

STANISLAUS COUNTY PLANNING COMMISSION

AGENDA

JANUARY 21, 2010

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 That item will then be withdrawn from "Consent" and reviewed in detail as scheduled.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 Allen Layman, Marie Assali, Tom DeLaMare, Annabel Gammon, Michael Navarro, Greg Pires, Jim Poore, John Ramos, and Ted Reimers
- II. **PLEDGE OF ALLEGIANCE**

III. CITIZEN'S FORUM

IV. MINUTES

- A. December 17, 2009 [\[View Item\]](#)

V. CORRESPONDENCE

- A. 2010 Planning Commission Meeting Calendar [\[View Item\]](#)
B. Farmland Working Group Newsletter, Winter 2009 [\[View Item\]](#)

VI. CONFLICT OF INTEREST DECLARATION

VII. PUBLIC HEARINGS (* Consent Items)

***CONSENT ITEMS**

- *A. VESTING TENTATIVE PARCEL MAP APPLICATION NO. 2009-12 - WAGNER** - Request to create five (5) parcels, ranging in size from 40 to 55 acres, from two parcels totaling 229± acres in the A-2-40 (General Agriculture) zoning district, currently enrolled in Williamson Act Contract No. 72-0996. The property is located at 3643 and 3319 Maze Boulevard, north of Maze Boulevard (State Highway 132), east of Dakota Avenue, in the Modesto area. The Planning Commission will consider a CEQA Negative Declaration for this project. **APPLICANT IS REQUESTING INDEFINITE CONTINUANCE.**
APN: 007-024-003 and 007-024-004 [\[View Item\]](#)
- *B. VESTING TENTATIVE PARCEL MAP APPLICATION NO. 2009-08 - THE FRUIT YARD** - Request to divide a 44± acre parcel to create twelve (12) parcels ranging in size from 0.60± to 12.70± acres. The proposed parcels conform to the individual uses allowed under the Planned Development which was approved by the Board of Supervisors in 2008. The project site is zoned P-D (317) (Planned Development) and is located at 7948 Yosemite Boulevard, at the intersection of Geer Road and Yosemite Boulevard (Hwy 132), in the Modesto/Waterford area. A CEQA Negative Declaration will be considered on this project.
APN: 009-027-004 [\[View Item\]](#)
- *C. VESTING TENTATIVE PARCEL MAP APPLICATION NO. 2009-13 - DEMERGASSO RANCHES** - Request to create three (3) 40-acre parcels and one (1) 50-acre parcel from a 170+ (gross) acre site in the A-2-40 (General Agriculture) zoning district. The project site is currently enrolled in Williamson Act Contract No. 74-1562. The property is located at 6219 Parker Road, at the northwest corner of Parker and Wellsford Roads, in the Modesto area. The Planning Commission will consider a CEQA Negative Declaration for this project.
APN: 014-029-002 (a portion of) [\[View Item\]](#)

- *D. TENTATIVE PARCEL MAP APPLICATION NO. 2009-14 - GUSE - CENTER ROAD**
- Request to create two parcels of 40 acres each from an 80 gross acre parcel in the A-2-40 (General Agriculture) zoning district, currently enrolled in Williamson Act Contract No. 72-0719. The property is located at 861 Center Road, east of Highway 33, west of River Road, in the Patterson area. The Planning Commission will consider a CEQA Negative Declaration for this project.
APN: 016-008-010 [\[View Item\]](#)
- *E. USE PERMIT APPLICATION NO. 2009-12 - MARTELLA FARMS - E. SERVICE ROAD**
- Request to construct four (4) agricultural storage buildings and two (2) canopy roof structures in the A-2-40 (General Agriculture) zoning district. The buildings will be built in four (4) phases totaling 343,000 square feet on a 42.75± acre site to be used in conjunction with the existing almond and walnut orchards for Martella Farms. The project site is located at 8133 E. Service Road, on the northeast corner of the Geer and E. Service Road intersection, in the Hughson area. The Planning Commission will consider a CEQA Negative Declaration for this project.
APN: 018-056-007 [\[View Item\]](#)
- *F. USE PERMIT APPLICATION NO. 2009-18 - MONTPELIER ORCHARDS**
- Request to construct a 31,500 square foot steel almond storage building on an 18± acre parcel in the A-2-40 (General Agriculture) zoning district. The building will contain 24,000 square feet enclosed and 7,500 square feet of overhang. The proposed building will not add any employees or additional truck traffic. The property is located at 4931 Montpelier Road, on the west side of Montpelier Road, north of E. Keyes Road, in the Hickman area. The Planning Commission will consider a CEQA Negative Declaration for this project.
APN: 019-030-017 [\[View Item\]](#)

NON-CONSENT ITEMS

- G. USE PERMIT APPLICATION NO. 2009-10 - CATHOLIC CEMETERY DAKOTA AVENUE**
- Request to develop a cemetery in four (4) phases on a 25.33 acre parcel in the A-2-40 (General Agriculture) zoning district. Each phase will take approximately 20 years to reach capacity. The project site is located east of Dakota Avenue, west of Highway 99, north of Beckwith Road, in the Modesto area. The Planning Commission will consider a CEQA Negative Declaration for this project.
APN: 076-032-011

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

[\[View Initial Study, Negative Declaration\]](#)

[\[View Traffic Report, Part 1\]](#)

[\[View Traffic Report, Part 2\]](#)

[\[View Traffic Report, Part 3\]](#)

[\[View Traffic Report, Part 4\]](#)

[\[View Traffic Report, Dakota Cemetery Index\]](#)

[\[View Buffer and Setback Alternative & Minutes as Supported by the Agricultural Advisory Board, Parking Plan, and Environmental Review Referrals\]](#)

- VIII. OTHER MATTERS (Not Public Hearings)
- IX. REPORT OF DIRECTOR
- X. ELECTION OF CHAIR AND VICE CHAIR FOR 2010
- 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 1, 2010. THE FEE FOR APPEAL IS \$607.00.