



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

**AGENDA**  
**TUESDAY, JULY 21, 2020 – 6:00 P.M.**

**SPECIAL NOTICE**  
**Coronavirus COVID-19**

**MEMBERS OF THE PUBLIC MAY REMOTELY OBSERVE THE MEETING AND/OR ADDRESS THE COMMISSION VIA WEBEX VIDEOCONFERENCE. THIS MEETING WILL NOT INCLUDE IN PERSON PUBLIC ATTENDANCE.**

This meeting will be held in accordance with the Governor’s Stay at Home Executive Order N-33-20 and will not include in person public attendance. Members of the public may observe the meeting and provide comments to the Commission as described below.

**INFORMATION REGARDING ATTENDANCE AT THE COMMISSION MEETING IN RESPONSE TO THE LOCAL PUBLIC HEALTH EMERGENCY:**

**How to observe the Meeting:**

- You can observe the meeting via WebEx, by accessing this link:  
<https://cityofhughson.my.webex.com/cityofhughson.my/j.php?MTID=m4fbb410744da8f8486dfe52d9db68e44>

**How to submit Public Comment:**

- If you wish to provide verbal comment via Webex Videoconference, please call 209-883-4054 by 4:00 p.m. on July 21, 2020, or email Deputy City Clerk Ashton Gose by 5:50 p.m. on July 21, 2020. Please be prepared to provide the following information: your name, and whether you wish to speak under the Public Comment Period or regarding a specific agenda item. Members of the public will be announced by name, unmuted, and provided an opportunity to speak during the meeting.
- If you prefer to provide written comment on a specific agenda item, please submit your comments via email by 4:00 p.m. on July 21, 2020. Please email your comment to the Deputy City Clerk at [agose@hughson.org](mailto:agose@hughson.org) and include the Agenda Item Number in the subject line of the email. Your written comment will be distributed to the Commission, read aloud at the meeting, and kept on file as part of the official record of the meeting.

**CALL TO ORDER:** Chair Brian Evans

**ROLL CALL:** Chair Brian Evans  
 Vice Chair Julie Ann Strain  
 Commissioner Kevin Cloherty  
 Commissioner Alan McFadon  
 Commissioner Brenda Henley

Staff to be Present: Lea Simvoulakis, Community Development Director  
 Ashton Gose, Deputy City Clerk  
 Monica Streeter, Deputy City Attorney

**FLAG SALUTE:** Chair Brian Evans

**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 March 17, 2020.

**4. PUBLIC HEARING TO CONSIDER THE FOLLOWING:**

4.1: Adopt Resolution No. PC 2020-01, Approving a Conditional Use Permit to allow a 5,102 square foot Brewery/Pub and outdoor patio area located at 6818 Hughson Avenue at the southwest corner of Hughson Avenue and 3<sup>rd</sup>

Street in Hughson, CA.

- 4.2:** **A.** Adopt Resolution No. PC 2020-02, Recommending that the City Council Approve A Mitigated Negative Declaration for the Parkwood Subdivision Project.
- B.** Adopt Resolution No. PC 2020-03, Recommending that the City Council Approve a General Plan Amendment 20-01 to change the Land Use diagram from Low Density Residential, Medium Density Residential, and Service Commercial to Medium Density Residential on a 56.04-acre site.
- C.** Adopt Resolution No. PC 2020-04, Recommending that the City Council Approve a change in the Zoning District Designation from R-1 single Family Residential, R-2 Medium Density Residential, and C-2 General Commercial to R-2 Medium Density Residential on a 56.04-acre site.
- D.** Adopt Resolution No. PC 2020-05, Recommending that the City Council Approve a Vesting Tentative Map for the Subdivision of a 56.04-acre property into 299 residential lots and 2 parks.
- E.** Adopt Resolution No. PC 2020-06, Recommending that the City Council Approve a Conditional Use Permit to create a Planned Development Overlay Zone on a 56.04-acre site.

**5. INFORMATIONAL ITEMS:            NONE.**

**6. CORRESPONDENCE:            NONE.**

**7. COMMENTS:**

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

**Community Development Director:**

**Deputy City Clerk:**

**Deputy 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:**

<b>July 23</b>	▪ Filing Deadline: Arguments For and Against Measure V, 5:00 PM
<b>July 27</b>	▪ City Council Meeting, City Hall Chambers, 7:00 PM
<b>July 31</b>	▪ Filing Deadline: Rebuttals to Arguments For and Against Measure V, 5:00 PM
<b>August 7</b>	▪ 2020 General Election Candidate Nomination Period Closes, 5:00 PM
<b>August 10</b>	▪ City Council Meeting, City Hall Chambers, 7:00 PM
<b>August 11</b>	▪ Parks, Recreation and Entertainment Commission Meeting, City Hall Chambers, 6:00 PM <b>Tentative</b>
<b>August 18</b>	▪ Planning Commission Meeting, City Hall Chambers, 6:00 PM <b>Tentative</b>
<b>August 24</b>	▪ City Council Meeting, City Hall Chambers, 7:00 PM

**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:** July 18, 2020 **TIME:** 12:00 PM  
**NAME:** Ashton Gose **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](http://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, MARCH 17, 2020 – 6:00 P.M.**

**CALL TO ORDER:** Chair Brian Evans

**ROLL CALL:** Chair Brian Evans  
 Vice Chair Julie Ann Strain  
 Commissioner Alan McFadon  
 Commissioner Kevin Cloherty  
 Commissioner Brenda Henley

**Staff Present:** Lea Simvoulakis, Community Development Director  
 Ashton Gose, Deputy City Clerk  
 Daniel Schroeder, City Attorney

**FLAG SALUTE:** Chair Brian Evans

**RULES FOR ADDRESSING THE PLANNING COMMISSION**

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**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.

**NONE.**

**2. PRESENTATIONS: NONE.**

**3. NEW BUSINESS:**

3.1: Approve the Minutes of the Regular Meeting of January 21, 2020.

**STRAIN/CLOHERTY 5-0-0-0 motion passes to approve the Minutes of the Regular Meeting of January 21, 2019.**

3.2: Recommend that the City Council Adopt Resolution No. 2020-xx, Accepting the 2019 Annual General Plan Report and the 2019 Annual Housing Element Progress Report.

**Commissioner Strain nominated Commissioner Evans as the Planning Commission Chair.**

**CLOHERTY/STRAIN 5-0-0-0 motion passes to recommend that the City Council Adopt Resolution No. 2020-xx, Accepting the 2019 Annual General Plan Report and the 2019 Annual Housing Element Progress Report.**

**4. PUBLIC HEARING TO CONSIDER THE FOLLOWING: NONE.**

**5. INFORMATIONAL ITEMS:**

5.1: Design Review for the 69-Unit Euclid South Project.

**Director Simvoulakis presented the staff report on this item.**

**No action was taken.**

**6. CORRESPONDANCE: NONE.**

**7. COMMENTS:**

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

**Deputy City Clerk Gose provided a reminder to the Commission that the Fair Political Practices Commission Form 700 (Conflict of Interest) is due by April 1, 2020.**

**City Attorney Schroeder provided an update regarding the most recent COVID-19 Governor's Order .**

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

**Commissioner Cloherty attended the City of Hughson State of the City Address on February 24, 2020.**

**Commissioner Strain attended the Hughson High School Sports Boosters Annual Crab Feed.**

**ADJOURNMENT:**

**STRAIN/HENLEY 5-0-0-0 motion passes to adjourn the meeting at 6:33 p.m.**

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**BRIAN EVANS, Chair**

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**ASHTON GOSE, Deputy City Clerk**



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

**Meeting Date:** July 21, 2020  
**Subject:** Adopt Resolution No. PC 2020-01,  
to allow a 5,102 square foot Brewery/Pub and outdoor patio area located at 6818 Hughson Avenue at the southwest corner of Hughson Avenue and 3<sup>rd</sup> Street in Hughson, CA  
**Enclosures:** Application Packet: Callahan’s Brewing Company Inc.  
**Presented By:** Lea Simvoulakis, Community Development Director

Project Data	
<b>Resolution No.:</b>	<b>PC2020-01</b>
<b>Applicant:</b>	<b>Callahan’s Brewing Company Inc.</b>
<b>Location:</b>	<b>6818 Hughson Avenue</b>
<b>Existing Zoning:</b>	<b>C-2 Commercial General</b>
<b>Existing General Plan:</b>	<b>Downtown Commercial</b>
<b>CEQA:</b>	<b>Exempt</b>

**Application Summary:**

Conditional Use Permit to allow a 5,102 square foot Brewery/Pub and outdoor patio area located at 6818 Hughson Avenue at the southwest corner of Hughson Avenue and 3<sup>rd</sup> Street in Hughson, CA.

**Staff Recommendation:**

Adopt Resolution No. PC 2020-01, approving a Conditional Use Permit to allow a 5,102 square foot Brewery/Pub and outdoor patio area located at 6818 Hughson Avenue upon the facts and findings in this staff report.

**Project Description and Site Location:**

On October 22, 2019, the applicant applied for a Conditional Use Permit (CUP) for a new 5,102 square foot Brewery/Pub which will be a remodel and expansion to the existing brick building (George House Building) located at 6818 Hughson Avenue. The new 5,102 square foot building will be adjacent to the existing empty lot at the corner of Hughson Avenue and 3<sup>rd</sup> Street. The site will include a Brewery Pub that could potentially seat up to 90 people indoor and 43 patio seats, restrooms, a brewery, a dry storage room, walk in cooler, kitchen space and an office. The

proposed project is located in the C-2 Commercial General Zoning District and has a land use designation of Downtown Commercial in the Hughson General Plan.



Figure 1: Existing Site view

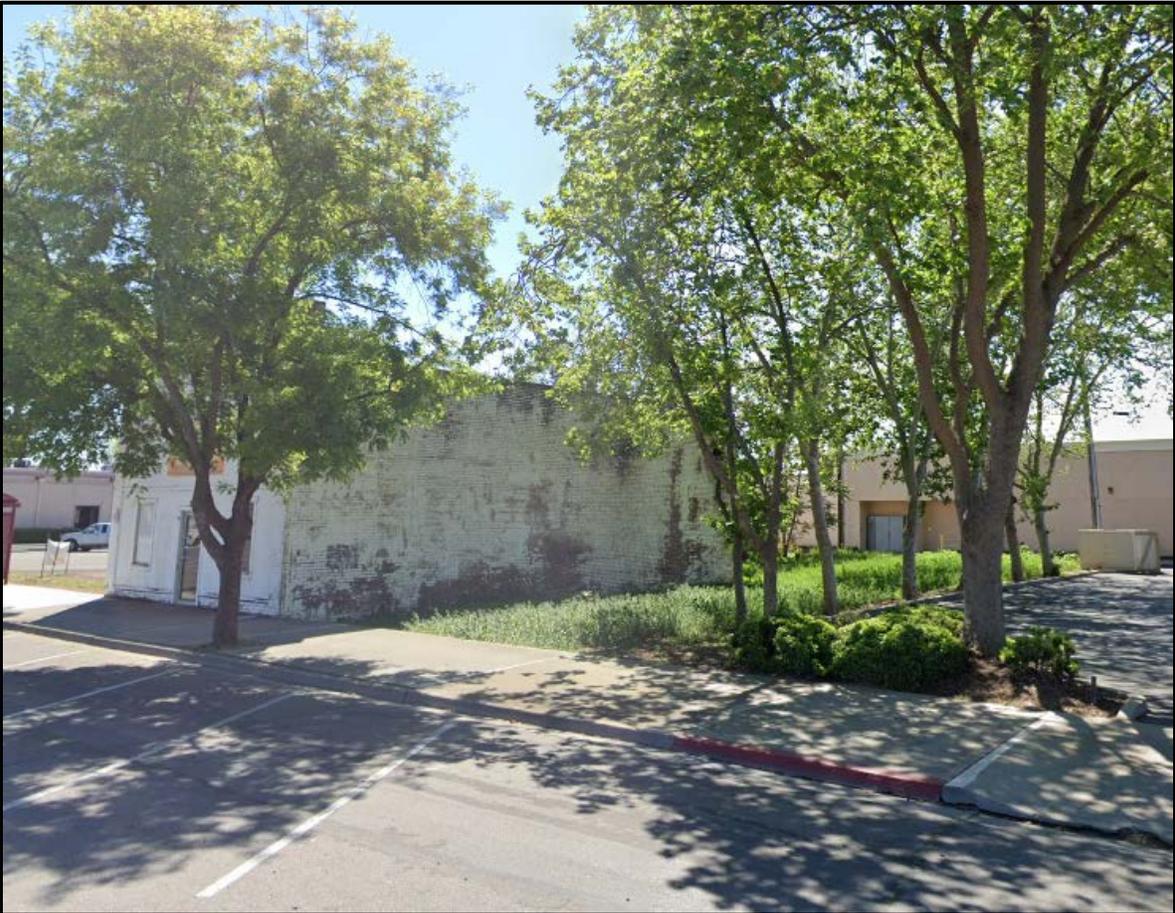


Figure 2: Proposed Expansion Site

## Site Location

The existing 1,530 square foot brick building is located at the corner of Hughson Avenue and 3rd Street. There is a dirt lot east of the site which is not part of the property or project, and a paved parking lot and bank to the west of the existing building. The proposed project site for the brewery pub has frontage on Hughson Avenue. There are commercial uses to the north of the existing site. There are commercial uses across 3rd Street to the east, commercial businesses across Hughson Avenue to the south, and commercial uses to the west of the site.

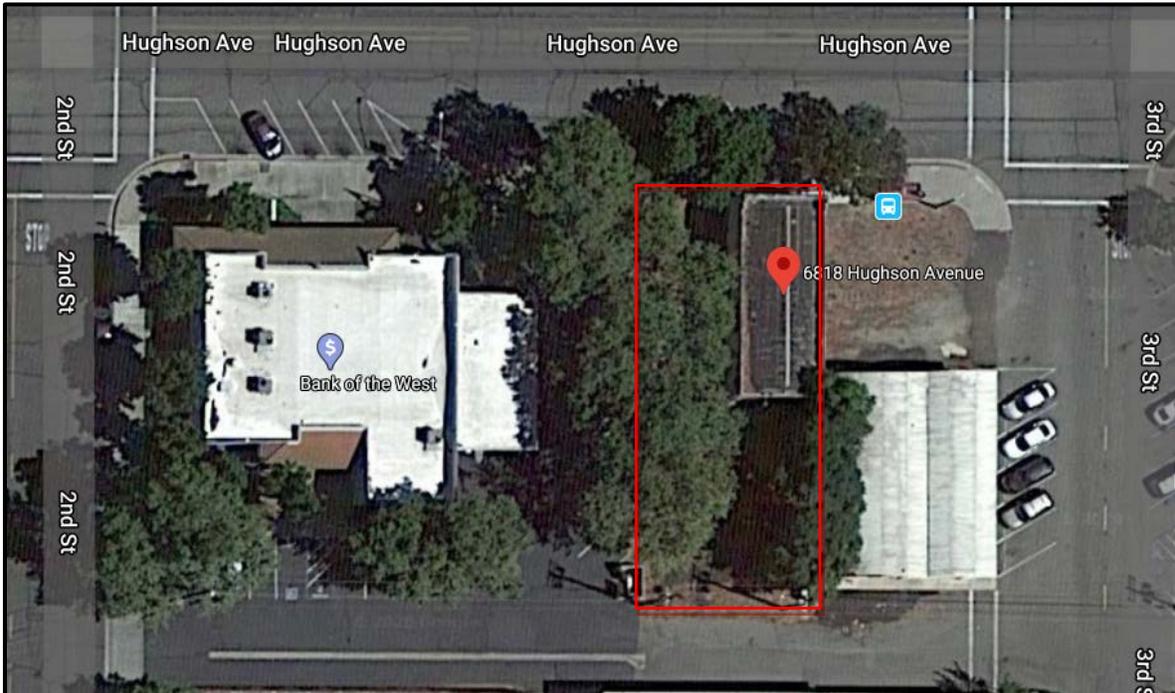


Figure 3: Project Site

The Hughson Municipal Code (HMC) section 17.02.032 requires that Alcohol Sales in the Commercial Zone obtain a Conditional Use Permit. As such, the proposed Conditional Use Permit will entitle the new Brewery Pub.

## ANALYSIS

The proposed CUP was analyzed with respect to conformance with:

1. The Hughson General Plan
2. The Hughson Municipal Code
3. The Commercial Design Guidelines.

The below table identifies the existing zoning, land use designation, and use of the surrounding property sites:

<b>Surrounding Land Use Designations and Uses</b>			
	<b>Zoning</b>	<b>Land Use Designation</b>	<b>Use</b>
North:	C-2 General Commercial	Downtown Commercial	Commercial/Office
South:	C-2 General Commercial	Downtown Commercial	Office
East:	C-2 General Commercial	Downtown Commercial	Commercial
West	C-2 General Commercial	Downtown Commercial	Commercial/Bank

### **The Hughson General Plan**

The site has a Downtown Commercial land use designation. This designation allows for general commercial and service uses that serve the entire community. The role of this designation is to preserve the City’s traditional commercial core as the primary pedestrian-focused commercial area for Hughson. The Downtown Commercial designation allows a range of community-serving restaurant, retail, office, financial and public uses.

The proposed use is consistent with the following Goals and Policies of the General Plan:

- Goal LU-4 Enhance the viability of the Downtown and preserve its role as the heart of the community.
- Policy LU-4.1 The City will encourage the location and retention of businesses within the Downtown.
- Policy LU-4.5 Infilling, parcel assemblage and physical enhancements will be encouraged in the Downtown to improve the area’s economic success and provide appropriate locations for commercial development.

A brewery pub is an example of a compatible public use that preserves the Downtown Core by being a commercial use that draws people into the area and supports the policy of infill development. Approving the request would also support economic opportunities for small business and new businesses and provide for a diverse local economy.

### **The Hughson Municipal Code**

#### Conditional Use Permit

##### *Alcoholic Beverage Sales*

Per HMC section 17.02.032, alcoholic beverage sales are a conditionally permitted use in the C-2, General Commercial zone. The applicant is proposing the curation and sale, as well as the on-site consumption of alcoholic beverages-beer-at the proposed brewery pub.

A CUP allows the Planning Commission to impose requirements and conditions necessary for the protection of the adjacent properties and the public interest when reasonably related to the use of the property. In this instance, a CUP will help ensure that the project's location, size, height, hours, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.

### Hours of Operation

The proposed hours of operations will be limited to the hours permissible in the Municipal code. Business in the C-2 are limited to operating between the hours of 7am to 10 pm.

### Licensing

The applicant will be required to apply for a license with the State Department of Alcoholic Beverage Control (ABC), which would only be issued should the Planning Commission approve the CUP. Furthermore, the sale of alcoholic beverages for on-site consumption, in some cases including distilled spirits—i.e. 'hard' alcohol—is currently permitted in six (6) existing locations within the same City of Hughson C-2, General Commercial zone.

### Noise

Any outdoor entertainment will be required to comply with all noise requirements in the Municipal Code.

## **Commercial Design Guidelines**

Staff worked closely with applicant on the site orientation and aesthetics of the building to ensure conformance with the Commercial Design Guidelines. Staff believes that the proposed project is compatible with the City's vision for the Downtown area.

### General Design

The proposed building and site improvements constitute a positive addition to the downtown and to the community. Per the Commercial Design Guidelines, the building's scale and massing are appropriate for the downtown and fit well next to adjacent buildings. The proposed materials and colors of the building create a complete design that is elevated to provide new visual interest to the block. The building materials will include reusing the existing brick as well as metal wall finishes with colored trim features, insulating glass, a decorative square steel rail fence securing the outdoor dining area and vintage antique black Sylvania sconces. The variation of materials promotes the City's design guidelines. The proposed building's design and materials elevate the site and create more visual interest for the block.

### Parking

Section 17.03.060(J)(2), development in the Hughson downtown, as designated in the General Plan, the off-street parking requirements are waived in the downtown core parking area. As such, no parking is required for this use. However, there are 22 adjacent off-site parking stalls within the same block that can be used for customer parking. Ideally people will be walking and biking to this location and the parking won't be an issue as it is in a key location and will be a great neighborhood hang out.

### Signage

The Hughson Municipal Code allows one (1) square foot of sign area for every one (1) linear foot of building frontage. The proposed signage measures 24.75 square feet and consists of LED illuminated channel letters mounted to the north side of the building along Hughson Avenue.

Based on the property frontage of 25.6 lineal feet, the proposed signage meets the requirement of the Code.

### Landscaping

The outdoor dining area will be enhanced with potted plants. The three (3) existing trees on the east side of the site will be removed due to the location in relation to the new building. While the removal of the trees is not ideal, the development standards allow for the building to be built to the property line therefore allowing for no landscaping.

### Conditional Use Permit Findings

The Planning Commission may approve, conditionally approve or deny an application for a CUP. CUPs 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. In authorizing a conditional use, the Planning Commission may impose requirements and conditions as deemed necessary for the protection of adjacent properties and the public interest, when reasonably related to the use of the property.

Before granting a CUP, the Planning Commission shall be satisfied that the proposed structure or use conforms to the requirements and the intent of the zoning code and the General Plan. Additionally, If the proposed use includes the construction of any new buildings or structures, the Planning Commission shall establish a timeline within which the construction shall be completed. Staff proposes a timeline of one year from the date of approval, consistent with the provisions of HMC section 17.04.012.

Staff recommends imposition of the following conditions:

1. The on-site and off-site sale and consumption of beer shall be limited to the hours of operation of Callahan's Brewery. Hours of operation are

permitted between 7am to 10 pm. Any changes in the hours of operation are subject to approval of the Community Development Director and may require further review.

2. Alcoholic beverages shall not be permitted to be consumed in the parking area or other exterior areas of the premises, except for designated outdoor areas approved as part of application and licensed by the Department of Alcoholic Beverage Control
3. Loitering shall be prohibited on or around the premises or the area under control of the owner. Professional-quality signs shall be posted.
4. The exterior of the premises shall be kept free of litter, and graffiti shall be removed within 72 hours.
5. Any outdoor entertainment will be required to comply with all noise requirements in the Municipal Code.

### **California Environmental Quality Act (CEQA)**

Under the provisions of Section 15303(c) of the State Guidelines for Implementation of the California Environmental Quality Act, the Conditional Use Permit is found to be exempt from the environmental review requirements per Section 15303(c) (New Construction or Conversion of Small Structures) exemption applies to the construction and location of new, small facilities or commercial structures not exceeding 10,000 square feet in floor area zoned for such use. The proposed expansion does not exceed the 10,000 square foot threshold and is therefore exempt under this exemption.

**CITY OF HUGHSON  
PLANNING COMMISSION  
RESOLUTION NO. PC 2020-01**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HUGHSON  
APPROVING A CONDITIONAL USE PERMIT TO ALLOW A 5,102 SQUARE FOOT  
BREWERY/PUB AND OUTDOOR PATIO AREA LOCATED AT 6818 HUGHSON  
AVENUE AT THE SOUTHWEST CORNER OF HUGHSON AVENUE AND 3<sup>RD</sup>  
STREET IN HUGHSON, CA**

**WHEREAS**, The Applicant Ron Callahan submitted an application for a Conditional Use Permit to allow a 5,102 square foot Brewery/Pub and outdoor patio area located at 6818 Hughson Avenue at the southwest corner of Hughson Avenue and 3<sup>rd</sup> Street in Hughson, CA., in the C-2, General Commercial Zone, pursuant to Hughson Municipal Code (HMC) Section 17.02.032; and

**WHEREAS**, pursuant to Hughson Municipal Code section 17.02.032, alcoholic beverage sales are a conditionally permitted use in the C-2, General Commercial Zone; and

**WHEREAS**, notice of Public Hearing was posted in a newspaper of general circulation (Hughson Chronicle) per prescribed procedure—to solicit public input; and

**WHEREAS**, the Hughson Planning Commission has determined that the use conforms to the requirements and the intent of the City's zoning code and general plan.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission of the City of Hughson, pursuant to HMC 17.02.032 does hereby approve the issuance of a Conditional Use Permit Application to allow a 5,102 square foot Brewery/Pub and outdoor patio area located at 6818 Hughson Avenue at the southwest corner of Hughson Avenue and 3<sup>rd</sup> Street in Hughson, CA., in the C-2, General Commercial Zone with the following conditions:

1. Construction of the project shall be completed within one year of approval.
2. The on-site and off-site sale and consumption of beer shall be limited to the hours of operation of Callahan's Brewery. Hours of operation are permitted between 7am to 10 pm. Any changes in the hours of operation are subject to approval of the Community Development Director and may require further review.
3. Alcoholic beverages shall not be permitted to be consumed in the parking area or other exterior areas of the premises, except for designated outdoor areas approved as part of application and licensed by the Department of Alcoholic Beverage Control

4. Loitering shall be prohibited on or around the premises or the area under control of the owner. Professional-quality signs shall be posted.
5. The exterior of the premises shall be kept free of litter, and graffiti shall be removed within 72 hours.
6. Any outdoor entertainment will be required to comply with all noise requirements in the Municipal Code.

**PASSED AND ADOPTED** by the Planning Commission of the City of Hughson at its regularly scheduled meeting on this 21st day of July, 2020

**AYES:**

**NOES:**

**ABSTENTIONS:**

**ABSENT:**

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**BRIAN EVANS, Chair**

**ATTEST:**

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**ASHTON GOSE, Deputy City Clerk**



**PLANNING COMMISSION  
AGENDA ITEM NO. 4.2  
SECTION 4: PUBLIC HEARING**

**Meeting Date:** July 21, 2020  
**Subject:** Parkwood Subdivision Project  
**Enclosures:** Plans  
Design Expectation Checklist  
Mitigation Monitoring and Reporting Program  
**Presented By:** Lea C. Simvoulakis, Community Development Director

<b>PROJECT DATA</b>	
<b>Applicant:</b>	Mid Valley Engineering-MVE, Inc.
<b>Existing Zoning:</b>	C-2 Commercial General R-1 Low Density Residential R-2 Medium Density Residential
<b>Proposed Zoning:</b>	R-2 Medium Density Residential with Planned Development Overlay
<b>Existing General Plan:</b>	Service Commercial Medium Density Commercial Low Density Commercial
<b>Proposed General Plan:</b>	Medium Density Residential
<b>California Environmental Quality Act:</b>	Mitigated Negative Declaration

**APPLICATION SUMMARY**

The proposed project includes a General Plan Amendment, a Zone Change, a Vesting Tentative Map, a Conditional Use Permit for a Planned Development Overlay Zone, and a Development Agreement for the project known as the Parkwood Subdivision Project (Parkwood). The Parkwood projects is a proposed 299 home subdivision development on a 56.04-acre lot with three community parks. The Planning Commission serves as a recommending body for these actions and can choose to recommend approval or denial to the City Council.

**STAFF RECOMMENDATION**

Staff recommends that the Planning Commission:

1. Recommend that the City Council Adopt Resolution No. 2020-XX Approving a Mitigated Negative Declaration for the Parkwood Subdivision Project.
2. Recommend that the City Council Adopt Resolution No. 2020-XX Approving a General Plan Amendment 20-01 to change the Land Use diagram from Low Density Residential, Medium Density Residential, and Service Commercial to Medium Density Residential on a 56.04-acre site.
3. Recommend that the City Council Adopt Resolution No. 2020-XX Approving a change in the Zoning District Designation from R-1 single Family Residential, R-2 Medium Density Residential, and C-2 General Commercial to R-2 Medium Density Residential on a 56.04-acre site.
4. Recommend that the City Council Adopt Resolution No. 2020-XX Approving a Vesting Tentative Map for the Subdivision of a 56.04-acre property into 299 residential lots and 3 parks.
5. Recommend that the City Council Adopt Resolution No. 2020-XX Approving a Conditional Use Permit to create a Planned Development Overlay Zone on a 56.04-acre site.
6. Recommend that the City Council Adopt Ordinance No. 2020-XX Approving a Development Agreement between Parkwood Hughson, LLC and the City of Hughson.

**PROJECT LOCATION**

<b>Location</b>	South East Corner of E. Hatch Road and Santa Fe Avenue
<b>Assessor Parcel No.</b>	018-017-002, 018-017-010, 108-018-014
<b>Annexation Date</b>	August 14, 2006
<b>Acreage</b>	56.04 acres



As the above map indicates, the proposed project site is located at the south east corner of East Hatch Road and Santa Fe Avenue. The project site is approximately 56.04 acres and was annexed into the city limits on August 14, 2006. The site is currently used for agricultural uses and the existing orchards include 5,600 walnut and almond trees. The project site is immediately south of the Turlock Irrigation District (TID) Ceres canal and East Hatch Road. There are agricultural uses located in Stanislaus County to the north of the site, across the canal. There are single family residential uses to the east and south of the site with Santa Fe avenue and the railroad to the west of the site.

There are two areas that are not part of the project site. The first is the Jehovah Witness Kingdom Hall building that is located directly at the tip of the intersection of Hatch and Santa Fe. The second area is two existing single-family homes with associated garages and buildings located on the north boundary of the site adjacent to the TID canal.

## PROJECT BACKGROUND

The proposed project includes the subdivision of the 56.04-acre site into 299 single-family residential lots with one single-family house per lot. The density for this site is 5.34 dwelling units per acre. The lots would range in size from 5,005 square feet to 13,280 square feet. There will be two types of single-family housing units. The first is called a "Park Home" which would include the traditional residential lots on the 5,005 to 13,280 square feet lots. The second is called a "Courtyard Home" which would include lots of approximately 5,250 square feet with a shared driveway between a cluster of lots. There will be 99 Park Homes and 200 Courtyard homes. The below map identifies the two areas not part of the project and have them listed as N.A.P. (not apart of project).



Of the 56.04-acres, 6.14 will be park or enhanced landscaped green space. The three parks are a total of 4.88 acres of just park space. The remaining 1.26 acres of green space will be located in the 25' wide landscape buffer along Santa Fe Avenue, along the Class I Bike trail along the TID Ceres main canal, and in a .15-acre enhanced landscape area at the entrance to the project.

In order to construct the project, the existing walnut and almond orchards will need to be removed. When the site was annexed into the City in 2006, it was anticipated that the orchard use of this site would eventually be terminated since the site was pre-zoned with three non-agricultural zoning districts: C-2 General Commercial, R-2 Medium Density Residential, and R-1 Low Density Residential, to match the existing General Plan land use designations of Service Commercial, Medium Density Residential, and Low Density Residential. As a required mitigation for the removal of the 5,600-tree orchard, the project is required to plant a minimum of 560 trees throughout the project. The applicant is proposing to plant over 600 trees, some of which will be non-fruit producing orchard trees to retain the orchard-like feel of the area.

## **ANALYSIS**

The proposed application components were analyzed with respect to conformance with:

1. The Hughson General Plan, adopted 2005
2. The Hughson Municipal Code
3. The Design Expectations, adopted 2004
4. California Environmental Quality act (CEQA)

### **The Hughson General Plan**

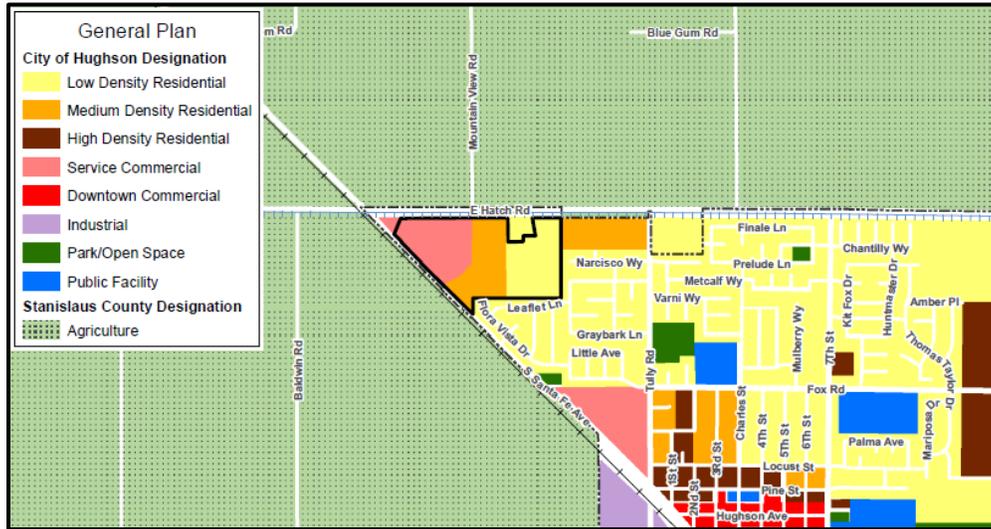
#### Existing and Proposed Land Use Designation

The first component of the project is a General Plan Amendment request to change two of the existing General Plan Land Use Designation of the site from Service Commercial and Low Density Residential, to Medium Density residential.

