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

Referral
Early Consultation

Date: **December 23, 2025**

To: **Distribution List (See Attachment A)**

From: **Marcus Ruddicks, Assistant Planner**
Planning and Community Development

Subject: **PARCEL MAP AND VARIANCE APPLICATION NO. PLN2025-0124 – ROSE & MARMON PARTNERSHIP**

Respond By: **January 12, 2026**

****PLEASE REVIEW REFERRAL PROCESS POLICY****

The Stanislaus County Department of Planning and Community Development is soliciting comments from responsible agencies under the Early Consultation process to determine: a) whether or not the project is subject to CEQA and b) if specific conditions should be placed upon project approval.

Therefore, please contact this office by the response date if you have any comments pertaining to the proposal. Comments made identifying potential impacts should be as specific as possible and should be based on supporting data (e.g., traffic counts, expected pollutant levels, etc.). Your comments should emphasize potential impacts in areas which your agency has expertise and/or jurisdictional responsibilities.

These comments will assist our Department in preparing a staff report to present to the Planning Commission. Those reports will contain our recommendations for approval or denial. They will also contain recommended conditions to be required should the project be approved. Therefore, please list any conditions that you wish to have included for presentation to the Commission as well as any other comments you may have. Please return all comments and/or conditions as soon as possible or no later than the response date referenced above.

Thank you for your cooperation. Please call (209) 525-6330 if you have any questions.

Applicant: **George Rose**

Project Location: **7524 Gilbert Road, between Valley Home Road (SR 120) and Rodden Road, in the Oakdale area**

APN: **006-083-048**

Williamson Act Contract: **N/A**

General Plan: **Agriculture**

Current Zoning: **General Agriculture (A-2-10)**

Project Description: **Request to subdivide a 15.07± acre parcel into a 2.47± acre parcel and a 12.6± acre remainder in the General Agriculture (A-2-10) zoning district. A variance is required for creation of a parcel under the 10-acre minimum size required. Proposed Parcel 1 has been developed with a single-family dwelling and detached shed, and the proposed remainder has been developed with an existing fruit stand and row crops. If approved, the proposed remainder could be developed with one single-family dwelling, one accessory dwelling unit (ADU), and one junior accessory dwelling unit (JADU). Proposed Parcel 1 could be further developed with one ADU and one JADU. No development is proposed at this time. The parcel is located within the Local Agency Formation Commission (LAFCO) - adopted Sphere of Influence (SOI) for the City of Oakdale. The**

property currently receives irrigation water from a private well on-site. The proposed remainder has multiple existing easements, including a 25-foot-wide storm drainage easement with ingress and egress from Gilbert Road leading to a storm drainage basin on the eastern side of the parcel, a drainage pond easement south of APN 006-083-037, a 20-foot-wide right-of-way easement for drainage that crosses APN 006-083-037, and a five-foot-wide drainage easement along Valley Home Road (State Route 120). Future access for the remainder is proposed to be taken from County-maintained Gilbert Road. Proposed Parcel 1 has an existing driveway onto Gilbert Road, and the proposed remainder currently has existing access from Gilbert Road, 26 Mile Road, and Valley Home Road.

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

PARCEL MAP AND VARIANCE APPLICATION NO. PLN2025-0124 – ROSE & MARMON PARTNERSHIP

Attachment A

Distribution List

	CA DEPT OF CONSERVATION Land Resources / Mine Reclamation		STAN CO ALUC
X	CA DEPT OF FISH & WILDLIFE		STAN CO ANIMAL SERVICES
	CA DEPT OF FORESTRY (CAL FIRE)	X	STAN CO BUILDING PERMITS DIVISION
X	CA DEPT OF TRANSPORTATION DIST 10	X	STAN CO CEO
X	CA OPR STATE CLEARINGHOUSE		STAN CO CSA
X	CA RWQCB CENTRAL VALLEY REGION	X	STAN CO DER
	CA STATE LANDS COMMISSION		STAN CO ERC
	CEMETERY DISTRICT	X	STAN CO FARM BUREAU
	CENTRAL VALLEY FLOOD PROTECTION	X	STAN CO HAZARDOUS MATERIALS
X	CITY OF: OAKDALE		STAN CO PARKS & RECREATION
	COMMUNITY SERVICES DIST:	X	STAN CO PUBLIC WORKS
	COOPERATIVE EXTENSION	X	STAN CO PUBLIC WORKS - SURVEY
	COUNTY OF:		STAN CO RISK MANAGEMENT
X	DER GROUNDWATER RESOURCES DIVISION	X	STAN CO SHERIFF
X	DISPOSAL DIST: GILTON SOLID WASTE AREA 2	X	STAN CO SUPERVISOR DIST 1: B. CONDIT
X	FIRE PROTECTION DIST: OAKDALE RURAL	X	STAN COUNTY COUNSEL
X	GSA: OID		StanCOG
X	HOSPITAL DIST: OAK VALLEY	X	STANISLAUS FIRE PREVENTION BUREAU
X	IRRIGATION DIST: OAKDALE	X	STANISLAUS LAFCO
X	MOSQUITO DIST: EASTSIDE	X	STATE OF CA SWRCB DIVISION OF DRINKING WATER DIST. 10
X	STANISLAUS COUNTY EMERGENCY MEDICAL SERVICES		SURROUNDING LAND OWNERS
	MUNICIPAL ADVISORY COUNCIL:		INTERESTED PARTIES
X	PACIFIC GAS & ELECTRIC	X	TELEPHONE COMPANY: AT&T
	POSTMASTER:		TRIBAL CONTACTS (CA Government Code §65352.3)
X	RAILROAD: UNION PACIFIC		US ARMY CORPS OF ENGINEERS
X	SAN JOAQUIN VALLEY APCD	X	US FISH & WILDLIFE
X	SCHOOL DIST 1: OAKDALE JOINT UNIFIED		US MILITARY (SB 1462) (7 agencies)
	SCHOOL DIST 2:		USDA NRCS
X	STAN CO AG COMMISSIONER		WATER DIST:
	TUOLUMNE RIVER TRUST		

STANISLAUS COUNTY
CEQA REFERRAL RESPONSE FORM

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

FROM: _____

SUBJECT: **PARCEL MAP AND VARIANCE APPLICATION NO. PLN2025-0124 – ROSE & MARMON PARTNERSHIP**

Based on this agency's particular field(s) of expertise, it is our position the above described project:

_____ Will not have a significant effect on the environment.
_____ May have a significant effect on the environment.
_____ No Comments.

