

Regional Plans and Local General Plans

Appendix G

Regional Plans and Local General Plans

This appendix summarizes relevant regional and local general plan goals, objectives, and policies applicable to the Proposed Project and the Atwater Station Alternative. The Proposed Project and the Atwater Station Alternative runs through two counties, including 5 incorporated cities. Table G-1 lists the regional plans and local general plans considered during the preparation of this analysis.

Table G-1. List of Regional and Local General Plans

Regional Plans
Central Valley Flood Protection Plan 2017 Update (DWR 2017)
California Central Valley Flood Protection Board Strategic Plan (Central Valley Flood Protection Board 2013)
Upper San Joaquin River Regional Flood Management Plan (San Joaquin River Flood Control Project Agency 2015)
State of California Emergency Plan (State of California Governor's Office of Emergency Services 2017)
Local General Plans
<i>Stanislaus County</i>
Stanislaus County Stormwater Management Program (County of Stanislaus 2004)
Stanislaus County Non-Motorized Transportation Master Plan (County of Stanislaus 2013)
Stanislaus County General Plan (County of Stanislaus 2015)
Stanislaus County Airport Land Use Compatibility Plan (County of Stanislaus 2016)
Stanislaus County Local Hazard Mitigation Plan (County of Stanislaus 2017)
2018 Stanislaus Council of Governments Regional Transportation Plan (Stanislaus Council of Governments 2018)
Stanislaus County Emergency Operations Plan, Basic Plan (County of Stanislaus 2019)
Stanislaus County Municipal Code
<i>City of Ceres</i>
Ceres General Plan 2035 (City of Ceres 2018)
City of Ceres Downtown Specific Plan (City of Ceres 2011)
City of Ceres Municipal Code
<i>City of Turlock</i>
Turlock General Plan (City of Turlock 2012)
Turlock Northwest Triangle Specific Plan (City of Turlock 2004)
City of Turlock Municipal Code
<i>Merced County</i>
2030 Merced County General Plan (County of Merced 2013)
Merced County Municipal Code
Regional Transportation Plan/Sustainable Communities Strategy for Merced County (Merced County Association of Governments 2018)
Merced County Regional Bicycle Transportation Plan (Merced County Association of Governments 2008)
Merced County Airport Land Use Compatibility Plan (Merced County Airport Land Use Commission 2012)

Merced Storm Water Group, Storm Water Management Program (Merced Storm Water Group 2007)

Delhi Community Plan (County of Merced 2006)

2017 County of Merced Emergency Operations Plan (County of Merced 2017)

City of Atwater

City of Atwater General Plan (City of Atwater 2000)

City of Atwater Municipal Code

City of Livingston

City of Livingston General Plan (City of Livingston 1999)

City of Livingston Municipal Code

City of Merced

Merced Vision 2030 General Plan (City of Merced 2012)

City of Merced Municipal Code

Merced 2013 Bicycle Transportation Plan (City of Merced 2013)

Sections G.1, *Aesthetics*, through G.18, *Utilities and Service Systems*, lists the goals, objectives, and policies from relevant plans applicable to the Proposed Project and the Atwater Station Alternative, organized by environmental resource topic.

G.1 Aesthetics

The following goals, objectives, and policies are relevant to aesthetics.

G.1.1 Regional Plans and Policies

G.1.1.1 Stanislaus County

Stanislaus County General Plan 2015 (County of Stanislaus 2015)

- Circulation Highway 99 Visual Enhancement Efforts.** While the primary function of the County's transportation network is to move people and goods from one place to another, each time someone travels on Stanislaus County's roads, they see a view of the community, whether it is from the window of a car, truck, bus or train, or from the seat of a bicycle. Whether for business or pleasure, these images gathered while traveling through the community affect perceptions and feelings about the community. A collaborative effort led by the Great Valley Center is raising awareness about ways communities can enhance the visual quality of major transportation corridors, in particular the Highway 99 corridor, and key gateways into communities located along major transportation corridors. The Stanislaus Council of Governments initiated a master planning effort for the Highway 99 corridor involving the cities of Turlock, Ceres, and Modesto, and the County of Stanislaus. These planning efforts provide suggestions and strategies on how transportation improvement projects, as well as development projects located on or within the view shed of the Highway 99 corridor, can be designed to improve the attractiveness of the corridor and help promote economic development, encourage tourism, highlight our natural resources, and generally improve the quality of the life in the county.

- **Circulation Policy One.** Development will be permitted only when facilities for circulation exist, or will exist as part of the development, to adequately handle increased traffic.
- **Circulation Implementation Measure 1.11.** The County will consider the recommendations of the State Route 99 Task Force to enhance the visual attractiveness of the State Route 99 and major gateways into the County in developing its standards for new development.
- **Conservation Open Space Goal One.** Encourage the protection and preservation of natural and scenic areas throughout the County.
- **Conservation Open Space Policy Six.** Preserve vegetation to protect waterways from bank erosion and siltation.
- **Land Use Goal Two.** Improve the visual appearance of the Keyes community.
- **Land Use Policy Five.** Promote alternative design solutions to reduce the negative visual impact of walled developments within Keyes.
- **Implementation Measure 2.4.** The County shall approve development proposals which include walls only if walls are necessary in order to mitigate the negative impacts of noise, visual separation from traffic, or to provide a barrier between incompatible land uses. Where walls are necessary, the County shall require separation from the roadway by a curb-adjacent sidewalk and a six-foot landscaped planter strip. A combination of walls, berming and vegetation is considered more desirable than walls used alone.

2018 Regional Transportation Plan/Sustainable Communities Strategy (Stanislaus Council of Governments 2018)

- **Goal 4.** Sustainable Development Pattern: Provide mixed land uses and compact development patterns, and direct development toward existing infrastructure which will preserve agricultural land, open space, and natural resources.

G.1.1.2 Merced County

2030 Merced County General Plan (County of Merced 2013)

- **Public Facilities and Services Policy PFS-3.6.** Retention/Detention Facility (RDR/MPSP). Encourage stormwater detention/retention project designs that minimize drainage concentrations and impervious coverage, avoid floodplain areas, are visually unobtrusive and, where feasible, provide a natural watercourse appearance and a secondary use, such as recreation.
- **Land Use Goal LU-5.B.** Preserve and enhance the design, heritage, historic character, and quality of life of Urban Communities in Merced County.
 - **Land Use Policy LU-5.B.4.** Integrate Natural Features (RDR). Emphasize each community's natural features as the visual framework for new development and redevelopment.
 - **Land Use Policy LU-5.B.5.** Streetscape Continuity (RDR). Ensure that streetscape elements (e.g., street signs, trees, furniture) maintain a visual continuity and follow a common image for each Urban Community.
 - **Land Use Policy LU-5.B.7.** Screening Industrial Uses (RDR). Require new industrial uses to be screened, either by landscaping or site design, from existing residential uses and public

facilities (e.g., schools, parks) in order to minimize visual impacts within Urban Communities.

- **Land Use Goal LU-5.D.** Maintain economic vitality and promote the development of commercial uses within Urban Communities that are compatible with surrounding land uses and meet the present and future needs of County residents, workers, and visitors.
 - **Land Use Policy LU-5.D.1.** Commercial Development (RDR). Require new commercial development be designed to minimize the visual impact of parking areas on public roadways and maintain compatibility with surrounding land uses.
- **Natural Resources Policy NR-3.2.** Soil Erosion and Contamination (RDR). Require minimal disturbance of vegetation during construction to improve soil stability, reduce erosion, and improve stormwater quality.
- **Natural Resources Goal NR-4.** Protect scenic resources and vistas.
 - **Natural Resources Policy NR-4.1.** Scenic Resource Preservation (RDR). Promote the preservation of agricultural land, ranch land, and other open space areas as a means of protecting the County's scenic resources.
 - **Natural Resources Policy NR-4.3.** Building Design (RDR). Require that siting and design of buildings protect, improve, and enhance the scenic quality of the built and natural environments and take full advantage of scenic resources through site orientation, building setbacks, preservation of viewsheds, height limits, and the use of appropriate construction materials and exterior modulation.
 - **Natural Resources Policy NR-4.4.** New Roads (RDR). Consider the surrounding landscape, topography, and existing scenic values when determining the location and construction of new roads.
 - **Natural Resources Policy NR-4.5.** Light Pollution Reduction (RDR). The County shall develop and implement a lighting ordinance to require good lighting practices, such as the use of specific light fixtures that reduce light pollution, minimize light impacts, and preserve views of the night sky. The ordinance shall contain standards to avoid light trespass, particularly from developed uses, to sensitive wildlife corridors and refuges.
- **Recreation and Cultural Resources Policy RCR-1.11.** Scenic Resource and Public Land Protection (RDR). Encourage the use of regional parks and open space areas as a mechanism to preserve the County's natural scenic beauty and protect land for public purposes.
- **Recreation and Cultural Resources Policy RCR-2.7.** Historic Preservation (RDR). Support the efforts of local preservation groups and community property owners to preserve or improve building facades and exteriors consistent with the historic and visual character of the specific building or area.

Merced County Municipal Code

Chapter 9.53 Regulation of Stormwater

- **Chapter 9.53.030 A.3.a.i.** Stream Setbacks and Buffers. A vegetated area including trees, shrubs, and herbaceous vegetation shall be retained (if existing) or established to protect a stream system or lake reservoir.

- **Chapter 9.53.030 A.3.a.iii.** Tree Planting and Preservation. Plant and/or preserve healthy established trees including both evergreen and deciduous varieties, as applicable.

Chapter 18.41 Performance Standards

- **Chapter 18.41.060.** Lighting. Exterior lighting shall be designed and maintained in a manner so that glare and reflections are contained within the boundaries of the parcel, and shall be hooded and directed downward and away from adjoining properties and public rights-of-way. The use of blinking, flashing or unusually high intensity or bright lights shall not be allowed. All lighting fixtures shall be appropriate to the use they are serving, in scale, intensity and height. (Ord. 1586, 1977).

Regional Transportation Plan/ Sustainable Communities Strategy for Merced County (Merced County Association of Governments 2018)

- 9.4. Preserve productive farmland and land that provides habitat for rare, endangered or threatened species.
- 9.4.1. Consider impacts on prime farmland and areas that support protected wildlife.

Delhi Community Plan (County of Merced 2006)

- **Land Use Implementation LU 2.1.I.** Provide visually attractive commercial development along the Community Gateways (Highway 99 interchanges at Bradbury Road, Shanks Road and at South Avenue) to enhance the image of Delhi to motorists on Highway 99 and to attract business.
- **Land Use Policy LU 4.1.** Establish a land use pattern that promotes compatible land uses and provides an effective transition between the built environment and agricultural uses along the periphery of the Community.
- **Section 4.6.1.** Walls and Fence Design Guidelines.
 - a. When a wall is needed, its scale and design should be compatible with the surrounding landscape and architectural materials found within the neighborhood.
 - b. Subdivisions perimeter walls along arterials or major collectors shall be of masonry construction or similar material with a likely life expectancy of 50 years.
 - c. Walls and fences shall incorporate materials, colors and shapes that appropriately reflect the character of a chosen architectural element within the neighborhood.
 - d. Wherever feasible, walls and fences should be integrated with grade changes, comprised of overlapping segments, designed with intentional pattern(s) and / or incorporated with berms or planting areas to blend into the landscape.
 - e. Walls should not exceed seven (7) feet in height, except for noise attenuation along the Highway 99 or railroad corridors. Sound walls shall consist of masonry materials and landscaped to maintain community aesthetics and avoid being a target for graffiti.
 - f. Walls shall be landscaped with plants and vines that are tolerant to Delhi's climate with relatively low maintenance costs.

- **Section 4.7.1. Landscape Design Guidelines.**
 - a. Selected tree species should be tolerant to Delhi’s general climate features.
 - b. Accent trees species shall be incorporated as part of any major gateway feature.
 - c. A variety of tree species shall be planted in prominent community areas such as the downtown, schools and community parks.

G.1.2 Local Plans and Policies

G.1.2.1 Ceres

Ceres General Plan 2035 (City of Ceres 2018)

- **Land Use and Community Design Policy 2.A.13. Protect Beloved Qualities.** Preserve the vital qualities of existing residential neighborhoods, such as street trees, sidewalks, bikeways, well-located parks, and personal safety.
- **Land Use and Community Design Policy 2.A.14. Maintenance.** Maintain and invest in the public realm, including parks, sidewalks, and streets to enhance safety and character and to encourage upkeep and investment by private property owners.
- **Land Use and Community Design Policy 2.B.2. Visual Distinction.** Provide visual distinction for key entry points to the City.
- **Land Use and Community Design Policy 2.B.3. Greenbelt.** In cooperation with Stanislaus County and the City of Hughson, seek to establish a permanent greenbelt between Ceres and Hughson.
- **Land Use and Community Design Policy 2.B.4. Gateways.** Create gateways to provide distinctive entrances to Ceres, particularly at key access points along the SR 99 corridor, along the major entrances on Mitchell Road, and at transitions from Modesto and Ceres on Crows Landing Road.
- **Land Use and Community Design Policy 2.C.2. Integrated ACE Train Stop.** Integrate the ACE train stop into the Downtown, providing multi-modal mobility options and safe and convenient pedestrian and bicycle access between the train stop and Downtown Ceres.
- **Land Use and Community Design Policy 2.C.7. Improve Appearance.** Support programs to improve the appearance of downtown, including alley clean-ups, abatement of building code violations, redevelopment activities to reduce blight, and enhancement and consolidation of parking.
- **Land Use and Community Design Policy 2.D.3. Sensitivity to Context.** Encourage design in new development that enhances and blends with the established fabric of the natural, social, and built environment, while allowing for innovative and unique architectural styles and projects that meet the community’s needs. See in Section 2.4 Urban Design of [the proposed General Plan] for urban design guidelines.
- **Land Use and Community Design Policy 2.E.2. Conceal Unsightly Uses.** Enhance the visual quality of major corridors by requiring new and expanding development to conceal unsightly uses and equipment, (i.e., screening of rooftop equipment and outdoor storage, and undergrounding of utilities).

- **Land Use and Community Design Policy 2.E.6. Landscaping Along SR 99.** Promote landscaping along the SR 99 Corridor to enhance the appearance of the corridor and, where appropriate, to improve the visibility of commercial properties along SR 99.
- **Land Use and Community Design Policy 2.F.7. Street Trees.** Support a robust system of street trees in order to increase shade, minimize runoff, and create a comfortable and visually attractive environment.
- **Land Use and Community Design Policy 2.L.15. Exterior Lighting Standards.** Establish standards for the evaluation of exterior lighting for new development and redevelopment to ensure that exterior lighting (except traffic lights, navigational lights, and other similar safety lighting) is minimized, restricted to low-intensity fixtures, shielded, and concealed to the maximum feasible extent, and that high-intensity perimeter lighting and lighting for athletic fields and other private recreational facilities is limited to reduce light pollution visible from public viewing areas.
- **Transportation and Circulation Policy 3.D.1. Off-Street Parking Requirements.** Require new development and redevelopment to provide adequate off-street parking for vehicles and bicycles that considers urban design, economic development, and alternative travel modes, including secure long-term bicycle parking at employment centers and transit centers. Parking shall be landscaped, located convenient to new development, and easily accessible from the street system.
- **Transportation and Circulation Policy 3.D.4. Parking Lot Design.** Promote parking lot design to minimize vehicle/pedestrian conflict points with appropriate lighting and landscaping provided.
- **Economic and Community Development Policy 7.A.6. Attractive Public Realm.** Support the maintenance, upkeep, and attractive physical design of public facilities and private properties along major corridors and in Downtown Ceres.
- **Economic and Community Development Policy 7.F.5. Maintenance.** Promote civic pride through the enforcement of City nuisance and fire safety ordinances to prevent properties that are poorly maintained, visually run down, and/or present health and safety concerns.

City of Ceres Municipal Code

Chapter 18.38 Material Effects Performance Standards

- **Section 18.38.020. General Provisions.** No building, structure or land shall be used, hereafter erected, structurally altered, or enlarged to be used or occupied in such a manner as to create any dangerous, injurious, noxious, annoying, or otherwise objectionable fire, explosive, or other hazard, noise or vibration, smoke, dust, odor, gas, or other form of air pollution; heat, cold, electrical or other disturbance; glare; liquid or solid refuse or wastes; or any other substances, conditions, or elements which would adversely affect the surrounding area or adjoining premises.

Chapter 18.40 Off-Street Parking and Loading Standards

- **Section 18.40.040. Glare.** Every use shall be so operated that it does not emit direct or indirect glare in such quantities or degree as to constitute a nuisance to adjacent or adjoining properties.

Chapter 12.16 Street Trees

- **Section 12.16.060.A.** No person shall remove or relocate any street tree without prior authorization issued by the Public Works Department of the City.

G.1.2.2 Turlock

Turlock General Plan (City of Turlock 2012)

- **Land Use and Economic Development Policy 2.7-f.** Design industrial development to minimize potential community impacts adversely affecting residential and commercial areas in relation to local and regional air quality and odor, adequacy of municipal service, local traffic conditions, visual quality, and noise levels.
- **Parks, Schools, and Community Facilities Policy 4.1-z.** Landscaping should use native trees, shrubs, and grasslands in order to preserve the visual integrity of the landscape, conserve water, and provide habitat.
- **Parks, Schools, and Community Facilities Policy 4.1-aa.** Mature trees should be retained to the greatest extent possible.
- **City Design Policy 6.3-k.** Street landscaping. Encourage the use of water-conserving landscaping, emphasizing plants that are native to Turlock's environment and are largely drought-tolerant. Landscaping that requires low maintenance and upkeep is also preferred, to keep costs low.
- **Air Quality and Greenhouse Gases Policy 8.2-o.** Outdoor Lighting. Establish outdoor lighting standards to minimize energy use while ensuring appropriate light levels. Standards could include:
 - Photocells or astronomical time switches;
 - Directional and shielded LED lights;
 - Security lights with motion detectors;
 - Prohibition against continuous all-night outdoor lighting unless required for security reasons.

Turlock Northwest Triangle Specific Plan (City of Turlock 2004)

- **Principle 2.3-a.** Site organization should respect the arrangement of buildings, open spaces, and landscape elements of adjacent site in order to achieve continuity of design, maximize pedestrian access and visual interest, and create logical pedestrian and vehicle circulation patterns.
- **Principle 2.3-c.** Site planning should seek to retain existing trees 6" or more in diameter.
- **Principle 2.3-h.** Implement the following parking lot principles and standards:
 - Off-street parking lots shall be visually screened from public streets by planting, or a combination of planting, low walls, and berms.
 - Parking lots shall be setback at least 5 feet from building face.
 - Provide planted parking lot setbacks.

- Parking lots should provide tree canopies that soften the visual impact of the lot and provide relief from heat build-up. For all parking lots greater than 5,000 square feet, an internal area of at least 10% of the parking area shall be landscaped.
- **Principle 2.3-i.** Building services, equipment, loading and outdoor storage areas should not be located adjacent to public streets. Instead, locate these facilities to the rear or interior side of the property and visually screen them from view of streets, pedestrian spaces, and neighboring properties.
- **Principle 2.3-j.** Implement the following principles relating to building form:
 - Architecture should promote pedestrian activity and interest. Building frontages along public streets, internal drives, and sidewalks should provide storefront windows, street-facing entrances, outdoor activity spaces, and attractive signage oriented to pedestrians. Avoid blank walls along public street edges, sidewalks, and internal pedestrian paths.
 - Building components in locations visible to the public in the normal course of business, and in areas adjacent to pedestrian walks, outdoor activity areas, and public streets should reduce their perceived bulk by dividing large masses into smaller parts
 - Sloped roof forms are encouraged in small commercial buildings and in portions of larger buildings adjacent to streets, pedestrian areas, and highly visible locations. Large flat-roofed commercial buildings may often be "scaled down" at the edges by adding sloping parapets, covered walkways, or other architectural elements that create visual interest and provide shadow relief.
- **Principle 2.3-k.** Building materials should be selected for longer-term durability and ease of maintenance. Careful consideration should be given to climatic factors, especially the impact of harsh summer sun on western and southern elevations. Recessed windows and shaded areas of glass are encouraged to reduce solar heat gain and glare. Highly-reflective materials and colors that reflect glare should not be used.
- **Principle 2.11-a.** Improve the image of new development through well-designed landscaped areas facing public streets, and develop effective sound and visual buffers between Heavy Commercial and residential properties.

City of Turlock Municipal Code

Chapter 7-7 Street Trees

- **Section 7-7-301.** Permits required. It shall be unlawful for any person to remove, prune or alter any street tree within the City, without a permit from the City.

G.1.2.3 Livingston

City of Livingston General Plan (City of Livingston 1999)

- **Land Use Policy 3.1-A-10.** Exterior area lighting for non-residential land uses shall be shielded to prevent line of sight visibility of the light source from abutting property planned for single-family residential.

- **Land Use Policy 3.4-A-4.** Industrial development should not create significant off-site circulation, noise, dust, odor, visual, and hazardous materials impacts that cannot be adequately mitigated.
- **Land Use Policy 3.4-A-5.** Major streets, which serve as entrances to the City, shall receive special design treatment to reduce aesthetic impacts and traffic concerns.
- **Community Design Objective 7.1-A.** Improve the appearance of city streets and reduce visual clutter along the City's main thoroughfares/corridors.
- **Community Design Policy 7.1-A-5.** Establish coordinated and distinctive signage, accent plantings and paving materials for entries into the City. Locations for this treatment are Winton Parkway, Hammett Avenue, Main Street at Magnolia and Olive. As primary entrances to the City, these streets should reflect higher standards of development. Standards should contain provisions for minimum building setbacks, landscaping, sidewalk pattern and street furniture, with distinction made between upgrade of existing uses and new development. Proper orientation, design and architectural features shall be regulated through zoning and the site plan review process.
- **Community Design Policy 7.1-A-7.** Development standards shall be adopted for the gateways to the City to improve the practical function and aesthetic quality of those areas. Policy 3.4.A.5 shall be used as an interim standard until other standards are adopted.
- **Community Design Policy 7.3-A-13.** The planting of street trees is encouraged for all existing and new commercial, industrial, and public facilities development.
- **Community Design Policy 7.3-A-14.** Buildings, landscaping, parking, and other development features shall be arranged in a manner that is compatible with the size, scale, and appearance of nearby development.
- **Community Design Policy 7.3-A-15.** Landscaped areas should be clustered on a site to maximize their effect on the public view.
- **Community Design Policy 7.3-A-16.** Landscaping should be used to define areas such as entrances to building and parking lots, define edges of various land uses, provide transition between neighboring properties (buffering), and provide screening for outdoor storage, loading and equipment areas.
- **Community Design Policy 7.3-A-17.** Landscaping should be in scale with adjacent buildings and be of appropriate size at maturity to accomplish its intended purpose.
- **Community Design Objective 7.3-B.** Ensure that industrial development is attractive and of high-quality design, to enhance the image of the city.
- **Community Design Policy 7.3-B-3.** Encourage the planning of street trees for existing and new industrial development.

City of Livingston Municipal Code

Chapter 5-4 General Site Development Regulations

- **Section 5-4-8.** Tree Preservation. The ordinance protects mature trees on private property measuring at least 6 inches in diameter at 4 feet above grade.

G.1.2.4 Atwater

City of Atwater General Plan (City of Atwater 2000)

- **Land Use, Public Facilities and Community Infrastructure Goal LU-4.** Enhance the appearance of primary entrances into and through Atwater.
- **Land Use, Public Facilities and Community Infrastructure Goal LU-5.** Enhance views of Atwater from SR99.
 - **Land Use, Public Facilities and Community Infrastructure Policy LU-5.1.** Develop SR 99 as a landscaped corridor through the Atwater community.
- **Open Space and Conservation Goal CO-10.** Enhance and protect the scenic resources within the City. The City has designated the following route as scenic corridors: Atwater Boulevard, First Street, Schaffer Road, Broadway from Winton Way to First Street, Buhach Road, Third Street, Grove Avenue, and All entrances to the City.
 - **Open Space and Conservation Policy CO-10.1.** Utilize landscaping and other features to enhance other and beautify major streets and gateways into and through the City.
 - **Open Space and Conservation Policy CO-10.2.** Avoid excessive signage and other features which could detract from the scenic quality of prominent circulation routes.

City of Atwater Municipal Code

Chapter 17.39 B-P, Business Park District Overlay (Mixed Use District)

- **Section 17.39.060. E.** Lighting: Lighting should be used to provide safety and security of on-site areas including parking, loading, pathways, and work areas. The design of light fixtures and their structural supports shall be architecturally compatible with main structures. Use of low-profile lights for on-site lighting is encouraged.

Chapter 12.32 Trees

- **Section 12.32.110.** Street Tree Protection. A. It shall be unlawful for any person to break, injure, deface, mutilate, kill, or destroy any tree in any public place or way in the City, to knowingly cause or permit any wire charged with electricity to come into contact with any tree in any public place or way, and to place, apply, attach, or keep attached to any such tree or to any guard or stake intended for the protection thereof, any wire, rope, sign, paint, or other substance, structure, thing, or device of any kind or nature whatsoever, and to place or maintain any stone, cement, or other substance so that it shall substantially impede the free access of water or air to the roots of any street tree. Owners of property are hereby granted the right to place and maintain plants in the planting area of streets adjacent to their property unless otherwise prohibited by this chapter. B. During the erection, repair, alteration, removal or moving of any building, house, or structure, sufficient guards shall be placed to prevent injury, damage, or defacement to any park or street tree in the vicinity of such operation.

G.1.2.5 Merced

Merced Vision 2030 General Plan (City of Merced 2012)

- **Policy L-2.5.** Maintain attractive industrial and business park areas.

- **Implementing Action L-2.5e.** Require high quality architectural, site (signs, lights, walls, etc.), and landscape designs for industrial developments that abut Highway 99.
- **Policy L-3.4.** Build identity, character, and enhanced community design in the South Merced Community Plan area.
 - **Implementing Action L-3.4b.** Beautify and enhance the design of Gateway roads in the South Merced Community Plan area.
- **Policy T-1.6.** Minimize adverse impacts on the environment from existing and proposed road systems.
 - **Implementing Action T-1.6a:** Continue working to minimize environmental impacts associated with heavily travelled transportation corridors, such as high noise levels and stop and go traffic situations (which contribute heavily to air pollution problems). The use of some types of barriers on medians (if space is available) may reduce some noise but, perhaps as importantly, reduces visual impacts.
- **Policy OS-1.3.** Promote the protection and enhancement of designated scenic routes.
 - **Implementing Action OS-1.3b:** Preserve the designated scenic corridors. The Scenic Corridors are as follows.
 - a) North and South Bear Creek Drive within the City limits
 - b) N Street from 16th Street to the Merced County Courthouse
 - c) 21st Street from the Merced County Courthouse to Glen Avenue
 - d) M Street from Black Rascal Creek to Bellevue Road.
 - e) West 28th Street from M Street to G Street.
 - f) Lake Road from Yosemite Avenue to Lake Yosemite.
 - g) R Street (extended) from Black Rascal Creek to Bellevue Road.
 - h) Olive Avenue East of McKee Road.
 - i) M Street from 18th Street to Bear Creek
 - j) Campus Parkway.
 - k) Bellevue Road from Lake Road to "G" Street.
 - **Implementing Action 1.3.c.** Utilize established guidelines for the review of projects proposed within a designated Scenic Corridor. The following guidelines apply to the review of applications for development in vicinity of a designated Scenic Corridor:
 - a) Utility lines should be placed underground whenever feasible.
 - b) Signing should be carefully controlled to ensure that it does not detract from the scenic beauty of the corridor. Specific guidelines for signing along these corridors should be established.
 - c) Limit the intrusion of future land uses which may detract from the scenic quality of the corridor.

- d) Unsightly mechanical and utility structures shall be screened from view by use of planting, grading, and fencing.
- e) Heights and setbacks of buildings should be regulated to avoid obstructing important scenic views.
- f) Every effort should be made to preserve and properly maintain existing stands of trees and other plant materials of outstanding value.
- g) Structures on private and public properties visible from the corridor should be maintained in good condition (free of trash, weeds, etc.).
- h) Architectural and landscape design should result in an attractive appearance and a harmonious relationship with the surrounding environment.
- **Policy OS-4.1.** Preserve open spaces areas which are necessary to maintaining public health and safety.
 - **Implementing Action OS-4.1b.** Utilize areas along railroad rights-of-way and under high-voltage power transmission lines as open space; These areas could be used as greenways and open space areas which would provide scenic buffers from potential health hazards in addition to providing visual (and noise in the case of railroads) buffers to surrounding areas. These areas could also be developed with storm water retention basins, groundwater recharge basins, or used as part of the municipal water or other utility systems where the risk of public exposure to health hazards could be minimized.
- **Policy OS-5.2.** Protect soil resources from the erosive forces of wind and water.
 - **Implementing Action 5.2c.** Maintain adequate vegetation along the banks of urban streams and storm water drainage channels.

City of Merced Municipal Code

Chapter 14.12 Trees, Shrubs, and Plants

- **Section 14.12040.** Cutting, trimming, or planting-permit required. No person shall cut, trim, prune, plant, spray, remove, injure or interfere with any tree, shrub or plant upon any street, park, pleasure ground, boulevard, alley or public place of the city, without the prior permission and approval therefor from the director. The director is authorized to grant such permission in his discretion and, where necessary, subject to the condition that the removed tree will be replaced by an official tree in conformity with the master plan. No such permission shall be valid for a longer period than thirty days after its date of issuance.

G.2 Agricultural Resources

The following goals, objectives, and policies are relevant to agricultural resources.

G.2.1 Regional Plans and Policies

G.2.1.1 Stanislaus County

Stanislaus County General Plan 2015 (County of Stanislaus 2015)

- **Land Use Policy Two.** Land designated Agriculture shall be restricted to uses that are compatible with agricultural practices, including natural resources management, open space, outdoor recreation, and enjoyment of scenic beauty.
- **Land Use Policy Fourteen.** Uses shall not be permitted to intrude into or be located adjacent to an agricultural area if they are detrimental to continued agricultural usage of the surrounding area.
- **Land Use Policy Seventeen.** Agriculture, as the primary industry of the County, shall be promoted and protected.
- **Conservation/Open Space Policy Ten.** Discourage the division of land which forces the premature cessation of agricultural uses.
- **Conservation/Open Space Policy Eleven.** In areas designated "Agriculture" on the Land Use Element, discourage land uses which are incompatible with agriculture.
- **Agriculture Policy 1.10.** The County shall protect agricultural operations from conflicts with nonagricultural uses by requiring buffers between proposed nonagricultural uses and adjacent agricultural operations.
- **Agriculture Policy 2.5.** To the greatest extent possible, development shall be directed away from the County's most productive agricultural areas.
- **Agriculture Policy 2.14.** When the County determines that the proposed conversion of agricultural land to nonagricultural uses could have a significant effect on the environment, the County shall fully evaluate on a project-specific basis the direct and indirect effects, as well as the cumulative effects of the conversion.
- **Agriculture Policy 2.16.** The County shall participate in local efforts to identify strategic locations for the purchase of agricultural conservation easements by land trusts and shall promote the long-term viability of farmland in areas surrounding existing farmland held under conservation easements.
- **Stanislaus County General Plan, Agricultural Element, Appendix A, Agriculture Buffer and Setback Guidelines.** All projects shall incorporate a minimum 150-foot setback. Permitted uses within a buffer area shall include public roadways, utilities, drainage facilities, rivers and adjacent riparian areas, landscaping, parking lots, and similar low-people-intensive uses. A 6-foot-high fence of uniform construction shall be installed along the perimeter of the developed area of the use to prevent trespassing onto adjacent agricultural lands.

Stanislaus County Municipal Code

Chapter 21.20 General Agricultural District (A-2)

- **Section 21.20.060.** Site area. In no case shall a parcel enrolled in the Williamson Act be reduced to a size smaller than 10 acres.

2018 Regional Transportation Plan/Sustainable Communities Strategy (Stanislaus Council of Governments 2018)

- Goal 4: Sustainable Development Pattern: Provide a mix of land uses and compact development patterns, and direct development toward existing infrastructure, which will preserve agricultural land, open space, and natural resources.

G.2.1.2 Merced County

2030 Merced County General Plan (County of Merced 2013)

- **Agricultural Goal AG-2.** Ensure the long-term preservation and conservation of land used for productive agriculture, potentially-productive agricultural land, and agricultural-support facilities.
 - **Agricultural Policy AG-2.1. Agricultural Land Preservation (RDR).** Protect agriculturally-designated areas and direct urban growth away from productive agricultural lands into cities, Urban Communities, and New Towns.
 - **Agricultural Policy AG-2.2. Agricultural Land Mitigation (RDR).** Protect productive agricultural areas from conversion to nonagricultural residential uses by establishing and implementing an agricultural mitigation program that matches acres converted with farmland acres of similar quality to those converted preserved at a 1:1 ratio. ... In addition, the Land Evaluation and Site Assessment Model (LESA model) may be used to determine whether the conservation land is of equal or greater value than the land being converted.
 - **Agricultural Policy AG-2.5. Williamson Act Minimum Parcel Size (RDR/MPSP).** Modify the Agricultural Preserve Rules and Procedures to reduce the Williamson Act minimum required parcel size to 10 acres, consistent with State law.
 - **Agricultural Policy AG-2.9. Infrastructure Extension (RDR/MPSP)** Oppose the extension of urban services, such as sewer lines, water lines, or other urban infrastructure, into areas designated for agricultural use, unless necessary to protect public health, safety, and welfare.

Merced County Municipal Code

Chapter 18.48 Animal Containment Facilities

- **Section 18.48.060.** Retention ponds and settling basins. New or modified retention ponds (modified means an increase in capacity) and settling basins will conform to requirements that include the following:
 - The pond(s) and basin(s) will be surrounded by a road at least 14 feet wide and suitable for safe passage of vector-control vehicles and equipment, and accessible at all times.
 - The pond(s) and basin(s) must maintain a minimum setback pursuant to Section 18.48.040.
 - A minimum 20-foot separation must exist between the outside toe of the pond or basin and the facility property boundary.

Regional Transportation Plan/ Sustainable Communities Strategy for Merced County (Merced County Association of Governments 2018)

- Objective: 9.4 Preserve productive farmland.
- Policy 9.4.1 Consider impacts on prime farmland.

G.2.2 Local Plans and Policies

G.2.2.1 Ceres

Ceres General Plan 2035 (City of Ceres 2018)

- **Guiding Principle: Agricultural Identity.** Celebrate Ceres' agricultural history, support the continued success of the agricultural industry, and consider how to balance the protection of prime agricultural lands with growth and economic development objectives.
- **Agriculture and Natural Resources Goal 4.A.** Promote the productivity of agricultural lands surrounding Ceres and the continued viability of agriculture in Stanislaus County, and, recognizing the community's agricultural heritage and its contribution to the local economy, support the preservation of agricultural character where it has cultural or scenic significance.
- **Agriculture and Natural Resources Policy 4.A.2. Urban Expansion in Agricultural Areas.** Ensure that development and the expansion of infrastructure in urban areas do not encourage the expansion of urban uses into areas designated for Agriculture on the Land Use Diagram, or otherwise reduce the viability of agricultural operations on lands designated for Agriculture.

