

STANISLAUS COUNTY PLANNING COMMISSION

MINUTES

REGULAR MEETING

June 2, 2005

- I. ROLL CALL:** Meeting called to order at 6:00 p.m.
- Present: Chair Andrew Souza, Rachelle Antinetti, Marie Assali, Tony Cusenza, Annabel Gammon, Allen Layman, Mike Navarro, Jim Poore, and Ray Souza
- Absent: No one
- Staff Present: Ron E. Freitas, Director; Kirk Ford, Deputy Director; Angela Freitas, Senior Planner; Bill Carlson, Associate Planner; Carole Maben, Assistant Planner; Michael Wilson, Assistant Planner; Joshua Mann, Assistant Planner; Jack Doering, Assistant County Counsel; Ron Cherrier, Senior Land Development Coordinator, Public Works Department; Mike Newton, Manager, Code Enforcement Unit, Department of Environmental Resources; Eva Rosa, Planning Commission Clerk
- II. PLEDGE OF ALLEGIANCE**
- III. CITIZEN'S FORUM**
- A. No one spoke.
- IV. APPROVAL OF MINUTES**
- A. May 19, 2005
R. Souza/Poore, 7-0, **APPROVED**
Commissioners Gammon and Layman abstained.
- V. CORRESPONDENCE**
- Director Freitas informed the Commissioners on various correspondence mailed in their agenda packet or placed before them this evening:
- A. Memo dated June 2, 2005 from Department of Planning and Community requesting continuance to June 16, 2005 for Item VII-A, Parcel Map Application No. 2002-28, Nancy Abdallah.
- VI. CONFLICT OF INTEREST**
- A. Commissioner Poore will recuse himself from Item VII-C, Use Permit Application No. 2005-11 - Ryan and Kellie Hughes.

VII. PUBLIC HEARINGS (* - Consent Items)

Commissioner Souza informed the public of the consent items and procedure.
Public hearing opened.
Public hearing closed.

*** CONSENT ITEMS**

- *A. PARCEL MAP APPLICATION NO. 2002-28 - NANCY ABDALLAH** - Request to create seven 40± acre parcels from a 287.1 acre site in the A-2-40 (General Agriculture) zoning district. This project site is currently enrolled in a Williamson Act Contract and any development resulting from this project will be served by individual well and septic systems. The property is located less than one mile west of Sonora Road, east of Frankenheimer Road and north of Orange Blossom Road, in the Oakdale area. A Mitigated Negative Declaration will be considered. **REQUESTING CONTINUANCE TO JUNE 16, 2005.**

APN: 002-063-040

Staff Report: Carole Maben Recommends **CONTINUANCE TO JUNE 16, 2005.**

Public hearing opened.

OPPOSITION: No one spoke.

FAVOR: No one spoke.

Public hearing closed.

Layman/Assali, Unanimous (9-0), **APPROVED THE CONTINUANCE TO JUNE 16, 2005.**

- *B. PARCEL MAP APPLICATION NO. 2004-24 - JON MARING** - Request to create five parcels ranging in size from 47.0 to 52.19 acres, totaling 242.7 net acres, in the A-2-40 (General Agriculture) zoning district. The property is located at 2706 and 2325 Minnear Road, at the northwest corner of Minnear and Raines Road, in the Westley area. Development resulting from this project will be on individual well and septic systems. A Negative Declaration will be considered for this project.

APN: 021-016-002, 021-016-028, 021-016-029

Staff Report: Bill Carlson Recommends **APPROVAL.**

Public hearing opened.

OPPOSITION: No one spoke.

FAVOR: No one spoke.

Public hearing closed.

Assali/Layman, Unanimous (9-0), **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT.**

6:06 p.m. Commissioner Poore left the Chambers.

- *C. USE PERMIT APPLICATION NO. 2005-11 - RYAN & KELLIE HUGHES** - Request to construct a single family dwelling on an approximately 0.8 acre parcel, in the A-2-40 (General Agriculture) zoning district. The property is located on the eastside of Chenault Drive, north of Crawford Road, north of Modesto. This project is Exempt from CEQA.

APN: 074-009-035

Staff Report: Bob Kachel Recommends **APPROVAL**.

Public hearing opened.

OPPOSITION: No one spoke.

FAVOR: No one spoke.

Public hearing closed.

Assali/Layman, 8-0, **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT.**

6:07 p.m. Commissioner Poore returned to Chambers.

