



Referral Early Consultation

Date: August 12, 2020
To: Distribution List (See Attachment A)
From: Teresa McDonald, Assistant Planner, Planning and Community Development
Subject: PARCEL MAP AND VARIANCE APPLICATION NO. PLN2020-0066 – MAYFIELD – MESA DRIVE
Respond By: August 27, 2020

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

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

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

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

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

Applicant: Angela Mayfield
Project Location: 4517 Mesa Drive between Highway 108 and Snedigar Road in the Riverbank area.
APN: 062-009-011
Williamson Act Contract: 1975-2014
General Plan: Agriculture
Current Zoning: A-2-3 (General Agriculture)

Project Description: Request to subdivide a 5.94± gross acre parcel into three parcels, 2.44±, 1.07±, and 2.44± gross acres in size, in the A-2-3 zoning district. A Variance is included in this request to create three parcels below the 3-acre minimum. Proposed Parcels 1 & 2 will be 2.44 ± and 1.07± gross acres in size, respectively, and will continue to be used as irrigated pasture. Proposed Parcel 3 will be 2.44± gross acres in size and is improved with a single-family dwelling, barn, pool, existing septic system, and domestic well. Proposed Parcels 1 & 2 will be served by private well and septic system, if ever developed. The project site has access to County-maintained Mesa Drive and Snedigar Road. The applicant is contesting the contract status of the existing parcel's Williamson Act contract. If the contract is determined to be active, a Williamson Act cancellation will be required.

Full document with attachments available for viewing at:

<http://www.stancounty.com/planning/pl/act-projects.shtm>

STRIVING TOGETHER TO BE THE BEST!



PARCEL MAP AND VARIANCE APPLICATION NO. PLN2020-0066 – MAYFIELD – MESA DRIVE
Attachment A

Distribution List

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

**STANISLAUS COUNTY
CEQA REFERRAL RESPONSE FORM**

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

FROM: _____

SUBJECT: PARCEL MAP AND VARIANCE APPLICATION NO. PLN2020-0066 –
MAYFIELD – MESA DRIVE

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

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

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

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

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

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

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

Response prepared by:

Name Title Date

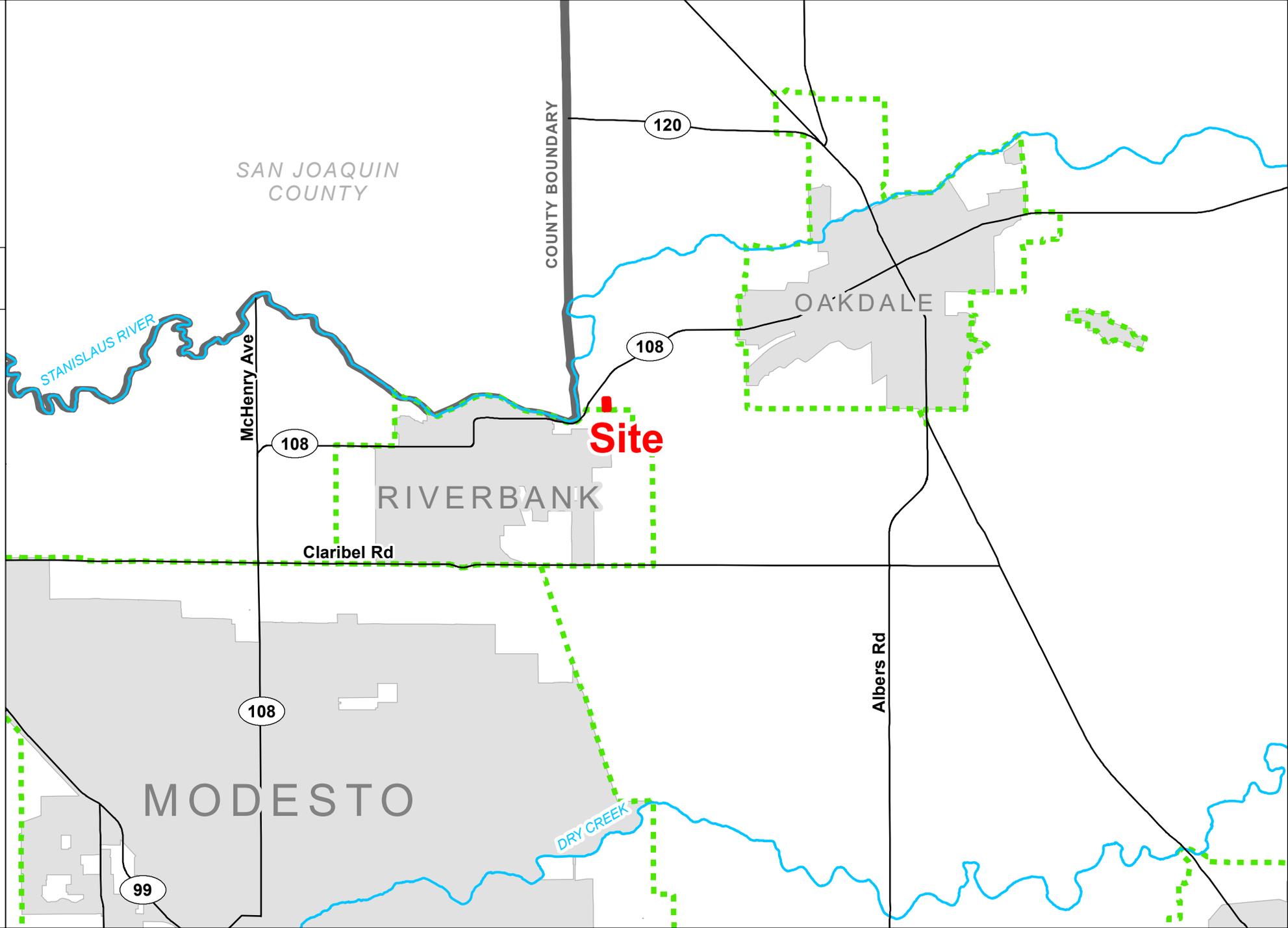
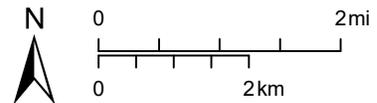
MAYFIELD

