



Referral Early Consultation

Date: January 23, 2025

To: Distribution List (See Attachment A)

From: Teresa McDonald, Associate Planner
Planning and Community Development

Subject: LOT LINE ADJUSTMENT AND WILLIAMSON ACT CANCELLATION
APPLICATION NO. PLN2024-0041 – JIM HUGHES REVOCABLE TRUST

Respond By: February 7, 2025

Public Hearing Date: To Be Determined – Board of Supervisor's Public Hearing to be advertised separately, at a later date.

******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: James W. Hughes, Trustee of the Jim Hughes Revocable Trust

Project Location: 3113 S. Commons Road, at the northwest corner of the S. Commons and W. Harding Road intersection, in the Turlock area.

APN: 044-011-006 (Portion)

Williamson Act Contract: 1973-1393

General Plan: Agriculture

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

Project Description: Request to adjust the lot lines of three parcels in the General Agriculture (A-2-40) zoning district from 1.90±, 13.25±, and 107.75± acres to 8.68±, 16.02±, and 98.20± acres respectively, and to cancel an 8.68± acre portion of Williamson Act Contract No. 1973-1393. The three project parcels comprise a 122.9± acre portion of 163.95± acres covered under Assessor Parcel Number (APN) 044-011-006. The purpose of the lot line adjustment is to consolidate the agricultural use of the project site, consisting of irrigated row crops and dairy facility, onto one

parcel and separate out the non-agricultural uses consisting a dwelling and accessory structures. A cancellation is needed to allow a parcel to be adjusted to less than 10-acres. If approved, the resulting 8.68± acre parcel will be improved with a single-family dwelling, four storage buildings, well, and septic system. A Williamson Act Contract Notice of Non-Renewal has been filed and recorded on the 122.9± acre portion of Contract No. 1973-1393. The remaining 114.22± acres not being cancelled will be re-enrolled under a new contract.

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



LOT LINE ADJUSTMENT AND WILLIAMSON ACT CANCELLATION APPLICATION NO. PLN2024-0041 – JIM HUGHES REVOCABLE TRUST

Attachment A

Distribution List

X	CA DEPT OF CONSERVATION Land Resources		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
	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		STAN CO ERC
	CEMETERY DISTRICT	X	STAN CO FARM BUREAU
	CENTRAL VALLEY FLOOD PROTECTION	X	STAN CO HAZARDOUS MATERIALS
	CITY OF:		STAN CO PARKS & RECREATION
	COMMUNITY SERVICES DIST:	X	STAN CO PUBLIC WORKS
X	COOPERATIVE EXTENSION	X	STAN CO PUBLIC WORKS - SURVEY
	COUNTY OF:		STAN CO RISK MANAGEMENT
X	DER GROUNDWATER RESOURCES DIVISION	X	STAN CO SHERIFF
X	FIRE PROTECTION DIST: TURLOCK RURAL	X	STAN CO SUPERVISOR DIST 2: CHIESA
X	GSA: WEST TURLOCK SUBBASIN	X	STAN COUNTY COUNSEL
	HOSPITAL DIST:		StanCOG
X	IRRIGATION DIST: TURLOCK	X	STANISLAUS FIRE PREVENTION BUREAU
X	MOSQUITO DIST: TURLOCK	X	STANISLAUS LAFCO
X	STANISLAUS COUNTY EMERGENCY MEDICAL SERVICES		STATE OF CA SWRCB DIVISION OF DRINKING WATER DIST. 10
	MUNICIPAL ADVISORY COUNCIL:		SURROUNDING LAND OWNERS
X	PACIFIC GAS & ELECTRIC		INTERESTED PARTIES
	POSTMASTER:		TELEPHONE COMPANY: AT&T
X	RAILROAD: UNION PACIFIC		TRIBAL CONTACTS (CA Government Code §65352.3)
X	SAN JOAQUIN VALLEY APCD		US ARMY CORPS OF ENGINEERS
X	SCHOOL DIST 1: CHATOM UNION		US FISH & WILDLIFE
X	SCHOOL DIST 2: TURLOCK UNIFIED		US MILITARY (SB 1462) (7 agencies)
	WORKFORCE DEVELOPMENT		USDA NRCS
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: LOT LINE ADJUSTMENT AND WILLIAMSON ACT CANCELLATION
APPLICATION NO. PLN2024-0041 – JIM HUGHES REVOCABLE TRUST

