



## Referral Early Consultation

**Date:** March 14, 2024

**To:** Distribution List (See Attachment A)

**From:** Kristy Doud, Deputy Director  
Planning and Community Development

**Subject:** GENERAL PLAN AMENDMENT AND REZONE APPLICATION PLN2023-0166  
– GALLO GLASS COMPANY

**Respond By:** April 1, 2024

**\*\*\*\*PLEASE REVIEW REFERRAL PROCESS POLICY\*\*\*\***

The Stanislaus County Department of Planning and Community Development is soliciting comments from responsible agencies under the Early Consultation process to determine: a) whether or not the project is subject to CEQA and b) if specific conditions should be placed upon project approval.

Therefore, please contact this office by the response date if you have any comments pertaining to the proposal. Comments made identifying potential impacts should be as specific as possible and should be based on supporting data (e.g., traffic counts, expected pollutant levels, etc.). Your comments should emphasize potential impacts in areas which your agency has expertise and/or jurisdictional responsibilities.

These comments will assist our Department in preparing a staff report to present to the Planning Commission. Those reports will contain our recommendations for approval or denial. They will also contain recommended conditions to be required should the project be approved. Therefore, please list any conditions that you wish to have included for presentation to the Commission as well as any other comments you may have. Please return all comments and/or conditions as soon as possible or no later than the response date referenced above.

Thank you for your cooperation. Please call (209) 525-6330 if you have any questions.

**Applicant:** Gallo Glass Company

**Project Location:** The project area includes 17 parcels located north of Tenaya Avenue, south of the Modesto Irrigation District (MID) Lateral No. 1, east of Santa Rita Road, and west and northeast of Del Mar Court, between Yosemite Boulevard (State Route 132) and the Tuolumne River, in the Modesto area.

**APN:** 035-010-001,-003,-004,-005,-006,-007,-008,-009,-015,-016,-017,-019,-020,-021,023, and 035-011-001, and portions of MID Lateral No. 1, Tenaya Ave., Santa Rita Ave. that fall within those APNs.

**Williamson Act Contract:** N/A

**General Plan:** Industrial Reserve

**Current Zoning:** Low-Density Residential (R-1)

**Project Description:** Request to amend the General Plan designation of 17 parcels from Industrial Reserve to Industrial and the zoning designation from Low-Density Residential (R-1) to Planned Development to allow for expanded outdoor storage associated with the existing adjacent Gallo Glass facility. The project also proposes construction of an 150,000 square-foot warehouse building, up to 75 feet in height, in the future if and when additional indoor storage is required to accommodate the growth of the Gallo Glass Company. The project site includes 17 parcels located

north of Tenaya Avenue, south of the Modesto Irrigation District (MID) Lateral No. 1, east of Santa Rita Road, and west and northeast of Del Mar Court. The project will amend the General Plan and zoning designations of the portions of Tenaya and Santa Rita Avenues and MID Lateral No. 1 that are adjacent to the parcels included in the project as well as the 20-foot wide alley that runs along the center of Del Mar Court, which is proposed to be graveled and utilized for emergency vehicle access. Three limited access gates are proposed to be installed, one at the south end of Santa Rita Avenue, another at the west end of Tenaya Avenue, and a third along the northeast corner of MID Lateral No. 1 and Santa Cruz Avenue. The site is currently fenced with seven-foot-tall chain link fencing around a portion of the perimeter and additional tube steel security fencing, seven feet in height, will be installed around the southern, western, and northern boundaries of the project site. Stormwater will be maintained on-site via a storm drainage basin proposed to be located at the southeast corner of the project site.

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



**DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT**

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

**GENERAL PLAN AMENDMENT AND REZONE APPLICATION PLN2023-0166 – GALLO GLASS COMPANY**

Attachment A

Distribution List

	CA DEPT OF CONSERVATION Land Resources / Mine Reclamation	X	STAN CO ALUC
X	CA DEPT OF FISH & WILDLIFE		STAN CO ANIMAL SERVICES
	CA DEPT OF FORESTRY (CAL FIRE)	X	STAN CO BUILDING PERMITS DIVISION
X	CA DEPT OF TRANSPORTATION DIST 10	X	STAN CO CEO
X	CA OPR STATE CLEARINGHOUSE		STAN CO CSA
	CA RWQCB CENTRAL VALLEY REGION	X	STAN CO DER
	CA STATE LANDS COMMISSION		STAN CO ERC
	CEMETERY DISTRICT		STAN CO FARM BUREAU
	CENTRAL VALLEY FLOOD PROTECTION	X	STAN CO HAZARDOUS MATERIALS
X	CITY OF: MODESTO	X	STAN CO PARKS & RECREATION
	COMMUNITY SERVICES DIST:	X	STAN CO PUBLIC WORKS
	COOPERATIVE EXTENSION	X	STAN CO PUBLIC WORKS - SURVEY
	COUNTY OF:		STAN CO RISK MANAGEMENT
X	DER GROUNDWATER RESOURCES DIVISION	X	STAN CO SHERIFF
X	FIRE PROTECTION DIST: STANISLAUS CONSOLIDATED	X	STAN CO SUPERVISOR DIST #4: SUPERVISOR GREWAL
	GSA:	X	STAN COUNTY COUNSEL
	HOSPITAL DIST:		StanCOG
X	IRRIGATION DIST: MODESTO	X	STANISLAUS FIRE PREVENTION BUREAU
X	MOSQUITO DIST: EASTSIDE	X	STANISLAUS LAFCO
X	STANISLAUS COUNTY EMERGENCY MEDICAL SERVICES		STATE OF CA SWRCB DIVISION OF DRINKING WATER DIST. 10
	MUNICIPAL ADVISORY COUNCIL:	X	SURROUNDING LAND OWNERS
X	PACIFIC GAS & ELECTRIC	X	SURROUNDING RESIDENCES
	POSTMASTER:	X	TELEPHONE COMPANY: AT&T
X	RAILROAD: MODESTO & EMPIRE TRACTION	X	TRIBAL CONTACTS (CA Government Code §65352.3)
X	SAN JOAQUIN VALLEY APCD		US ARMY CORPS OF ENGINEERS
X	SCHOOL DIST 1: MODESTO CITY SCHOOLS		US FISH & WILDLIFE
	SCHOOL DIST 2:		US MILITARY (SB 1462) (7 agencies)
	WORKFORCE DEVELOPMENT		USDA NRCS
	STAN CO AG COMMISSIONER		
X	TUOLUMNE RIVER TRUST		

