

# STANISLAUS COUNTY PLANNING COMMISSION

## AGENDA

December 15, 2005

6:00 P.M.

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



<http://www.co.stanislaus.ca.us/planning/PlanAgMin.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 That item will then be withdrawn from "Consent" and reviewed in detail as scheduled.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 Andrew Souza, Marie Assali, Tony Cusenza, Annabel Gammon, Allen Layman, Mike Navarro, Jim Poore, and Ray Souza.
- II. **PLEDGE OF ALLEGIANCE**
- III. **CITIZEN'S FORUM**
- IV. **MINUTES**
  - A. December 1, 2005 [\[View Item\]](#)

**V. CORRESPONDENCE**

**VI. CONFLICT OF INTEREST DECLARATION**

**VII. PUBLIC HEARINGS (\* Consent Items)**

**\*CONSENT ITEMS**

- \*A. PARCEL MAP APPLICATION NO. 2005-14 - PAUL WEDEGAERTNER** - Request to create four parcels ranging in size from 10.01 to 10.22 acres in the A-2-10 (General Agriculture) zoning district. The property is located at 4842 Freelove Avenue, east of Pioneer Road, in the Valley Home area. The Planning Commission will consider a Negative Declaration on this project.  
APN: 002-011-014 [\[View Item\]](#)
- \*B. PARCEL MAP APPLICATION NO. 2005-15 & EXCEPTION APPLICATION NO. 2005-05 - GREEN - Requesting Indefinite Continuance.** Request to create four parcels of approximately 10 acres each in the A-2-10 (General Agriculture) zoning district. The property is located east of Pioneer Road, south of Freelove Avenue, in the Valley Home area. An Exception to the Subdivision Ordinance is being requested due to the fact that the parcels do not front on a County-maintained road. The Planning Commission will consider a Negative Declaration on this project.  
APN: 002-011-015 [\[View Item\]](#)
- \*C. PARCEL MAP APPLICATION NO. 2005-08 - THREFFAL RANCH** - Request to create 26 parcels ranging in size from 40 acres to 400.2 acres from a 2,008 acre site in the A-2-40 (General Agriculture) zoning district. The property is located on both the north and south sides of Sonora Road, east of Frankenheimer Road, in the Knights Ferry/Oakdale area. A Mitigated Negative Declaration will be considered.  
APN's: 002-021-015, 002-021-076 and 002-021-077 [\[View Item\]](#)
- \*D. USE PERMIT APPLICATION NO. 2005-21 - GARDEN ESSENTIAL** - This is a request to add new uses to Planned Development No. 289 which is currently approved to sell bulk wood chips, bark, rock, have an on-site concrete batch plant, storage bins and a bark coloring machine. This project proposes to add items such as outdoor furniture, fountain and river rocks, trees, statuary, pottery and plant containers, and other garden related items. The hours of operation will be 7:00 a.m. to 7:00 p.m., seven days a week, with a maximum of 8 employees per shift. The property is located on the west side of Highway 99, south of the East Keyes Road overpass and at the north end of Taylor Court, in the Keyes area. The Planning Commission will consider a Mitigated Negative Declaration.  
APN: 045-050-009 [\[View Item\]](#)

- \*E. **USE PERMIT APPLICATION NO. 2005-23 - CINGULAR WIRELESS CO-LOCATION - Applicant Requesting Withdrawal of this Application.** Request to add a 15 foot extension to the height of an existing 75-foot high communication tower to accommodate the addition of 6 antennas, and add associated ground equipment inside the existing site, in the C-2 (General Commercial) zoning district. The parcel is located at 3841 Topeka Street, in the northeastern Riverbank Sphere of Influence area. The Planning Commission will consider a Negative Declaration on this project.  
APN: 132-049-003 [\[View Item\]](#)

### **NON-CONSENT ITEMS**

- F. **PARCEL MAP APPLICATION NO. 2003-45 - ORCHARD ESTATES / LAKE ROAD GRIZZLY RANCH - PUBLIC HEARING FOR COMMENTS ON THE DRAFT EIR -** Pursuant to the California Environmental Quality Act, this is a Public Hearing for the Parcel Map Application No. 2005-45 - Orchard Estates / Lake Road Grizzly Ranch - Project Draft Environmental Impact Report (DEIR). It is not a hearing on the project itself. The proposed project is a parcel map request, which proposes to subdivide 10 parcels on an existing 2,843 acre almond orchard into 71 forty acre parcels. Primary use of the land will be the almond orchard, with the secondary use to allow up to 1.5 acres per parcel to be developed for up to two residences. The project also includes construction of roads on site to provide access to the lots, each of which will be served by private well and septic tank. At this Public Hearing the County seeks verbal comments on the contents of the DEIR. Any comments will be put into the Final project EIR (FEIR), along with appropriate responses. No decisions will be made regarding the project during this hearing. A separate hearing on the FEIR and the parcel map itself will be held at a later date. The project site is in the eastern area of Stanislaus County and is located on the south side of Lake Road, east of the town of Hickman.  
APN: 020-003-014, 020-003-015, 020-003-016, 020-003-017; 020-001-017, 020-001-018, 020-001-019; 020-001-024, 020-001-025, and 020-001-027 [\[View Item\]](#)
- G. **TENTATIVE SUBDIVISION MAP APPLICATION NO. 2005-03 - SUNCREST II -** This is request to subdivide a 4.14 acre parcel into a total of (12) twelve residential lots ranging from 8,456 to 14,042 square feet, (1) one 21,034 square foot drainage basin, (1) one 755 square foot lot to be dedicated to the County for future road purposes, and (1) one 1,368 square foot lot to be merged or lot line adjusted, prior to recording of the final map, to the adjoining off-site parcel. The proposed tentative map is designed to provide for future circulation opportunities to the east and north of the project site. The proposed project will be served by the Denair Community Services District for water and sewer disposal. The property is located on the north side of Zeering Road, between San Joaquin Avenue and Alameda Avenue, in the west Denair area. The Planning Commission will consider a Mitigated Negative Declaration.  
APN: 024-017-022 [\[View Item\]](#)

- H.     **USE PERMIT NO. 2003-41 – MOONSHINE DAIRY** – Operation of a 2,000 Holstein milk cow dairy in the A-2-40 (General Agriculture) zoning district located at 22922 Kilburn Road, between JT Crow and Lewis Roads, in the Crows Landing/Newman area. The dairy facility occupies 82 acres of the total 657-acre project site. The Planning Commission will consider Certification of a Final EIR.  
APN's: 049-016-001, 049-016-002, 049-017-001, and 049-018-001  
[\[View Item Part 1\]](#) [\[View Item Part 2\]](#)

- 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., DECEMBER 27, 2005. THE FEE FOR APPEAL IS \$555.00.***