

STANISLAUS COUNTY PLANNING COMMISSION

MINUTES

REGULAR MEETING

September 18, 2008

- I. ROLL CALL:** Meeting called to order at 6:00 p.m.
- Present: Chair Marie Assali, Annabel Gammon, Allen Layman, Arsenio Mataka, Michael Navarro, Jim Poore, and Ray Souza
- Absent: No one
- Staff Present: Kirk Ford, Interim Director; Bill Carlson, Senior Planner; Sean Purciel, Associate Planner; Rachel Wyse, Assistant Planner; Javier Camarena, Assistant Planner; Thomas E. Boze, 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**
- A. No one spoke.
- IV. APPROVAL OF MINUTES**
- A. September 4, 2008
Souza/Gammon, 5-0, **APPROVED**
Commissioners Navarro and Poore abstained.
- V. CORRESPONDENCE**
Director Ford informed the Commissioners on various correspondence mailed in their agenda packet or placed before them this evening:
- A. Memo dated September 10, 2008, from County Counsel, regarding Mandatory Ethics Training (AB 1234) being offered September 30, 2008.
- B. Memo dated September 18, 2008, from Public Works regarding Item VII-A, Tentative Parcel Map Application No. 2008-06 - Ronald Martella.
- C. Memo dated September 18, 2008, from the Planning Department regarding Item VII-D, Use Permit Application No. 2008-13 - Lakewood Memorial Park.
- VI. CONFLICT OF INTEREST**
- A. Commissioner Assali knows Ronald Martella and will step down during this hearing.

- B. Commissioner Poore knows Ronald Martella and will step down during this hearing.
- C. Commissioner Souza knows Ronald Martella, however, 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**

Items taken out of order.

- *B. USE PERMIT APPLICATION NO. 2008-18 - VERIZON WIRELESS - CASHMAN CREEK CELL TOWER** - This is a request to replace a 75-foot tall wireless communication facility (a cell tower) and existing equipment structures on a 52.25-acre parcel in the A-2-40 (General Agriculture) zoning district, with a new 100-foot tall cell tower. The ground lease area is proposed to be expanded to 1,200 square feet with a new shelter, generator, fences, and a new tower on a site containing a commercial poultry farm with an existing Williamson Act Contract No. 1996-4325. The project is located at 13242 Hwy. 108, on the south side of Hwy. 108, east of Wamble Road, in the Oakdale area. The Planning Commission will consider a CEQA Negative Declaration on this project.
APN: 010-011-038
Staff Report: Sean Purciel Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: No one spoke.
FAVOR: No one spoke.
Public hearing closed.
Poore/Layman, Unanimous (7-0), **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT.**
- *C. VESTING TENTATIVE PARCEL MAP APPLICATION NO. 2008-05 - MONTPELIER FARMING CORP.** - This is a request to divide a 626-acre property, consisting of three parcels, into 14 parcels ranging from 40+ to 53± acres in size, in the A-2-40 (General Agriculture) zoning district. The property is enrolled in the Williamson Act, and is located at 5043 Montpelier Road, between E. Monte Vista Avenue and E. Keyes Road, east of Denair. The Planning Commission will consider a CEQA Negative Declaration on this project.
APN: 019-041-060, 020-013-001, and 024-003-003
Staff Report: Javier Camarena Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: No one spoke.
FAVOR: No one spoke.
Public hearing closed.
Poore/Layman, Unanimous (7-0), **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT.**

6:05 p.m. - Commissioners Poore & Assali left the chambers.

Items taken out of order.

