



# **Development Services Planning Division Uniform Application**



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**CITY OF TURLOCK COMMUNITY DEVELOPMENT**  
**156 SOUTH BROADWAY, SUITE 120**  
**TURLOCK, CA 95380-5456 (209)668-5640**  
[www.cityofturlock.org/planning](http://www.cityofturlock.org/planning)

## ***APPLICATION INSTRUCTIONS***

### **HOW DO I APPLY?**

The application form on page 11 must be completed and submitted to the City of Turlock Planning Division. Depending on the type of project proposed, the entire application packet must be completely filled out with all required signatures and supplemental information. If required, the applicant must also satisfy the Public Notification Requirements beginning on page 29 of this Uniform Application within 10 days of filing the application.

Copies of the application may be obtained in person or on-line at our website:

<http://ci.turlock.ca.us/citydepartments/communityplanning/developmentactivity/applicationforms.asp>

The City of Turlock offers you the opportunity to meet with City staff to obtain early feedback on your project by scheduling a Predevelopment Meeting. Applicants are urged to take advantage of this free service before submitting an application. These materials are made available to the public on the City's website and files.

### **HOW DO I SCHEDULE A PREDEVELOPMENT MEETING?**

Contact the Turlock Planning Division at (209) 668-5640 to arrange a predevelopment meeting. Meetings are held every Wednesday afternoon at 1 PM, 2 PM and 3 PM. Meetings are scheduled on a first-come/first-serve basis. Department representatives will be available to provide feedback on your project and answer any questions you may have regarding the development review and approval process.

### **HOW LONG WILL IT TAKE?**

The length of time required to process your application depends on the level of review required for the application and whether all the application materials have been submitted to deem the application complete. Minor Administrative Approvals are completed within five (5) working days of the determination that the application is complete. Minor Discretionary Permits are generally completed within 5-6 weeks from the date the application is deemed complete. Applications requiring Planning Commission approval (Conditional Use Permits, Variances, and Tentative Subdivision Maps) are generally completed within 50 days from the date the application is deemed complete. Applications requiring City Council approval (General Plan Amendments, Rezones, and Planned Developments) generally require between four to six months from the date the application is deemed complete. General Plan Amendments are processed once per quarter which may extend the time required for final approval.

### **HOW MUCH WILL IT COST?**

Application fees vary by permit type and by their complexity. The adopted fee schedule is provided on pages 7 – 9 of this application packet. Fees may be paid by cash or check. Deposit-based applications may require payment of additional fees. Permit filing fees of other City departments may be obtained by contacting those departments directly.

In addition to application processing fees, other fees may be required to permit, construct or operate your project. An estimate of the development fees that will be required at the time the building permit is issued may be obtained by submitting the form available at the following website to the Development Services Department:

<http://ci.turlock.ca.us/citydepartments/developmentservices/developmentfeestimate.asp>

## **WHAT INFORMATION WILL I NEED TO PROVIDE?**

On pages 5 and 6 of the application form is a checklist indicating the supplemental information required to complete your application. Completion of this entire application with the applicable supplemental information is required to constitute a “complete application.” Additional information may be required to complete the environmental review for your project. You will be notified in writing if additional studies or information are required.

In addition, the City of Turlock requires posting of a sign on the subject property within ten (10) days of filing a permit application (see more detailed instructions beginning on page 31). Please return the attached Certification of Posting with a photograph of the sign (see page 32). Posting of the notification sign is the responsibility of the applicant. If the sign is not posted within the ten-day period, the application will be deemed incomplete and will result in the public hearing for your project being delayed to a subsequent Planning Commission meeting.

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City of Turlock  
Planning Division

## Application Checklist

[illegible]

**PROJECT INFORMATION CHECKLIST**

**PROJECT APPLICATION:** All of the following listed items must be included when you submit your application, unless indicated otherwise or if they are inapplicable to your application. Refer to the "Application Checklist" on the previous page and consult with Planning Division staff to determine which items apply. All applications require the filing of a Hazardous Waste Disclosure Form. **INCLUSION WITH ALL REQUIRED MATERIALS IS REQUIRED TO BEGIN PROCESSING YOUR APPLICATION.**

- |              |     |   |
|--------------|-----|---|
| _____        | 1.  | <b>[UNIFORM APPLICATION]</b> One (1) completed copy of the uniform application form.  |
| NA<br>_____  | 2.  | <b>[PUBLIC NOTICING SIGN]</b> A 4' x 6' sign posted on the subject property within ten (10) days of filing a permit application (see more detailed instructions beginning on page 29).  |
| _____        | 3.  | <b>[FILING FEE]</b> Appropriate filing fees (make check payable to City of Turlock). See page 7 for a list of filing fees.  |
| TBD<br>_____ | 4.  | <b>[TECHNICAL STUDIES]</b> Please attach any technical studies required to support the application. Additional technical studies may be requested by the City of Turlock or other responsible agencies. These requests will be determined after the initial project review period, but no later than 30 days from a determination that the application is complete.   |
|              |     |   |
| _____        | 5.  | <b>[SITE PLANS]</b> Four (4) 18 x 24 inch (minimum size) site plans and one (1) 8½" x 11 inch reduction of the site plan. The site plan shall include all existing and proposed structures, improvements, landscape area, lot lines, public utility easements, clear vision triangle, setbacks, and above-ground utility equipment greater than 3' in height. The site plan shall be accurately scaled and show dimensions for all of the items listed above. |
| _____        | 6.  | <b>[ELEVATIONS]</b> Four (4) 18 x 24 inch (minimum size) elevation drawings and one (1) 8½ x 11 inch reduction of the elevation drawings. One (1) 11 x 17 inch (minimum size) four-sided color elevations.  |
| NA<br>_____  | 7.  | <b>[FLOOR PLANS]</b> Four (4) 18 x 24 inch (minimum size) floor plans and one (1) 8½ x 11 inch reduction of floor plans.  |
| NA<br>_____  | 8.  | <b>[SIGN PROGRAM/INFORMATION]</b> Four (4) 8 ½ x 11 (minimum size) signage details for proposed sign with size, dimension, content and materials and four (4) 8 ½ x 11 (minimum size) elevations including proposed height.   |
| _____        | 9.  | <b>[LETTER OF AUTHORIZATION]</b> A letter signed by the property owner authorizing representation by a person or agency other than him/herself (this is required if the applicant is not the property owner).   |
| NA<br>_____  | 10. | <b>[LEGAL DESCRIPTION]</b> Legal description of the entire project site in a metes & bounds format.   |
| _____        | 11. | <b>[PRELIMINARY TITLE REPORT]</b> Preliminary title report, chain of title guarantee or equivalent documentation which shows any and all easements affecting the project site.  |
| NA<br>_____  | 12. | <b>[MAPS]</b> For Vesting Tentative Subdivision Maps, four (4) copies of a tentative subdivision or parcel map, 18 x 24 inch (minimum size) and one (1) 8½ x 11 inch reduction of the subdivision or parcel map. If street names are not submitted with tentative map application, additional fees for street name review will apply.   |
| NA<br>_____  | 13. | <b>[LOT FIT PLAN]</b> One (1) 18 x 24 inch (minimum size) master lot fit plan for Planned Development residential subdivisions that shall include the following information: 1) lot lines; 2) public utility easements; 3) house footprints; 4) eave overhangs; 5) fence lines; 6) lot numbers; and 7) setbacks including specific measurements called-out on the plans and the ability to confirm measurements by providing an accurate scale.               |
| _____        | 14. | <b>[OTHER]</b> _____  |



