



Re-Referral Early Consultation

Date: May 13, 2021

To: Distribution List (See Attachment A)

From: Teresa McDonald, Associate Planner, Planning and Community Development

Subject: PARCEL MAP, EXCEPTION, AND VARIANCE APPLICATION NO. PLN2020-0080 – PHILLIPS – LANCASTER ROAD

Respond By: May 28, 2021

******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: Thomas & Linda Phillips

Project Location: Fronting Highway 108/120, east of Lancaster Road, south of the Stanislaus River, in the Oakdale area.

APN: 010-031-022

Williamson Act Contract: N/A

General Plan: Agriculture

Current Zoning: A-2-40 (General Agriculture)

Project Description: Request to subdivide a 15.26± acre parcel into two 5± acre parcels and one 5.26± acre parcel, in the A-2-40 zoning district. A Variance to the zoning ordinance is included in this request to create two parcels below the 40-acre minimum. An Exception to the Subdivision Ordinance is also included to allow proposed Parcels 1 and 2 to take access from Lancaster Road by a 30-foot-wide access easement. Proposed Parcel 1 is improved with two sheds, Proposed Parcel 2 is improved with a well, and Proposed Parcel 3 is vacant and unimproved. All three parcels, if developed in the future, will be served by individual private well and septic systems.

STRIVING TOGETHER TO BE THE BEST!

The Early Consultation was previously sent out on November 2, 2020 as a request to subdivide a 15.26± acre parcel into a 10.12± and 5.14± acre parcel. The application has since been amended to subdivide the project site into three parcels instead of two.

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



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

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

PARCEL MAP, EXCEPTION, AND VARIANCE APPLICATION NO. PLN2020-0080 – PHILLIPS – LANCASTER ROAD

Attachment A

Distribution List

	CA DEPT OF CONSERVATION Land Resources / Mine Reclamation		STAN CO ALUC
X	CA DEPT OF FISH & WILDLIFE		STAN CO ANIMAL SERVICES
X	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		STAN CO FARM BUREAU
X	CENTRAL VALLEY FLOOD PROTECTION	X	STAN CO HAZARDOUS MATERIALS
	CITY OF:	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	DER GROUNDWATER RESOURCES DIVISION	X	STAN CO SUPERVISOR DIST 1: CONDIT
X	FIRE PROTECTION DIST: OAKDALE RURAL	X	STAN COUNTY COUNSEL
X	GSA: STANISLAUS & TUOLUMNE RIVERS		StanCOG
X	HOSPITAL DIST: OAK VALLEY	X	STANISLAUS FIRE PREVENTION BUREAU
X	IRRIGATION DIST: OAKDALE	X	STANISLAUS LAFCO
X	MOSQUITO DIST: EASTSIDE	X	STATE OF CA SWRCB DIVISION OF DRINKING WATER DIST. 10
	MOUNTAIN VALLEY EMERGENCY MEDICAL SERVICES		SURROUNDING LAND OWNERS
	MUNICIPAL ADVISORY COUNCIL	X	TELEPHONE COMPANY: AT&T
X	PACIFIC GAS & ELECTRIC		TRIBAL CONTACTS (CA Government Code §65352.3)
	POSTMASTER:	X	US ARMY CORPS OF ENGINEERS
	RAILROAD:	X	US FISH & WILDLIFE
X	SAN JOAQUIN VALLEY APCD		US MILITARY (SB 1462) (7 agencies)
X	SCHOOL DIST 1: OAKDALE JOINT UNIFIED	X	USDA NRCS
	WORKFORCE DEVELOPMENT		WATER DIST:
X	STAN CO AG COMMISSIONER		
	TUOLUMNE RIVER TRUST		



STANISLAUS COUNTY CEQA REFERRAL RESPONSE FORM

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

FROM: _____

SUBJECT: PARCEL MAP, EXCEPTION, AND VARIANCE APPLICATION NO. PLN2020-0080 – PHILLIPS – LANCASTER ROAD

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:

