



# Community Development Department

Planning · Building · Code Enforcement · Fire Prevention

Jennifer Jolley, Director

Eric Merlo, Assistant Director

Tim Burns, Code Enforcement Chief

Corinne King, Deputy Director of Planning

Jeff Niemeyer, Deputy Director of Building Inspection

February 11, 2026

Mark & Elizabeth L Diemunsch TR  
262 N Hewitt Road  
Linden, CA 95236

Dear Owners:

Re: Minor Subdivision No. PA-2400489 of Mark & Elizabeth L Diemunsch TR (c/o Dillon & Murphy)  
(APN[s]/Address: 093-030-47 / 262 N Hewitt Road, Linden)

**ACTION:** On February 11, 2026, the San Joaquin County Community Development Department approved Minor Subdivision No. PA-2400489 subject to the enclosed Conditions of Approval.

**APPEAL PERIOD:** This action can be appealed to the Planning Commission by any interested party. Appeals must be filed with this Department within 10 days of the action with an appeal fee of \$782.91. The 10-day appeal period ends at 4:30 p.m. on February 21, 2026. If this date falls on a weekend or holiday, the appeal period will expire on the next regular business day at 4:30 p.m.

**EXPIRATION:** This action requires you to comply with all Conditions of Approval within the next three (3) years (by February 21, 2029). If you have not complied with the Conditions of Approval by that date, this approval will expire, and the project cannot proceed.

**NEXT STEP:** Prior to the expiration date, you must comply with all Conditions of Approval and file a Parcel Map with the County Surveyor prior to the tentative map expiration date. It is recommended that you contact the responsible agencies for assistance in fulfilling the Conditions of Approval.

Please contact me if you have questions regarding the Community Development Department Conditions (Phone: [209] 468-3140 or via email at [jleal@sjgov.org](mailto:jleal@sjgov.org)).

Sincerely,

A handwritten signature in black ink that reads "J. Leal".

Jessica Leal  
Associate Planner

JL/sc

Enclosure(s): Conditions, Site Plan, Informational Letters

c: Dillon & Murphy  
San Joaquin County Building Inspection Division  
San Joaquin County Environmental Health  
San Joaquin County GIS  
San Joaquin County Public Works  
San Joaquin County Counsel  
San Joaquin Council of Governments

# CONDITIONS OF APPROVAL

PA-2400489

MARK & ELIZABETH L DIEMUNSCH TR / DILLON & MURPHY

Minor Subdivision Application No. PA-2400489 was approved by the Community Development Department on February 11<sup>th</sup>, 2026. The effective date of approval is February 21<sup>st</sup>, 2026. This tentative map approval will expire on February 21<sup>st</sup>, 2029, which is three (3) years from the effective date of approval, unless (1) all Conditions of Approval have been complied with and (2) a Parcel Map has been filed with and accepted by the County Surveyor.

Unless otherwise specified, all Conditions of Approval and ordinance requirements shall be fulfilled prior to approval of the Certificate of Compliance. Those Conditions followed by a Section Number have been identified as ordinance requirements pertinent to this application. Ordinance requirements cannot be modified, and other ordinance requirements may apply.

1. COMMUNITY DEVELOPMENT DEPARTMENT (Contact: Community Development Department, [209] 468-3121)
  - a. **TENTATIVE MAP:** The Parcel Map shall substantially conform with the approved tentative map dated October 30, 2024. (Development Title Section 9-512.010).
  - b. **RIGHT TO FARM:** Pursuant to San Joaquin County Code Section 6-9004(b), the following note shall be recorded as a Notice of Minor Subdivision Restriction with the Parcel Map.

