

CEQA Referral Initial Study And Notice of Intent to Adopt a Negative Declaration

Date:	February 22, 2022
То:	Distribution List (See Attachment A)
From:	Kristen Anaya, Assistant Planner, Planning and Community Development
Subject:	REZONE APPLICATION NO. PLN2021-0098 – A & R MORTUARY SERVICES
Comment Period:	February 22, 2022 – March 28, 2022
Respond By:	March 28, 2022
Public Hearing Date:	April 21, 2022

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: Randy Rosebrough, A & R Mortuary Services

Project Location: 5434 and 5436 Pirrone Road, east of Highway 99, south of the MID Lateral No. 8 Canal, in the Community of Salida.

APN: 136-035-029

- General Plan: Planned Development
- Community Plan: Planned Industrial
- Current Zoning: Planned Development (P-D) (276)

Project Description: Request to rezone a 9,486± square foot parcel, containing a 4,000 square foot airspace condo, from Planned Development (P-D) (276) to a new Planned Development, to allow a mortuary service establishment in addition to the low-traffic generating light industrial uses currently permitted for the parcel. The permitted uses proposed will include the operation of a holding facility for up to 26 deceased humans within the existing warehouse on a 9,486 square-foot parcel. The project site and surrounding P-D 276 zoned parcels, comprised of 16 parcels, were first created under Planned Industrial (P-I) (19) allowing uses consistent with those permitted under the County's Planned Industrial zoning district. Additionally, P-I 19 permitted development of two 18,000 square foot shell buildings, development of an 84-stall paved parking lot, and allowed for the subdivision of the 2.2 acre parcel and shell buildings into 16 parcels airspace condominiums. The 9,486 square-foot project site encompasses 11 parking stalls and two 2,000 square foot suites that

are located within the existing 18,000 square-foot building. The site is also improved with frontage landscaping, a monument sign, and building-mounted exterior lighting.

Following adoption of P-I 19 a subsequent rezone for the entire 2.2 acres, created P-D 276, which was approved to expand the list of permitted uses to include: antique and furniture stores, motorcycle parts and sales, spa sales, dance and martial arts studios, postal services, and low-traffic generating commercial uses. Subsequently, the adjacent suites have been developed and used for various light industrial and low traffic generating commercial use. Mortuary service establishments are not identified in the permitted uses, nor is it similar to the allowed uses, as determined by the Planning Director. Thus, a new rezone is required to permit the proposed use on the project parcel. If approved, the rezone for the existing parcel will include the mortuary service establishment, in addition to the current approved list of permitted uses on the 9,486± square-foot parcel.

As proposed by the applicant, decedents will be transported to the proposed facility from local funeral homes, hospitals, and law enforcement agencies. Up to six decedents will be delivered per day and are brought to the site by A & R employees. A total of 26 decedents stored on-site at any given time. The transfer of decedents will take place by passenger utility vehicle and occur within the fully-enclosed structure prior to being unloaded. Storage of decedents include placement within a 200 square-foot walk-in cooler within the suite. The decedents will be help for up to six days. No embalming or autopsies occur on-site, and no hazardous materials are stored on-site. The only medical waste anticipated by the applicant will be gloves used by employees for transferring of decedents. Once used, the gloves will be stored in a medical waste container. The facility is not open to the general public nor to family members of the decedents. The only persons permitted at the facility are employees of A & R Mortuary Services, members of the Stanislaus County Coroner's Division, and funeral home employees. The hours of operation for deliveries are 24 hours a day, seven days a week. Decedents will be released Monday through Friday, from 8:00 a.m. to 5:00 p.m. A & R Mortuary Services employs up to a total of six staff; however, only up to two employees are on-site at any one time. The site is served by the City of Modesto for water and Salida Sanitary for sewer and has access to Pirrone Road through a mutual access and parking agreement between all airspace condominium parcels located within P-D 276 development.

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



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

REZONE APPLICATION NO. PLN2021-0098 – A & R MORTUARY SERVICES Attachment A

Distri	bution List		
	CA DEPT OF CONSERVATION Land Resources / Mine Reclamation		STAN CO ALUC
Х	CA DEPT OF FISH & WILDLIFE		STAN CO ANIMAL SERVICES
	CA DEPT OF FORESTRY (CAL FIRE)	Х	STAN CO BUILDING PERMITS DIVISION
Х	CA DEPT OF TRANSPORTATION DIST 10	Х	STAN CO CEO
Х	CA OPR STATE CLEARINGHOUSE		STAN CO CSA
Х	CA RWQCB CENTRAL VALLEY REGION	Х	STAN CO DER
	CA STATE LANDS COMMISSION	Х	STAN CO ERC
	CEMETERY DISTRICT		STAN CO FARM BUREAU
	CENTRAL VALLEY FLOOD PROTECTION	Х	STAN CO HAZARDOUS MATERIALS
	CITY OF:		STAN CO PARKS & RECREATION
Х	COMMUNITY SERVICES DIST: SALIDA SANITARY	х	STAN CO PUBLIC WORKS
Х	COOPERATIVE EXTENSION		STAN CO RISK MANAGEMENT
	COUNTY OF:	Х	STAN CO SHERIFF
	DER GROUNDWATER RESOURCES DIVISION	Х	STAN CO SUPERVISOR DIST 3: WITHROW
Х	FIRE PROTECTION DIST: SALIDA FIRE	Х	STAN COUNTY COUNSEL
Х	GSA: STANISLAUS & TUOLUMNE RIVERS GROUNDWATER BASIN ASSOC.		StanCOG
	HOSPITAL DIST:	Х	STANISLAUS FIRE PREVENTION BUREAU
Х	IRRIGATION DIST: MODESTO	Х	STANISLAUS LAFCO
Х	MOSQUITO DIST: EASTSIDE MOSQUITO		STATE OF CA SWRCB DIVISION OF DRINKING WATER DIST. 10
	MOUNTAIN VALLEY EMERGENCY MEDICAL SERVICES	Х	SURROUNDING LAND OWNERS
Х	MUNICIPAL ADVISORY COUNCIL: SALIDA	Х	TELEPHONE COMPANY: AT&T
Х	PACIFIC GAS & ELECTRIC		TRIBAL CONTACTS (CA Government Code §65352.3)
	POSTMASTER:		US ARMY CORPS OF ENGINEERS
Х	RAILROAD: UNION PACIFIC		US FISH & WILDLIFE
Х	SAN JOAQUIN VALLEY APCD		US MILITARY (SB 1462) (7 agencies)
Х	SCHOOL DIST 1: SALIDA UNION		USDA NRCS
Х	SCHOOL DIST 2: MODESTO CITY SCHOOLS	х	WATER DIST: MODESTO
	WORKFORCE DEVELOPMENT		
Х	STAN CO AG COMMISSIONER		
	TUOLUMNE RIVER TRUST		

STANISLAUS COUNTY CEQA REFERRAL RESPONSE FORM

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

FROM:

SUBJECT: REZONE APPLICATION NO. PLN2021-0098 – A & R MORTUARY SERVICES

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.

2. 3.

4.