#### *Existing Land Use*

The site has three existing General Plan Land Use Designations: Service Commercial, Medium Density Residential, and Low Density Residential. The Service Commercial designation of the site is 19 acres of the overall site, the Medium Density Residential designation is 17.73 acres of the overall site, and the Low Density Residential Designation covers 19.28 acres of the overall site. The remaining .03 acres are not designated as they are in the existing right of way of Santa Fe. The below map shows the existing land use designations of the site and the properties surrounding the site. The existing land use designation shows that there are Medium Density residential uses directly adjacent to existing Low Density Residential uses at the terminus of Flora Vista Drive and along the

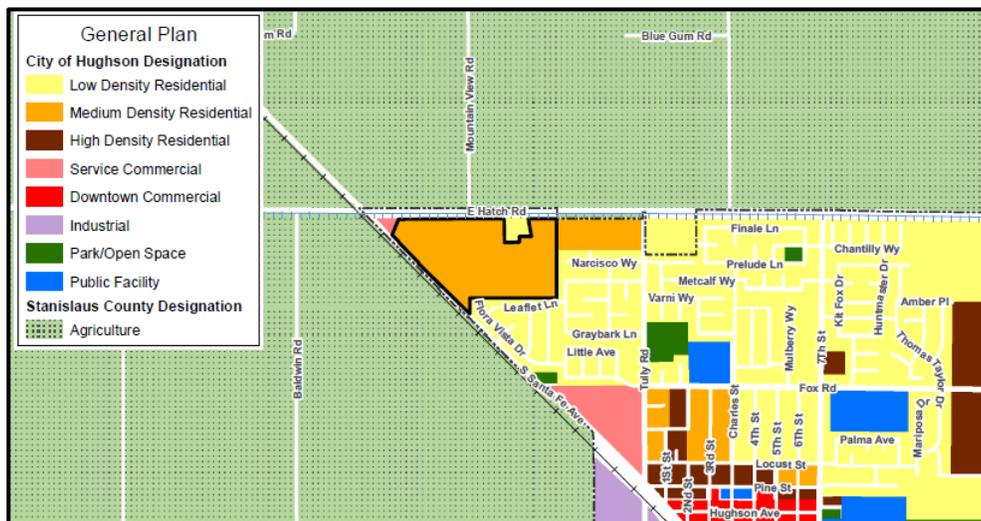
back side of some homes along Leaflet Lane. There is also an existing Medium Density Residential designation north of Narcisco way which is not part of this project.



Should this project not be approved, the current property owners could choose to develop a project that is consistent with the three different land use designations as they exist today. This means that they would be able to build commercial uses on more than a third of the existing property, and medium and low density uses on the remaining two-thirds of the site without Council or Commission approval of the use. The developer may need other approvals or permits from the Council or Commission for the construction of buildings, but they would not need to ask permission to develop the land with conforming residential or commercial uses.

*Proposed Land Use Designation*

The General Plan Amendment request is to change the Service Commercial and Low Density Residential land use designation (38.28 acres) to Medium Density Residential.



The Medium Density Residential land use designation promotes a mixture of single-family houses, duplexes, triplexes, fourplexes, and townhouses within the same neighborhood. This category is designed to provide a transition between lower density housing and commercial or more urban uses. The designation also ensures that there will be a variety of housing types in Hughson, which is consistent with the original parts of the city. The original areas of the city around downtown and the areas south of Fox Road include a mixture of single-family homes adjacent to more dense housing units and even commercial uses.

As the city experienced development in the early 2000s a stark separation between larger single-family lots uses and more dense uses developed. More recent trends in single-family development in California favor denser development given the cost of land and construction. This trend arrived in Hughson in 2017 with the approval of the Province Place development. Province Place is a 39-unit development on a 4.58-acre site. This development has the density of 8.5 dwelling units per acre. This is a very dense development compared to the developments approved between 2000 and 2008 in Hughson.

The proposed development is a compromise between the large lot single-family subdivisions of the early 2000s and the ultra-dense subdivision of Province Place. The proposed 299-unit subdivision has a density of 5.34 dwelling units per acre. Based on the density allowance for the Low Density land use designation in the General Plan, if this site were to develop as a Low Density Residential use, the maximum density per acre is 5 dwelling units per acre. Given the size of the project property, a development that meets the 5 dwelling units per acre on this site could have 280 homes with even the *lowest* density land use designation. Moreover, the Low Density land use designation allows for a 25 percent increase in units under the Planned Development process per the General Plan. This means that the density on this site could ultimately be 6.24 dwelling units an acre which would translate to 350 units. This is much higher than the proposed 299 units at 5.34 dwelling units per acre. The point of this comparison is to show that the density proposed with the Medium Density designation is right in line with the City's lowest density designation, and that the 299 homes is in line with what could already be built on the site given the current land use designation.

It is important to note that in the year 2000 there were only 3,980 people living in Hughson. Between the years 2000 and 2014, the population increased to 7,118 people. This is a 78% increase in population or about a 5.5% increase in population each year for those 14 years. This time period represents the largest growth period in Hughson's history. Over the last five years, the population has increased to approximately 8,017 people according to the 2019 Department of Finance population estimates. The Housing Element estimates that the population for Hughson will reach approximately 9,500 by the year 2045. The slow growth over the next 15 years is due to the limited land left in the City available for development. The proposed project anticipates adding 1,034 people which is right on track with the Housing Element estimates, as the project site is one of the last large pieces of land available for development in the City. Given

its size, it is reasonable to assume that the development of this site would bring the estimate population to its anticipated peak. While the Euclid Subdivision is under construction at this time, the anticipated individuals moving in to these 69 units have been accounted for in population growth since the project was approved back in 2007, eight years prior to the adoption of the recent Housing Element. Given Hughson's history, the increase of 1,034 residents is relatively minimal compared to the growth that Hughson has experienced in the past.

Before the land use designation can be changed, and the rest of the project can be approved, the Commission and Council need to find that the change in land use designation and the project as a whole, is consistent with the goals and policies of the General Plan and the City's Housing Element.

### Need for Housing

California law requires that each City adopt a comprehensive, long-range General Plan, which includes a Housing Element. The Housing Element must identify the jurisdiction's plan for meeting the existing and projected housing needs of all economic segments of the community. As such, the law requires that cities adopt plans and policies that provide opportunities for housing development that foster all different types of housing options for the community. Should cities fall short of supplying their share of the Regional Housing Needs Assessment (RHNA) housing units, future funding sources for things like roads and transportations, could be at risk. There is an expectation that *every city* do their part in meeting housing needs at all income levels. The change to a denser land use designation will allow the City to meet its necessary RHNA numbers by allowing more housing units to be built. The below land use and housing policies from the General Plan and Housing Element all support additional housing types and densities within the City of Hughson:

- **Policy LU-2.3:** New residential neighborhoods will incorporate a mixture of residential types to meet the housing needs of the entire community.
- **Policy LU-3.3:** Residential development within the Medium Density Residential designation should provide a mixture of housing types within the same development.
- **Policy H-1.4:** The City shall ensure that sufficient land is available and zoned at a range of residential densities to accommodate the City's regional share of housing.
- **Policy H-1.4:** The City shall encourage the development of new mixed-income and mixed-use development projects as a means of increasing the housing supply while promoting diversity and neighborhood vitality.

These housing policies in the General Plan encourage the development of a mixture of housing types, styles, and densities in the City. The two different housing types

proposed in this development fulfill this General Plan objective. The General Plan encourages a variety of housing types and styles in order to avoid the visual “sameness” seen in many new subdivisions. The Court Home concept is new to the City and while it will look like a regular street façade at first glance, the façade will actually be varied and provide more depth than a traditional neighborhood street. Including this mixture of housing types also allows for all residents to find more affordable housing as the lots will be smaller, more affordable lots.

### Protection of the Downtown Commercial Uses

The change in land use from Service Commercial to Medium Density Residential is also supported by the General Plan. The General Plan has policies that speak to the development of the commercial uses in the Downtown area. Should this site retain its Service Commercial designation rather than Medium Density Residential, 19 acres of commercial uses could be built at the edge of town which would detract activity away from the Downtown. This would be in direct conflict with the efforts the Council has made to develop a strong downtown core. The following General Plan goals and policies support removing the Service Commercial land use designation in favor of another land use designation so as to support and protect the Downtown Core:

- **Goal LU-4:** Enhance the viability of the Downtown and preserve its role as the heart of the community.
- **Policy LU-4.1:** The City will encourage the location and retention of business within the Downtown.
- **Action LU-4.3:** Coordinate with the Hughson Chamber of Commerce and other business organization to enhance the Downtown as the community’s primary commercial area.

It would be detrimental to the Downtown Core to have 19 acres of commercial use at the edge of the City. Bringing people into the City’s core will help all existing and any new businesses thrive. It is in the City’s overall interest to allow the existing site to change its use so that those potential future business uses can be located in the heart of Downtown.

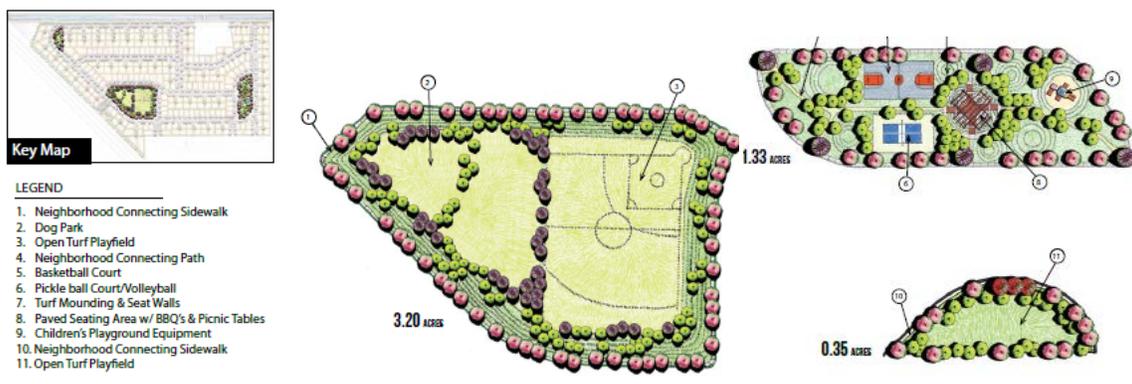
### Open Space and Parks

The proposed project also meets various General Plan goals and policies related to open space, pedestrian and bicycle goals, and the preservation of orchard trees. The following goals and policies are related to parks and pedestrian and bicycle amenities:

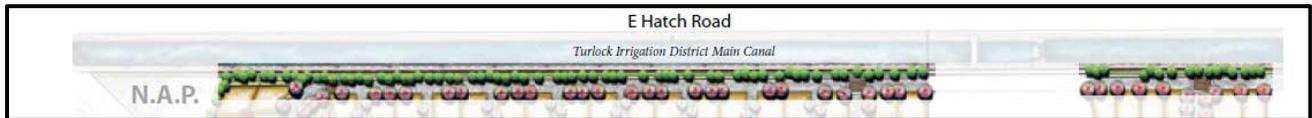
- **Goal C-6:** Provide a bicycle and pedestrian network to encourage bicycling and walking for transportation and recreational purposes.

- **Policy C-6.1:** Safe, attractive and convenient bicycle and pedestrian friendly facilities will be provided to link schools, parks, civic facilities, employment centers, shopping, and downtown as well as provide a viable alternative to the automobile.
- **Policy C-6.4:** New development will be required to provide sidewalks and connections to the community-wide bicycle and pedestrian network.
- **Goal COS-2:** Provide parks, open space, and recreation facilities to maintain and improve the quality of life for Hughson residents.
- **Policy COS-2.1:** New Development will be required to provide adequate parkland at a ratio of five acres per 1,000 residents in accordance with the Quimby Act.
- **Policy COS-2.3:** Where feasible, drainage basin should be built with a contoured or tiered design to optimize the potential for the dual purpose of providing additional recreational opportunities.
- **Policy LU-3.10:** While the City recognizes that there will be a loss of orchard trees as development occurs, new development will be encouraged to design landscaping with mature trees to create a feeling similar to that of an active orchard.

Using the General Plan metric, the project would be required to provide 5.17 acres of parkland for the resulting 1,034 residents. The proposed project includes development of 6.14 acres of open space and park facilities. The facilities are intended to serve the residents of the project and the entire community of Hughson. The proposed project is also being required to zone in park amenities so that the items proposed will actually be constructed. The below illustration provides the required amenities at the three different park locations. The proposed parks will have a dog park, a basketball court, a pickle ball/volleyball court, BBQ areas, seating areas, a play area, and turf areas. The actual placement of the amenities could vary, but these amenities will be put into the development when it is constructed. The main park also serves as the community storm basin.



Facilities for pedestrians and bicyclists are going to be present on the streets adjacent to the south and east sides of the project site, and account for part of the 6.14 acres of green space in the project. Sidewalks will be created along the new streets. A paved walking/jogging path, which is also considered a Class I Bike Trail will be provided along the TID Ceres canal. These facilities will facilitate movement throughout the project and provide connections to the existing neighborhoods. The bike trail is a long-time goal of the city and it is hoped that the trail development will continue all along the canal in the future.



While the City is an agrarian community at its core, the loss of the current orchards was anticipated when this site was annexed into the city, as previously discussed. The applicant will be required to replace trees on site as mitigation for removing the orchards. The project is required to plant at least 560 trees, but the plan is to actually plant a mixture of over 600 trees. This far exceeds the replanting ratio required when orchards are removed in favor of development.

### Additional General Plan Policies

The remaining General Plan policies listed below are required of all new development. Each development is required to provide its own infrastructure to adequately serve the residents of the new development. Each project must have adequate circulation, provide all utility connections for sewer and water and to connect to the City's infrastructure.

- **Policy C-2.2:** New development shall provide all improvements necessary to adequately serve the development's traffic access and circulation need, such as roadway improvements, dedications of rights-of-way and reciprocal easements.

- **Policy PSF-7.2:** The approval of new development shall be conditioned on the availability of adequate long-term capacity for wastewater conveyance, treatment and disposal sufficient to serve the proposed development.
- **Policy PSF-7.3:** All new development shall demonstrate to the City that the downstream sanitary sewer system is adequately sized and has sufficient capacity to accommodate anticipated sewage flows.
- **Policy PSF-8.6:** New Development will be required to provide for its stormwater impacts.

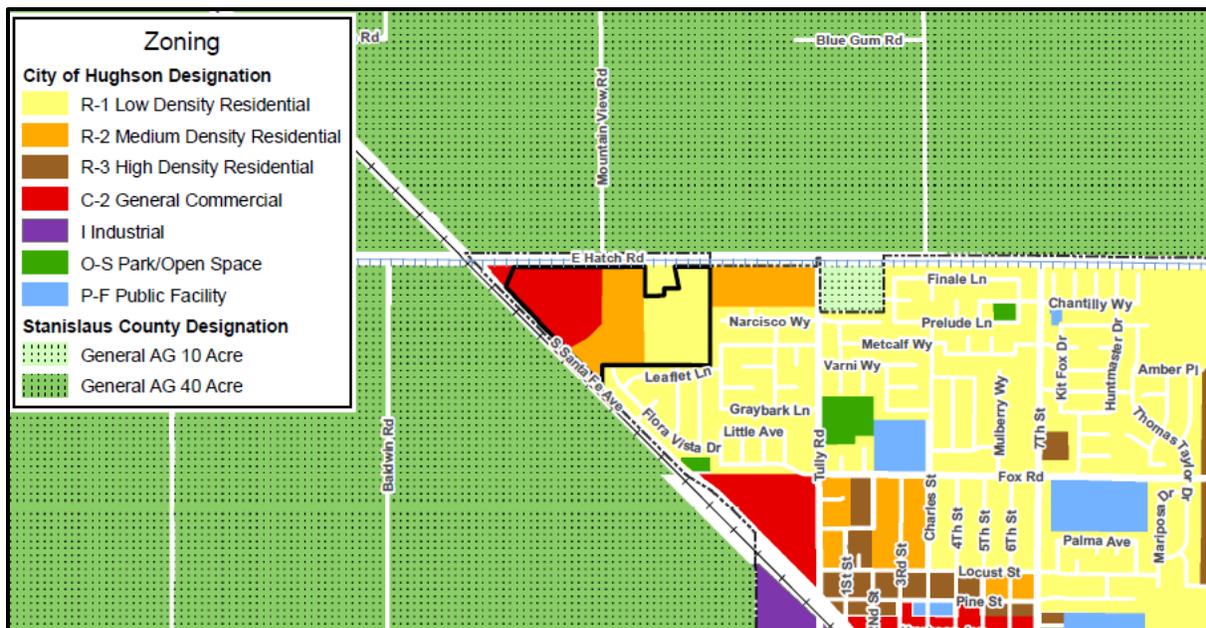
Based on the above conformance to the listed General Plan policies, the proposed change in land use designation and the project as proposed, is consistent with the General Plan and its policies.

## The Hughson Municipal Code

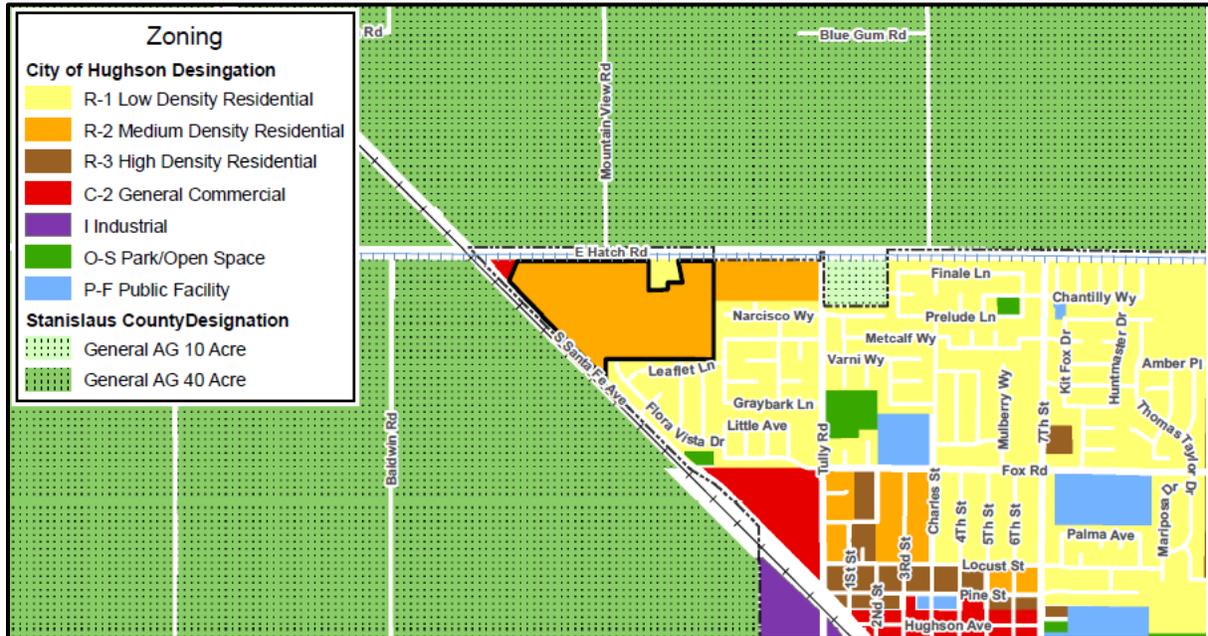
### Change in Zoning District

#### *Existing Zoning Districts*

The second component of the project is a change in the zoning district designation of the project site. The project site is currently zoned R-1 Single Family Residential (19.28 acres), R-2 Medium Density Residential (17.73 acres), and C-2 General Commercial (19 acres).



The proposed project would change the R-1 and C-2 zoning districts to the R-2 zoning district.



The purpose of the R-2 zoning district is to provide living areas where a compatible mixture of single-family, duplex, triplex, fourplex and townhouse housing will provide a suitable environment for family living to ensure adequate light, air, privacy, and open space for each dwelling and to provide space for community facilities needed to complement urban residential areas. This zoning district is consistent with the Medium Density Residential land use designation. As such, the R-2 zoning district conforms to the General Plan for all of the reasons listed in the above section.

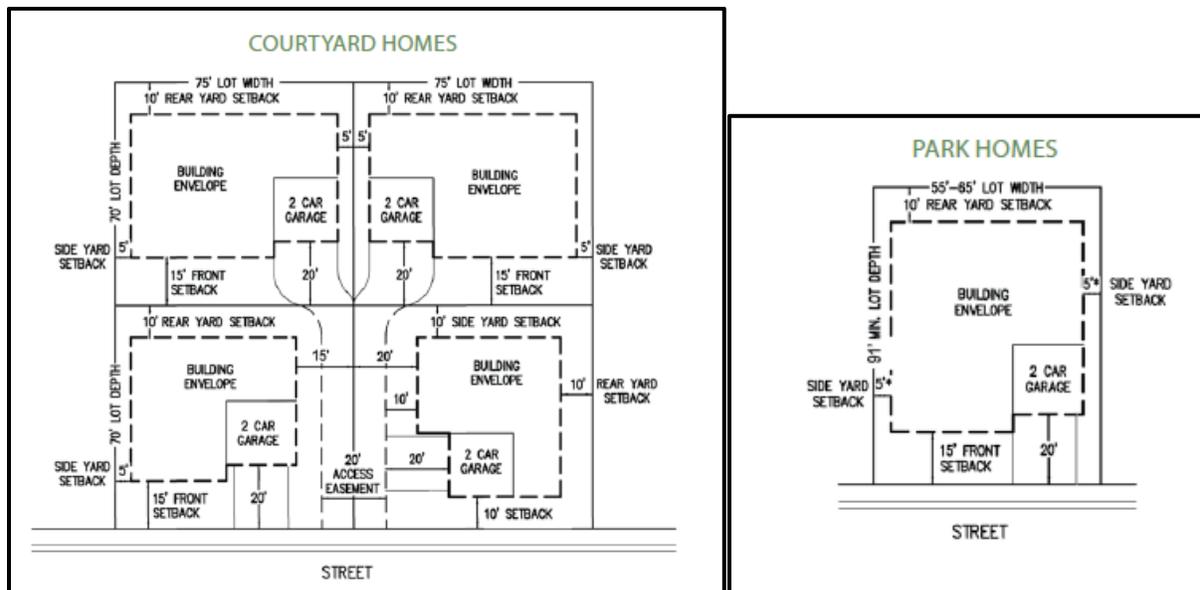
The existing development standards of the R-2 zone in the Hughson Municipal Code are identified in the table below:

<b>Density</b>	5.1 DU/A to 14.1 DU/A
<b>Average Parcel Size</b>	N/A
<b>Front Setback</b>	20 feet
<b>Side Setbacks</b>	5 feet for one story 7 feet for two story
<b>Side Corner</b>	15 feet
<b>Rear</b>	10 feet
<b>Minimum Width (feet)</b>	65 feet corner- single family 55 feet other- single family 70 feet duplex or multi family
<b>Minimum Driveway Length</b>	20 feet
<b>Maximum Height</b>	35 feet

The proposed project is deviating from some of these standards but not all. There is no average lot size requirement for the R-2 district. The lots for the Park Homes will be about 5,000 square feet, and the lots for the courtyard homes will be 5,250 square feet. The overall average lot size is 5,500 square feet. The table below shows the R-2 development standards as they compare to what the project is proposing (in red):

	Existing	Proposed
<b>Density</b>	5.1 DU/A to 14.1 DU/A	5.34 DU/A
<b>Average Parcel Size</b>	N/A	5,500 square feet average
<b>Front Setback</b>	20 feet	15 feet front 20 feet garage
<b>Side Setbacks</b>	5 feet for one story 7 feet for two story	5 feet
<b>Side Corner</b>	15 feet	Maintain line of sight
<b>Rear</b>	10 feet	10 feet
<b>Minimum Width (feet)</b>	65 feet corner- single family 55 feet other- single family 70 feet duplex or multi family	55-65 feet
<b>Driveway Length</b>	20 feet	20 feet
<b>Maximum Height</b>	35 feet	35 feet

The layout of the Court Homes and the Park Homes with their prescribed setbacks are below:



While the proposed project conforms to the density and many of the development standards of the R-2 zoning district, there are still differences between the proposed district and the R-2 zoning district. As such, the proposed project will also need a Planned Development Overlay Zone which will allow for reduced setbacks and design flexibility. A Planned Development Overlay Zone requires a Conditional Use Permit.

## Conditional Use Permit: Planned Development Overlay

The Planned Development Overlay Zone (PD Zone) section of the Hughson Municipal code is in 17.02.028. The purpose of the PD Zone is to encourage a creative and more efficient approach to the use of land and to provide greater flexibility in the design of integrated developments that would otherwise not be possible through the strict application of the zoning regulations. A PD Zone may be applied to parcels of land of any size and in any zone that is found to be suitable for the proposed development. The permitted uses of land in a PD zone are any use or combination of uses and densities that allow for a development that conforms to the General Plan. In this instance, it has been demonstrated that the proposed zone change and overall project is consistent with the General Plan. As such the 299 unit subdivision with Court Homes and Park Homes would be an allowable use within a PD Zone.

Per the code, the development standards of the proposed project should conform to the underlying zoning district except where it can be found that the total development will be improved by a deviation from the underlying development standards. What constitutes an improvement is listed in the below findings.

### *Required Findings for an Overlay Zone:*

Any proposed development plan containing any modification in or deviation from the standards required in the underlying zone will result in an improved project which is consistent with the General Plan, including at least one of the following findings:

1. Larger and more desirable open space is being provided, other than that required for public facilities such as storm drain retention basins.
2. Housing for very-low-income, lower-income, moderate-income and senior households is provided that meets the affordability requirements and development standards found in HMC 17.03.016.
3. The project will provide for a greater diversity of housing types including duplex and multifamily residences.
4. Provision of infrastructure or land for the provision of needed public facilities approved by the City Council beyond what would have been required for the development under the site's underlying zoning district.

The proposed project meets the first and fourth finding for an overlay zone. As discussed previously, given the size of the development and the number of assumed people that would be coming to the city, the proposed project would be required to provide 5.17 acres of parkland for the resulting 1,034 residents. The project is proposing 6.14 acres of park land and green space throughout the project site. While the largest park will have the storm drain retention basin for the project, there will still be multiple amenities at this park. Specifically, there will be a dog park, with enough room to have separate areas for both

small and large dogs. In addition to this dual use park, the project proposed two other parks, one that is 1.33 and .35 acres. The 1.33 acre park will have a variety of sports amenities, a seating area, a BBQ area, a play area, and walking paths. The smallest park will have open turf playing area, which is always needed for practice for the different sports teams within Hughson.

In addition to the extra park space, this particular project is proposing a unique housing type for Hughson- the Court Home. This court home concept will have four to six homes off of a single drive. The homes will look and feel like regular single family homes, but the lots will be smaller and thus more affordable to members of the community.

For these reasons, it is recommended that the Commission and Council find that the proposed project meets the requirements of the Planned Development Overlay zone findings.

### **Design Expectations**

In 2004, the City Council adopted Design Expectations that inform developers of the City's expectations for new residential development. The Design Expectations build upon the policies described in the General Plan by providing more specific examples of how to achieve a pedestrian-friendly community that builds on Hughson's traditional character. Prior to submitting a project application, developers are required to complete the Self Certification Checklist contained in the Design Expectations to ensure that each development incorporates the spirit of the desired design principles. This Self Certification for the proposed project is attached to the staff report.

Some of the main General Plan Policies that form the basis of the Design expectations are listed below:

- **Policy LU-3.1:** New development should be compatible with physical site characteristics, surrounding land uses, and available public infrastructure.
- **Policy LU-3.2:** New Development should provide a visually interesting appearance through variations of site and building design and building placement and orientation.
- **Policy LU-3.5:** New Development should be designed to connect to the existing community, through the orientation and design of buildings and vehicular, pedestrian, and bicycle connections.
- **Policy LU-3.6:** New development should not be visually or physically separated from the rest of the community.

Broadly, the proposed development is compatible with surrounding land uses. It is a single-family residential development that is right in-line with the surrounding densities in the neighborhoods immediately adjacent to the project and throughout the city. The

planned design of the overall development encourages walking and biking. The facade of the homes will look and feel like traditional single-family homes, despite the lot size. And most importantly, the new neighborhood will be connected to the existing neighborhoods through the existing street system. There will be enhanced landscaping and paving throughout the development, creating a strong sense of place.

The Design Expectations address a variety of different categories related to these four big concepts above. They are broken up into the following categories:

#### Orientation to Built Community/Adjoining Development

It is expected that new development will have numerous points of ingress and egress, interconnecting with local streets, bikeways and sidewalks. The proposed project will be connected to the neighborhood to the south and east through three streets, Flora Vista Drive, Estancia Drive, and San Gabriel Drive. There is also a connection to Santa Fe Avenue. Other streets are planned to be stubbed in the development and when future development occurs to the east of the site, the subdivision will be further connected to the existing neighborhoods. There is also a developed Class I Bike trail at the north of the site that links this area of Hughson to Ceres via the TID Ceres Canal. The subdivision is an open community without gates, and it only has a block wall to attenuate the sound along Santa Fe Avenue. The General Plan consistently stated that new development provide connections to existing development, not close them off. These connections are key in ensuring that this development is not separated from the community, and these continued connections will create a feeling of completeness which is lacking with the current orchards.

The homes that will be constructed will not place any two-story homes adjacent to single-story homes. All homes that are within a half mile radius of the railroad or Hatch Road will have rated assemblies or doors, windows and sliding glass doors.

#### Orientation to Parks, Public Open Space, and “Edges” of the Community

The homes are designed so that they front the parks and bike trail to keep “eyes on the street” and to serve as a safety mechanism for the community. The homes that face the canal also face the city’s edge which is a more attractive view of the city for those traveling on Hatch Road. The only wall edge is along Santa Fe which is needed given the noise of the railroad.

#### General Street Widths and Block Lengths

The overall street system is a modified grid system that does not include any cul-de-sacs.

#### Reduce Vehicle Speeds Through Neighborhoods

There are traffic calming measures in the project like round-a-bouts that will slow traffic to enhance the pedestrian experience as well as special paving features that create

attractive sidewalks for pedestrians. In addition, there are key neighborhood entry points that are highlighted with paving, landscaping and signage.

#### Encourage Pedestrian Activity In Residential Neighborhoods

There are walking paths at the parks, and all of the streets are connected via sidewalks as well as special paving along crosswalk intersections, highlighting the pedestrian experience. In addition, there are key neighborhood entry points in the subdivision that are enhanced through landscaping and roadway texture.

#### Enhance the Pedestrian Scale of the Residential Streetscape

Pedestrians are encouraged to walk throughout the subdivision but specifically along the TID Ceres Canal enhanced Class I Bike trail. This area is already a walking path, but the project is enhancing it tenfold. There are also over 600 trees planned for the development which will enhance the pedestrian experience even more. The street trees will be decorative and will provide a nod to the agricultural history of the city and site, and functional by providing a shade canopy to encourage outdoor activity.

