

# STANISLAUS COUNTY PLANNING COMMISSION

## MINUTES

REGULAR MEETING

October 1, 2015

- I. ROLL CALL:** Meeting called to order at 6:00 p.m.  
Present: Chair Richard Gibson, Katherine Borges, Kenneth Buehner, Scott Hicks, Tom Orvis, Ron Peterson, Bobby Yamamoto
- Absent: Marc Etchebarne, Steve Boyd
- Staff Present: Angela Freitas, Director; Miguel Galvez, Senior Planner; Rachel Wyse, Associate Planner; Thomas E. Boze, Assistant County Counsel; Angie Halverson, Senior Land Development Coordinator, Public Works; Paul Saini, Associate Civil Engineer, Department of Public Works, Bella Badal, Senior Environmental Health Specialist, Department of Environmental Resources; Jennifer Akin, Planning Commission Clerk
- II. PLEDGE OF ALLEGIANCE**
- III. CITIZEN'S FORUM** – No one spoke.
- IV. APPROVAL OF MINUTES**
- A. September 17, 2015
- Yamamoto/Buehner (7/0) **APPROVED.**
- V. CORRESPONDENCE**  
Director Freitas informed the Commissioners of one item of correspondence that was placed before them this evening:
- A. Memo from the Stanislaus County Department of Planning and Community Development regarding item VII-A Vesting Tentative Parcel Map Application No. PLN2015-0001 – James & Betty Lemos.
- VI. CONFLICT OF INTEREST**
- A. Commissioner Ron Peterson – Consent item VII-A, Vesting Tentative Parcel Map Application No. PLN2015-001 – James & Betty Lemos
- VII. PUBLIC HEARINGS (\* - Consent Items )**  
Commissioner Gibson informed the public of the consent items and procedure.

6:02 p.m. – Commissioner Peterson left Chambers

**\* CONSENT ITEMS**

- \*A. VESTING TENTATIVE PARCEL MAP APPLICATION NO. PLN2015-0001 - JAMES & BETTY LEMOS** – Request to create a 40± and a 64± acre parcel and a 40± acre remainder from a 144± acre site in the A-2-40 (General Agriculture) zoning district. The property is located at 15343 Tim Bell Road, east of Dry Creek, at the northwest corner of Tim Bell and Hazeldean Roads, in the Waterford area. The project site is currently enrolled in Williamson Act Contract No. 72-0629. The Planning Commission will consider adoption of a CEQA Negative Declaration for the project. APN: 015-015-085  
Staff Report: Rachel Wyse, Associate Planner Recommends **APPROVAL**.  
Orivs/Buehner (6/0) (Peterson Abstained) **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT INCLUDING AMENDED CONDITION OF APPROVAL NO. 4 AND ADDED CONDITION NO. 29 TO READ AS FOLLOWS:**

4. Tim Bell Road is classified as an 80-foot Collector Road. The required ½ width is 40 feet north of the Tim Bell Road centerline and 40 feet west of the Tim Bell Road centerline, as Tim Bell Road changes direction at the property. If 40-feet of road right-of-way west of the Tim Bell Road centerline does not exist, the remainder of the 40 feet not previously dedicated shall be dedicated with an Irrevocable Offer of Dedication with the recording of the final map.
29. **A 200-foot no construction buffer shall be maintained from Dry Creek high water line and its tributary to reduce impacts to riparian habitat/species.**

6:04 p.m. - Commissioner Peterson returned to Chambers.

**NON-CONSENT ITEMS**

- B. REZONE APPLICATION NO. PLN2015-0032 – BELKORP AG** - Request to rezone a 17.3± acre project site, from expired Planned Development District (P-D) 302 and A-2-10 to a new P-D zone, to allow H-1 uses and to establish an agricultural equipment dealership with outdoor display area for new equipment. The site is located at 4618 Nunes Road, east of Highway 99, west of N. Golden State Blvd., in the Keyes area. The Planning Commission will consider a CEQA Mitigated Negative Declaration. APN: 045-049-011, 045-049-012, 045-050-001, 045-050-011, 045-050-012  
Staff Report: Rachel Wyse, Associate Planner, Recommends **APPROVAL**.  
Public hearing opened.  
**OPPOSITION:** No one spoke.  
**FAVOR:** Rod Hawkins, 436 Mitchell Road, Modesto, CA  
Public hearing closed.  
Yamamoto/Borges, (7/0) **APPROVED THE STAFF RECOMMENDATIONS TO THE BOARD OF SUPERVISORS AS OUTLINED IN THE STAFF REPORT.**

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

**IX. REPORT OF THE PLANNING DIRECTOR**

**BOARD OF SUPERVISORS ACTIONS**

September 22, 2015: Approved three (3) Williamson Act Recessions for three (3) separate Lot Line Adjustments in the Oakdale, Hughson, and Waterford areas.

Approval of Fiscal Year 2014-2015 Consolidated Annual Performance Evaluation Report (CAPER) for Community Development Block Grant (CDBG) and the Emergency Solutions Grant (ESG) Program.

September 29, 2015: Approved a Williamson Act Recession for a Lot Line Adjustments in the Modesto/Del Rio; including the parcel approved by Use Permit in June, 2014 to allow operation of a training facility for horse drawn carriage driving and carriage driving seminars.

**MISCELLANEOUS & ON THE HORIZON**

Planning Commission

October 15, 2015: No items scheduled at this time. Meeting may be canceled due to lack of items.

November 5, 2015: Parcel Map in the Modesto area; Property Owner/Applicant - Wells & Sons Properties, LLC.

**X. ADDITIONAL MATTERS AT DISCRETION OF CHAIRMAN**

**XI. ADJOURNMENT**

The meeting was adjourned at 6:14 p.m.

Signature on File.  
Angela Freitas, 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.)