

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

DEPT: Planning and Community Development *ME*

BOARD AGENDA # *D-1

Urgent Routine

AGENDA DATE July 28, 2015

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval to Set a Public Hearing for August 18, 2015, at 6:35 p.m. to Consider the Planning Commission's Recommendation for Approval of General Plan Amendment and Rezone Application No. PLN2015-0021, Gallo Glass - Tenaya Drive, in the Modesto Area, and a Negative Declaration

STAFF RECOMMENDATIONS:

1. Set a public hearing for August 18, 2015, at 6:35 p.m. to consider the Planning Commission's recommendation for approval of General Plan Amendment and Rezone Application No. PLN2015-0021, Gallo Glass-Tenaya Drive, a request to amend the General Plan designation from Industrial Transition to Industrial and rezone from R-1 (Single-Family Residential) to M (Industrial) on 16 parcels, totaling 2.5± acres, to be used for storage and parking for Gallo Glass Company, located on the south side of Tenaya Drive, from the east side of Santa Rita Avenue to the west side of South Santa Cruz Avenue in the Modesto area; and to consider the introduction, waiving of the reading, and adoption of an ordinance for the proposed rezone ordinance upon approval.
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 rezone will be evaluated and included in the subsequent report for the public hearing.

BOARD ACTION AS FOLLOWS:

No. 2015-355

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

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

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:

Christine Ferraro

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No. ORD-55-U-5

Approval to Set a Public Hearing for August 18, 2015, at 6:35 p.m. to Consider the Planning Commission's Recommendation for Approval of General Plan Amendment & Rezone Application No. PLN2015-0021 – Gallo Glass – Tenaya Drive
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DISCUSSION:

The project is a request to amend the General Plan designation from Industrial Transition to Industrial and rezone from R-1 (Single-Family Residential) to M (Industrial) on 16 parcels, totaling 2.5± acres, to be used for storage and parking for Gallo Glass Company. The proposed project will reduce the amount of truck trips for the glass bottle plant. Subsequent development of the project site may involve the abandonment of affected street rights-of-way.

On July 16, 2015, the Planning Commission held a public hearing and recommended the Board of Supervisors approve the request, on a 5-0 vote.

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

POLICY ISSUES:

The proposed rezone furthers the Board's priorities of A Well Planned Infrastructure System and A Strong Local Economy by providing a land use determination consistent with the overall goals and policies of the Stanislaus County General Plan

STAFFING IMPACT:

Planning and Community Development Department staff is responsible for preparing all reports and attending meetings associated with the proposed rezone application.

CONTACT PERSON:

Angela Freitas, Planning and Community Development 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

**STANISLAUS COUNTY NOTICE OF PUBLIC HEARING
FOR GENERAL PLAN AMENDMENT AND REZONE APPLICATION
NO. PLN2015-0021 GALLO GLASS-TENAYA DRIVE**

NOTICE IS HEREBY GIVEN that on August 18, 2015, at 6:35 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 a request to amend the General Plan designation from Industrial Transition to Industrial and rezone from R-1 (Single-Family Residential) to M (Industrial) on 16 parcels, totaling 2.5± acres, to be used for storage and parking for Gallo Glass Company. The property is located on the south side of Tenaya Drive, from the east side of Santa Rita Avenue to the west side of South Santa Cruz Avenue in the Modesto area, APNs 035-012-001 thru 035-012-015 & 035-012-034.

This NOTICE also serves as a NOTICE OF INTENT to adopt a Negative Declaration for the 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: July 28, 2015

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

BY:


Pam Villarreal, Deputy Clerk

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

STANISLAUS COUNTY NOTICE OF
PUBLIC HEARING
FOR GENERAL PLAN AMEND-
MENT AND REZONE APPLICATION
NO. PLN2015-0021 GALLO GLASS -
TENAYA DRIVE

**COUNTY OF STANISLAUS
STATE OF CALIFORNIA**

NOTICE IS HEREBY GIVEN that on August 18, 2015, at 6:35 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 Planning Commission's recommendation for approval of a request to amend the General Plan designation from Industrial Transition to Industrial and rezone from R-1 (Single-Family Residential) to M (Industrial) on 16 parcels, totaling 2.5± acres, to be used for storage and parking for Gallo Glass Company. The property is located on the south side of Tenaya Drive, from the east side of Santa Rita Avenue to the west side of South Santa Cruz Avenue in the Modesto area, APNs 035-012-001 thru 035-012-015 & 035-012-034.

