



Referral Early Consultation

Date: September 29, 2022

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. PLN2020-0059 – FOSTER

Respond By: October 14, 2022

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: Jeff Foster

Project Location: 6248 Carver Road, between Ladd Road and St. Francis Avenue, in the Modesto area.

APN: 004-066-018 and 004-066-043

Williamson Act Contract: 1974-1663

General Plan: Agriculture

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

Project Description: Request to adjust the lines of two parcels from .34± and 12.28± acres to 1± and 11.62± acres respectively, and cancel a .66± acre portion of Williamson Act Contract No. 1974-1663 in the General Agriculture (A-2-40) zoning district. The purpose of the lot line adjustment is to increase the size of the .34± acre parcel to meet the 1 acre minimum required for parcels served by private well and septic, and to correct for a physical improvement which is found to encroach upon a property line. The .34± acre parcel is improved with a single-family dwelling and garage. The 12.28± acre parcel is planted in row crops and is improved with a barn and accessory structures. The existing .34± acres and the proposed 1± acres are non-conforming with Williamson Act's

minimum parcel size. A Williamson Act Contract Non-Renewal has been filed and recorded on the 12.28± acre portion of Contract No. 1974-1663. The remaining acreage (11.62± acres) of Williamson Act Contract 1974-1663 will remain under contract if the cancellation and lot line adjustment are approved.

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



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

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

LOT LINE ADJUSTMENT AND WILLIAMSON ACT CANCELLATION APPLICATION NO. PLN2020-0059 – FOSTER

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	X	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		STAN CO RISK MANAGEMENT
X	COUNTY OF: SAN JOAQUIN	X	STAN CO SHERIFF
X	DER GROUNDWATER RESOURCES DIVISION	X	STAN CO SUPERVISOR DIST 4: GREWAL
X	FIRE PROTECTION DIST: SALIDA	X	STAN COUNTY COUNSEL
X	GSA: STRGBA		StanCOG
	HOSPITAL DIST:	X	STANISLAUS FIRE PREVENTION BUREAU
X	IRRIGATION DIST: MODESTO	X	STANISLAUS LAFCO
X	MOSQUITO DIST: EASTSIDE		STATE OF CA SWRCB DIVISION OF DRINKING WATER DIST. 10
X	MOUNTAIN VALLEY EMERGENCY MEDICAL SERVICES		SURROUNDING LAND OWNERS
	MUNICIPAL ADVISORY COUNCIL:		INTERESTED PARTIES
X	PACIFIC GAS & ELECTRIC	X	PRA & NON PROJECT SPECIFIC NOTIFICATION REQUEST
	POSTMASTER:		TELEPHONE COMPANY: AT&T
	RAILROAD:		TRIBAL CONTACTS (CA Government Code §65352.3)
X	SAN JOAQUIN VALLEY APCD	X	US ARMY CORPS OF ENGINEERS
X	SCHOOL DIST 1: STANISLAUS UNION		US FISH & WILDLIFE
X	SCHOOL DIST 2: MODESTO CITY SCHOOLS		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. PLN2020-0059 – FOSTER

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).

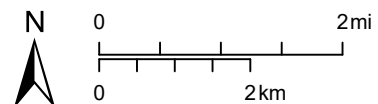
Response prepared by:

Name	Title	Date
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WA-CAN LLA
PLN2020-0059