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

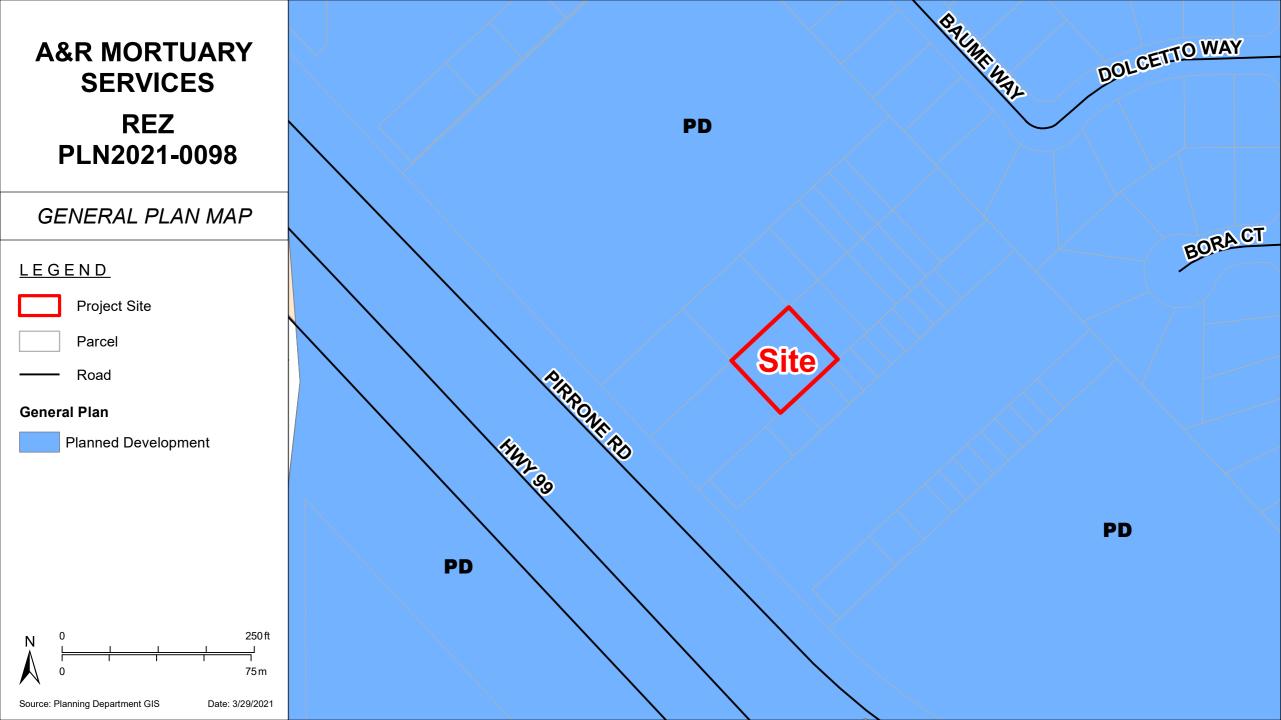
Response prepared by:

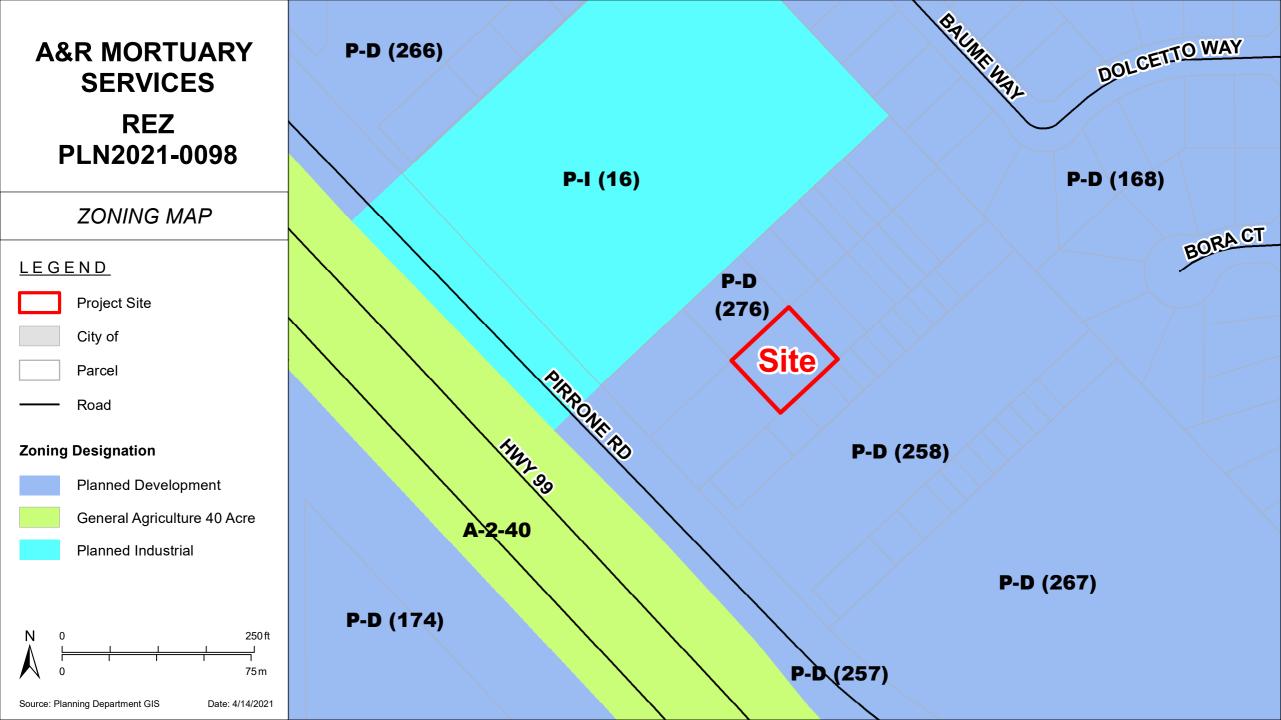
Name

Title

Date





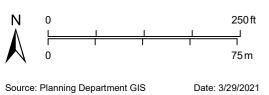


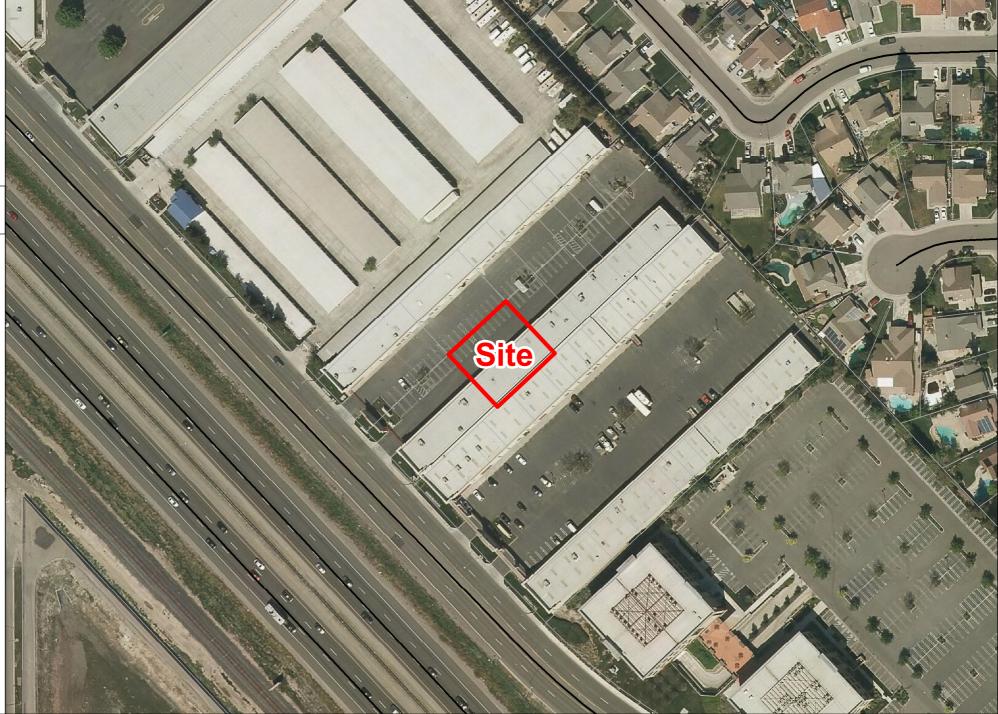
A&R MORTUARY SERVICES REZ PLN2021-0098

2017 AERIAL AREA MAP

LEGEND Project Site

----- Road





A&R MORTUARY SERVICES REZ PLN2021-0098

2017 AERIAL SITE MAP

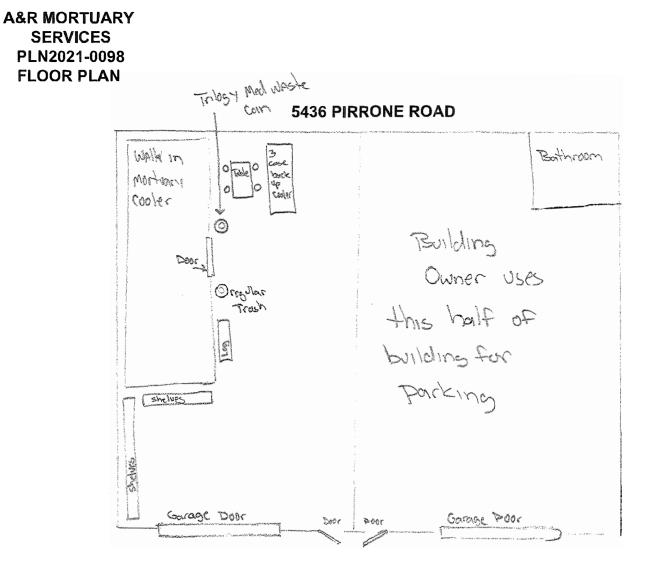
<u>LEGEND</u>

Project Site

— Road











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, January 1, 2020

Project title:	Rezone Application No. PLN2021-0098 – A & R Mortuary Services
Lead agency name and address:	Stanislaus County Planning and Community Development 1010 10 th Street, Suite 3400 Modesto, CA 95354
Contact person and phone number:	Kristen Anaya, Assistant Planner Phone: (209) 525-6330
Project location:	5434 and 5436 Pirrone Road, east of Highway 99, south of the MID Lateral No. 8 Canal, in the unincorporated community of Salida (APN: 136-035-029).
Project sponsor's name and address:	Randy Rosebrough A & R Mortuary Services 3900 Pelandale Ave., Ste. 420 #328 Modesto, CA 95356
General Plan designation:	Planned Development
Community Plan designation:	Planned Industrial
Zoning:	Planned Development (P-D) (276)
	Lead agency name and address: Contact person and phone number: Project location: Project sponsor's name and address: General Plan designation: Community Plan designation:

9. Description of project:

Request to rezone a 9,486± square-foot parcel, containing a 4,000 square-foot airspace condo, from Planned Development (P-D) (276) to a new Planned Development, to allow a mortuary service establishment in addition to the low-traffic generating light industrial uses currently permitted for the parcel. The permitted uses proposed will include the operation of a holding facility for up to 26 deceased humans within the existing warehouse on a 9,486± square-foot parcel. The project site and surrounding P-D 276 zoned parcels, comprised of 16 parcels, were first created under Planned Industrial (P-I) (19) allowing uses consistent with those permitted under the County's Planned Industrial zoning district. Additionally, P-I 19 permitted development of two 18,000 square-foot shell buildings, development of an 84-stall paved parking lot, and allowed for the subdivision of the 2.2 acre parcel and shell buildings into 16 parcels airspace condominiums. The 9,486± square-foot project site encompasses 11 parking stalls and two 2,000 square-foot suites that are located within the existing 18,000 square-foot building. The site is also improved with frontage landscaping, a monument sign, and building-mounted exterior lighting.

Following adoption of P-I 19 a subsequent rezone for the entire 2.2 acres, created P-D 276, which was approved to expand the list of permitted uses to include: antique and furniture stores, motorcycle parts and sales, spa sales, dance and martial arts studios, postal services, and low-traffic generating commercial uses. Subsequently, the adjacent suites have been developed and used for various light industrial and low-traffic generating commercial use. Mortuary service establishments are not identified in the permitted uses, nor is it similar to the allowed uses, as determined by the Planning Director. Thus, a new rezone is required to permit the proposed use on the project parcel. If approved, the rezone for the existing parcel will include the mortuary service establishment, in addition to the current approved list of permitted uses on the 9,486± square-foot parcel.

As proposed by the applicant, decedents will be transported to the proposed facility from local funeral homes, hospitals, and law enforcement agencies. Up to six decedents will be delivered per day and are brought to the site by A & R Mortuary Services employees. A total of 26 decedents stored on-site at any given time. The transfer of decedents will take place by passenger utility vehicle and occur within the fully-enclosed structure prior to being unloaded. Storage of decedents include placement within a 200 square-foot walk-in cooler within the suite. The decedents will be held for up to six days. No embalming or autopsies occur on-site, and no hazardous materials are stored on-site. The only medical waste anticipated by the applicant will be gloves used by employees for transferring of decedents. Once used, the gloves will be stored in a medical waste container. The facility is not open to the general public nor to family members of the decedents. The only persons permitted at the facility are employees of A & R Mortuary Services, members of the Stanislaus County Coroner's Division, and funeral home employees. The hours of operation for deliveries are 24 hours a day, seven days a week. Decedents will be released Monday through Friday, from 8:00 a.m. to 5:00 p.m. A & R Mortuary Services employs up to a total of six staff; however, only up to two employees are on-site at any one time. The site is served by the City of Modesto for water and Salida Sanitary for sewer and has access to Pirrone Road through a mutual access and parking agreement between all airspace condominium parcels located within P-D 276 development.

9.	Surrounding land uses and setting:	Light industrial, mixed-use warehouse uses to the northwest and southeast, residential subdivision to the northeast; Highway 99 to the southwest.
10.	Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.):	Stanislaus County Department of Public Works Department of Environmental Resources

11. Attachments:

P-D 276 - Permitted Uses Letter from Troy Watts of IC Refrigeration Records search from Central California Information Center, dated October 13, 2021

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.

□Aesthetics	☐ Agriculture & Forestry Resources	□ Air Quality
☐Biological Resources	Cultural Resources	Energy
□Geology / Soils	☐ Greenhouse Gas Emissions	Hazards & Hazardous Materials
☐ Hydrology / Water Quality	□ Land Use / Planning	☐ Mineral Resources
□ Noise	Population / Housing	Public Services
□ Recreation	□ Transportation	Tribal Cultural Resources
☐ Utilities / Service Systems	□ Wildfire	☐ Mandatory Findings of Significanc

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.

|X|

February 22, 2022 Date се

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, than 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

		1		
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?			х	

The site itself is not considered to be a scenic resource or unique scenic vista. The only scenic resource **Discussion:** designation in the County is along Interstate 5 (I-5), which is not near the project site. The project site and surrounding P-D 276 zoned parcels, comprised of 16 parcels, were first created under Planned Industrial (P-I) (19) allowing uses consistent with those permitted under the County's Planned Industrial zoning district. Additionally, P-I 19 permitted development of two 18.000 square-foot shell buildings, development of an 84-stall paved parking lot, and allowed for the subdivision of the 2.2 acre parcel and shell buildings into 16 parcels airspace condominiums. The 9,486± square-foot project site encompasses 11 parking stalls and two 2,000 square-foot suites that are located within the existing 18,000 square-foot building. The site is also improved with frontage landscaping, a monument sign, and building-mounted exterior lighting. The existing structure and surrounding suites are comprised of steel frame with stucco and glass and include roll-up door exteriors. The construction materials and architecture style are similar to other structures and Planned Developments in the area. No construction is proposed, nor will there be any modification to the exterior of the structure. Exterior lighting on the parcel is mounted on the structure, shielded, and pointed down with no new lighting proposed as part of this request. The project site is developed and permitted for use for various light industrial and low-traffic generating commercial uses. Mortuary service establishments are not identified in the permitted uses, nor is it similar to the allowed uses, as determined by the Planning Director. Thus, a new rezone is required to permit the proposed use. Because the facility is currently operating without the necessary land use entitlements, the proposal includes the permitting of existing interior renovations consisting of installation of a walk-in cooler for the storage of up to 26 decedents; however, this is not anticipated to have any adverse impact on existing aesthetics, public views, the existing visual character of the site, or result in the creation of a new source of light or glare that would adversely affect day or nighttime views.

