

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Planning & Community Development
Urgent _____ Routine X
CEO Concurs with Recommendation YES _____ NO _____
(Information Attached)

BOARD AGENDA # 7:45 P.M.
AGENDA DATE: February 20, 2001
4/5 Vote Required YES _____ NO X

SUBJECT:

APPEAL OF PLANNING COMMISSION DENIAL - VARIANCE APPLICATION NO. 2000-03 AND VESTING TENTATIVE PARCEL MAP APPLICATION NO. 2000-25 - JUDITH AND LOUIS LOMBARDI (CONTINUED FROM FEBRUARY 13, 2001)

PLANNING COMMISSION RECOMMENDATION:

AFTER CONDUCTING A DULY ADVERTISED PUBLIC HEARING AT ITS REGULAR MEETING OF JANUARY 18, 2001, THE PLANNING COMMISSION DENIED THE PROPOSAL BY A 5-3 (CUSENZA, HANEY, AND CRIVELLI) VOTE. STAFF CONCURS WITH THE COMMISSION DECISION.

FISCAL IMPACT:

None.

BOARD ACTION

No. 2001-127

On motion of Supervisor Caruso, Seconded by Supervisor Blom
and approved by the following vote,
Ayes: Supervisors: Mayfield, Blom, Simon, Caruso, and Chair Paul
Noes: Supervisors: None
Excused or Absent: Supervisors: None
Abstaining: Supervisor: None

- 1) _____ Approved as recommended
- 2) _____ Denied
- 3) X Approved as amended

Motion: Granted the appeal of the Planning Commission's denial of Variance Application #2000-03 and Vesting Tentative Parcel Map Application #2000-25 - Judith and Louis Lombardi; finds the special circumstances do exist for this specific property in the areas of soil profile and topography; the Board finds that all the findings set forth in the staff report to the Planning Commission can be made; the Board further finds orders of filing of the mitigated negative declaration; finds the project to be minimis for the purposes of the Fish and Game Codes; and, approves the Variance Application #2000-03 and Vesting Tentative Parcel Map Application #2000-25 - Judith and Louis Lombardi, to create one 3.0± acre parcel and one 98.4± acre remainder parcel through the merger and resubdivision of two existing parcels of 40.2 and 64.5 acres on property located on Pellerin Rd. in the Waterford area subject to the conditions of approval listed in the Planning Commission report dated 1/18/01 continued from 12/7/00. (Note: This appeal was continued from 2/13/01)

ATTEST: REAGAN M. WILSON, Clerk By: Christina Ferraro Deputy

File No.

SUBJECT: APPEAL OF PLANNING COMMISSION DENIAL - VARIANCE APPLICATION NO. 2000-03 AND VESTING TENTATIVE PARCEL MAP APPLICATION NO. 2000-25 - JUDITH AND LOUIS LOMBARDI (CONTINUED FROM FEBRUARY 13, 2001)

PAGE 2

DISCUSSION: This is a request to create one 3.0± acre parcel and a 98.4± acre remainder parcel through the merger and resubdivision of two existing parcels of 40.2 and 64.5 gross acres in size. The project site is located south of the Pellerin Road and Blossom Road intersection, between Pellerin Road and the Tuolumne River, in the Waterford area. A variance is being requested to create a parcel less than the 40-acre minimum zoning requirement.

The applicant's representative stated at the public hearing that the request should be allowed due to topographical and soil conditions. He further stated that the 40-foot sloping drop is unsafe for farm equipment and the applicant's should be allowed to maintain residence on the property following retirement, since they have been good stewards of the land and good neighbors for twenty plus years. It is the applicant's belief that approval of this requested will not result in the granting of a special privilege as there are other small ranchette parcels in the area. When asked why the entire sloped area was not included as part of the proposed 3.0 acre parcel, the applicant's representative responded the toe of the slope would be a logical location for the future construction of a dwelling and/or outbuildings for the remainder parcel. If approved, staff would recommend incorporation of the entire sloped area into the proposed homesite parcel. The applicant's have expressed agreement with such a condition.

The applicant, Louis Lombardi, spoke to the Commission expressing a desire to maintain his residence of twenty plus years. He stated that farming was getting tough and that leasing the property is not an option because of little profit.

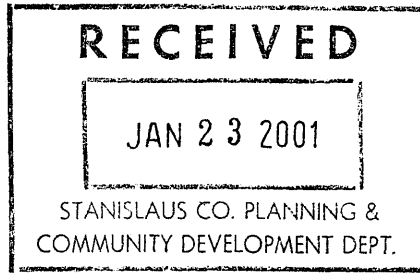
Commissioners sympathized with the applicant's desire to remain on the property after retiring, but could not find any special circumstance applicable to the property. A few of the Commissioners expressed concerns that approval of this project could establish a precedence for similar requests from adjacent property owners and retiring farmers throughout the County.

On a 5-3 vote the Commission denied the variance and parcel map applications requested. Staff concurs with the decision.

POLICY ISSUES: The Stanislaus County Code and the California Government Code establish findings which must be made to approve a variance. These are outlined on pages 2 and 3 of the attached staff report.

STAFFING IMPACT: None.

ATTACHMENTS: Appeal letter, Dennis Wilson, Horizon Consulting Group, January 23, 2001
Planning Commission Minutes, January 18, 2001
Planning Commission Staff Report, January 18, 2001



January 23, 2001

JOB NO. 00-18

Stanislaus County Board of Supervisors
1010 10th Street, Suite 6700
Modesto, Ca 95354

Attn: Christine Ferraro Tallman, Clerk of the Board

Subject: Parcel Map Application No. 2000-25 and Variance
No. 2000-03 – Judith and Louis Lombardi

Dear Ms. Ferraro Tallman,

On January 18, 2001, the Stanislaus County Planning Commission, by a 5-3 split vote, denied our request on the above application.

We respectfully request an audience before the Stanislaus County Board of Supervisors to appeal that decision.

We believe that there are special circumstances in the areas of soils and topography which qualify this application for approval. It is our belief that all of the findings can be made to grant this Variance Application No. 2000-03 and approve the Vesting Tentative Parcel Map No. 2000-25.

Please inform us of the date for the public hearing before the Board of Supervisors.

I have attached the appeal fee in the amount of \$375.00.

Thank you for your cooperation in this request.

Sincerely,

Dennis E. Wilson

DEW/chw

cc: Angela Frietas, Associate Planner
Louis and Judith Lombardi

Roy A. Galli
R.C.E. 16,024

Dennis E. Wilson
Planning Consultant

P.O. Box 1448
Modesto, California
95353

phone 209.491.7620
fax 209.491.7626

D. VARIANCE APPLICATION NO. 2000-03 AND PARCEL MAP APPLICATION NO. 2000-25 - JUDITH AND LOUIS LOMBARDI

(This application was continued from the December 7, 2000 Planning Commission Meeting)

Request to create one 3.0 acre parcel and 98.4 acre remainder parcel through the merger and resubdivision of two existing parcels of 36.0 and 62.0 acres in size. A variance is requested to create a parcel less than the 40 acre minimum zoning requirement. The property is located on Pellerin Road, in the Waterford area. A Mitigated Negative Declaration will be considered.

APN: 019-02-05,06

Staff report: Angela Freitas Recommends **DENIAL**.