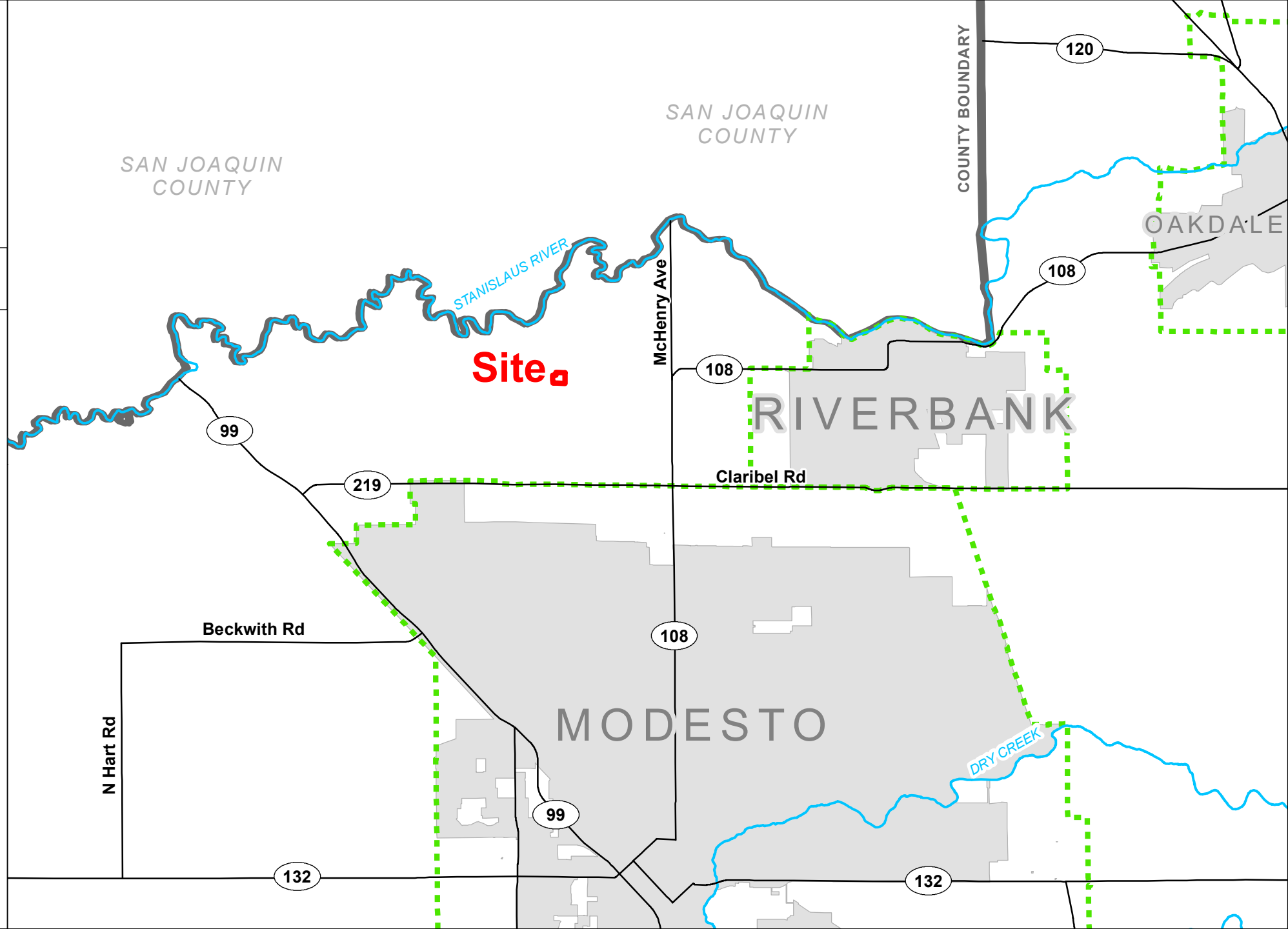
LEGEND

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



Source: Planning Department GIS

Date: 6/20/2022






FOSTER



WA-CAN LLA
PLN2020-0059

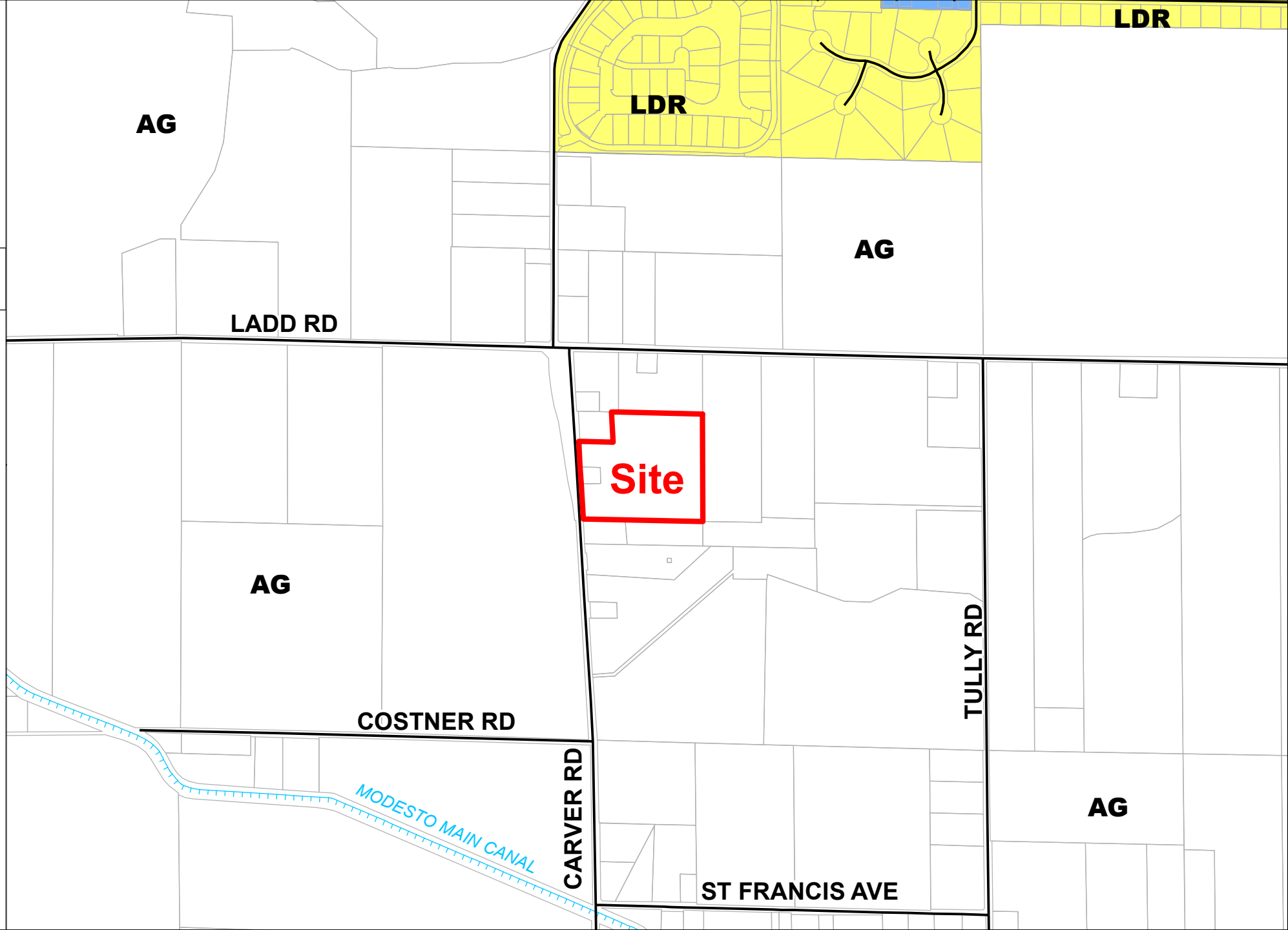
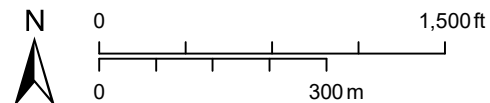
GENERAL PLAN MAP