#### Provide Variation in Lot Depths and Lot widths

There is a variation of lot sizes and widths incorporated into the project design.

#### Street View Walls and Monument Entries/Access

There are plans for an enhanced perimeter entry off of Santa Fe. This entry will not only serve as an entry into the neighborhood, but to the City as well. In addition to the enhanced entry off of Santa Fe, each connecting street from the existing neighborhood to the new development will have enhanced paving and landscaping.

#### Provide Variation in Building Setback and Streetscape Expression

The four-pack and six-pack configuration of the house creates an inherent variation in house placement and will provide for a varied building front. The different housing types will prevent any repetitiveness in the housing type and placement. The homes will be manipulated to allow for visual interest and bulk and height will be varied.

#### Building Variety and Type

The Court Homes and Park Homes will provide variation to the street scape that is lacking in many current single family neighborhoods. In addition to the different housing type, each housing type will have one and two story models which will provide even more variety and interest to the streetscape.

#### Minimize the Impact of Garages and Off Street Parking Areas

In the proposed designs, the garage is not the prominent feature in the facades. The main building is closer to the street and there is articulation of the front facades. The second stories will be located above the garages and will have an added architectural element to them.

### Creative Entry Walks and Driveways

Each home has a separate pedestrian entrance to the front door. All driveways are 20 feet in length and will have a contrasting paved surface.

### Maximize Porches, Entries, and Courts

All homes face the street, and no court home will be turned inward. The conceptual homes have prominent entryways and there is a clear balance in the appearance of the main house and the garage.

### General Architecture

The proposed housing designs are conceptual at this point, but the proposed houses are appropriate in scale and mass. They design concepts highlight rich materials and colors and have a lot of windows to allow for natural light. All mechanical equipment will be located in areas not visible from the street, and all trash can areas will be out of immediate view.

### Gateways

There are architectural features that complement the existing landscaping along Santa Fe. The new gateways on the existing streets provide new interest to the street.

## **PUBLIC OUTREACH**

Two community meetings were held on June 25, 2020 from 6:00 pm-6:45 pm and from 7:00 pm-7:45 pm. There were nine people at the first meeting and four people at the second meeting. A total of 91 notices went out the community within 300 feet of the project site. It is required by the HMC that notices are set to individuals within 300 feet of the project boundary. The Planning Commission Hearing was also published in the Hughson Chronicle on July 7, 2020. Another notice will be placed in the paper identifying the date of the Council meeting.

## **CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

A Mitigated Negative Declaration (MND) was prepared for the Parkwood Subdivision Project in compliance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines.

The Initial Study prepared in support of the MND identified potentially significant impacts which could be mitigated to less than significant levels. Mitigation measures were developed to lessen the impacts to less than significant. The mitigation measures are included in the Mitigation Monitoring and Reporting Program (MMRP) for the project and are attached to the staff report.

Standard mitigation measures are required to ensure no impacts occur during construction and operation of the project. These mitigation measures include best management practices for construction related air quality impacts, compliance with the California Building Code, erosion control during construction activities, protection of unknown subsurface resources, protection of construction workers, water quality impacts during construction, and impacts to public facilities.

The Draft MND was circulated for public review for 30 days consistent with CEQA Guidelines Section 15132 starting on June 15, 2020 and ending on July 15, 2020. Seven comment letters were received from the following individuals or agencies:

- Hughson Unified School District (HUSD)
- Hughson Fire Protection District
- Email / letter from Gina Oltman
- Email / letter from Michael A. Mitchell
- Email from Robin MacDonald
- Via State Clearinghouse
  - RWQCB
  - Department of Conservation

Many of the comments received focus on potential traffic impacts to the existing neighborhoods and the availability of water and sewer capacity for the new development.

Impacts associated with traffic are discussed in Section XVII of the Initial Study. The transportation analysis is based on the project-specific Traffic Impact Analysis that was completed for the project. The addition of project trips will not result in any location carrying daily volumes in excess of the City of Hughson minimum level of service D goal. The project will add traffic to the local streets south and east of the site. While not an adopted significance criterion, in comparison to the planning level daily volume thresholds typically employed by other communities, the project will not result in any local street carrying volumes that exceed an acceptable level. Additionally, while development of the project will increase the volume of traffic passing through study area intersections, resulting traffic conditions will not exceed the City's minimum LOS D standard. The same holds true during the cumulative traffic condition.

The project includes development of infrastructure (water, sewer, and storm drainage) required to support the proposed subdivision. The project will be served by existing City water, sewer, and storm drainage infrastructure. The existing City laterals and lines currently located in E. Hatch Road and Santa Fe Avenue will be extended to the project

site. The City provides wastewater collection and treatment for the incorporated city and operates a wastewater treatment plant on the northern edge of the city, between Hatch Road and the Tuolumne River. The plant has an existing design capacity for dry weather flows of 800,000 gpd and up to 2.33 mgd for peak wet weather flows. The treatment plant estimated the average flow is currently .6 mgd gpd, leaving 1.73 mgd gpd available for the new development and even future development. There is adequate treatment capacity at the site.

Upon completion of the Well 7 Replacement Project, the City's water supply capacity is expected to be adequate to meet the City's projected water demands at the buildout of the project. The City is currently addressing arsenic and 1,2,3-TCP water quality issues so the City's active water supply wells are in compliance with federal and state drinking water codes. The well supply capacity will not be impacted by the state's groundwater sustainability laws and local basin mitigation plans, and the well supply capacities in single dry and multiple drought years are the same as in normal years. The project applicant will be required to pay water system impact fees to the City totaling \$2,427,581. At buildout the subdivision will contribute \$190,164 annually in water rates. These fees will be used to partially offset capital costs of the City's planned water system improvements and ongoing operation and maintenance of the water facilities.

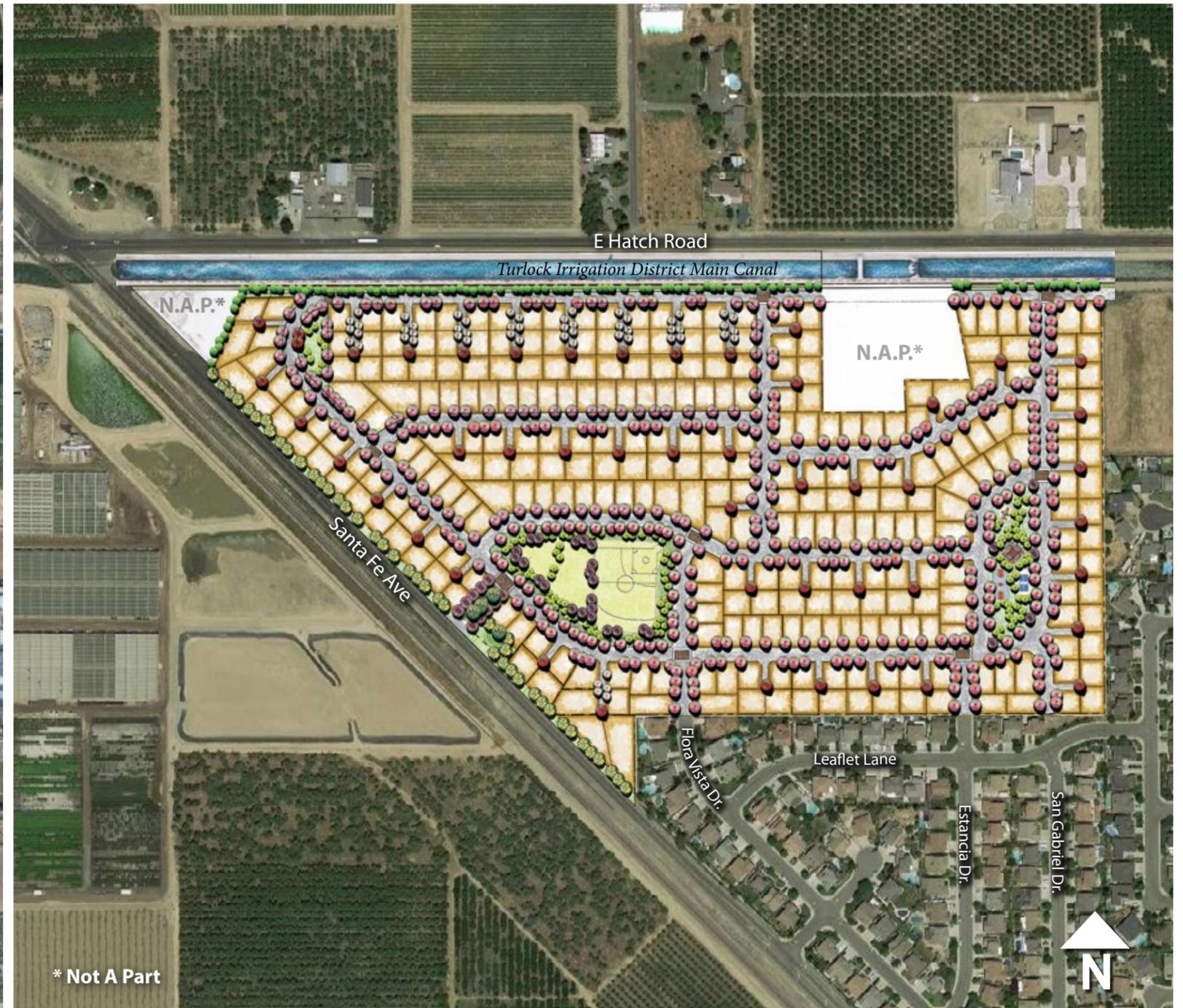
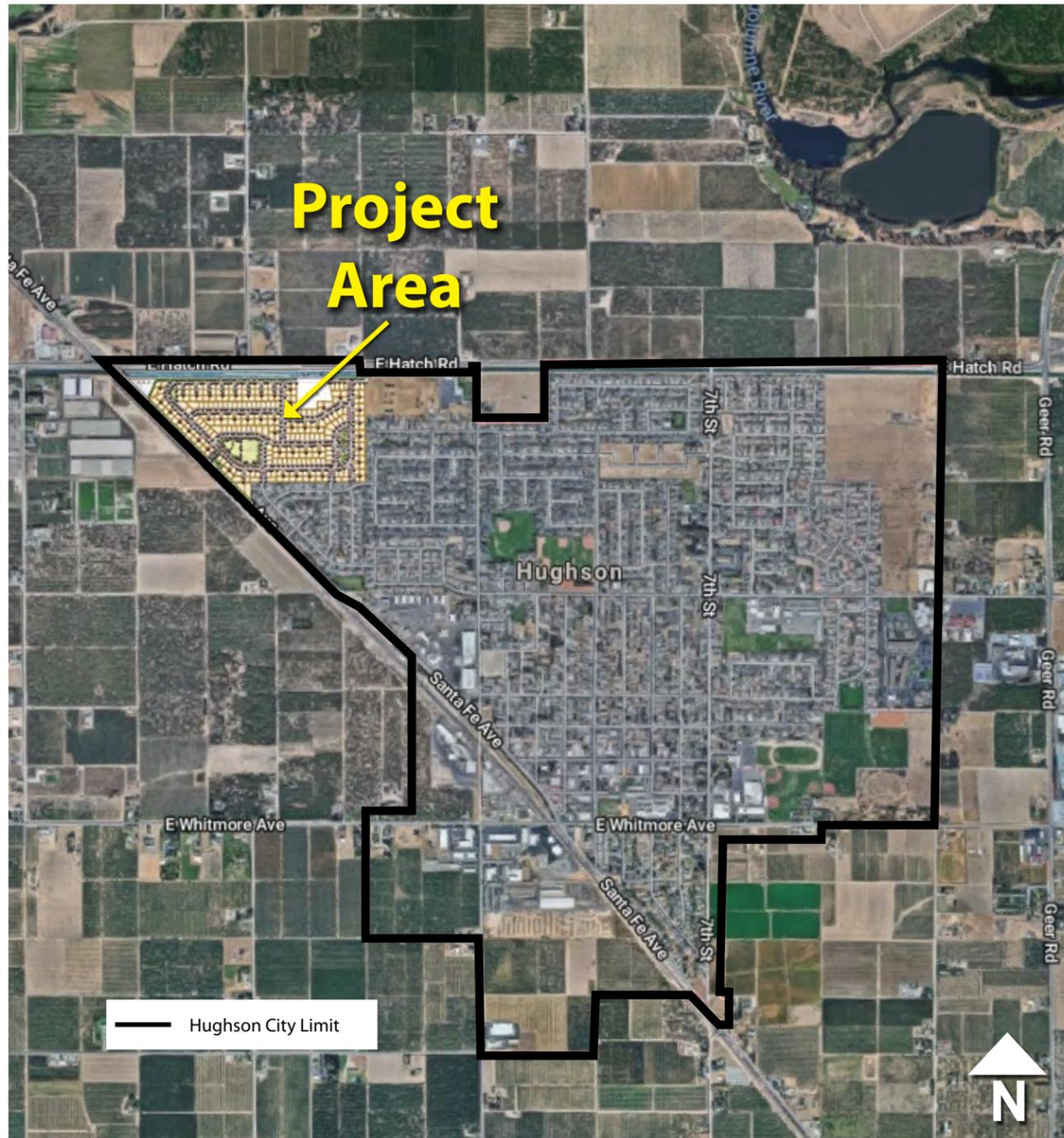
The site is required to install infrastructure that will allow storm water to properly drain from the project site and will not result in downstream flooding or major drainage changes.

Responses to these comment letters are provided in the Final MND. The MND and supporting Initial Study, Responses to Comments Document, and the MMRP are available online at [www.hughson.org/planning](http://www.hughson.org/planning).



Vicinity Map.....	3
Hughson City Limit & Project Location Map.....	4
Illustrative Site Plan .....	5
Development Standards.....	6
Tentative Map .....	7-9
Street Cross-Sections .....	10
Neighborhood Parks .....	11
Enhanced Design Standards .....	12
Wall Plan .....	13
Parking Plan.....	14







**LAND USE DATA**

Lot Count : 299 Single Family Residential (SFR) Lots

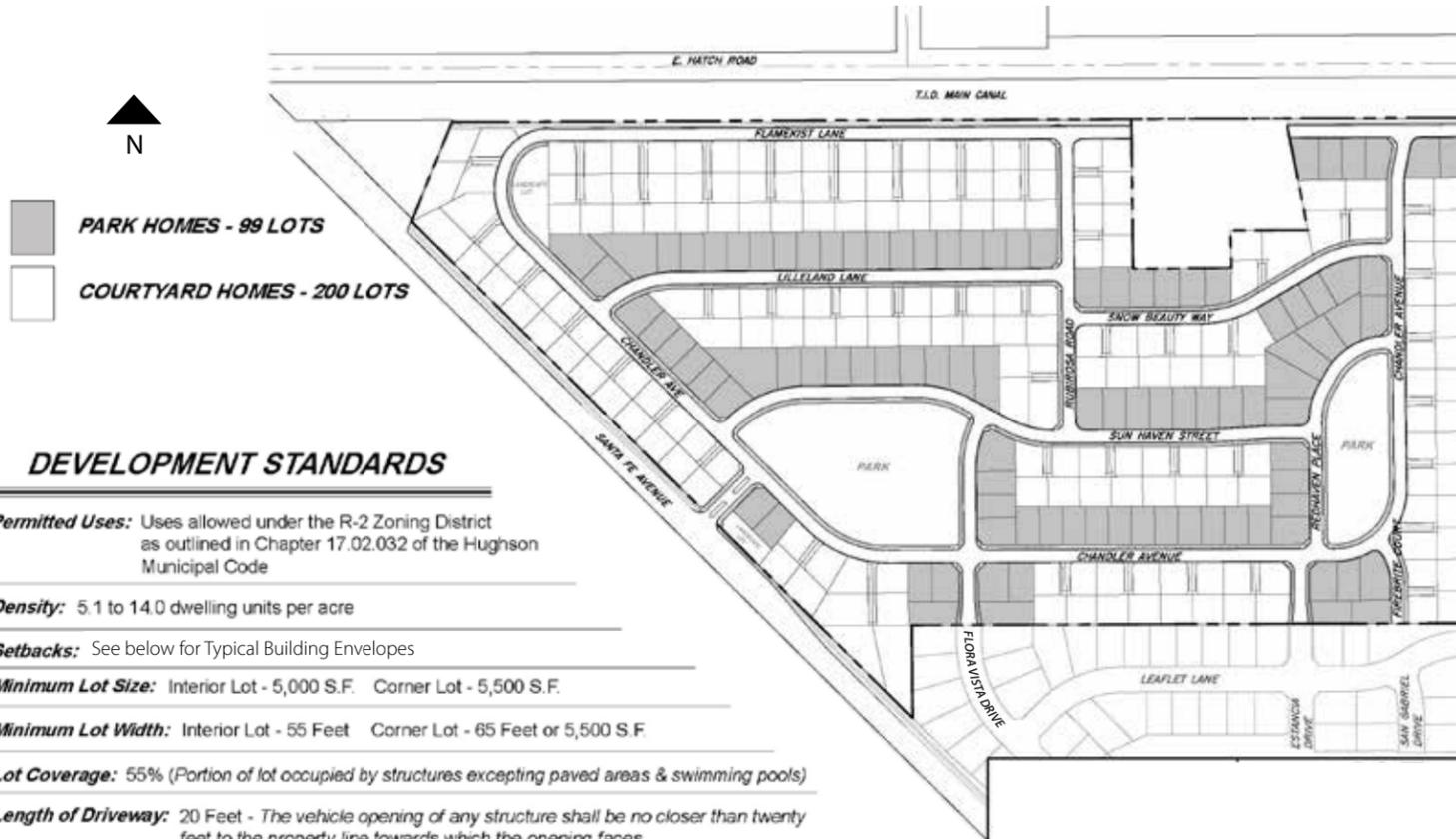
*Park Home Lot Size: 5,005 SF*  
*Courtyard Home Lot Size: 5,250 SF*  
*Overall Average: 5,500 SF*

Project Acreage: 56.04 Gross Acres

Parks/Open Space: 6.57 Acres

299 SFR lots / 56.04 Gross Acres = 5.33 D.U./Acres





**DEVELOPMENT STANDARDS**

**Permitted Uses:** Uses allowed under the R-2 Zoning District as outlined in Chapter 17.02.032 of the Hughson Municipal Code

**Density:** 5.1 to 14.0 dwelling units per acre

**Setbacks:** See below for Typical Building Envelopes

**Minimum Lot Size:** Interior Lot - 5,000 S.F. Corner Lot - 5,500 S.F.

**Minimum Lot Width:** Interior Lot - 55 Feet Corner Lot - 65 Feet or 5,500 S.F.

**Lot Coverage:** 55% (Portion of lot occupied by structures excepting paved areas & swimming pools)

**Length of Driveway:** 20 Feet - The vehicle opening of any structure shall be no closer than twenty feet to the property line towards which the opening faces

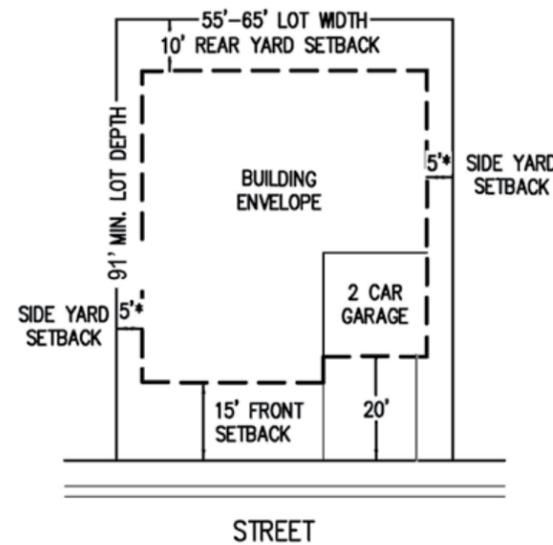
**Height Limit:** 35 Feet - See Chapter 17.03.020(B) of the Hughson Municipal Code for height limit exceptions

**Architecture:** Design Review Committee Approval is required prior to construction of any new dwelling in order to ensure an attractive development

**Parking:** Per the requirements of Chapter 17.03.060 (Parking) of the Hughson Municipal Code

**Signs, Lighting & Landscaping:** Per the requirements of the Hughson Municipal Code - Type and Style of Lighting and Signage to be equal to or similar to the examples on Sheet 2

**Building Envelope  
PARK HOMES**



\* STREET SIDE CORNER LOT 10' SIDEYARD SETBACK

**Building Envelopes  
COURTYARD HOMES**

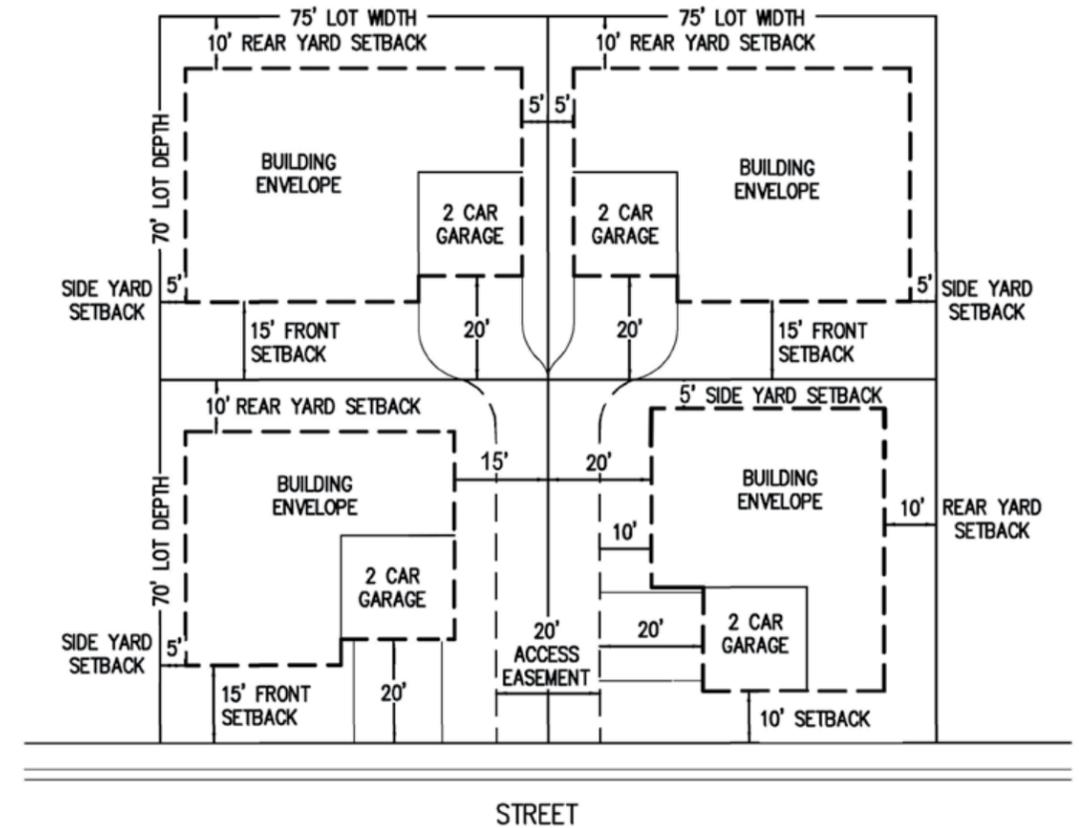


TABLE - PRIVATE ROADS AND OPEN SPACES AND CORRESPONDING LOT NUMBER.

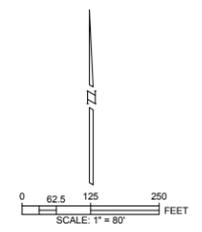
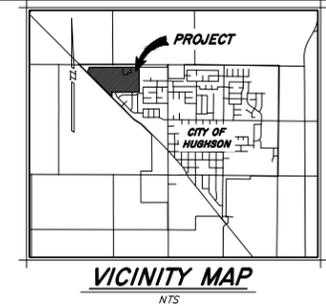
NAME	LOT
PARK/OPEN SPACE	A,B,C,D
CHANDLER AVE	F,M,P
ESTANCIA DR	O
FIREBRITE CT	R
FLAMEKIST LN	E,N
FLORA VISTA DR	I,J
LILLELAND LN	G
RUBIROSA RD	K
RED HAVEN PL	Q
SNOW BEAUTY WAY	L
SUN HAVEN ST	H
<b>TOTAL LOT COUNT</b>	<b>18</b>

# PARKWOOD

## VESTING TENTATIVE SUBDIVISION MAP

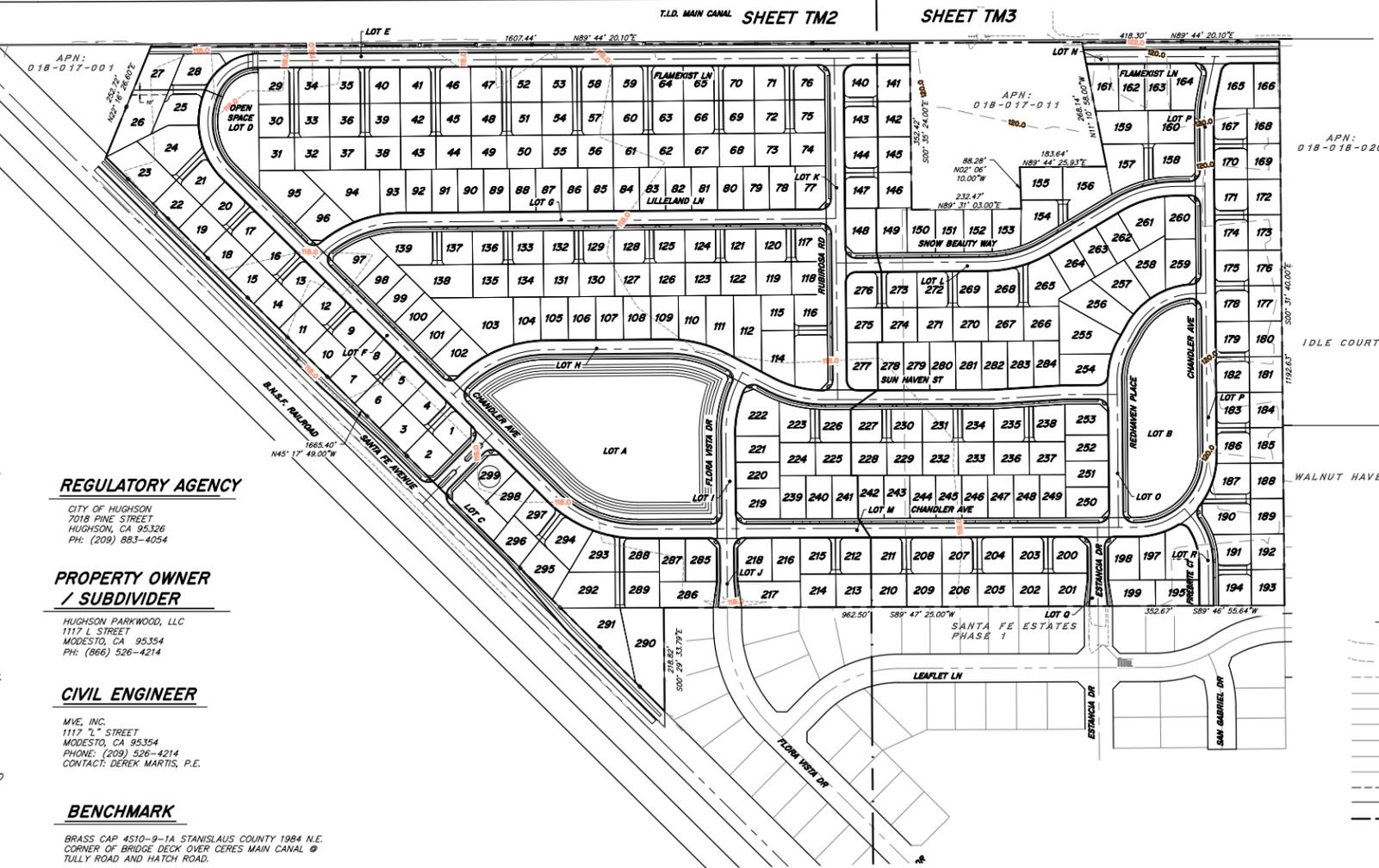
### HUGHSON, CALIFORNIA

BEING A PORTION OF NORTH WEST QUARTER OF SECTION 9,  
TOWNSHIP 4 SOUTH, RANGE 10 EAST, MOUNT DIABLO MERIDIAN  
COUNTY OF STANISLAUS, STATE OF CALIFORNIA



### GENERAL NOTES

- PROPERTY LOCATION: HUGHSON, CALIFORNIA 95326
- ASSESSOR'S PARCEL NUMBERS: 018-017-002, 018-017-010 & 018-017-014
- PROJECT AREA: 56.04 ± ACRES
- EXISTING USE: AGRICULTURE
- PROPOSED USE: PLANNED DEVELOPMENT SINGLE-FAMILY RESIDENTIAL, PARKS AND OPEN SPACE.
- EXISTING ZONING: R-1, R-2 & C-2
- PROPOSED ZONING: R-2 MEDIUM DENSITY RESIDENTIAL WITH A PLANNED DEVELOPMENT OVERLAY
- NUMBER OF RESIDENTIAL LOTS: 299
- SANITARY SEWER: CITY OF HUGHSON - CONNECT TO EXISTING SEWER SYSTEM
- STORM DRAIN: CITY OF HUGHSON - DETENTION BASIN AND DISCHARGE TO TID CANAL
- WATER SERVICE: CITY OF HUGHSON - CONNECT TO EXISTING WATER SYSTEM
- ELECTRICAL: TURLOCK IRRIGATION DISTRICT (TID)
- GAS SERVICE: PACIFIC GAS & ELECTRIC
- TELEPHONE SERVICE: SBC
- FIRE PROTECTION: HUGHSON FIRE PROTECTION DISTRICT
- SCHOOL DISTRICT: HUGHSON UNIFIED SCHOOL DISTRICT
- FLOOD ZONE: ZONE X - OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN
- ALL IMPROVEMENTS SHALL BE CONSTRUCTED AS PER THE CITY OF HUGHSON STANDARD SPECIFICATIONS.
- ALL EXISTING EASEMENTS IN CONFLICT WITH NEW DEVELOPMENT TO BE ABANDONED AND/OR RELOCATED.
- EXISTING STRUCTURES WITHIN THE PROJECT BOUNDARY SHALL BE REMOVED ACCORDINGLY.
- EXISTING CONTOURS ARE SHOWN AT 2' INTERVALS AND WERE DEVELOPED FROM A PRELIMINARY TOPOGRAPHY SURVEY PREPARED BY MVE.
- THE SUBDIVIDER HEREBY RESERVES THE RIGHT TO FILE "MULTIPLE FINAL MAPS" AS SET FORTH BY THE SUBDIVISION MAP ACT, ARTICLE 4, SECTION 66456.1.
- A P.U.E. WILL BE DEDICATED ALONG ALL STREET, LANE AND COURT FRONTS FOR ELECTRICAL, GAS, TELECOMMUNICATIONS AND CABLE FACILITIES. ALL IMPROVEMENTS SHALL BE CONSTRUCTED AS PER THE CITY OF HUGHSON STANDARD SPECIFICATIONS.
- STREET LIGHTING SHALL BE INSTALLED AS PER DECORATIVE LIGHTING DESIGN AND CITY SPECIFICATION AS APPLICABLE.
- TOTAL NO. OF LOTS: 317 LOTS, LOT A, LOT B, AND LOT D TO BE DEDICATED TO THE CITY OF HUGHSON AS PARK USE. LOTS C THROUGH R, EXCLUDING LOT D, TO BE DEDICATED TO AND MAINTAINED BY A HOA AND/OR C/D.
- ALL NEW PUBLIC UTILITIES SHALL BE INSTALLED UNDERGROUND WITHIN THE CITY RIGHT-OF-WAY OR WITHIN A PUBLIC UTILITY EASEMENT IN FAVOR OF THE CITY. NO UNDERGROUNDING OF EXISTING UTILITIES WILL BE REQUIRED ALONG THE TID CANAL OR ALONG SANTA FE AVENUE.
- THE PROPERTY LINE DISTANCES AND BEARINGS AND ALL OTHER DIMENSIONS SHOWN ON THIS MAP WERE COMPILED BY TITLE REPORT DATA, RECORD MAPS, DEEDS AND STANISLAUS COUNTY RECORDS AND DOES NOT REFLECT AN ACTUAL BOUNDARY SURVEY.
- SANTA FE AVENUE IMPROVEMENTS AND RIGHT-OF-WAY TO BE DEDICATED TO THE CITY OF HUGHSON.
- ALL PRIVATE STREETS TO HAVE A P.U.E. OVERLAY FOR PUBLIC UTILITIES.



