

STANISLAUS COUNTY PLANNING COMMISSION

MINUTES

REGULAR MEETING

March 18, 2010

- I. ROLL CALL:** Meeting called to order at 6:00 p.m.
- Present: Chair Michael Navarro, Annabel Gammon, Allen Layman, Marie Assali, Tom DeLaMare, Greg Pires, Jim Poore, and John Ramos
- Absent: None
- Staff Present: Kirk Ford, Director; Angela Freitas, Deputy Director; Bill Carlson, Senior 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, Planning Commission Clerk; Nancy Brown, Housing Element Consultant
- II. PLEDGE OF ALLEGIANCE**
- III. CITIZEN'S FORUM** - No one spoke.
- IV. APPROVAL OF MINUTES**
- A. March 4, 2010
Poore/Gammon, 7-0, **APPROVED WITH REVISION TO ITEM VII A - USE PERMIT APPLICATION NO. 2009-10 - CATHOLIC CEMETERY DAKOTA AVENUE TO REFLECT CORRECT NAME OF SPEAKER IN FAVOR**
Commissioner Assali abstained.
- V. CORRESPONDENCE**
Director Ford informed the Commissioners on various correspondence mailed in their agenda packet or placed before them this evening:
- A. Clean copy of Parcel Map for item VII A - Vesting Tentative Parcel Map Application No. 2009-06 - Reservoir Ranch.
- B. Memo dated March 18, 2010, from the Department of Planning & Community Development regarding item VII E - Use Permit Application No. 2008-17 - Diamond Bar Arena.
- VI. CONFLICT OF INTEREST**
- A. Commissioner DeLaMare will recuse himself from Item VII A - Vesting Tentative Parcel Map Application No. 2009-06 - Reservoir Ranch.

- B. Commissioner Poore will recuse himself from Item VII A - Vesting Tentative Parcel Map Application No. 2009-06 - Reservoir Ranch.
- C. Commissioner Navarro will recuse himself from Item VII D - Rezone Application No. 2009-04 - Bronco Wine Co. as his company works with Bronco Wine Co.
- D. Commissioner Layman will recuse himself from Item VII D - Rezone Application No. 2009-04 - Bronco Wine Co. as his company works with Bronco Wine Co.
- E. Commissioner Pires will recuse himself from Item VII D - Rezone Application No. 2009-04 - Bronco Wine Co. as his company works with Bronco Wine Co.

VII. PUBLIC HEARINGS (* - Consent Items)

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

*** CONSENT ITEMS**

Commissioners Poore and DeLaMare left the Chambers.

- *A. **VESTING TENTATIVE PARCEL MAP APPLICATION NO. 2009-06 - RESERVOIR RANCH** - Request to divide 575± acres into 14 - 40+ acre parcels in the A-2-40 (General Agriculture) zoning district. The parcels are currently enrolled in the Williamson Act. The property is located at 18118 Reservoir Road, north of Yosemite Boulevard (Hwy 132), in the Waterford area. The Planning Commission will consider a CEQA Negative Declaration on this project.
APNs: 008-003-021, 008-003-047, 008-005-009, 008-006-002, and 008-006-003
Staff Report: Carole Maben Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: No one spoke.
FAVOR: No one spoke.
Public hearing closed.
Layman/Assali, 6-0, **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT.**

Commissioners Poore and DeLaMare returned to the Chambers.

- *B. **VESTING TENTATIVE PARCEL MAP APPLICATION NO. 2009-15 - CORDOVA** - Request to create 18 parcels ranging in size from 40 to 64 acres and a 50-acre remainder parcel from an 850± acre site in the A-2-40 (General Agriculture) zoning district. The parcels within Stanislaus County are currently enrolled in the Williamson Act. Proposed Parcel "17" will have a small section in Merced County and the proposed 50-acre remainder parcel will have a small section in Stanislaus County. The property is located at 3824 N. Montpelier Road, north of E. Monte Vista Avenue, in the Denair area/and in Merced County. The Planning Commission will consider a CEQA Negative Declaration on this project.
APNs: 020-013-028, 020-013-029, 020-013-035, 020-013-038

Merced County APNs: 042-001-013 & 042-001-017
Staff Report: Carole Maben Recommends **APPROVAL**.
Public hearing opened.

OPPOSITION: No one spoke.