LEGEND

-  Project Site
-  Parcel
-  Road
-  Canal

General Plan

-  Agriculture
-  Low Density Residential







FOSTER




WA-CAN LLA
PLN2020-0059

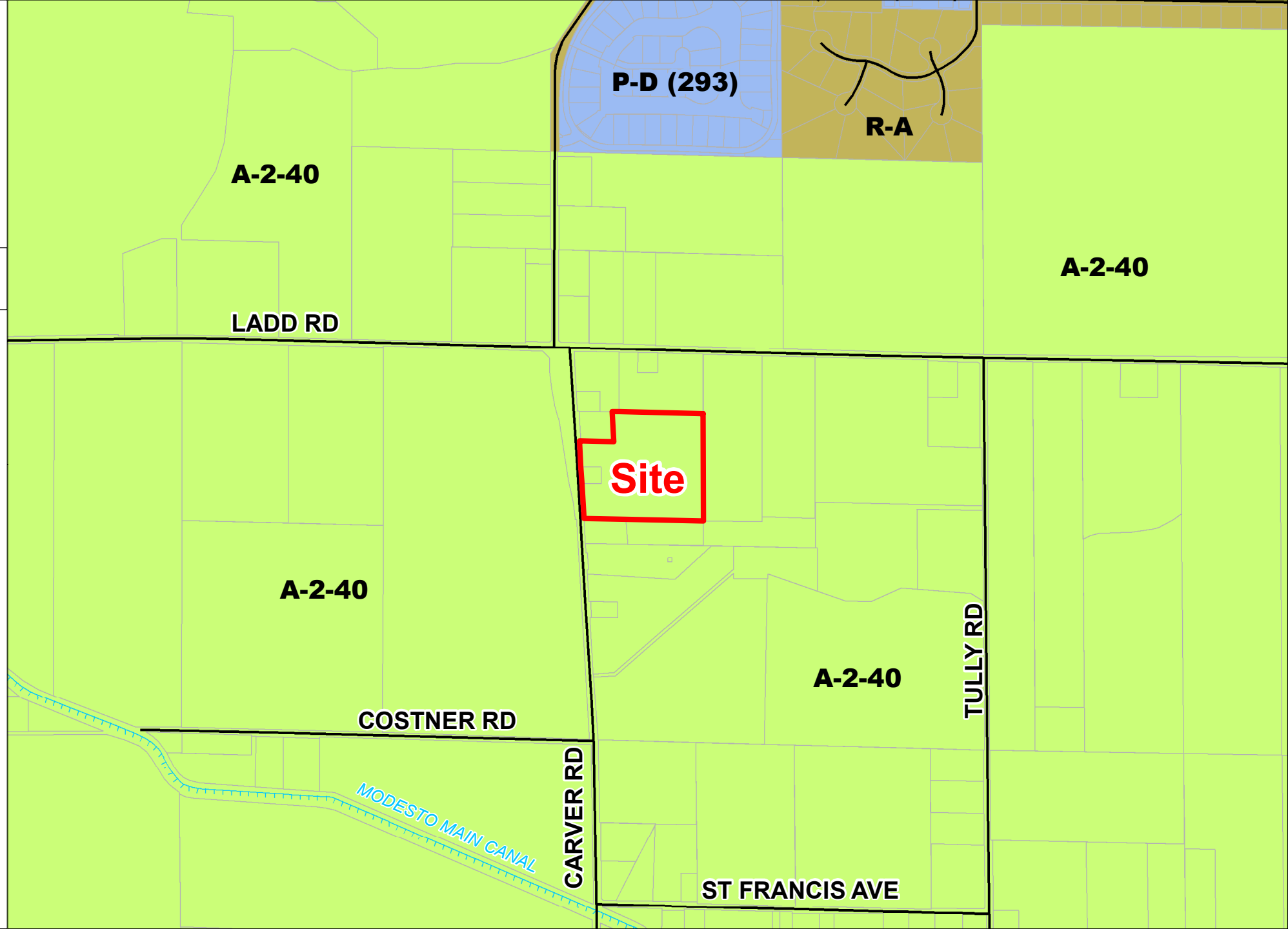
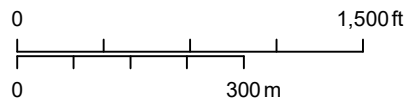
ZONING MAP

