



Referral Early Consultation

Date: May 23, 2025

To: Distribution List (See Attachment A)

From: Teresa McDonald, Associate Planner
Planning and Community Development

Subject: VARIANCE AND LOT LINE ADJUSTMENT APPLICATION NO. PLN2024-0072
– BYRD

Respond By: June 12, 2025

******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: Tim Byrd

Project Location: 0, 336, and 460 Denton Road, and 17300 Yosemite Blvd., between Reservoir Road and Dienstag Road, in the Waterford area.

APN: 008-005-031, 008-005-032, 008-010-060, 008-010-064, 008-010-065

Williamson Act Contract: 2022-0009

General Plan: Agriculture

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

Project Description: Request to adjust the lot lines of four parcels in the General Agriculture (A-2-40) zoning district from 75.62±, 81.70±, 41.80±, and 40.49± acres to 50.94±, 117.24±, 41.88±, and 29.55± acres, respectively. The purpose of the lot line adjustment is to separate the water retention areas and Tuolumne River from the viable agricultural areas, and to match the property lines to the river, which is currently bisecting the existing 40.49± acre parcel. A variance to Section 21.20.060(E) of the Zoning Ordinance is needed to allow a parcel to be adjusted to less than 40-acres in size.

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



VARIANCE AND LOT LINE ADJUSTMENT APPLICATION NO. NO. PLN2024-0072 – BYRD
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
X	CA DEPT OF TRANSPORTATION DIST 10	X	STAN CO CEO
X	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
X	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: STANISLAUS CONSOLIDATED	X	STAN CO SUPERVISOR DIST 1: B. CONDIT
X	GSA 1: STRGBA	X	STAN CO SUPERVISOR DIST 2: CHIESA
X	GSA 2: WEST TURLOCK SUBBASIN	X	STAN COUNTY COUNSEL
X	HOSPITAL DIST: OAK VALLEY		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
X	MUNICIPAL ADVISORY COUNCIL: HICKMAN		SURROUNDING LAND OWNERS
X	PACIFIC GAS & ELECTRIC		INTERESTED PARTIES
	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: WATERFORD UNIFIED	X	US FISH & WILDLIFE
X	SCHOOL DIST 2: HUGHSON UNIFIED		USDA NRCS
X	STAN CO AG COMMISSIONER	X	DISPOSAL AGENCY: TURLOCK SCAVENGER
		X	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: VARIANCE AND LOT LINE ADJUSTMENT APPLICATION NO. PLN2024-0072
– BYRD**

