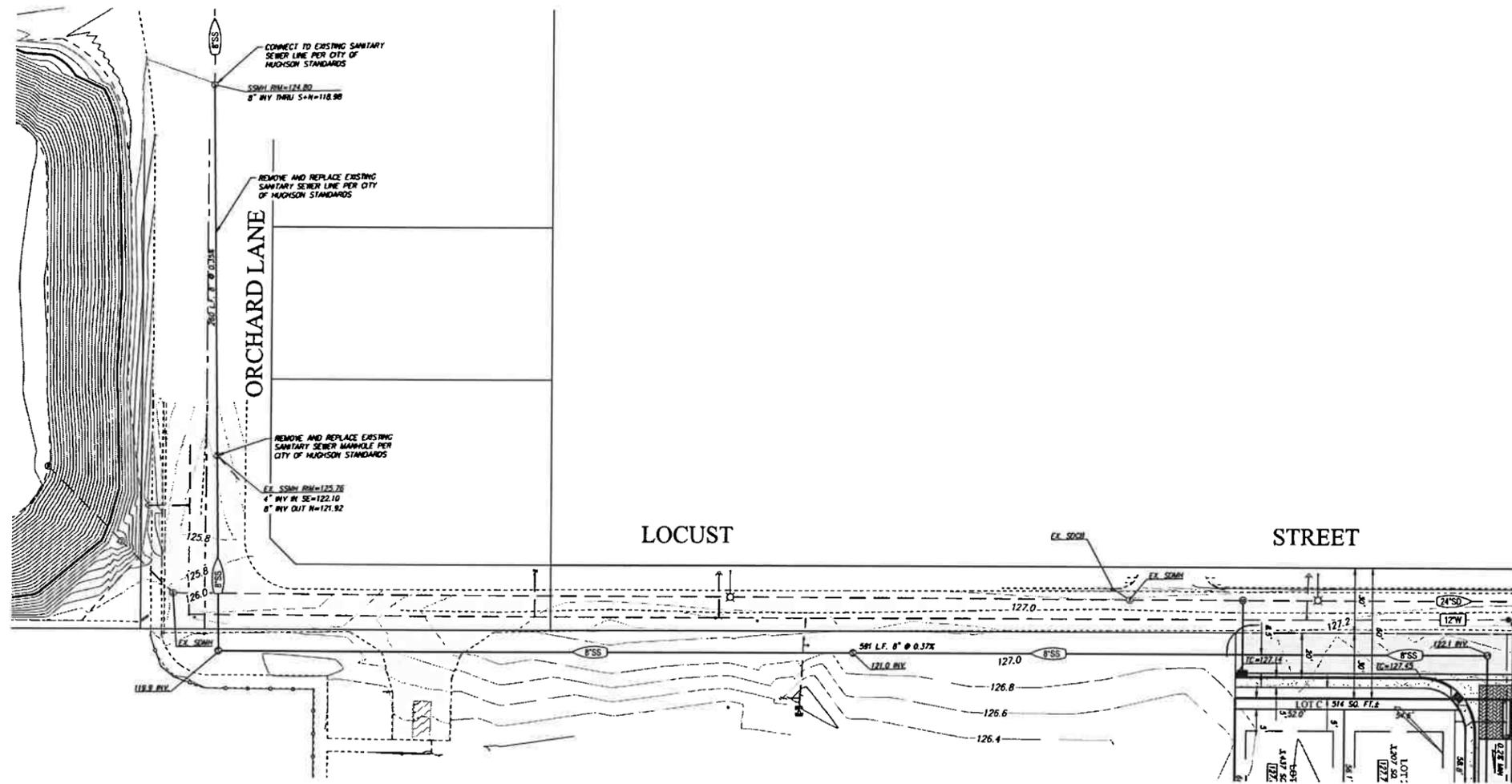
	EXISTING	PROPOSED
RIGHT OF WAY	---	---
LOT LINE	---	---
CENTERLINE	---	---
BOUNDARY LINE	---	---
BUILDING SETBACK LINE	---	---
CURB, GUTTER & SIDEWALK	---	---
AREA OF PAVEMENT	---	---
AREA OF CONCRETE	---	---
AREA OF ENHANCED PAVING	---	---
FRENCH DRAIN LINE	---	---
STORM DRAIN LINE	---	---
SANITARY SEWER LINE	---	---
WATER LINE	---	---
CLEANOUT (SS OR SD)	---	---
STORM DRAIN MANHOLE	---	---
SANITARY SEWER MANHOLE	---	---
STORM DRAIN INLET	---	---
AREA DRAIN	---	---
WATER VALVE	---	---
FIRE HYDRANT	---	---
OVERHEAD UTILITY LINE	---	---
UTILITY POLE W/ GUY WIRE	---	---
UTILITY POLE	---	---
STREET ELECTRICIAN	---	---
BROUGHT IRON FENCE	---	---
CHARLARK FENCE	---	---
PAD GRADE	---	---



HAWKINS & ASSOCIATES ENGINEERING, INC.
436 MITCHELL ROAD
MODESTO, CA 95334
PH: (209) 575-4295
FX: (209) 578-4295

WINPAC EUCLID, LLC
A.P.N. 018-026-016
2401 EUCLID AVENUE, HUGHSON, CALIFORNIA

DATE: _____
SHEET 1 OF 2



BY:	CHK:	DATE:
RCS	RD	JUNE 2016

RODRICK H. HAWKINS R.C.E. 00188
 CRODIE E. LINDSAY R.C.E. 31900 P.L.S. 4709
 KEVIN J. GENASCI P.L.S. 8660

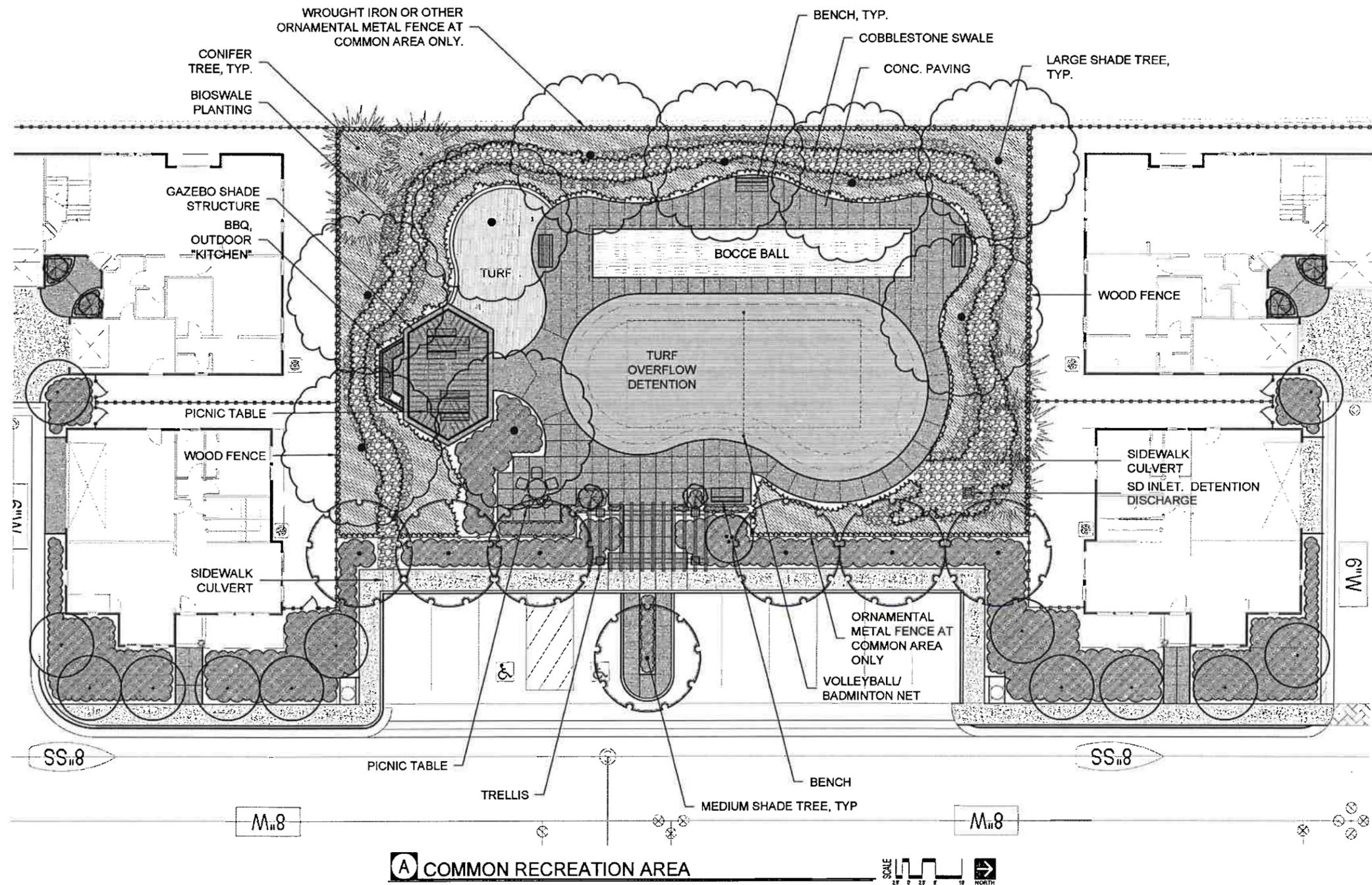
**HAWKINS & ASSOCIATES
 ENGINEERING, INC.**
 436 MITCHELL ROAD
 MODESTO, CA. 95354
 PH: (209) 575 - 4295
 FX: (209) 578 - 4295