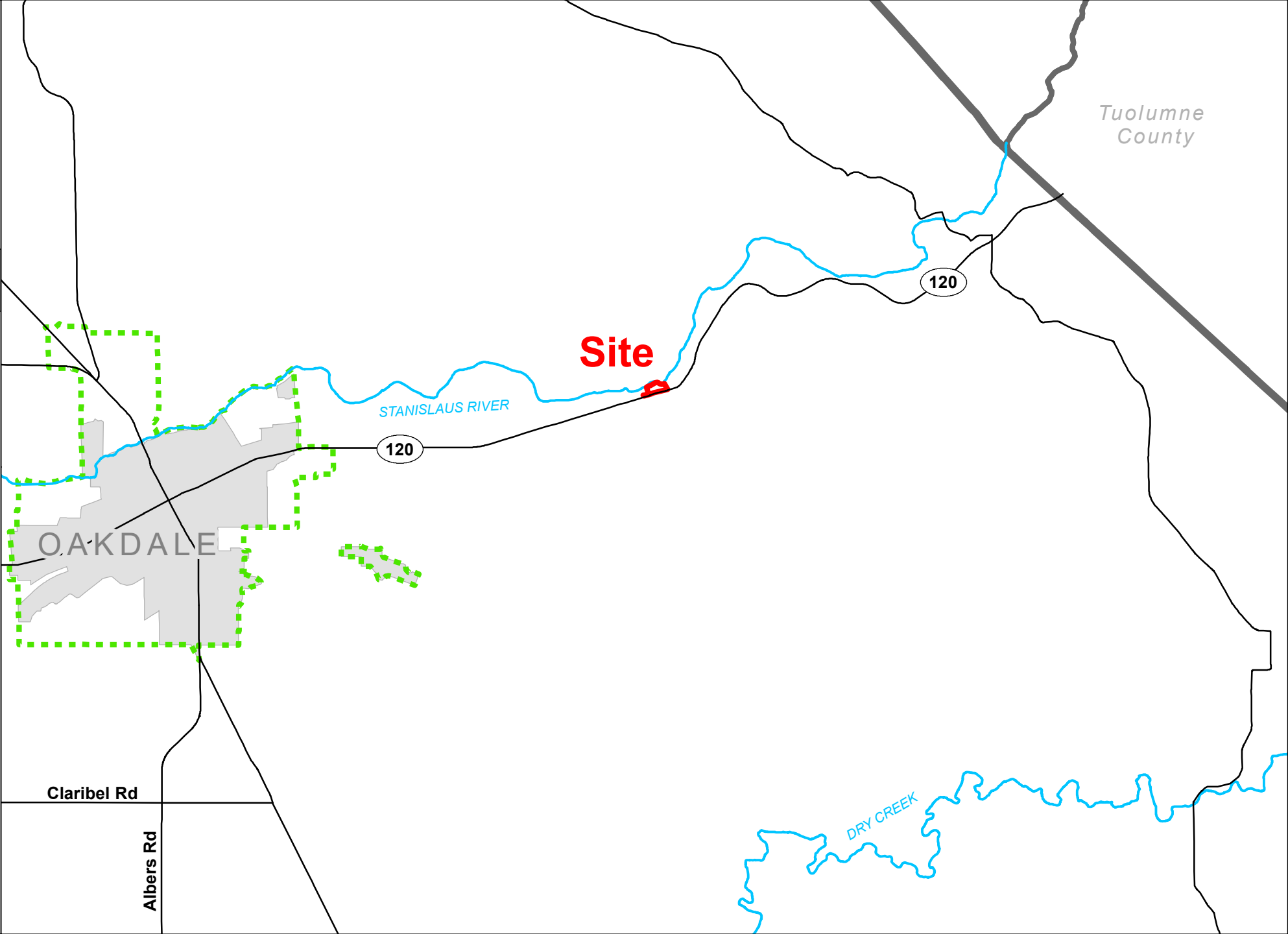
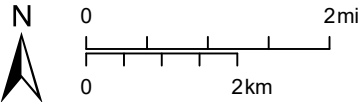
Name	Title	Date
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**PHILLIPS
LANCASTER ROAD
PM EXC & VAR
PLN2020-0080**

AREA MAP

LEGEND

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



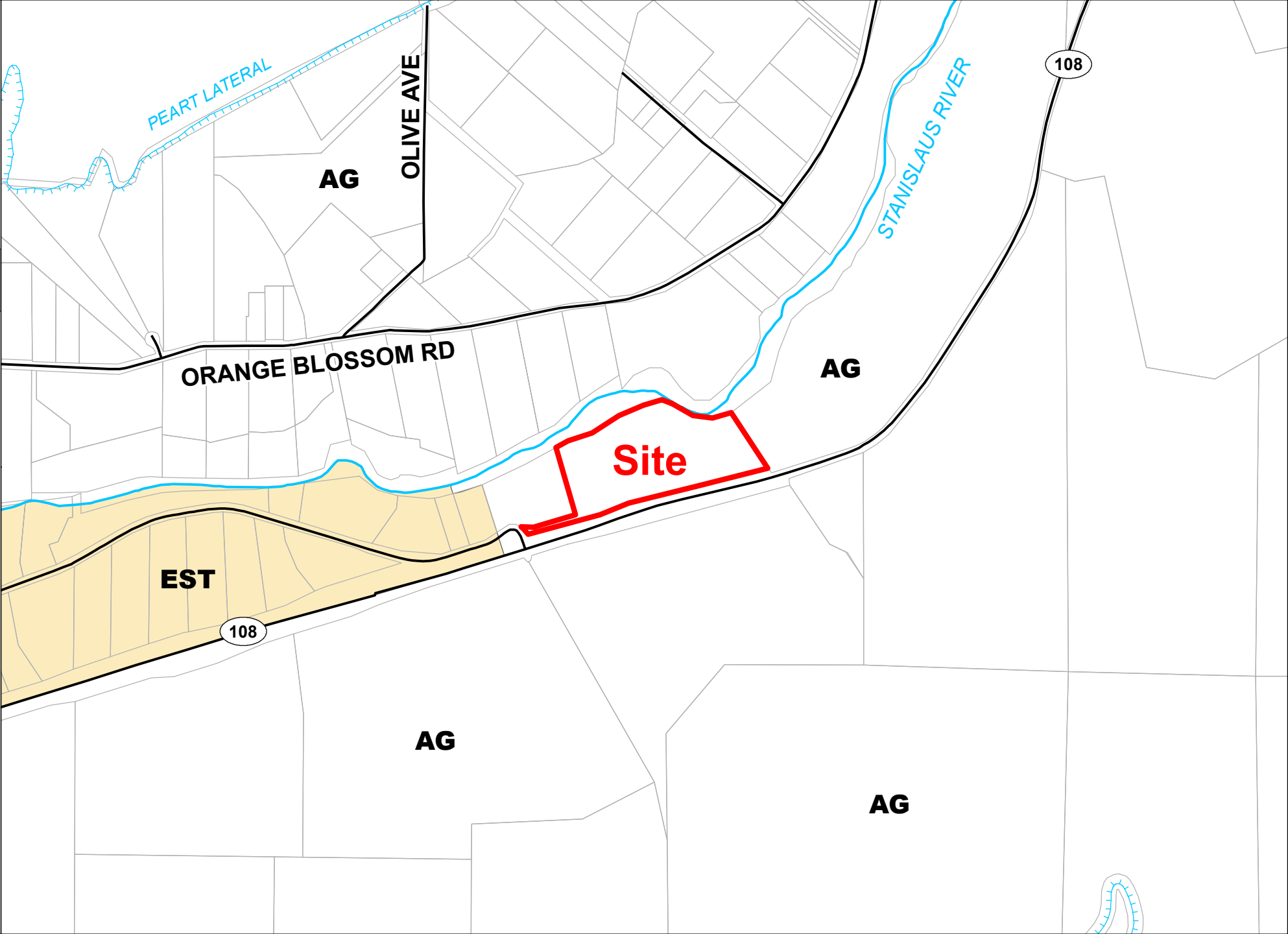
PHILLIPS
LANCASTER ROAD
PM EXC & VAR
PLN2020-0080