Listed below are specific impacts which support our determination (e.g., traffic general, carrying capacity, soil types, air quality, etc.) – (attach additional sheet if necessary)

1.
2.
3.
4.

Listed below are possible mitigation measures for the above-listed impacts: *PLEASE BE SURE TO INCLUDE WHEN THE MITIGATION OR CONDITION NEEDS TO BE IMPLEMENTED (PRIOR TO RECORDING A MAP, PRIOR TO ISSUANCE OF A BUILDING PERMIT, ETC.):*

1.
2.
3.
4.

In addition, our agency has the following comments (attach additional sheets if necessary).

_____

_____

Response prepared by:

_____

Name Title Date

ROSE AND MARMON PARTNERSHIP PM VAR PLN2025-0124

AREA MAP

LEGEND

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

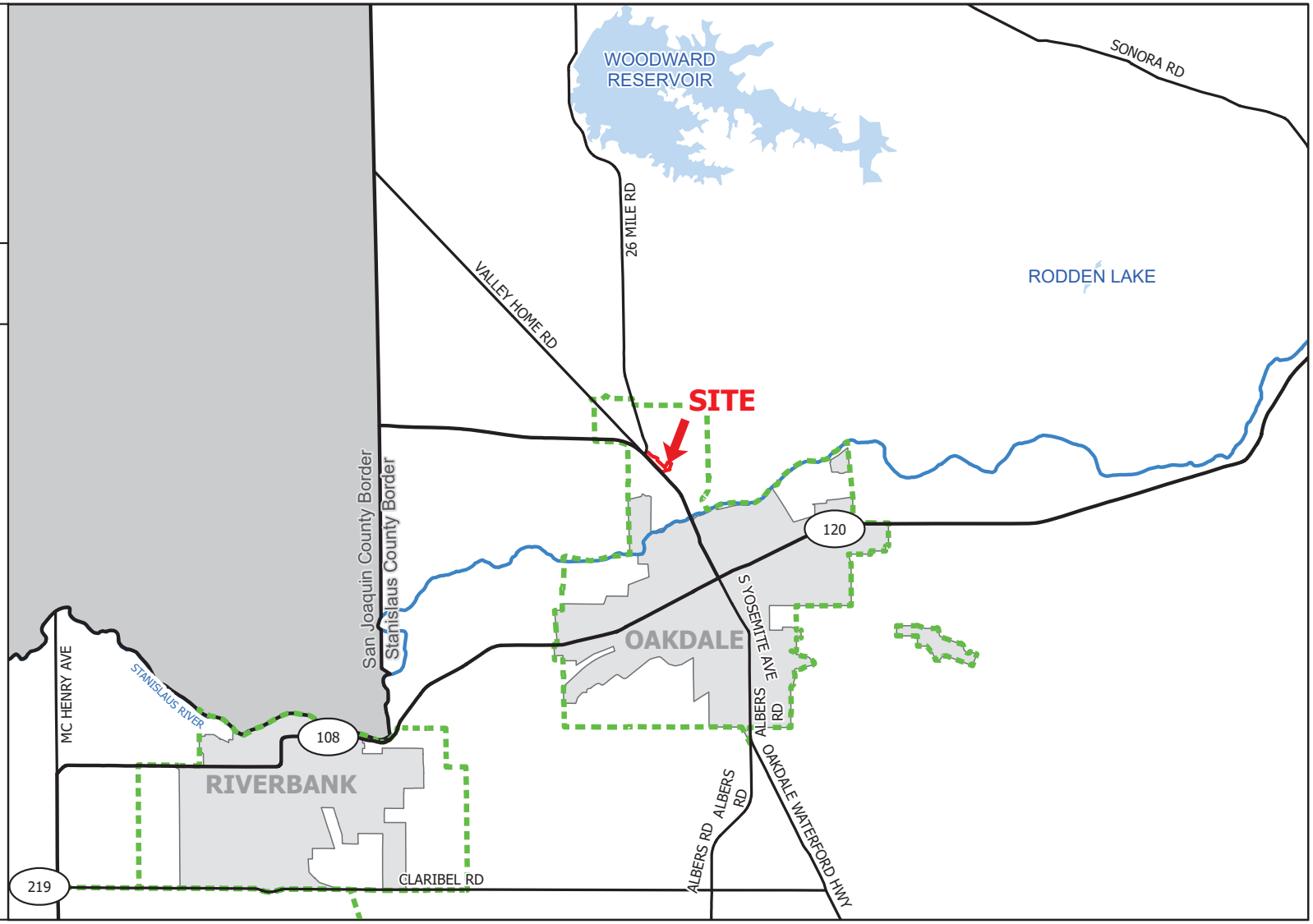
N