VESTING TENTATIVE MAP
 PROVINCE PLACE
 A.P.N. 018-026-016
 2401 EUCLID AVENUE, HUGHSON, CALIFORNIA

DATE:

SHEET 2 OF 2

C:\Users\Owner\Documents\PROJECTS\16WPB-02_LP4.02_SitePlan.dwg 4:02, Aug 25, 2016 10:46am, Owner



16WPB-02_LP4.02.dwg

Warren R. McClung
 Warren R. McClung
 Planning - Site Design - Landscape Architecture
 11666 Serena Court - Sonoma, CA - 95370
 wrmcclung@mlode.com - Ph. 209.840.1198

PROJECT AND CLIENT INFORMATION
 PROVINCE PLACE
 A.P.N. 018-028-016
 2401 BUCKLE AVENUE, HUBBARD, CA 95328
Winward Pacific Builders, Inc.
 128 S. 5TH STREET, SUITE 2, OAKDALE, CA 95361
 TROY WRIGHT: (209) 321-0803

DRAWING NAME
 CONCEPTUAL SITE PLAN
 RECREATION AREA

#	DESCRIPTION	DATE

DRAWING INFORMATION
 DATE: August 25, 2016
 DRAWN BY: [Signature] CHK'D BY: [Signature]
 PROJECT NUMBER: 16WPB-02
 SHEET NO.: LP4.02

CONDITIONS OF APPROVAL

Windward Pacific Builders (Applicant/Subdivider)

PROVINCE PLACE

Vesting Tentative Subdivision Map No. 16-01, Rezone Application No. 16-01, and Parcel Map, Design Review, Conditional Use Permit and Planned Development Application

APN: 018-026-016

General

1. The Project Proponent is responsible for ensuring that any contractor, subcontractor, employee, or agent of the Project Proponent is aware of and implements all measures set forth in these conditions.
2. It is understood and agreed upon, that whenever approval of the City Engineer is required, whether by these Conditions, Improvement Plans, or otherwise, the approval of the City Manager, Community Development Director and Building Director shall also be required.
3. Project approval shall be void two years after issuance of the building permits, or three years after approval of vesting tentative map application, whichever is later, unless state law provides for a longer time period.
4. Project Proponent shall defend indemnify, and hold harmless City and its elected and appointed representatives, officers, agents and employees against actions arising out of such personal injury, death, or property damage or destruction which is caused, or alleged to have been caused, by reason of Project Proponent's activities in connection with the project described in the map to which these conditions are attached ("Project"). Project Proponent further agrees to defend, indemnify and hold harmless City and its elected and appointed boards, commissions, representatives, officers, agents and employees from any and all claims, actions or proceedings brought against City or any of them to attach, set aside, void, or annul any approval of City or any of them concerning the Project which action, claim or proceeding is brought within the time limit specified in California Government Code section 66499.37, or the sufficiency of environmental review pursuant to CEQA.

The above-referenced indemnification and hold harmless requirement shall apply only if the City shall promptly notify the Project Proponent of any claim, action or proceeding, and cooperates fully in the defense of any such claim, action, or proceeding.

The City does not, and shall not, waive any rights against Project Proponent which it may have by reason of the aforesaid hold harmless agreement, or because of the acceptance by City, or the deposit with City by Developer of any of the insurance policies described herein.

5. Inspection of the work and/or materials, or approval of work and/or materials inspected, or statements by any officer, agent, or employee of the City indicating the work or any part thereof

complies with City requirements or acceptance of the whole or any part of said work and/or materials, or payments there for, or any combination or all of these acts, shall not relieve the Project Proponent of his obligation to comply with these Conditions of Approval as prescribed; nor shall the City thereby be stopped from bringing any actions for damages arising from the failure to comply with any of the terms and conditions hereof.

6. Prior to issuance of a Notice of Determination, the appropriate filing fee, made payable to the "Stanislaus County Clerk/Recorder", shall be verified as received by the Planning Department. Payment is required within two days of City Council approval. Should the finding of a NOD be found invalid for any reason, the applicant will be responsible for Resource Agency fee.
7. Ministerial fees, including without limitation, application, processing and inspection fees, whether or not revised during the term of this Agreement shall apply to the Project pursuant to this Agreement provided that: (1) such fees, standards and specifications apply to all works within the City; (2) their application to the Project Site is prospective only as to applications for building and other development permits or approvals not yet accepted for processing; and (3) their application would not prevent development in accordance with these conditions. Notwithstanding any Project Approvals to the contrary, the City may charge, and Project Proponent shall pay all ministerial fees (for example, processing and inspection fees), collected at the building permit stage or other approval stage for subsequent site specific approvals, building permits and other similar permits which are in force and effect on a City-wide basis at the time application is submitted for such permits. Such ministerial fees do not include impact fees or other discretionary fees collected prior to the building permit stage or other approval stage. Such ministerial fees and charges shall be no more than the estimated reasonable cost to the City for performing the work for which the particular fee or charge is paid pursuant to Government Code Sections 66014 et seq.
8. Project Proponent shall pay to City, within thirty (30) days of submission of any invoice, detailing all the work done and costs charged to the City, costs incurred by City for services performed by City Attorney in drafting, negotiating, or in any other way connected with, this project, at the current rate charged, and by the City Engineer in reviewing and approving maps, improvement plans, or in any other way connected with, the Project, at the rate charged the City by the City Engineer. The City shall provide an estimate of expected costs incurred.

Prior to Approval of the Tentative Subdivision Map and Parcel Map

9. The Project Proponent shall prepare and submit, as part of the Design Review process, exhibits and/or renderings of the exterior subdivision wall.
10. Project Proponent shall agree to concurrently construct public street improvements on Euclid Avenue within the boundaries of the proposed project as well as the parcel to be excluded from the subdivision per the submitted parcel map.

11. All structures on the existing home site, which is to be excluded from the subdivision per the parcel map, are to be removed or relocated and the area of the proposed subdivision shall be free of any such structures related to the existing home site.

Prior to Submittal/Approval of the Improvement Plans and Final Map

12. Prior to recordation of a final subdivision map, the Project Proponent shall obtain certification from the Community Development Director and the Design Review Committee, that the landscaping and irrigation system generally conforms to City standards and that all of the conditions have been met.
13. The Project Proponent shall provide amenities as described, similar to or exceeding those proposed in the approved tentative map.
14. The Project Proponent shall prepare and submit a design for the installation of mail drop-off boxes within the subdivision and submit the same to the Post Master for initial approval. The approved plan shall thereafter be submitted to the City for review and approval. Project Proponent shall confer with the local US Postal Service authorities to determine locations of cluster mailboxes. If clustering or special locations are specified, easements or other mapped provisions shall be provided in the final map to the satisfaction of the US Postal Service and Hughson Community Development Director. If clustering is not specified, Project Proponent shall provide written evidence from the US Postal Service of the exemption. Project Proponent shall provide the concrete foundation for the cluster boxes at the approved location.
15. The applicant shall be responsible for new streetscape improvements located on the west side of Euclid Avenue and on the south side of Locust Street, including new street lights. Final streetscape improvements shall be included in the Improvement Plans for final approval.
16. The Improvement Plans shall include the following:
 - a. Provisions for project staging
 - b. Designated areas for construction employee parking (on- and off-site).
 - c. Construction office, sales office (if any), hours of construction.
 - d. Details and locations of any decorative walls shall be included and approved by the Community Development Director.
 - e. Show fencing and fencing details. Large expanses of blank wall are not allowed. Articulate or otherwise treat such expanses.
 - f. The pavement at the main entries, at least, shall be enhanced by the use of approved decorative pavement materials. The location, design and materials shall be approved by the Community Development Director. Consideration shall be given to utilizing this material for the entire length of the interior streets.

- g. A final lighting plan prepare by the Project Proponent shall be included to show exterior lighting. Exterior lighting shall be erected and maintained so that adequate lighting is provided in all common areas. The Community Development Director shall approve the design and location of lighting fixtures, which shall reflect the architectural style of the building(s). Exterior lighting shall be shielded and deflected away from neighboring properties and from windows of houses within the project.
 - h. All air conditioners and utility connections for air conditioners shall be located such that all external equipment is located behind solid board fences or walls not to exceed the height of the air conditioner.
 - i. All parking spaces are to meet minimum City of Hughson standards.
 - j. An area within the fenced side yard should be provided for garbage and recycling containers.
 - k. A final color and materials board shall be submitted as part of the Design Review Process and approved by the Hughson Planning Commission. No changes to colors shall be made after construction unless approved by the Community Development Director.
 - l. All above-ground utility meters, mechanical equipment and water meters shall be enclosed within the buildings or shall be screened with shrubs and/or an architectural screen, to be approved by the Community Development Director.
 - m. No mechanical equipment, other than solar panels, shall be placed on the roof. All roof vents shall be shown on roof plans and elevations. Vent piping shall not extend higher than required by building Code. Roof apparatus, such as vents, shall be painted to match the roof color.
 - n. All decorative window treatments shall be extended to all elevations.
 - o. Rear and side entries should be protected by rooflines that match the pitch of roof where viable.
 - p. Before the 19th Certificate of Occupancy is issued, the common area improvements shall be commenced, and before the 39th Certificate of Occupancy is issued, the construction of the common area improvements shall be completed.
17. Any proposal for alterations to the proposed site plan and/or design which does not require a variance to any zoning ordinance standard must be approved by the Community Development Director or his/her designee, prior to implementation.
18. Applicant shall submit the final map application with the improvement plans for the entire project. Said improvement plans and final map shall meet all City standards and submittal requirements except as expressly approved for this Planned Development. The Developer and City agree that based on the greater detail provided in these plans conditions of approval may be updated within the intent of the original conditions.