This NOTICE also serves as a NOTICE OF INTENT to adopt a Negative Declaration for the 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: July 28, 2015. ATTEST: Christine Ferraro Tallman, Clerk of the Board of Supervisors of the County of Stanislaus, State of California. BY: Pam Villarreal, Deputy Clerk. Pub Dates Aug 8, 2015

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:

Aug 08, 2015

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

August 8th, 2015

(By Electronic Facsimile Signature)

Cynthia A. Villarreal



DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

1010 10TH Street, Suite 3400, Modesto, CA 95354
Phone: 209.525-6330 Fax: 209.525.5911

August 7, 2015

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT the Stanislaus County Board of Supervisors will hold a public hearing on **Tuesday, August 18, 2015**, starting at **6:35 P.M.**, or as soon thereafter as the matter may be heard, in the Joint Chambers, 1010 10th Street, Basement Level, Modesto, California, to consider the following:

Planning Commission's recommendation for approval of GENERAL PLAN AMENDMENT AND REZONE APPLICATION NO. PLN2015-0021 – GALLO GLASS – TENAYA DRIVE. A request to amend the General Plan designation from Industrial Transition to Industrial and rezone from R-1 (Single-Family Residential) to M (Industrial) on 16 parcels, totaling 2.5± acres, to be used for storage and parking for Gallo Glass Company. The property is located on the south side of Tenaya Drive, from the east side of Santa Rita Avenue to the west side of South Santa Cruz Avenue in the Modesto area.

The property is further identified as Assessor's Parcel No. 035-012-001 thru 035-012-015 & 035-012-034

The Board of Supervisors will also consider approval of a 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@stancounty.com.

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

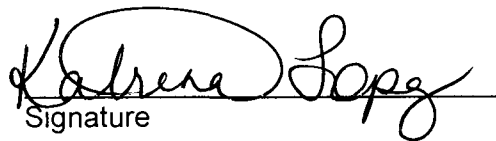
On August 7, 2015, I served the attached Notice of Public Hearing:
(Date)

GENERAL PLAN AMENDMENT AND REZONE OF APPLICATION NO. PLN2015-0021 – GALLO GLASS – TENAYA DRIVE 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 August 7, 2015, at Modesto, California.
(Date)

Katrina K Lopez
(Type or print name)


Signature

GENERAL PLAN AMENDMENT & REZONE APPLICATION NO. PLN2015-0021 – GALLO GLASS – TENAYA DRIVE

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	X	STAN CO ERC
	CEMETERY DISTRICT		STAN CO FARM BUREAU
X	CENTRAL VALLEY FLOOD PROTECTION	X	STAN CO HAZARDOUS MATERIALS
X	CITY OF: MODESTO		STAN CO PARKS & RECREATION
	COMMUNITY SERVICES/SANITARY DIST	X	STAN CO PUBLIC WORKS
X	COOPERATIVE EXTENSION		STAN CO RISK MANAGEMENT
	COUNTY OF:	X	STAN CO SHERIFF
X	FIRE PROTECTION DIST: STANISLAUS CONSOLIDATED	X	STAN CO SUPERVISOR DIST 4: MONTIETH
	HOSPITAL DIST:	X	STAN COUNTY COUNSEL
X	IRRIGATION DIST: MODESTO		StanCOG
X	MOSQUITO DIST: EASTSIDE	X	STANISLAUS FIRE PREVENTION BUREAU
X	MOUNTIAN VALLEY EMERGENCY MEDICAL SERVICES	X	STANISLAUS LAFCO
	MUNICIPAL ADVISORY COUNCIL:	X	SURROUNDING LAND OWNERS (on file w/the Clerk to the Board of Supervisors)
X	PACIFIC GAS & ELECTRIC	X	TELEPHONE COMPANY: AT&T
	POSTMASTER:	X	TRIBAL CONTACTS (CA Government Code §65352.3)
X	RAILROAD: MODESTO & EMPIRE TRACTION	X	TUOLUMNE RIVER TRUST
X	SAN JOAQUIN VALLEY APCD	X	US ARMY CORPS OF ENGINEERS
X	SCHOOL DIST 1: MODESTO	X	US FISH & WILDLIFE
	SCHOOL DIST 2:	X	US MILITARY (SB 1462) (7 agencies)
	STAN ALLIANCE		USDA NRCS
X	STAN CO AG COMMISSIONER		WATER DIST: