

STANISLAUS COUNTY PLANNING COMMISSION

MINUTES

REGULAR MEETING

February 17, 2011

I. ROLL CALL: Meeting called to order at 6:00 p.m.

6:00 p.m. - Recessed / 6:05 p.m. - Reconvened

Present at 6:05: Greg Pires, Robert Crabtree, Ron Peterson, and John Ramos

Absent at 6:05: Annabel Gammon, Steven Boyd, Allen Layman, Michael Navarro

Staff Present: Kirk Ford, Director; Angela Freitas, Deputy Director; Rachel Wyse, Assistant Planner; Kristin Doud, 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

II. PLEDGE OF ALLEGIANCE

III. CITIZEN'S FORUM - No one spoke.

IV. APPROVAL OF MINUTES

A. December 16, 2010
Due to a lack of quorum, approval of Minutes will be continued to next meeting.

B. January 20, 2011
Due to a lack of quorum, approval of Minutes will be revisited later in the meeting.

V. CORRESPONDENCE

Director Ford informed the Commissioners there was no correspondence.

VI. CONFLICT OF INTEREST - None.

Items taken out of order:

IX. REPORT OF THE DIRECTOR

BOARD OF SUPERVISORS ACTIONS OF JANUARY 25, 2011

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

BOARD OF SUPERVISORS ACTIONS OF FEBRUARY 1, 2011

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

BOARD OF SUPERVISORS ACTIONS OF FEBRUARY 8, 2011

- A. Appointed new Commissioner Ron Peterson to the Stanislaus County Planning Commission.

Director, Kirk Ford, welcomed Commissioner Peterson to the Commission.

- B. Adopted the Recommendations from the Nuisance Abatement Board's Public Hearing Regarding the Dangerous Building Case DAD2010-00002 Located at 1529 Spokane, Modesto, California

BOARD OF SUPERVISORS ACTIONS OF FEBRUARY 15, 2011

- A. Approved a Minor Lot Line Adjustment Located on Church Street and Milnes Road, in the Modesto Area, inclusive of modifications to two Williamson Act Contracts.
- B. Conducted a Public Hearing to Approve Amendments to the Fiscal Year 2007-2012 Consolidated Plan and Fiscal Year 2010-2011 Annual Action Plan to Incorporate the Neighborhood Stabilization Program 3 (NSP3) with Funding of \$4,175,947 and Associated Program Income
- C. Conducted a Public Hearing to Approve an Amendment to the Fiscal Year 2007-2012 Consolidated Plan to Add the City of Hughson to the Urban County; and, Approved Fiscal Year 2011-2012 CDBG Annual Action Plan

MISCELLANEOUS & ON THE HORIZON

The Supreme Court on Wednesday, February 16, refused to hear arguments from the BIA on their lawsuit against Stanislaus County regarding Farmland Mitigation. This means that the Appellate Court decision upholding the County's Farmland Mitigation Policy in the Agricultural Element of the General Plan remains intact and the County can implement the policy.

The March 3, 2011, Planning Commission meeting is canceled.

March 17, 2011

1. Use Permit for expansion of an existing walnut shelling, processing, and storage facility in the Hughson area.
2. Two Interim Management Plans for mining operations in the Waterford area.

Reminder: 700 Forms are due to Crystal no later than the March 17 meeting.

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

Due to lack of quorum, the following items were heard and recommendations were made by a committee of the commission.

VII. PUBLIC HEARINGS (* - Consent Items)

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

*** CONSENT ITEMS**

- *A. USE PERMIT APPLICATION NO. 2010-03 - FINK ROAD SOLAR FARM - Continued from January 20, 2011. Requesting indefinite continuance.** Request to establish an 80-100 megawatt solar farm on 800± acres of a 1,701± acre site in the A-2-40/A-2-160 (General Agriculture) zoning district. The project site is located at 4401/4881 Fink Road, west of I-5, in the Newman/Crows Landing area. The Planning Commission will consider a CEQA Mitigated Negative Declaration on this project.
APN: 025-012-016, 017, 031, 033 and 027-033-012
Staff Report: Rachel Wyse Recommends **INDEFINITE CONTINUANCE**.
Public hearing opened.
OPPOSITION: No one spoke.
FAVOR: No one spoke.
Public hearing closed.
Ramos/Crabtree, **RECOMMENDED INDEFINITE CONTINUANCE**