G.2.2.2 Turlock

Turlock General Plan (City of Turlock 2012)

- **Land Use and Economic Development Policy 2.9a.** Agriculture belongs in unincorporated areas. Support Stanislaus and Merced County policies that promote continued agricultural activity on lands surrounding the urban areas designated on the General Plan Diagram.
- **City Design Policy 6.1-j.** Minimize urban-agricultural conflicts. Continue urban expansion in a form that minimizes the potential for urban-agricultural conflicts.
- **Conservation Policy 7.2-a.** Preserve farmland. Promote the preservation and economic viability of agricultural land adjacent to the City of Turlock.
- **Conservation Policy 7.2-g.** Participation in county-wide agricultural mitigation program. Continue to work collaboratively with Stanislaus County and jurisdictions within the county on the development of a countywide agricultural mitigation program, which would mitigate the loss of Important Farmland to urban development through the required purchase of agricultural easements or other similar measures.

G.2.2.3 Livingston

City of Livingston General Plan (City of Livingston 1999)

- **Open Space, Conservation, and Recreation Objective 5.1-A.** Preserve prime farmland, farmland of statewide importance, and important agricultural operations within the City of Livingston Sphere of Influence.

G.2.2.4 Atwater

City of Atwater General Plan (City of Atwater 2000)

- **Land Use, Public Facilities and Community Infrastructure Goal LU-13.** Maintain the agricultural and open space character of lands within Atwater's "Areas of Interest."
- **Open Space and Conservation Goal CO-4.** Ensure the continued viability of agriculture in the area surrounding the City's proposed Sphere of Influence.
 - **Open Space and Conservation Policy CO-4.1.** Comply with all agricultural preservation programs developed jointly by the City and Merced County.

G.2.2.5 Merced

Merced Vision 2030 General Plan (City of Merced 2012)

- **Policy OS-2.1.** Protect agricultural areas outside the City's Specific Urban Development Plan/Sphere of Influence (SUDP/SOI) from urban impacts. Among other steps, require buffers to separate agricultural and urban uses.

G.3 Air Quality

The following goals, objectives, and policies are relevant to air quality.

G.3.1 Regional Plans and Policies

G.3.1.1 Stanislaus County

Stanislaus County General Plan 2015 (County of Stanislaus 2015)

- **Conservation/Open Space Goal Six.** Improve air quality.
- **Conservation/Open Space Implementation Measure 19.1.** Require all development proposals, where appropriate, to include reasonable air quality mitigation measures.
- **Conservation/Open Space Implementation Measure 19.2.** Minimize case-by-case analysis of air quality impacts through the use of standard criteria for determining significant environmental effects, a uniform method of calculating project emissions, and standard mitigation methods to reduce air quality impacts.

Regional Transportation Plan/Sustainable Communities Strategy for Stanislaus County (Stanislaus Council of Governments 2018)

- **Goal 6.** Operate and maintain the transportation system to ensure public safety, and improve the health of residents by improving air quality and providing more transportation options.

G.3.1.2 Merced County

2030 Merced County General Plan (County of Merced 2013)

- **Air Quality Goal AQ-1.** Reduce air pollutants and greenhouse gas emissions and anticipate adaptation due to future consequences of global and local climate change.
 - **Air Quality Policy AQ-1.1.** Energy Consumption Reduction (RDR). Encourage new residential, commercial, and industrial development to reduce air quality impacts from energy consumption.
- **Air Quality Goal AQ-2.** Mitigate significant local and regional air quality impacts of projects through the CEQA process.
 - **Air Quality Policy AQ-2.1.** Air Quality Plan Compliance (RDR). Require all development projects to comply with applicable regional air quality plans and policies.
 - **Air Quality Policy AQ-2.3.** Cumulative Impacts (RDR). Encourage the reduction of cumulative air quality impacts produced by projects that are not significant by themselves, but result in cumulatively significant impacts in combination with other development.
 - **Air Quality Policy AQ-2.4.** Mitigation (RDR). Require that local and regional air quality impacts identified during CEQA review for projects reviewed and approved by the County are consistently and fairly mitigated.
 - **Air Quality Policy AQ-2.5.** Innovative Mitigation Measures (RDR, IGC, JP). Encourage innovative mitigation measures and project redesign to reduce air quality impacts by coordinating with the San Joaquin Valley Air Pollution Control District, project applicants, and other interested parties.
 - **Air Quality Policy AQ-2.7.** Air District Best Performance Standards (RDR). Require the County to use the Best Performance Standards adopted by SJVAPCD during the development review and decision-making process to ensure new projects meet the targets set by the district.
- **Air Quality Goal AQ-4.** Reduce traffic congestion and vehicle trips through more efficient infrastructure and support for trip reduction programs.
 - **Air Quality Policy AQ-4.3.** Public Transport Use Incentives (RDR, PSR). Prepare incentives and programs to encourage use of public transit and decrease vehicle miles traveled.
 - **Air Quality Policy AQ-4.6.** Non-Motorized Transportation (RDR). Encourage non-motorized transportation corridors within and between communities.
- **Air Quality Goal AQ-5.** County residents are protected from toxic air pollutants and noxious odors from industrial, manufacturing, and processing facilities, and agricultural operations.

Regional Transportation Plan/Sustainable Communities Strategy for Merced County (Merced County Association of Governments 2018)

- **Goal 8.** Achieve air quality standards set by the Environmental Protection Agency (EPA), and the State Air Resources Board.

G.3.2 Local Plans and Policies

Ceres General Plan 2035 (City of Ceres 2018)

- **Agricultural and Natural Resources Goal 4.G.** Protect and improve air quality in the Ceres area, and protect residents from harmful effects of air pollution.
 - **Agriculture and Natural Resources Policy 4.G.1. Air Quality Goals.** Cooperate with the San Joaquin Valley Air Pollution District and other agencies in the San Joaquin Valley Air Basin to meet regional air quality goals and achieve a consistent and effective approach to regional air quality planning and management. Coordinate with other jurisdictions and other regional agencies in the San Joaquin Valley to establish parallel air quality programs and implementation measures.
 - **Agriculture and Natural Resources Policy 4.G.2. San Joaquin Valley Air Pollution District.** Support the San Joaquin Valley Air Pollution District in its development of improved ambient air quality monitoring capabilities and the establishment of standards, thresholds, and rules to adequately address the air quality impacts of new development.
 - **Agriculture and Natural Resources Policy 4.G.3. Air Quality Analysis.** Require major new development projects (those exceeding the San Joaquin Valley Air Pollution District's small project analysis level) to submit an air quality analysis for review and approval, with mitigation measures to be required as determined by the City.
 - **Agriculture and Natural Resources Policy 4.G.4. Proposed Projects.** Solicit and consider comments from local and regional agencies on proposed projects that may affect regional air quality, and submit development proposals to the San Joaquin Valley Air Pollution District for review and comment pursuant to CEQA prior to consideration by the City.
 - **Agriculture and Natural Resources Policy 4.G.5. Reduce VMT.** Emphasize transit-oriented, walkable, compact development patterns to reduce total vehicle miles traveled.

G.3.2.2 Turlock

Turlock General Plan (City of Turlock 2012)

- **Air Quality and Greenhouse Gases Policy 8.1-a.** Prioritize Air Quality in Local Planning. Continue efforts to improve air quality in Turlock by integrating air quality analysis and mitigation in land use and transportation planning, environmental review, public facilities and operations, and special programs.
- **Air Quality and Greenhouse Gases Policy 8.1-b.** Participate in Regional Efforts. Cooperate with the San Joaquin Valley Air Pollution Control District and Stanislaus Council of Governments in developing and implementing air quality regulations and incentives.
- **Air Quality and Greenhouse Gases Policy 8.1-h.** Protect Sensitive Receptors from Toxic Air Emissions. For all new development, maintain a minimum 300-foot overlay zone on either side

of Highway 99 within the Study Area to protect sensitive receptors from toxic air emissions, with the goal of providing a 500-foot buffer. Within this overlay, avoid approval of new sensitive land uses, and for those projects permitted, require site-specific project design improvements (such as higher-performance windows and HVAC systems) in order to reduce public health risks associated with poor air quality in these locations.

- **Air Quality and Greenhouse Gases Policy 8.1-k.** Air Quality Improvement Fee. In the Capital Facilities Fee (CFF) program, establish a fund to collect a fee to be paid by all new development to assist in the funding of local projects that contribute to the enhancement of air quality.
- **Air Quality and Greenhouse Gases Policy 8.1-n.** Construction-Related Air Emissions Impacts. Continue to require mitigation measures as a condition of obtaining permits to minimize dust and air emissions impacts from construction. Require contractors to implement dust suppression measures during excavation, grading, and site preparation activities. Techniques may include, but are not limited to:
 - Site watering or application of dust suppressants;
 - Phasing or extension of grading operations;
 - Covering of stockpiles;
 - Suspension of grading activities during high wind periods (typically winds greater than 25 miles per hour); and
 - Revegetation of graded areas.

Turlock Northwest Triangle Specific Plan (City of Turlock 2004)

- **Principle 6.8-a.** Require individual developers to implement particulate matter control measures consistent with the SJVUAPCD's Regulation VIII for PM10 emissions.
- **Principle 6.8-b.** Implement construction and project and building design practices in order to protect air quality.
- **Principle 6.8-g.** Assess air quality impacts for individual projects within the Specific Plan area where they have not been otherwise assessed in the Master EIR for the specific Plan. Impact assessment should use the analysis method and significance thresholds recommended by the SJVUAPCD.

G.3.2.3 Livingston

City of Livingston General Plan (City of Livingston 1999)

- **Circulation Policy 4.9-A-3.** A multi-modal transportation system shall be planned that meets the needs of the community and improves air quality.
- **Open Space, Conservation, and Recreation Policy 5.2-B-5.** To assist the City in meeting the clean air quality requirements of the federal and state Clean Air Acts, the San Joaquin Valley Unified Air Pollution Control District will be consulted to provide community planning guidance to help reduce potential air quality impacts.
- **Open Space, Conservation, and Recreation Policy 5.2-B-8.** New construction activities shall comply with the PM-10 control measures as set forth by the San Joaquin Valley Unified Air Pollution Control District's Guide for Assessing and Mitigating Air Quality Impacts.

- **Open Space, Conservation, and Recreation Policy 5.2-B-9.** The Guide for Assessing and Mitigating Air Quality Impacts shall be used to evaluate and mitigate the effects of new developments to the extent feasible.

G.3.2.4 Atwater

City of Atwater General Plan (City of Atwater 2000)

- **Open Space and Conservation Goal CO-3.** Strive to reduce air emissions and obtain goals set in local and regional air quality attainment plans.
 - **Open Space and Conservation Policy CO-3.1.** Cooperate with the San Joaquin Valley Unified Air Pollution Control District (APCD) in implementing air quality improvement plans prepared by the District.
 - **Open Space and Conservation Policy CO-3.3.** Encourage the use of modes of transportation other than automobiles.
 - **Open Space and Conservation Implementation Program CO-3.c.** Incorporate as a condition of approval for projects that include significant grading or other earth moving activities measures that control emissions of dust.

G.3.2.5 Merced

Merced Vision 2030 General Plan (City of Merced 2012)

- **Goal Area SD-1.** Clean air with minimal toxic substances and odor. Clean air with minimal particulate content.
 - **Policy SD-1.1.** Accurately determine and fairly mitigate the local and regional air quality impacts of projects proposed in the City of Merced.
 - **Implementing Action 1.1a.** Implement uniform standard, analysis methods, and significance thresholds recommended by the Air District for mitigation air quality impacts resulting from development.
 - **Implementing Action 1.1b.** Ensure that significant air quality impacts identified during CEQA review are consistently and fairly mitigated.
 - **Implementing Action 1.1c.** All air quality mitigation measures should be feasible, implementable, and cost effective.
 - **Policy SD-1.6.** Reduce emissions of PM10 and other particulates with local control potential.
 - **Implementing Action 1.6c.** Require all access roads, driveways, and parking areas in new commercial and industrial development to be paved or constructed of other materials that minimize particulate emissions.

G.4 Biological Resources

The following goals, objectives, and policies are relevant to biological resources.

G.4.1 Regional Plans and Policies

G.4.1.1 Stanislaus County

Stanislaus County General Plan 2015 (County of Stanislaus 2015)

- **Conservation/Open Space Policy Three.** Areas of sensitive wildlife habitat and plant life (e.g., vernal pools, riparian habitats, flyways and other waterfowl habitats, etc.) including those habitats and plants species listed in the General Plan Support Document or by state and federal agencies shall be protected from development and/or disturbance.
- **Conservation/Open Space Policy Four.** Protect and enhance oak woodlands and other native hardwood habitat.
- **Conservation/Open Space Policy Six.** Preserve vegetation to protect waterways from bank erosion and siltation.
- **Conservation/Open Space Policy Eleven.** In areas designated “Agriculture” on the Land Use Element, discourage land uses which are incompatible with agriculture.

G.4.1.2 Merced County

2030 Merced County General Plan (County of Merced 2013)

- **Natural Resource Goal NR-1.** Preserve and protect, through coordination with the public and private sectors, the biological resources of the County.
 - **Natural Resource Policy NR-1.1.** Habitat Protection: Identify areas that have significant long-term habitat and wetland values, including riparian corridors, wetlands, grasslands, rivers and waterways, oak woodlands, vernal pools, and wildlife movement and migration corridors, and provide information to landowners.
 - **Natural Resource Policy NR-1.2.** Protected Natural Lands: Identify and support methods to increase the acreage of protected natural lands and special habitats, including but not limited to, wetlands, grasslands, vernal pools, and wildlife movement and migration corridors, potentially through the use of conservation easements.
 - **Natural Resource Policy NR-1.4.** Important Vegetative Resource Protection: Minimize the removal of vegetative resources which stabilize slopes, reduce surface water runoff, erosion, and sedimentation.
 - **Natural Resource Policy NR-1.5.** Wetland and Riparian Habitat Buffer: Identify wetlands and riparian habitat areas and designate a buffer zone around each area sufficient to protect them from degradation, encroachment, or loss.
 - **Natural Resource Policy NR-1.6.** Terrestrial Wildlife Mobility: Encourage property owners within or adjacent or designated habitat connectivity corridors that have been mapped or otherwise identified by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service to manage their lands in accordance with such mapping programs.
 - **Natural Resource Policy NR-1.8.** Use of Native Plant Species for Landscaping: Encourage the use of native plant species in landscaping, and, where the County has discretion, require the use of native plant species for landscaping.

- **Natural Resource Policy NR-1.10.** Aquatic and Waterfowl Habitat Protection: Cooperate with local, State, and Federal water agencies in their efforts to protect significant aquatic and waterfowl habitats against excessive water withdrawals or other activities that would endanger or interrupt normal migratory patterns or aquatic habitats.
- **Natural Resource Policy NR-1.11.** On-Going Habitat Protection and Monitoring: Cooperate with local, State, and Federal agencies to ensure that adequate on-going protection and monitoring occurs adjacent to rare and endangered species habitats or within identified significant wetlands.
- **Natural Resource Policy NR-1.12.** Wetland Avoidance: Avoid or minimize loss of existing wetland resources by careful placement and construction of any necessary new public utilities and facilities, including roads, railroads, high speed rail, sewage disposal ponds, gas lines, electrical lines, and water/wastewater systems.
- **Natural Resource Policy NR-1.13.** Wetland Setbacks: Require an appropriate setback, to be determined during the development process, for developed and agricultural uses from the delineated edges of wetlands.
- **Natural Resource Policy NR-1.17.** Agency Coordination: Consult with private, local, State, and Federal agencies to assist in the protection of biological resources and prevention of degradation, encroachment, or loss of resources managed by these agencies.
- **Natural Resource Policy NR-1.20.** Conservation Easements: Encourage property owners to work with land trusts and State and Federal agencies to pursue voluntary conservation easements.
- **Natural Resource Policy NR-1.21.** Special Status Species Surveys and Mitigation: Incorporate the survey standards and mitigation requirements of state and federal resource management agencies for use in the County's review processes for both private and public projects.

Delhi Community Plan (County of Merced 2006)

- **Open Space/Conservation Policy OS 4.1.** Survey and identify potential special status species habitat prior to development activity.
- **Open Space/Conservation Implementation OS 4.1.a.** Any project that is within master plan area or is more than one (1) acre in size, the applicant shall submit a pre-construction survey on all lands proposed for clearing or development for Swainson's hawk nests, burrowing owl habitat, California horned lizard habitat, California legless lizard habitat, and for loggerhead shrike nesting habitat or provide documentation of compliance from the California Department of Fish and Wildlife Service.

G.4.2 Local Plans and Policies

G.4.2.1 Ceres

Ceres General Plan 2035 (City of Ceres 2018)

- **Agricultural and Natural Resources Goal 4.B** Conserve and, where possible, enhance open space lands for the preservation of natural resources, the managed production of resources, outdoor recreation, and public health and safety.
 - **Agricultural and Natural Resources Policy 4.B.6 Open Space Requirements.** Require new development to preserve and enhance as open space significant stands of vegetation and any areas of special ecological significance to the maximum extent feasible through site design approaches such as clustering and ecological planning.
- **Agricultural and Natural Resources Goal 4.C** Protect, restore, and enhance habitats and wildlife corridors that support fish and wildlife species to maintain populations at viable levels.
 - **Agricultural and Natural Resources Policy 4.C.4 Riparian Setback.** Protect the integrity of habitats, hydrology, and soils along the river by prohibiting development within a distance of at least 50 feet as measured from the limit of riparian vegetation or as measured from the top of the channel bank, whichever is greater. Smaller buffers may be allowed only where it can be demonstrated that a 50-foot buffer is not possible due to site-specific constraints or if the development is for public, passive park or recreational uses, and the proposed narrower buffer would adequately protect the biological, hydrologic, and geologic integrity of the riparian corridor.
- **Agricultural and Natural Resources Goal 4.D** Protect environmentally sensitive lands and rare, threatened, or endangered plant and animal communities.
 - **Agricultural and Natural Resources Policy 4.D.1 Special-Status Species.** Support the preservation of habitats of rare, threatened, endangered, and other special-status species. Require development in areas known to have value for wildlife to be carefully planned and, where possible, sited to maintain reasonable wildlife value of the habitat.
 - **Agricultural and Natural Resources Policy 4.D.2 Biotic Resource Evaluation.** Require, as part of the environmental review process prior to approval of discretionary development permits involving parcels within a significant ecological resource area, a biotic resources evaluation of the site by a qualified biologist. Significant ecological resource areas include, at a minimum, the following:
 - Any habitat that supports rare, threatened, or endangered animals or plants; and
 - Riparian and wetland habitats associated with the Tuolumne River.
 - Such evaluation should consider the potential for significant impact on biological resources, and identify measures to feasibly mitigate any impacts or otherwise indicate why mitigation would not be feasible. In approving any such permit, the City shall determine the feasibility of the identified mitigation measures.
 - **Agricultural and Natural Resources Policy 4.D.3 Significant Biological Resources.** Support and cooperate with the efforts of other local, State, and federal agencies and private entities engaged in the preservation and protection of significant biological resources from

- incompatible land uses and development, including efforts involving a Habitat Conservation Plan or other plan for habitat management or restoration. Significant biological resources include endangered, threatened, or rare species and their habitats, wetland habitats, wildlife migration corridors, and locally-important species/communities.
- **Agricultural and Natural Resources Policy 4.D.5 Swainson's Hawk Protection.** Require that proposed development projects adhere to the following steps in order to ensure the protection of Swainson's hawk in the Planning Area:
 - If ground-disturbing activities would take place on sites where suitable nesting habitat may exist, a survey for nesting Swainson's Hawks shall be conducted by a qualified wildlife biologist following survey methods developed by the Swainson's Hawk Technical Advisory Committee (2000) prior to undertaking any ground-disturbing activities. The survey shall include recommended mitigation measures for any potential impacts from the project.
 - If ground disturbing activities would take place during the nesting season (March 1 through August 31) and Swainson's hawk nests are found to be present, a no-disturbance buffer of a minimum of 0.5 miles shall be established around active nests until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival. If the 0.5-mile buffer is not feasible, the project proponent must consult with the California Department of Fish and Wildlife to determine if a smaller buffer would avoid take. If it is determined that take cannot be avoided, the project proponent must acquire authorization through an Incidental Take Permit from the California Department of Fish and Wildlife in accordance with the California Endangered Species Act in order to continue.
 - **Agricultural and Natural Resources Policy 4.D.6 Swainson's Hawk Habitat Mitigation.** Require mitigation for projects that would result in the loss of Swainson's hawk foraging habitat within 10 miles of an active nest tree, which may include but is not limited to:
 - For projects within one mile of an active nest tree, provide a minimum of one acre of habitat management land for each acre of development.
 - For projects within between one and five miles of an active nest tree, provide a minimum of 0.75 acres of habitat management land for each acre of development.
 - For projects within between five and 10 miles of an active nest tree, provide a minimum of 0.5 acres of habitat management land for each acre of development.
 - Alternative mitigation strategies are acceptable if approved by the California Department of Fish and Wildlife.
 - **Agricultural and Natural Resources Goal 4.E** Manage, enhance, and improve the city's tree cover as a valuable community resource.
 - **Agricultural and Natural Resources Goal 4.F** Protect and enhance the natural qualities of rivers, creeks, and groundwater.
 - **Agricultural and Natural Resources Policy 4.F.8 Graded and Disturbed Areas.** Require that new development provides landscaping and re-vegetation of graded or disturbed areas with drought-tolerant native or non-invasive plants.

- **Agricultural and Natural Resources Policy 4.F.9 Construction Best Management Practices.** Require measures during construction and post construction to limit land disturbance activities such as clearing and grading and cut-and-fill; avoid steep slopes, unstable areas, and erosive soils; and minimize disturbance of natural vegetation and other physical or biological features important to preventing erosion or sedimentation.

City of Ceres Municipal Code

Chapter 12.16 Street Trees

- **Section 12.16.060.A.** No person shall remove or relocate any street tree without prior authorization issued by the Public Works Department of the City
- **Section 12.16.070.** This section includes the specifications for replacement planting.

G.4.2.2 Turlock

Turlock General Plan (City of Turlock 2012)

- **Parks, Schools, and Community Facilities Policy 4.1-aa.** Mature trees should be retained to the greatest extent possible.
- **City Design Policy 6.4-a.** To the extent possible, minimize disruption to or loss of natural resources in construction of new development.
- **Conservation Policy 7.4-a.** Increase Biological Diversity. Make efforts to enhance the diversity of Turlock's flora and fauna, including street trees.
- **Conservation Policy 7.4-b.** Sensitive Site Planning. Protect mature trees and natural vegetation and features wherever feasible in new development areas.
- **Conservation Policy 7.4-c.** Urban Trees. Protect and expand Turlock's urban forest through public education, sensitive maintenance practices, and a long-term financial commitment adequate for protect these resources. Continue to require the planting of appropriately-space street trees in the new development areas.
- **Conservation Policy 7.4-d.** Special Review if New Information Becomes Available. Establish environmental review procedures, such as site reconnaissance and certification by a biologist, as part of the project development application process if new information to support existence of a Special Status species becomes available.
- **Conservation Policy 7.4-e.** Identify and protect nesting habitat. Conduct nesting surveys no more than 10 days prior to the start of disturbance activities during the typical nesting season (Feb through mid-September).
- **Conservation Policy 7.4-f.** Swainson's Hawk protection- If Swainson's hawks are found, project proponents shall consult a qualified biological fore recommended proper action, and incorporate mitigation measures.

Turlock Northwest Triangle Specific Plan (City of Turlock 2004)

- **Principle 6.4-a.** Retain existing mature specimen trees within the Northwest Triangle area wherever feasible.

- **Principle 6.4-b.** When development occurs within orchard areas, preserve individual orchard trees where feasible to maintain a sense of connection to the area's past and to provide shade, visual beauty, and habitat value. Landscape plans for orchards should incorporate tree preservation techniques.
- **Principle 6.4-c.** Increase the diversity of flora and fauna in the Northwest Triangle area through street tree planting, inclusion of a neighborhood park at Countryside and Tuolumne, and right-of-way landscaping.
- **Principle 6.4-d.** Encourage the use of drought-tolerant and water conserving plants in the landscaping of public rights of way and development sites within the project area.
- **Principle 6.4-e.** Protect mature trees from construction activity.
- **Principle 6.4-f.** If new information supporting the presence of rare, threatened, or endangered species becomes available during site reconnaissance for any proposed development within the Specific Plan area, require appropriate mitigation and establish special environmental review procedures for comparable properties in the vicinity.
- **Principle 6.4-g.** Where feasible, design permanent stormwater detention ponds to provide seasonal habitat for birds and small mammals.

City of Turlock Municipal Code

Chapter 7-7 Street Trees

- **Section 7-7-301.** Permits required. It shall be unlawful for any person to remove, prune or alter any street tree within the City, without a permit from the City.

G.4.2.3 Livingston

City of Livingston General Plan (City of Livingston 1999)

- **Open Space, Conservation, and Recreation Objective 5.2-A.** Protect natural resources, including groundwater, soils, and air quality, to meet the needs of present and future generations.
 - **Open Space, Conservation, and Recreation Policy 5.2-A-6.** Promote biological diversity and the use of plant species compatible with the bio-region
 - **Open Space, Conservation, and Recreation Policy 5.2-A-7.** If street trees are removed, they shall be replaced with tree species specified on the City's Street Tree Master Plan
 - **Open Space, Conservation, and Recreation Policy 5.2-A-8.** New construction activities shall comply with the PM-10 control measures as set forth by the San Joaquin Valley Unified Air Pollution Control District's *Guide for Assessing and Mitigation Air Quality Impacts*.
 - **Open Space, Conservation, and Recreation Policy 5.2-A-9.** The *Guide for Assessing and Mitigation Air Quality Impacts* will be used to evaluate and mitigate the effects of new developments to the extent feasible.
 - **Open Space, Conservation, and Recreation Policy 5.2-A-10.** Properties which have the potential to support listed plant and animal species will be required to have a biological

investigation as a condition of development. Surveys for species shall follow both federal and state protocols

City of Livingston Street Tree Regulations

- **Chapter 2.** Permits are needed by the Park Superintendent before any street tree can be removed or trimmed. If removed, it must be replaced with a tree approved for that specific street tree area.

G.4.2.4 Atwater

City of Atwater General Plan (City of Atwater 2000)

- **Open Space and Conservation Goal CO-5.** Minimize impacts of future development on sensitive habitats
 - **Open Space and Conservation Policy CO 5.1** Where feasible, avoid development in areas identified as sensitive habitat. Where avoidance is not feasible, apply mitigation measure to development projects to minimize impacts to sensitive resources.
- **Open Space and Conservation Goal CO-6.** Minimize impacts of development on wildlife and wildlife habitat, particularly special status species
 - **Open Space and Conservation Policy CO 6.1.** Consider opportunities for habitat preservation and enhancement in conjunction with public facility projects, particularly parks and storm drainage facilities.
 - **Open Space and Conservation Policy CO 6.2.** Encourage the preservation of corridors between natural habitat areas to allow for the movement of wildlife and to prevent the creation of “biological islands”.

City of Atwater Municipal Code

Chapter 12.32 Trees

- **Section 12.32.110.** Street Tree Protection. A. It shall be unlawful for any person to break, injure, deface, mutilate, kill, or destroy any tree in any public place or way in the City, to knowingly cause or permit any wire charged with electricity to come into contact with any tree in any public place or way, and to place, apply, attach, or keep attached to any such tree or to any guard or stake intended for the protection thereof, any wire, rope, sign, paint, or other substance, structure, thing, or device of any kind or nature whatsoever, and to place or maintain any stone, cement, or other substance so that it shall substantially impede the free access of water or air to the roots of any street tree. Owners of property are hereby granted the right to place and maintain plants in the planting area of streets adjacent to their property unless otherwise prohibited by this chapter. B. During the erection, repair, alteration, removal or moving of any building, house, or structure, sufficient guards shall be placed to prevent injury, damage, or defacement to any park or street tree in the vicinity of such operation.

G.4.2.5 Merced

Merced Vision 2030 General Plan (City of Merced 2012)

- **Goal Area OS-1.** Open Space for the Preservation of Natural Resources.
 - **Policy OS-1.1.** Identifying and mitigation impacts to wildlife habitats which support rare, endangered, or threatened species
 - **Policy OS-1.2.** Preserve and enhance creeks in the their natural state throughout the planning area
 - **Policy OS-1.3.** Promote the protection and enhancement of designated scenic routes
 - **Policy OS 1.4.** Improve and expand the City's urban forest,
 - **Policy OS 1.5.** Preserve and enhance water quality.

G.5 Cultural Resources

The following goals, objectives, and policies are relevant to cultural resources.

G.5.1 Regional Plans and Policies

G.5.1.1 Stanislaus County

Stanislaus County General Plan 2015 (County of Stanislaus 2015)

- **Conservation/Open Space Goal Eight.** Preserve areas of national, state, regional and local historical importance.
- **Conservation/Open Space Policy Twenty-Four.** The County will support the preservation of Stanislaus County's cultural legacy of historical and archeological resources for future generations.
 - **Conservation/Open Space Implementation Measure 24.5.** The County shall utilize the California Environmental Quality Act (CEQA) process to protect archaeological or historic resources. Most discretionary projects require review for compliance with CEQA. As part of this review, potential impacts must be identified and mitigated.
- **Conservation/Open Space Policy Twenty-Five.** "Qualified Historical Buildings" as defined by the State Building Code shall be preserved.

G.5.1.2 Merced County

2030 Merced County General Plan (County of Merced 2013)

- **Recreation and Cultural Resources Goal RCR-2.** Protect and preserve the cultural, archeological, and historic resources of the County in order to maintain its unique character.
 - **Recreation and Cultural Resources Policy RCR-2.1.** Archeological Site and Artifact Protection (RDR). Require development projects that affect archeological sites and artifacts to avoid disturbance or damage to these sites.

- **Recreation and Cultural Resources Policy RCR-2.2.** Historical Area Preservation (RDR). Support the preservation of historical structures and areas, particularly those listed on the National Registrar of Historic Places and California Registrar of Historic Places.
- **Recreation and Cultural Resources Policy RCR-2.3.** Architectural Character Preservation (RDR/IGC). Require that the original architectural character of significant State- and Federally-listed historic structures be maintained in compliance with preservation standards and regulations.
- **Recreation and Cultural Resources Policy RCR-2.4.** Park and Open Space Historic Resource Preservation (RDR). Require the preservation of historic resources located in parks and publicly-owned open space areas.
- **Recreation and Cultural Resources Policy RCR-2.5.** Human Remains Discovery (RDR). Require that, in the event of the discovery of human remains on any project construction site, all work in the vicinity of the find will cease and the County Coroner and Native American Heritage Commission will be notified.
- **Recreation and Cultural Resources Policy RCR-2.6.** Historic Buildings and Areas (RDR). Identify buildings and areas with special and recognized historic, architectural, or aesthetic value to be preserved and rehabilitated during the Community Plan update process. New development should respect architecturally and historically significant buildings and areas, and conform to the current Secretary of the Interior's Standards for the Treatment of Historic Properties and Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings, and incorporate adaptive reuse practices, where feasible, to preserve the County's historical heritage and rural character.
- **Recreation and Cultural Resources Policy RCR-2.7.** Historic Preservation (RDR). Support the efforts of local preservation groups and community property owners to preserve or improve building facades and exteriors consistent with the historic and visual character of the specific building or area.
- **Recreation and Cultural Resources Policy RCR-2.8.** Historical Preservation Area/Site Designations (RDR.) Allow sites of historical and archeological significance to be designated as historical preservation areas or sites during the Community Planning process or on individual sites in rural areas.
- **Recreation and Cultural Resources Policy RCR-2.9.** Historical and Cultural Resources Investigation, Assessment, and Mitigation Guidelines (RDR/MPSP). Establish and adopt mandatory guidelines for use during the environmental review processes for private and public projects to identify and protect historical, cultural, archaeological, and paleontological resources, and unique geological features.
- **Recreation and Cultural Resources Policy RCR-2.10.** Tribal Consultation (RDR/MPSP/IGC). Consult with Native American tribes regarding proposed development projects and land use policy changes consistent with Planning and Zoning Law at Government Code Section 65351, and the OPR Tribal Consultation Guidelines (2005).

Delhi Community Plan (County of Merced 2006)

- **Open Space/Conservation Objective OS 5.0.** Preserve archeological, paleontological, and historical resources found in the Delhi Community Plan Area.

- **Open Space/Conservation Policy OS 5.1.** Identify, inventory, and register historic sites, buildings, and structures.
- **Open Space/Conservation Policy OS 5.2.** Identify, inventory, and preserve archeological and paleontological resources.
- **Open Space/Conservation Implementation OS 5.2a.** The County of Merced shall consult with the local Native American community in cases where new development may result in disturbance to Native American sites.
- **Open Space/Conservation Implementation OS 5.2c.** If human remains are discovered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made the necessary findings as to their origin and disposition pursuant to Public Resource code Section 5097.98. If the Coroner determines that no investigation of the cause of death is required, and if the remains are of Native American origin, the Coroner will notify the Native American Heritage Commission, which in turn will inform a most likely descendent. The descendent will then recommended to the landowner appropriate disposition of the remains and any grave goods.

G.5.2 Local Plans and Policies

G.5.2.1 Ceres

Ceres General Plan 2035 (City of Ceres 2018)

- **Agricultural and Natural Resources Goal 4.H.** Preserve and maintain sites, structures, and landscapes that serve as significant, visible reminders of the city's social, architectural, and agricultural history.
 - **Agricultural and Natural Resources Policy 4.H.2. Reuse of Historic Buildings.** Encourage the preservation, maintenance, and adaptive reuse of existing historic buildings in the Planning Area in order to prevent demolition and disrepair.
 - **Agricultural and Natural Resources Policy 4.H.3. Preservation of Historic Buildings.** Identify and preserve buildings of local historic importance Downtown and in surrounding areas through inclusion on the local historic resources register and the Historic Building Code.
 - **Agricultural and Natural Resources Policy 4.H.4. Relocation of Historic Buildings.** Where implementation of a project with a legitimate public purpose would threaten a historical resource, assess the feasibility of relocating the resource in a way that maintains its historical integrity.
 - **Agricultural and Natural Resources Policy 4.H.5. Historic Building Code.** Continue to implement the Historic Building Code for historic properties, periodically reviewing and updating the code as necessary to reflect current conditions and best practices.
- **Agricultural and Natural Resources Policy 4.I.1. Archaeological Sites.** Refer development proposals that may adversely affect archaeological sites to the California Archaeological Inventory at California State University, Stanislaus. Do not knowingly approve any public or private project that may adversely affect an archaeological site without first consulting the California Archaeological Inventory, conducting a site evaluation as may be indicated, and

attempting to mitigate any adverse impacts according to the recommendations of a qualified archaeologist. City implementation of this policy shall be guided by Appendix K of the CEQA Guidelines.