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
------	-------	------

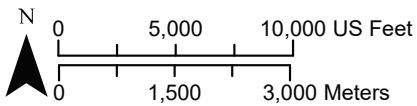
BYRD

**VAR LLA
PLN2024-0072**

AREA MAP

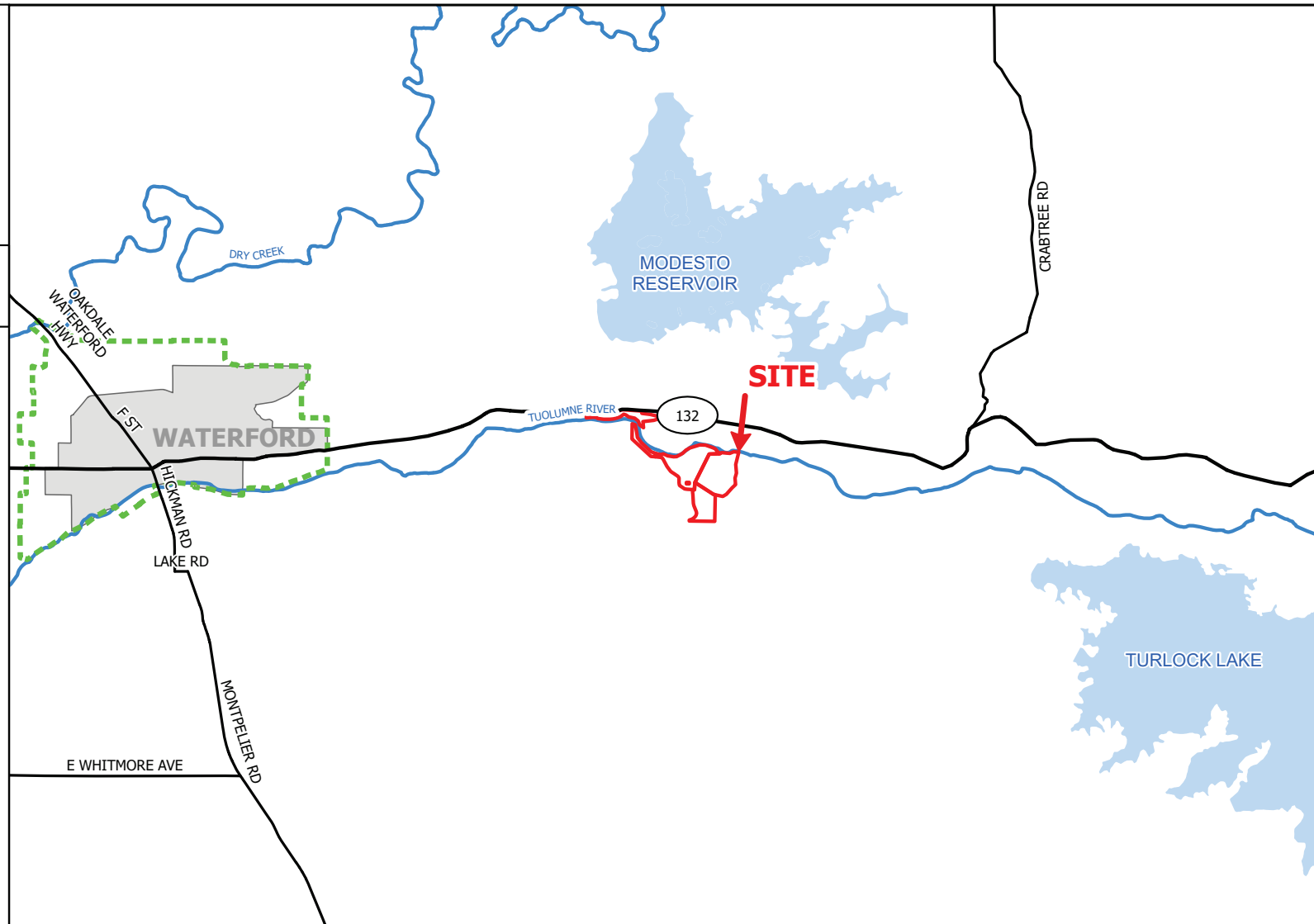
LEGEND

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



Source: Planning Department GIS

Date Exported: 5/14/2025



BYRD


**VAR LLA
PLN2024-0072**

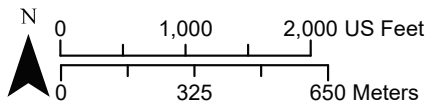
GENERAL PLAN MAP

LEGEND

-  Project Site
-  Parcel
-  Highway
-  Street
-  Canal
-  River

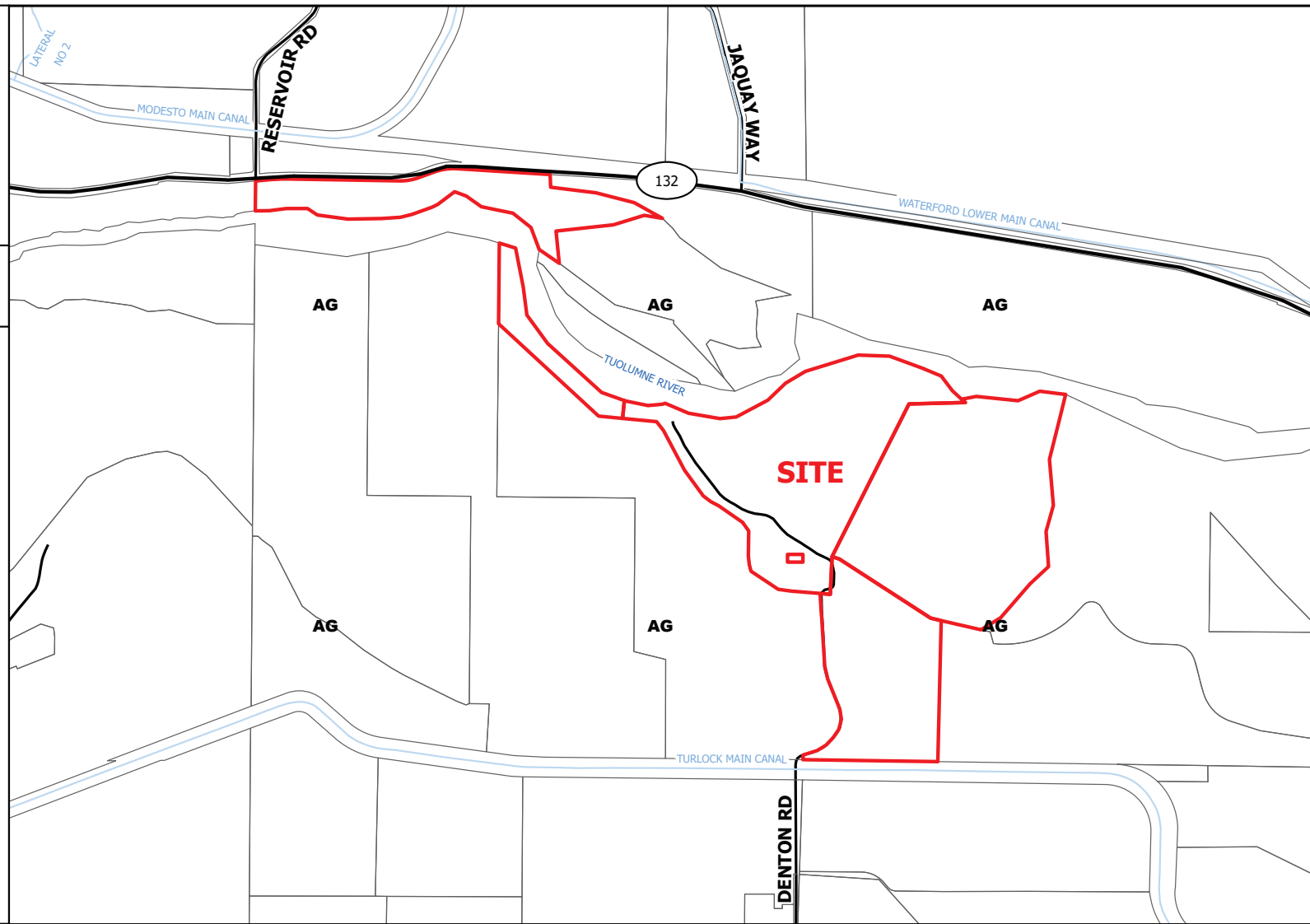
General Plan

-  Agriculture (AG)