0 1.5 3 Miles

0 1.8 3.5 Kilometers

Source: Planning Department GIS

Date Exported: 12/4/2025



ROSE AND MARMON PARTNERSHIP PM VAR PLN2025-0124

GENERAL PLAN MAP

LEGEND

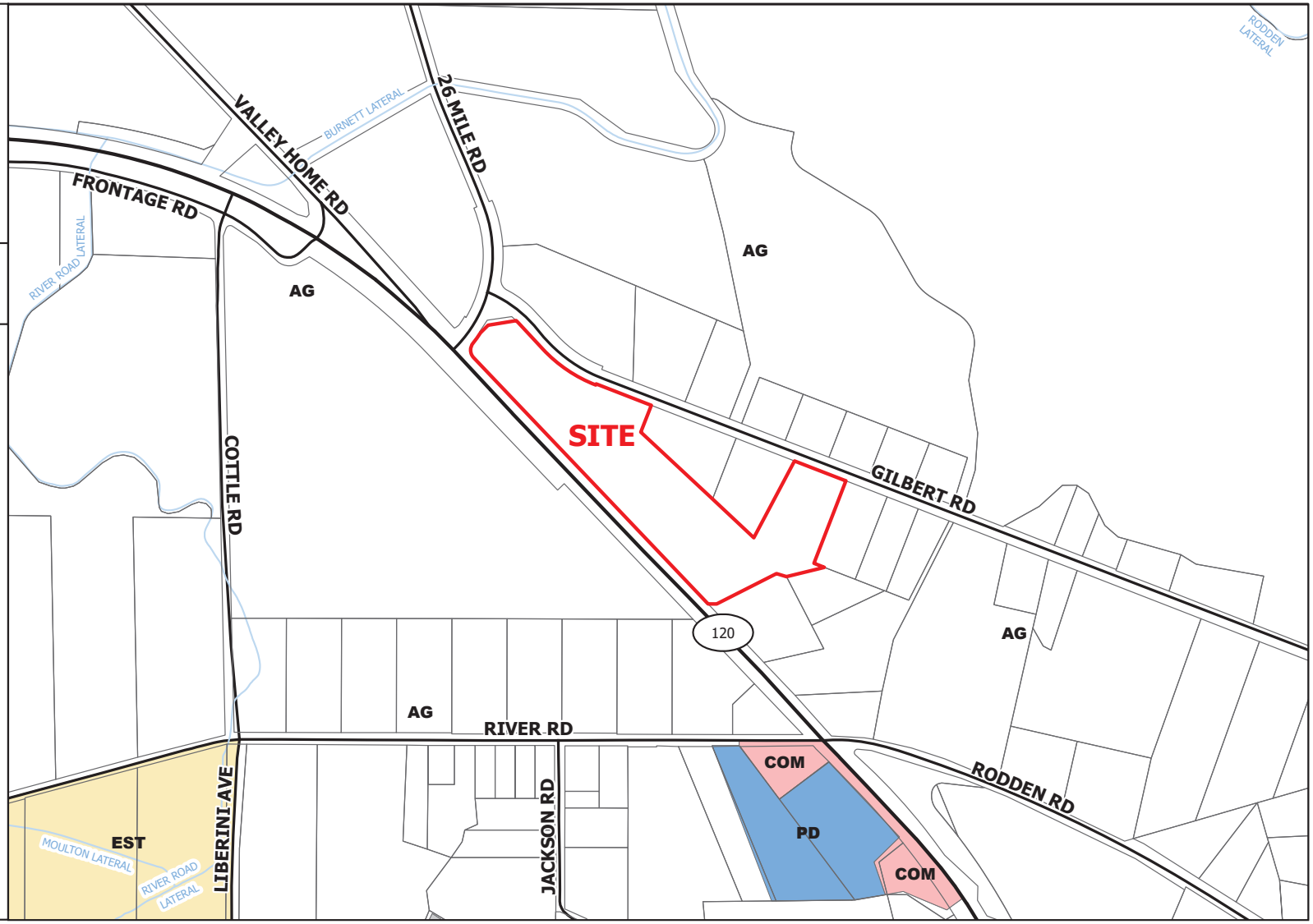
- Project Site
- Parcel
- Highway
- Street
- Canal

General Plan

- Agriculture (AG)
- City
- Commercial (COM)
- Estate Residential (EST)
- Planned Development (PD)

N 0 500 1,000 US Feet
0 150 300 Meters

Source: Planning Department GIS Date Exported: 12/4/2025



ROSE AND MARMON PARTNERSHIP PM VAR PLN2025-0124

ZONING MAP

LEGEND

- Project Site
- Parcel
- Highway
- Street
- Canal

Zoning Designation

- City of Oakdale
- General AG 10 Acre (A-2-10)
- General AG 40 Acre (A-2-40)
- Highway Frontage (H-1)
- Planned Development (P-D)
- Rural Residential (R-A)