### REGULATORY AGENCY

CITY OF HUGHSON  
7018 PINE STREET  
HUGHSON, CA 95326  
PH: (209) 883-4054

### PROPERTY OWNER / SUBDIVIDER

HUGHSON PARKWOOD, LLC  
1117 L STREET  
MODESTO, CA 95354  
PH: (866) 526-4214

### CIVIL ENGINEER

MVE, INC.  
1117 "L" STREET  
MODESTO, CA 95354  
PHONE: (209) 526-4214  
CONTACT: DEREK MARTIS, P.E.

### BENCHMARK

BRASS CAP 4510-9-1A STANISLAUS COUNTY 1984 N.E.  
CORNER OF BRIDGE DECK OVER CERES MAIN CANAL @  
TULLY ROAD AND HATCH ROAD.  
ELEVATION = 124.96, CITY OF HUGHSON DATA.

### LEGEND

- 115 - EXISTING CONTOURS (MAJOR)
- 116 - EXISTING CONTOURS (MINOR)
- - - EXISTING EASEMENTS
- - - EXISTING PARCEL LINES
- - - EXISTING WATER LINE
- - - EXISTING STORM LINE
- - - EXISTING SEWER LINE
- - - EXISTING OVERHEAD LINE
- - - EXISTING GAS LINE
- - - PROPOSED EASEMENTS
- - - PROPOSED LOT LINES
- - - PROJECT BOUNDARY

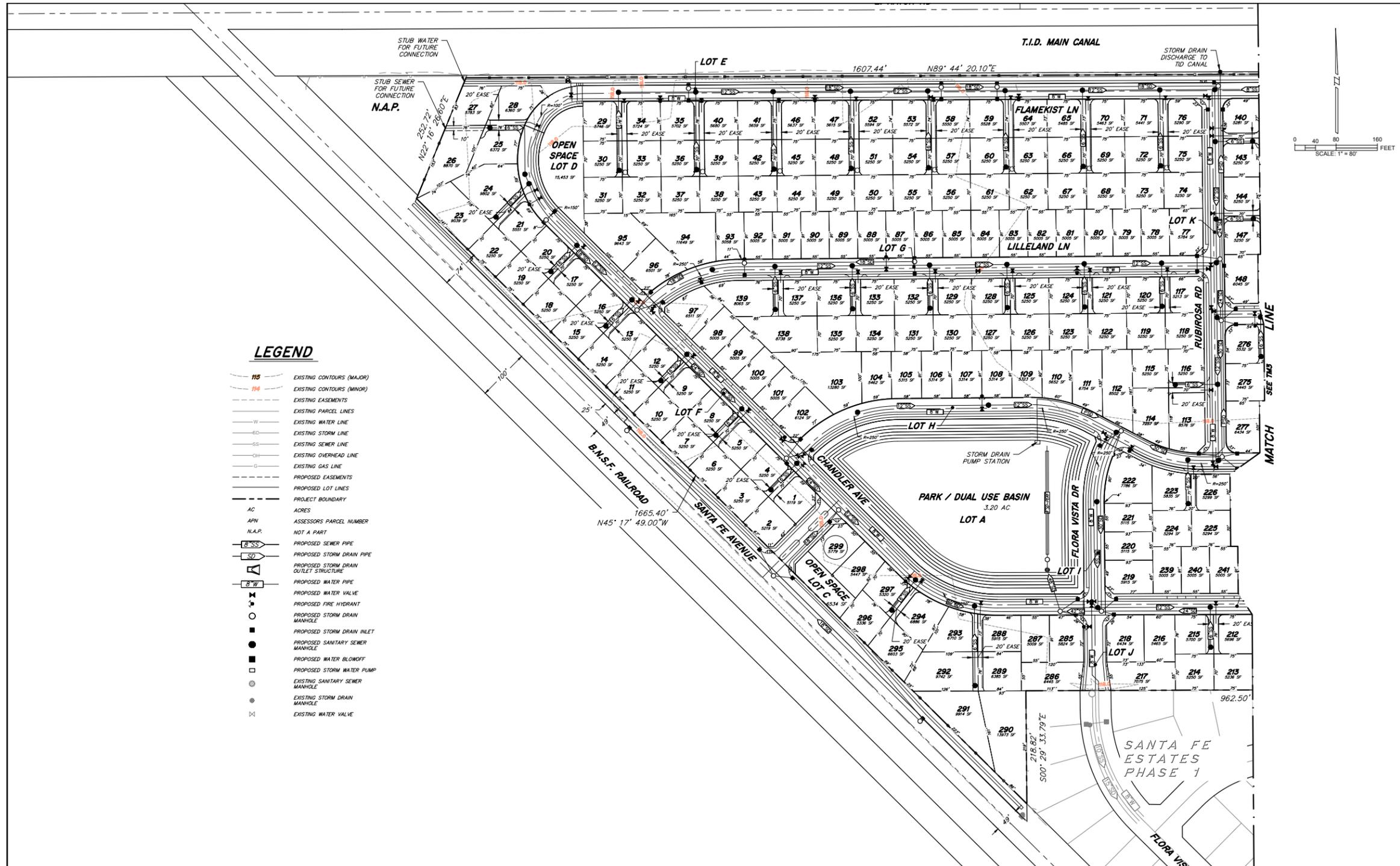
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Issue Date:	7/13/2020				
Job No.:	NC18039				
Checked:	DAM				
Design By:	TL				

**MVE Ino.**  
1117 L Street, Modesto, CA 95354 | 866.526.4214 | www.mve.net  
Northern California | Southern California | Nevada

**PARKWOOD**  
VESTING TENTATIVE SUBDIVISION MAP  
BEING A PORTION OF NORTH WEST QUARTER OF SECTION 9,  
TOWNSHIP 4 SOUTH, RANGE 10 EAST, MOUNT DIABLO MERIDIAN  
COUNTY OF STANISLAUS, STATE OF CALIFORNIA

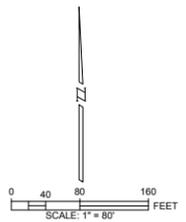
DWG.	<b>TM1</b>
SHEET	<b>1</b>
OF	<b>3</b>

07/13/2020



**LEGEND**

	EXISTING CONTOURS (MAJOR)
	EXISTING CONTOURS (MINOR)
	EXISTING EASEMENTS
	EXISTING PARCEL LINES
	EXISTING WATER LINE
	EXISTING STORM LINE
	EXISTING SEWER LINE
	EXISTING OVERHEAD LINE
	EXISTING GAS LINE
	PROPOSED EASEMENTS
	PROPOSED LOT LINES
	PROJECT BOUNDARY
AC	ACRES
APN	ASSESSORS PARCEL NUMBER
N.A.P.	NOT A PART
	PROPOSED SEWER PIPE
	PROPOSED STORM DRAIN PIPE
	PROPOSED STORM DRAIN OUTLET STRUCTURE
	PROPOSED WATER PIPE
	PROPOSED WATER VALVE
	PROPOSED FIRE HYDRANT
	PROPOSED STORM DRAIN MANHOLE
	PROPOSED STORM DRAIN INLET
	PROPOSED SANITARY SEWER MANHOLE
	PROPOSED WATER BLOWOFF
	PROPOSED STORM WATER PUMP
	EXISTING SANITARY SEWER MANHOLE
	EXISTING STORM DRAIN MANHOLE
	EXISTING WATER VALVE



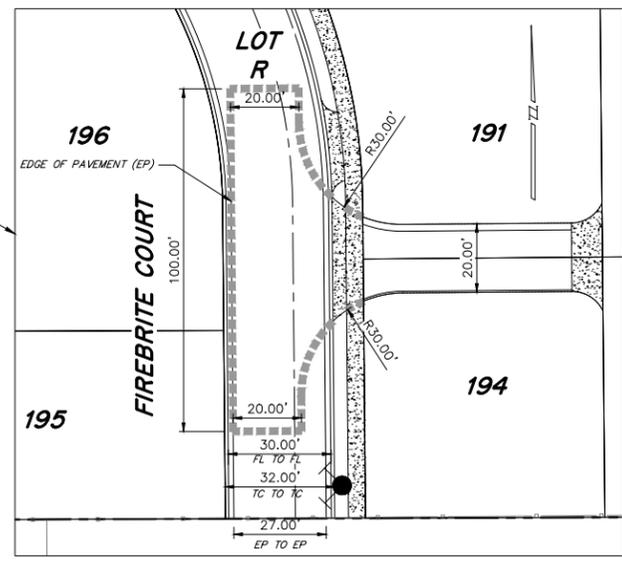
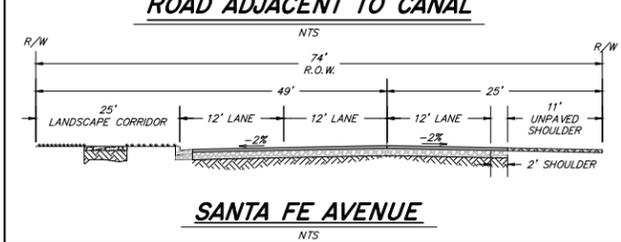
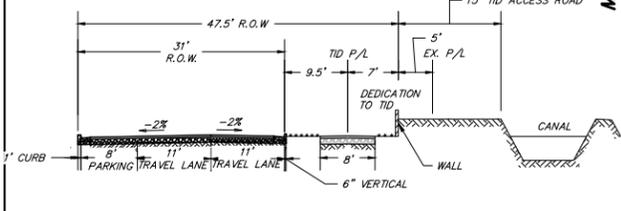
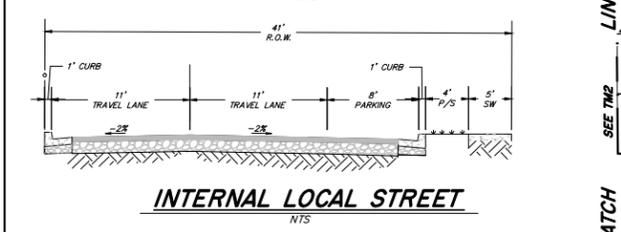
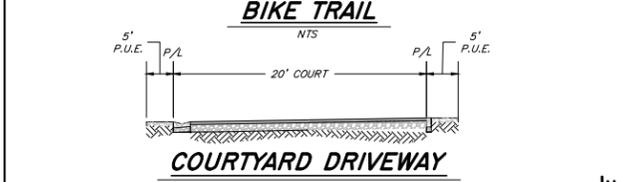
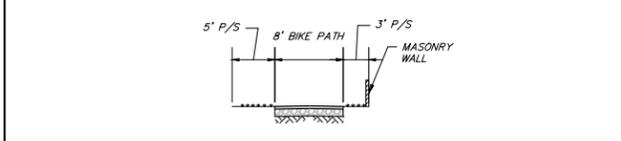
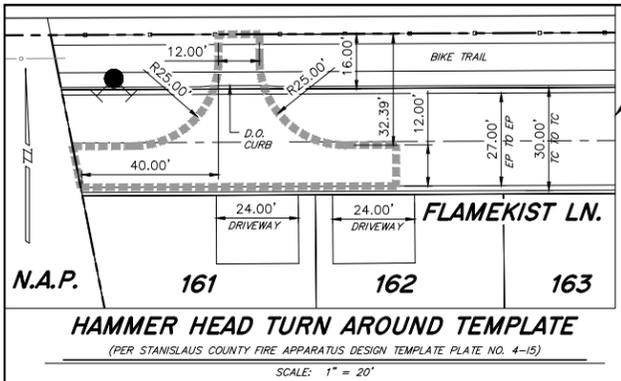
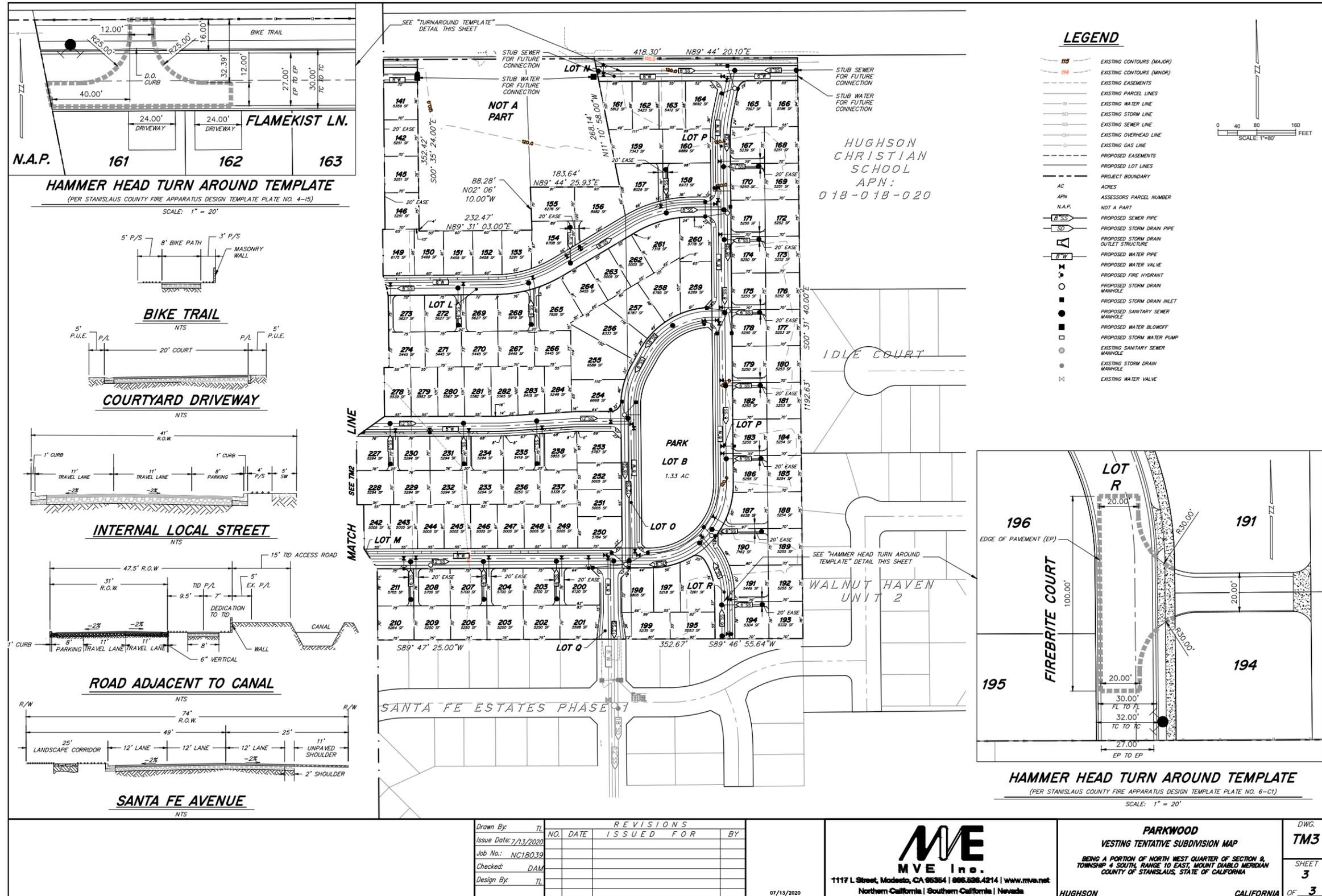
REVISIONS				
NO.	DATE	ISSUED	FOR	BY

Drawn By: TL  
 Issue Date: 7/13/2020  
 Job No.: NC18039  
 Checked: DAM  
 Design By: TL

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**PARKWOOD**  
 VESTING TENTATIVE SUBDIVISION MAP  
 BEING A PORTION OF NORTH WEST QUARTER OF SECTION 8,  
 TOWNSHIP 4 SOUTH, RANGE 10 EAST, MOUNT DIABLO MERIDIAN  
 COUNTY OF STANISLAUS, STATE OF CALIFORNIA

DWG.  
**TM2**  
 SHEET  
**2**  
 OF **3**

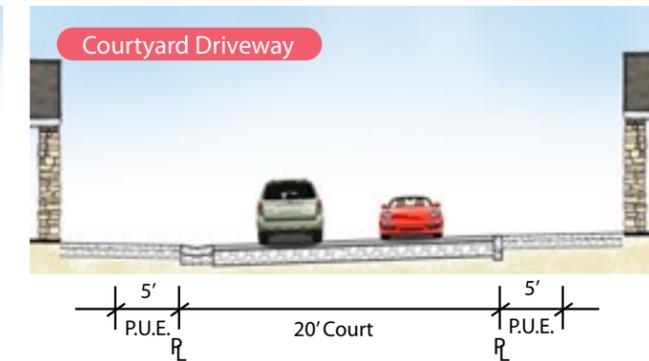
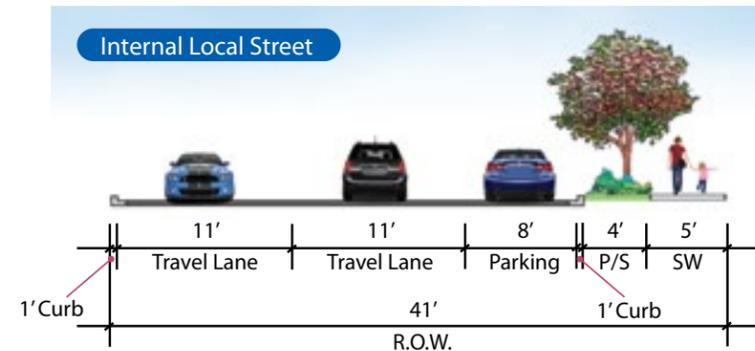
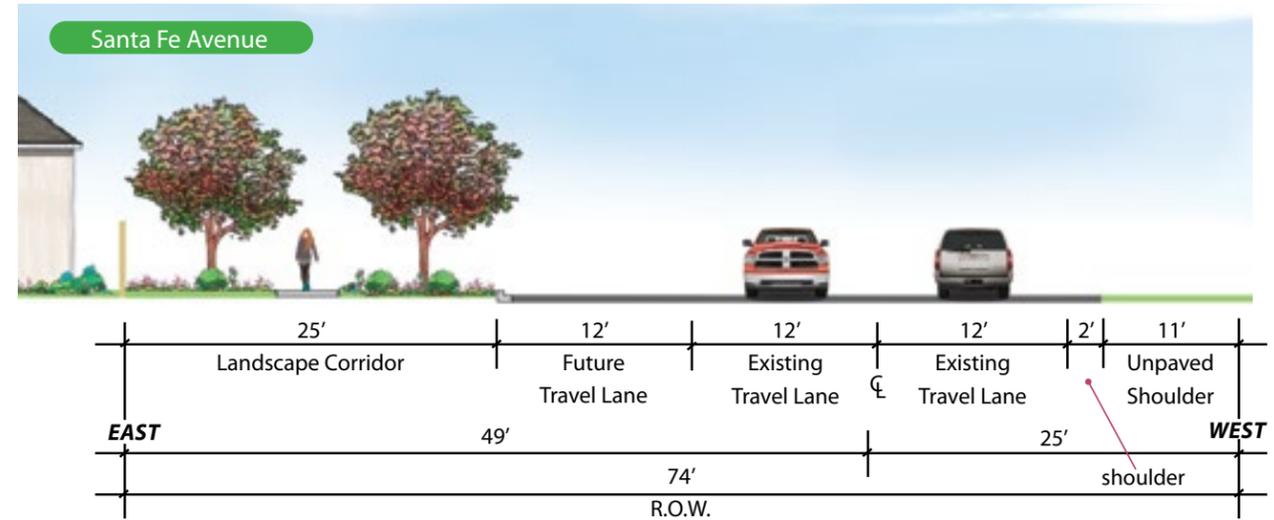
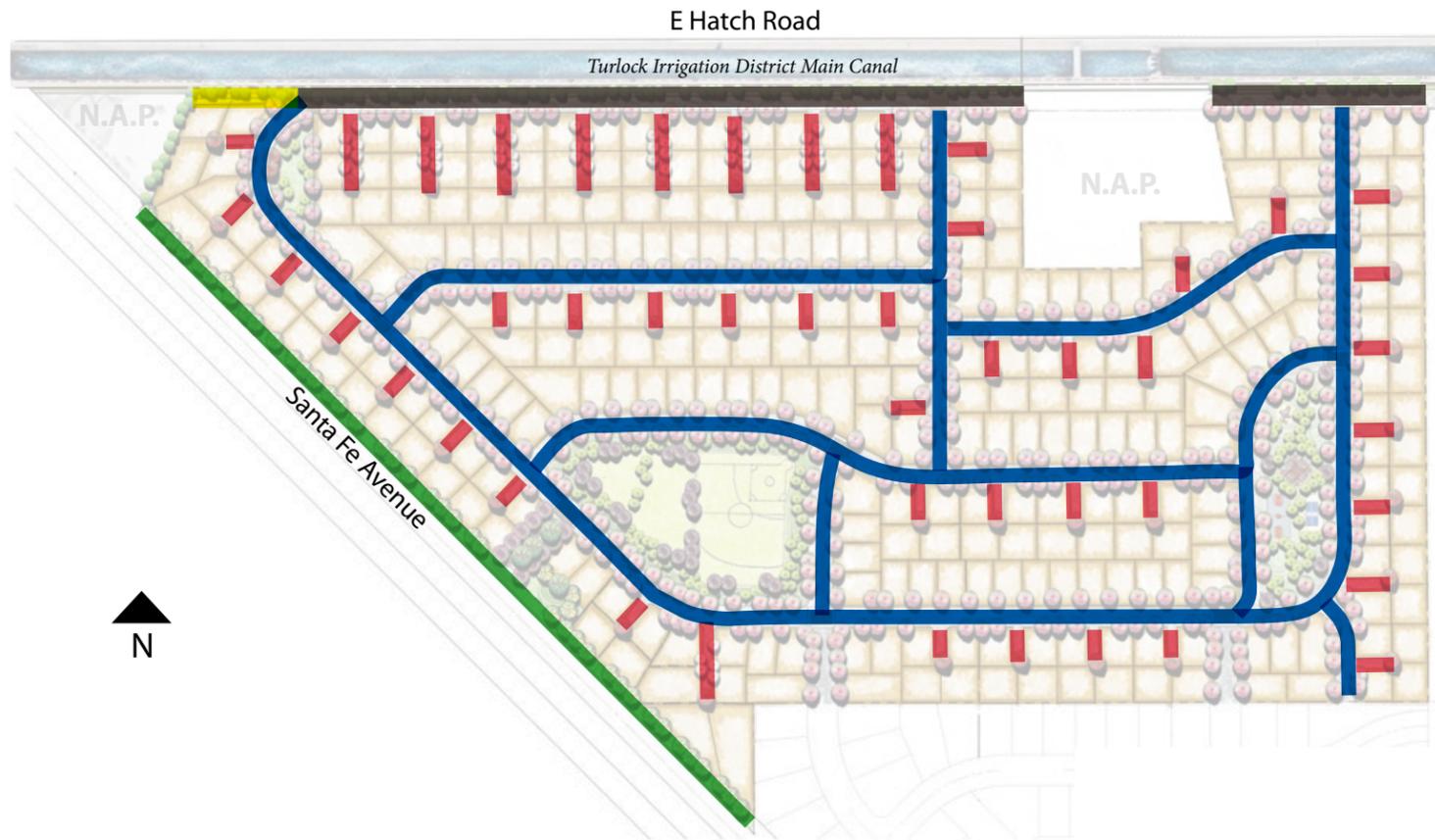


REVISIONS				
NO.	DATE	ISSUED FOR	BY	

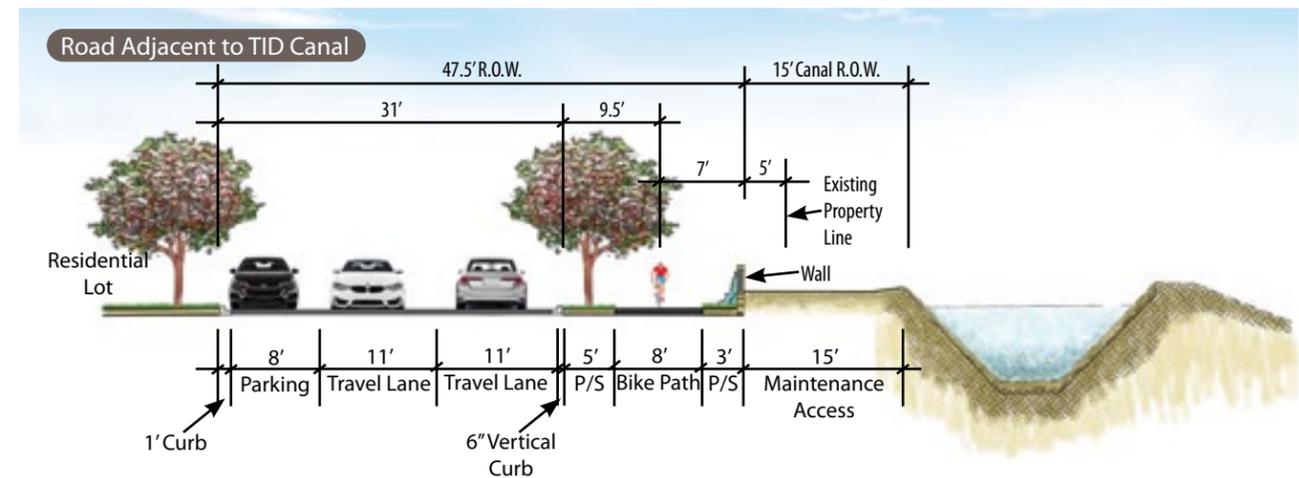
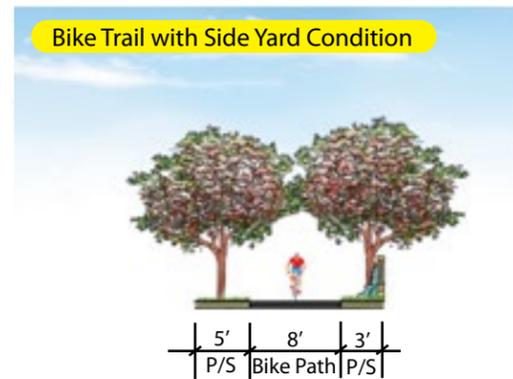
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DWG. **TM3**  
SHEET **3**  
OF **3**

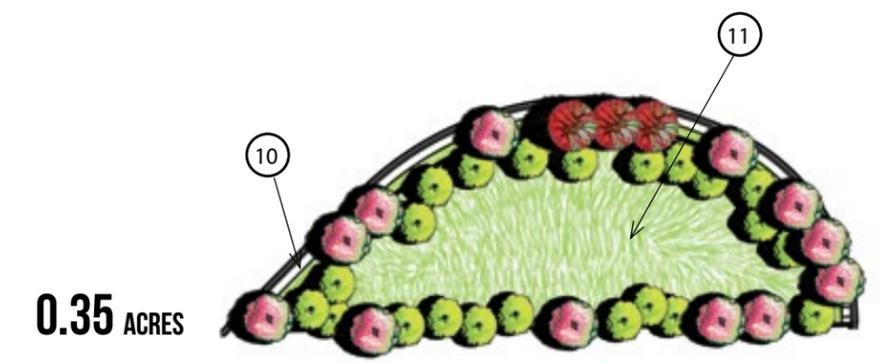
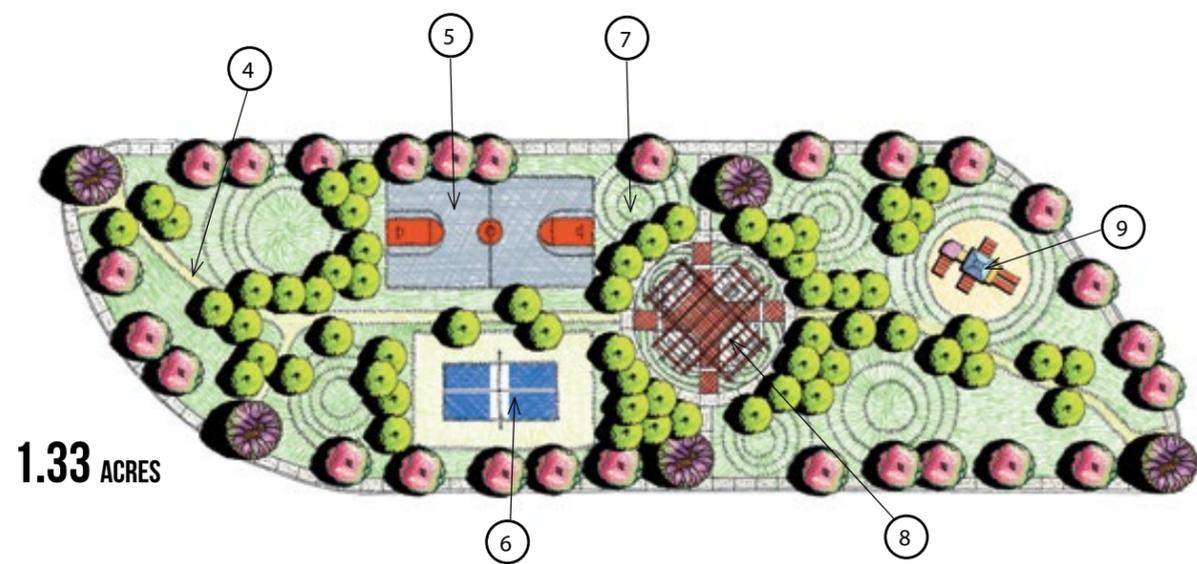
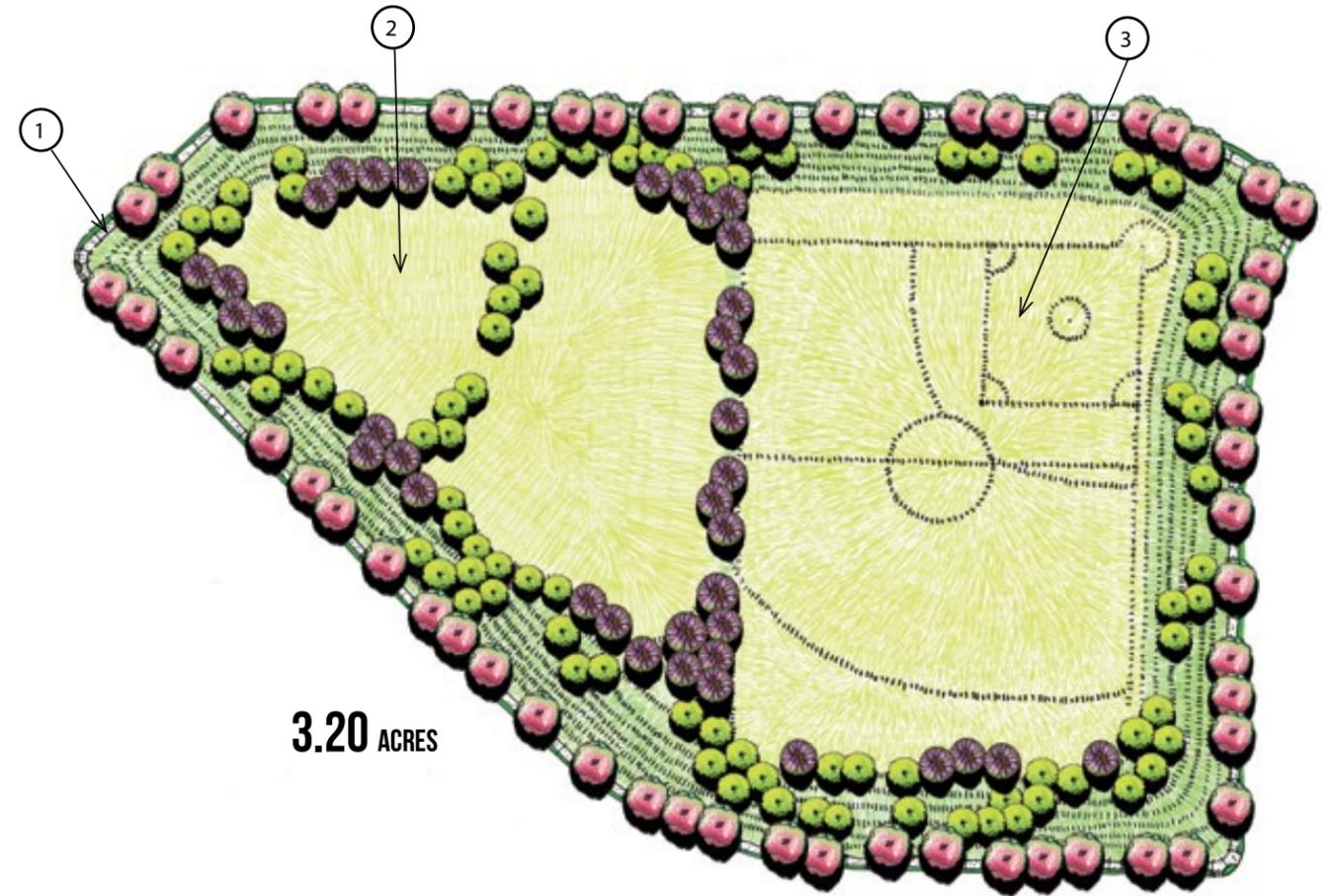