PM & VAR PLN2020-0066

AREA MAP

LEGEND

-  Project Site
-  Sphere of Influence
-  City
-  Road
-  River



MAYFIELD

PM & VAR PLN2020-0066

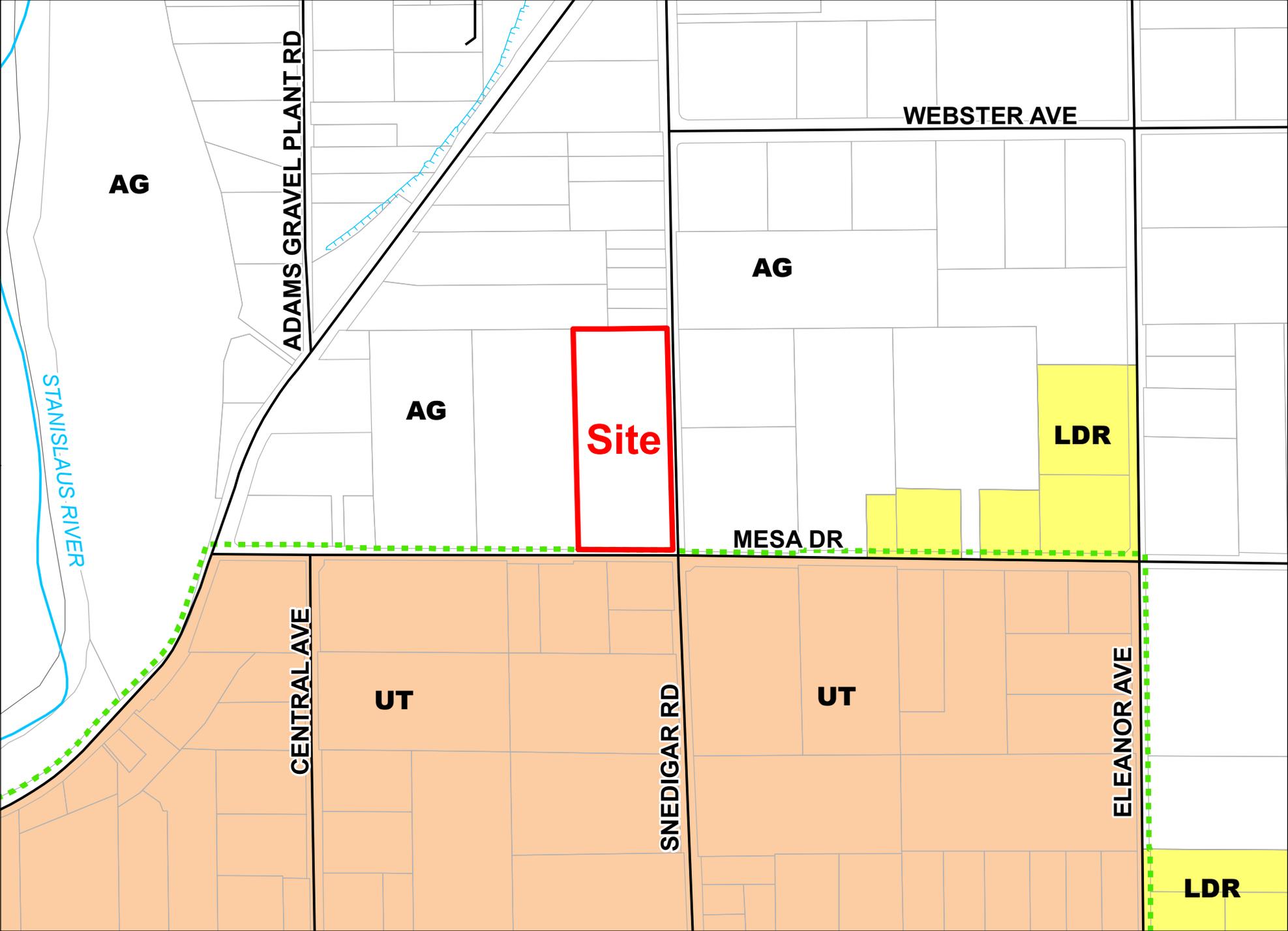
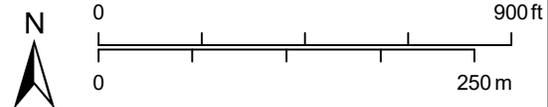
GENERAL PLAN MAP

LEGEND

-  Project Site
-  Sphere of Influence
-  City of
-  Parcel
-  River
-  Road
-  Canal