- *A. **TENTATIVE PARCEL MAP APPLICATION NO. 2008-06 - RONALD MARTELLA -**
This project was continued from September 4, 2008. This is a request to subdivide two parcels totaling 166.20 acres into four parcels of approximately 40 acres each, in an A-2-40 (General Agriculture) zoning district, with a portion of the project enrolled under the Williamson Act. The property is located on the north end of Goodwin Road, west of Albers Road, and south of Dry Creek, in the Modesto area. The Planning Commission will consider a CEQA Negative Declaration on this project.
APN: 009-012-032 and 009-013-004
Staff Report: Sean Purciel Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: No one spoke.
FAVOR: No one spoke.
Public hearing closed.
Navarro/Gammon, Unanimous, (5-0), **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT, ALONG WITH AMENDED CONDITION OF APPROVAL NO. 17 AS OUTLINED IN THE SEPTEMBER 18, 2008 MEMO FROM PUBLIC WORKS.**

Condition No. 17: *A 30 foot public utility easement from **either** Goodwin Road **or** and Albers Road shall be provided to each of the parcels and shall be shown on the parcel map to be recorded.*

6:06 p.m. - Commissioners Poore & Assali returned to the Chambers.

NON-CONSENT ITEMS

- D. **USE PERMIT APPLICATION NO. 2008-13 - LAKEWOOD MEMORIAL PARK -**
This is a request to construct a new 15,200 square foot funeral home on a 77-acre site in the A-2-40 (General Agriculture) zoning district. The existing reception hall, operation, maintenance, and administration offices will be demolished and replaced with future cemetery inventory development. The project will convert the existing funeral home building to a reception hall and administration offices and construct two (2) additional mausoleums of approximately 1,920 and 1,440 square feet. The number of employees and hours of operation will not change. The project site is located at 900 Santa Fe Avenue, between the Tuolumne River and Leedom Road, in the Hughson area. The Planning Commission will consider a CEQA Negative Declaration on this project.
APN: 018-001-074
Staff Report: Rachel Wyse Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: No one spoke.
FAVOR: Jim Freitas, Associated Engineering, 4206 Technology Drive, Modesto
Public hearing closed.

Navarro/Souza, Unanimous, (7-0), **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT, ALONG WITH ADDED CONDITION OF APPROVAL NO. 23 AS OUTLINED IN THE SEPTEMBER 18, 2008 MEMO FROM THE PLANNING DEPARTMENT.**

Condition No. 23: *For existing water system applicant must identify location of all wells on parcels and state their intended future use (e.g., domestic, irrigation, to be destroyed, etc.). Well destruction must occur under permit from DER.*

VIII. OTHER MATTERS (NOT PUBLIC HEARINGS)

- A. None.

IX. REPORT OF THE DIRECTOR

BOARD OF SUPERVISORS ACTIONS OF SEPTEMBER 9, 2008

- A. Set a Public Hearing on September 30, 2008, at 9:15 a.m., to Consider an Appeal of the Planning Commission's Denial of Use Permit Application No. 2007-27 - Wat Cambodian Buddhist Church
- B. Adopted the final budget for Fiscal Year 2008-2009

BOARD OF SUPERVISORS ACTIONS OF SEPTEMBER 16, 2008

- A. There were no items related to Planning and Community Development

MISCELLANEOUS & ON THE HORIZON

The County will be offering an Ethics Training, at no cost, on Tuesday, September 30, from 6:30 p.m. to 8:30 p.m., in the basement chambers. An ethics training course is required by the FPPC every two years. Your options are to take the training offered by the County, an on-line ethics training course, or to attend a training seminar given by local agencies or private law firms, which cost \$100. If you take the on-line training, be sure to print the Certification of Completion at the end of the training, and return it to our office. See Eva if you need the website information.

The Annual California County Planning Commissioner's Conference is scheduled for October 24 and 25, in Bakersfield. The topic will be Land and Water Planning. The Planning Department can send two Commissioners.

October 2, 2008

1. One Use Permit

October 16, 2008

1. County-sponsored modification of Conditions of Approval for Islamic Center of Modesto

X. ADDITIONAL MATTERS AT DISCRETION OF CHAIRMAN

- A. None.

XI. ADJOURNMENT

The meeting was adjourned at 6:20 p.m.



Kirk Ford, Secretary

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