

CEQA Referral

Initial Study and Notice of Intent to Adopt a Negative Declaration

Date: October 18, 2019

To: Distribution List (See Attachment A)

From: Jeremy Ballard, Associate Planner
Department of Planning and Community Development

Subject: GENERAL PLAN AMENDMENT, REZONE, USE PERMIT, & DEVELOPMENT
AGREEMENT APPLICATION NO. PLN2018-0112 – JAYDEN’S JOURNEY

Comment Period: October 18, 2019 – November 20, 2019

Respond By: November 20, 2019

Public Hearing Date: December 5, 2019

You may have previously received an Early Consultation Notice regarding this project, and your comments, if provided, were incorporated into the Initial Study. Based on all comments received, Stanislaus County anticipates adopting a Negative Declaration for this project. This referral provides notice of a 30-day comment period during which Responsible and Trustee Agencies and other interested parties may provide comments to this Department regarding our proposal to adopt the Negative Declaration.

All applicable project documents are available for review at: Stanislaus County Department of Planning and Community Development, 1010 10th Street, Suite 3400, Modesto, CA 95354. Please provide any additional comments to the above address or call us at (209) 525-6330 if you have any questions. Thank you.

Applicant: Mike Reynolds, et al. dba Jayden’s Journey

Project Location: 5054 Pentecost Drive, at the Southeast corner of Bitritto Court and Pentecost Drive, in the Modesto area.

APN: 004-094-028

Williamson Act Contract: N/A

General Plan: Planned Industrial (P-I)

Current Zoning: P-I (20) (Planned Industrial)

Project Description: Request to amend the General Plan and zoning designation of a 1.5-acre property from Planned Industrial(P-I) to Planned Development (P-D), and to obtain a Use Permit and Development Agreement, to allow operation of a cannabis retail business (dispensary) in an existing 5,525 square-foot suite of an existing 21,230 square foot warehouse building. The property is served by a well and septic system. The proposed project will operate from one of the existing six suites. The suite sizes range from 2,616 square feet to 9,189 square feet. The other uses operating at the project site include automotive sales, automotive detailing and a cabinet manufacture. Proposed hours of operation are Monday through Saturday, 9 a.m. to 9 p.m., and Sunday, 11 a.m. to 7 p.m., with a maximum of 16 employees. The retail operation anticipates an average of 150-225 customers per day. There are approximately three vehicle trips per month associated with the delivery of supplies for the operation.

Full document with attachments available for viewing at:
<http://www.stancounty.com/planning/pl/act-projects.shtm>

**GENERAL PLAN AMENDMENT, REZONE, USE PERMIT AND DEVELOPMENT AGREEMENT
APPLICATION NO. PLN2018-0112 – JAYDEN’S JOURNEY**

Attachment A

Distribution List

	CA DEPT OF CONSERVATION Land Resources / Mine Reclamation		STAN CO ALUC
X	CA DEPT OF FISH & WILDLIFE		STAN CO ANIMAL SERVICES
	CA DEPT OF FORESTRY (CAL FIRE)	X	STAN CO BUILDING PERMITS DIVISION
X	CA DEPT OF TRANSPORTATION DIST 10	X	STAN CO CEO
X	CA OPR STATE CLEARINGHOUSE		STAN CO CSA
X	CA RWQCB CENTRAL VALLEY REGION	X	STAN CO DER
	CA STATE LANDS COMMISSION	X	STAN CO ERC
	CEMETERY DISTRICT	X	STAN CO FARM BUREAU
	CENTRAL VALLEY FLOOD PROTECTION	X	STAN CO HAZARDOUS MATERIALS
X	CITY OF: MODESTO		STAN CO PARKS & RECREATION
	COMMUNITY SERVICES/SANITARY DIST	X	STAN CO PUBLIC WORKS
X	COOPERATIVE EXTENSION		STAN CO RISK MANAGEMENT
	COUNTY OF:	X	STAN CO SHERIFF
X	FIRE PROTECTION DIST: SALIDA	X	STAN CO SUPERVISOR DIST 4: BERRYHILL
	HOSPITAL DIST:	X	STAN COUNTY COUNSEL
X	IRRIGATION DIST: MODESTO		StanCOG
X	MOSQUITO DIST: EASTSIDE	X	STANISLAUS FIRE PREVENTION BUREAU
X	MOUNTAIN VALLEY EMERGENCY MEDICAL SERVICES	X	STANISLAUS LAFCO
	MUNICIPAL ADVISORY COUNCIL:	X	STATE OF CA SWRBC – DIV OF DRINKING WATER DIST. 10
X	PACIFIC GAS & ELECTRIC	X	SURROUNDING LAND OWNERS
	POSTMASTER:	X	TELEPHONE COMPANY: ATT
X	RAILROAD: UNION PACIFIC RAILROAD	X	TRIBAL CONTACTS (CA Government Code §65352.3)
X	SAN JOAQUIN VALLEY APCD		TUOLUMNE RIVER TRUST
X	SCHOOL DIST 1: STANISLAUS UNION		US ARMY CORPS OF ENGINEERS
X	SCHOOL DIST 2: MODESTO UNION		US FISH & WILDLIFE
	WORKFORCE DEVELOPMENT	X	US MILITARY (SB 1462) (7 agencies)
X	STAN CO AG COMMISSIONER		CDFA – CALCANNABIS CULTIVATION LICENSING
	CA DEPT OF PUBLIC HEALTH MANUFACTURED CANNABIS SAFETY BRANCH	X	CA DEPARTMENT OF CONSUMER AFFAIRS – BUREAU OF CANNABIS CONTROL:

STANISLAUS COUNTY CEQA REFERRAL RESPONSE FORM

TO: Stanislaus County Planning & Community Development
1010 10th Street, Suite 3400
Modesto, CA 95354

FROM: _____

SUBJECT: GENERAL PLAN AMENDMENT, REZONE, USE PERMIT, & DEVELOPMENT
AGREEMENT APPLICATION NO. PLN2018-0112 – JAYDEN’S JOURNEY

Based on this agency’s particular field(s) of expertise, it is our position the above described project:

- _____ Will not have a significant effect on the environment.
_____ May have a significant effect on the environment.
_____ No Comments.

Listed below are specific impacts which support our determination (e.g., traffic general, carrying capacity, soil types, air quality, etc.) – (attach additional sheet if necessary)

- 1.
- 2.
- 3.
- 4.

Listed below are possible mitigation measures for the above-listed impacts: *PLEASE BE SURE TO INCLUDE WHEN THE MITIGATION OR CONDITION NEEDS TO BE IMPLEMENTED (PRIOR TO RECORDING A MAP, PRIOR TO ISSUANCE OF A BUILDING PERMIT, ETC.):*

- 1.
- 2.
- 3.
- 4.

In addition, our agency has the following comments (attach additional sheets if necessary).

Response prepared by:

Name	Title	Date
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DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

1010 10TH Street, Suite 3400, Modesto, CA 95354
Planning Phone: (209) 525-6330 Fax: (209) 525-5911
Building Phone: (209) 525-6557 Fax: (209) 525-7759

CEQA INITIAL STUDY

Adapted from CEQA Guidelines APPENDIX G Environmental Checklist Form, Final Text, December 30, 2009

1. **Project title:** General Plan Amendment, Rezone, Use Permit, & Development Agreement Application No. PLN2018-0112 – Jayden's Journey
2. **Lead agency name and address:** Stanislaus County
1010 10th Street, Suite 3400
Modesto, CA 95354
3. **Contact person and phone number:** Jeremy Ballard, Associate Planner
4. **Project location:** 5054 Pentecost Drive, at the southeast corner of Bitritto Court and Pentecost Drive, in the Modesto area. APN: 004-094-028.
5. **Project sponsor's name and address:** Mike Reynolds, et al. dba Jayden's Journey
5054 Pentecost Drive
Modesto, CA 95356
6. **General Plan designation:** Planned Industrial (P-I)
7. **Zoning:** P-I (20) (Planned Industrial)
8. **Description of project:**

Request to amend the General Plan and zoning designation of a 1.5-acre property from Planned Industrial (P-I) to Planned Development (P-D), and to obtain a Use Permit and Development Agreement, to allow operation of a cannabis retail business (dispensary) within an existing 5,525 square-foot suite of an existing 21,230 square foot warehouse building. The property is served by a well and septic system. The proposed project will operate from one of the existing six suites. The suite sizes range from 2,616 square feet to 9,189 square feet. The other uses operating at the project site include automotive sales, automotive detailing and a cabinet manufacture. Proposed hours of operation are Monday through Saturday, 9 a.m. to 9 p.m., and Sunday, 11 a.m. to 7 p.m., with a maximum of 16 employees. The retail operation anticipates an average of 150-225 customers per day. There are approximately three vehicle trips per month associated with the delivery of supplies for the operation. The proposed operation has been operating under a temporary state license since 2018.

9. **Surrounding land uses and setting:** Light industrial, warehouse, and low traffic generating commercial in all directions, and the City of Modesto to the south.
10. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.):** CalTrans, Stanislaus County Department of Public Works, and Department of Environmental Resources
11. **Attachments:** Maps
Application
CCIC Report

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

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

Jeremy Ballard

Prepared by

October 18, 2019

Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

- a) **Earlier Analysis Used.** Identify and state where they are available for review.
 - b) **Impacts Adequately Addressed.** Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) **Mitigation Measures.** For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). References to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
 - 7) **Supporting Information Sources:** A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
 - 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected.
 - 9) The explanation of each issue should identify:
 - a) the significant criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significant.

ISSUES

I. AESTHETICS – Except as provided in Public Resources Code Section 21099, could the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?			X	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			X	
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

Discussion: The site itself is not considered to be a scenic resource or unique scenic vista. The site is currently adjacent to light industrial development that includes warehouses and low traffic generating retail in all directions of the project site. The project site fronts onto both Pentecost Drive and Bitritto Way. The buildings all feature a similar aesthetic design that includes stucco, and metal warehouses. The project site is currently developed with a 21,230-square foot commercial building separated into six suites permitted for various light industrial uses. The proposed operation will include the use of one of the of 5,525 square-foot suites. Interior tenant improvements are proposed as part of this project, but not exterior changes or expansion of the building. The existing suites are currently occupied by an auto sales business, an automotive detailing business and a cabinet manufacture. The six existing suites range in size from 2,616 square feet to 9,189 square feet. A condition of approval will be applied to the project which requires that all existing exterior lighting shall be designed (aimed down and toward the site) to provide adequate illumination without a glare effect. This shall include, but not be limited to, the use of shielded light fixtures to prevent skyglow and to prevent light trespass onto neighboring properties. The proposed project is not anticipated to have a substantial negative effect on a scenic vista, damage scenic resources, or substantially degrade the existing visual character of the site or its surroundings.

Mitigation: None.

References: Application information; Stanislaus County Zoning Ordinance; the Stanislaus County General Plan; and Support Documentation¹.

II. AGRICULTURE AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?			X	
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?			X	
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?			X	
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				X

Discussion: The 1.5-acre project site is made up of Tujunga loamy sand and is classified as Urban and Built-Up Land by the State of California's Farmland Mapping and Monitoring Program. The site is zoned P-I (20), which allowed for the operation of various light industrial uses consistent with the Planned Industrial zoning district. The site is adjacent to one agriculturally zoned parcel to the south.

In December of 2007, Stanislaus County adopted an updated Agricultural Element which incorporated guidelines for the implementation of agricultural buffers applicable to new and expanding non-agricultural uses within or adjacent to the A-2 Zoning District. The purpose of these guidelines is to protect the long-term health of agriculture by minimizing conflicts such as spray-drift and trespassing resulting from the interaction of agricultural and non-agricultural uses. Alternatives may be approved provided the Planning Commission finds that the alternative provides equal or greater protection than the existing buffer standards. The adjacent agriculturally zoned parcel is .26 acres in size and is currently utilized for storage of light industrial equipment. There is no bona fide agricultural taking place within the required 300 feet of the site, therefore, staff believes the buffer would not apply in this circumstance.

The proposed operation will consist of 5,525 square feet of retail, and administrative uses within an existing warehouse building. The remaining suites are currently occupied by an auto sales business, an automotive detailing business and a cabinet manufacture. The six existing suites range in size from 2,616 square feet to 9,189 square feet. The project site does not contain forest land or timberland, and it is not currently subject to a Williamson Act contract. The project is not anticipated to negatively impact Important Farmland, agriculturally zoned land, land subject to a Williamson Act contract, or timberlands. Impacts to agricultural resources are considered to be less than significant.

Mitigation: None.

References: California State Department of Conservation Farmland Mapping and Monitoring Program – Stanislaus County Farmland 2019; USDA NRCS Soil Survey; Chapter 6.78 and Title 21 of the Stanislaus County Code; Stanislaus County General Plan and Support Documentation¹

III. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?			X	

c) Expose sensitive receptors to substantial pollutant concentrations?			X	
d) Result in other emissions (such as those odors adversely affecting a substantial number of people?			X	

Discussion: The project site is in the San Joaquin Valley Air Basin which has been classified as "severe nonattainment" for ozone and respirable particulate matter (PM₁₀) as defined by the Federal Clean Air Act. The San Joaquin Valley Air Pollution Control District (SJVAPCD) has been established by the State in an effort to control and minimize air pollution. As such, the District maintains permit authority over stationary sources of pollutants. The site is zoned P-I (20), which allowed for the operation of various light industrial uses consistent with the Planned Industrial zoning district. The proposed operation will consist of 5,525 square feet of retail, and administrative uses in an existing warehouse building.