19. Unless otherwise stated, all necessary easements shall be dedicated, and all improvements shall be designed and installed, at no cost to the City of Hughson.
20. Unless indicated otherwise, the design for development shall comply with the following:
 - a. All improvements shall be designed and constructed in accordance with the City of Hughson Improvement Standards and Specifications and Municipal Code where applicable.
 - b. All construction shall meet the California Building Code (CBC) and all applicable City of Hughson Building Codes and amendments, including Green Building standards.
 - c. Design and construction of all pertinent life safety and fire protection systems shall meet the California Fire Code and all applicable City of Hughson Fire Codes and amendments.
21. A Registered Civil Engineer shall prepare all Civil Engineering improvement plans; a Licensed Architect shall prepare all architectural plans; and a Licensed Landscape Architect shall prepare all landscape unless otherwise indicated herein.
 - a. A detailed drainage plan, to be approved by the City Engineer, designing all on-site drainage facilities to accommodate the runoff associated with a ten (10) year storm and incorporating onsite storm water detention measures sufficient to reduce the peak runoff to a level that will not cause capacity of downstream channels to be exceeded. Existing offsite drainage patterns, i.e., tributary areas, drainage amount and velocity shall not be altered by the development.
 - b. A detailed Stormwater Treatment Plan and supporting documents, following City ordinances and conforming to Regional Water Quality Control Board's Staff recommendations for new development.
22. Improvement and site plans are to be submitted to the Community Development Department electronically.
23. Digitized information shall be submitted before requesting a final inspection and should reflect as-built status and architectural information as approved by the Director.
24. Project Proponent shall obtain, at Project Proponent's sole expense, any and all easements or real property which may be required for the development of the Project, and which may be necessary and required in order for Project Proponent to comply with these Conditions of Approval, and the applicable ordinances and resolutions of the City. All engineering design, including, but not limited to, storm sewers and appurtenances, sanitary sewers and appurtenances, streets including, but not limited to, geometrics, sight distances, lighting and sound walls, water systems and appurtenances, signing and striping, landscaping and appurtenances, shall be supported by applicable engineering studies/calculations, as required by the City Engineer.

25. Pursuant to the Hughson Municipal Code, the developer shall execute a subdivision agreement and post bonds with the City that shall secure the construction of the public improvements. Insurance shall be provided per the terms of the subdivision agreement.
26. The Project Proponent shall provide water and sewer laterals to the proposed common open space site of a size adequate to provide for landscape irrigation, potable water for future restrooms and sewer service for future restrooms. Electrical service shall also be provided to the site.

Final Map

27. The Project Proponent shall record at the time of recordation of the final map reciprocal access, parking, and utility easements with maintenance and repair responsibilities clearly defined among all (future) parcels.
28. Any owners Development liens on the real property included on the final map shall be noted on the final map pursuant to Section 66434.1 of the Subdivision Map Act.
29. All certificates and acknowledgements required pursuant to the Subdivision Map Act shall appear on the face of the final map.
30. A final subdivision map shall be filed with the City Engineer within 24 months of approval of the tentative map by the City Council.
31. The Project Proponent shall coordinate with the City to establish a Community Facilities District (CFD) for public areas of the project site provided for community benefit. To the extent allowed by law, the CFD shall include maintenance and operation of all public amenities of benefit to the future residents of the project site. The CFD shall be established prior to recordation of the final map.

The Project Proponent agrees to cooperate with the City and shall incur all costs associated with formation of, and/or the reimbursement to the City for Staff time used in the formation of, a CFD for public areas of the project site provided for community benefit. To the extent allowed by law, the CFD shall include maintenance and operation of all public amenities of benefit to the future residents of the project site, including but not limited to sweeping, street lights and lighting costs, electric current, street striping, storm drain lines, cleaning, repairs, replacement, supervision, debris removal and any and all other items of work necessary and incidental for the proper maintenance and operation thereof, retention basins and percolation ponds, common on-site landscaping and on-site fences, parks and walls. The community facilities districts shall be established prior to recordation of the final subdivision map of the proposed project. The Project Proponent shall provide written notice to the homebuyers, satisfactory to the City Attorney, that a community facilities district has been established for this development.

All lots within any phased final maps shall be annexed and incorporated into the single District by City Council approval prior to the recordation of each final map. The Project Proponent shall provide all necessary documents and pay all costs associated with formation, annexation and incorporation.

32. Street names shall be subject to the approval of the City Design Review Committee, US Post Office, and emergency service providers, prior to filing of the final map.
33. Developed land must be at least six inches higher than adjoining irrigated lands.
34. Full City utilities shall be extended underground to the ends of applicable public streets which are stubbed to the edges of this project site and are intended to be extended in future phases of development by this, or subsequent Project Proponents.

All existing underground and overhead electric facilities and existing irrigation pipelines within the Project Boundary shall be removed, protected, upgraded, or relocated underground as required by the Turlock Irrigation District, the City Engineer and the Design Review Committee.

Project Proponent shall dedicate necessary easements to, and coordinate with, Pacific Gas & Electric for gas service, Turlock Irrigation District for electricity service, the appropriate company, for telecommunications service, and the appropriate company for cable television service, for the provision of services to the Project, and the underground placement of all lines, pipes, conduits, and vaults and facilities necessary for the provision of such services, at no cost to City. Project Proponent is referred to Hughson Municipal Code Section 5.08.190. All such utilities on the existing frontages of the Project which are not already undergrounded, shall also be undergrounded, at Project Proponent's sole expense and should be dedicated on the final map.

The Project Proponent shall provide evidence of commitment to serve from utilities, including, but not limited to, electrical service, natural gas service, telephone service, cable television service, and postal service. Said evidence shall be reviewed and approved by City Staff prior to approval of the final subdivision map by the City Council.

Due to extensive underground utilities, large root-invasive trees will not be permitted unless utilities therein are appropriately situated per City approval.

Storm Water Quality Requirements

35. The following materials related to the Storm water quality treatment facility requirements shall be submitted with improvement plans and/or grading permit application:
 - a. A Stormwater Treatment Measures Maintenance Agreement shall be submitted to Community Development Department for review and approval. Once approved, the

Maintenance Agreement shall be recorded with the Stanislaus County Recorder's Office to ensure that the maintenance is bound to the property in perpetuity.

- b. A Storm Water Pollution Prevention Plan (SWPPP) shall be submitted with a design to reduce discharge of pollutants and sediments into the downstream storm drain system. The plan shall meet the approval of the City Engineer. The certification page of the SWPPP shall be signed by a Qualified SWPPP Developer (QSD) person who prepared the report.
 - c. Before commencing any grading or construction activities at the project site, the developer shall obtain a National Pollutant Discharge Elimination System (NPDES) permit and provide evidence of filing of a Notice of Intent (NOI) with the State Water Resources Control Board.
 - d. The project plans shall include the storm drain design in compliance with post-construction stormwater requirements to provide treatment of the stormwater according to the National Pollutant Discharge Elimination System (NPDES) permit's numeric criteria. The design shall comply with the C.3 established thresholds and shall incorporate measures to minimize pollutants to the maximum extent practicable (MEP).
 - e. The project plans shall identify Best Management Practices (BMPs) appropriate to the uses conducted on-site to effectively prevent the entry of pollutants into storm water runoff. Roof leaders and direct runoff shall discharge into a landscaped area or a bioretention area prior to stormwater runoff entering an underground pipe system.
36. The developer is responsible for ensuring that all contractors are aware of all storm water quality measures and implement such measures. Failure to comply with the approved construction BMPs will result in the issuance of correction notices, citations or a project stop order.
37. The Project Proponent shall submit a construction Best Management Practices (BMP's) program for review and approval by the Community Development Director prior to issuance of building and/or grading permits. The general contractor and all subcontractors and suppliers of materials and equipment shall implement these BMP's, which shall consist of at least but not be limited to the following measures during all phases of the project:
- a. Gathering of all construction and other debris on a daily basis and placing it in a dumpster or other container which is emptied or removed on a weekly or as needed basis. When appropriate, use of tarps on the ground to collect fallen debris or splatters that could contribute to storm water runoff pollution.
 - b. Removal of all dirt, gravel, rubbish, refuse, and green waste from the street pavement and storm drains adjoining the site. Limit of construction access routes onto the site and placing of gravel on them. Not driving vehicles and equipment off paved or graveled areas during wet weather. 'Broom sweep' of the street pavement adjoining the project site on a daily basis. Scraping of caked-on mud and dirt from these areas before sweeping.