GENERAL PLAN MAP

LEGEND

- Project Site
- Parcel
- River
- Road
- Canal






- General Plan
- Agriculture
- Estate Residential






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PLN2020-0080

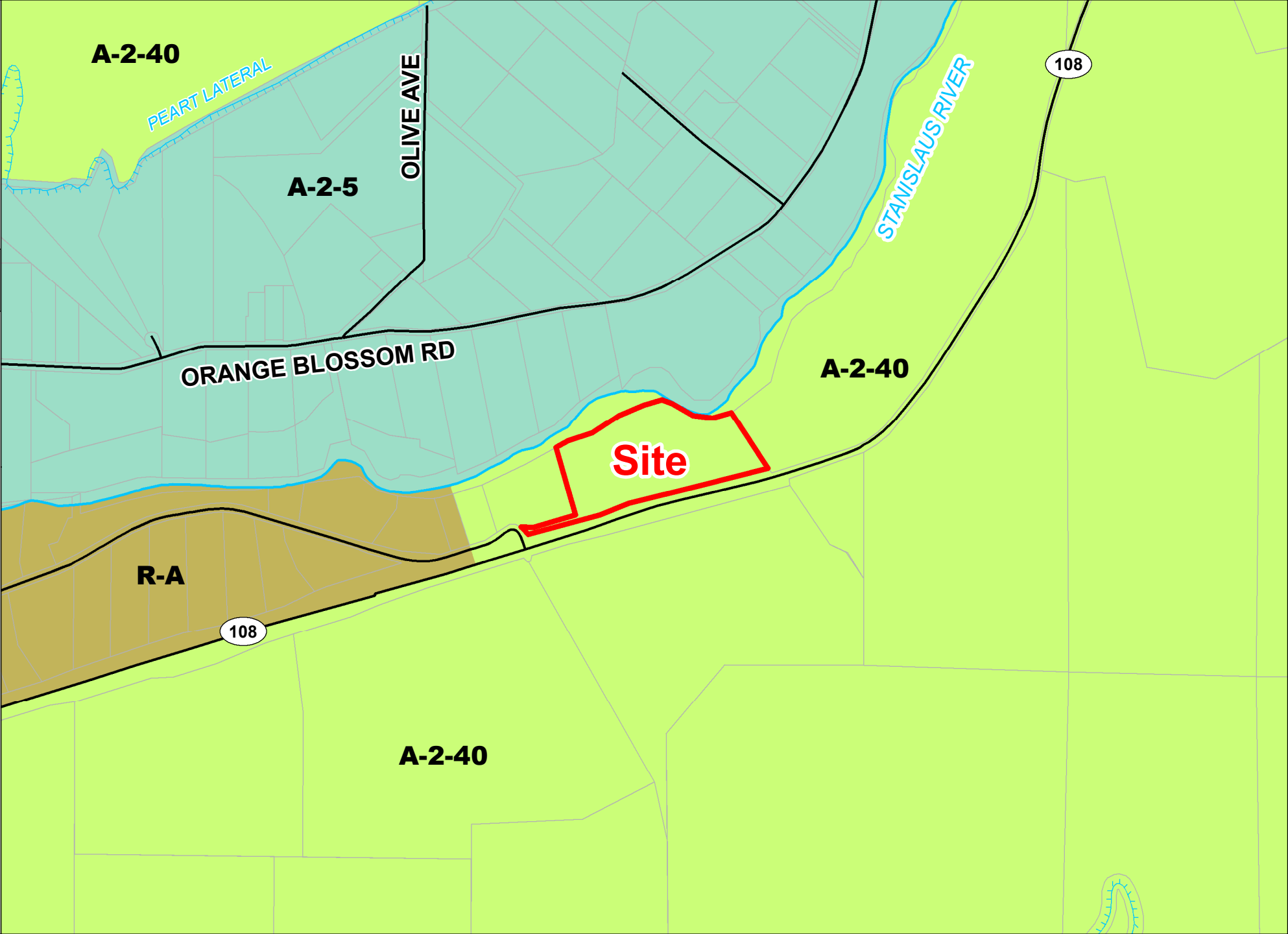
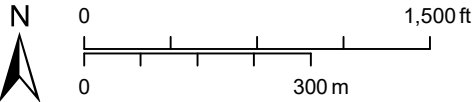
ZONING MAP

