

STANISLAUS COUNTY PLANNING COMMISSION

MINUTES

REGULAR MEETING

September 15, 2011

- I. ROLL CALL:** Meeting called to order at 6:00 p.m.
- Present: Chair Annabel Gammon, Steve Boyd, Robert Crabtree, Richard Gibson, Allen Layman, Michael Navarro, Ron Peterson, John Ramos
- Absent: Greg Pires
- Staff Present: Kirk Ford, Director; Angela Freitas, Deputy Director; Bill Carlson, Senior Planner; Rachel Wyse, 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. August 4, 2011
Crabtree/Boyd, 5-0, **APPROVED**
Commissioners Gammon, Layman, and Ramos abstained.
- V. CORRESPONDENCE**
Director Ford informed the Commissioners on various correspondence mailed in their agenda packet or placed before them this evening:
- A. 81st Annual CCPCA State Conference Flier
- B. Letter from Joe Miceli dated September 6, 2011, regarding item VII-B - Use Permit Application No. 2011-10 - McHenry Solar Farm.
- C. Letter from Brian and Catherine Conner dated September 8, 2011, regarding item VII-B - Use Permit Application No. 2011-10 - McHenry Solar Farm.
- D. Letter from Brian R. O'Leary dated September 8, 2011, regarding item VII-B - Use Permit Application No. 2011-10 - McHenry Solar Farm.
- E. E-mail from Brad Johnson received September 8, 2011, regarding item VII-B - Use Permit Application No. 2011-10 - McHenry Solar Farm.
- F. E-mail from John Gardner, President of the Central Valley Automotive Group, received September 9, 2011, regarding item VII-B - Use Permit Application No. 2011-10 - McHenry Solar Farm.

- G. E-mail from Jeani Ferrari, Secretary for the Farmland Working Group, received September 12, 2011, regarding item VII-B - Use Permit Application No. 2011-10 - McHenry Solar Farm.
- H. Letter from Janine Goubert, President of the Stanislaus County Farm Bureau, dated September 8, 2011, regarding item VII-B - Use Permit Application No. 2011-10 - McHenry Solar Farm.
- I. Letter from Paul McMillan, Principal, Utility Group, Sunpower Corporation, Systems, dated September 13, 2011, regarding item VII-B - Use Permit Application No. 2011-10 - McHenry Solar Farm.
- J. Letter from Rob Ellett & Jeff Perine, Directors of the Stanislaus Property Rights Institute, dated September 13, 2011, regarding item VII-B - Use Permit Application No. 2011-10 - McHenry Solar Farm.
- K. Letter from Elvira Ramirez, Executive Director of the Catholic Charities Diocese of Stockton, dated September 13, 2011, regarding item VII-B - Use Permit Application No. 2011-10 - McHenry Solar Farm.
- L. Letter from Jeffrey P. Cowan dated September 15, 2011, regarding item VII-B - Use Permit Application No. 2011-10 - McHenry Solar Farm.
- M. Letter from Cecil Russell, President and CEO of the Modesto Chamber of Commerce, dated September 15, 2011, regarding item VII-B - Use Permit Application No. 2011-10 - McHenry Solar Farm.
- N. Memo from Stanislaus County Planning and Community Development staff dated September 15, 2011, regarding item VII-B - Use Permit Application No. 2011-10 - McHenry Solar Farm.

VI. CONFLICT OF INTEREST

VII. PUBLIC HEARINGS (* - Consent Items)

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

*** CONSENT ITEMS**

- *A. USE PERMIT APPLICATION NO. 2011-09 - T&L PARTNERSHIP** - Request to establish a custom contract harvesting business utilizing existing and proposed structures to be built during three (3) phases of construction, on a 45± acre parcel (under Williamson Act Contract No. 77-2929) in the A-2-40 (General Agriculture) zoning district. The property is located at 3312 S. Blaker Road, at the southeast corner of W. Harding and S. Blaker Roads, in the Turlock area. A CEQA Negative Declaration will be considered on this project.
APN: 058-027-017

Staff Report: Joshua Mann Recommends **APPROVAL**.

Public hearing opened.

OPPOSITION: No one spoke.

FAVOR: No one spoke.

Public hearing closed.