**STANISLAUS COUNTY  
CEQA REFERRAL RESPONSE FORM**

**TO:** Stanislaus County Planning & Community Development  
1010 10<sup>th</sup> Street, Suite 3400  
Modesto, CA 95354

**FROM:** \_\_\_\_\_

**SUBJECT: GENERAL PLAN AMENDMENT AND REZONE APPLICATION PLN2023-0166  
– GALLO GLASS COMPANY**

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

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

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

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

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

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

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

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Response prepared by:

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Name	Title	Date
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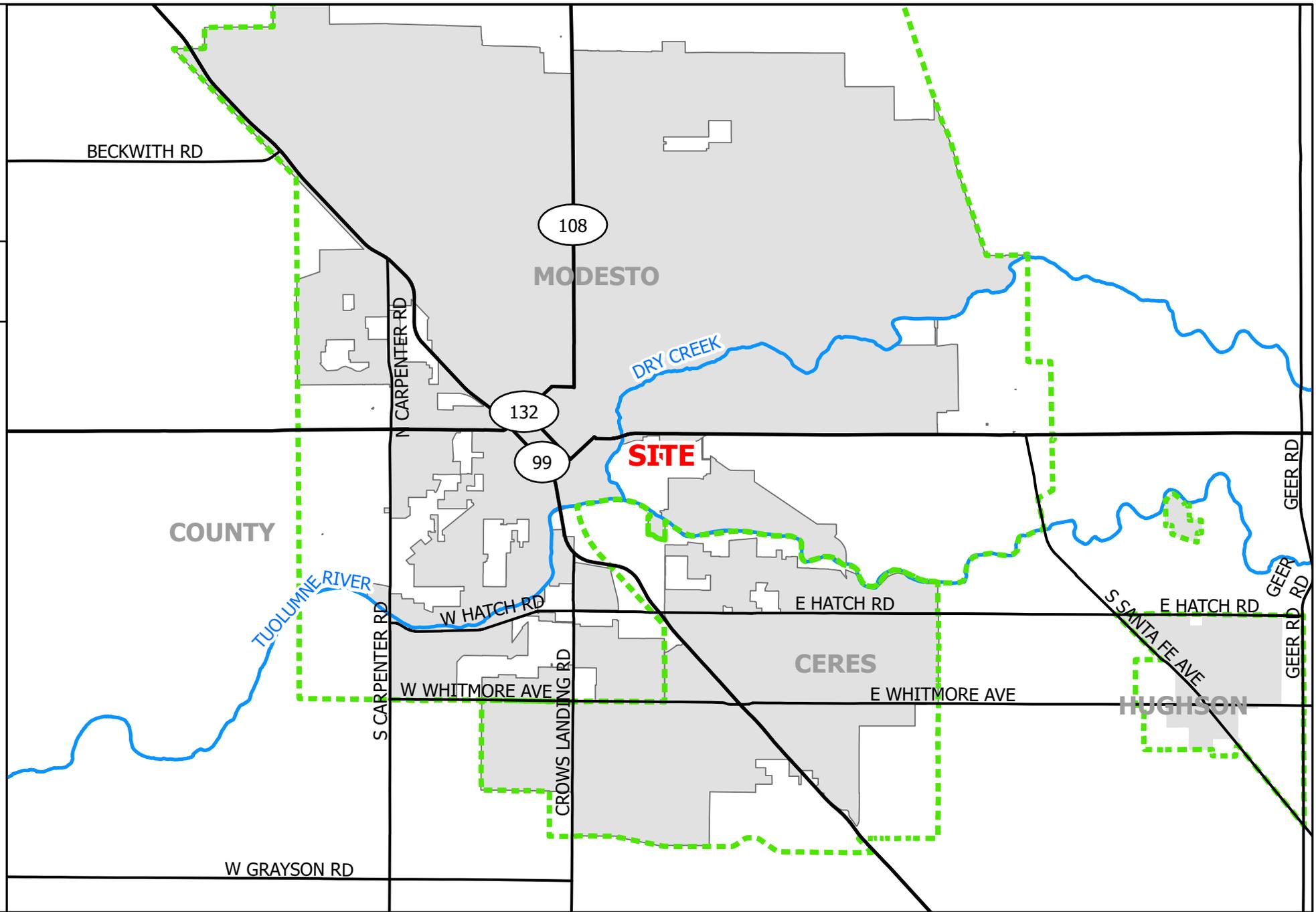
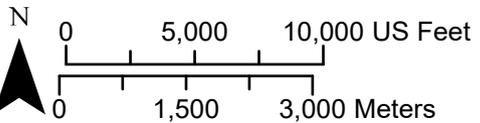
# GALLO GLASS COMPANY

## GPA REZ PLN2023-0166

### AREA MAP

#### LEGEND

-  Project Site
-  Project Parcel
-  Highway
-  Major Road
-  River
-  Sphere of Influence



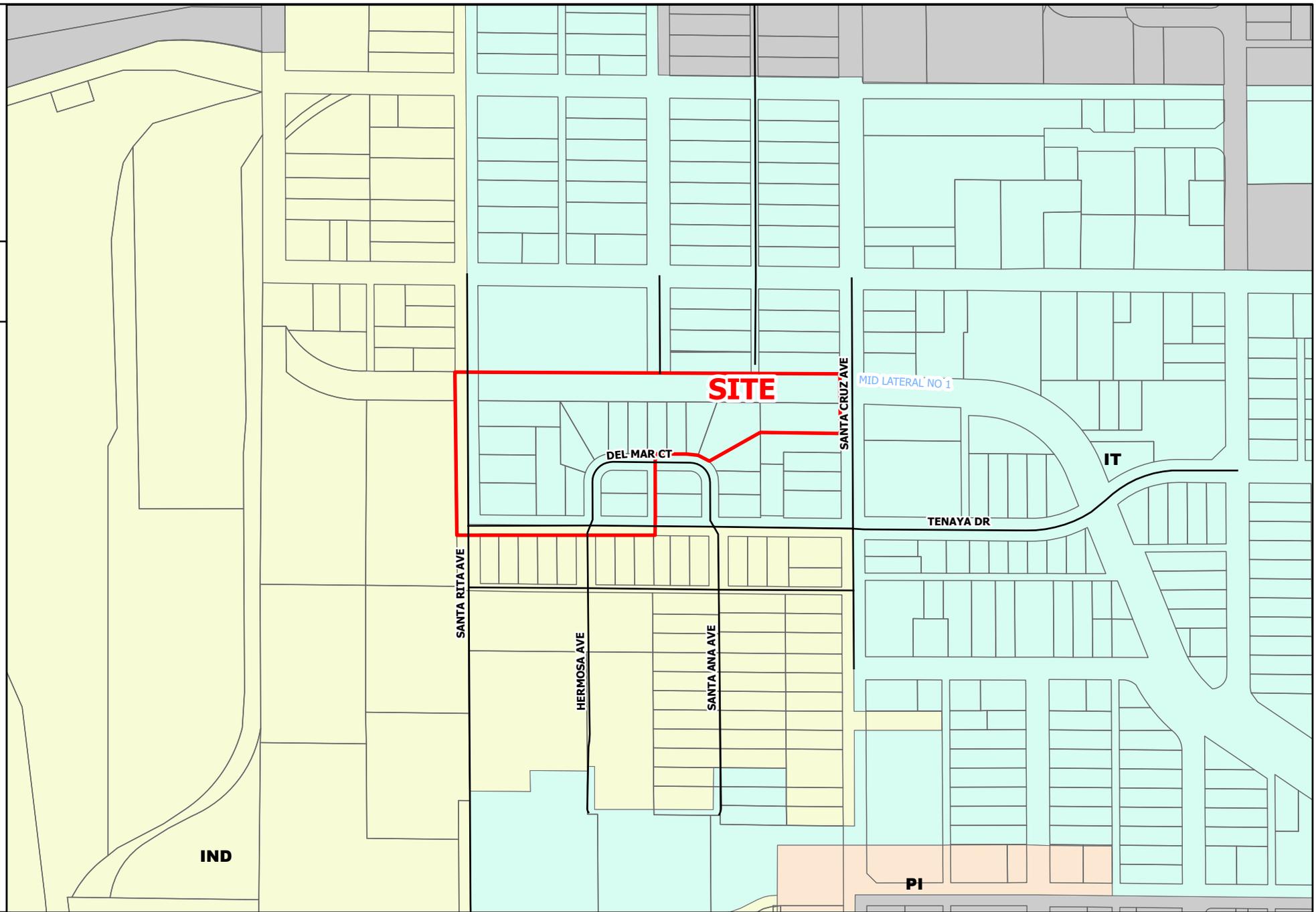
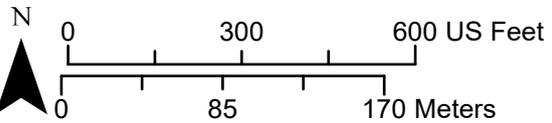
# GALLO GLASS COMPANY

## GPA REZ PLN2023-0166

### GENERAL PLAN MAP

#### LEGEND

-  Project Site
-  Project Parcel
-  Parcel
-  Canal
-  City
-  Industrial
-  Industrial Transition
-  Planned Industrial
-  Street