LEGEND

-  Project Site
-  Parcel
-  River
-  Road
-  Canal





Zoning Designation

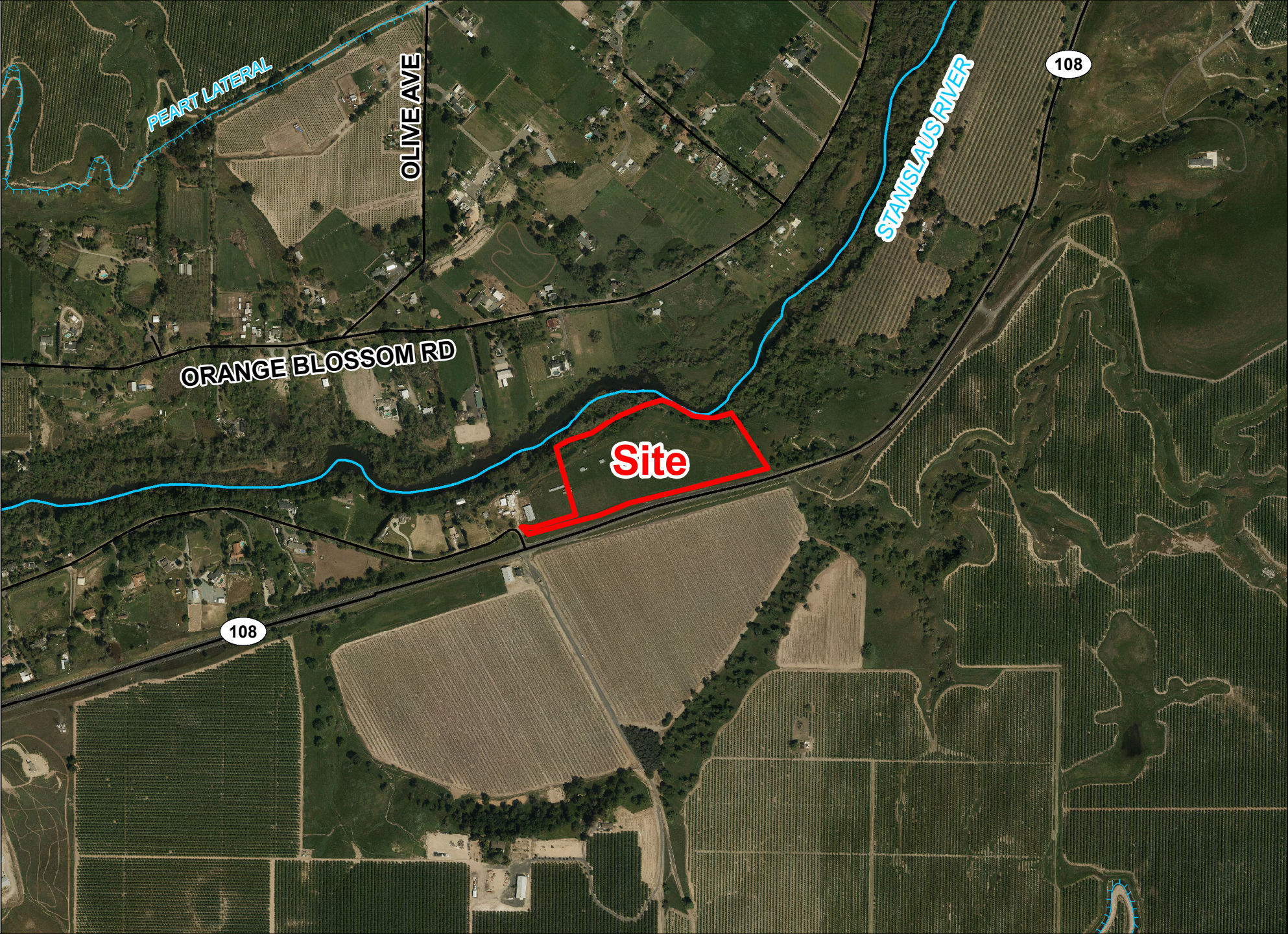
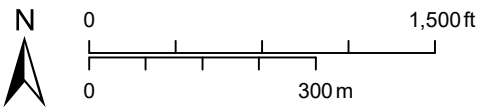
-  General AG 5 Acre
-  General Agriculture 40 Acre
-  Rural Residential



PHILLIPS
LANCASTER ROAD
PM EXC & VAR
PLN2020-0080



2017 AERIAL AREA MAP

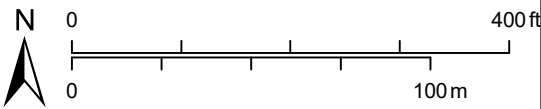
- LEGEND
-  Project Site
 -  Road
 -  River
 -  Canal



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PLN2020-0080

2017 AERIAL SITE MAP

- LEGEND
-  Project Site
 -  Road
 -  River

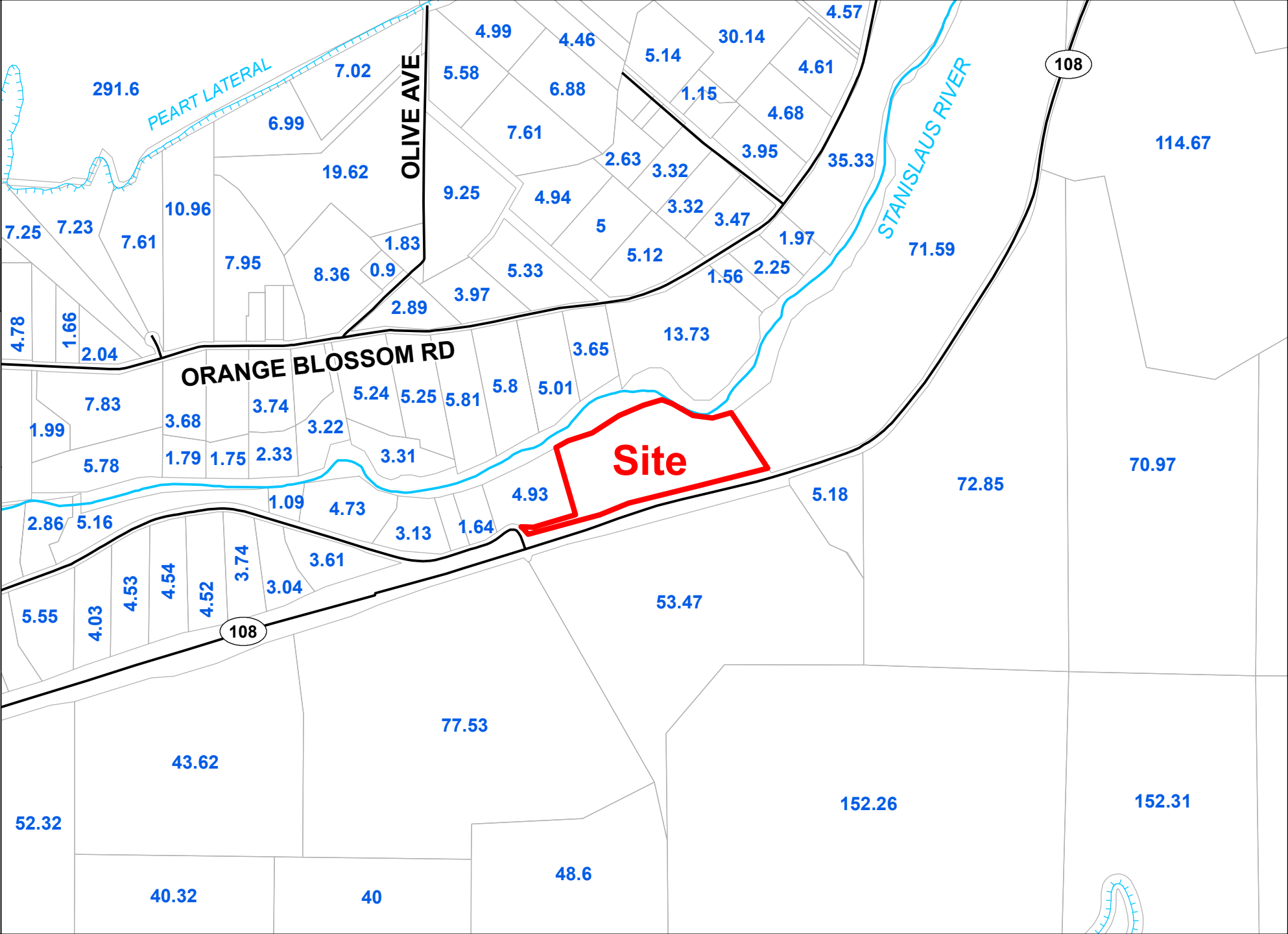
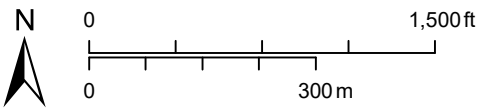