NON-CONSENT ITEMS

- B. USE PERMIT APPLICATION NO. 2009-01, VARIANCE APPLICATION NO. 2009-02 - BURBANK-PARADISE FIRE DISTRICT** - This is a request to modify and expand an existing legal non-conforming fire station by increasing the height of truck bays, adding one new bay, and converting an existing residence to a staff living quarters. A Variance is required to address a reduced setback on the northern property lines. The .23 acre project site is located within the R-1 (Single Family Residential) zoning district at 1305 and 1313 Beverly Drive within the Sphere of Influence of the City of Modesto. This project is exempt from CEQA.
APN: 037-002-017 & 037-002-031
Staff Report: Kristin Doud Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: No one spoke.
FAVOR: Bob Degrasse, L Street Architects, 1414 L Street, Modesto
Public hearing closed.

Commissioner Navarro arrived @ 6:27

6:27 p.m. - Recessed / 6:32 p.m. - Reconvened

Crabtree/Ramos, 4-0, (Commissioner Navarro was not a member of the committee of the commission and, therefore, was not involved in this vote.) **RECOMMENDED APPROVAL WITH MODIFIED CONDITION OF APPROVAL NO. 23 AS FOLLOWS:**

23. Additions or the expansion of the existing building shall be according to the ~~2007~~ **2010** California Building Code. The incorporation and the change of use of the existing residence into the larger fire station shall be evaluated based on current code requirements.

Hearing of the committee of the commission adjourned at 6:35.

Full Stanislaus County Planning Commission hearing called to order at 6:35.

Present at 6:35: Greg Pires, Robert Crabtree, Michael Navarro, Ron Peterson, and John Ramos

Absent at 6:35: Annabel Gammon, Steven Boyd, Allen Layman

Staff Present: Kirk Ford, Director; Angela Freitas, Deputy Director; Kristin Doud, 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

Certification of items heard by the committee of the commission:

NON-CONSENT ITEMS

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APN: 037-002-017 & 037-002-031
Staff Report: Kristin Doud Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: No one spoke.
FAVOR: Bob Degrasse, L Street Architects, 1414 L Street, Modesto
Public hearing closed.
Crabtree/Ramos, 4-0, **RECOMMENDED APPROVAL WITH MODIFIED CONDITION OF APPROVAL NO. 23 AS FOLLOWS:**

23. Additions or the expansion of the existing building shall be according to the ~~2007~~ **2010** California Building Code. The incorporation and the change of use of the existing residence into the larger fire station shall be evaluated based on current code requirements.

Certification: Crabtree/Ramos, 5-0 (Unanimous), **APPROVED WITH MODIFIED CONDITION OF APPROVAL NO. 23 AS FOLLOWS:**

23. Additions or the expansion of the existing building shall be according to the ~~2007~~ **2010** California Building Code. The incorporation and the change of use of the existing residence into the larger fire station shall be evaluated based on current code requirements.

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

*** CONSENT ITEMS**

- *A. USE PERMIT APPLICATION NO. 2010-03 - FINK ROAD SOLAR FARM -**
Continued from January 20, 2011. Requesting indefinite continuance. Request to establish an 80-100 megawatt solar farm on 800± acres of a 1,701± acre site in the A-2-40/A-2-160 (General Agriculture) zoning district. The project site is located at 4401/4881 Fink Road, west of I-5, in the Newman/Crows Landing area. The Planning Commission will consider a CEQA Mitigated Negative Declaration on this project.
APN: 025-012-016, 017, 031, 033 and 027-033-012
Staff Report: Rachel Wyse Recommends **INDEFINITE CONTINUANCE.**
Public hearing opened.
OPPOSITION: No one spoke.
FAVOR: No one spoke.
Public hearing closed.
Ramos/Crabtree, **RECOMMENDED INDEFINITE CONTINUANCE**
Certification: Peterson/Ramos, 5-0 (Unanimous), **CONTINUED HEARING INDEFINITELY**

X. ADDITIONAL MATTERS AT DISCRETION OF CHAIRMAN - None.

IV. APPROVAL OF MINUTES

- A. December 16, 2010
Due to a lack of quorum, approval of Minutes will be continued to next meeting.
- B. January 20, 2011
Crabtree/Ramos, 3-0, **APPROVED**
Commissioners Navarro and Peterson abstained.

XI. ADJOURNMENT

The meeting was adjourned at 6:41 p.m.

Signature on file
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.)