G.5.2.2 Turlock

Turlock General Plan (City of Turlock 2012)

- **Conservation Policy 7.5-a.** Protect Archaeological Resources. Protect significant archaeological resources in the Study Area that may be identified during construction.
- **Conservation Policy 7.5-b.** Preserve Historic Places. Integrate historic preservation into planning for Downtown and other areas with historic significance.
- **Conservation Policy 7.5-c.** Evaluate Resource Discoveries. Should archaeological or human remains be discovered during construction, work shall be immediately halted within 50 meters of the find until it can be evaluated by a qualified archaeologist. If it is determined to be historically or culturally significant, appropriate mitigation measures to protect and preserve the resource shall be formulated and implemented.
- **Conservation Policy 7.5-d.** Follow State Certified Local Government Guidelines for Historic Preservation. Form an historic preservation committee in accordance with State Certified Local Government guidelines which would conduct a survey when requested by the owner, occupant, or other knowledgeable source.
- **Conservation Policy 7.5-e.** Historical Site Contracts. Continue to support the preservation, maintenance, and adaptive reuse of historic buildings by administering historic site contracts as provided for under Chapter 9-5 Article 8 of the Turlock Municipal Code and facilitating property tax abatement under the Mills Act.
- **Conservation Policy 7.5-f.** State Historic Building Code. For State-designated historic buildings, use the State's historic building code to ease adaptive reuse.

G.5.2.3 Atwater

City of Atwater General Plan (City of Atwater 2000)

- **Open Space and Conservation Goal CO-9.** Protect and enhance historical and culturally significant resources within the Planning Area.
 - **Open Space and Conservation Policy CO-9.1.** Ensure consideration and proper handling of prehistoric, cultural, and archaeological resources during the development process.
 - **Open Space and Conservation Policy CO-9.2.** Preserve and maintain structures and features identified as historically significant by the City, including but not limited to, the Bloss Mansion and Bloss Library.

G.5.2.4 Merced

Merced Vision 2030 General Plan (City of Merced 2012)

- **Goal Area SD-2.** A diverse and rich historic and cultural resource environment.

- **Policy SD-2.1.** Identify and preserve the City’s archeological resources.
- **Policy SD-2.2.** Identify and preserve the City’s historic and cultural resources.

G.6 Energy

The following goals, objectives, and policies are relevant to energy.

G.6.1 Regional Plans and Policies

G.6.1.1 Stanislaus County

Stanislaus County General Plan 2015 (County of Stanislaus 2015)

- **Conservation/Open Space Goal Eleven.** Conserve resources through promotion of waste reduction, reuse, recycling, composting, rideshare programs, and alternative energy sources such as mini-hydroelectric plants, gas and oil exploration, and transformation facilities such as waste-to-energy plants.

Regional Transportation Plan/Sustainable Communities Strategy for Stanislaus County (Stanislaus Council of Governments 2018)

- **Goal 6.** Operate and maintain the transportation system to ensure public safety, and improve the health of residents by improving air quality and providing more transportation options.

G.6.1.2 Merced County

2030 Merced County General Plan (County of Merced 2013)

- **Land Use Goal LU-9.** Support and promote energy efficiency through innovative building design and land use patterns.
 - **Land Use Policy LU-9.2.** Sustainable Building Practices (RDR). Promote sustainable building practices, including the requirements of Title 24 of the California Administrative Code.
 - **Land Use Policy LU-9.5.** Energy Conservation Standards for New Construction. Cooperate with the local building industry, utilities, and air district to promote enhanced energy conservation standards for new construction.

Regional Transportation Plan/Sustainable Communities Strategy for Merced County (Merced County Association of Governments 2018)

- **Goal 7.** Reduce usage of nonrenewable energy resources for transportation purposes.

G.6.2 Local Plans and Policies

G.6.2.1 Turlock

Turlock General Plan (City of Turlock 2012)

- **Electricity, Oil, Gas, and Telecommunications Transmission and Distribution Policy 5.6-a.** Provide safe, reliable, and efficient service. Ensure the provision of safe, reliable, efficient and economical electricity, gas, telecommunication, and similar services while minimizing potential land use conflicts, and health, safety, environmental, and aesthetic impacts of transmission facilities.
- **City Design Policy 6.4-b.** Conserve energy and water. Reduce demand for and consumption of energy and water through site planning techniques.
- **Air Quality and Greenhouse Gases Policy 8.2-p.** Improve Energy Efficiency in Public Buildings. Prepare and implement a plan to increase energy efficiency in public buildings, as part of the GHG Emissions Reduction Plan described in 8.2-f.

G.6.2.2 Livingston

City of Livingston General Plan (City of Livingston 1999)

- **Transportation System and Congestion Management Objective 4.5-A.** Encourage the proximity of compatible land uses to reduce unnecessary automobile travel.
 - **Transportation System and Congestion Management Policy 4.5-B-1.** The City encourages the use of energy-efficient and non-polluting modes of transportation.
 - **Transportation System and Congestion Management Policy 4.5-B-4.** The use of alternative fueled vehicles is encouraged.

G.6.2.3 Atwater

City of Atwater General Plan (City of Atwater 2000)

- **Open Space and Conservation Goal CO-7.** Manage and efficiently use energy resources available in the City.
 - **Open Space and Conservation Policy CO-7.1.** Encourage the incorporation of energy conservation features into new development, such as high-density development, bikeways and pedestrian paths, proper solar orientation, and transit routes and facilities.
- **Land Use, Public Facilities and Community Infrastructure Policy LU-27.2.** Promote technological improvements and upgrading of utility services throughout the community.

G.6.2.4 Merced

Merced Vision 2030 General Plan (City of Merced 2012)

- **Goal Area SD-3.** Sustainable Energy Resource Use in the City of Merced

- **Policy SD-3.1.** Promote the use of solar energy technology and other alternative energy resources.
- **Policy SD-3.2.** Encourage the use of energy conservation features, low-emission equipment, and alternative energy sources for all new residential and commercial development.

G.7 Geology and Soils

The following goals, objectives, and policies are relevant to geology and soils.

G.7.1 Regional Plans and Policies

G.7.1.1 Stanislaus County

Stanislaus County General Plan 2015 (County of Stanislaus 2015)

- **Conservation/Open Space Policy Sixteen.** Discourage development on lands that are subject to flooding, landslide, faulting or any natural disaster to minimize loss of life and property.
- **Conservation/Open Space Twenty-Seven.** The County shall emphasize the conservation and development of lands having significant deposits of extractive mineral resources by not permitting uses that threaten the potential to extract the minerals.
- **Safety Policy One.** The County will adopt (and implement as necessary) plans inclusive of the Multi-Jurisdictional Hazard Mitigation Plan, to minimize the impacts of a natural and man-made disasters.
- **Safety Policy Two.** Development should not be allowed in areas that are within the designated floodway. (Comment: The Federal Emergency Management Agency (FEMA) has developed floodway maps which identify areas prone to flooding.)
- **Safety Policy Three.** Development should not be allowed in areas that are particularly susceptible to seismic hazard.
- **Safety Implementation Measure 3.2.** Development in areas of geologic hazard shall be considered for approval only where the development includes an acceptable evacuation route.
- **Safety Policy Four.** Development west of I-5 in areas susceptible to landslides (as identified in this element) shall be permitted only when a geological report is presented with (a) documented evidence that no such potential exists on the site, or (b) identifying the extent of the problem and the mitigation measures necessary to correct the identified problem.
- **Safety Implementation Measure 4.1.** The County shall utilize the California Environmental Quality Act (CEQA) process to ensure that development does not occur that would be especially susceptible to landslide. Most discretionary projects require review for compliance with CEQA. As part of this review, potential impacts must be identified and mitigated or a statement of overriding concerns adopted.
- **Safety Implementation Measure 4.2.** Development west of I-5 shall include a geological report unless the Chief Building Official is satisfied that no need for the study is present.

G.7.1.2 Merced County

2030 Merced County General Plan (County of Merced 2013)

- **Natural Resource Goal NR-3.** Facilitate orderly development and extraction of mineral resources while preserving open space, natural resources, and soil resources and avoiding or mitigating significant adverse impacts.
 - **Natural Resource Policy NR-3.1.** Soil Protection (RDR/SO). Protect soil resources from erosion, contamination, and other effects that substantially reduce their value or lead to the creation of hazards.
 - **Natural Resource Policy NR-3.2.** Soil Erosion and Contamination (RDR). Require minimal disturbance of vegetation during construction to improve soil stability, reduce erosion, and improve stormwater quality.
 - **Natural Resource Policy NR-3.4.** New Development Compatibility (RDR). Ensure that new development is compatible with existing and potential surface mining areas and operations as identified on the Mineral Resource Zone Maps prepared by the State Division of Mines and Geology and other mineral resource areas identified by the County. The County shall:
 - a) Require development applicants near identified mineral resources to prepare a statement that specifies why the County should permit the proposed land use and describe how the benefits of the proposed use would clearly outweigh the impacts that may limit the potential to extract mineral resources in that area.
 - b) Require new incompatible land uses adjacent to existing mining operations to provide a buffer between the development and adjacent mining operations adequate to mitigate significant impacts to mineral land uses. The buffer distance shall be based on an evaluation of noise, aesthetics, drainage, operating conditions, biological resources, topography, lighting, traffic, operating hours, and air quality.
 - c) Require written notification to be sent to mining operators and subject landowners of land use entitlement applications for potentially incompatible land uses in areas where mining operations are currently taking place.
 - **Natural Resource Policy NR-3.5.** Mineral Resource Protection (RDR). Require areas identified with mineral deposits on either the State Mine Land Classification Maps provided by the State Mining and Geology Board's Classification Report, or site-specific information, remain protected for possible future mineral extraction. Impose conditions upon new incompatible land uses in areas surrounding identified mineral deposits for the purpose of mitigating significant land use conflicts prior to approving a use that would otherwise be incompatible with mineral extraction. The identified mineral deposit may be determined by the classification maps, Classification Report, separate County maps, or on a site-specific basis.
- **Health and Safety Goal HS-1.** Minimize the loss of life, injury, and property damage of County residents due to seismic and geologic hazards.
 - **Health and Safety Policy HS-1.3.** Dam Inundation Areas (RDR). Require all new structures located within dam inundation areas to conform to standards of dam safety as required by the State Division of Safety of Dams.

- **Health and Safety Policy HS-1.7.** Hillside Development (RDR). Discourage construction and grading on slopes in excess of 30 percent.
- **Health and Safety Policy HS-1.8.** Grading Standards (RDR). Require that the provisions of the International Building Code be used to regulate projects subject to hazards from slope instability.
- **Health and Safety Policy HS-1.9.** Unstable Soils (RDR). Require and enforce all standards contained in the International Building Code related to construction on unstable soils.
- **Health and Safety Goal HS-2.** Minimize the possibility of loss of life, injury, or damage to property as a result of flood hazards.

G.7.2 Local Plans and Policies

G.7.2.1 Ceres

Ceres General Plan 2035 (City of Ceres 2018)

- **Health and Safety Element Goal 5.G.** Minimize loss of life, injury, and property damage due to seismic and geologic hazards.
 - **Health and Safety Element Policy 5.G.1. Building Standards.** Require that new structures and alterations to existing structures be designed and constructed according to current California Building Code standards to minimize risk to the safety of occupants during groundshaking.

G.7.2.2 Turlock

Turlock General Plan (City of Turlock 2012)

- **Conservation Policy 7.2-n.** Minimize Soil Erosion. Require new development to implement measures to minimize soil erosion related to construction. Identify erosion-minimizing site preparation and grading techniques in the zoning code.
- **Conservation Policy 7.6-a.** Protect Significant Resources. Cooperate with regional agencies to protect significant mineral resources in the Study Area that may be identified in the future.
- **Conservation Policy 7.6-b.** Plan After Discovery. When and if significant mineral resources are discovered in the Study Area, work with regional agencies to determine a course of action to protect the resources.
- **Safety Policy 10.2-a.** Minimize Geologic and Seismic Risk. Continue to use building codes as the primary tool for reducing seismic risk in structures.
- **Safety Policy 10.2-f.** Require Geotechnical Investigations for Proposed Critical Structures. Require that geotechnical investigations be prepared for all proposed critical structures before construction or approval of building permits, if deemed necessary. Critical structures include police stations, fire stations, emergency equipment storage buildings, water towers, wastewater lift stations, electrical substations, fuel storage facilities, large public assembly buildings, designated emergency shelters, buildings three or more stories high, and any others deemed at the time of application. The investigation shall include estimation of the maximum credible

earthquake, maximum ground acceleration, duration, and the potential for ground failure because of liquefaction or differential settling.

- **Safety Policy 10.2-g.** Require Investigations for All Development On Sites Where Soils Pose Risk. Require soils reports for new development projects where soils pose a potential geologic risk, and use the information to determine appropriate permitting requirements, if deemed necessary.
- **Safety Policy 10.2-h.** Require Erosion Control Plans. Require new development to include grading and erosion control plans prepared by a qualified engineer or land surveyor.

Turlock Northwest Triangle Specific Plan (City of Turlock 2004)

- **Principle 6.2-a.** Control soil erosion and sedimentation during construction on all development sites. Where appropriate, require an erosion and sedimentation control plan which indicates the methods of erosion control to be used, scheduling of construction work, and the location of sediment control structures. Erosion control measures should reflect seasonal causes of erosion problems (e.g. wind or rain).
- **Principle 6.2-d.** Require a grading plan and standard mitigation practices based on seasonal conditions for any projects which involves the movement of more than 50 cubic yards of soil. The plan should include details to show erosion control measures during all phases of construction.

G.7.2.3 Livingston

City of Livingston Municipal Code

Chapter 4-5 Floodplain Management

- **Section 4-5-1-3.** It is the purpose of this chapter to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:
 - (A) Protect human life and health;
 - (B) Minimize expenditure of public money for costly flood control projects;
 - (C) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
 - (D) Minimize prolonged business interruptions;
 - (E) Minimize damage to public facilities and utilities such as water and gas mains; electric, telephone and sewer lines; and streets and bridges located in areas of special flood hazard;
 - (F) Help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future blighted areas caused by flood damage;
 - (G) Ensure that potential buyers are notified that property is in an area of special flood hazard; and
 - (H) Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions. (Ord. 445, 8-1-1995)

Chapter 4-6 Grading, Erosion, and Sedimentation Control (City of Livingston 2009)

- **Section 4-6-1.** This chapter is enacted for the following purposes:
 - (A) To provide minimum standards to safeguard life and limb; protect property and property values; preserve natural beauty; promote public welfare; and protect and enhance water quality of watercourses, water bodies and wetlands.
 - (B) To control erosion, sedimentation, increases in surface runoff and related environmental damage caused by construction related activities, by regulating and controlling the design, construction, quality of materials, use, location and maintenance of grading, excavating and fill, land disturbances, land fill and soil storage in connection with the clearing and grading of land for construction within the city.
 - (C) To ensure that grading is conducted in a manner with the least adverse effect upon persons and property and in conformance with applicable standards, requirements and procedures. (Ord. 578, 1-20-2009)

G.7.2.4 Atwater

City of Atwater General Plan (City of Atwater 2000)

- **Seismic and Public Safety Goal SF-1.** Minimize the threat of personal injury and property damage due to seismic activity.
 - **Seismic and Public Safety Policy SF-1.1.** Require all new development and rehabilitation of existing development to be in compliance with all Seismic Zone 3 requirements of the Uniform Building Code.
- **Seismic and Public Safety Goal SF-2.** Reduce the potential for property damage and injury resulting from liquefaction.
 - **Seismic and Public Safety Policy SF-2.1.** Require a geotechnical study for all projects located in areas that are subject to high groundwater tables, as noted in Figure 5-2, to assess the probability of liquefaction occurrence on project site. The geotechnical study shall identify any required design or construction mitigation to reduce potential impacts.
- **Seismic and Public Safety Goal SF-3.** Prohibit activities which could result in ground subsidence.
 - **Seismic and Public Safety Policy SF-3.1.** Require all project applications that propose extraction of groundwater to include a report evaluating the potential for subsidence. The report shall discuss appropriate mitigation measures to reduce the potential for subsidence.
- **Seismic and Public Safety Goal SF-7.** Prevent activities that contribute to increased wind erosion.
 - **Seismic and Public Safety Policy SF-7.1.** Require all projects that involve grading or other earth moving activities to implement dust control measures to reduce dust emissions.

G.7.2.5 Merced

Merced Vision 2030 General Plan (City of Merced 2012)

- **Policy S-2.2.** Encourage the improvement of all public facilities and infrastructure, such as natural gas, fuel, sewer, water, electricity, and railroad lines and equipment with up-to-date seismic safety features.
- **Policy OS-5.2.** Protect soil resources from the erosive forces of wind and water.
 - **Implementing Action 5.2c.** Maintain adequate vegetation along the banks of urban streams and storm water drainage channels.

G.8 Greenhouse Gas Emissions

The following goals, objectives, and policies are relevant to greenhouse gas emissions.

G.8.1 Regional Plans and Policies

G.8.1.1 Stanislaus County

Stanislaus County General Plan (County of Stanislaus 2016)

- **Circulation Policy 6.** The County shall strive to reduce motor vehicle emissions and vehicle miles traveled (VMT) by encouraging the use of alternatives to single occupant vehicles.
- **Conservation and Open Space Policy 20.** The County shall strive to reduce motor vehicle emissions by reducing vehicle trips and vehicle miles traveled and increasing average vehicle ridership.

Stanislaus County Regional Transportation Strategy/ Sustainable Communities Strategy (County of Stanislaus 2018)

- **Goal 1.** The County shall strive to reduce motor vehicle emissions by reducing vehicle trips and vehicle miles traveled and increasing average vehicle ridership.

G.8.1.2 Merced County

2030 Merced County General Plan (County of Merced 2013)

- **Air Quality Goal AQ-1.** Reduce air pollutants and greenhouse gas emissions and anticipate adaptation due to future consequences of global and local climate change.
 - **Air Quality Policy AQ-1.1.** Energy Consumption Reduction (RDR). Encourage new residential, commercial, and industrial development to reduce air quality impacts from energy consumption.

2018 Merced County Regional Transportation Strategy/ Sustainable Communities Strategy (County of Merced 2018)

- **Goal 12. Sustainable Communities:** Reduce per capita greenhouse gas emissions by coordinating compact growth with alternative transportation strategies. Protect and enhance the natural environment. Support vehicle electrification and the provision of electrification infrastructure in public and private parking facilities and structures

G.8.2 Local Plans and Policies

G.8.2.1 Turlock

Turlock General Plan (City of Turlock 2012)

- **Air Quality and Greenhouse Gases Policy 8.2-a.** Reduce Greenhouse Gas Emissions. Reduce greenhouse gas emissions to support statewide GHG reduction goals under the California Global Warming Solutions Act (AB 32).
- **Air Quality and Greenhouse Gases Policy 8.2-b.** Decrease Vehicle-Miles Travelled. Promote a broad range of transportation, land use, and site design measures that result in a decrease in the number of automobile trips and vehicle-miles traveled per capita.
- **Air Quality and Greenhouse Gases Policy 8.2-c.** Facilitate Energy-Efficient Buildings. Encourage energy efficiency through good urban design and site-planning practices, as well as through building design, maintenance and retrofit.

G.8.2.2 Merced

Merced Vision 2030 General Plan (City of Merced 2012)

- **Goal Area SD-1.** Reduction in the generation of Greenhouse Gases (GHG) from new development.

G.9 Hazardous Materials

The following goals, objectives, and policies are relevant to hazardous materials.

G.9.1 Regional Plans and Policies

G.9.1.1 Stanislaus County

Stanislaus County General Plan 2015 (County of Stanislaus 2015)

- **Safety Policy Thirteen.** The Department of Environmental Resources shall continue to coordinate efforts to identify locations of hazardous materials and prepare and implement plans for management of spilled hazardous materials as required.

G.9.1.2 Merced County**2030 Merced County General Plan (County of Merced 2013)**

- **Public Facilities and Services Goal PFS-4.** Ensure the safe and efficient disposal and recycling of solid and hazardous waste generated in the County.
 - **Public Facilities and Services Policy PFS-4.3.** Spill Site Development. Prohibit development on sites identified by Federal, State, or local agencies as spill sites or hazardous waste areas unless approved cleanup occurs prior to development.
- **Health and Safety Goal HS-5.** Protect Merced County residents, visitors, and property through providing for the safe use, storage, transport, and disposal of hazardous materials and wastes.
 - **Health and Safety Policy HS-5.1.** Compliance with Safety Standards. Require that hazardous materials are used, stored, transported, and disposed of in a safe manner, in compliance with local, State, and Federal safety standards.
 - **Health and Safety Policy HS-5.2.** Hazardous Material and Waste Transport. Coordinate with the California Highway Patrol to establish procedures for the movement of hazardous wastes and explosives within the County.
 - **Health and Safety Policy HS-5.3.** Incompatible Land Uses. Prohibit incompatible land uses near properties that produce or store hazardous waste.
 - **Health and Safety Policy HS-5.4.** Contamination Prevention. Require new development and redevelopment proposals that have suspected or historic contamination to address hazards concerns and protect soils, surface water, and groundwater from hazardous materials contamination by conducting Phase I Environmental Site Assessments (ESA) according to the American Society for Testing and Materials (ASTM) standards and applicable Department of Toxic Substances Control (DTSC) remediation guidelines. Also, complete additional Phase II Environmental Site Assessments and soil investigations, and any identified or needed remediation when preliminary studies determine such studies are recommended.
- **Air Quality Goal AQ-5.** County residents are protected from toxic air pollutants and noxious odors from industrial, manufacturing, and processing facilities, and agricultural operations.
 - **Air Quality Policy AQ-5.1.** Residential Buffers. Require effective buffers between residential and other sensitive land uses, and nonresidential land uses that generate hazardous air emissions such as highways (e.g., I-5 and SR-99), trucking centers, gasoline dispensing facilities, and dry cleaners. Effective buffers shall be determined by requiring consultation with the SJVAPCD for any project that may have a health risk impact, including those projects that would otherwise appear to be exempt from CEQA requirements.

G.9.2 Local Plans and Policies**G.9.2.1 Ceres General Plan 2035 (City of Ceres 2018)**

- **Health and Safety Element Goal 5.I.** Minimize the risk of loss of life, injury, serious illness, damage to property, and economic and social dislocations resulting from the use, transport, treatment, and disposal of hazardous materials.

- **Health and Safety Policy 5.I.1. Hazardous Materials Standards.** Ensure that the use and disposal of hazardous materials in the city comply with local, State, and federal safety standards. Ensure that industrial facilities are constructed and operated in accordance with current safety and environmental protection standards and best practices.
- **Health and Safety Policy 5.I.4. Hazardous Materials Projects.** Review all proposed development projects that would manufacture, use, or transport hazardous materials to ensure compliance with the County's Hazardous Materials Disclosure Program.
- **Health and Safety Policy 5.I.5. County Cooperation.** Work with the County to strictly regulate the storage of hazardous materials and wastes.
- **Health and Safety Policy 5.I.6. Development Standards.** Ensure that industrial facilities and other uses where hazardous materials are created, stored, or disposed of are designed, constructed, and operated in accordance with current safety and environmental protection standards. Require secondary containment and periodic examination for storage of large quantities of toxic materials.
- **Health and Safety Policy 5.I.9. Hazardous Use Sitting.** Review development proposals for uses involving hazardous materials storage, maintenance, use and disposal to ensure that the proposed development would not pose significant safety risks to sensitive uses (such as schools, hospitals, nursing homes, and residences).
- **Health and Safety Policy 5.I.10. Coordinated Emergency Response.** Work with other agencies, including the City of Modesto and Stanislaus County, to ensure an adequate countywide response capability for hazardous materials emergencies. Provide for safe and efficient hazardous waste emergency response and contaminated site cleanup.

G.9.2.2 Turlock

Turlock General Plan (City of Turlock 2012)

- **Growth Policy 3.3-h.** Meet State waste reduction goals. Reduce the generation of solid and hazardous waste and promote recycling in order to achieve the State's solid waste management goals.
- **Safety Policy 10.1-a.** Protect Lives and Property. Prevent loss of lives, injury, illness, and property damage due to hazardous materials and wastes.
- **Safety Policy 10.1-b.** Protect Natural Resources. Protect soils, surface water, and groundwater from contamination from hazardous materials.
- **Safety Policy 10.1-c.** Coordinate Efforts to Minimize Risks. Cooperate with State agencies and the Stanislaus County Environmental Resources Department efforts to identify hazardous materials users, implement hazardous materials plans, provide safe waste disposal sites, and minimize risks associated with hazardous cargoes, agricultural spraying, and electromagnetic fields.
- **Safety Policy 10.1-e.** Implement Countywide Integrated Waste Management Plan. Implement measures specified in the Household Hazardous Waste Element of the Countywide Integrated Waste Management Plan (CIWMP).

- **Safety Policy 10.1-f.** Reduce Hazardous Waste Disposal. Continue to reduce per capita disposal of hazardous waste by promoting reuse and recycling of materials as appropriate, by providing information to the public, operating waste collection facilities, and other means.
- **Safety Policy 10.1-i.** Support Cleanup Efforts. Work with the Stanislaus County Environmental Resources Department, other agencies, and landowners to enable clean-up of contaminated sites.

The City should not approve a use change or any development project on a contaminated site until such time as the site is cleaned to a level where it is no longer hazardous for the proposed use.

- **Safety Policy 10.1-l.** Maintain Land Use Separation Between Hazardous Waste Handling Sites and Incompatible Uses. Ensure compatibility between hazardous material users and surrounding land use through the development review process. Separate hazardous waste facilities from incompatible uses including, but not limited to, schools, daycares, hospitals, public gathering areas, and high-density residential housing through development standards and the review process.
- **Safety Policy 10.1-m.** Require Hazardous Materials Studies When Appropriate. Ensure that the proponents of new development projects address applicable hazardous materials concerns through the preparation of Phase I or Phase II hazardous materials studies, as necessary, for each identified site as part of the design phase for each project. Require projects to implement federal or State cleanup standards outlined in the studies during construction.
- **Safety Policy 10.1-n.** Require Safe Design and Construction of Storage Tanks. Require that all fuel and chemical storage tanks are appropriately constructed; include spill containment areas to prevent seismic damage, leakage, fire and explosion; and are structurally or spatially separated from sensitive land uses.

Turlock Northwest Triangle Specific Plan (City of Turlock 2004)

- **Principle 6.12-a.** In areas where there is suspected herbicide or pesticide contamination, require a preliminary assessment for the presence of chemical residues by a qualified professional, with special attention to specific areas where pesticides and herbicides are known to have been stored, handled or disposed of, prior to issuance of discretionary approvals for residential development. If such assessments indicate levels of pesticide and/or herbicide residue that could pose a risk to human health or the environment, require on-site remediation or off-site disposal at an appropriate facility. Remediation should be conducted in accordance with the requirements of the Stanislaus County Hazardous Materials Division, the State Division of Toxic Substances Control and the Central Valley Regional Water Quality Control Board.
- **Principle 6.12-e.** Require that property owners investigate and remediate any contamination identified by preliminary site assessments prior to construction to reduce potential exposure of construction workers and the public to hazardous materials and to prevent further environmental degradation. Remediation could include excavation and on- or offsite treatment or disposal or in-place treatment of the affected soils. If groundwater has been affected by fuel releases, remediation could include: groundwater extraction and treatment; disposal of treated water to surface waters; or reinjection into the groundwater.
- **Principle 6.12-f.** Accurately establish the location of buried pipelines along the Southern Pacific Railroad prior to construction in their vicinity. All construction near the existing pipelines

should be undertaken following a site-specific health and safety plan to protect workers and residents.

- **Principle 6.12-g.** If electrical lines are relocated as part of project construction project applicants should request information from PG&E and the Turlock Irrigation District on the presence of any transformers containing PCBs on electrical lines crossing the project area, and any records of spills from such equipment. If PCB-containing equipment (50 to 500 per million PCBs in the oil) or PCB equipment (over 500 parts per million) is identified, this equipment should be replaced with non-PCB containing equipment. Any identified spill areas should be evaluated for cleanup.

G.9.2.3 Atwater

City of Atwater General Plan (City of Atwater 2000)

- **Seismic and Public Safety Goal SF-9.** Prevent potential contamination and hazards resulting from the inappropriate storage, transport, and handling of hazardous materials.
 - **Seismic and Public Safety Goal Policy SF-9.1.** Require new development projects which produce, store, utilize, or dispose of significant amounts of hazardous materials or waste to incorporate appropriate state-of-the-art project designs and building materials to protect employees and adjacent land uses.
 - **Seismic and Public Safety Goal Policy SF-9.3.** Encourage continued monitoring of hazardous material cleanup at the CAADC site, and monitoring of hazardous material use or storage at the site.
 - **Seismic and Public Safety Goal Implementation Program SF-9.a.** Require that applications for projects that will generate hazardous wastes or utilize hazardous materials include detailed information regarding the types and volumes of hazardous materials that will be involved and plans for hazardous waste reduction, recycling, and storage.

G.9.2.4 Merced

Merced Vision 2030 General Plan (City of Merced 2012)

- **Policy S-7.1.** Prevent injuries and environmental contamination due to the uncontrolled release of hazardous materials.
 - **Implementing Action 7.1.c.** Continue to make sure underground storage tanks containing hazardous materials are properly installed, used, and removed.
 - **Implementing Action 7.1.e.** To the extent feasible, encourage new residential developments and other projects to locate an adequate distance from potential existing sources of toxic emissions, such as freeways, heavy industrial sites, and other hazardous material locations.
- **Policy S-7.2.** Ensure that hazardous materials are cleaned up before a property is developed or redeveloped.
 - **Implementing Action 7.2.a.** Continue to work with the State Department of Health Services and Merced County in developing cleanup programs for known hazardous waste sites

within the Merced planning area. Prior to the development or redevelopment of a piece of property, the City routinely works with the appropriate State and local agencies to ensure that any hazardous materials contamination is eliminated.

G.10 Hydrology and Water Quality

The following goals, objectives, and policies are relevant to hydrology and water quality.

G.10.1 Regional Plans and Policies

G.10.1.1 Regional Flood Control Plans

Central Valley Flood Protection Plan 2017 Update (California Department of Water Resources 2017)

- **CVFPP Primary Goal.** Improve flood risk management. Reduce the chance of flooding, and damages once flooding occurs, and improve public safety, preparedness, and emergency response through the following:

California Central Valley Flood Protection Board Strategic Plan (Central Valley Flood Protection Board 2013)

- **Goal 1.** Preserve the Integrity and Function of Flood Protection Systems in the Central Valley
- **Objective 1.1.** Assure judicious and timely permitting.
- **Objective 1.2.** Expand enforcement capacity and authority.
- **Strategy 1.2.2.** Quantify, delineate, categorize, and prioritize encroachments and the need for enforcement actions.
- **Strategy 1.2.3.** Resolve encroachments that are in conflict with assurances provided to USACE and that compromise system performance.

Upper San Joaquin River Regional Flood Management Plan (San Joaquin River Flood Control Project Agency 2015)

- **Goal.** Provide 200-year flood protection for urban areas
- **Goal.** Provide 100-year flood protection for small communities
- **Goal.** Expedite system improvement permitting and construction
- **Goal.** Promote development of multibenefit system improvements

G.10.1.2 Stanislaus County

Stanislaus County General Plan 2015 (County of Stanislaus 2015)

- **Conservation/Open Space Goal Two.** Conserve water resources and protect water quality in the County.

- **Conservation/Open Space Policy Five.** Protect groundwater aquifers and recharge areas, particularly those critical for the replenishment of reservoirs and aquifers.
- **Conservation/Open Space Implementation Measure 5.1.** Proposals for urbanization in groundwater recharge areas shall be reviewed to ensure that (1) as much water as possible is returned to the recharge area, (2) the development will not cause discharge of materials detrimental to the quality of the water, and (3) the development will not result in significant groundwater overdrafting or deterioration in quality. The Department of Environmental Resources shall require:
 - A. In those areas where groundwaters are susceptible to overdrafting, the project proponent shall perform a hydrogeological analysis and include appropriate mitigation measures in the proposal.
 - B. In those areas where groundwater quality is susceptible to deterioration or is already of reduced quality, the level of wastewater treatment shall be such that it will not cause further quality deterioration.
- **Conservation/Open Space Implementation Measure 5.2.** The Department of Environmental Resources shall identify and require control of point sources for pollutants stored, handled or disposed of on the surface of the soil or in the vadose zone that is located in the zone or aeration immediately above the groundwater level. Potential sources of pollutants to the groundwater may also include high densities of individual on-site sewage treatment units and/or the use of community package treatment plants. The Department of Environmental Resources shall require the adoption of groundwater monitoring programs for projects where hydrogeological assessments indicate the potential for groundwater deterioration is likely.
- **Conservation/Open Space Implementation Measure 5.3.** Eliminate reliance on dry wells as a means of street drainage in urban areas. Dry wells collect and discharge toxic, hazardous and designated contaminants into aquifers having beneficial uses. New projects shall have storm water disposal systems that: (1) are designed not to pollute receiving surface or groundwaters, and (2) which could be integrated into an area-wide groundwater recharge program whenever feasible.
- **Conservation/Open Space Implementation Measure 5.4.** During the project and environmental review process, encourage new development to incorporate water conservation measures to minimize adverse impacts on water supplies. Possible measures include, but are not limited to, low-flow plumbing fixtures, use of reclaimed wastewater for landscaping when feasible, and use of drought-tolerant landscaping.
- **Conservation/Open Space Implementation Measure 5.5.** Continue to implement the landscape provisions of the Zoning Ordinance, which encourage drought-tolerant landscaping and water-conserving irrigation methods.
- **Conservation/Open Space Policy Six.** Preserve vegetation to protect waterways from bank erosion and siltation.
- **Conservation/Open Space Implementation Measure 6.1.** Development proposals including or in the vicinity of waterways and/or wetlands shall be closely reviewed to ensure that destruction of riparian habitat and vegetation is minimized. This shall include referral to the U.S. Army Corps of Engineers, the U.S. Fish and Wildlife Service, and the State Department of Fish and Game.