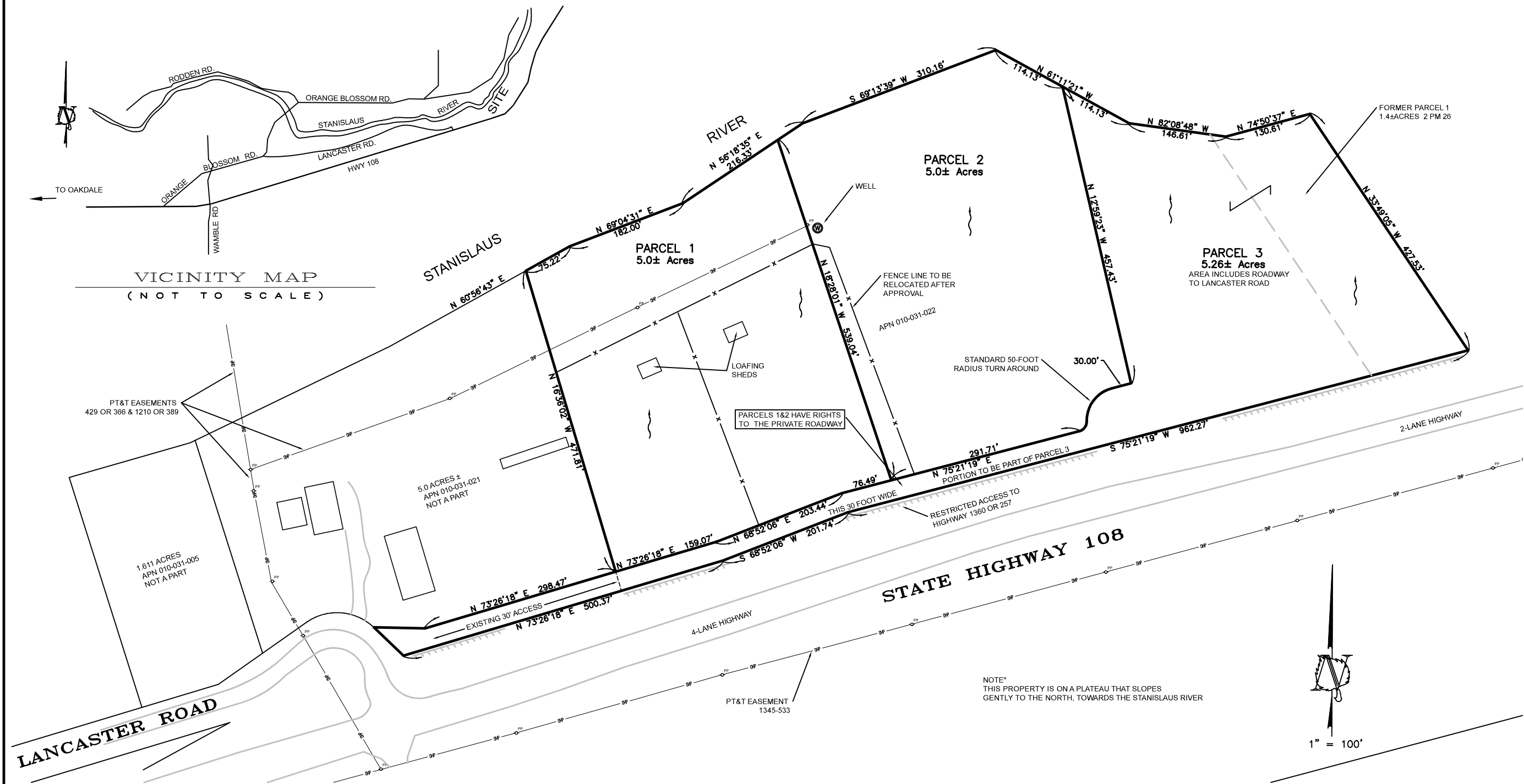
PHILLIPS
LANCASTER ROAD
PM EXC & VAR
PLN2020-0080

