

STANISLAUS COUNTY PLANNING COMMISSION

AGENDA

August 19, 2004

6:00 P.M.

CHAMBERS - BASEMENT LEVEL
TENTH STREET PLACE
1010 10TH STREET, MODESTO



<http://www.co.stanislaus.ca.us/planning/planningagenda.pdf>

The Planning Commission welcomes you to its meetings which are regularly scheduled the first and third Thursday of each month, and your interest is encouraged and appreciated.

NOTICE REGARDING NON-ENGLISH SPEAKERS: Pursuant to California Constitution Article III, Section IV, establishing English as the official language for the State of California, and in accordance with California Code of Civil Procedure Section 185 which requires proceedings before any State Court to be in English, notice is hereby given that all proceedings before the Stanislaus County Planning Commission shall be in English and anyone wishing to address the Commission is required to have a translator present who will take an oath to make an accurate translation from any language not English into the English language.

CONSENT CALENDAR: CONSENT ITEMS are items on this agenda designated by an asterisk (*) next to the item number, requiring a Planning Commission public hearing but which, following an initial evaluation by staff, have been found to be consistent with existing County policy and the County General Plan and are, therefore, **recommended for "routine" approval**. Prior to actual Planning Commission consideration, the Chairman will open the public hearing and ask if anyone present wishes to discuss any of the items. If you want a particular agenda item removed from "Consent", please speak up and advise the Chairman. That item will then be withdrawn from "Consent" and reviewed in detail as scheduled. The remaining "Consent" items for which there are no voice objections will be handled by a single action of the Commission.

ANY MEMBER OF THE AUDIENCE DESIRING TO ADDRESS THE PLANNING COMMISSION REGARDING A MATTER ON THE AGENDA: While the Planning Commission welcomes and encourages participation in the Commission meetings, it would be appreciated if comments are limited to five minutes so that everyone may be heard. Matters under the jurisdiction of the Commission and not on the posted agenda may be addressed by the general public following the completion of the regular agenda and any off-agenda matters before the Commission for consideration. However, California law prohibits the Commission from taking any action on any matter which is not on the posted agenda unless it is determined to be an emergency by the Board of Supervisors.

New agenda items will not be heard after 11:00 p.m. If agenda item is not fully discussed by 12:30 a.m., it will be continued at the discretion of the Chairman.

AMERICANS WITH DISABILITIES ACT: Hearing devices are available for public use. If hearing devices are needed, please contact the Planning Commission Clerk at (209) 525-6330. Notification 24 hours prior to the meeting will enable the Clerk to make arrangements.

- I. **ROLL CALL:** Chair Tony Cusenza, Rachelle Antinetti, Marie Assali, Allen Layman, Mike Navarro, Jim Poore, Andrew Souza, Ray Souza, and Helen White.
- II. **PLEDGE OF ALLEGIANCE**
- III. **CITIZEN'S FORUM**
- IV. **MINUTES**
 - A. July 15, 2004
 - B. August 5, 2004

V. CORRESPONDENCE

VI. CONFLICT OF INTEREST DECLARATION

VII. PUBLIC HEARINGS (* Consent Items)

***CONSENT ITEMS**

None.

NON-CONSENT ITEMS

A. PARCEL MAP APPLICATION NO. 2004-13 - SUN DRY PRODUCTS - (Continued from July 15, 2004) Request to create parcels of 67.0 and 252.96 acres in an A-2-40 (General Agriculture) zoning district. The property is located on the north side of Gaffrey Road, east of Koster Road and the Delta Mendota Canal. The purpose of the project is to legally separate two existing businesses: a 67-acre business producing compost for agricultural use from green waste (Use Permit #98-19), and a recycling facility which includes 75 acres of Vermiculture producing a soil amendment, 80-acres of concrete surface (former runways on this old air field) used to process pomace into animal feed, and for feedstock storage and blending. Various other waste streams are recycled on a more limited basis. There will be no new uses as a result of this parcel map. The composting facility which was granted a use permit in February 2003 to move to and occupy 55 acres of orchard land on the south side of Gaffrey Road will remain at its current site. This project is Exempt from CEQA.

