

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

DEPT: Planning and Community Development

BOARD AGENDA # *D-1

Urgent ☐

Routine ☒

AGENDA DATE April 6, 2010

CEO Concurs with Recommendation YES ☐ NO ☐

(Information Attached)

4/5 Vote Required YES ☐ NO ☒

SUBJECT:

Approval to Set a Public Hearing for April 20, 2010 at 6:40 p.m. to Consider Planning Commission's Recommendation for Approval of General Plan Amendment No. 2009-01 and Rezone Application No. 2009-02, Derrel's Mini Storage

STAFF RECOMMENDATIONS:

1. Set a public hearing for April 20, 2010 at 6:40 p.m. to consider Planning Commission's recommendation for approval of General Plan Amendment No. 2009-01 and Rezone Application No. 2009-02, Derrel's Mini Storage. The property is located at 5019 Tunson Road, on the west side of Tunson Road, near the northwest corner of Kiernan Avenue and Tunson Road, just outside of the City of Modesto Sphere of Influence, APN: 004-057-010.
2. Authorize the Clerk of the Board to publish notice of hearing as required by law.

FISCAL IMPACT:

There are no fiscal impacts associated with setting the public hearing. Impacts associated with the General Plan Amendment and Rezone will be evaluated and will be included in the subsequent report for the public hearing.

BOARD ACTION AS FOLLOWS:

No. 2010-192

On motion of Supervisor O'Brien, Seconded by Supervisor DeMartini
and approved by the following vote,

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

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:

Christine Ferraro
CHRISTINE FERRARO TALLMAN, Clerk

File No. ORD-55-M-1

DISCUSSION:

This is a request to amend the General Plan designation of a 7.37 acre parcel from Agriculture to Planned Development and the zoning designation from A-2-40 (General Agriculture) to Planned Development, to allow for recreational vehicle (RV) and boat storage as an expansion of an existing mini storage facility located on the adjacent property to the west. Derrel's Mini Storage is made up of two legal parcels, 15.4 and 7.37 acres in size. The 15.4 acre parcel was approved for a mini-storage facility in November of 1999. This application is a request for the 7.37 acre parcel.

The project site is located at 5019 Tunson Road, on the west side of Tunson Road, near the northwest corner of Kiernan Avenue and Tunson Road, just outside of the City of Modesto Sphere of Influence. Planned Developments surround the project site to the south, southeast, northeast and east. The agriculture parcel nearest to the project site is located 250 feet to the north and is separated by an on-site drainage basin and the Modesto Irrigation District (MID) Main canal.

The existing Derrel's Mini Storage facility is located to the west of the project site. The subject parcel has been utilized for RV and boat storage for several years in conjunction with the Derrel's Mini Storage facility (P-D (240)), without the proper land use or building permits. This project request was submitted as the result of a building permit review for the operation located on the 15.4 acre parcel.

The proposed project includes a request to utilize roof only structures to store RVs and boats. Approximately 213 of these roof only structures currently exist on the 7.37 acre site. No septic or well is proposed for this part of the facility. Access to the project site is from Tunson Road, through a security gate located on the main 15± acre site. Customers enter and exit through the secured gate and then drive through the main mini-storage facility to enter into the RV and boat storage area. The operation is open from 7 a.m. to 7 p.m., seven (7) days a week.

On February 18, 2010, the Planning Commission held a public hearing and unanimously recommended the Board of Supervisors approve the request.

This item simply sets the date and time for a hearing on the matter before the Board of Supervisors.

POLICY ISSUES:

The Board should determine if setting a hearing for this proposed General Plan Amendment and Rezone furthers the goals of efficient delivery of public services.

STAFFING IMPACT:

There are no staffing impacts associated with this item.

CONTACT PERSON:

Kirk Ford, Director. Telephone: (209) 525-6330



CLERK OF THE BOARD OF SUPERVISORS

Christine Ferraro Tallman

1010 Tenth Street, Suite 6700, Modesto, CA 95354
Phone: 209.525.4494 Fax: 209.525.4420

**NOTICE OF PUBLIC HEARING
GENERAL PLAN AMENDMENT NO. 2009-01
REZONE APPLICATION NO. 2009-02
DERREL'S MINI STORAGE**

NOTICE IS HEREBY GIVEN that on April 20, 2010, 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, 1010 10th St., Modesto, CA, to consider amending the General Plan designation of a 7.37 acre parcel from Agriculture to Planned Development and the zoning designation from A-2-40 (General Agriculture) to Planned Development to allow for recreational vehicle (RV) & boat storage as an expansion of an existing mini storage facility located on the adjacent property to the west. The property is located at 5019 Tunson Road, at the northwest corner of Kiernan Avenue and Tunson Road, north of Modesto, APN: 004-057-010. A Negative Declaration will be considered 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: April 6, 2010

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

BY:

Elizabeth A. King, 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:

Apr 10, 2010

NOTICE OF PUBLIC HEARING
GENERAL PLAN AMENDMENT NO.
2009-01, REZONE APPLICATION NO.
2009-02 - DERREL'S MINI STORAGE
NOTICE IS HEREBY GIVEN that on April 20, 2010, 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, 1010 10th St, Modesto, CA, to consider amending the General Plan designation of a 7.37 acre parcel from Agriculture to Planned Development and the zoning designation from A-2-40 (General Agriculture) to Planned Development to allow for recreational vehicle (RV) & boat storage as an expansion of an existing mini storage facility located on the adjacent property to the west. The property is located at 5019 Tunson Road, at the northwest corner of Kiernan Avenue and Tunson Road, north of Modesto, APN: 004-057-010. A Negative Declaration will be considered 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: April 6, 2010. ATTEST: CHRISTINE FERRARO TALLMAN, Clerk of the Board of Supervisors of the County of Stanislaus, State of California. BY: Elizabeth A. King, Assistant Clerk
Pub Dates Apr 10, 2010

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

April 12th, 2010

(Signature)

Marie Hickman