General Plan

-  Agriculture
-  Low Density Residential
-  Urban Transition



MAYFIELD

PM & VAR PLN2020-0066

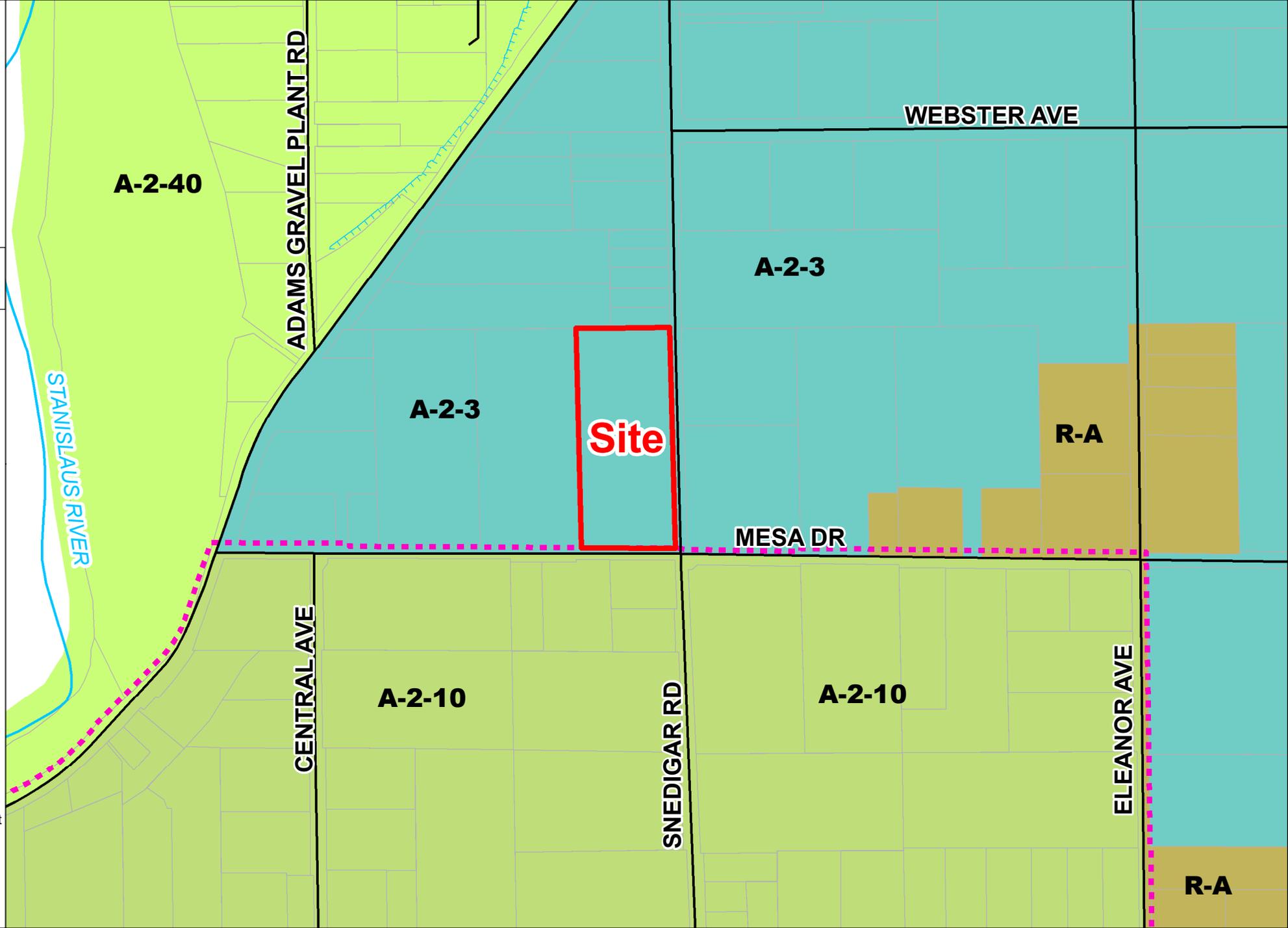
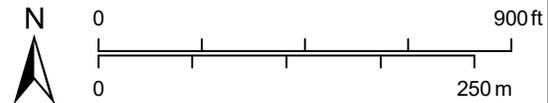
ZONING MAP

LEGEND

-  Project Site
-  Sphere of Influence
-  Parcel
-  River
-  Road
-  Canal

Zoning Designation

-  General Agriculture 3 Acre
-  General Agriculture 10 Acre
-  General Agriculture 40 Acre
-  Rural Residential



