

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

DEPT: Planning and Community Development

BOARD AGENDA # *D-2

Urgent Routine

AGENDA DATE March 4, 2008

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval to Set a Public Hearing on March 25, 2008 at 9:20 a.m. to Consider Planning Commission's Recommendation for Approval of Williamson Act Cancellation Application #2007-01, Variance Application #2007-02, and Lot Line Adjustment Application #2007-03, Friends of the Tuolumne

STAFF RECOMMENDATIONS:

Set a public hearing on March 25, 2008 at 9:20 a.m. to consider the Planning Commission's recommendation for approval of Williamson Act Cancellation Application #2007-01, Variance Application #2007-02, and Lot Line Adjustment Application #2007-03, Friends of the Tuolumne, a request to adjust lot lines from 40.36, 68.74 and 115.2 acres to 3.95, 71.96, and 148.39 acres in the A-2-40 (General Agriculture) Zoning District, approval of a Variance application to allow one parcel to be created at 3.95 acres - less than the 40-acre minimum requirement, and to cancel a portion of Williamson Act contract No 2002-4481 on the 3.95 acre parcel. The property is located at 23792 and 23806 Yosemite Boulevard, in the Waterford area.

FISCAL IMPACT:

There are no fiscal impacts associated with this item.

BOARD ACTION AS FOLLOWS:

No. 2008-149

On motion of Supervisor Grover, Seconded by Supervisor O'Brien

and approved by the following vote,

Ayes: Supervisors: O'Brien, Grover, Monteith, DeMartini, and Chairman Mayfield

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

4) _____ Other:

MOTION:



ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

NOTICE OF PUBLIC HEARING FOR
WILLIAMSON ACT CANCELLATION #2007-01
VARIANCE APPLICATION #2007-02 AND
LOT LINE ADJUSTMENT APPLICATION #2007-03
FRIENDS OF THE TUOLUMNE

NOTICE IS HEREBY GIVEN that on March 25, 2008 at 9:20 a.m., or as soon thereafter as the matter may be heard, the Stanislaus County Board of Supervisors will meet in the Basement Chambers, Lower Level, 1010 10th St., Modesto, CA, to consider the Planning Commission's recommendation for approval to adjust lot lines from 40.36, 68.74 and 115.2 acres to 3.95, 71.96, and 148.39 acres in the A-2-40 (General Agriculture) Zoning District, approval of a Variance application to allow one parcel to be created at 3.95 acres - less than the 40-acre minimum requirement, and to cancel a portion of Williamson Act Contract No 2002-4481 on the 3.95 acre parcel. The property is located at 23792 and 23806 Yosemite Boulevard, north of the Tuolumne River and south of Rushing Road, in the Waterford area. APNs: 008-020-017, 008-020-018, and 008-020-020 The Board of Supervisors will consider a CEQA Mitigated Negative Declaration on this project.


NOTICE IS FURTHER GIVEN that at the said time and place, interested persons will be given the opportunity to be heard. Material submitted to the Board for consideration (i.e. photos, petitions, etc.) will be retained by the County. If a challenge to the above application is made in court, persons may be limited to raising only those issues they or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board. For further information call (209) 525-6330.

BY ORDER OF THE BOARD OF SUPERVISORS

DATED: March 4, 2008

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk of
the Board of Supervisors
of the County of Stanislaus,
State of California.

BY:


Elizabeth A. King, Assistant Clerk



BOARD OF SUPERVISORS

2008 MAR 14 P 3:08

March 14, 2008

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT the Stanislaus County Board of Supervisors will hold a public hearing on **Tuesday, March 25, 2008**, starting at **9:20 A.M.** in the Joint Chambers, 1010 10th Street, Basement Level, Modesto, California, to consider the following:

Planning Commission's recommendation for approval of Williamson Act Cancellation Application #2007-01, Variance Application #2007-02, and Lot Line Adjustment Application #2007-03, Friends of the Tuolumne, a request to adjust lot lines from 40.36, 68.74 and 115.2 acres to 3.95, 71.96, and 148.39 acres in the A-2-40 (General Agriculture) Zoning District, approval of a Variance application to allow one parcel to be created at 3.95 acres - less than the 40-acre minimum requirement, and to cancel a portion of Williamson Act contract No 2002-4481 on the 3.95 acre parcel. The property is located at 23792 and 23806 Yosemite Boulevard, in the Waterford area.

The property is further identified as Assessor's Parcel No. 008-020-017, 018, and 020.

The Board of Supervisors will also consider approval of a CEQA Mitigated Negative Declaration for this item.

At the above noticed time and place, all interested persons will be given an opportunity to speak.

Materials submitted to the Board of Supervisors for consideration (i.e., photos, slides, petitions, letters, etc.) will be retained by the County and cannot be returned.

If you challenge the above item in court, you may be limited to raising only those issues raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors, at or prior to, the public hearing.

For further information, please call (209) 525-6330, or email: planning@mail.co.stanislaus.ca.us.

PROOF OF SERVICE BY MAIL - CCP 1013a, 2015.5

I declare that: I am employed in the County of Stanislaus, California.

