

2019029021

NEGATIVE DECLARATION

TO: Office of Planning & Research
P. O. Box 3044
Sacramento, California 95812-3044

County Clerk, County of San Joaquin

FROM: San Joaquin County Community Development Department
1810 East Hazelton Avenue
Stockton, California 95205

PROJECT TITLE: A Deviation application NO. PA-1800333, 334 (DV, SA)

PROPOSER: Ali Nagi

PROJECT LOCATION: The project site is on the west side of North Ad Art Road, 760 feet south of East Cherokee Road, Stockton. (APN/Address: 087-100-39/3251 North Ad Art Road, Stockton) (Supervisorial District: 4)

PROJECT DESCRIPTION: A Deviation application to reduce the required distance between off-premise signs from 1,000 feet as required by Development Title Section 9-1710.6(a)(4) to 602 feet. This is to allow a Site Approval application to construct an off-premise sign on a 2.86-acre parcel in the I/L (Limited Industrial) zone. The site will utilize public water, sewer, and storm drainage services and will be provided access from North Ad Art Road. The project site is not under a Williamson Act contract.

The Property is zoned I-L (Limited Industrial) and the General Plan designation is I/L (Limited Industrial).

Based on the attached Initial Study, it has been found that the project will not have a significant effect on the environment.

Date: 2/5/2019

Contact Person: Giuseppe Sanfilippo

Phone: (209) 468-0227

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SAN JOAQUIN COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT

INITIAL STUDY

FILE NO: PA-1800333 (DV) & PA-1800334 (SA)

PROJECT/APPLICANT: ALI/DSN OUTDOOR

PROJECT DESCRIPTION: This project is a Site Approval application to construct a double-sided, and illuminated, off-premise billboard sign totaling 672 square feet, and fifty (50) feet in height. The project also includes a Deviation request to reduce the required setback between off-premise signs from 1,000 feet as required by Development Title Section 9-1710.6(a)(4) to 602 feet. (Use Type: Signs, Off-Premises). The project site is located on the west side of North Ad Art Road, 760 feet south of East Cherokee Road, Stockton.

RECOMMENDED ENVIRONMENTAL DETERMINATION:

The proposed project could not have a significant effect on the environment, and a Negative Declaration will be prepared.

X

Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A Negative Declaration will be prepared.

The proposed project may have a significant effect on the environment, an Environmental Impact Report is required.

ASSESSOR PARCEL NO: 087-100-39

ACRES: 2.86-acres

GENERAL PLAN: I/L

ZONING: I-L

CURRENT SITE CONDITIONS (topography, uses): Indoor Sports Complex.

POTENTIAL POPULATION, NUMBER OF DWELLING UNITS, OR SQUARE FOOTAGE OF USE(S): Off-premise billboard sign to total 672 square feet, with a height of fifty (50) feet.

SURROUNDING LAND USES:

North: Industrial/Calaveras River

South: Industrial/Commercial/Stockton Diverting Canal/STE Railway

East: Commercial/Residential

West: Industrial/State Route 99

GENERAL CONSIDERATIONS:

- 1. Does it appear that any environmental feature of the project will generate significant public concern or controversy?
 Yes No Nature of concern(s): _____
- 2. Will the project require approval or permits by agencies other than the County?
 Yes No Agency name(s): _____
- 3. Is the project within the Sphere of Influence, or within two miles, of any city?
 Yes No City: Stockton

ENVIRONMENTAL IMPACTS:

"Yes" may only be checked in situations where there is substantial evidence to indicate that there may be a significant adverse impact on the environment if there is no change in the project description. (CEQA Guidelines, Sec. 15064)

See the "Discussion" section at the end of the Initial Study for explanation of any impacts checked "Yes", or any "No" answer marked with an asterisk (*).

Sources: The following sources of information have been used in determining environmental impacts:

Original source materials and maps on file in the Community Development Department including: all County and City general plans and community plans; assessor parcel books; various local and FEMA flood zone maps; service district maps; maps of geologic instability; maps and reports on endangered species such as the Natural Diversity Data Base; noise contour maps; specific roadway plans; maps and/or records of archeological/historic resources; soil reports and maps; etc. Many of these original source materials have been collected from other public agencies or from previously prepared EIR's and other technical studies. Copies of these reports can be found by contacting the Community Development Department.