Source: Planning Department GIS

Date Exported: 5/14/2025



BYRD

**VAR LLA
PLN2024-0072**

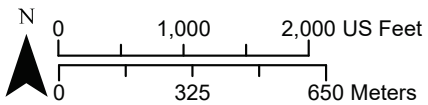
ZONING MAP

LEGEND

- Project Site
- Parcel
- Highway
- Street
- Canal
- River

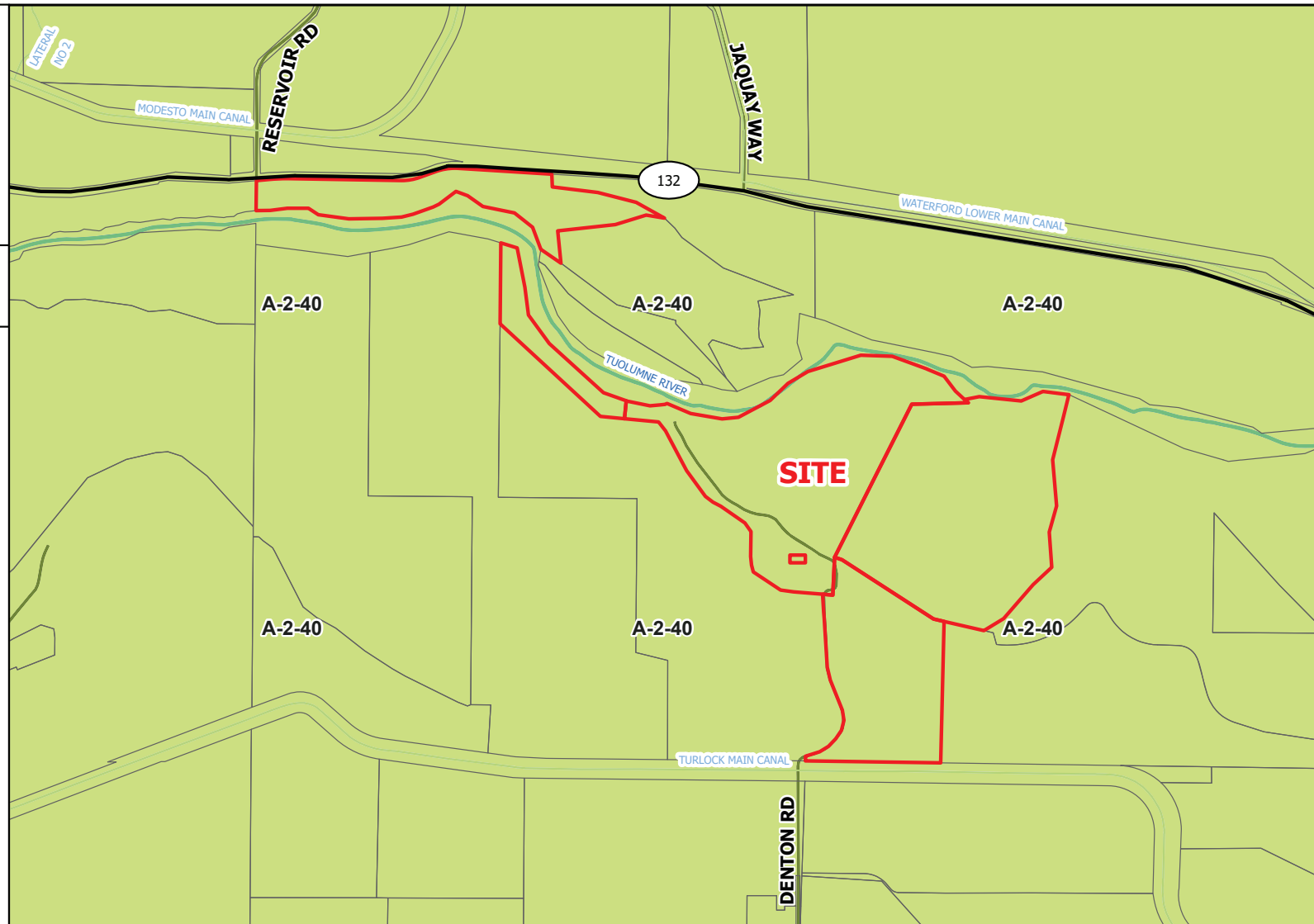
Zoning Designation

- General AG 40 Acre (A-2-40)