- c. Installation of filter materials (such as sandbags, filter fabric, etc.) at the storm drain inlet nearest the downstream side of the project site in order to retain any debris or dirt flowing in the storm drain system. Filter materials will also be placed around each jobsite. Maintaining and/or replacing filter materials to ensure effectiveness and to prevent street flooding.
 - d. Creating a contained and covered area on the site for the storage of bags, cement, paints, oils, fertilizers, pesticides, or other materials used on the site that have the potential of being discharged into the storm drain system through being windblown or in the event of a material spill.
 - e. Never cleaning machinery, equipment, tools, brushes, or rinse containers into a street, gutter, or storm drain.
 - f. Ensuring that concrete/gunite supply trucks or concrete/plaster operations do not discharge wash water into street, gutters, or storm drains.
 - g. Ensuring all portable toilets used during construction are kept as far as possible from existing residences and are emptied on a regular basis as necessary to prevent odor.
38. Construction site cleanup and control of construction debris shall also be addressed. Failure to comply with the approved construction BMP may result in the issuance of correction notices, citations, or a stop work order.

Public Streets

39. Any dedications, open offers of dedication, or grants of easements may be dedicated and accepted on the face of the map. Agreements or other required items shall be recorded as separate documents concurrently with recordation of the parcel map.
40. Improvements for public streets shall incorporate the following:
- a. The design and locations of street approaches including pedestrian ramps shall be approved by the City Engineer. Pedestrian ramps shall be installed at all street intersections and as where required by the City.
 - b. The street design shall utilize standard curb and gutter. The street sections shall be constructed to Caltrans H-20 loading requirements and City of Hughson public street standards, including sections of decorative pavement. Curb returns and bulb outs shall be designed to facilitate street sweeping.
 - c. The proposed decorative paving shall be enhanced with at least ten feet of raised decorative paving (e.g., interlocking pavers or stamped colored concrete, or bands of decorative paving, etc.). The Community Development Director shall approve the material, color and design, and the City Engineer shall approve the pavement section for the decorative paving. Decorative pavements shall be constructed to Caltrans H-20 requirements.

- d. Upon any necessary repairs to the public facilities under the on-site decorative paved areas, the City shall not be responsible for the replacement cost of the decorative paving. The replacement cost shall be borne by the homeowners' association established to maintain the common areas within the subdivision boundary.
 - e. Existing pavement within the whole width of Locust Street along the entire project frontage shall be seal coated and existing pavement within the whole width of Euclid Avenue along the entire project frontage shall be overlaid with a minimum of two inches of pavement with dig outs as may be required.
 - f. Standard L.E.D. street lights shall be installed along the street frontages.
41. All proposed surface-mounted hardware (fire hydrants, electroliers, etc.) along the proposed streets shall be located outside of the sidewalk within the proposed Public Utility Easement in accordance with the requirements of the City Engineer or, where applicable, the Fire Chief.
42. All street improvements shall conform with the requirements of the Americans with Disabilities Act, including the placement of sidewalk at the rear of the driveway at all driveway locations and adjacent to the back of curb at all non-driveway locations.

Private Streets

43. Improvements for private streets and alleys shall incorporate the following:
- a. All of the private alleys shall be designated as fire lanes and no parking will be allowed except in designated parking areas.
 - b. Pavement Sections for proposed private street and alley improvements shall be designed a minimum Asphalt Concrete (AC) thickness approved by the City Engineer and if permeable pavers are used shall meet City Standard.
 - c. The interior intersections shall be designed as driveway intersections which must meet Fire Department access and turning requirements. Pedestrian curb ramps shall be installed to facilitate access and circulation throughout the development.
 - d. Internal subdivision streetlights and pedestrian lighting shall be owned and maintained by the homeowners association and shall have a decorative design approved by the Community Development Director.
 - e. The private alleys shall be dedicated as utility easements.

Storm Drainage

44. A detailed hydrology/drainage study shall be completed at the expense of the project proponent, and shall provide for a Plan Area positive drainage system via on-site detention basin within common open space area offering temporary storage and percolation with collection and

transmission to the ultimate storm water drain system. This may require double-piping in some streets and valves at basins.

45. The on-site storm drain system shall be a private system owned and maintained by the homeowners association.
46. The project streets, driveways and parking areas shall be designed to facilitate street sweeping, including the layout of the tree and handicap ramp bulb outs. The HOA shall be responsible for street sweeping on a regular basis.
47. Improvements for storm drain systems shall incorporate the following:
 - a. The locations and design of storm drains shall meet the City's standard design and be approved by the City Engineer and if necessary. Any alternative design shall be approved by the City Engineer prior to installation.
 - b. Storm drain pipes in streets and alleys shall be a minimum of twelve inches in diameter with a minimum cover of three feet over the pipe unless otherwise approved by the City Engineer.
 - c. The project shall not block runoff from, or augment runoff to, adjacent properties. The drainage area map developed for the project hydrology design shall clearly indicate all areas tributary to the project area. The developer is required to mitigate unavoidable augmented runoffs with offsite and/or on-site improvements.
 - d. No surface runoff is allowed to flow over the sidewalks and/or driveways. Area drains shall be installed behind the sidewalks to collect all runoff from the project site.
 - e. All storm drain inlets must be labeled "No Dumping - Drains to River," using City-approved methods.

Sewer System

48. Project Proponent is responsible for constructing all on-site sanitary sewer facilities and the connection for the proposed project to the sewer main. All sanitary sewer improvement necessary to serve the project shall be complete and in place and accepted by the City prior to use of the sanitary sewer system.
49. All public sewer mains and appurtenances shall be constructed in accordance to the City's Improvement Standards and Specifications and the Sewer Master Plan.
50. The on-site sanitary sewer system shall have 8-inch public mains, designed with a manhole at all angle points and ending with a manhole. The main design and location shall meet the approval of the City Engineer.

51. Each residential unit shall have an individual sanitary sewer lateral. The sewer laterals shall have cleanouts and be constructed per City Standards.
52. Project Proponent shall cause to be placed, at Project Proponent's expense, terminal manholes in courts and knuckles.

Water System

53. Water service is available from the City of Hughson and is subject to standard conditions and fees in effect at the time of application.
54. The Project Proponent shall be responsible for the purchase of one (1) radio tower in order for new water meter radios to be able to transmit usage information. The City is implementing a wireless, cloud-based water usage tracking system.
55. Project Proponent shall, at Project Proponent's expense, install two water sampling stations, with at least 25 lots between, and 1 lot before and after, each station. Such stations shall be constructed to plans approved by the City Engineer.
56. Irrigation lines, canals, or rights-of way are to be abandoned in accordance with Turlock Irrigation District standards. Since this parcel will no longer irrigate, the Project Proponent, at the Project Proponent's expense, shall obtain an agreement with the Turlock Irrigation District to abandon use of any irrigation facilities. This must be requested and signed by the holders of title before final map approval. The Turlock Irrigation District will require two copies of detailed improvement plans for further review and comment. The Project Proponent shall also enter into an Irrigation Improvement Agreement with the Turlock Irrigation District for any work to remove existing irrigation works or to construct new irrigation works.
57. The development's water mains shall be public, owned and maintained by the City. The subdivision shall have a looped design water system. For this planned development, the developer will install clusters of water services at the head of each driveway approach road to minimize the extent and length of dead-end water lines.
58. Where a public water main is in an unpaved easement or under decorative, the water main shall be constructed of Ductile iron. Shut-off valves are required where a water main transitions from a paved area to an unpaved easement.
59. All public water mains shall be constructed in accordance with the City's Improvement Standards and Specifications and the Water Master Plan.
 - a. Water mains and services, including the meters must be located at least 10 feet horizontally from and one-foot vertically above any parallel pipeline conveying untreated sewage (including sanitary sewer laterals), and at least four feet from and one foot vertically above any parallel pipeline conveying storm drainage, per the current California

Waterworks Standards, Title 22, Chapter 16, Section 64572. The minimum horizontal separation distances can be reduced by using higher grade piping materials with the City's approval.

60. All water services from existing water mains shall be installed by City Water Distribution Personnel at the applicant/developer's expense. This includes relocating existing services and water main tie-ins. The developer may only construct new services in conjunction with the construction of new water mains.
 - a. Only Water Distribution Personnel shall perform operation of valves on the Hughson Water System.
61. Each dwelling unit shall have an individual water meter.
 - a. All water meters shall be radio-read type.
 - b. Water meters shall be located a minimum of two feet from the top of driveway flare as per City Standards.
62. Each structure shall have its own fire service, sized per the requirements of the Fire District. Fire Services shall have an above ground Double Check Valve Assembly per District Standard. Residential combined domestic and fire services are allowed. The minimum size for a residential fire service connection is 1 inch.

Utilities

63. All utilities shall be designed in accordance with the requirements of the City of Hughson and applicable public agency standards.
64. All utilities must be undergrounded.
65. All services to dwellings shall be undergrounded and installed in accordance with all utility providers, including their highest and best service (i.e. fiber optic network, etc.). Underground utility plans must be submitted for City approval prior to installation.

Site Requirements

66. Project Proponent shall coordinate the timing of required Locust Street improvements with the Hughson Unified School District.
67. Project Proponent shall provide and maintain gated connection to the Hughson Sports and Fitness Complex.