The primary source of operational air pollutants generated by this project would be classified as being generated from "mobile" sources created from increased vehicle trips generated by employees and shipping/receiving vehicles. The retail operation anticipates an average of 150 to 225 customers per day. There are approximately three vehicle trips per month associated with the delivery of supplies for the entire operation and anticipated six employees on a maximum shift. Mobile sources are generally regulated by the California Air Resources Board of the California Environmental Protection Agency which sets emissions for vehicles and acts on issues regarding cleaner-burning fuels and alternative fuel technologies. As such, the District has addressed most criteria air pollutants through basin-wide programs and policies to prevent cumulative deterioration of air quality within the Air Basin. The San Joaquin Valley Air Pollution Control District indicated that the proposed project was below the District's thresholds of significance for criteria pollutant emissions.

The California Department of Consumer Affairs, Bureau of Cannabis Control (BCC) circulated a negative declaration environmental review of permitted commercial cannabis distribution, retail and microbusiness manufacturing activities. The Air Quality section of the environmental review touched on how the incorporation of the previously unpermitted and unregulated commercial cannabis industry would potentially make beneficial contributions to nonattainment conditions or violations of plans, policies, or standards.

Cannabis has the potential to generate odor that can be considered objectionable. However, as required by County Code Section 6.78.120(9)(D) and State regulations for packaging of cannabis, the project applicant has developed an odor control plan that includes several elements to ensure odors will not affect adjacent properties including carbon absorption and HEPA filters installed onto HVAC equipment prior. Implementation of the odor control measures would ensure a substantial number of people would not be affected by project-generated odors.

Mitigation: None.

References: Application material; Initial Study Bureau of Cannabis Control Commercial Cannabis Licensing Program, Referral Response from San Joaquin Valley Air Pollution Control District, dated November 1, 2018; Chapter 6.78 and Title 21 of the Stanislaus County Code; Stanislaus County General Plan and Support Documentation.¹

IV. BIOLOGICAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X	
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X	

c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			X	
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X	
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

Discussion: It does not appear this project will result in impacts to endangered species or habitats, locally designated species, or wildlife dispersal or mitigation corridors. The project is located within the Salida Quad of the California Natural Diversity Database. There are 14 plants and animals that are state or federally listed, threatened, or identified as species of special concern in this quad. These species include the Swainson's hawk, conservancy fairy shrimp, vernal pool tadpole shrimp, chinook salmon, tricolored blackbird, California Tiger Salamander, valley elderberry longhorn beetle, willow flycatcher, western yellow-billed cuckoo, riparian brush rap and woodrat, San Joaquin Kit Fox, least Bell's vireo, and Greene's tuctoria. Because the project site is already developed and landscaped, the likelihood for these species to be present on the project site is very low. The site is zoned P-I (20), which allowed for the operation of various light industrial uses consistent with the Planned Industrial zoning district. The project site is currently developed with a 21,230 square-foot commercial building separated into six suites, which are occupied by various light industrial uses and includes a paved parking lot. Furthermore, there is no sensitive habitat present on the site including wetlands or other waters of the State or of the United States.

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

An Early Consultation was referred to the California Department of Fish and Wildlife (formerly the Department of Fish and Game), and no response was received.

Mitigation: None.

References: California Department of Fish and Wildlife's Natural Diversity Database Quad Species List; Stanislaus County General Plan and Support Documentation¹

V. CULTURAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to in § 15064.5?			X	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?			X	
c) Disturb any human remains, including those interred outside of formal cemeteries?			X	

Discussion: The project falls under the requirements for tribal consultation, as required by AB 52 or SB 18, as the project request is for a General Plan Amendment. A letter providing a consultation invitation to all known tribes in the region was sent on November 13, 2018. To date, none of the tribes contacted have responded to the letter from the County to request formal consultation of the project.

The project applicant submitted a record's search from the Central California Information Center (CCIC), which indicates that the project area has low sensitivity for cultural resources and that no prehistoric or historic archaeological resources or historic properties have been reported to the CCIC. The Stanislaus County General Plan indicates that many of the geologic units in the County are sensitive for paleontological resources, therefore there is potential to encounter these resources during any future ground disturbance. The project does not include any new building construction and is proposing to operate out of an existing 5,525 square-foot suite within an existing a 21,230 square-foot warehouse and paved parking lot. However, conditions of approval will be placed on the project requiring that construction activities be halted if any cultural or paleontological resources are encountered should construction occur in the future until appropriate agencies are contacted and an archaeological survey is completed.

Mitigation: None.

References: Central California Information Center Report for the project site, October 3, 2018; Consultation Letter to Tribes, dated November 13, 2018; Stanislaus County General Plan and Support Documentation¹

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

Discussion: The CEQA Guidelines Appendix F states that energy consuming equipment and processes, which will be used during construction or operation, such as energy requirements of the project by fuel type and end use; energy conservation equipment and design features; energy supplies that would serve the project; and total estimated daily vehicle trips to be generated by the project and the additional energy consumed per trip by mode; shall be taken into consideration when evaluating energy impacts. Additionally, the project's compliance with applicable State or local energy legislation, policies, and standards must be considered.

The California Department of Consumer Affairs, Bureau of Cannabis Control (BCC) circulated a Negative Declaration for the State's commercial cannabis program covering retail, distribution, testing, and microbusiness manufacturing activities. The evaluation of energy consumption concluded that in most cases activities of indoor and mixed-light cultivation could consume larger quantities of energy than other cannabis uses like retail or testing. However, both State and local jurisdictions have required renewal energy portfolios for all commercial cannabis activities, which will lower the energy demand of the activity types to less than significant levels.

The proposed operation will consist of 5,525 square feet of retail, and administrative uses in an existing warehouse building. The applicant has stated that LED lighting and conservation efforts will be utilized to reduce energy consumption. No additional building square footage is proposed. However, a condition of approval will be added to this project to address compliance with Title 24, Green Building Code, which includes energy efficiency requirements.

The retail operation anticipates an average of 150 to 225 customers per day. There are approximately three vehicle trips per month associated with the delivery of supplies for the entire operation. This is below the Air District's threshold of significance for criteria emissions per a referral response from the District.

The project was referred to Modesto Irrigation District (MID) who's electrical division responded with information of the existing facilities onsite. The applicant will be required to comply with MID's requirements for operation. A condition of approval requiring consultation with MID prior to operation will be applied to the project.

With existing requirements in place that the project is required to meet and with the proposed additional measures providing energy efficient improvements, it does not appear this project will result in significant impacts to the wasteful, inefficient, or unnecessary consumption of energy resources.

Mitigation: None.

References: Application material; Initial Study Bureau of Cannabis Control Commercial Cannabis Licensing Program; Referral response from the Modesto Irrigation District, dated November 7, 2018; Referral response received from the Stanislaus County Department of Planning and Community Development, Building Division, dated November 1, 2018; California Stanislaus County General Plan EIR.

VII. GEOLOGY AND SOILS -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?			X	
b) Result in substantial soil erosion or the loss of topsoil?			X	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?			X	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?			X	
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	

Discussion: The 1.5-acre project site is made up of Tujunga loamy sand and is classified as Urban and Built-Up Land by the State of California's Farmland Mapping and Monitoring Program. The site is zoned P-I (20), which allowed for the operation of various light industrial uses consistent with the Planned Industrial zoning district. As contained in Chapter 5 of the General Plan Support Documentation, the areas of the County subject to significant geologic hazard are located in the Diablo Range west of Interstate 5. The General Plan EIR identifies the portion of the County most susceptible to liquefaction as the western margin of the valley because of the combination of young geologic units (Quaternary fan deposits and Dos Palos Alluvium) and potential for strong ground shaking. The project site is located considerably east of this area, and therefore would not be subject to significant risk of fault rupture or liquefaction. The project site is flat, so there would be no risk of landslide. The California Building Code identifies all of Stanislaus County as located within a geologic hazard zone (Seismic Design Category D, E, or F), and a soils test may be required at building permit application to determine if unstable or expansive soils are present. If such soils are present, special engineering of the structure will be required to compensate for the soil deficiency. Any structures resulting from this project will be designed and built according to building standards appropriate to withstand shaking for the area in which they are constructed. An Early Consultation referral response from the County's Building Division stated that, prior to operation, the existing building would be subject to a building permit for a change in occupancy for the use. Any future phases would be subject to this requirement. Subsequently, the Department of Public Works provided a comment letter stating that a grading and drainage plan will be required for any new construction onsite, subject to Public Works Standards and Specifications, that consider the potential for erosion and runoff prior to permit approval. Conditions of approval will be added to this project to address comments from both the Building Department and Public Works.

The proposed operation will consist of 5,525 square feet of retail, and administrative uses in an existing warehouse building. The proposed building is currently served by both a private well for domestic water and a private septic system. As proposed, the existing septic systems will only be utilized for bathroom facilities.

A referral response was received from the Department of Environmental Resources stating that the existing septic system is fitted with a Measure X septic system as defined under County Code Section 16.010.040. However, it is the applicant's responsibility to contact the Department prior to issuance of any building permit to determine the adequacy of the septic facilities. A condition of approval will be added to the project for this requirement.

Mitigation: None.

References: Referral response from the Department of Environmental Resources (DER), October 24, 2018; Referral response from the Stanislaus County Department of Public Works October 19, 2018; Stanislaus County Building Permits Division, dated November 1, 2018; Stanislaus County General Plan and Support Documentation¹

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

Discussion: The principal greenhouse gases (GHGs) are carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), sulfur hexafluoride (SF₆), perfluorocarbons (PFCs), hydrofluorocarbons (HFCs), and tropospheric ozone (O₃). CO₂ is the reference gas for climate change, because it is the predominant greenhouse gas emitted. To account for the varying warming potential of different greenhouse gases, GHG emissions are often quantified and reported as CO₂ equivalents (CO₂e). In 2006, California passed the California Global Warming Solutions Act of 2006 (Assembly Bill [AB] 32), which requires the California Air Resources Board (CARB) to design and implement emission limits, regulations, and other measures such that feasible and cost-effective statewide GHG emissions are reduced to 1990 levels by 2020.

The proposed project would consist of 5,525 square feet of retail, and administrative uses in an existing warehouse building. The proposed operation is required to obtain building permits for interior tenant improvements, which would be subject to the mandatory planning and design, energy efficiency, water efficiency and conservation, material conservation and resources efficiency, and environmental quality measures of the California Green Building Standards (CALGreen) Code (California Code of Regulations, Title 24, Part 11). Minimal greenhouse gas emissions will occur during construction. Construction activities are considered to be less than significant as they are temporary in nature and are subject to meeting SJVAPCD standards for air quality control.

The project proposes LED lighting and energy conservation measures as part of the proposed operation. Thus, project operations would not generate substantial greenhouse gas emissions, and the project would not result in the wasteful or inefficient use of energy. The retail operation anticipates an average of 150 to 225 customers per day. There are approximately three vehicle trips per month associated with the delivery of supplies for the entire operation and anticipated six employees on a maximum shift. The SJVAPCD was referred the proposed project and responded by stating that the project, as proposed, falls below the District's threshold of significance for criteria emissions. It is not anticipated that the project will create any significant impacts to greenhouse gas emissions.

Mitigation: None.

References: San Joaquin Valley Air Pollution Control District referral response, November 1, 2018; Stanislaus County General Plan and Support Documentation¹

IX. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?				X
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?			X	

Discussion: The County's Department of Environmental Resources (DER) is responsible for overseeing hazardous materials in the project area. During project construction, various hazardous materials would likely be used, such as diesel fuel, gasoline, oil, and paints. The applicant would also be required to use, store, and dispose of any hazardous materials in accordance with all applicable federal, state, and local regulations. The proposed project would only consist of only retail and administrative uses, which would not involve any storage of hazardous materials or processes that would create a significant hazard. Any solid waste generated by the project would be minimal from quality control from packaging, which would be rendered unusable prior to transport to the appropriate solid waste facility. The project would not generate an amount of solid waste, such that the landfill's capacity would become impacted and expansion required.

The project site is not located within an airport land use plan or a wildlands area. The project site is not located in a very high or high fire severity zone and is located in the Salida Fire Protection District. The project was referred to the Salida Fire Protection district, which responded with conditions of approval pertaining to water for fire suppression, access for emergency responders, and payment of District fees. During the building permit phase, each permit request will be reviewed by the Stanislaus County's Fire Prevention Bureau to ensure all activities meet the appropriate federal, state, or local fire code requirements.

Mitigation: None.

References: Application material; Referral response from the Salida Fire Protection District, dated October 24, 2018, Stanislaus County General Plan and Support Documentation¹.

X. HYDROLOGY AND WATER QUALITY -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?			X	
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			X	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:			X	
(i) result in substantial erosion or siltation on – or off-site;			X	
(ii) substantially increase the rate of amount of surface runoff in a manner which would result in flooding on- or off-site;			X	
(iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or			X	
(iv) impede or redirect flood flows?			X	
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?			X	
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			X	

Discussion: The project site is currently served by a private well for water and a private septic system. There are no rivers or streams in the project vicinity; therefore, the project would not alter the course of a stream or river in a manner which would result in substantial erosion or siltation on or off-site. Based on a referral response from the Department of Environmental Resources, this project will result in the formation of a new public water system. The California Safe Drinking Water Act (CA Health and Safety Code Section 116275(h)) defines a Public Water System as a system for the provision of water for human consumption through pipes or other constructed conveyances that has 15 or more service connections or regularly serves at least 25 individuals daily at least 60 days out of the year. A public water system includes the following:

- (1) Any collection, treatment, storage, and distribution facilities under control of the operator of the system that are used primarily in connection with the system.
- (2) Any collection or pretreatment storage facilities not under the control of the operator that are used primarily in connection with the system.
- (3) Any water system that treats water on behalf of one or more public water systems for the purpose of rendering it safe for human consumption.