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:

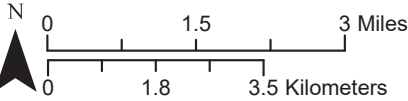
Name	Title	Date
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**JIM HUGHES
REVOCABLE
TRUST
LLA WA-CAN
PLN2024-0041**

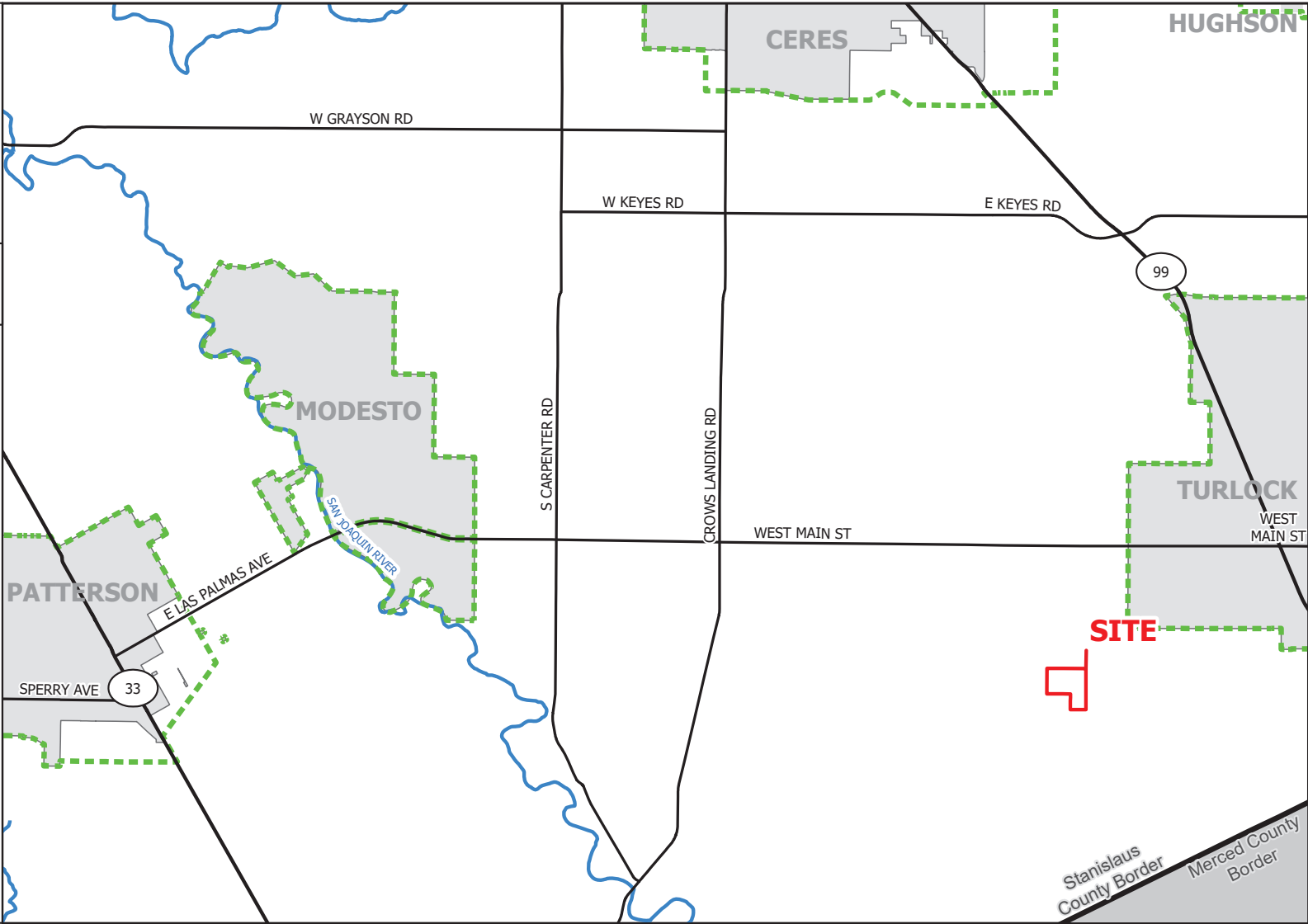
AREA MAP

LEGEND

-  Project Site
-  Sphere of Influence
-  Highway
-  Major Road
-  River







Source: Planning Department GIS Date Exported: 1/13/2025



**JIM HUGHES
REVOCABLE
TRUST
LLA WA-CAN
PLN2024-0041**

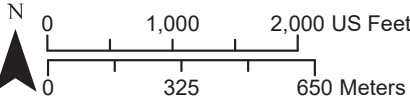
GENERAL PLAN MAP

LEGEND

-  Project Site
-  Parcel
-  Street
-  Canal

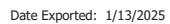
General Plan

-  Agriculture (AG)
-  City



ZONING MAP

 Planned Development (P-D)