- █ Santa Fe Avenue
- █ Internal Local Street
- █ Courtyard Driveway
- █ Road Adjacent to TID Canal
- █ Bike Trail with Side Yard Condition



**LEGEND**

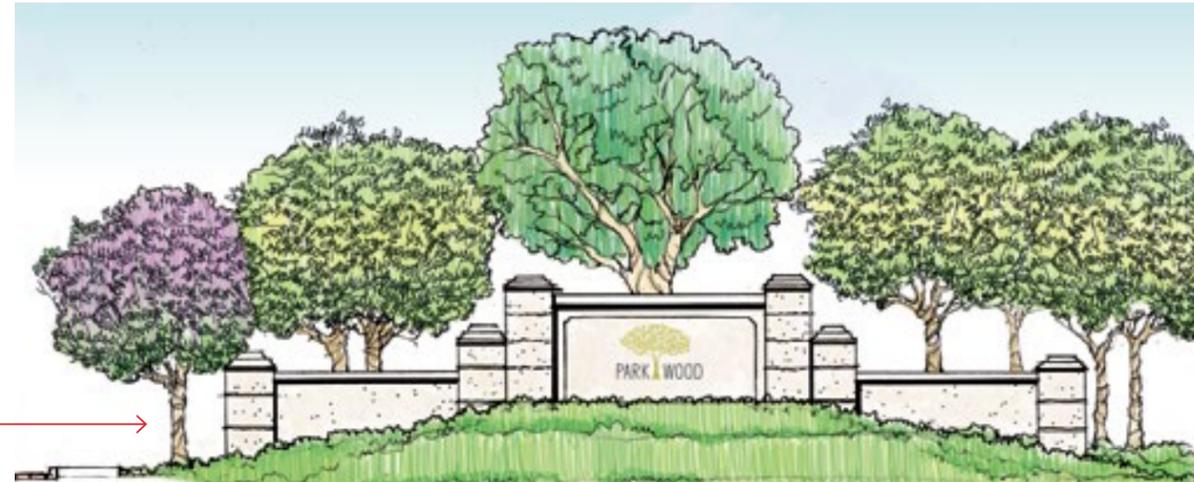
1. Neighborhood Connecting Sidewalk
2. Dog Park
3. Open Turf Playfield
4. Neighborhood Connecting Path
5. Basketball Court
6. Pickle ball Court/Volleyball
7. Turf Mounding & Seat Walls
8. Paved Seating Area w/ BBQ's & Picnic Tables
9. Children's Playground Equipment
10. Neighborhood Connecting Sidewalk
11. Open Turf Playfield



NOTE: Images are for illustrative purposes to provide character to the overall project. Developer may propose alternative designs that provide similar character subject to approval by the Community Development Director.



Santa Fe Avenue Entrance



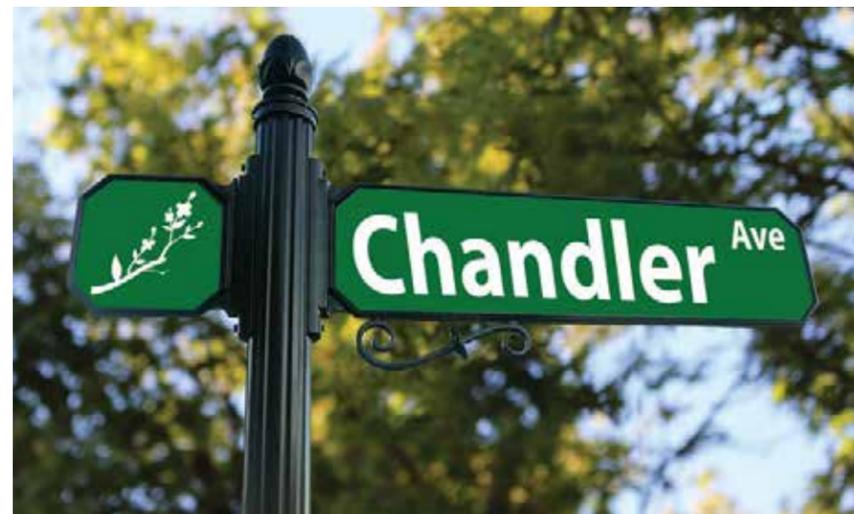
Entryway Monument Sign



Decorative Stop Sign & Street Sign



Decorative Street Lighting



Decorative Street Signage

NOTE: Images are for illustrative purposes to provide character to the overall project. Developer may propose alternative designs that provide similar character subject to approval by the Community Development Director.

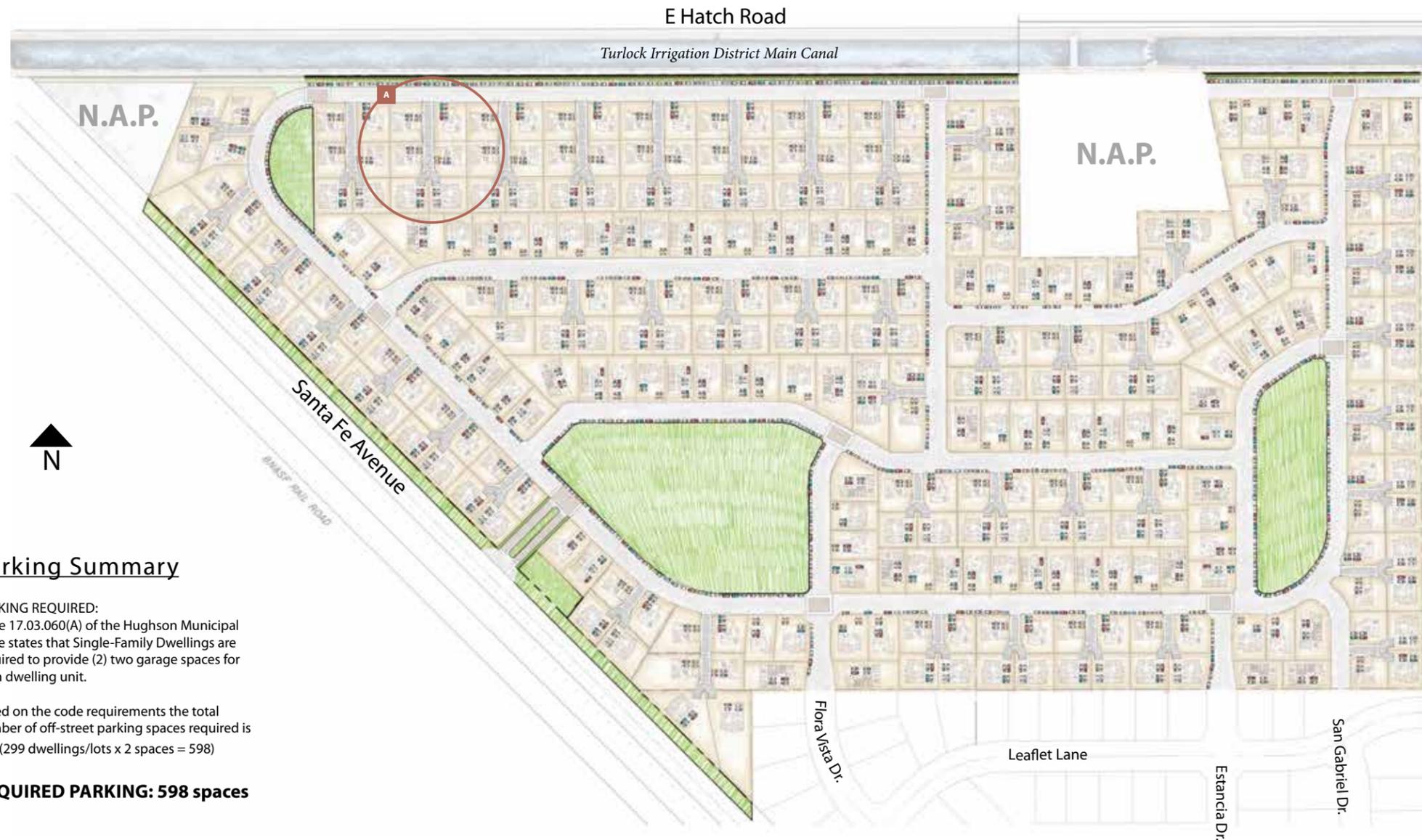


Wall along Turlock Irrigation District Main Canal



Wall along Santa Fe Avenue

NOTE: Images are for illustrative purposes to provide character to the overall project. Developer may propose alternative designs that provide similar character subject to approval by the Community Development Director.



**Parking Summary**

**PARKING REQUIRED:**  
Table 17.03.060(A) of the Hughson Municipal Code states that Single-Family Dwellings are required to provide (2) two garage spaces for each dwelling unit.

Based on the code requirements the total number of off-street parking spaces required is 598 (299 dwellings/lots x 2 spaces = 598)

**REQUIRED PARKING: 598 spaces**

**PARKING PROVIDED:**  
Each proposed Single-Family Dwelling will provide (2) two required parking spaces within the garage. Additional parking is available for guests/visitors, both on-street and within the driveway areas.

**OFF-STREET PARKING PROVIDED:** 1,224

**ON-STREET PARKING PROVIDED:** 455

**PARKING PROVIDED: 1,679**

**CONDITIONS OF APPROVAL**  
PARKWOOD SUBDIVISION

1. **Implementation of Conditions.** 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. **Approval Agreement.** 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 Community Development Director and/or Building Official shall also be required.
3. **Indemnification.** 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.

4. **Fees.** Ministerial fees, including without limitation, application, processing and inspection fees, Agreement shall apply to the Project 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.

5. **Payment timing.** 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.
6. **Fee Deposit.** 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.

7. **MMRP.** The project is subject to all conditions listed in the Mitigation Monitoring and Reporting Program. 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.
8. **NOD.** 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.
9. **Warranty Bonds.** The developer shall furnish the City with a warranty bond in the amount of 10% of the improvement costs to guarantee such Public Improvements for a period of one year following the completion by Developer 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. Developer agrees to remedy any defects in the improvements arising from faulty or defective construction of said improvements within one year of acceptance thereof, and to incur all expenses of such repairs that exceed the 10% bond. Insurance shall be provided.
10. **Park Amenities.** The Project Proponent shall provide the park amenities as described in Exhibit I of the Development Agreement and further described in Article 6, Section 6.05 of the Development Agreement. Any substituted park amenity must be approved by the Community Development Director prior to Final Map approval.
11. **Mailboxes.** 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 Postmaster 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 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 locations.

12. **Conformance to Tentative Map.** Prior to recordation of a final subdivision map, the Project Proponent shall obtain certification from the Community Development Director that the landscaping and irrigation system generally conforms to City standards and the approved Tentative Map, and that all required conditions have been met.
13. **Final Map.** 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.
14. **Changes to Site Plan.** Any proposal for alterations to the proposed site plan will require a new tentative map, which will require approval by the Planning Commission and City Council. At that time an Amendment to the Development Agreement will be required.
15. **Design Review.** The project will be subject to the City's Design Review process. If this project is phased and different builders construct different phases of the project, those individual builders will be subject to Design Review for conformance of their phase to the original project design and previously approved housing design if the original review did not include all 299 homes. 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. If construction has not begun five (5) years after the Design Review process for the entire project, or for an individual phase, the builder will be required to go through the Design Review process again to establish conformance with the originally approved design or any subsequent design reviewed phase.
  - a. **Floor plans and Elevations.** For subdivisions with over 100 units, four floor plans and four elevations will be required. For subdivisions 99 or fewer units, three floor plans with three elevations will be required.
  - b. **Colors and Materials.** 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.
  - c. Unless indicated otherwise, the design for development shall comply with the following:

- i. All improvements shall be designed and constructed in accordance with the City of Hughson Improvement Standards and Specifications and Municipal Code where applicable.
  - ii. All construction shall meet the California Building Code (CBC) and all applicable City of Hughson Building Codes and amendments, including Green Building standards.
  - iii. 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.
  - iv. 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 will be required.
16. **Solar.** 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.
17. **Community Facilities District Annexation.** The Project shall be required to annex into the existing Community Facilities District (CFD). The CFD shall include maintenance and operation of all public amenities of benefit to the future residents of the project site. The homes shall be annexed into the CFD and placed on the County Tax Roll after the final map is approved by Council. The Project Proponent shall provide written notice to the homebuyers, satisfactory to the City Attorney, that they are part of a Community Facilities District.
18. **Right to Farm.** 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.

19. **Signage.** 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.
20. **Sequencing Plan.** A project sequencing plan, which shall include the phasing of subdivision construction, 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.
21. **Impact Fees.** Project Proponent shall pay an applicable development fee per dwelling unit in accordance with the Development Agreement.
22. **Address Numbers.** 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.
23. **Trucking Route.** 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.
24. **Water system.** 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.
25. **Sanitary Sewer.** 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.
26. **Grading Permit.** 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.

27. **Grading and Drainage Plan.** 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.

28. **Dust Emission.** 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.
29. **Soils Report.** 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.
30. **Other Agency Approvals.** 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.
31. **Storm Management.** 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.
32. **Maintenance of Improvements.** 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.

## **Landscape**

33. **Landscape Plans.** 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.

- a. 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".

34. **Development Agreement.** The applicant shall install the landscaping infrastructure noted in section 6.05 of the Development agreement and described below:

- a. A 25' wide landscape buffer along Santa Fe Avenue. Santa Fe Avenue is the main access for entering into the City of Hughson. The increased landscape area will provide a gateway and greenbelt as you enter the City.
- b. Installation of a class 1 bike trail along the TID Ceres main canal. The City has been pursuing avenues to fund and construct a class 1 bike trail along the Northern portion of the City. The construction of the class 1 bike trail by the project will be a large step in achieving this goal for the City.
- c. An open space lot containing approximately 6,500 S.F. (0.15AC) is proposed for dedication that will include enhanced landscaping and monumentation along the Santa Fe Avenue corridor at the project entrance.

35. **Landscaping Plan.** 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.

36. **Front Yard Landscaping.** 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.

37. **Root Barriers.** 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 Planning Director and the Design Review Committee at the time of review of the final landscape plans.

## **Fire Protection**

38. **All Weather Roads.** 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.
39. **Curbs.** 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.
40. **Fire Lanes.** 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.

## **Solid Waste**

41. **Solid Waste Management.** 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**

42. **Hazardous Waste.** During construction, hazardous materials used and hazardous waste generated shall be properly managed and disposed.

43. **Hazardous Material.** 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.
44. **Insurance.** Before commencing work pursuant to any City-approved permit or other entitlement relating to the Project, Project Proponent shall obtain the insurance 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.
- a. **Worker's Compensation Insurance:** Project Proponent shall maintain workers' compensation insurance for all persons employed at Project Site and provide proof of insurance every six months. 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.
  - b. **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 and provide proof to the City every six months.
45. **On-site Monitoring.** 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.
46. **Monument Replacement.** 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.

47. **Mechanical Equipment.** 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.
48. **State Law.** Developer shall conform to and abide by all applicable California State Laws pertaining to construction of public improvements.
49. **Traffic Control.** 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.
50. **Traffic Control.** Traffic Control Plan is required to be submitted for approval by the City Engineer showing how the construction of the entrance to the subdivision off of Santa Fe Avenue will be staged.
51. **Archaeological Material.** 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.

52. **Dust Prevention.** 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.
53. **Diesel Equipment.** All diesel powered equipment ( $\geq$  100 horsepower) shall be California Air Resources Board (CARB) Tier 3 Certified or better.
54. **Control Measures.** 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;
55. **Soil Sampling.** The minimum soils sampling and testing frequency shall conform to Chapter 8 of the Caltrans Construction Manual. The applicant shall require the soils engineer to daily submit all testing and sampling and reports to the City Engineer.

## **Prior to Construction Completion/Issuance of Certificate of Occupancy**

56. **Final Inspection.** Final inspection by the Building Department is required prior to issuance of certificate of occupancy.
57. **Street Lights.** All lighting on a given street will be fully operational prior to any occupancy being granted on that street.
58. **Mylar Drawings.** 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.
59. **Inspection of Public Improvements.** 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.
60. **Deviation from Plans.** 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.

61. **Condition Satisfaction.** 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.
62. **Irrigation Acceptance.** 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.
63. **Landscape Installation.** 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.

### **Conditions from Responsible Agencies**

#### Hughson Unified School District

64. **School Impact Fees.** 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.

Stanislaus Consolidated Fire Protection District:

65. **Fire Hydrants.** 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.
- a. 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.
66. **Fees.** 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.
67. **Access.** 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.
68. **Walk-through.** Upon completion of construction, the Fire District will complete a final walk- through inspection.

Stanislaus County:

69. **County fees.** County Impact Fees shall be submitted to the County prior to the time of issuance of building permits for lots in the proposed project.

Stanislaus County Department of Environmental Resources:

70. **Existing Facilities.** 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. 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.

Turlock Irrigation District (District)

71. **District.** 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.

**PLANNING COMMISSION**  
**CITY OF HUGHSON**  
**RESOLUTION NO. 2020-02**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HUGHSON  
RECOMMENDING THE CITY COUNCIL ADOPT A MITIGATED NEGATIVE  
DECLARATION FOR THE PARKWOOD HUGHSON DEVELOPMENT PROJECT,  
APNS 018-017-002, -010,- 014**

**WHEREAS**, Parkwood Hughson, LLC has made application for a General Plan Amendment, Rezone, Conditional Use Permit for a Planned Development Overlay, Vesting Tentative Subdivision Map, and Development Agreement on APNs 018-017-002, -010, and -014; 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 July 21, 2020.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission of the City of Hughson finds, acting as the recommending body to the City Council, 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, and recommends the City Council adopt the Mitigated Negative Declaration and Mitigation Monitoring Program for the above-referenced project.

**PASSED AND ADOPTED** by the Planning Commission of the City of Hughson at its regularly scheduled meeting on this 21st day of July, 2020 by the following roll call vote:

**AYES:**

**NOES:**

**ABSTENTIONS:**

**ABSENT:**

\_\_\_\_\_  
**BRIAN EVANS, Chair**

**ATTEST:**

\_\_\_\_\_  
**ASHTON GOSE, Deputy City Clerk**

**CITY OF HUGHSON**  
**PLANNING COMMISSION**  
**RESOLUTION NO. 2020-03**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HUGHSON  
RECOMMENDING GENERAL PLAN AMENDMENT NO. 2020-01 FOR THE  
PARKWOOD SUBDIVISION, APNs 018-017-002, -010, AND -014**

**WHEREAS**, Parkwood Hughson, LLC, Inc. made an application for a 299-unit subdivision which requires a General Plan Amendment; and

**WHEREAS**, the project applicant has requested that the General Plan be amended to change the land use designation of Stanislaus County Assessor Parcel Number 018-017-002, -010, -014 from Service Commercial and Low Density Residential to Medium Density Residential; and

**WHEREAS**, the Planning Commission held a duly noticed public hearing on July 21, 2020; and

**WHEREAS**, after consideration and evaluation of the record before them, including any and all comments received during the noticed public hearing, the Planning Commission recommends approval of the proposed General Plan Amendment to the City Council.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission of the City of Hughson finds that the General Plan Amendment for APNs 018-017-002, -010, -014 from Service Commercial and Low Density Residential to Medium Density Residential will be compatible with the objectives, policies, general land uses and programs specified in the General Plan and hereby recommends the City Council approve the General Plan Amendment as stated in this paragraph.

**PASSED AND ADOPTED** by the Planning Commission of the City of Hughson at the regularly scheduled meeting on this 21st day of July, 2020 by the following roll call vote:

**AYES:**

**NOES:**

**ABSTENTIONS:**

**ABSENT:**

\_\_\_\_\_  
**BRIAN EVANS, Chair**

**ATTEST:**

\_\_\_\_\_  
**ASHTON GOSE, Deputy City Clerk**

**PLANNING COMMISSION  
CITY OF HUGHSON  
RESOLUTION NO. 2020-04**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HUGHSON  
RECOMMENDING REZONING CERTAIN PROPERTY FOR THE PROPOSED  
PARKWOOD HUGHSON RESIDENTIAL SUBDIVISION,  
APNS: 018-017-002, -010, -014**

**WHEREAS**, Parkwood Hughson, LLC has made application for a Vesting Tentative Subdivision Map, which requires a Zone Change and General Plan Amendment; 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 parcels designated 018-017-002, -010, -014 on the Assessor's Map of Stanislaus County from C-2 General Commercial and R-1 Low Density Residential to R-2 Medium Density Residential; and

**WHEREAS**, there was a duly noticed public hearing before the Hughson Planning Commission on July 21, 2020; and

**WHEREAS**, subsequent to the duly noticed public hearing, the Planning commission made the findings required by the Hughson Municipal Code.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission of the City of Hughson makes the following findings:

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.

**BE IT FURTHER RESOLVED**, the Planning Commission recommends the City Council of the City of Hughson approve the following zone change:

Assessor Parcel Number	Current Zoning	New/Approved Zoning
108-017-002		R-2 Medium Density Residential
108-017-010		R-2 Medium Density Residential
108-017-014		R-2 Medium Density Residential

**PASSED AND ADOPTED** by the Planning Commission of the City of Hughson at its regularly scheduled meeting on this 21st day of July 2020 by the following roll call vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

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**BRAIN EVANS, Chair**

**ATTEST:**

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**ASHTON GOSE, Deputy City Clerk**

**PLANNING COMMISSION**  
**CITY OF HUGHSON**  
**RESOLUTION NO. 2020-05**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF  
HUGHSON RECOMMENDING THE CITY COUNCIL ADOPT A VESTING  
TENTATIVE MAP NO. 2020-01 FOR THE PARKWOODS PROJECT  
APNS. 018-017-002, 018-017-010, 018-017-014**

**WHEREAS**, Parkwood Hughson, LLC have made application for a vesting tentative subdivision map to subdivide an existing parcels into 299 lots for a residential subdivision; and

**WHEREAS**, the project has been analyzed for consistency with the City's Zoning and Subdivision Ordinance and found to be in substantial compliance subject to certain conditions of approval; and,

**WHEREAS**, public notice was duly provided in accordance with Subdivision Ordinance, Section 16.04.110; and,

**WHEREAS**, opportunity for public comment as well as comments from interested agencies has been provided to the Planning Commission.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission of the City of Hughson, based on all facts and findings before it and using its own independent judgment does hereby recommend the City Council approve the Vesting Tentative Map No. 2020-01 with the attached Conditions of Approval (Exhibit A).

**PASSED AND ADOPTED** by the Planning Commission of the City of Hughson at its regular meeting on this 21<sup>st</sup> day of July, 2020 by the following roll call vote:

**AYES:**

**NOES:**

**ABSTENTIONS:**

**ABSENT:**

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**BRIAN EVANS, Chair**

**ATTEST:**

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**ASHTON GOSE, Deputy City Clerk**

## EXHIBIT A

### Parkwood Hughson Vesting Tentative Map 2020-01 Conditions of Approval

1. **Acceptance of Conditions.** Applicant accepts these conditions and agrees to be bound by, to comply with all things required of or by the applicant pursuant to all of the terms, provisions, and conditions of this approval and all other approvals related to the Parkwood Development project.
2. **MMRP.** The project is subject to all conditions listed in the Mitigation Monitoring and Reporting Program. 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.
3. **Indemnification.** 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.
  - a. 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
  - b. 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.

4. **Conformance to Approved Map.** Development of the site shall conform to the approved Vesting Tentative Map File No. 20-01 plans entitled "Parkwood Vesting Tentative Map" dated July 12, 2020, on file with the Community Development Department with the exception of any subsequently approved changes.
5. **Expiration of Map.** This Vesting Tentative Map shall automatically expire 10 years from the date the Development Agreement is approved by the City Council.
6. **Improvements.** Pursuant to the Development Agreement (hereinafter referred to as "Agreement"), the Subdivider shall, before approval and recording of the Final Map, improve or agree to improve all land within the subdivision and all land outside, but appurtenant to, the Subdivision shown on the Tentative Map for public or private streets, alleys, pedestrian ways and easements to the satisfaction of the Community Development Director.
7. **Warranty Bonds.** The developer shall furnish the City with a warranty bond in the amount of 10% of the improvement costs to guarantee such Public Improvements for a period of one year following the completion by Developer 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. Developer agrees to remedy any defects in the improvements arising from faulty or defective construction of said improvements within one year of acceptance thereof, and to incur all expenses of such repairs that exceed the 10% bond. Insurance shall be provided.
8. **Installation of Improvements.** Project Proponent shall install all improvements and perform all work required for this Project in accordance with established City Standards or as approved by the City's Engineer and Public Works Manager. Plans for all improvements, including, but not limited to, storm drainage, water and sewer main sizes, either on-site or off-site, shall be in accordance with City Specifications and shall be approved by the City Engineer.
9. **Easement Dedications.** 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.

10. **Easements.** 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.
11. **Public Use Easements.** Subdivider shall dedicate on the final map for public use easements for public utilities, streets, pedestrian ways, sanitary sewers, drainage, flood control channels, water systems and slope easements in and upon all areas within the subdivision shown on the Tentative Map for the subdivision to be devoted to such purposes.
12. **Conformance with Municipal Code.** No part of this approval shall be construed to permit a violation of any part of the Hughson Municipal Code.
13. **Grading/Geology.** Grading approval is required prior to the issuance of a Final Map. The Grading plan shall show the following:
  - a. All on-site storm drainage conveyance facilities and earth retaining structures 4 foot in height or greater (top of wall to bottom of footing) or is being surcharged (slope of 3:1 or greater abutting the wall) shall be reviewed and approved under Public Works grading and drainage permit prior to the issuance of Public Works Clearance. The drainage plan should include all underground pipes, building drains, area drains and inlets. The project shall provide storm drainage calculations that adhere to the 2013 California Plumbing Code or submit a stamped and signed engineered design alternative for Public Works discretionary approval and must be designed to convey a 10 year storm event.
  - b. If the project proposes to haul more than 10,000 cubic yards of cut/fill to or from the project site, a haul route permit is required.
  - c. Because this project involves a land disturbance of one or more acres, the applicant is required to submit a Notice of Intent to the State Water Resources Control Board and to prepare a Storm Water Pollution Prevention Plan (SWPPP) for controlling storm water discharges associated with construction activity. Copies of these documents must be submitted to the City Project Engineer prior to issuance of a grading approval.

- d. A geotechnical investigation report may be required if requested by the City Engineer.

14. **Electrical:**

- a. Lighting for the subdivision shall be shown on the public improvement plans.
- b. Locate and protect existing electrical conduit in driveway and/or sidewalk construction.
- c. Provide clearance for electrical equipment from driveways, and relocate driveway or electrolier. The minimum clearance is 5' in residential areas.
- d. Provide clearance for electroliers from overhead utilities and request clearance from utility companies. Clearance from electrolier(s) must provide a minimum of 10' from high voltage lines; 3' from secondary voltage lines; and 1' from communication lines.

15. **Multiple Final Maps.** Multiple Final Maps may be filed for this subdivision if each and all of the following conditions are met with each Final Map:

- a. All fees associated with development and a part of this approval shall be apportioned and paid for each portion of this subdivision for which a Final Map is being filed.
- b. All public streets on which each Final Map has frontage are improved or bonded to be improved to the satisfaction of the Community Development Director.
- c. All grading, drainage and easements for drainage, adequate to protect each lot for which a Final Map is requested, and surrounding parcels, which could be impacted by such design or lack of design, shall be guaranteed to the satisfaction of the Director of Public Works.
- d. Any and all off-site improvements necessary for mitigation of impacts brought about by this project shall be apportioned to the degree possible to guarantee adequate mitigation

16. **Notice of Determination.** 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 be found invalid for any reason, the applicant will be responsible for Resource Agency fee.

17. **Construction Hours.** All site improvements and all contractors 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 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.

- a. The Planning 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.

18. **Improvement Plans.** 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.
- 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 lighting fixtures shall match or be similar to the architectural style of the lights in Exhibit J-2 of the Development Agreement. Any variation in lighting fixtures are subject to the approval of the Community Development Director Per Article 6, Section 6.07 of the Development Agreement. 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 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.
- j. 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.

19. **Storm Water Quality Requirements.** 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).
20. **Sewer System.** 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.
- a. All public sewer mains and appurtenances shall be constructed in accordance to the City's Improvement Standards and Specifications and the Sewer Master Plan.
  - b. 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.
  - c. Each residential unit shall have an individual sanitary sewer lateral. The sewer laterals shall have cleanouts and be constructed per City Standards.

- d. Project Proponent shall cause to be placed, at Project Proponent's expense, terminal manholes in courts and knuckles.
21. **Water System.** Water service is available from the City of Hughson and is subject to standard conditions and fees in effect at the time of application.
- a. The Project Proponent shall be responsible for the purchase any necessary infrastructure for the proposed subdivision to make the new wireless water meters work radio towers 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. All conforming water meters will need to be purchased by the developer and installed according to City instructions. The specific meters will be dictated by the City's current program.
  - b. 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.
  - c. 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.
  - d. 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.
  - e. 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.
  - f. All public water mains shall be constructed in accordance with the City's Improvement Standards and Specifications and the Water Master Plan.
  - g. 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.

- h. 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.
- i. Only Water Distribution Personnel shall perform operation of valves on the Hughson Water System.
- j. Each dwelling unit shall have an individual water meter.
- k. All water meters shall be radio-read type.
- l. Water meters shall be located a minimum of two feet from the top of driveway flare as per City Standards.

22. **Utilities Undergrounding.** All utilities must be undergrounded. 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.

23. **Storm Drainage.** 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.

