



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

December 29, 2025

Robert and Jeanne Freeman Etal
P.O. Box 189
Linden, CA 95236

Dear Owners:

Re: Minor Subdivision No. PA-2500215 of Robert and Jeanne Freeman Etal (c/o KSN, Inc.)
(APN[s]/Address: 091-090-27 / 16221 E. Baker Rd., Linden)

ACTION: On December 29, 2025, the San Joaquin County Community Development Department approved Minor Subdivision No. PA-2500215 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 January 8, 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 January 8, 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).

Sincerely,

Jessica Leal
Associate Planner

JL/sc

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

c: KSN, Inc.
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-2500215

ROBERT AND JEANNE FREEMAN ETAL / KSN, INC.

Minor Subdivision Application No. PA-2500215 (MS) was approved by the Community Development Department on December 29th, 2025. The effective date of approval is January 8th, 2026. This tentative map approval will expire on January 8th, 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 Parcel Map. 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 to the approved tentative map dated April 15, 2025.
 - b. **RIGHT TO FARM:** Pursuant to San Joaquin County Code Section 6-9004(b), the following note shall be placed on the Parcel Map and recorded as a separate instrument:

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 AND WIDTH:** The following lot size and width regulations shall apply to this map:
 1. Parcel 1 shall have a minimum lot width of 330 feet, measured at the front yard setback line. (Development Title Section 9-203.030)
 2. The financing homesite parcel shall be between two (2) gross acres and five (5) gross acres in size. (Development Title Section 9-203.030)
 3. The financing homesite parcel shall have minimum lot width of 150 feet. (Development Title Section 9-203.030)
 - d. **NOTICE OF NON-RENEWAL:** A Notice of Non-renewal for all parcels below the ten (10) acre minimum parcel size will be required in conjunction with the contract. A fee for the recording of the Notice of Non-renewal is required.
 - e. **TRANSFER RESTRICTION:** A Note shall be placed on the Parcel Map and a Notice of Minor Subdivision Restriction shall be recorded concurrently with the Parcel Map, with a reference to the instrument number of said recorded notice, stating that:
 1. Neither the financing homesite parcel or Parcel 1 may be voluntarily transferred separately from the other parcel; however, if an institutional lender forecloses on either parcel, either parcel may be

transferred separately in accordance with the power of sale provisions contained in the deed of trust;

2. Upon repayment of the loan, the owner of the financing homesite parcel shall merge the homesite parcel with Parcel 1, as provided for in the Development Title, unless the owner of the homesite parcel acquired the homesite parcel through a foreclosure action, or unless the owner refinances the loan.
3. Parcel 1 shall remain a non-buildable site for primary dwelling units.
4. The above restrictions shall terminate if the subject property is reclassified to a non-agricultural zone or to an agricultural zone with a five (5) acre minimum.

[Development Title Section 9-203.030(a)(1)(B)]

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 October 22, 2025).

- a. This project is subject to the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). 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 and the financing homesite parcel are subject to the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). At the time of development of Parcel 1 and/or the designated remainder, any structure(s) that require 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 December 16, 2025)

5. ENVIRONMENTAL HEALTH DEPARTMENT (Contact: [209] 468-3420, see memo dated October 27, 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

December 16, 2025

M E M O R A N D U M

TO: Community Development Department
CONTACT PERSON: Jessica Leal

FROM: Shayan Rehman, Engineering Services Manager
Development Services Division

SUBJECT: PA-2500215 (MS); A vested Minor Subdivision application to create a 2.03-acre homesite parcel for financing purposes only. The homesite will be served by an onsite septic system. It is proposed that the homesite will share the well located at APN: 091-090-30. The proposed homesite parcel has direct access to E. Baker Road. This parcel is under Williamson Act; located on the north side of E. Baker Road and 3,025 feet east of N. Tully Road, Linden.
(Supervisorial District 4)

OWNERS: Robert and Jeanne Freeman Etal **APPLICANT:** Brett Setness

ADDRESS: 16221 E. Baker Road, Linden **APN:** 091-090-27

INFORMATION:

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

Baker Road has an existing right-of-way width of 45 feet (25' north of CL) 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-2500215 (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) 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)

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




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Environmental Health Department

Jasjit Kang, REHS, Director
Muniappa Naidu, REHS, Assistant Director
PROGRAM COORDINATORS
Jeff Carruesco, REHS, RDI
Willy Ng, REHS
Steven Shih, REHS
Elena Manzo, REHS
Natalia Subbotnikova, REHS

October 27, 2025

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

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

RE: **PA-2500215 (MS), Referral, SU-2500859**
16221 E. Baker Road, Linden

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. The report shall be submitted to the Environmental Health Department at time of submittal of a tentative map (San Joaquin County Development Title, Section 9-502.070).

Note: The EHD has reviewed and approved the surface and subsurface contamination report (SU-2500701) for this property on July 10, 2025.

