

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

DEPT: Planning and Community Development

BOARD AGENDA # \*D-3

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 April 15, 2008 at 6:40 p.m. to Consider Planning Commission's Recommendation for Approval of General Plan Amendment #2007-05, Rezone Application #2007-08 and Lot Line Adjustment Application #2007-25, Frantz Landscape Center

STAFF RECOMMENDATIONS:

Set a public hearing on April 15, 2008 at 6:40 p.m. to consider Planning Commission's recommendation for approval of General Plan Amendment #2007-05, Rezone Application #2007-08 and Lot Line Adjustment Application #2007-25, Frantz Landscape Center, a request to amend the General Plan and rezone five (5) acres from A-2-40 (General Agriculture) to PD (Planned Development) and construct a retail landscape business in two (2) phases on property located at 12741 Riverview Road, Hickman area.

FISCAL IMPACT:

There are no fiscal impacts associated with this item.

BOARD ACTION AS FOLLOWS:

No. 2008-150

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. ORD-55-G-4

NOTICE OF PUBLIC HEARING FOR  
GENERAL PLAN AMENDMENT APPLICATION #2007-05  
REZONE APPLICATION #2007-08 AND  
LOT LINE ADJUSTMENT APPLICATION #2007-25  
FRANTZ LANDSCAPE CENTER


NOTICE IS HEREBY GIVEN that on April 15, 2008, at 6:40 p.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 Planning Commission's recommendation for approval of General Plan Amendment #2007-05, Rezone Application #2007-08 and Lot Line Adjustment Application #2007-25, Frantz Landscape Center, a request to amend the General Plan and rezone five (5) acres from A-2-40 (General Agriculture) to PD (Planned Development) and construct a retail landscape business in two (2) phases on property located at 12741 Riverview Road, Hickman area. APN: 019-008-023 The Board of Supervisors will consider a CEQA Negative Declaration for 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



April 4, 2008

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT the Stanislaus County Board of Supervisors will hold a public hearing on Tuesday, April 15, 2008, starting at 6:40 P.M. in the Joint Chambers, 1010 10<sup>th</sup> Street, Basement Level, Modesto, California, to consider the following:

Planning Commission's recommendation for approval of General Plan Amendment #2007-05, Rezone Application #2007-08 and Lot Line Adjustment Application #2007-25, Frantz Landscape Center, a request to amend the General Plan and rezone five (5) acres from A-2-40 (General Agriculture) to PD (Planned Development) and construct a retail landscape business in two (2) phases on property located at 12741 Riverview Road, Hickman area.

The property is further identified as Assessor's Parcel No. 019-008-023

The Board of Supervisors will also consider approval of a CEQA 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](mailto:planning@mail.co.stanislaus.ca.us).

2008 APR 15 2:51 PM BOARD OF SUPERVISORS

ORD-55-6-4

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 10<sup>th</sup> Street, Suite 3400  
Modesto, CA 95354


On April 4, 2008, I served the attached Notice of Public Hearing  
(Date)

GENERAL PLAN AMENDMENT #2007-05, REZONE APPLICATION #2007-08 AND LOT LINE  
ADJUSTMENT APPLICATION #2007-25, FRANTZ LANDSCAPE CENTER 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 April 4, 2008, at Modesto, California.  
(Date)

Crystal D Rein  
(Type or print name)

  
Signature

**GENERAL PLAN AMENDMENT APPLICATION NO. 2007-05, REZONE APPLICATION NO. 2007-08, LOT LINE ADJUSTMENT APPLICATION NO. 2007-25 - FRANTZ LANDSCAPING CENTER**

Attachment A

Distribution List

X	AGRICULTURE COMMISSIONER	X	PG&E
X	AIRPORT LAND USE COMMISSION - JOSHUA MANN	X	PUBLIC WORKS - ANGIE HALVERSON, JOHN SANCHEZ - DRAINAGE BILL CARDOZA MORGAN RD TRAFFIC
X	BUILDING PERMITS DIVISION - DENNIS WISTER		REDEVELOPMENT
X	CAL TRANS District 10	X	REGIONAL WATER QUALITY
	CITY OF:		RISK MANAGEMENT
	COMMUNITY SERVICES/SANITARY DIST	X	StanCOG
	CORPS OF ENGINEERS	X	SCHOOL DIST 1: HICKMAN
X	COUNTY COUNSEL	X	SCHOOL DIST 2: HUGHSON
X	ENVIRONMENTAL RESOURCES	X	SHERIFF
X	FIRE PROTECTION DIST: STANISLAUS CONSOLIDATED	X	STANISLAUS COUNTY FARM BUREAU
X	STANISLAUS FIRE PREVENTION BUREAU	X	STANISLAUS ERC
X	FISH AND GAME	X	STATE CLEARINGHOUSE
	HOSPITAL DIST:		STATE LANDS BOARD
X	IRRIGATION DIST: TURLOCK	X	SUPERVISOR DIST 2: MAYFIELD
X	LAFCO	X	TELEPHONE COMPANY: AT&T
X	MOSQUITO DIST: TURLOCK	X	TRIBAL CONTACTS
X	MOUNTAIN VALLEY EMERGENCY SERVICES	X	US FISH AND WILDLIFE
X	MUNICIPAL ADVISORY COUNCIL: HICKMAN	X	VALLEY AIR DIST
X	PARKS AND FACILITIES		WATER DIST
X	PUBLIC WORKS - TRANSPORTATION		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 General Plan Amendment Application #2007-05.

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# 9742**  
**NOTICE OF PUBLIC HEARING**  
**FOR**  
**GENERAL PLAN AMENDMENT**  
**APPLICATION #2007-05**  
**REZONE APPLICATION #2007-08**  
**AND**  
**LOT LINE ADJUSTMENT APPLI-**  
**CATION #2007-25 FRANTZ LAND-**  
**SCAPE CENTER**

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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

200-55-10-4