- a. The project streets, driveways and parking areas shall be designed to facilitate street sweeping.
- b. Improvements for storm drain systems shall incorporate the following:
  - i. 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.
  - ii. 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.
  - iii. 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.

- iv. 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.
- v. All storm drain inlets must be labeled "No Dumping - Drains to River," using City-approved methods.

24. **Public Streets.** 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.

a. Improvements for public streets shall incorporate the following:

- i. 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.
- ii. 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.
- iii. 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.
- iv. 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.

25. **ADA.** 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.

26. **Final Map.**

- a. **Easements.** 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.
- b. **Liens.** 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.
- c. **Certificates and acknowledgements.** All certificates and acknowledgements required pursuant to the Subdivision Map Act shall appear on the face of the final map.
- d. **Filing Deadline.** A final subdivision map shall be filed with the City Engineer within 24 months of approval of the tentative map by the City Council.
- e. **Street Names.** 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.
- f. **Utilities.** 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.
  - i. 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.
  - ii. 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.
  - iii. 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.



**PLANNING COMMISSION  
CITY OF HUGHSON  
RESOLUTION NO. 2020-06**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HUGHSON  
APPROVING A CONDITIONAL USE PERMIT TO ALLOW A PLANNED  
DEVELOPMENT OVERLAY FOR THE PROPOSED PARKWOOD HUGHSON  
RESIDENTIAL SUBDIVISION, APNS 018-017-002, -010, -014**

**WHEREAS**, the Applicant Parkwood Hughson, LLC submitted an application for a Conditional Use Permit to allow a Planned Development Overlay for a 299-unit subdivision located on a 56.04-acre site, APNs 018-017-002, -010, and -014 (the "Project"), pursuant to Hughson Municipal Code (HMC) Section 17.02.028; and

**WHEREAS**, pursuant to Hughson Municipal Code section 17.02.028, a Planned Development Overlay is used 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; and

**WHEREAS**, a Planned Development Overlay may be applied to parcels of land of any size in any zone that are found to be suitable for the proposed development; and

**WHEREAS**, the permitted uses of land shall be any use or combination of uses and densities shown on the approved development plan which are so arranged and designed to provide a development which is in conformity with the General Plan and which is consistent with the requirements of the HMC; and

**WHEREAS**, all uses shall conform to the area, heights, lot width and yard regulations required in the underlying zone except where the total development will be improved by a deviation from such regulations; and

**WHEREAS**, at the July 21, 2020 Planning Commission meeting the Planning Commission recommended to the City Council approval of the rezoning of the project site to the R-2 zone which will be the underlying zone for this Planned Development Overlay; and

**WHEREAS**, the development standards of the proposed development do not conform to all of the underlying development standards of the R-2 zoning district, but the Planning Commission, after a duly noticed public hearing held at the regular meeting of July 21, 2020, was able to find that the total development would be improved by a deviation from such regulations because the proposed development:

1. Is providing larger and more desirable open space, other than that required for public facilities such as storm drain retention basins, and
2. The project will provide for a greater diversity of housing types including duplexes and multifamily residences; and

**WHEREAS**, notice of Public Hearing was posted in a newspaper of general circulation (Hughson Chronicle) per prescribed procedure—to solicit public input.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission of the City of Hughson, pursuant to HMC 17.02.028 does hereby make the following findings:

1. The project is providing larger and more desirable open space, other than that required for public facilities such as storm drain retention basins, and
2. The project will provide for a greater diversity of housing types including duplexes and multifamily residences.

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, the Planning Commission of the City of Hughson approves issuance of a Conditional Use Permit for the establishment of a Planned Development Overlay zone for the Project.

**PASSED AND ADOPTED** by the Planning Commission of the City of Hughson at its regularly scheduled meeting on this 21<sup>st</sup> day of July, 2020

**AYES:** .

**NOES:** .

**ABSTENTIONS:**

**ABSENT:**

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**BRIAN EVANS, Chair**

**ATTEST:**

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**ASHTON GOSE, Deputy City Clerk**

## MITIGATION MONITORING AND REPORTING PROGRAM

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This document is the Mitigation Monitoring and Reporting Program (MMRP) for the Parkwood Subdivision Project (project). This MMRP has been prepared pursuant to Section 21081.6 of the California Public Resources Code, which requires public agencies to “adopt a reporting and monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment.” A MMRP is required for the proposed project because the Initial Study / Mitigated Negative Declaration (IS/MND) has identified significant adverse impacts, and measures have been identified to mitigate those impacts.

The numbering of the individual mitigation measures follows the numbering sequence as found in the IS/MND.

### MITIGATION MONITORING AND REPORTING PROGRAM

The MMRP, as outlined in the following table, describes mitigation timing, monitoring responsibilities, and compliance verification responsibility for all mitigation measures identified in the IS/MND.

The City of Hughson will be the primary agency responsible for implementing the mitigation measures and will continue to monitor mitigation measures that are required to be implemented during the operation of the project.

The MMRP is presented in tabular form on the following pages. The components of the MMRP are described briefly below:

- **Mitigation Measures:** The mitigation measures are taken from the IS/MND in the same order that they appear in that document.
- **Mitigation Timing:** Identifies at which stage of the Project mitigation must be completed.
- **Monitoring Responsibility:** Identifies the agency that is responsible for mitigation monitoring.
- **Compliance Verification:** This is a space that is available for the monitor to date and initial when the monitoring or mitigation implementation took place.

# MITIGATION MONITORING AND REPORTING PROGRAM

**TABLE 1: MITIGATION MONITORING AND REPORTING PROGRAM**

<i>ENVIRONMENTAL IMPACT</i>	<i>MITIGATION MEASURE</i>	<i>MONITORING RESPONSIBILITY</i>	<i>TIMING</i>	<i>VERIFICATION (DATE/INITIALS)</i>
<b>AGRICULTURAL RESOURCES</b>				
<p>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?</p>	<p><b>Mitigation Measure AG-1:</b> <i>Prior to approval of the Tentative Map for the project, the project applicant shall comply with the City’s Right to Farm Ordinance (Section 17.03.064 of the Municipal Code). In order to comply, the following deed restriction shall be recorded by the owners and run with the land:</i></p> <p style="text-align: center;"><i>“RIGHT TO FARM DEED RESTRICTION</i></p> <p><i>Properly conducted agricultural operations are permitted within Stanislaus County, within the City of Hughson, and its Sphere of Influence. You are hereby notified that the property you are purchasing is in an agricultural area. You may be subject to inconvenience or discomfort from lawful agricultural or agricultural processing facilities operations. Discomfort and inconvenience may include, but are not limited to, noise, odors, fumes, dust, smoke, burning, vibrations, insects, rodents and/or the operations of machinery (including aircraft) during any 24 hour period. One or more of the inconveniences described may occur as a result of agricultural operations which are in compliance with existing laws and regulations and accepted customs and standards. If you live near an agricultural area, you should be prepared to accept such inconveniences or discomfort as a normal and necessary aspect of living in an area with a strong rural character and an active agricultural sector. Lawful ground rig or aerial application of pesticides, herbicides and fertilizers occur in farming operations. Should you be concerned about spraying, you may contact the Stanislaus County Agricultural Commission.</i></p> <p><i>The City of Hughson Right to Farm Ordinance does not exempt farmers, agricultural processors or others from compliance with law. Should a farmer, agricultural processor or other person not comply with appropriate State, federal or local laws, legal recourse is possible by, among other ways, contacting the appropriate agency. This Right to Farm Deed Restriction shall be included in all subsequent deeds and leases for this property until such time as the City Council shall determine that such a restriction is no longer necessary.”</i></p> <p><i>Additionally, every transferor of property subject to the notice recorded pursuant to subsection C of Section 17.03.064 shall provide to any transferee</i></p>	<p>City of Hughson Community Development Department</p>	<p>Prior to the approval of the Tentative Map for the project</p>	

## MITIGATION MONITORING AND REPORTING PROGRAM

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<p><i>in writing the notice of right to farm recited below. The notice of right to farm shall be contained in each offer for sale, counter offer for sale, agreement of sale, lease, lease with an option to purchase, deposit receipt, exchange agreement, rental agreement, or any other form of agreement or contract for the transfer of property; provided, that the notice need be given only once in any transaction. The transferor shall acknowledge delivery of the notice and the transferee shall acknowledge receipt of the notice.</i></p> <p><i>The form of notice of right to farm is as follows:</i></p> <p style="text-align: center;"><i>“NOTICE OF RIGHT TO FARM</i></p> <p><i>Properly conducted agricultural operations are permitted within Stanislaus County and within the City of Hughson Sphere of Influence. You are hereby notified that the property you are purchasing/leasing/renting is in an agricultural area. You may be subject to inconvenience or discomfort from lawful agricultural or agricultural processing facilities operations. Discomfort and inconvenience may include, but are not limited to, noise, odors, fumes, dust, smoke, burning, vibrations, insects, rodents and/or the operation of machinery (including aircraft) during any 24 hour period. One or more of the inconveniences described may occur as a result of agricultural operations which are in compliance with existing laws and regulations and accepted customs and standards. If you live near an agricultural area, you should be prepared to accept such inconveniences or discomfort as a normal and necessary aspect of living in an area with a strong rural character and an active agricultural sector. Lawful ground rig or aerial application of pesticides, herbicides and fertilizers occur in farming operations. Should you be concerned about spraying, you may contact the Stanislaus County Agricultural Commission.</i></p> <p><i>The City of Hughson Right to Farm Ordinance does not exempt farmers, agricultural processors or others from compliance with law. Should a farmer, agricultural processor or other person not comply with appropriate state, federal or local laws, legal recourse is possible by, among other ways, contacting the appropriate agency. This notification is given in compliance with Hughson Municipal Code Section 17.03.064. By initialing below, you are acknowledging receipt of this notification.</i></p>			



## MITIGATION MONITORING AND REPORTING PROGRAM

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	<p>covered, effectively wetted to limit visible dust emissions, or at least six inches of freeboard space from the top of the container shall be maintained.</p> <p>e. All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at least once every 24 hours when operations are occurring. The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions. Use of blower devices is expressly forbidden.</p> <p>f. Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant.</p> <p>g. Limit traffic speeds on unpaved roads to 5 mph; and</p> <p>h. Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent.</p> <p><b>Mitigation Measure AIR-4:</b> Architectural coatings applied to all structures in the project site shall meet or exceed volatile organic compound (VOC) standards set in APCD Rule 4601. The project applicant shall submit to the APCD a list of architectural coatings to be used and shall indicate how the coatings meet or exceed VOC standards. If the APCD determines that any architectural coatings do not meet VOC standards, the project applicant shall replace the identified coatings with those that meet standards.</p> <p><b>Mitigation Measure AIR-5:</b> Asphalt paving shall be applied in accordance with APCD Rule 4641. This rule applies to the manufacture and use of cutback asphalt, slow cure asphalt and emulsified asphalt for paving and maintenance operations.</p> <p><b>Mitigation Measure AIR-6:</b> Prior to final approval of improvement plans for each phase of the project, the project proponent shall submit an Air Impact Assessment (AIA) application to the San Joaquin Valley Air Pollution Control District for District Rule 9510 Indirect Source Review (ISR) to obtain AIA approval from the District for the phase or project component that is to be constructed. Prior to the issuance of a building permit of each individual phase or project component, the project proponent shall incorporate</p>	<p>SJVAPCD Air Pollution Control Officer</p> <p>SJVAPCD Air Pollution Control Officer</p> <p>SJVAPCD</p>	<p>During all construction activities</p> <p>During all construction activities</p> <p>Prior to final approval of improvement plans for each phase of the project</p>	



## MITIGATION MONITORING AND REPORTING PROGRAM

<i>ENVIRONMENTAL IMPACT</i>	<i>MITIGATION MEASURE</i>	<i>MONITORING RESPONSIBILITY</i>	<i>TIMING</i>	<i>VERIFICATION (DATE/INITIALS)</i>
	<p><i>species that may occur on the site:</i></p> <ul style="list-style-type: none"> <li>• <i>Preconstruction surveys for active nests of special-status birds shall be conducted by a qualified avian biologist in all areas of suitable habitat within 500 feet of project disturbance. Surveys shall be conducted within 14 days before commencement of any construction activities that occur during the nesting season (February 15 to August 31) in a given area.</i></li> <li>• <i>If any active nests, or behaviors indicating that active nests are present, are observed, appropriate buffers around the nest sites shall be determined by a qualified avian biologist to avoid nest failure resulting from project activities. The size of the buffer shall depend on the species, nest location, nest stage, and specific construction activities to be performed while the nest is active. The buffers may be adjusted if a qualified avian biologist determines it would not be likely to adversely affect the nest. If buffers are adjusted, monitoring will be conducted to confirm that project activity is not resulting in detectable adverse effects on nesting birds or their young. No project activity shall commence within the buffer areas until a qualified avian biologist has determined that the young have fledged or the nest site is otherwise no longer in use.</i></li> </ul>	Development Department	commencement of any construction activities that occur during the nesting season (February 15 to August 31) in a given area	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<p><b><i>Mitigation Measure BIO-3:</i></b> <i>Prior to approval of any street improvements, the project applicant shall pay to the City the total costs of all the trees, pursuant to Section 12.30.060 of the Municipal Code. The City shall plant the trees at the proper time. Watering and care of the trees thereafter shall be the responsibilities of the applicant or the purchasers of the property. Additionally, pursuant to Section 17.03.092 of the Municipal Code, the project applicant shall not plant trees or shrubs in any street tree area or other public place without permission of the planning officer.</i></p> <p><i>Further, the project applicant shall submit a tree survey to the City, pursuant to Section 17.03.092(E). The location, size, accurate driplines and species of existing trees shall be shown on the tree survey in the same scale as development plans submitted for development review. All trees proposed for removal shall be identified. If there is disturbance proposed within the dripline of a significant tree, a certified arborist's assessment and protection measures shall be provided. If significant trees are proposed for removal, the applicant shall replace them with trees whose size, number, and planting location shall be determined by the planning officer before final occupancy is granted to any new residents. The size and age of the tree shall be used to</i></p>	City of Hughson Community Development Department	Prior to the approval of any street improvements	

## MITIGATION MONITORING AND REPORTING PROGRAM

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<p><i>determine how many new trees shall be substituted for the removed tree but, at a minimum, three new trees shall replace one tree removed. The ratio may be increased at the discretion of the planning officer.</i></p> <p><i>Where orchard trees are to be cut down, removed, or relocated as part of new development, the planning commission or planning officer shall require the retention of selected orchard trees within the proposed subdivision that are representative of the land's agricultural heritage. For orchards in productive use for at least five years prior to the new development, a minimum of 10 percent of the existing orchard trees shall be preserved. This shall be determined by the planning officer.</i></p>			
CULTURAL RESOURCES				
<p>a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?</p> <p>b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?</p>	<p><b>Mitigation Measure CUL-1:</b> <i>If cultural resources (i.e., prehistoric sites, historic sites, isolated artifacts/features, and paleontological sites) are discovered, work shall be halted immediately within 50 meters (165 feet) of the discovery, the City of Hughson shall be notified, and a qualified archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology (or a qualified paleontologist in the event paleontological resources are found) shall be retained to determine the significance of the discovery. The City of Hughson shall consider recommendations presented by the professional for any unanticipated discoveries and shall carry out the measures deemed feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. Specific measures are developed based on the significance of the find.</i></p>	<p>City of Hughson Community Development Department</p> <p>Qualified archaeologist</p>	<p>If cultural resources (i.e., prehistoric sites, historic sites, isolated artifacts / features, and paleontological sites) are discovered</p>	
<p>c) Disturb any human remains, including those interred outside of formal cemeteries?</p>	<p><b>Mitigation Measure CUL-2:</b> <i>If any human remains are found during grading and construction activities, all work shall be halted immediately within 50 meters (165 feet) of the discovery and the County Coroner must be notified, according to Section 5097.98 of the State Public Resources Code and Section 7050.5 of California's Health and Safety Code. If the remains are determined to be Native American, the coroner shall notify the Native American Heritage Commission, and the procedures outlined in CEQA Section 15064.5(d) and (e) shall be followed. Additionally, if the Native American resources are identified, a Native American monitor, following the Guidelines for Monitors/Consultants of Native American Cultural, Religious, and Burial Sites established by the Native American Heritage Commission, may also be</i></p>	<p>Stanislaus County Coroner</p> <p>Native American Heritage Commission</p>	<p>If any human remains are found during grading and construction activities</p>	

## MITIGATION MONITORING AND REPORTING PROGRAM

<i>ENVIRONMENTAL IMPACT</i>	<i>MITIGATION MEASURE</i>	<i>MONITORING RESPONSIBILITY</i>	<i>TIMING</i>	<i>VERIFICATION (DATE/INITIALS)</i>
	<i>required and, if required, shall be retained at the applicant's expense.</i>			
<b>GEOLOGY AND SOILS</b>				
<p>a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:</p> <p>iii) Seismic-related ground failure, including liquefaction?</p> <p>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?</p> <p>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?</p>	<p><b>Mitigation Measure GEO-1:</b> <i>Prior to issuance of any building permits, the developer shall be required to submit building plans to the City of Hughson for review and approval. The building plans shall also comply with all applicable requirements of the most recent California Building Standards Code. All on-site soil engineering activities shall be conducted under the supervision of a licensed geotechnical engineer or certified engineering geologist.</i></p>	<p>City of Hughson Building Division</p>	<p>Prior to issuance of any building permits</p>	
<p>b) Result in substantial soil erosion or the loss of topsoil?</p>	<p><b>Mitigation Measure GEO-2:</b> <i>The project applicant shall submit a Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) to the RWQCB in accordance with the NPDES General Construction Permit requirements. The SWPPP shall be designed to control pollutant discharges utilizing Best Management Practices (BMPs) and technology to reduce erosion and sediments. BMPs may consist of a wide variety of measures taken to reduce pollutants in stormwater runoff from the project site. Measures shall include temporary erosion control measures (such as silt fences, staked straw bales/wattles, silt/sediment basins and traps, check dams, geofabric, sandbag dikes, and temporary revegetation or other ground cover) that will be employed to control erosion from disturbed areas. Final selection of BMPs will be subject to approval by the City of Hughson and the RWQCB. The SWPPP will be kept on site during construction activity and will be made available upon request to representatives of the RWQCB.</i></p>	<p>City of Hughson Community Development Department</p> <p>Central Valley Regional Water Quality Control Board</p>	<p>Prior to earthmoving activities</p>	

## MITIGATION MONITORING AND REPORTING PROGRAM

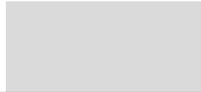
<i>ENVIRONMENTAL IMPACT</i>	<i>MITIGATION MEASURE</i>	<i>MONITORING RESPONSIBILITY</i>	<i>TIMING</i>	<i>VERIFICATION (DATE/INITIALS)</i>
<b>HYDROLOGY AND WATER QUALITY</b>				
<p>c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:</p> <p>(i) Result in substantial erosion or siltation on- or off-site;</p> <p>(ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;</p> <p>(iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or</p> <p>(iv) Impede or redirect flood flows?</p> <p>e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?</p>	<p><b>Mitigation Measure HYDRO-1:</b> <i>The Stormwater Management Plan shall be designed and engineered to ensure that post-project runoff is equal to or less than pre-project runoff. The Plan shall be consistent with Section 7 of the City's Improvement Standards, which establish minimum storm water management requirements and controls. According to the standards, storm drain discharges must include stormwater quality control measures, and stormwater generated must be adequately treated before discharge. The applicant shall provide the City Engineer with all stormwater runoff calculations with the improvement plan submittal.</i></p>	City of Hughson Engineer	With improvement plan submittal	
<b>NOISE</b>				
<p>a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise</p>	<p><b>Mitigation Measure NOI-1:</b> <i>To reduce potential construction noise impacts during project construction, the following multi-part mitigation measure shall be implemented for the project:</i></p> <ul style="list-style-type: none"> <li>• <i>All construction equipment powered by internal combustion engines shall be properly muffled and maintained.</i></li> </ul>	City of Hughson Public Works Department	Prior to approval of improvement plans for the project	

## MITIGATION MONITORING AND REPORTING PROGRAM

<i>ENVIRONMENTAL IMPACT</i>	<i>MITIGATION MEASURE</i>	<i>MONITORING RESPONSIBILITY</i>	<i>TIMING</i>	<i>VERIFICATION (DATE/INITIALS)</i>
<p>ordinance, or applicable standards of other agencies?</p> <p>b) Generation of excessive groundborne vibration or groundborne noise levels?</p>	<ul style="list-style-type: none"> <li>• <i>Quiet construction equipment, particularly air compressors, shall be selected whenever possible.</i></li> <li>• <i>All stationery noise-generating construction equipment such as tree grinders and air compressors shall be located as far as is practical from existing residences. In addition, the project contractor shall place such stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.</i></li> <li>• <i>Unnecessary idling of internal combustion engines is prohibited.</i></li> <li>• <i>The construction contractor shall, to the maximum extent practical, locate on-site equipment staging areas so as to maximize the distance between construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.</i></li> <li>• <i>Construction shall be limited to 7 AM to 7 PM on weekdays and 8 AM to 4 PM on Saturdays with no work allowed on Sundays unless otherwise authorized by the City in writing.</i></li> </ul> <p><i>This requirement shall be noted in the improvement plans prior to approval by the City's Public Works Department.</i></p> <p><b>Mitigation Measure NOI-2:</b> <i>Any compaction required less than 26 feet from the adjacent residential structures shall be accomplished by using static drum rollers, which use weight instead of vibrations to achieve soil compaction. As an alternative to this requirement, pre-construction crack documentation and construction vibration monitoring shall be conducted to ensure that construction vibrations do not cause damage to any adjacent structures. These requirements shall be included in the improvements plans prior to their approval by the City's Public Works Department.</i></p>	City of Hughson Public Works Department	Prior to approval of improvement plans for the project	
<b>TRIBAL CULTURAL RESOURCES</b>				
<p>Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms</p>	<p><b>Mitigation Measure TRIBAL-1:</b> <i>If cultural resources are discovered during project-related construction activities, all ground disturbances within a minimum of 50 feet of the find shall be halted until a qualified professional archaeologist can evaluate the discovery. The archaeologist shall examine the resources, assess their significance, and recommend appropriate procedures to the lead agency to either further investigate or mitigate adverse impacts. If</i></p>	City of Hughson Community Development Department  Qualified archaeologist	If cultural resources are discovered during project-related construction activities	

## MITIGATION MONITORING AND REPORTING PROGRAM

<i>ENVIRONMENTAL IMPACT</i>	<i>MITIGATION MEASURE</i>	<i>MONITORING RESPONSIBILITY</i>	<i>TIMING</i>	<i>VERIFICATION (DATE/INITIALS)</i>
<p>of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</p> <p>a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?</p> <p>b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resources to a California Native American tribe.</p>	<p><i>the find is determined by the lead agency in consultation with the Native American tribe traditionally and culturally affiliated with the geographic area of the project site to be a tribal cultural resource and the discovered archaeological resource cannot be avoided, then applicable mitigation measures for the resource shall be discussed with the geographically affiliated tribe. Applicable mitigation measures that also take into account the cultural values and meaning of the discovered tribal cultural resource, including confidentiality if requested by the tribe, shall be completed (e.g., preservation in place, data recovery program pursuant to PRC §21083.2[i]). During evaluation or mitigative treatment, ground disturbance and construction work could continue on other parts of the project site.</i></p>			





## Responses to Comments for the Parkwood Subdivisions Project

### Introduction and List of Commenters

The Initial Study / Mitigated Negative Declaration (IS/MND) for the Parkwood Subdivision Project was available for the statutory 30-day public review from June 15, 2020 to July 14, 2020. No new significant environmental impacts or issues, beyond those already covered in the IS/MND for the Parkwood Subdivision Project, were raised during the comment period.

The following table lists the comments on the IS/MND that were submitted to the City of Hughson during the 30-day public review period for the IS/MND. The assigned comment letter, letter date, letter author, and affiliation, if presented in the comment letter or if representing a public agency, are also listed. Letters received are coded with letters (A, B, C, etc.).

#### ***LIST OF COMMENTERS ON IS/MND***

<i>RESPONSE LETTER</i>	<i>INDIVIDUAL OR SIGNATORY</i>	<i>AFFILIATION</i>	<i>DATE</i>
A	Monique Wilber	California Department of Conservation	7-14-2020
B	Nicholas White	Central Valley Regional Water Quality Control Board	7-8-2020
C	Gina Oltman	Resident of Hughson	6-27-2020
D	Scott Berner	Hughson Fire Protection District	7-14-2020
E	Brenda Smith	Hughson Unified School District	7-14-2020
F	Michael Mitchell	Resident of Hughson	7-14-2020
G	Robin MacDONald	Resident of Hughson	7-3-2020

### Responses to Comment Letters

Written comments on the IS/MND are reproduced on the following pages, along with responses to those comments. To assist in referencing comments and responses, the following coding system is used:

- Those comments received are represented by a lettered response.
- Each letter is lettered (i.e., Letter A) and each comment within each letter is numbered (i.e., comment A-1, comment A-2).

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Gavin Newsom, Governor  
David Shabazian, Director

JULY 8, 2020

VIA EMAIL: [LSIMVOULAKIS@HUGHSON.ORG](mailto:LSIMVOULAKIS@HUGHSON.ORG)

City of Hughson, Community Development Department  
Attn: Lea Simvoulakis, Director  
P.O. Box 9  
Hughson, CA 95326

Dear Ms. Simvoulakis:

NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION FOR THE  
PARKWOOD SUBDIVISION PROJECT, SCH# 2020060271

The Department of Conservation's (Department) Division of Land Resource Protection (Division) has reviewed the Notice of Intent to adopt a Mitigated Negative Declaration for the Parkwood Subdivision Project (Project). The Division monitors farmland conversion on a statewide basis, provides technical assistance regarding the Williamson Act, and administers various agricultural land conservation programs. We offer the following comments and recommendations with respect to the proposed project's potential impacts on agricultural land and resources.

Project Description

The proposed project includes the subdivision of the approximately 56.04-acre site into 299 single-family residential lots with one single-family home per lot. The lots would range in size from 5,005 to 13,280 square feet. The project also includes development of 6.14 acres of park/dual use facilities. Additionally, the project would include development of circulation and utility infrastructure improvements.

Currently, the project site is in agricultural use and contains Prime Farmland, as identified by the Department of Conservation's Farmland Mapping and Monitoring Program<sup>1</sup>.

A-1

<sup>1</sup> California Department of Conservation, Division of Land Resource Protection, Farmland Mapping and Monitoring Program, <https://maps.conservation.ca.gov/DLRP/CIFF/>

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### Department Comments

The conversion of agricultural land represents a permanent reduction and significant impact to California's agricultural land resources. Under CEQA, a lead agency should not approve a project if there are feasible alternatives or feasible mitigation measures available that would lessen the significant effects of the project.<sup>2</sup> All mitigation measures that are potentially feasible should be included in the project's environmental review. A measure brought to the attention of the lead agency should not be left out unless it is infeasible based on its elements.

A-2

As the courts have shown<sup>3</sup>, agricultural conservation easements on land of at least equal quality and size can mitigate project impacts in accordance with CEQA Guideline § 15370. The Department highlights agricultural conservation easements because of their acceptance and use by lead agencies as an appropriate mitigation measure under CEQA. Agricultural conservation easements are an available mitigation tool and should always be considered; however, any other feasible mitigation measures should also be considered.

A source that has proven helpful for regional and statewide agricultural mitigation banks is the California Council of Land Trusts. They provide helpful insight into farmland mitigation policies and implementation strategies, including a guidebook with model policies and a model local ordinance. The guidebook can be found at:

<http://www.calandtrusts.org/resources/conserving-californias-harvest/>

### Conclusion

The Department recommends further discussion of the following issues:

- Type, amount, and location of farmland conversion resulting directly and indirectly from implementation of the proposed project.
- Impacts on any current and future agricultural operations in the vicinity; e.g., land-use conflicts, increases in land values and taxes, loss of agricultural support infrastructure such as processing facilities, etc.
- Incremental impacts leading to cumulative impacts on agricultural land. This would include impacts from the proposed project, as well as impacts from past, current, and likely future projects.

A-3

<sup>2</sup> Public Resources Code section 21002.

<sup>3</sup> *Masonite Corp. v. County of Mendocino* (2013) 218 Cal.App.4th 230, 238.

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- Proposed mitigation measures for all impacted agricultural lands within the proposed project area.

A-3  
cont'd

Thank you for giving us the opportunity to comment on the Notice of Intent to adopt a Mitigated Negative Declaration for the Parkwood Subdivision Project. Please provide this Department with notices of any future hearing dates as well as any staff reports pertaining to this project. If you have any questions regarding our comments, please contact Farl Grundy, Associate Environmental Planner at (916) 324-7347 or via email at [Farl.Grundy@conservation.ca.gov](mailto:Farl.Grundy@conservation.ca.gov).

A-4

Sincerely,

*Monique Wilber*

Monique Wilber  
Conservation Program Support Supervisor

## **Response to Letter A: Monique Wilber, California Department of Conservation**

**Response A-1:** This comment is noted. This comment serves as an introduction to the letter. This comment notes the responsibilities of the Department of Conservation's Division of Land Resources Protection. Additionally, the commenter summarizes the proposed project description, and notes that the project site is in agricultural use and contains Prime Farmland, as identified by the Department of Conservation's Farmland Mapping and Monitoring Program.

As discussed on page 24 of the IS/MND and as shown in Figure 7 of the IS/MND, the majority of the project site is designated Prime Farmland as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. A portion of the site along the northern boundary is designated Urban and Built-Up Land. The proposed project would result in the conversion of this designated Prime Farmland land to a non-agricultural use. Further, as discussed in the Project Description on page 4 of the IS/MND, the site has previously been used for agricultural and single-family ranchette uses. Orchards are currently located throughout the project site, including mature and young walnut and almond trees. No further response is warranted.

**Response A-2:** The commenter notes that conversion of agricultural land represents a permanent reduction and significant impact to California's agricultural land resources and that, under CEQA, a lead agency should not approve a project if there are feasible alternatives or feasible mitigation measures available that would lessen the significant effects of the project. The commenter also notes that all mitigation measures that are potentially feasible should be included in the project's environmental review, and that a measure brought to the attention of the lead agency should not be left out unless it is infeasible based on its elements.

The commenter further notes that agricultural conservation easements on land of at least equal quality and size can mitigate project impacts in accordance with CEQA Guideline §15370. According to the comment, the Department of Conservation highlights agricultural conservation easements because of their acceptance and use by lead agencies as an appropriate mitigation measure under CEQA. In addition, the commenter notes that agricultural conservation easements are an available mitigation tool and should always be considered; however, any other feasible mitigation measures should also be considered. The comment concludes with information regarding regional and statewide agricultural mitigation banks is the California Council of Land Trusts.

This comment is noted. Impacts associated with agricultural land conversion, including impacts associated with other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use, are discussed in Section II, Agriculture and Forestry

Resources, of the IS/MND. As discussed on page 24, the proposed project will convert Prime Farmland to single-family residential uses. However, the project site is designated as Low Density Residential (LDR) (approximately 19.28 acres), Medium Density Residential (MDR) (approximately 17.73 acres), and Service Commercial (SC) (approximately 19.00 acres) by the Hughson General Plan Land Use Map. The Hughson General Plan EIR anticipated development of the project site as part of the overall evaluation of the build out of the City. The General Plan EIR addressed the conversion and loss of agricultural land that would result from the build out of the General Plan (General Plan 2023 Draft EIR, pp. 4.2-1 through 4.2-15). The General Plan EIR determined that even with the implementation of the General Plan goals, policies, and actions (including, but not limited to, Goal COS-1, Actions LU-1.2, COS-1.2, and COS-1.3, and Policies COS-1.1, COS-1.3, COS-1.6, COS-1.7), the impact would be significant and unavoidable. The City subsequently adopted a Statement of Overriding Consideration and certified the General Plan EIR. The proposed project is generally consistent with the General Plan.