- **Conservation/Open Space Policy Seven:** New development that does not derive domestic water from pre-existing domestic and public water supply systems shall be required to have a documented water supply that does not adversely impact Stanislaus County water resources.
- **Conservation/Open Space Implementation Measure 7.1.** Review all development requests to ensure that sufficient evidence has been provided to document the existence of a water supply sufficient to meet the needs of the project without adversely impacting the quality and quantity of existing local water resources.
- **Conservation/Open Space Goal Five.** Reserve, as open space, lands subject to natural disaster in order to minimize loss of life and property of residents of Stanislaus County.
- **Conservation/Open Space Policy Sixteen.** Discourage development on lands that are subject to flooding, landslide, faulting or any natural disaster to minimize loss of life and property.
- **Conservation/Open Space Implementation Measure 16.2.** Development will not be permitted in floodways unless it meets the requirements of Chapter 16.40 of the County Code and is approved by the State Reclamation Board.
- **Safety Policy Two.** Development should not be allowed in areas that are within the designated floodway or any areas that are known to be susceptible to being inundated by water from any source.

Stanislaus County Municipal Code

Chapter 9.37 Groundwater

- **Section 9.37.040.** Prohibition A: The unsustainable extraction of groundwater within the unincorporated areas of the county.
- **Section 9.37.050.** Exemptions
 - A. The following water management practices are exempt from the prohibitions in Section 9.37.040:
 - 2) Groundwater extraction or the export of water in compliance with a permit issued by the Stanislaus County department of environmental resources pursuant to this chapter.
 - B. The following water management practices are exempt from the prohibition against export of water in this chapter:
 - 1) De-watering of shallow water tables where the net benefits of the removal of subsurface water substantially outweighs the loss of water because of damage the high water table reasonably may cause to agriculture, industry, commerce and other property uses. The groundwater in some areas of the county is very near the surface and if not removed by interceptor ditches or subsurface tile drains, the water can seriously impact crop root zones for agricultural production or destroy foundations, equipment, materials, buildings and infrastructure used for residences, industry, utilities or commerce. This groundwater may or may not be reused for other purposes and at times may leave the county and its groundwater system.
 - 5) Remediation of contaminated groundwater that is pumped and treated to remove contaminants that are in violation of standards for beneficial uses. The extracted and treated water may be released out of the county, resulting in a net loss to the

groundwater basin, if the release complies with discharge permits issued by the federal, state or state resource agencies.

Chapter 14.14 Stormwater Management and Discharge Control (County of Stanislaus 2008)

- **Section 14.14.050. Prohibitions**

- A. Except as provided in Section 14.14.060, it is unlawful for any person to make or cause to be made any non-stormwater discharge.
- B. Notwithstanding the exemptions provided by Section 14.14.060, if the Regional Water Quality Control Board or the enforcement official determines that any otherwise exempt discharge causes or significantly contributes to violations of any stormwater permit, or conveys significant quantities of pollutants to a surface water or stormwater conveyance, or is a danger to public health or safety, such discharge shall be prohibited from entering the stormwater conveyance system.

- **Section 14.14.060. Exceptions to discharge prohibition.**

- A. Any discharge or connections regulated under a NPDES permit issued to the discharger and administered by the state to Division 7, Chapter 5.5 of the California Water Code, provided that the discharger is in compliance with all requirements of the permit and all other applicable laws and regulations;
- B. Discharges from the following activities, which do not cause or contribute to the violation of any NPDES permit:
 - Water line flushing and other discharges from potable water sources,
 - Incidental runoff from landscaped areas defined as unintended amounts (volume) of runoff, such as unintended, minimal over-spray from sprinklers that escapes the area of intended use,
 - Rising ground waters or springs,
 - Passive foundation and footing drains,
 - Water from crawl space pumps and basement pumps,
 - Air conditioning condensation,
 - Natural flows from riparian habitats and wetlands,
 - Flows from fire suppression activities, including fire hydrant flows,
 - Waters not otherwise containing wastes as defined in California Water Code Section 13050(d) and California Health and Safety Code Section 25117,
 - Diverted stream flows
 - Uncontaminated ground water infiltration or pumped to separate storm sewers
 - Any discharge that the enforcement official, the local health officer or the Regional Water Quality Control Board determines, in writing, is necessary for the protection of the public health and safety,

- Any discharge caused by flooding or other natural disaster, which could not have been reasonably foreseen or mitigated for in advance by the discharger, as determined by the enforcement official
- **Section 14.14.120.** Reduction of pollutants in stormwater. Any person engaged in activities that may result in pollutants entering the stormwater conveyance system shall, to the maximum extent practicable, undertake the measures set forth below to reduce the risk of non-stormwater discharge and/or pollutant discharge.
 - Business-Related Activities.
 - Stormwater Pollution Prevention Plan (SWPPP). The enforcement official may require any business in the county engaged in activities that may result in pollutant discharges to develop and implement a SWPPP, which shall include an employee training program. An employee training program is a documented employee training program that may be required to be implemented by a business pursuant to a SWPPP for the purpose of educating its employees on methods of reducing discharge of pollutants to the stormwater conveyance system. Business activities that may require a SWPPP include, but are not limited to, maintenance, storage, manufacturing, assembly, equipment operations, vehicle loading or fueling, or cleanup procedures carried out partially or wholly out of doors.
 - Coordination with hazardous materials release response plans and inventory. Any business requiring a hazardous materials release response and inventory plan, under Chapter 6.95 (commencing with Section 25500) of Division 20 of the California Health and Safety Code, shall include in that plan provisions for compliance with this chapter, including the provisions prohibiting nonstormwater discharges and illegal discharges, and requiring the release of pollutants to be reduced to the maximum extent practicable.
 - Coordination with hazardous waste generator contingency plan and emergency procedures. Any business requiring a hazardous waste generator contingency plan and emergency procedures, pursuant to California Code of Regulations, Title 22, Sections 66265.51 to 66265.56, shall include in that plan provisions for compliance with this chapter, including the provisions prohibiting non-stormwater discharge and illegal discharges, and requiring the release of pollutants to be reduced to the maximum extent practicable.
 - Construction.
 - Any person performing construction activities in the county shall prevent pollutants from entering the stormwater conveyance system and comply with all applicable federal, state and local laws, ordinances or regulations, including, but not limited to, the current state of California NPDES general permit for stormwater discharges associated with construction activity (CGP) and the county stormwater management and discharge control ordinance. All construction projects, regardless of size, having soil disturbance or activities exposed to stormwater must, at a minimum, implement BMPs for erosion and sediment controls, dewatering, source controls, pollution prevention and prohibited discharges.
 - Any person subject to the CGP shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the enforcement official prior to, or as a condition of, a subdivision map, site plan, building permit, grading permit, or development or improvement plan, upon inspection of the facility,

during any enforcement proceeding or action, or for any other reasonable cause. Prior to issuance of a construction permit or approval of the proposed improvement plans, for projects subject to the CGP, a copy of the waste discharge identification number (WDID) and the SWPPP shall be submitted to the county. For projects with less than an acre of soil disturbance or not subject to the CGP, an erosion and sediment control plan must be submitted to the county.

- The county will set stormwater compliance inspection frequencies at construction sites based upon the project's threat to water quality. Project threat to water quality includes soil erosion potential, site slope, project size and type, sensitivity of receiving water bodies, proximity to receiving water bodies, non-stormwater discharges, projects more than one acre that are not subject to the CGP (sites that have obtained an Erosivity Waiver from the CGP) and any past record of non-compliance by the operator of the construction site. The county will use the following categories, which correlate with the CGP, to assess threat to water quality: Not subject to CGP; Erosivity Waiver; Risk Level 1/LUP Type 1; Risk Level 2/LUP Type 2; and Risk Level 3/LUP Type 3. Since LUP projects can have multiple risk types, the county will use the highest risk type for a specific LUP project to assess threat to water quality. If a project has been issued two consecutive notices of violation or does not correct a previously issued notice of violation by the due date set by the inspection, the project's threat to water quality will be elevated to the next highest risk category. Inspection frequencies will be as follows:
 - Projects not subject to the CGP or that have obtained an erosivity waiver will have a pre-soil disturbance inspection and a project completion inspection.
 - Projects that are a Risk Level 1/LUP Type 1 or Risk Level 2/LUP Type 2 will have a pre-soil disturbance inspection, monthly inspections and a project completion inspection.
 - Projects that are a Risk Level 3/LUP Type 3 will have a pre-soil disturbance inspection, bi-monthly (twice per month) inspections and a project completion inspection.
- Development. The enforcement official may require controls as appropriate to minimize the long-term, post-construction activity discharge of stormwater pollutants from new development(s) or modifications to existing development(s). Controls may include source control measures to prevent pollution of stormwater and treatment controls designed to remove pollutants from stormwater, low impact development measures, and/or hydromodification measures to offset the difference between the pre- and post-construction peak flow runoff rates and volumes. Proponents of all applicable development and redevelopment projects must meet the requirements and follow the design standards specified in the current state of California Phase II MS4 NPDES permit.
- Compliance with the current state of California NPDES general permit for discharges of stormwater associated with industrial activities (IGP) or the current general permit for stormwater discharges associated with construction activity (CGP).
- Any person subject to the IGP shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the enforcement official upon inspection of the facility; during any enforcement proceeding or action; or for any other reasonable cause.

- Any person subject to the CGP shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the enforcement official prior to or as a condition of a subdivision map, site plan, building permit, and development or improvement plan; upon inspection of the facility; during any enforcement proceeding or action; or for any other reasonable cause.
- Compliance with Best Management Practices (BMPs). Every person or entity, including the above listed categories, undertaking any activity or use of premises that may cause or contribute to stormwater pollution or contamination or illicit discharges shall comply with BMPs consistent with the California Stormwater Quality Association (CASQA) Best Management Practices Handbooks or equivalent guidelines.
- **Section 14.14.130.** Containment and notification of spills.
 - Any person owning or occupying a premises, who has knowledge of any release of pollutants or nonstormwater discharge from or across those premises that might enter the stormwater conveyance system, other than a release or discharge that is permitted by this chapter, shall immediately take all reasonable action to contain and abate the release of pollutants or nonstormwater discharge, and shall notify the enforcement official at Stanislaus County within twenty-four hours of the release of pollutants or nonstormwater discharge.

Stanislaus County Stormwater Management Program (County of Stanislaus 2004)

- **Objective.** To meet the requirements of 40 CFR. Part 122, Porter-Cologne Water Quality Control Act Section 13376, and the State Water Board General Permit No. CAS000004, adopted 4/30/03.
- **Objective.** To address stormwater quality concerns specific to Stanislaus County.
- **Objective.** To involve the community in development and implementation of the plan in order to meet the permit requirements in the most economical manner possible.

G.10.1.3 Merced County

2030 Merced County General Plan (County of Merced 2013)

- **Public Facilities and Services Goal PFS-3.** Ensure the management of stormwater in a safe and environmentally sensitive manner through the provision of adequate storm drainage facilities that protect people, property, and the environment.
 - **Public Facilities and Services Policy PFS-3.1.** Stormwater Management Plans (MPSP). Require stormwater management plans for all Urban Communities to reduce flood risk, protect soils from erosion, control stormwater runoff, and minimize impacts on existing drainage facilities.
 - **Public Facilities and Services Policy PFS-3.2.** Stormwater facilities in new development. Require that new development in unincorporated communities includes adequate stormwater drainage systems. This includes adequate capture, transport, and detention/retention of stormwater.
 - **Public Facilities and Services Policy PFS-3.5.** Pre-development storm flows. Require on-site detention/retention facilities and velocity reducers when necessary to maintain pre-development storm flows and velocities in natural drainage systems.

- **Health and Safety Goal HS-2.** Minimize the possibility of loss of life, injury, or damage to property as a result of flood hazards.
 - **Health and Safety Policy HS-2.6.** Flood risk consideration. Prohibit new development in existing undeveloped areas protected by a State flood control project without appropriately considering significant known flooding risks and taking reasonable and feasible action to mitigate the potential property damage to the new development resulting from a flood.
 - **Health and Safety Policy HS-2.7.** Finding of Flood Protection for New Development. The County shall not enter into a development agreement, approve any building permit or entitlement, or approve a tentative or parcel map unless it finds one of the following:
 - a) The flood control facilities provides 200-year level of protection in urban and non-urban areas consistent with the current Central Valley Flood Protection Plan;
 - b) Conditions imposed on the development will protect the property at a 200-year level of protection in urban and non-urban areas consistent with the current Central Valley Flood Protection Plan; or
 - c) The local flood management agency has made “adequate progress” on the construction of a flood protection system which will result in protection equal or greater than the 200-year flood event in urban and non-urban areas consistent with the current Central Valley Flood Protection Plan.
 - **Health and Safety Policy HS-2.9.** Minimize Public Facility Impacts. Encourage all agencies that operate public facilities, such as roads, structures, wastewater treatment plants, gas, electrical, and water systems within areas subject to 100- and 200-year frequency floods to locate and construct facilities to minimize or eliminate potential flood damage.
- **Water Goal W-1.** Ensure a reliable water supply sufficient to meet the existing and future needs of the County.
- **Water Goal W-2.** Protect the quality of surface and groundwater resources to meet the needs of all users.
 - **Water Policy W-2.1.** Water Resource Protection. Ensure that land uses and development on or near water resources will not impair the quality or productive capacity of these water resources.
 - **Water Policy W-2.2.** Development regulations to protect water quality. Prepare undated development regulations, such as best management practices, that prevent adverse effects on water resources from construction and development activities.
 - **Water Policy W-2.7.** NPDES Enforcement. Monitor and enforce provisions of the USEPA NPDES program to control non-point source water pollution.
- **Water Goal W-4.** Enhance and protect County watersheds through responsible water and land use management practices that address water bodies, open spaces, soils, recreation, habitat, vegetation, groundwater recharge, and development.
 - **Water Policy W-4.1.** Water resource protection and replenishment . Protect watersheds, aquifer recharge areas, and areas susceptible to ground and surface water contamination by identifying such areas, and implementing requirements for their protection such as:

- a) Implement zoning and development regulations to protect water resources, including aquifer recharge areas and areas susceptible to ground and surface water contamination;
- b) For new development, and when adopting new Community Plans, require community drainage systems that incorporate on-site infiltration and contaminant control measures that are compatible with the County SWMP and NPDES regulations for post-construction runoff conditions; and
- c) Cooperate with other agencies and entities with responsibilities for water quality and watershed protection.

Merced County Municipal Code

Chapter 9.53 Regulation of Stormwater

- **Section 9.53.010.** Title, purpose and general provisions.

- B. Purpose and Intent. The purpose and intent of this chapter is to ensure the health, safety, and general welfare of citizens, and protect and enhance the water quality of watercourses and water bodies in a manner pursuant to and consistent with the Federal Clean Water Act (33 U.S.C. Section 1251 et seq.) by reducing pollutants in storm water discharges to the maximum extent practicable and by prohibiting non-stormwater discharges to the storm drain system.

In addition, this chapter has been written to enact requirements stipulated in the “National Pollutant Discharge Elimination System (NPDES) General Permit for Waste Discharge Requirements (WDRs) for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (MS4s)” adopted by the State Water Resources Control Board.

This chapter creates regulations that govern management of construction projects, the layout and design of new projects, and inspection and monitoring of existing facilities which may cause or contribute pollution or illicit discharges to storm drainage systems under the jurisdiction of the county of Merced.

- D. Applicability. This chapter shall apply to all dischargers or potential dischargers located within the unincorporated areas of the county of Merced.

- **Section 9.53.020.** Discharge Prohibitions

- A. Prohibition of Illicit Discharges. No person shall discharge or cause to be discharged into the storm drain system any materials, including, but not limited to, pollutants or waters containing any pollutants that cause or contribute to a violation of applicable water quality standards, other than storm water.

The commencement, conduct or continuance of any illicit discharge into the storm drain system is prohibited except as described as follows:

- 1) Discharges from the following activities will not be considered a source of pollutants to the storm drain system when properly managed to ensure that no potential pollutants are present, and therefore they shall not be considered illicit discharges unless determined to cause a violation of the provisions of the Porter-Cologne Act, Clean Water Act, or this chapter:

- a) Water line flushing;
 - b) Individual residential car washing;
 - c) Diverted stream flows;
 - d) Rising groundwaters;
 - e) Uncontaminated groundwater infiltration to the storm drain system;
 - f) Uncontaminated pumped groundwater;
 - g) Discharges from potable water sources;
 - h) Foundation drains;
 - i) Air conditioning condensation;
 - j) Springs;
 - k) Water from crawl space pumps;
 - l) Footing drains;
 - m) Flows from riparian habitats and wetlands;
 - n) Dechlorinated swimming pool discharges;
 - o) Incidental runoff from landscaped areas;
 - p) Discharges or flows from fire fighting.
- 2) With prior written concurrence of the Regional Board, the county of Merced may exempt in writing other non-stormwater discharges which are not a source of pollutants to the storm drain system.
- B. Prohibition of Illicit Connections.
- 1) The construction, use, maintenance or continued existence of illicit connections to the storm drain system is prohibited.
 - 2) This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.
- C. Waste Disposal Prohibitions. No person shall throw, deposit, leave, maintain, keep, or permit to be thrown, deposited, left, or maintained, in or upon any public or private property, driveway, parking area, street, alley, sidewalk, or any component of the storm drain system, any refuse, rubbish, garbage, litter, or other discarded or abandoned objects, articles, and accumulations, so that the same may cause or contribute to pollution. Wastes deposited in streets in proper waste receptacles for the purposes of collection are exempted from this prohibition.
- D. Discharges in Violation of Industrial or Construction Activity NPDES Storm Water Discharge Permit. Any person subject to an industrial or construction activity NPDES storm water discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the director of public works prior to or as a condition of a subdivision map, site plan, building permit, or development or

improvement plan; upon inspection of the facility; during any enforcement proceeding or action; or for any other reasonable cause.

- E. Excess Irrigation Runoff Prohibition. Non-stormwater runoff discharge that is not incidental is prohibited. No person shall allow irrigation runoff in excess of incidental runoff to occur. Any person responsible for controlling runoff in excess of incidental runoff shall:

- 1) Detect leaks (for example, from broken sprinkler heads) and correct leaks within seventy-two (72) hours of learning of the leak;
- 2) Properly design and aim sprinkler heads;
- 3) Not irrigate during precipitation events; and
- 4) Manage pond containing recycled water such that no discharge occurs unless the discharge is a result of a twenty-five (25) year, twenty-four (24) hour storm event or greater, and the appropriate Regional Water Board is notified by email no later than twenty-four (24) hours after the discharge. The notification is to include identifying information, including the permittee's name and permit identification number. (Ord. 1923 § 1, 2014; Ord. 1897 § 1, 2012).

- **Section 9.53.030. Regulations and requirements.**

- A. Requirements to Reduce Runoff and Pollutants Associated with Runoff. In order to reduce the volume of stormwater runoff and minimize typical pollutants associated with stormwater runoff, the county requires the various measures described in the section be implemented:

- 1) Best management practices (BMPs), when required to be installed, shall conform to the California Storm Water Quality Association (CASQA) Best Management Practice Handbooks or equivalent.
- 2) Construction Site Storm Water Runoff Control. Prior to disturbing any soil, operators of a construction activity project shall prepare and submit a Sediment Control Plan (SCP) to the department of public works for review and approval. The SCP shall be incorporated as separate sheets of the civil portion of the plans prepared for the project and shall indicate BMPs to be used during project construction and post construction. The SCP shall be prepared by a certified Qualified Storm Water Pollution Prevention Plan (SWPPP) Developer (QSD).

The operator of a construction activity project shall submit evidence that all applicable permits (i.e., State Water Board's Construction General Permit, State Water Board 401 Water Quality Certification, U.S. Army Corps 404 permit, and the California Department of Fish and Wildlife 1600 Agreement) directly associated with the soil disturbing activities have been obtained.

If a SWPPP is required to be developed for the construction activity project pursuant to the State Water Board's Construction General Permit, the SWPPP may substitute for the required SCP. In this case, the operator of the construction activity project shall submit a copy of the SWPPP to the county for review and approval.

- 3) Post Construction Storm Water Management.

- a) **Small Development Projects.** Small development projects that create and/or replace (including projects with no net increase in impervious surface) between two thousand five hundred (2,500) square feet and five thousand (5,000) square feet of impervious surface, including detached single family homes that create and/or replace two thousand five hundred (2,500) square feet or more of impervious surface and are not part of a larger plan of development shall implement one or more of the following site design measures to reduce project site runoff:
 - i. **Stream Setbacks and Buffers.** A vegetated area including trees, shrubs, and herbaceous vegetation shall be retained (if existing) or established to protect a stream system or lake reservoir.
 - ii. **Soil Quality Improvement and Maintenance.** Improve and/or maintain the soil through the incorporation of soil amendments and creation of a microbial community.
 - iii. **Tree Planting and Preservation.** Plant and/or preserve healthy established trees including both evergreen and deciduous varieties, as applicable.
 - iv. **Rooftop and Impervious Area Disconnection.** Reroute rooftop drainage pipes to drain rainwater to rain barrels, cisterns, or on-site permeable areas instead of the storm drain system.
 - v. **Porous Pavement/Concrete.** Incorporate use of porous pavement, porous concrete and/or other permeable materials for on-site flat work (driveways, walkways, patios, parking areas, etc.) instead of traditional pavement or concrete.
 - vi. **Green Roofs.** Incorporate use of a vegetative layer grown on a roof (rooftop garden).
 - vii. **Vegetated Swales.** Construct an on-site vegetated, open-channel swale designed specifically to treat and attenuate storm water runoff.

Project proponents shall quantify the runoff reduction resulting from implementation of one or more of the above site design measures using the State Water Board SMARTS Post-Construction Calculator or another methodology determined to be acceptable by the county.

- b) **Regulated Projects.**
 - i. Regulated projects shall be designed and constructed to implement the source control measures and low-impact development (LID) design standards described in this chapter in order to effectively reduce runoff and pollutants associated with runoff.
 - ii. Redevelopment projects, road projects, and linear underground/overhead projects (LUPs) are a special class of regulated project; these projects shall implement the following special requirements:
 - (A) Where a redevelopment project results in an increase of more than fifty (50) percent of the impervious surface of a previously existing development, runoff from the entire project (including the existing, new, and replaced

impervious surfaces) is regulated; in this case, the entire redevelopment project is considered to be part of the regulated project.

- (B) Where a redevelopment project results in an increase of less than fifty (50) percent of the impervious surface of a previously existing development, only runoff from the new and/or replaced impervious surface of the project considered to be part of the regulated project.
- (C) New Road Projects and LUPs. Any of the following types of new road projects and LUPs that create five thousand (5,000) square feet or more of newly constructed contiguous impervious surface (either a newly constructed public road project or new private development projects that fall under the authority of Merced County) shall be considered a regulated project; however, treatment of runoff of the 85th percentile that cannot feasibly be infiltrated onsite shall follow U.S. EPA guidance regarding green infrastructure to the extent possible. Types of projects include:
 - (1) Construction of new streets or roads, including sidewalks and bicycle lanes built as part of the new streets or roads.
 - (2) Widening of existing streets or roads with additional traffic lanes.
 - (a) Where the addition of traffic lanes results in an alteration of more than fifty (50) percent of the impervious surface of an existing street or road, runoff from the entire project (including the existing, new and/or replaced impervious surfaces) is considered to be part of the regulated project.
 - (b) Where the addition of traffic lanes results in an alteration of less than fifty (50) percent of the impervious surface of an existing street or road, only runoff from the new and/or replaced impervious surface of the project is considered to be part of the regulated project.
- (D) Construction of linear underground/overhead projects (LUPs).
- (E) Specific exclusions are:
 - (1) Sidewalks built as part of new streets or roads and built to direct storm water runoff to adjacent vegetated areas.
 - (2) Bicycle lanes that are built as part of new streets or roads that direct storm water runoff to adjacent vegetated areas.
 - (3) Impervious trails built to direct storm water runoff to adjacent vegetated areas, or other non-erodible permeable areas, preferably away from creeks or towards the outboard side of levees.
 - (4) Sidewalks, bicycle lanes, or trails constructed with permeable surfaces.
 - (5) Trenching, excavation and resurfacing associated with LUPs; pavement grinding and resurfacing of existing roadways and parking lots, construction of new sidewalks, pedestrian ramps, or bike lanes on existing roadways; or routine replacement of damaged pavement such

as pothole repair or replacement of short, non-contiguous sections of roadway.

- 4) Source Control Measures. Operators of regulated projects with pollutant generating activities and sources shall implement permanent and/or operation source control measures, as applicable. Measures, including appropriate BMPs, shall be implemented for the following pollutant generating activities and sources:
 - Accidental spills or leaks.
 - Interior floor drains.
 - Parking/storage areas and maintenance.
 - Indoor and structural pest control.
 - Landscape/outdoor pesticide use.
 - Pools, spas, ponds, decorative fountains, and other water features.
 - Restaurants, grocery stores, and other food service operations.
 - Refuse areas.
 - Industrial processes.
 - Outdoor storage of equipment and materials.
 - Vehicle and equipment cleaning.
 - Fuel dispensing areas.
 - Loading docks.
 - Fire sprinkler test water.
 - Drain or wash water from boiler drain lines, condensate drain lines, rooftop equipment, drainage sumps, and other sources.
 - Unauthorized non-storm water discharges.
 - Building and grounds maintenance.
- 5) Low Impact Development (LID) Design Standards. All regulated projects shall implement low impact development (LID) standards designed to reduce runoff, treat storm water, and provide baseline hydromodification management conforming to the following criteria:
 - a) Site Assessment. Developers of regulated projects shall assess and evaluate how site conditions (i.e. soils, vegetation, and flow paths) will influence the placement of buildings and paved surfaces; this evaluation shall be used to satisfy the goals of capturing and treating runoff and assuring the goals of LID are incorporated into the project design. The following methods shall be used to optimize the site layout:
 - i. Define the development envelope and protected areas; identify areas most suitable for development and areas to be left undisturbed.
 - ii. Concentrate development on portions of the site with less permeable soils and preserve areas that can promote infiltration.

- iii. Limit overall impervious coverage of the site with paving and roads.
 - iv. Set back development from creeks, wetlands, and riparian habitats.
 - v. Preserve significant trees.
 - vi. Conform the site layout along natural landforms.
 - vii. Avoid excessive grading and disturbance of vegetation and soils.
 - viii. Replicate the site's natural drainage patterns.
 - ix. Detain and retain runoff throughout the site.
- b) Drainage Management Areas. As part of the design, the project site shall be divided into discrete drainage management areas (DMAs). Each DMA shall manage runoff using site design measures, source controls, and/or storm water treatment and baseline hydromodification measures.
- c) Numeric Sizing Criteria for Storm Water Retention and Treatment. Regulated projects shall be designed to evapotranspire, infiltrate, harvest/use, and/or biotreat storm water to satisfy at least one of the following hydraulic sizing design criteria:
- i. Volumetric Criteria.
 - (A) The storm water runoff volume determined using the formula and volume capture coefficients in Urban Runoff Quality Management, WEF Manual of Practice No. 23/ASCE Manual of Practice No. 87 (1988); or
 - (B) The volume of annual runoff required to achieve eighty (80) percent or more capture determined in accordance with the methodology in Section 5 of CASQA's Stormwater Best Management Practice Handbook, New Development and Redevelopment, using local rainfall data; or
 - (C) The storm water runoff volume resulting from an 85th percentile twenty-four (24) hour storm event calculated pursuant to procedures developed by the county using precipitation frequency data published by the National Oceanic and Atmospheric Administration (NOAA).
 - ii. Flow-Based Criteria.
 - (A) The flow of runoff produced from a rain event equal to at least 0.2 inches per hour intensity; or
 - (B) The flow of runoff produced from a rain event equal to at least two times the 85th percentile hourly rainfall intensity as determined from local rainfall records.
- d) Site Design Measures. Site design measures shall be used to reduce the amount of runoff, to the extent technically feasible, to achieve the infiltration, evapotranspiration, and/or harvesting/reuse of the 85th percentile twenty-four (24) hour storm runoff event; any remaining runoff from impervious DMAs may then be directed to one or more bioretention facilities.
- e) Source Controls. Permanent and/or operation source control measures as described in subsection (A)(4) shall be incorporated into the project design.

- f) Storm Water Treatment Measures and Baseline Hydromodification Management Measures. After implementation of site design measures, remaining runoff from impervious DMAs shall be directed to one or more facilities designed to infiltrate, evapotranspire, and/or bioretain the amount of runoff determined through the procedures in subsection (A)(5)(c). The facilities must be demonstrated to be at least as effective as a bioretention system with the following design parameters:
 - i. Maximum surface loading rate of five inches per hour, based on the flow rates calculated. A sizing factor of four percent of tributary impervious area may be used.
 - ii. Minimum surface reservoir volume equal to surface area times a depth of six inches.
 - iii. Minimum planting medium depth of eighteen (18) inches. The planting medium must sustain a minimum infiltration rate of five inches per hour throughout the life of the project and must maximize runoff retention and pollutant removal. A mixture of sand (sixty (60) percent to seventy (70) percent) meeting the specifications of American Society for Testing and Materials (ASTM) C33 and compost (thirty (30) percent to forty (40) percent) may be used.
 - iv. Subsurface drainage/storage (gravel) layer with an area equal to the surface area and having a minimum depth of twelve (12) inches.
 - v. Underdrain with discharge elevation at top of gravel layer.
 - vi. No compaction of soils beneath the facility, or ripping/loosening of soils if compacted.
 - vii. No liners or other barriers interfering with infiltration.
 - viii. Appropriate plant palette for the specified soil mix and maximum available water use.
- g) Alternative Designs. Facilities, or a combination of facilities, of a different design than described in subsection (A)(5)(f) may be permitted if all of the following measures of equivalent effectiveness are demonstrated:
 - i. Equal or greater amount of runoff infiltrated or evapotranspired;
 - ii. Equal or lower pollutant concentrations in runoff that is discharged after biotreatment;
 - iii. Equal or greater protection against shock loadings and spills;
 - iv. Equal or greater accessibility and ease of inspection and maintenance.
- h) Allowed Variations for Special Site Conditions. The bioretention system design parameters in subsection (A)(5)(f) may be adjusted for the following special site conditions:
 - i. Facilities located within ten (10) feet of structures or other potential geotechnical hazards established by the geotechnical expert for the project may incorporate an impervious cutoff wall between the bioretention facility and the structure or other geotechnical hazard.

- ii. Facilities with documented high concentrations of pollutants in underlying soil or groundwater, facilities located where infiltration could contribute to a geotechnical hazard, and facilities located on elevated plazas or other structures may incorporate an impervious liner and may locate the underdrain discharge at the bottom of the subsurface drainage/storage layer (this configuration is commonly known as a “flow-through planter”).
 - iii. Facilities located in areas of high groundwater, highly infiltrative soils or where connection of underdrain to a surface drain or to a subsurface storm drain are infeasible, may omit the underdrain.
 - iv. Facilities serving high-risk areas such as fueling stations, truck stops, auto repairs, and heavy industrial sites may be required to provide additional treatment to address pollutants of concern unless these high-risk areas are isolated from storm water runoff or bioretention areas with little chance of spill migration.
- i) Exceptions to Requirements for Bioretention Facilities. If the use of bioretention or a facility of equivalent effectiveness is infeasible (due to construction constraints, not financial constraints), other types of bioretention or media filters (such as tree-box-type biofilters or in-vault media filters) may be used for the following category of regulated projects:
 - i. Projects creating or replacing an acre or less of impervious area, and located in a designated pedestrian-oriented commercial district (i.e., smart growth projects), and having at least eighty-five (85) percent of the entire project site covered by permanent structures;
 - ii. Facilities receiving runoff solely from existing (pre-project) impervious areas; and
 - iii. Historic sites, structures or landscapes that cannot alter their original configuration in order to maintain their historic integrity.
- 6) Hydromodification Management. Projects that create and/or replace one acre or more of impervious surface are considered to be hydromodification management projects. A project that does not increase impervious surface area over the pre-project condition is not a hydromodification management project.

The post-project runoff from a hydromodification management project shall not exceed the estimated pre-project flow rate for the two-year, twenty-four (24) hour storm.
- 7) Operation and Maintenance of Post-Construction Storm Water Management Measures.
 - a) Maintenance Responsibility. Owners of property on which a regulated project has been developed shall agree to accept responsibility for the operation and maintenance of the on-site installed source control measures, treatment systems, and hydromodification controls. This agreement shall be in the form of a signed and notarized operation and maintenance agreement to be recorded in the Merced County recorder’s office; responsibility shall transfer to any successors in interest of the property.

Multi-parcel or multi-owner projects (gated communities, condominiums, etc.) shall operate and maintain any commonly owned source control measures, treatment systems, and hydromodification controls either through a homeowners association, through a condominium agreement, or other legally enforceable agreement or mechanism.

- b) **Inspection Authorization.** The recorded operation and maintenance agreement shall include a provision authorizing the county to access the project site for the sole purpose of performing inspections of the installed treatment systems and hydromodification controls.
- B. **Requirement to Eliminate Illicit Discharge.** The director of public works is authorized to require dischargers of illicit discharges to promptly cease and desist discharging and/or clean-up and abate the illicit discharge. This may include any of the following requirements:
 - 1) The discharger may be required to abate and clean up their discharge, spill, or pollutant release within seventy-two (72) hours of notification; high risk spills may be required to be cleaned-up as soon as possible.
 - 2) The discharger may be required to abate the discharge within thirty (30) days of notification, for uncontrolled sources of pollutants that could pose an environmental threat.
 - 3) The department of public works may perform the clean-up and abatement work and bill the responsible party, if necessary.
 - 4) If a situation persists where pollutant-causing sources or activities are not abated, all activities on the site may be ordered to cease until the problems associated with the illicit discharge are adequately addressed.
 - 5) If the director of public works determines that clean-up activities cannot be completed within the original timeframe, a new timeframe will be established and the county will notify the Regional Water Board in writing within five business days of the revised timeframe.
- C. **Requirement to Eliminate or Secure Approval for Illicit Connections.**
 - 1) The director of public works may require by written notice that any person responsible for an illicit connection to the storm drain system comply with the requirements of this chapter to eliminate or secure approval for the connection by a specified date, regardless of whether or not the connection or discharges to it had been established or approved prior to the effective date of the ordinance codified in this chapter.
 - 2) If, subsequent to eliminating a connection found to be in violation of this chapter, the responsible person can demonstrate that an illicit discharge will no longer occur, said person may request county approval to reconnect. The reconnection or reinstallation of the connection shall be at the responsible person's expense.
- D. **Requirement to Monitor and Analyze.** The director of public works may require by written notice that any person engaged in any activity and/or owning or operating any facility which may cause or contribute to storm water pollution, illicit discharges, and/or non-storm water discharges to the storm drain system, to undertake at said person's expense such

monitoring and analyses and furnish such reports to the county of Merced as deemed necessary to determine compliance with this chapter.

- E. Notification of Spills. Notwithstanding other requirements of law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of any known or suspected release of materials which are resulting or may result in illicit discharges or pollutants discharging into storm water or the storm drain system from said facility, said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release. In the event of such a release of a hazardous material said person shall immediately notify emergency response officials of the occurrence via emergency dispatch services (911) as well as the department of public works. In the event of a release of non-hazardous materials, said person shall notify the department of public works in person or by phone or facsimile no later than five p.m. of the next business day. Notifications in person or by phone shall be confirmed by written notice addressed and mailed to the department of public works within three business days. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three years.

Merced Storm Water Group, Storm Water Management Program (Merced Storm Water Group 2007)

- **Purpose.** The Storm Water Management Program (SWMP) will be implemented to limit to the MEP, the discharge of pollutants from the Merced Storm Water Group (MSWG) storm sewer system. The MSWG is a coalition of municipalities acting as co-permittees consisting of the Cities of Atwater and Merced, Merced County and the Merced Irrigation District. The development and implementation of the SWMP is to fulfill requirements of storm water discharges from Small MS4 operators in accordance with Section 402(p) of the CWA. The SWMP was developed to also comply with General Permit Number CAS000004, Water Quality Order No. 2003-0005-DWQ.

G.10.2 Local Plans and Policies

G.10.2.1 Ceres

Ceres General Plan 2035 (City of Ceres 2018)

- **Agriculture and Natural Resources Policy 4.B.7 Flood Prone Areas.** Encourage the maintenance of flood-prone areas as open space in order to reduce risks to lives and property from flood hazards.
- **Agriculture and Natural Resources Goal 4.C** Protect, restore, and enhance habitats and wildlife corridors that support fish and wildlife species to maintain populations at viable levels.
- **Agriculture and Natural Resources Policy 4.C.2 Pesticide Control.** Work with the Stanislaus County Agricultural Commissioner to identify and enforce mechanisms to control residual pesticides and pesticide runoff to prevent potential damage to water quality, vegetation, and wildlife.

- **Agriculture and Natural Resources Goal 4.F** Protect and enhance the natural qualities of rivers, creeks, and groundwater.
- **Agriculture and Natural Resources Policy 4.F.2 Groundwater Resources.** Protect groundwater resources from overdraft by promoting conservation and groundwater recharge efforts.
- **Agriculture and Natural Resources Policy 4.F.3 Contamination Prevention.** Protect surface water and groundwater resources from contamination from point and non-point sources by pursuing strategies to minimize the pollutant and sediment levels entering the hydrological system through stormwater, agricultural, and other urban runoff.
- **Agriculture and Natural Resources Policy 4.F.4 Impervious Surfaces.** Minimize the amount of impervious surface in the Planning Area in order to reduce stormwater flows that may have a negative impact on the hydrology of the Tuolumne River and other downstream water bodies.
- **4.F.5 Permeable Surfaces.** Maximize the amount of permeable surfaces in public spaces to permit the percolation of urban runoff.
- **Agriculture and Natural Resources Policy 4.F.6 Green Infrastructure.** Require the use of feasible and practical best management practices (BMPs) and low-impact development (LID) strategies to protect receiving waters from the adverse effects of construction activities and urban runoff.
- **Agriculture and Natural Resources Policy 4.F.7 Hydrologically Friendly Development.** Encourage development that reflects an integrated approach to building design, civil engineering, and landscape architecture that maximizes rainwater harvesting and stormwater retention for landscape irrigation. Ensure that new development avoids causing significant changes in the Planning Area's hydrology and drainage patterns through activities such as grading, removing vegetation, increasing impervious surface cover, and introducing barriers to drainage flows.
- **Agriculture and Natural Resources Policy 4.F.8 Graded and Disturbed Areas.** Require that new development provides landscaping and re-vegetation of graded or disturbed areas with drought-tolerant native or non-invasive plants.
- **Agriculture and Natural Resources Policy 4.F.9 Construction Best Management Practices.** Require measures during construction and post construction to limit land disturbance activities such as clearing and grading and cut-and-fill; avoid steep slopes, unstable areas, and erosive soils; and minimize disturbance of natural vegetation and other physical or biological features important to preventing erosion or sedimentation.
- **Agriculture and Natural Resources Policy 4.F.10 Stormwater Quality Outreach.** Provide a public outreach program to educate residents and local businesses about the importance of stormwater pollution prevention.
- **Agriculture and Natural Resources Policy 4.F.11 Stormwater Pollution Prevention.** Ensure that public areas, including streets and recreational areas, are routinely cleaned of litter, debris, and contaminant residue. Coordinate with and support efforts by other organizations or volunteer groups to promote cleanups of parks and public open spaces. Require the City, property owners, or homeowners' associations, as applicable, to sweep permitted parking lots and public and private streets frequently to remove debris and contaminated residue.

- **Health and Safety Goal 5.F** Increase the community's resiliency and adaptive capacity for resisting and recovering from social, economic, and environmental disruption from climate change impacts.
- **Health and Safety Policy 5.F.1 Planning for Hazards.** Incorporate updated information about future climate change hazards, particularly those related to extreme weather such as drought, storms, heat waves, and flooding, into the City's hazard mitigation and emergency planning process.
- **Health and Safety Policy 5.F.6 Permeable Surfaces.** Promote the use of permeable surfaces for hardscape. Minimize the area of impervious surfaces, such as driveways, streets, and parking lots so that land is available for groundwater recharge and to absorb stormwater, reduce runoff, and prevent flooding. Utilize permeable surfaces in public spaces wherever feasible.
- **Health and Safety Policy 5.F.7 Resilient Transportation.** Promote a resilient transportation system that offers connectivity for multiple transportation modes in the face of extreme weather events, such as storms and flooding, related to climate change. Transportation improvements may include elevating transportation infrastructure, installing culverts, or raising bridges where necessary.
- **Health and Safety Goal 5.H** Protect lives and property from hazards associated with development in floodplains and manage floodplains for their natural resource values.
- **Health and Safety Policy 5.H.1 Floodplain Zoning.** Implement floodplain zoning and undertake other actions required to comply with federal and State floodplain requirements.
- **Health and Safety Policy 5.H.2 Flood Insurance.** Continue to participate in the National Flood Insurance Program and the Community Rating System to ensure that the City is incentivized to reduce the risk of damage from flooding and improve flood preparedness.
- **Health and Safety Policy 5.H.3 Flood Hazard Evaluation.** In areas identified as flood zones by the Federal Emergency Management Agency (FEMA), require evaluation of potential flood hazards prior to site plan approval. Require that new development in flood zones submit accurate topographic and flow characteristics information, including depiction of the 100-year floodplain boundaries under fully-developed, unmitigated runoff conditions. The evaluation should also recommend any flood hazard mitigation measures as necessary to prevent damage from a 100-year flood event.
- **Health and Safety Policy 5.H.4 Critical Facilities.** Avoid siting critical facilities within the floodplain. If a critical facility must be located in a floodplain, ensure that it is sited, designed, maintained, and protected such that it can continue to function and provide services in case of a flood event. Critical facilities include, but are not limited to, water and wastewater facilities, energy stations, hospitals, and public safety facilities.
- **Health and Safety Policy 5.H.5 Flood-Proofing.** Require flood-proofing of structures in areas subject to flooding.
- **Health and Safety Policy 5.H.6 Flood Hazard Information.** Ensure that the City's information on flood hazards is up to-date with the latest available hydrologic and hydraulic engineering data from FEMA and other agencies and organizations.

- **Health and Safety Policy 5.H.7 Inter-Agency Cooperation.** Continue to work closely with FEMA, U.S. Army Corps of Engineers, and Reclamation Board, and Stanislaus County in defining and identifying solutions for existing and potential flood problem areas.
- **Health and Safety Policy 5.H.8 Floodplain Management.** Recognize floodplains as a potential public resource to be managed and maintained for the public's benefit and, where possible, view flood waters as a resource to be used for waterfowl habitat, aquifer recharge, fishery enhancement, agricultural water supply, and other suitable uses.
- **Public Services and Facilities Goal 6.C.** To ensure a safe and reliable water supply sufficient to meet the future needs of the city.
- **Public Services and Facilities Policy 6.C.5.** The City shall promote aquifer and wellhead protection programs to limit infiltration of pollutants that might contaminate the groundwater supply.
- **Public Services and Facilities Policy 6.C.6.** The City shall participate in a groundwater management program to preserve existing groundwater quality and quantity and to ensure future supplies.
- **Public Facilities and Services Goal 6.D** Ensure a safe and reliable potable water supply and delivery system sufficient to meet the current and future needs of the city.
- **Public Facilities and Services Policy 6.D.4 Aquifer and Wellhead Protection.** Promote aquifer and wellhead protection programs to limit infiltration of pollutants that might contaminate the groundwater supply.
- **Public Facilities and Services Policy 6.D.5 Turlock Groundwater Subbasin.** Continue to participate in the West Turlock Subbasin Groundwater Sustainability Agency and other efforts to preserve existing groundwater quality and to ensure future supplies of the Turlock Groundwater Subbasin of the San Joaquin Valley Groundwater Basin. Ensure groundwater management policies are compliant with the State Sustainable Groundwater Management Act.
- **Public Facilities and Services Goal 6.F** Collect and dispose of stormwater in a manner that minimizes inconvenience to the public, reduces burden on existing stormwater facilities, encourages groundwater recharge, minimizes potential water related damage, and enhances the environment.
- **Public Facilities and Services Policy 6.F.1 Storm Drainage Capacity.** Ensure that storm drainage system capacity is sufficient to serve the existing Ceres community and planned urban development within the Planning Area.
- **Public Facilities and Services Policy 6.F.2 Reducing Stormwater Runoff.** Encourage project designs that minimize drainage concentrations, minimize impervious coverage, utilize pervious paving materials, utilize low impact development (LID) strategies, and utilize Best Management Practices (BMPs) to reduce stormwater runoff.
- **Public Facilities and Services Policy 6.F.3 Low Impact Development.** Promote the use of low impact development (LID) strategies in new development and redevelopment projects, including but not limited to the use of canopy trees and shrubs, vegetated swales, and permeable paving.
- **Public Facilities and Services Policy 6.F.4 New Development Stormwater Mitigation.** Require new development to mitigate increases in stormwater peak flows and/or volume.

Mitigation measures, such as low impact development (LID) strategies, should take into consideration impacts on adjoining lands in the city and immediately adjacent to the city in unincorporated Stanislaus County.

- **Public Facilities and Services Policy 6.F.5 Drainage System Design.** Design all drainage systems to be in accordance with the accepted principles of civil engineering, the adopted Storm Drainage Master Plan, and adopted storm drainage design standards and specifications.
- **Public Facilities and Services Policy 6.F.6 Surface Drainage Disposal.** Require that new development have surface drainage disposal accommodated in one of the following ways:
 - Positive drainage. Positive drainage to a river, stream, creek, or other natural water course;
 - Irrigation facility. Drainage into an irrigation district facility, either by gravity or pumping, pursuant to the City of Ceres – Turlock Irrigation District agreement;
 - Drainage ponds. Ponds, either in individual lots within a subdivision or in the case of larger developments, within a drainage basin;
 - Drainage unit. Use of French drains within depressed areas of the street right-of-way for those subdivisions or portions of subdivisions of such size that positive drainage, irrigation into a facility, or drainage ponds is not feasible, as determined by the City Engineer; or
 - On-site drainage retained on-site within the development.

Commercial development must accommodate drainage on-site unless positive drainage or irrigation facility methods described above are available and the development participates in a system to address on-site drainage as approved by the City Engineer. All on-site industrial drainage must remain on-site and require full paving improvements. Encourage commercial and industrial development to integrate on-site storm drainage facilities with landscaping.

- **Public Facilities and Services Policy 6.F.7 Grading.** Require appropriate mitigation, such as temporary mulch or revegetation, for grading activities during the rainy season to avoid sedimentation of storm drainage facilities.
- **Public Facilities and Services Policy 6.F.8 Surface Water Runoff.** Require projects that have significant impacts on the quality of surface water runoff to incorporate mitigation measures as described in Municipal Code Chapter 13.18.120.
- **Public Facilities and Services Policy 6.F.9 Pollutant Discharge Requirements.** Ensure that future drainage system requirements comply with applicable State and federal pollutant discharge requirements.
- **Public Facilities and Services Policy 6.F.10 Storm Drainage System Operation and Maintenance.** Minimize operational complexities and maintenance requirements of the storm drainage system.
- **Public Facilities and Services Policy 6.F.11 Stormwater Detention Facilities.** Allow stormwater detention facilities to mitigate drainage impacts and reduce storm drainage system costs. To the extent practicable, design stormwater detention facilities for multiple purposes, including recreational and/or stormwater quality improvement.
- **Public Facilities and Services Policy 6.F.12 Stormwater Reuse.** Use stormwater of adequate quality to replenish the local groundwater basin, restore wetlands and riparian habitat, and irrigate agricultural lands, or as open space or recreational enhancements.

- **Public Facilities and Services Policy 6.F.13 Federal Stormwater Quality Requirements.** When necessary to meet federal stormwater quality requirements, establish a storm drain utility to address these requirements on a citywide basis.

City of Ceres Municipal Code

Chapter 13.18 Storm Water Management and Discharge Control

- **Section 13.18.070.** Discharge of Pollutants. A non-storm drain discharge to the storm drain system is a violation of this Chapter except as specified below.
 - A. The prohibition of discharges shall not apply to any discharge in compliance with a National Pollutant Discharge Elimination System (NPDES) permit or waiver issued to the discharger and administered by the State of California under the authority of the Environmental Protection Agency (EPA), provided that the discharger is in full compliance with all requirements of the permit or waiver and other applicable laws or regulations.
 - B. Discharges from the following activities will not be considered a source of pollutants to waters of the United States when properly managed: water line flushing and other discharges from potable water sources, landscape irrigation and lawn watering, irrigation water, diverted stream flows, rising ground waters, infiltration to separate storm drains, uncontaminated pumped groundwater, foundation and footing drains, water from crawl space pumps, air conditioning condensation, springs, residential car washing, flows from riparian habitats and wetlands, dechlorinated swimming pool discharges or flows from firefighting.
- **Section 13.18.080.** Discharge in Violation of Permit. Any discharge that would result in or contribute to a violation of Municipal NPDES permit and any amendment, revision, or reissuance thereof, either separately considered or when combined with other discharges, is a violation of this Chapter and is prohibited. Liability for any such discharge shall be the responsibility of the person(s) causing or responsible for the discharge, as well as the parcel owner on whose property the discharge occurs, who shall be strictly liable for its consequences, and such persons and/or owners shall defend, indemnify and hold harmless the City in any administrative or judicial enforcement action related to such discharge.
- **Section 13.18.090.** Unlawful Discharge and Unlawful Connections. It is a violation of this Chapter to establish, use, maintain, or continue unlawful drainage connections to the City storm drain system, and to commence or continue any unlawful discharge to the City storm drain system. This prohibition against unlawful connections is retroactive and applies to unpermitted connections made in the past regardless of whether permissible under the law or practices applicable or prevailing at the time of the connection. If a connection was permissible under the law or practices applicable or prevailing at the time of the connection that is now unlawful, no penalties shall be assessed under this Chapter until the owner/user of the connection has been notified and given an opportunity to remedy the situation.
- **Section 13.18.100.** Discharge of Non-stormwater. The release of non-stormwater discharges to the City's storm system is prohibited.
- **Section 13.18.120.** Construction Sites. Any person performing construction work in the City shall comply with the provisions of this Chapter. All construction sites shall comply with the State General Construction Activity Permit. The Director may establish standards and guidelines

implementing BMPs designed to control the rate, volume and quality of stormwater runoff from construction sites as may be appropriate to minimize the discharge and transport of pollutants.

- **Section 13.18.130.** New Development and Redevelopment. To minimize the discharge and transport of pollutants, the City may require, in its discretion, a new development or redevelopment project, greater than one acre, to control the volume, rate and quality of stormwater runoff from the project site so as to prevent any deterioration of water quality which would impair the beneficial uses of water. The Director may establish standards and guidelines implementing BMPs designed to control the rate and volume of stormwater runoff from new development and redevelopment sites as maybe appropriate to minimize the discharge and transport of pollutants.

Acceptable methods and standards for controlling stormwater runoff volumes, rates, and pollutant load may include but are not limited to the following:

- A. Increase Permeable Areas: Avoid placing impervious surfaces on highly porous soil areas; incorporate landscaping and open spaces into the project design; use porous materials for driveways and walkways; incorporate detention ponds and infiltration pits into the project design; avoid placing pavement and other impervious surfaces in low lying areas.
- B. Direct Runoff to Permeable Areas: Direct stormwater runoff away from impermeable areas to swales, berms, green strip filters, gravel beds, and French drains. Install rain gutters and orient them toward permeable areas. Modify the grade of the property to divert flow to permeable areas and minimize the amount of stormwater runoff leaving the property. When designing curbs, berms, or other structures, avoid designs which isolate permeable or landscaped areas.
- C. Maximize Stormwater Storage for Reuse: Use retention structures, subsurface areas, cisterns, or other structures to store stormwater runoff for reuse or slow release.
- **Section 13.18.140.** Storm Drainage Rules and Regulations. The following rules and regulations shall apply to all persons using storm drainage facilities. Failure to comply with any provision, requirement, rule, or regulation under this Chapter shall be unlawful and punishable as an infraction:
 - A. The disposal of petroleum products (oil and grease) pesticides, fertilizers, household or industrial chemicals, industrial process wastewater, domestic sewage, animal waste or other pollutants into drainage facilities is prohibited.
 - D. Any person engaging in activities which may result in pollutants entering the City's stormwater system shall undertake all practicable measures to reduce such pollutants. Examples of such activities include ownership and/or use of premises which may be a source of pollutants such as parking lots, gasoline stations, industrial facilities, business enterprises and dwelling units.
 - E. Littering: No person shall throw, deposit, leave, keep or permit to be thrown, deposited, placed, left or maintained, any refuse, rubbish, garbage or other discarded or abandoned objects, articles, or other litter in or upon any street, alley, sidewalk, stormwater system, business place, or upon any public or private plot of land in the City so that the same can become a pollutant by entering the storm drain system except in containers or in lawfully established waste disposal facilities.

- F. Bodies of Water: No person shall throw or deposit litter in any fountain, pool, lake, stream, river or any other body of water in a park or elsewhere within the jurisdiction.
- G. Standards of Parking Lots and Paved Areas, and Related Stormwater Systems. Persons owning, operating or maintaining a paved parking lot, the paved area of a gas station, a paved private street or road, and related stormwater system shall clean those structures as frequently and thoroughly as practicable in a manner that does not result in the discharge of pollutants to the City's stormwater system.
- H. Best Management Practices for New Developments and Redevelopment: All construction contractors performing work in the City shall conform to the requirements of the "Best Management Practices (BMPS) for construction sites and New Development" required by the City. As a minimum, such BMPs shall include provision for filter materials placed to preclude an increase in debris and sediments entering the stormwater system over the amount entering the storm drain system prior to the start of the project. The Public Works Director may establish controls on the volume and rate of stormwater runoff from new developments and redevelopment as may be appropriate to minimize the discharge and transport of pollutants.
- I. Notification of Intent and Compliance with General Permits: Each industrial discharger, discharger associated with construction activity or other discharger described in a general stormwater permit addressing such discharges [as may be adopted by the United States Environmental Protection Agency, the State Water Resources Control Board, or the California Regional Water Quality Control Board] shall provide the notice of intent, comply with and undertake all other activities required by any general stormwater permit applicable to such dischargers. Each discharger identified in an individual NPDES permit relating to stormwater discharges shall comply with and undertake all activities required by such permit.
- J. Compliance with Best Management Practices: Where best management practice guidelines or requirements have been adopted by any Federal, State, Regional, City and/or County agency regarding contributing to unlawful stormwater discharges, every person undertaking such activity, operation or operation or owning or operating such facility shall comply with such guideline or requirement.
- K. Stormwater Pollution Prevention Plan: The Public Works Director may require any business in the City that is engaged in activities which may result in unlawful discharges or have the potential to contribute significant amounts of pollutants to the storm drain system to develop and implement a stormwater pollution prevention plan, which must include an employee training program.

Business activities which may require a stormwater pollution prevention plan include, but are not limited to, maintenance operations, storage facilities, manufacturing activity, assembly operations, equipment operations, vehicle loading or fueling, food processing, trucking, or cleanup procedures which are carried out partially or wholly out of doors.
- L. Notification of Spills: All persons in charge of a facility or responsible for emergency response for a facility have personal responsibility to train facility personnel and maintain notification procedures to assure immediate notification is provided to the City of any suspected, confirmed, or unconfirmed release of material, pollutants or waste creating a risk of discharge into the City storm drain system. As soon as any person in charge of a facility or

responsible for emergency response has knowledge of such risk, they shall take all necessary steps to ensure the discovery and containment and clean up of such release and shall notify the City by telephoning the public safety nonemergency number of unlawful discharge and confirming the notification by correspondence to the Director of Public Works.

G.10.2.2 Turlock

Turlock General Plan (City of Turlock 2012)

- **Growth Policy 3.3-a.** Protect Water Quality and Supply. Continue efforts to safeguard the quality and availability of Turlock's water supply.
- **Growth Policy 3.3-b.** Use Groundwater at a Sustainable Rate. Undertake steps to ensure the use of groundwater does not exceed the sustainable supply by verifying the estimated sustainable supply of 24,550 acre-feet per year and limiting groundwater use to the sustainable supply.
- **Growth Policy 3.3-o.** Optimize Groundwater Recharge. Establish requirements for appropriate BMPs in site planning of new development, so that natural drainage systems or groundwater recharge features are incorporated into developments. Participate in regional efforts to protect groundwater supplies and optimize groundwater recharge on a basin-wide basis.
- **Growth Policy 3.3-y.** Infrastructure Construction. Design and construct stormwater system infrastructure as needed to safely convey, detain, and dispose of current and future stormwater flows, protect water quality, and meet regulatory requirements.
- **Growth Policy 3.3-ac.** TID Canals. Work toward the goal of eliminating discharge of stormwater into the TID canals.
- **Growth Policy 3.3-ae.** Low Impact Development (LID) and Water Quality Best Management Practices (WQBMPs). Require implementation of LID techniques and WQBMPs in new development projects and public works projects. Examples of these are use of porous pavement and pervious concrete, water quality swales, and rain gardens.
- **Safety Policy 10.3-a.** Protect the Community from Flood Hazards. Protect the community from risks to life and property damage posed by flooding.

Turlock Northwest Triangle Specific Plan (City of Turlock 2017)

- **Principle 6.6-a.** Manage development in the Specific Plan area to minimize contamination and minimize depletion of water resources.
- **Principle 6.6-b:** Encourage water conservation within the Specific Plan area by strictly applying the City's Landscape Water Conservation and Irrigation guidelines to the landscaping of all properties.
- **Principle 6.6-c:** Consistent with State law and local ordinances, include water meters in all new construction as a means of encouraging conservation.
- **Principle 6.6-d:** Use reclaimed wastewater wherever feasible for irrigating landscape medians, parks, and other areas requiring large volumes of non-potable water
- **Principle 6.6-e:** To increase groundwater recharge, encourage the use of porous materials for outdoor spaces and require their use in public works projects where feasible.

- **Principle 6.6-f:** Require on-site contaminant removal such as sand and oil separators and silt fences for development with the potential for release of sediment, oil or other contaminants in stormwater runoff.
- **Principle 6.6-g:** All projects shall comply with the City of Turlock NPDES permit requirements.

City of Turlock Municipal Code

Chapter 6-8 Storm Water Management and Urban Runoff Pollution Control (City of Turlock 2014)

- **Section 6-8-201.** Discharge of non-storm water prohibited. Except as provided in TMC 6-8-202 and 6-8-203, it is unlawful for any person to make or cause to be made any non-storm water discharge. Notwithstanding the exemptions provided by TMC 6-8-202 and the conditional exemptions in TMC 6-8-203, if the Regional Water Board or the Enforcement Official determines that any otherwise exempt discharge causes or significantly contributes to violations of any water quality standard, or conveys significant quantities of pollutants to receiving water(s), or is a danger to public health, safety, or welfare, such discharge shall be prohibited from entering the MS4.

No person shall discharge, permit to be discharged, or cause to be discharged any materials, including but not limited to pollutants or waters containing any pollutants that cause or contribute to a violation of applicable water quality standards into any part of the MS4 or any part of a receiving water.

- (a) It is prohibited to throw, deposit, place, leave, maintain, keep or permit to be thrown, deposited, placed, left, maintained or kept any refuse, rubbish, trash, garbage or any other discarded or abandoned objects, articles, material, litter, or accumulations in or upon any street, alley, sidewalk, storm drain, inlet, catch basin conduit or drainage structure, business place or upon any public or private plot of land in the City, so that the same might be or become a pollutant. No person shall throw, deposit litter, or material in any fountain, pond, lake, stream, or other body of water within the City. This subsection shall not apply to refuse, rubbish, trash, or garbage deposited in containers, bags, or other appropriate receptacles which are placed in designated locations for regular solid waste pick up and disposal.
- (b) It is prohibited to intentionally dispose of leaves, dirt, or other landscape debris into the MS4.
- (c) No person shall discharge or allow the discharge of any of the following types of non-storm water discharges into the MS4, unless done pursuant to the terms and conditions of a separate NPDES permit or pursuant to an express exemption issued by either the Regional Water Board or the State Water Board:
 - 3) The discharge of untreated cleaning or wash waters from gas stations, auto repair garages, or other type of automotive service facilities;
 - 4) The discharge of untreated waste water from mobile auto washing, pet washing, steam cleaning, mobile carpet cleaning, and other such mobile commercial and industrial operations;
 - 5) To the maximum extent practicable, discharges from repair areas where machinery and equipment, including motor vehicles, are visibly leaking oil, fluid, or antifreeze;

- 6) Discharges of untreated runoff from storage areas of materials containing grease, oil, or other hazardous substances, and uncovered receptacles containing hazardous or metallic materials;
 - 7) Discharges of commercial, municipal, or residential chlorinated or salt water swimming pool or fountain water, filter backwash, or swimming pool tile cleaning process water;
 - 8) Discharges of untreated runoff from the washing of toxic materials from impervious or pervious areas; provided, however, those nonindustrial and noncommercial activities that incidentally generate urban runoff, such as the noncommercial hand-washing of cars, shall be excluded from this prohibition;
 - 9) To the maximum extent practicable, discharges from washing impervious surfaces in industrial/commercial areas which results in a discharge of untreated runoff, unless specifically required by State's, City's, or Stanislaus County's Health and Safety Codes or permitted under a separate NPDES permit;
 - 10) Discharges from the washing out of concrete trucks, trailers, pumpers, wheel barrows, or other vehicles, tools, or equipment;
 - 11) Unauthorized discharges of any pesticide, fungicide, or herbicide regulated or banned by the US EPA or the California Department of Pesticide Regulation; or
 - 12) The disposal of hazardous wastes into trash containers used for municipal trash disposal, where such disposal causes or threatens to cause a direct or indirect discharge to the MS4.
- **Section 6-8-202.** Exceptions to discharge prohibition. Subject to the authority granted to the Regional Water Board and the Enforcement Official in TMC 6-8-105, the following discharges to the MS4 are exempt from the prohibition set forth in TMC 6-8-201(a):
 - (a) Any discharge regulated under a NPDES permit issued to the discharger and administered by the State pursuant to Division 7 of the California Water Code, provided that the discharger is in compliance with all requirements of the permit and all other applicable laws and regulations;
 - (b) Discharges from the following activities, which, when properly managed, do not cause or contribute to a violation of any water quality standard:
 - 1) Dechlorinated water line flushing and other discharges from potable water sources;
 - 2) Incidental runoff from landscape irrigation and lawn watering;
 - 3) Rising ground waters or springs;
 - 4) Passive foundation and footing drains;
 - 5) Water from crawl space pumps and basement pumps;
 - 6) Air conditioning condensation;
 - 7) Individual residential and other noncommercial vehicle washing;
 - 8) Natural flows from riparian habitats and wetlands;
 - 9) Flows from fire suppression activities, including fire hydrant flows and flushing;

- 10) Waters not otherwise containing wastes as defined in California Water Code Section 13050(d) and California Health & Safety Code Section 25117;
 - 11) Diverted stream flows;
 - 12) Uncontaminated ground water infiltration to separate storm sewers or uncontaminated pumped groundwater;
 - 13) Any discharge that the Enforcement Official, the local health officer, or the Regional Water Board determines, in writing, is necessary for the protection of the public health and safety;
 - 14) Any discharge caused by flooding or other natural disaster, which could not have been reasonably foreseen and mitigated in advance by the discharger, as determined by the Enforcement Official;
 - 15) Any discharge for which all pollutants have been demonstrated to be reduced to the maximum extent practicable.
- **Section 6-8-203.** Conditional exemptions from discharge prohibition. The following non-storm water discharges to the MS4 are exempt from the prohibition set forth in TMC 6-8-201(a) and may be allowed to be discharged into the MS4, subject to all appropriate BMPs and prior written authorization by the Director. The “conditionally exempt discharges” are as follows:
 - (a) Dechlorinated and non-salt water swimming pool discharges where the water cannot be readily discharged to the sanitary sewer system or allowed to completely percolate into the ground;
 - (b) Discharges from charity vehicle washing;
 - (c) Street, driveway, and sidewalk washing; and
 - (d) Other categories approved by the Executive Officer of the Regional Water Board, or an authorized representative.
 - **Section 6-8-204.** Illicit discharges prohibited. It is unlawful for any person to cause, either individually or jointly, any illicit discharge not authorized under TMC 6-8-202 or 6-8-203 to the MS4 that consists of unauthorized non-storm water or contaminated storm water.
 - **Section 6-8-205.** Illicit connections prohibited. It is unlawful for any person to establish, use, or maintain any illicit connection to the MS4. This prohibition against unlawful connections is retroactive and applies to unpermitted connections made in the past regardless of whether permissible under the law or practices applicable or prevailing at the time of the connection. If a connection was permissible under the law or practices applicable or prevailing at the time of the connection that is now unlawful, no penalties shall be assessed under this chapter until the owner/user of the connection has been notified and given an opportunity to remedy the situation in accordance with TMC 6-8-601.
 - **Section 6-8-301.** Industrial and construction activity NPDES storm water discharge permit.
 - (a) Any person subject to an industrial NPDES storm water discharge permit shall comply with all provisions of such permit. Documents demonstrating compliance with said permit, including sampling data and reports, may be required to be produced in a form acceptable to the Director upon inspection of the facility, during any enforcement proceeding or action,

or for any other reasonable cause. The City only requires information in compliance with the Homeland Security Act or other Federal law that concerns security in the United States.

(b) Any person subject to a construction activity NPDES storm water discharge permit shall comply with all provisions of such permit and Article 1, Grading, Erosion, and Sediment Control, of Chapter 7-4 TMC, Excavations, as existing or as hereafter amended. Documents demonstrating compliance with said permit, including sampling data and reports, may be required to be produced in a form acceptable to the Director prior to or as a condition of a subdivision map, site plan, building permit, or development or improvement plan; upon inspection of the facility; during any enforcement proceeding or action; or for any other reasonable cause. Prior to issuance of a construction permit, permittees shall electronically file an NOI and a SWPPP via the State Water Board's storm water multi-application reporting and tracking system (SMARTS). Permittees shall submit annual reports electronically using the SMARTS to evaluate the implementation of permittees' storm water program, the effectiveness of the BMPs and measuring goals, the permittees' improvement opportunities to achieve the maximum extent practicable (MEP), and any supplemental information required by a Regional Water Board in accordance with the Regional Water Board's specific requirements.

(c) If the City discovers any nonfilers that should be covered under one (1) of the State Water Board's general permits, the City will report to the Regional Water Board within thirty (30) days or file a complaint on the State Water Board's website at the following link: http://www.dtsc.ca.gov/database/CalEPA_Complaint/index.cfm.

- **Section 6-8-302.** Requirement to prevent, control, and reduce storm water pollutants.

(a) Authorization to adopt and impose BMPs. The City may adopt requirements identifying BMPs for any activity, operation, or facility that may cause or contribute to pollution or contamination of storm water, the MS4, or receiving waters as a separate BMP. Where BMP requirements are imposed by any Federal, State of California, or the Enforcement Agency for any activity, operation or facility that would otherwise cause the discharge of pollutants to the MS4 or receiving waters, every person undertaking such activity or operation or owning or operating such facility shall implement those BMPs.

(b) New development and redevelopment. In addition to Article 1, Grading, Erosion, and Sediment Control, of Chapter 7-4 TMC, Excavations, as existing or as hereafter amended, the City may adopt requirements identifying appropriate design standards and BMPs to control the volume, rate, and potential pollutant load of storm water runoff from new development and redevelopment projects as may be appropriate to minimize the generation, transport, and discharge of pollutants. The City may incorporate such requirements in any land use entitlement and construction or building-related permit to be issued relative to such development. The owner and developer shall comply with the terms, provisions, and conditions of such requirements when incorporated into land use entitlements and building permits as required in this chapter.

(c) Responsibility to implement BMPs. Notwithstanding the presence or absence of requirements imposed pursuant to subsections (a) and (b) of this section, any person engaged in activities or operations or owning facilities or property that will or may result in pollutants entering the MS4 or receiving waters shall implement BMPs to the extent they are economically and technologically achievable to prevent and reduce such pollutants. The owner or operator of a commercial or industrial establishment shall provide reasonable

protection from accidental discharge of prohibited materials or other wastes into the MS4 or receiving waters. Facilities to prevent accidental discharge of prohibited materials or other wastes, including but not limited to secondary containment, shall be provided and maintained at the owner or operator's expense.

(d) Maintenance agreements. All structural and nonstructural permanent storm water BMPs not in the control of the City shall have an enforceable maintenance agreement to ensure the system functions as designed and is maintained and operated as designed over time. The agreement shall include any and all maintenance easements required to access and inspect the BMPs and to perform routine maintenance as required. Such agreements shall specify the parties responsible for the proper operation and maintenance of all storm water BMPs.

- **Section 6-8-303.** Landscaping and stabilization requirements. Any area of land, not covered by an impervious surface, from which the natural vegetative cover has been either partially or wholly modified, cleared, or removed by construction or development activities, shall be landscaped or otherwise stabilized (e.g., covered with permeable pavement) within ten (10) days from the substantial completion of such clearing and construction. No person shall use or otherwise employ impervious material, such as plastic, placed under decorative rock, bark, or other landscape covers in meeting the landscaping requirements under this section, except for permeable weed fabric. Backyards of residential single-family dwellings that would otherwise be covered by this section are exempt where storm water is contained on the property.
- **Section 6-8-304.** Requirement to monitor and analyze. The Director may require, by written notice, that any person engaged in any activity and/or owning or operating any facility that may cause or contribute to storm water pollution, illegal discharges, and/or non-storm water discharges to the MS4 or to receiving waters to undertake at said person's expense such monitoring and analyses and to furnish such reports to the City as the Director shall deem necessary for determining compliance with this chapter
- **Section 6-8-401.** Reduction of pollutants in storm water. Any person engaged in activities that may result in pollutants entering the MS4 shall undertake the measures set forth below to reduce the risk of non-storm water discharge and/or pollutant discharges in storm water.
- **Section 6-8-403.** Compliance with best management practices. Every person undertaking any activity or use that may cause or contribute to storm water pollution or contamination, illicit discharges, or non-storm water discharges shall comply with BMPs, pollution prevention techniques, and source control requirements, including related to the storage and parking of vehicles, as may be reasonably established by the Enforcement Official.
- **Section 6-8-404.** Business-related activities.
 - (a) Outdoor storage. In outdoor areas, no person shall openly or improperly store grease, oil, petroleum products, hazardous substances, motor vehicles, machine parts, or other objects in a manner that may leak grease, oil, or other hazardous substances, without an approved spill containment system or approved sand-oil separator. To prevent the discharge of grease, oil, petroleum, or other hazardous substances from the property, the City may require the installation of a spill containment system of dikes, walls, barriers, berms, or other devices as required. No person shall operate a spill containment system that allows incompatible liquids to mix and thereby create a hazardous condition.
 - (b) Storm water pollution prevention plan (SWPPP).