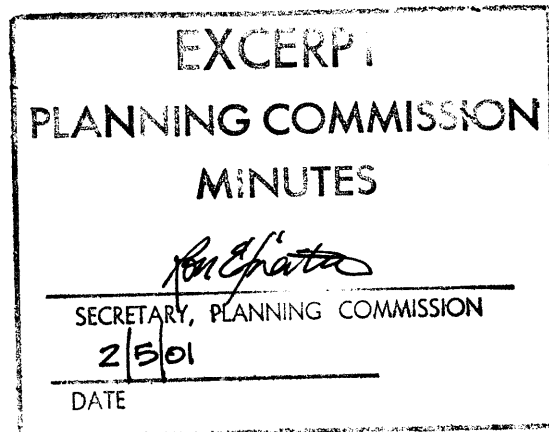
Public hearing opened.

OPPOSITION: No one spoke.

FAVOR: Dennis Wilson, Horizon Consulting, representing the applicant, 900 "H" Street, Suite E-2, Modesto; Louis Lombardi, the property owner, 10830 Pellerin Road, Waterford.

Public hearing closed.

Wetherbee/White, 5-3 (Cusenza, Haney and Crivelli), **DENIED**.



STANISLAUS COUNTY PLANNING COMMISSION

January 18, 2000
Continued from December 7, 2000

STAFF REPORT

VARIANCE APPLICATION NO. 2000-03
VESTING TENTATIVE PARCEL MAP APPLICATION NO. 2000-25
JUDITH AND LOUIS LOMBARDI

REQUEST: TO CREATE ONE 3.0 ACRE PARCEL AND A 98.4 ACRE REMAINDER PARCEL THROUGH THE MERGER AND RESUBDIVISION OF TWO EXISTING PARCELS. A VARIANCE IS NECESSARY TO ALLOW THE CREATION OF A PARCEL LESS THAN THE 40-ACRE MINIMUM ZONING REQUIREMENT.

APPLICATION INFORMATION

Owner/Applicant:	Judith and Louis Lombardi
Agent:	Horizon Consulting Services
Location:	South of the Pellerin Road and Blossom Road intersection, between Pellerin Road and the Tuolumne River, in the Waterford area. (19830 Pellerin Road)
Section, Township, Range:	17&18-1-12
Supervisorial District:	One (Supervisor Paul)
Assessor's Parcel:	019-02-05,06
Referrals:	See Exhibit "K" Environmental Review Referrals
Area of Parcels:	Parcel A: 3.0 acres Remainder: 98.4 acres
Water Supply:	Private Well
Sewage Disposal:	Aerobic treatment/leach field system
Existing Zoning:	A-2-40
General Plan Designation:	Agriculture
Community Plan Designation:	Not applicable
Williamson Act Contract No:	76-2152
Environmental Review:	Mitigated Negative Declaration
Present Land Use:	Planted in a walnut and almond crop with one single-family dwelling and three agricultural storage buildings.
Surrounding Land Use:	Agricultural uses and scattered single-family dwellings.

PROJECT DESCRIPTION

This is a request to create one 3.0± acre parcel and a 98.4± acre remainder parcel through the merger and resubdivision of two existing parcels of 40.2 and 64.5 gross acres in size. A variance is being requested to create a parcel less than the 40-acre minimum zoning requirement. No new uses are being proposed.

SITE DESCRIPTION

The project site is located south of the Pellerin Road and Blossom Road intersection, between Pellerin Road and the Tuolumne River, in the Waterford area. The proposed parcel "A" is improved with one single-family dwelling unit and one agricultural storage building. The proposed remainder parcel is improved with two agricultural storage buildings and planted in a walnut and almond crop. The project site is surrounded by agricultural uses and scattered single-family dwellings.

DISCUSSION

Section 20.32.110 - Merger and Resubdivision, of the County Subdivision Ordinance, allows subdivided lands to be merged and resubdivided without reverting to acreage by complying with all applicable requirements for the subdivision of land as provided for by the ordinance. The final parcel map will constitute the legal merging of separate parcels into one parcel and the resubdivision of such parcel.

Proposed parcel "A" does not meet the minimum lot size requirement of 40-acres and, as such, a variance is necessary. In order for a variance to be granted the following findings must be made:

1. That because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of this Chapter will deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification.

Staff has visited the site and is satisfied that no special circumstances applicable to the subject property will deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification. Information submitted is by applicant's representative indicates the proposed three-acre parcel sits on a bluff and is topographically separated from the remaining walnut orchard that slopes towards the Tuolumne River. (See Exhibit D) There is no question that proposed parcel "A" lies at the highest point of the site, however staff does not feel the sites topographical character is consistent that of a bluff which implies a physical separation between elevations. Staff would classify the sites topography as one of a natural sloping area. Staff feels it important to point out that an initial street survey of the site indicated a more acute topography than that which exists.

2. That the 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.

Staff believes the granting of this application is not necessary for the preservation and enjoyment of substantial property rights and that it will constitute a grant of special privilege. The sloping area in question has historically been farmed jointly with the remainder of the property. While the site is primarily planted in walnuts, the sloping area in question is primarily planted in an almond crop. The applicant has indicated that the slope makes it difficult to perform the necessary mowing and harvesting needed for a viable crop production. However, the area identified as proposed parcel "A" does not encompass the entire sloping area in question, but is rather a fraction of the area. If the requested variance is granted staff feels it would be appropriate to condition parcel "A" to take in the entire sloping area of the site minus the area necessary to provide access.

The one question staff continues to ask is why the separation of the sloping area is necessary for the preservation and enjoyment of substantial property rights. As a separate parcel it will either continue to be planted in a tree crop or converted to a pasture type crop. The sloping portion of the northwest corner of the site is already planted in a pasture type crop and is not being included as part of proposed parcel "A".

3. That the 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 this particular case, be materially detrimental to the public welfare or injurious to property or improvements in said neighborhood.

Staff believes that this finding can be made. The request will not under the circumstances materially affect adversely the health and safety of persons residing or working in the neighborhood and will not be materially detrimental to the public welfare or injurious to property or improvements of said neighborhood. The primary issue with this request has to do with granting of a special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated.

Essentially, the request being made is for the creation of a homesite, which is no longer a viable option for property owners located within the General Agriculture (A-2) zoning district. Emotionally, staff can sympathize the applicant's desire to retire from farming and maintain their residence. It is a desire shared by many property owners within the county. For clarification, this project would not have met the criteria necessary to have requested a homesite split prior to January 1, 2000, due to the fact ownership was not obtained until 1981 and a dwelling had not been on the property prior to 1974.

WILLIAMSON ACT

The project site is enrolled in a Williamson Act Contract. (Contract No. 76-2152). Under the Williamson Act, lands are presumed to be too small to sustain their agricultural use if the lands

are less than 10 acres in size, in the case of prime agricultural land, or the subdivision will result in residential development not incidental to the commercial agricultural use of the land. However, Section 66474.4(b)(2) of the Williamson Act provides that a legislative body may approve a subdivision with parcels smaller than 10 acres if the following finding can be made:

- One of the parcels contains a residence and is subject to Section 428 of the Revenue and Taxation Code; the residence has existed on the property for at least five years; the landowner has owned the parcels for at least 10 years; and the remaining parcels shown on the map are at least 10 acres in size if the land is prime agricultural land, or at least 40 acres in size if the land is not prime agricultural land.

Staff believes this finding can be made. The proposed parcel "A" contained a residence constructed in 1981 and is subject to Section 428 of the Revenue and Taxation code. The applicant's have held ownership interest in project site since 1980 and the remaining parcel will exceed the 10 acre minimum requirement.

RECOMMENDATION

Find that the necessary findings cannot be made and deny Variance Application No. 2000-03 and Vesting Tentative Parcel Map Application No. 2000-25 - Judith and Louis Lombard.