**PLANNING & ZONING APPLICATION PROCESSING FEES**

(As adopted by City Council on September 11, 2018)

|                          |  |                                 |
|--------------------------|--|---------------------------------|
| <input type="checkbox"/> | APPEAL   | \$ 550.00 (No Record Retention) |
| <input type="checkbox"/> | APPLICATION CONTINUANCE: Hearings                                | \$ 390.00 (No Record Retention) |
| <input type="checkbox"/> | CONDITIONAL USE PERMIT REVIEW ( <i>includes CUP Amendments</i> ) |                                 |
|                          | • Minor  | \$ 4,338.00                     |
|                          | • Medium   | \$ 7,409.00                     |
|                          | • Major  | \$10,821.00                     |
|                          | • Time Extension   | \$ 2,349.00                     |
| <input type="checkbox"/> | DEVELOPMENT AGREEMENT REVIEW                                     | \$15,125.00 <sup>1</sup>        |

|                          |  |                 |
|--------------------------|--|-----------------|
| <input type="checkbox"/> | ENVIRONMENTAL REVIEW FEES <sup>1</sup>                     |                 |
|                          | • Notice of Exemption                                      | \$ 228.00       |
|                          | • Addenda, Negative Declaration or Mitigated Negative Dec. | \$ 1,226.00     |
|                          | • Negative Declaration                                     | \$ 2,250.00     |
|                          | • Mitigated Negative Declaration                           | \$ 4,525.00     |
|                          | • Mitigated Negative Declaration with special studies      | \$ 6,231.00     |
|                          | • EIR Contract Management/Oversight                        | 17% of EIR cost |

**(DOES NOT INCLUDE DEPARTMENT OF FISH AND WILDLIFE or COUNTY RECORDER FEES THAT ARE DUE SEPARATELY AND PAYABLE TO THE STANISLAUS COUNTY CLERK/RECORDER)**

|                                     |   |  |
|-------------------------------------|---|--|
| <input type="checkbox"/>            | GENERAL PLAN AMENDMENT / SPECIFIC PLAN ADOPTION OR AMENDMENT          | \$13,836.00 <sup>1</sup>                                     |
| <input type="checkbox"/>            | HISTORIC SITE CONTRACT  | \$ 1,126.00  |
| <input type="checkbox"/>            | HOME OCCUPATION PERMIT  | \$ 90.00   |
|                                     | **If police clearance required  | \$ 115.00  |
| <input type="checkbox"/>            | MINOR ADMINISTRATIVE APPROVAL   |  |
|                                     | • Site Plan Review  | \$ 963.00  |
| <input checked="" type="checkbox"/> | MINOR DISCRETIONARY PERMIT ( <i>see page 11 for further details</i> ) |  |
|                                     | • Minor   | \$2,879.00   |
|                                     | • Medium  | \$5,268.00   |
|                                     | • Major   | \$8,111.00   |
|                                     | • Amendment   | \$1,985.00   |
|                                     | • Outdoor Dining  | \$ 984.00 ( <i>plus \$110 if police clearance required</i> ) |
|                                     | • Time Extension  | \$1,894.00   |
| <input type="checkbox"/>            | OUT-OF-BOUNDARY SERVICE AGREEMENT                                     | \$2,328.00   |
| <input type="checkbox"/>            | PLANNED DEVELOPMENT APPLICATION / MASTER PLAN REVIEW <sup>1</sup>     |  |
|                                     | • Application Review  |  |
|                                     | - Minor (less than 5 acres)   | \$10,944.00 <sup>1</sup>                                     |
|                                     | - Major (more than 5 acres)   | \$14,356.00 <sup>1</sup>                                     |
|                                     | • Amendment   |  |
|                                     | - Minor   | \$ 5,491.00 <sup>1</sup>                                     |
|                                     | - Major   | \$ 7,198.00 <sup>1</sup>                                     |

<sup>1</sup> Deposit-based fee. A deposit-based fee is the minimum charge and deposit towards the full cost of processing the application. The amount shown in the table (the "base fee"), will not be refunded. The final fee will recover 100% of the full cost which may result in an invoice of additional amounts due to fully cover city processing costs. Application processing may be suspended if invoices are not paid within 30 days of invoice date. Public hearings will not be scheduled until payment is received.

<sup>2</sup> Environmental Review Fees will be charged in addition to the application fee.

|   |                           |
|---|---------------------------|
| • Application Review  |                           |
| - Existing Development; change in standard only   | \$ 7,073.00 <sup>1</sup>  |
| • Time Extension  | \$ 3,259.00               |
| <input type="checkbox"/> PREZONING – ( <i>LAFCO and State Board of Equalization Fees are not included</i> ) <sup>3</sup>  |                           |
| • 0 – 10 acres  | \$ 6,380.00 <sup>2</sup>  |
| • 11-20 acres   | \$ 8,655.00 <sup>3</sup>  |
| • > 20 acres  | \$ 10,930.00 <sup>3</sup> |
| <input type="checkbox"/> REZONING ( <i>No Planned Development required</i> ) <sup>1</sup>   |                           |
| • Minor (less than 5 acres)   | \$8,300.00 <sup>1</sup>   |
| • Major (more than 5 acres)   | \$9,468.00 <sup>1</sup>   |
| <input type="checkbox"/> SIGN PROGRAMS/PERMITS  |                           |
| • New Comprehensive Sign Program  | \$2,493.00                |
| • Amendment to Comprehensive Sign Program/Iconic Sign/Historic Sign   | \$1,775.00                |
| <input type="checkbox"/> TEMPORARY USE OF LAND PERMIT (TULP)  |                           |
| • No circulation required ( <i>base fee</i> )   | \$ 145.00                 |
| Add, if required:   |                           |
| - Circulation to City Departments and/or Outside Agencies   | \$ 100.00                 |
| - Circulation to Neighbors  | \$ 50.00                  |
| <input type="checkbox"/> TENTATIVE & VESTING TENTATIVE SUBDIVISION MAP APPLICATION <sup>3</sup>   |                           |
| • 0-10 acres  | \$ 7,283.00 <sup>4</sup>  |
| • 11-20 acres   | \$10,126.00 <sup>4</sup>  |
| • 21-50 acres   | \$12,970.00 <sup>4</sup>  |
| • > 50 acres  | \$15,472.00 <sup>4</sup>  |
| • Time Extension  | \$ 2,497.00               |
| <input type="checkbox"/> STREET NAME CHANGES AFTER TENTATIVE MAP APPROVAL   |                           |
| • 0-10 acres  | \$ 242.00                 |
| • 11-20 acres   | \$ 325.00                 |
| • 21-50 acres   | \$ 400.00                 |
| • > 50 acres  | \$ 480.00                 |
| <input type="checkbox"/> VARIANCE APPLICATION   | \$ 3,104.00               |
| <input type="checkbox"/> MOBILE FOOD VENDOR   |                           |
| Initial Permit  | \$ 900.00                 |
| Annual Renewal  | \$ 90.00                  |
| <input type="checkbox"/> WILLIAMSON ACT CANCELLATION FEE ( <i>includes CEQA Negative Declaration fee. If additional environmental review is required, additional fees apply</i> ) | \$ 8,985.00               |
| • Notice of Nonrenewal  | \$ 165.00                 |
| <input type="checkbox"/> ZONING CERTIFICATE   | \$ 90.00                  |
| <input type="checkbox"/> ZONING VERIFICATION LETTER   |                           |
| • Zoning Verification Only  | \$ 90.00                  |
| • Property Research Letter ( <i>such as responses to detailed question</i> )  | \$ 100.00 <sup>1</sup>    |

