



Referral Early Consultation

Date: April 24, 2025

To: Distribution List (See Attachment A)

From: Teresa McDonald, Associate Planner
Planning and Community Development

Subject: VARIANCE, PARCEL MAP, AND WILLIAMSON ACT CANCELLATION
APPLICATION NO. PLN2025-0022 – SILVA REVOCABLE TRUST

Respond By: May 14, 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: George and Barbara Ann Silva

Project Location: 20400 Armstrong Road, between Pear Avenue and E. Marshall Road, in the Crows Landing area.

APN: 048-033-012

Williamson Act Contract: 1971-364

General Plan: Agriculture

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

Project Description: Request to subdivide a 107.62± gross acre parcel into two parcels, 5.32± acres and 44.22± acres respectively, and a 58.08± acre remainder in the in the General Agriculture (A-2-40) zoning district. Concurrent with the map, the project requests to cancel a 5.32± acre portion of Williamson Act Contract No. 1971-364. A cancellation is needed to allow a parcel under 10-acres, and a variance is needed for creation of a parcel under the 40-acre minimum required. If approved, the resulting 5.32± acre parcel, physically separated from the 44.22± acre parcel and 58.08± acre remainder by Patterson Irrigation District Lateral H, will be improved with a single-family dwelling,

barn, well, and septic system. The 44.22± acre parcel and 58.08± acre remainder will remain planted in row crops and are not improved with any structures. A Williamson Act Contract Notice of Non-Renewal has been filed and recorded on 107.62± gross acre parcel. The remaining 102.3± acres not being cancelled will be re-enrolled under a new contract after the map is recorded. If approved, the two resulting parcels and remainder will all have access to County-maintained roads.

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



VARIANCE, PARCEL MAP, AND WILLIAMSON ACT CANCELLATION APPLICATION NO. PLN2025-0022 – SILVA REVOCABLE TRUST

Attachment A

Distribution List

X	CA DEPT OF CONSERVATION Land Resources	X	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
X	CA STATE LANDS COMMISSION		STAN CO ERC
X	CEMETERY DISTRICT: HILLS FERRY	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: WEST STANISLAUS	X	STAN CO SUPERVISOR DIST 5: C. CONDIT
X	GSA 1: NORTHWESTERN DELTA MENDOTA	X	STAN COUNTY COUNSEL
X	GSA 2: PATTERSON IRRIGATION DISTRICT		StanCOG
X	HOSPITAL DIST: DEL PUERTO	X	STANISLAUS FIRE PREVENTION BUREAU
X	IRRIGATION DIST: PATTERSON	X	STANISLAUS LAFCO
X	MOSQUITO DIST: TURLOCK	X	STATE OF CA SWRCB DIVISION OF DRINKING WATER DIST. 10
X	STANISLAUS COUNTY EMERGENCY MEDICAL SERVICES		SURROUNDING LAND OWNERS
	MUNICIPAL ADVISORY COUNCIL:		INTERESTED PARTIES
X	PACIFIC GAS & ELECTRIC	X	TELEPHONE COMPANY: AT&T
	POSTMASTER:		TRIBAL CONTACTS (CA Government Code §65352.3)
X	RAILROAD: SOUTHERN PACIFIC		US ARMY CORPS OF ENGINEERS
X	SAN JOAQUIN VALLEY APCD	X	US FISH & WILDLIFE
X	SCHOOL DIST 1: NEWMAN-CROWS LANDING		USDA NRCS
	WORKFORCE DEVELOPMENT	X	DISPOSAL AGENCY: BERTOLOTTI
X	STAN CO AG COMMISSIONER		

STANISLAUS COUNTY CEQA REFERRAL RESPONSE FORM

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

FROM: _____

SUBJECT: PARCEL MAP, VARIANCE, AND WILLIAMSON ACT CANCELLATION
APPLICATION NO. PLN2025-0022 – SILVA 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:

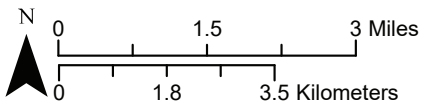
Name	Title	Date
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**SILVA
REVOCABLE
TRUST
PM, VAR, WA-CAN
PLN2025-0022**