Prior to Issuance of Grading or Building Permit

Planning Division

68. This approval does not guarantee the availability of sufficient water to serve the project. In the case of catastrophic water event, the City shall withhold building permits for the project if at the time building permits are applied for mandatory water rationing is in effect. The City may withhold building permits if the City determines that sufficient water is not available at the time of application of building permits.
69. All new dwelling units shall be fitted with a solar-ready infrastructure so that each dwelling unit can be easily converted to solar by the installation of solar panels, and a solar option shall be offered to future buyers where building orientation for such installation is feasible.
70. Those conditions which are imposed or agreed to in the design review process shall survive the final map in the sense that the project proponent shall insure that any purchaser of any lot or lots receives a copy of these conditions of approval and of any conditions imposed or agreed to in the design review process and proof of such receipt shall be given to the City and any such purchaser of any lot or lots understands by this reference that no building permit will be issued for that lot or lots unless the conditions imposed or agreed to in the design review process are complied with by the actual builder.
71. The Project Proponent shall prepare a deed restriction for each new lot in the proposed project indicating the right-to-farm for the adjacent properties as applicable. The deed restriction shall only be enforced as long as the adjacent farm operations continue and are not converted to non-farm land uses. The deed restriction shall be recorded against each lot upon transfer by deed of such lot. Evidence of said recordation shall be submitted to the City Manager prior to issuance of any building permits for any new lots in the proposed project. Project Proponent shall prepare this deed restriction to the satisfaction of the City for each new lot in the proposed subdivision. The restriction shall make reference to the storage and use of hazardous materials at all industrial and farming operations.
72. The haul route for all materials to and from this development shall be approved by the City Engineer prior to the issuance of an encroachment permit.
73. All signage shall conform to the City Sign Ordinance in regards to size, design, and location. All signs shall be reviewed, approved, and a sign permit obtained prior to installation.
74. Project Proponent shall reimburse the City for all engineering, inspection, legal, and administrative expenses, incurred or to be incurred by the City in connection with this development, including expenses incurred through the use of outside consultants and additional inspectors, where necessary. An account with the City for costs associated with the processing for the project will be established by Project Proponent. At the time of submission of

the improvement plans for the project, the Project Proponent shall deposit funds sufficient to raise said account to the total of \$25,000. The City shall account to Project Proponent for all expenses for which reimbursement is claimed, providing copies of all back-up materials in a timely manner, and shall return any portion of said deposit in excess of the actual amount of expenses incurred. If, in the judgment of the City Manager, it appears that the amount deposited shall not be sufficient to cover all expenses, Project Proponent shall, within 15 days after written request from City, make an additional deposit of funds in an amount determined by the City Manager to be sufficient to make up the deficiency. At no time after submission of improvement plans shall the balance of the deposit fund be less than \$5,000. The need for the maintenance of this account shall cease upon; 1) compliance with all tentative map conditions, 2) compliance with all of the provisions of subdivision improvement agreements for the project, 3) compliance with all mitigation measures set forth in the mitigation monitoring plan, 4) acceptance of the subdivision, and 5) 90 days after completion of construction, all final inspections and final acceptance by the city of all improvements.

75. A project sequencing plan, which shall include the timing of subdivision improvements, common area, exterior improvements and housing units shall be approved by the Community Development Director and the City Engineer prior to the issuance of the first building permit.
76. Project Proponent shall pay an applicable development fee per dwelling unit in accordance with the City's adopted or Developer Impact Fee programs.
77. School Impact Fees shall be submitted to the Hughson Unified School District prior to the time of issuance of building permits for lots in the proposed project. School impact fees shall include those fees required by the state, as well as any additional amount agreed upon by the Project Proponent and the District for each residential lot created by the proposed project.
78. The Project shall conform to the requirements of the Hughson Fire District. Project Proponent shall, at Project Proponent's expense, install fire hydrants which shall be tested for flow and color-coded to represent the amount of flow, as specified by the Hughson Fire Protection District. Fire hydrants shall be placed on property lines. Reflectors shall be placed in the street adjacent to the fire hydrants. Curbs at the fire hydrants shall be painted to prevent parking. Prior to any construction framing, the Project Proponent shall provide adequate fire protection facilities, including, but not limited to surface roads, fire hydrants, and a water supply and water flow in conformance to the City's Fire Department Standards able to suppress a major fire. When alternate methods of fire protection are approved by the Fire Chief, this requirement may be waived or modified. Proposed alternative methods of fire protection shall be submitted in writing to the Fire Chief prior to any framing construction. Work on the alternative fire protection methods shall not begin until approved by the Fire Chief.
79. Fire retardant (shake, tile, etc.) Class C minimum roofing shall be required on all buildings.

80. Internally illuminated address numbers shall be installed on all residences to be easily readable from the public street for emergency services, consistent with Fire Department requirements. In addition, internal illuminated address numbers shall be installed on the exterior of all garages facing alleyways to allow for property identification from the rear alley.
81. Connections to public streets and internal subdivision sidewalks and common areas shall include access ramps.
82. The Project Proponent shall keep the site free of fire hazards from the start of lumber construction until the final inspection.
83. All curbs located within a seven feet, six inch (7' 6") radius of a public/private fire hydrant shall be painted red, unless, modified by the Fire Chief. Blue street "hydrant markers" shall be installed for all fire hydrants per City Standard Specifications.
84. All public and private streets, driveways, aisles, and alleys designated as fire lanes by the Fire Chief shall be maintained in accordance with Articles 9 and 10 of the Uniform Fire Code which permits towing vehicles illegally parked on the fire lanes. Fire lane curbs shall be painted red with "No Parking, Fire Lane, Tow Away Zone" or "No Parking, Fire Lane, Tow Away Zone" signs shall be installed as required by the Vehicle Code.
85. Prior to commencement of any grading or other subdivision improvements the Project Proponent shall provide proposed trucking routes for all equipment and material deliveries. Damage to any public improvements, on or off site caused by construction operations, during construction on the subject property shall be repaired to the satisfaction of the City Engineer at full expense to the Project Proponent. This shall include slurry seal, overlay, or street reconstruction if deemed warranted by the City Engineer.
86. The water main system shall be in place, operational, and use approved by the City prior to the beginning of combustible construction or other arrangements made acceptable to the City or Hughson Fire Protection District for adequate fire protection.

All sanitary sewer improvement necessary to serve each phase shall be complete and in place and accepted by the City prior to use of the sanitary sewer system. All improvements shall be provided in a manner which will not surcharge the existing City sanitary sewer collection system.

87. A grading permit shall be required prior to mass grading for the project, and include Best Management Practices for erosion and dust control, and immediate revegetation of the site as needed for erosion control. Erosion controls shall be utilized to prevent dirt from lots going into street rights-of-ways and into drainage systems.
88. The Project Proponent shall submit a final grading and drainage plan prepared by a licensed civil

engineer depicting design for the line, grade, on- and off-site drainage control measures, structural sections for the streets and all public improvements serving the development, including land use, infrastructure, circulation and streetscapes, public/park facilities, landscaping and trails, design expectations and environmental mitigation components.

This plan shall be subject to the review and approval of the City Engineer, and all lot grades shall conform to the approved grading plan, with written certification by a civil engineer or geotechnical engineer required to assure compliance with all grading plans prior to the issuance of any building permits, and shall be subject to the following:

- a. All lots shall drain toward the street and grade difference with adjacent properties shall not exceed .50 foot within the same development, as well as with any adjacent new development under simultaneous, phased or concurrent construction.
- b. Special drainage design to prevent drainage across property lines.
- c. All required structures such as walls, fences, and drainage facilities, shall be shown on the plan.
- d. Developed land must be at least six inches higher than adjoining irrigated lands.

Not more than a one-foot grade differential will be created between new lots and adjacent existing developed lots outside the property territory, unless required and supported by engineering documentation illustrating extreme adverse results, and only with approval of the City Engineer and the Design Review Committee.

Prior to the issuance of any building permits, lot grades shall conform to the approved grading plan. Written certification by a civil engineer or geotechnical engineer will be required to assure compliance with all grading plans.

The Project Proponent shall submit record tract grading plans showing:

- a. The elevation of all four (4) corners of the lot as well as the center of the lot;
- b. All top and toe of slope elevations, and
- c. The top and bottom of all retaining wall elevations.
- d. Plan will show grading in relation to all adjacent lots, parcels and developments.

89. The soils engineer shall certify the pad compactions of all lots containing fill to the satisfaction of the Public Works and City Engineer prior to the issuance of building permits.
90. The Project Proponent shall be responsible for obtaining any and all permits and approvals from public agencies whose jurisdiction the project may fall under including, but not limited to, Caltrans, the Regional Water Quality Control Board, the California Department of Fish and Game, the U.S. Army Corps of Engineers, the Stanislaus County Water Resources Agency and the City of Hughson.

91. Storm drainage swales, gutters, inlets, outfalls, and channels not within the area of a dedicated public street or public service easement approved by the City Engineer shall be privately maintained by the Homeowners Association.
92. All improvements shall allow for continuous maintenance access. Maintenance access measures shall include, but not be limited to, an all weather access ramp to and around the sides of the retention pond for maintenance vehicle access.
93. Project Proponent shall, at Project Proponent's expense prepare and submit a Dust Emission Control Plan for Project Grading. The Plan shall require that contractor work specifications shall include provisions for adequate water to be applied during construction in order to control dust disturbance resulting from grading operations. The Plan and related contractor work specifications shall be reviewed and approved by the City prior to issuance of a grading permit. Dust control measures shall be applied in accordance with all ordinances, rules and regulations of the Stanislaus County Water Resources Agency regarding use of reclaimed or other sub-potable water for compaction or dust control purposes. Additionally, the Plan will be reviewed to assure compliance with applicable air quality programs, such as those related to particulate emissions, overseen by the San Joaquin Valley Unified Air Pollution Control District (SJVUAPCD). The construction phase of the project shall conform to SJVUAPCD regulations.