3 Prezoning fees will be added to any other applicable entitlement application fee. If no other entitlement is requested, the appropriate Rezone fee will be charged in addition to the Prezoning fee.

4 The appropriate Tentative and Vesting Subdivision Map fee will be added to any other applicable entitlement application fee. If no other entitlement is requested, only the Tentative and Vesting Subdivision Map fee will be charged.



# CITY OF TURLOCK

## CONDITIONAL USE PERMIT TYPES

**MINOR**

\$ 4,338.00

Assembly uses (clubs, lodges, religious, fraternal)  
 – existing buildings  
 Caretaker unit  
 Change in use within existing structures  
 Commercial Recreation ( $\leq 10,000$  sf GLA)  
 Day Care centers  
 Fortune Telling - existing building  
 Height exceptions  $> 25\%$  of District Limit  
 Manufactured housing in R-H District  
 Non-conforming buildings and uses (no expansion)  
 Offices in I and I-BP districts  
 Residential care facilities, large  
 Restaurant in I Districts  
 Retail Sales in C-O district ( $\leq 2,500$  sf)  
 Sign programs or signs not in conformance with  
 TMC 9-2-500ART  
 Signs – freeway-oriented freestanding  
 Signs - legal nonconforming

**MEDIUM**

\$ 7,409.00

Affordable housing density bonus  
 Airports and Heliports, in conjunction with other uses  
 Animal Boarding  
 Animal Hospitals  
 Assembly uses (clubs, lodges, religious, fraternal) – on previously  
 vacant property or vacant portions of property  
 Bar  
 Cemeteries / crematories  
 Commercial Buildings/Centers ( $\leq 40,000$  sf)  
 Commercial Recreation ( $> 10,000$  &  $\leq 100,000$  sf GLA)  
 Dance Hall / Nightclub  
 Emergency shelter  
 Fortune telling – new site  
 Group quarters  
 Hospitals ( $\leq 40,000$  sf)  
 Non-conforming buildings and uses (expansion)  
 Recycling Processing Facility  
 Retail Sales in C-O district ( $> 2,500$  sf &  $\leq 40,000$  sf)  
 Schools, public / private  
 Wireless telecommunications facilities

**MAJOR**

\$10,821.00

Airports & heliports, freestanding  
 Chemical manufacturing / processing  
 Commercial Building/Centers ( $> 40,000$  sf)  
 Commercial Recreation ( $> 100,000$  sf)  
 Golf course/driving range  
 Hazardous waste transfer stations  
 Hospitals ( $> 40,000$  sf)  
 Major utilities  
 Mobile home parks  
 Retail Sales in C-O district ( $> 40,000$  sf)  
 Salvage and Wrecking  
 Truck terminal

## MINOR DISCRETIONARY PERMIT

**MINOR**

\$ 2,879.00

Caretaker unit  
 Change in use in an existing structures  
 Day Care centers  
 Height exceptions  $\leq 25\%$  of District limit  
 Homing/Racing Pigeons  
 Live entertainment (within existing bldg.)  
 Minor Expansion to an existing building (lower  
 of:  $\leq 50\%$  GLA or  $\leq 2,500$  sf.)  
 Parking lots

**MEDIUM**

\$ 5,268.00

Adult-oriented business  
 Assembly uses (clubs, lodges, religious, fraternal)  
 Convalescent hospitals  
 Food and beverage sales ( $\leq 2,500$  sf),  
 Group quarters  
 Live entertainment – previously undeveloped site  
 Major expansion to existing building or use (lower of:  $> 50\%$  GLA,  
 or  $> 2,500$  sf &  $\leq 40,000$  sf)  
 Multi-family dwellings, R-M and R-H  
 New uses and structures - previously undeveloped sites (including  
 new pad buildings etc)  $\leq 40,000$  GLA)  
 Nursing homes  
 Outdoor storage  
 Public buildings, facilities and uses  
 Schools  
 Wireless telecommunication facilities

**MAJOR**

\$ 8,111.00

Discount store  
 Food and beverage sales ( $> 2,500$  sf)  
 Major expansion to existing building or use ( $> 40,000$   
 sf)  
 New uses and structures on previously undeveloped  
 sites ( $> 40,000$  sf)  
 Truck terminal

## *Sign Programs and Freestanding Signs*

**MINOR (MDP)**

\$ 770.00

Monument signs  $> 3'$   
 Master sign program (single tenant on one property)

**MAJOR (MDP)**

\$ 1,775.00

Master Sign Program (multiple tenants on property  
 or multiple properties)

## AMENDMENTS TO PLANNED DEVELOPMENTS

**MINOR (Commission)**

\$ 5,491.00

Site modifications  
 Expansions (up to  $25\%$  GLA)  
 Changes in use (equal or lesser intensity)

**MAJOR (Council)**

\$ 7,197.00

Expansions ( $> 25\%$  GLA)  
 Changes in use (higher intensity)

GLA= Gross Leasable Area (may include both Floor Area and outdoor area)

(NOTE: The purpose of this chart is to provide an approximate guide of the permitting cost associated with specific permitting actions.  
 The City Planning Division will make the final determination on the appropriate permitting fee for a project.  
 This table does not determine the type of permit required for a proposed project or use.)