Because conversion of the project site from agricultural to urban uses was previously analyzed in the City's General Plan EIR, implementation of the proposed project would have a less than significant impact relative to this issue.

Further, impacts associated with other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use, are discussed on pages 25 and 26. As discussed, the agricultural land located west of the site, opposite Santa Fe Avenue, is designated mainly Vacant or Disturbed Land, with some Prime Farmland located west of the southwestern corner of the site (see Figure 7). The land to the east is designated for Agriculture by the Stanislaus County General Plan land use map. In order to ensure that development of the site does not result in conversion of the portion of Prime Farmland located west of the southwestern corner of the site to non-agricultural use, the project would be subject to the City's Right to Farm Ordinance. Section 17.03.064 of the Hughson Municipal Code outlines the Right to Farm Ordinance, including nuisances, deed restrictions, and notification to buyers.

The project will comply with the City's Right to Farm Ordinance (as required by Mitigation Measure AG-1). Because conversion of the project site from agricultural to urban uses was analyzed in the City's General Plan EIR, and because the project will be subject to the Right to Farm Ordinance, implementation of the proposed project would have a less than significant impact relative to this issue.

Because the conversion of agricultural land to urban uses was analyzed by the City's General Plan EIR, mitigation is not required for conversion of on-site Important Farmland.

**Response A-3:** The commenter recommends the following issues be further discussed:

- Type, amount, and location of farmland conversion resulting directly and indirectly from implementation of the proposed project.
- Impacts on any current and future agricultural operations in the vicinity; e.g., land-use conflicts, increases in land values and taxes, loss of agricultural support infrastructure such as processing facilities, etc.
- Incremental impacts leading to cumulative impacts on agricultural land. This would include impacts from the proposed project, as well as impacts from past, current, and likely future projects.
- Proposed mitigation measures for all impacted agricultural lands within the proposed project area.

This comment is noted. See Response A-2 which details the: (1) type, amount, and location of on-site and adjacent farmlands, including a discussion of the farmland conversion that would result from implementation of the project; and (2) impacts on agricultural operations in the vicinity. As discussed, the proposed project will convert Prime Farmland to single-family residential uses. Because the conversion of agricultural land to urban uses was analyzed by the City's General Plan EIR, mitigation is not required for conversion of on-site Important Farmland.

As noted in Response A-2, the lands adjacent to the site contain religious uses and residential uses. The agricultural land located west of the site, opposite Santa Fe Avenue, is designated mainly Vacant or Disturbed Land, with some Prime Farmland located west of the southwestern corner of the site (see Figure 7). It is noted that Mitigation Measure AG-1 is included in the IS/MND to ensure that adjacent off-site agricultural operations are not significantly impacted by development of the proposed project.

Impacts associated with cumulative agricultural impacts are discussed on pages 157 and 158 of the IS/MND. As discussed, the Initial Study includes an analysis of the project impacts associated with agricultural resources, and it was found that the proposed project would have either no impact, a less than significant impact, or a less than significant impact with the implementation of Mitigation Measure AG-1. This mitigation measure would also function to reduce the project's contribution to cumulative impacts. There are no significant cumulative or cumulatively considerable effects that are identified associated with the proposed project after the implementation of all mitigation measures presented in the IS/MND, including Mitigation Measure AG-1.

**Response A-4:** This comment is noted. This comment serves as a conclusion to the letter. This comment letter has been forwarded to the decision-makers for their consideration. No further response is necessary.



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## Central Valley Regional Water Quality Control Board

14 July 2020

Lea Simvoulakis  
City of Hughson  
P.O. Box 9  
Hughson, CA 95326

### **COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, PARKWOOD SUBDIVISION PROJECT, SCH#2020060271, STANISLAUS COUNTY**

Pursuant to the State Clearinghouse's 12 June 2020 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 Parkwood Subdivision Project, located in Stanislaus County.

B-1

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.

B-2

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

KARL E. LONGLEY SCD, P.E., CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

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/](http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/)

B-2  
cont'd

#### **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 Implementation Policy is available on page 74 at:

[https://www.waterboards.ca.gov/centralvalley/water\\_issues/basin\\_plans/sacsjr\\_2018\\_05.pdf](https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_2018_05.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.*

B-3

*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](http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml)

B-4

**Phase I and II Municipal Separate Storm Sewer System (MS4) Permits<sup>1</sup>**

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.

B-5

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/](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](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:

B-6

[http://www.waterboards.ca.gov/centralvalley/water\\_issues/storm\\_water/industrial\\_general\\_permits/index.shtml](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 United States Army Corps of Engineers (USACE). If a Section 404 permit is required by the USACE, 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 USACE at (916) 557-5250.

B-7

**Clean Water Act Section 401 Permit – Water Quality Certification**

If an USACE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic

B-8

<sup>1</sup> 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.

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. For more information on the Water Quality Certification, visit the Central Valley Water Board website at:  
[https://www.waterboards.ca.gov/centralvalley/water\\_issues/water\\_quality\\_certification/](https://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification/)

B-8  
cont'd

**Waste Discharge Requirements – Discharges to Waters of the State**

If USACE 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 Waste Discharges to Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at:  
[https://www.waterboards.ca.gov/centralvalley/water\\_issues/waste\\_to\\_surface\\_water/](https://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water/)

B-9

Projects involving excavation or fill activities impacting less than 0.2 acre or 400 linear feet of non-jurisdictional waters of the state and projects involving dredging activities impacting less than 50 cubic yards of non-jurisdictional waters of the state may be eligible for coverage under the State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ (General Order 2004-0004). For more information on the General Order 2004-0004, visit the State Water Resources Control Board website at:  
[https://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2004/wqo/wqo2004-0004.pdf](https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf)

**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 Threat General Order) 2003-0003 or the Central Valley Water Board’s Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Threat Waiver) R5-2018-0085. 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.

B-10

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/board\\_decisions/adopted\\_orders/water\\_quality/2003/wqo/wqo2003-0003.pdf](http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf)

Parkwood Subdivision Project  
Stanislaus County

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For more information regarding the Low Threat Waiver and the application process, visit the Central Valley Water Board website at:  
[https://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/waivers/r5-2018-0085.pdf](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2018-0085.pdf)

B-10  
cont'd

**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 *Limited Threat Discharges to Surface Water* (Limited Threat General Order). A complete Notice of Intent must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order. For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

B-11

[https://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/general\\_orders/r5-2016-0076-01.pdf](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076-01.pdf)

If you have questions regarding these comments, please contact me at (916) 464-4856 or [Nicholas.White@waterboards.ca.gov](mailto:Nicholas.White@waterboards.ca.gov).

B-12



Nicholas White  
Water Resource Control Engineer

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

**Response to Letter B: Nicholas White, Central Valley Regional Water Quality Control Board**

**Response B-1:** This comment is noted. This comment serves as an introduction to the letter and does not warrant a response. No further response is necessary.

**Response B-2:** The commenter provides background information regarding the responsibilities of the Central Valley Regional Water Quality Control Board (RWQCB). This information further elaborates on regulatory setting information provided in the Initial Study. The City of Hughson, including the proposed project site, is located in the Turlock Groundwater Basin. The project site is located within the Water Quality Control Plan for the Sacramento-San Joaquin River Basins (Basin Plan) area. This comment is noted. No further response is necessary.

**Response B-3:** The commenter provides information regarding “Antidegradation Considerations,” including the Basin Plan’s policy and analysis requirements for National Pollutant Discharge Elimination System (NPDES) and Waste Discharge Requirement (WDR) permitting. Project impacts to groundwater and surface water quality are addressed in Section X, Hydrology and Water Quality, of the IS/MND. Impacts were determined to be less than significant with implementation of Mitigation Measure GEO-2 (preparation of a Storm Water Pollution Prevention Plan [SWPPP]). The IS/MND adequately analyzes the potential impacts to groundwater and surface water quality.

**Response B-4:** The commenter identifies construction storm water permit requirements for projects that disturb one or more acres of soil or are part of a larger plan that in total disturbs one or more acres of soil. As described on page 68 of Section VII, Geology and Soils, of the IS/MND, without implementation of appropriate Best Management Practices (BMPs) related to prevention of soil erosion during construction, development of the project would result in a potentially significant impact with respect to soil erosion. Mitigation Measure GEO-2 requires preparation of a SWPPP. The SWPPP will include project specific best management measures that are designed to control drainage and erosion. Furthermore, proposed project will include detailed project specific drainage plan that control storm water runoff and erosion, both during and after construction. The SWPPP and the project specific drainage plan would reduce the potential for erosion. Mitigation Measure GEO-2 of the IS/MND requires the applicant to prepare a SWPPP and implement BMPs. The IS/MND adequately reflects the information provided in the comment.

**Response B-5:** The commenter discusses Best Management Practices and municipal separate storm sewer system (MS4) requirements for storm drainage systems. The City of Hughson is classified as a Phase II city by the State Water Resources Control Board. As such, the City, and consequently new development, is required to comply with the State Board’s storm water NPDES permit for Phase II cities. This

comment does not warrant any modifications to the IS/MND. No further response is necessary.

**Response B-6:** The commenter discusses Industrial Storm Water General Permit requirements. The proposed project does not include industrial uses. This comment does not warrant any modifications to the IS/MND. No further response is necessary.

**Response B-7:** The commenter indicates that a Section 404 permit from the U.S. Army Corps of Engineers would be required for activities involving a discharge to waters of the U.S. Section IV, Biological Resources, of the IS/MND analyzes potential impacts to water of the U.S. as a result of project development. As discussed on page 52 of the IS/MND, the project site does not contain protected wetlands or other jurisdictional areas and there is no need for permitting associated with the federal or State Clean Water Acts. The Turlock Irrigation District canal along the northern site boundary is a man-made facility with the sole purpose of agricultural irrigation. These ditches are exempt from permitting. This comment does not warrant any modifications to the IS/MND. No further response is necessary.

**Response B-8:** The commenter indicates that a Section 401 Water Quality Certification from the State Board would be required for activities that require a Section 404 permit or other federal permits. As noted in Response B-7 above, the project site does not contain protected wetlands or other jurisdictional areas and there is no need for permitting associated with the federal or State Clean Water Acts. This comment does not warrant any modifications to the IS/MND. No further response is necessary.

**Response B-9:** The commenter indicates that a Waste Discharge Requirement is required if there are State waters that require discharge or dredging. As noted in Responses B-7 and B-8, the project site does not contain protected wetlands or other jurisdictional areas. This comment does not warrant any modifications to the IS/MND. No further response is necessary.

**Response B-10:** The commenter indicates that if the proposed project includes construction dewatering, the proposed project will require coverage under a NPDES permit. Dewatering is not anticipated to be required during construction of the proposed project, however, should groundwater be encountered during construction and dewatering become necessary, the applicant would be required to seek the proper NPDES permit for dewatering activities.

**Response B-11:** The commenter indicates that if the proposed project includes construction dewatering, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering is not anticipated to be required during construction of the proposed project, however, should groundwater be encountered during construction and dewatering become necessary, the applicant would be required to seek the proper NPDES permit for dewatering activities.

**Response B-12:** This comment is noted. This comment serves as a conclusion to the letter and does not warrant a response. No further response is necessary.

Subject: Responses to Comments and Errata for the Parkwood Subdivision Project IS/MND  
Date: July 17, 2020

From: Gina Oltman <ginaoxyz@gmail.com<mailto:ginaoxyz@gmail.com>>  
Sent: Saturday, June 27, 2020 8:07 AM  
To: Lea Simvoulakis <lsimvoulakis@hughson.org<mailto:lsimvoulakis@hughson.org>>  
Subject: Dog Park in Proposed Development?

Hi, Lea:

In a previous email, you mentioned that you advised the developer of the subdivision proposed for the southeast corner of Hatch and Santa Fe to include a dog park. I was reading the initial study and mitigated neg dec report on the project, and it does not include a dog park. (See quoted text below.) Is a dog park going to be included? The report does not appear to be a draft.

Please let me know what the plan is. From talking to Natalie Mendoza (intern), it sounds like the city's survey a couple of months ago showed significant support for a dog park, so it seems like that would be a good thing to actively pursue for the community.

From the report:

"The project includes two common space areas totaling 6.14 acres: one in the eastern portion of the subdivision, and one in the western portion of the subdivision. The eastern park area will include street, signature, accent, and shade trees, a neighborhood connecting path, children's play equipment, turn mounding and seat walls, terraced grass seating with barbecue tables, and open turf social space. The western park area will include street, accent, and shade trees, a neighborhood connecting path, children's playground equipment, a tennis court, a basketball court, a pickleball court, a gazebo, and open turf social space."

Best,  
Gina

Sent from Mail<<https://go.microsoft.com/fwlink/?LinkId=550986>> for Windows 10

C-1

**Response to Letter C: Gina Oltman, Resident of Hughson**

**Response C-1:** The commenter questions whether a dog park is included in the proposed project, and notes that a city survey showed significant support for a dog park. The commenter also correctly quotes page 4 of the IS/MND, which discusses the proposed park facilities.

This comment is noted and has been forwarded to the decision-makers for their consideration. The project applicant agrees that a dog park can be an excellent community asset as it provides an avenue for increased social interactions among City residents and presents opportunities for community members to build relationships with their neighbors. Generally, dog parks provide a dedicated space to run free and easily socialize with other dogs in-lieu of open space recreation areas that typically have strict leash-only laws. The latest update to the proposed project site plan incorporates a dog park facility within the main park area. The area designated for a dog park is of such a size that it could accommodate a separate play area for both large and small dogs, should the City desire this type facility. Final design of the dog park, including the types of amenities for both the dogs and their owners, will be subject to review and approval of the City's Community Development Director and/or the City's Planning Commission.

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**From:** Scott Berner <sberner@hughsonfire.com>  
**Sent:** Tuesday, July 14, 2020 1:44 PM  
**To:** Lea Simvoulakis <lsimvoulakis@hughson.org>  
**Cc:** Randall Kelley <rkelley@hughsonfire.com>  
**Subject:** Parkwood Subdivision

Hi Lea,

Thank you for taking the time to meet with Randall and I this morning. We appreciate you explaining in further details of what was outlined and by whom in the "Initial Study" under the Fire Protection section. | D-1

As mentioned, one of our key concerns about this project would be making sure the we have proper enough access for the fire apparatus to navigate the streets with or without parked vehicles. We are concerned also about the design of some of these homes that share a common driveway. Not only does it present a challenge from an access standpoint, but the additional expose it presents to the residents neighbor should there be a fire in one of the residents. | D-2

Also, as we read thru the Initial Study, we found a lot of the verbiage incorrect, and some of it came across as others were speaking on our behalf. I will try to be more specific. | D-3

- In paragraph 2 on page 122, it references that if the Hughson Fire Protection District (HFPD) were not available to respond to a calls, another agency would respond. Yes, we do have mutual aid agreements where is we assist other departments as they assist us as well on call where additional resources are required. However, in the years I have been on the department, I don't recall a time we were "not available to respond" to a call. | D-4

- It is referenced a few times that the Stanislaus Consolidated Fire Protection Districts (SCFPD) cooperates with the City. This is not a correct statement, the SCFPD is a district similar to HFPD that provides emergency services to the Empire, Southwest Modesto, Waterford and Riverbank communities. It would be the Stanislaus County Fire Warden office in conjunction with the HFPD that should be working with the City as it relates to fire prevention and various code requirements, water supply and street widths etc. | D-5

- Paragraph 4 references that this project "would place additional demands for fire service on the HFPD. What is the definition of the "additional demands" and who is making that decision? | D-6

- Paragraph 4 talks about the City of Hughson General Plan that would allow for the HFPD to continue providing adequate facilities and staffing levels. What are these specific plans? It is also our understanding that those plans are 15 years old? | D-7

- In the last paragraph of page 123, there is a lot of reference to how this project should have "less than significant" impact on the HFPD and no need to physically or alter fire facilities, and that property tax revenues would fund capital and labor cost associated with fire protection services. What and who defines "less than significant" The concern is with this is who has made this determination in this report on our behalf. | D-8

Our goal is to provide a supportive roll in the community for emergency services and fire suppression services, but it is imperative that we take a stronger roll and participation in the ability to communicate directly the impact that future growth and development of the City of Hughson would have on the HFPD. | D-9

Thank you again for your time.

Scott

Scott Berner  
Fire Chief  
Hughson Fire Protection District  
Office (209) 883-2863  
Cell (209) 541-8657  
[sberner@hughsonfire.com](mailto:sberner@hughsonfire.com)

**Response to Letter D: Scott Berner, Hughson Fire Protection District**

**Response D-1:** This comment is noted. This comment serves as an introduction to the letter. This comment letter has been forwarded to the decision-makers for their consideration. No further response is necessary.

**Response D-2:** The commenter notes that one of the key concerns about the project is making sure the Hughson Fire Protection District (HFPD) has enough access for the fire apparatus to navigate the streets with or without parked vehicles. The commenter also expresses concerns about the design of some of these homes that share a common driveway. The commenter states that “not only does it present a challenge from an access standpoint, but the additional expose it presents to the residents neighbor should there be a fire in one of the residents.”

This comment is noted. Impacts associated with emergency vehicle access are discussed on pages 82, 83, 141, and 142 of the IS/MND. As discussed on page 83, all major roads in Stanislaus County are available for evacuation, depending on the location and type of emergency that arises. The main evacuation routes according to the Stanislaus County Emergency Operations Plan are State Route (SR) 99 and 132. These roadways are capable of handling heavy truck traffic, as well as traffic from passenger vehicles and would be a primary route for evacuations. The proposed project does not include any actions that would impair or physically interfere with any of Stanislaus County’s emergency plans or evacuation routes. Future uses on the project site will have access to the County resources that establish protocols for safe use, handling and transport of hazardous materials. Construction activities are not expected to result in any unknown significant road closures, traffic detours, or congestion that could hinder the emergency vehicle access or evacuation in the event of an emergency.

Additionally, as discussed on pages 141 and 142, no site circulation or access issues have been identified that would cause a traffic safety problem/hazard or any unusual traffic congestion or delay. All emergency vehicles arriving to and from the proposed project would be able to enter via Santa Fe Avenue, Flora Vista Drive or Estancia Drive. All accesses would be designed to City standards that accommodate turning requirements for fire trucks. These multiple entry/exit points provide flexibility for emergency vehicles to access or evacuate from multiple directions during an emergency. There are no safety, capacity, or sight distance issues identified with the project site plan.

Further, as noted on page 122 of the IS/MND, prior to project approval, the Stanislaus Fire Protection District reviews plans for new development to assess design issues, such as the provision of adequate water supply systems, compliance with minimum street widths, and hydrant locations and distances. This plan review process would ensure adequate on-site and adjacent emergency access.

**Response D-3:** The commenter notes that a lot of the verbiage in the IS/MND is incorrect, and introduces a list of specific concerns. See Responses D-4 through D-8, which address each of the listed concerns.

**Response D-4:** The commenter notes that the IS/MND “references that if the [HFPD] were not available to respond to calls, another agency would respond. Yes, we do have mutual aid agreements where we assist other departments as they assist us as well on call where additional resources are required. However, in the years I have been on the department, I don’t recall a time we were ‘not available to respond’ to a call.”

This comment is noted. The commenter has adequately described the mutual aid agreements in the project area. As noted on page 122, while the HFPD provides primary fire protection to the community, it also has a mutual aid agreement with most of the other fire protection service providers in Stanislaus County. As a result, if the HFPD is not available to answer a call in the city, another fire department or district will respond to the call. The text in question is intended to convey that, *if* (emphasis added) the HFPD is responding to a call, then other departments could assist *if* (emphasis added) one or more subsequent calls warranted fire response.

**Response D-5:** The commenter notes that the IS/MND makes an incorrect statement regarding the Stanislaus Consolidated Fire Protection District (SCFPD) cooperation with the City. The commenter further notes that “the SCFPD is a district similar to HFPD that provides emergency services to the Empire, Southwest Modesto, Waterford and Riverbank communities. It would be the Stanislaus County Fire Warden office in conjunction with the HFPD that should be working with the City as it relates to fire prevention and various code requirements, water supply and street widths etc.”

This comment is noted. As noted on page 122 of the IS/MND, the HFPD provides primary fire protection to the community. The IS/MND further states that the SCFPD cooperates with the City to reduce the risk of fires in the area. Because this comment does not address the adequacy of the IS/MND, no further response is warranted.

**Response D-6:** The commenter cites various discussions in the IS/MND pertaining to fire demand and notes that the project “would place additional demands for fire service on the HFPD. The commenter questions what the definition of “additional demands” is, and who makes that decision.

This comment is noted. As stated on page 122 of the IS/MND, the proposed project would add 299 residential units, which is anticipated to add 1,034 people to the City of Hughson. The additional of 1,034 people in the City of Hughson would place additional demands for fire service on the HFPD. The residents of the proposed project may require services from the HFPD over the lifetime of the

project. As such, this is considered an “additional demand” on the HFPD. The decision of “additional demand” is not made by a single person, entity, agency, etc. Instead, the additional demand has been qualified by the analysis included in the IS/MND.

**Response D-7:** The commenter states that the IS/MND notes that the City of Hughson General Plan would allow for the HFPD to continue providing adequate facilities and staffing levels. The commenter further questions what those specific plans are, and notes that the plans are believed to be 15 years old.

This comment is noted. As discussed on pages 122 and 123, the City of Hughson General Plan includes policies and actions that would allow for the District to continue providing adequate facilities and staffing levels. For example, Policies PSF-2.1 and PSF-2.2, and Action PSF-2.1, address continued cooperation between the City and the Hughson Fire Protection District to provide adequate fire protection service to the community and explore methods to improve the level of service provided. The City would also continue to support the existing mutual aid agreements (Policy PSF-2.3). To reduce the overall need for fire protection, the City would enforce all relevant fire codes and ordinances (Policy PSF-2.4), require all new development to use fire-safe building materials and early warning systems, install sufficient water supply systems (Policy PSF-2.5), and encourage the installation of sprinkler systems (Policy PSF-2.6). The City would also forward new development applications to the Hughson Fire Protection District and Stanislaus County Fire Protection District for their review (Action PSF-2.2).

The commenter is correct that the City’s General Plan is 15 years old. However, these policies and actions are intended to provide long term strategies that would allow for the District to continue providing adequate facilities and staffing levels over the lifetime of the City’s General Plan document. No further response is warranted.

**Response D-8:** The commenter notes that the project would have a “less than significant” impact on the HFPD, no need for new fire facilities would be required, and the property tax revenues would fund capital and labor cost associated with fire protection services. The comment also questions what and who defines “less than significant”, and expresses a concern with who has made this determination on the HFPD’s behalf.

This comment is noted. The evaluation instructions and significance determinations used throughout the IS/MND are included on pages 20 and 21 of the IS/MND. As shown, 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. The “less than significant” impact determination is defined as: “A less than significant impact is one which is deemed to have little or no adverse effect

on the environment. Mitigation measures are, therefore, not necessary, although they may be recommended to further reduce a minor impact.” Similar to what is noted above in Response D-6, the determination of whether impacts related to fire protection services would be “less than significant” is not made by a single person, entity, agency, etc. Instead, the significance determination has been qualified by the analysis included in the IS/MND.

**Response D-9:** This comment is noted. This comment serves as a conclusion to the letter and does not warrant a response. No further response is necessary.

**From:** Brenda Smith <bsmith@hughsonschools.org>  
**Sent:** Tuesday, July 14, 2020 2:43 PM  
**To:** Lea Simvoulakis <lsimvoulakis@hughson.org>  
**Subject:** Re: School enrollment

Ms. Simvoulakis and the City Council,

Thank you for letting me review the plan for the potential new subdivision located at Hatch and Santa Fe. In the section on schools, it was stated:

**The Hughson Unified School District (HUSD) provides kindergarten through 12th grade education for students living in Hughson and the surrounding unincorporated areas. All of the HUSD's six schools are located within Hughson, including:**

- **Hughson Elementary School (pre-kindergarten through 3rd grade) – 583 students during 2015/2016**
  - **Fox Road Elementary School (4th and 5th grades) – 304 students during 2015/2016**
  - **Emilie J. Ross Middle School (6th through 8th grades) – 482 students during 2015/2016**
  - **Hughson High School (9th through 12th grades) – 712 students during 2015/2016**
  - **Billy Joe Dickens Continuation (alternative education) – 29 students during 2015/2016**
  - **Valley Community Day School (8th through 12th grades) – 9 students during 2015/2016**
- As shown above, the schools in the City had a total enrollment of approximately 2,119 students during the 2015/2016 school year.**

E-1

**According to the City's General Plan EIR, one residential unit would generate an average of 0.7 students. This total is further broken down into 0.4 kindergarten through 5th grade students, 0.1 6th through 8th grade students, and 0.2 high school students per dwelling unit. Using these rates. The proposed 299 units would result in 119 kindergarten through 5th grade students, 29 6th through 8th grade students, and 59 high school students.**

With these numbers, Hughson Unified School District would be impacted in regards to our facilities. We would need approximately four elementary classrooms, one middle school classroom, and two high school classrooms. In addition, we may have some issues with our cafeteria facilities at Hughson Elementary School. At this time, since we are on an uptick in enrollment, our campuses are full. This past summer we had to add a new portable to Fox Road Elementary and Ross Middle School. Further growth due to the subdivisions at Hatch and Euclid and then this proposed subdivision would necessitate us needing more classrooms.

E-2

Please let me know if you have any questions,  
Brenda Smith  
Superintendent  
Hughson Unified School District

## **Response to Letter E: Brenda Smith, Hughson Unified School District**

**Response E-1:** This comment is noted. This comment serves as an introduction to the letter. This comment summarizes a portion of the analysis pertaining to schools in the IS/MND. This comment letter has been forwarded to the decision-makers for their consideration. The commenter has correctly cited portions of the IS/MND, and no further response is warranted.

**Response E-2:** The commenter notes that the proposed project student generation would result in an impact to Hughson Unified School District (HUSD) facilities. The commenter notes that the HUSD “would need approximately four elementary classrooms, one middle school classroom, and two high school classrooms.” The commenter also notes that HUSD may have some issues with their cafeteria facilities at Hughson Elementary School. The comment notes that, since HUSD is on an uptick in enrollment, their campuses are full. The comment concludes that “This past summer we had to add a new portable to Fox Road Elementary and Ross Middle School. Further growth due to the subdivisions at Hatch and Euclid and then this proposed subdivision would necessitate us needing more classrooms.”

This comment is noted. As discussed on pages 124 and 125 of the IS/MND, the City’s General Plan includes policies and actions to work with HUSD to provide for adequate and well-designed public school facilities to meet future demand. As a result of General Plan Policies PSF-3.1 and PSF-3.2, the City would work with HUSD to ensure, to the extent allowed by law, that adequate school facilities are provided concurrently with new development. Hughson would also provide the District with the opportunity to review residential development proposals to assist the City in assessing the potential impacts on schools (Policy PSF-3.5). The location and design of future school sites is also addressed by Policy PSF-3.3 of the 2005 General Plan, which recommends that a school be centrally located to the student population it would serve. To maximize benefits, Policy PSF-3.4 encourages school sites to be integrated with parks to provide additional recreational opportunities for the community.

As discussed in page 5 and throughout the IS/MND, the project site is currently designated Low Density Residential (LDR) (approximately 19.28 acres), Medium Density Residential (MDR) (approximately 17.73 acres), and Service Commercial (SC) (approximately 19.00 acres) by the City’s General Plan land use map. As discussed on page 30 of the IS/MND, allowable densities in the MDR designation range from 5.1 to 14.0 dwelling units per gross acre. Allowable densities in the LDR designation range from 0.0 to 5.0 dwelling units per gross acre. A maximum allowed intensity of use for the SC designation is a FAR of 0.5. Therefore, using these allowable densities and intensities for the current land use designations for the site, the City’s General Plan anticipated up to 344 residential units (with an associated population of 1,190 persons) and 413,730 square feet of SC within the project area. As such, the proposed project includes fewer residential units than

were anticipated for the project site (in addition to the elimination of the up to 413,730 square feet of commercial uses that were anticipated for the project site) by the City's General Plan and associated EIR.

The planned growth associated with the proposed project is within the range of growth analyzed by the City's General Plan EIR. Existing capacity issues identified at the HUSD are not a result of the proposed project.

Public school facilities and services are partially supported through the assessment of development fees. The HUSD charges every new residential dwelling unit \$3.15 per square foot, and all new commercial development \$0.36 per square foot. HUSD is limited by State law as to how much it can collect from new development. Funding of school facilities has been impacted by the passing of Senate Bill 50, which limits the impact fees and site dedication that school districts can require of developers, to off-set the impact of new development on the school system.

The provisions of State law are considered full and complete mitigation for the purposes of analysis under CEQA for school construction needed to serve new development. In fact, State law expressly precludes the City from reaching a conclusion under CEQA that payment of the Leroy F. Greene School Facilities Act school impact fees would not completely mitigate new development impacts on school facilities. Consequently, the City of Hughson is without the legal authority under CEQA to impose any fee, condition, or other exaction on the project for the funding of new school construction other than the fees allowed by the Leroy F. Greene School Facilities Act. Although MUSD may collect higher fees than those imposed by the Leroy F. Greene School Facilities Act, no such fees are required to mitigate the impact under CEQA.

July 14, 2020

City of Hughson  
Lea Simvoulakis  
Community Development Director  
7018 Pine Street  
Hughson, Ca 95326

Dear Ms Simvoulakis,

After reading the initial study on the Parkwood Subdivision Project, I am vehemently opposed to this enormous development. The study was well written and professional but totally ignores the fact that this project will forever change the flavor and small community uniqueness of Hughson. The change of the General Plan to accommodate this largess should be rejected. This is supposedly a MDR/R-2 usage project but when you look at the proposed map of homes it is a very HDR usage. The developers are attempting to build as many homes as possible on small acreage. My further objections are as follows:

F-1

- We are losing more and more farmland to development and destruction of local species/habitat in the state, plus increasing the un-healthy air quality. pg. 24 & 29. Pg. 45-table 6, pg. 46-table 7

F-2

- Throughout the plan it is stated that there will be no significant impact on surrounding areas. However, there will be increased traffic in all our local roads which are mostly 2 lanes and we are way behind in improving our roads due to state funding. In addition, there is no proposed access onto Hatch road. This is a significant problem for fire/police to reach this subdivision. pg. 36 & 37, 127, 134.

F-3

- Our water quality has been an issue for several years as the arsenic and 1,2,3-TCP levels are higher than state standards. The city is working to address these levels but we are only able to perform these high cost repairs with matching state funds. The community has been very angry with the high cost, leading to significant increase in water rates. Knowing this, any impacts on water quality or future repairs the state requires will put the city reserve funds in jeopardy as any matching funds will not be forthcoming from the state d/t the enormous amount of deficits the state is experiencing. Pg. 84, 85. The 'less than significant impact' on pg. 145, 146 is laughable.

F-4

● Fire/Sheriff protections: As stated on pg.122, the addition of 1,034 people would place additional demands for fire/police services and EMT's. On going revenues that come from property taxes via the state will eventually be needed to fund fire/police services to maintain the required service ratios and response times. Again, the state is in such a financial deficit that those matching funds will not be forthcoming for these projects. This is very concerning as we have a significant retirement population who require a greater need for services. We will eventually require another sheriff deputy to patrol this new development. Pg. 122, 123, 124.

F-5

● Pg. 124, 125 addresses the impact of schools with this new project. The plan states there would be *less than significant impact*. Obviously, the planners did not interview any teachers/administrators for this submission. Our schools are significantly impacted and cannot provide extra or enrichment programs without on-going fundraisers conducted by the schools. Again, the burden falls to the parents to fund these in addition to increased property taxes just to try to maintain programs. Property taxes have never fully funded what schools require to function.