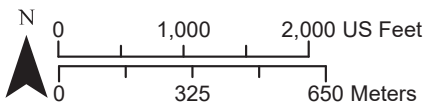


**JIM HUGHES
REVOCABLE
TRUST
LLA WA-CAN
PLN2024-0041**

2023 AERIAL AREA MAP

LEGEND

- Project Site
- Parcel
- Street
- Canal



Source: Planning Department GIS





Date Exported: 1/13/2025

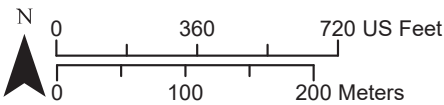


**JIM HUGHES
REVOCABLE
TRUST
LLA WA-CAN
PLN2024-0041**

2023 AERIAL SITE MAP

LEGEND

-  Project Site
-  Parcel
-  Street
-  Canal




Source: Planning Department GIS Date Exported: 1/13/2025

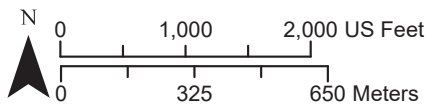


**JIM HUGHES
REVOCABLE
TRUST
LLA WA-CAN
PLN2024-0041**

ACREAGE MAP

LEGEND

-  Project Site
 Parcel
 Acres
 Street
 Canal



Source: Planning Department GIS

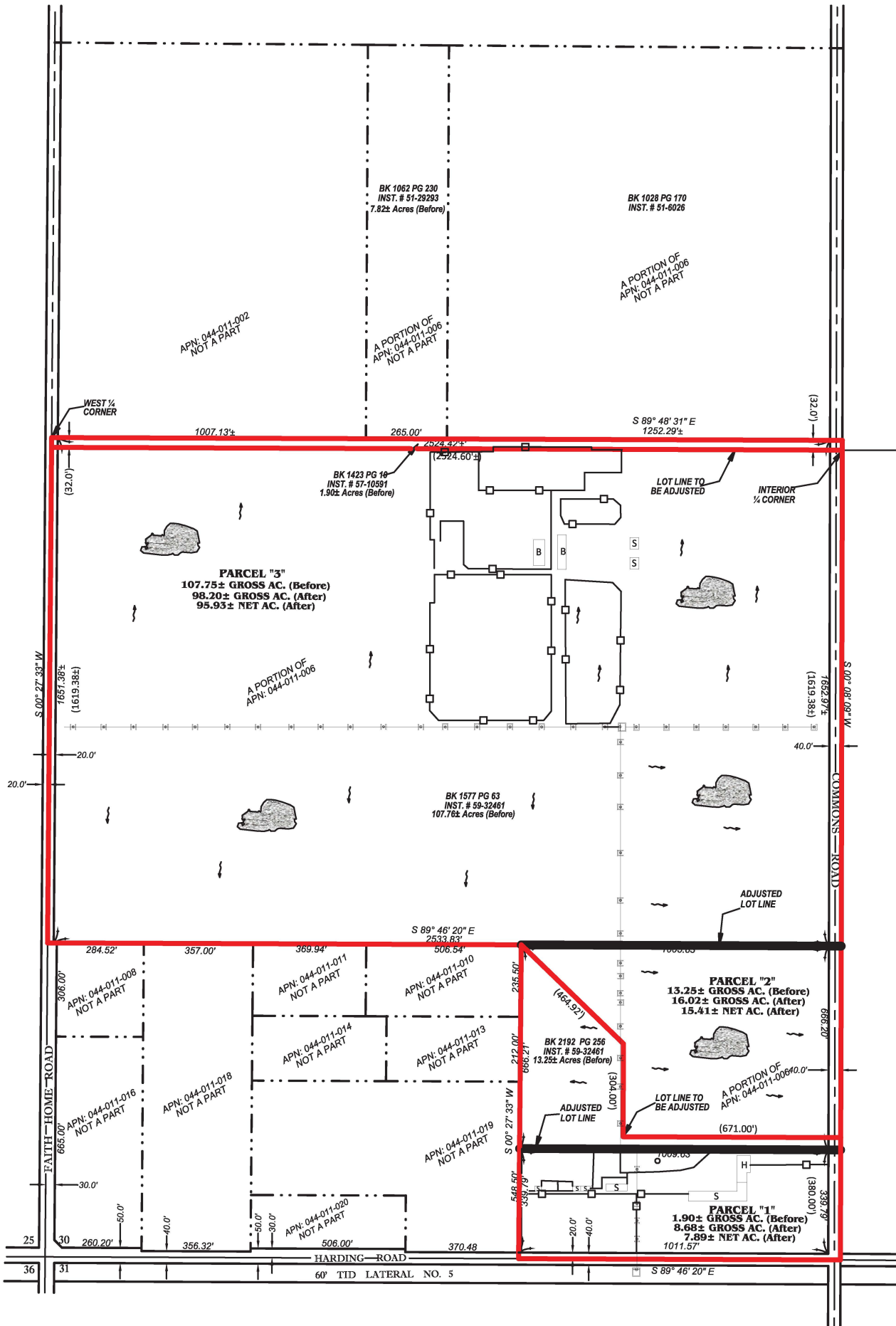