AREA MAP

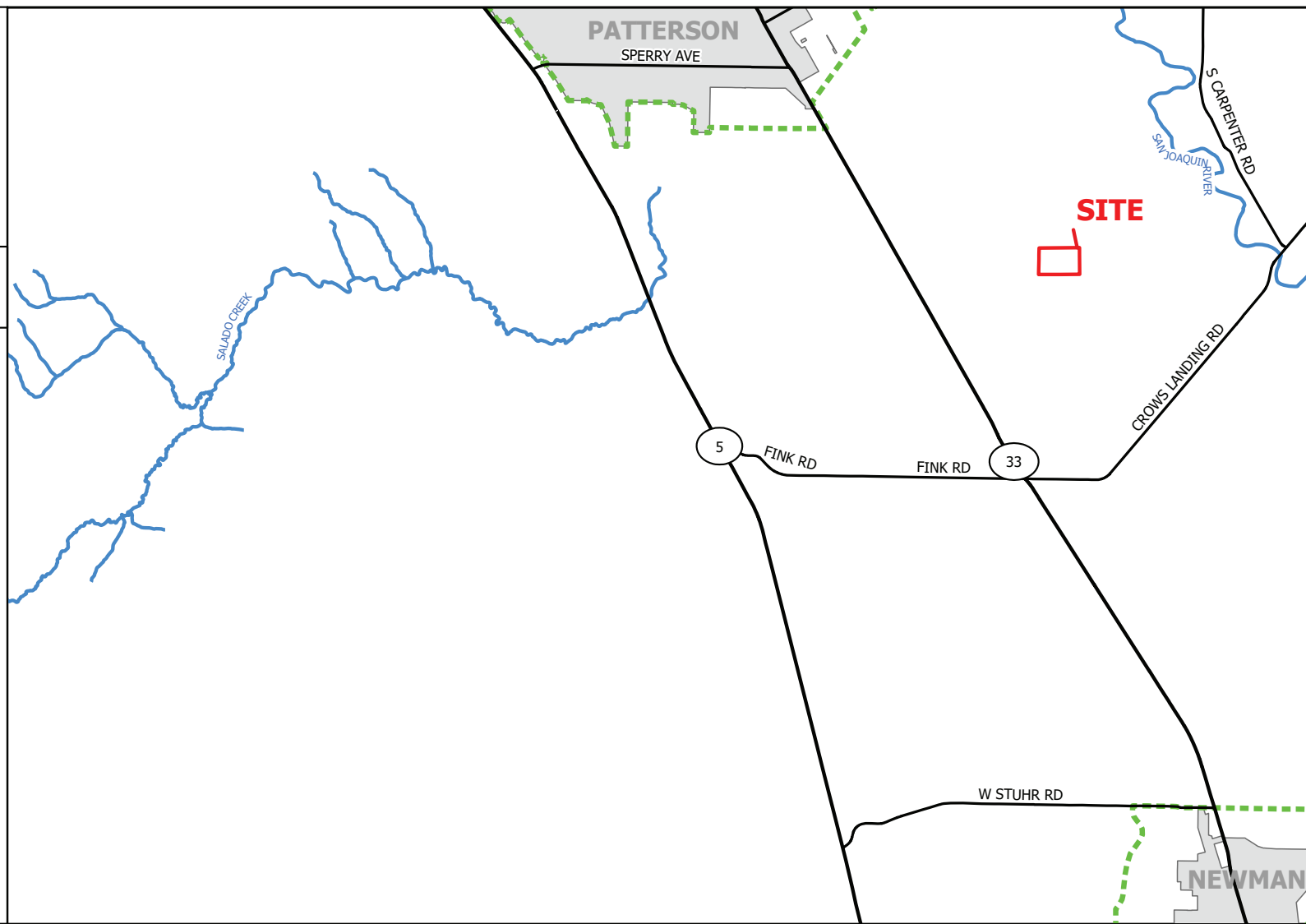
LEGEND

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



Source: Planning Department GIS

Date Exported: 3/24/2025




**SILVA
REVOCABLE
TRUST
PM, VAR, WA-CAN
PLN2025-0022**

GENERAL PLAN MAP

LEGEND


 Project Site

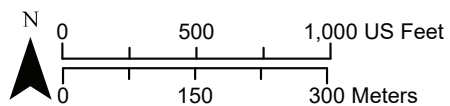
 Parcel

 Street

 Canal

General Plan

 Agriculture (AG)



Source: Planning Department GIS





Date Exported: 3/24/2025





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PM, VAR, WA-CAN
PLN2025-0022**