APN: 016-003-003

B. GENERAL PLAN AMENDMENT APPLICATION NO. 2004-01, REZONE APPLICATION NO. 2004-03, PARCEL MAP APPLICATION NO. 2004-11 - CARL & TERRI HAGENS - Request to amend the General Plan from "Urban Transition" to Low Density Residential, the Denair Community Plan from "Estate Residential" to LDR (Low Density Residential), rezone from A-2-10 (General Agricultural) to R-A (Rural Residential) and create four parcels ranging from 1.3, 1.5, 1.7, 2.6 and a 1.05 acre Remainder on an 8.8 acre parcel, in the Denair area. A Mitigated Negative Declaration is considered.

APN: 024-013-026

C. REZONE APPLICATION NO. 2003-15 - RAMAN PATEL - (Continued from July 15, 2004) Request to rezone a 1.8 acre lot to a Planned Development (PD) zoning district to allow a 95-room, 4-story hotel with an 1,800 square foot restaurant and lounge, 2,100 square foot meeting room and 100 parking spaces. The property is located on the southeast corner Bangs Avenue and Sisk Road, in the Salida area. A Mitigated Negative Declaration will be considered.

APN: 135-042-028

D. ORDINANCE AMENDMENT NO. 2004-02 - LARGE RETAIL ORDINANCE -

Request to amend five chapters of the Stanislaus County Zoning Ordinance in the Highway Commercial, Neighborhood Commercial, General Commercial, Industrial and Limited Industrial zoning districts to allow retail businesses, less than 65,000 square feet, to be a permitted use. Also, in the Highway Commercial, Neighborhood Commercial, General Commercial, Industrial and Limited Industrial zoning districts, require use permits for retail businesses, if the building and/or sales area is equal to or greater than 65,000 square feet. This project is exempt from CEQA.

- E. USE PERMIT APPLICATION NO. 2003-26, WILLIAMSON ACT CONTRACT CANCELLATION APPLICATION NO. 2004-02 - FORREST AARVIG** - Request to cancel Williamson Act Contract No. 77-2684 and to construct two single-family dwellings, one each on two separate parcels containing approximately 3.5+ acres in the A-2-40 (General Agriculture) zoning district. The parcels in question were created as part of a four-parcel subdivision recorded on October 3, 1967. The property is located on the southeast corner of Dunn Road and Kiernan Avenue, in the Modesto area. This project is exempt from CEQA.
APN: 012-04-10
- F. TENTATIVE MAP APPLICATION NO. 2002-05, SPECIFIC PLAN AMENDMENT NO. 2002-01 - DIABLO GRANDE UNIT 2A** - Request to create ninety-four (94) residential lots of 5,000 square feet and nine (9) residential lots of 20,000 square feet as the Diablo Grande Unit 2A subdivision within the adopted Diablo Grande Specific Plan area, and to amend the SP1 zoning district to add 5,000 and 8,000 square feet lot categories to the Single Family Residential district (R-1) found in Section 4.02 of the Diablo Grande Specific Plan and to revise the preliminary development plan map to provide areas of construction of these two housing types. Total number of housing units in the SP1 zoning district will be reduced from 2,038 to 2,012. A Mitigated Negative Declaration will be considered.
APN: 025-05-04 and 025-11-06

- VIII. OTHER MATTERS (Not Public Hearings)**
- IX. REPORT OF DIRECTOR**
- X. ADDITIONAL MATTERS AT DISCRETION OF CHAIRMAN**
- XI. ADJOURNMENT**

ALL ACTIONS OF THE STANISLAUS COUNTY PLANNING COMMISSION CAN BE APPEALED TO THE BOARD OF SUPERVISORS BY 5 P.M., AUGUST 30, 2004. THE FEE FOR APPEAL IS \$535.00.