

STANISLAUS COUNTY PLANNING COMMISSION

MINUTES

REGULAR MEETING

March 21, 2013

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

Election of Commissioner Pires as Chair Pro Tem in the absence of Chair & Vice-Chair Crabtree/Buehner, 5-0, Approved

Present: Kenneth Buehner, Robert Crabtree, Marc Etchebarne, Richard Gibson, Ron Peterson, Greg Pires

Absent: John Ramos, Steve Boyd

Staff Present: Angela Freitas, Director; Joshua Mann, Associate 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

II. **PLEDGE OF ALLEGIANCE**

III. **CITIZEN'S FORUM** – No one spoke.

IV. **APPROVAL OF MINUTES**

A. March 7, 2013, Workshop
Peterson/Crabtree, 4-0, **APPROVED**
Commissioners Buehner and Etchebarne abstained.

B. February 7, 2013
Peterson/Etchebarne, 5-0, **APPROVED**
Commissioner Pires abstained.

C. February 7, 2013, Workshop
Peterson/Crabtree, 5-0, **APPROVED**
Commissioner Pires abstained.

D. September 6, 2012, Workshop
Crabtree/Etchebarne, 5-0, **APPROVED**
Commissioner Pires abstained.

E. June 21, 2012, Workshop
Buehner/Crabtree, 6-0 (Unanimous), **APPROVED**

V. CORRESPONDENCE

Director Freitas informed the Commissioners of various correspondence mailed in their agenda packet or placed before them this evening:

- A. Historic Preservation Conference Flier
- B. McHenry Avenue Corridor Improvement Project Flier

VI. CONFLICT OF INTEREST - None

VII. PUBLIC HEARINGS (* - Consent Items)

Commissioner Pires informed the public there were no consent items.

*** CONSENT ITEMS - None**

NON-CONSENT ITEMS

- A. **GENERAL PLAN AMENDMENT AND REZONE APPLICATION NO. PLN2012-0037 - GALLO GLASS** - Request to amend the General Plan from Industrial Transition to Industrial and zoning designations from R-1 (Single-Family Residential), R-2 (Medium Density Residential), and R-3 (Multiple-Family Residential) to M (Industrial) of 12.2± acres to expand the existing Gallo Glass plant by adding a concrete and asphalt paved outdoor storage and parking area. The project site is south of Tenaya Drive, north of Oregon Drive, east of Santa Rita Avenue, and west of S. Santa Cruz Avenue, including 504 S. Santa Cruz Avenue on the east side of S. Santa Cruz Avenue, in the Modesto area. The Planning Commission will consider a CEQA Negative Declaration on this project. APN: 035-015-002 thru 008, 018 thru 023; 035-014-001, 002, 005, 006, 017 thru 028; 035-013-001, 002, 009 thru 012, 014, 017, 018; 035-012-016 thru 033; 035-037-030
Staff Report: Javier Camarena Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: Michael Duckworth, 4705 Audrey Dr., Castro Valley; Kurt Nobrega, 428 Hermosa Ave., Modesto; Neil Hocker, 1102 Tenaya Dr., Modesto; Johnnie Mills, 404 S. Santa Cruz Ave., Modesto
FAVOR: Rod Hawkins, Hawkins & Associates
Public hearing closed.
Etchebarne/Crabtree, 6-0 (Unanimous), **RECOMMENDED APPROVAL TO THE BOARD OF SUPERVISORS**
- B. **GENERAL PLAN AMENDMENT APPLICATION NO. PLN2012-0044 - AGRICULTURAL ELEMENT UPDATE** - Consider a recommendation to the Board of Supervisors for adoption of a five year update of the Agricultural Element of the Stanislaus County General Plan. The update focuses on objectives, policies, and implementation measures relating to food safety, alternative energy sources, agricultural land mitigation, use of tertiary water, and ground water protection. The Planning Commission will consider a CEQA Negative Declaration on this project.

APN: Countywide

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

Public hearing opened.

OPPOSITION: No one spoke.

FAVOR: No one spoke.

Public hearing closed.

MOTION TO RECOMMEND APPROVAL TO BOARD OF SUPERVISORS:

Etchebarne/Peterson, 3/3 (Gibson, Crabtree, Buehner)

MOTION TO RECOMMEND DENIAL TO BOARD OF SUPERVISORS:

Buehner/Crabtree, 3/3 (Pires, Peterson, Etchebarne)

MOTION TO RECOMMEND APPROVAL EXCEPT FOR CHANGE TO POLICY 2.15 (ADDITION OF "MINIMUM" WORDING TO 1:1 MITIGATION):

Crabtree/No second. Motion fails.

DUE TO A LACK OF MAJORITY VOTE, A RECOMMENDATION OF DENIAL WILL BE SENT TO THE BOARD OF SUPERVISORS.

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

IX. REPORT OF THE DIRECTOR

BOARD OF SUPERVISORS ACTIONS (*items relating to Planning and Community Development Department*)

March 5, 2013: Opened the 30-day public comment period to consider approval of the FY 2013-2014 Annual Action Plan (AAP) and set a Public Hearing for 04/16/2013 at 6:35 p.m. to close the public comment period and consider approval of the Fiscal Year 2013-2014 Annual Action Plan.

MISCELLANEOUS & ON THE HORIZON

Planning Commission

April 4, 2013: Two Use Permit applications: one for a dairy expansion in the Turlock area and one for a private airport in the Patterson area.

April 18, 2013: Two Use Permit applications: one for a dairy expansion in the Denair area and one to establish a solar facility in the Newman/Crows Landing area.

X. ADDITIONAL MATTERS AT DISCRETION OF CHAIRMAN - None

XI. ADJOURNMENT

The meeting was adjourned at 7:15 p.m.

Signature on file.

Angela Freitas, Secretary