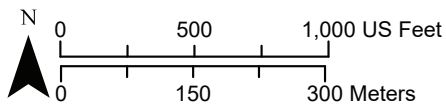
ZONING MAP

LEGEND

-  Project Site
-  Parcel
-  Street
-  Canal

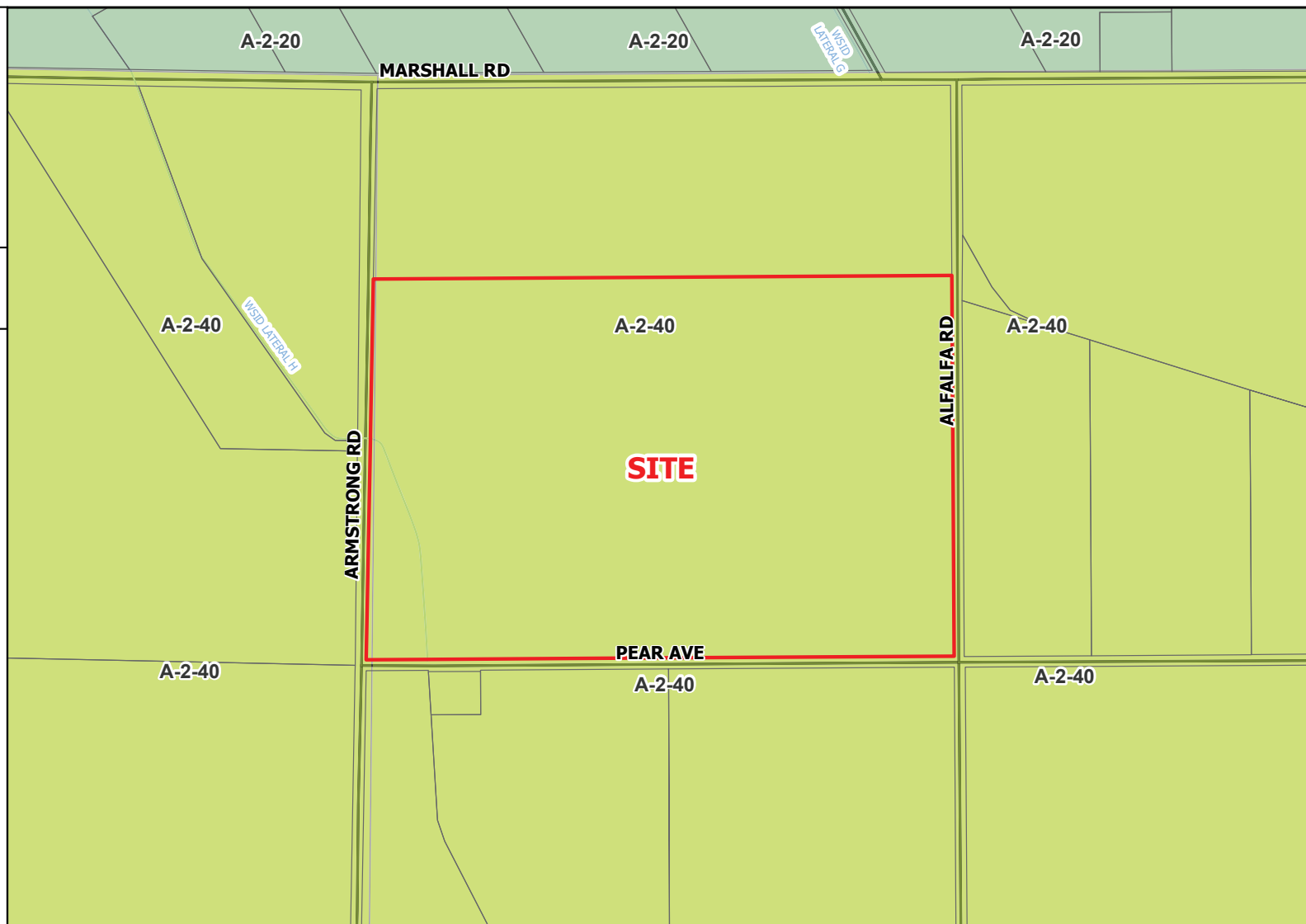
Zoning Designation

-  General AG 20 Acre (A-2-20)
-  General AG 40 Acre (A-2-40)