MAYFIELD

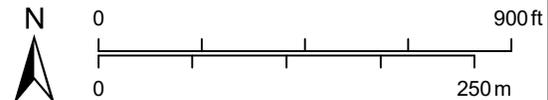
PM & VAR

PLN2020-0066

ACREAGE MAP

LEGEND

-  Project Site
-  Sphere of Influence
-  Parcel/Acres
-  Road
-  River
-  Canal



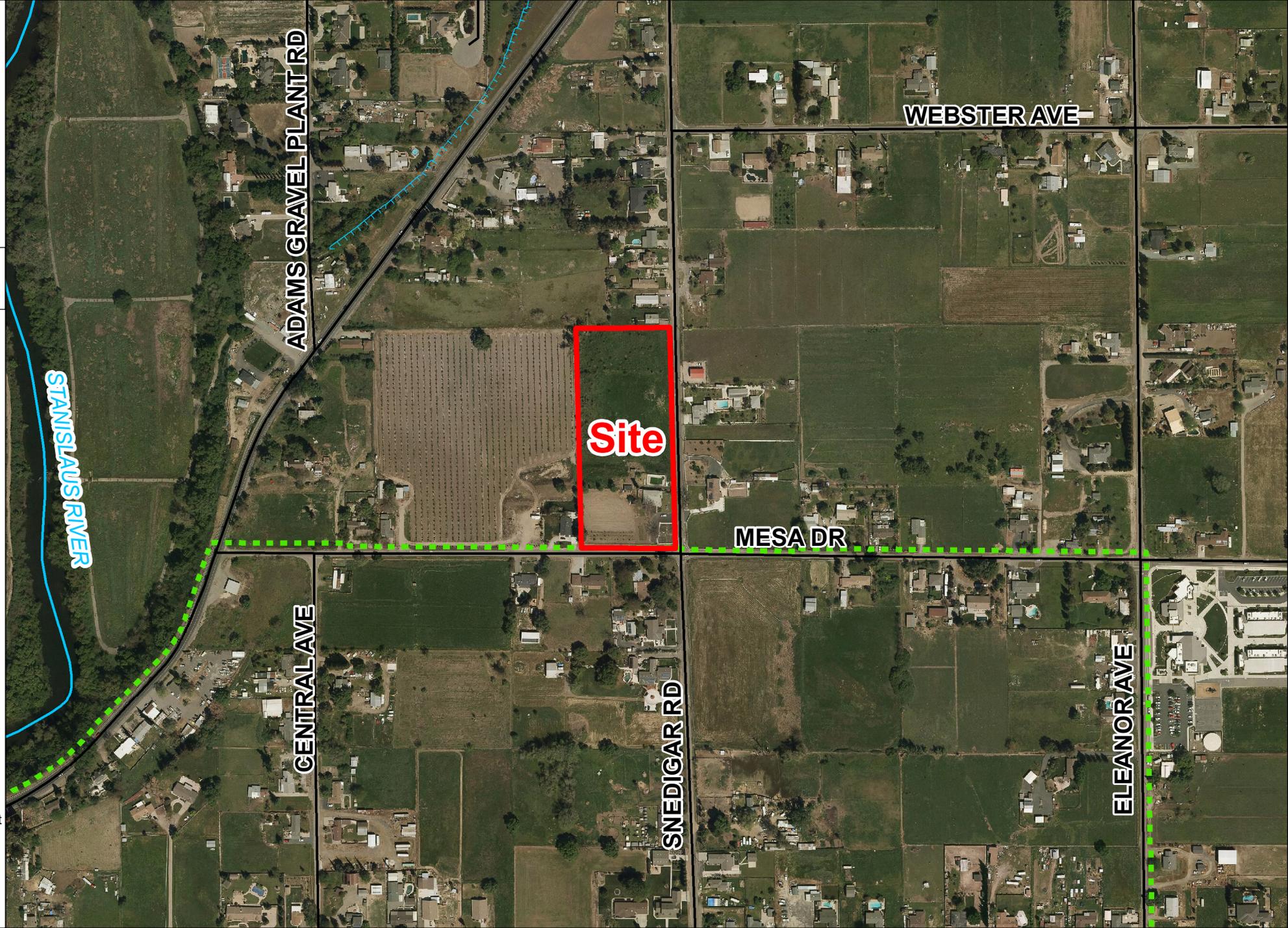
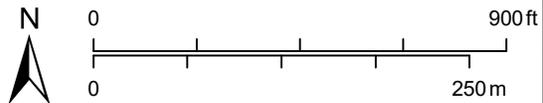
MAYFIELD