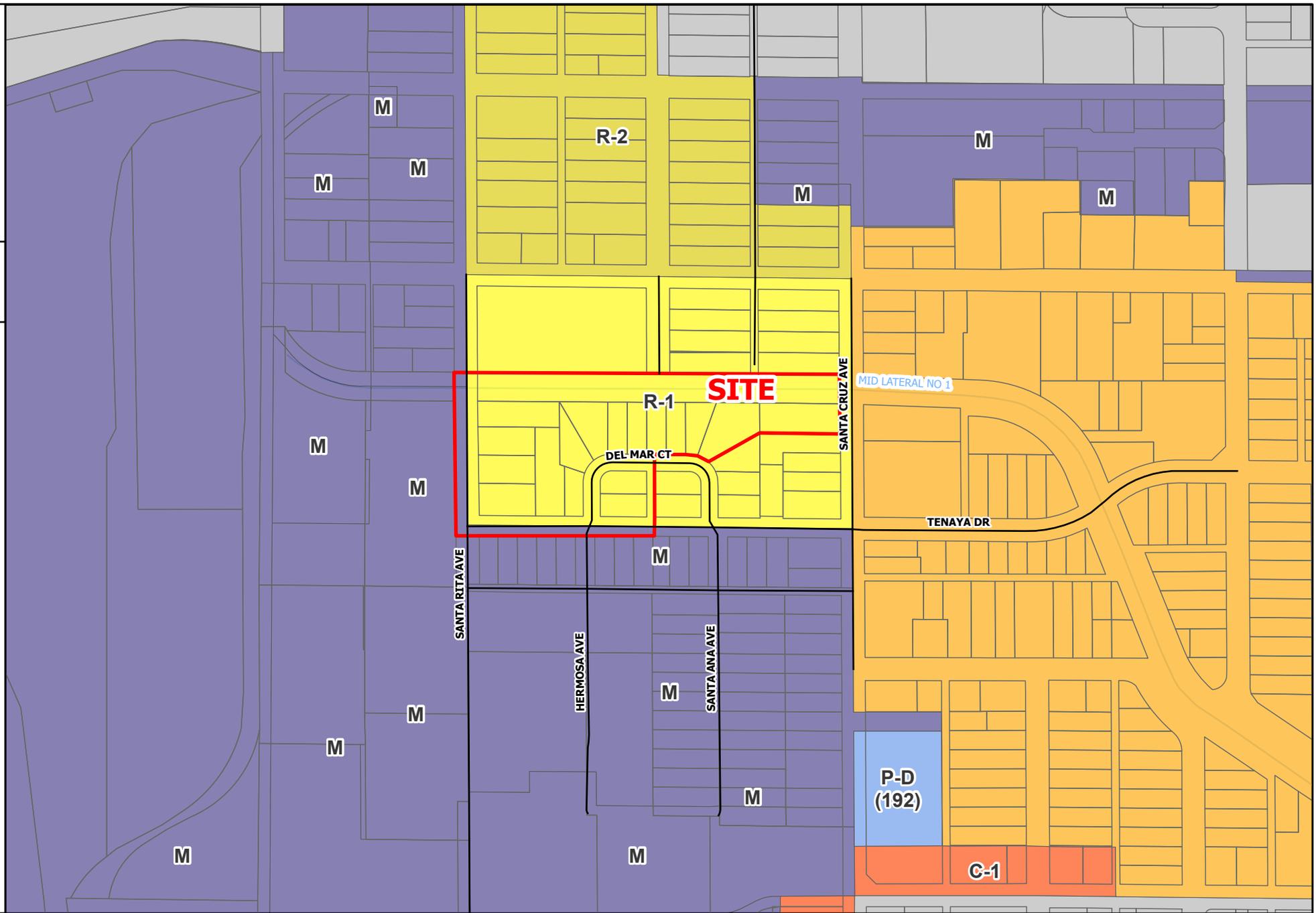
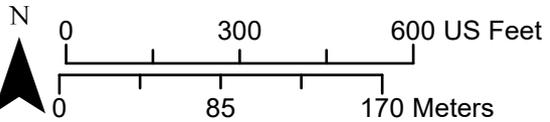
# GALLO GLASS COMPANY

## GPA REZ PLN2023-0166

### ZONING MAP

#### LEGEND

- Project Site
- Project Parcel
- Parcel
- Canal
- Zoning Designation**
- Neighborhood Commercial
- City
- Industrial
- Planned Development; P-D (333); P-D (344); P-D (345); P-D
- Single Family Residential
- Medium Density Residential
- Multiple Family
- Street



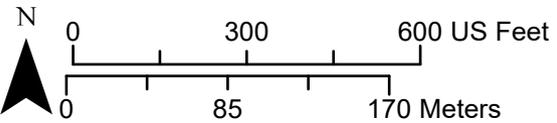
# GALLO GLASS COMPANY

## GPA REZ PLN2023-0166

### 2023 AERIAL AREA MAP

#### LEGEND

-  Project Site
-  Project Parcel
-  Parcel
-  Canal
-  Street



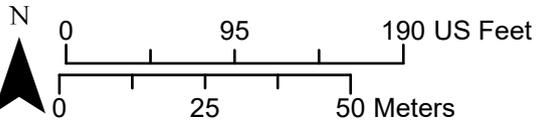
# GALLO GLASS COMPANY

## GPA REZ PLN2023-0166

### 2023 AERIAL SITE MAP

#### LEGEND

-  Project Site
-  Project Parcel
-  Parcel
-  Canal
-  Street





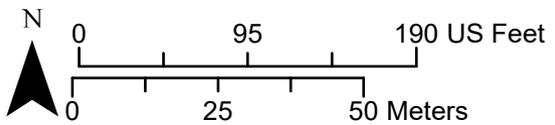
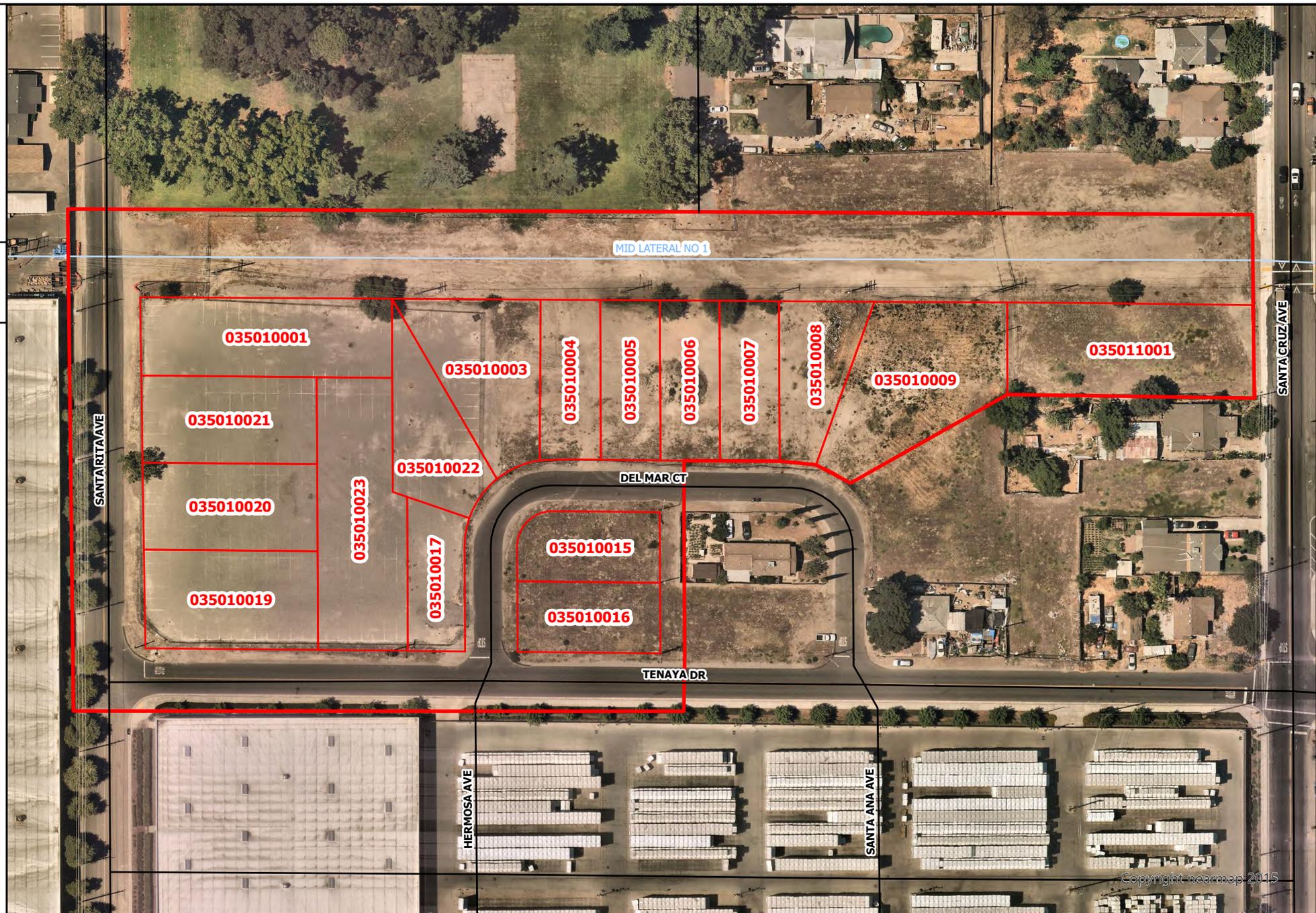
# GALLO GLASS COMPANY