ACREAGE MAP

LEGEND

-  Project Site
-  Parcel/Acres
-  Road
-  River
-  Canal





LEGEND :

- PP OVERHEAD UTILITY POLE WITH LINES
- EXISTING STRUCTURE
- ⊙ EXISTING IRRIGATION WELL
CURRENTLY NOT IN USE
- PROPOSED PARCEL BOUNDARY
- ~ DIRECTION OF NATURAL
DRAINAGE FLOW

CURRENT ZONING: A-2-40

WATER TABLE DEPTH: BELOW 64 FEET

FLOOD INFORMATION:

THE PROJECT IS IN ZONE "X" AND IS NOT IN A
100 YEAR FLOOD ZONE PER FIRM PANEL
06099C0195E SEPTEMBER 26, 2008

UTILITIES AND FACILITIES:

WATER -	PRIVATE WELL (irrigation)
SEWAGE DISPOSAL -	NONE
STORM DRAINAGE -	NATURAL DRAINAGE (NO CHANGE)
ELECTRICITY -	P G & E
GAS -	P G & E
TELEPHONE -	A.T.T. OR OTHER WIRELESS
IRRIGATION -	OAKDALE IRRIGATION DISTRICT

SOIL: HANFORD SANDY LOAM

SLOPE: 0 TO 2% SLOPE

NOTES :

OWNER:

Thomas R. Phillips & Linda S. Phillips
Trustees of the Phillips Family 2006 Trust
7761 Rodden Road
Oakdale Ca. 95361
Ph: (209) 845-1815

PROJECT DESCRIPTION:

TO DIVIDE THE EXISTING LAND INTO THREE INDEPENDANT
PARCELS FOR LONG TERM ESTATE PLANNING. THE PARCELS
HAVE ACCESS TO LANCASTER ROAD

PROJECT SIZE: 15.26 ACRES ±

ASSESSOR'S PARCEL: 010-031-022

PROJECT ADDRESS: 0 Lancaster Road, Oakdale, Ca. 95361



TENTATIVE PARCEL MAP
FOR
THYE PHILLIPS FAMILY 2006 TRUST

BEING A DIVISION OF A PORTION OF PARCEL B OF 18 PM 58 AND PARCEL 1 2 PM 26
LYING IN SECTION 2, TOWNSHIP 2 SOUTH, RANGE 11 EAST, MOUNT DIABLO MERIDIAN
STANISLAUS COUNTY-CALIFORNIA

ASPEN SURVEY
COMPANY, INC.
1121 OAKDALE RD., STE. 6 MODESTO, CA 95355
PH: (209) 526-9724 FX: (209) 526-0472

DATE April 8, 2021

SCALE 1" = 100'

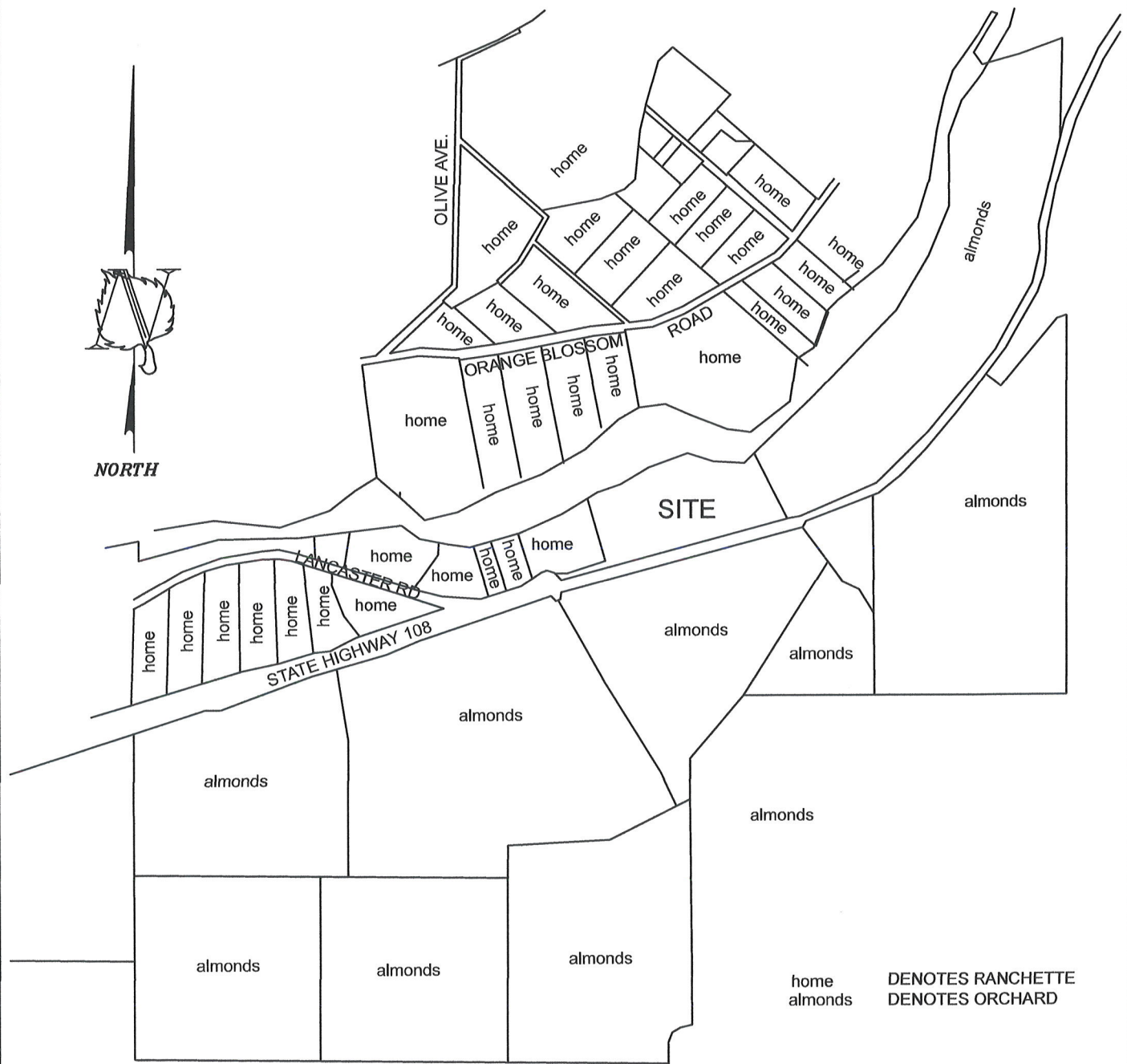
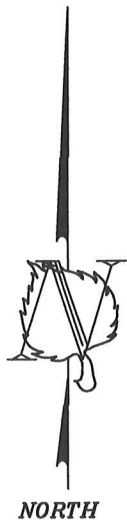
DRAWN DLH

