

STANISLAUS COUNTY PLANNING COMMISSION

MINUTES

REGULAR MEETING

March 6, 2008

- I. ROLL CALL:** Meeting called to order at 6:00 p.m.
- Present: Chair Marie Assali, Allen Layman, Arsenio Mataka, Michael Navarro, Jim Poore, and John Shores
- Absent: Annabel Gammon and Ray Souza
- Staff Present: Ron E. Freitas, Director; Kirk Ford, Assistant Director; Angela Freitas, Senior Planner; Joshua Mann, Associate Planner; Rachel Wyse, Assistant Planner; Kristin Doud, Assistant Planner; Mandy Bahia, Assistant Planner; Edward R. Burroughs, Deputy County Counsel; Angie Halverson, Senior Land Development Coordinator, Public Works; Bella Badal, Senior Environmental Health Specialist, Department of Environmental Resources; Crystal D. Rein, Administrative Clerk III
- II. PLEDGE OF ALLEGIANCE**
- III. CITIZEN'S FORUM** - No one spoke
- IV. APPROVAL OF MINUTES**
- A. January 17, 2008 - **DUE TO LACK OF QUORUM, JANUARY 17TH MINUTES WILL BE CONSIDERED AT MARCH 20TH MEETING.**
- B. February 21, 2008 - **DUE TO LACK OF QUORUM, FEBRUARY 21ST MINUTES WILL BE CONSIDERED AT MARCH 20TH MEETING.**
- V. CORRESPONDENCE**
Director Freitas informed the Commissioners on various correspondence mailed in their agenda packet or placed before them this evening:
- A. Memo dated March 6, 2008 from Planning Department, requesting Condition of Approval No. 29 be removed on Item VII-D, Use Permit Application No. 2007-20 - Jensen Bros. Co., per request from Stanislaus County Environmental Review Committee.
- B. Fax received March 5, 2008 from Department of Conservation, regarding Item VII-A, Tentative Parcel Map Application No. 2007-23 - Sarbjit Athwal.
- C. Fax received March 6, 2008 from Aspen Survey Company, regarding Item VII-A, Tentative Parcel Map Application No. 2007-23 - Sarbjit Athwal.

VI. CONFLICT OF INTEREST

- A. Commissioner Poore is acquainted with the owner of item VII-D, Use Permit Application No. 2007-20 - Jensen Bros. Co., but this will not cause a conflict.
- B. Commissioner Shores is acquainted with the owner of item VII-D, Use Permit Application No. 2007-20 - Jensen Bros. Co., but this will not cause a conflict.

VII. PUBLIC HEARINGS (* - Consent Items)

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

*** CONSENT ITEMS**

- *A. **TENTATIVE PARCEL MAP APPLICATION NO. 2007-23 - SARBJIT ATHWAL -**
This is a request to divide a 212.8± acre parcel into two 43.7± acre parcels, one 40.0± acre parcel, and a designated remainder parcel of 85.4± acres in the A-2-40 (General Agriculture) zoning district. The property is located on McCracken Road, on both sides of McCracken between Hamilton and Howard Roads, in the Patterson area. The Planning Commission will consider a CEQA Negative Declaration on this project.
APN: 016-036-022 & 016-037-042
Staff Report: Mandy Bahia Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: No one spoke.
FAVOR: No one spoke.
Public hearing closed.
Poore/Layman, Unanimous (6-0), **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT.**

- *B. **VESTING TENTATIVE PARCEL MAP APPLICATION NO. 2006-54 - ALBERT & BETTY ROEN** - Request to create three (3) parcels, 40 acres each, from a 120 acre site in the A-2-40 (General Agriculture) zoning district. The property is located at 14954 Tim Bell Road, west of Hazeldean Road, in the Waterford area, and is under Williamson Act contract 72-647. The Planning Commission will consider a CEQA Mitigated Negative Declaration on this project.
APN: 015-015-034
Staff Report: Rachel Wyse Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: No one spoke.
FAVOR: No one spoke.
Public hearing closed.
Poore/Layman, Unanimous (6-0), **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT.**

- *C. **VESTING TENTATIVE PARCEL MAP APPLICATION NO. 2007-26 - BENEDIX PARCEL MAP** - This is a request for approval of a tentative parcel map which would divide a 30.9-acre parcel into a 10.54-acre parcel and a 20.36-acre parcel, in the A-2-10 (General Agriculture) zoning district. The property is located at 12171 Lambuth Road, on the north side of Valley Home Road, between Walnut and Freelove Avenues, in the Valley Home area, northwest of Oakdale. The Planning Commission will consider a CEQA Mitigated Negative Declaration on this project. APN: 002-057-023
Staff Report: Kristin Doud Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: No one spoke.
FAVOR: No one spoke.
Public hearing closed.
Poore/Layman, Unanimous (6-0), **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT.**