## GPA REZ PLN2023-0166

### Project Parcel APN Map

#### LEGEND

-  Project Site
-  Project Parcel
-  Canal
-  Street



# E. & J. Gallo Winery

Proposed Security Improvements

Assessor's Parcel Boundaries shown from Stanislaus County GIS 03/2020





DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

1010 10<sup>TH</sup> Street, Suite 3400, Modesto, CA 95354

Planning Phone: (209) 525-6330 Fax: (209) 525-5911

Building Phone: (209) 525-6557 Fax: (209) 525-7759

Form Available Online: <http://www.stancounty.com/planning/applications.shtm>

# APPLICATION QUESTIONNAIRE

<p><u>Please Check all applicable boxes</u>  <b>APPLICATION FOR:</b>  <i>Staff is available to assist you with determining which applications are necessary</i></p> <table border="0"> <tr> <td><input checked="" type="checkbox"/> General Plan Amendment</td> <td><input type="checkbox"/> Subdivision Map</td> </tr> <tr> <td><input checked="" type="checkbox"/> Rezone</td> <td><input type="checkbox"/> Parcel Map</td> </tr> <tr> <td><input type="checkbox"/> Use Permit</td> <td><input type="checkbox"/> Exception</td> </tr> <tr> <td><input type="checkbox"/> Variance</td> <td><input type="checkbox"/> Williamson Act Cancellation</td> </tr> <tr> <td><input type="checkbox"/> Historic Site Permit</td> <td><input type="checkbox"/> Other _____</td> </tr> </table>	<input checked="" type="checkbox"/> General Plan Amendment	<input type="checkbox"/> Subdivision Map	<input checked="" type="checkbox"/> Rezone	<input type="checkbox"/> Parcel Map	<input type="checkbox"/> Use Permit	<input type="checkbox"/> Exception	<input type="checkbox"/> Variance	<input type="checkbox"/> Williamson Act Cancellation	<input type="checkbox"/> Historic Site Permit	<input type="checkbox"/> Other _____	<p><b>PLANNING STAFF USE ONLY:</b>  Application No(s): <u>GPA REZ PLAN 2023-0166</u>  Date: <u>12/29/23</u>  S <u>33</u> T <u>3</u> R <u>9</u>  GP Designation: <u>Industrial Reserve</u>  Zoning: <u>R-1</u>  Fee: <u>\$12,162</u>  Receipt No. <u>575302</u>  Received By: <u>KCD</u>  Notes: _____</p>
<input checked="" type="checkbox"/> General Plan Amendment	<input type="checkbox"/> Subdivision Map										
<input checked="" type="checkbox"/> Rezone	<input type="checkbox"/> Parcel Map										
<input type="checkbox"/> Use Permit	<input type="checkbox"/> Exception										
<input type="checkbox"/> Variance	<input type="checkbox"/> Williamson Act Cancellation										
<input type="checkbox"/> Historic Site Permit	<input type="checkbox"/> Other _____										

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

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

# PROJECT INFORMATION

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

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

Please see attached Project Description

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# PROJECT SITE INFORMATION

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

**ASSESSOR'S PARCEL NUMBER(S):** Book 035 Page 010 Parcel 001

Additional parcel numbers: 035-010-003, -004, -005, -006, -007, -008, -009, -015, -016, -017, -019, -020, -021, -022

**Project Site Address or Physical Location:** 035-010-023, 035-011-001, Portion Santa Rita Ave (to be vacated), Portion Tenaya Dr (to be vacated), Portion Del Mar Ct (to be vacated)

**Property Area:** Acres: 5.24 incl streets or Square feet: 228,254 +/-  
3.88 w/o streets

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

**Current Use:** Vacant. **Previous Use:** Single Family Residential

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

Hermosa Tract Subdivision approved on March 26, 1920; Buck Tract Subdivision approved on July 23, 1945

**Existing General Plan & Zoning:** GP: Industrial Transition Zoning: R-1 Single Family Residential

**Proposed General Plan & Zoning:** GP: Industrial Zoning: M Industrial  
(if applicable)

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

**East:** R-3: Multiple Family Residential

**West:** M: Industrial

**North:** M: Industrial (Former MID Lateral No. 1); R-1: Mono Park, Single Family Residential (North of Former MID Lat.)

**South:** M: Industrial

## WILLIAMSON ACT CONTRACT:

Yes  No

Is the property currently under a Williamson Act Contract?