All persons purchasing parcels within the boundaries of this approved map should be prepared to accept the inconveniences or discomforts associated with agricultural operations or activities, such as noise, odors, insects, dust, or fumes. San Joaquin County has determined that such inconveniences or discomforts shall not be considered to be a nuisance.
  - c. **LOT SIZE, WIDTH, AND DEPTH:** The following lot size and width regulations shall apply to this map:
    1. All parcels shall have a minimum lot size of 2-acres. [Development Title Section 9-602.040(a)(1)]
    2. All parcels shall have a minimum width of 150 feet. (Development Title Section 9-200.030)
    3. All parcels shall have a minimum depth of 65 feet. (Development Title Section 9-200.030)
2. COUNTY COUNSEL
  - a. **HOLD HARMLESS PROVISION:** Pursuant to Section 66474.9 of the Government Code, the subdivider shall defend, indemnify, and hold harmless the local agency or its agents, officers, and employees from any claim, action, or proceeding against the local agency or its agents, officers, or employees to attack, set aside, void, or annul an approval of the local agency, advisory agency, appeal board, or legislative body concerning a subdivision, which action is brought within the time provided for in Section 66499.37 of the Government Code.
3. SAN JOAQUIN COUNCIL OF GOVERNMENTS (Contact [209] 235-0600 see memo dated December 4, 2025):
  - a. At the time of development, any structures that require ground disturbance on this or subsequent divided parcels will be subject to participate in the SJMSCP and should be resubmitted to the San Joaquin Council of Governments to ensure biological and mitigation obligations are satisfied.
    1. Parcel 1, Parcel 2, Parcel 3, and Parcel 4 are subject to the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). At the time of development of Parcel

1, Parcel 2, Parcel 3, and/or Parcel 4 any structure(s) that requires ground disturbance on this or subsequent divided parcels will be subject to participate in the SJMSCP and development plans should be submitted to the San Joaquin Council of Governments to ensure biological and mitigation obligations are satisfied.

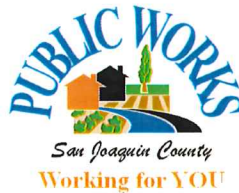
4. DEPARTMENT OF PUBLIC WORKS (Contact: [209] 468-3000, see memo dated February 5, 2026)
5. ENVIRONMENTAL HEALTH DEPARTMENT (Contact: [209] 468-3420, see memo dated December 9, 2025)

**FOR NOTES AND INFORMATION ONLY:**

See Pacific Gas & Electric response dated December 29, 2025.



**SAN JOAQUIN**  
— COUNTY —  
Greatness grows here.



**Department of Public Works**

Fritz Buchman, Director

Alex Chetley, Deputy Director - Development

Kristi Rhea, Deputy Director - Administration

David Tolliver, Deputy Director - Operations

Najee Zarif, Deputy Director - Engineering

February 5, 2026

MEMORANDUM

TO: Community Development Department  
CONTACT PERSON: Jessica Leal

FROM: Shayan Rehman, Engineering Services Manager  
Development Services Division

SUBJECT: PA-2400489 (MS); A Minor Subdivision application to subdivide one parcel into four parcels. Parcel 1 to contain 2.05 acres, Parcel 2 to contain 2.06 acres. Parcel 3 to contain 4.18 acres. Parcel 4 to contain 2 acres. The parcels will utilize private well, septic systems. The parcels will use on site storm drainage. Parcel 3 will be accessed via private easement through Parcel 2. This property is not under Williamson Act contract; located east of North Hewitt Road, 623 feet north of East Navarro Court, Linden.  
(Supervisory District 4)

OWNERS: Mark & Elizabeth L Diemunsch TR

APPLICANT: Dillon & Murphy

ADDRESS: 262 N Hewitt Road, Linden

APN: 093-030-47

INFORMATION:

The site is not currently located within a Federal Emergency Management Agency Designated Flood Hazard Area. The site is located within a Historical Flood Area.

Hewitt Road has an existing right-of-way width of 40 feet and a planned right-of-way width of 50 feet.

The Traffic Impact Mitigation Fee shall be required when parcels are developed. The fee is due and payable at the time of building permit application.

The Regional Transportation Impact Fee will be required when parcels are developed. The fee is due and payable at the time of building permit application.

The Water Impact Mitigation Impact Fee will be required when parcels are developed. The fee is due and payable at the time of building permit application.