F-6

● Pg 157 addresses the Mandatory Findings of Significance. These findings only look at the physical aspects of the project which is of great impact to our little community. In addition, when you increase the population, significant commercial development follows. Our smallness and connectivity to each other need to be considered with this considerable development.

F-7

In conclusion, I foresee an irreparable change in the quality of life in Hughson with such a large, in my opinion, a very dense populated project. This is exactly why I moved here instead of Turlock; to live in a rural area with small population and no large commercial/strip mall shops. The flavor and uniqueness of our city will be vastly changed as people will eventually demand more commercial services and the cycle of more development continues. I am asking the City Council to please reject this project.

F-8

Sincerely,

Michael A. Mitchell  
7415 Deforest Court  
Hughson, Ca. 95326

## **Response to Letter F: Michael Mitchell, Resident of Hughson**

**Response F-1:** This comment is noted. This comment serves as an introduction to the letter. This comment notes “the study was well written and professional but totally ignores the fact that this project will forever change the flavor and small community uniqueness of Hughson. The change of the General Plan to accommodate this largess should be rejected. This is supposedly a MDR/R-2 usage project but when you look at the proposed map of homes it is a very HDR usage. The developers are attempting to build as many homes as possible on small acreage.”

This comment letter has been forwarded to the decision-makers for their consideration.

As discussed in page 5 and throughout the IS/MND, the project site is currently designated Low Density Residential (LDR) (approximately 19.28 acres), Medium Density Residential (MDR) (approximately 17.73 acres), and Service Commercial (SC) (approximately 19.00 acres) by the City’s General Plan land use map. The proposed project would require a General Plan Amendment to change the LDR and SC land uses to MDR. Allowable densities in the MDR designation range from 5.1 to 14.0 dwelling units per gross acre. The maximum density may be increased by up to 25 percent under the Planned Development process, as part of legally-required affordable density bonuses. With 299 units on 56.04 acres, the proposed density would be 5.34 dwelling units per acre, which is within the allowed density range. The project is requesting a Conditional Use Permit for the proposed Planned Development overlay zone.

Additionally, as discussed on page 30 of the IS/MND, allowable densities in the MDR designation range from 5.1 to 14.0 dwelling units per gross acre. Allowable densities in the LDR designation range from 0.0 to 5.0 dwelling units per gross acre. A maximum allowed intensity of use for the SC designation is a FAR of 0.5. Therefore, using these allowable densities and intensities for the current land use designations for the site, the City’s General Plan anticipated up to 344 residential units (with an associated population of 1,190 persons) and 413,730 square feet of SC within the project area. As such, the proposed project includes fewer residential units than were anticipated for the project site (in addition to the elimination of the up to 413,730 square feet of commercial uses that were anticipated for the project site) by the City’s General Plan and associated EIR.

**Response F-2:** The commenter notes that the City is losing more and more farmland to development and destruction of local species/habitat, in addition to unhealthy air quality. This comment is noted. Impacts associated with loss of farmland, loss of species/habitat, and air quality are discussed in Section II, Agriculture and Forestry Resources, Section IV, Biological Resources, and Section III, Air Quality, of the IS/MND, respectively.

As discussed on page 24 of the IS/MND and as shown in Figure 7 of the IS/MND, the majority of the project site is designated Prime Farmland as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. A portion of the site along the northern boundary is designated Urban and Built-Up Land. The proposed project would result in the conversion of this designated Prime Farmland land to a non-agricultural use.

As discussed on pages 44 through 52 of the IS/MND, impacts related to special-status species with a potential to exist in the project area were analyzed. Field surveys and habitat evaluations were performed in March 2019, which generally does not coincide with the special-status plant species blooming period; however, the site was essentially void of natural vegetation based on the orchard operations on the project site and there is no possibility for presence of these species. The project site provides limited habitat for special-status animal species. No special-status fish, amphibian, reptile, or mammal species are expected to be affected by the proposed project. While the project site contains very limited nesting habitat, there are powerlines and trees located in the region that represent potentially suitable nesting habitat for a variety of special-status birds. In addition, common raptors such as among others, may nest in or adjacent to the project site. Mitigation Measure BIO-1 requires measures to avoid or minimize impacts on Swainson's hawk, and Mitigation Measure BIO-2 requires and measures to avoid or minimize impacts on other protected bird species which may be found on-site.

As discussed on pages 30 through 42 of the IS/MND, all air quality-related impacts were determined to be less-than-significant or less-than-significant with implementation of the mitigation measures included in the IS/MND.

**Response F-3:** The commenter expresses concerns regarding increased traffic on local roads and lack of project access onto Hatch Road, which could result in problems for police or fire. This comment is noted. Impacts associated with traffic are discussed in Section XVII, Transportation, and impacts associated with emergency access are discussed on pages 82, 83, 141, and 142 of the IS/MND. The transportation analysis is based on the project-specific Traffic Impact Analysis that was completed for the project. As discussed on page 136, the addition of project trips will not result in any location carrying daily volumes in excess of the City of Hughson minimum level of service (LOS) D goal. The project will add traffic to the local streets south and east of the site. While not an adopted significance criterion, in comparison to the planning level daily volume thresholds typically employed by other communities, the project will not result in any local street carrying volumes that exceed an acceptable level. Additionally, while development of the project will increase the volume of traffic passing through study area intersections, resulting traffic conditions will not exceed the City's minimum LOS D standard. The same holds true during the cumulative traffic condition.

The commenter is correct that a project access on Hatch Road is not proposed. As discussed on page 83, all major roads in Stanislaus County are available for evacuation, depending on the location and type of emergency that arises. The main evacuation routes according to the Stanislaus County Emergency Operations Plan are State Route (SR) 99 and 132. These roadways are capable of handling heavy truck traffic, as well as traffic from passenger vehicles and would be a primary route for evacuations. The proposed project does not include any actions that would impair or physically interfere with any of Stanislaus County's emergency plans or evacuation routes. Future uses on the project site will have access to the County resources that establish protocols for safe use, handling and transport of hazardous materials. Construction activities are not expected to result in any unknown significant road closures, traffic detours, or congestion that could hinder the emergency vehicle access or evacuation in the event of an emergency.

Additionally, as discussed on pages 141 and 142, no site circulation or access issues have been identified that would cause a traffic safety problem/hazard or any unusual traffic congestion or delay. Signalization of the Santa Fe Avenue / Project Access intersection would alleviate delays in the Cumulative condition, and signalization could assist emergency vehicles in circulation in and around the project area. All emergency vehicles arriving to and from the proposed project would be able to enter via Santa Fe Avenue, Flora Vista Drive, Estancia Drive, or Hatch Road. All accesses would be designed to City standards that accommodate turning requirements for fire trucks. These multiple entry/exit points provide flexibility for emergency vehicles to access or evacuate from multiple directions during an emergency. There are no safety, capacity, or sight distance issues identified with the project site plan.

**Response F-4:** The commenter notes that water quality has been an issue for several years as the arsenic and 1,2,3-TCP levels are higher than state standards. The commenter further notes that “the city is working to address these levels but we are only able to perform these high cost repairs with matching state funds. The community has been very angry with the high cost, leading to significant increase in water rates. Knowing this, any impacts on water quality or future repairs the state requires will put the city reserve funds in jeopardy as any matching funds will not be forthcoming from the state d/t the enormous amount of deficits the state is experiencing.”

This comment is noted. The City's water quality issues are discussed in Section XIX, Utilities and Service Systems, of the IS/MND. As discussed on page 145, in 2017, the State of California adopted a new standard for a man-made contaminant called 1,2,3-TCP. As of this date, all of the City's wells are in violation of this new standard. The City plans to install treatment for 1,2,3-TCP removal and is actively working to identify funding to pay for these needed treatment facilities.

Additionally, as discussed on page 148, in 2017, the State Water Resource Control Board (SWRCB) Division of Drinking Water (DDW) adopted regulation for 1,2,3-trichloropropane (TCP), setting a maximum contaminant level (MCL) of 0.005 micrograms per liter ( $\mu\text{g/L}$ ). In 2018, the City collected the first compliance samples for TCP from the active drinking water wells. TCP levels in all the active wells exceeded the MCL. A feasibility study was conducted to evaluate alternatives for TCP mitigation and is documented in the April 2018 *1,2,3-TCP Mitigation Feasibility Study*. Treatment with granular activated carbon (GAC) was determined to be the best solution to mitigate the 1,2,3-TCP contamination, and installation of GAC treatment systems for all the municipal supply wells is planned.

Specifically, the status of the City's wells are as follows:

- Wells 3, 4, and 8 are actively used for municipal supply. All three wells are in violation of 1,2,3-TCP;
- Well 8 is equipped with treatment and in compliance with arsenic standards;
- Well 4 is in violation of arsenic and requires treatment;
- Well 5 was removed from service, and its production capacity will be replaced by Well 10;
- Well 6 was converted to supply non-potable uses in 2013, due to elevated levels of arsenic and nitrate;
- Well 7 has been inactive since 2015, due to elevated levels of nitrate, and its production capacity will be replaced by Well 9.

The Well 7 Replacement Project is currently under construction and involves construction of Wells 9 and 10, installation of a treatment system for arsenic and manganese, and construction of a one-million-gallon water storage tank.

Currently the City has no source water production that meets state and federal water quality standards. Should the City successfully secure funding for 1,2,3-TCP treatment, Wells 3, 4, and 8 can be modified with treatment equipment to be in full compliance for 1,2,3-TCP. With completion of the Well 7 Replacement project in 2021, the City will have two (2) additional wells with treatment for long-term water supply. Since Well 4 requires treatment for arsenic, piping can be constructed to convey untreated water from Well 4 to the Well 7 Replacement facility for treatment.

Lastly, as discussed on page 152, the City of Hughson is actively working to address deficiencies in its water supply system. The City has lost three (3) of its seven (7) water supply wells to groundwater contaminants since 2013, and currently has no wells that meet all federal and state drinking water standards. Projects to address the water system deficiencies include:

- Construction of Well 8 Water Treatment Facility (2013);

- Conversion of Well 6 to a non-potable water supply (2016);
- Design and construction of the Well 7 Replacement Project (2018);
- Planned design and construction of GAC treatment facilities for treatment of 1,2,3-TCP contamination at Wells 3, 4 and 8;
- Planned construction of pipeline from Well 4 to Well 7 Replacement arsenic treatment facility.

The City's plan to address water quality issues is further discussed on pages 152 and 153 of the IS/MND.

The project applicant would be required to pay water system impact fees to the City totaling \$2,427,581. At buildout, the subdivision will contribute \$190,164 annually in water rates. These fees can be used to partially offset capital costs of the City's planned water system improvements and ongoing operation and maintenance of the water facilities.

**Response F-5:** The commenter restates portions of the IS/MND text on page 122 and notes that "the state is in such a financial deficit that those matching funds will not be forthcoming for these projects. This is very concerning as we have a significant retirement population who require a greater need for services. We will eventually require another sheriff deputy to patrol this new development."

This comment is noted. The state does not match property tax dollars as claimed in this portion of the comment. All property tax revenue that would be generated by this project remains within the county in which it is collected to be used exclusively by local governments.

**Response F-6:** The commenter notes that teachers/administrators were not interviewed, and schools are significantly impacted and cannot provide extra or enrichment programs without on-going fundraisers conducted by the schools. The commenter also states that the burden falls to the parents to fund these in addition to increased property taxes just to try to maintain programs. The commenter concludes that property taxes have never fully funded what schools require to function.

This comment is noted. This comment is noted. As discussed on pages 124 and 125 of the IS/MND, the City's General Plan includes policies and actions to work with the Hughson Unified School District (HUSD) to provide for adequate and well-designed public school facilities to meet future demand. As a result of General Plan Policies PSF-3.1 and PSF-3.2, the City would work with HUSD to ensure, to the extent allowed by law, that adequate school facilities are provided concurrently with new development. Hughson would also provide the District with the opportunity to review residential development proposals to assist the City in assessing the potential impacts on schools (Policy PSF-3.5). The location and design of future school sites is also addressed by Policy PSF-3.3 of the 2005 General Plan, which recommends that a school be centrally located to the student

population it would serve. To maximize benefits, Policy PSF-3.4 encourages school sites to be integrated with parks to provide additional recreational opportunities for the community.

As discussed in page 5 and throughout the IS/MND, the project site is currently designated Low Density Residential (LDR) (approximately 19.28 acres), Medium Density Residential (MDR) (approximately 17.73 acres), and Service Commercial (SC) (approximately 19.00 acres) by the City's General Plan land use map. As discussed on page 30 of the IS/MND, allowable densities in the MDR designation range from 5.1 to 14.0 dwelling units per gross acre. Allowable densities in the LDR designation range from 0.0 to 5.0 dwelling units per gross acre. A maximum allowed intensity of use for the SC designation is a FAR of 0.5. Therefore, using these allowable densities and intensities for the current land use designations for the site, the City's General Plan anticipated up to 344 residential units (with an associated population of 1,190 persons) and 413,730 square feet of SC within the project area. As such, the proposed project includes fewer residential units than were anticipated for the project site (in addition to the elimination of the up to 413,730 square feet of commercial uses that were anticipated for the project site) by the City's General Plan and associated EIR.

The planned growth associated with the proposed project is within the range of growth analyzed by the City's General Plan EIR. Existing capacity issues identified at the HUSD are not a result of the proposed project.

Public school facilities and services are partially supported through the assessment of development fees. The HUSD charges every new residential dwelling unit \$3.15 per square foot, and all new commercial development \$0.36 per square foot. HUSD is limited by State law as to how much it can collect from new development. Funding of school facilities has been impacted by the passing of Senate Bill 50, which limits the impact fees and site dedication that school districts can require of developers, to off-set the impact of new development on the school system.

The provisions of State law are considered full and complete mitigation for the purposes of analysis under CEQA for school construction needed to serve new development. In fact, State law expressly precludes the City from reaching a conclusion under CEQA that payment of the Leroy F. Greene School Facilities Act school impact fees would not completely mitigate new development impacts on school facilities. Consequently, the City of Hughson is without the legal authority under CEQA to impose any fee, condition, or other exaction on the project for the funding of new school construction other than the fees allowed by the Leroy F. Greene School Facilities Act. Although MUSD may collect higher fees than those imposed by the Leroy F. Greene School Facilities Act, no such fees are required to mitigate the impact under CEQA.

**Response F-7:** The commenter notes that the Mandatory Findings of Significance only look at physical aspects of the project which is of great impact to the community. The commenter further notes that “when you increase the population, significant commercial development follows. Our smallness and connectivity to each other need to be considered with this considerable development.”

This comment is noted. The Mandatory Findings of Significance generally analyzes impacts associated with the physical environment. This comment letter has been forwarded to the decision-makers for their consideration.

**Response F-8:** The commenter summarizes the concerns outlined in the body of the comment, and concludes that the City Council should reject the project. This comment is noted. This comment letter has been forwarded to the decision-makers for their consideration.

Subject: Responses to Comments and Errata for the Parkwood Subdivision Project IS/MND  
Date: July 17, 2020

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**From:** Robin MacDonald <rmacdca@gmail.com>  
**Sent:** Friday, July 3, 2020 7:40 AM  
**To:** Lea Simvoulakis <lsimvoulakis@hughson.org>  
**Subject:** IS/MND

Good day Lea,

I hope all is well with you and yours.

**Comment:**

Suggest you post a public response from TID about the feasibility of a bridge over Ceres Main Lateral north of the planned Parkwood Subdivision, a bridge to ameliorate the significant traffic impact on our community.

G-1

Thanks for listening.

Robin MacDonald  
Steeplechase Drive  
Hughson

**Response to Letter G: Robin MacDonald, Resident of Hughson**

**Response G-1:** The commenter suggests that the City post a public response from the Turlock Irrigation District (TID) about the feasibility of a bridge over Ceres Main Lateral, located north of the project site. The commenter notes that a bridge could ameliorate the significant traffic impact on the community.

While this comment does not address the adequacy of the IS/MND, it is noted that traffic impacts are discussed in Section XVII, Transportation. The transportation analysis is based on the project-specific Traffic Impact Analysis that was completed for the project. As discussed on page 136, the addition of project trips will not result in any location carrying daily volumes in excess of the City of Hughson minimum level of service (LOS) D goal. The project will add traffic to the local streets south and east of the site. While not an adopted significance criterion, in comparison to the planning level daily volume thresholds typically employed by other communities, the project will not result in any local street carrying volumes that exceed an acceptable level. Additionally, while development of the project will increase the volume of traffic passing through study area intersections, resulting traffic conditions will not exceed the City's minimum LOS D standard. The same holds true during the cumulative traffic condition.

This comment is noted and has been forwarded to the decision-makers for their consideration.

## Design Expectations

### ♦ Self Certification Checklist

Prior to submittal of any application subject to the design guidelines the applicant shall complete the following self-certification checklist. The completed checklist shall be submitted as part of the formal application materials for review and use by City staff, Design Review Committee, Planning Commission and City Council.

The “Design Expectations” contained herein have been prepared to encourage each applicant to carefully consider the City’s expectations as they begin the earliest planning stages of a proposed development. While encouraging fairly broad and flexible solutions to address each “Design Expectations”, overall compliance with these “Design Expectations” is not optional. The City Council reserves the right to determine final conformance with these City’s objectives and expectations identified herein.

Prior to submittal of any proposed plan, zoning change, and/or tentative subdivision map application, each project proponent, developer, subdivider, or applicant shall complete the following self-certification checklist. The completed checklist shall be submitted as part of the formal application materials for review and use by City staff, Planning Commission and City Council. If the Community Development Director can clearly determine full compliance with the Single-Family Residential “Design Expectations” as noted in this checklist, no additional review by the Commission/Council may be required.

The “Design Expectations” contained herein have been prepared to encourage each developer to carefully consider the City’s expectations as they begin the earliest planning stages of a proposed residential development. While encouraging fairly broad and flexible solutions to address each “Design Expectations”, overall compliance with these Expectations is not optional. The City Council reserves the right to determine final conformance with these City’s objectives and expectations identified herein.

#### Site Planning

A. Orientation To Built Community/Adjoining Development	Applicable	Not Applicable	Applicant Remarks	Staff Remarks
1. Numerous points of ingress and egress, interconnecting with local streets, bikeways and sidewalks.				
2. Non-motorized trail system allowing for connecting points to public right-of-ways, trails, streets and public facilities.				
3. Open community, without gates, unless permitted by City Council in special housing situation.				

## Design Expectations

4. Any cul-de-sacs are open ended, providing pedestrian and bicyclist access to adjoining streets and public areas.				
5. Design developments that decrease densities as development progresses outward from the center of town towards urban/agricultural edges				
6. No two-story homes adjacent to existing single-story homes.				
7. Homes within ½ mile of railroad or Hatch Road constructed with specified sound rated assemblies or doors, windows and sliding glass doors.				
<b>B. Orientation to Parks, Public Open Space and “Edges” of the Community.</b>	<b>Applicable</b>	<b>Not Applicable</b>	<b>Applicant Remarks</b>	<b>Staff Remarks</b>
1. Homes that “front” onto parks and open space edges in order to provide “eyes” on passive and active places.				
2. On lots or homes that “back up” to the edge provide visual breaks through design or open fencing elements.				
3. Along permanent city edges provide perimeter streets with homes “facing” the city’s edge versus “backing up” to our edge.				
4. Perimeter walls along edges of neighborhoods only permitted when abutting major arterial or expressway.				
5. In those instances with perimeter lots backing up to arterial roadway, homes limited to single story in height or provide other design solution (i.e., extra deep lots, excessive rear yard setback, etc.) to reduce visual “tunnel look”.				
<b>C. General Street Widths and Block Lengths</b>	<b>Applicable</b>	<b>Not Applicable</b>	<b>Applicant Remarks</b>	<b>Staff Remarks</b>
1. Overall street system that incorporates principles of grid based street system with multiple connections and routes to each destination point.				
2. Residential streets with hierarchy of size and width which include arterials, collectors, parkway streets, and local residential streets.				

Design Expectations

3. Elongated and open ended cul de sacs may be appropriate only in limited instances.				
<b>D. Reduce Vehicle Speeds Through Neighborhoods</b>	<b>Applicable</b>	<b>Not Applicable</b>	<b>Applicant Remarks</b>	<b>Staff Remarks</b>
1. Traffic calming features, including bow-outs at intersections of collectors and/or local residential streets, to enhance pedestrian/vehicular separation and lessen speeds.				
2. Special paving treatments, such as texturing or interlocking pavers considered in crosswalks at key intersections.				
3. Define key neighborhood entry points through the use of bow-outs, landscaping, monuments, and roadway texture changes to create visual and audible cues of entryway.				
<b>E. Encourage Pedestrian Activity In Residential Neighborhoods</b>	<b>Applicable</b>	<b>Not Applicable</b>	<b>Applicant Remarks</b>	<b>Staff Remarks</b>
1. Pedestrian sidewalks or pathways on both sides of all streets.				
2. Pedestrian sidewalk separated from the street curb by a landscaped planter strip ranging in width from a minimum of 4' to 8' depending on the classification and function of the adjoining roadway.				
3. Installation of Decorative Bollard type bicycle locking devices in lieu of standard bicycle rack devices				
4. Street trees planted at intervals of 20-30 feet on center within landscaped planter strip.				
5. Street trees incorporate deep-root watering technologies to prevent root intrusion and damage to streets, driveways and sidewalks.				
6. Street tree species that have a broad canopy in order to provide shade as well as pleasant enclosure of the street				
7. Street tree species to emphasize deciduous varieties that provide summer shading, fall and/or spring colors, and open canopy for winter sun and warmth. Deep rooting varieties will include deep root enclosures.				

## Design Expectations

8. Themed street tree pattern defined by a predominant species along each arterial and collector street. Oak trees encouraged.				
9. Development provides for creation of a Landscape and Lighting Maintenance Benefit District (or comparable maintenance districts) to preserve and maintain in perpetuity all district landscape features, lighting elements, special paving/transportation features, pedestrian/bicyclist pathways, and monument/signing entry elements.				
10. Where possible, a system of Class 1 Bikeways and Trails have been designed within and around the development to encourage off-street, non-vehicular pedestrian circulation.				
11. Class II and III Bikeways have been designed on all arterial or collector streets consistent with the City's Bike and Trail Master Plan.				
12. Specifications for all related design details for a pedestrian/bicycle trail include pavement striping legends, decorative bollard design and placement details, trail/road crossing intersection details, roadway signing, trail signing, low level security lighting, and acceptable fire-resistive landscape planting materials and has been submitted for review and approval by the City,				
<b>F. Enhance the Pedestrian Scale of the Residential Streetscape</b>	<b>Applicable</b>	<b>Not Applicable</b>	<b>Applicant Remarks</b>	<b>Staff Remarks</b>
1. Decorative light standards and fixtures consistent with Hughson's small town, rural character is used along residential streets at a scale consistent with the street classification.				
2. All new and existing overhead utility lines and structures placed below ground during development to reduce visual clutter and avoid conflicts with street trees.				
3. Any above ground utility structure that cannot be mounted or installed below ground sufficiently screened in a manner to soften its visual appearance along the streetscape..				

Design Expectations

4. Decorative Street signing consistent with the City’s small town, rural character and meeting all necessary regulatory requirements be installed or used along residential streets and placed in a manner which enhances its scale and is consistent with the street classification.				
<b>G. Provide Variation in Lot Depths and Lot Widths</b>	<b>Applicable</b>	<b>Not Applicable</b>	<b>Applicant Remarks</b>	<b>Staff Remarks</b>
1. Provide variation in the width and depth of proposed lots in order to allow opportunities for the construction of homes which include a wide side yard for possible off-street placement of accessory buildings and/or RV parking behind fence				
2. Use any curvilinear or angle streets to allow varied lot width and depth along streets and/or blocks.				
<b>H. Street View (Perimeter) Walls &amp; Monument Entries/ Access</b>	<b>Applicable</b>	<b>Not Applicable</b>	<b>Applicant Remarks</b>	<b>Staff Remarks</b>
1. Incorporate design features in perimeter walls that include off-sets, wall/metal combinations, walls with varying heights, and extensive landscape screening.				
2. Plan for multiple ingress and egress points into residential subdivisions along perimeter walls where traffic and noise impacts allow. This orientation should always contribute to a more aesthetic and pedestrian friendly streetscape.				
3. Enhance the visual attractiveness of the community by providing attractive streetscapes, particularly along major expressways, arterials and collector streets.				
4. Deep, landscaped setbacks to separate perimeter walls from adjoining street right-of-ways and other public views. Class I pathways and bicycle trail systems to be incorporated within these perimeter setback areas.				
5. Neighborhood entry markers and/or monuments that contribute to creating a sense of place for the residential community.				

Design Expectations

6. Maximize placement of single story residences on lots that back up to the inside or perimeter subdivision walls to lessen the effect or large two-story homes with rear windows facing the arterial or expressway view. [Also See Element 2. (e)]				
<b>I. Provide Variation In Building Setback and Streetscape Expression</b>	<b>Applicable</b>	<b>Not Applicable</b>	<b>Applicant Remarks</b>	<b>Staff Remarks</b>
1. Fully utilize the opportunities to vary plot placements to incorporate varied front building setbacks along each streetscape. [Also See Element No. 8 (a)]				
2. Design diversity that breaks from repetitive tract house style by providing front elevation variation throughout the neighborhood plan. [Also See Element No. 2 (a) & (b)]				
3. Options offered that provide variety of Plot Placements and Footprint sizes at time of sale				
4. Manipulate building massing and exterior elements to allow for visual interest and bulk/height variety along the streetscape.				
5. Building placement and orientation acknowledging the natural terrain, drainage and vegetation where appropriate that offers variety in streetscape expression.				
<b>J. Building Variety and Type</b>	<b>Applicable</b>	<b>Not Applicable</b>	<b>Applicant Remarks</b>	<b>Staff Remarks</b>
1. A combination of both one and two story homes will be provided throughout each residential neighborhood.				
2. For each housing development of less than 100 units, applicant shall offer a minimum of seven (7) separate floor plans each with four (4) alternate elevations, of which three (3) must be single story and at least two (2) must be plans for 2000 square feet or less. The number of lots that can accommodate each of the seven (7) plans shall be approximately equal.				

Design Expectations

3. For neighborhoods larger than 100 units, applicant shall offer a minimum of ten (10) separate floor plans, each with six (6) alternate elevations, of which four (4) must be single story and at least three (3) must be plans for 2000 square feet or less. The number of lots that can accommodate each of the ten (10) plans shall be approximately equal.				
4. A variety of house sizes provided throughout each separate development in an effort to allow for diversity in the economic makeup and price range with each neighborhood.				
<b>K. Minimize Impact of Garages and Off Street Parking Areas</b>	<b>Applicable</b>	<b>Not Applicable</b>	<b>Applicant Remarks</b>	<b>Staff Remarks</b>
1. Garages are not to be the prominent feature on the front elevation of any residence. Creative efforts will be expected to lessen the garage as a prominent feature including, but not be limited to, the following design elements:				
2. Side turn-in garage may protrude in front of front house elevation.				
3. Provide a second story above the garage with features such as protruding balconies or strong architectural elements to draw attention away from garage doors.				
4. Detach garage to rear of property – may tie to residence with trellis, breezeway, etc.				
5. Courtyard garage design.				
6. Porte-cocheres to create pass-through to side garage and extra parking space.				
7. On corner lots, garages accessed from side other than front of house when possible				
8. Front loaded garages wider than two cars in width are only permitted when placed on lots wider than 75’.				
9. Three car garages may be permitted in lots smaller than 75’ when the third car space is situated in a tandem parking alignment.				

## Design Expectations

10. Front loaded garage elements not to exceed more than fifty percent (50%) of the overall width of the residence.				
11. All garages maintain a setback (driveway length) of at least 20' from property line of loading street. Alley setbacks will be 3'				
12. Driveways will be located on the side of the lot farthest from the intersection if the lot is a corner lot.				
13. There shall be illuminated address numerals posted on the building so as to be plainly visible from all adjoining streets or driveways during both daylight and night time hours.				
14. Place active living areas at the front of the structure with windows onto the street limiting garage projection				
<b>L. Creative Entry Walks and Driveways</b>	<b>Applicable</b>	<b>Not Applicable</b>	<b>Applicant Remarks</b>	<b>Staff Remarks</b>
1. Optional offering of separate pedestrian access to the front door from the driveway.				
2. Optional offering of "Hollywood" driveways to be used when providing access to garages or off-street parking areas in the rear half of the lot.				
3. When any driveway is wider than 20 feet, developer has will offer construction with visually contrasting paving surface elements such as salt finish bomanite, stamped/colored concrete, brick, or paving stones.				
4. Driveway access to "third" garages and/or R.V. parking areas should be offered with alternative paving materials (i.e. Hollywood driveways, pavers, decorative concrete, etc.)				
<b>M. Maximize Porches, Entries and Courts</b>	<b>Applicable</b>	<b>Not Applicable</b>	<b>Applicant Remarks</b>	<b>Staff Remarks</b>
1. Each house should have a clearly identified entry and have active use windows (i.e., living room, kitchen, family room) facing the street.				
2. Porches of sufficient overall size and scale to balance the appearance of the front façade and provide weather protection and shade.				

## Design Expectations

3. Front porches large enough (minimum of 6 feet in depth) to accommodate chairs to provide an opportunity for increased interaction among neighbors				
4. Corner lot houses include wrap around porches on both street sides to establish a strong “street relationship” where possible				
5. At a minimum, the front door should have the same prominence as the garage door.				
6. Use of courtyards that offer additional semi-enclosed private front yard exterior living area shall be offered where possible.				
<b>N. General Architecture</b>	<b>Applicable</b>	<b>Not Applicable</b>	<b>Applicant Remarks</b>	<b>Staff Remarks</b>
1. Roof form, mass, shape, material and color changes to create variations in plans. [Also See Element No. 1 (b)]				
2. Consistent levels of detailing/finish on all sides of structures such as recessed, pop out, or trim features.				
3. Window shape, placement and detailing that breaks long expanse of exterior walls (i.e., shutters, window boxes, moldings, multi-panes, and decorative window heads				
4. A minimum of 15 color schemes for exterior surface and five (5) color options for trim are offered to buyer for subdivisions of 100 or more houses, and a proportional number for subdivisions under 100 houses, but never less than 8 color schemes and 3 options for trim.				
5. Residential heating/air conditioning units located to have the minimum visual impact and noise impact on adjacent residential neighbors. Roof-mounted screens/vents compatible with roof material and color.				
6. All trash and storage areas, mechanical equipment, and all other building appurtenances (i.e. utility meters, electrical boxes, air conditioners, fire sprinkler backflow valves, etc.) shall be screened from public view and adjacent properties. Details of the proposed screening shall be shown on the final construction and/or landscape plans. Roof-mounted screens and vents shall be compatible with final roof materials and colors.				

## Design Expectations

7. Garage door recessed a minimum of 1 foot behind leading wall of garage (encouraged to have window elements and wall accent/base elements).				
8. The use of dormers, triangular knees, and exposed beams and rafter tails on exterior eaves to provide design accents.				
9. The application of architectural embellishments to chimneys, porte-cocheres, porches and entry ways to provide visual interest (i.e., stone work, trellises, extra stickwork, support bases and walls, railings, caps, etc.)				
10. Solar panels, if used or offered, should be integral with the roof.				
11. Roof chimneys and vents minimized with size, composition and color to harmonize with the surrounding materials.				
O. Gateways				
1. Require design review on all development projects and capital improvements within view of these designated “gateway zones”				
2. Coordinate development of entryway architectural features that compliment and extend features currently found at other “gateway zones” and throughout the city.				
3. Create sense of open space use and vista with architectural features that incorporate structure and landscaping.				