JOB 20-042

SHEET

1

OF 1 SHEETS



**AREA MAP
FOR
PHILLIPS FAMILY 2006 TRUST**

BEING A DIVISION OF A PORTION OF
PARCEL B OF 18 PM 58 AND PARCEL 1 2
PM 26 LYING IN SECTION 2, TOWNSHIP 2
SOUTH, RANGE 11 EAST, MOUNT DIABLO
MERIDIAN
STANISLAUS COUNTY—CALIFORNIA

ASPEN SURVEY
COMPANY
1121 OAKDALE RD., STE. 6 MODESTO, CA 95355
PH: (209) 526 9724 PH: (800) 526 9724
FX: (209) 526 0472

SEPTEMBER 2020



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

1010 10TH Street, Suite 3400, Modesto, CA 95354

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

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

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

APPLICATION QUESTIONNAIRE

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 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): _____

Date: _____

S _____ T _____ R _____

GP Designation: _____

Zoning: _____

Fee: _____

Receipt No. _____

Received By: _____

Notes: _____

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).

This project is to divide an existing 15.26 acre parcel into two parcels of 5 Acres and one of 5.26 Acres. The current Zone is A2-40, however, this parcel was non-conforming and is situate on the eastern portion of a plateau adjacent to many ranging in size from 1 acre to 5 acres.

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 010 Page 031 Parcel 022

Additional parcel numbers: _____

Project Site Address

or Physical Location:

East of Lancaster Road, between Stanislaus River and Highway 108

Property Area: Acres: 15.26 ± Acres or Square feet: _____

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

horse husbandry and various arenas.

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)

PLN 2003-0039 Lot Line Adjustment recorded D. N. 2005-0018530.00 Stanislaus County Records

Existing General Plan & Zoning: _____

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: rolling terrain seasonal cattle feeding

West: many ranchettes from 1 acre to 5 acres

North: Stanislaus River and Ranchettes across the river.

South: Large Almond orchards

WILLIAMSON ACT CONTRACT:

Yes ☐ No ☒

Is the property currently under a Williamson Act Contract?

Contract Number: _____

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: _____ Sq. Ft. Landscaped Area: _____ Sq. Ft.
Proposed Building Coverage: _____ Sq. Ft. Paved Surface Area: _____ Sq. Ft.

BUILDING CHARACTERISTICS:

Size of new structure(s) or building addition(s) in gross sq. ft.: (Provide additional sheets if necessary) NONE

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: _____ PGE	Sewer*: _____ none
Telephone: _____ ATT	Gas/Propane: _____ none
Water**: _____ Pvt. Well (not in use)	Irrigation: _____ none

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

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

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

NONE

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

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

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

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

AFFORDABLE HOUSING/SENIOR:

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

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

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

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

(complete if applicable)	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)

Lancaster Road is the main path of travel to and from these parcels

- 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) The sandy loam soil quickly absorbs rain water from average seasonal rains.

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.

no grading

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)

This property is being divided for estate planning. Heirs will inherit the parcels pursuant to the instructions set forth by the Owners, all to be exercised at a much later date.

Phillips Family 2006 Trust Parcel Map Findings Statement and Exception Justification

This project is located east of 14001 Lancaster Road, at Assessment Parcel No. 010-031-022. The property is vested to Thomas R. Phillips and Linda S. Phillips, as Trustees of the PHILLIPS FAMILY 2006 TRUST by Grant Deed, Document Number 2006-0057129. The proposed project is for a 3-parcel Parcel Map, two parcels of 5.0 acres and one parcel of 5.26 acres respectively, situated in the A-2-40 zone of Stanislaus County.

The Phillips Tentative Parcel Map requires an exception to the Stanislaus County Standards and Specifications section 3.37, as the proposed Parcel Sizes are less than 40 acres, in the A-2-40 zone and the proposed cul-de-sac exceeds 500 feet. The required exception findings are found in County Code Section 20.64.030 and are listed below. The support for each finding is shown in *italicized text*.