N

0 500 1,000 US Feet

0 150 300 Meters

Source: Planning Department GIS

Date Exported: 12/4/2025

ROSE AND MARMON PARTNERSHIP PM VAR

PLN2025-0124

2023 AERIAL AREA MAP

LEGEND

- Project Site
- Parcel
- Highway
- Street
- Canal

N

0 500 1,000 US Feet

0 150 300 Meters

Source: Planning Department GIS

Date Exported: 12/4/2025

ROSE AND MARMON PARTNERSHIP PM VAR

PLN2025-0124

2023 AERIAL SITE MAP

LEGEND

- Project Site
- Parcel
- Highway
- Street

N

0 180 360 US Feet

0 50 100 Meters

Source: Planning Department GIS

Date Exported: 12/4/2025

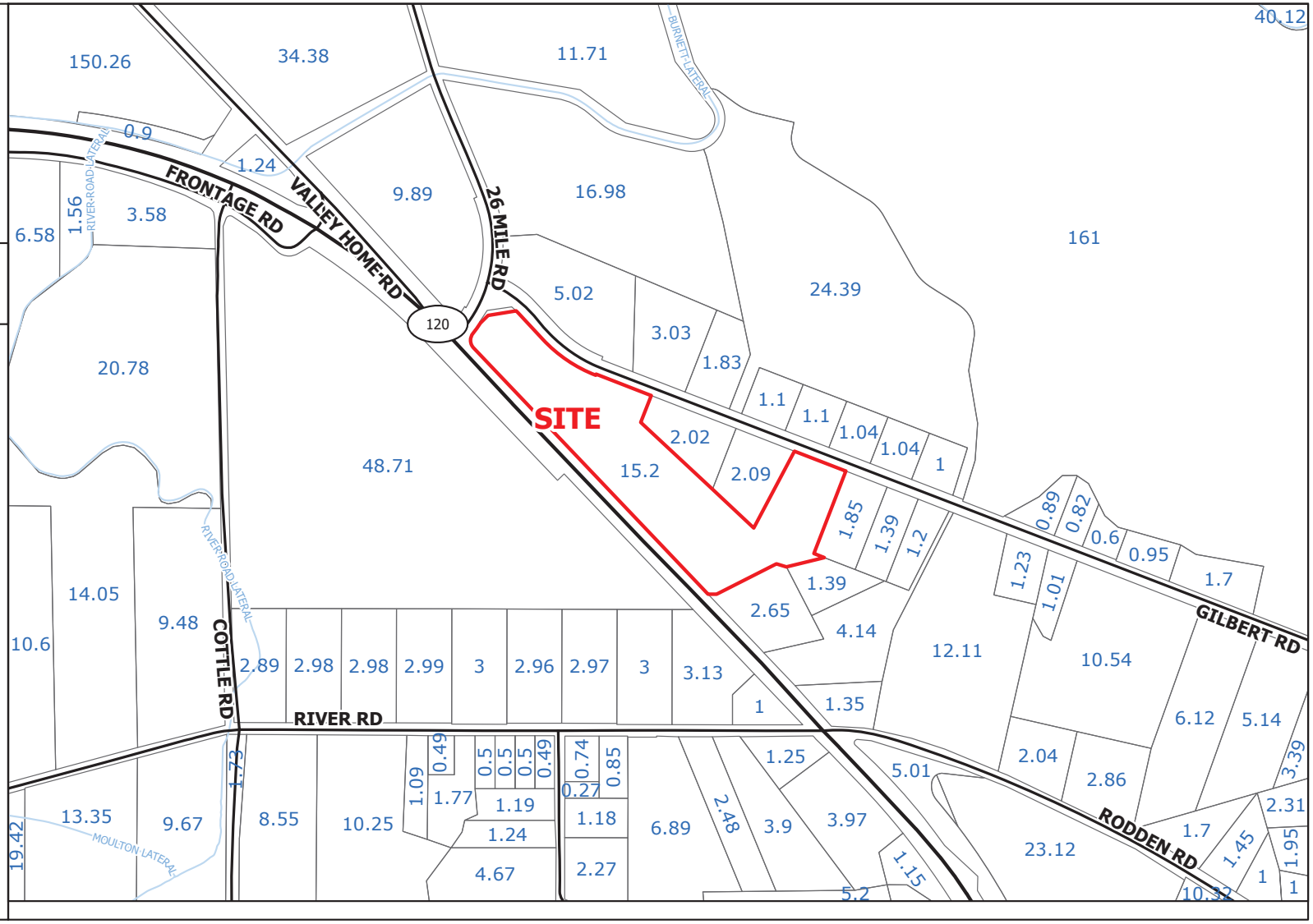
ROSE & MARMON PARTNERSHIP

PM VAR PLN2025-0124

ACREAGE MAP

LEGEND

- Highway
- Street
- Canal
- Project Site
- Parcel

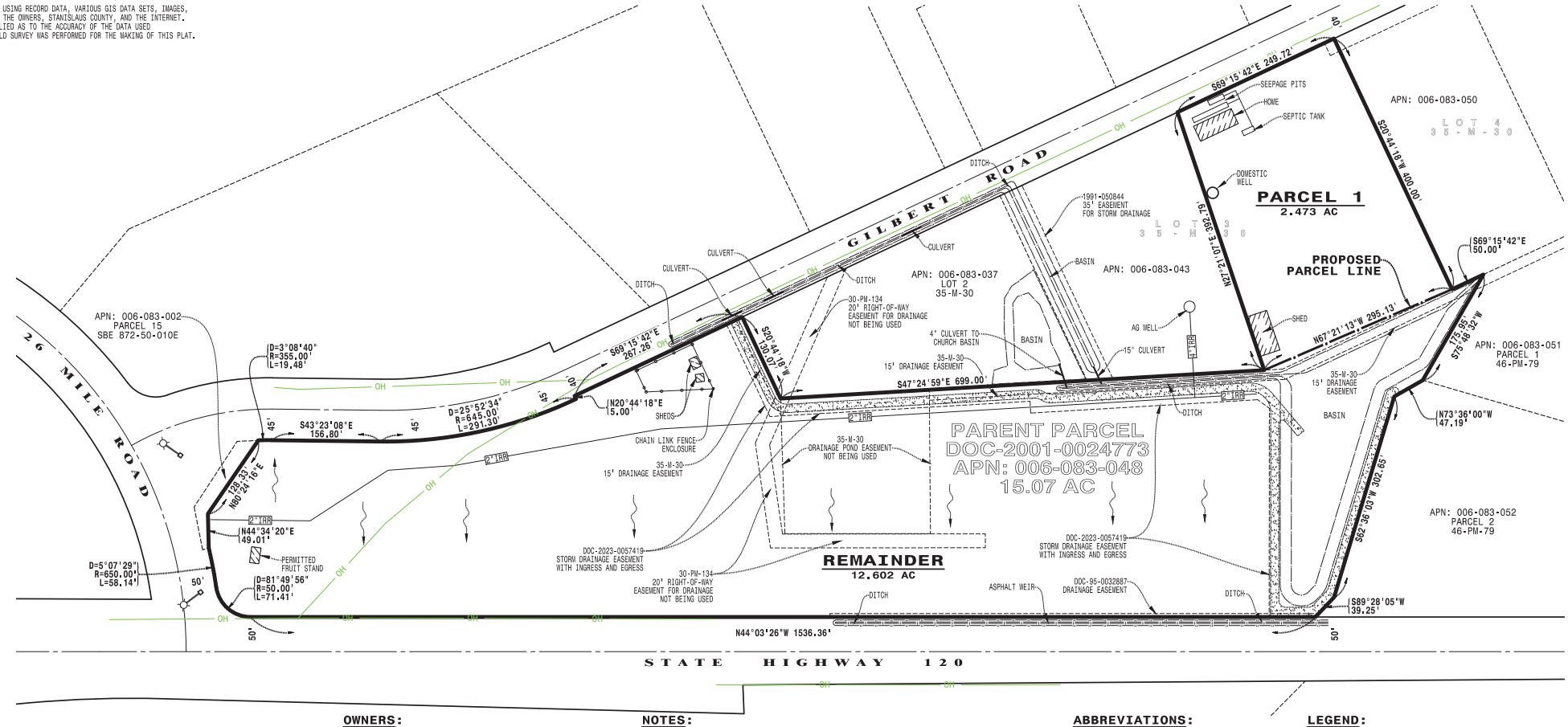


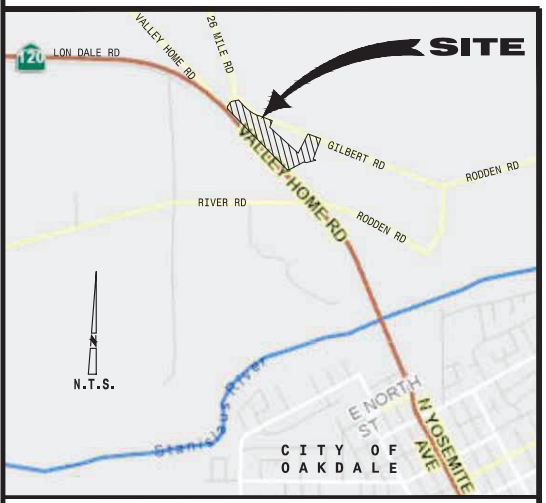
N 0 500 1,000 US Feet

0 150 300 Meters

Source: Planning Department GIS Date Exported: 12/4/2025

NOTE: THIS PLAT WAS PREPARED USING RECORD DATA, VARIOUS GIS DATA SETS, IMAGES, AND OTHER DATA OBTAINED FROM THE OWNERS, STANISLAUS COUNTY, AND THE INTERNET. NO WARRANTEE IS GIVEN OR IMPLIED AS TO THE ACCURACY OF THE DATA USED TO COMPILE THIS PLAT. NO FIELD SURVEY WAS PERFORMED FOR THE MAKING OF THIS PLAT.





VICINITY MAP

OWNERS:

ROSE AND MARMON PARTNERSHIP, A GENERAL PARTNERSHIP
(209)848-8095
608 FAIRFAX DRIVE
OAKDALE, CA 95361

OBJECTIVE:

TO SPLIT THE HOUSE PARCEL FROM THE REMAINDER.

LAND SURVEYOR / CARTOGRAPHER:

SCOTT THOMAS DELAMARE, LS 8078
DF ENGINEERING, INC., CIVIL ENGINEERING AND SURVEYING
3421 TULLY ROAD, SUITE 'J', MODESTO CA 95350
TELEPHONE (209) 529-7451

PARCEL DATA:

ASSESSOR'S PARCEL NUMBER..... 006-083-048
ADDRESS..... 7524 GILBERT ROAD, OAKDALE, CA 95361
ZONING..... GENERAL AG 10 ACRE
USE..... THE PARENT PARCEL IS CURRENTLY SEASONALLY FARMED WITH A PERMITTED FRUIT STAND AND A HOME SITE FRONTING GILBERT ROAD. USE IS NOT PLANNED TO CHANGE.
SOIL TYPE AND SLOPES..... 60.2% HONCUT SANDY LOAM, 0 TO 2 PERCENT SLOPES
39.8% MADERA SANDY LOAM, 0 TO 2 PERCENT SLOPES
PER U.S. DEPARTMENT OF AGRICULTURE, websoilsurvey.nrcs.usda.gov
WATER TABLE DEPTH.....110± PER LATEST AND NEAREST AVAILABLE CA DEPARTMENT OF WATER RESOURCES DATA
https://sgma.water.ca.gov/webgis/?appid=SGMADataViewer#gwlevels
FLOOD INFORMATION.....PARCEL IS IN AN AREA OF MINIMAL FLOOD HAZARD, ZONE X, FEMA MAP NO. 06099C0190E

NOTES:

1) NO INPROVEMENTS ARE PROPOSED WITH THIS SUBDIVISION.
2) AGRICULTURAL WATER BY OFFSITE AG WELL.
3) DOMESTIC WATER IS BY ON-SITE DOMESTIC WELL.
4) SANITARY SEWER IS BY ON-SITE SEPTIC SYSTEM.
5) STORM DRAINAGE WILL REMAIN AS EXISTING.
6) THIS PROPERTY IS NOT UNDER WILLIAMSON ACT CONTRACT.
7) THIS TENTATIVE PARCEL MAP WAS PREPARED FROM RECORD INFORMATION AND DOES NOT REPRESENT A FIELD MEASURED SURVEY. NO WARRANTY OF GUARANTEE IS BEING STATED, EXPRESSED OR IMPLIED.
8) ALL REFERENCES ARE TO STANISLAUS COUNTY RECORDS

ABBREVIATIONS:

C	CONCRETE
EP	EDGE OF PAVEMENT
EX	EXISTING
FL	FLOWLINE
GP	OVERHEAD UTILITY GUY POLE
LI	LIP OF GUTTER
MH	MANHOLE
PP	OVERHEAD UTILITY POWER POLE
PE	PLANTING EASEMENT
PUE	PUBLIC UTILITY EASEMENT
SDCO	STORM DRAIN CLEAN-OUT
SP	OVERHEAD UTILITY SERVICE POLE
SSCO	SANITARY SEWER CLEAN-OUT
TC	TOP OF CURB
TID	TURLOCK IRRIGATION DISTRICT

