

STANISLAUS COUNTY PLANNING COMMISSION

AGENDA

FEBRUARY 19, 2009

6:00 P.M.

CHAMBERS - BASEMENT LEVEL
TENTH STREET PLACE
1010 10TH STREET, MODESTO
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 That item will then be withdrawn from "Consent" and reviewed in detail as scheduled.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. 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 10th 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. February 5, 2009 [\[View Item\]](#)

V. CORRESPONDENCE

VI. CONFLICT OF INTEREST DECLARATION

VII. PUBLIC HEARINGS (* Consent Items)

*CONSENT ITEMS - No Consent Items

NON-CONSENT ITEMS

- A. GENERAL PLAN AMENDMENT APPLICATION NO. 2007-08, REZONE APPLICATION NO. 2007-11, VESTING TENTATIVE PARCEL MAP APPLICATION NO. 2007-32 - KIERNAN COURT OFFICE PARK - This is a request to amend the General Plan and rezone from HCPD (Highway Commercial Planned Development) / A-2-40 (General Agriculture) to Planned Development and create three (3) parcels measuring 1.07, 1.01, and 0.98 acres from a 3.06-acre parcel. The project proposes development of a three (3) story, 69,531 square foot office building. The property is located at 5049 Kiernan Court, northeast of Kiernan Avenue, east of State Highway 99, in the Salida area. The Planning Commission will consider a Negative Declaration for this project.

APN:136-017-017

[\[Staff Report, Maps, Development Standards, and Schedule\]](#)

[\[Letters, Initial Study, Referral Responses\]](#)

- B. USE PERMIT APPLICATION NO. 2008-03 - DELANEY AGGREGATES - This is a request to operate a gravel and sand extraction enterprise for Delaney Aggregates on an 80-acre portion of a 205-acre parcel enrolled under Williamson Act Contract and located within the A-2-40 (General Agriculture) zoning district. The property is located at Lake Road, approximately 1 mile southwest of the intersection of Lake Road and State Highway 132, just north of the Merced County line and northeast of Turlock Lake. The Planning Commission will consider a Mitigated Negative Declaration for this project.

APN:008-022-003

[\[Staff Report, Maps, Conditions of Approval and Mitigation Measures\]](#)

[\[Initial Study, Mitigated Negative Declaration and Mitigation Monitoring Plan\]](#)

[\[Reclamation Plan\]](#)

[\[Reclamation Plan Map\]](#)

[\[Conceptual Landscape Plan\]](#)

[\[Biological Resources Assessment\]](#)

[\[Swainson's Hawk and Bald Eagle Nest Survey\]](#)

[\[Kit Fox Habitat Assessment\]](#)

[\[California Tiger Salamander Habitat Assessment\]](#)

[\[Silt Fencing and Elderberry Protection Overview Maps - Figure 1 and 2\]](#)

[\[Cultural Resources Survey\]](#)

[\[Noise Study\]](#)

[\[EnviroMine Statement of Termination Date\]](#)

[\[Agency Comment Letters Referenced\]](#)

[\[Applicant Response\]](#)

[\[Reclamation Plan OMR 30-Day Review Request, Financial Assurance Cost Estimate Documentation, and Alternate Agricultural Buffer\]](#)

[\[Fish and Game Correspondence, Department of Parks and Recreation Response, and Environmental Review Referrals\]](#)

- C. **CROWS LANDING AIR FACILITY PROJECT AREA, REVISED PRELIMINARY PLAN AND REPORT** - Consideration of revisions to the Preliminary Redevelopment Plan adopted by the Stanislaus County Redevelopment Agency in 2005, which established goals, objectives, and land uses for the 1,528-acre redevelopment project area at the former Crows Landing Air Facility located on the western side of Stanislaus County, northwest of the Fink Road/Hwy 33 intersection, south of the City of Patterson. Revisions would accommodate additional land uses, such as the rail/inland port facility, additional funding opportunities, and detail of the proposed general aviation airport. The original project area boundaries, as well as goals and objectives, would remain unchanged. Approval of the revisions will enable continuation of environmental review and the preparation of the final Redevelopment Plan.

APN: 027-003-074, 027-003-077, 027-003-076, 027-003-078, 027-003-080, 027-001-057, 027-001-059, 027-001-058, 027-003-075

[\[Memo\]](#)

[\[Preliminary Plan\]](#)

[\[Preliminary Report\]](#)

VIII. OTHER MATTERS (Not Public Hearings)

A. APPOINTMENT OF COMMISSIONERS TO THE GENERAL PLAN UPDATE COMMITTEE - Continued from February 5, 2009

IX. REPORT OF DIRECTOR

X. ADDITIONAL MATTERS AT DISCRETION OF CHAIR

XI. ADJOURNMENT

ALL ACTIONS OF THE STANISLAUS COUNTY PLANNING COMMISSION CAN BE APPEALED TO THE BOARD OF SUPERVISORS BY 5 P.M., MARCH 2, 2009. THE FEE FOR APPEAL IS \$580.00.