1. Water:

- a. Is any portion of the project subject to flood hazard?
Flood zone: AH Yes No*
- b. Will the project result in reduction of surface or ground water quality or quantity? Yes No
- c. Will the project result in increases to surface, channel or stream volumes, or alterations to drainage patterns and streams? Yes No
- d. Will the project result in erosion of or sedimentation to a channel, river, or body of water? Yes No*

Other sources used: _____

2. Earth:

- a. Will the project result in or be subject to potentially hazardous geologic or soils conditions on or immediately adjoining the site (slides, springs, erosion, liquefaction, earthquake faults; steep slopes, septic tank limitations)? Yes No

- b. Will the project involve substantial grading which could result in secondary impacts (consider amount, steepness, and visibility of proposed slopes; consider effect of grading on trees and creek channels)? Yes No

- c. Will there be conversion of prime farmland (over 40 acres and not shown for development in the General Plan)? Yes No

Other sources used: San Joaquin County Soil Survey

3. Plant/Animal Life:

- a. Will there be a reduction or disturbance to any habitat for plants and animals (including removal or disturbance of trees, riparian areas, or migration routes)? Yes No *

- b. Will the project impact any rare, endangered, threatened, or recreational species located on or near the site? (Check the Natural Diversity Data Base) Yes No *

Other sources used: Natural Diversity Database

4. Air/Climate:

- a. Will the project make a significant contribution to the deterioration of existing air quality, including creation of objectionable odors; will future project residents be subjected to significant pollution levels? Yes No

- b. Will the project result in any impact to current climatic conditions? (Consider the introduction of water features, loss of wetland, etc.) Yes No

Other sources used: _____

5. Noise:

- a. Will the project expose people to high noise or vibration levels (over 65db/Ldn for residential uses or 75db/Ldn for industrial uses at the property line)? (Check 2010 projected noise contours.) Yes No*

- b. Will the project result in increased noise or vibration levels? Yes No

Other sources used: _____

6. Energy/Natural Resources:

- a. Will the project use substantial amounts of fuel or energy, require a substantial increase in demand upon existing sources, or require the development of new sources of energy? Yes No

- b. Will the project affect the potential use, extraction, conservation, or depletion of a natural resource (other than agricultural land)? Yes No

Other sources used: _____

7. Hazards:

- a. Will the project create a risk of explosion; release, generate or store Any hazardous substances; or cause other dangers to public health and safety? Yes No
- b. Are there any known hazardous substances located within 500 feet of the boundaries of this project, if in an existing or proposed residential area (this could include possible groundwater contamination)? Yes No
- c. Will the project result in interference with, or need, for emergency plans? Yes No

Other sources used: _____

8. Utilities and Public Service:

- a. **Will the project require alteration of, addition to, or the need for new utility systems (water, sewer, drainage, solid waste), including a sphere of Influence or district boundary change? Yes No
- b. **Will the project result in the need for or the expansion of the following services: fire and police protection, schools, parks and recreation, libraries, roads, flood control, solid waste or other public works facilities, public transit, or governmental services? Yes No
- c. Will the project adversely impact existing recreational/park opportunities or require new park/recreation opportunities? Yes No

Note: ** "Yes" answers to these two questions and 9 (b) below will require additional discussion, but do not necessarily indicate a potentially significant impact.

Other sources used: _____

9. Transportation/Circulation:

- a. Will the project generate significant traffic volumes and/or make a significant contribution to an existing circulation problem (consider existing LOS on nearby arterials and highways, road design, access, parking, accident potential)? Yes No
- b. **Will the project cause special transportation considerations (consider water-borne, rail, air, pedestrian, and bicycle traffic, and public transportation systems and parking facilities)? Yes No
- c. Will the project result in a significant increase in commuting to and from the local community? Yes No
- d. Will the project be impacted by or interfere with an airport flight path? Yes No

e. Will the project restrict access to the surrounding area? Yes No

Other sources used (note traffic studies): _____

10. Cultural Resources:

a. Will the proposal result in an alteration of a significant archeological, or historical site, structure, or building? Yes No

Other sources used: _____

11. Housing:

a. Will the proposal adversely affect the existing housing stock or create a demand for additional housing (more than 50 units)? Yes No

Other sources used: _____

12. Aesthetics:

a. Will the project obstruct any public scenic vista or view, create an aesthetically offensive site open to public view, or produce new light or glare? Yes No

Other sources used: _____

13. Land Use:

a. Is this project a growth-inducing action: Will it encourage additional requests for related uses, or will it set a significant land use precedent in the area? Yes No *

b. Will the project conflict with existing or planned land uses; is the project in conflict with any adopted plans? Yes No *

c. Will the project disrupt a natural or recreation area, impact access to waterways, or allow trespass onto surrounding land? Yes No

14. Cumulative:

a. Will the project create any impacts which may not be significant for the project alone, but may be significant when combined with other anticipated development of similar type and or location? Yes No

Other sources used: _____

15. Other Impacts: Identify any other impact(s) not noted above which may be significant, and cite source(s). **NONE KNOWN.**

Mandatory Findings of Significance:

(A "Yes" answer to any of the following questions requires preparation of an EIR.)