NON-CONSENT ITEMS

- D. **USE PERMIT APPLICATION NO. 2007-20 - JENSEN BROS. CO.** - This is a request to construct six (6) 7,200 square foot buildings for agricultural equipment and walnut storage facilities, a modular office, and an elevator scale operated in conjunction with an approved and existing walnut huller operation located on an adjacent parcel (100 Bartch Road, APN: 048-036-021). The equipment stored within the proposed buildings will be consistent with the types of equipment in use on the huller parcel (tractors and forklifts). The proposed site consists of 4.82 acres, in the A-2-20 (General Agriculture) zoning district. The property is located at 16801 Hwy 33, south of Bartch Avenue, within the Sphere of Influence of the City of Patterson. The Planning Commission will consider a CEQA Negative Declaration on this project. APN: 048-036-007
Staff Report: Rachel Wyse Recommends **APPROVAL WITH DELETED CONDITION OF APPROVAL NO. 29**.
Public hearing opened.
OPPOSITION: No one spoke.
FAVOR: Tom DeLaMare, DeLaMare-Fultz Engineering, 3421 Tully Road, Modesto; Mark Jensen, applicant, 1514 H Street, Modesto.
Public hearing closed.
Poore/Layman, Unanimous (6-0), **APPROVED STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT, INCLUDING DELETED CONDITION OF APPROVAL NO. 29.**

VIII. OTHER MATTERS (NOT PUBLIC HEARINGS)

- A. **GENERAL PLAN CONSISTENCY FINDING FOR COUNTY 2007-2008 CAPITAL IMPROVEMENT PROGRAM** - (Continued from February 21, 2008) Consideration of the consistency of the Stanislaus County 2007-2008 Preliminary Capital Improvement Plan with the Stanislaus County General Plan. Presented by Kirk Ford.
Layman/Shores, Unanimous (6-0), **RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS**

IX. REPORT OF THE DIRECTOR

BOARD OF SUPERVISORS ACTIONS OF FEBRUARY 26, 2008

- A. The Board approved transfer of 140 acres of excess land at the Fink Road Landfill from the Landfill budget to the County budget and authorized the request for long-term lease agreements for the agricultural lands.
- B. The Board, acting as the Redevelopment Agency, agreed to a construction management contract with Nolte Associates, Inc. for the Keyes Storm Drainage Project.

BOARD OF SUPERVISORS ACTIONS OF MARCH 4, 2008

- A. The Board set a Public Hearing for March 25, 2008 at 9:15 a.m. to consider Planning Commission recommendation for approval of Rezone Application No. 2007-07, William Rossi.
- B. The Board set a Public Hearing for March 25, 2008 at 9:20 a.m. to consider Planning Commission recommendation for approval of Williamson Act Cancellation No. 2007-01, Variance Application No. 2007-02, and Lot Line Adjustment Application No. 2007-03, Friends of the Tuolumne.
- C. The Board set a Public Hearing for April 15, 2008 at 6:40 p.m. to consider Planning Commission recommendation of General Plan Amendment No. 2007-05, Rezone Application No. 2007-08, and Lot Line Adjustment Application No. 2007-25, Frantz Landscape Center.
- D. The Board approved and opened the Public Comment period for the Draft Annual Action Plan that includes \$2.46 million of Community Development Block Grant award and almost \$110,000 in Emergency Shelter Grant award for FY 2008-2009, and set a Public Hearing for April 8, 2008, at 9:50 a.m. to close the Public Comment period.
- E. The Board conducted a Public Hearing on the formation of the Salida Boulevard Landscape and Lighting District in the community of Salida, and conducted a ballot procedure in levy of the annual assessment in compliance with Proposition 218.

MISCELLANEOUS & ON THE HORIZON

- A. If you have not turned in your 700 Forms or your Blue Forms, please get them to Eva as soon as possible.
- B. California County Planning Commissioners Association, Central District Spring Conference, will be held Saturday, April 19, 2008, in Madera. If you are interested in attending, please let our office know by March 17th.

March 20, 2008

1. An Appeal of a Staff Decision
2. A Variance
3. Two Use Permit Applications
4. A Parcel Map Application

April 3, 2008

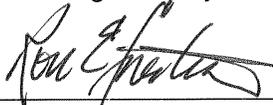
1. A Parcel Map
 2. A Workshop
- C. Ron Freitas, Director of Planning and Community Development gave a brief overview of issues covered in a safety meeting held on February 25, 2008 in the Board Chambers.

X. ADDITIONAL MATTERS AT DISCRETION OF CHAIRMAN

- A. Commissioner Poore requested an update on the status of El Rematito. Assistant Director Kirk Ford gave a brief update with a reminder that work is not scheduled to be completed until June of 2008.

XI. ADJOURNMENT

The meeting was adjourned at 6:40 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.)