PA-2400489 (MS)

RECOMMENDATIONS:

- 1) A Parcel Map is required. (Development Title Section 9-501.030)
- 2) All easements of record shall be shown on the Parcel Map. (Development Title Section 9-505.080)
- 3) An Irrevocable Offer to Dedicate Road to result in a Twenty-Five foot (25') wide right-of-way from the centerline of Hewitt Road to the property line shall be required across the frontage of Parcels 1 and 2. The Irrevocable Offer of Dedication shall be made on the Parcel Map. (Development Title Section 9-608.060)
- 4) Access rights shall be dedicated and restricted for Parcel 2 along the frontage of Hewitt Road on the Parcel Map. (Development Title Section 9-608.060)
- 5) A minimum twenty-five (25) foot wide proposed private access and utility easement shall be provided for the benefit of Parcels 2 and 3. The requirement for these easements shall be noticed by a statement on the Parcel Map and by a recorded Notice of Minor Subdivision Restriction. The statement shall read as follows:

We also hereby make an irrevocable offer to provide a minimum twenty-five-foot (25') wide private access and utility easement across Parcel 2 including turnaround accommodations at its terminations and corner cut-offs at intersecting roads, for the benefit of Parcels 2 and 3, upon conveyance of any of the Parcels to another party. Said easement is not created by this map.

- 6) Prior to the issuance of a non-agricultural building permit on Parcels 2 and 3; a private access roadway and turnarounds from Hewitt Road shall be constructed in conformance with fire road standards and applicable San Joaquin County Improvement Standards. The required improvements shall be noticed on a Declaration of Minor Subdivision Restriction – Non Rescindable and recorded concurrently with the Parcel Map (contact Department of Public Works, Development Services Division for processing) (Development Title 9-608.160[a])(A fee for processing the Declaration will be required.)
- 7) Prior to approval of the Parcel Map, the property owner shall record a reservation of easement for a 25 foot access and utility easement for the benefit of Parcel 4 across APN: 093-030-68. The requirement for these easements shall be noticed by a statement on the Parcel Map and by a recorded Notice of Minor Subdivision restriction. The statement shall read as follows:

We also hereby make an irrevocable offer to provide a minimum twenty-five-foot (25') wide private access and utility easement across APN: 093-030-68 including turnaround accommodations at its terminations and corner cut-offs at intersecting roads, for the benefit of Parcel 4, upon conveyance of any of the Parcels to another party. Said easement is not created by this map.

- 8) Prior to the issuance of a non-agricultural building permit on Parcel 4; a private access roadway and turnarounds from Navarro Court across APN: 093-030-68 shall be

PA-2400489 (MS)

constructed in conformance with fire road standards and applicable San Joaquin County Improvement Standards. The required improvements shall be noticed on a Declaration of Minor Subdivision Restriction – Non Rescindable and recorded concurrently with the Parcel Map (contact Department of Public Works, Development Services Division for processing) (Development Title 9-608.160[a])(A fee for processing the Declaration will be required.)

- 9) Drainage from the improved portion of each parcel shall be retained on-site by a retention basin at the time of development of each parcel. A soils report to evaluate whether adequate percolation is available shall be submitted and approved for each parcel prior to development of any of the parcels. Hydrologic and hydraulic analyses shall be provided and demonstrate that all property, both downstream and upstream of the discharge, will not be subject to a higher flood level as a result of the proposed drainage. (Development Title Section 9-606.010)
- 10) Prior to approval of the Parcel Map, the developer shall prepare and record a mechanism that notices future owners of Parcels 2 and 3 and provides for funding and maintenance of the roadway improvements easement connected to Hewitt Road. A copy shall be submitted to the Department of Public Works.
- 11) Prior to approval of the Parcel Map, the developer shall prepare and record a mechanism that notices future owners of Parcel 4 and provides for funding and maintenance of the roadway improvements for the easement connected to Navarro Court. A copy shall be submitted to the Department of Public Works.

Informational Notes:

- (i.) At the time the parcels are developed, the developer shall provide drainage facilities in accordance with the San Joaquin County Development Standards.
- (ii.) Any construction activity that results in the disturbance of at least one (1) acre of soil shall require a State NPDES construction permit. Dischargers whose projects disturb 1 or more acres of soil or whose projects disturb less than 1 acre of soil and is not part of a larger common plan of development, are required to obtain coverage under the current General Permit for Discharges of Storm Water Associated with Construction Activity.
- (iii.) This property is subject to the requirements of San Joaquin County Mosquito & Vector Control District (209-982-4675) and the California Health and Safety Code for the prevention of mosquitoes. Best Management Practices (BMP) guidelines for stormwater devices, ponds and wetlands are available.

SR:GM:GG



December 9, 2025

To: San Joaquin County Community Development Department  
Attention: Jessica Leal

From: Aaron Gooderham (209) 616-3062   
Senior Registered Environmental Health Specialist

RE: **PA-2400489 (MS), Referral, SU-2500882**  
**262 N. Hewitt Road, Linden**

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The following requirements have been identified as pertinent to this project. Other requirements may also apply. These requirements cannot be modified.

1) A qualified environmental professional shall prepare a surface and subsurface contamination report, identifying any potential source of surface or subsurface contamination caused by past or current land uses. The report shall include evaluation of non-point source of hazardous materials, including agricultural chemical residues, as well as potential point sources, such as fuel storage tanks, septic systems, or chemical storage areas. If the report indicates there is contamination, corrective action shall be taken, as recommended in the report and concurred with by Environmental Health prior to recordation of parcel map. San Joaquin County Development Title, Section 9-502.070(a)(c)).

**Note:** The EHD has reviewed and approved the surface and subsurface contamination report (SU-2400258) for this property on October 31, 2024.

2) A soil suitability and nitrate loading study incorporating proposed staff and customer use shall be submitted to the Environmental Health Department, indicating that the area is suitable for septic system usage. The studies must be approved by the Environmental Health Department prior to approval of a parcel map. (San Joaquin County Development Title, Section 9-604.010(d)). The fee will be based on the current schedule at the time of payment.

The sewage disposal system shall comply with the onsite wastewater treatment systems standards of San Joaquin County prior to approval. A percolation test conducted in accordance with the E.P.A. Design Manual - Onsite Wastewater and Disposal Systems is required for each parcel. The fee will be based on the current schedule at the time of payment.

3) Construction of an individual domestic water well under permit and inspection by the Environmental Health Department is required at the time of development (San Joaquin County Development Title, Section 9-601.010 (b)).

4) Construction of an individual sewage disposal system(s) under permit and inspection by the Environmental Health Department is required at the time of development based on the Soil Suitability/ Nitrate Loading Study findings (San Joaquin County Development Title, Section 9-605.010).

5) Any geotechnical drilling shall be conducted under permit and inspection by The Environmental Health Department (San Joaquin County Development Title, Section 9-601.010(b) and 9-601.020(i)).



## S J C O G , I n c .

555 East Weber Avenue • Stockton, CA 95202 • (209) 235-0574 • Email: [boyd@sjcog.org](mailto:boyd@sjcog.org)

*San Joaquin County Multi-Species Habitat Conservation & Open Space Plan (SJMSCP)*

### **SJMSCP RESPONSE TO LOCAL JURISDICTION (RTLJ) ADVISORY AGENCY NOTICE TO SJCOG, Inc.**

**To:** Jessica Leal, San Joaquin County, Community Development Department

**From:** Laurel Boyd, SJCOG, Inc.

**Phone:** (209) 235-0574

**Email:** [boyd@sjcog.org](mailto:boyd@sjcog.org)

**Date:** December 4, 2025

**Local Jurisdiction Project Title:** PA-2400489 (MS)

**Assessor Parcel Number(s):** 093-030-47

**Local Jurisdiction Project Number:** PA-2400489 (MS)

**Total Acres to be converted from Open Space Use:** Unknown

**Habitat Types to be Disturbed:** Agricultural and Urban Habitat Land

**Species Impact Findings:** Findings to be determined by SJMSCP biologist.

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Dear Ms. Leal:

SJCOG, Inc. has reviewed the application referral for PA-2400489 (MS). This project consists of a Minor Subdivision application to subdivide one parcel into four parcels. Parcel 1 to contain 2.05 acres, Parcel 2 to contain 2.06 acres, Parcel 3 to contain 4.18 acres, and Parcel 4 to contain 2 acres. The parcel will utilize a private well and septic systems. The parcels will use onsite storm drainage. Parcel 3 will be accessed via private easement through Parcel 2. The project site is east of North Hewitt Road, 623 feet north of East Navarro Court, Linden (APN/Address: 093-030-47 / 262 N Hewitt Road, Linden).

San Joaquin County is a signatory to San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). Participation in the SJMSCP satisfies requirements of both the state and federal endangered species acts and ensures that the impacts are mitigated below a level of significance in compliance with the California Environmental Quality Act (CEQA). **The LOCAL JURISDICTION retains responsibility for ensuring that the appropriate Incidental Take Minimization Measure are properly implemented and monitored and that appropriate fees are paid in compliance with the SJMSCP.** Although participation in the SJMSCP is voluntary, Local Jurisdiction/Lead Agencies should be aware that if project applicants choose against participating in the SJMSCP, they will be required to provide alternative mitigation in an amount and kind equal to that provided in the SJMSCP.

***At this time, the applicant is requesting a Minor Subdivision with no ground disturbance. Any future ground disturbing activities (e.g. roads, curb, gutter, electrical, water, etc.) or any physical structures that require ground disturbance on this or subsequent divided parcels will be subject to participate in the SJMSCP before ANY ground disturbance occurs and should be resubmitted to this agency. Current or future owners of this-or subdivided properties should be made aware of the conditions that are placed by the SJMSCP on future development on the created parcels.***

***This Project is subject to the SJMSCP.*** This can be up to a 30-day process and it is recommended that the project applicant contact SJMSCP staff as early as possible. It is also recommended that the project applicant obtain an information package. <http://www.sjcoq.org>

Please contact SJMSCP staff regarding completing the following steps to satisfy SJMSCP requirements:

- Schedule a SJMSCP Biologist to perform a pre-construction survey ***prior to any ground disturbance***
- SJMSCP Incidental Take Minimization Measures and mitigation requirement:
  1. Incidental Take Minimization Measures (ITMMs) will be issued to the project and must be signed by the project applicant prior to any ground disturbance but no later than six (6) months from receipt of the ITMMs. If ITMMs are not signed within six months, the applicant must reapply for SJMSCP Coverage. Upon receipt of signed ITMMs from project applicant, SJCOG, Inc. staff will sign the ITMMs. This is the effective date of the ITMMs.
  2. Under no circumstance shall ground disturbance occur without compliance and satisfaction of the ITMMs.
  3. Upon issuance of fully executed ITMMs and prior to any ground disturbance, the project applicant must:

- a. Post a bond for payment of the applicable SJMSCP fee covering the entirety of the project acreage being covered (the bond should be valid for no longer than a 6 month period); or
  - b. Pay the appropriate SJMSCP fee for the entirety of the project acreage being covered; or
  - c. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
  - d. Purchase approved mitigation bank credits.
4. Within 6 months from the effective date of the ITMMs or issuance of a building permit, whichever occurs first, the project applicant must:
- a. Pay the appropriate SJMSCP for the entirety of the project acreage being covered; or
  - b. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
  - c. Purchase approved mitigation bank credits.

Failure to satisfy the obligations of the mitigation fee shall subject the bond to be called.

- Receive your Certificate of Payment and release the required permit

*It should be noted that if this project has any potential impacts to waters of the United States [pursuant to Section 404 Clean Water Act], it would require the project to seek voluntary coverage through the unmapped process under the SJMSCP which could take up to 90 days. It may be prudent to obtain a preliminary wetlands map from a qualified consultant. If waters of the United States are confirmed on the project site, the Corps and the Regional Water Quality Control Board (RWQCB) would have regulatory authority over those mapped areas [pursuant to Section 404 and 401 of the Clean Water Act respectively] and permits would be required from each of these resource agencies prior to grading the project site.*

If you have any questions, please call (209) 235-0574.



## S J C O G , I n c .

*San Joaquin County Multi-Species Habitat Conservation & Open Space Plan*

555 East Weber Avenue • Stockton, CA 95202 • (209) 235-0574 • Email: [boyd@sjcog.org](mailto:boyd@sjcog.org)

### **SJMSCP HOLD**

**TO:** Local Jurisdiction: Community Development Department, Planning Department, Building Department, Engineering Department, Survey Department, Transportation Department, Public Works Department.  
Other: \_\_\_\_\_

**FROM:** Laurel Boyd, SJCOG, Inc.

**DO NOT AUTHORIZE SITE DISTURBANCE  
DO NOT ISSUE A BUILDING PERMIT  
DO NOT ISSUE \_\_\_\_\_ FOR THIS PROJECT**

The landowner/developer for this site has requested coverage pursuant to the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). In accordance with that agreement, the Applicant has agreed to:

- 1) SJMSCP Incidental Take Minimization Measures and mitigation requirement:
  1. Incidental Take Minimization Measures (ITMMs) will be issued to the project and must be signed by the project applicant prior to any ground disturbance but no later than six (6) months from receipt of the ITMMs. If ITMMs are not signed within six months, the applicant must reapply for SJMSCP Coverage. Upon receipt of signed ITMMs from project applicant, SJCOG, Inc. staff will sign the ITMMs. This is the effective date of the ITMMs.
  2. Under no circumstance shall ground disturbance occur without compliance and satisfaction of the ITMMs.
  3. Upon issuance of fully executed ITMMs and prior to any ground disturbance, the project applicant must:
    - a. Post a bond for payment of the applicable SJMSCP fee covering the entirety of the project acreage being covered (the bond should be valid for no longer than a 6 month period); or
    - b. Pay the appropriate SJMSCP fee for the entirety of the project acreage being covered; or
    - c. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
    - d. Purchase approved mitigation bank credits.
  4. Within 6 months from the effective date of the ITMMs or issuance of a building permit, whichever occurs first, the project applicant must:
    - a. Pay the appropriate SJMSCP for the entirety of the project acreage being covered; or
    - b. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
    - c. Purchase approved mitigation bank credits.
 Failure to satisfy the obligations of the mitigation fee shall subject the bond to be called.

Project Title: PA-2400489 (MS)

Landowner: Mark & Elizabeth L Diemunsch TR

Applicant: Dillon & Murphy

Assessor Parcel #s: 093-030-47

T \_\_\_\_\_, R \_\_\_\_\_, Section(s): \_\_\_\_\_

Local Jurisdiction Contact: Jessica Leal

**The LOCAL JURISDICTION retains responsibility for ensuring that the appropriate Incidental Take Minimization Measures are properly implemented and monitored and that appropriate fees are paid in compliance with the SJMSCP.**







Pacific Gas and Electric Company  
PGEPlanReview@pge.com  
Land Management  
300 Lakeside Drive  
Oakland, CA 94612

December 29, 2025

Re: Gas and Electric Transmission and Distribution

Dear Sean Cardenas,

Thank you for providing PG&E the opportunity to review your proposed plans for PA-2400489 (MS). Our review indicates the proposed work and/or improvements do not appear to directly interfere with any of PG&E's existing facilities or land rights.

Please note, this is our preliminary review and PG&E may provide additional comments in the future as the project progresses or if additional information is provided. If there are subsequent modifications made to the design, we ask that the plans be resubmitted for review to the email address listed below.

If PG&E gas and/or electric service are needed, please submit an application through PG&E's Your Project Portal: [Sign In \(yourprojects-pge.com\)](https://yourprojects-pge.com).

As a reminder, before any digging or excavation occurs, please contact Underground Service Alert (USA) by dialing 811 a minimum of two (2) working days prior to commencing any work. This free and independent service will ensure that all existing underground utilities are identified and marked on-site.

If you have any questions regarding this response, please contact me at (877) 259-8314 or [pgeplanreview@pge.com](mailto:pgeplanreview@pge.com)

Sincerely,

PG&E Plan Review Team  
Land Management