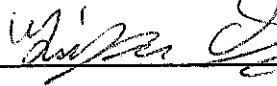
- a. Does the project have the potential to degrade the quality of the environment or curtail the diversity in the environment? Yes No
- b. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? Yes No
- c. Does the project have impacts which are individually limited but cumulatively considerable? Yes No
- d. Does the project have environmental impacts which will cause substantial, adverse effects on human beings, either directly or indirectly? Yes No

16. DISCUSSION OF ANY ENVIRONMENTAL IMPACTS NOTED ABOVE.

(Discuss any questions answered "Yes" above, as well as any "No" answers marked with an asterisk (*). Discuss any changes to the project which could mitigate the identified impacts. Discuss any proposed mitigation monitoring program submitted by the project applicant. Use additional attached pages if necessary.)

PLEASE SEE INITIAL STUDY ATTACHMENT PA-1800333 (DV) & PA-1800334 (SA).

Prepared by: Giuseppe Sanfilippo



Title: Associate Planner

Date: February 5, 2019

**INITIAL STUDY (ATTACHEMENT)
PA-1800333 (DV) & PA-1800334 (SA)
ALI/DSN OUTDOOR**

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1. Water

1.a.&d. The project site is located in the Flood Zone AH flood designation. A referral was sent to the Department of Public Works Flood Control Division for comments. If approved, all new construction and the substantial improvement of any structure in the area of special flood hazard shall be elevated or floodproofed in accordance to San Joaquin County Development Title Section 9-1605.12(a),(b), and (c). In addition, the project site falls within the Open Water Upland Wetland area. A referral was sent to the Army Corps of Engineers for review.

3. Plant/Animal Life

3. a.&b. The Natural Diversity Database list the *Buteo swainsoni* (Swainson's hawk) and the *Thamnophis gigas* (giant garter snake) as rare, endangered, or threatened species as potentially occurring in or near the project area. If SJCOG determines that the applicant may participate in the San Joaquin Multi-Species Habitat Conservation and Open Space Plan (SJMSCP), and if the applicant chooses to participate, then the proposed project is consistent with the SJMSCP, as amended, as reflected in the conditions of project approval for this proposal. Pursuant to the Final EIR/EIS for San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP), dated November 15, 2000, and certified by SJCOG on December 7, 2000, implementation of the SJMSCP is expected to reduce impacts to biological resources resulting from the proposed project to a level of less-than-significant. If the applicant chooses not to participate, then the applicant will be required to participate in a similar mechanism that provides the same level of mitigation.

5. Noise

5.a. This project is located within the 65 dB noise contour for State Route 99. The 65 dB contour line along State Route 99 is located 771 feet from the side of the pursuant to the 2035 General Plan Background report Table 15-8, page 15-27. However, The Signs, Off-Premises use type, is not classified as a noise sensitive land use. Therefore, any impacts from this project will be less than significant.

13. Land Use

13. a. & b. This project is a Site Approval application to construct a double-sided, and illuminated, off-premise billboard sign totaling 672 square feet, and fifty (50) feet in height. The project is tied to Deviation No. PA-1800333 to reduce the required setback between off-premise signs from 1,000 feet as required by Development Title Section 9-1710.6(a)(4) to 602 feet. A Deviation application is intended to provide exceptions to the regulations of the Development Title which may be used to ensure that the property, because of special circumstances such as size, shape, topography, location, or surroundings, may be accorded privileges commonly enjoyed by the other properties in the same zone and in the same vicinity. Before a Deviation can be granted, four (4) findings must be made in the affirmative pursuant to Development Title section 9-824.5. These findings

are that the granting of the Deviation will not be materially detrimental to other properties or land uses in the area; there are exceptional or extraordinary circumstances or conditions applicable to the property or to the intended uses that do not apply to other properties in the same zoning district or vicinity; the strict application of the regulation deprives the property of privileges enjoyed by other properties in the vicinity; and the proposed use is consistent with the goals, policies, standards, and maps of the General Plan, any applicable Master Plan, Specific Plan, and Special Purpose Plan, and any other applicable plan adopted by the county. These findings can be made in the affirmative for this Deviation application.

If the Site Approval is approved, the applicant must to obtain building permits from the Building Division of the Community Development Department. The Signs, Off-Premises use type may be conditionally permitted in the I-L (Limited Industrial) zone with an approved Site Approval application. Therefore, this project is not a growth-inducing action nor in conflict with existing or applicable Master Plans, Specific Plans, or Special Purpose Plans in the vicinity.