Mitigation: None.

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

		1	T.
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	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact

Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board Would the project:	
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?	х
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 project site has a zoning designation of a Planned Development, approved for light industrial and low traffic generating commercial uses and is not enrolled in a Williamson Act Contract. Surrounding land uses consist of residential land uses to the northeast, mixed office and light industrial commercial warehouse uses to the northwest and southeast, and Highway 99 to the southwest. The closest agriculturally zoned parcel is 0.12 miles to the west across Highway 99.

The parcel is classified by the California Department of Conservation Farmland Mapping and Monitoring Program as Urban and Built-Up Land. The USDA Natural Resources Conservation Service's Eastern Stanislaus County Soil Survey indicates that the property is made up of Grade 1 Dinuba sandy loam soil, 0 to 1 percent slopes, which is considered to be prime soil to be used as irrigated agriculture; however, the site is located is already developed and is designated in the County's General Plan as Planned Development with a Salida Community Plan designation of Planned Industrial. As the site is located in an area already developed with residential and light industrial/commercial uses, the project is considered to be infill development. Therefore, no impacts to agriculture are anticipated to occur as a result of this project nor will it conflict with any agricultural activities in the area and/or lands enrolled in the Williamson Act. This project will have no impact to forest land or timberland.

Mitigation: None.

References: Natural Resources Conservation Service Soil Survey; application information; Stanislaus Soil Survey (1957); California State Department of Conservation Farmland Mapping and Monitoring Program - Stanislaus County Farmland 2018; Stanislaus County General Plan Agricultural Element; 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?			х	
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?			Х	

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 proposed project is located within the San Joaquin Valley Air Basin (SJVAB) and, therefore, falls under the jurisdiction of the San Joaquin Valley Air Pollution Control District (SJVAPCD). In conjunction with the Stanislaus Council of Governments (StanCOG), the SJVAPCD is responsible for formulating and implementing air pollution control strategies. The SJVAPCD's most recent air quality plans are the 2007 PM10 (respirable particulate matter) Maintenance Plan, the 2008 PM2.5 (fine particulate matter) Plan, and the 2007 Ozone Plan. These plans establish a comprehensive air pollution control program leading to the attainment of state and federal air quality standards in the SJVAB, which has been classified as "extreme non-attainment" for ozone, "attainment" for respirable particulate matter (PM-10), and "non-attainment" for PM 2.5, as defined by the Federal Clean Air Act.

The primary source of air pollutants generated by this project would be classified as being generated from "mobile" sources. Mobile sources would generally include dust from roads and automobile exhausts. Mobile sources are generally regulated by the Air Resources Board of the California EPA 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 Basin. The project is not anticipated to increase traffic in the area and or impact air quality as the proposal is a request to add new permitted uses to a developed site within an existing Planned Development zoning district. The proposed use of a mortuary service establishment will occupy an existing 2,000 square-foot suite for which air impacts for other commercial and light industrial uses have already been evaluated and considered. The proposed use is not anticipated to generate any additional traffic than those uses considered in the mitigated negative declarations associated with Planned Industrial (P-I) 19 and Planned Development (P-D) 276. The proposed facility will generate up to eight trips per day which is consistent with the approved P-D 276.

The project was referred to the Air District who has not provided a response to date.

Potential impacts on local and regional air quality are anticipated to be less than significant, falling below SJVAPCD thresholds, as a result of the nature of the proposed project and project's operation. Implementation of the proposed project would fall below the SJVAPCD significance thresholds for both short-term construction and long-term operational emissions, as discussed below. No exterior construction is proposed, and operation of the project would not exceed the SJVAPCD significance thresholds not increase the frequency or severity of existing air quality standards or the interim emission reductions specified in the air plans.

For these reasons, the proposed project would be consistent with the applicable air quality plans. Also, the proposed project would not conflict with applicable regional plans or policies adopted by agencies with jurisdiction over the project and would be considered to have a less than significant impact.

Although no construction activities are associated with the proposed project, a building permit will be required for existing unpermitted improvements associated with the facility, including the walk-in cooler and generator. As part of the building permit review process, the improvements will be required to comply with all applicable SJVAPCD standards. Implementation and operation of the project will not require any substantial use of heavy-duty construction equipment and will require little or no demolition or grading as the site is presently fully improved and considered to be topographically flat. Consequently, emissions would be minimal. Furthermore, all future construction activities would occur in compliance with all SJVAPCD regulations; therefore, construction emissions would be less than significant without mitigation.

Mitigation: None.

References: San Joaquin Valley Air Pollution Control District - Regulation VIII Fugitive Dust/PM-10 Synopsis; <u>www.valleyair.org</u>; and the Stanislaus County General Plan and Support Documentation¹.

IV. BIOLOGICAL RESOURCES Would the project:	Potentially Significant	Less Than Significant	Less Than Significant	No Impact
	Impact	With Mitigation Included	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: The project site is presently improved with commercial development and surrounded by light industrial, mixed-use warehouse uses to the northwest and southeast, a residential subdivision to the northeast, and Highway 99 to the southwest.

This request is to rezone an existing developed parcel to allow a mortuary service establishment in addition to the current list of permitted uses which consist of Planned Industrial uses consistent with the permitted uses identified by Stanislaus County Code Section 21.42 and low-traffic generating commercial uses. The project is located within the Salida Quad of the California Natural Diversity Database, which identifies the following special-status California tiger salamander, Swainson's hawk, tricolored blackbird, green sturgeon, steelhead, and valley elderberry longhorn beetle as potentially occurring in the quad; however, the nearest recorded sighting of these special status species is approximately one mile to the northwest near the Stanislaus River. As the project site and surrounding area is fully developed it does not appear this project will result in impacts to endangered species or habitats, locally designated species, or wildlife dispersal or mitigation corridors. There is no known sensitive or protected species or natural community located on the site.

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 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: A referral response received from the California Native American Heritage Commission (NAHC) provided an overview of the requirements for tribal consultation under CA Assembly Bill 52 and Senate Bill 18. This project was not referred to the tribes listed with the NAHC as the request does not include a General Plan Amendment; however, a records search conducted by the Central California Information Center for the project site indicated that there are no historical, cultural, or archeological resources recorded on-site and because no ground disturbance is proposed, further study is not recommended. It does not appear that this project will result in significant impacts to any archaeological or cultural resources. The project site is already developed and there is no proposed construction. A development standard requiring ground-disturbing activities to halt in the event of discovery of archaeological or human remains has been added to the project.

Mitigation: None.

References: Central California Information Center Report for the project site dated October 13, 2021; 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?			х	
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.