Landscape

94. All front yards of all lots shall be landscaped at the time of construction and shall utilize landscaping as approved by the City Engineer, Community Development Director, and the Design Review Committee.
95. The Project Proponent shall provide root control barriers and four inch (4") perforated pipes for parking lot trees, street trees, and trees in planting areas less than ten feet (10' 0") in width, as determined necessary by the Community Development Director and the Design Review Committee at the time of review of the final landscape plans.
96. Prior to the approval of improvement plans or issuance of the first building permit, detailed landscape and irrigation plans shall be reviewed and approved by the City and shall be a part of approved improvement plans and the building permit submittal. The plans shall be prepared by a licensed landscape architect on an accurately surveyed base plan and shall comply with the City's Low Impact Development plan and Municipal Codes.
97. Landscaping shall be designed with efficient irrigation to reduce runoff, promote surface infiltration, and minimize the use of fertilizers and pesticides that can contribute to stormwater pollution. Where feasible, as determined by the City Engineer, landscaping should be designed and operated to treat stormwater runoff. Landscaping shall also comply with the City's "low impact development manual".

98. Landscaping Plans shall incorporate the following:
- a. Underground Utilities: Locations and layout of all underground utilities lines, boxes and vaults shall be provided as base information on planting plans to minimize conflict with tree planting.
 - b. Street Tree Planting along Public and Private Streets: One twenty-four-inch box tree shall be planted at every thirty feet on center in addition to required front yard trees.
 - 1) Required Screening of Above-Ground Utilities including Trash Enclosures: Above ground utilities (e.g. gas or electric meters, backflow devices) and trash enclosures shall be located from public/street view, and shall be screened with trees, shrubs, groundcovers and vines on all three sides except the side where access is located.
 - 2) All trees shall be planted twenty feet from a corner, a minimum of five feet away from any underground utilities, a minimum of fifteen feet from a light pole, or as otherwise specified by the city. Root barrier shall be provided for all trees that are located within seven feet of paved edges or structure. Trees shall be planted according to the City Standard Detail.
 - c. C.3 Stormwater Treatment in Landscape Areas:
 - 1) A landscape area shall be provided around bio-treatment areas located adjacent to hardscape areas such as curbs, sidewalks, walkways and structures. The City will require a matched precipitation rotator type irrigation system on a separate valve for the stormwater treatment area irrigation. All spray irrigation systems shall be set back twenty-four inches from all impervious hardscape edges such as curbs, sidewalks, walkways and structures.
 - 2) Utility boxes and vaults, light fixtures and fire hydrants shall have minimum five feet of clearance from the edge of Stormwater Treatment areas unless otherwise approved by the City Engineer.
 - 3) Landscape areas may be used to comply with the Stormwater Treatment requirements; however, all tree planting requirements shall apply. A wider landscape area may be provided if necessary to accommodate both bio-treatment and tree planting.
 - d. A hose bib shall be provided within each private yard.
 - e. Safety site lighting shall be provided along private driveway. Site lighting shall not be located to prohibit tree planting required by Zoning Ordinance.
 - f. The minimum dimension for all planting areas should be five feet, including tree wells in parking lots or sidewalks measured from back of curb/paving unless otherwise approved by the City Engineer.

- g. Concrete curb shall be constructed to a height of six inches above the adjacent finished pavement when landscape area adjoins roadways or parking areas.

Fire Protection

99. An all weather surface road, suitable to the Hughson Fire Protection District, adequate for interim emergency vehicle access shall be provided to the project. Interim emergency vehicle access shall be in place prior to placement of construction materials, or beginning construction of structures on the site. Project Proponent shall acquire a permanent emergency vehicle access which shall be dedicated to the City by the property owner, prior to any occupancy.
100. The minimum number of fire hydrants shall be provided in accordance with the Hughson Fire Code Ordinance and the California Fire Code. The average spacing between hydrants is 300 feet. All homes shall be within 300 feet of a fire hydrant. Spacing and locations of fire hydrants shall be subject to review and approval by the Hughson Fire District.
101. Fire flow requirements for this development shall be 3,000 gallons per minute at 20 psi. A 50 percent reduction will be allowed in the fire flow for automatic fire sprinkler systems, which are required to be installed within each home.
 - a. Provide water/fire flow test data information on the plan, including static pressure, residual pressure, Pitot pressure, test flow, calculated available water flow at 20 psi and test date. This information is available for Community Development Department.

Hazardous Materials

102. Any wells, septic tank systems and other subsurface structures shall be removed properly in order not to pose a threat to the development construction workers, future residents or the environment. Notification shall be made to the Community Development Department at least 24 hours prior to removal. Removal of these structures shall be documented and done under permit, as required by law.

Solid Waste

103. The Project Proponent shall submit a waste management plan to the Building Department prior to issuance of building permits. The plan shall include the estimated composition and quantities of waste to be generated and how the Project Proponent intends to recycle at least 50% (fifty percent) of the total job site construction and demolition waste measured by weight or volume. Proof of compliance shall be provided to the Chief Building Official prior to the issuance of a final building permit. During demolition and construction, the Project Proponent shall mark all trash disposal bins "trash materials only" and all recycling bins "recycling materials only". The Project Proponent shall contact Waste Management for the disposal of all waste from the site.

Construction

104. During construction, hazardous materials used and hazardous waste generated shall be properly managed and disposed.
105. The Project Proponent shall be responsible for all work performed by any and all contractors and subcontractors.
106. Before commencing work pursuant to any City-approved permit or other entitlement relating to the Project, Project Proponent shall obtain the insurance required under this Section and receive the approval of the City Manager or his designee as to form, amount and carrier. Project Proponent shall furnish City satisfactory evidence of the insurance and shall maintain the insurance until completion of the project. Project Proponent shall also provide evidence that the carrier is required to give the City at least ten (10) days' prior written notice of the cancellation or reduction in coverage of a policy. The insurance shall name the City as an additional insured and extend to the City, its elective and appointive boards, commissions, officers, agents, employees and representatives and to the Project Proponent and each contractor and subcontractor performing work on the Project.
107. Worker's Compensation Insurance: Project Proponent shall maintain workers' compensation insurance for all persons employed at Project Site. Project Proponent shall require each contractor and subcontractor similarly to provide workers' compensation insurance for their respective employees. Project Proponent agrees to indemnify the City for damage resulting from Project Proponent's failure to take out and maintain such insurance.
108. Public Liability and Property Damage Insurance: Project Proponent shall maintain public liability insurance in an amount not less than \$1,000,000.00 for each injury (including death) to any one person and subject to the same limit of any one occurrence.
109. Project Proponent shall provide City with proof of Workman's Compensation and Liability insurance every six months.
110. A qualified professional geotechnical engineer shall perform on-site monitoring of all grading and excavation activities on the project site. Evidence of an agreement with a geotechnical engineer shall be submitted for review and approval of the Community Development Director and City Engineer prior to commencement of any grading activities or any underground work. The geotechnical engineer shall submit evidence that grading and excavation were performed consistent with the recommendations of the geotechnical investigation. Evidence shall be submitted prior to issuance of building permits for each individual lot.

Prior to Completion of Site Improvements

111. Project Proponent shall replace, or have replaced, or repair or have repaired, as the case may be, all monuments shown on the Map which have been destroyed or damaged, and Project

Proponent shall replace or have replaced, repair, or have repaired, as the case may be, or pay to the owner, the entire cost of replacement by reason of any work done hereunder, whether such property be owned by the United States or any agency thereof, or the State of California, or any agency or political subdivision thereof, or by the City or by any public or private corporation, or by any person whomsoever, or by any combination of such owners. Any such repair or replacement shall be to the satisfaction and subject to the approval of the City Engineer. Project Proponent shall provide such monumentation as may be required by City Engineer, in accordance with accepted standards.

112. The Community Development Director may allow earlier "start-times" for specific building construction activities, e.g., concrete-foundation/floor-pouring, if it can be demonstrated to the satisfaction of the Planning Director that the construction and construction traffic noise can be mitigated.
113. All mechanical equipment shall be maintained in such a manner that noise emanating from it will not be perceptible beyond the property plane of the subject property in a normal environment for that zoning district.
114. The Project Proponent shall adjust all sprinkler systems to meet minimum and maximum watering requirements, and shall inform the purchaser of such requirements.
115. Developer shall conform to and abide by all applicable California State Laws pertaining to construction of public improvements.
116. Upon completion of construction, the Fire District will complete a final walk- through inspection.

During Construction

117. Project Proponent shall, at Project Proponents expense, and under City's direction, provide for traffic control, during construction, so as to minimize the impact on residents surrounding or adjacent to the Project. In this connection, Project Proponent agrees that, during any construction within or as a part of the overall Project, all existing roadways as of the date of approval of this vesting tentative subdivision map shall, at all times, remain passable to a minimum of two lanes of traffic, one in each direction, or an acceptable detour approved by City. Project Proponent further agrees that if, at any time, City shall determine that there are not sufficient acceptable traffic lanes or acceptable detour which are passable, that all construction by Project Proponent shall immediately cease upon written demand therefore, by City.
118. If archeological materials are uncovered during project implementation, grading, trenching, or other on-site excavation, all work on site shall be stopped and the City immediately notified. The county coroner and the Native American Heritage Commission shall also be notified and procedures followed as required by the California Environmental Quality Act (CEQA) and California law. A similar note shall appear on the improvement plans.