- 1) The Enforcement Official may require any business in the City engaged in activities that may result in pollutant discharges to develop and implement a SWPPP, which must include an employee training program.
 - 2) Business activities that may require a SWPPP include, but are not limited to, maintenance, storage, manufacturing, assembly, equipment operations, vehicle loading or fueling, or other businesses where cleanup procedures are carried out partially or wholly outdoors.
- (c) Coordination with hazardous materials release response plans and inventory. Any business requiring a hazardous materials release response and inventory plan, under Chapter 6.95 (commencing with Section 25500) of Division 20 of the California Health & Safety Code, shall include in that plan provisions for compliance with this chapter, including the provisions prohibiting unauthorized non-storm water discharges and illicit discharges, and requiring the release of pollutants to be reduced to meet applicable water quality standards and the best available technology economically achievable.
 - (d) Coordination with hazardous waste generator contingency plan and emergency procedures. Any business requiring a hazardous waste generator contingency plan and/or emergency procedures, pursuant to California Code of Regulations, Title 22, Sections 66265.51 to 66265.56, shall include in that plan provisions for compliance with this chapter, including the provisions prohibiting unauthorized non-storm water discharge and illicit discharges, and requiring the release of pollutants to be reduced to meet applicable water quality standards and the best available technology economically achievable.
- **Section 6-8-405. Development.**
 - (a) Any person performing construction in the City shall prevent pollutants from entering the MS4 and comply with all applicable Federal, State, and local laws, ordinances, rules or regulations, including but not limited to, the general permit for storm water discharges associated with construction activity and Article 1, Grading, Erosion, and Sediment Control, of Chapter 7-4 TMC, Excavations, as existing or as hereafter amended.
 - (b) The Enforcement Official may develop controls as appropriate to minimize the long-term, post-construction discharge of storm water pollutants from new development(s), or modification(s) to existing development(s). Controls may include source control measures to prevent pollutants from entering storm water and/or structural and nonstructural treatment controls designed to remove pollutants from storm water.
 - (c) To minimize the discharge and transport of pollutants, the City may require, at its discretion, any development project to control the volume, rate, and quality of storm water runoff from the project site to prevent any deterioration of receiving water quality, which would impair the designated and existing beneficial uses. The Director shall establish standards and guidelines implementing BMPs designed to control the rate and volume of storm water runoff from development sites to minimize the discharge and transport of pollutants, including compliance with, at a minimum, the BMPs contained in the California Storm Water Quality Association BMP construction handbooks or equivalent. Acceptable methods and standards for controlling storm water runoff volumes, rates, and pollutant load may include, but are not limited to the following, which are to be used except in areas of known groundwater contamination:

- 1) Increasing permeable areas. Avoid placing impervious surfaces on highly porous soil areas; incorporate landscaping and open spaces into the project design; use porous materials or permeable pavement for driveways and walkways; incorporate detention ponds and infiltration pits into the project design; avoid placing pavement and other impervious surfaces in low lying areas.
 - 2) Directing runoff to permeable areas. Direct storm water runoff away from impermeable areas to swales, berms, green strip filters, gravel beds, and French drains. Install rain gutters and orient them toward permeable areas. Modify the grade of the property to divert flow to permeable areas and minimize the amount of storm water runoff leaving the property. When designing curbs, berms, or other structures, avoid designs that isolate permeable or landscaped areas, or incorporate curb cuts or other pathways for water flow to permeable or landscaped areas.
 - 3) Maximizing storm water storage for reuse. Use retention structures, subsurface areas, cisterns, or other structures to store storm water runoff for reuse or slow release.
- **Section 6-8-406.** General rules and regulations. The following rules and regulations shall apply to all persons using the City's MS4. Failure to comply with any provision, requirement, rule, or regulation under this chapter may be subject to prosecution in accordance with TMC 1-2-01:
 - (a) The disposal of petroleum products (oil and grease), pesticides, fertilizers, household or industrial chemicals, industrial process wastewater, domestic sewage, animal waste, or other pollutants into the MS4 is prohibited.
 - (b) Residential roof drains may not be directly connected to public sidewalks and street gutters, but must discharge into landscape areas or rain barrels.
 - (c) Any person or entity engaging in activities that may result in pollutants entering the City's MS4 shall undertake all practicable measures to reduce such pollutants. Examples of such activities include the ownership or use of premises that may be a source of pollutants such as parking lots, gasoline stations, industrial facilities, business enterprises, and dwelling units.
 - (d) Littering. No person shall throw, deposit, leave, blow, keep or permit to be thrown, deposited, placed, blown, left or maintained, any refuse, rubbish, trash, garbage, material or other discarded or abandoned objects, articles, or other litter in or upon any street, alley, sidewalk, storm drain, business place, or upon any public or private property in the City so that the same can become a pollutant by entering the MS4.
 - (e) Bodies of water. No person shall throw or deposit litter or material in any fountain, pool, lake, stream, irrigation canal, river or any other body of water in a park or elsewhere within the City.
 - (f) Standards of parking lots, paved areas, and related storm drain systems. Persons owning, operating, or maintaining a paved parking lot, the paved area of a gas station, a paved private street or road, and private storm drains shall, using a dry method such as brooming and absorbents, clean those structures as frequently and thoroughly as practicable to prevent the discharge of pollutants to the City's MS4.
 - 1) Incidental runoff. Parties responsible for controlling runoff in excess of incidental runoff shall:

- (i) Detect and correct leaks within forty-eight (48) hours of learning of the leak;
 - (ii) Properly design, maintain, and aim sprinkler heads;
 - (iii) Not irrigate during precipitation events;
 - (iv) Manage any pond containing water such that no discharge occurs, other than the result of a twenty-five (25) year, twenty-four (24) hour storm event or greater, except as permitted by an approved NPDES Permit.
- **Section 6-8-501.** Containment and notification of spills.
 - (a) No person shall allow or permit a spill to discharge into the MS4 or any receiving water.
 - (b) All persons in charge of a facility or responsible for emergency response for a facility shall have personal responsibility to train facility personnel and maintain notification procedures to assure immediate notification is provided to the City of any suspected, confirmed, or unconfirmed release of material, pollutants or waste creating a risk of discharge into the City's MS4. Any person owning or occupying a premises, who has knowledge of any release of pollutants or non-storm water discharge from or across those premises that might enter the MS4, other than a release or discharge that is permitted by this chapter, shall immediately take all reasonable action to contain and abate the release of pollutants or non-storm water discharge. As soon as any person in charge of a facility or responsible for emergency response has knowledge of such risk, they shall notify the City by telephoning the public safety nonemergency number of unlawful discharge and confirming the notification by correspondence to the Enforcement Official within twenty-four (24) hours of the event.
 - (c) The Enforcement Official shall respond to any such notification of suspected, confirmed, or unconfirmed release of material, pollutants or waste creating a risk of discharge into the City's MS4. The Enforcement Official shall consult the Spill Response Plan in determining the best course of action.
 - (d) For the purpose of containment in the event of a spill, all vehicles within one hundred (100') feet of a storm water catch basin or other direct inlet to the MS4 shall be stored and parked on a paved surface capable of containing all reasonably expected discharges from vehicles to the satisfaction of the Enforcement Official.
- **Section 6-8-502.** Inspection authority.
 - (a) Right of entry.
 - 1) Whenever necessary to make an inspection to enforce any of the provisions of this chapter, or whenever an authorized Enforcement Official has reasonable cause to believe that there exists upon any premises any condition constituting a violation of this chapter, the Enforcement Official may, with consent, enter such premises at all reasonable times to inspect the same or perform any duty imposed upon the Enforcement Official by this chapter and in accordance with TMC 4-16-102.
 - 2) Any request for entry shall state that the property owner or occupant has the right to refuse entry, and that in the event such entry is refused, inspection may be made upon issuance of a warrant issued by a court of competent jurisdiction.

- 3) In the event the owner or occupant refuses entry after such request has been made, the Enforcement Official is empowered to seek assistance from any court of competent jurisdiction in obtaining such entry.
- (b) Photographs. The Enforcement Official may, in the course of inspection, photograph the premises to memorialize the inspection as it relates to regulation by this chapter or any other local, State, or Federal law. Photographs may be taken of any facility, mechanism, apparatus, means or method thought to contribute to or facilitate a suspected violation.
- (c) Sampling methods. Inspections shall be based upon such reasonable selection processes as may be deemed necessary to carry out the objectives of this chapter, including but not limited to, random sampling and/or sampling in areas with evidence of storm water contamination, illegal discharge, non-storm water discharge to the MS4, or similar factors.
- (d) Sampling authority.
 - 1) During any inspection, the Enforcement Official may take samples as necessary in order to implement and enforce the provisions of this chapter.
 - 2) This authority may include the installation of sampling and metering devices on private property, or requiring the person owning or occupying the premises to supply samples.
- (e) Monitoring, analysis, and reporting authority.
 - 1) The Enforcement Official may require monitoring, analysis, and reporting of discharges from any premises to the MS4 in accordance with US EPA approved methods.
 - 2) Upon service of written notice by the Enforcement Official, the burden, including cost of these activities, analyses, and reports incurred in complying with the requirement shall, to the extent permitted by law, be borne by the property owner, operator or occupant of the facility or activity for which testing and monitoring has been requested.
 - 3) In the event the owner, occupant, or operator of a facility subject to a monitoring and/or analysis order fails to conduct required monitoring and/or analysis and furnish the required reports, the authorized enforcement officer shall cause a notice of violation to be processed under TMC 6-8-601(b)(1), which notice shall include the estimated costs that will be incurred by the City to complete such monitoring or analysis. In addition to any other remedies available to the City, further enforcement may be conducted pursuant to TMC 6-8-601(b) through (e), inclusive.
- (f) Providing false information or tampering with monitoring equipment. Knowingly making any false statement or knowingly rendering any monitoring device or method inaccurate may result in punishment under the provisions of this chapter.
- **Section 6-8-504.** Acts potentially resulting in violation of Federal Clean Water Act and/or Porter-Cologne Act. Any person who violates any provision of this chapter, any provision of any permit issued pursuant to this chapter, or who causes any discharges that causes pollution, or who violates any cease and desist order, prohibition, or provision of this chapter, may also be in violation of the Federal Clean Water Act (33 U.S.C. Section 1251 et seq.) and/or Porter-Cologne Water Quality Control Act (Cal. Water Code Section 13000 et seq.), and may be subject to the sanctions of those acts, including civil and criminal penalties.

G.10.2.3 Livingston

City of Livingston General Plan (City of Livingston 1999)

- **Open Space, Conservation, and Recreation Objective 5.2-A.** Protect natural resources, including groundwater, soils, and air quality, to meet the needs of present and future generations.
- **Open Space, Conservation, and Recreation Objective 5.2-B.** Ensure that environmental hazards, including potential flooding and impacts from agricultural practices and urban development, are adequately addressed in the development process within the City and the Livingston Sphere of Influence.
 - **Open Space, Conservation, and Recreation Policy 5.2-1.** Protect areas of natural groundwater recharge from land uses and disposal method, which would degrade groundwater quality. Promote activities, which combine stormwater control, and water recharges. (sic)
 - **Open Space, Conservation, and Recreation Policy 5.2-2.** Expand programs that enhance groundwater recharge in order to maintain the groundwater supply, including the installation of detention ponds in new growth areas.
 - **Open Space, Conservation, and Recreation Policy 5.2-3.** No urban level development shall be approved in the City unless the development is or can be served by the City sewer system.
 - **Open Space, Conservation, and Recreation Policy 5.2-4.** Water conservation measures shall be continued.
- **Public Services and Facilities Policy 9.1-4.** The City shall continue to coordinate community irrigation ditch issues with local districts, private ditch companies, private land owners, and public agencies.
- **Public Services and Facilities Policy 9.1-2.** Irrigation ditches that require a 60-inch or smaller pipe shall be piped as a condition of approval prior to development on adjacent property.
- **Public Services and Facilities Policy 9.1-3.** Cost allocation for required ditch piping that exceeds 60-inches (sic) will be resolved on a project-by project basis until such time that the City and the Merced irrigation District approve a memorandum of agreement for this subject.
- **Public Services and Facilities Policy 9.1-4.** Continue to coordinate community irrigation ditch issues with local districts, private ditch companies, private landowners, and public agencies. Irrigation ditches shall be piped as a condition of approval prior to development on subject property.
- **Public Services and Facilities Policy 9.1-9.** Design storm water runoff drainage structures to decrease erosion.
- **Public Services and Facilities Policy 9.1-10.** Development in floodway areas shall be in accordance with regulations of the Federal Emergency Management Agency.
- **Public Services and Facilities Policy 9.1-13.** Temporary drainage facilities such as ponding basins may be constructed by the developer if the major facilities are not available, subject to

City determination and approval. The developer will also be required to pay all applicable drainage fees in addition to constructing temporary facilities at his own cost.

- **Public Services and Facilities Policy 9.1-14.** Temporary drainage facilities such as shall be dedicated to the City with a reversionary clause which specifies that if the basin is abandoned within ten years, the property would revert to the original owner, subject to refurbishment of the site in a manner satisfactory to the City. (sic)
- **Public Services and Facilities Policy 9.1-13.** To encourage groundwater recharge, ponding basins shall be designed as detention basins. However, pumping facilities shall be included in such facilities to handle peak flows and to provide for disposal of storm water into irrigation ditches when necessary. Stormwater inflow into irrigation district canals and pipelines shall be subject to existing or future agreements between the City and irrigation districts specifying maximum inflow, maximum service area boundary and any other limitation thereto.
- **Public Services and Facilities Policy 9.1-20.** Conditions of approval shall be implemented with each development to assure that the necessary water production, distribution, and/or treatment facility is in place prior to issuance of a building permit.
- **Public Services and Facilities Policy 9.1-24.** Conditions of approval shall be implemented with each development to assure that the necessary sewer collection facility is in place an/or (sic) wastewater treatment plant capacity is available prior to issuance of a building permit.
- **Public Services and Facilities Policy 9.1-25.** A finding shall be made by the Public Works Department to document that sewer collection and wastewater treatment can be provided to serve each proposed development prior to approval by the City Council.
- **Safety Objective 10.4-A.** Protect the lives and property of residents from the hazards of flooding.
 - **Safety Policy 10.4-1.** Consistent with Federal standards, the City shall plan for storm drainage facilities sufficient to address a 100-year flood event and require adequate storm drainage facilities to prevent flooding within the community.
 - **Safety Policy 10.4-2.** The City will maintain the Storm Drainage Master Plan for the City, including planned growth areas, and require that development conform to it.
 - **Safety Policy 10.4-3.** Development proposals shall be analyzed according to the *Storm Drain Collection System Study and Master Plan*. Development not within an existing *Master Plan* watershed area may be included in the boundaries of an adjacent area and subject to a revision of facilities and cost allocation thereof.

City of Livingston Municipal Code

Chapter 4-5 Floodplain Management

- **Section 4-5-5-1.** Standards Of Construction. In all areas of special flood hazards the following standards are required:
 - A. Anchoring:
 - 4) All new construction and substantial improvements shall be adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.

- B. Construction Materials And Methods: All new construction and substantial improvement shall be constructed:
 - 1) With materials and utility equipment resistant to flood damage;
 - 2) Using methods and practices that minimize flood damage;
 - 3) With electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding; and
- C. Elevation And Floodproofing: (See section 4-5-2, "Definitions", of this chapter for "new construction", "substantial damage" and "substantial improvement".)

- 1) Residential construction, new or substantial improvement, shall have the lowest floor, including basement:
 - a) In an A zone, elevated one foot (1') above the base flood elevation.
 - b) In all other zones, elevated to the base flood elevation.

Upon the completion of the structure, the elevation of the lowest floor including basement shall be certified by a registered professional engineer or surveyor, or verified by the community building inspector to be properly elevated. Such certification or verification shall be provided to the floodplain administrator.

- 2) Nonresidential construction shall either be elevated to conform with subsection 4-5-5-1(C)1 of this chapter or together with attendant utility and sanitary facilities:
 - a) Be floodproofed below the elevation recommended under subsection 4-5-5-1(C)1 of this chapter so that the structure is watertight with walls substantially impermeable to the passage of water;
 - b) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and
 - c) Be certified by a registered professional engineer or architect that the standards of this subsection are satisfied. Such certification shall be provided to the floodplain administrator.

- **Section 4-5-5-4. Floodways.** Located within areas of special flood hazard established in section 4-5-3-2 of this chapter are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters which carry debris, potential projectiles, and erosion potential, the following provisions apply:

- A. Prohibit encroachments, including fill, new construction, substantial improvement, and other new development unless certification by a registered professional engineer or architect is provided demonstrating that encroachments shall not result in any increase in (the base) flood elevation during the occurrence of the base flood discharge.
- B. If subsection (A) of this section is satisfied, all new construction, substantial improvement, and other proposed new development shall comply with all other applicable flood hazard reduction provisions of this section 4-5-5. (Ord. 445, 8-1-1995)

Chapter 8-2 Waste and Recyclable Materials (City of Livingston 2006)

- **Section 8-2-14. Littering Prohibited**

- A. Littering: No person shall throw, deposit, leave, keep or permit to be thrown, deposited, placed, left or maintain any refuse, rubbish, garbage or other discarded or abandoned objects, articles, or other litter in or upon any street, alley, sidewalk, storm drain system, or business place, or upon any public or private plot of land in the city so that the same might become a pollutant, except in containers or in lawfully established solid waste facilities. The occupant or tenant or, in the absence of occupant or tenant, the owner or proprietor of any real property in the city in front of which, there is a paved sidewalk shall maintain said sidewalk free of dirt or litter to the maximum extent practicable. Sweepings from the sidewalk shall not be swept or otherwise made or allowed to go into the gutter or roadway, but shall be disposed of in receptacles maintained as required for the disposal of solid waste.
- B. Depositing Litter In Water Body: No person shall throw or deposit litter in any fountain, pool, lake, stream, river, or any other body of water in a park or elsewhere within the corporate limits of Livingston.
- C. Property Owner Responsible: Every person occupying or having charge and control of property on which a prohibited disposal of waste material occurs shall cause the proper collection and disposal of the same.
- D. Public Danger: No person shall dispose of a solid waste material that creates a danger to public health, safety and welfare and otherwise threatens the environment, surface waters, and groundwater; therefore, any owner or occupant of property who fails to remove waste material within a reasonable time may be charged with creating a nuisance upon the property. (Ord. 545, 6202006)

Chapter 9-6 Sewers Service Systems (City of Livingston 2000)

- **Section 9-6-3. Disposal of Wastes.** It is unlawful for any person to cause, suffer or permit the disposal of wastewaters, human excrement or other liquid wastes in any place or manner except through and by means of a plumbing and wastewater collection system which has been approved by the director of public works.

Stormwater, groundwater, rainwater, street drainage, subsurface drainage, or yard drainage shall not be discharged through direct or indirect connections to the sewer. Such waters may be discharged to the storm sewer. (Ord. 497, 6202000)

- **Section 9-6-23. Admission Of Wastes Into Storm Sewers.** Industrial cooling waters, blow down from cooling towers or evaporative coolers, wash water wastes, or waters which are odorless, stable and free from deleterious chemicals, may be discharged into storm sewers or stormwater channels if the sewers are accessible and after approval of such discharge by the director of public works. For the purposes of this section, any industrial wastewaters, waters, or liquids containing less than twenty five (25) parts per million BOD, or which meet the most recent requirement for secondary treatment as defined by the state water resources control board, shall be deemed stable. The admission of such waters into the public storm sewers shall be limited to unpolluted wastewaters provided such discharge does not violate any provision of this chapter and provided such discharge meets all federal or state laws and regulations which may be applicable to such discharge.

G.10.2.4 Atwater

City of Atwater General Plan (City of Atwater 2000)

- **Open Space and Conservation Goal CO-2.** Prevent the creation of new groundwater contamination or the spread of existing contamination.
 - **Open Space and Conservation Policy CO-2.1.** Work with the Regional Water Quality Control Board (RWQCB) to protect, improve, and enhance groundwater quality in the region.
- **Seismic and Public Safety Goal SF-4.** Avoid damage to persons and property resulting from flooding.
 - **Seismic and Public Safety Policy SF-4.1.** Restrict development within the 100-year floodplain in a manner that effectively prevents damage to persons and property.
 - **Seismic and Public Safety Implementation Program SF-4.a.** As conditions for development within the 100-year floodplain, the City shall require that the finished floor elevation of the project be at least one foot above the 100-year flood elevations shown on the Flood Insurance Rate Map. The project applicant shall also be required to demonstrate that the project would not impact other properties or significantly contribute to a cumulative impact.
 - **Seismic and Public Safety Implementation Program SF-4.b.** The City shall prohibit any land use activities within the 100-year floodplain that could pose a hazard to people or property in the event of a flood, such as the storage of flammable or hazardous materials.

City of Atwater Municipal Code

Chapter 13.22 Storm Water Management and Discharge Control

- **Section 13.22.050.** Discharge of non-storm water prohibited.
 - A. Except as provided in Section 13.22.060, it is unlawful for any person to make or cause to be made any non-storm water discharge.
 - B. Notwithstanding the exemptions provided by Section 13.22.060, if the Regional Water Quality Control Board or the enforcement official determines that any otherwise exempt discharge causes or significantly contributes to violations of any storm water permit, or conveys significant quantities of pollutants to a surface water or storm water conveyance, or is a danger to public health or safety, such discharge shall be prohibited from entering the storm water conveyance system.
- **Section 13.22.060.** Exceptions to discharge prohibition. Subject to the authority granted by the Regional Water Quality Control Board and the enforcement official in Section 13.22.050, the following discharges to the storm water conveyance system are exempt from the prohibition set forth in Section 13.22.050.
 - A. Any discharge or connections regulated under a NPDES permit issued to the discharger and administered by the State to Division 7, Chapter 5.5 of the California Water Code, provided that the discharger is in compliance with all requirements of the permit and all other applicable laws and regulations;

- B. Discharges from the following activities, which do not cause or contribute to the violation of any NPDES permit:
- 1) Water line flushing and other discharges from potable water sources,
 - 2) Incidental runoff from landscaped areas defined as unintended amounts (volume) of runoff, such as unintended, minimal over-spray from sprinklers that escapes the area of intended use,
 - 3) Rising ground waters or springs,
 - 4) Passive foundation and footing drains,
 - 5) Water from crawl space pumps and basement pumps,
 - 6) Air conditioning condensation,
 - 7) Natural flows from riparian habitats and wetlands,
 - 8) De-chlorinated swimming pool discharges,
 - 9) Flows from fire suppression activities, including fire hydrant flows,
 - 10) Waters not otherwise containing wastes as defined in California Water Code Section 13050(d) and California Health and Safety Code Section 25117,
 - 11) Diverted stream flows,
 - 12) Uncontaminated ground water infiltration or pumped to separate storm sewers,
 - 13) Any discharge that the enforcement official, the local health officer or the Regional Water Quality Control Board determines, in writing, is necessary for the protection of the public health and safety,
 - 14) Any discharge caused by flooding or other natural disaster, which could not have been reasonably foreseen or mitigated for in advance by the discharger, as determined by the enforcement official,
 - 15) Individual residential car washing on private property in which no commercial enterprise or non-profit fundraising is being conducted in the washing of those vehicles.
- **Section 13.22.120.** Reduction of pollutants in storm water. Any person engaged in activities that may result in pollutants entering the storm water conveyance system shall, to the maximum extent practicable, undertake the measures set forth below to reduce the risk of non-storm water discharge and/or pollutant discharge.
- B. Construction.
- 1) Any person performing construction activities in the City shall prevent pollutants from entering the storm water conveyance system and comply with all applicable Federal, State and local laws, ordinances or regulations, including but not limited to, the current California NPDES general permit for storm water discharges associated with construction activity (construction general permit) and the City Storm Water Management and Discharge Control Ordinance. All construction projects, regardless of size, having soil disturbance or activities exposed to storm water must, at a minimum, implement BMPs for erosion and sediment controls, soil stabilization, dewatering, source controls, pollution prevention measures, and prohibited discharges.

- 2) Any person subject to a construction activity NPDES storm water discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the enforcement official prior to, or as a condition of, a subdivision map, site plan, building permit, grading permit, or development or improvement plan, upon inspection of the facility, during any enforcement proceeding or action, or for any other reasonable cause. Prior to issuance of a construction permit or approval of the proposed improvement plans, for projects subject to the State's current construction NPDES general permit, the WDID number and the SWPPP shall be submitted to the City. For projects with less than an acre of soil disturbance or not subject to the construction general permit, an erosion and sediment control plan (ESCP) and the ESCP worksheet must be submitted to the City.

C. Development.

The enforcement official may require controls as appropriate to minimize the long-term, post-construction activity discharge of storm water pollutants from new development(s) or modifications to existing development(s). Controls may include source control measures to prevent pollution of storm water, treatment controls designed to remove pollutants from storm water, low impact development measures, and/or hydro-modification measures to offset the difference between the pre and post-construction peak flow runoff rates and volumes. Proponents of all applicable development and redevelopment projects will be required to meet the requirements and design standards specified in the current State of California Phase II MS4 NPDES permit and as described in further detail in the City's Storm Water Design Standards Manual for New Development and Redevelopment.

At the earliest planning stages, project proponents shall assess and evaluate how site conditions, such as soils, vegetation, and flow paths will influence the placement of buildings and paved surfaces. The evaluation will be used to optimize the site layout to meet the goals of capturing and treating runoff. Each project proponent will submit a map of the project dividing the site into discrete drainage management areas to show in each how runoff will be managed using site design measures, source controls, treatment controls, and hydro-modification measures as defined by the current MS4 permit. All site design measures, source controls, treatment controls, and hydro-modification measures must be selected, sized, and situated in accordance with the guidance provided in the current MS4 permit and the City's Storm Water Design Standards Manual for New Development and Redevelopment. Documentation of the site's post-construction storm water design measures must be submitted to the City's Planning Department for review and approval prior to the commencement of the project.

Project proponents must sign an operation and maintenance agreement in which they legally bind themselves to maintain the installed post-construction design measures in an effective and good operational condition until the property ownership is transferred. A written operation and maintenance plan for the proposed storm water design measures is required to be submitted to and approved by the City with the signed agreement. The agreement will be recorded with the deed by the County Clerk making it transferrable to the new owner; or, when there are multiple property owners responsible for the maintenance of the control measures, the agreement will consist of a legally binding covenant between the City and the homeowners association or maintenance district. The owner or association responsible for the maintenance of the control measures may be required by the City to

submit an annual self-certification that the storm water control measures are effective and are being maintained in accordance with the submitted and approved operation and maintenance plan.

D. Compliance with Industrial or Construction Activity Storm Water Permit.

- 1) Any person subject to the State's current industrial NPDES general permit for storm water discharge shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the enforcement official upon inspection of the facility; during any enforcement proceeding or action; or for any other reasonable cause.
- 2) Any person subject to the State's current construction NPDES general permit for storm water discharge shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the enforcement official prior to or as a condition of a subdivision map, site plan, building permit, and development or improvement plan; upon inspection of the facility; during any enforcement proceeding or action; or for any other reasonable cause.

E. Compliance with Best Management Practices. Every person or entity, including the above-listed categories, undertaking any activity or use of premises that may cause or contribute to storm water pollution or contamination or illicit discharges shall comply with best management practices (BMPs) consistent with the California Storm Water Quality Association (CASQA) Best Management Practice Handbooks or equivalent guidelines.

G.10.2.5 Merced

Merced Vision 2030 General Plan (City of Merced 2012)

- **Goal Area P-5.** An adequate Storm Drainage Collection and Disposal System in Merced
 - **Policy P-5.1.** Provide Effective Storm Drainage Facilities For Future Development.
 - **Implementing Action 5.1.c.** Continue to require all development to comply with the Storm Water Master Plan and any subsequent updates.
 - **Implementing Action 5.1.d.** Installation or design of facilities necessary to provide services to development projects will be based on the full build-out scenario.
 - **Policy P-5.2.** Integrate Drainage Facilities with Bike Paths, Sidewalks, Recreation Facilities, Agricultural Activities, Groundwater Recharge, and Landscaping.
 - **Implementing Action 5.2.b** Storm water facilities shall be designed and constructed in accordance with the standards in the Parks and Open Space Master Plan and the Storm Water Master Plan.
- **Goal Area OS-1.** Improvement and Enhancement of Water Quality.
 - **Policy OS-1.5.** Preserve and enhance water quality.
 - **Implementing Action 1.5.a.** Utilize storm water retention basins and other “Best Management Practices” to improve the quality of storm water discharged into the region’s natural surface water system.
- **Goal Area S-3.** Flooding: A city free from other than street flooding.

- **Policy S-3.1.** Implement protective measures for areas in the City and the SUDP/SOI, within the 200-year floodplain.
 - **Implementing Action 3.1.a.** Continue to implement the City's Flood Damage Prevention Ordinance and other measures as needed to protect areas within the City and the SUDP/SOI that are within the 100-year and 200-year floodplains as applicable.

City of Merced Municipal Code

Chapter 15.50 Storm Water Management and Discharge Control

- **Section 15.50.050.** Discharge of non-storm water prohibited.
 - A. Except as provided in Section 15.50.060, it is unlawful, and a misdemeanor subject to punishment in accordance with Chapter 1.12 of this Code, for any person to make or cause to be made any non-storm water discharge.
 - B. Notwithstanding the exemptions provided by Section 15.50.060, if the regional water quality control board or the enforcement official determines that any otherwise exempt discharge causes or significantly contributes to violations of any storm water permit, or conveys significant quantities of pollutants to a surface water or storm water conveyance, or is a danger to public health or safety, such discharge shall be prohibited from entering the storm water conveyance system.
- **Section 15.50.060.** Exceptions to discharge prohibition. As allowed by the city's Phase II MS4 NPDES permit, the following discharges to the storm water conveyance system are exempt from the prohibition set forth in Section 15.50.050:
 - A. Any discharge or connections regulated under a NPDES permit issued to the discharger and administered by the State pursuant to Division 7, Chapter 5.5 of the California Water Code, provided that the discharger is in compliance with all requirements of the permit and all other applicable laws and regulations;
 - B. Discharges from the following activities, which do not cause or contribute to the violation of any NPDES permit:
 - 1) Water line flushing and other discharges from potable water sources,
 - 2) Incidental runoff from landscaped areas defined as unintended amounts (volume) of runoff, such as unintended, minimal over-spray from sprinklers that escapes the area of intended use,
 - 3) Rising ground waters or springs,
 - 4) Passive foundation and footing drains,
 - 5) Water from crawl space pumps and basement pumps,
 - 6) Air conditioning condensation,
 - 7) Natural flows from riparian habitats and wetlands,
 - 8) Dechlorinated swimming pool discharges,
 - 9) Flows from fire suppression activities, including fire hydrant flows,

- 10) Waters not otherwise containing wastes as defined in California Water Code Section 13050(d) and California Health and Safety Code Section 25117,
- 11) Diverted stream flows,
- 12) Uncontaminated ground water infiltration or pumped to separate storm sewers,
- 13) Any discharge that the enforcement official, the local health officer, or the Regional Water Quality Control Board determines, in writing, is necessary for the protection of the public health and safety,
- 14) Any discharge caused by flooding or other natural disaster, which could not have been reasonably foreseen or mitigated for in advance by the discharger, as determined by the enforcement official,
- 15) Individual residential car washing on private property in which no commercial enterprise or non-profit fundraising is being conducted in the washing of those vehicles.

Chapter 17.48 Flood Damage Prevention

- **Section 17.48.140. Standards of construction.**

- A. Anchoring.

- 1) All new construction and substantial improvements shall be adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
- 2) All manufactured homes shall meet the anchoring standards of Section 17.48.170.

- B. Construction materials and methods.

- 1) All new construction and substantial improvement shall be constructed with materials and utility equipment resistant to flood damage.
- 2) All new construction and substantial improvement shall be constructed using methods and practices that minimize flood damage.
- 3) All new construction and substantial improvement shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
- 4) Require within zones AH or AO that adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures.

- C. Elevation and floodproofing.

- 1) New construction and substantial improvement in zones AE and AH shall have the lowest floor, including basement, elevated to or above the base flood elevation. Nonresidential structures may meet the standards in subsection C.3. hereof. Upon the completion of the structure the elevation of the lowest floor including basement shall be certified by a registered professional engineer or surveyor, or verified by the community building inspector to be properly elevated. Such certification or verification shall be provided to the city engineer.

- 2) New construction and substantial improvement in Zone AO shall have the lowest floor, including basement, elevated above the highest adjacent grade at least as high as the depth number specified in feet on the FIRM, or at least two (2) feet if no depth number is specified. Nonresidential structures may meet the standards in subsection C.3. hereof. Upon the completion of the structure, the elevation of the lowest floor including basement shall be certified by a registered professional engineer or surveyor, or verified by the community building inspector to be properly elevated. Such certification or verification shall be provided to the city engineer.
- 3) Nonresidential construction shall either be elevated to conform with subsections C.1. or 2. hereof or together with attendant utility and sanitary facilities:
 - a) Be floodproofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water;
 - b) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and
 - c) Be certified by a registered professional engineer or architect that the standards of this subsection are satisfied. Such certifications shall be provided to the city engineer.
- 5) Garages and low cost accessory structures.
 - b) Detached garages and accessory structures.
 - (1) "Accessory structures" used solely for parking (two-car detached garages or smaller) or limited storage (small, low-cost sheds), as defined in Section 17.48.040, may be constructed such that its floor is below the base flood elevation (BFE), provided the structure is designed and constructed in accordance with the following requirements:
 - i. Use of the accessory structure must be limited to parking or limited storage;
 - ii. The portions of the accessory structure located below the BFE must be built using flood-resistant materials;
 - iii. The accessory structure must be adequately anchored to prevent flotation, collapse and lateral movement;
 - iv. Any mechanical and utility equipment in the accessory structure must be elevated or floodproofed to or above the BFE;
 - v. The accessory structure must comply with floodplain encroachment provisions in Section 17.48.190; and
 - vi. The accessory structure must be designed to allow for the automatic entry of floodwaters in accordance with Section 17.48.140.C.3.
 - (2) Detached garages and accessory structures not meeting the above standards must be constructed in accordance with all applicable standards in Section 17.48.140.
- **Section 17.48.190.** Floodways. Located within areas of special flood hazard established in Section 17.48.060 are areas designated as floodways. Since the floodway is an extremely

hazardous area due to the velocity of floodwaters which carry debris, potential projectiles, and erosion potential, the following provisions apply:

- A. Prohibit encroachments, including fill, new construction, substantial improvement, and other new development unless certification by a registered professional engineer or architect is provided demonstrating that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.
- B. All new construction, substantial improvement and other proposed new development shall comply with all other applicable flood hazard reduction provisions of Sections 17.48.140 through 17.48.190.