The water quality of the existing well has yet to be determined. If the existing well does not meet Public Water System standards the applicant may need to either drill a new well or install a water treatment system for the current well. Goal Two, Policy Seven, of the Stanislaus County General Plan's Conservation/Open Space Element requires that new development that does not derive domestic water from pre-existing domestic and public water supply systems be required to have a documented water supply that does not adversely impact Stanislaus County water resources. This Policy is implemented by requiring proposals for development that will be served by new water supply systems be referred to appropriate water districts, irrigation districts, community services districts, the State Water Resources Board and any other appropriate agencies for review and comment. Additionally, all development requests shall be reviewed to ensure that sufficient evidence has been provided to document the existence of a water supply sufficient to meet the short and long-term water needs of the project without adversely impacting the quality and quantity of existing local water resources. Prior to receiving occupancy of any building permit, the property owner must obtain concurrence from the State of California

Water Resources Control Board (SWRCB), Drinking Water Division, in accordance to CHSC, Section 116527 (SB1263) and submit an application for a water supply permit with the associated technical report to Stanislaus County DER. This will be added as condition of approval.

The Sustainable Groundwater Management Act (SGMA) was passed in 2014 with the goal of ensuring the long-term sustainable management of California's groundwater resources. SGMA requires agencies throughout California to meet certain requirements including forming Groundwater Sustainability Agencies (GSA), developing Groundwater Sustainability Plans (GSP), and achieving balanced groundwater levels within 20 years. The site is located in the Modesto sub-basin under the jurisdiction of the Stanislaus and Tuolumne Rivers GSA. The portion of the sub-basin is under the jurisdiction of the Modesto Irrigation District and along with other GSAs located in this Sub-basin, are collaboratively developing one GSP.

Stanislaus County adopted a Groundwater Ordinance in November 2014 (Chapter 9.37 of the County Code, hereinafter, the "Ordinance") that codifies requirements, prohibitions, and exemptions intended to help promote sustainable groundwater extraction in unincorporated areas of the County. The Ordinance prohibits the unsustainable extraction of groundwater and makes issuing permits for new wells, which are not exempt from this prohibition, discretionary. For unincorporated areas covered in an adopted GSP pursuant to SGMA, the County can require holders of permits for wells it reasonably concludes are withdrawing groundwater unsustainably to provide substantial evidence that continued operation of such wells does not constitute unsustainable extraction and has the authority to regulate future groundwater extraction. The construction and operation of wells could potentially cause degradation of water quality due to cross connection of aquifers of varying quality or induced migration of groundwater with impaired water quality. The Ordinance is intended to address these eventualities.

Prior to any ground disturbance, grading and drainage plans are required to be submitted to the County Department of Public Works for review and approval to demonstrate that all storm water generated from the proposed project will be maintained on-site. This requirement will be reflected as conditions of approval for the project.

Areas subject to flooding have been identified in accordance with the Federal Emergency Management Agency (FEMA). The project site is located in FEMA Flood Zone X (Map# 06099C03300E), which includes areas determined to be outside the 0.2 percent annual-chance flood. The project site is not located in an area subject to dam inundation, nor is it in an area subject to seiche, tsunami, or mudflow. As such, significant impacts are not anticipated in relations to hydrology and water quality.

Mitigation: None.

References: Application material; Correspondence received from Department of Environmental Resources, dated October 25, 2018; Referral Response from the Department of Public Works, dated October 19, 2018; Stanislaus County General Plan Conservation/Open Space Element and Support Documentation.¹

XI. LAND USE AND PLANNING -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Physically divide an established community?			X	
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?			X	

Discussion: The project has a General Plan designation of Planned Industrial (P-I) and is zoned P-I (20), which was adopted by the Board of Supervisors in 2001 and was approved for uses consistent with the Planned Industrial zoning district such as food processing, warehousing, machine and welding shops, laboratories, and other uses that would be considered light industrial in nature. However, neither designation currently allows for retail uses. Therefore, an amendment to the General Plan and zoning designations from Planned Industrial to Planned Development is required to allow for the retail sales of commercial cannabis. Additionally, Section 6.78.060 requires that all commercial cannabis applicants be subject to a Commercial Cannabis Activity Permit, Development Agreement, Land Use Permit, and State Licensure for Commercial Cannabis Activities.

Furthermore, per Section 6.78, each commercial cannabis activity must meet and maintain operating standards for odor control, security, minimum building standards, track and trace, as well as meeting specialized setbacks. To reduce land use conflicts, Section 6.78.120 requires that all commercial cannabis activities are setback a minimum of 200 feet from

adjacent residents and libraries. Additionally, commercial cannabis activities must be setback from day cares, schools, and youth centers, in existence at the initial time of permitting, a minimum of 600 feet. The closest dwelling to the project site is to the northwest and is approximately a third of a mile from the building to the adjacent dwelling. There are no known libraries, schools, or day cares in the restricted distances of the project site. There are two youth instructional facilities located within 600 feet of the proposed project site, that serves youth with instructional sports training during scheduled supervised classes. State allows the local jurisdiction to establish local ordinances pertaining to commercial cannabis setbacks, definition, etc. Subsequently, County Staff is processing an ordinance amendment to define a Youth Instructional Facility as separate use to a Youth Center. If the ordinance amendment is approved, the proposed project site would not require any setback waiver or reduction from the two adjacent facilities.

The proposed project must meet existing requirements for off-street parking and landscaping. A landscaping plan that complies with County standards has been submitted. The applicant will be subject to parking requirements for the proposed use. County Code Section 21.76.150 pertains to the retail parking standard of one space per 300 feet of gross floor area. The proposed retail area consists of approximately 5,525 square feet of space, which would require 18 total parking spaces. The project site has already been developed with 42 spaces, which based on the off-street parking requirements for the remaining suites would exceed the off-street parking requirement of 41 spaces. A condition of approval will be added to ensure that, prior to operation, compliance with the off-street parking requirement is met.

The project would not conflict with any applicable land use plan, policy, or regulation intended to avoid or mitigate an environmental effect. No natural community conservation plans have been adopted in Stanislaus County, so the project would not result in any conflicts.

Mitigation: None.

References: Application Material; Stanislaus County Code Chapter 6.78 and Chapter 21; Stanislaus County General Plan and Support Documentation¹

XII. MINERAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?			X	
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?			X	

Discussion: The location of all commercially viable mineral resources in Stanislaus County have been mapped by the State Division of Mines and Geology in Special Report 173 (and portions of Special Report Nos. 91-03, 160, and 199 include Stanislaus County). There are no known mineral resources underlying the site or in the project vicinity.

Mitigation: None.

References: Application materials; Stanislaus County General Plan Conservation/Open Space Element and Support Documentation¹

XIII. NOISE -- Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b) Generation of excessive groundborne vibration or groundborne noise levels?			X	

c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
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Discussion: A temporary increase in noise and vibration, associated with required tenant improvements to the existing building, is anticipated. However, there are no sensitive receptors in the vicinity of the project site. Retail and administrative activities would not generate substantial noise. Project activities during operation would occur indoors, including loading of packaged product. Proposed hours of operation are 9 a.m. to 9 p.m., and Sunday, 11 a.m. to 7 p.m., with a maximum of 16 employees. There are approximately 3 vehicle trips per month associated with the delivery of supplies. The proposed use is not anticipated to exceed ambient noise levels in the vicinity as the surrounding area has existing light industrial and commercial development. Section 6.78.120(8)(N) require that any commercial cannabis activities comply with County's previously adopted Noise Control Ordinance. According to the County's Noise Element of the General Plan, acceptable noise levels in industrial land use categories is 75 decibels, which the proposed project is not anticipated to exceed. The proposed project is not within two miles of a public airstrip, and because workers would be located indoors, would not expose workers to noise associated with a private airstrip.

Mitigation: None.

References: Application materials; Chapter 6.78, Chapter 10.46, and Title 21 of the Stanislaus County Code; Stanislaus County General Plan Noise Element and Support Documentation.¹

XIV. POPULATION AND HOUSING -- Would the project:				
	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X	
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?			X	

Discussion: The site does not involve any additional housing. An existing single-family dwelling will be demolished during the third phase of this project. However, it is not located on a site that was included in the vacant sites inventory for the 2016 Stanislaus County Housing Element, which covers the 5th cycle Regional Housing Needs Allocation (RHNA) for the County and will, therefore, not impact the County's ability to meet their RHNA. No population growth will be induced, nor will any existing housing be displaced as a result of this project.

Mitigation: None.

References: Application materials; Stanislaus County General Plan Housing Element and Support Documentation¹

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

Schools?			X	
Parks?			X	
Other public facilities?			X	

Discussion: Section 6.78.060 requires that all commercial cannabis applicants be subject to a Commercial Cannabis Activity Permit, Development Agreement, Land Use Permit, and a State Licensure for Commercial Cannabis Activities. Per Section 6.78, each commercial cannabis activity must meet and maintain operating standards for odor control, security control, minimum building standards, and track and trace. State and local regulations must also be met in order to maintain an active commercial cannabis permit. The Development Agreement establishes two fees to be collected from each project applicant; the Community Benefit Contribution and the Community Benefit Rate. The Community Benefit Contribution fee will be paid quarterly and utilized for local community charities or public improvement projects. The Community Benefit Rate fee will also be paid quarterly but will be utilized for County enforcement activities of illegal cannabis. The funds received from the Community Benefit fees are anticipated to address any increase in service impacts induced by commercial cannabis activities.

Additionally, the County has adopted Public Facilities Fees, as well as one for Fire Facility Fees on behalf of the appropriate fire district, to address impacts to public services. Such fees are required to be paid at the time of building permit issuance. Conditions of approval will be added to this project to ensure that the proposed development complies with all applicable federal, state, and local requirements. The project has submitted a safety and security plan with fire evacuation plans, fire suppression, employee training, 24-hour video surveillance, and on-site security personnel. The safety and security plan are required to be reviewed and approved by the County Sheriff's Department, as well as the appropriate fire district for each project. Upon project approval, the applicant shall be required to obtain building permits for tenant improvements in accordance with the adopted building and fire codes. A referral response was received from the Salida Fire Protection district, which stated the proposed project as being subject to the Fire Service Impact Mitigation Fees. A condition of approval will be added to ensure this requirement is met. With conditions of approval and public facility fees in place, no impacts to public services are anticipated.

Mitigation: None.

References: Application materials; Chapter 6.78 and Title 21 of the Stanislaus County Code; Stanislaus County General Plan Safety Element and Support Documentation¹

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

Discussion: This project will not increase demands for recreational facilities, as such impacts typically are associated with residential development.

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation¹

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

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

Discussion: The proposed operation will consist of retail and administration of commercial cannabis within an existing 5,250 square-foot suite. Proposed hours of operation are Monday through Saturday, 9 a.m. to 9 p.m., and Sunday, 11 a.m. to 7 p.m., with six employees on a maximum shift. The retail operation anticipates an average of 150-225 customers per day. There are approximately three vehicle trips per month associated with the delivery of supplies for the operation.

Section 15064.3 of the CEQA Guidelines establishes specific considerations for evaluating a project's transportation impacts. The CEQA Guidelines identify vehicle miles traveled (VMT), which is the amount and distance of automobile travel attributable to a project, as the most appropriate measure of transportation impacts. Other relevant considerations may include the effects of the project on transit and non-motorized travel. Vehicle miles traveled exceeding an applicable threshold of significance for land use projects may indicate a significant impact. Generally, projects within one-half mile of either an existing major transit stop or a stop along an existing high-quality transit corridor should be presumed to cause a less than significant transportation impact. Projects that decrease vehicle miles traveled in the project area, compared to existing conditions, should be presumed to have a less than significant transportation impact.

The EIR prepared for Stanislaus County's 2016 General Plan Update considered vehicle miles traveled (VMT) in the County, as considered by the General Plan planning horizon of 2035. The EIR identified that total daily VMT is expected to increase within the unincorporated area by 2035. However, the daily VMT in the unincorporated area is expected to decrease slightly on both a per-household and a service population basis, indicating that development that could occur under the General Plan would decrease the average distance between goods and services within the unincorporated County. Therefore, implementation of the General Plan policies is expected to have a less-than-significant impact on VMT. The proposed project site was considered in the General Plan EIR and would therefore be expected to have a less than significant impact to VMT.

The project was referred to the State of California Department of Transportation (CalTrans), who responded by stating that the applicant should pay a "traffic impact mitigation fee." The fee would be collected by the County as a proportional share for future improvements to adjacent state facilities. As clarified to Staff in a previous adjacent land use application, Caltrans stated there is no current nexus to require these fees. The adjacent facilities identified by Caltrans include Charity Way and State Route 108 intersection and Pentecost Drive and State Route 219. The Pentecost and State Route 219 intersection has been previously upgraded to accommodate the expansion of State Route 219 and has no plans for any future traffic improvements. Any improvements to the Charity Way and State Route 108 intersection would be funded through collection of fees during the building construction process. However, if approved, the proposed project would be required to obtain a building permit for any tenant improvements or change in occupancy of the building. Those building permits would require Public Facility Fees, which includes Regional Transportation Impact Fees, to be paid to the County prior to issuance. Those fees would contribute to any improvements to the local road infrastructure impacted by the proposed project.

The project was also referred to the County's Public Works Department and Environmental Review Committee, both reviewed the project and did not provide any comments or concerns with traffic impacts that would be generated as a result of this project.

The project is proposed to occur on a parcel that was previously developed to accommodate light industrial uses. Additionally, the business has been operating for three years and no incidences or traffic related complaints have been received. The project will not alter any existing streets, pedestrian/bicycle paths, or create a substantial demand for transit. The project would not affect air traffic patterns or create substantial hazards on any roadways.