PM & VAR PLN2020-0066

2017 AERIAL AREA MAP

LEGEND

-  Project Site
-  Sphere of Influence
-  Road
-  River
-  Canal



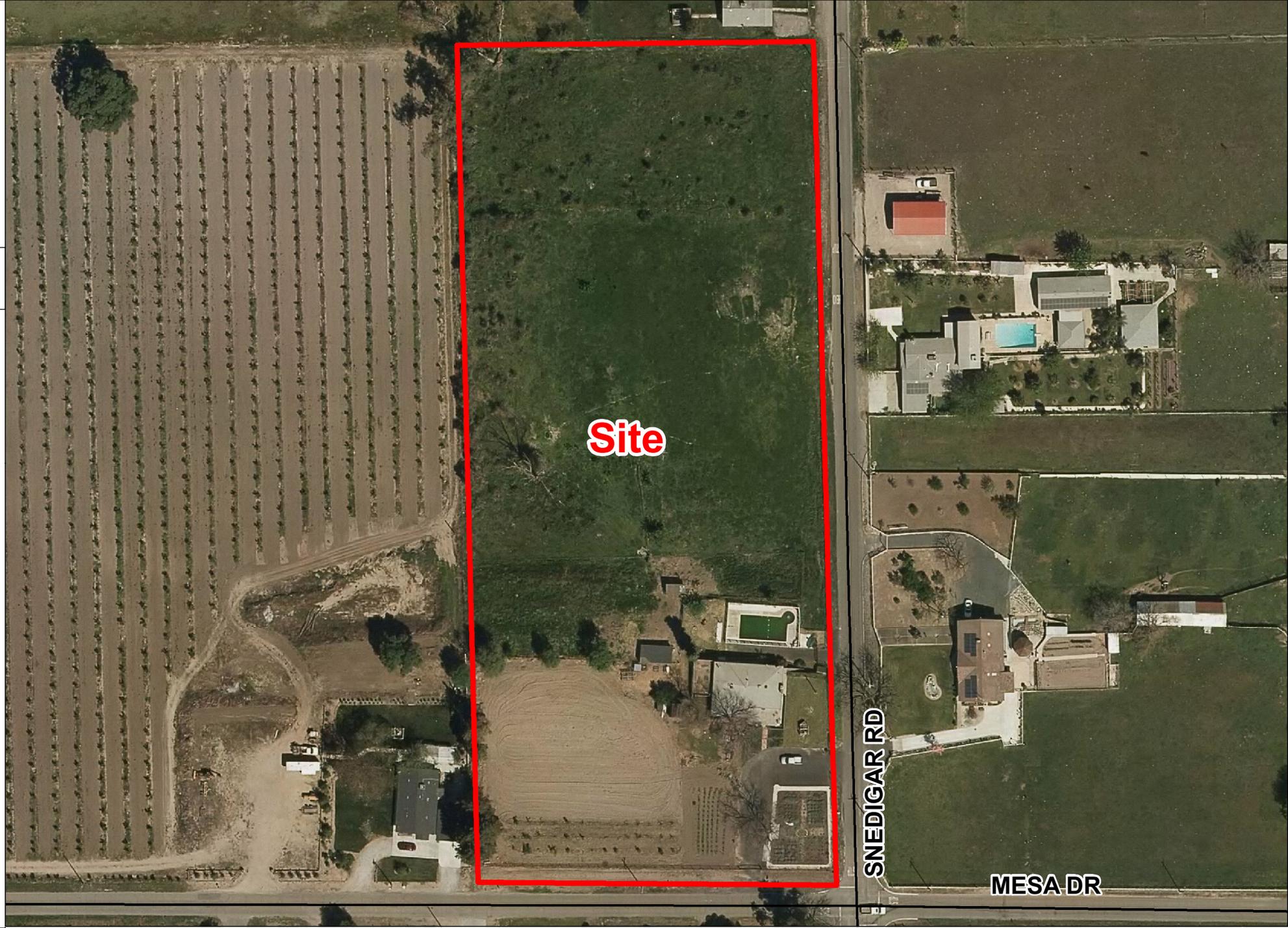
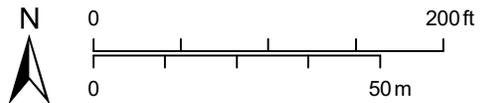
MAYFIELD

PM & VAR PLN2020-0066

2017 AERIAL SITE MAP

LEGEND

-  Project Site
-  Road
-  Canal



APN 062-009-038

APN 062-009-010

PARCEL 1
AREA=2.44 AC. (GROSS)
2.30 AC. (NET)

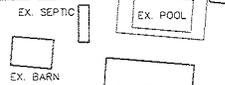
APN 062-009-011

LOT 402
RE-PLAT OF
RUSH ADDITION
8-M-10

APN 062-009-012

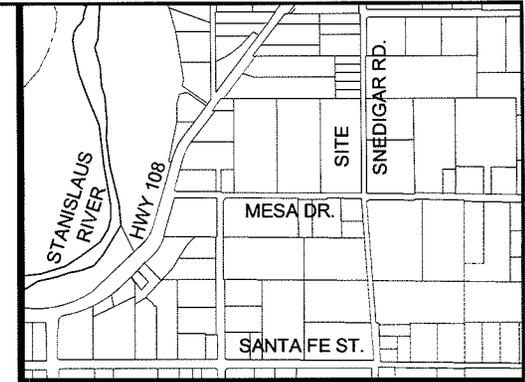
PARCEL 2
AREA=1.07 AC. (GROSS)
1.01 AC. (NET)

PARCEL 3
AREA=2.44 AC. (GROSS)
2.15 AC. (NET)