- 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 or final 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) The existing private water wells shall be tested for the chemical Dibromochloropropane (DBCP) and nitrates with the results submitted to the Environmental Health Department prior to recordation of the Parcel Map. Samples are to be taken and analyzed by a State-approved laboratory (San Joaquin County Development Title, Section 9-601.020(j)).
- 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) 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)).
- 6) 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, Inc.

555 East Weber Avenue • Stockton, CA 95202 • (209) 235-0574 • Email: 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

Date: October 22, 2025

Local Jurisdiction Project Title: PA-2500215 (MS)

Assessor Parcel Number(s): 091-090-27

Local Jurisdiction Project Number: PA-2500215 (MS)

Total Acres to be converted from Open Space Use: Unknown

Habitat Types to be Disturbed: Agricultural Habitat Land

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

Dear Ms. Leal:

SJCOG, Inc. has reviewed the application referral for PA-2500215 (MS). This project consists of a vested Minor Subdivision application to create a 2.03-acre homesite parcel for financing purposes only. The homesite will be served by an onsite septic system. It is proposed that the homesite will share the well located at APN: 091-090-30. The proposed homesite parcel has direct access to E. Baker Road. The project site is on the north side of E. Baker Road, located 3,025 feet east of N. Tully Road, Linden (APN/Address: 091-090-27 / 16221 E. Baker 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 90-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.sjcog.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) 235-0600 • Email: 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, SJCOC, 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, SJCOC, 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-2500215 (MS)

Landowner: Robert and Jeanne Freeman Etal

Applicant: Brett Setness

Assessor Parcel #s: 091-090-27

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.



FINDINGS FOR MINOR SUBDIVISION

PA-2500215

ROBERT AND JEANNE FREEMAN ETAL / KSN, INC.

1. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan, any applicable Specific Plan, pre-existing Special Purpose Plan, or Master Plan, the Development Title, and other applicable provisions of the County Code.

Minor Subdivision No. PA-2500215 is consistent with the General Plan because the AG-40 (General Agriculture, 40 acre minimum) zone of the subject parcel permits the division proposed and the AG-40 zone is an implementing zone for the parcel's A/G (General Agriculture) land use designation. Further, no Master Plan, Specific Plan, or Special Purpose Plan are applicable to Minor Subdivision No. PA-2500215.

2. The site is physically suitable for the type of development and the proposed density of the development.

The subdivision does not propose any development. The existing development is able to meet all minimum development standards contained in the Development Title. The resulting parcels are physically suitable to meet density requirements for any future development.

3. The proposed subdivision, together with the provisions for its design and improvement, are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat, unless an Environmental Impact Report (EIR) was prepared and a finding was made that specific economic, social, or other considerations make the mitigation measures or project alternatives infeasible, pursuant to Section 21081(a)(3) of the Public Resources Code.

The subdivision does not propose any development or improvements, therefore, the subdivision is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. 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 San Joaquin Multi-Species Habitat Conservation and Open Space Plan before any ground disturbance occurs.

4. The proposed subdivision, together with the provisions for its design and improvement, is not likely to cause serious public health problems.

The subdivision does not propose any development or improvements; therefore, the design of the subdivision is not likely to cause significant public health problems.

5. The proposed subdivision, together with the provisions for its design and improvement, will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision. The County may approve a map if it finds that alternate easements for access or for use will be provided and that these easements will be substantially equivalent to ones previously acquired by the public.

The design of the subdivision will not conflict with easements acquired by the public at large for access through or use of the property within the proposed subdivision because, if it is found that alternate easements for access or for use are necessary, these will be substantially equivalent to ones previously acquired by the public.

6. Water and wastewater disposal services will be available and sufficient to serve a proposed subdivision. If the subdivision has more than 500 dwelling units, this finding must be in accordance with Section 66473.7 of the Subdivision Map Act.

The subdivision does not propose any development. The single-family residences are served by existing wells and septic systems. Any future dwellings will require infrastructure that will require permitting from the Environmental Health Department. In the event the applicant proposes to develop the proposed sites, the AG-40 (Agriculture) zone allows for the use of a well for water and an individual septic system for wastewater.

The subdivision does not propose any development. The single-family residences are served by existing wells and septic systems. Any future dwellings will require infrastructure that will require permitting from the Environmental Health Department. In the event the applicant proposes to develop the proposed sites, the AG-40 (Agriculture) zone allows for the use of a well for water and an individual septic system for wastewater.

7. Any land or improvement to be dedicated to the County or other public agency is consistent with the General Plan, any applicable Specific Plan, pre-existing Special Purpose Plan, or Master Plan, and any other applicable plan adopted by the County.

Any land or improvements to be dedicated to the County is consistent with the General Plan, any applicable Specific Plan and Special Purpose Plan, and other applicable plan adopted by the County because any such improvements or land must meet County standards and requirements for dedication and/or construction.

8. The design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.

The design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision, as required by the Government Code because the lots are large enough so that individual dwellings can be situated to take advantage of solar orientation.