119. The developer shall ensure that unpaved construction areas are sprinkled with water as necessary to reduce dust generation. Construction equipment shall be maintained and operated in such a way as to minimize exhaust emissions.
120. All diesel powered equipment (≥ 100 horsepower) shall be California Air Resources Board (CARB) Tier 3 Certified or better.
121. The following control measures for construction noise, grading and construction activities shall be adhered to, unless otherwise approved by the Community Development Director or City Engineer:
 - a. Grading and site construction activities shall be limited to the hours 7:00 AM to 10:00 PM Monday through Friday and 8:00 AM to 10:00 PM Saturday and Sunday including legal holidays;
 - b. Grading and construction equipment shall be properly muffled to meet Department of Motor Vehicle noise standards;
 - c. Unnecessary idling of grading and construction equipment is prohibited;
 - d. Stationary noise-generating construction equipment, such as compressors, shall be located as far as practical from occupied residential housing units;
 - e. Daily clean-up of trash and debris shall occur on streets utilized by construction equipment or vehicles making deliveries.
 - f. Gather all construction debris on a regular basis and place them in a dumpster or other container which is emptied or removed on a weekly basis. When appropriate, use tarps on the ground to collect fallen debris or splatters that could contribute to storm water pollution;
 - g. Remove all dirt, gravel, rubbish, refuse and green waste from the sidewalk, street pavement, and storm drain system adjoining the project site. During wet weather, avoid driving vehicles off paved areas and other outdoor work;
 - h. The site shall be watered twice daily during site grading and earth removal work, or at other times as may be needed to control dust emissions;
 - i. All grading and earth removal work shall follow remediation plan requirements, if soil contamination is found to exist on the site;
 - j. Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites;
122. The minimum soils sampling and testing frequency shall conform to Chapter 8 of the Caltrans Construction Manual. The subdivider shall require the soils engineer to daily submit all testing and sampling and reports to the City Engineer.
123. The City shall be notified immediately if hazardous materials or associated structures are discovered during demolition or during grading. These shall include, but shall not be limited to,

actual/suspected hazardous materials, underground tanks, or other vessels that contain or may have contained hazardous materials.

Prior to Construction Completion/Issuance of Certificate of Occupancy

124. Final inspection by the Building Department is required prior to issuance of certificate of occupancy.
125. In addition to any specifics regarding lighting elsewhere noted in these conditions, Project Proponent understands that all lighting on a given street will be fully operational prior to any occupancy being granted on that street.
126. Prior to final acceptance, Project Proponent shall file with the City of Hughson one set of reproducible mylar "record drawings", two sets of "record drawings", and one electronic version. Said drawings shall meet all requirements of Section 66434 of Subdivision Map Act. Said set of drawings shall contain a copy of sheets with construction changes made or an indication that no changes were made and shall be submitted for approval by the City Engineer. The disk shall also provide the following information:
 - a. The street addresses on lots; and
 - b. Building outlines for all existing structures.
127. The City Engineer or other authorized representative of the City shall inspect all of the Public Improvements to see that they comply with City subdivision regulations including, but not limited to, these Conditions of Approval, Standard Specifications and Design Expectation Guidelines. The Project Proponent hereby grants access to the Project and Project Site for inspection purposes and agrees to notify City Engineer at least 48 hours in advance of required inspection. Project Proponent shall pay to City the actual cost to City for all inspection, and other services furnished by City in connection with the Project by paying Plan Check and Inspection fees, and shall also reimburse City for the actual cost charged to City by City Engineer for all services performed in accordance with these Conditions, such charges to be at the normal rate charged the City by the City Engineer. However, all costs in soil testing, concrete testing and compaction testing will be the responsibility of the Project Proponent. Plan check and inspection fees will be based on the approved engineer's estimate.
128. If the Project Proponent deviates from the approved improvement drawings, specifications or standards, or shall construct any Public Improvements in such a manner so as to, in the opinion of the City Engineer, endanger the public safety, the City may cause the necessary corrections to be made without notice. In the event such deviations do not, in the opinion of the City Engineer, endanger the public safety, the City Engineer may give the Project Proponent written notice of such deviations, and the Project Proponent shall correct the deviation in the time prescribed by the City Engineer. In the event of the failure of the Project Proponent to make corrections of deviations, whether or not the public safety is affected, the City may cause the

necessary corrections to be made and shall be reimbursed by the Project Proponent at cost plus 25%. Said amount shall be deducted from the reimbursement by the City to the Project Proponent or shall be paid for by the Project Proponent prior to the acceptance of the improvements, or shall be obtained from the improvement securities. Project Proponent shall perform any changes or alterations in the construction and installation of such Public Improvements required by City, provided that all such changes or alterations do not exceed 10 percent of the original total estimated cost of such Public Improvements.

129. Prior to final inspections, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the Community Development Director and City Engineer.
130. Prior to the issuance of the first Certificate of Occupancy, all landscape and irrigation should be substantially completed in accordance to the approved plan. An Irrigation Schedule shall be submitted prior to the final inspection and acceptance of improvements.
131. Landscape and tree improvements shall be installed according to the approved plans prior to the occupancy of each building. All common area landscaping, irrigation and other required improvements shall be installed prior to acceptance of tract improvements, or occupancy of eighty percent of the dwelling units, whichever first occurs and a Certificate of Completion, as-built Mylar and an Irrigation Schedule shall be submitted prior to the Final Approval of the landscaping for the Tract to the Community Development Department by the developer.
132. Prior to the sale of any individual lot, or prior to the acceptance of subdivision improvements, whichever first occurs, a homeowners' association shall be created to maintain the common area landscaping and open space amenities. Each owner shall automatically become a member of the association and shall be subject to a proportionate share of maintenance expenses. A reserve fund shall be maintained to cover the costs of replacement and repair.
133. A covenant or deed restriction shall be recorded with each lot requiring the property owner to properly maintain the front yard landscaping, and street trees.
134. A provision that if the property owners' association fails to maintain the landscaping and irrigation in all common areas for which it is responsible so that owners, their families, tenants, or adjacent owners will be impacted in the enjoyment, use or property value of the project, the City shall have the right to enter upon the project and to commence and complete such work as is necessary to maintain the common areas and private streets, after reasonable notice, and lien the properties for their proportionate share of the costs.

Community Facilities District

135. Prior to issuance of the first Certificate of Occupancy for a single family home, the developer shall form a Community Facilities District (CFD) to provide funding for operations, maintenance and servicing of public infrastructure, facilities, improvements, landscaping and other features in public rights-of-way. This shall be in addition to the project proponent's proposed HOA which will provide funding for all private areas within the project site.
136. Prior to approval of the final map, the developer shall provide a \$10,000 deposit to the City to cover the costs associated with formation of the Community Facility District.

Homeowners' Association

137. Prior to the sale of any parcel, or prior to the acceptance of site improvements, whichever occurs first, Conditions, Covenants and Restrictions (CC&R's) creating homeowners association shall be reviewed and approved by the Community Development Director and City Attorney and recorded. The CC&R's shall describe how the stormwater BMPs associated with privately owned improvements and landscaping shall be maintained by the association. The CC&Rs shall include the following provisions:
 - a. Each owner shall automatically become a member of the association(s) and shall be subject to a proportionate share of maintenance expenses.
 - b. A reserve fund shall be maintained to cover the costs of improvements and landscaping to be maintained by the Association(s).
 - c. The association shall be managed and maintained by a reputable professional property management company.
 - d. The homeowners association(s) shall own and maintain on-site storm drain systems.
 - e. The homeowners association(s) shall maintain the common area irrigation system and maintain the common area landscaping in a healthy, weed-free condition at all times. The homeowner's association(s) representative(s) shall inspect the landscaping on a monthly basis. Trees shall not be severely pruned, topped or pollarded. Any trees that are pruned in this manner shall be replaced with a tree species selected and size determined by the City.
 - f. A provision that if the homeowners association fails to maintain the decorative walls, landscaping and irrigation in all common areas for which it is responsible so that owners, their families, tenants, or adjacent owners will be impacted in the enjoyment, use or property value of the project, the City shall have the right to enter upon the project and to commence and complete such work as is necessary to maintain the common areas and private streets, after reasonable notice, and lien the properties for their proportionate share of the costs.

- g. A requirement that the building exteriors and fences shall be maintained free of graffiti. The owner's representative shall inspect the premises on a weekly basis and any graffiti shall be removed within 72 hours of inspection or within 72 hours of notification by the City.
- h. The garage of each unit shall be maintained for off-street parking of two vehicles and shall not be converted to living or storage areas. An automatic garage door opening mechanism shall be provided for all garage doors.
- i. The residents shall not use parking spaces for storage of recreational vehicles, camper shells, boats or trailers. These parking spaces shall be monitored by the homeowners association. The homeowners association shall remove vehicles parked contrary to this provision. The CC&R's shall include authority for the HOA to tow illegally-parked vehicles.
- j. Individual homeowners shall maintain in good repair the exterior elevations of their dwelling. The CC&Rs shall include provisions as to a reasonable time period that a unit shall be repainted, the limitations of work (modifications) allowed on the exterior of the building, the formation of a design review committee and its power to review changes proposed on a building exterior and its color scheme, and the right of the homeowners association to have necessary work done and to place a lien upon the property if maintenance and repair of the unit is not executed within a specified time frame. The premises shall be kept clean and free of debris at all times. Color change selections shall be compatible with the existing setting.
- k. Any future major modification to the approved site plan shall require review and approval by the Planning Commission.
- l. Streetlights and pedestrian lighting shall be owned and continually maintained and operated by the homeowners association and shall have a decorative design approved by the Planning Director and the City Engineer.
- m. Street sweeping of private streets, alleys and parking bays shall be conducted at least once a month.
- n. Balconies may not be used for storage and personal items may not be draped over the railings.
- o. The association shall ensure that no less than 75 percent of the units shall be owner-occupied. The CC&Rs shall further provide that the leasing of units as a regular practice for business, speculative investment or other similar purpose is not permitted. However, to address special situations and avoid unusual hardship or special circumstances, such as a loss of job, job transfer, military transfer, change of school or illness or injury that, according to a doctor, prevents the owner from being employed, the CC&Rs may authorize the governing body to grant its consent, which consent shall not be unreasonably withheld, to a unit owner who wishes to lease or otherwise assign occupancy rights to a specified lessee for a specified period.