Source: Planning Department GIS

Date Exported: 5/14/2025



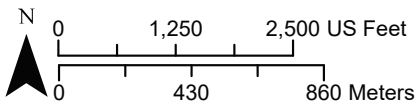
BYRD

**VAR LLA
PLN2024-0072**

2023 AERIAL AREA MAP

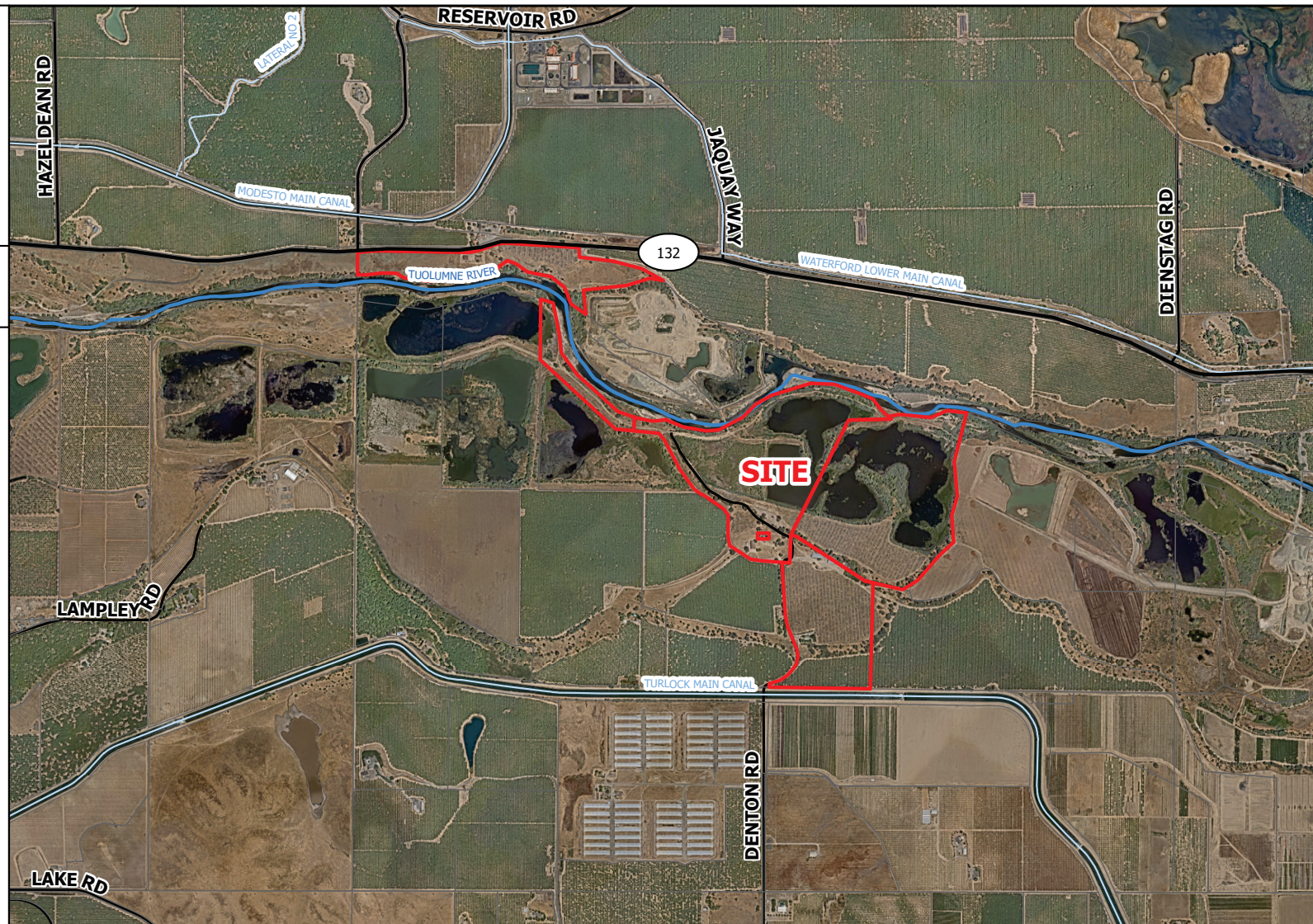
LEGEND

- Project Site
- Parcel
- Highway
- Street
- Canal
- River



Source: Planning Department GIS

Date Exported: 5/14/2025



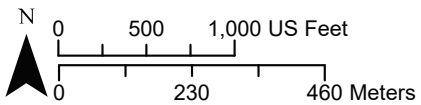
BYRD

**VAR LLA
PLN2024-0072**

2023 AERIAL SITE MAP

LEGEND

- Project Site
- Parcel
- Highway
- Street
- Canal
- River



Source: Planning Department GIS

Date Exported: 5/14/2025



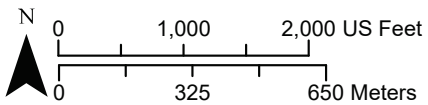
BYRD

**VAR LLA
PLN2024-0072**

ACREAGE MAP

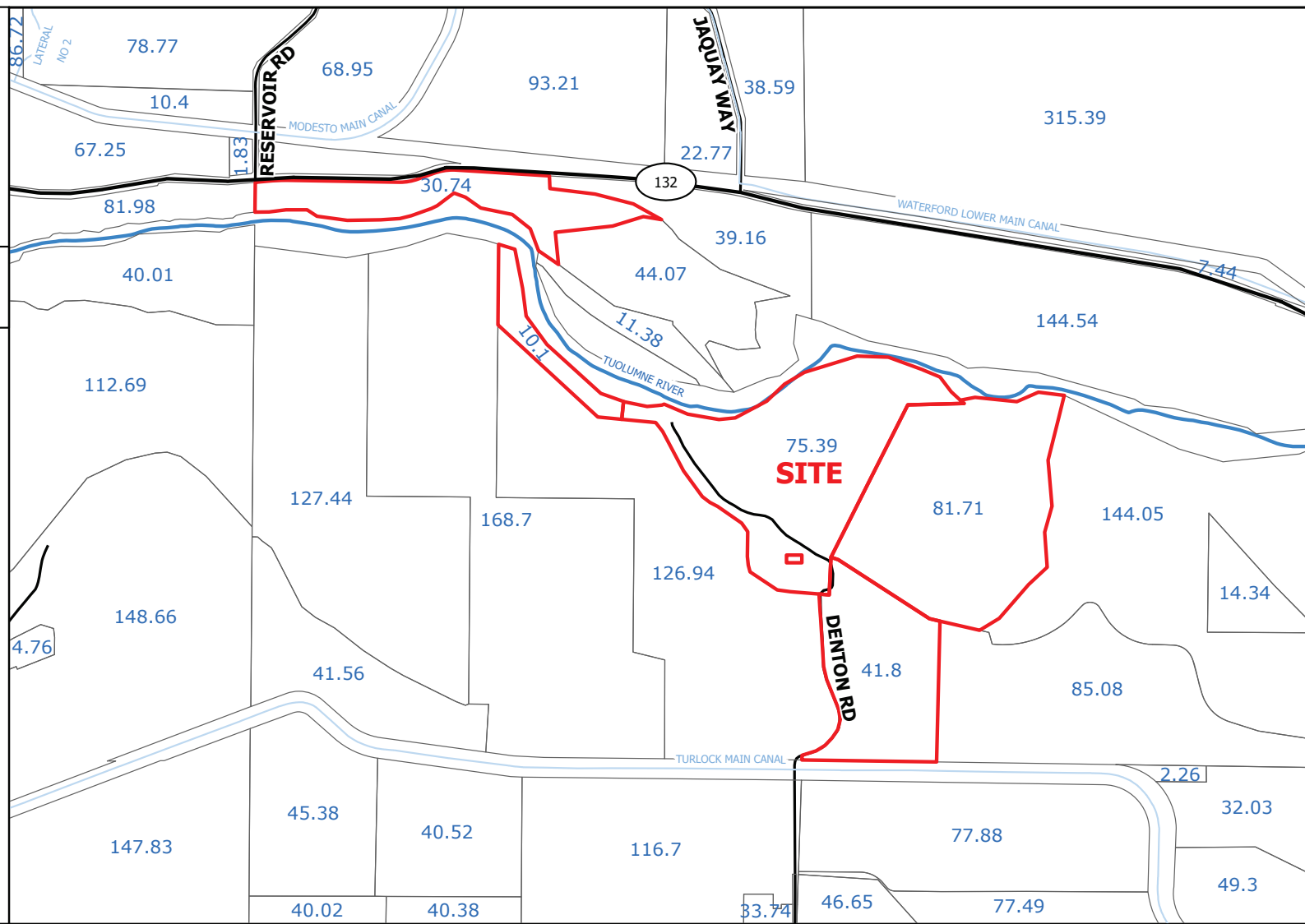
LEGEND

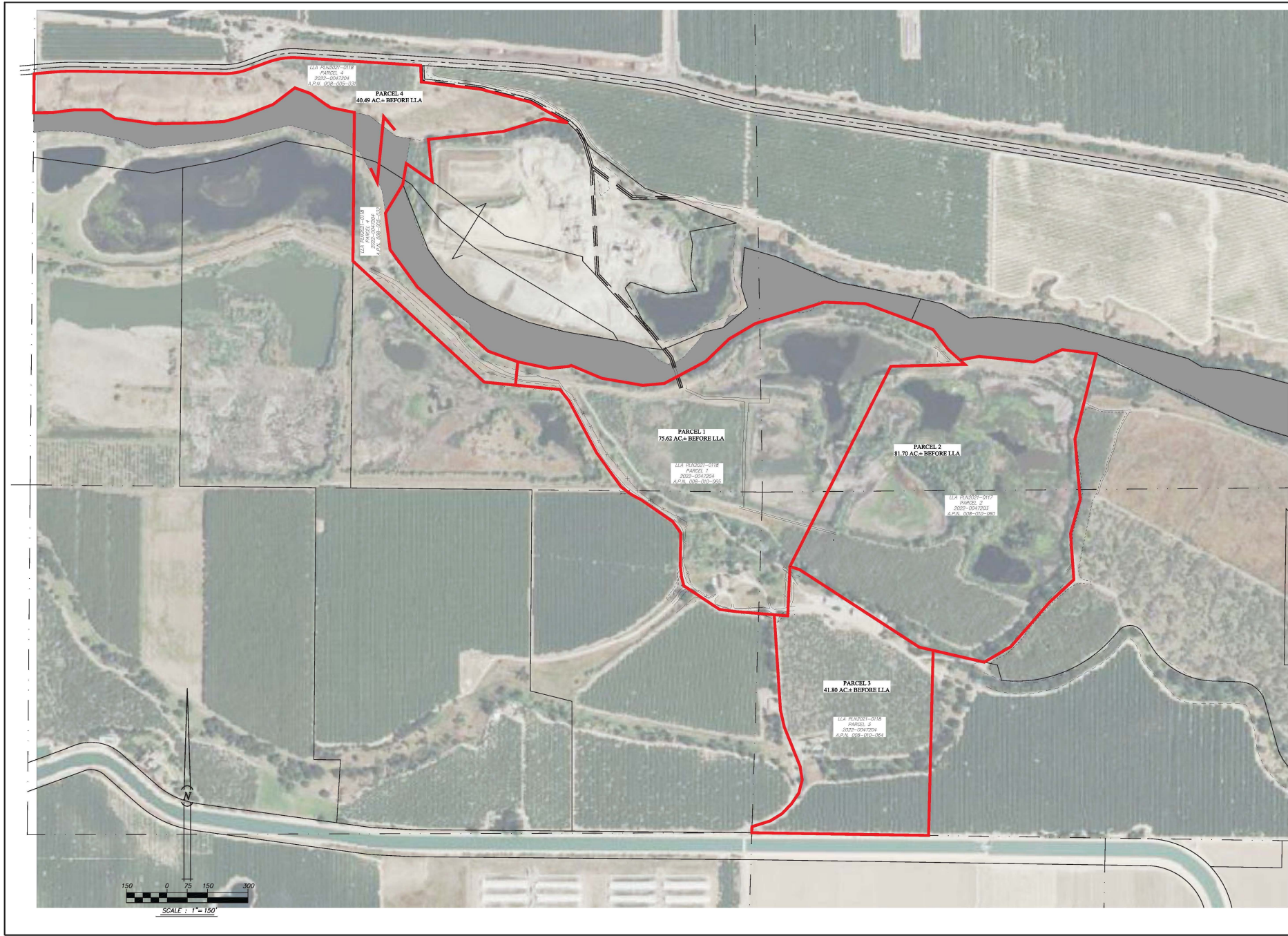
- Project Site
- Parcel
- Acres
- Highway
- Street
- Canal
- River