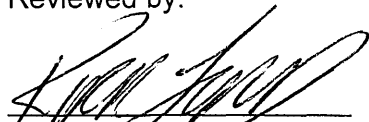
If the Planning Commission can make the findings, order the filing of the Mitigated Negative Declaration, find the project to be "De Minimis" for the purpose of the Fish and Game Codes, and approve Variance Application No. 2000-03 and Vesting Tentative Parcel Map Application No. 2000-25 - Judith and Louis Lombard, subject to the attached Conditions of Approval.

Report written by: Angela Freitas, Associate Planner, November 17, 2000

Attachments:

- Exhibit A - Maps
- Exhibit B - Conditions of Approval
- Exhibit C - Variance Findings
- Exhibit D - Parcel Map Findings
- Exhibit E - Applicants Variance Findings
- Exhibit F - Applicants Parcel Map Findings
- Exhibit G - Initial Study and Initial Study Comments
- Exhibit H - Mitigation Monitoring Measures
- Exhibit I - Mitigated Negative Declaration
- Exhibit J - Certificate of Fee Exemption
- Exhibit K - Environmental Review Referrals

Reviewed by:



Kirk Ford, Senior Planner

I:\STAFFRPT\pm-2000.sr\pm2000.25.sr.wpd

P.M. NO.2000-25 \ VAR. NO.2000-03
BY: JUDITH & LOUIS LOMBARDI

YOSEMITE BLV

MC EWEN RD

S BLOSSOM RD

S MISSOURI AVE

WATERFORD

PELLERIN RD

SITE

HICKMAN

TUOLUMNE RIVER

JOHN FOX RD

HICKMAN RD

N



E WHITMORE AVE

P.M. NO.2000-25 \ VAR. NO.2000-03
BY: JUDITH & LOUIS LOMBARDI

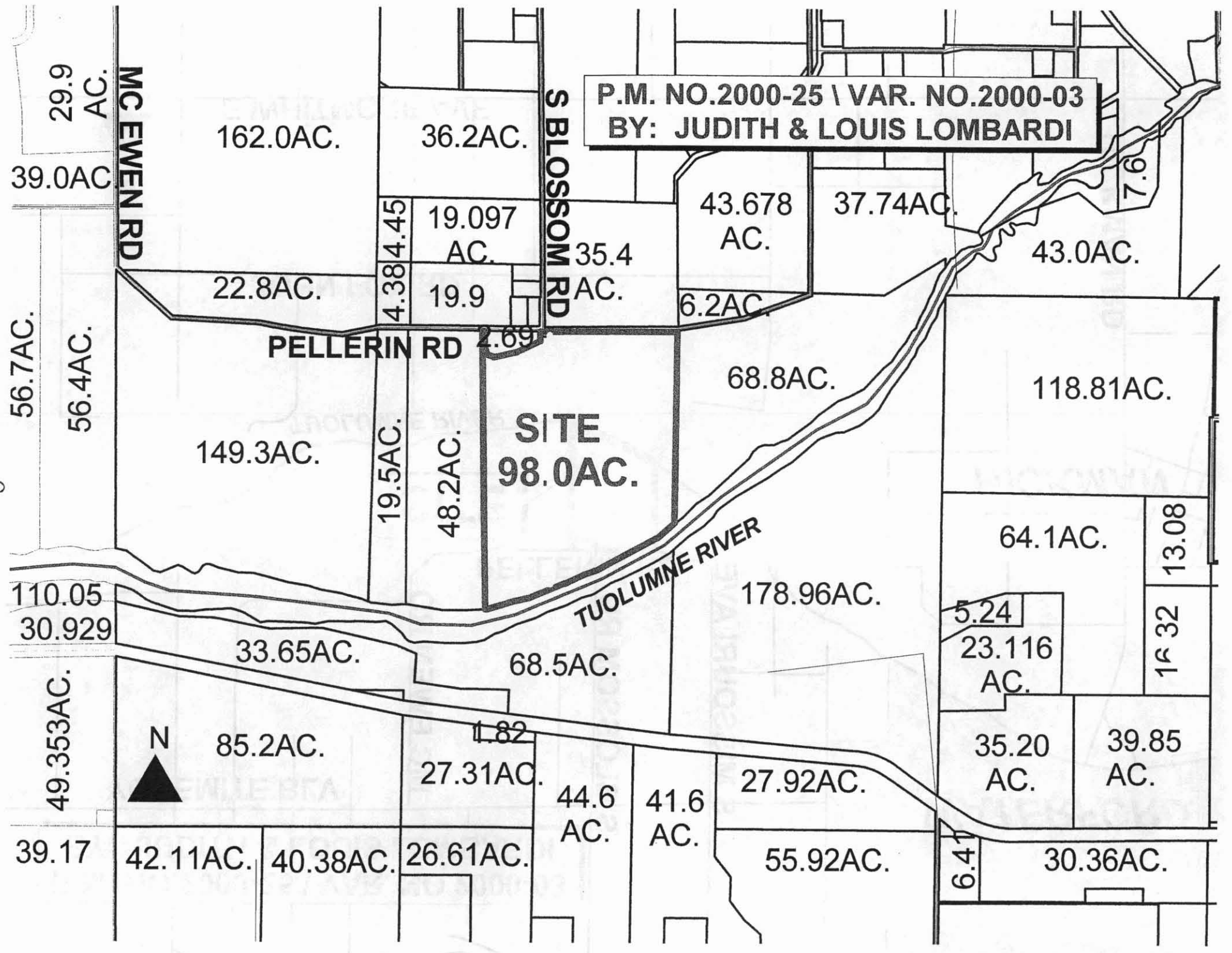
MC EWEN RD

S BLOSSOM RD

PELLERIN RD

TUOLUMNE RIVER

SITE
98.0AC.



29.9 AC.
39.0AC
56.7AC.
56.4AC.
110.05
30.929
49.353AC.
39.17

162.0AC.

36.2AC.

22.8AC.

4.38
4.45

19.097
AC.

19.9

35.4
AC.

43.678
AC.

37.74AC.

43.0AC.

7.6

149.3AC.

19.5AC.

48.2AC.

2.69

68.8AC.

118.81AC.

64.1AC.

13.08

33.65AC.

68.5AC.

178.96AC.

5.24

23.116
AC.

16.32

85.2AC.

1.82

27.31AC.

44.6
AC.

41.6
AC.

27.92AC.

35.20
AC.

39.85
AC.

42.11AC.

40.38AC.