G.11 Land Use and Planning

The following goals, objectives, and policies are relevant to land use and planning.

G.11.1 Regional Plans and Policies

G.11.1.1 Stanislaus County

Stanislaus County General Plan 2015 (County of Stanislaus 2015)

- **Land Use Policy 2.** Land designated Agriculture shall be restricted to uses that are compatible with agricultural practices, including natural resources management, open space, outdoor recreation and enjoyment of scenic beauty.
- **Land Use Policy 14.** Uses shall not be permitted to intrude into or be located adjacent to an agricultural area if they are detrimental to continued agricultural usage of the surrounding area.
- **Land Use Policy 15.** Uses should not be permitted to intrude into or be located adjacent to areas that are identified as existing and/or potential sites for solid waste facilities if such uses would not be compatible.

2018 Regional Transportation Plan/Sustainable Communities Strategy (Stanislaus Council of Governments 2018)

- **Goal 1.** Mobility & Accessibility. Improve the ability of people and goods to move between desired locations, and provide a variety of modal and mobility options.
- **Goal 4.** Sustainable Development Pattern: Provide a mix of land uses and compact development patterns, and direct development toward existing infrastructure, which will preserve agricultural land, open space, and natural resources.

G.11.1.2 Merced County

2030 Merced County General Plan (County of Merced 2013)

- **Land Use Policy LU-1.4.** Urban Communities (RDR) Continue to support compact Urban Communities through the efficient use of land to reduce conflicts with agricultural and open space areas, and minimize public service costs.

- **Land Use Policy LU-2.3.** Land Use Activity Limitations. Limit allowed land use within Agricultural and Foothill Pasture areas to agricultural crop production, farm support operations, and grazing and open space uses.

Regional Transportation Plan/Sustainable Communities Strategy for Merced County (Merced County Association of Governments 2018)

- **Goal 2, Transit.** Provide an efficient, effective, coordinated regional transit system that increases mobility for urban and rural populations, including transportation for disadvantaged persons.
- **Goal 3, Passenger Rail.** Provide a rail system that provides safe and reliable service for passengers.
- **Policy 9.4.** Preserve productive farmland and land that provides habitat for rare, endangered or threatened species.
- **Goal 12, Sustainable Communities.** Reduce per capita greenhouse gas emissions by coordinating compact growth with alternative transportation strategies. Protect and enhance the natural environment. Support vehicle electrification and the provision of electrification infrastructure in public and private parking facilities and structures.

Delhi Community Plan (County of Merced 2006)

- **Land Use Policy LU 2.1.** Provide a mix of commercial and employment generating land use designations with infrastructure and services to meet the present and future needs of Community residents including Neighborhood Commercial, General Commercial, Business Park, Industrial, as well as, providing economic opportunity in Mixed Use designated areas.
- **Land Use Policy LU 2.2.** Business Park and Industrial land use designations should provide employment generating land use activities.

Merced County Airport Land Use Compatibility Plan (Merced County Airport Land Use Commission 2012)

- **Policy 1.3.2.** Types of Airport Impacts: In delineating the airport influence area for each airport, the geographic extent of four types of compatibility concerns are taken into account:
 - (1) Noise. Locations exposed to potentially disruptive levels of aircraft noise.
 - (2) Safety. Areas where the risk of an aircraft accident poses heightened safety concerns for people and property on the ground.
 - (3) Airspace Protection. Places where height and certain other land use characteristics, particularly uses that attract birds, need to be restricted in order to protect the airspace required for operation of aircraft to and from the airport.
 - (4) Overflight. Locations where aircraft overflights can be intrusive and annoying to many people.
- **Policy 3.1.1.** Evaluating Compatibility of New Development: The compatibility of a land use proposal within an airport influence area shall be evaluated in accordance with:
 - (a) The criteria listed in Table 2A, Compatibility Criteria;

- (b) The specific noise, safety, airspace protection, overflight policies, and special compatibility policies set forth in Section 5; and
- (c) The Compatibility Policy and Airspace Protection maps presented in Chapter 3 for each airport.

G.11.2 Local Plans and Policies

G.11.2.1 Ceres

Ceres General Plan 2035 (City of Ceres 2018)

- **Land use and Community Design Goal 2.A.** Support growth that improves quality of life for all residents and enhances the qualities of Ceres that residents love.
- **Land use and Community Design Element Policy 2.A.12. Integrate Transportation and Land Use.** Integrate transportation and land use to plan for well-connected neighborhoods with safe and convenient vehicle, pedestrian, bicycle, and transit accessibility.
- **Land use and Community Design Element Policy 2.D.1. Promote Infill.** Promote infill development and reuse of underutilized parcels in the city to reduce pressure to develop on farmland or other “greenfield” sites on the periphery.

G.11.2.2 Turlock

Turlock General Plan (City of Turlock 2012)

- **Land Use and Economic Development Policy 2.9-c.** Encourage infill and more compact development to protect farmland. Relieve pressures to convert valuable agricultural lands to urban uses by encouraging infill development.
- **Land Use and Economic Development Policy 2.10-a.** Consider needs beyond the year 2030. Ensure the City’s ability to accommodate future urban growth and development beyond the 2030 time horizon of the General Plan.

G.11.2.3 Livingston

City of Livingston General Plan (City of Livingston 1999)

- **Land Use Policy 3.1-A-1.** No development shall be approved unless it is found to be consistent with the adopted Land Use Map and policies of the General Plan.
- **Land Use Policy 3.3-B-2.** In order to encourage the integration of neighborhood and community commercial uses into neighborhoods, designs should de-emphasize the usage of walls as buffers where they create barriers to pedestrian access. Continuous block walls shall be discouraged, and offsets, landscaping pockets and openings shall be encouraged.
- **Urban Boundary Policy 6.1-A-3.** Priority shall be given to development of vacant, underdeveloped, and/or redevelopable land where urban services are or can be made available. Parcels should be substantially contiguous to existing development.

G.11.2.4 Atwater

City of Atwater General Plan (City of Atwater 2000)

- **Land Use, Public Facilities and Community Infrastructure Policy LU-3.3.** Accommodate a variety of uses in Downtown Atwater that operate beyond standard business hours to increase activity within the City core.
- **Land Use, Public Facilities and Community Infrastructure Policy LU-7.5.** Appropriately locate land uses to minimize conflicts and maximize reuse opportunities.
- **Land Use, Public Facilities and Community Infrastructure Policy LU-7.7.** During review of individual projects, ensure consistency with the Reuse Plan, map and policies, or any subsequent documents developed jointly and approved by the City of Atwater, City of Merced, JPA, and County of Merced.

G.11.2.5 Merced

Merced Vision 2030 General Plan (City of Merced 2012)

- **Policy UE-1.2.** Foster Compact and Efficient Development Patterns to Maintain a Compact Urban Form. Through the promotion of compact urban form, the City of Merced can achieve several important environmental and community planning goals. Through the concentration of urban development within the City's Specific Urban Development Plan (SUDP)/sphere of influence (SOI), impacts on surrounding agricultural resource lands can be reduced and important prime soils preserved. Additionally, through compact urban development, efficient public transit systems can operate to protect the region's air quality and pedestrian and bicycle use is encouraged. Compact urban development also reduces public infrastructure development and maintenance costs to the City and its residents.
- **Policy L-1.5.** Protect Existing Neighborhoods from Incompatible Developments: Merced's existing neighborhoods should be protected from incompatible commercial and industrial uses which may cause adverse impacts on the residences.
- **Policy L-1.9.** Ensure Connectivity Between Existing and Planned Urban Areas: In order to foster a sense of community among all citizens of Merced, and avoid separate "enclaves" within the City, all development should be required to extend access and access to services to surrounding existing community areas or vacant land.
- **Policy L-2.8.** Encourage a Mixture of Uses and Activities that will Maintain the Vitality of the Downtown Area. In 2007, the Downtown Strategy Task Force (a 20-member group representing a broad range of community interests) was formed to develop a consensus on the proper direction for Downtown. They developed the following strategies for achieving the goal of maintaining Downtown as the City's center of cultural and civic activity, finance, and government.
- **Policy L-3.2.** Encourage Infill Development and a Compact Urban Form. Sprawling, low-density and discontinuous development discourages the use of alternative transportation modes and increases travel distances. Infrastructure costs and most environmental impacts are less when development is more compact.

G.12 Noise and Vibration

The following goals, objectives, and policies are relevant to noise and vibration.

G.12.1 Regional Plans and Policies

G.12.1.1 Stanislaus County

Stanislaus County General Plan 2015 (County of Stanislaus 2015)

- **Noise Policy Two.** It is the policy of Stanislaus County to develop and implement effective measures to abate and avoid excessive noise exposure in the unincorporated areas of the County by requiring that effective noise mitigation measures be incorporated into the design of new noise generating and new noise sensitive land uses.
- **Noise Implementation Measure 2.1.** New development of noise-sensitive land uses will not be permitted in noise-impacted areas unless effective mitigation measures are incorporated into the project design to reduce noise levels to the following levels:
 - a. For transportation noise sources such as traffic on public roadways, railroads, and airports, 60 Ldn (or CNEL) or less in outdoor activity areas of single-family residences, 65 Ldn (or CNEL) or less in community outdoor space for multi-family residences, and 45 Ldn (or CNEL) or less within noise-sensitive interior spaces. Where it is not possible to reduce exterior noise due to these sources to the prescribed level using a practical application of the best available noise-reduction technology, an exterior noise level of up to 65 Ldn (or CNEL) will be allowed. Under no circumstances will interior noise levels be allowed to exceed 45 Ldn (or CNEL) with the windows and doors closed in residential uses.
- **Noise Implementation Measure 2.4.** Projects which go through the CEQA review process require an acoustical analysis shall include a monitoring program to specifically implement the recommended mitigation to noise impacts associated with the project
- **Noise Policy Three.** It is the objective of Stanislaus County to protect areas of the County where noise-sensitive land uses are located.
- **Noise Implementation Measure 3.1.** Require the evaluation of mitigation measures for projects that would cause the Ldn at noise-sensitive uses to increase by 3 dBA or more and exceed the normally acceptable level, cause the Ldn at noise-sensitive uses to increase 5 dBA or more and remain normally acceptable, or cause new noise levels to exceed the noise ordinance limits (after adoption).

G.12.1.2 Merced County

2030 Merced County General Plan (County of Merced 2013)

- **Health and Safety Goal HS-7.** Protect residents, employees, and visitors from the harmful and annoying effects of exposure to excessive noise.
 - **Health and Safety Policy HS-7.2.** Acoustical and Groundborne Vibration Analysis Requirements (RDR). Require development project applicants to prepare an acoustical analysis as part of the environmental review process when noise-sensitive land uses are

proposed in areas exposed to existing or projected exterior noise levels exceeding the levels shown in Tables HS-1 and HS-2. Require an analysis of groundborne vibration for proposed residential and other sensitive projects (including but not limited to hospitals and schools) located within 1,000 feet of a rail line with at least 30 operations per day or an existing industrial groundborne vibration source. The acoustical and groundborne vibration analyses shall:

- a) Be the responsibility of the applicant;
 - b) Be prepared by qualified persons experienced in the fields of environmental noise and groundborne vibration assessment and architectural acoustics;
 - c) Include representative noise level measurements with sufficient sampling periods and locations to adequately describe local conditions;
 - d) Estimate projected future (20 year) noise levels relative to the standards shown in Tables HS-1 and HS-2 at the property line of the proposed use, and, as applicable, estimate project future groundborne vibration levels using a maximum vibration standard of 70 VdB;
 - e) Recommend appropriate mitigation to achieve compliance with the adopted policies and standards in this element, including setbacks from groundborne vibration sources causing adverse levels of vibration; and
 - f) Estimate interior and exterior noise, and groundborne vibration exposure after the prescribed mitigation measures have been implemented at the property line.
- **Health and Safety Policy HS-7.5.** Noise Generating Activities (RDR). Limit noise generating activities, such as construction, to hours of normal business operation.
 - **Health and Safety Policy HS-7.9.** Transportation Project Construction/Improvements (RDR) Require transportation project proponents to prepare all acoustical analysis for all roadway and railway construction projects in accordance with Policy HS-7.2; additionally, rail projects shall require the preparation of a groundborne vibration analysis in accordance with Policy HS-7.2. Consider noise mitigation measures to reduce traffic and/or rail noise levels to comply with Table HS-1 standards if pre-project noise levels already exceed the noise standards of Table HS-1 and the increase is significant. The County defines a significant increase as follows:

Pre-Project Noise Environment (Ldn)	Significant Increase
Less than 60 dB	5+ dB
60 – 65 dB	3+ dB
Greater than 65 dB	1.5+ dB
 - **Health and Safety Policy HS-7.11.** Train Whistle Noise (IGC). Support improvements to at-grade crossings in urban areas to eliminate the need for train horn sounding near communities.
 - **Health and Safety Policy HS-7.12.** Requires new project to include appropriate noise mitigation measures to comply with the Table HS-2 standards within sensitive areas.

Delhi Community Plan (County of Merced 2006)

- **Noise Objective N 1.0.** Protect noise sensitive land uses (e.g., residences, schools) from sources that generate noise levels beyond acceptable levels (over 65 dBA Ldn for sensitive uses).
- **Noise Policy N 1.2.** Noise reduction measures and buffers shall be attractively designed consistent with the Community Character and Design Chapter (Chapter 4).
- **Noise Implementation N 1.2.b.** Walls shall not exceed seven (7) feet in height , except for noise attenuation along the Highway 99 or railroad corridors. Sound walls shall consist of masonry materials, and landscaped to maintain community aesthetics and avoid being a target for graffiti.

Regional Transportation Plan/Sustainable Communities Strategy for Merced County (Merced County Association of Governments 2018)

- **Policy 5.2.** Work with local agencies to ensure compatible land uses around existing airports to reduce noise conflicts.

G.12.2 Local Plans and Policies

G.12.2.1 Ceres

Ceres General Plan 2035 (City of Ceres 2018)

- **Health and Safety Goal 5.L.** Protect the community from harmful and annoying effect of exposure to excessive noise and vibration.
 - **Health and Safety Policy 5.L.1. Community Noise Compatibility.** Use Table 5-3: Community Noise Compatibility Matrix and the Projected Noise Contours (2035) in Figure 5-13 as guidelines to evaluate land use compatibility of new development, including whether a proposed use is compatible with the existing or planned noise environment of a given location, as well as whether a proposed use would negatively affect the noise environment for existing or planned uses in the area.
 - **Health and Safety Policy 5.L.5. Compatibility with Noise Sensitive Uses.** Require that noise created by new proposed non-transportation sources be mitigated so as not exceed the noise level standards of Table 5-4: Maximum Allowable Noise Exposure for Transportation Noise Sources as measured at the property line of lands designated on the General Plan Land Use Map for noise-sensitive uses.
 - **Health and Safety Policy 5.L.11. Noise Mitigation.** Require, where noise mitigation measures are required to achieve the standards of Table 5-4: Maximum Allowable Noise Exposure for Transportation Noise Sources and Table 5-5: Performance Standards for Stationary Noise Sources, that the emphasis of such measures be placed upon site planning and project design. The use of noise barriers shall be considered a means of achieving the noise standards only after all other practical design-related noise mitigation measures have been integrated into the project.

G.12.2.2 Turlock

Turlock General Plan (City of Turlock 2012)

- **Noise Policy 9.4-b.** Prevent Degradation of Noise Environment. Protect public health and welfare by eliminating existing noise problems where feasible, maintaining an acceptable indoor and outdoor acoustic environment, and preventing significant degradation of the acoustic environment.
- **Noise Policy 9.4-c.** Protect Residential Areas and Sensitive Uses. Minimize excessive noise exposure in residential areas and in the vicinity of such uses as schools, hospitals, and senior care facilities.
- **Noise Policy 9.4-e.** Noise-Attenuating Features. For all projects that have noise exposure levels other than “normally acceptable” and which require discretionary review, require site planning and architecture to incorporate noise-attenuating features. With mitigation, development should meet allowable outdoor and indoor noise exposure standards in Table 9-2. In particular, new residential, transient lodging, school, library, church, hospital, and convalescent home development should be designed to provide a suitable interior noise environment of no greater than 45 dB CNEL or Ldn.

Turlock Northwest Triangle Specific Plan (City of Turlock 2004)

- **Principle 6.14-a.** Implement appropriate mitigation measures as identified in the Mitigation Monitoring Program for the Specific Plan Area. Recognize that in some areas of the Specific Plan, noise impacts on existing development cannot be feasibly mitigated.

G.12.2.3 Livingston

City of Livingston General Plan (City of Livingston 1999)

- **Noise Objective 8.1-A.** To protect the citizens of the City from the harmful and annoying effects of exposure to excessive noise.
- **Noise Objective 8.1-B.** To protect the economic base of the City by preventing incompatible land uses from encroaching upon existing or planned noise-producing uses.
- **Noise Objective 8.1-C.** To preserve the tranquility of residential areas by preventing noise-producing uses from encroaching upon existing or planned noise-sensitive uses.
- **Noise Objective 8.1-E.** To emphasize the reduction of noise impacts through careful site planning and project design, giving second preference to the use of noise barriers and/or structural features to buildings containing noise-sensitive land uses.
 - **Noise Policy 8.1-1.** Table 8-1 depicts the ranges of noise exposure from transportation noise sources which are considered to be acceptable, conditionally acceptable, or conditionally unacceptable for the development of different land uses. Table 8-1 shall be used to determine whether mitigation is needed for development of land uses near major transportation noise sources.
 - a) In areas where the noise environment is acceptable, new development may be permitted without requiring noise mitigation.

- b) For areas where the noise environment is conditionally acceptable, new development shall be allowed only after noise mitigation has been incorporated into the design of the project to reduce noise exposure to the levels specified by the Noise Element.
 - c) For areas where the noise environment is conditionally unacceptable, new development in compliance with the policies of the Noise Element may not be feasible.
- **Noise Policy 8.1-4.** Noise created by new transportation noise sources, including roadway improvement projects, shall be mitigated so as not to exceed the noise levels specified in Table 8-2.
- **Noise Policy 8.1-7.** The preferred method of noise control is thoughtful site design. Secondly, noise control should be achieved through the use of noise barriers.
- **Noise Policy 8.1-8.** Development plans, programs, and proposals shall not be approved unless they are in compliance with the policies of the Noise Element.
- **Noise Policy 8.1-9.** Prior to approval of the proposed development in a noise impacted area, or the development of an industrial, commercial, or other noise generating land use in or near an area containing existing or planned noise-sensitive land uses, an acoustical analysis may be required if:
 - a) The existing or projected future noise exposure at the exterior of buildings which will contain noise sensitive uses or within proposed outdoor activity areas (patios, decks, backyards, pool areas, recreation areas, etc.) may exceed 65 dB Ldn (or CNEL).
 - b) Interior residential noise levels resulting from off-site noise may exceed 45 dBA.
- **Noise Policy 8.1-10.** When noise studies are necessary they shall:
 - a) Be the responsibility of the applicant.
 - b) Be prepared by an individual or firm with demonstrable experience in the fields of environmental noise assessment and architectural acoustics.
 - c) Include representative noise level measurements with sufficient sampling periods and locations to adequately describe local conditions.
 - d) Include estimated noise levels for existing and projected future (10-20 years hence) conditions, with a comparison made to the adopted policies of the Noise Element.
 - e) Include recommendations for appropriate mitigation measures to achieve compliance with the adopted policies and standards of the Noise Element.
 - f) Include estimate of noise exposure after the prescribed mitigation measures have been implemented.
 - g) The acoustical analysis shall be prepared as early in the project review permitting process as possible, so that noise mitigation measures may be integral part of the project design rather than an afterthought.

G.12.2.4 Atwater

City of Atwater General Plan (City of Atwater 2000)

- **Noise Goal NO-1.** Protect residents from the harmful and annoying effects of exposure to excessive noise.
- **Noise Goal NO-2.** Protect residents from exposure to excessive transportation related noise.
 - **Noise Policy NO-2.4.** Mitigate noise created by new transportation noise sources consistent with the levels specified in Table 6-6 in outdoor activity areas or interior spaces of existing noise-sensitive land uses.

G.12.2.5 Merced

Merced Vision 2030 General Plan (City of Merced 2012)

- **Goal Area N-1.** To protect City residents from the harmful and annoying effects of exposure to excessive noise.
 - **Policy N-1.3.** Reduce equipment noise levels.
 - **Implementing Action 1.3a.** Limit operation hours for noisy construction equipment in the City of Merced.
 - **Policy N-1.4.** Reduce noise levels at the receiver where noise reduction at the source is not possible.
 - **Implementing Action 1.4c.** Use the “normally acceptable” noise levels as established in the “Noise and Land Use Compatibility Guidelines” for the review of non-residential land uses.
 - **Policy N-1.5.** Coordinate planning efforts so that noise-sensitive land uses are not located near major noise sources.
 - **Policy N-1.6.** Mitigate all significant noise impacts as a condition of project approval for sensitive land uses.

G.13 Population and Housing

The following goals, objectives, and policies are relevant to population and housing.

G.13.1 Regional Plans and Policies

G.13.1.1 Stanislaus County

Stanislaus County General Plan (County of Stanislaus 2016)

- **Land Use Policy 22:** Support and facilitate efforts to develop and promote economic development and job creation centers throughout the County.

- **Implementation Measure 1.** While supporting efforts to direct economic development and job creation centers towards incorporated areas, the County shall also consider approval of centers in unincorporated areas of unique character and proximity to transportation infrastructure.

2018 Regional Transportation Plan/Sustainable Communities Strategy (Stanislaus Council of Governments 2018)

- **Goal 2.** Social Equity—Promote equitable access to opportunities by ensuring all populations share in the benefits of transportation improvements and are provided a range of transportation and housing choices.
- **Goal 4.** Sustainable Development Pattern—Provide a mix of land uses and compact development patterns and direct development toward existing infrastructure, which will preserve agricultural land, open space, and natural resources.

G.13.1.2 Merced County

2030 Merced County General Plan (County of Merced 2013)

- **Land Use Policy LU-1.1.** Promote balanced development which provides jobs, services and housing.
- **Land Use Policy LU-1-11.** The County shall strongly encourage residential development projects to develop at the maximum allowable density.
- **Land Use Policy LU-1.7.** Compact Development. Promote compact development in urban communities that supports pedestrian activity and transit ridership.
- **Land Use Policy LU-5.C.3.** High Density Development. Promote the development of higher-density housing within Urban Communities located along major transportation corridors and transit routes and served by the full range of urban services, including neighborhood commercial uses, community centers, and public services.
- **Land Use Policy LU-7.4.** Increased Residential Densities within Cities. Encourage cities to increase average residential densities in their adopted General Plans in order to provide adequate housing for future populations while limiting urban sprawl.
- **Economic Development Policy ED-1.8.** Jobs/Housing Balance. Encourage all communities, and require new or expanded Community Plans, to include sufficient employment-based land uses to maintain a 1:1 jobs/housing balance.

Regional Transportation Plan/Sustainable Communities Strategy for Merced County (Merced County Association of Governments 2018)

- **Goal 2.** Transit. Provide an efficient, effective, coordinated regional transit system that increases mobility for urban and rural populations, including transportation for disadvantaged persons.
- **Policy 2.2.** Increase transit ridership at a rate that exceeds annual population growth rate.
- **Vision Theme:**
 - Provide a transit system that is a viable choice.

- Preserve productive agricultural land/maintain strong agricultural economy and the quality of life that goes with it.
- Support orderly and planned growth that enhances the integration and connectivity of various modes of transportation.
- Support clean air and water and avoid, minimize or mitigate negative impacts to the environment.

G.13.2 Local Plans and Policies

G.13.2.1 Ceres

City of Ceres Downtown Specific Plan (City of Ceres 2011)

- Downtown will become a 24-hour neighborhood with housing mixed with daytime businesses, such as offices, civic employment centers and commercial services.
- Providing for transportation choice is a priority for Downtown. Ceres must prioritize pedestrians, bicycles and transit “modes” in Downtown.
- **Policy HOUS 5.** Encourage redevelopment in the Specific Plan Area that results in no net loss of housing units.
- **Policy HOUS 6.** Encourage a two to one replacement of any existing housing units displaced by redevelopment efforts in Downtown, in areas where housing units are permitted.
- **Policy HOUS 8.** Strive for balanced growth of housing and commercial uses in Downtown.
- **Policy HOUS 9.** Where possible, provide assistance to existing residents displaced by redevelopment who wish to find new housing in Downtown.

G.13.2.2 Turlock

Turlock General Plan (City of Turlock 2012)

- **Land Use and Economic Development Policy 2.5-g.** Locations for high density development: Maintain the highest residential development intensities Downtown, along transit corridors, near transit stops, and in new neighborhood centers.
- **Land Use and Economic Development Policy 2.5-h.** Transit and pedestrian accessibility from housing: Work with developers of affordable and multifamily housing to encourage the construction of transit-oriented and pedestrian-oriented amenities and appropriate street improvements that encourage walking and transit use.
- **City Design Policy 6.2-c.** Preserve existing neighborhoods. Preserve the scale and character of established neighborhoods.

G.13.2.3 Merced

Merced Vision 2030 General Plan (City of Merced 2012)

- **Policy L-1.1.** Promote balanced development which provides jobs, services and housing.

- **Policy L-1.7.** Encourage the location of multi-family developments on sites with good access to transportation, shopping, employment centers, and services.
- **Policy L-3.1.** Create land use patterns that will encourage people to walk, bicycle, or use public transit for an increased number of their daily trips

G.14 Public Services

The following goals, objectives, and policies are relevant to public services.

G.14.1 Regional Plans and Policies

G.14.1.1 Stanislaus County

Stanislaus County General Plan 2015 (County of Stanislaus 2015)

- **Safety Policy Seven.** Adequate fire and sheriff protection shall be provided.

G.14.1.2 Merced County

2030 Merced County General Plan (County of Merced 2013)

- **Public Facilities and Services Policy PFS-6.2.** Sheriff Department Response Time Standards. Strive to achieve and maintain appropriate Sheriff Department response times for all call priority levels to provide adequate law enforcement services for all County residents.
- **Public Facilities and Services Goal PFS-7.** Provide adequate fire and emergency medical facilities and services to protect County residents from injury and loss of life, and to protect property from fire.
 - **Public Facilities and Services Policy PFS-7.1.** Fire Staffing and Response Time Standards. Strive to maintain fire department staffing levels and response times consistent with National Fire Protection Association standards.
 - **Public Facilities and Services Policy PFS-7.2.** Fire Protection Service Expansion . Strive to expand fire protection service in areas that are currently underserved or areas that experience growth in order to maintain adequate levels of service.
 - **Public Facilities and Services Policy PFS-7.6.** Emergency Medical Service Staffing and Response Time Standards. Strive to achieve and maintain optimum staffing levels and appropriate response times to provide adequate emergency medical services for all County residents.
 - **Public Facilities and Services Policy PFS-7.9.** Fire Safety Standard Compliance. Ensure that all proposed developments are reviewed for compliance with fire safety standards by responsible local fire agencies per the Uniform Fire Code and other State and local ordinances.
- **Public Facilities and Services Policy PFS-8.8.** Library Facilities and Services (SO). Encourage expansion of library facilities and services as necessary to meet the needs of future growth.

Delhi Community Plan (County of Merced 2006)

- **Public Services Policy PS 4.1.** The Community should maintain and improve levels of standards for fire and police protection.

G.14.2 Local Plans and Policies

G.14.2.1 Ceres

Ceres General Plan 2035 (City of Ceres 2018)

- **Public Facilities and Services Policy 6.J.2. Measure and Meet Response Time Standards.** Establish and strive to achieve response time standards. Measure response times and annually review progress in meeting response time standards.
- **Public Facilities and Services Policy 6.J.7. Continue Funding of Police Services.** Continue to ensure that new development funds police facilities, personnel, operations, equipment and maintenance that, at a minimum, maintains the response standards.
- **Public Facilities and Services Policy 6.K.5. Ensure Adequate Funding for Fire Services.** Within the City's overall budgetary constraints, ensure that fire and emergency medical services have modern facilities, equipment, and staffing needed to perform their duties and ensure efficient response time. Seek grants and County funding when facilities, equipment, and staffing needs exceed the City's budget.

G.14.2.2 Turlock

Turlock General Plan (City of Turlock 2012)

- **Growth Policy 3.1-f.** Provide adequate public services. Ensure the adequacy and quality of public services and facilities for all residents.
- **Safety Policy 10.4-b.** Provide High-Quality Public Safety Services. Continue to provide a level of service standard that meets or exceeds the national average in response to police protection and fire protection/prevention through efficient organization, administration and annual funding.
- **Safety Policy 10.4-i.** Meet Response Time Standard Throughout Study Area. Adequately distribute firefighting equipment and personnel throughout the Sphere of Influence to ensure quick response time (strive to achieve 5-minute response time to all calls within the primary service area of each fire station, 90 percent of the time). Critical factors that affect response times are station locations and road circulation patterns.
- **Safety Policy 10.4-q.** Evaluate Beat System to Optimize Police Service. Continue to monitor and revamp as necessary the Police Department's beat system to provide high quality and efficient crime deterrence, ensure a minimal response time, and optimize police available time throughout the City as it grows.

G.14.2.3 Livingston

City of Livingston General Plan (City of Livingston 1999)

- **Urban Boundary Objective 6.1-B.** Urban growth shall occur where urban services are available or can be extended.
 - **Urban Boundary Policy 6.1-1.** Growth past the Phased Growth Boundaries shall be subject to a finding by the City Council that:
 - There is a clear, timely and demonstrable need for this action;
 - Urban services are available to the site; and
 - There is insufficient vacant land within the current phase boundary to accommodate growth.
- **Urban Boundary Objective 6.3-A.** Growth policies keep guide (sic) the timing, type, and location of urbanization, preserve resource lands, protect natural features and open space, and encourage energy conservation.
 - **Urban Boundary Policy 6.3-2.** Each sequential urban growth boundaries (sic) is established as the area within which a full-range of urban services will need to be extended to accommodate urban development. This boundary shall be established based on the following factors:
 - Adequate residential, commercial and industrial capacity for the planning period.
 - Inclusion of a 30 percent vacancy factor (“flexibility factor”) for residential and commercial development.
 - Provision of adequate industrial land.
 - Adequacy of infrastructure including existing and planned capacity of sewerage system, treatment plan, water system, schools, roadways, and other urban services and facilities.
- **Safety Objective 10.2-A.** An effective and well-trained fire department that will protect the community from fire dangers.
 - **Safety Policy 10.2-1.** The City shall maintain fire department volunteer staffing of one volunteer per 500 residents.
 - **Safety Policy 10.2-2.** The standard of one fire company for every 10,000 residents shall be used to evaluate fire protection services.
 - **Safety Policy 10.2-3.** The City’s fire service response goal shall be 6 minutes from “tone-out” to arrival on scene.
- **Safety Objective 10.3-A.** An effective and well-trained Police Department to protect the lives and property of the community.
 - **Safety Policy 10.3-1.** Maintain police staffing ration of one sworn officer equivalent for every 1,000 residents.
 - **Safety Policy 10.3-2.** Promote interagency training and cooperation to enhance the Livingston Police Department’s effectiveness and readiness.

G.14.2.4 Atwater

City of Atwater General Plan (City of Atwater 2000)

- **Land Use, Public Facilities and Community Infrastructure Goal LU-17.** Ensure adequate fire protection for residents and businesses in the community.
 - **Land Use, Public Facilities and Community Infrastructure Policy LU-17.1.** Maintain the existing target response time of 5 minutes or less for emergency fire calls through adequate staffing, proper distribution of fire stations and equipment, and the use of automatic aid agreements.
- **Land Use, Public Facilities and Community Infrastructure Goal LU-22.** Promote the maintenance and enhancement of library services and facilities that are available to the community.

G.14.2.5 Merced

Merced Vision 2030 General Plan (City of Merced 2012)

- **Policy P-1.3.** Require new development to provide or pay for its fair share of public facility and infrastructure improvements.
- **Policy P-2.1.** Maintain and enhance public protection facilities, equipment, and personnel to the maximum extent feasible within the resource constraints of the City to serve the City's needs.
- **Policy S-4.2.** Maintain a reasonable level of accessibility and infrastructure support for fire suppression, disaster, and other emergency services.

G.15 Recreation

The following goals, objectives, and policies are relevant to recreation.

G.15.1 Regional Plans and Policies

G.15.1.1 Merced County

2030 Merced County General Plan (County of Merced 2013)

- **Public Facilities and Services Policy PFS-3.6.** Retention/Detention Facility (RDR/MPSP). Encourage stormwater detention/retention project designs that minimize drainage concentrations and impervious coverage, avoid floodplain areas, are visually unobtrusive and, where feasible, provide a natural watercourse appearance and a secondary use, such as recreation.

Stanislaus County General Plan (County of Stanislaus 2016)

- **Conservation and Open Space Policy 12.** Provide a system of local and regional parks which will serve the residents of the County.

G.15.2 Local Plans and Policies

G.15.2.1 Ceres

Ceres General Plan 2035 (City of Ceres 2018)

- **Public Facilities and Services Element Policy 6.F.11. Stormwater Detention Facilities.** Allow stormwater detention facilities to mitigate drainage impacts and reduce storm drainage system costs. To the extent practical, design stormwater detention facilities for multiple purposes, including recreational and/or stormwater quality improvement.

G.15.2.2 Turlock

Turlock General Plan (City of Turlock 2012)

- **Growth Policy 3.3-ab. Detention Basin Joint Uses.** Where feasible, allow joint uses within the detention basins such as recreational open space, parks, and athletic fields.
- **Parks, Schools, and Community Facilities Policy 4.1-p. Design for Park Safety.** Ensure safety of users and security of facilities through lighting, signage, fencing, and landscaping, as appropriate and feasible, following guidelines established in the Parks, Recreation and Open Space Master Plan.
- **Parks, Schools, and Community Facilities Policy 4.1-r. Fees for Non-Residential Development.** Levy a parks and recreation fee on both residential and nonresidential development commensurate with expected use of such facilities by residents and employees of non-residential developments.