Source: Planning Department GIS

Date Exported: 5/14/2025





RED-BEFORE LLA EXHIBIT
TIM BYRD

A.P.N. 008-010-060, 064, & 065
STANISLAUS COUNTY, CALIFORNIA

DATE: _____

SHEET 1

OF 1

HAWKINS & ASSOCIATES
ENGINEERING, INC.
436 MITCHELL ROAD
MODESTO, CA 95354
PH: (209) 575 - 4295
FX: (209) 578 - 4295

BY: RCS
CHK: RHH
DATE: 5/21/2024

RODRICK E. HAWKINS
REGISTERED PROFESSIONAL ENGINEER
SYMBOL: _____
DESCRIPTION OF REVISION: _____

811
Call before you dig
Call before you dig

REVISION: _____

3602.00



RODRICK E. HAWKINS
REGISTERED PROFESSIONAL ENGINEER
No. 50489
EXPIRATION DATE 12/31/2024

SYMBOL
DATE
DESCRIPTION OF REVISION
APPD.

BY: RCS
CHK: RHH
DATE: 5/21/2024

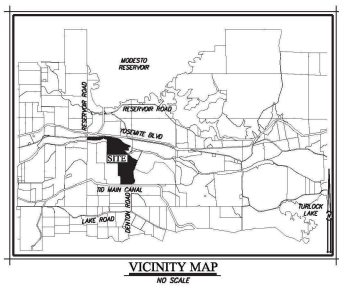
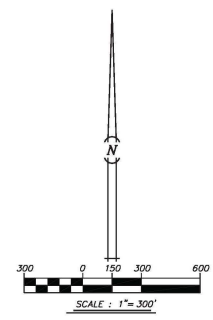
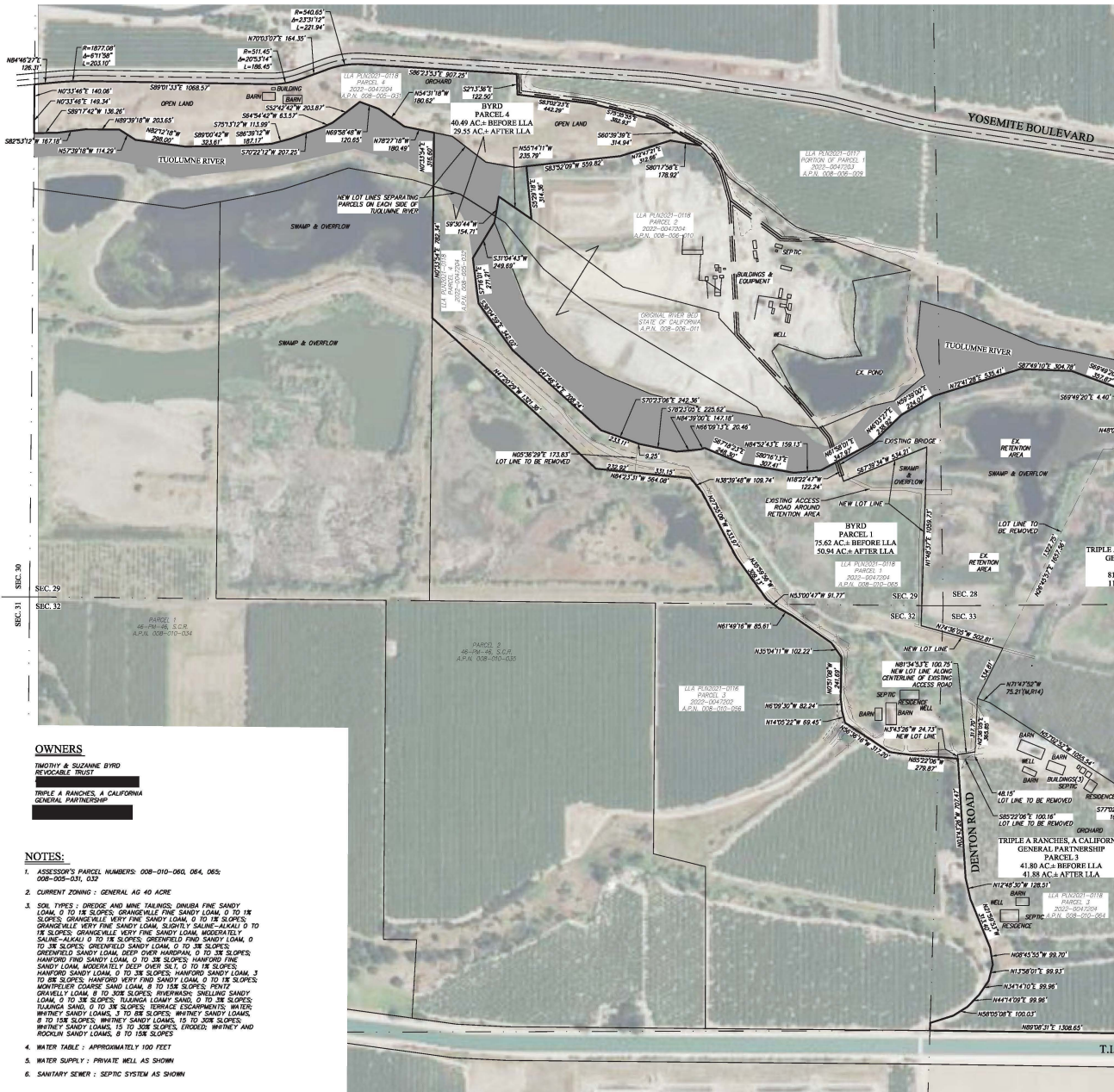
GREEN-AFTER LLA EXHIBIT
TIM BYRD