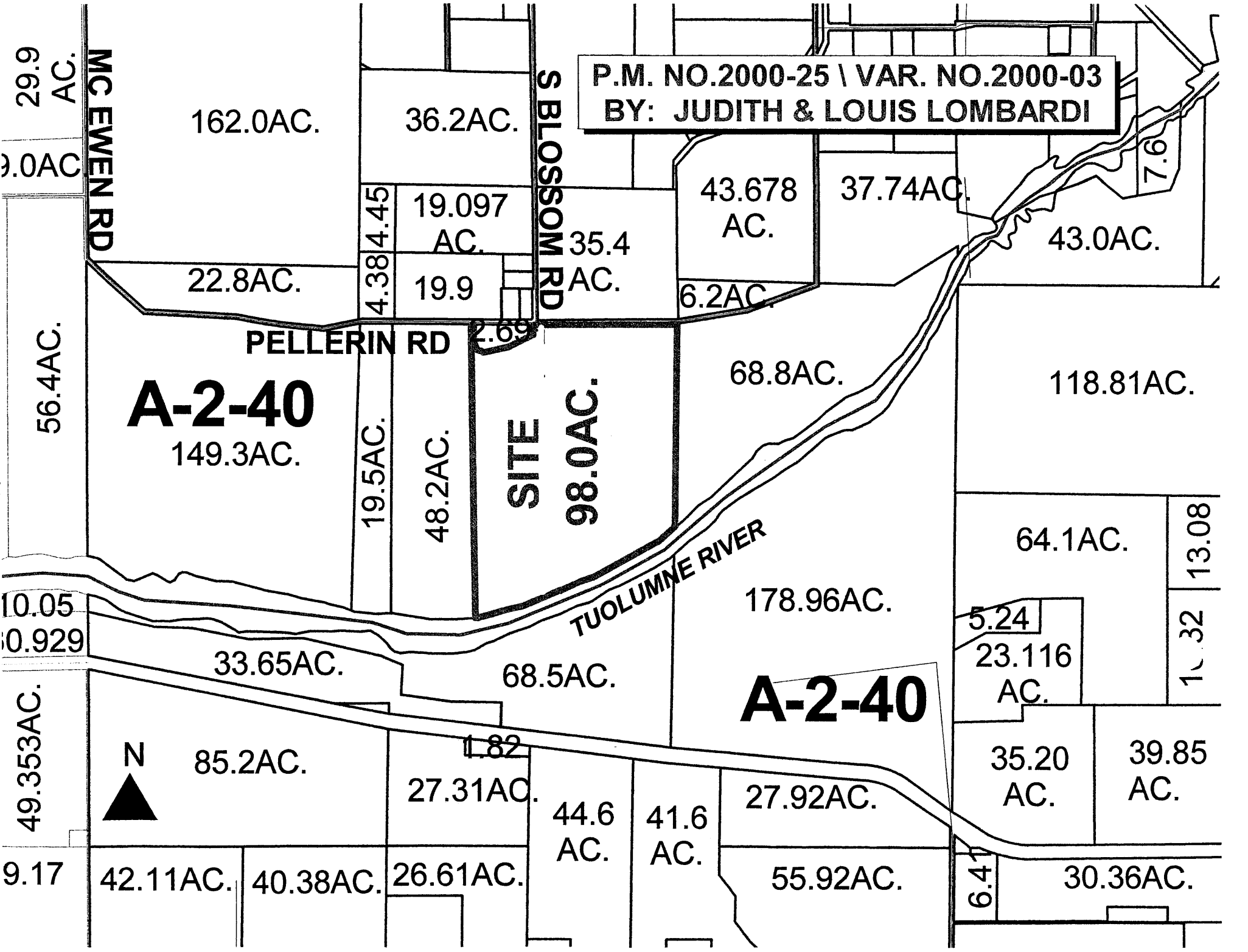
26.61AC.

55.92AC.

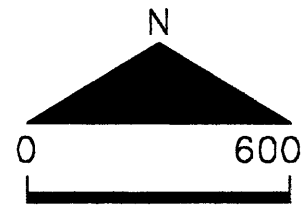
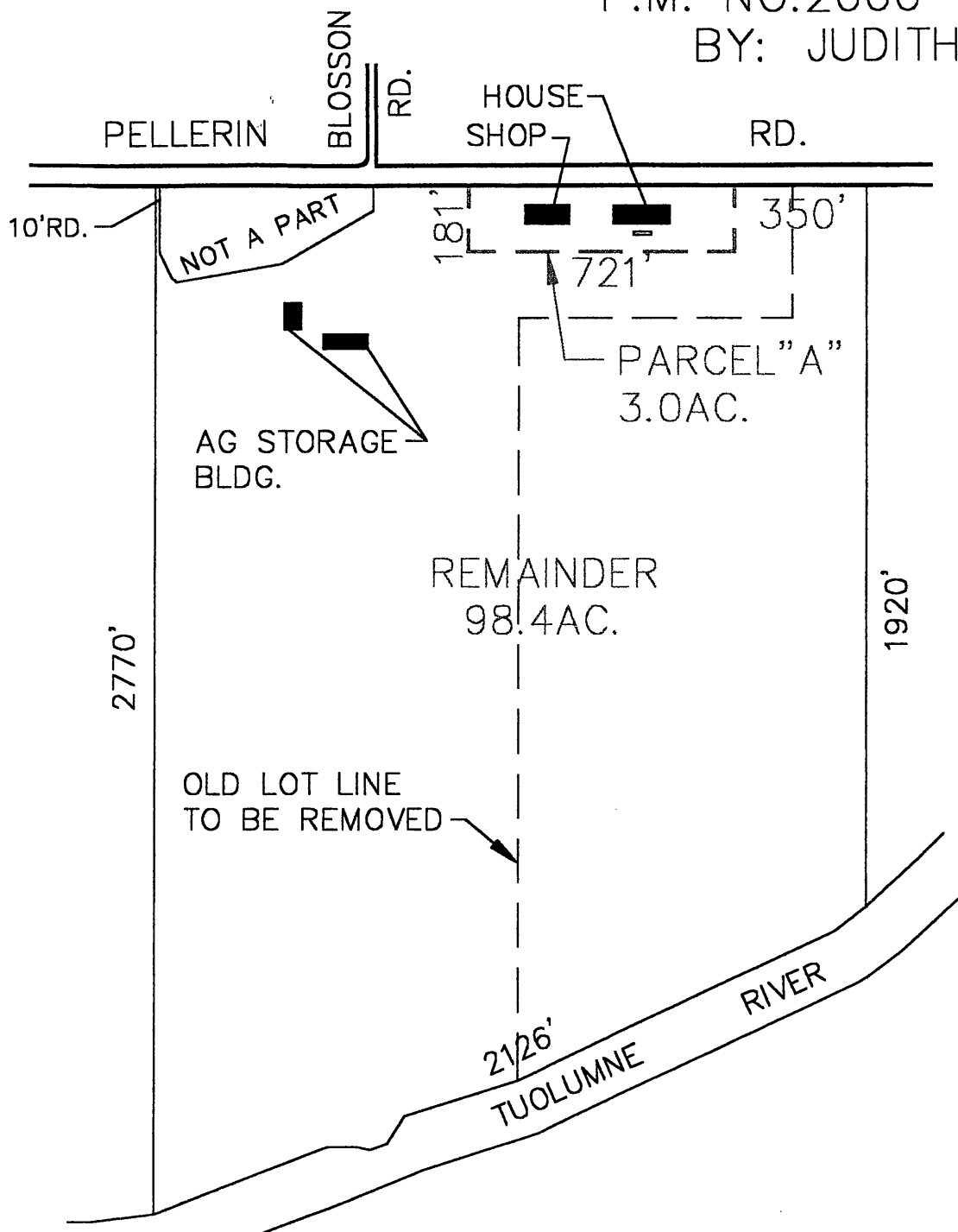
6.4

30.36AC.

P.M. NO.2000-25 | VAR. NO.2000-03
BY: JUDITH & LOUIS LOMBARDI



P.M. NO.2000-25 \ VAR. NO.2000-03
BY: JUDITH & LOUIS LOMBARDI



8

EXHIBIT A-3

CONDITIONS OF APPROVAL
VARIANCE APPLICATION NO. 2000-03
VESTING TENTATIVE PARCEL MAP APPLICATION NO. 2000-25
JUDITH AND LOUIS LOMBARDI

Department of Public Works

1. The recorded parcel map shall be prepared by a licensed land surveyor or a registered civil engineer.
2. All existing non-public facilities and/or utilities that do not have lawful authority to occupy the road right-of-way shall be relocated onto private property upon the request of the Department of Public Works.
3. All structures not shown on the tentative parcel map shall be removed prior to the parcel map being recorded.
4. The boundary of the 100-year flood zone (Zone A) and the State of California Reclamation Board's Designated Floodway shall be shown on the parcel map being recorded. The area within the 100-year flood plain shall be clearly indicated on the final map.
5. Road right-of-way shall be deeded to Stanislaus County to provide for 30-feet south of the centerline of Pellerin Road adjacent to Parcel "A".