Date Exported: 1/13/2025



EXISTING PARCELS BEFORE LLA

JIM HUGHES REVOCABLE TRUST

NOT TO SCALE



PARCEL "3"
 107.75± GROSS AC. (Before)
 98.20± GROSS AC. (After)
 95.93± NET AC. (After)

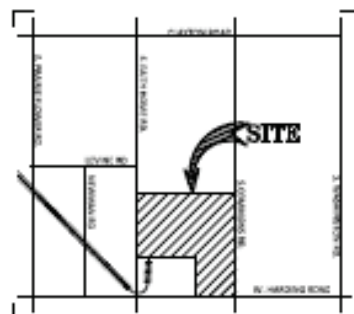
PARCEL "2"
 13.25± GROSS AC. (Before)
 16.02± GROSS AC. (After)
 15.41± NET AC. (After)

PARCEL "1"
 1.90± GROSS AC. (Before)
 8.68± GROSS AC. (After)
 7.89± NET AC. (After)

Key features and labels include:
 - Roads: FAITH-HOME ROAD, COMMONS ROAD, HARDING ROAD.
 - Bearings and Distances: S 00° 27' 33" W, S 89° 46' 20" E, etc.
 - Acreage Calculations: Gross, After, Net.
 - Boundary Adjustments: LOT LINE TO BE ADJUSTED, ADJUSTED LOT LINE.
 - Other Labels: WEST ¼ CORNER, INTERIOR ¼ CORNER, COMMONS ROAD.

