

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

DEPT: Planning and Community Development BOARD AGENDA #: *D-2

AGENDA DATE: October 18, 2016

SUBJECT:

Approval to Set a Public Hearing for November 8, 2016, at 9:10 a.m. to Consider Lot Line Adjustment (LLA) and Williamson Act Cancellation Application No. PLN2016-0019, Aker, a Request to Cancel a 4.25± Acre Portion of Williamson Act Contract No. 77-2725 and LLA Involving Property Located at 4630 and 4530 Lone Tree Road, Between Pioneer and Valley Home Roads, in the Valley Home Area

BOARD ACTION AS FOLLOWS:

No. 2016-515

On motion of Supervisor DeMartini, Seconded by Supervisor Chiesa
and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Withrow, DeMartini, and Chairman Monteith

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) Approved as recommended

2) Denied

3) Approved as amended

4) Other:

MOTION:

ATTEST:


PAM VILLARREAL, Assistant Clerk

File No.

**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
AGENDA ITEM**

DEPT: Planning and Community Development

BOARD AGENDA #: *D-2

Urgent Routine

AT

AGENDA DATE: October 18, 2016

CEO CONCURRENCE: _____

4/5 Vote Required: Yes No

SUBJECT:

Approval to Set a Public Hearing for November 8, 2016, at 9:10 a.m. to Consider Lot Line Adjustment (LLA) and Williamson Act Cancellation Application No. PLN2016-0019, Aker, a Request to Cancel a 4.25± Acre Portion of Williamson Act Contract No. 77-2725 and LLA Involving Property Located at 4630 and 4530 Lone Tree Road, Between Pioneer and Valley Home Roads, in the Valley Home Area

STAFF RECOMMENDATIONS:

1. Set a public hearing for November 8, 2016, at 9:10 a.m. to consider Lot Line Adjustment and Williamson Act Cancellation Application No. PLN2016-0019, Aker, a request to cancel a 4.25± acre portion of Williamson Act Contract No.77-2725 and LLA involving property located at 4630 and 4530 Lone Tree Road, between Pioneer and Valley Home Roads, in the Valley Home area.
2. Authorize the Clerk of the Board to publish notice of hearing as required by law.

DISCUSSION:

This is a request to set a public hearing for November 8, 2016 to consider Lot Line Adjustment (LLA) and Williamson Act Cancellation Application No. PLN2016-0019, Aker, a request to cancel a 4.25± acre portion of Williamson Act Contract No. 77-2725 and LLA involving two parcels of 0.30± and 4.25± acres, proposed to be adjusted to 1.98± and 2.57± acres, located at 4630 & 4530 Lone Tree Road, between Pioneer Road and Valley Home Road, in the Valley Home area (APNs: 002-010-009 and 002-010-010).

The LLA cannot be approved without cancellation of the 4.25± acre portion of Contract No. 77-2725. The proposed 1.98± and 2.57± net acre parcels cannot be covered by a new Williamson Act Contract, as they will be below the current 10-acre minimum requirement for enrollment in a Williamson Contract.

The existing 4.25± acres parcel is improved with one single-family dwelling and two outbuildings with the remaining acreage being open pasture land. The 0.30± acre parcel is developed with a single-family dwelling with a detached garage. The purpose of the lot line adjustment is to address existing improvements of the 0.30± acre parcel encroaching on the property line.

In order for a Williamson Act contract to be cancelled, the Board of Supervisors must hold a public hearing on the request and make the necessary findings as required by state law, the County's Williamson Act Uniform Rules, and the contract itself. This item requests to set the date and time for a public hearing on the proposed contract cancellation.

Approval to Set a Public Hearing for November 8, 2016, at 9:10 a.m. to Consider Lot Line Adjustment (LLA) and Williamson Act Cancellation Application No. PLN2016-0019, Aker, a Request to Cancel a 4.25± Acre Portion of Williamson Act Contract No. 77-2725 and LLA Involving Property Located at 4630 and 4530 Lone Tree Road, Between Pioneer and Valley Home Roads, in the Valley Home Area

POLICY ISSUE:

In order for a Williamson Act Contract to be canceled, the Board of Supervisors must hold a public hearing on the request and make the necessary findings as required by California Government Code Section 51282, the County's Williamson Act Uniform Rules, and the contract itself. The existing parcels involved in this request do not comply with current minimum acreage requirements for enrollment in a Williamson Act Contract.

FISCAL IMPACT:

Costs associated with setting the public hearing, publishing required notices, and conducting the hearing will be covered by the application fee paid by the applicant.

BOARD OF SUPERVISORS' PRIORITY:

Approval of this action supports the Board of Supervisor's priority of Efficient Delivery of Public Services and A Well Planned Infrastructure by considering a Williamson Act Cancellation request necessary to establishing adjusted parcels that are consistent with the County's General Plan and Zoning Ordinance.

STAFFING IMPACT:

Existing County staff is responsible for all aspects of processing this request.

CONTACT PERSON:

Angela Freitas, Planning and Community Development Director Telephone: (209) 525-6330

ATTACHMENT(S):

None



STANISLAUS COUNTY NOTICE OF PUBLIC HEARING FOR
WILLIAMSON ACT CANCELLATION & LOT LINE ADJUSTMENT
APPLICATION NO. PLN2016-0019 – AKER

NOTICE IS HEREBY GIVEN that on November 8, 2016, at 9:10 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 approval of the following:

WILLIAMSON ACT CANCELLATION & LOT LINE ADJUSTMENT APPLICATION NO. PLN2016-0019, Aker, a request to cancel a portion of Williamson Act Contract number 77-2725, as a part of Lot Line Adjustment involving property located at 4630 and 4530 Lone Tree Road.


This project is considered exempt from the California Environmental Quality Act (CEQA). All documents are available for review at 1010 10th Street, Suite 3400, Modesto and online at: www.stancounty.com/planning/.

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: October 18, 2016

ATTEST: ELIZABETH A. KING, Clerk of
the Board of Supervisors
of the County of Stanislaus,
State of California

BY: 
Pam Villarreal, Assistant Clerk

**DECLARATION OF PUBLICATION
(C.C.P. S2015.5)**

**COUNTY OF STANISLAUS
STATE OF CALIFORNIA**

I am a citizen of the United States and a resident Of the County aforesaid; I am over the age of Eighteen years, and not a party to or interested In the above entitle matter. I am a printer and Principal clerk of the publisher of THE MODESTO BEE, printed in the City of MODESTO, County of STANISLAUS, State of California, daily, for which said newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of STANISLAUS, State of California, Under the date of February 25, 1951, Action No. 46453; that the notice of which the annexed is a printed copy, has been published in each issue there of on the following dates, to wit:

Oct 28, 2016

I certify (or declare) under penalty of perjury That the foregoing is true and correct and that This declaration was executed at

MODESTO, California on

October 28th, 2016

(By Electronic Facsimile Signature)

Cynthia A. Williams

STANISLAUS COUNTY NOTICE OF
PUBLIC HEARING FOR
WILLIAMSON ACT CANCELLATION
& LOT LINE ADJUSTMENT
APPLICATION NO.
PLN2016-0019 - AKER

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