FAVOR: No one spoke.

Public hearing closed.

DeLaMare/Pires, Unanimous (8-0), **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT.**

***C. USE PERMIT APPLICATION NO. 2009-20 - CALIFORNIA TRANSPLANTS -**

Request to construct 110 green houses (6,930 square feet each) to grow transplants on an 85± acre parcel in the A-2-40 (General Agriculture) zoning district. The green houses will be constructed in four (4) phases and are an expansion of the existing California Transplants located north of the project site. The site is located on the north side of Orestimba Road, between Bell and Eastin Roads, west of the City of Newman. The Planning Commission will consider a CEQA Negative Declaration on this project.

APN: 026-019-010

Staff Report: Javier Camarena Recommends **APPROVAL**.

Public hearing opened.

OPPOSITION: No one spoke.

FAVOR: No one spoke.

Public hearing closed.

DeLaMare/Pires, Unanimous (8-0), **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT.**

NON-CONSENT ITEMS

Chair Navarro and Commissioners Layman and Pires left the Chambers.

D. REZONE APPLICATION NO. 2009-04 - BRONCO WINE CO. - Request to rezone

a 35.78 acre parcel from A-2-40 (General Agriculture) to P-D (Planned Development) to allow expansion of the adjoining Bronco Wine facility by conversion of an existing house into an office, construction of two (2) new 14,400 square foot office buildings, an associated parking lot and two (2) driveways on E. Keyes Road. The project site is located at 800 E. Keyes Road, at the southeast corner of E. Keyes and Bystrum Roads, in the Ceres area. The Planning Commission will consider a CEQA Mitigated Negative Declaration on this project.

APN: 041-046-019

Staff Report: Rachel Wyse Recommends **APPROVAL**.

Public hearing opened.

OPPOSITION: Alice Roche, 1130 E Keyes Road, Ceres.

FAVOR: No one spoke.

Public hearing closed.

Ramos/Assali, 5-0, **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT.**

Chair Navarro and Commissioners Layman and Pires returned to the Chambers.

- E. USE PERMIT APPLICATION NO. 2008-17 - DIAMOND BAR ARENA** - Request to expand the use of a legal non-conforming equestrian arena, training and boarding facility and to legalize a second dwelling for a full-time employee on an 11.34 acre parcel in the A-2-40 (General Agriculture) zoning district. The property is located at 6055 Central Avenue, south of E. Keyes Road, in the Ceres area. The Planning Commission will consider a CEQA Negative Declaration on this project.

APN: 041-049-018

Staff Report: Rachel Wyse Recommends **APPROVAL**.

Public hearing opened.

OPPOSITION: No one spoke.

FAVOR: Angel Farris, River Oaks 4-H Group; Joseph Pimentel, City of Modesto Police Department, 600 10th Street, Modesto; Shelli Margarite, Ceres 4-H, 4820 Faith Home Road, Ceres; Michelle Ortiz, 13631 Vineyard Road, Waterford; Amanda Autrey, Waterford 4-H, 4336 Adams Gravel Plant Road, Oakdale; Diane Stevenson, 306 Melrose Street, Modesto; Troyce Weese, 1866 E Keyes Road, Ceres; Kayla Handley, 7261 Richardson Road, Oakdale; Shauna Nunes, 2522 Iowa Avenue, Modesto; Cade Tomasegovich, 536 Moray Way, Patterson; Jenna Parker, 1219 Prune Avenue, Patterson; Sherry Parker, 1219 Prune Avenue, Patterson; Debra Klenk, 570 Inaudi Drive; Shane Parson, 6055 Central Avenue, Ceres; Mary Marquette, 13625 Skyline Blvd., Patterson.

Public hearing closed.