This project proposes to rezone a 9,486± square-foot parcel containing a 4,000 square-foot airspace condo from Planned Development (P-D) (276) to a new Planned Development, to allow a mortuary service establishment in addition to the low-traffic generating light industrial uses currently permitted for the parcel. The project proposes to operate a holding facility for up to 26 decedents within one of two 2,000 square-foot suites in an existing warehouse on a 9,486± square-foot parcel. The 9,486± square-foot project site encompasses 11 parking stalls and two 2,000 square-foot suites within the existing 18,000 square-foot building, which has been since developed with various light industrial businesses. The development is also improved with frontage landscaping, a monument sign, and building-mounted exterior lighting. Following adoption of P-I 19 a subsequent rezone for the entire 2.2 acres, created P-D 276, which was approved to expand the list of permitted uses to include: antique and furniture stores, motorcycle parts and sales, spa sales, dance and martial arts studios, postal services, and low-traffic generating commercial uses. If approved, the rezone for the 4,000 square-foot suite will include the mortuary service establishment, in addition to the current approved list of permitted uses within P-D 276. As proposed by the applicant, decedents will be transported to the proposed facility from local funeral homes, hospitals, and law

enforcement agencies. Up to six decedents will be delivered per day and are brought to the site by A & R Mortuary Services employees, and a total of 26 decedents stored on-site at any given time. The transfer of decedents will take place by passenger utility vehicle and occur within the fully-enclosed structure prior to being unloaded. Storage of decedents include placement within a 200 square-foot walk-in cooler within the building, that will be up to six days. The facility is not open to the general public nor to family members of the decedents. The only persons permitted at the facility are employees of A & R Mortuary Services, members of the Stanislaus County Coroner's Division, and funeral home employees. The hours of operation for delivery are 24 hours a day, seven days a week. Decedents are released Monday through Friday, from 8:00 a.m. to 5:00 p.m. A & R Mortuary Services employs up to a total of six staff; however, only up to two employees are on-site at any one time. Although a rezone must be approved by the Stanislaus County Planning Commission to permit the requested mortuary service establishment, the facility is currently operating and all unpermitted improvements, such as the walk-in refrigeration unit and generator, would be required to get the necessary building permits. As part of building permit, the requested improvements are required to comply with Title 24, Green Building Code, which includes energy efficiency requirements. Development standards will be added to the project to ensure this.

It does not appear this project will result in significant impacts to the wasteful, inefficient, or unnecessary consumption of energy resources.

Mitigation: None.

References: California Uniform Building Standards Code; Stanislaus County General Plan and Support Documentation¹.

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	Potentially Significant Impact	Significant Impact Significant With Mitigation Included	Significant Impact Significant With Mitigation Included Significant Impact X X X X X X X X X X X X X X X X X X X X X X X X X X X X X X X X X X

Discussion: The USDA Natural Resources Conservation Service's Eastern Stanislaus County Soil Survey indicates that the property is made up of Grade 1 Dinuba sandy loam soil, 0 to 1 percent slopes. 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 (I-5); however, as per the California Building Code, all of Stanislaus County is located within a geologic hazard zone (Seismic Design Category D, E, or F) and a soils test may be required at building permit application. Results from the soils test will 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. Although a rezone must be approved by the Stanislaus County Planning Commission to permit the requested mortuary service establishment, the facility is currently operating and all unpermitted improvements, such as the walk-in refrigeration unit and generator, would be required to get the necessary building permits. Any future structures will be designed and built according to building standards appropriate to withstand shaking for the area in which they are constructed. Any future development would be subject to Public Works review and compliance with their Standards and Specifications. The site is connected to Salida Sanitary sewer. Likewise, any future addition or expansion of a septic tank or alternative wastewater disposal system would require the approval of the Department of Environmental Resources (DER) through the building permit process, which also takes soil type into consideration within the specific design requirements.

The project site is not located near an active fault or within a high earthquake zone. Landslides are not likely due to the flat terrain of the area. DER, Public Works, and the Building Permits Division review and approve any building or grading permit to ensure their standards are met.

Mitigation: None.

References: Application materials; USDA Natural Resources Conservation Service's Eastern Stanislaus County Web Soil Survey; 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?			х	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			х	

Discussion: The principal Greenhouse Gasses (GHGs) are carbon dioxide (CO2), methane (CH4), nitrous oxide (N2O), sulfur hexafluoride (SF6), perfluorocarbons (PFCs), hydrofluorocarbons (HFCs), and water vapor (H2O). CO2 is the reference gas for climate change because it is the predominant greenhouse gas emitted. To account for the varying warming potential of different GHGs, 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] No. 32), which requires the California Air Resources Board (ARB) 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. Two additional bills, SB 350 and SB32, were passed in 2015 further amending the states Renewables Portfolio Standard (RPS) for electrical generation and amending the reduction targets to 40% of 1990 levels by 2030.

This project proposes rezone a 9,486± square-foot parcel, containing a 4,000 square-foot airspace condo, from Planned Development (P-D) (276) to a new Planned Development, to allow a mortuary service establishment, in addition to the lowtraffic generating light industrial uses currently permitted for the parcel. The permitted uses proposed will include the operation of a holding facility for up to 26 decedents within the existing warehouse on a 9,486± square-foot parcel. The project site and surrounding P-D 276 zoned parcels, comprised of 16 parcels, were first created under Planned Industrial (P-I) (19) allowing uses consistent with those permitted under the County's Planned Industrial zoning district. Additionally, P-I 19 permitted development of two 18,000 square-foot shell buildings, development of an 84-stall paved parking lot, and allowed for the subdivision of the 2.2 acre parcel and shell buildings into 16 parcels airspace condominiums. The 9.486± square-foot project site encompasses 11 parking stalls and two 2,000 square-foot suites that are located within the existing 18,000 square-foot building. Following adoption of P-I 19 a subsequent rezone for the entire 2.2 acres, created P-D 276, which was approved to expand the list of permitted uses to include: antique and furniture stores, motorcycle parts and sales, spa sales, dance and martial arts studios, postal services, and low-traffic generating commercial uses. Subsequently, the adjacent suites have been developed and used for various light industrial and low-traffic generating commercial use. As proposed by the applicant, decedents will be transported to the proposed facility from local funeral homes, hospitals, and law enforcement agencies. Up to six decedents will be delivered per day and are brought to the site by A & R Mortuary Services employees. A total of 26 decedents stored on-site at any given time. The transfer of decedents will take place by passenger utility vehicle and occur within the fully-enclosed structure prior to being unloaded. Storage of decedents include placement within a 200 square-foot walk-in cooler within the suite. The decedents will be held for up to six days. No embalming or autopsies occur on-site, and no hazardous materials are stored on-site. The only medical waste anticipated

by the applicant will be gloves used by employees for transferring of decedents. Once used, the gloves will be stored in a medical waste container. The facility is not open to the general public nor to family members of the decedents. The only persons permitted at the facility are employees of A & R Mortuary Services, members of the Stanislaus County Coroner's Division, and funeral home employees. The hours of operation for deliveries are 24 hours a day, seven days a week. Decedents will be released Monday through Friday, from 8:00 a.m. to 5:00 p.m. A & R Mortuary Services employs up to a total of six staff; however, only up to two employees are on-site at any one time. The project was referred to the Air District who has not provided a project referral response to date. Although a rezone must be approved by the Stanislaus County Planning Commission to permit the requested mortuary service establishment, the facility is currently operating and all unpermitted improvements, such as the walk-in refrigeration unit and generator, would be required to get the necessary building permits. These improvements and any future construction may be subject to the following District Rules: Regulation VIII, Rule 4102, Rule 4601, Rule 4002, Rule 4102, Rule 4550, and Rule 4570. Staff will include a development standard on the project requiring that the applicant be in compliance with the District's rules and regulations. It is not anticipated that the project will result in significant impacts with respect to the generation of greenhouse gas emissions or conflict with any applicable plans, policies, or regulations adopted for the purpose of reducing emissions of greenhouse gases.