Layman/Peterson, 8-0 (Unanimous), **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT**

NON-CONSENT ITEMS

- B. USE PERMIT APPLICATION NO. 2011-10 - MCHENRY SOLAR FARM** - Request to establish a 25 megawatt solar farm on 155± acres in the A-2-40 (General Agriculture) zoning district. The property is located at the northeast corner of McHenry Avenue and Patterson Road in the Modesto/Del Rio area. Stanislaus County will act as a responsible agency under CEQA (PRC Section 21069 and CEQA Guidelines Section 15381) in connection with the Modesto Irrigation District's Final EIR. As a responsible agency, Stanislaus County is proposing to make findings as required pursuant to CEQA Guidelines sections 15096, 15091, and 15093 and to adopt all appropriate mitigation measures.

APN: 074-002-021, 074-002-029, 074-002-030, 074-002-031

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

Public hearing opened.

OPPOSITION: No one spoke.

FAVOR: Paul McMillan, Sunpower; John Zagaris, Del Rio; Richard Cummings; Rob Ellett, Stanislaus Property Rights Institute; Elvira Ramirez, Catholic Charities; Cecil Russell, Modesto Chamber of Commerce; Monica Ogis; Noah Hughes, 926 Stanford Ave., Modesto; Teresa Kinney, Latino Community Roundtable; Billy Powell; Richard Anderson, 916 Melinda Ln., Modesto; Carrie Cardoza-Bordona on behalf of Jeffrey P. Cowan, 7218 Hillcrest Dr., Modesto; Wayne Zipser, Stanislaus County Farm Bureau; Craig Gini, Collins Electrical; Cecil Russell, Modesto Chamber of Commerce.

Public hearing closed.

Ramos/Crabtree, 8-0 (Unanimous), **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT INCLUDING REVISIONS TO THE PROJECT DESCRIPTION, FINDINGS, AND REMOVAL OF CONDITIONS OF APPROVAL NOS. 22, 25, & 31 AS REQUESTED BY THE APPLICANT.**

VIII. OTHER MATTERS (NOT PUBLIC HEARINGS) - None

IX. REPORT OF THE DIRECTOR

BOARD OF SUPERVISORS ACTIONS OF AUGUST 16, 2011

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

BOARD OF SUPERVISORS ACTIONS OF AUGUST 23, 2011

- A. Released the FY 2010-2011 Draft Consolidated Annual Performance Evaluation Report (CAPER) for the Community Development Block Grant (CDBG) and Emergency Shelter Grant (ESG) Programs for public review to end on 09/20/2011; and, set a public hearing on 09/20/2011, at 6:35 p.m., to consider adoption of the CDBG FY 2010-2011 CAPER
- B. As the Redevelopment Agency, Adopted the proposed Enforceable Obligation Payment Schedule (EOPS) in compliance with AB X1 26

BOARD OF SUPERVISORS ACTIONS OF AUGUST 30, 2011

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

BOARD OF SUPERVISORS ACTIONS OF SEPTEMBER 13, 2011

- A. As the Redevelopment Agency:
 - (1) Approved the Final Budget for Fiscal Year 2011-2012 and Approved Criteria for Infrastructure Project Development
 - (2) Approved a Reimbursement Agreement with Stanislaus County for Remittance Payments Made by the County under the Alternative Voluntary Redevelopment Program (Voluntary Program) to the State of California in Accordance with AB X1 27
- B. Approved a Resolution of Intent to Continue Redevelopment Activities in the County of Stanislaus and took related actions under the 'Alternative Voluntary Redevelopment Program' to the State of California in Accordance with AB X1 27
- C. Approved Williamson Act Contract modifications related to a Minor Lot Line Adjustment on Tim Bell Road, in the Waterford Area
- D. Awarded the One-Stop Building Permitting Software Contract to Accela, Inc. of San Ramon, California
- E. Approved the Final County Budget for \$891,127,103 (a 3% decrease from last year). The Planning Department took a 25% cut in General Fund support for this fiscal year

MISCELLANEOUS & ON THE HORIZON

October 6, 2011

- 1. Use Permit for Korean United Church on Auto Center Court in the Modesto area.

The October 20, 2011 Planning Commission meeting is canceled.

- X. **ADDITIONAL MATTERS AT DISCRETION OF CHAIRMAN** - None

XI. ADJOURNMENT

The meeting was adjourned at 7:23 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.)