LEGEND

-  Project Site
-  Parcel
-  Road
-  Canal

Zoning Designation

-  General Agriculture 40 Acre
-  Planned Development
-  Rural Residential






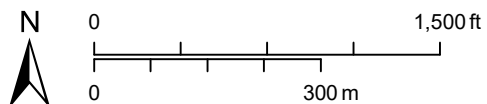
FOSTER

WA-CAN LLA
PLN2020-0059

2022 AERIAL AREA MAP

LEGEND

-  Project Site
-  Road
-  Canal



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WA-CAN LLA
PLN2020-0059

2022 AERIAL SITE MAP

LEGEND



Project Site



Road

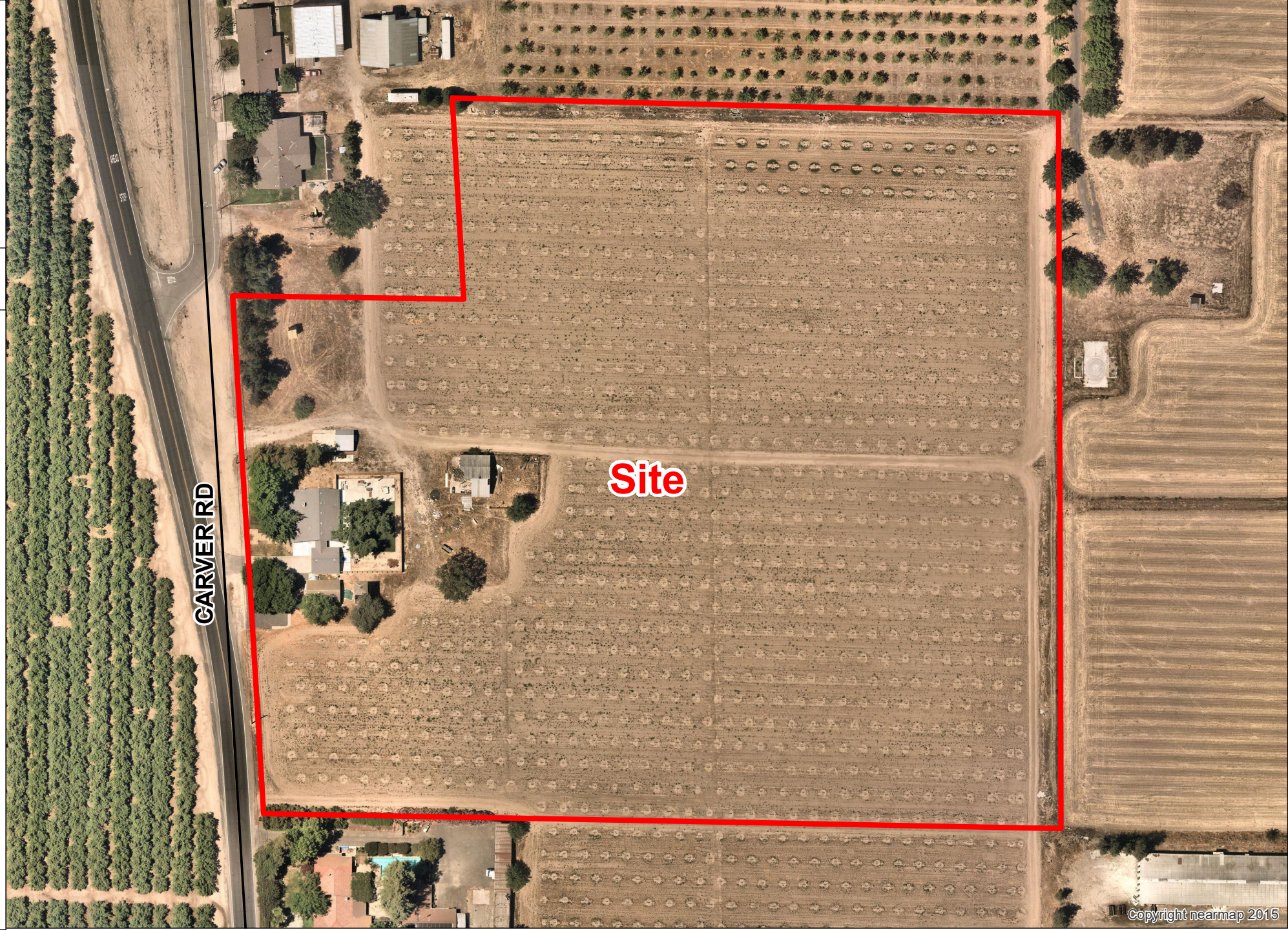


Canal



0
0

250 ft
70m