Assali/Gammon, Unanimous (8-0), **APPROVED STAFF'S RECOMMENDATION AS OUTLINED IN THE STAFF REPORT, ALONG WITH MODIFIED CONDITIONS OF APPROVAL AS FOLLOWS:**

10. ~~Pursuant to Section 711.4 of the California Fish and Game Code (effective January 1, 2010), the applicant is required to pay a Department of Fish and Game filing fee at the time of recording a "Notice of Determination." Within five (5) days of approval of this project by the Planning Commission or Board of Supervisors, the applicant shall submit to the Department of Planning and Community Development a check for \$2,067.25, made payable to Stanislaus County, for the payment of Fish and Game, and Clerk Recorder filing fees.~~

~~Pursuant to Section 711.4 (e)(3) of the California Fish and Game Code, no project shall be operative, vested, or final, nor shall local government permits for the project be valid, until the filing fees required pursuant to this section are paid.~~

Prior to filing the Notice of Determination, within five (5) days of approval of this project by the Planning Commission or Board of Supervisors, the applicant shall submit to the Department of Planning and Community Development a check for \$57.00 made payable to Stanislaus County, for the payment of Clerk Recorder filing fees.

29. Prior to the final of any building permit or within 6-months of the use permit issuance, whichever comes first, the applicant shall make road frontage improvements along the entire parcel. This improvement shall include a 12-foot wide paved vehicle lane and a 4-foot wide paved asphalt shoulder ~~with a 1-inch overlay of the lane and shoulder that fronts the parcel~~ **in front of the project parcel on Central Avenue.** Improvement plans are to be submitted to ~~this department~~ **the Public Works Department** for approval. The structural section and cross slopes shall meet Stanislaus County Public Works Standards and Specifications.

- F. **GENERAL PLAN AMENDMENT APPLICATION NO. 2009-04 - HOUSING ELEMENT UPDATE - Continued from February 18, 2010.** Consider a recommendation to the Board of Supervisors for adoption of an update of the Housing Element of the Stanislaus County General Plan. The changes are to State of California Department of Housing and Community Development (HCD) guidelines for context of a housing element. The 2009 Housing Element represents a modification to existing policies and implementation programs in the 2003 Housing Element. No specific housing projects are approved as a part of the Housing Element adoption. The Planning Commission will consider a CEQA Negative Declaration on this project.

APN: Countywide

Staff Report: Bill Carlson Recommends **APPROVAL.**

Public hearing opened.

OPPOSITION: Steve Madison, Building Industry Association, 1401 F Street, Modesto.

FAVOR: No one spoke.

Public hearing closed.

Assali/Poore, Unanimous (8-0), **RECOMMEND APPROVAL TO THE BOARD OF SUPERVISORS INCLUDING A RECOMMENDATION TO TAKE THE 2002 HOUSING CONDITIONS SURVEY THAT WAS DONE AS APPENDIX A IN THE ORIGINAL HOUSING ELEMENT FROM 2003 AND PLACE IT IN THE SUPPORT DOCUMENTATION OF THE GENERAL PLAN.**

VIII. **OTHER MATTERS (NOT PUBLIC HEARINGS) - None**

IX. **REPORT OF THE DIRECTOR**

BOARD OF SUPERVISORS ACTIONS OF MARCH 9, 2010

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

BOARD OF SUPERVISORS ACTIONS OF MARCH 16, 2010

- A. Released the Fiscal Year 2010-2011 Annual Action Plan (AAP), the amendment to the Fiscal Year 2007-2012 Consolidated Plan (CP), and the amendment to the Fiscal Year 2008-2009 Annual Action Plan for the required 30-day public comment

period; and set a public hearing for April 27, 2010 at 9:05 a.m. to close the public comment period and consider approval of the Fiscal Year 2010-2011 Annual Action Plan, the amendment to the Fiscal Year 2007-2012 Consolidated Plan, and the amendment to the Fiscal Year 2008-2009 Annual Action Plan.

MISCELLANEOUS & ON THE HORIZON

April 1, 2010

1. One Parcel Map with an Exception in the east Oakdale area.
2. Two Use Permits: one to expand an existing chicken hatchery in the Waterford area; and one to allow a night club in an existing building on Crows Landing Road in the Modesto area.
3. A review of minor changes to the Ordinance Amendment for Truck Parking in the Agricultural Zone.

An appeal of the Planning Commission's decision for Use Permit Application No. 2009-10 - Catholic Cemetery Dakota Avenue has been received. The appeal is expected to be heard by the Board of Supervisors on April 20, 2010.

Planning Commission meetings for April 15, 2010 and May 6, 2010 may be canceled. Planning staff will have a clearer picture of future meetings by April 1, 2010.

X. ADDITIONAL MATTERS AT DISCRETION OF CHAIRMAN - None

XI. ADJOURNMENT

The meeting was adjourned at 7:22 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.)