LEGEND:

- PARENT PARCEL EXISTING BOUNDARY
- EXISTING ROAD RIGHT OF WAY
- EXISTING NEIGHBORS' PARCEL LINE
- EXISTING CENTERLINE
- EXISTING EASEMENT AS NOTED
- PROPOSED PARCEL LINE
- STRUCTURE AS NOTED
- X" IRR — IRRIGATION LINE AS NOTED
- SEASONAL DRIP IRRIGATION
- TOE OF EARTHEN BANK
- TOP OF EARTHEN BANK
- GRAVEL ROAD
- OH — OVERHEAD UTILITY
- ELECTROLIER
- CHAIN LINK FENCE ENCLOSURE

SCALE 1" = 100'

GRAPHIC SCALE
0 50 100 200 300

LICENSED LAND SURVEYOR
SCOTT THOMAS DELAMARE
No. 8078
STATE OF CALIFORNIA

DF ENGINEERING, INC.
CIVIL ENGINEERING AND SURVEYING
3421 TULLY ROAD · SUITE J · MODESTO, CA 95350
TELEPHONE (209) 529-7450 · EMAIL DFENGINEERING@DFENGINEERING.COM
©COPYRIGHT 2025 DF ENGINEERING, INC.

SIGNED: Scott Thomas De la Mare November 19, 2025
SCOTT THOMAS DELAMARE L.S. 8078 DATE
C:\Users\scott\AppData\Local\Temp\AcPublish_7340\2511VTPM.dwg, VTPM, Nov 19, 2025, 11:22am, scott

VESTING TENTATIVE PARCEL MAP

A PROPOSED DIVISION OF THE PROPERTY AS DESCRIBED IN THAT PARTNERSHIP GRANT DEED RECORDED AS DOC-2001-0024773, STANISLAUS COUNTY RECORDS, BEING A PORTION OF THE DESIGNATED REMAINDER AS SHOWN ON THE PARCEL MAP FILED IN BOOK 46 OF PARCEL MAPS AT PAGE 35, STANISLAUS COUNTY RECORDS, LYING IN SECTION 3, T.2 S., R.10 E., M. D. M.
COUNTY OF STANISLAUS, STATE OF CALIFORNIA

PAGE	1 OF 1
JOB	2511
DR. BY	STD
CK. BY	NIP
SCALE	1'= 100'
DATE	Nov., 2025

Stanislaus County

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
1010 10TH Street, Suite 3400, Modesto, CA 95354
Planning Phone: (209) 525-6330 Fax: (209) 525-5911
Building Phone: (209) 525-6557 Fax: (209) 525-7759
Form Available Online: http://www.stancounty.com/planning/applications.shtm

APPLICATION QUESTIONNAIRE

Please Check all applicable boxes

APPLICATION FOR:

Staff is available to assist you with determining which applications are necessary

- ☐ General Plan Amendment
- ☐ Rezone
- ☐ Use Permit
- ☒ Variance
- ☐ Historic Site Permit
- ☐ Subdivision Map
- ☒ Parcel Map
- ☐ Exception
- ☐ Williamson Act Cancellation
- ☐ Other _____

PLANNING STAFF USE ONLY:

Application No(s): PLN 2025 0124
Date: 11/25/25
S 3 T 2 R 10
GP Designation: Agriculture
Zoning: A-2-10
Fee: $5796
Receipt No. 585513
Received By: C. Smith
Notes: _____

In order for your application to be considered COMPLETE, please answer all applicable questions on the following pages, and provide all applicable information listed on the checklist on pages i – v. Under State law, upon receipt of this application, staff has 30 days to determine if the application is complete. We typically do not take the full 30 days. It may be necessary for you to provide additional information and/or meet with staff to discuss the application. Pre-application meetings are not required, but are highly recommended. An incomplete application will be placed on hold until all the necessary information is provided to the satisfaction of the requesting agency. An application will not be accepted without all the information identified on the checklist.

Please contact staff at (209) 525-6330 to discuss any questions you may have. Staff will attempt to help you in any way we can.

PROJECT INFORMATION

PROJECT DESCRIPTION: (Describe the project in detail, including physical features of the site, proposed improvements, proposed uses or business, operating hours, number of employees, anticipated customers, etc. – Attach additional sheets as necessary)

Please note: A detailed project description is essential to the reviewing process of this request. In order to approve a project, the Planning Commission or the Board of Supervisors must decide whether there is enough information available to be able to make very specific statements about the project. These statements are called "Findings". It is your responsibility as an applicant to provide enough information about the proposed project, so that staff can recommend that the Commission or the Board make the required Findings. Specific project Findings are shown on pages 17 – 19 and can be used as a guide for preparing your project description. (If you are applying for a Variance or Exception, please contact staff to discuss special requirements).

The project objective is to split the house parcel from the remainder. The parent parcel is currently assessed at 15.07 acres and zoned General Ag 10 acre. The proposed house parcel fronting on Gilbert Road will be +/- 2.5 acres and the remainder parcel will be +/- 12.6 acres

PROJECT SITE INFORMATION

Complete and accurate information saves time and is vital to project review and assessment. Please complete each section entirely. If a question is not applicable to your project, please indicated this to show that each question has been carefully considered. Contact the Planning & Community Development Department Staff, 1010 10th Street – 3rd Floor, (209) 525-6330, if you have any questions. Pre-application meetings are highly recommended.