Source: Planning Department GIS





Date Exported: 3/24/2025

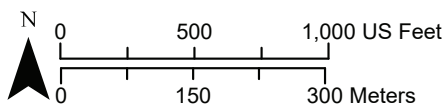


**SILVA
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TRUST
PM, VAR, WA-CAN
PLN2025-0022**

2023 AERIAL AREA MAP

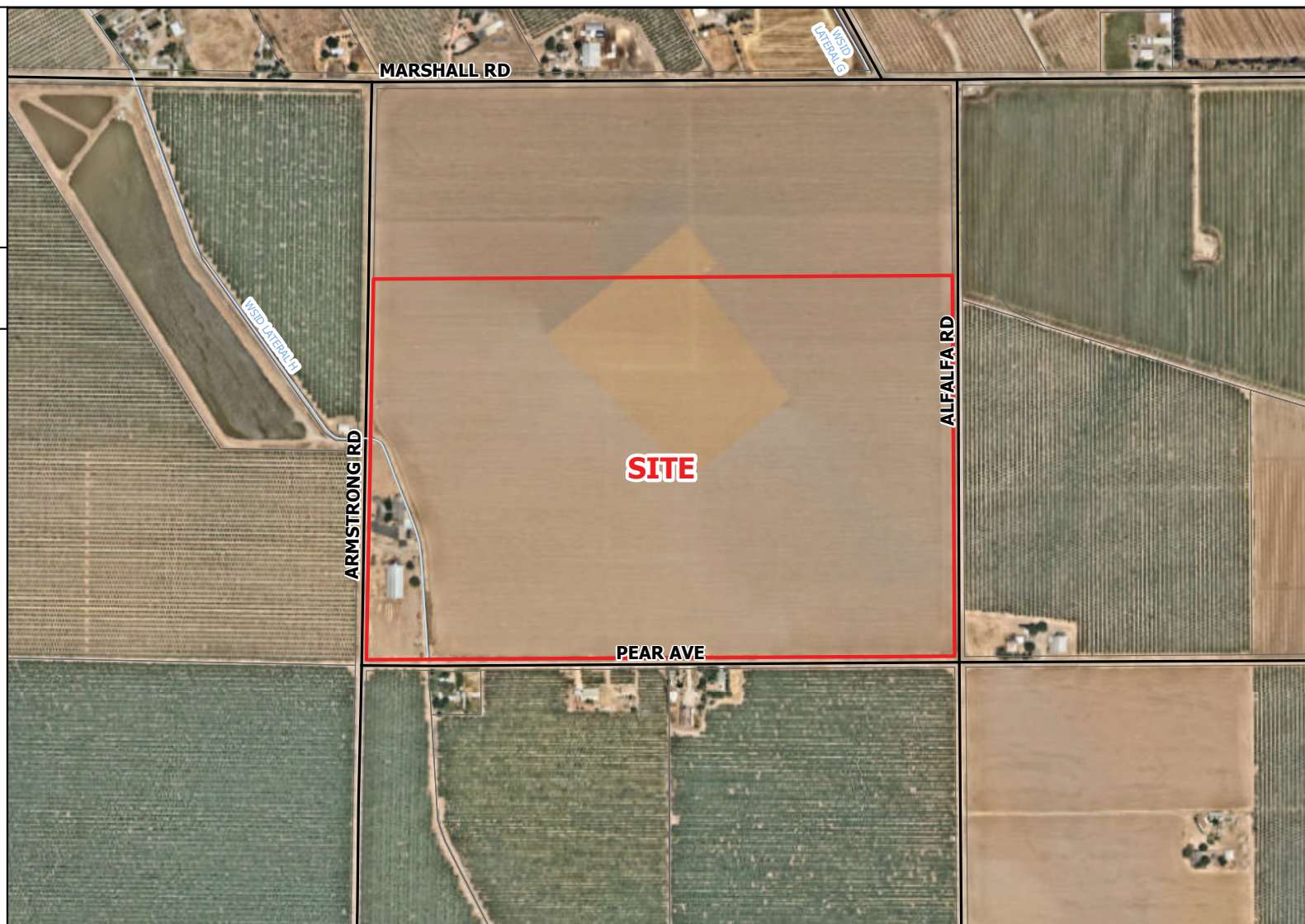
LEGEND

-  Project Site
-  Parcel
-  Street
-  Canal



Source: Planning Department GIS





Date Exported: 3/24/2025

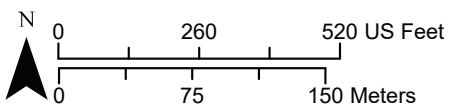


**SILVA
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PLN2025-0022**

2023 AERIAL SITE MAP

LEGEND

-  Project Site
-  Parcel
-  Street
-  Canal



Source: Planning Department GIS

Date Exported: 3/24/2025

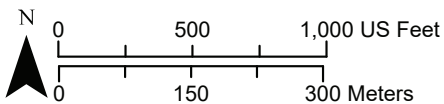


**SILVA
REVOCABLE
TRUST
PM, VAR, WA-CAN
PLN2025-0022**

ACREAGE MAP

LEGEND

-  Project Site
-  Parcel
-  Acres
-  Street
-  Canal







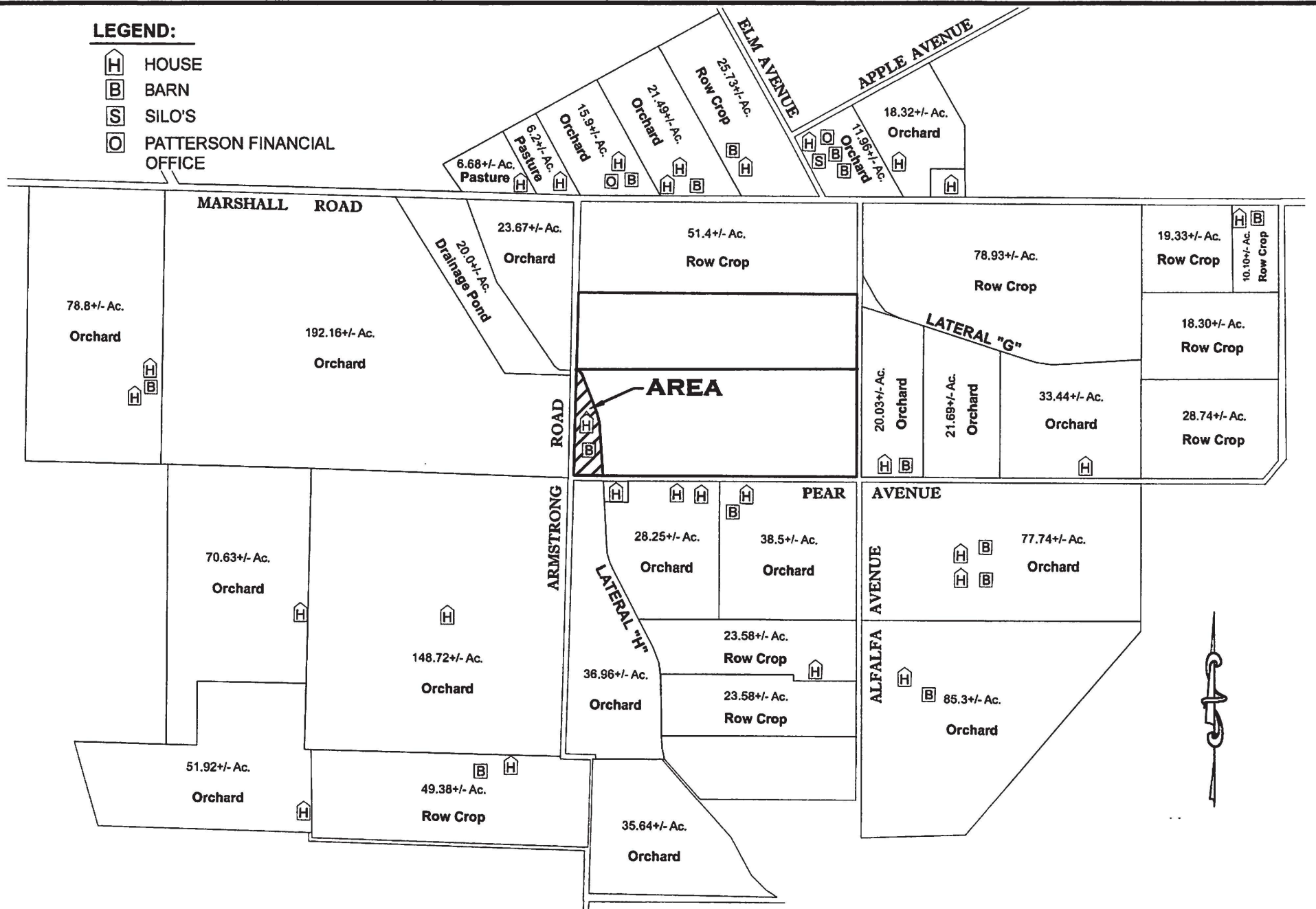
Source: Planning Department GIS

Date Exported: 3/24/2025



LEGEND:





-  HOUSE
-  BARN
-  SILO'S
-  PATTERSON FINANCIAL OFFICE

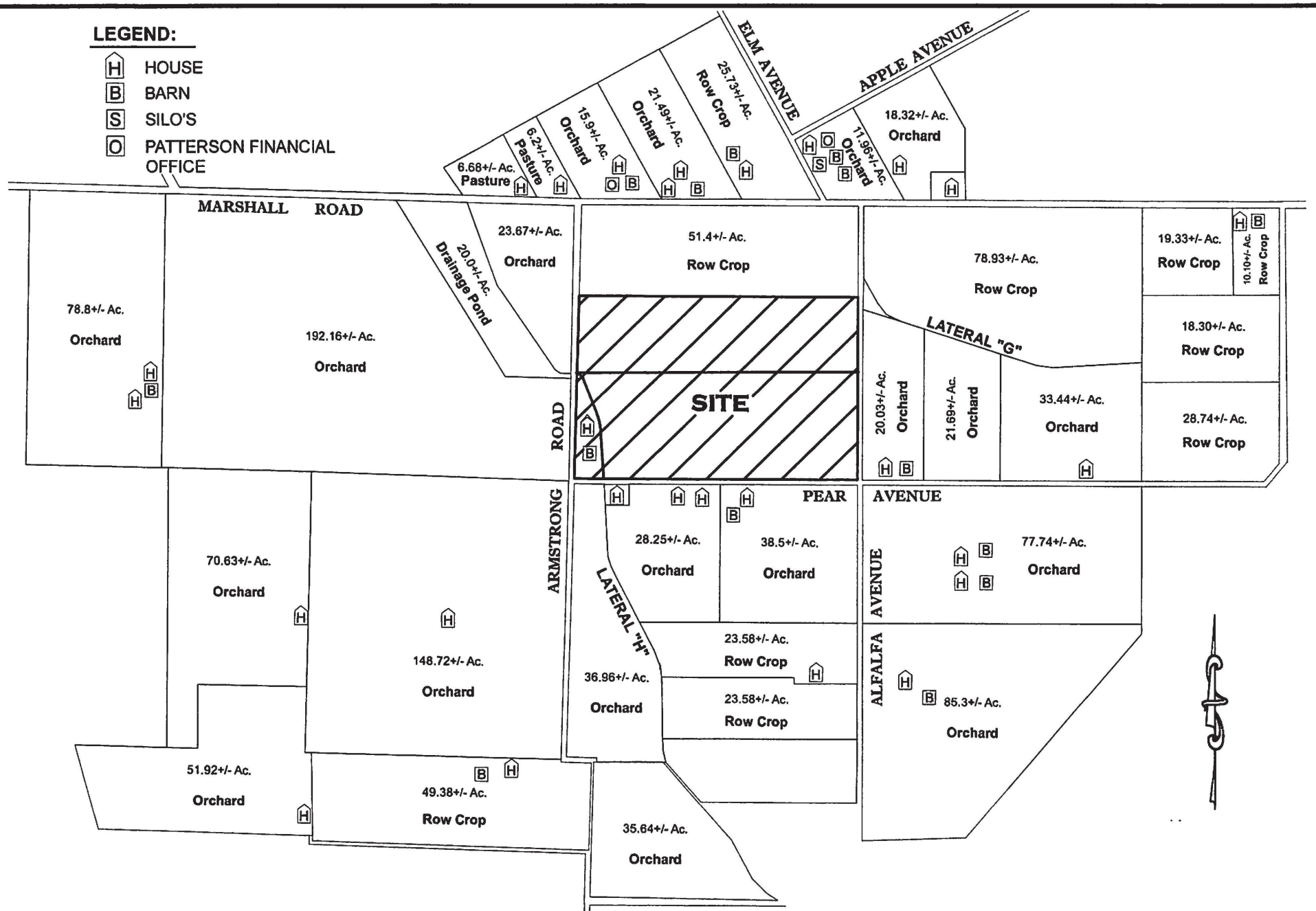


**WILLIAMSON ACT CANCELLATION
SURROUNDING USE PLAT**

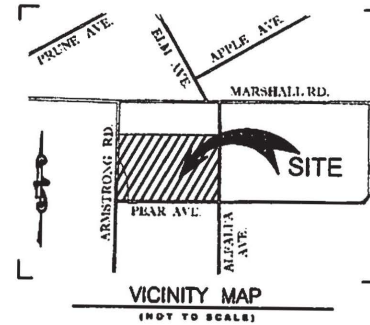
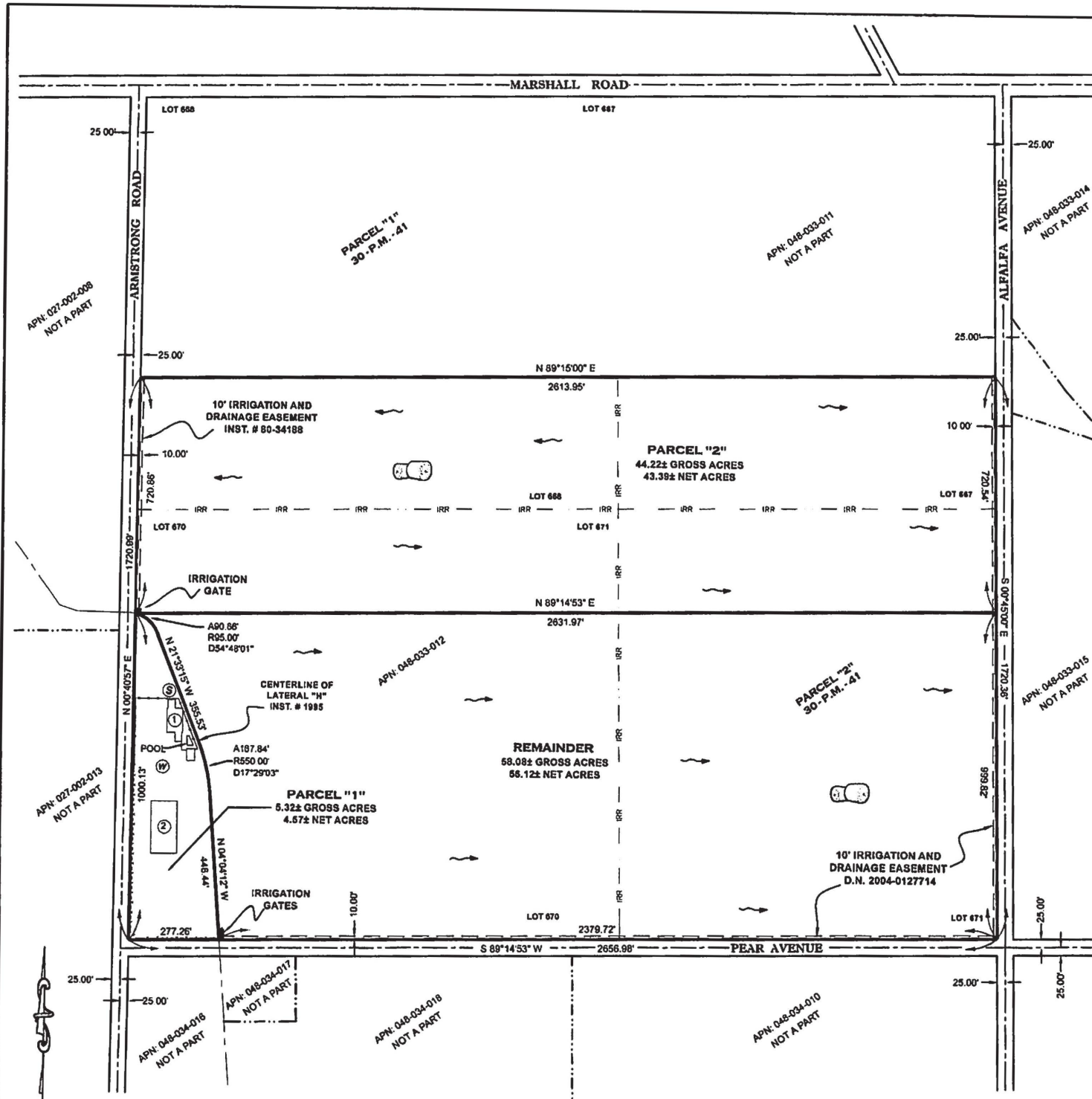
FOR
GEORGE E. AND BARBARA ANN SILVA REVOCABLE TRUST