Mitigation: None.

References: Referral response from Caltrans, dated October 23, 2018; Referral response Stanislaus County Department of Public Works, dated October 19, 2018; Revised Referral Response from Stanislaus County Environmental Review Committee, dated November 14, 2018; Circulation Element of the Stanislaus County General Plan and Support Documentation¹.

XIX. UTILITIES AND SERVICE SYSTEMS -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?			X	
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			X	
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			X	
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			X	

Discussion: There is no new construction proposed as part of the project. The proposed project site is served by a private well and private septic system, and the Modesto Irrigation District for electricity. This The requirement for formation of a new public water system has been discussed in detail in Section X - Hydrology and Water Quality of this document.

A project referral was sent to the Modesto Irrigation District, which responded with information about the facilities present on-site. No issues were raised or conditions of approval requested. It is not anticipated that the proposed project would have a significant impact on existing wastewater facilities or require expanded entitlements for water supplies.

Furthermore, all storm water generated from the proposed project will be required to be maintained on-site. As stated previously, prior to any ground disturbance, grading and drainage plans are required to be submitted to the County Department of Public Works for review and approval. It is not anticipated that storm water generated by this project on-site will create any significant impacts to existing storm water facilities.

The project would be required to comply with all regulations related to solid waste. Any solid waste generated by the project would be minimal from quality control from packaging, which would be rendered unusable prior to transport to the appropriate solid waste facility. The project would not generate an amount of solid waste, such that the landfill's capacity would become impacted and expansion required.

Mitigation: None.

References: Correspondence received from Department of Environmental Resources, dated October 18, 2018; Referral Response from the Department of Public Works, dated October 19, 2018, Modesto Irrigation District, dated November 7, 2018, Stanislaus County General Plan and Support Documentation¹

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

b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?			X	
c) Require the installation of maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?			X	
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?			X	

Discussion: This project is served by the Salida Fire Protection District. The site is not located in a State Responsibility Area. The site has access to a County-maintained road. The terrain is relatively flat, and it is not located near any bodies of water. Wildfire risk and risks associated with postfire land changes are considered to be less than significant.

Mitigation: None.

References: Application materials; Stanislaus County General Plan Safety Element and Support Documentation¹

XXI. MANDATORY FINDINGS OF SIGNIFICANCE --	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			X	
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)			X	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

Discussion: Review of this project has not indicated any features which might significantly impact the environmental quality of the site and/or the surrounding area.

Mitigation: None.

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

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

JAYDEN'S JOURNEY GPA REZ UP DA PLN2018-0112 AREA MAP

SAN JOAQUIN
COUNTY

STANISLAUS

RIVER

OAKDALE

108

RIVERBANK

Site

CLARIBEL RD

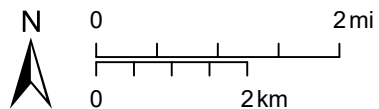
LEGEND

 Jayden's Journey Site

 Sphere of Influence

 City  River

 Road



Source: Planning Department GIS

Date: 9/18/2018

MCHENRY AVE

MODESTO

DRY

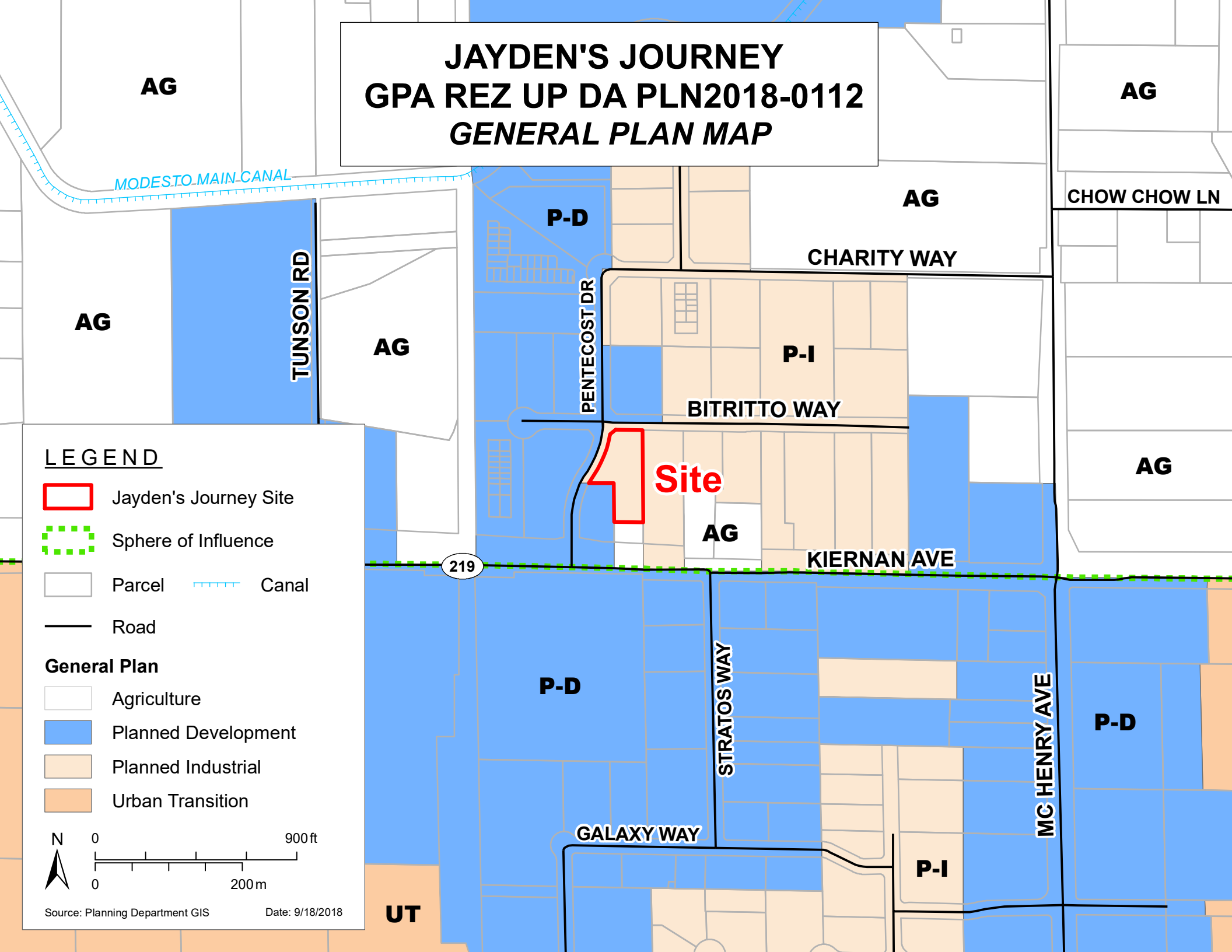
CREEK

99

132

ALBERS RD

JAYDEN'S JOURNEY GPA REZ UP DA PLN2018-0112 GENERAL PLAN MAP

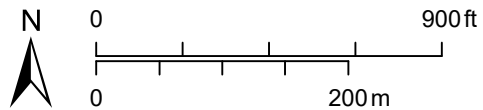


LEGEND

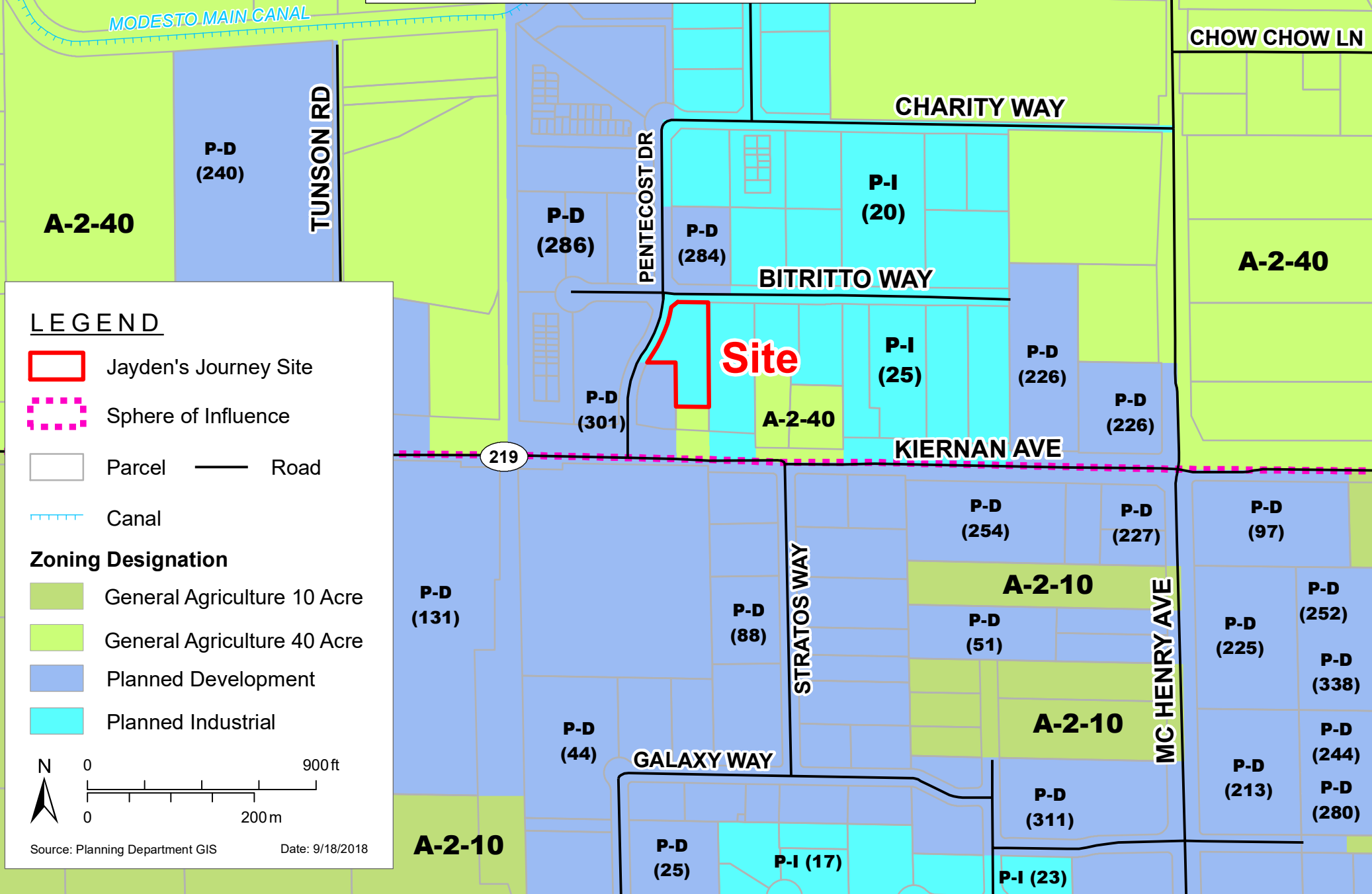
- Jayden's Journey Site
- Sphere of Influence
- Parcel
- Canal
- Road

General Plan

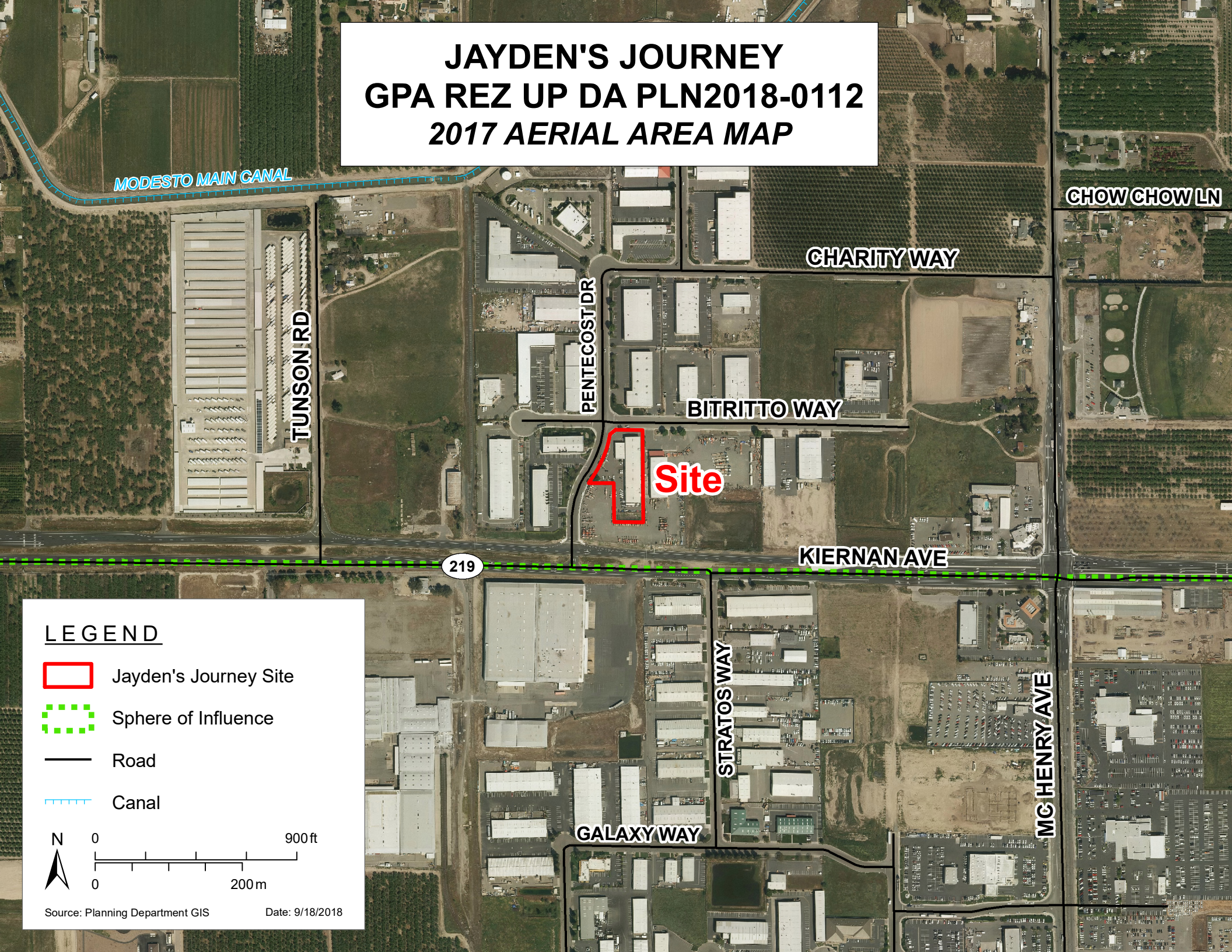
- Agriculture
- Planned Development
- Planned Industrial
- Urban Transition