138. The homeowners association shall maintain all fencing, parking surfaces, common landscaping, lighting, trash enclosures, drainage facilities, project signs, exterior building elevations, entry gates, etc. The CC&Rs shall include provisions as to a reasonable time period that the building shall be repainted, the limitations of work (modifications) allowed on the exterior of the buildings, and its power to review changes proposed on a building exterior and its color scheme, and the right of the homeowners association to have necessary work done and to place a lien upon the property if maintenance and repair of the unit is not executed within a specified time frame. The premises shall be kept clean.
 139. All common area landscaping, irrigation and other required improvements shall be installed according to the approved plans.
 140. The subdivider shall submit an AutoCAD file format (release 2010 or later) in a CD of approved final map and 'as-built' improvement plans showing lot and utility layouts that can be used to update the City's Base Maps.
 141. The Project Proponent shall furnish City with a warranty bond in the amount of 10% of the improvement costs to guarantee Public Improvements for a period of one year following the completion by Project Proponent and filing of Notice of Completion by City against any defective work or labor done, or defective materials furnished, or adverse effect to any portion of adjacent properties in the construction of the Public Improvements. Project Proponent agrees to remedy any defects in the improvements arising from faulty or defective construction of said improvements that occur within one years of acceptance, and to incur all expenses of such repairs that exceed the 10% bond.
-

Conditions from Responsible Agencies

Stanislaus Consolidated Fire Protection District:

142. Developer shall pay all Public Facilities Impact Fees and Fire Facilities Fees. The fees shall be payable at the time of issuance of the building permit for any construction and shall be based on the rates in effect at the time of building permit issuance.
143. Fire department access and water for fire protection shall be provided and maintained in accordance with all requirements, applicable codes and ordinances. Two ingress/egress accesses shall be provided.

Stanislaus County Department of Environmental Resources:

144. All existing on-site wells and/or septic tanks shall be destroyed under permit from the Department of Environmental Resources (DER) and in accordance with all laws and polices as regulated by Stanislaus County and California State Model Well Standards.

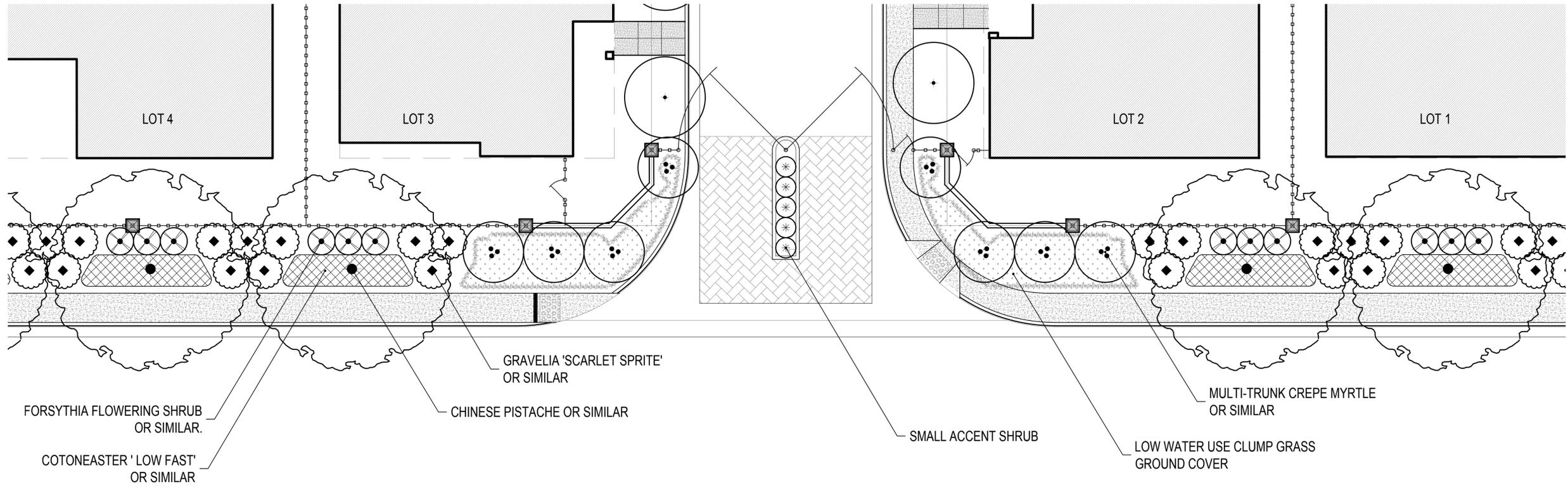
Turlock Irrigation District (District)

145. The Developer shall submit plans detailing the existing irrigation facilities, relative to the proposed site improvements, in order for the District to determine specific impacts.

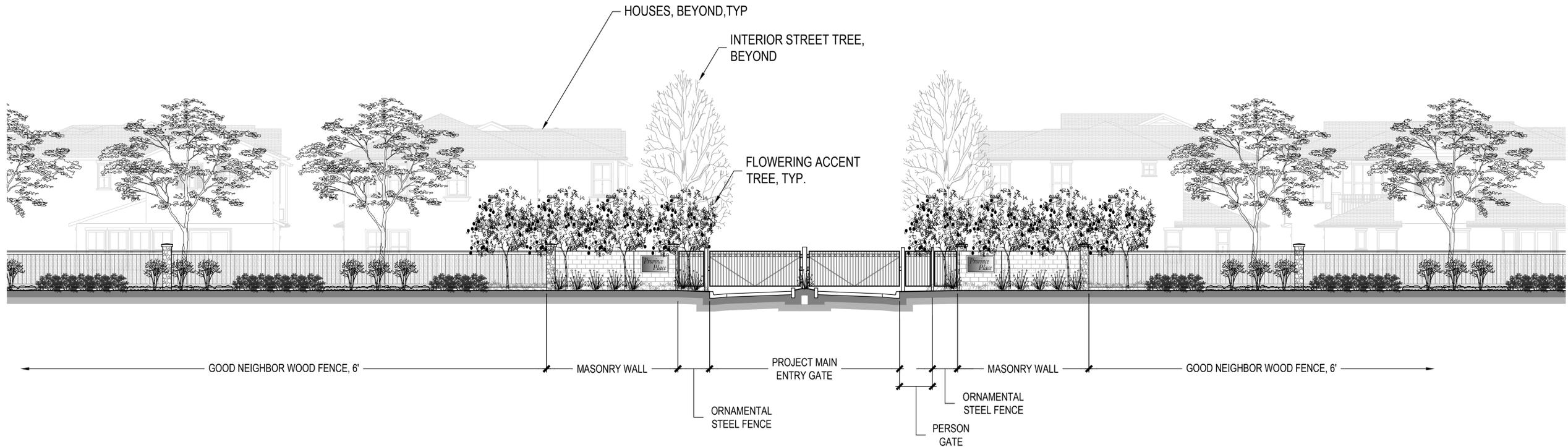
Properties that will no longer irrigate or have direct access to water must request abandonment from applicable Improvement Districts. Developed property adjoining irrigated ground must be graded so that finished grading elevations are at least 6 inches higher than irrigated ground. A protective berm must be installed to prevent irrigation water from reaching non-irrigated properties. Stub-end streets adjoining irrigated ground must have a berm installed at least 12" above the finished grade of the irrigated parcel(s).

Any applicable improvements to this property shall be subject to the District's approval and meet all District standards and specifications. If it is determined that irrigation facilities will be impacted, the applicant will need to provide irrigation improvement plans and enter into an Irrigation Improvements Agreement for the required irrigation facility modifications. There is a District Board approved time and material fee associated with this review.

146. The Developer shall apply for a facility change for any pole or electrical facility relocation. Facility changes are performed at the developer's expense.



A PLAN VIEW: LOCUST STREET FRONTAGE/ENTRY



B ELVEVATION: LOCUST STREET FRONTAGE/ENTRY



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PROJECT AND CLIENT INFORMATION

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A.P.N. 018-026-016
2401 EUCLID AVENUE, HUGHSON, CA 95328

Winward Pacific Builders, Inc.
135 S. 5TH STREET, SUITE 100, OAKDALE, CA 95361
TROY WRIGHT: (209) 921-9800

DRAWING NAME
LOCUST STREET LANDSCAPE
EXAMPLE PLAN AND ELEVATION

DRAWING INFORMATION

#	DESCRIPTION	DATE	CHKD BY

DATE: JAN. 13, 2017

PROJECT NUMBER: 16WPB-02

SHEET NO.: LP6.01

DT_Entry_Elevation01.dwg

