Mitigation: None.

References: 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?			х	
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 Department of Environmental Resources (DER) is responsible for overseeing hazardous materials and has not indicated any particular concerns in this area. The proposed project is a request to permit a mortuary storage establishment allowing the storage of up to 26 decedents which will be transported to the proposed facility from local funeral homes, hospitals, and law enforcement agencies. Up to six decedents will be delivered per day and are brought to the site by A & R Mortuary Services employees, and a total of 26 decedents stored on-site at any given time. The transfer of decedents will take place by passenger utility vehicle and occur within the fully-enclosed structure prior to being unloaded. Storage of decedents include placement within a 200 square-foot walk-in cooler within the building, that will be up to six

days. No embalming or autopsies occur on-site, and no hazardous materials are stored on-site. The only medical waste anticipated by the applicant will be latex gloves used by employees transferring the decedents. Once used, the gloves are then disposed of and stored in a medical waste container, which is picked up by a licensed waste disposal company as needed. DER Hazardous Materials Division provided a referral response to the project indicating the project will not have a significant effect on the environment.

The project was presented to the Salida Municipal Advisory Committee (MAC) on September 28, 2021. The MAC indicated concerns with respect to the proposed refrigeration unit potentially generating condensation, which might come into contact with the decedents and result in biohazardous waste. Subsequent to the MAC meeting, the applicant had the refrigeration unit manufacturer and installer subsequently inspect the already installed unit. As a result, the applicant stated that the equipment was properly installed, and that there is no risk of airborne bacteria coming into contact with the condensation drain that branches off the interior fan/coil unit of the cold storage box. Additionally, the decedents enter the facility completely covered with no skin exposure to air and consequently, no generation of hazardous waste from the storage unit or decedents themselves on-site. Therefore, no significant impacts associated with hazards or hazardous materials are anticipated to occur as a result of the proposed project.

The project site is not within the vicinity of any airstrip or wildlands.

Mitigation: None.

References: Letter from Troy Watts of IC Refrigeration, received October 15, 2021; referral response from the Department of Environmental Resources Hazardous Materials Division dated September 7, 2021; 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:				
(i) result in substantial erosion or siltation on – or off-site;				Х
(ii) substantially increase the rate of amount of surface runoff in a manner which would result in flooding on- or off- site;			х	
(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?				Х
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: Areas subject to flooding have been identified in accordance with the Federal Emergency Management Act (FEMA). The project site is located in FEMA Flood Zone X, which includes areas determined to be outside the 0.2% annual chance floodplains. Any flood zone requirements will be addressed by the Building Permits Division during the building

permit process. No construction or alteration to the exterior of the occupied 2,000 square-foot suite is proposed; consequently, the current absorption patterns of water upon this property will not be altered. The project site is served by City of Modesto for water and Salida Sanitary District for sewer service. Current standards require that all of a project's stormwater be maintained on-site. A Grading and Drainage Plan was reviewed and approved as part of the original development of the site to ensure this requirement. The project was referred to the Department of Environmental Resources who had no comments on the project. Impacts associated with drainage, water quality, and runoff are expected to have a less than significant impact.

Mitigation: None.

References: Referral response from the Department of Public Works dated September 2, 2021; referral response from the Department of Environmental Resources dated September 20, 2021; application materials; Stanislaus County General Plan and Support Documentation¹.

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?			Х	
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?			Х	

Discussion: The project site is located within the Community of Salida and is designated Planned Development and Planned Industrial by the County General Plan and Salida Community Plan, respectively. The site is currently zoned Planned Development (P-D) (276), which allows for uses consistent with the Planned Industrial Zoning District and low-traffic generating commercial uses. The applicant is requesting to amend the permitted uses associated with the 9,486± square-foot project site to allow for the operation of a holding facility for up to 26 decedents in addition to the existing permitted uses. The parcel is further identified as Assessor's Parcel Number 136-035-029.

As proposed by the applicant, decedents will be transported to the proposed facility from local funeral homes, hospitals, and law enforcement agencies. Up to six decedents will be delivered per day and are brought to the site by A & R Mortuary Services employees, and a total of 26 decedents stored on-site at any given time. The transfer of decedents will take place by passenger utility vehicle and occur within the fully-enclosed structure prior to being unloaded. Storage of decedents include placement within a 200 square-foot walk-in cooler within the building, that will be up to six days. The facility is not open to the general public nor to family members of the decedents. The only persons permitted at the facility are employees of A & R Mortuary Services, members of the Stanislaus County Coroner's Division, and funeral home employees. The hours of operation for delivery are 24 hours a day, seven days a week. Decedents are released Monday through Friday, from 8:00 a.m. to 5:00 p.m. A & R Mortuary Services employs up to a total of six staff; however, only up to two employees are on-site at any one time. The site is served by the City of Modesto for water and Salida Sanitary for sewer and has access to County-maintained Pirrone Road through a mutual access and parking agreement with the airspace condominium parcels located within P-D 276 development. The City of Modesto and Salida Sanitary District both provided referral responses indicating they had no comments on the project.

The project is a request to rezone a 9,486± square-foot parcel containing a 4,000 square-foot airspace condo from Planned Development (P-D) (276) to a new Planned Development, to allow a mortuary service establishment in addition to the low-traffic generating light industrial uses currently permitted for the parcel. The project proposes to operate a holding facility for up to 26 decedents within one of two 2,000 square-foot suites in an existing warehouse on a 9,486± square-foot parcel. The 9,486± square-foot project site encompasses 11 parking stalls and two 2,000 square-foot suites within the existing 18,000 square-foot building, which has been since developed with various light industrial businesses. The development is also improved with frontage landscaping, a monument sign, and building-mounted exterior lighting. The project site and surrounding P-D 276 zoned parcels, comprised of 16 parcels, were first created under Planned Industrial (P-I) (19) allowing uses consistent with those permitted under the County's Planned Industrial zoning district. Additionally, P-I 19 permitted development of two 18,000 square-foot shell buildings, development of an 84-stall paved parking lot, and allowed for the subdivision of the 2.2 acre parcel and shell buildings into 16 parcels airspace condominiums. The 9,486± square-foot project site encompasses 11 parking stalls and two 2,000 square-foot suites that are located within the existing 18,000 square-foot building. The site is also improved with frontage landscaping, a monument sign, a monument sign, and building-mounted exterior lighting.

Following adoption of P-I 19 a subsequent rezone for the entire 2.2 acres, created P-D 276, which was approved to expand the list of permitted uses to include: antique and furniture stores, motorcycle parts and sales, spa sales, dance and martial arts studios, postal services, and low-traffic generating commercial uses. Mortuary service establishments are not identified in the permitted uses, nor is it similar to the allowed uses, as determined by the Planning Director. Thus, a new rezone is required to permit the proposed new use on the project parcel. If approved, the rezone will expand the list of permitted uses for the 9,436± square-foot parcel to include mortuary service establishments in addition to the current approved list of permitted uses adopted by P-D 276. The adjacent parcels that are within P-D 276 will remain as such, with no change in the uses permitted.

Light industrial, mixed-use warehouse uses to the northwest and southeast, residential subdivision to the northeast; Highway 99 to the southwest. No agricultural property surrounds the site.

In order for the Planning Commission to approve a rezone, the finding that the proposed zoning is consistent with the General Plan must be made.

The project site is located within an already developed community and this request is considered to be infill development. The project was referred to all applicable: school, fire, police, irrigation, public works departments, and districts during the early consultation referral period and no concerns were identified with regard to public services. The project will not physically divide an established community nor conflict with any habitat conservation plans.