LEGEND:

-  HOUSE
-  BARN
-  SILO'S
-  PATTERSON FINANCIAL OFFICE



**PARCEL MAP WITH VARIANCE
SURROUNDING USE PLAT
FOR
GEORGE E. AND BARBARA ANN SILVA REVOCABLE TRUST**



OWNERS:

SILVA 2004 TRUST
 GEORGE E. AND BARBARA ANN SILVA, TRUSTEES
 20400 ARMSTRONG ROAD
 CROWS LANDING, CA 95313
 PH. (209) 605-1954

PROJECT ADDRESS:

20400 ARMSTRONG ROAD
 CROWS LANDING, CA 95313

PROJECT DESCRIPTION:

TO DIVIDE AN EXISTING 107.62±/- GROSS ACRE PARCEL INTO THREE PARCELS. PARCEL ONE (1) 5.32±/- GROSS ACRE PARCEL, PARCEL TWO (2) 44.22±/- GROSS ACRE PARCEL AND A 58.08±/- GROSS ACRE REMAINDER PARCEL.

PROJECT SIZE: 107.62± GROSS ACRES

A.P.N.: 048-033-012

ZONING: GENERAL AG 40 ACRES

WA CONTRACT NO.: 71-384

WATER TABLE DEPTH: 12 FEET

SOIL:	SLOPE:	% OF AREA:
CAPAY CLAY, WET	0 - 0%	99.8%
VERNALIS CLAY LOAM WET	0 - 2%	00.2%

UTILITIES AND FACILITIES:

WATER -	WELL
SEWER -	SEPTIC
ELECTRICITY -	PG&E
GAS -	PG&E
TELEPHONE -	AT&T
IRR. DISTRICT -	CCID

LEGEND:

	SUBJECT PARCEL LINE
	RIGHT-OF-WAY
	SURROUNDING PARCEL LINES
	CENTERLINE
	WOOD FENCE LINE
	METAL FENCE LINE
	IRRIGATION DITCH
	HOUSE
	BARN
	SEPTIC
	WELL
	HAY BALE

VESTING TENTATIVE PARCEL MAP WITH VARIANCE
 FOR
 GEORGE SILVA AND BARBARA ANN SILVA REVOCABLE TRUST

ALL THAT PORTION OF PARCEL "2", AS SHOWN ON THAT CERTAIN PARCEL MAP, FILED IN VOL. 30 OF PARCEL MAPS, PG. 41, STANISLAUS COUNTY RECORDS, Lying in a PORTION OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 6 SOUTH, RANGE 8 EAST, MOUNT Diablo MERIDIAN, STANISLAUS COUNTY

LORRIE SILVA
 LAND PLANNING CONSULTANT
 1625 WESTMINSTER LANE, TURLOCK, CA 95322
 (209) 404-0350
 info@lorriesilva.com

BEYOND BOUNDARIES

JOB NO: 25-01

SHEET
 1 OF 1

3/13/2025

SCALE: 1" = 200'

**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 checked="" 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): PLN 2015 0022Date: 3/19/2015S 10 T 6 R 8GP Designation: AGZoning: A-2-40Fee: 7657.00Receipt No. 581614Received By: ALNotes: DM, VAR, WA-CAN

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 107.62± GROSS ACRE PARCEL INTO ONE (1) 44.22± GROSS ACRE

PARCEL; ONE (1) 5.32± GROSS ACRE PARCEL AND A REMAINDER PARCEL OF 58.08± GROSS ACRES WITHIN

THE GENERAL (A-2-40) ZONING DISTRICT. A VARIANCE IS BEING REQUESTED FOR THE PROPOSED 5.32±

GROSS ACRE PARCEL THAT DOES NOT MEET THE 40-ACRE MINIMUM SIZE REQUIREMENT.