**PLEASE NOTE:**

THIS APPLICATION FORM  
(ALONG WITH THE REQUIRED  
ATTACHMENTS AND EXHIBITS)  
IS MADE AVAILABLE TO THE PUBLIC  
ON THE CITY'S WEBSITE AND IN THE CITY'S FILES.

IF THERE IS  
SENSITIVE INFORMATION CONTAINED WITHIN THE  
APPLICATION, PLEASE CONTACT THE  
PLANNING DIVISION AT (209) 668-5640  
BEFORE SUBMITTING  
THE APPLICATION.



CITY OF TURLOCK DEVELOPMENT SERVICES  
PLANNING DIVISION  
156 SOUTH BROADWAY, SUITE 120  
TURLOCK, CA 95380-5456 (209)668-5640

UNIFORM APPLICATION FORM

(PLEASE PRINT OR TYPE)

Project Information

PROJECT ADDRESS: 4407 W. Main St.  
ASSESSOR'S PARCEL NUMBER: 089-010-022-00 AREA OF PROPERTY (ACRES OR SQUARE FEET): 18.61  
EXISTING ZONING: Industrial  
GENERAL PLAN DESIGNATION: Westside Industrial Specific Plan  
DESCRIBE THE PROJECT REQUEST: Construct a new integrated food recovery facility.

Applicant Information

**NOTE:** Information provided on this application is considered public record and will be released upon request by any member of the public.

APPLICANT Chris Marlette PHONE NO. 774-249-1400 E-MAIL: cmarlette@divertinc.com

\*\* Corporate partnerships must provide a list of principals. FAX NO. \_\_\_\_\_

ADDRESS OF APPLICANT: Divert Inc., 23 Bradford St, Concord, MA 01742

CONTACT PERSON (If different than applicant): \_\_\_\_\_

\_\_\_\_\_, contact, correspondence, and billing from the City unless other arrangements are made in

Chris Marlette

1/10/22

PRINT NAME

DATE

This fee is to be a deposit towards full cost of processing application Yes No Applicant's Initials CM

Property Owner Info

PROPERTY OWNER: Divert, Inc. PHONE NO. 774-249-1400 E-MAIL: cmarlette@divertinc.com

as of ~3/15/22

ADDRESS OF PROPERTY OWNER: 23 Bradford St, Concord, MA 01742

**Consent of Owner:** I declare that I am the owner of the herein described property and that I have familiarized myself with this application and consent to the action requested.

Chris Marlette

1/10/22

PRINT NAME

DATE

Office Use Only

APPLICATION TYPE & NO.: \_\_\_\_\_ DATE RECEIVED: \_\_\_\_\_

CASH \_\_\_\_\_ OR CHECK NO. \_\_\_\_\_ / \$ \_\_\_\_\_ CHECKED BY: \_\_\_\_\_

PC HEARING DATE: \_\_\_\_\_ CC HEARING DATE: \_\_\_\_\_

PLANNER'S NOTES: \_\_\_\_\_

## APPLICATION QUESTIONNAIRE

This document will assist the Planning Department in evaluating the proposed project and its potential environmental impacts. Complete and accurate information will facilitate the review of your project and minimize future requests for information. Please contact the Planning Division, 156 S. Broadway, Suite 120, Turlock, CA 95380 (209) 668-5640 if there are any questions about how to fill out this form.

**PROJECT NAME:** Divert Integrated Food Recovery Facility

### APPLICANT'S STATEMENT OF INTENT (DESCRIBE THE PROPOSED PROJECT):

Construct and operate a facility to process unsold food from grocery stores into renewable natural gas (RNG) using an on-site anaerobic digester. The RNG created will be injected into the existing natural gas pipeline. The facility will include a 65,000 sqft manufacturing facility with attached 6,000 sqft office space and an outside equipment area. Adequate paved space will be created for truck and employee traffic and parking. The frontage on W. Main and Washington St will be upgraded including provisions for truck entrance and exit.

**PROPERTY OWNER'S NAME:** Divert, Inc. (as of mid-Feb 2022)

Mailing Address: Divert Inc., 23 Bradford St, Concord, MA 01742

Telephone: Business ( ) 978-341-5444 Home ( ) \_\_\_\_\_

E-Mail Address: cmarlette@divertinc.com

**APPLICANT'S NAME:** Divert, Inc. - Chris Marlette

Phone ( ) 774-249-1400

Address: Divert Inc., 23 Bradford St, Concord, MA 01742

Telephone: Business ( ) \_\_\_\_\_ Home ( ) \_\_\_\_\_

E-Mail Address: cmarlette@divertinc.com

### PROJECT SITE INFORMATION:

Property Address or Location: 4407 W Main St., Turlock, CA

Property Assessor's Parcel Number: 089-010-022-00

Property Dimensions: 1250' x 750' - approximately two acres in the southwest corner are not included in the parcel.

Property Area: Square Footage \_\_\_\_\_ Acreage Gross 19.23 - Net 18.56

Site Land Use: Undeveloped/Vacant \_\_\_\_\_ Developed Mostly undeveloped (ag), residence.

If developed, give building(s) square footage 2,100 sqft (demo in process due to fire)



**LAND USE DESIGNATIONS:**

ZONING: Current: Industrial

Proposed (If applicable): \_\_\_\_\_

GENERAL PLAN Current: Westside Industrial Specific Plan (WISP)

Proposed (If applicable) \_\_\_\_\_

**DESCRIBE ADJACENT ZONING AND EXISTING LAND USE WITHIN 300 FEET OF PROJECT SITE:****ZONE - EXISTING LAND USE (i.e., residential, commercial, industrial)**

North Industrial Zoning and Use - Valley Milk

South Industrial Zoning - Southwest, Commercial Use Moose Lodge - South, Agriculture Foster Farms (across W Main)

East Industrial Zoning - Agricultural Use

West Industrial Zoning - Agricultural Use w/Residence (across N. Washington)

**PROJECT CHARACTERISTICS****Site Conditions**

Describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, and any cultural, historical or scenic aspects (if applicable)

The vast majority of the site is being used for agriculture (crops). There is one 2100 sqft house in the southeast corner of the property fronting W. Main. The fire department responded to a fire at the house on May 17th. Due to the fire demolition on the house is currently progress and is work is set to being pending ACM abatement work. There is a TID irrigation well in the northeast corner of the property and a TID irrigation pipeline running south along the east boundary of the property from the well and then west across the property.

Are there any trees, bushes or shrubs on the project site? Yes if yes, are any to be removed? Yes  
 If yes to above, please attach site plan indicating location, size and type of all trees, bushes and shrubs on the site that are proposed for removal. There are few shrubs bushes around the residence, SE corner.

Will the project change waterbody or ground water quality or quantity, or alter existing drainage patterns?  
Yes If yes, please explain:

Stormwater will be retained on site.

If there are structures on the project site, attach site plan indicating location of structures and provide the following information:

Present Use of Existing Structure(s) One 2,100 sqft rental residence. (demo in process due to fire)

Proposed Use of Existing Structure(s) Demolition.

Are any structures to be moved or demolished? Yes If yes, indicate on site plan which structures are proposed to be moved or demolished.

Is the property currently under a Williamson Act Contract? No if yes, contract number: \_\_\_\_\_

If yes, has a Notice of Nonrenewal been filed? \_\_\_\_\_ If yes, date filed: \_\_\_\_\_

Are there any agriculture, conservation, open space or similar easements affecting the use of the project site? No If yes, please describe and provide a copy of the recorded easement. \_\_\_\_\_

Describe age, condition, size, and architectural style of all existing on-site structures (include photos):

One 2,100 sqft, single story, wood framed single family residence built in 1951.

Structure was significantly damage as a result of a fire which occured on 5/17/22. Demolotion and clean up of the area is underway.

### **Proposed Building Characteristics**

Size of any new structure(s) or building addition(s) in gross sq. ft. 65,000 sqft

Building height in feet (measured from ground to highest point): 33'

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

Digester tank, approximately 65'; Other outdoor tanks 30 - 40' high.

|                        |                     |                   |        |            |      |
|------------------------|---------------------|-------------------|--------|------------|------|
| Project site coverage: | Building Coverage:  | <u>65,000</u>     | Sq.Ft. | <u>8%</u>  | %    |
|                        | Landscaped Area:    |                   | Sq.Ft. | <u>57%</u> | %    |
|                        | Paved Surface Area: |                   | Sq.Ft. | <u>35%</u> | %    |
|                        | Total:              | <u>816,660 SF</u> | Sq.Ft. |            | 100% |

Exterior building materials: Metal Building + masonry trim.

Exterior building colors: Grey with blue - will be consitent with the theme of the WISP.

Roof materials: Standard Metal Roof

Total number of off-street parking spaces provided: 114 spaces  
(If not on the project site, attach a Signed Lease Agreement or Letter of Agency)

Describe the type of exterior lighting proposed for the project (height, intensity):

Building: TBD

Parking: TBD

Estimated Construction Starting Date Oct 2022 Estimated Completion Date April 2023

If the proposal is a component of an overall larger project describe the phases and show them on the site plan:

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**Residential Projects**  
(As applicable to proposal)

Total Lots \_\_\_\_\_ Total Dwelling Units \_\_\_\_\_ Total Acreage \_\_\_\_\_

Net Density/Acre \_\_\_\_\_ Gross Density/Acre \_\_\_\_\_

Will the project include affordable or senior housing provisions? \_\_\_\_\_ If yes, please describe:

---

|                  | Single Family | Two-Family<br>(Duplex) | Multi-Family<br>(Apartments) | Multi-Family<br>(Condominiums) |
|------------------|---------------|------------------------|------------------------------|--------------------------------|
| Number of Units  |               |                        |                              |                                |
| Acreage          |               |                        |                              |                                |
| Square Feet/Unit |               |                        |                              |                                |
| For Sale or Rent |               |                        |                              |                                |
| Price Range      |               |                        |                              |                                |
| Type of Unit:    |               |                        |                              |                                |
| Studio           |               |                        |                              |                                |
| 1 Bedroom        |               |                        |                              |                                |
| 2 Bedroom        |               |                        |                              |                                |
| 3 Bedroom        |               |                        |                              |                                |
| 4+Bedroom        |               |                        |                              |                                |

**Commercial, Industrial, Manufacturing, or Other Project**

(As applicable to proposal)

Type of use(s) IndustrialExpected influence: Regional X Citywide \_\_\_\_\_ Neighborhood \_\_\_\_\_Days and hours of operation: 24/7/365Total occupancy/capacity of building(s): 80Total number of fixed seats: \_\_\_\_\_ Total number of employees: ~33Anticipated number of employees per shift: ~10

Square footage of:

Office area 6,000 Warehouse area \_\_\_\_\_

Sales area \_\_\_\_\_ Storage area \_\_\_\_\_

Loading area \_\_\_\_\_ Manufacturing area 65,000Total number of visitors/customers on site at any one time: 10

Other occupants (If Applicable) \_\_\_\_\_

Will the proposed use involve any toxic or hazardous materials or waste?

(Please explain): \_\_\_\_\_

Small amount of new and used oil. Ferrous chloride (corrosive) - tank.  
Hydrochloric acid (corrosive) - totes.

List any permits or approvals required for the project by state or federal agencies:

City of Turlock - Minor Discretionary Permit inc. CEQA Review, Building Permit(s), Grading Permit, Industrial Waste Discharge Permit, Possible SWPPPCity or Stanislaus County - Encroachment PermitCal Recycle - Solid Waste Facility Permit (SWFP) for a Transfer/Processing FacilitySan Joaquin Valley Air Pollution Control District - Permit to Construct, Permit to OperateTurlock Irrigation District (TID) - Irrigation Improvement Agreement (to relocate a TID pipe)



## PROJECT IMPACTS

(Please compute each specific impact issue per the following criteria)

### TRAFFIC

| <u>Land Use</u>                 | <u>Weekday Trip End Generation Rates (100%Occ.)</u>    |
|---------------------------------|--|
| Single Family                   | 10.0 trips/dwelling unit                               |
| Patio Homes/Townhomes           | 7.9 trips/dwelling unit                                |
| Condominiums                    | 5.1 trips/dwelling unit                                |
| Apartments                      | 6.0 trips/dwelling unit                                |
| Mobile Homes                    | 5.4 trips/dwelling unit                                |
| Retirement Communities          | 3.3 trips/dwelling unit                                |
| Motel/Hotel                     | 11 trips/room  |
| Fast-Food Restaurant            | 553.0 trips/1,000 s.f. bldg. area                      |
| Retail Commercial               | 51.3 trips/1,000 s.f. bldg. area                       |
| Shopping Center                 | 115 trips/1,000 s.f. bldg. area                        |
| Sit-Down Restaurant             | 56 trips/1,000 s.f. bldg. area                         |
| General Office                  | 12.3 trips/1,000 s.f. bldg. area                       |
| Medical Office                  | 75 trips/1,000 s.f. bldg. area                         |
| Institutions (Schools/Churches) | 1.02 trips/student or 18.4 trips/1,000 s.f. bldg. area |
| Industrial Plant <500,000 s.f.  | 7.3 trips/1,000 s.f. bldg. area or 3.8 emp.            |
| Industrial Warehouse            | 5.0 trips/1,000 s.f. bldg. area or 4.2 emp.            |

Projected Vehicle Trips/Day (using table above): Per table: 63 trips based on 33 employees. Actual expected 25 trips/day.

Projected number of truck deliveries/loadings per day: Average 15 inbound dry vans, 3 outgoing tankers, and 2-3 deliveries/day.

Approximate hours of truck deliveries/loadings each day: Can receive truck 24 hrs/day although primarily 6a-7p.

What are the nearest major streets? \_\_\_\_\_

The property has frontage on West Main St. and Washington St. The northeast corner of that intersection.

Distance from project? 50-100' from the corner.

Amount of off-street parking provided: 114 spaces

If new paved surfaces are involved, describe them and give amount of square feet involved:

The outdoor equipment space will be concrete, approx 100,000 sqft. Truck dock area and apron will be be concrete. The driveways and parking lots will be asphalt paved.

**WATER**

| <u>Land Use</u>               | <u>Estimated Water Consumption Rates (gal/day)</u>   |
|-------------------------------|--|
| Single-Family Residential     | 800 gallons/day  |
| Multi-Family Residential      | 800/3 bd unit; 533/2 bd unit; 267/1 bd unit  |
| Offices                       | 100 gallons/day/1,000 s.f. floor area  |
| Retail Commercial             | 100 gallons/day/1,000 s.f. floor area  |
| Service Commercial/Industrial | Variable-[Please describe the water requirements for any service commercial or industrial uses in your project.] |

Equipment and bin washing: ~8,000 gal/day \_\_\_\_\_  
 Used in the process: 10,000 to 20,000 gal/day \_\_\_\_\_  
 Sanitary: est. 1,500 gal/day \_\_\_\_\_

Estimated gallons per day (using information above): 20,000 to 30,000 gal/day

Source of Water: Turlock Irrigation District

**SEWAGE**

| <u>Land Use</u>           | <u>Estimated Sewage Generation Rates (gal/day)</u>   |
|---------------------------|--|
| Single-Family Residential | 300 gallons/day/unit   |
| Multi-Family Residential  | 200 gallons/day/unit or 100 gallons/day/resident   |
| Commercial                | 100 gallons/day/1,000 s.f. floor area  |
| Office                    | 100 gallons/day/1,000 s.f. floor area  |
| Industrial                | Variable-[Please describe the sewage requirements for any industrial uses in your project.]<br>(General projection = 2,500 gallons/day/acre) |

Sanitary from offices: ~1,500 gal/day  
 Filtered effluent from the digestion process: 60,000 to 100,000 gpd.  
 (Note most of the water from the process comes in as part of the food being recovered.)

Estimate the amount (gallons/day) sewage to be generated (using information above):

Avg. 70,000 gpd. Max daily ~100,000 gpd

Describe the type of sewage to be generated: \_\_\_\_\_

Sanitary sewer from offices. Effluent from digestion - water w/<3 mg/L O&G, <250 mg/L BOD, <50 mg/L TSS. Other composition, e.g. nitrogen, phosphorous, etc. being evaluated by WWTP consultants.

Will any special or unique sewage wastes be generated by this development?

We are actively working with Turlock Municipal Services to understand requirements specific to our process.

**SOLID WASTE**Land Use

Single-Family Residential

Multi-Family Residential

Commercial

Industrial

Estimated Solid Waste Generation (lb/day)

10.96 lbs./day/res.

7.37 lbs./day/unit

50 lbs. /500 s.f. floor area

Variable-[Please describe the projected solid waste to be generated by your project.]

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 Packaging and other non-digestable material removed from feedstock (residual) as well as general plant trash is self-hauled to the landfill.
 

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 Solid digestate removed from the digester is re-purposed as soil amendment off-site by a third party.
 

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 Type: \_\_\_\_\_ Amount: \_\_\_\_\_ Residual material to landfill. - 40-50 tons/day  
 Soil amendment. - 15-30 tons/day
**AIR QUALITY***Construction Schedule:*ActivityApproximate Dates

Demolition

 Jan/Feb 2022 - TID  
 Summer 2022 - House
 

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Trenching

 Oct 2022  
 \_\_\_\_\_

Grading

 Oct 2022  
 \_\_\_\_\_

Paving

 Oct - Dec 2022  
 \_\_\_\_\_

Building Construction

 Sep - Dec 2022  
 Process Jan - Apr 2023  
 \_\_\_\_\_

Architectural Coatings (includes painting)

 Nov 2022  
 \_\_\_\_\_

*Total Volume of all Building(s) to be Demolished* TBD - Very small.
*Max Daily Volume of Building(s) to be Demolished* \_\_\_\_\_

*Total Acreage to be Graded* 18.6 acres
*Amount of Soil to Import/Export?* TBD, expected to be net zero.

# **HAZARDOUS WASTE AND SUBSTANCE SITES LIST DISCLOSURE**

## **PURSUANT TO**

### **CALIFORNIA GOVERNMENT CODE SECTION 65962.5(f)**

“(f) Before a lead agency accepts as complete an application for any development project which will be used by any person, the applicant shall consult the lists sent to the appropriate city or county and shall submit a signed statement to the local agency indicating whether the project and any alternatives are located on a site that is included on any of the lists compiled pursuant to this section and shall specify any list. If the site is included on a list, and the list is not specified on the statement, the lead agency shall notify the applicant pursuant to Section 65943...”

**Note:** You must contact Stanislaus County Environmental Resources at (209) 525-6700; AND either:

1) Contact the Department of Toxic Substances Control at (800) 728-6942; or 2) research the property on all of the following online databases:

EPA RCRA: <https://www3.epa.gov/enviro/facts/rcrainfo/search.html>

NEPAssist: <http://www.epa.gov/compliance/nepa/nepassist-mapping.html>

California DTSC Envirostor: [www.envirostor.dtsc.ca.gov/public](http://www.envirostor.dtsc.ca.gov/public)

California Geotracker: <http://geotracker.waterboards.ca.gov/>

to determine whether there are any known or potential hazards on the property.

#### **I HEREBY CERTIFY THAT:**

\_\_\_\_\_ THE PROJECT ***IS LOCATED*** ON A SITE WHICH IS INCLUDED ON ONE OR MORE OF THE LISTS COMPILED PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 65962.5(f). THE SITE IS INCLUDED ON THE FOLLOWING LIST(S) SPECIFIED BELOW:

Regulatory ID Number: \_\_\_\_\_

Regulatory ID Number: \_\_\_\_\_

Regulatory ID Number: \_\_\_\_\_

OR

  X   THE PROJECT ***IS NOT LOCATED*** ON A SITE WHICH IS INCLUDED ON ONE OR MORE OF THE LISTS COMPILED PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 65962.5(f).

I HEREBY CERTIFY THAT THE STATEMENT FURNISHED ABOVE PRESENTS THE INFORMATION REQUIRED BY CALIFORNIA GOVERNMENT CODE 65962.5(f) TO THE BEST OF MY ABILITY AND THAT THE STATEMENT AND INFORMATION PRESENTED IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

1/10/22

Signature of Applicant/Agent

Date

Chris Marlette VP, Operations and Engineering

774-249-1400

Print Name and Title of Applicant/Agent

Phone Number



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## **ACKNOWLEDGMENTS/AUTHORIZATIONS/WAIVERS**

### **SENATE BILL 18 COMPLIANCE:**

Senate Bill 18 requires the City to contact and consult with California Native American Tribes when adopting or amending a General Plan or Specific Plan or when designating land as open space. The purpose of the consultation is to protect Native American cultural places that may be impacted by the proposed action. The tribes have 90 days to respond and request a consultation. If a consultation is requested, additional studies or surveys may be required. If further study is required, the applicant(s) will be responsible for any additional costs. **Your application may not be considered complete if additional consultation with the Tribes is required.** The applicant's signature on this application form signifies an acknowledgement that this statement has been read and understood.

### **CULTURAL RESOURCES REVIEW:**

The City of Turlock may refer this application to the Central California Information Center (CCIC) to determine whether a records search or focused study addressing cultural resources will need to be conducted by a cultural resource consultant. Should this referral occur, the applicant(s) understand that further study by a cultural resources consultant may be required. If a records search or further study is required, the applicant(s) will be responsible for any additional costs. **Your application may not be considered complete if a Records Search or Archaeological study is required.** The applicant's signature on this application form signifies an acknowledgement that this statement has been read and understood.

### **BIOLOGICAL RESOURCES REVIEW:**

The City of Turlock includes areas of "Critical Habitat" as defined by the US Fish and Wildlife Service for specific federally listed threatened and endangered species. Other sensitive biological resources are also present within the County as shown on the California Natural Diversity Data Base maps. Your application will be forwarded to various resource agencies for review and comment. The applicant(s) understand that further study by a biological resources consultant may be required. If further study is required, the applicant(s) will be responsible for any additional costs. **Your application may not be considered complete if a Biological study is required.** The applicant's signature on this application form signifies an acknowledgement that this statement has been read and understood.

### **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 applicant's 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.

### **ASSESSOR'S INFORMATION WAIVER:**

The property owner(s) signature on this application authorizes the Stanislaus County Assessor's Office to make any information concerning the property involved as part of the application available to the City of Turlock.

### **DEED RESTRICTIONS & COVENANTS, CONDITIONS & RESTRICTIONS (CC&RS):**

The property involving this permit request may be subject to deed restrictions called Covenants, Conditions and Restrictions (CC&Rs) or a variety of private easements or other deed restrictions which may restrict the property's use and development. These deed restrictions are private agreements and are **NOT** enforced by the City of Turlock. Consequently, development standards specified in such deed restrictions are **NOT** considered by the City when granting permits. You are advised to determine if the property is subject to deed restrictions and if so, contact the appropriate homeowners association and adjacent neighbors about your project prior to proceeding with construction. Following this procedure will minimize the potential for disagreement among neighbors and possible litigation.

### **TECHNICAL STUDIES:**

If the project site is on or near a historical site, archaeological site, landfill site, river, floodplain, state highway, freeway, railroad, or airport, or if the project is identified by a resource agency or the City as potentially impacting sensitive agricultural, biological, hydrological, geological, mineral or other resources, or if specific environmental impacts are identified throughout the course of the project review, then specific technical studies may be required. Applicants are encouraged to contact the Turlock Planning Division at the earliest possible opportunity to determine the possible need and scope of such studies.

### **DISCLOSURE OF INFORMATION:**

The information contained in this application, including, but not limited to, supporting documents, maps, drawings, illustrations, special studies and reports, is public information and subject to disclosure under the California Public Records Act. Applicants should be aware that this information is provided to the public, businesses, public and private organizations, the news media, and any other person upon request. Only that information which is necessary to properly describe and assess the impacts of the project is required to be submitted with the application.



## **INDEMNIFICATION**

In consideration of the City's processing and consideration of this application for approval of the land use project being applied for (the "Project"), and the related California Environmental Quality Act (CEQA) consideration by the City, the Owner and Applicant, jointly and severally, agree to indemnify the City of Turlock ("City") from liability or loss connected with the Project approvals as follows:

1. The Owner and Applicant shall defend, indemnify and hold harmless the City and its agents, officers and employees from any claim, action, or proceeding against the City or its agents, officers or employees to attack, set aside, void, or annul the Project or any prior or subsequent development approvals regarding the Project or Project condition imposed by the City or any of its agencies, departments, commissions, agents, officers or employees concerning the said Project, or to impose personal liability against such agents, officers or employees resulting from their involvement in the Project, including any claim for private attorney general fees claimed by or awarded to any party from City. The obligations of the Owner and Applicant under this Indemnification shall apply regardless of whether any permits or entitlements are issued.
2. The City will promptly notify Owner and Applicant of any such claim, action, or proceedings that is or may be subject to this Indemnification and, will cooperate fully in the defense.
3. The City may, within its unlimited discretion, participate in the defense of any such claim, action, or proceeding if the City defends the claim, actions, or proceeding in good faith. To the extent that City uses any of its resources responding to such claim, action, or proceeding, Owner and Applicant will reimburse City upon demand. Such resources include, but are not limited to, staff time, court costs, City Attorney's time at their regular rate for external or non-City agencies, and any other direct or indirect cost associated with responding to the claim, action, or proceedings.
4. The Owner and Applicant shall not be required to pay or perform any settlement by the City of such claim, action or proceeding unless the settlement is approved in writing by Owner and Applicant, which approval shall not be unreasonably withheld.
5. The Owner and Applicant shall pay all court ordered costs and attorney fees.
6. This Indemnification represents the complete understanding between the Owner and Applicant and the City with respect to matters set forth herein.



## **CEQA FILING FEES**

Most, if not all, development projects submitted to the City of Turlock require some level of review under the California Environmental Quality Act, or CEQA. CEQA is a State law that requires an analysis and public report on the potential environmental effects of any project that is carried out, or approved, by a local agency, like the City of Turlock. Three types of reports are typically prepared for development projects: 1) a CEQA Exemption; 2) a Negative Declaration (or Mitigated Negative Declaration); or 3) an Environmental Impact Report. The most common form of report required for a project is either the Exemption or the Mitigated Negative Declaration. The City of Turlock Planning Division staff will tell you what type of document is required based upon the type of project you are submitting, the characteristics of the property and its surrounding environment, and other factors that are spelled out in CEQA.

### **Exemption**

Pursuant to CEQA Guidelines Section 15061, the City of Turlock is responsible for reviewing the project to determine whether or not it is exempt from CEQA review. A CEQA Exemption is applied when a development project falls into either one of two categories: 1) statutory exemptions; or 2) categorical exemptions. These exemptions are defined in State Law and in the CEQA Guidelines. Statutory exemptions are very specific project categories that the State Legislature chose to exempt from CEQA by adopting specific State laws. Categorical exemptions are categories of projects that the Secretary for Resources has determined do not have a significant effect on the environment. If staff has determined that your project is exempt, the project will be circulated to the public with that designation noted in the referral documents. Other agencies and individuals may disagree with this determination. If your project is subject to Planning Commission or City Council approval, the determination will ultimately be made by one of those governing bodies. If your project is not subject to their approval, staff will make this determination.

Once the project is approved, CEQA allows either the agency or the applicant to file a Notice of Exemption. The Notice must be filed with either the Office of Planning and Research or the Stanislaus County Clerk/Recorder for 30 days and starts a 35-day statute of limitations on legal challenges. Typically, these notices are filed within five (5) days of approval of the project by the City of Turlock. The City of Turlock does not automatically file these documents on behalf of the applicant. The applicant may choose to file the notice directly or ask the Planning Division to file it on his/her behalf. If the City is asked to file the Notice of Exemption, an additional fee will be charged for this service in addition to the fee charged by the County to post the Notice. You must submit a written request with the fee, if you choose to have the City of Turlock file this notice on your behalf. If the notice is not filed, the statute of limitations will increase from 35 days to 180 days.

### **Mitigated Negative Declaration**

If a project is not exempt from CEQA review, the project is most likely to require a Mitigated Negative Declaration pursuant to CEQA Guidelines Section 15070 (although, on very rare occasions, an Environmental Impact Report may be required). A Mitigated Negative Declaration is required when the project has the potential to create an environmental effect but it has been determined that the effect can be reduced or eliminated by modifying the project in some manner. These modifications are known as “mitigation measures”. Staff will prepare an Initial Study that describes the project, the potential environmental effects, and any mitigation measures required to reduce or eliminate any potential environmental effect. A separate “environmental review” fee is charged to the applicant for this additional work.

Upon approval by the City of Turlock, the City of Turlock is required file a Notice of Determination pursuant to California Public Resources Code Section 21152 with either the Office of Planning and Research or the Stanislaus County Clerk/Recorder for 30 days. In order to begin the 30-day statute of limitations on legal challenges, the notice MUST be filed within 5 days of approving the project. The City of Turlock automatically files this document and the staff costs to file the notice are included in the separate environmental review fee.

## **DEPARTMENT OF FISH AND WILDLIFE CEQA FILING FEES**

Pursuant to California Fish & Wildlife Code §711.4, the City of Turlock is required to collect the following filing fees for the Stanislaus County Clerk, on behalf of the California Department of Fish & Wildlife, for the following projects. The statute was amended last year. Under the amended statute, a lead agency may no longer exempt a project from the filing fee requirement by determining that the project will have a de minimis effect on fish and wildlife. Instead, a filing fee will have to be paid unless the project will have *no effect* on fish and wildlife. (Section 711.4 (c)(2) of the Fish and Game Code). If the project will have any effect on fish and wildlife resources, even a minimal or de minimis effect, the fee is required.

A project proponent who believes the project will have *no effect* on fish and wildlife should contact the Department of Fish and Wildlife. If the Department of Fish and Wildlife concurs the project will have no such effect, the Department will provide the project proponent with a form that will exempt the project from the filing fee requirement. Project proponents may contact the Department by phone at (916) 651-0603 or through the Department's website at [www.wildlife.ca.gov](http://www.wildlife.ca.gov). Pursuant to California Fish & Game Code §711.4(e)(3), the department (CDFW) shall assess a penalty of 10 percent of the amount of fees due for any failure to remit the amount payable when due. The department may pursue collection of delinquent fees through the Controller's office pursuant to Section 12419.5 of the Government Code.

Additionally, California Fish & Game Code §711.4(f) states the following: Notwithstanding Section 12000, failure to pay the fee under subdivision (d) is not a misdemeanor. All unpaid fees are a statutory assessment subject to collection under procedures as provided in the Revenue and Taxation Code. Failure to pay the necessary fee will also extend the statute of limitations for challenging the environmental determination made by the City, thus increasing exposure to legal challenge. The type of environmental determination to be made by the City may be discussed with the project planner following the environmental review stage of the project and will be outlined in Planning Commission staff report.

1. Any project for which a Negative Declaration or Mitigated Negative Declaration is prepared pursuant to the California Environmental Quality Act and having some effect on fish and wildlife: \$2,406.75 [Fish & Game Code §711.4(d)(2)] plus a \$57.00 County document handling fee.
2. Any project for which an Environmental Impact Report is prepared pursuant to the California Environmental Quality Act and having some effect on fish and wildlife: \$3,343.25 [Fish & Game Code §711.4(d)(3)], plus a \$57.00 County document handling fee.

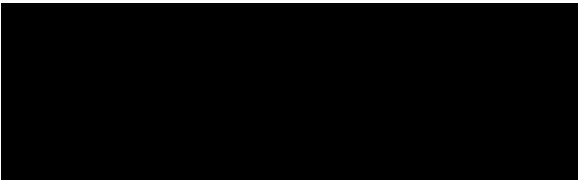
Upon an environmental determination concerning your project/application by the Turlock Community Planning Department, a check made payable to the Stanislaus County Clerk in the appropriate amount (i.e., \$2,463.75 or \$3,400.25) will be required of you before your application will be further processed.

***YOUR PROJECT WILL NOT BE SCHEDULED FOR HEARING BEFORE THE PLANNING COMMISSION OR CITY COUNCIL UNTIL THIS FEE HAS BEEN SUBMITTED TO THE PLANNING DEPARTMENT.***

**PROPERTY OWNER/APPLICANT SIGNATURE:**

I hereby certify that the facts, statements, and information presented within this application form are true and correct to the best of my knowledge and belief. I hereby understand and certify that any misrepresentation or omissions of any information required in this application form may result in my application being delayed or not approved by the City. I hereby certify that I have read and fully understand all the information required in this application form including:

1. the Hazardous Waste and Substance Sites List Disclosure Pursuant to California Government Code Section 65962.5(f) on page 20;
2. the Acknowledgments/Authorizations/Waivers starting on page 22; and
3. the Indemnification on page 24; and
4. the Department of Fish and Game CEQA Review Filing Fees on page 26.

**Property Owner(s): (Attach additional sheets. as necessary)**\_\_\_\_\_  
Signature of Property Owner\_\_\_\_\_  
Date\_\_\_\_\_  
Print Name and Title of Property Owner\_\_\_\_\_  
Phone Number**Applicant(s): (If different than above)**\_\_\_\_\_  
Signature of Applicant/Agent\_\_\_\_\_  
Date\_\_\_\_\_  
Print Name and Title of Applicant/Agent\_\_\_\_\_  
Phone Number