Planning and Community Development

6. A Notice of Non-Renewal shall be recorded on Parcel "A" concurrently with the recording of the Final Parcel Map.
7. Developer shall pay all Public Facilities Impact Fees and Fire Facilities Fees as adopted by Resolution of the Board of Supervisors. The Fees shall be payable at the time of issuance of a building permit for any construction in the development project and shall be based on the rates in effect at the time of building permit issuance.
8. The subdivider is required to defend, indemnify, or hold harmless the County, its officers and employees from any claim, action, or proceedings against the County to set aside the approval of the map as set forth in Government Code Section 66474.9. The County shall promptly notify the subdivider of any claim, action, or proceeding to set aside the approval and shall cooperate fully in the defense.
9. Prior to the issuance of the Notice of Determination, the applicant shall pay, within five days of Planning Commission approval, a filing fee of \$50.00 to "**Stanislaus County Clerk/Recorder**" care of the Planning Department. Should the "De Minimis" finding be found invalid for any reason, the applicant/developer shall be responsible for payment of Department of Fish and Game Fees.

Sheriff's Department

10. Prior to the issuance of building permits for a dwelling, the owner/developer shall pay a fee of \$339.00 per dwelling to the County Sheriff's Department.

Modesto Irrigation District

11. A 10-foot Public Utility Easement shall be required adjacent to Parcel "A".

VARIANCE FINDINGS

**VARIANCE APPLICATION NO. 2000-03
VESTING TENTATIVE PARCEL MAP APPLICATION NO. 2000-25
JUDITH AND LOUIS LOMBARDI**

FINDINGS

1. That because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of this Chapter will deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification.
2. That the 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.
3. That the 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 this particular case, be materially detrimental to the public welfare or injurious to property or improvements in said neighborhood.

PARCEL MAP FINDINGS

**VARIANCE APPLICATION NO. 2000-03
VESTING TENTATIVE PARCEL MAP APPLICATION NO. 2000-25
JUDITH AND LOUIS LOMBARDI**

FINDINGS

As per Section 66474. of the Subdivision Map Act:

A legislative body of a city or county shall deny approval of a tentative map, or a parcel map for which a tentative map was not required, if it makes any of the following findings:

- (a) That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.
- (b) That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.
- (c) That the site is not physically suitable for the type of development.
- (d) That the site is not physically suitable for the proposed density of development.
- (e) That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
- (f) That the design of the subdivision or type of improvements is likely to cause serious public health problems.
- (g) That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public.

Staff has not been presented with any evidence to indicate any of the above findings should be made.

FINDINGS STATEMENT TO ACCOMPANY
VARIANCE APPLICATION FOR LOMBARDI V.T.P.M.

We are hereby requesting a variance from Section 66474.4 of the Subdivision Map Act concerning the reduction of a parcel size below the 10 acre minimum specified under the Williamson Act.

The Lombardi's currently own 2 legal parcels, APN 19-02-05 and APN 19-02-06 that total 101.4 acres. Both of these parcels meet the minimum parcel size requirement under the A-2-40 zone classification. Initially, we submitted a request for a lot line adjustment to create a 3.0- acre parcel and a 98.4- acre agricultural remainder and later discovered that the land is subject to the Williamson Act that specifies a minimum parcel size of 10 acres. The proposed three-acre parcel contains the Lombardi's residence and 2 outbuildings that sit on a bluff and are topographically separated from the remaining walnut orchard that slopes toward the Tuolumne River. It is our opinion that it would be a waste of agricultural land to encumber 10 acres of land when 3 acres is sufficient to contain the residence and allow the agricultural land to remain intact should a sale of the parcel occur. The strict conformance with Section 66474.4 is counterproductive to the sustenance of agricultural land preservation. Section 66474.4 (b) states that "legislative body may approve a subdivision with parcels smaller than those specified in this section of the Subdivision Map Act, when the legislative body makes either of the following findings:"

1. The parcels can nevertheless sustain an agricultural use permitted under the contract, or are subject to a written agreement for joint management pursuant to Section 51230.1, provided that the parcels which are jointly managed total at least 10 acres in size in the case of prime agricultural land or 40 acres in size in the case of land which is not prime agricultural land.
2. One of the parcels contains a residence and is subject to Section 428 of the Revenue and Taxation Code; the residence has existed on the property for at least five years; the landowner has owned the parcels for at least 10 years; and the remaining parcels shown

on the map are at least 10 acres in size if the land is prime agricultural land, or at least 40 acres in size if the land is not prime agricultural land.

It is our opinion that we meet the criteria spelled out in Section 66474.4 (b)(2). The 3.0- acre parcel contains a residence and is subject to Section 428 of the Revenue and Taxation Code, the Lombardi's built the home and have occupied same since 1981. They have had title to lands in question since 1979, and the remaining parcel shown on the V.T.P.M. will be 98.4 acres, far in excess of the specified 10- acre minimum and will keep the entire farming operation in one piece.

FINDINGS STATEMENT TO ACCOMPANY
SUBMITTAL OF VESTING TENTATIVE PARCEL MAP

A. That the proposed map is not consistent with applicable general and specific plans;

The proposed VTPM will be consistent with the Stanislaus County General and Specific Plans subject to the approval of the variance request submitted herewith.

B. That the design or improvement is not consistent with applicable General and Specific Plans;

The parcel design or improvement will not be altered from their present configuration therefore, they will remain consistent with applicable General and Specific Plans.

C. That the site is not physically suitable for the proposed density of development;

No change will occur as a result of this approval. In the event of a sale of the 98.4 acre parcel, one additional dwelling could be built (beyond the 2 dwellings now permitted under the A-2-40 zone.) This density is not excessive for 101.4 acres.

D. That the site is not physically suitable for the type of development;

No change in the type of development will occur as a result of the approval of this VTPM. It will remain agricultural with a residential unit.

E. That the design or the proposed improvements are likely to cause substantial environmental damage or substantially avoidable injure fish or wildlife or their habitat;

Since no changes will occur as a result of this application and its subsequent approval, no environmental impact will occur, nor will there be any injury to fish or wildlife or their habitat.

F. That the design or the type of improvements are likely to cause serious public health problems;

Since no changes will occur on the entire acreage no public health problems will result. Any additional structures or dwellings, will be required to meet D.E.R. standards and conditions as well as Stanislaus County Codes.

G. That the design or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of property proposed for division. In this connection, the Commission may approve a map if it finds that alternate easements for access or for use will be provided and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or easements established by judgment of a court of competent jurisdiction.

No easements or public access rights will be affected in connection with the approval of this parcel restructuring. There are no easements of record affecting the lands of Lombardi.

Stanislaus County

Planning and Community Development

1010 10th Street, Suite 3400
Modesto, CA 95354

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

CEQA INITIAL STUDY

Adapted from CEQA Guidelines APPENDIX G Environmental Checklist Form, Final Text, October 26, 1998

1. Project title: **Variance Application No. 2000-03 and Vesting Tentative Parcel Map Application No. 2000-25 - Judith & Louis Lombardi**
2. Lead agency name and address: **Stanislaus County
1010 10th Street, Suite 3400
Modesto, CA 95354**
3. Contact person and phone number: **Angela Freitas
(209)525-6330**
4. Project location: **South of the Pellerin Road and Blossom Road intersection, between Pellerin Road and the Tuolumne River, in the Waterford area. (19830 Pellerin Road. APN No. 019-02-05,06)**
5. Project sponsor's name and address: **Judith & Louis Lombardi
19830 Pellerin Road
Waterford, CA 95386**
6. General plan designation: **Agriculture**
7. Zoning: **General Agriculture 40-acre minimum (A-2-40)**
8. Description of project: **This is a request to create one 3.0 acre parcel and a 98.4 acre remainder parcel through the merger and resubdivision of two existing parcels of 36.0 and 62.0 acres in size. Section 20.32.110 - Merger and Resubdivision, of the County Subdivision Ordinance, allows subdivided lands to be merged and resubdivided without reverting to acreage by complying with all applicable requirements for the subdivision of land as provide for by the ordinance. The final parcel map will constitute the legal merging of separate parcels into one parcel and the resubdivision of such parcel.**

A variance is requested to create a parcel less than the 40 acre minimum zoning requirement. No new uses are being proposed.