SNEDIGAR ROAD

MESA DRIVE



VICINITY MAP

OWNER/APPLICANT: ANGELA MAYFIELD
4517 MESA DRIVE
RIVERBANK, CA 95367

PREPARED BY: GIULIANI & KULL, INC.
440 S. YOSEMITE AVENUE SUITE A
OAKDALE, CA 95361

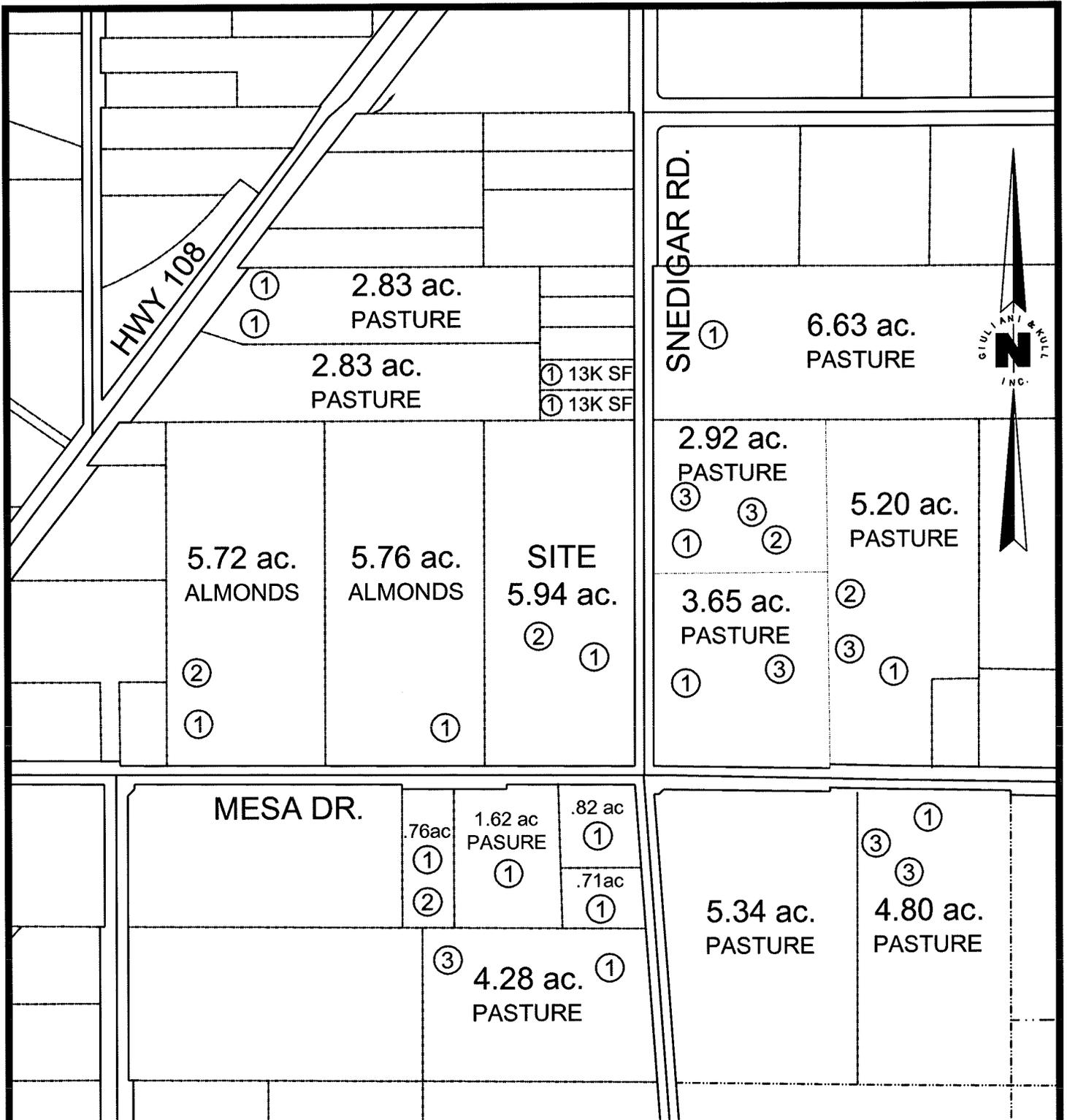
- TOTAL AREA: 5.94 AC. (GROSS)
- NO. OF PARCELS: 3
- A.P.N.: PORTION OF 062-009-011
- ZONING: A2-3
- WATER: PRIVATE WELL
- SANITARY SEWER: SEPTIC
- STORM DRAIN: OVERLAND
- SLOPE OF LAND: FLAT-30%

TENTATIVE PARCEL MAP

BEING A SUBDIVISION OF LOT 402 OF THE RE-PLAT OF RUSH ADDITION FILED FOR RECORD IN BOOK 8 OF MAPS AT PAGE 18, STANISLAUS COUNTY RECORDS, SITUATE IN SECTION 19, TOWNSHIP 2 SOUTH, RANGE 10 EAST, MOUNT DIABLO MERIDIAN STANISLAUS COUNTY, CALIFORNIA SCALE 1" = 60' JULY 2020

GK Giuliani & Kull, Inc.
Engineers • Planners • Surveyors

440 S. Yosemite Avenue, Suite A, Oakdale, CA 95361
(209) 847-8726 Fax (209) 847-7323
Auburn • Oakdale • San Jose



- LEGEND:**
 ① HOUSE
 ② SHOP
 ③ BARN

GK Giuliani & Kull, Inc.
 Engineers • Planners • Surveyors
 440 S. Yosemite Avenue, Suite A, Oakdale, CA 95361
 (209) 847-8726 Fax (209) 847-7323
 Auburn • Oakdale • San Jose

SCALE: 1" = 300'
 DRAWN: KSC
 CHECKED: KSC
 JOB NO.: 20143
 SHEET: 1 OF 1

AREA MAP
 MAYFIELD TPM
 STANISLAUS CO., CALIFORNIA



APPLICATION QUESTIONNAIRE

Please Check all applicable boxes

APPLICATION FOR:

Staff is available to assist you with determining which applications are necessary

- | | |
|---|--|
| <input type="checkbox"/> General Plan Amendment | <input type="checkbox"/> Subdivision Map |
| <input type="checkbox"/> Rezone | <input checked="" type="checkbox"/> Parcel Map |
| <input type="checkbox"/> Use Permit | <input type="checkbox"/> Exception |
| <input checked="" type="checkbox"/> Variance | <input type="checkbox"/> Williamson Act Cancellation |
| <input type="checkbox"/> Historic Site Permit | <input type="checkbox"/> Other _____ |

PLANNING STAFF USE ONLY:

Application No(s): PLN 2020-0066
 Date: 7/29/2020
 S 19 T 2 R 10
 GP Designation: Agriculture
 Zoning: A-2-3
 Fee: \$4,587.00
 Receipt No. 556213
 Received By: EB
 Notes: PM w/ VAR

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

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

PROJECT INFORMATION

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

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

The project is a request to subdivide a 5.46 acre parcel into three parcels: 2.30, 2.15, and 1.01 acres in size, in the A-2 3 (General Agriculture) zoning district. A variance to the zoning ordinance is included to allow the size of the parcels to go below the three acre minimum, required by section 21.20.060 of the A-2 zoning district. Access to the parcels will be provided via County- maintained Mesa Drive and Snedigar Road. Parcel 1 is improved with a home and well

PROJECT SITE INFORMATION

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

ASSESSOR'S PARCEL NUMBER(S): Book 062 Page 009 Parcel 011-00

Additional parcel numbers: _____
Project Site Address _____
or Physical Location: _____

Property Area: Acres: 5.46 or Square feet: _____

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

Current use is fruit trees, pasture , and a primary residence on land zoned general Agriculture A-2-3.

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

None

Existing General Plan & Zoning: General agriculture- A-2-3

Proposed General Plan & Zoning: _____
(if applicable)

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

East: Ag residential

West: Ag residential

North: residential use

South: residential use

WILLIAMSON ACT CONTRACT:

Yes No

Is the property currently under a Williamson Act Contract?

Contract Number: _____ ** Please see below under additional information**

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

Date Filed: _____

Yes No

Do you propose to cancel any portion of the Contract?

Yes No

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

If yes, please list and provide a recorded copy: _____

SITE CHARACTERISTICS: (Check one or more)

Flat

Rolling

Steep

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

Field crops

Orchard

Pasture/Grassland

Scattered trees

Shrubs

Woodland

River/Riparian

Other

Explain Other: _____

Yes No

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

GRADING:

Yes No

Do you plan to do any grading? (If yes, please indicate how many cubic yards and acres to be disturbed. Please show areas to be graded on plot plan.) _____

STREAMS, LAKES, & PONDS:

Yes No

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

Yes No

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

Yes No

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

Yes No

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

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

STRUCTURES:

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

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

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

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

PROJECT SITE COVERAGE:

Existing Building Coverage: 3,669 Sq. Ft. Landscaped Area: _____ Sq. Ft.

Proposed Building Coverage: _____ Sq. Ft. Paved Surface Area: approximately 1000 Sq. Ft.

BUILDING CHARACTERISTICS:

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

Number of floors for each building: _____

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

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

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

UTILITIES AND IRRIGATION FACILITIES:

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

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

Electrical: Pacific Gas & Electric

Sewer*: Private Septic

Telephone: AT&T

Gas/Propane: Pacific Gas & Electric

Water**: Private Well

Irrigation: Oakdale Irrigation District

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

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

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

No _____

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

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

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

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

AFFORDABLE HOUSING/SENIOR:

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

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

Total No. Lots: _____ Total Dwelling Units: _____ Total Acreage: _____

Net Density per Acre: _____ Gross Density per Acre: _____

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

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

Square footage of each existing or proposed building(s): _____

Type of use(s): _____

Days and hours of operation: _____

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

Occupancy/capacity of building: _____

Number of employees: (Maximum Shift): _____ (Minimum Shift): _____

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

Other occupants: _____

Estimated number of truck deliveries/loadings per day: _____

Estimated hours of truck deliveries/loadings per day: _____

Estimated percentage of traffic to be generated by trucks: _____

Estimated number of railroad deliveries/loadings per day: _____

Square footage of:

Office area: _____

Warehouse area: _____

Sales area: _____

Storage area: _____

Loading area: _____

Manufacturing area: _____

Other: (explain type of area) _____

Yes No Will the proposed use involve toxic or hazardous materials or waste? (Please explain)

ROAD AND ACCESS INFORMATION:

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

Mesa Drive and Snedigar Road

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

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

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

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

STORM DRAINAGE:

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

Other: (please explain) _____

If direct discharge is proposed, what specific waterway are you proposing to discharge to? _____

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

EROSION CONTROL:

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

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

ADDITIONAL INFORMATION:

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

The owner's/applicant's position is that the Williamson Act (WA) contract associated with this property expired on _____

5/31/2018 pursuant to the terms of the WA contract itself. Terms of the WA contract provide in pertinent part that _____

action on the part of the county that remove the property from the agriculture preserve is equivalent to _____

a notice of non-renewal on the part of the county notwithstanding the fact that the notice was never recorded. _____

At the time of this application, this issue is being investigated by the county. _____

**Attachment to Parcel Map & Variance
Application Angela Mayfield,
4517 Mesa Dr., Riverbank**

Parcel Map Findings

- A.** The proposed map is not consistent with applicable general and specific plans;

The proposed map is not consistent, as the minimum lot size is unmet, however, with this application I am requesting a variance to allow parcels ranging in size from 1.1 acres to 2.30 acres.

- B.** That the design or improvements of the proposed of the proposed subdivision is not consistent with applicable general and specific plans;

The design or improvement of the proposed subdivision is not consistent with applicable general and specific plans, therefore, a variance is being requested.

- C.** That the site is not physically suitable for the proposed density of development;

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

- D.** That the site is not physically suitable for the type of development;

The site is physically suitable for the type of development.

- E.** That the design of the subdivision, or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;

The designs of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

- F.** That the design or the type of improvements are likely to cause serious public health problems;

The design or type of improvements is not likely to cause serious public health problems.

- G.** That the design or the type of improvements will conflict with easements acquired by the public at large, for access through, or use of, property proposed for divisions. In this connection, the commission may approve a map if it finds that alternative easements for access or for use will be provided that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements established by judgment of a court competent jurisdiction.

