

STANISLAUS COUNTY PLANNING COMMISSION

MINUTES

REGULAR MEETING

May 5, 2016

- I. ROLL CALL:** Meeting called to order at 6:00 p.m.
- Present: Katherine Borges, Marc Etchebarne, Richard Gibson, Scott Hicks, Tom Orvis, Bobby Yamamoto
- Absent: Steve Boyd and Kenneth Buehner
- Staff Present: Angela Freitas, Director; Miguel Galvez, Deputy Director; Kristin Doud, Associate Planner; Timothy Vertino, Assistant Planner; Thomas E. Boze, Assistant County Counsel; Angie Halverson, Senior Land Development Coordinator, Public Works; Bella Badal, Senior Environmental Health Specialist, Department of Environmental Resources; Jennifer Akin, Planning Commission Clerk

II. PLEDGE OF ALLEGIANCE

Item heard out of order – OTHER MATTERS (NOT PUBLIC HEARINGS) - VIII-A – Election of Vice-Chair for the remainder of 2016

Director Freitas informed the Commissioners, that due to the Vice-Chair having taken over as Chair, as a result of Commissioner Peterson's resignation, the Commission needs to elect a member to serve as Vice-Chair for the remainder of 2016 calendar year and assume the duties as Chair for tonight's meeting.

Gibson/Yamamoto (5/0) Commissioner Etchebarne abstained.

APPROVED THE RECOMMENDATION FOR COMMISSIONER MARC ETCHEBARNE TO SERVE AS VICE-CHAIR FOR THE REMAINDER OF 2016 AND ASSUME THE DUTIES AS CHAIR FOR THIS MEETING.

III. CITIZEN'S FORUM – No one spoke.

IV. APPROVAL OF MINUTES

- A. April 7, 2016
- B. April 21, 2016

Due to the lack of quorum of Commissioners in attendance at these meetings, approval of the Minutes from April 7 & 21, 2016, are continued to the May 19, 2016, Planning Commission Meeting.

V. CORRESPONDENCE

Director Freitas informed the Commissioners that there was no correspondence.

VI. CONFLICT OF INTEREST

- A. Commissioner Scott Hicks – Non-Consent item VII-C, Use Permit Application No. PLN2015-0012 – Top Notch Kennels – Pee Wee Cottage.

VII. PUBLIC HEARINGS (* - Consent Items)

Commissioner Etchebarne informed the public that there were no consent items.

*** CONSENT ITEMS** - None.

NON-CONSENT ITEMS

- A. USE PERMIT APPLICATION NO. PLN2014-0044 – KB DAIRY – Continued from April 21, 2016** - Request to increase the number of permitted cows on an existing dairy in the A-2-40 (General Agriculture) zoning district, from 851 to 2,150, consisting of: 1,500 milk cows; 300 dry cows; 75 bred heifers (15-24 months); 220 calves (4-6 months); and 55 calves (0-3 months) on an existing dairy facility. The 105± acre property is located at 3701 Langworth Road, at the southwest corner of Langworth and Rice Roads, east of the City of Modesto and southeast of the City of Riverbank. The Planning Commission will consider adoption of a CEQA Negative Declaration for this project. APN: 014-015-002 Staff Report: Kristin Doud, Associate Planner, Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: None.
FAVOR: Thad Konzen, Manager, KB Dairy; Jim Avila, Agent, Dairy Monitoring Company
Public hearing closed.
Gibson/Orvis (6/0) **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT.**

Director Freitas took the opportunity to openly congratulate Associate Planner, Kristin Doud, for all her excellent work in overseeing the 2015-2023 Housing Element Update certified by the Department of Housing and Community Development on April 27, 2016.

- B. VARIANCE APPLICATION NO. PLN2016-0021 – GALLO GLASS - TENAYA DRIVE** – Request for a variance from the required side yard setback for a proposed 42,240 square-foot warehouse expansion, located at the southeast corner of Tenaya Drive & Santa Rita Avenue. The warehouse would be located 31.89± feet from centerline of Tenaya Drive. The Planning Commission will consider adoption of a CEQA Categorical Exemption for the project. APN's:035-012-001; 035-012-002; 035-012-003; 035-012-004; 035-012-005
Staff Report: Timothy Vertino, Assistant Planner, Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: None.
FAVOR: Rod Hawkins, Agent, Hawkins & Associates Engineering
Public hearing closed.
Yamamoto/Orvis (6/0) **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT.**

6:23 p.m. - Commissioner Hicks exited the Chambers and did not return for the remainder of the meeting.

- C. **USE PERMIT APPLICATION NO. PLN2015-0012 - TOP NOTCH KENNELS - PEE WEE COTTAGE** - Request to establish a dog kennel facility in a converted 1,680 square-foot residential dwelling on a .42 acre parcel in the A-2-40 (General Agriculture) zoning district. The project site is located at 3306 Beckwith Court, south of Beckwith Road, west of State Highway 99, and west of the City of Modesto. The proposed kennel will board a maximum of 33 small dogs. The Planning Commission will consider adoption of a CEQA Mitigated Negative Declaration for this project. APN: 005-034-020
Staff Report: Timothy Vertino, Assistant Planner, Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: None.
FAVOR: Lisa Moore, Applicant/Property Owner, Top Notch Kennels
Public hearing closed.
Borges/Orvis (5/0) **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT.**

Item VIII-A was heard prior to item III.

VIII. OTHER MATTERS (NOT PUBLIC HEARINGS)

- A. Election of Vice Chair for remainder of 2016

IX. REPORT OF THE PLANNING DIRECTOR

BOARD OF SUPERVISORS ACTIONS

- April 26, 2016: Accepted the resignation of Ron Peterson from the Stanislaus County Planning Commission.
- May 3, 2016: Approved Rezone and Parcel Map Application No. PLN2015-0027 – Valley BMW-KIA.

MISCELLANEOUS & ON THE HORIZON

Planning Commission

- May 19, 2016: Tentative Parcel Map Application No. PLN2014-0113 – Stewart & Jasper Orchards. Applicant/Property Owners are Stewart & Jasper Orchards and James and Sharon Jasper, in the Newman area.

Item continued from April 21, 2016 – Vesting Tentative Parcel Map Application No. PLN2015-0104 – Ciccarelli. Applicant/Property Owner is the Barbara Joan Ciccarelli Trust, in the Modesto area.

Item continued from April 21, 2016 – Rezone and Parcel Merger Application No. PLN2015-0113 – Derrel's Mini Storage – Equitybak, LP. Applicant/Property Owner is Equitybak, LP dba Derrel's Mini Storage, Inc., in the Modesto area.

June 2, 2016: One Use Permit Application in the Riverbank area.

Bi-Annual appointment to Nuisance Abatement Hearing Board.

Presentation of Plaque - Director Freitas presented Ron Peterson with a plaque expressing appreciation for his years of service to the Planning Commission from 2011 to 2016, and for serving as Chair from January to April 2016.

X. ADDITIONAL MATTERS AT DISCRETION OF CHAIRMAN

XI. ADJOURNMENT

The meeting was adjourned at 6:34 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.)