Contract Number: N/A

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

Date Filed: N/A

Yes  No

Do you propose to cancel any portion of the Contract?

Yes  No

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

If yes, please list and provide a recorded copy: N/A

**SITE CHARACTERISTICS:** (Check one or more) Flat  Rolling  Steep

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

Field crops  Orchard  Pasture/Grassland  Scattered trees

Shrubs  Woodland  River/Riparian  Other

Explain Other: None, property is vacant and regularly cleared of volunteer weed growth

Yes  No

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

**GRADING:**

Yes  No

Do you plan to do any grading? (If yes, please indicate how many cubic yards and acres to be disturbed. Please show areas to be graded on plot plan.) 5.24 acres to be graded for paving and drainage basin. Site will be designed to balance with no anticipated import/export.

**STREAMS, LAKES, & PONDS:**

Yes  No

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

Yes  No

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

Yes  No

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

Yes  No

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

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

**STRUCTURES:**

Yes  No  Are there structures on the site? (If yes, please show on plot plan. Show a relationship to property lines and other features of the site.)

Yes  No  Will structures be moved or demolished? (If yes, indicate on plot plan.)

Yes  No  Do you plan to build new structures? (If yes, show location and size on plot plan.)

Yes  No  Are there buildings of possible Historical significance? (If yes, please explain and show location and size on plot plan.) N/A

**PROJECT SITE COVERAGE:**

Existing Building Coverage: 0 Sq. Ft.                      Landscaped Area: 15,625 Sq. Ft.

Proposed Building Coverage: 0 Sq. Ft.                      Paved Surface Area: 212,629 Sq. Ft.

**BUILDING CHARACTERISTICS:**

Size of new structure(s) or building addition(s) in gross sq. ft.: (Provide additional sheets if necessary) N/A

Number of floors for each building: N/A

Building height in feet (measured from ground to highest point): (Provide additional sheets if necessary) N/A

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

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

**UTILITIES AND IRRIGATION FACILITIES:**

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

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

Electrical: Modesto Irrigation District (existing)                      Sewer\*: City of Modesto (existing)

Telephone: AT&T (existing)                      Gas/Propane: PG&E (existing)

Water\*\*: City of Modesto (existing)                      Irrigation: N/A

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

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

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

None.

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

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

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

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

**AFFORDABLE HOUSING/SENIOR:**

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

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

Total No. Lots: \_\_\_\_\_ Total Dwelling Units: \_\_\_\_\_ Total Acreage: \_\_\_\_\_

Net Density per Acre: \_\_\_\_\_ Gross Density per Acre: \_\_\_\_\_

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

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

Square footage of each existing or proposed building(s): N/A

Type of use(s): Outdoor storage

Days and hours of operation: 24 hours, 7 days/week, 360 days/year

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

Occupancy/capacity of building: N/A

Number of employees: (Maximum Shift): 1 (Minimum Shift): 0

Estimated number of daily customers/visitors on site at peak time: N/A

Other occupants: N/A

Estimated number of truck deliveries/loadings per day: N/A

Estimated hours of truck deliveries/loadings per day: N/A

Estimated percentage of traffic to be generated by trucks: N/A

Estimated number of railroad deliveries/loadings per day: N/A

Square footage of:

Office area: 0 Warehouse area: 0

Sales area: 0 Storage area: 163,500 SF

Loading area: 0 Manufacturing area: 0

Other: (explain type of area) N/A

Yes  No  Will the proposed use involve toxic or hazardous materials or waste? (Please explain)  
N/A  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**ROAD AND ACCESS INFORMATION:**

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

S. Santa Cruz Ave, Santa Rita Ave  
\_\_\_\_\_  
\_\_\_\_\_

Yes  No  Are there private or public road or access easements on the property now? (If yes, show location and size on plot plan)

Yes  No  Do you require a private road or easement to access the property? (If yes, show location and size on plot plan)

Yes  No  Do you require security gates and fencing on the access? (If yes, show location and size on plot plan)

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

**STORM DRAINAGE:**

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

Other: (please explain) \_\_\_\_\_

If direct discharge is proposed, what specific waterway are you proposing to discharge to? N/A

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

**EROSION CONTROL:**

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

Site will be paved in concrete and graded to drainage inlets to convey runoff to on-site drainage basin.

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

**ADDITIONAL INFORMATION:**

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

Please see attached sheets.

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**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD - STORM WATER PERMIT REQUIREMENTS**

Storm water discharges associated with construction activity are a potentially significant source of pollutants. The most common pollutant associated with construction is sediment. Sediment and other construction related wastes can degrade water quality in creeks, rivers, lakes, and other water bodies. In 1992, the State Water Resources Control Board adopted a statewide General Permit for all storm water discharges associated with construction activity that disturbs five or more acres of land. Effective March 10, 2003, all construction sites disturbing one or more acres of land will be required to obtain permit coverage. The General Permit is intended to ensure that construction activity does not impact water quality.

You need to obtain General Permit coverage if storm water discharges from your site and either of the following apply:

- Construction activities result in one or more acres of land disturbance, including clearing, grading, excavating, staging areas, and stockpiles or;
- The project is part of a larger common plan of development or sale (e.g., subdivisions, group of lots with or without a homeowner’s association, some lot line adjustments) that result in one or more acres of land disturbance.

It is the applicants responsibility to obtain any necessary permit directly from the California Regional Water Quality Control Board. The applicant(s) signature on this application form signifies an acknowledgment that this statement has been read and understood.

**STATE OF CALIFORNIA HAZARDOUS WASTE AND SUBSTANCES SITES LIST (C.G.C. § 65962.5)**

Pursuant to California Government Code Section 65962.5(e), before a local agency accepts as complete an application for any development project, the applicant shall consult the latest State of California Hazardous Waste and Substances Sites List on file with the Planning Department and submit a signed statement indicating whether the project is located on a site which is included on the List. The List may be obtained on the California State Department of Toxic Substances Control web site (<http://www.envirostor.dtsc.ca.gov/public>).