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 048 Page 033 Parcel 012

Additional parcel numbers: _____

**Project Site Address
or Physical Location:**

20400 ARMSTRONG ROAD

CROWS LANDING, CA 95313

Property Area: Acres: 107.62± GROSS or Square feet: _____

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

SEASONAL FORAGE / ROW CROP WITH ONE (1) RESIDENTIAL DWELLING AND ONE (1) BARN

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)

PARCEL "2" of 30-PM-41 recorded MARCH 19, 1980 (Stanislaus County File No 5799)

LOTS 669-671 & portion's of 667 & 668 of 5-M-23 recorded JAN. 9, 1911 PATTERSON COLONY SUBTRACT NO. TWO

Existing General Plan & Zoning: GENERAL AGRICULTURAL (A-2-40) ZONING DISTRICT

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: ORCHARDS

West: ORCHARDS

North: SEASONAL FORAGE / ROW CROP; ORCHARD; SEVERAL HOMESITES

South: ORCHARDS; HOMESITES

WILLIAMSON ACT CONTRACT:

Yes ☒ No ☐

Is the property currently under a Williamson Act Contract?

Contract Number: 71-364

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

Date Filed: Submitted with application for 5.32± gross acres

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) _____

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: _____ PG&E	Sewer*: _____ SEPTIC SYSTEM
Telephone: _____ AT&T	Gas/Propane: _____ TANK ONSITE
Water**: _____ PRIVATE WELL	Irrigation: _____ PATTERSON IRRIGATION DISTRICT

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

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

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

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: _____ Total Dwelling Units: _____ Total Acreage: _____

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

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

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

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

Type of use(s): _____

Days and hours of operation: _____

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

Occupancy/capacity of building: _____

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

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

Other occupants: _____

Estimated number of truck deliveries/loadings per day: _____

Estimated hours of truck deliveries/loadings per day: _____

Estimated percentage of traffic to be generated by trucks: _____

Estimated number of railroad deliveries/loadings per day: _____

Square footage of:

Office area: _____

Warehouse area: _____

Sales area: _____

Storage area: _____

Loading area: _____

Manufacturing area: _____

Other: (explain type of area) _____

Yes ☐ No ☐

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

ROAD AND ACCESS INFORMATION:

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

ARMSTRONG ROAD

PEAR AVENUE

ALFALFA AVENUE

- 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)

The 5.32± gross acre parcel is below the 40-Acre minimum requirement per the Zoning Ordinance. This specific 5.32± gross acres was historically described as all of "LOT 669" of the "PATTERSON COLONY SUBTRACT NO. 2". It is bounded to the West by Armstrong Road, bounded to the south by Pear Avenue and bounded to the north and the east by Patterson Irrigation District Lateral "H". In addition to the proposed gross acre parcel being isolated by a physical barrier, it's also elevated 4 feet higher than the adjacent lands and lacks the ability irrigate, resulting in exceptional circumstances that warrant relief from the standard zoning requirement.

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: MARCH 13, 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.

FINDINGS STATEMENT
Partial Contract Cancellation
Williamson Act Contract No. 1971-364
George Silva and Barbara Ann Silva Revocable Trust

This application requests a partial cancellation of Williamson Act Contract 1971-364, consisting of a portion of APN 048-033-012, comprised of 107.62± gross acres. A Parcel Map with Variance Application is being processed to allow the creation of the following parcels within the General Agricultural A-2-40 Zoning District:

- "Proposed Parcel 1" = 5.32± gross acre parcel, for which the variance and this cancellation are requested;
- "Proposed Parcel 2" = 44.22± gross acre parcel; and a
- "Remainder Parcel" = consisting of 58.08± gross acres.

The portion of said contract requested for cancellation is approximately 5.32± gross acres / 4.57± net acres. The Variance request is based on the unique physical constraints of the 5.32± gross acres. Due to these constraints, the proposed parcel falls short of the 40-acre minimum size requirement. The 5.32± gross acres are isolated by an existing canal, a natural barrier that prevents it from being combined with additional acreage to achieve the minimum size standards. This, along with parcel's irregular shape, topography, and inability to irrigate, limits its usability, a condition not generally affecting other properties in the zoning district. This portion of the contract requested for cancellation has been historically utilized as a homesite with amenities for 100+ years. This portion of the contract has never been used for agricultural productivity, as it lacks the ability to irrigate.

In accordance with Stanislaus County policies and California Government Code §51282, which outlines the requirements necessary for cancellation of land conservation contracts, the findings 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 5.32± gross acre area requested for cancellation is a portion of the above-referenced existing 107.62± acre parcel. A Notice of Non-Renewal was recorded for a 5.32± gross acre portion (a portion of APN 048-033-012) of Williamson Act Contract No. 71-364, on _____ as Document No. _____. After the cancellation of the 5.23± gross acre portion of the Williamson Act Contract, the remaining 102.30± gross acres will remain under contract.

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

This project involves the canceling a 5.32± gross acre portion of Williamson Act Contract No. 1971-364, leaving the remaining 102.30± acres of the contract in place and in agricultural production. The 5.32± gross acres proposed for cancellation consist of various improvements. Some improvements include, but are not limited to, a fence that runs along the southern and western boundary of the homesite area, a domestic water well and septic system, a large barn, and a built pool with pool house. 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 100+ 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 107.62 gross acre parcel before division consists of the 5.32± gross acre area proposed for cancellation, which encumbers existing improvements associated with a long-standing homesite and amenities, together with 102.30± gross acres of land currently in agricultural production. The 5.32± gross acre area is too small to be covered under the Williamson Act Contract, as it does not meet the 10-acre minimum size requirement. Upon approval, the 5.32± 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 100+ 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 parcel in question is physically isolated from adjacent agricultural lands by a canal, which restricts access and impedes practical agricultural operations. Additionally, the land is situated at a higher elevation than surrounding properties, further complicating its use for productive farming. Most critically, the parcel lacks the ability to irrigate due to its isolation and elevation, rendering it incapable of supporting commercially viable agricultural production. These conditions demonstrate that the land is no longer suitable for the agricultural purposes intended under the Williamson Act contract. Cancellation of the contract is consistent with the purposes of the California Land Conservation Act of 1965, as it would allow for alternative use of the land that better reflects its current physical limitations and serves that public interest by addressing the practical realities of its isolation and inability to sustain irrigation-dependent agriculture.