I am over the age of eighteen years and not a party to the within entitled cause; my business address is:

Stanislaus County Administration Building
Department of Planning & Community Development
1010 10th Street, Suite 3400
Modesto, CA 95354

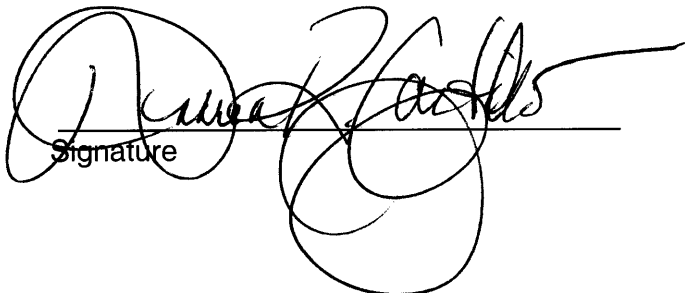
On March 14, 2008, I served the attached Notice of Public Hearing
(Date)

WILLIAMSON ACT CANCELLATION APPLICATION #2007-01, VARIANCE APPLICATION #2007-02, AND LOT LINE ADJUSTMENT APPLICATION #2007-03, FRIENDS OF THE TUOLUMNE on the parties listed below in said cause, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail at Modesto, California, addressed as follows:

SEE ATTACHED LIST

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed on March 14, 2008, at Modesto, California.
(Date)

~~Crystal D Rein~~ Andrea Castillo
(Type or print name)


Signature

**VARIANCE APPLICATION NO. 2007-02, LOT LINE ADJUSTMENT APPLICATION NO. 2007-03
AND WILLIAMSON ACT CANCELLATION NO. 2007-01 - FRIENDS OF THE TUOLUMNE**
Attachment A

Distribution List

X	AGRICULTURE COMMISSIONER	X	PG&E
X	AIRPORT LAND USE COMMISSION - JOSHUA MANN	X	PUBLIC WORKS - RON CHERRIER, JOHN SANCHEZ MORGAN RD DRAINAGE BILL CARDOZA MORGAN RD TRAFFIC
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X	STANISLAUS FIRE PREVENTION BUREAU	X	STANISLAUS ERC
X	FISH AND GAME	X	STATE CLEARINGHOUSE
X	HOSPITAL DIST: OAK VALLEY	X	STATE LANDS BOARD
X	IRRIGATION DIST: OAKDALE	X	SUPERVISOR DIST 1: O'BRIEN
X	LAFCO	X	TELEPHONE COMPANY: AT&T
X	MOSQUITO DIST: EASTSIDE	X	TUOLUMNE RIVER TRUST
X	MOUNTAIN VALLEY EMERGENCY SERVICES	X	US FISH AND WILDLIFE
	MUNICIPAL ADVISORY COUNCIL:	X	VALLEY AIR DIST
X	PARKS AND FACILITIES		WATER DIST
X	PUBLIC WORKS - TRANSPORTATION	X	DEPARTMENT OF CONSERVATION (certified)
X	SURROUNDING LAND OWNERS (on file with the Clerk to the Board of Supervisors)		UNITED STATES MILITARY AGENCIES (SB 1462) (5 agencies)

Affidavit of Publication

STATE OF CALIFORNIA }
County of Stanislaus }ss

RUTH REYES

Here-un-to being first duly sworn, deposes and says that all time hereinafter mentioned he/she was a citizen of the United States over the age of twenty-one (21) years, and doing business in said county, not interested in the matter of the attached publication, and is competent to testify in said matter, that he/she was at and during all said time the principal clerk to the printer and publisher of the

WATERFORDNEWS

a legal newspaper of general circulation published weekly in Waterford in said County of Stanislaus, State of California: that said

WATERFORDNEWS

is and was at all times herein mentioned, a newspaper of general circulation as that term is defined by Section 6000 of the Government Code, and as provided by said section and so adjudicated by Decree No. 41155 by the Superior Court of Stanislaus County, State of California, is published for the dissemination of local and telegraphic news and intelligence of a general character, have a bonafide subscription list of paying subscribers, and is not devoted to the interest, or published for the entertainment or instruction of a particular class, profession, trade, calling, race or denomination: or for the entertainment and instruction of any number of such classes, professions, trades, callings, races or denominations: that at all times said newspaper has been established, in Waterford; in said County and State, at regular intervals for more than one year preceding the first publication of the notice herein mentioned, that said notice was set in type not smaller than nonpareil and was preceded with words printed in blackface type not smaller than nonpareil, describing and expressing in general terms, the purport and character of the notice intended to be given

Notice of Public Hearing for Williamson Act Cancellation #2007-01.

of which named annexed is a printed copy, was published and printed in said

WATERFORDNEWS

at least 1 time, commencing on the 11th day of March 2008 and ending on the 11th day of March 2008 the days inclusive, and as often during said time as said newspaper was regularly issued, to wit:

March 11, 2008

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
Dated this 11th day of March 2008.


PRINCIPAL CLERK OF THE PRINTER

LEGAL# 9743

NOTICE OF PUBLIC HEARING
FOR

WILLIAMSON ACT CANCELLATION #2007-01 VARIANCE APPLICATION #2007-02 AND LOT LINE ADJUSTMENT APPLICATION #2007-03

FRIENDS OF THE TUOLUMNE

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DATED: March 4, 2008.

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BY: Elizabeth A. King, Assistant Clerk