The design or type of improvements will not conflict with easements acquired by the public at large, for access through, or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternative easements for access or for use, will be provided, and that these will be substantially equivalent to the ones previously acquired by the public.

Variance Findings

- A. That because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of this title will deprive the subject property of privileges enjoyed by others properties in the vicinity and under identical zone classifications.

The property is approximately 5.46 net acres and is surrounded on all sides by parcels ranging from .76 to 6.63 acres. Due to the size of the property, it is difficult to establish an economic agriculture unit. And although a Williamson Act contract was associated with the property, soon after the present owner purchased the property, the county assessor's office removed all of the property tax savings that the contract was supposed to provide. This fact has caused the owner an unnecessary economic hardship.

In an effort to farm the property, the owner established it as an organic farming operation, upgraded the irrigation pump, and installed a micro sprinkler system to water fruit trees approximately eight years ago. On the flat part of the property facing Snednigar road, the owner installed a water trough to provide water for livestock. Those efforts were very costly and has yet to provide a monetary return large enough to cover the initial investment. In addition, farming the property organically has created problems. For example, pests such as squirrels and stubborn weeds have been difficult to keep under control and has caused water to creep onto the neighbor's property and adversely affect his almond orchard.

The fact that the existing property is surrounded by smaller parcels created in part by earlier parcelizations and variances is a special circumstance. In addition, there is a housing shortage in the state of California and there is not much land left within the surrounding vicinity and zoning classification suitable for rural home sites. The proposed parcel division represents an opportunity to create more rural housing opportunities. Because of the circumstances applicable to this property, the strict application of the zoning ordinance would deprive this property owner of a privilege enjoyed by other properties in the vicinity and zoning classification.

- B. That the granting of the application is necessary for the preservation and enjoyment of substantial property rights of the petitioner and will not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated.

The existence of significant barriers to agriculture use of the property and the fact that the property is surrounded by smaller parcels created in part by earlier variances is a special circumstance. The requested variance is necessary for the preservation and enjoyment of substantial property rights and will not constitute a grant of special privilege inconsistent with limitations on other properties in the vicinity and zone in which the property is located. Denying the variance in this case would result in inconsistencies within the intent of zoning regulations.

- C. That the granting of the application will not, under the circumstances of the particular case, materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicant and will not, under the circumstances of the particular case, be materially detrimental to the public welfare of injurious to property or improvements in the neighborhood.

The granting of the application will not authorize a use or activity that is not otherwise expressly authorized by the zoning provisions governing this parcel and the granting of the variance will not adversely affect the general plan or materially affect adversely the health or safety of persons residing in the neighborhood. In addition, granting the variance will not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood. In this case, the proposed variance will be beneficial to the surrounding property as the existing issues involving weeds and pests and water control will be mitigated.

In conclusion, the property in this case meet the above criteria and the variance can and should be granted.



CENTRAL CALIFORNIA INFORMATION CENTER

Date: 6/12/2020

California Historical Resources Information System # 11417N
Department of Anthropology – California State University, Stanislaus
One University Circle, Turlock, California 95382
(209) 667-3307

Project: Azule Development Plan
Proposed Greenhouses, 4517 Mesa
Drive, Riverbank, CA

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

Angela Mayfield
4517 Mesa Drive
Riverbank, CA 95367
209-683-9302

mayfieldangela@gmail.com

Dear Ms. Mayfield:

We have conducted a records search as per your request for the above-referenced project area located on the Riverbank USGS 7.5-minute quadrangle map in Stanislaus County.

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

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

The following details the results of the records search:

Prehistoric or historic resources within the project area:

- There are no formally recorded prehistoric or historic archaeological resources or built environment resources within the project area.
- The General Land Office Survey Plat for T2S R10E (dated 1854) shows the SE ¼ of Section 19 and the NE ¼ of Section 30 divided into 160-acre parcels, and two historic roads passing through the SE ¼ of S-19 and the NE ¼ of S-30.
- The General Land Office Survey Plat for T2S R10E (dated 1857-1873) shows the project

area within the historic Mexican Land Grant: "Eight Square Leagues of Land confirmed to A. B. Thomson."

Prehistoric or historic resources within the immediate vicinity of the project area: There are no formally recorded resources within the immediate vicinity, but please be advised that Native American occupation and resource utilization areas have been identified in similar situations associated with the environs of Stanislaus River in both San Joaquin and Stanislaus counties.

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

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

Recommendations/Comments: Based on existing data in our files the project area has a moderate-high sensitivity for the possible discovery of prehistoric archaeological resources due to its proximity to the Native American resource exploitation zone along the Stanislaus River. The project area may also be sensitive in terms of historical archaeological resources/historic settlement since Sections 19/30 have been subdivided as early as 1854.

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

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

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

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

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

If human remains are discovered, California Health and Safety Code Section 7050.5 requires you to protect the discovery and notify the county coroner, who will determine if the find is Native American. If the remains are recognized as Native American, the coroner shall then notify the Native American Heritage Commission (NAHC). California Public Resources Code Section 5097.98 authorizes the NAHC to appoint a Most Likely Descendant (MLD) who will make recommendations for the treatment of the discovery.

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

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

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

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

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

<https://commerce.cashnet.com/ANTHROPOLOGY>

Sincerely,

E. A. Greathouse

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

Copy of invoice to Laurie Marroquin, Financial Services (lamarroquin@csustan.edu)