JAYDEN'S JOURNEY GPA REZ UP DA PLN2018-0112 ZONING MAP

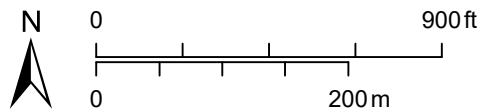


JAYDEN'S JOURNEY GPA REZ UP DA PLN2018-0112 2017 AERIAL AREA MAP



LEGEND

-  Jayden's Journey Site
-  Sphere of Influence
-  Road
-  Canal



JAYDEN'S JOURNEY GPA REZ UP DA PLN2018-0112 2017 AERIAL SITE MAP

BITRITTO WAY

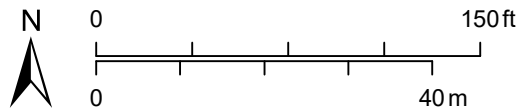
PENTECOST DR

Site

LEGEND

 Jayden's Journey Site

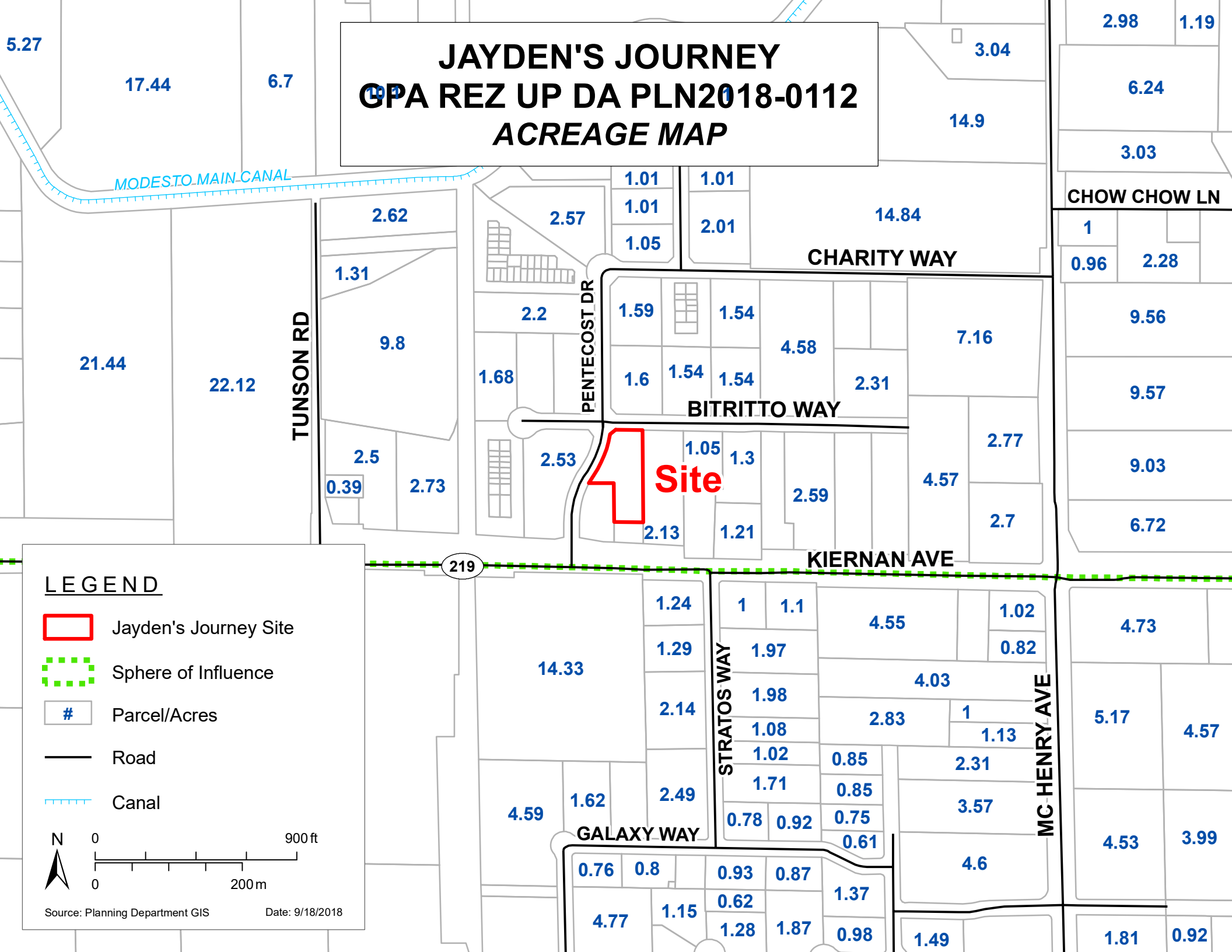
 Road



Source: Planning Department GIS

Date: 9/18/2018

JAYDEN'S JOURNEY CPA REZ UP DA PLN2018-0112 ACREAGE MAP



LEGEND

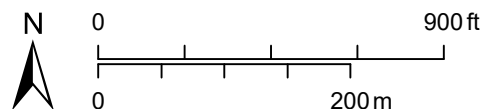
 Jayden's Journey Site

 Sphere of Influence

 Parcel/Acres

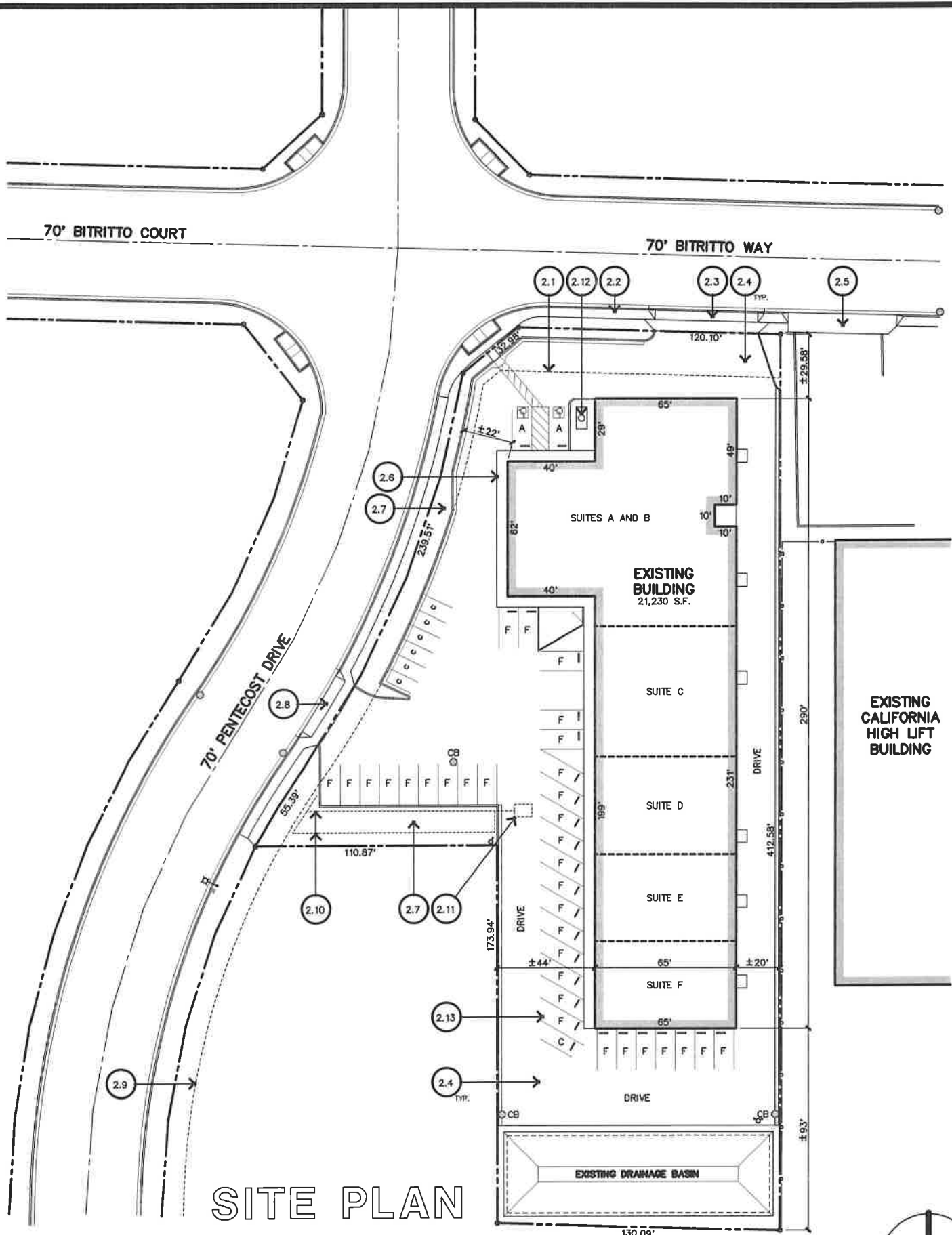
 Road

 Canal

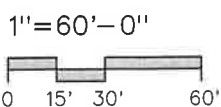


Source: Planning Department GIS

Date: 9/18/2018



SITE PLAN



2. EXISTING CONDITIONS

- 2.1** EXISTING 20' PUBLIC UTILITY EASEMENT.
- 2.2** EXISTING PUBLIC SIDEWALK, CURB, AND GUTTER.
- 2.3** EXISTING 47' WIDE DRIVEWAY APPROACH.
- 2.4** EXISTING ASPHALTIC CONCRETE PAVING.
- 2.5** EXISTING ADJACENT PROPERTY DRIVEWAY APPROACH.
- 2.6** EXISTING 5'-0" WIDE CONCRETE WALK.
- 2.7** EXISTING LANDSCAPE AREA.
- 2.8** EXISTING 30' WIDE DRIVEWAY APPROACH.
- 2.9** EXISTING 10' PUBLIC UTILITY EASEMENT.
- 2.10** OUTLINE OF EXISTING SEPTIC SYSTEM LEACH LINES.
- 2.11** OUTLINE OF EXISTING SEPTIC TANK.
- 2.12** EXISTING DOMESTIC WATER WELL.
- 2.13** EXISTING 60° PARKING.

KEYNOTES

UNION PACIFIC RAILROAD

BUILDING L
2.20 ACRES

BUILDING M
1.68 ACRES

BUILDING N
1.31 ACRES

BUILDING O
1.50 ACRES

BITRITTO COURT

BUILDING I
2.43 ACRES

BUILDINGS J & K
2.53 ACRES

BUILDING P
1.50 ACRES

SEE
NOTE 2
0.883
ACRES

SEE
NOTE 2
0.26 ACRES

BUILDING E
2.13 ACRES

SEE NOTE 2
1.05 ACRES

SEE NOTE 3
0.95 ACRES

BUILDING F
1.24 ACRES

BUILDINGS G & H
13.84 ACRES

STRATOS WAY

CHARITY WAY

BUILDING A
1.59 ACRES

BUILDING C
1.54 ACRES

BUILDING B
1.60 ACRES

BUILDING D
1.54 ACRES

BITRITTO WAY

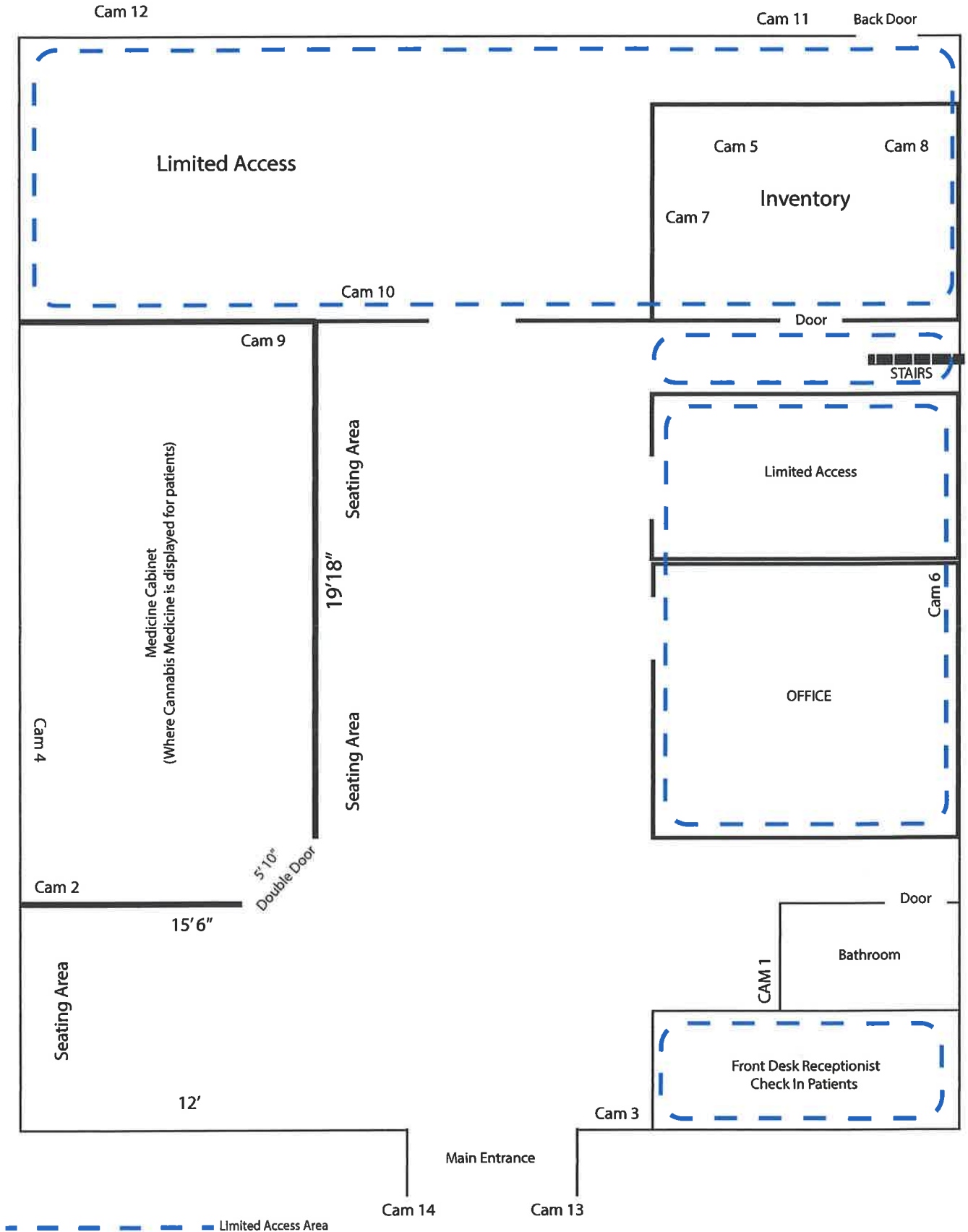
NOTES:

1. SEE ATTACHED SHEETS FOR BUILDING TENANT INFORMATION.
2. PROPERTY USED BY CALIFORNIA HIGH REACH EQUIPMENT RENTALS.
3. VACANT PARCEL OWNED BY STATE OF CALIFORNIA.

AREA MAP

NORTH





UPSTAIRS

14'4"

Stairs to access upstairs/downstairs

Desk/Computer

Upstairs Offices



Conference Table

LIMITED ACCESS

Filing Cabinets

25'3"

Desk/Computer

Filing Cabinets

Cam 15

Door

Bathroom

14'4"



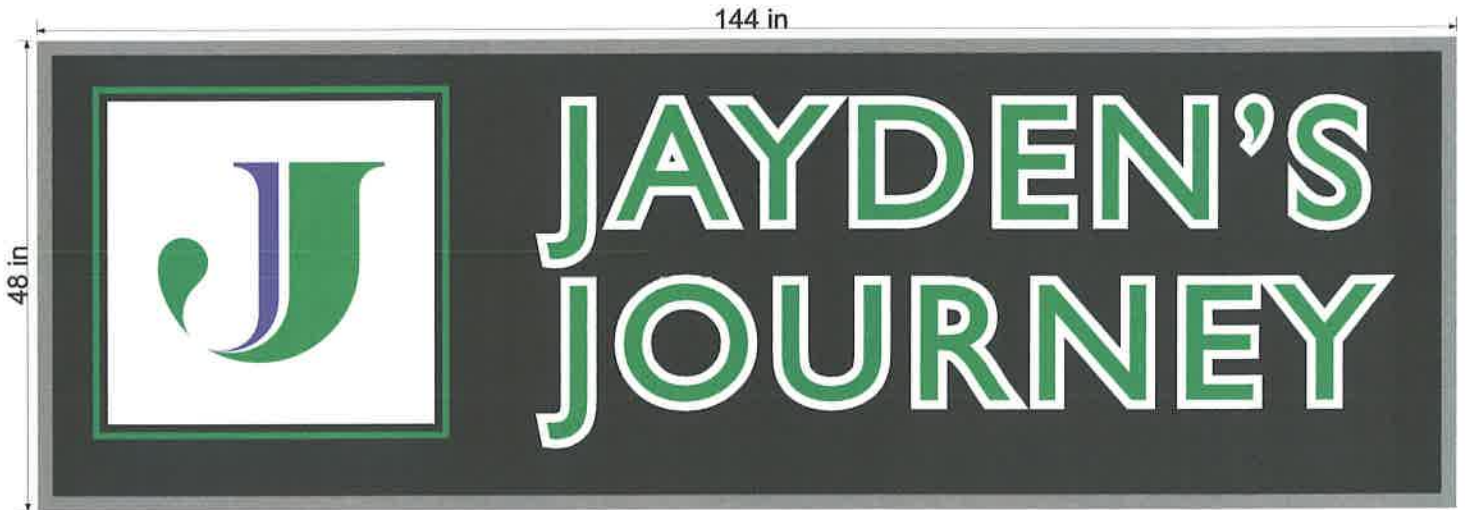
FUNCTIONGRAPHICS

PO Box 4404
Modesto, CA 95350
209 681 6914
functiongfx@gmail.com

Date: 9/12/2018
Designer: Harold

Name: Jason David
Company: Jayden's Journey
Phone: 5623377022
Email:

Sign Face, A Frame and Hours *Wall sign for Suite E (no monument sign proposed)*



JJ_SignFaceAFrames.FS

CHECK CAREFULLY (sizes, colors, spelling, etc.)
All final drawings are to be approved and signed by the client.
Any mistakes depicted on the proof, overlooked and approved
by client will be fixed at client's expense.

X

date

ALL DESIGNS, ARTWORK AND SKETCHES ARE PROPERTY OF FUNCTION GRAPHICS AND ARE NOT TO BE USED OR RECREATED WITHOUT PERMISSION.



APPLICATION QUESTIONNAIRE

Please Check all applicable boxes

APPLICATION FOR:

Staff is available to assist you with determining which applications are necessary

- | | |
|--|---|
| <input checked="" type="checkbox"/> General Plan Amendment | <input type="checkbox"/> Subdivision Map |
| <input checked="" type="checkbox"/> Rezone | <input type="checkbox"/> Parcel Map |
| <input checked="" type="checkbox"/> Use Permit | <input type="checkbox"/> Exception |
| <input type="checkbox"/> Variance | <input type="checkbox"/> Williamson Act Cancellation |
| <input type="checkbox"/> Historic Site Permit | <input checked="" type="checkbox"/> Other <u>Dev. Agreement</u> |

PLANNING STAFF USE ONLY:

Application No(s): PLN2018-
 Date: 9/14/18
 S 32 T 2 R 9
 GP Designation: PI
 Zoning: PI (20)
 Fee: \$11,642
 Receipt No. _____
 Received By: KCO
 Notes: _____

In order for your application to be considered COMPLETE, please answer all applicable questions on the following pages, and provide all applicable information listed on the checklist on pages i – v. Under State law, upon receipt of this application, staff has 30 days to determine if the application is complete. We typically do not take the full 30 days. It may be necessary for you to provide additional information and/or meet with staff to discuss the application. Pre-application meetings are not required, but are highly recommended. An incomplete application will be placed on hold until all the necessary information is provided to the satisfaction of the requesting agency. An application will not be accepted without all the information identified on the checklist.

Please contact staff at (209) 525-6330 to discuss any questions you may have. Staff will attempt to help you in any way we can.

PROJECT INFORMATION

PROJECT DESCRIPTION: (Describe the project in detail, including physical features of the site, proposed improvements, proposed uses or business, operating hours, number of employees, anticipated customers, etc. – Attach additional sheets as necessary)

**Please note: A detailed project description is essential to the reviewing process of this request. In order to approve a project, the Planning Commission or the Board of Supervisors must decide whether there is enough information available to be able to make very specific statements about the project. These statements are called "Findings". It is your responsibility as an applicant to provide enough information about the proposed project, so that staff can recommend that the Commission or the Board make the required Findings. Specific project Findings are shown on pages 17 – 19 and can be used as a guide for preparing your project description. (If you are applying for a Variance or Exception, please contact staff to discuss special requirements).*

The existing 21,230 S.F industrial warehouse building houses four known businesses: 1. Zanini's Custom Cabinets,

2. M D Detailing (Automotive Service), 3. Jayden's Journey (Cannabis Dispensary), and 4. Ott's Auto Sales.

No additional construction or site modifications are proposed.

See attachment A for General Plan Amendment Findings.

PROJECT SITE INFORMATION

Complete and accurate information saves time and is vital to project review and assessment. Please complete each section entirely. If a question is not applicable to your project, please indicated this to show that each question has been carefully considered. Contact the Planning & Community Development Department Staff, 1010 10th Street – 3rd Floor, (209) 525-6330, if you have any questions. Pre-application meetings are highly recommended.

ASSESSOR'S PARCEL NUMBER(S): Book 004 Page 094 Parcel 028

Additional parcel numbers: NA

Project Site Address
or Physical Location: 5054 Pentecost

Modesto, CA 95356

Property Area: Acres: 1.5 or Square feet: 65,340 S.F.

Current and Previous Land Use: (Explain existing and previous land use(s) of site for the last ten years)

Existing 21,230 S.F. multiple tenant warehouse building built in 2003.

List any known previous projects approved for this site, such as a Use Permit, Parcel Map, etc.: (Please identify project name, type of project, and date of approval)

A building permit for the original project documents (Site Plan, Floor Plan, etc.) was issued in 2003.

Existing General Plan & Zoning: PI (20) Planned Industrial

Proposed General Plan & Zoning: Planned Development (PD)
(if applicable)

ADJACENT LAND USE: (Describe adjacent land uses within 1,320 feet (1/4 mile) and/or two parcels in each direction of the project site)

East: California High Lift Building and Storage Yard/Vacant parcel (See Area Map descriptions).

West: Multiple tenant warehouse condominiums/Office buildings (See Area Map descriptions).

North: Multiple tenant warehouses/Warehouse condominiums/Office buildings (See Area Map descriptions).

South: California High Lift Storage Yard/Warehouses/Multiple tenant building (See Area Map descriptions).

WILLIAMSON ACT CONTRACT:

Yes ☐ No ☒

Is the property currently under a Williamson Act Contract?

Contract Number: _____

If yes, has a Notice of Non-Renewal been filed?

Date Filed: _____

Yes ☐ No ☐

Do you propose to cancel any portion of the Contract?

Yes ☐ No ☐

Are there any agriculture, conservation, open space or similar easements affecting the use of the project site. (Such easements do not include Williamson Act Contracts)

If yes, please list and provide a recorded copy: _____

SITE CHARACTERISTICS: (Check one or more)

Flat ☒

Rolling ☐

Steep ☐

VEGETATION: What kind of plants are growing on your property? (Check one or more)

Field crops ☐

Orchard ☐

Pasture/Grassland ☐

Scattered trees ☐

Shrubs ☐

Woodland ☐

River/Riparian ☐

Other ☒

Explain Other: Existing Site Landscaping

Yes ☐ No ☒

Do you plan to remove any trees? (If yes, please show location of trees planned for removal on plot plan and provide information regarding transplanting or replanting.)

GRADING:

Yes ☐ No ☒

Do you plan to do any grading? (If yes, please indicate how many cubic yards and acres to be disturbed. Please show areas to be graded on plot plan.) _____

STREAMS, LAKES, & PONDS:

Yes ☐ No ☒

Are there any streams, lakes, ponds or other watercourses on the property? (If yes, please show on plot plan)

Yes ☐ No ☒

Will the project change any drainage patterns? (If yes, please explain – provide additional sheet if needed) _____

Yes ☐ No ☒

Are there any gullies or areas of soil erosion? (If yes, please show on plot plan)

Yes ☐ No ☒

Do you plan to grade, disturb, or in any way change swales, drainages, ditches, gullies, ponds, low lying areas, seeps, springs, streams, creeks, river banks, or other area on the site that carries or holds water for any amount of time during the year? (If yes, please show areas to be graded on plot plan)

Please note: If the answer above is yes, you may be required to obtain authorization from other agencies such as the Corps of Engineers or California Department of Fish and Game.

STRUCTURES:

- Yes ☒ No ☐ Are there structures on the site? (If yes, please show on plot plan. Show a relationship to property lines and other features of the site.)
- Yes ☐ No ☒ Will structures be moved or demolished? (If yes, indicate on plot plan.)
- Yes ☐ No ☒ Do you plan to build new structures? (If yes, show location and size on plot plan.)
- Yes ☐ No ☒ Are there buildings of possible Historical significance? (If yes, please explain and show location and size on plot plan.) _____

PROJECT SITE COVERAGE:

Existing Building Coverage: 21,230 Sq. Ft. Landscaped Area: 4,273 Sq. Ft.
Proposed Building Coverage: NA Sq. Ft. Paved Surface Area: 33,813 Sq. Ft.

BUILDING CHARACTERISTICS:

Size of new structure(s) or building addition(s) in gross sq. ft.: (Provide additional sheets if necessary) Existing 21,230 S.F.
Structure built in 2003.

Number of floors for each building: 1 story.

Building height in feet (measured from ground to highest point): (Provide additional sheets if necessary) 23'-4" at Ridge.

Height of other appurtenances, excluding buildings, measured from ground to highest point (i.e., antennas, mechanical equipment, light poles, etc.): (Provide additional sheets if necessary) _____

Site Lights = +/- 28' above finish grade.

Proposed surface material for parking area: (Provide information addressing dust control measures if non-asphalt/concrete material to be used) _____

NA. Existing AC parking and drive areas.

UTILITIES AND IRRIGATION FACILITIES:

Yes ☒ No ☐ Are there existing public or private utilities on the site? Includes telephone, power, water, etc. (If yes, show location and size on plot plan)

Who provides, or will provide the following services to the property?

Electrical: Modesto Irrigation District Sewer*: On-site Septic Tank and Leach lines.
Telephone: AT&T Gas/Propane: Pacific Gas and Electric
Water**: City of Modesto(Fire)/On-site Domestic Well Irrigation: NA

***Please Note:** A "will serve" letter is required if the sewer service will be provided by City, Sanitary District, Community Services District, etc.

****Please Note:** A "will serve" letter is required if the water source is a City, Irrigation District, Water District, etc., and the water purveyor may be required to provide verification through an Urban Water Management Plan that an adequate water supply exists to service your proposed development.

Will any special or unique sewage wastes be generated by this development other than that normally associated with resident or employee restrooms? Industrial, chemical, manufacturing, animal wastes? (Please describe:)

No.

Please Note: Should any waste be generated by the proposed project other than that normally associated with a single family residence, it is likely that Waste Discharge Requirements will be required by the Regional Water Quality Control Board. Detailed descriptions of quantities, quality, treatment, and disposal may be required.

Yes ☒ No ☐ Are there existing irrigation, telephone, or power company easements on the property? (If yes, show location and size on plot plan.)

Yes ☐ No ☒ Do the existing utilities, including irrigation facilities, need to be moved? (If yes, show location and size on plot plan.)

Yes ☐ No ☒ Does the project require extension of utilities? (If yes, show location and size on plot plan.)

AFFORDABLE HOUSING/SENIOR:

Yes ☐ No ☒ Will the project include affordable or senior housing provisions? (If yes, please explain)

RESIDENTIAL PROJECTS: (Please complete if applicable – Attach additional sheets if necessary)

Total No. Lots: _____ Total Dwelling Units: _____ Total Acreage: _____

Net Density per Acre: _____ Gross Density per Acre: _____

(complete if applicable)	Single Family	Two Family Duplex	Multi-Family Apartments	Multi-Family Condominium/ Townhouse
Number of Units:	_____	_____	_____	_____
Acreage:	_____	_____	_____	_____

COMMERCIAL, INDUSTRIAL, MANUFACTURING, RETAIL, USE PERMIT, OR OTHER PROJECTS: (Please complete if applicable – Attach additional sheets if necessary)

Square footage of each existing or proposed building(s): Existing 21,230 S.F. building built in 2003.

Type of use(s): Cabinet shop, Automotive services (Detailing), Cannabis dispensary, Automotive sales.

Days and hours of operation: See Attachment B for business square footage, hours of operation,
number of employees, daily customer counts, truck deliveries, etc.

Seasonal operation (i.e., packing shed, huller, etc.) months and hours of operation: NA

Occupancy/capacity of building: See Attachment C for Building Occupancy calculation based on 2016 CBC Table
1004.1.2.

Number of employees: (Maximum Shift): See Attachment B. (Minimum Shift): See Attachment B,

Estimated number of daily customers/visitors on site at peak time: See Attachment B.

Other occupants: See Attachment B.

Estimated number of truck deliveries/loadings per day: See Attachment B.

Estimated hours of truck deliveries/loadings per day: See Attachment B.

Estimated percentage of traffic to be generated by trucks: Less than 10%.

Estimated number of railroad deliveries/loadings per day: NA

Square footage of:

Office area: See Attachment C.

Warehouse area: See Attachment C.

Sales area: See Attachment C.

Storage area: See Attachment C.

Loading area: NA

Manufacturing area: See Attachment C.

Other: (explain type of area) _____

Yes ☐ No ☒ Will the proposed use involve toxic or hazardous materials or waste? (Please explain)

ROAD AND ACCESS INFORMATION:

What County road(s) will provide the project's main access? (Please show all existing and proposed driveways on the plot plan)

Kiernan/McHenry/Charity Way/Pentecost

- Yes ☐ No ☒ Are there private or public road or access easements on the property now? (If yes, show location and size on plot plan)
- Yes ☐ No ☒ Do you require a private road or easement to access the property? (If yes, show location and size on plot plan)
- Yes ☐ No ☒ Do you require security gates and fencing on the access? (If yes, show location and size on plot plan)

Please Note: Parcels that do not front on a County-maintained road or require special access may require approval of an Exception to the Subdivision Ordinance. Please contact staff to determine if an exception is needed and to discuss the necessary Findings.

STORM DRAINAGE:

How will your project handle storm water runoff? (Check one) ☒ Drainage Basin ☐ Direct Discharge ☐ Overland

☐ Other: (please explain) _____

If direct discharge is proposed, what specific waterway are you proposing to discharge to? _____

Please Note: If direct discharge is proposed, you will be required to obtain a NPDES permit from the Regional Water Quality Control Board, and must provide evidence that you have contacted them regarding this proposal with your application.

EROSION CONTROL:

If you plan on grading any portion of the site, please provide a description of erosion control measures you propose to implement.

NA

Please note: You may be required to obtain an NPDES Storm Water Permit from the Regional Water Quality Control Board and prepare a Storm Water Pollution Prevention Plan.

ADDITIONAL INFORMATION:

Please use this space to provide any other information you feel is appropriate for the County to consider during review of your application. (Attach extra sheets if necessary)

For Parking Analysis please see Attchment D.

For List of Businesses around 5054 Pentecost, please see Attachment E.

Attachment B:

5054 Pentecost Drive Project and Business Descriptions:

Site Area = 1.5 Acres (65,340 S.F.)

Building Area = 21,230 S.F.

Landscape Area = 4,273 S.F.

Drainage Basin Area = 6,044 S.F.

Paving Area = 33,813 S.F.

Percentage of Site Coverage:

Building =	32.50%
Landscape =	6.50%
Drainage Basin Area =	9.25%
<u>Paving (Concrete/AC) =</u>	<u>51.75%</u>
Total =	100%

Business Information:

Business #1

Name: Zanini's Custom Cabinets (209.526.6715)

Type: Cabinet manufacturer.

Square Footage = 9,189 S.F.

Operating Hours: 9 am – 4:30 pm M-F, Saturday by appointment, closed Sunday.

Number of Employees: 5.

Anticipated Daily Customers: 2

Daily Estimated Number of Truck Deliveries: 2 per week.

Hours of Truck Deliveries: Early morning.

Business #2

Name: M D Detailing (209.702.5136)

Type: Automotive Detailing service.

Square Footage = 3,900 S.F.

Operating Hours: 9 am – 5 pm, closed Saturday and Sunday.

Number of Employees: 4 (2 detailing + 2 window tinting).

Anticipated Daily Customers: 4.

Daily Estimated Number of Truck Deliveries: (1) Tuesday and (1) Thursday.

Hours of Truck Deliveries: 8-12 noon (Tuesday and Thursday deliveries).

Business #3

Name: Jayden's Journey (209.581.7700)

Type: Cannabis dispensary.

Square Footage = 5,525 S.F.

Operating Hours: 10 am – 8 pm M-S, Sunday 12pm – 6 pm.

Number of Employees: 16.

Anticipated Daily Customers: 150-225.

Daily Estimated Number of Truck Deliveries: (3) per month, UPS/FedEx.

Hours of Truck Deliveries: 8-12 noon.

Business #4

Name: Ott's Auto Sales (209.575.4295)

Type: Automotive sales.

Square Footage = 2,616 S.F.

Operating Hours: 9 am – 5 pm, closed Saturday and Sunday.

Number of Employees: 2.

Anticipated Daily Customers: Typically, 2-3 on weekends.

Daily Estimated Number of Truck Deliveries: (1) car per week, average.

Hours of Truck Deliveries: Typically 7-8 pm/evening hours.

Attachment D:

5054 Pentecost Drive Building Parking Analysis:

Reference Stanislaus County Zoning Ordinance Chapter 21.76 Off-Street Parking:

21.76.050 Garages and Repair Shops: (1) space/300 Gross Square Feet.

21.76.070 Manufacturing: (1) space for each employee + (3) Additional spaces. When number of employees cannot be determined, (1) space/300 Gross Square Feet.

21.76.150 Retail Stores and Service Establishments: (1) space/300 Gross Square Feet.

21.76.190: Vehicle Sales: (1) space for each employee on a maximum shift, plus (1) customer parking space per every (20) vehicles for sale.

Business Parking Requirements:

Business #1

Name: Zanini's Custom Cabinets.

Business category: Manufacturing.

Parking required: (5) employees = 5 spaces + 3 spaces =

8 total spaces

Business #2

Name: M D Detailing.

Business category: Garages and Repair Shop.

3900 S.F./300 S.F. =

13 total spaces

Business #3

Name: Jayden's Journey.

Business category: Retail Stores and Service Establishments.

Parking required: 5,525 S.F./300 S.F.= 18.41 =

18 spaces

Business #4

Name: Ott's Auto Sales.

Business category: Vehicle Sales.

Parking required: (1) employee = 1 space + (less than 20 cars) + 1 space = 2 spaces

Total Parking Spaces Required =

41 Spaces

Existing Parking Provided =

42 Spaces

Proposed Parking to be Developed =

0 Spaces

Air Quality Plan

Jayden's Journey

1 AIR & WATER QUALITY

We believe it is important that our medical and adult-use facility meet or exceed the requirements for air and water quality set forth by the appropriate regulatory agencies and accepted industry practices. We want to create a space that is comfortable for patients to visit, free of allergens and consistent with their expectations of existing clinical settings and treatment options. The positive effects of actively managing air and water quality translate to the health and well-being of our patients and our employees.

Filtration & Purification. These measures will include a comprehensive HVAC system that incorporates medical industry standard filtration such as High Efficiency Particulate Air (HEPA) and High Efficiency Gas Absorption (HEGA). Similarly, any water entering the facility will also be filtered. It is our ambition to also subject water to Ultraviolet (UV) purification. The goal is to reduce contaminants in the facility to prevent adulteration and ensure the highest quality products and experience for our patients.

Odor Elimination. Given the unique nature of a CCB, it is our intention to reduce odors inside where possible and eliminate any and all odors from outside of our facility. Our site will also create a natural buffer between neighboring businesses, but there are an increasing number of technology solutions which will allow us to eliminate or abate any potential nuisance.

This will be generally accomplished by utilizing multiple filtration, odor absorption and carbon “scrubbers” to rid system exhaust of any odors. Activated carbon is an extremely effective absorptive odor control substance. An ozone generator will be placed upstream of the carbon filters. Ozone (O₃) is an effective odor control mechanism. In this case, it is used to help control out- going airstream odors and recharge the activated carbon filter media, extending the life of the media.

Negative Air Pressure.

Another way to control odors is through the design and installation of a space with Negative Air Pressure, The use of an air system which creates negative air pressure will help contain odors generated inside from being detectable outside. It is our aim to use a similar system moving forward as another tool to eliminating our impact on neighboring businesses.

30 July 2018

Jayden's Journey Dispensary

Modesto, CA

Subject: **Odor and Air Quality Control Proposed Modifications**

OVERVIEW:

Jayden's Journey Dispensary is an existing Cannabis Dispensary Facility located in Modesto, CA. Facility has an approximate total square footage of 2,652SF [1,560 SF of Main Dispensary/Office Space and 1,092 SF of Storage Area].

Existing HVAC system are comprised of:

- 1- 1 Each 5 Ton Ducted Split Type DX Unit with regular flat throw away filter serving the main dispensary/office spaces. This unit has a ducted supply distribution system.
- 2- 1 Each 5 Ton Ducted Split Type DX Unit with regular flat throw away filter serving the back storage area. This unit is not current ducted.
- 3- 1 Each Exhaust Fan serving the Common Restrooms inside the main dispensary/office area.

Current HVAC Issues:

- 1- Odors from products dispensed from the facility
- 2- Temperature/Comfort issue at the main dispensary/office area.