- 9. Surrounding land uses and setting: **Ranchettes, agricultural uses and scattered single-family dwellings.**
- 10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology /Soils |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Land Use / Planning |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Population / Housing |
| <input checked="" type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Angela Freitas
Signature

October 23, 2000
Date

Angela Freitas
Printed name

For

EVALUATION OF ENVIRONMENTAL IMPACTS:

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration.

Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

a) Earlier Analysis Used. Identify and state where they are available for review.

b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The explanation of each issue should identify:

a) the significance criteria or threshold, if any, used to evaluate each question; and

b) the mitigation measure identified, if any, to reduce the impact to less than significance.

	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
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ISSUES

I. AESTHETICS -- Would the project:

- a) Have a substantial adverse effect on a scenic vista?
- b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?
- c) Substantially degrade the existing visual character or quality of the site and its surroundings?
- d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Discussion:

- a-c. The project site lies in an area dominated by agricultural uses with no significant scenic resources and/or scenic vista. The visual character of any development resulting from this project will be consistent with the surrounding area.
- d. No new uses are being proposed as a part of this project and, as such, there will be no new light sources.

Mitigation: None.

References: County policies and staff experience.

II. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?
- b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?
- c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?

Discussion:

- a. The project site is classified by the Farmland Mapping and Monitoring program as "Prime Farmland". Soils on the site primarily consists of Grangeville Very Fine Sandy Loam 0 - 1%, which is a Class I soil with an index rating of 85.

- | | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
|----|---|--|------------------------------|-----------|
| b. | <p>The project site lies within the General Agriculture 40-acre minimum (A-2-40) zoning district and is enrolled in a Williamson Act Contract. (Contract No. 76-2152) The site is planted in walnut trees and improved with one single family dwelling unit and various accessory structures. Section 51201(C)(4), of the Williamson Act, defines prime agricultural land as including land planted with nut-bearing trees. Under the Williamson Act, lands are presumed to be too small to sustain their agricultural use if the lands are less than 10 acres in size, in the case of prime agricultural land, or the subdivision will result in residential development not incidental to the commercial agricultural use of the land. However, Section 66474.4(b)(2) of the Williamson Act provides that a legislative body may approve of a subdivision with parcels smaller than 10 acres if the following finding can be made:</p> <ul style="list-style-type: none"> • One of the parcels contains a residence and is subject to Section 428 of the Revenue and Taxation Code; the residence has existed on the property for at least five years; the landowner has owned the parcels for at least 10 years; and the remaining parcels shown on the map area at least 10 acres in size if the land is prime agricultural land, or at least 40 acres in size if the land is not prime agricultural land. | | | |

The proposed three acre parcel contained a residence constructed in 1981 and subject to Section 428 of the Revenue and Taxation code. The applicants have held ownership interest in project site since 1980 and the remaining parcel will exceed the 10 acre minimum requirement.

- c. No new uses are being proposed as a part of this project. The project site will remain in commercial agricultural production, and will be restricted by zoning to on-site residential development which is incidental and accessory to the commercial agricultural use of the land. Additionally, the proposed parcels will permit one less dwelling unit than currently permitted.

Mitigation: None.

References: Stanislaus County General Plan - Adopted October 1994, Stanislaus County Zoning Ordinance, Farmland Mapping and Monitoring Program, California Land Conservation Act of 1965 (Williamson Act), and Revenue and Taxation Code Section 428.

III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Create objectionable odors affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
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Discussion:

a-c. The project site is within the San Joaquin Valley Air Basin, which has been classified as "serious non-attainment" for ozone and respirable particulate matter (PM-10) as defined by the Federal Clean Air Act. The San Joaquin Valley Air Pollution Control District (SJVAPCD) has been established by the State in an effort to control and minimize air pollution. As such, the District maintains permit authority over stationary sources of pollutants.

The primary source of air pollutants generated by this project would be classified as being generated from "mobile" sources. Mobile sources would generally include dust from roads, farming, and automobile exhausts. Mobile sources are generally regulated by the Air Resources Board of the California EPA which sets emissions for vehicles, and acts on issues regarding cleaner burning fuels and alternative fuel technologies. As such, the SJVAPCD has addressed most criteria air pollutants through basin wide programs and policies to prevent cumulative deterioration of air quality within the Basin.

d, e. No new uses are being proposed and, as such, there is no evidence to suggest this project will expose and/or create objectionable odors.

Mitigation: None.

References: San Joaquin Valley Air Pollution Control District - Regulation VIII Fugitive Dust/PM-10 Synopsis and the Stanislaus County General Plan - Adopted June 1994.

IV. BIOLOGICAL RESOURCES -- Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
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Discussion:

- a-d. The presence of endangered species and/or habitats, locally designated species, wildlife dispersal, migration corridors, and/or wetlands have not been identified on the site.
- e, f. The features of this project will have no impact to any local policies, or ordinances, and/or conservation plans protecting biological resources.

Mitigation: None.

References: Stanislaus County General Plan - Adopted June 1994 and the Stanislaus County General Plan Support Documentation - Adopted June 1987.

V. CULTURAL RESOURCES -- Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

- a-d. The undeveloped project site is not listed and/or eligible for listing on any federal, state, and/or local historical registry and there is no evidence of significant cultural resources. No new uses are being proposed which would require the physical alteration of the site.

Mitigation: None.

References: Stanislaus County General Plan - Adopted June 1994 and the Stanislaus County General Plan Support Documentation - Adopted June 1987.

VI. GEOLOGY AND SOILS -- Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: | | | | |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ii) Strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iii) Seismic-related ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a-d. As contained on page 247 of the General Plan Support Document (June 1987), the areas of the County subject to significant geologic hazard are located in the Diablo Range, west of Interstate 5. Any permitted structures resulting from this project will be required by Building Code to be built according to standards appropriate to withstand shaking for the area in which they are constructed.
- e. No new uses are being proposed at this time, however there is no indication that the soils on the site are incapable of supporting any disposal system which may be required for a permitted use.

Mitigation: None.

References: Stanislaus County General Plan - Adopted June 1994, Stanislaus County General Plan Support Documentation - Adopted June 1987, and the 1997 Uniform Building Code.

VII. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a-c. Pesticide exposure is a risk in the agricultural areas. Sources of exposure include contaminated groundwater which is consumed and drift from spray applications. The groundwater is not known to be contaminated in this area. Application of sprays is strictly controlled by the Agricultural Commissioner and can only be accomplished after first obtaining permits.
- d. The site is not known to be included on any lists of hazardous materials sites.
- e, f. The site is not located within an airport land use plan, within two miles of a public airport, or in the vicinity of a private airstrip.
- g. There is no indication this project will impair or interfere with any emergency plan.
- h. The site is not located adjacent to or intermixed with wildlands.

Mitigation: None.

References: Stanislaus County General Plan - Adopted June 1994, and the Stanislaus County General Plan Support Documentation - Adopted June 1987.