SCALE: 1" = 200'

BEFORE ADJUSTMENT			AFTER ADJUSTMENT		
EXISTING ACRES	STATUS		PROPOSED ACRES	STATUS	
NET	GROSS		NET	GROSS	
21	1.85	1.90	7.54	8.68	NON-CONFORMING
22	17.22	18.55	15.41	16.00	NON-CONFORMING
23	104.96	107.75	95.93	98.26	CONFORMING



VICINITY MAP

(NOT TO SCALE)

OWNER:
JAMES H. HUGHES, TRUSTEE
JIM HUGHES REVOCABLE TRUST
2724 FAITH HOME ROAD
TUNLOCK, CA 95380
PH: (209) 644-3421

SITE ADDRESS:
3712 S. COMMONS ROAD, TUNLOCK

APN: A PORTION OF 544-311-006

PROJECT DESCRIPTION:
TO ADJUST THREE EXISTING PARCELS, CONSISTING OF 122.90 GROSS ACRES TO CONFORM WITH EXISTING CROP BOUNDARIES AND NAVIGATION PATTERNS. (SEE TABLE)

PROJECT SIZE: 122.90 GROSS ACRES

ZONING: AG 40

WILLIAMSON ACT CONTRACT NO. 1872-1393

UTILITIES & FACILITIES:

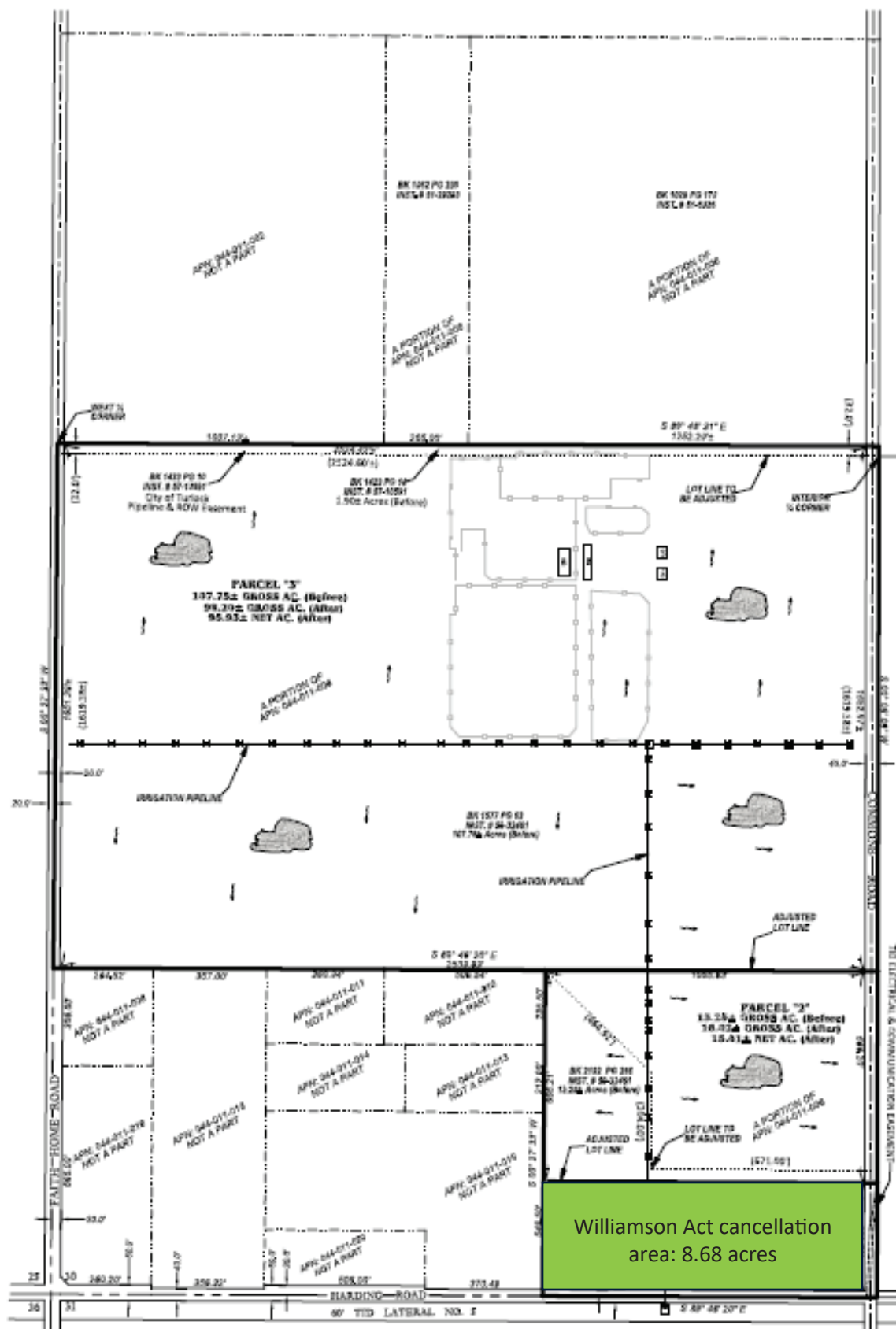
WATER - WELL
SEWER - SEPTIC
STORM DRAIN - ON SITE
ELECTRICITY - T.U.D.
GAS - PROPANE
TELEPHONE - AT&T
IRR. DISTRICT - T.U.D.