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WA-CAN LLA


PLN2020-0059

ACREAGE MAP

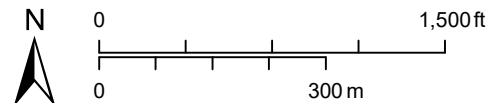
LEGEND

 Project Site

 Parcel/Acres

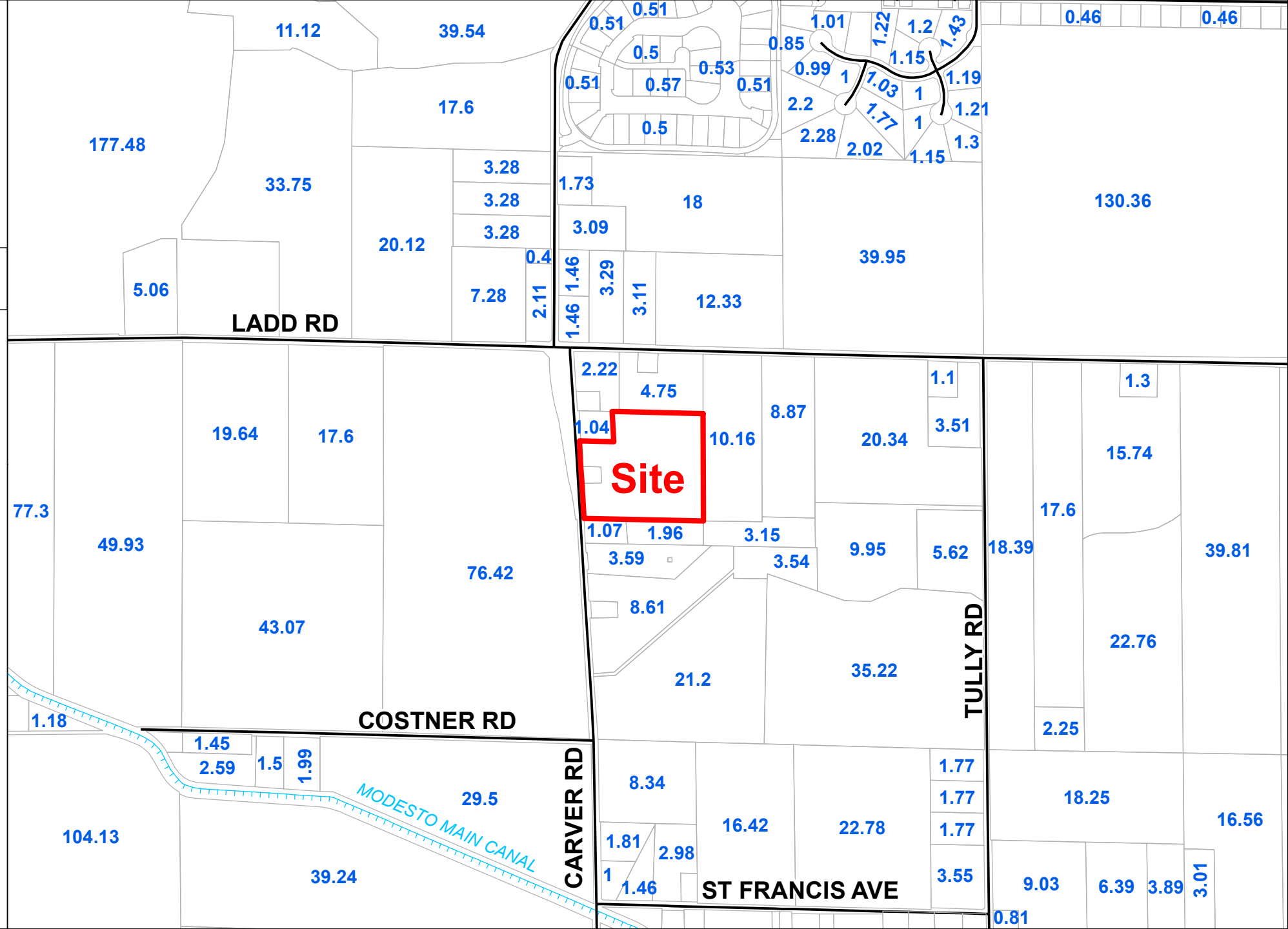
 Road

 Canal



Source: Planning Department GIS

Date: 6/20/2022

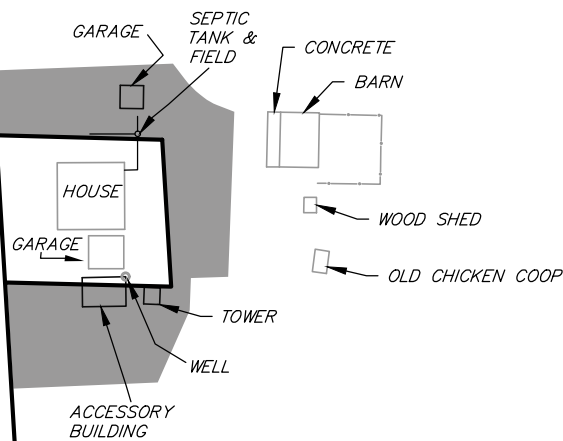


CARVER ROAD

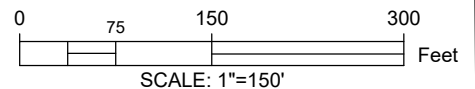
LADD ROAD

APN: 004-066-043

W-Act Contract No. 1974-1663



WILLIAMSON ACT CONTRACT
CANCELLATION AREA
28,749± SQ.FT.