FINDINGS STATEMENT FOR VARIANCE
PARCEL MAP W/ VARIANCE
GEORGE SILVA AND BARBARA ANN SILVA REVOCABLE TRUST

The subject parcel, identified as APN 048-033-012, consists of 107.62± gross acres. The project is proposing a subdivision of said parcel into one (1) 44.22± gross acre parcel, one (1) 5.32± gross acre parcel and a remainder parcel of 58.08± gross acres within the General Agricultural (A-2-40) Zoning District.

The variance request is based on the unique physical constraints of the parcel. "Proposed Parcel 1" with 5.32± gross acres, falls short of the 40-Acre minimum size requirement due to these constraints. The property is isolated by an existing canal, a natural barrier that prevents it from being combined with additional acreage to achieve the minimum size standards. This, along with the parcels irregular shape and topography, limits its usability, a condition not generally affecting other properties in the zoning district.

Approval of this variance is essential due to the unique, physical, and situational constraints affecting "Proposed Parcel 1" as outlined below, which render strict compliance with the minimum parcel size standard impractical and inequitable.

JUSTIFICATION FOR VARIANCE REQUEST:

1. **PHYSICAL ISOLATION BY CANAL:** "Proposed Parcel 1" is physically separated from adjacent properties by an existing canal, which creates a natural barrier. This isolation prevents the practical consolidation of the parcel with neighboring land to achieve the minimum size requirement. The pre-existing canal, effectively limits the parcel's configuration and precludes reasonable alternatives for meeting the dimensional standard without undue hardship.
2. **HIGHER ELEVATION:** "Proposed Parcel 1" is situated at a higher elevation relative to surrounding properties and the canal, further distinguishing it from adjacent lands. This topographic condition contributes to its isolation and imposes unique development constraints not typically encountered by parcels conforming to the minimum size requirement. Due to its elevated topography, the parcel lacks access to irrigation water, as the canal system servicing the region is located at a lower elevation and cannot feasibly deliver water to the site.
3. **LACK OF IRRIGATION ACCESS:** "Proposed Parcel 1" is elevated above the canal and surrounding irrigation infrastructure. The parcel has no feasible access to irrigation water. This limitation significantly restricts its agricultural viability, a primary intent of the A-2-40 zoning district. The absence of irrigation access, combined with the substandard size, renders the parcel economically and functionally unviable under strict adherence to the minimum size requirement.
4. **HARDSHIP AND PRACTICAL DIFFICULTY:** Strict application of the minimum parcel size requirement would impose an undue hardship on the property owner by effectively prohibiting reasonable use of the land. The parcel's size, isolation, elevation, and lack of irrigation access are pre-existing conditions beyond the owner's control, constituting exceptional circumstances that justify relief from the

standard. Granting this variance would allow for a non-irrigated land use consistent with the general intent of the zoning district, providing a practical solution while avoiding unnecessary deprivation of property rights.

5. **NO ADVERSE IMPACT:** The requested variance will not adversely affect the public health, safety, or welfare, nor will it substantially impair the purpose of the zoning ordinance. The parcel's isolation by the canal ensures that its substandard size will not disrupt the character or development pattern of the surrounding area. Furthermore, the lack of irrigation access limits the intensity of use, mitigating potential impacts on neighboring properties or resources.



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, Mono, San Joaquin, Stanislaus & Tuolumne Counties

Date: 3/17/2025

Records Search File #: 13274N

Project: Parcel Map Split, 20400 Armstrong
Road, Crows Landing CA 95313

Lorrie Silva
Beyond Boundaries
1825 Westminster Lane
Turlock, CA 95382
209-404-0350

lsilva.bb@gmail.com

We have conducted a non-confidential extended records search as per your request for the above-referenced project area located on the Crows Landing 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 Resources Directory (ARD)
Survey of Surveys (1989)
Caltrans State and Local Bridges Inventory
General Land Office Plats
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 within the project area.
- There is a segment of one recorded linear historical structure, Lateral H of the Patterson Lift Irrigation System (P-50-002179) in the southwest portion of the project area. This resource has been preliminarily evaluated as not considered eligible for the National Register of Historic Places or the California Register of Historical Resources (Baloian 2014, Building, Structure Object Record, P-50-002179).

- The General Land Office survey plats for T6S R8E (dated 1860 and 1862) reference the NW ¼ of Section 11 as located within the “Rancho de la Puerta” land grant.
- The 1906 edition of the Official Map of the County of Stanislaus, California shows the project area within the Rancho del Puerto land grant, with “Patterson” shown as the landowner.
- The 1916 edition of the Crows Landing USGS map reference Lateral H and the street alignments of Armstrong and Marshall Roads, and Alfalfa and Pear Avenues. There is one building shown in the SW portion of the NW ¼ of Section 11, T6S R8E, that would be 109 years in age (or older), considered as a possible historical resource. We have no further information on file regarding this feature.
- The 1952 edition of the Crows Landing USGS quadrangle shows the building referenced above as well as another structure immediately south that would be 73 years in age (or older). We have no further information on file regarding this possible historical resource.

Prehistoric or historic resources within the immediate vicinity of the project area: None other than the extension of Lateral H of the Patterson Lift Irrigation System referenced above.

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

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

Recommendations/Comments:

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

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

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 **Access Agreement Short Form**.

Note: Billing will be transmitted separately via email from the Financial Services office

(\$150.00), payable within 60 days of receipt of the invoice.

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

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

Sincerely,

E. A. Greathouse

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

* Invoice Request sent to: ARBilling@csustan.edu, CSU Stanislaus Financial Services