

# STANISLAUS COUNTY PLANNING COMMISSION

## AGENDA

FEBRUARY 5, 2009

6:00 P.M.

CHAMBERS - BASEMENT LEVEL  
TENTH STREET PLACE  
1010 10TH STREET, MODESTO  
[www.stanco-planning.org](http://www.stanco-planning.org)



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.

The agenda is divided into two sections:

**CONSENT CALENDAR:** These 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 Chair 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 Chair. That item will then be withdrawn from "Consent" and reviewed in detail as scheduled.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.

**NON-CONSENT CALENDAR:** These items will be individually discussed and reviewed in detail.

**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.

**PUBLIC COMMENT PERIODS:** Matters under the jurisdiction of the Commission, and not on the posted agenda, may be addressed by the general public at the beginning of the regular agenda and any off-agenda matters before the Planning 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. Any member of the public wishing to address the Commission during the "Citizen's Forum" period will be limited to a maximum of 5 minutes.

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 Chair.

**PLANNING COMMISSION AGENDAS AND MINUTES:** Commission Agendas, Minutes, and copies of items to be considered by the Planning Commission are typically posted on the Internet on Friday afternoons preceding the meeting at the following website: [www.stanco-planning.org](http://www.stanco-planning.org). All materials, including materials related to an item on this Agenda, submitted to the Commission after distribution of the agenda packet are available for public inspection in the Planning Department at 1010 10<sup>th</sup> Street, Suite 3400, Modesto, during normal business hours.

**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.

**REASONABLE ACCOMMODATIONS:** In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Commission Clerk at (209) 525-6330. Notification 72 hours prior to the meeting will enable the Clerk to make arrangements to ensure accessibility to this meeting.

- I. **ROLL CALL:** Chair Marie Assali, Tom DeLaMare, Annabel Gammon, Allen Layman, Arsenio Mataka, Michael Navarro, Greg Pires, Jim Poore, and Ray Souza
- II. **PLEDGE OF ALLEGIANCE**

**III. CITIZEN'S FORUM**

**IV. MINUTES**

- A. December 4, 2008 [\[View Item\]](#)
- B. January 15, 2009 [\[View Item\]](#)

**V. CORRESPONDENCE**

- A. Email dated January 26, 2009, from M. Jean Dyer, regarding Item VII-C, Vesting Tentative Subdivision Map Application No. 2006-06 & Exception Application No.2008-02 - Knights Ferry Overlook [\[View Item\]](#)
- B. Letter received January 29, 2009, from Knights Ferry Municipal Advisory Council, regarding Item VII-C, Vesting Tentative Subdivision Map Application No. 2006-06 & Exception Application No. 2008-02 - Knights Ferry Overlook [\[View Item\]](#)

**VI. CONFLICT OF INTEREST DECLARATION**

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

\*CONSENT ITEMS - No Consent Items

NON-CONSENT ITEMS

- A. **USE PERMIT APPLICATION NO. 2008-04 - APOSTOLIC ASSEMBLY** - This is a request to convert an existing 3,020 square foot single-family home to a Bible Study Center with five (5) classrooms, on a one-acre parcel, in the R-A (Rural Residential) zoning district. The project site is located at 431 S. Abbie Street, in the south Empire area. The Planning Commission will consider a Negative Declaration on this project.  
APN: 133-019-024 [\[View Item\]](#)
- B. **USE PERMIT APPLICATION NO. 2008-12 AND VESTING TENTATIVE PARCEL MAP APPLICATION NO. 2008-14 - BEN HUDELSON FARMS ALMOND PROCESSING FACILITY** -This is a request for a warehouse expansion of an existing almond processing facility on a 51.80-acre parcel, in the A-2-40 (General Agriculture) zoning district, for the storage of raw and packaged almonds in three phases, each consisting of the construction of a 15,000 square foot warehouse building. The parcel map portion of this request would create an 12.21-acre parcel containing the processing facility and a 40.54 (40.54-gross) acre parcel containing the orchard. The property is located at 10665 E. Whitmore Avenue, east of Sperry Road, in the Hughson area. The property is enrolled under a Williamson Act Contract. The Planning Commission will consider a Negative Declaration for this project.  
APN: 019-018-045 [\[View Item\]](#)

- C. **VESTING TENTATIVE SUBDIVISION MAP APPLICATION NO. 2006-06 & EXCEPTION APPLICATION NO. 2008-02 - KNIGHTS FERRY OVERLOOK** - This is a request to divide a 33.70-acre parcel to create 8 parcels ranging in size from 0.50 to 5.00 acres with a 12.03 acre "Remainder." The property is split zoned, consisting of both A-2-5 (General Agriculture) and H-S (Historical Site District). An Exception is being requested on the four 1.00 acre parcels which would not have municipal water service/connection from Knights Ferry Community Services District. The property is located at the southeast corner of Cemetery and Frymire Roads, in the Community of Knights Ferry. The Planning Commission will consider a Mitigated Negative Declaration on this project.  
APN: 002-044-003 & 002-044-004 [\[Part 1\]](#) [\[Part 2\]](#) [\[Part 3\]](#) [\[Part 4\]](#)  
[\[Part 5\]](#)

- VIII. **OTHER MATTERS (Not Public Hearings)**
- IX. **REPORT OF DIRECTOR**
- X. **ELECTION OF CHAIR AND VICE CHAIR FOR 2009**
- XI. **APPOINTMENT OF COMMISSIONERS TO THE GENERAL PLAN UPDATE COMMITTEE**
- XII. **ADDITIONAL MATTERS AT DISCRETION OF CHAIR**
- XIII. **ADJOURNMENT**

***ALL ACTIONS OF THE STANISLAUS COUNTY PLANNING COMMISSION CAN BE APPEALED TO THE BOARD OF SUPERVISORS BY 5 P.M., FEBRUARY 17, 2009. THE FEE FOR APPEAL IS \$580.00.***