DATE:
SHEET
OF

HAWKINS & ASSOCIATES
ENGINEERING, INC.
436 MITCHELL ROAD
MODESTO, CA 95354
PH: (209) 575 - 4295
FX: (209) 578 - 4295

A.P.N. 008-010-060, 064, & 065
STANISLAUS COUNTY, CALIFORNIA

3602.00



SEC. 30
SEC. 31
SEC. 29
SEC. 32

OWNERS
TIMOTHY & SUZANNE BYRD
REVOCABLE TRUST
TRIPLE A RANCHES, A CALIFORNIA
GENERAL PARTNERSHIP

- NOTES:**
1. ADESSON'S PARCEL NUMBERS: 008-010-060, 064, 065;
008-005-031, 032
 2. CURRENT ZONING: GENERAL AG 40 ACRE
 3. SOIL TYPES: DRESDER AND MINE TAILINGS; DUNBAR FINE SANDY
LOAM, 0 TO 1% SLOPES; GRANGEVILLE FINE SANDY LOAM, 0 TO 1%
SLOPES; GRANGEVILLE VERY FINE SANDY LOAM, 0 TO 1% SLOPES;
GRANGEVILLE VERY FINE SANDY LOAM, SLIGHTLY SALINE-ALKALI, 0 TO
1% SLOPES; GRANGEVILLE VERY FINE SANDY LOAM, MODERATELY
SALINE-ALKALI, 0 TO 1% SLOPES; GREENFIELD FINE SANDY LOAM, 0
TO 1% SLOPES; GREENFIELD SANDY LOAM, DEEP OVER HANGING, 0 TO 1% SLOPES;
HANFORD FINE SANDY LOAM, 0 TO 1% SLOPES; HANFORD FINE
SANDY LOAM, MODERATELY DEEP OVER, 0 TO 1% SLOPES;
HANFORD FINE SANDY LOAM, 0 TO 1% SLOPES; HANFORD FINE SANDY LOAM, 3
TO 1% SLOPES; HANFORD VERY FINE SANDY LOAM, 0 TO 1% SLOPES;
MONTPELIER COARSE SAND LOAM, 8 TO 15% SLOPES; PONTZ
GRANGEVILLE LOAM, 0 TO 1% SLOPES; RICHMOND SHELLED SANDY
LOAM, 0 TO 1% SLOPES; TULANGA LOAMY SAND, 0 TO 1% SLOPES;
TULANGA SAND, 0 TO 1% SLOPES; TORRANCE ESCARPMENTS, WATER
WHITNEY SANDY LOAMS, 3 TO 8% SLOPES; WHITNEY SANDY LOAMS,
0 TO 1% SLOPES; WHITNEY SANDY LOAMS, 15 TO 30% SLOPES;
WHITNEY SANDY LOAMS, 15 TO 30% SLOPES; ERODER; WHITNEY AND
BROWN SANDY LOAMS, 8 TO 15% SLOPES
 4. WATER TABLE: APPROXIMATELY 100 FEET
 5. WATER SUPPLY: PRIVATE WELL AS SHOWN
 6. SANITARY SEWER: SEPTIC SYSTEM AS SHOWN

ROBERT H. HAWKINS
REGISTERED PROFESSIONAL ENGINEER
No. 50186, PLS 5889
STAMPED
SYMBOLS
DATE
DESCRIPTION OF REVISION
APPROVED

811

Call before you dig
Call before you dig

BY: RCS
CHK: RSH
DATE: 6/14/2024

DATE:
SHEET
OF
1
1

3602.00

HAWKINS & ASSOCIATES
ENGINEERING, INC.
436 MITCHELL ROAD
MODESTO, CA 95354
PH: (209) 575 - 4295
FX: (209) 578 - 4295

LOT LINE ADJUSTMENT EXHIBIT
TIM BYRD

A.P.N. 008-010-060, 064-065; 008-005-031-032
STANISLAUS COUNTY, CALIFORNIA



S	29233	T	3	R	12
ZONE	A-2-40				
RECEIVED	9/5/24 MRP				
APPLICATION NO.	2024-0072				
RECEIPT NO.					

LOT LINE ADJUSTMENT APPLICATION

1. Property Owner(s):

Parcel 1
Timothy & Suzanne Byrd
Name
Yosemite Blvd, Waterford, CA 95386
Site Address, City, Zip
3619 Shoemaker Ave., Modesto, CA 95358
Mailing Address (If different than site address)
[REDACTED]
Telephone Fax

Parcel 2 attn: Chris Angle
Triple A Ranches, a CA General Partnership
Name
Yosemite Blvd, Waterford, CA 95386
Site Address, City, Zip
6819 Hughson Ave., Hughson, CA 95326
Mailing Address (If different than site address)
[REDACTED]
Telephone Fax

Parcel 3 attn: Chris Angle
Triple A Ranches, a CA General Partnership
Name
460 Denton Road, Hickman, CA 95323
Site Address, City, Zip
6819 Hughson Ave., Hughson, CA 95326
Mailing Address (If different than site address)
[REDACTED]
Telephone Fax

Parcel 4
Timothy & Suzanne Byrd
Name
Yosemite Blvd, Waterford, CA 95386
Site Address, City, Zip
3619 Shoemaker Ave., Modesto, CA 95358
Mailing Address (If different than site address)
[REDACTED]
Telephone Fax

2. Name and address of person(s) preparing map: Hawkins & Associates Engineering, Inc., 436 Mitchell Road,
Modesto, CA 95354

3. Assessor's Parcel No. of parcels adjusted:

Parcel 1: Book 008 Page 010 No. 065
Parcel 3: Book 008 Page 010 No. 064

Parcel 2: Book 008 Page 010 No. 060
Parcel 4: Book 008 Page 005 No. 031-032

4. Size of all adjusted parcels:

Before
Parcel 1: 75.62 acres
Parcel 2: 81.70 acres
Parcel 3: 41.80 acres
Parcel 4: 40.49 acres

After
Parcel 1: 50.94 acres
Parcel 2: 117.24 acres
Parcel 3: 41.88 acres
Parcel 4: 29.55 acres

5. Why are the lot lines being changed? BE SPECIFIC To separate the water retention areas and Tuolumne
River from the viable agricultural areas; and to better fit the access to Denton Road between Parcels
1 and 3.

6. How are these parcels currently utilized? Please check appropriate uses

☐ Residential

☐ Single Family

☐ Duplex

☐ Multiple

☐ Commercial

☐ Industrial

☐ Other (Specify) _____

☒ Agriculture

☐ Row Crop – type _____

☒ Trees – type almonds

☐ Vines – type _____

☒ Range (unirrigated) _____

☐ Pasture (irrigated) _____

☐ Poultry _____

☐ Dairy _____

☒ Other (Specify) swamp & overflow lands

7. List all structures on properties: Parcel 1: residence & two barns; Parcel 2: no structures; Parcel 3: two residences, four barns, and 3 buildings; Parcel 4: two barns.

8. How have these parcels been utilized in the past, if different than current use? no difference

9. When did current owner(s) acquire the parcel(s)?

Parcel 1: 2022
Parcel 3: 2022

Parcel 2: 2022
Parcel 4: 2022

10. What are the Williamson Act Contract numbers?





Parcel 1: 1971-28026
Parcel 3: 1971-28026

Parcel 2: 1971-28026
Parcel 4: 1971-3036

11. Do the parcels irrigate? ☒ Yes ☐ No If yes, how? _____

12. Will these parcels continue to irrigate? ☒ Yes ☐ No If yes, describe any physical changes in the irrigation system. no changes

13. Signature of property owner(s)

	
Owner's Signature (Parcel 1)	Owner's Name Printed
	
Owner's Signature (Parcel 2)	Owner's Name Printed
	
Owner's Signature (Parcel 3)	Owner's Name Printed
	
Owner's Signature (Parcel 4)	Owner's Name Printed

CONTINUED ON NEXT PAGE

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD - STORM WATER PERMIT REQUIREMENTS

Storm water discharges associated with construction activity are a potentially significant source of pollutants. The most common pollutant associated with construction is sediment. Sediment and other construction related wastes can degrade water quality in creeks, rivers, lakes, and other water bodies. In 1992, the State Water Resources Control Board adopted a statewide General Permit for all storm water discharges associated with construction activity that disturbs five or more acres of land. Effective March 10, 2003, all construction sites disturbing one or more acres of land will be required to obtain permit coverage. The General Permit is intended to ensure that construction activity does not impact water quality.

You need to obtain General Permit coverage if storm water discharges from your site and either of the following apply:

- Construction activities result in one or more acres of land disturbance, including clearing, grading, excavating, staging areas, and stockpiles or;
- The project is part of a larger common plan of development or sale (e.g., subdivisions, group of lots with or without a homeowner's association, some lot line adjustments) that result in one or more acres of land disturbance.

It is the applicants responsibility to obtain any necessary permit directly from the California Regional Water Quality Control Board. The applicant(s) signature on this application form signifies an acknowledgment that this statement has been read and understood.

STATE OF CALIFORNIA HAZARDOUS WASTE AND SUBSTANCES SITES LIST (C.G.C. § 65962.5)

Pursuant to California Government Code Section 65962.5(e), before a local agency accepts as complete an application for any development project, the applicant shall consult the latest State of California Hazardous Waste and Substances Sites List on file with the Planning Department and submit a signed statement indicating whether the project is located on a site which is included on the List. The List may be obtained on the California State Department of Toxic Substances Control web site:

(<http://www.envirostor.dtsc.ca.gov/public>).

The applicant(s) signature on this application form signifies that they have consulted the latest State of California Hazardous Waste and Substances List on file with the Planning Department, and have determined that the project site ☐ is or ☒ is not included on the List.

Date of List consulted: May 22, 2024

Source of the listing: _____
(To be completed only if the site is included on the List)



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 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 2024-0072

Date: 5/15/25

S 29 & 33 T 8 R 12

GP Designation: AG

Zoning: A-2-40

Fee: \$3607 + \$2262

Receipt No. 029979

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).*

A.P.N. 008-005-031 & 032 are one single property, split by the Tuolumne River, & deprived of privileges enjoyed by other properties. This will not constitute a grant of special privilege. It is cumbersome to navigate the property due to the river.

A LLA would eliminate the lot line so that the river becomes the boundary between these two parcels. The property south of the river would be combined with A.P.N. 008-010-065 (50.94 ac.) & a separate property north of the river (29.55 ac.)

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 008 Page 005 Parcel 031

Additional parcel numbers: 008-005-032

Project Site Address
or Physical Location: Yosemite Blvd, Waterford, CA 95386 east of Reservoir Rd & west of Jaquay Way

Property Area: Acres: 40.49 or Square feet: _____

Current and Previous Land Use: (Explain existing and previous land use(s) of site for the last ten years)
current & past use is almond orchard & swamp & overflow lands.

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)

Byrd Lot Line Adjustment PLN2024-00

Existing General Plan & Zoning: Agriculture, General AG 40 acre

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: 7/11 Materials, Agriculture

West: Agriculture

North: Agriculture

South: Agriculture

WILLIAMSON ACT CONTRACT:

Yes ☒ No ☐

Is the property currently under a Williamson Act Contract?

Contract Number: 1971-3036

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

Date Filed: no notice has been 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: 9,583 Sq. Ft. Landscaped Area: 0 Sq. Ft.
Proposed Building Coverage: 0 Sq. Ft. Paved Surface Area: 0 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: _____ Sewer*: N/A
Telephone: N/A Gas/Propane: N/A
Water**: _____ Irrigation: _____

***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): 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) N/A

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)

Yosemite Blvd, Denton 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.

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)

See attached variance findings letter dated October 8, 2024.

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD - STORM WATER PERMIT REQUIREMENTS

Storm water discharges associated with construction activity are a potentially significant source of pollutants. The most common pollutant associated with construction is sediment. Sediment and other construction related wastes can degrade water quality in creeks, rivers, lakes, and other water bodies. In 1992, the State Water Resources Control Board adopted a statewide General Permit for all storm water discharges associated with construction activity that disturbs five or more acres of land. Effective March 10, 2003, all construction sites disturbing one or more acres of land will be required to obtain permit coverage. The General Permit is intended to ensure that construction activity does not impact water quality.

You need to obtain General Permit coverage if storm water discharges from your site and either of the following apply:

- Construction activities result in one or more acres of land disturbance, including clearing, grading, excavating, staging areas, and stockpiles or;
- The project is part of a larger common plan of development or sale (e.g., subdivisions, group of lots with or without a homeowner's association, some lot line adjustments) that result in one or more acres of land disturbance.

It is the applicants responsibility to obtain any necessary permit directly from the California Regional Water Quality Control Board. The applicant(s) signature on this application form signifies an acknowledgment that this statement has been read and understood.

STATE OF CALIFORNIA HAZARDOUS WASTE AND SUBSTANCES SITES LIST (C.G.C. § 65962.5)

Pursuant to California Government Code Section 65962.5(e), before a local agency accepts as complete an application for any development project, the applicant shall consult the latest State of California Hazardous Waste and Substances Sites List on file with the Planning Department and submit a signed statement indicating whether the project is located on a site which is included on the List. The List may be obtained on the California State Department of Toxic Substances Control web site (<http://www.envirostor.dtsc.ca.gov/public>).

The applicant(s) signature on this application form signifies that they have consulted the latest State of California Hazardous Waste and Substances List on file with the Planning Department, and have determined that the project site ☐ is or ☒ is not included on the List.

Date of List consulted: May 14, 2025

Source of the listing: _____
(To be completed only if the site is included on the List)

ASSESSOR'S INFORMATION WAIVER

The property owner(s) signature on this application authorizes the Stanislaus County Assessor's Office to make any information relating to the current owners assessed value and pursuant to R&T Code Sec. 408, available to the Stanislaus County Department of Planning and Community Development.



HAWKINS & ASSOCIATES ENGINEERING, INC.

Civil Engineering • Land Surveying • Land Planning

436 Mitchell Road
Modesto, California 95354

Phone 209.575.4295

Fax 209.578.4295

www.hawkins-eng.com

October 8, 2024

Department of Planning
And Community Development
Stanislaus County
1010 10th Street
Modesto, CA 95354

Re: Lot Line Adjustment PLN2024-00XX Application-Tim Byrd-Variance Findings

This project is a lot line adjustment of 4 legal lots with consist of 5 Accessor Parcel Numbers which include: 008-010-065, 008-010-060, 008-010-064, 008-005-031, and 008-005-032. The Williamson Act numbers are: 1971-28026 & 1971-3036

Assessors Parcel Numbers 008-005-031 and 008-005-032 are one single property that is separated by the Tuolumne River. There is no access across the river within this property (the nearby bridge across the river is owned by a third party). Tim Byrd would like to move the lot line so that the river becomes the boundary between his two parcels. The property south of the river would be combined with APN 008-010-065, making a 50.94 acre parcel. The north side of the river would be its own separate parcel, making a 29.55 acre parcel. Since the proposed parcel is less than the required 40-acre minimum, a variance is required, therefore, we offer the following findings to support the requested variance.

VARIANCE:

Since one of the two parcels is split by the Tuolumne River, it already is deprived of privileges enjoyed by other properties in the vicinity and under identical zone classification. There is a bridge located within the vicinity of the parcels, however, the bridge is privately owned by a third party, who could remove the bridge and usage is not guaranteed.

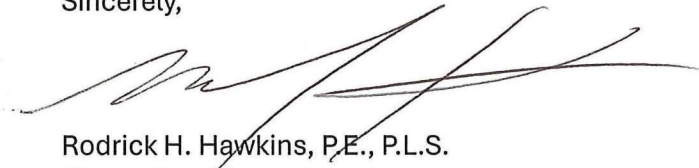
Granting of the application is necessary for the preservation and enjoyment of substantial property rights of the petitioner and will not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated. If the access over the bridge is denied, it is over eight miles to travel from the approximately 30 acres portion of the parcel on the north side of the river to the approximately 10-acre portion of that parcel located on the south side of the river. We are not aware of any other parcel similarly situated.

Granting of such 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 or injurious to property or improvements in said neighborhood. There would be no impact to the neighboring properties.

In conclusion, the purpose of this variance is to allow Assessor Parcel Numbers 008-005-031 to be on one side of the river and 008-005-032 to be on the other side of the river rather than have one parcel straddle the river. Both parcels are self-sufficient and are farmed separately, have their own irrigation systems, and have barns for storage and maintenance. The lot line adjustment would not result in the potential to develop more residential or other structures. All the current agricultural processes are in place and will remain in place after the variance is approved.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Rodrick H. Hawkins', with a stylized, sweeping flourish extending to the right.

Rodrick H. Hawkins, P.E., P.L.S.
Owner/President
Hawkins and Associates Engineering, Inc.