ASSESSOR'S PARCEL NUMBER(S): Book 006 **Page** 083 **Parcel** 048

Additional parcel numbers: _____

Project Site Address or Physical Location: 7524 Gilbert Road, Oakdale

Property Area: Acres: 15.07 or Square feet: _____

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

Home site and row crops with permitted fruit stand

List any known previous projects approved for this site, such as a Use Permit, Parcel Map, etc.: (Please identify project name, type of project, and date of approval)

_____

Existing General Plan & Zoning: General Plan: Agriculture & Zoning: General AG 10 Acre

Proposed General Plan & Zoning: _____
(if applicable)

ADJACENT LAND USE: (Describe adjacent land uses within 1,320 feet (1/4 mile) and/or two parcels in each direction of the project site)

East: Ranches, Home Sites, Orchards, and Kingdom Hall of Jehovah's Witnesses

West: Orchard

North: Home Sites, Orchard, and Range Land

South: Commercial, Flower Farm, Academy, Row Crops, and Orchard

WILLIAMSON ACT CONTRACT:

Yes ☐ **No** ☒

Is the property currently under a Williamson Act Contract?
Contract Number: _____

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

Date Filed: _____

Yes ☐ No ☐ Do y ropose to cancel any portion of the Contr

Yes ☐ No ☒ Are there any agriculture, conservation, open space or similar easements affecting the use of the project site. (Such easements do not include Williamson Act Contracts)

If yes, please list and provide a recorded copy: _____

_____

SITE CHARACTERISTICS: (Check one or more) Flat ☒ Rolling ☐ Steep ☐

VEGETATION: What kind of plants are growing on your property? (Check one or more)

Field crops ☒ Orchard ☐ Pasture/Grassland ☐ Scattered trees ☐

Shrubs ☐ Woodland ☐ River/Riparian ☐ Other ☐

Explain Other: _____

Yes ☐ No ☒ Do you plan to remove any trees? (If yes, please show location of trees planned for removal on plot plan and provide information regarding transplanting or replanting.)

GRADING:

Yes ☐ No ☒ Do you plan to do any grading? (If yes, please indicate how many cubic yards and acres to be disturbed. Please show areas to be graded on plot plan.) _____

_____

STREAMS, LAKES, & PONDS:

Yes ☒ No ☐ Are there any streams, lakes, ponds or other watercourses on the property? (If yes, please show on plot plan)

Yes ☐ No ☒ Will the project change any drainage patterns? (If yes, please explain – provide additional sheet if needed) _____

_____

Yes ☐ No ☒ Are there any gullies or areas of soil erosion? (If yes, please show on plot plan)

Yes ☐ No ☒ Do you plan to grade, disturb, or in any way change swales, drainages, ditches, gullies, ponds, low lying areas, seeps, springs, streams, creeks, river banks, or other area on the site that carries or holds water for any amount of time during the year? (If yes, please show areas to be graded on plot plan)

Please note: If the answer above is yes, you may be required to obtain authorization from other agencies such as the Corps of Engineers or California Department of Fish and Game.

STRUCTURES:

Yes ☒ **No** ☐ Are there structures on the site? (If yes, please show on plot plan. Show a relationship to property lines and other features of the site.

Yes ☐ **No** ☒ Will structures be moved or demolished? (If yes, indicate on plot plan.)

Yes ☐ **No** ☒ Do you plan to build new structures? (If yes, show location and size on plot plan.)

Yes ☐ **No** ☒ Are there buildings of possible Historical significance? (If yes, please explain and show location and size on plot plan.) _____

PROJECT SITE COVERAGE:

Existing Building Coverage: +/- 1,752 Sq. Ft. Landscaped Area: N/A Sq. Ft.

Proposed Building Coverage: No change Sq. Ft. Paved Surface Area: 0 Sq. Ft.

BUILDING CHARACTERISTICS:

Size of new structure(s) or building addition(s) in gross sq. ft.: (Provide additional sheets if necessary) N/A

Number of floors for each building: 1

Building height in feet (measured from ground to highest point): (Provide additional sheets if necessary) 15'

Height of other appurtenances, excluding buildings, measured from ground to highest point (i.e., antennas, mechanical equipment, light poles, etc.): (Provide additional sheets if necessary)

N/A

Proposed surface material for parking area: (Provide information addressing dust control measures if non-asphalt/concrete material to be used) _____

N/A

UTILITIES AND IRRIGATION FACILITIES:

Yes ☒ **No** ☐ Are there existing public or private utilities on the site? Includes telephone, power, water, etc. (If yes, show location and size on plot plan)

Who provides, or will provide the following services to the property?

Electrical: P.G.&E. Sewer*: Septic Tank

Telephone: A.T.&T. Gas/Propane: Propane

Water**: Private Well Irrigation: Private Well

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

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

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

No

Please Note: Should any waste be generated by the proposed project other than that normally associated with a single family residence, it is likely that Waste Discharge Requirements will be required by the Regional Water Quality Control Board. Detailed descriptions of quantities, quality, treatment, and disposal may be required.

Yes ☒ **No** ☐ Are there existing irrigation, telephone, or power company easements on the property? (If yes, show location and size on plot plan.)

Yes ☐ **No** ☒ Do the existing utilities, including irrigation facilities, need to be moved? (If yes, show location and size on plot plan.)

Yes ☐ **No** ☒ Does the project require extension of utilities? (If yes, show location and size on plot plan.)