Drawn By: RAM
Date: 6/20/2022
Scale: 1"=150'
Job No.: NC19314
Phone: 866.526.4214

CARVER ROAD LLA
WILLIAMSON ACT CONTRACT
CANCELLATION AREA

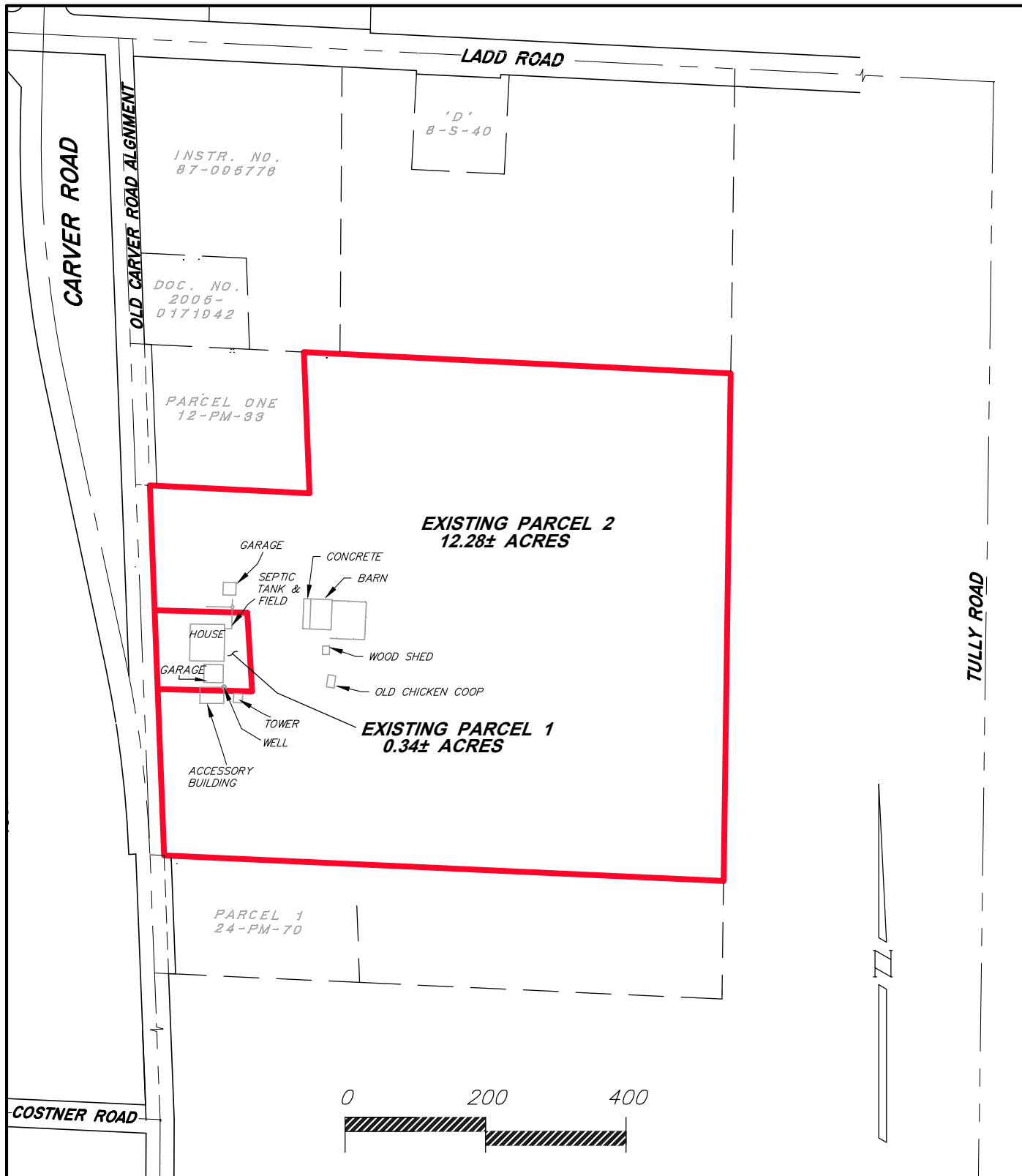
MODESTO

CALIFORNIA



1117 L Street, Modesto, CA 95354
866.526.4214 | www.mve.net
Northern California | Southern California | Nevada

SHEET
1
OF **1**



Drawn By: JR

Date: 06/16/22

Scale: 1"=200

Job No.: NC19314

Phone: 866.526.4214

CARVER ROAD LLA **BEFORE LOT LINE** **ADJUSTMENT**

MODESTO

CALIFORNIA



1117 L Street, Modesto, CA 95354

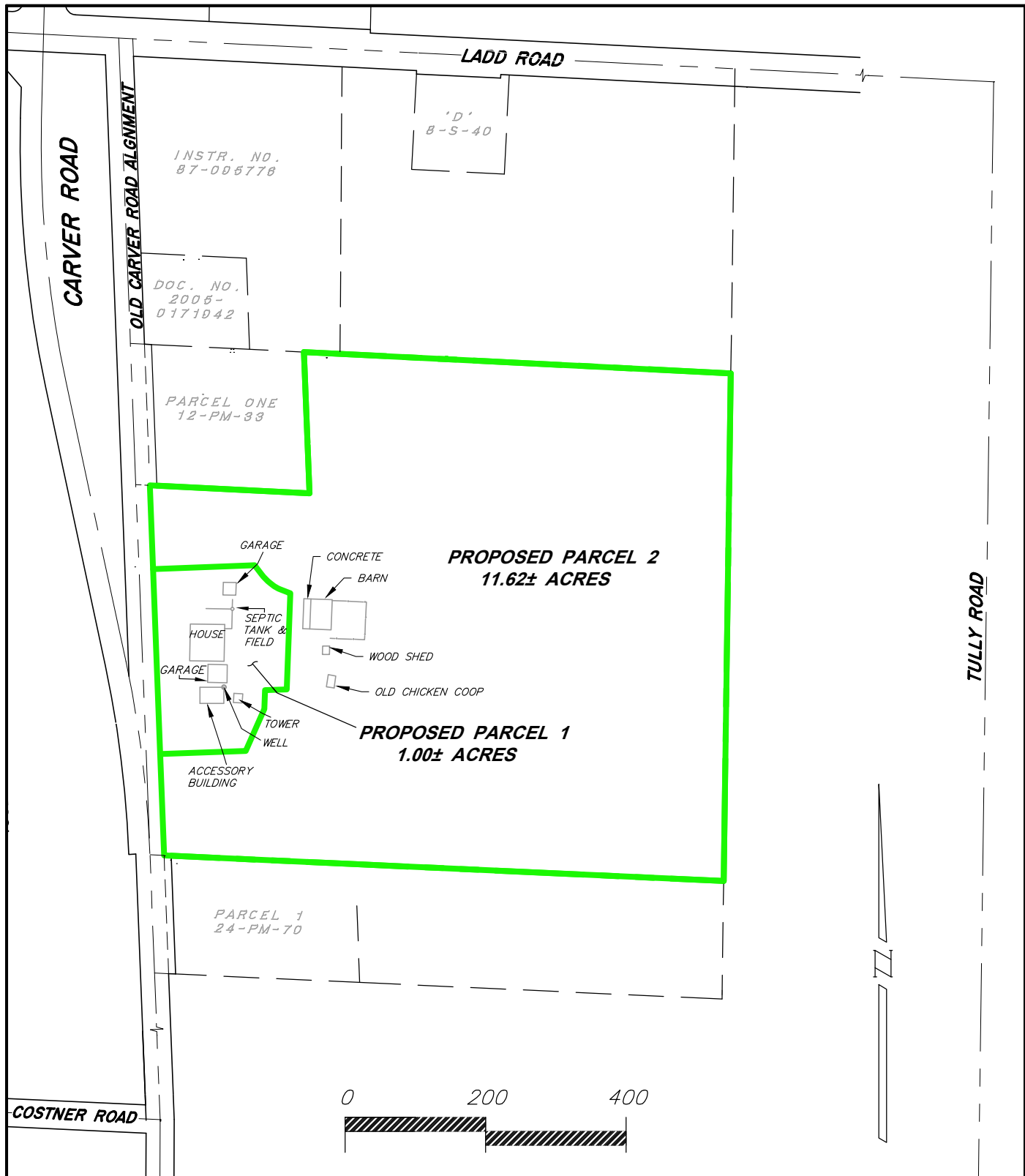
866.526.4214 | www.mve.net

Northern California | Southern California | Nevada

SHEET

1

OF 1



Drawn By: JR

Date: 06/16/22

Scale: 1"=200

Job No.: NC19314

Phone: 866.526.4214

CARVER ROAD LLA AFTER LOT LINE ADJUSTMENT

MODESTO

CALIFORNIA



1117 L Street, Modesto, CA 95354
866.526.4214 | www.mve.net
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SHEET
1
OF **1**



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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 checked="" type="checkbox"/> Other <small>Lot Line Adjustment
(see attached LLA Application)</small> |

PLANNING STAFF USE ONLY:

Application No(s): PLN 2020-0054

Date: 7/6/20

S 30 T 2 R 9

GP Designation: GP

Zoning: A-2-40

Fee: 2452 (w/can. + LLA)

Receipt No. 555840

Received By: Tm

Notes: WA Cancellation + 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).