SOIL	SLOPE	%
DMUBA SANDY LOAM	0 - 1%	1.2%
DMUBA SANDY LOAM, SLIGHTLY SALINE-ALKALI	0 - 1%	43.7%
HUMAN LOAMY SAND	0 - 1%	9.0%

WATER TABLE DEPTH: 10 FEET

LEGEND:

- SUBJECT PARCEL LINE
- RIGHT-OF-WAY
- SURROUNDING PARCEL LINES
- CENTERLINE
- LOT LINE TO BE ADJUSTED
- FENCE
- (125,49) DISTANCE BEFORE ELLA
- DIRECTION OF WATER FLOW
- HOME
- STORAGE
- BARN



Williamson Act cancellation
area: 8.68 acres

SHEET
1 OF 1
03/20/24

JPH
APR 24-25

**BEYOND
BOUNDARIES**

LORRIE SILVA
LAND PLANNING CONSULTANT
1835 WESTMINSTER LANE, TUNLOCK, CA 95380
(209) 644-0280
lsilva@beyondboundaries.com

TENTATIVE LOT LINE ADJUSTMENT WITH WILLIAMSON ACT
FOR

JIM HUGHES REVOCABLE TRUST

BEING AN ADJUSTMENT OF LAND SITUATE IN A PORTION OF THE WEST 1/4 OF SECTION 30, TOWNSHIP 5 SOUTH, RANGE 10 EAST, M.D. & M., STANISLAUS COUNTY.



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 type="checkbox"/> Parcel Map |
| <input type="checkbox"/> Use Permit | <input type="checkbox"/> Exception |
| <input type="checkbox"/> Variance | <input checked="" type="checkbox"/> Williamson Act Cancellation |
| <input type="checkbox"/> Historic Site Permit | <input type="checkbox"/> Other _____ |

PLANNING STAFF USE ONLY:

Application No(s): PLN2024-0041
Date: 12/30/24
S 30 T 5 R 10
GP Designation: AG
Zoning: A-2-40
Fee: \$2068.00
Receipt No. 580522
Received By: TM
Notes: combined w/LLA

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).*

To cancel a portion of Williamson Act Contract # 73-1393. The cancellation is for 8.68± Gross Acres of land the has been historically utilized as a rural residential homesite and has NOT been in agricultural production for 75+ years.