VIII. HYDROLOGY AND WATER QUALITY -- Would the project:

a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a-f. Run-off is not considered an issue because of several factors which limit the potential impact. These factors include permeable soils, relatively low rainfall intensities, and the flat slope of the subject site. No new uses are being proposed by this project and any permitted dwellings will be required to meet County standards regarding on-site sewer and water services.
- g-i. Portions of the southern most project site lies within the 100 year flood plan identified in accordance with the Federal Emergency Management Act. There is no evidence to suggest significant impacts as a result of the sites location to the flood plan. No new uses are being proposed and there is ample room for the location of permitted structures without encroachment onto the flood plan.
- j. The site is not located in area subject to these conditions.

Mitigation: None.

References: Stanislaus County General Plan - Adopted June 1994 and the Stanislaus County General Plan Support Documentation - Adopted June 1987.

	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
IX. LAND USE AND PLANNING - Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a,c. This project will not result in the physical division of an established community and is not located in an area covered by a conservation plan.
- b. A variance is being request to allow the creation of a 3-acre parcel which does not meet the County's 40-acre minimum parcel size. The granting of this variance will result in a less than significant environmental impact. The overall non-environmental implications of the variance request will be analyzed in detail within the staff report.

Mitigation: None.

References: Stanislaus County General Plan - Adopted June 1994 and the Stanislaus County General Plan Support Documentation - Adopted June 1987.

X. MINERAL RESOURCES -- Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a-b. Mineral resources have not been identified on the site.

Mitigation: None.

References: Stanislaus County General Plan - Adopted June 1994 and the Stanislaus County General Plan Support Documentation - Adopted June 1987.

XI. NOISE -- Would the project result in:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a-d. No new uses are being proposed and, as such, it is not anticipated this project will generate noises in excess of established standards. Construction activities resulting from permitted uses on the project site may result in less than significant temporary increase in noise levels.
- e-f. The site is not located within a airport land use plan, within two miles of a public airport, or in the vicinity of a private airstrip.

Mitigation: None.

References: Stanislaus County General Plan - Adopted June 1994, Stanislaus County General Plan Support Documentation - Adopted June 1987, and staff experience.

XII. POPULATION AND HOUSING -- Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a-c. This project does not contain substantial growth inducing features and will not result in the displacement of existing housing and/or people. The current zoning permits two-single family dwelling to be constructed on the proposed 98.4 acre remainder parcel. The parcel configuration being proposed would reduce the overall permitted number of dwellings by one.

	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
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Mitigation: None.

References: Stanislaus County General Plan - Adopted June 1994 and the Stanislaus County Zoning Ordinance.

XIII. PUBLIC SERVICES

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

a. Public services will be affected by the creation of new, undeveloped, parcels and the County has standardized mitigation adoption of Public Facilities Impact Fees and Fire Facilities Fee's. In addition, first year costs of the Sheriff's Department have been standardized based on studies conducted by the Sheriff's Department.

Mitigation:

1. *Developer shall pay all Public Facilities Impact Fees and Fire Facilities Fees as adopted by Resolution of the Board of Supervisors. The Fees shall be payable at the time of issuance of the building permit for any construction in the development project and shall be based on the rates in effect at the time of building permit issuance.*
2. *Prior to the issuance of building permits for a dwelling, the owner/developer shall pay a fee of \$339.00 per dwelling to the County Sheriff's Department.*

References: County policies, Stanislaus County General Plan - Adopted June 1994, and the Stanislaus County General Plan Support Documentation - Adopted June 1987.

XIV. RECREATION --

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
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Discussion:

- a. The increased use of existing recreational facilities as a result of this project is less than significant. Public Facilities Impact Fees, as adopted by the Board of Supervisors and as required under the mitigation for public services, contribute towards existing park maintenance.
- b. This project does not include and/or require recreational facilities or expansion of existing facilities.

Mitigation: None.

References: County policies, Stanislaus County General Plan - Adopted June 1994, and the Stanislaus County General Plan Support Documentation - Adopted June 1987.

XV. TRANSPORTATION/TRAFFIC -- Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Result in inadequate parking capacity? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

- a-b. There is no indication this project will result in a substantial increase in traffic or contribute to an unacceptable level of service on existing area roadways.
- c. This project will not result in a change in air traffic patterns based on the permitted use of the project site and since the site is not located near a public airport and/or private airstrips.
- d. There is no indication the design features of this project are hazards and/or incompatible uses exist.
- e. There is no indication the parcels will result in inadequate emergency access. All parcels direct frontage onto a county maintained roadway.

- | | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-----------|
| f. The proposed parcels are adequate to support the required parking of permitted uses. | | | | |
| g. This project does not conflict with adopted transportation policies, plans, or programs. | | | | |

Mitigation: None

References: County Public Works Department, Stanislaus County General Plan - Adopted June 1994 and the Stanislaus County General Plan Support Documentation - Adopted June 1987.

XVI. UTILITIES AND SERVICE SYSTEMS --

Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Comply with federal, state, and local statutes and regulations related to solid waste? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

- a, b, e. Any permitted development resulting from this project will be served by individual on-site septic systems.
- c. This project will not result in the construction and/or expansion of storm water drainage facilities.
- d. The project site will be served by individual private water wells. Concerns regarding groundwater quality and availability have not been expressed.
- f-g. This project will not conflict with any applicable solid waste regulations and will have no significant impact to the existing landfill capacity.

Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
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Mitigation: None.

References: Stanislaus County General Plan - Adopted June 1994 and the Stanislaus County General Plan Support Documentation - Adopted June 1987.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE --

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

AF:cm
 (I:\Angela\Parcel Map\PM 2000-25 Lombardi\initial study.wpd)

Stanislaus County

Planning and Community Development

1010 10th Street, Suite 3400
Modesto, CA 95354

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

Mitigation Monitoring Plan

Adapted from CEQA Guidelines sec. 15097 Final Text, October 26, 1998

October 24, 2000

1. Project title and location: **Variance Application No. 2000-03 and Vesting Tentative Parcel Map Application No. 2000-25 - Judith & Louis Lombardi**
2. Project Applicant name and address: **Judith & Louis Lombardi
19830 Pellerin Road
Waterford, CA 95386**
3. Person Responsible for Implementing Mitigation Program (Applicant Representative): **Judith & Louis Lombardi**
4. Contact person at County: **Angela Freitas, Associate Planner
(209)525-6330**

MITIGATION MEASURES AND MONITORING PROGRAM:

List all Mitigation Measures by topic as identified in the Mitigated Negative Declaration and complete the form for each measure.

XIII. PUBLIC SERVICES

No. 1 Mitigation Measure:

Developer shall pay all Public Facilities Impact Fees and Fire Facilities Fees as adopted by Resolution of the Board of Supervisors. The Fees shall be payable at the time of issuance of the building permit for any construction in the development project and shall be based on the rates in effect at the time of building permit issuance.

Who Implements the Measure:

Applicant.

When should the measure be implemented:

Prior to the issuance of a building permit.

When should it be completed:

Prior to the issuance of a building permit

Who verifies compliance:

Building Department.

Other Responsible Agencies:

None.

No. 2 Mitigation Measure:

Prior to the issuance of building permits for a dwelling, the owner/developer shall pay a fee of \$339.00 per dwelling to the County Sheriff's Department.

Stanislaus County Mitigation Monitoring Plan
Yard 2000-22 & PM 2000-70 - Judith & Louis Lombardi

Page 2
October 27, 2000

Who implements the Measure:	Applicant.
When should the measure be implemented:	Prior to the issuance of a building permit.
When should it be completed:	Prior to the issuance of a building permit.
Who verifies compliance:	Building Department.
Other Responsible Agencies:	None.