The applicant(s) signature on this application form signifies that they have consulted the latest State of California Hazardous Waste and Substances List on file with the Planning Department, and have determined that the project site  is or  is not included on the List.

**Date of List consulted:** 11/16/2023

**Source of the listing:** \_\_\_\_\_  
(To be completed only if the site is included on the List)

**ASSESSOR’S INFORMATION WAIVER**

The property owner(s) signature on this application authorizes the Stanislaus County Assessor’s Office to make any information relating to the current owners assessed value and pursuant to R&T Code Sec. 408, available to the Stanislaus County Department of Planning and Community Development.

## PROPERTY OWNERS

E. & J. Gallo Winery  
600 Yosemite Blvd  
Modesto, CA 95354

Gallo Glass Company  
605 S. Santa Cruz Ave  
Modesto, CA 95354

### Owners' Contact:

Drew Layland

Senior Director, Commercial and Industrial Engineering and Facilities Management

600 Yosemite Blvd

Modesto, CA 95354

Phone: (209) 247-3803

email: Drew.Layland@EJGallo.com

## PROJECT DESCRIPTION

This is a two-part application requesting to make the following modifications to a 3.88± acre site in the Modesto area adjacent to the existing Gallo campus: 1) amend the General Plan designation from Industrial Transition to Industrial and 2) amend the zoning designation from R-1 (Low-Density Residential) to M (Industrial). The project will allow the Gallo Glass Company to expand its storage for glass bottles adjacent to the E. & J. Gallo Winery, reducing the number of truck trips required to transport glass bottles.

## ADDITIONAL INFORMATION

Similar storage has recently been constructed in multiple phases just south of the proposed project. Just as with the previous projects, subsequent development of the project site is anticipated to involve the abandonment of affected street rights-of-way, for which application is being made concurrently. It is Applicant's intention to process the applications in parallel. Gallo currently owns all of the parcels within the project area, and all of the parcels adjacent to the proposed right-of-way abandonments.

The project area is located east of Santa Rita Avenue, north of Tenaya Drive, west of S. Santa Cruz Avenue, and south of the former Modesto Irrigation District (MID) Lateral No. 1. Stanislaus County Geographic Information System (GIS) data show that the former MID Lateral No. 1 parcel has a General Plan land use designation of Industrial and is zoned Industrial. This former MID Lateral No. 1 parcel is owned by Gallo and is intended to be developed as part of the expanded storage project; however, it is not included in this application because of these existing Industrial land use and zoning designations.

The project area is located within the City of Modesto's Sphere of Influence (SOI). Currently, the project site is designated Residential (R) in the Modesto Urban Area General Plan. Development of the site will be in compliance with City of Modesto standards.

The proposed project will maintain a logical land use pattern without detriment to existing and planned land uses. Existing land uses west and south of the project are Industrial and this expansion of the existing Gallo campus is contiguous to the existing campus and follows the logical expansion pattern established

by several previously approved projects. The current General Plan designation of Industrial Transition “is intended for lands within spheres of influence which for the most part are not zoned or developed for industrial usage, but lie in the path of a valid expansion of a contiguous industrial area.” It follows, then, that it is logical for lands thusly designated to transition to an industrial use, such as the expansion of an already existing industrial use that this project proposes.

The County and other affected government agencies will be able to maintain levels of service consistent with the ability of the government agencies to provide a reasonable level of service. The project area is served with water and sewer by the City of Modesto and this storage project is not expected to result in any increased demands for those services. The County has adopted Public Facilities Fees and Fire Facility Fees to address impacts to other public services. All applicable fees will be paid at the time of building permit issuance and site development will comply with all applicable fire department standards for access and water for fire protection.

## **GENERAL PLAN CONSISTENCY**

We propose that the project is consistent with the following General Plan goals and policies:

**Goal One: Provide for diverse land use needs by designating patterns which are responsive to the physical characteristics of the land as well as to environmental, economic and social concerns of the residents of Stanislaus County.**

**Policy 1: Land will be designated and zoned for agricultural, residential, commercial, industrial, or historical uses when such designations are consistent with other adopted goals and policies of the general plan.**

The General Plan identifies the project site as Industrial Transition. This designation is intended for lands within a SOI which for the most part are not zoned or developed for industrial usage, but lie in the path of a valid expansion of a contiguous industrial area. The proposed project will allow for the expansion of an already existing industrial use (Gallo Glass). An area designated Industrial Transition is intended to eventually become Industrial.

**Policy 3: Land use designations shall be consistent with the criteria established in this element.**

The implementation of this policy requires that the criteria described in the Designations section of the Land Use Element be applied to this policy. Under the Industrial Transition section, the designation is intended for lands within a SOI which for the most part are not zoned or developed for industrial usage, but lie in the path of a valid expansion of contiguous industrial area. Land falling within this designation may continue to be zoned and used for non-industrial purposes pending demand for such industrial expansion.

**Goal Three: Foster stable economic growth through appropriate land use policies.**

**Policy 21: Facilitate retention and expansion of existing businesses.**

Approval of the project facilitates the retention and expansion of an existing business.

**Goal Four: Ensure that an effective level of public service is provided in unincorporated areas.**

**Policy 24: Future growth shall not exceed the capabilities/capacity of the provider of services such as sewer, water, public safety, solid waste management, road systems, schools, health care facilities, etc.**

The project will be required to meet all development standards as required of any new development in the M (Industrial) zone. This may require the payment of service and district fees required to maintain current levels of service.

The current operation is served by public water service provided by the City of Modesto and public sewer service by the City of Modesto is existing and available within the project area. Any expansion of services to the proposed area will be required to meet service and capacity standards.

Goal Five - Compliment the general plans of cities within the County.