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 044 Page 011 Parcel 006

Additional parcel numbers: _____

Project Site Address

or Physical Location:

3113 S. COMMONS ROAD, TURLOCK

Property Area:

Acres: 13.25± GROSS or Square feet: _____

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

RURAL RESIDENTIAL HOMESITE

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)

PLN2024-0041 LOT LINE ADJUSTMENT

NOTICE OF NON-RENEWAL ON A PORTION OF WILLIAMSON ACT CONTRACT 73-1393

Existing General Plan & Zoning: A-2-40

Proposed General Plan & Zoning: N/A

(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: RURAL RESIDENTIAL W/ AGRICULTURAL EQUIPMENT STORAGE; ABANDONED DAIRY FACILITY

West: "CHEMURIG AGRICULTURAL CHEMICALS" AGRICULTURAL CHEMICAL COMPANY

North: SEASON FORAGE CROPS

South: A DAIRY LAGOON AND SEASONAL FORAGE CROPS

WILLIAMSON ACT CONTRACT:

Yes ☒ No ☐

Is the property currently under a Williamson Act Contract?

Contract Number: 73-1393

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

Date Filed: _____

******SUBMITTED NON-RENEWAL TO PLANNING DEPARTMENT ON DECEMBER 6, 2024**

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) N/A

Number of floors for each building: N/A

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

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) _____

N/A

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

N/A

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: _____	TID	Sewer*: _____	SEPTIC SYSTEM
Telephone: _____	AT&T	Gas/Propane: _____	PROPANE
Water**: _____	PRIVATE WELL	Irrigation: _____	TID

***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:)

N/A

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: N/A Total Dwelling Units: N/A Total Acreage: N/A

Net Density per Acre: N/A Gross Density per Acre: N/A

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

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): N/A

Type of use(s): N/A

Days and hours of operation: N/A

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

Occupancy/capacity of building: N/A

Number of employees: (Maximum Shift): N/A (Minimum Shift): N/A

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

Other occupants: N/A

Estimated number of truck deliveries/loadings per day: N/A

Estimated hours of truck deliveries/loadings per day: N/A

Estimated percentage of traffic to be generated by trucks: N/A

Estimated number of railroad deliveries/loadings per day: N/A

Square footage of:

Office area: N/A

Warehouse area: N/A

Sales area: N/A

Storage area: N/A

Loading area: N/A

Manufacturing area: N/A

Other: (explain type of area) _____

Yes ☐ No ☒

Will the proposed use involve toxic or hazardous materials or waste? (Please explain)

N/A

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)

COMMONS ROAD, TURLOCK

- 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.

N/A

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)

FINDINGS STATEMENT
Partial Contract Cancellation
Williamson Act Contract No. 1973-1393
Jim Hughes Revocable Trust

This application requests a partial cancellation of Williamson Act Contract 1973-1393, consisting of 162.92± acres, comprised of five (5) legal parcels contained within Assessor's Parcel Number (APN) 044-011-006. This application is being submitted concurrently with a Lot Line Adjustment that includes three (3) of the five (5) said parcels: two (2) non-conforming parcels consisting of 2.0± and 13.25± gross acres and one (1) conforming parcel of 107.75± gross acres. The Lot Line Adjustment is being processed to allow the 2.0± acre parcel of land currently in production to be adjusted to isolate a specific area of land, 8.68 acres in size, currently enrolled under said Williamson Act Contract, and has been historically utilized as a homesite with amenities. This portion of the contract area has not been used for farming since 1939. The existing 13.25± gross acre parcel will be adjusted to conform to an existing crop boundary, increasing its size to 16.02± gross acres and the remaining parcel will be reduced from 107.75± gross acres to a 98.20± gross acre parcel. The portion of said contract requested for cancellation is approximately 8.68± gross acres / 7.89± net acres.