I the undersigned, do hereby certify that I understand and agree to be responsible for implementing the Mitigation Program for the above listed project.

James Andrew - Judith M Lombardi
Person Responsible for implementing
Mitigation Program

Date 10/29/00

AF:cm
(I:\Angie\Parcel Map\PM 2000-22 Lombardi\ms-man.mxd)

MITIGATED NEGATIVE DECLARATION

- NAME OF PROJECT:** Variance Application No. 2000-03 and Vesting Tentative Parcel Map Application No. 2000-25 - Judith & Louis Lombardi
- LOCATION OF PROJECT:** South of the Pellerin Road and Blossom Road intersection, between Pellerin Road and the Tuolumne River, in the Waterford area. (19830 Pellerin Road. APN No. 019-02-05,06)
- PROJECT DEVELOPER:** Judith and Louis Lombardi
- DESCRIPTION OF PROJECT:** This is a request to create a 3.0 acre parcel and a 98.4 acre remainder parcel through the merger and resubdivision of two existing parcels of 36.0 and 62.0 acres in size. A variance is requested to create a parcel less than the 40 acre minimum zoning requirement. No new uses are being proposed.

Based upon the Initial Study, dated **October 23, 2000** the Environmental Coordinator finds as follows:

1. This project will not have a detrimental effect upon either short-term or long-term environmental goals.
2. This project will not have impacts which are individually limited but cumulatively considerable.
3. This project will not have environmental impacts which will cause substantial adverse effects upon human beings, either directly or indirectly.

The aforementioned findings are contingent upon the following mitigation measures (if indicated) which shall be incorporated into this project:

1. Developer shall pay all Public Facilities Impact Fees and Fire Facilities Fees as adopted by Resolution of the Board of Supervisors. The Fees shall be payable at the time of issuance of the building permit for any construction in the development project and shall be based on the rates in effect at the time of building permit issuance.
2. Prior to the issuance of building permits for a dwelling, the owner/developer shall pay a fee of \$339.00 per dwelling to the County Sheriff's Department.

VAR 2000-03 and PM 2000-25
Mitigated Negative Declaration
Page 2

The Initial Study and other environmental documents are available for public review at the Department of Planning and Community Development, 1010 10th Street, Suite 3400, Modesto, California.

Initial Study prepared by: Angela Freitas, Associate Planner

Submit comments to: Stanislaus County
Planning and Community Development Department
1010 10th Street, Suite 3400
Modesto, California 95354

AF:cm
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CALIFORNIA DEPARTMENT OF FISH AND GAME

CERTIFICATE OF FEE EXEMPTION

De Minimis Impact Finding

Project Title/Location (include county):

Variance Application No. 2000-03 and Vesting Tentative Parcel Map Application No. 2000-25 - Judith & Louis Lombardi
South of the Pellerin Road and Blossom Road intersection, between Pellerin Road and the Tuolumne River, in the Waterford area. (19830 Pellerin Road. APN No. 019-02-05,06)

Project Description:

This is a request to create a 3.0 acre parcel and a 98.4 acre remainder parcel through the merger and resubdivision of two existing parcels of 36.0 and 62.0 acres in size. A variance is requested to create a parcel less than the 40 acre minimum zoning requirement. No new uses are being proposed.

Findings of Exemption (attach as necessary):

The Stanislaus County Planning Commission make a finding of "De Minimis" on this project for the following reasons:

1. This project will not have a detrimental effect upon either short-term or long-term environmental goals.
2. This project will not have impacts which are individually limited but cumulatively considerable.
3. This project will not have environmental impacts which will cause substantial adverse effects upon human beings, either directly or indirectly.

Certification:

I hereby certify that the public agency has made the above finding and that the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.

(Chief Planning Official)

Title: Planning Director
Lead Agency: Stanislaus County
Date: _____

**SUMMARY RESPONSES: ENVIRONMENTAL REVIEW
 REFERRALS PROJECT: PM 2000-25 AND VAR 2000-03
 JUDITH AND LOUIS LOMBARDI**

Planner:

REFERRED TO:	PUBLIC HEARING NOTICE	RESPONDED		RESPONSE			MITIGATION MEASURES		Conditions	
		YES	NO	WILL NOT HAVE SIGNIFICANT IMPACT	MAY HAVE SIGNIFICANT IMPACT	NO COMMENT NON CEQA	YES	NO	YES	No
DATE: JUNE 27, 2000										
AGRICULTURE COMMISSIONER	X		X							
AIRPORT LANDS COMMISSION										
CA DEPT OF FORESTRY										
CALTRANS	X	X		X				X		X
CITY OF WATERFORD	X	X					X	X		X
COMMUNITY SERVICES/SANITARY DISTRICT										
CORPS OF ENGINEERS										
COUNTY COUNSEL	X		X							
DEVELOPMENT SERVICES	X	X					X	X	X	
ENVIRONMENTAL RESOURCES	X	X					X	X		X
FIRE PROTECTION DISTRICT:										
CONSOLIDATED FIRE PROTECTION DISTRICT	X		X							
FISH & GAME	X		X							
HOSPITAL DISTRICT										
IRRIGATION DISTRICT: MODESTO IRRIGATION DIST.	X	X	X				X		X	
LAFCO										
MOSQUITO DISTRICT: EASTSIDE	X	X		X						
MOUNTAIN VALLEY EMERGENCY MEDICAL SERVICES	X			X						
MUNICIPAL ADVISORY COUNCIL										
NATURAL RESOURCES CONSERVATION SERVICE										
PARKS & FACILITIES	X		X				X			
P.G. & E.	X			X						
PUBLIC WORKS	X		X				X	X	X	
REDEVELOPMENT	X			X						
REGIONAL WATER QUALITY										
RISK MANAGEMENT	X		X		X			X		X
StanCOG	X			X						
SCHOOL DISTRICT 1:										
SCHOOL DISTRICT 2: WATERFORD UNIFIED	X			X						
SHERIFF	X			X						
STANISLAUS COUNTY FARM BUREAU	X			X						
STANISLAUS ERC	X		X				X	X		X
STATE CLEARINGHOUSE										
STATE LANDS BOARD										
SUPERVISORIAL DISTRICT 1: PAT PAUL	X			X						
TELEPHONE COMPANY: PAC BELL	X			X						
TUOLUMNE RIVER PRESERVATION TRUST										
US FISH & WILDLIFE	X			X						
VALLEY AIR DISTRICT	X			X						
WATER DISTRICT										
STATE DEPARTMENT OF CONSERVATION	X			X						

9:30



RECEIVED
FEB 12 2001
BY: *Cross*

February 12, 2001

JOB NO. 00-18

Stanislaus County Board of Supervisors
1010 10th Street, Suite 6700
Modesto, Ca 95354

Attn: Christine Ferraro Tallman, Clerk of the Board

Subject: Parcel Map Application No. 2000-25 and Variance
No. 2000-03 – Judith and Louis Lombardi

Dear Ms. FerraroTallman,

The above matter is scheduled for hearing on appeal at 9:30 AM,
Tuesday, February 13, 2001.

Due to a conflict (my clients will be out of town on that date) we
respectfully request a continuance until your next available meeting.
Hopefully this can occur within the next 2 weeks.

I will be in the audience on Tuesday, February 13th, 2001 in case there
any questions from the board members.

Thank you for your cooperation in this request.

Sincerely,

Dennis E. Wilson

DEW/chw

cc: Angela Frietas, Associate Planner
Louis and Judith Lombardi

Roy A. Galli
R.C.E. 16,024
Dennis E. Wilson
Planning Consultant
P.O. Box 1448
Modesto, California
95353
phone 209.491.7620
fax 209.491.7626