G.15.2.3 Livingston

City of Livingston General Plan (City of Livingston 1999)

- **Open Space, Conservation, and Recreation Objective 5.3-A.** To provide recreational opportunities including local parks for the existing community, and projected population in future growth areas.

G.15.2.4 Merced

Merced Vision 2030 General Plan (City of Merced 2012)

- **Policy OS-3.1.** Provide high-quality park and open space facilities to serve the needs of a growing population.
- **Policy OS-3.3.** Maintain the City's existing high-quality open space facilities.
- **Policy OS-4.1.** Preserve open space areas which are necessary to maintaining public health and safety.

G.16 Safety and Security

The following goals, objectives, and policies are relevant to safety and security.

G.16.1 Regional Plans and Policies

G.16.1.1 State of California

State of California Emergency Plan (State of California Governor's Office of Emergency Services 2017)

The State Emergency Plan addresses California's response to emergency situations associated with natural disasters or human-caused emergencies. In accordance with the California Emergency Services Act, this plan describes the methods for conducting emergency operations, the process for rendering mutual aid, the emergency services of governmental agencies, how resources are mobilized, how the public will be informed, and the process to ensure continuity of government during an emergency or disaster. The concepts presented in this plan include mitigation programs to reduce the vulnerabilities to disasters and preparedness activities to ensure the capabilities and resources are available for an effective response. To assist communities and governments to recover from a disaster, the plan outlines programs that promote a return to normalcy

G.16.1.2 Stanislaus County

Stanislaus County General Plan 2015 (County of Stanislaus 2015)

- **Noise Policy 4.** It is the objective of Stanislaus County to ensure that the Noise Element is consistent with and does not conflict with other elements of the Stanislaus County General Plan or adopted Airport Land Use Compatibility Plan(s) (ALUCP)
- **Safety Policy 6.** All new development shall be designated to reduce safety and health hazards

Stanislaus County Airport Land Use Compatibility Plan (Stanislaus County Airport Land Use Commission 2016)

- **Policy 3.3.1.** Evaluating Safety Compatibility for New Development: The safety compatibility of proposed land uses within the an Airport Influence Area shall be evaluated in accordance with the policies set forth in this section, including the criteria listed in Table 2 [of the ALUCP], Safety Compatibility Criteria, and the safety zones depicted on Maps MOD-3 and OAK-3 [of the ALUCP], Compatibility Policy Map: Safety.
- **Policy 3.4.2.** Airspace Obstruction /Object Height Criteria: The criteria for determining the acceptability of a Project with respect to height shall be based upon the standards set forth in Federal Aviation Regulations (FAR) Part 77, Subpart C, Safe, Efficient Use and Preservation of the Navigable Airspace and applicable airport design standards published by the FAA. Additionally, where an FAA aeronautical study of a proposed object is required, the results of that study shall be taken into account by the ALUC and the Local Agency.
- **Policy 3.4.3.** Other Flight Hazards: Land uses that may cause visual or electronic hazards, to aircraft in flight or taking off or landing at the Airport shall be allowed within the Airport Influence Area only if the uses are consistent with FAA rules and regulations.

Stanislaus County Local Hazard Mitigation Plan (County of Stanislaus 2017)

Stanislaus County’s Local Hazard Mitigation Plan is a countywide plan that identifies risks posed by disasters, and identifies ways to minimize damage from those disasters. The plan is a comprehensive resource document that serves many purposes, including: enhancing public awareness and understanding, creating a decision tool for management, promoting compliance with State and Federal program requirements, enhancing local policies for hazard mitigation capability, and providing inter-jurisdictional coordination.

Stanislaus County Emergency Operations Plan, Basic Plan (County of Stanislaus 2019)

The Stanislaus County Emergency Operations Plan (EOP) addresses the County’s planned response to extraordinary emergency situations associated with natural disasters or human-caused emergencies in or affecting Stanislaus County. This EOP is based on the National Incident Management System and its component parts, along with the California Standardized Emergency Management System (SEMS), including the five functional areas of incident or event management, operational coordination, planning, logistical support, and finance/administration support. The EOP will serve as the basis for response as well as recovery efforts and activities within the county.

This plan also identifies Emergency Support Functions (ESFs) that represent core emergency response categories performed by agencies and jurisdictions with primary and supporting responsibilities within Stanislaus County. These may include public and non-government organizations. These ESFs are based on the State of California’s Emergency Function Annexes (EFs) and the Federal Emergency Support Function Annexes (ESFs).

G.16.1.3 Merced County

2030 Merced County General Plan (County of Merced 2013)

- **Recreation and Cultural Resources Goal RCR-1.** Preserve, enhance, expand, and manage Merced County’s diverse system of regional parks, trails, recreation areas, and natural resources for the enjoyment of present and future residents and park visitors.
 - **Recreation and Cultural Resources Policy RCR-1.6.** Non-Recreational Land Use Buffers (RDR). Require buffering between non-recreational land uses and sensitive public recreation lands through site design and other techniques when the non-recreational land use may significantly impact recreational lands.
- **Circulation Goal CIR-6.** Ensure that air transportation systems provide safe, efficient, and reliable movement of passengers and freight.
 - **Circulation Policy CIR-6.1.** Airport Protection and Support (SO). Support and protect the operations of all publicly-owned and publicly-used airports.
 - **Circulation Policy CIR-6.2.** Air Passenger Service Coordination (JP). Encourage coordination of air passenger services with other public transportation.
 - **Circulation Policy CIR-6.3.** Air Freight Service (SO/JP). Encourage industrial and commercial activities that involve freight movement to locate near airports that have air freight service.

- **Circulation Policy CIR-6.4.** Multi-modal Development (RDR). Support the development of multimodal terminal facilities at County airports.
- **Circulation Policy CIR-6.5.** Airport Land Use Compatibility Plan (RDR). Review building permits and discretionary applications in areas subject to potential safety or noise impacts from public airports to assure compatibility with the Merced County Airport Land Use Compatibility Plan or other adopted ALUC plans.
- **Circulation Policy CIR-6.6.** Private Air Strip Locations (RDR). Prohibit private airstrips that conflict with municipal airports and discourage airstrips which do not support agricultural commercial operations such as crop dusting activities.
- **Circulation Policy CIR-6.7.** New Structures (RDR/IGC). Require projects that could impact air travel to be compatible with Merced County Airport Land Use Commission plans, policies, and standards.
- **Circulation Policy CIR-6.8.** Transmission Tower and Lines (RDR/IGC). Review all proposed radio, television, power, or related transmission towers and lines for appropriate location and possible air travel conflicts during the discretionary application process. All projects located in Airport Areas of Influence or in approach/departure areas will be referred to the Merced County Airport Land Use Commission for comment.
- **Health and Safety Goal HS-1.** Minimize the loss of life, injury, and property damage of County residents due to seismic and geologic hazards.
- **Health and Safety Goal HS-2.** Minimize the possibility of loss of life, injury, or damage to property as a result of flood hazards.
- **Health and Safety Goal HS-3.** Minimize the exposure of County residents and public and private property to the effects of urban and wildland fires.
- **Health and Safety Goal HS-4.** Promote the safe operation of airports and the safety of Merced County residents by requiring that any new development within the airport area of influence be consistent with the requirements of the Merced County Airport Land Use Commission's compatibility plan and compliant with Federal Aviation Administration regulations.
 - **Health and Safety Policy HS-4.1.** Airport Land Use Compatibility Plan (RDR). Require that development around public use airports be consistent with the safety policies and land use compatibility guidelines contained in the Merced County Airport Land Use Commission's adopted Airport Land Use Compatibility Plan, and ensure that development near private airstrips addresses land use compatibility issues and complies with Federal Aviation Administration regulations.
 - **Health and Safety Policy HS-4.2.** Compliance with FAA Regulations (RDR). Require that development within the airport approach and departure zones is in compliance with Part 77 of the Federal Aviation Administration Regulations (FAA regulations that address objects affecting navigable airspace).

Merced County Airport Land Use Compatibility Plan (Merced County Airport Land Use Commission 2012)

- **Policy 1.2.6.** Airspace Protection Surfaces: Imaginary surfaces in the airspace surrounding the Airport defined in accordance with criteria set forth in Federal Aviation Regulations Part 77.

These surfaces establish the maximum height that objects on the ground can reach without potentially creating constraints or hazards to the use of the airspace by aircraft approaching, departing, or maneuvering in the vicinity of the airport. The Airspace Protection Surfaces for each airport are presented in Chapter 4 [of the ALUCP].

- **Policy 1.3.2.** Types of Airport Impacts: In delineating the airport influence area for each airport, the geographic extent of four types of compatibility concerns are taken into account:
 - (1) Noise. Locations exposed to potentially disruptive levels of aircraft noise.
 - (2) Safety. Areas where the risk of an aircraft accident poses heightened safety concerns for people and property on the ground.
 - (3) Airspace Protection. Places where height and certain other land use characteristics, particularly uses that attract birds, need to be restricted in order to protect the airspace required for operation of aircraft to and from the airport.
 - (4) Overflight. Locations where aircraft overflights can be intrusive and annoying to many people.
- **Policy 3.1.1.** Evaluating Compatibility of New Development: The compatibility of a land use proposal within an airport influence area shall be evaluated in accordance with:
 - (a) The criteria listed in Table 2A, Compatibility Criteria [of the ALUCP];
 - (b) The specific noise, safety, airspace protection, overflight policies, and special compatibility policies set forth in Section 5 [of the ALUCP]; and
 - (c) The Compatibility Policy and Airspace Protection maps presented in Chapter 3 [of the ALUCP] for each airport.
- **Policy 5.3.2.** Measures of Hazards to Airspace: In evaluating the airspace protection compatibility of proposed development near an airport, three categories of hazards to airspace shall be taken into account: physical, visual, and electronic.
 - (a) Three types of physical hazards are a concern to aviation.
 - (1) The height of structures and other objects situated near the airport are a primary determinant of physical hazards to the airport airspace.
 - (2) Land use features that have the potential to attract birds and certain other wildlife to the airport area are also to be evaluated as a form of physical hazards.
 - (3) Thermal plumes, such as from power plants, can constitute invisible hazards to flight.
 - (b) Visual hazards of concern include certain types of lights, sources of glare, and sources of dust, steam, or smoke.
 - (c) Electronic hazards are ones that may cause interference with aircraft communications or navigation.

2017 County of Merced Emergency Operations Plan (County of Merced 2017)

This plan is designed to assist the Department of Public Health and other medical and health personnel throughout the County of Merced to plan for, respond to and recover from a natural disaster or human-caused event. The plan does not address normal day to day emergencies or the

well-established and routine procedures used in coping with such emergencies. Instead, the operational concepts reflected in this plan focus on potential largescale disasters which can generate unique situations requiring unusual emergency response.

The goal of the Plan is consistent with the philosophy of the Merced County Department of Public Health (DPH) and strives to promote community health, prevent disease, injury, and disability, and minimize the morbidity and mortality that occur as a result of a disaster. This Plan addresses management of large scale events which overwhelm the normal day-to-day response capabilities. It specifically includes all divisions of the DPH and integrates activities with those of other Merced County departments and health care providers in the community. Where privately owned or noncounty agencies are involved, those agencies are part of the on-going planning process.

G.16.2 Local Plans and Policies

G.16.2.1 Ceres

Ceres General Plan 2035 (City of Ceres 2018)

- **Health and Safety Policy 5.F.1. Planning for Hazards.** Incorporate updated information about future climate change hazards, particularly those related to extreme weather such as drought, storms, heat waves, and flooding, into the City's hazard mitigation and emergency planning processes.
- **Health and Safety Goal 5.J.** Minimize the risk of loss of life, injury, damage to property, and economic and social dislocations resulting from airport hazards.
- **Health and Safety Goal 5.K.** Prevent and minimize the risk of loss of life, injury, and damage to property and natural resources resulting from fires.

G.16.2.2 Turlock

Turlock General Plan (City of Turlock 2012)

- **Safety Policy 10.4-aa.** Maintain Evacuation Routes. Ensure that major access and evacuation corridors are available and unobstructed in case of major emergency or disaster.

G.16.2.3 Livingston

City of Livingston General Plan (City of Livingston 1999)

- **Circulation Objective 4.4-A.** Maintain safe and efficient circulation routes for safety and emergency purposes.
 - **Circulation Policy 4.4-2.** The street network shall provide a quick and efficient route for emergency vehicles, including police, fire and other vehicles, when responding to calls for service. The length of single-entry access routes shall be restricted.
- **Safety Objective 10.1-A.** Reduce the potential for loss of life and property resulting from natural and manmade hazards to a minimum.
- **Safety Objective 10.1-B.** Coordinate responses in the event of a local or regional natural or manmade disaster.

- **Safety Policy 10.1-1.** The City will maintain its emergency preparedness, including evacuation procedures, to address potential natural and manmade hazards. These procedures shall be developed in coordination with Merced County's emergency operations plan.
- **Safety Objective 10.4-A.** Protect the lives and property of residents from the hazards of flooding.
 - **Safety Policy 10.4-1.** Consistent with Federal standards, the City shall plan for storm drainage facilities sufficient to address a 100-year flood event and require adequate storm drainage facilities to prevent flooding within the community.
 - **Safety Policy 10.4-2.** The City will maintain the Storm Drainage Master Plan for the City, including planned growth areas, and require that development conform to it.
 - **Safety Policy 10.4-3.** Development proposals shall be analyzed according to the *Storm Drain Collection System Study and Master Plan*. Development not within an existing *Master Plan* watershed area may be included in the boundaries of an adjacent area and subject to a revision of facilities and cost allocation thereof.

G.16.2.4 Atwater

City of Atwater General Plan (City of Atwater 2000)

- **Seismic and Public Safety Goal SF-5.** Reduce potential flood impacts resulting from dam failures.
 - **Seismic and Public Safety Policy SF-5.1.** Ensure that the City's Emergency Plan is updated to include dam failure inundation as a potential emergency and procedures for the efficient and orderly notification and evacuation of potential dam inundation areas.
- **Seismic and Public Safety Goal SF-6.** Reduce the potential for both urban and wildland fires to occur.
 - **Seismic and Public Safety Policy SF-6.1.** Maintain, and if feasible improve, the City's ISO rating of 5.
- **Seismic and Public Safety Goal SF-8.** Avoid new incompatible development within established Airport Safety Zones.
 - **Seismic and Public Safety Policy SF-8.1.** Ensure that land use development in the area surrounding Castle Airport is consistent with the applicable provisions of the Merced County Airport Land Use Compatibility Plan.
- **Seismic and Public Safety Goal SF-10.** Ensure that adequate emergency vehicle access is provided to developed areas.
- **Seismic and Public Safety Goal SF-12.** Provide for the orderly evacuation of residents in the event of a disaster.

G.16.2.5 Merced

Merced Vision 2030 General Plan (City of Merced 2012)

- **Policy S-1.1.** Develop and maintain emergency preparedness procedures for the City.
- **Policy S-5.2.** Prevent the encroachment of potential hazards to flights within the Airport's airspace.
- **Policy EU-1.1c.** Incompatible urban development should not be approved which would endanger the continued operations of the Merced Regional Airport.

G.17 Transportation and Traffic

The following goals, objectives, and policies are relevant to transportation and traffic.

G.17.1 Regional Plans and Policies

G.17.1.1 Stanislaus County

Stanislaus County General Plan (County of Stanislaus 2015)

- **Circulation Implementation Measure 9.2.** The County will continue to work with Caltrans, StanCOG ,and other agencies to investigate ways to provide increased inter-city and interregional passenger rail service to Stanislaus County.

2018 Regional Transportation Plan/Sustainable Communities Strategy (Stanislaus Council of Governments 2018)

- **Goal 1.** Mobility and Accessibility. Improve the ability of people and goods to move between desired locations; and, provide a variety of modal and mobility options.
- **Goal 5.** Support infrastructure investments that facilitate vehicle electrification and the provision of electrification infrastructure in public and private parking facilities and structures.
- The 2018 Regional Transportation Plan/Sustainable Communities Strategy identifies Proposed Project as a rail priority. The document identifies the following: *The SJRRC is proposing to expand ACE service to enhance commuter and intercity rail service and to promote greater transit connectivity between the San Joaquin Valley, the San Francisco Bay Area, and Sacramento. SJRRC is working on a phased improvement plan...for service expansion, station enhancements and track improvements that will extend ACE service to the cities of Manteca, Modesto, Ceres, Turlock and Merced... ACE expansion is anticipated to improve connectivity with other modes, increase transit ridership, reduce congestion, improve air quality (reducing GHG emissions), and further regional land use/transportation planning goals under SB 375. It will support walkable communities and the revitalization of core urban areas within Stanislaus County.*

Stanislaus County Non-Motorized Transportation Master Plan (Stanislaus Council of Governments 2013)

- **Objective 1.B.** Complete a continuous network of bikeways and pedestrian facilities that are feasible, fundable, and serve the needs of bicyclists and pedestrians, especially for travel to employment centers, schools, commercial districts, transit stations, and institutions.
- **Objective 1.D.** Improve access and integration with transit for bicycling and walking trips.
 - **Policy 1.D.3.** Require future transit service in Stanislaus County to provide adequate bicycle and pedestrian access, bus mounted bicycle racks, and secure bicycle parking.
- The Non-Motorized Transportation Master Plan identifies ACE as a multi-modal connection.

G.17.1.2 Merced County

2030 Merced County General Plan (County of Merced 2013)

- **Transportation and Circulation Goal CIR-1.** Maintain an efficient roadway system for the movement of people and goods that enhances the physical, economic, and social environment while being safe, efficient, and cost-effective.
- **Transportation and Circulation Goal CIR-5.** Maintain and expand a rail transportation system that provides safe, efficient, and reliable movement of freight and passengers within and through Merced County.

Regional Transportation Plan/Sustainable Communities Strategy for Merced County (Merced County Association of Governments 2018)

- **Goal 1.** Provide a safe and efficient regional road system that accommodates the demand for movement of people and goods
- **Goal 2.** Provide an efficient, effective, coordinated regional transit system that increases mobility for urban and rural populations, including transportation disadvantaged persons.
- **Goal 3.** A rail system that provides safe and reliable service for passengers.
- **Policy 7.1.** Increase public transit and carpooling/vanpooling and bicycling/walking to exceed population growth.

Merced County Regional Bicycle Transportation Plan (Merced County Association of Governments 2008)

- **Goal One. Bicycle Safety.**
 - Provide a safe bikeway system as an alternative to vehicular travel.
 - Establish and maintain routes that are designed to ensure safety.
 - Establish a system that is secure for riders.
- **Goal Three. Bicycle Connectivity and Accessibility.**
 - Accommodate bicycling as part of Merced County's multi-modal transportation system.
 - Establish and maintain an integrated network of bicycle facilities to support bicycle commuting
 - Establish and maintain an integrated network of bicycle facilities to support recreational bicycling

- Establish and maintain an integrated bikeway network that connects to other counties.

G.17.2 Local Plans and Policies

G.17.2.1 Ceres

Ceres General Plan 2035 (City of Ceres 2018)

- **Transportation and Circulation Policy 3.A.3. Transportation Impact Analysis.** Require transportation analysis to determine the effects of traffic from major development projects (generally those that would generate 100 or more peak-hour trips) or projects that would increase hazards related to the introduction of incompatible land uses. Each such project shall construct or fund improvements necessary to mitigate the effects of traffic from the project. Such improvements may include a fair share contribution towards improvements that provide benefits to others.
- **Transportation and Circulation Policy 3.A.4. Reduce Vehicle Miles Traveled (VMT).** Support statewide efforts to reduce vehicle miles of travel (VMT) from existing and new development by encouraging infill and mixed-use development, providing a multi-modal transportation network, and incorporating transportation and parking demand management measures into new development by design.
- **Transportation and Circulation Policy 3.C.1. Residential Neighborhood Streets.** Consider the effects of new development on local streets in residential areas and require new development to mitigate significant impacts to existing residential neighborhoods.

G.17.2.2 Turlock

Turlock General Plan (City of Turlock 2012)

- **Circulation Policy 5.2-a.** A safe and efficient roadway system. Promote a safe and efficient roadway system for the movement of both people and goods.
- **Circulation Policy 5.2-g.** Reduce Vehicle Miles Traveled. Through layout of land uses, improved alternate modes, and provision of more direct routes, strive to reduce the total vehicle miles traveled.
- **Circulation Policy 5.2-ac.** Impacts of new development. No new development will be approved unless it can show that required service standards (accessibility, spacing and capacity in the circulation diagram and in Section 5.2) are provided on the affected roadways.
- **Circulation Policy 5.2-ad.** Traffic Calming. Traffic calming techniques may be employed to mitigate the traffic effects of new development.
- **Circulation Policy 5.2-ae.** Traffic impact studies. Traffic impact studies are only required where there is a demonstrated change in background traffic or where proposed land uses generate traffic levels that vary substantially from assumed trip generation levels that were used to formulate the General Plan circulation network.
- **Circulation Policy 5.3-a.** Promote walking and bicycling. Promote walking and bike riding for transportation, recreation, and improvement of public and environmental health.

- **Circulation Policy 5.4-a.** Promote safe, efficient, and convenient public transportation. Promote the use of public transportation for daily trips, including to schools and workplaces, as well as other purposes.
- **Circulation Policy 5.5-b.** Ensure compatible land uses with the Turlock Municipal Airport. Maintain compatibility of Turlock Municipal Airport operations with development in the surrounding area.
- **Circulation Policy 5.5-d.** Promote railroad safety. Minimize the safety problems associated with the Union Pacific Railroad and the divisive effect of the track alignment on the City.
- **Circulation Policy 5.5-p.** Continue the ongoing comprehensive program to improve the condition and safety of existing railroad crossings by upgrading surface conditions and installing signs and signals where warranted.

G.17.2.3 Livingston

City of Livingston General Plan (City of Livingston 1999)

- **Circulation Policy 4.1-A-11.** The City designates Service Level “D” as defined in the Highway Capacity Manual (published by the Transportation Research Board of the National Research Council) as the minimum desirable service level at which arterial streets and collector streets should operate. All new facilities in these categories shall be designed to operate at this level or better for a period of at least 20 years following their construction.
- **Circulation Policy 4.1-A-16.** No development shall be approved unless it is found to be consistent with the adopted Circulation Element and policies of the General Plan.
- **Circulation Objective 4.3-A.** Provide for the safe transport and delivery of goods in and out of the City.
 - **Circulation Policy 4.2-A-1.** Truck routes to efficiently move heavy traffic through the are designated on Figure 4-3.
 - **Circulation Policy 4.2-A-2.** Route heavy traffic to designated Major Arterial, Minor Arterial, and Collector streets only and away from Local Residential Streets.
 - **Circulation Policy 4.2-A-3.** Provide adequate access to busy destination points such as shopping centers, recreational sites, and employment centers.
- **Circulation Objective 4.3-B.** Assure the continuation of railroad freight service to the City of Livingston.
 - **Circulation Policy 4.2-B-1.** Pursue expansion of industrial facilities that will use railroad freight services.
- **Circulation Objective 4.4-A.** Maintain safe and efficient circulation routes for safety and emergency purposes.
 - **Circulation Policy 4.4-A-2.** The street network shall provide a quick and efficient route for emergency vehicles, including police, fire and other vehicles, when responding to calls for service. The length of single-entry access routes shall be restricted.
 - **Circulation Policy 4.4-A-3.** SH 99, Livingston-Cressey Road, Main Street, B Street, and Walnut Avenues are designated as vehicular evacuation routes out of the City (Figure 4-4).

- **Circulation Objective 4.4-B.** Promote traffic safety throughout the City.
 - **Circulation Policy 4.3-B-1.** Minimize hazardous encounters among all transportation modes by utilizing special safety techniques and precautions at intersecting points.
- **Circulation Objective 4.4-C.** Maximize the use of site planning techniques to improve traffic safety.
 - **Circulation Policy 4.4-C-8.** Developers shall mitigate traffic impacts associated with their projects.
- **Circulation Objective 4.5-A.** Maximize the efficiency of the existing street system.
- **Circulation Objective 4.5-B.** Encourage the proximity of compatible land uses to reduce unnecessary automobile travel.
 - **Circulation Policy 4.5-1.** The City encourages the use of energy efficient and non-polluting modes of transportation.
 - **Circulation Policy 4.5-3.** Promote the long term shifting of peak hour commute trips from the single occupant automobile to ridesharing, buses, pedestrian, and bicycles.

G.17.2.4 Atwater

City of Atwater General Plan (City of Atwater 2000)

- **Circulation Goal CIRC-5.** Provide sufficient parking for all commercial, industrial, residential, and other uses, either off-street or on-street as appropriate.
 - **Circulation Policy CIRC-5.1.** Require that all new development provides sufficient on- or off- street parking to meet the standards of the City's Zoning Code or any other applicable planning document (such as the Downtown Specific Plan).
- **Circulation Goal CIRC-6.** Ensure convenient and affordable public transit for all Atwater residents to destinations within the City and to nearby communities and destinations, such as UC Merced.
- **Circulation Goal CIRC-7.** Development of an interconnected system of bikeways and trails throughout Atwater.
 - **Circulation Policy CIRC-7.1.** Consider bicycle circulation in the review of all proposed public and private development and infrastructure projects. Require that all private projects conform with the adopted Regional Bike Plan.
- **Circulation Goal CIRC-8.** Provide a safe and efficient pedestrian circulation system which connects residential areas, schools, and commercial areas with parking lots and public transportation.
 - **Circulation Policy CIRC-8.1.** Require new public and private development and Infrastructure projects to include sidewalks or on-site pedestrian features.

G.17.2.5 Merced

Merced Vision 2030 General Plan (City of Merced 2012)

- **Goal Area T-1.** Streets and Roads.

- **Policy T-1.4.** Promote traffic safety for all modes of transportation.
- **Policy T-1.5.** Minimize unnecessary travel demand on major streets and promote energy conservation.
- **Goal Area T-2.** Bicycles, Pedestrians, and Public Transit.
 - **Policy T-2.2.** Support and enhance the use of public transit.
 - **Policy T-2.3.** Support a safe and effective public transit system.
- **Goal Area T-3.** Air and Rail Systems that provide safe and convenient service to the community.
 - **Policy T-3.4.** Reduce rail system impacts on circulation within the urban area.
 - **Policy T-3.5.** Support enhanced railroad passenger service and high speed rail services for Merced.
 - **Policy T-3.6.** Retain and expand as needed rail facilities serving industrial development.
- **Goal Area OS-3.** Comprehensive urban trail and bike path system.
 - **Policy OS-3.2.** Maintain and expand the City's bikeway and trail system.

Merced 2013 Bicycle Transportation Plan (City of Merced 2013)

The purpose of the *2013 Bicycle Transportation Plan* is to provide City Staff and the community with a comprehensive, long-range view for the development of bicycle facilities and programs within the City of Merced (City of Merced 2013).

- **Enforcement Goal.** Reduce the incidents of bicycle-related collisions with enforcement that emphasized education, compliance, and proactive measures.
 - **Policy.** Continue to design bikeways that minimize conflicts between bicyclists, vehicles, and pedestrians to the extent practical.
 - **Policy.** Design bikeways that conform to the Caltrans Design Manual standards for bikeway classifications.
 - **Policy.** Consider a system whereby bicyclists can easily report bikeway maintenance issues (i.e. sweeping, overgrown vegetation, lack of support facilities, vandalism, etc).
 - **Policy.** Consider the provision of police patrol on bike paths. • Consider pros and cons of well-lit bicycle facilities when updating the City's Design Standards.
 - **Policy.** Through site plan review and consideration of use on bike lockers, seek to minimize the occurrence of bicycle thefts in the community
 - **Policy.** Promote increased traffic safety with special attention to intersection operations and associated design, and hazards which could cause personal injury (GP, T-1.4c).

G.18 Utilities and Service Systems

The following goals, objectives, and policies are relevant to utilities and service systems.

G.18.1 Regional Plans and Policies

G.18.1.1 Stanislaus County

Stanislaus County General Plan 2015 (County of Stanislaus 2015)

- **Conservation/ Open Space Goal Eight.** Support efforts to minimize the disposal of solid waste through source reduction, reuse, recycling, composting and transformation activities.

G.18.1.2 Merced County

2030 Merced County General Plan (County of Merced 2013)

- **Public Facilities and Services Goal PFS-2.** Ensure the adequate wastewater collection, treatment, and disposal within the County.
 - **Public Facilities and Services Policy PFS-2.4.** Intensive Processing Activities (RDR). Discourage the development of intensive processing activities that have heavy wastewater discharge characteristics in areas identified as having high groundwater or drainage problems unless effective mitigation measures are available.
 - **Public Facilities and Services Policy PFS-2.5.** Ground or Surface Water Contamination (RDR). Prohibit wastewater disposal facilities, including private residential facilities, that are determined to have the potential to contaminate the groundwater or surface water, on either a site-specific or cumulative basis.
- **Public Facilities and Services Goal PFS-4.** Ensure the safe and efficient disposal and recycling of solid and hazardous waste generated in the County.
- **Public Facilities and Services Goal PFS-5.** Ensure the provision of adequate utilities to the residents of Merced County.
 - **Public Facilities and Services Policy PFS-5.6.** Underground Power Transmission (RDR). Require power transmission and distribution facilities to be located underground within urban communities and residential centers.

Delhi Community Plan (County of Merced 2006)

- **Public Services Policy PS 1.1.** As development occurs ensure that adequate public services are provided.
- **Public Services Policy PS 2.1.** Development shall finance public facilities if development impacts existing public services.

G.18.2 Local Plans and Policies

G.18.2.1 Ceres

Ceres General Plan 2035 (City of Ceres 2018)

- **Public Services and Facilities Policy 6.D.1. Adequate Water Supply for New Development.** Approve new development that relies on a public water system only where an adequate water supply and conveyance system already exists or will be provided.
- **Public Services and Facilities Policy 6.E.** Ensure adequate wastewater collection and treatment and the safe disposal of waste in a timely fashion to support the needs of current and future Ceres residents.
- **Public Services and Facilities Policy 6.F.** Collect and dispose of stormwater in a manner that minimizes inconvenience to the public, reduces burden on existing stormwater facilities, encourages groundwater recharge, minimizes potential water-related damage, and enhances the environment.
- **Public Services and Facilities Policy 6.G.1. Waste and Recycling at New Development.** Require waste and recycling collection in all new development, and require that all new development complies with applicable provisions of the City of Ceres Source Reduction and Recycling Element and the Stanislaus County Integrated Waste Management Plan.

G.18.2.2 Turlock

Turlock General Plan (City of Turlock 2012)

- **Growth Policy 3.3-d.** Meet projected needs. Promote the orderly and efficient expansion of public utilities and the storm drainage system to adequately meet projected needs, comply with current and future regulations, and maintain public health, safety, and welfare.
- **City Design Policy 6.3-j.** Undergrounding of utility wires. Continue to require undergrounding of utility lines in new developments.

Turlock Northwest Triangle Specific Plan (City of Turlock 2004)

- **Principle 4.7-b.** All onsite drainage improvements shall be designed consistent with the standards of the City of Turlock.

G.18.2.3 Livingston

City of Livingston General Plan (City of Livingston 1999)

- **Community Design Policy 7.1-A-2.** The undergrounding of utilities along the City's main corridors is a priority. In developing areas, new development projects shall place all utility lines underground. The City will also explore a range of options for undergrounding utilities in existing developed areas.
- **Public Services and Facilities Policy 9.1-5.** Developers shall prepare an infrastructure and public services assessment as part of each annexation application to determine infrastructure needs, feasibility, timing, and financing

- **Public Services and Facilities Policy 9.1-19.** The City shall require the connection of existing and new businesses, residences, and industries to the City’s water and sewer system. The City shall establish fees which enable it to recover the costs of such connection.
- **Public Services and Facilities Policy 9.1-20.** Conditions of approval shall be implemented with each development to assure that the necessary water production, distribution, and/or treatment facility is in place prior to issuance of a building permit.
- **Public Services and Facilities Policy 9.1-24.** Conditions of approval shall be implemented with each development to assure that the necessary sewer collection facility is in place and/or wastewater treatment plant and adequate disposal capacity is available prior to issuance of a building permit.

Livingston Municipal Code

Chapter 9-11 Water Efficient Landscaping and Irrigation

- **Section 9-11-2.** Applicability Whenever landscaping or landscaping and irrigation plans are required by a condition of approval of a development project, the following landscape and irrigation system design and specifications shall apply. The city may require landscape areas that exceed ten thousand (10,000) square feet to conform with the water conservation requirements in the state water efficient landscape ordinance.

G.18.2.4 Atwater

City of Atwater General Plan (City of Atwater 2000)

- **Land Use, Public Facilities and Community Infrastructure Goal LU-26.** Encourage the conformance of utility systems to community design standards while retaining their essential functions.
 - **Land Use, Public Facilities and Community Infrastructure Policy LU-26.1.** Require that new utilities or necessary extensions for new development and redevelopment projects be installed underground.
- **Land Use, Public Facilities and Community Infrastructure Goal LU-27.** Promote adequate levels of utility services provided by private companies and ensure that these are constructed to minimize negative effects on surrounding development.
 - **Land Use, Public Facilities and Community Infrastructure Policy LU-27.2.** Promote technological improvements and upgrading of utility services throughout the community.

City of Atwater Municipal Code

Chapter 8.36 Water Efficient Landscaping and Irrigation

- **Section 8.36.020.** Applicability. Water Efficient Landscaping and Irrigation. Whenever landscaping or landscaping and irrigation plans are required by a condition of approval of a development project, the following landscape and irrigation system design and specifications shall apply: Section 8.36.40, Section 8.36.50, Section 8.36.60, Section 8.36.70.

G.18.2.5 Merced

Merced Vision 2030 General Plan (City of Merced 2012)

- **Policy P-3.1.** Ensure that adequate water supply can be provided with the City's service area, concurrent with service expansion and population growth.
- **Policy P-4.1.** Provide adequate wastewater collection, treatment and disposal capacity for existing and projected future needs.
 - **Implementing Action P-4.1.a.** Maintain and enhance the existing wastewater system to increase the lifetime of the system.
- **Policy P-5.1.** Provide effective storm drainage facilities for future development.
 - **Implementing Action P-5.1.c.** Continue to require all development to comply with the Storm Water Master Plan and any subsequent updates.
- **Policy P-6.2.** Minimize the potential impacts of waste collection, transportation and disposal facilities upon the residents of Merced.
 - **Implementing Action P-6.2.c.** Continue implementation of programs in cooperation with the Merced County Regional Waste Management Authority to meet solid waste diversion goals.

City of Merced Municipal Code

Chapter 17.60 Water Efficient Landscaping and Irrigation

- **Section 17.60.020.** Applicability. Whenever landscaping or landscaping and irrigation plans are required by a condition of approval of a development project, the following landscape and irrigation system design and specifications shall apply.

G.19 References

G.19.1.1 Regional Plans

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G.19.1.2 Local General Plans

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City of Merced

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