In accordance with Stanislaus County policies and California Government Code §51282, which outlines the requirements necessary for cancellation of land conservation contracts, the finding to be made are each listed below with the justification following in ***bold/italics***:

1. That the cancellation is for land on which a notice of nonrenewal has been served pursuant to §51245.

The 8.68± acre area requested for cancellation is a portion of the above-referenced existing 13.25± acre parcel. A Notice of Non-Renewal was recorded for the existing 122.9± gross acre portion (portion of APN 044-011-006) of Williamson Act Contract No. 1973-1393, on December 31, 2024 as Document No. 2024-0062782. After the cancellation of the Williamson Act Contract, the remaining 114.22± gross acres will be entered into a new Williamson Act Contract.

2. That cancellation is not likely to result in the removal of adjacent lands from agricultural use.

This project involves the cancellation of an 8.68 gross acre portion of Williamson Act Contract No. 1973-1393, leaving the remaining 154.24± acres of the contract in place and in agricultural production. The 8.68± gross acres proposed for cancellation consist of various improvements. Some improvements include but are not limited to, a fence that runs along the northern border of the homesite area, a domestic water well and septic system, several livestock corrals, and several outbuildings/storage sheds. During World War II (1939-1945), this specific area was the location of a bomb-making facility. Some of the remnants from the facility that still exist today are the large cement pad and the large "L" shaped storage building, which once served as an office, men's and women's restrooms, and a cafeteria for the employees. This area of land subject to the cancellation is and has been historically isolated from agricultural use and utilized as a rural homesite for the last 70+ years. There will be NO change in the physical boundaries between the homesite area and the land currently in agricultural production; therefore, approval of the cancellation will not result in the removal of adjacent lands for planting, harvesting, or other agricultural uses.

3. That cancellation is for an alternative use which is consistent with the applicable provisions of the city or county general plan.

The existing 13.25-acre parcel before adjustment consists of an 8.68± acre area proposed for cancellation, which encumbers existing improvements associated with a long-standing homesite and amenities, together with 4.57± gross acres of land in agricultural production that is currently farmed in conjunction with the adjacent parcel, due to size and the irregular shape. It is perceived that if the 13.25-acre parcel remains unadjusted and in its current configuration, a future owner will not have the financial ability to farm the 4.57 acres independently due to costs and is more likely to remove it from agricultural production altogether. The partial cancellation of the 8.68± gross acres and the Lot Line Adjustment will allow for the preservation of the 4.57± acres of farmlands in production by merging it with the adjacent lands that it has been historically farmed with. This will result in an adjusted 16.02± gross acre parcel that will be entered into a new Williamson Act Contract as part of a Lot Line Adjustment, Rescission Re-Entry action. The 8.68± acre area proposed to be canceled from the Williamson Act is too small to be covered under the Williamson Act Contract, as it does not meet the 10-acre size requirement. Upon approval, the adjusted 8.68± gross acre homesite area with amenities will become an independent parcel consistent with the county general plan. No other changes to the current land use are proposed.

4. That cancellation will not result in discontinuous patterns of urban development.

The cancellation will be transparent so far that the character of the property involved, specifically the area this cancellation involves, will remain as it has been for over 70+ years. No additional buildings, roads, or other types of development are proposed. Therefore, the project will not result in discontinuous patterns of urban development.

5. That there is no proximate non-contracted land which is both available and suitable for the use to which it is proposed the contracted land be put, or, that development of the contracted land would provide more contiguous patterns of urban development than development of proximate non-contracted land....

No proximate non-contracted land is available and suitable for this project request, as it involves an existing homesite parcel, and the creation of a homesite parcel in the County's General Agricultural Zoning District has been prohibited for over 20 years. The agricultural use of the subject property is consistent with both the Williamson Act program and the rules and regulations of Stanislaus County.

6. That other public concerns substantially outweigh the objectives of the Williamson Act.

The public concern of not ensuring that the 4.57 acres will be preserved for agricultural production in the future outweighs the objective of keeping the UNFARMED 8.68-acre homesite with amenities under the Williamson Act Contract, as the 8.68 acres have not been utilized for farming in well over 70 years.