AFFORDABLE HOUSING/SENIOR:

Yes ☐ **No** ☒ Will the project include affordable or senior housing provisions? (If yes, please explain)

RESIDENTIAL PROJECTS: (Please complete if applicable – Attach additional sheets if necessary)

Total No. Lots: 2 Total Dwelling Units: 1 Total Acreage: 15.07 acres

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

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

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

Square footage of each existing or proposed building(s): Fruit Stand 312 SF

Type of use(s): Fruit Stand

Days and hours of operation: _____

_____

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

_____

Occupancy/capacity of building: _____

_____

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

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

Other occupants: _____

_____

Estimated number of truck deliveries/loadings per day: _____

Estimated hours of truck deliveries/loadings per day: _____

Estimated percentage of traffic to be generated by trucks: _____

Estimated number of railroad deliveries/loadings per day: _____

Square footage of:

Office area: _____ Warehouse area: _____

Sales area: _____ Storage area: _____

Loading area: _____ Manufacturing area: _____

Other: (explain type of area) _____

Yes ☐ **No** ☐ Will the proposed use involve toxic or hazardous materials or waste? (Please explain)

_____

_____

_____

_____

ROAD AND ACCESS INFORMATION:

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

Gilbert Road

_____

_____

Yes ☒ No ☐ Are there pri or public road or access easements on tl operty now? (If yes, show location and size on plot plan)

Yes ☐ No ☒ Do you require a private road or easement to access the property? (If yes, show location and size on plot plan)

Yes ☐ No ☒ Do you require security gates and fencing on the access? (If yes, show location and size on plot plan)

Please Note: Parcels that do not front on a County-maintained road or require special access may require approval of an Exception to the Subdivision Ordinance. Please contact staff to determine if an exception is needed and to discuss the necessary Findings.

STORM DRAINAGE:

How will your project handle storm water runoff? (Check one) ☒ Drainage Basin ☐ Direct Discharge ☐ Overland

☐ Other: (please explain) _____

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

_____

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

EROSION CONTROL:

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

_____

_____

Please note: You may be required to obtain an NPDES Storm Water Permit from the Regional Water Quality Control Board and prepare a Storm Water Pollution Prevention Plan.

ADDITIONAL INFORMATION:

Please use this space to provide any other information you feel is appropriate for the County to consider during review of your application. (Attach extra sheets if necessary)

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Variance Findings for Gilbert Road Parcel Split

Overview:

The project is the subdivision of an existing 15.07 acre parcel (APN 006-083-048), which lies both adjacent to, and between, State Highway 120 (SR120) and Gilbert Road, just north of the City of Oakdale, and lying within the Oakdale sphere of influence. A parcel map is being submitted to create an approximately 2.5 acre Parcel 1 adjacent to Gilbert Road, while leaving an approximately 12.6 acre remainder along SR 120. As Parcel 1 is undersized, i.e., less than the zoning minimum of 10 acres, a variance is required to create the new parcel. The variance findings supporting this application are set forth below.

To grant a variance, the following findings must be made:

Finding No. 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 classifications.

Response:

The shape and topography of the subject property, as well as the surrounding area warrant the granting of the variance. Flooding occurred for many years along Gilbert Road, and around 2022 the landowner and the County worked together to get the County a drainage easement to resolve these flooding issues. At the conclusion of this process, in 2023, the County acquired, and now has, an access easement and storm drainage easement (the "Easement") on the property. The Easement is clearly shown on the tentative map submitted with this variance request. This Easement is in place, and a new storm drainage basin has been constructed, effectively severing the 12.6 acres of the property fronting on SR 120, from the 2.5 acre Parcel 1 along Gilbert Road. As the storm drain basin and Easement severs the property, these two severed areas, the proposed remainder and the proposed Parcel 1, have independent utility.

To determine the best use for each of these severed parcels, the surrounding uses must be considered. Along SR 120, more commercial uses exist, or would reasonably be expected to develop in the future. As such, the 12.6 acre remainder is considered a commercial parcel, subject to the acquisition of future entitlements. For Parcel 1, on each side of Parcel 1 are similarly sized parcels (1.84 and 2.12 acres in size) that are used for homesites. In addition, across Gilbert Road from the proposed Parcel 1 are five (5) parcels of approximately one (1) acre in size each. That is, along Gilbert Road you will find ranchette sized parcels, and along SR 120 you will find, or expect in the future, more commercial type uses.

Since the storm and access easement separate the two areas of the original parcel, it makes sense that each of the pieces separated by these storm easements be sized and planned for uses consistent with the surrounding properties. This unique, size, shape and topography create a unique circumstance relative to this property. The surrounding uses also provide a separation between the parcel uses appropriate along Gilbert Road and SR 120, and the creation of the new Parcel 1 allows a continuation of uses consistent with those along Gilbert Road while retaining the ability for future uses along SR 120. Therefore, based upon the "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 classifications." As such, Finding No. 1 can be made.

Finding No. 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.

Response:

As set forth under Finding No. 1, the newly created 2.5 acre Parcel 1 will be generally consistent with the remaining parcels in the area, and the 12.6 acre remainder will be available for future uses, consistent with its projected future use. Since the parcels along Gilbert Road, east and west of the proposed Parcel 1, and across the road to the north, are all sized around one (1) to two (2) acres or so, creating a new 2.5 acre parcel, between two existing parcels (1.84 and 2.12 acres in size) will not result in the granting of a special privilege. These parcels along Gilbert Road, after the granting of the variance, will be similar in zoning, similar in use, and similar in size.

The granting of the variance will result in a new parcel with the same limitations for development as other parcels in the area. By granting this variance, the owner will not obtain a special privilege, as the parcel will become consistent with other similarly situated parcels in the area. As such, Finding No. 2 can be made.

Finding No. 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 the particular case, be materially detrimental to the public welfare or injurious to property or improvements in said neighborhood.

Response:

Any development on the new Parcel 1 will meet all County requirements and standards. The development of the remainder parcel, projected to be more commercial in nature, will need to obtain land use entitlements before any development occurs. During this entitlement process, the project will be evaluated for impacts and mitigated to the extent feasible. No development is proposed on the remainder parcel at this time.

The granting of the variance will not materially affect adversely the health or safety of persons residing or working in the neighborhood, or be detrimental to the public welfare or injurious to property or improvements in said neighborhood. As such, Finding No. 3 can be made.

Conclusion:

Based on the foregoing, Findings No. 1, 2 and 3 can be made and the variance request should be granted. The denial of the variance request will deny the owner of a right adjacent parcels enjoy, and would require the 2.5 acre parcel, which has been separated from the remainder parcel by the Easement, to develop at the same time as land for which there is no real relationship. Based upon all of the foregoing the request is reasonable and the variance request should be granted.