This is a request to cancel a portion of Williamson Act Contract No. 74-1663 in order to facilitate a Lot Line

Adjustment which would correct long standing physical improvements (constructed across property lines). Also, this Lot Line Adjustment will increase an undersized parcel to meet the minimum parcel size of 1-acre. A summary of the required Williamson Act Contract "Cancellation Findings" is provided as an attachment to this application.

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 004 Page 066 Parcel 043

Additional parcel numbers: _____

Project Site Address
or Physical Location:

6248 Carver Road

Modesto, CA 95356

Property Area: Acres: 12.23± or Square feet: 532,738±

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

The project site has been and is currently used as a homesite and is in agricultural production.

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 Map, recorded on March 14, 1977 (024-PM-070)

Existing General Plan & Zoning: Zoning: A-2-40 (Gen. Agriculture); General Plan: Agriculture (AG)

Proposed General Plan & Zoning: N/A - No changes to the Zoning or General Plan are proposed
(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: Agricultural uses & Single-Family Dwellings

West: Agricultural uses & Single-Family Dwellings

North: Agricultural uses, Single-Family Dwellings & the unincorporated Community of Del Rio

South: Agricultural uses & Single-Family Dwellings

WILLIAMSON ACT CONTRACT:

Yes ☒ No ☐

Is the property currently under a Williamson Act Contract?

Contract Number: 74-1663

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

Date Filed: Yes - Filed: 01/31/2020 & Recorded: 02/04/2020

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: <u>MID</u>	Sewer*: <u>Private Septic System</u>
Telephone: <u>AT&T</u>	Gas/Propane: <u>Propane</u>
Water**: <u>Private Well</u>	Irrigation: <u>MID</u>

***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 - 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:	<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: ---

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)

The project site's main access is currently and will continue to be via Carver 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) N/A

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

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

EROSION CONTROL:

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

No grading or development is proposed which would require erosion control measures

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 Williamson Act Contract - Cancellation Findings***



Project Management · Civil/Structural Engineering · Urban Design · Land Planning
Entitlements · Right-of-Way/Permitting · Surveying · Construction Staking · Graphics

Findings Statement

Partial Contract Cancellation

Williamson Act Contract No. 1974-1663

Jeff & Britta Foster

Stanislaus County, California

This application is to request for a partial cancellation of Williamson Act Contract 1974-1663, occupying Assessor's Parcel Number (APN) 004-066-043. This application is being submitted concurrently with a Lot Line Adjustment including APN 004-066-018. The Lot Line Adjustment is being processed to make an adjustment isolating the specific area of land under Williamson Act Contract No. 1974-1663 which is currently used as part of a homesite and associated amenities but NOT for farming. This particular portion of contract area has not been used for farming for over 50 years. The portion of contract 1974-1663 being canceled is approximately 28,749± square feet (0.66 acres).

In accordance with CA 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 Section 51245.

A Notice of Non-Renewal was recorded for a 12.28± acre portion (APN: 004-066-043) of Williamson Act Contract No. 1974-1663 on February 4, 2020 (DOC-2020-0007850-00). After the cancellation of the Williamson Act Contract, the remaining 11.62± acres remaining will be entered into a new Williamson Act Contract as part of a Lot Line Adjustment, Rescission Re-Entry action.

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

This project involves the cancellation of a 0.66± acre portion of a Williamson Act contract, leaving the remaining 11.62± acres of the contract in place and in agricultural production. The 0.66± acres proposed for cancellation is occupied by various improvements related to an adjoining property (APN: 004-066-018). These improvements include portions of two accessory buildings, a domestic water well and a septic system. The reason the cancellation is being requested is to allow the 0.66± acre site, developed as a standalone homesite, to increase in size in order to meet the minimum parcel size and to correct improvements which are encroaching onto the neighboring parcel (APN: 004-066-043). This small strip of land subject to the cancellation is and historically has been isolated from agricultural use and utilized as

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part of an adjacent homesite and therefore will not result in removal of adjacent lands for planting, harvest 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 0.66± acre area proposed for cancellation is occupied by existing improvements associated with a long standing homesite. The reason the cancellation is being requested is to allow the adjacent 0.34± acre parcel (APN: 004-066-018) to become 1-acre in size, consistent with the minimum site requirements of the Stanislaus County Code and consistent with the County's General Plan. The 0.66± acre area proposed to be cancelled from Williamson Act Contract and the resulting 1-acre parcel after the Lot Line Adjustment is too small to be covered under a Williamson Act Contract, as it is under 10 acres in size. No other changes to the current land use are proposed.

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

This cancellation will be transparent in so far that the character of the property involved, specifically the area this cancellation involves, will remain as it has been for over 50+ years. There are no additional buildings, roads or other type of development proposed. Therefore, the project will not result in discontinuous patterns of urban development.

- (5) That there is no proximate noncontracted 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 noncontracted land..."

There is no proximate non-contracted land which is both 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 Agriculture Zoning District has been prohibited for over 20 years. As stated previously, the agricultural use of the subject property is consistent with both the Williamson Act program and the rules and regulations of Stanislaus County. Therefore, this request will not result in discontinuous land use patterns.