

# STANISLAUS COUNTY PLANNING COMMISSION

## AGENDA

APRIL 1, 2010

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 That item will then be withdrawn from "Consent" and reviewed in detail as scheduled.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

**III. CITIZEN'S FORUM**

**IV. MINUTES**

- A. March 18, 2010 [\[View Item\]](#)

**V. CORRESPONDENCE**

- A. Letter dated March 16, 2010 from Helen French regarding Item VII-A - Use Permit Application No. 2009-16 - Foster Farms - Ellenwood. [\[View Item\]](#)

**VI. CONFLICT OF INTEREST DECLARATION**

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

**\*CONSENT ITEMS**

- \*A. USE PERMIT APPLICATION NO. 2009-16 - FOSTER FARMS - ELLENWOOD** - Request to expand the existing Foster Farms - Ellenwood chicken hatchery by 29,713 square feet on a 112± acre site in the A-2-40 (General Agriculture) zoning district. The property is located west of Ellenwood Road and 700 feet north of the Oakdale Waterford Highway, at 1307 Ellenwood Road, in the Waterford area. The Planning Commission will consider a CEQA Mitigated Negative Declaration for this project.  
APN: 015-003-012, 015-056-007, 015-056-008, 015-056-010, and 015-056-011  
[\[View Item\]](#)

**NON-CONSENT ITEMS**

- B. TENTATIVE PARCEL MAP APPLICATION NO. 2009-11 AND EXCEPTION APPLICATION NO. 2009-03 - TERKILDSEN** - Request to create two (2) parcels of 5.10± and 9.83± acres from a 14.93± acre site located in the A-2-5 (General Agriculture) zoning district. An Exception to the Subdivision Ordinance is being requested since one of the proposed parcels does not front on a County-Maintained Road. The property is located at 16001 Morrison Road, northwest of Frymire Road, in the Knights Ferry area. The Planning Commission will consider a CEQA Mitigated Negative Declaration for this project.  
APN: 002-033-049 [\[View Item\]](#)
- C. USE PERMIT APPLICATION NO. 2009-06 - LOS ARTISTAS NIGHT CLUB** - Request to allow a night club within a 12,487 square foot retail building on a one (1) acre parcel in the C-2 (General Commercial) zoning district. The property is located at 1705 Crows Landing Road, south of Butte Avenue, west of Crows Landing Road, in the Modesto area. The Planning Commission will consider a CEQA Mitigated Negative Declaration for this project.  
APN: 056-018-001 [\[View Item\]](#)

- D. **ORDINANCE AMENDMENT NO. 2009-01 - TRUCK PARKING IN THE AGRICULTURAL ZONE** - Request to amend the Stanislaus County Zoning Ordinance, by adding the parking of commercial trucks, related equipment and trailers under section 21.20.030 - Uses Requiring Use Permit in the A-2 (General Agriculture) zoning district. This project is Exempt from CEQA. **This is an amended version of the item heard by the Planning Commission on February 18, 2010.**

APN: Countywide [\[View Item\]](#)

- VIII. OTHER MATTERS (Not Public Hearings)
- 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., APRIL 12, 2010. THE FEE FOR APPEAL IS \$607.00.***