Mitigation: None.

References: Referral response from Salida Sanitary District dated September 16, 2021; referral response from City of Modesto dated September 3, 2021; Stanislaus County General Plan Land Use Element and Support Documentation¹.

XII. MINERAL RESOURCES Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	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?		Included		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?				х

Discussion: The location of all commercially viable mineral resources in Stanislaus County has been mapped by the State Division of Mines and Geology in Special Report 173. There are no known significant resources on the site, nor is the project site located in a geological area known to produce resources.

Mitigation: None.

References: Stanislaus County General Plan 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?			х	
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	x
or working in the project area to excessive noise levels?	

Discussion: The Stanislaus County General Plan identifies noise levels up to 70 dB Ldn (or CNEL) as the normally acceptable level of noise for commercial uses. Noise impacts associated with on-site activities and traffic are not anticipated to exceed the normally acceptable level of noise. The site itself is impacted by the noise generated from Highway 99. The hours of operation for delivery are proposed to be 24 hours a day, seven days a week. Decedents are released from the facility Monday through Friday, from 8:00 a.m. to 5:00 p.m. A & R Mortuary Services employs up to six staff which will visit this location; however, only up to two employees are on-site at one time.

The site is not located within an airport land use plan and is not anticipated to have a significant impact with respect to project-related ambient noise levels established by the Stanislaus County General Plan Noise Element on or in the vicinity of the project site.

Mitigation: None.

References: Stanislaus County General Plan Noise Element and Support Documentation¹.

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 is not 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: 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?			Х	
Police protection?			Х	
Schools?			Х	

Parks?		Х	
Other public facilities?		Х	

Discussion: The County has adopted Public Facilities Fees, as well as Fire Facility Fees on behalf of the appropriate fire district, to address impacts to public services. Although a rezone must be approved by the Stanislaus County Planning Commission to permit the requested mortuary service establishment, the facility is currently operating and all unpermitted improvements, such as the walk-in refrigeration unit and generator, would be required to get the necessary building permits. This building permit will have to comply will all adopted public facility fees is required to be paid at the time of building permit issuance.

This project was circulated to all applicable school, fire, police, irrigation, and public works departments and districts during the early consultation referral period and no concerns were identified with regard to public services. The Salida Sanitary District provided a referral response indicating they had no comments on the project.

Mitigation: None.

References: Referral response from Salida Sanitary District dated February 10, 2022; Stanislaus County General Plan 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?			х	

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)?			х	
d) Result in inadequate emergency access?			Х	

Discussion: The project site is located in the Community of Salida and is designated Planned Development and Planned Industrial by the County General Plan and Salida Community Plan, respectively. The property is zoned Planned Development (P-D) (276). The applicant is requesting to rezone a 9,486± square-foot parcel containing a 4,000 square-foot airspace condo from Planned Development (P-D) (276) to a new Planned Development, to allow a mortuary service establishment in addition to the low-traffic generating light industrial uses currently permitted for the parcel. The project

proposes to operate a holding facility for up to 26 decedents within one of two 2,000 square-foot suites in an existing warehouse.

As proposed by the applicant, decedents will be transported to the proposed facility from local funeral homes, hospitals, and law enforcement agencies. Up to six decedents will be delivered per day and are brought to the site by A & R Mortuary Services employees, and a total of 26 decedents stored on-site at any given time. The transfer of decedents will take place by passenger utility vehicle and occur within the fully-enclosed structure prior to being unloaded. Storage of decedents include placement within a 200 square-foot walk-in cooler within the building, that will be up to six days. The facility is not open to the general public nor to family members of the decedents. The only persons permitted at the facility are employees of A & R Mortuary Services, members of the Stanislaus County Coroner's Division, and funeral home employees. The hours of operation for delivery are 24 hours a day, seven days a week. Decedents are released Monday through Friday, from 8:00 a.m. to 5:00 p.m. A & R Mortuary Services employs up to a total of six staff; however, only up to two employees are on-site at any one time.

The project site is a 9,486± square-foot landlocked parcel; however, the site and surrounding parcels within the P-D 276 zoning district share a single driveway to access County-maintained Pirrone Road via a mutual parking and access agreement. The proposed facility will generate up to eight trips per day which is consistent with the approved P-D 276; however, due to the variable frequency at which decedents may be transferred to the project site from nearby funeral homes and hospitals, the facility will frequently generate fewer than eight trips. Increased traffic resulting from the proposed use of the site is insignificant; therefore, staff has no evidence to support that this project will significantly impact County facilities or Highway 99.

This project was referred to the Department of Public Works, City of Modesto, and the California Department of Transportation (Caltrans). The City of Modesto responded to the project with no comment, Caltrans did not respond to the project, and the Department of Public Works provided a referral response prohibiting unloading, loading, and parking within the County-right-of-way. This requirement will be added as a development standard to the project.

Mitigation: None.

References: Referral response from the Department of Public Works dated September 2, 2021; referral response from the City of Modesto Planning Division dated September 3, 2021; Stanislaus County General Plan Circulation Element and Support Documentation¹.

XVIII. TRIBAL 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 tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California native American tribe, and that is:			Х	
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or				x
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set for the in subdivision (c) of Public Resource Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.			х	

Discussion: In accordance with SB 18 and AB 52, this project was not referred to the tribes listed with the Native American Heritage Commission (NAHC) as the project is not a General Plan Amendment and no tribes have requested consultation or project referral noticing. A records search from the Central California Information Center indicated that there has been no recorded prehistoric or historic archaeological resources or historic buildings and structure within the project area, nor is any further study recommended at this time.

Mitigation: None.

References: Records search from the Central California Information Center dated October 10, 2021; Stanislaus County General Plan and Support Documentation¹.

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

Discussion: Limitations on providing services have not been identified. Although a rezone must be approved by the Stanislaus County Planning Commission to permit the requested mortuary service establishment, the facility is currently operating and all unpermitted improvements, such as the walk-in refrigeration unit and generator, would be required to get the necessary building permits. The project is served by Modesto Irrigation District (MID) for electrical service. A referral response was provided by MID identifying the location of electrical overhead and underground facilities relative to the project site, providing trenching requirements and notice to exercise caution using heavy equipment near energized lines, and requiring that existing easements remain intact. Their comment letter also added a requirement that prior to issuance of building permits for the existing improvements, construction plans must be submitted to MID's Electrical Engineering Design Group to verify the existing electrical service is sufficient for the facility. The project site is developed and is served by City of Modesto and Salida Sanitary for water and wastewater service. The project was referred to both the City of Modesto and Salida Sanitary and both agencies responded with no comments.

Mitigation: None.

References: Referral response from Modesto Irrigation District dated September 15, 2021; referral response from City of Modesto Planning Division dated September 3, 2021; referral response from Salida Sanitary dated September 16, 2021; 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?			х	
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?			х	
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 project was referred to Salida Fire and no response was received to date. Although a rezone must be approved by the Stanislaus County Planning Commission to permit the requested mortuary service establishment, the facility is currently operating and all unpermitted improvements, such as the walk-in refrigeration unit and generator, would be required to get the necessary building permits. All construction and new building permits for existing improvements associated with the proposed facility must comply with current adopted fire code at the time of issuance of construction permits, including the payment of fire service impact mitigation fees, on-site water supply and infrastructure for fire protection, and emergency vehicle access. The site is not located in a State Responsibility Area (SRA). The site has access to County-maintained road Pirrone Road via a mutual access and parking agreement for the total P-D 276 development. 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: 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 or the potential for cumulative impacts which might significantly impact the environmental quality of the site and/or the surrounding area. The project site is located in the urbanized Community of Salida which has a defined boundary that is encompassed by both the Salida Sanitary District Sphere of Influence (SOI) and Salida Community Plan, neither of which can be amended without approval of discretionary entitlements or action by the Stanislaus County Local Area Formation Commission (LAFCO). The surrounding areas made up of light industrial and residential-zoned properties, many of which have a zoning designation of Light Industrial Planned Development and a General Plan designation of Planning Development. Any further development of surrounding property would be subject to a discretionary land use permit, which would require environmental review and a public hearing. With the exception of the proposed interior improvements of the refrigerator and generator, the development included in the project was previously approved by the Board of Supervisors in 2003 and the environmental review prepared for that development found that the Mandatory Findings of Significance were less-than significant.