20.64.030 Findings required to grant.

In order for the Planning Commission to grant any exception, it shall be necessary to find all of the following facts with respect to the particular case:

- 1) That there are special circumstances or conditions applying to the property being divided: *The subject land is situated on a gently sloping plateau. Land to the east consists of rugged terrain and land to the west consist of several small parcels most of which are less than 5 acres. The current subject parcel, prior to the proposed division, of 15.26 acres, is already non-conforming to the zone. The proposed parcel sizes are consistent with other parcels to the west along Lancaster road. Pursuant to Stanislaus county Standards and Specifications section 3.37, cul-de-sacs and dead-end roads shall not exceed 500' unless the commission finds exceptional conditions to justify such design. An exception is required to allow the proposed cul-de-sac to exceed 500'. As such, there are special circumstances and/or conditions which apply to the property.*
- 2) That there is necessary for the preservation and enjoyment of a substantial property right of the owner. *The exception is needed to permit the property owner to preserve a substantial property right. Properties adjacent and to the west, have subdivided many properties into sizes less than 5 acres. The Owners wish to divide this property as part of estate planning for the future.*

- 3) That the granting of the exception will not be detrimental to the public welfare, injurious to other property in the neighborhood of the division, and that it will not constitute a special privilege not enjoyed by others under similar circumstances. *The site would not support the traditional 40-acre farm. While the property is in the Oakdale Irrigation district, no district water can be delivered for irrigation due to the construction of Highway 108 in 1957. The property is best suited for use similar to those parcels west along Lancaster road. Due to the fact that property to the east is not suitable for use as proposed on this division, this property is the last able for such use and would therefore not constitute a special privilege that others are not currently enjoying.*
- 4) The granting of the exception will not be in conflict with the purposes and objectives of the general plan or any element or any element thereof or any specific plan. *The parcel division is consistent with the intent of the general plan insofar that the ultimate use will be rural in nature, ultra-low density in habitation and will continue to provide open space and natural scenery. As has been common for many years, minor improvements to parcels such as these, bring about positive changes to both the scenery and environment. The proposed division echo's the goal of the general plan for consistent land use.*

- 5) Development of this rural land would be minimal and therefore will NOT cause environmental damage or injure fish or wildlife.
- 6) The proposed parcels would not provide any health concerns or problems.
- 7) The Parcel Map will not interfere with the adjacent highway, as access to said highway is restricted by Grant Deed to the State of California in Volume 1360, Page 257 of Official Records. Currently the 15.26-acre parcel, takes access from the 30-foot-wide private drive which was approved by Stanislaus County on Lot Line Adjustment PLN 2003-0039. This private driveway will extend easterly and terminate with a county standard turn around for public health, welfare and safety vehicles.

Exceptions:

The proposed parcel map will require an exception for zoning parcel size and an exception for parcel not immediately adjacent to a public maintained street. With regards to zoning, the current 15.26-acre parcel is non-conforming in the 40-acre zone. In 1966, the property which comprises the current subject Parcel was 18.86± acres and 1.4± acres. (see approved Parcel Map Book 2, Page 36) The subject property has been non-conforming for 54 years. With regards to access, when State highway 108 was constructed, the land owner at the time, granted land to the State of California for said Highway construction and frontage road via the Grant Deed stated in item 7. Access to the newly constructed highway was restricted at that time.

- 1) Based upon the above information, special circumstances for zoning allowance seems very reasonable. Also, due to the fact that access to the old highway is restricted, a 30-foot-wide access easement is necessary for access and applies only to these parcels.
- 2) The proposed easement extension is only necessary for the eastern most parcel. It can be noted that prior 1956, the parcel took access to and from the old highway

right-of-way. Having a private access directly to Lancaster Road, avoids the necessity to access highway 108 and provides a safe ingress-egress.

- 3) Granting of this exception for parcel size and access easement will not be detrimental to adjacent parcels. The proposed parcel sizes are consistent with the existing neighborhood. The access easement is for ingress-egress only and will benefit only the parcels within this proposal. No parking of vehicles will be permitted on the easement except for loading and unloading or those vehicles used for public safety, health and welfare.
- 4) Granting approval of these two rural parcels will not directly conflict the intent of the general plan, the Stanislaus County agriculture element or the Stanislaus County road element. There is no high-density development proposed for these properties. Following approval of the Parcel Map, the scenery will change very little to passersby. The owners and their neighbors.



CENTRAL CALIFORNIA INFORMATION CENTER

California Historical Resources Information System

Department of Anthropology – California State University, Stanislaus

One University Circle, Turlock, California 95382

(209) 667-3307

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

Date: 8/25/2020

Records Search File#: 11484N

Project: APN 010-031-022, Parcel
Map; East of 14001 Lancaster Road between
the Stanislaus River and SR 108/120;
T2S R11E Section 2

David Harris
Aspen Survey Company, Inc.
1121 Oakdale Road, Suite 6
Modesto, CA 95355
209-526-9724

davidh_aspen@sbcglobal.net

Dear Mr. Harris:

We have conducted a records search as per your request for the above-referenced project area located on the Knights Ferry 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
Other pertinent historic data available at the CCalIC for each specific county

The following details the results of the records search:

Prehistoric or historic resources within the project area:

- There are no formally recorded prehistoric or historic archaeological resources or historic buildings within the project area.
- The Official Map of the County of Stanislaus, California (1908) references C. R. H. Lancaster as the landowner at that time.

- The 1919 edition of the Copperopolis (62,500-scale) map shows a building immediately north of SR 108/120, just north of the intersection of Lancaster Road, SR 108/120, and an unnamed road that enters from the south. We have no information on file regarding this possible historical resource.

Prehistoric or historic resources within the immediate vicinity of the project area: Historic buildings, including residences and outbuildings dating from 1915-1956 have been recorded west of the project area.

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: One non-specific project investigation has been conducted on a portion of the parcel area, referenced as follows:

CCaIC Report #ST-07224

Waechter, S., and M. Bunse

2007 North County Corridor Environmental Constraints Analysis.

Far Western Anthropological Research Group, Inc., and JRP Historical Consultants.

Recommendations/Comments: Based on existing data in our files the project area has the potential for the possible discovery of prehistoric Native American and historic-era archaeological resources, as both types of resources have been found in similar environmental situations within Stanislaus County.

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 entire parcel has not been subject to project-specific investigations, there may be unidentified features involved in your project that are 45 years or older and considered as historical resources requiring further study and evaluation by a qualified professional of the appropriate discipline.

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

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

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

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

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

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

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

We thank you for contacting this office regarding historical resource preservation. Please let us know when we can be of further service. Thank you for sending the signed **Access Agreement Short Form** with your request.

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)