NON-CONSENT ITEMS

D. USE PERMIT APPLICATION NO. 2004-27 - LESTER WILLIAMS AG RECYCLE -

Request to establish a business that picks up ash, dirt, rock and concrete washout, collected from businesses in Stanislaus and neighboring counties, and distributes the materials to dairies in Stanislaus and neighboring counties. The business will occupy approximately half of a 7.0 acre property located in an A-2-40 (General Agriculture) zoning district at 5748 Albers Road, south of Oakdale. A Negative Declaration will be considered for this project.

APN: 064-032-023

Staff Report: Michael Wilson Recommends **APPROVAL**.

Public hearing opened.

OPPOSITION: No one spoke.

FAVOR: Lester Williams, 5748 Albers Road.

Public hearing closed.

MOTION TO AMEND CONDITION OF APPROVAL NO. 23 TO READ:

23. Within 45 days of project approval, the applicant shall correct any **“Conditions of Violations” as denoted in a new site visit by the Nuisance Abatement Department.** ~~“Conditions of Violation” one through four listed on Notice to Abate file number DER-GE-03-2376 (see attached copy of Notice to Abate).~~

Poore/Assali, Unanimous (9-0) **APPROVED.**

MOTION TO ADD NEW CONDITION OF APPROVAL:

25. **There be no business taking place on the portion of the property covered by the Williamson Act Contract.**

R. Souza/Antinetti, Unanimous (9-0) **APPROVED.**

MOTION TO AMENDED CONDITION OF APPROVAL 3 a TO READ:

3. To minimize the visual impact of the outside storage of materials and equipment and to minimize the potential of wind-driven dust (particularly across Albers Road) the applicant shall:
 - a) Install ~~an 8 foot high~~ **a 6 foot high** chain link fence, with earth tone slats, along the Albers Road property line.

R. Souza/Assali, Unanimous (9-0) **APPROVED.**

Layman/R. Souza, Unanimous (9-0) **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT, ALONG WITH NEW AND AMENDED CONDITIONS OF APPROVAL.**

E. VARIANCE APPLICATION NO. 2005-02 AND TEMPORARY MOBILE HOME PERMIT APPLICATION NO. 2005-13 - VIVIAN LAWSON - Request to allow a

temporary mobile home for the care of Vivian Lawson on a .41 acre parcel in the A-2-40 (General Agriculture) zoning district. Section 21.72.020(B) of the County Zoning Ordinance requires the parcel be one acre or greater in area. The project site is located at 4625 Crows Landing Road, between Bragg and W. Service Roads, in the Ceres area. This project is Exempt from CEQA.

APN: 041-005-010

Staff Report: Angela Freitas Recommends **APPROVAL.**

Public hearing opened.

OPPOSITION: No one spoke.

FAVOR: Debbie Siebrecht, 2624 Lawrence, Ceres.

Public hearing closed.

Cusenza/Layman, Unanimous (9-0) **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT.**

F. USE PERMIT APPLICATION NO. 2005-05 - THOMPSON BOARDING KENNEL -

Request to establish a boarding kennel facility to allow a new 1,500 square foot kennel (for up to 25 dogs). The 2.97 acre parcel is in the A-2-10 (General Agriculture) zoning district. The property is located at 7313 River Road, west of Valley Home Road and east of Cottle Road, in the Oakdale area. A Negative Declaration will be considered.

APN: 006-082-009

Staff Report: Joshua Mann Recommends **APPROVAL.**

Public hearing opened.

OPPOSITION: No one spoke.

FAVOR: Mark Thompson, 7313 River Road.

Public hearing closed.

R. Souza/Assali, 8-1 (Antinetti), **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT.**

VIII. OTHER MATTERS (NOT PUBLIC HEARINGS)

- A. Change of Nuisance Abatement Hearing Board Members, Presented by Mike Newton, Code Enforcement Unit Manager.
New members: Marie Assali, Jim Poore, and Allen Layman as alternate.

IX. REPORT OF THE DIRECTOR

BOARD OF SUPERVISORS' ACTIONS OF MAY 24, 2005

- A. The Board approved Tentative Map Application 2004-07 and Exception Application 2005-02, Marquette Estates.

BOARD OF SUPERVISORS' ACTIONS OF MAY 31, 2005

- A. The Board did not meet on this date.

MISCELLANEOUS & ON THE HORIZON

June 16, 2005

1. One Use Permit
2. Three Parcel Maps, one with a Variance

July 7, 2005


1. One General Plan Amendment and Rezone
2. One Use Permit
3. One Appeal of a Staff's Decision

X. ADDITIONAL MATTERS AT DISCRETION OF CHAIRMAN

- A. None.

XI. ADJOURNMENT

The meeting was adjourned at 7:12 p.m.



Ron E. Freitas, Secretary

(The above is a summary of the minutes of the Planning Commission. Complete tape(s) of the meeting are available from the Planning Director.)