Proposed Modification:

1- Odor Control:

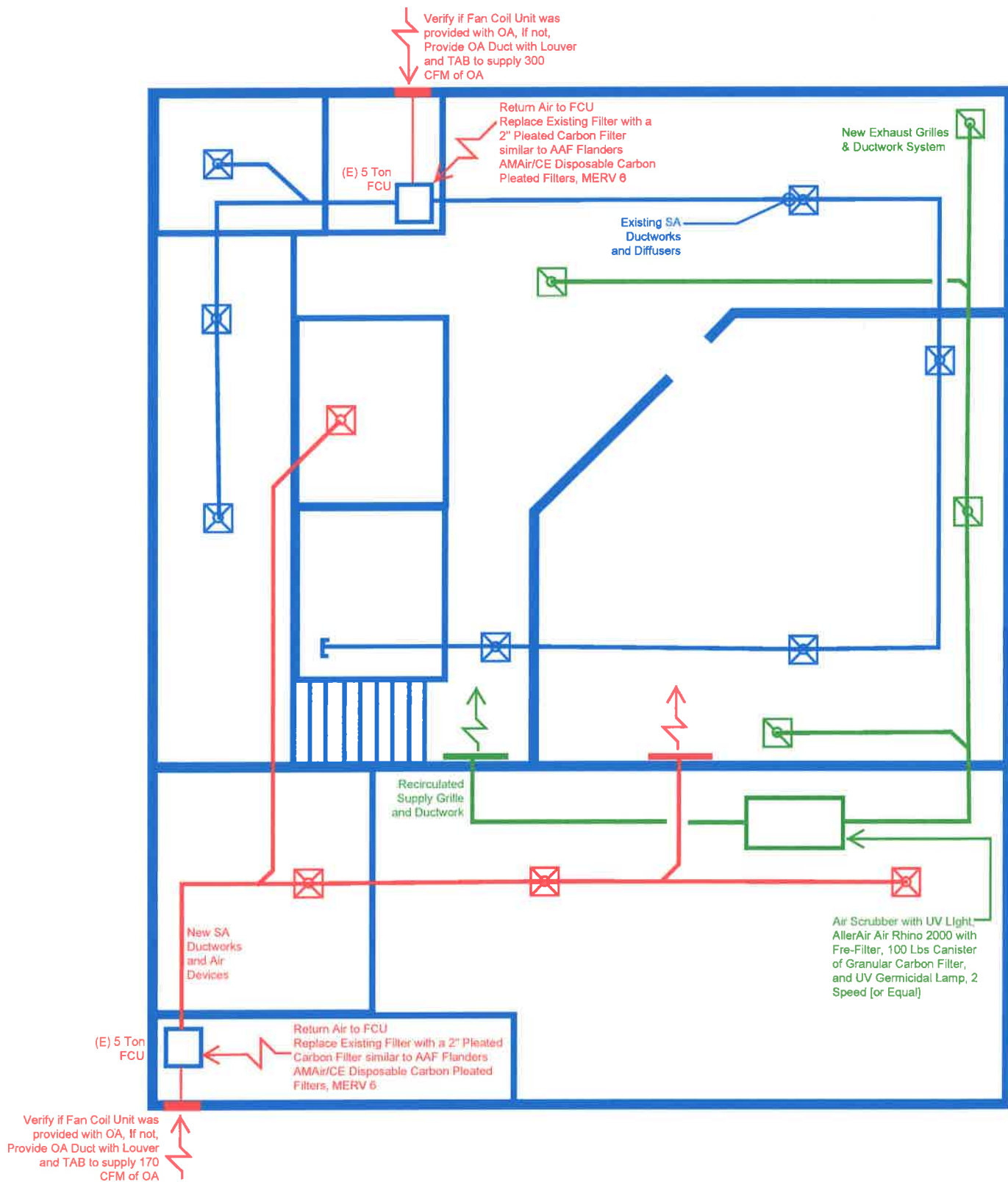
Propose installation of an Air Scrubber with UV Germicidal Lamp Unit and Exhaust/Recirculated Air Ductwork Distribution System to remove and treat recirculated air in the dispensary. See attached sketch for the proposed modification [See attachment "A"]. System includes:

1 Each Air Scrubber with UV Light System similar to AllerAir Air Rhino 2000 with Pre-Filter, 100Lbs of Canister of Granulated Carbon Filter and UV Germicidal Light, 2-speed. See attachment "B" for equipment product sheet.

Exhaust/Recirculated Supply Ductworks and Registers/Grilles to assure treatment distribution in the dispensary area.

Replace existing fan coil units Air Filter with 2" Thk Pleated Carbon type Filter similar to AAF Flanders AMAir/CE Disposal Carbon Pleated Filters, MERV 6. See attachment "C" for product sheet.

Existing Fan coils may not have Outside Air Intakes. Proposed modification includes providing Outside Air Louver and Ductwork to the existing units and TAB to the minimum required OA complying



Jayden's Journey- Modesto Odor/Air Quality Control Modification

Scale: NTS

1 SUSTAINABLE BUSINESS PRACTICES

Jayden's Journey is focused on achieving sustainable business practices to help reduce our impact on the environment. We will incorporate a comprehensive strategy to achieve energy conservation, promote clean water and air, and establish effective waste management policies. In addition, we will aim to keep the same rigorous standards for our supply chain vendors and service providers.

2 “GREEN” DESIGN & CONSTRUCTION

Going “green” begins with our facility. It is our ambition to create a Commercial Cannabis Business which utilizes all of the commercially available tools to reduce consumption of valuable resources. This begins with the build-out and remodeling of our retail space and business premises. We are still in the process of finding a space as well as selecting a designer for the plans for our space.

It is our intention to invest in long-term solutions for our facility. To this end we have found that simple choices add up. By utilizing superior insulation materials, we will be able to maximize the efficiency of our retail space. Advances in commercial solar panels and smart technology should allow us to dramatically reduce our energy consumption. We also intend to update the existing HVAC system to one that realizes maximum energy efficiency coupled with advanced sensors and programmable controllers to allow for zoned heating and cooling.

3 WATER & ENERGY CONSERVATION

Energy conservation is more accessible than ever through Energy Star or similar products that can be incorporated in a remodel or retrofitted to existing appliances. This includes the use of LED lighting throughout the space, and where appropriate for exterior lighting. Insulation of existing pipes and ducts can also net incremental gains in efficiency to help reduce the overall annual consumption of the facility.

There are additional measures to reduce use of water inside and outside the facility. Utilizing drought tolerant plants, rain collection and other landscaping techniques around the premises will help to conserve additional resources. Implementing low-flow devices, as well as sensors and other devices to track and monitor the consumption across the facility will help to lower our carbon footprint. In addition, *Jayden's Journey* will set policies and educate our employees on how to conserve energy and water.

4 WASTE MANAGEMENT

Jayden's Journey will create and adhere to a Cannabis Waste Management plan pursuant to *Cal. Code of Regulations* §5055. As part of these regulations, we will comply with all applicable waste management laws, including the *California Public Resources Code* and applicable municipal codes. We will identify an employee responsible for carrying out such Waste Management Plan. This includes establishing a secure restricted-access area for the destruction and disposal of cannabis goods and the storage of cannabis waste. We will make the necessary arrangements to engage Waste Management or a similar company serving the area which is a fully-permitted hauling service for the Cannabis waste; and will keep proper records regarding the waste discarded and the method.

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1. PATIENT ACCESS

Jayden's Journey intends to take all measures possible to operate in accordance with all state and local authority regulating Commercial Cannabis Activities for Medical Cannabis and to develop policies and procedures designed to ensure best practices are followed at every level of the organization. This includes:

- Persons under the age of eighteen (18) are strictly forbidden from entering the premises.
- As set forth in the Safety and Security Plan, robust measures will be taken to monitor the premises as well as the local area. We will limit access to the facility to qualified patients; create restricted access areas for employees only; and safely store destructed waste in a secure area until it has been collected.

2. SITE SELECTION

After approval by the Department of Planning, the site will conform to the zoning requirements for a Retail M-type and A-type License within Stanislaus County. The facility will be set back from the street and separate from more densely concentrated retail and commercial areas. The current location is known and accessible by existing patients, and is already integrated with the neighboring and surrounded businesses. There is already significant parking and a dedicated entry area, employee entrance and loading areas.

Sensitive Use. In addition, the future site will not have sensitive use restrictions as set forth in Stanislaus County Code, including without limitation of *Chapter 6.78 of the Stanislaus County Code* and *Section 21.08.020*. Specifically, using the straight-line methodology from the edge of the property line it be well over 600 feet from any residential areas, schools, daycare center, or youth center.

3. EXTERIOR APPEARANCE

Design. Any change to the appearance of the exterior of the future building would be at the approval of the County and the building's owner.

No Visible Cannabis. It is well understood that no cannabis, cannabis products or graphics depicting cannabis shall be visible from the exterior. This includes any reception area or any area visible through a window.

Signage. Any signage will be limited to that needed for identification only. Any advertising for the CCB will be in compliance with applicable laws.

No Smoking or Loitering. It will also be clearly posted that no smoking, ingesting or otherwise consuming cannabis is permitted on the premises.

4. ADDITIONAL REQUIREMENTS

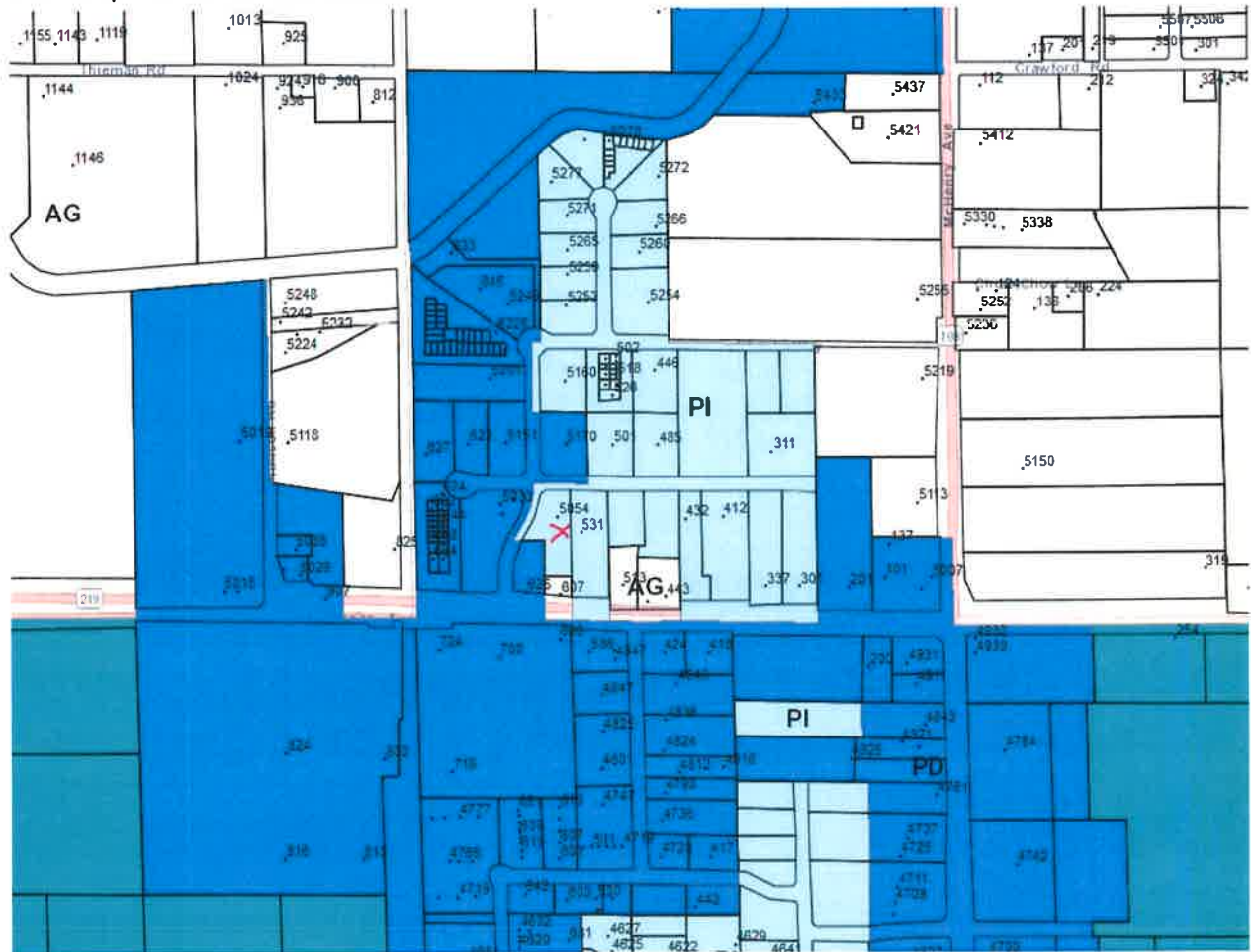
Jayden's Journey seeks to follow all local ordinances and understands the importance of balancing the needs of various external stakeholders. We are willing to stipulate to additional restrictions attached to the issuance of a regulatory permit, which may be necessary and reasonable to the success of this project with Stanislaus County and our Commercial Cannabis Business.

5. LOCAL SUPPORT

Jayden's Journey has received continued support and outreach from patients and members of the community. We have attached some of these letters to this application.

5054 Pentecost Drive General Plan Amendment Findings:

See "Snip" from GIS site below:



Reasons and Justification for Change:

Based on the Draft Commercial Cannabis Permitting Zoning District matrix (10.6.17) a retail cannabis dispensary (Jayden's Journey, 5054 Pentecost Drive, Suite E, Modesto, CA) would not be permitted in a Planned Industrial zone. However, it could continue to operate in this location in a Planned Development zone. Per the advice of Stanislaus County Planning staff, the property in question should be rezoned to Planned Development, which necessitates the General Plan Amendment.

Events rendering General Plan inadequate:

In recent years, California voters and the state legislature have created a legal framework to regulate the cannabis industry. In response to these changes, the Stanislaus County Board of Supervisors is considering the development of a conservative commercial cannabis allowance strategy. The forthcoming ordinance will establish a comprehensive program to permit and regulate cannabis cultivation, manufacturing, retail and other business activities in the unincorporated areas of Stanislaus County. This ordinance will tightly regulate the cannabis industry while preserving our environmental resources, protecting the health and safety of our communities, and prioritizing fiscal responsibility for tax payers.

Per the direction of the Stanislaus County Board of Supervisors in establishing a Cannabis Allowance Ordinance, and Planning's recommendation that retail dispensaries not be allowed in Planned Industrial zones, the General Plan PI zoning is not adequate to support these uses.

Studies and Policies:

See above.

General Plan Impact:

Based on the current PD property zoning adjacent to the 5054 Pentecost, changing this property to a PD zoning designation will have negligible impact fiscally on the viability of the surrounding businesses and property values. Future development of this area, which is largely built-out with industrial buildings, will not be impacted.