Policy 26 - Development, other than agricultural uses and churches, which requires discretionary approval and is within the sphere of influence of cities or in areas of specific designation created by agreement (e.g., Sperry Avenue and East Las Palmas Corridors), shall not be approved unless first approved by the city within whose sphere of influence it lies or by the city for which areas of specific designation were agreed. Development requests within the spheres of influence or areas of specific designation of any incorporated city shall not be approved unless the development is consistent with agreements with the cities which are in effect at the time of project consideration. Such development must meet the applicable development standards of the affected city as well as any public facilities fee collection agreement in effect at the time of project consideration. (Comment: This policy refers to those development standards that are transferable, such as street improvement standards, landscaping, or setbacks. It does not always apply to standards that require connection to a sanitary sewer system, for example, as that is not always feasible.)

The project site is located within the City of Modesto's SOI. The Implementation Measures for Policy 26 require that all discretionary development proposals within the SOI or areas of specific designation of a city shall be referred to that city to determine whether or not the proposal shall be approved and whether it meets its development standards. Currently, the project site is designated Residential (R) in the City of Modesto General Plan. The City of Modesto has reviewed and approved similar projects that built previous phases of this glass bottle storage; we do not anticipate any objection to the proposed project.

DESIGNATING NEW INDUSTRIAL AREAS

When changing the General Plan designation of land to Industrial, the General Plan includes the following criteria for determining whether or not a property is suitable for an Industrial designation:

a. Access. The proposed site should have adequate access to handle the type and quantity of traffic associated with industrial uses without impacting existing facilities. This shall usually mean that the area will be located on a major road at a minimum, with location on a state highway preferred.

The project site is adjacent to S. Santa Cruz Ave, a designated Major Collector on the Caltrans Roadway Functional Classification map. Both Santa Rita Ave and S. Santa Cruz Ave connect directly to State Route 132 (Yosemite Boulevard) approximately ¼ mile north of the project. It should also be noted that this project represents an expansion of Gallo's existing industrial campus that has significant frontage along State Route 132. The proposed future use of the property is for bulk storage and is intended to help consolidate Gallo operations. This project further reduces the number of truck trips needed to convey glass containers between the project site and off-site storage.

*b. Sewage disposal. Public sanitary sewer service should be available and a written commitment for service received. (Lands suitable for industrial development but without public sanitary sewer service should more appropriately be designated Planned Industrial.)*

The project proposes no new connection to public sanitary sewer; however, the project area and the existing Gallo campus are served with public sanitary sewer by the City of Modesto.

*c. Water. An adequate supply of potable water should be available for industrial usage including water needed for fire suppression. Generally this will require a public water supply in order to meet fire flow standards.*

The project site already utilizes City of Modesto public water service and there are existing fire hydrants located within the project area. Project development may involve the relocation of existing and/or construction of new fire hydrants where required. It is possible that upgrades to the system may be required; however, project demands are not anticipated to require any such upgrades.

*d. Infrastructure. Other utilities (such as natural gas and electricity) shall be reasonably available to the site as might be required by the proposed uses.*

MID electrical facilities and PG&E natural gas facilities currently exist within the project site and are available to the project. There is no projected need for telephone or broadband services; however, these utilities are also available to the project site.

*e. Topography. The site is physically suitable for industrial development.*

The site is relatively flat and previously developed. The site is physically suitable for industrial development.

*f. Williamson Act and other constraints to development. The site should be free from constraints such as valid Williamson Act contracts that would inhibit rezoning and development of the area.*

The site is not under any Williamson Act contracts or other constraints to development.

*g. Conflicts. The proposed site development shall not cause land use conflicts with surrounding properties. From this viewpoint, expansion of existing areas is more desirable than designating totally new areas.*

The project is a request to expand an existing industrial use in an area designated Industrial Transition. Any new development must comply with adopted County noise standards.

*h. City General Plan land use designation. Any new areas proposed for industrial designation shall not be inconsistent with the General Plan of any city in whose sphere of influence they lie.*

The City of Modesto has previously reviewed and approved similar, adjacent storage expansion projects. We do not anticipate any objection to the project.

*i. Countywide Integrated Waste Management Plan. Any new areas proposed for industrial designation shall be consistent with the Countywide Integrated Waste Management Plan.*

The project is not anticipated to create more waste than normal. The site is located in an already developed area. The Stanislaus County Department of Environmental Resources (DER) is responsible for overseeing waste management. We do not anticipate any issues related to waste management.

## CENTRAL CALIFORNIA INFORMATION CENTER

*California Historical Resources Information System*

Department of Anthropology – California State University, Stanislaus

One University Circle, Turlock, California 95382

(209) 667-3307



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

**Date:** 11/6/2023

**Records Search File #:** 12713N

**Project:** Santa Rita Avenue Area Rezone  
and Roadway Abandonments (between  
Santa Rita Avenue, Tenaya Drive, Santa  
Cruz Avenue and Mono Drive)

Michael Hayes, Principal  
VVH Consulting Engineers  
430 10<sup>th</sup> Street  
Modesto, CA 95354  
209-568-4477

mhayes@vvhce.com

Dear Mr. Hayes:

We have conducted a non-confidential extended records search as per your request for the above-referenced project area located on the Riverbank 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 Resources Directory (ARD)  
*Survey of Surveys (1989)*  
Caltrans State and Local Bridges Inventory  
General Land Office Plats  
Other pertinent historic data available at the CCalC 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 T3S R9E (dated 1854) shows the NE ¼ 4 of Section 33 and the NW ¼ of Section 34 as 160-acre parcels.

- The 1916 edition of the Riverbank USGS quadrangle references some of the street alignments within the NE ¼ of Section 33 and the NW ¼ of Section 34, as well as the former route of the Electric Railroad traversing east to west and Lateral No. 1 in the general vicinity. The 1953 edition references Santa Rita Avenue, Tenaya Drive, Santa Cruz Avenue and Mono Drive.

**Prehistoric or historic resources within the immediate vicinity of the project area:** None other than those features referenced above. Be advised that buried remains of prehistoric and historical resources have been found within the environs of the City of Modesto.

**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 sending the signed **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