Mitigation: None.

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

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

APPROVED USES

PLANNED DEVELOPMENT - 276 REZONE NO. PLN2002-34 GERRY HUGHES

In addition to the permitted uses in the Planned Industrial Zoning District (§21.42.020), the following uses are permitted:

- Antique and furniture stores fully enclosed within the building
- Custom motorcycles parts and sales
- Spa sales
- Dance studios, martial arts training, gymnastics and the like
- Low traffic generating commercial uses (as determined by the Planning Director)
- Postal services, mailboxes and packaging
- Other uses deemed by the Director as appropriate for the general area



Re: A&R Mortuary Services 5436 Pirrone Rd. Salida, CA 95368 (209) 226-5686 Attn: Randy Rosebrough

To whom it may concern,

I was asked to perform a complete inspection of the cold storage box and refrigeration system at the above address. Upon my inspection I found this to be a very professional and extremely clean business. The installation of the cooling system, along with the walk-in storage box was installed according to the building code and I found absolutely no issues with the operations of the cooling equipment or the walk cold storage box.

Mr. Rosebrough had asked me if there was any risk of air born bacteria being able to work its way into the existing condensate drain that comes off the interior fan / coil unit of the cold storage box. I told Mr. Rosebrough that due to his business being strictly a holding facility and that his transports are completely covered with no skin exposure to the air stream that there is no risk to be concerned with. It was evident from everything that I had seen during my inspection of the facility that Mr. Rosebrough has taken extreme steps to ensure that everything is building code compliant.

Feel free to reach out to me with any questions.

Sincerely,

Troy Watts Manager / Sales and Design Consultant 2216 Rockefeller Dr. Ceres, CA 95307 Office (209) 538-8271 Cell: (209) 595-7195 troyw@icrefrigeration.com



Date: 10/13/2021 CENTRAL CALIFORNIA INFORMATION CENTER California Historical Resources Second File Systems Department of Anthropology - California State University Statislaus One University Circle, Turiock, California 35382/37 A&R Mortuary (209:007/06:07/Rezone Application, 5436 Pirrone Road.

Alpine, Calaveras, Mariposa, Merced, San Joaquin, Stanislaus & Tuolumne Counties

Randy Rosebrough, President A & R Mortuary Services 3900 Pelandale Ave., Ste. 420 #328 Modesto, CA 95356 209-620-3326

armortuaryservices@gmail.com

Dear Mr. Rosebrough:

We have conducted a non-confidential extended records search as per your request for the abovereferenced project area located on the Salida USGS 7.5-minute quadrangle map in Stanislaus County.

Search of our files includes review of our maps for the specific project area and the immediate vicinity of the project area, and review of the following:

National Register of Historic Places (NRHP) California Register of Historical Resources (CRHR) *California Inventory of Historic Resources* (1976) *California Historical Landmarks* California Points of Historical Interest listing Office of Historic Preservation Built Environment Resource Directory (BERD) and the Archaeological Determinations of Eligibility (ADOE) *Survey of Surveys* (1989) Caltrans State and Local Bridges Inventory General Land Office Plats Other pertinent historic data available at the CCaIC for each specific county

The following details the results of the records search:

Prehistoric or historic resources within the project area:

There are no formally recorded prehistoric or historic archaeological resources or historic buildings and structures within the project area.

The General Land Office survey plat for T2S R8E (dated 1854) does not show any historic features within the SE ¹/₄ of section 33.

The 1913 and 1953 editions of the Salida USGS quadrangle do not show any historic features

within the project area. "Stockton Road" (later known as SR 99) is referenced east of the project area on the 1913 edition.

Prehistoric or historic resources within the immediate vicinity of the project area: None has been formally reported to the Information Center..

Resources that are known to have value to local cultural groups: None has been formally reported to the Information Center.

Previous investigations within the project area: None has been formally reported to the Information Center.

Recommendations/Comments:

Please be advised that a historical resource is defined as a building, structure, object, prehistoric or historic archaeological site, or district possessing physical evidence of human activities over 45 years old. Since the project area has not been subject to previous investigations, there may be unidentified features involved in your project that are 45 years or older and considered as historical resources requiring further study and evaluation by a qualified professional of the appropriate discipline.

If the current project does not include ground disturbance, further study for archaeological resources is not recommended at this time. If ground disturbance is considered a part of the current project, we recommend further review for the possibility of identifying prehistoric or historic-era archaeological resources.

If the proposed project contains buildings or structures that meet the minimum age requirement (45 years in age or older) it is recommended that the resource/s be assessed by a professional familiar with architecture and history of the county. Review of the available historic building/structure data has included only those sources listed above and should not be considered comprehensive.

If at any time you might require the services of a qualified professional the Statewide Referral List for Historical Resources Consultants is posted for your use on the internet at http://chrisinfo.org

If archaeological resources are encountered during project-related activities, work should be temporarily halted in the vicinity of the discovered materials and workers should avoid altering the materials and their context until a qualified professional archaeologist has evaluated the situation and provided appropriate recommendations. Project personnel should not collect cultural resources.

If human remains are discovered, California Health and Safety Code Section 7050.5 requires you to protect the discovery and notify the county coroner, who will determine if the find is Native American. If the remains are recognized as Native American, the coroner shall then notify the Native American Heritage Commission (NAHC). California Public Resources Code Section

5097.98 authorizes the NAHC to appoint a Most Likely Descendant (MLD) who will make recommendations for the treatment of the discovery.

Due to processing delays and other factors, not all of the historical resource reports and resource records that have been submitted to the State Office of Historic Preservation are available via this records search. Additional information may be available through the federal, state, and local agencies that produced or paid for historical resource management work in the search area. Additionally, Native American tribes have historical resource information not in the CHRIS Inventory, and you should contact the California Native American Heritage Commission for information on local/regional tribal contacts.

The California Office of Historic Preservation (OHP) contracts with the California Historical Resources Information System's (CHRIS) regional Information Centers (ICs) to maintain information in the CHRIS inventory and make it available to local, state, and federal agencies, cultural resource professionals, Native American tribes, researchers, and the public. Recommendations made by IC coordinators or their staff regarding the interpretation and application of this information are advisory only. Such recommendations do not necessarily represent the evaluation or opinion of the State Historic Preservation Officer in carrying out the OHP's regulatory authority under federal and state law.

We thank you for contacting this office regarding historical resource preservation. Please let us know when we can be of further service. Thank you for completing the **Access Agreement Short Form.**

Note: Billing will be transmitted separately via email from the Financial Services office (\$150.00), payable within 60 days of receipt of the invoice.

If you wish to include payment by Credit Card, you must wait to receive the official invoice from Financial Services so that you can reference the CMP # (Invoice Number), and then contact the link below:

https://commerce.cashnet.com/ANTHROPOLOGY

Sincerely,

E. A. Greathouse

E. A. Greathouse, Coordinator Central California Information Center California Historical Resources Information System

* Invoice Request sent to: ARBilling@csustan.edu, CSU Stanislaus Financial Services