

# STANISLAUS COUNTY PLANNING COMMISSION

## MINUTES

REGULAR MEETING

September 15, 2016

- I. ROLL CALL:** Meeting called to order at 6:00 p.m.
- Present: Chair Kenneth Buehner, Marjorie Blom, Katherine Borges, Marc Etchebarne, Richard Gibson, Scott Hicks, Tom Orvis
- Absent: Steve Boyd and Bobby Yamamoto
- Staff Present: Angela Freitas, Director; Miguel Galvez, Deputy Director; Kristin Doud, Associate Planner; Jeremy Ballard, 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**
- III. CITIZEN'S FORUM** – No one spoke.
- IV. APPROVAL OF MINUTES**
- A. September 1, 2016  
Gibson/Hicks (6/0) **APPROVED**  
Commissioner Buehner abstained.
- V. CORRESPONDENCE**  
Director Freitas informed the Commissioners of various items of correspondence placed before them this evening:
- A. Memo dated September 15, 2016, from Stanislaus County Department of Planning and Community Development regarding item VII-A – Vesting Tentative Subdivision Map Application No. PLN2015-0101 – Keyes 19 North
- B. Memo dated September 15, 2016, from Stanislaus County Department of Planning and Community Development regarding item VII-B – Vesting Tentative Subdivision Map Application No. PLN2015-0102 – Keyes 19 South
- C. E-mail dated September 15, 2016, from Ola Carlson regarding item VII-C – Ordinance Amendment Application No. PLN2016-0008 – Events and Use Compatibility Regulations
- VI. CONFLICT OF INTEREST** - None.

**VII. PUBLIC HEARINGS (\* - Consent Items)**

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

**\* CONSENT ITEMS** – None.

**NON-CONSENT ITEMS**

**A. VESTING TENTATIVE SUBDIVISION MAP APPLICATION NO. PLN2015-0101**

**– KEYES 19 NORTH** – Request to subdivide four (4) parcels totaling 13.2+/- acres into 64 single-family residential lots of at least 5,000 square feet in the Low-Density Residential Urban Services (R-1 US) zoning district. The property is located at 4713, 4805, and 4707 Norma Way, between Lucinda Avenue and Norma Way, in the community of Keyes. The Planning Commission will consider a CEQA Mitigated Negative Declaration. APN: 045-021-008, 045-021-024, 045-021-023, and 045-021-003

Staff Report: Jeremy Ballard, Assistant Planner, Recommends **APPROVAL**.

Public hearing opened.

**OPPOSITION:** None.

**FAVOR:** Matt Vinson, O'Dell Engineering, 1120 Overland Circle, Modesto, CA.

Public hearing closed.

Blom/Orvis (7/0) **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT, INCLUDING THE AMENDMENT TO CONDITIONS OF APPROVAL NOS. 31 & 43 AS OUTLINED IN THE MEMO DATED SEPTEMBER 15, 2016, TO READ AS FOLLOWS:**

31. ~~Prior to recording of the final map, a county service area (CSA) shall be formed to provide funds to ensure future maintenance of the storm drainage system, block wall, and any landscaped areas. The developer shall provide all necessary documents and pay all fees associated with the formation of the CSA. As part of the formation, a formula or method for the calculation of the annual assessment shall be approved. The formation process may take up to 5 to 6 months or more and will require LAFCO approval. Please contact Public Works at (209) 525-4130 for additional information regarding CSA formation requirements.~~

**Prior to the recording of the final map, to finance the maintenance of the storm drainage system, park facilities, and any landscaped areas, the developer shall annex the property into County Service Area 26 (CSA). The applicant shall provide all necessary documents and pay all the costs associated with the annexation process. Please be aware that this process may take approximately 4 to 6 months. If annexation fails, the developer shall form a County Service Area.**

43. The owner/developer shall install all improvements and dedicate all parkland associated with Hatch Park prior to the recording of the final map. **All drawings and specifications for landscape improvements to the storm drain basin shall be reviewed and approved by the Parks and Recreation Department and Department of Public Works.**

**B. VESTING TENTATIVE SUBDIVISION MAP APPLICATION NO. PLN2015-0102 – KEYES 19 SOUTH**

– Request to subdivide a 6.7+/- acre parcel into 27 single-family residential lots of at least 5,000 square feet in the Low-Density Residential Urban Services (R-1 US) zoning district. The property is located at 5819 Washington Road, between Norma Way and Nunes Road, in the community of Keyes. The Planning Commission will consider a CEQA Mitigated Negative Declaration. APN: 045-071-005

Staff Report: Jeremy Ballard, Assistant Planner, Recommends **APPROVAL**.

Public hearing opened.

**OPPOSITION:** None.

**FAVOR:** Lad Hackler, Neighbor, 5448 Washington Road, Keyes, CA; Matt Vinson, O'Dell Engineering, 1120 Overland Circle, Modesto, CA

Public hearing closed.

Etchebarne/Orvis (7/0) **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT, INCLUDING THE AMENDMENT TO CONDITION OF APPROVAL NO. 29 AS OUTLINED IN THE MEMO DATED SEPTEMBER 15, 2016, TO READ AS FOLLOWS:**

29. ~~Prior to recording of the final map, a county service area (CSA) shall be formed to provide funds to ensure future maintenance of the storm drainage system, block wall, and any landscaped areas. The developer shall provide all necessary documents and pay all fees associated with the formation of the CSA. As part of the formation, a formula or method for the calculation of the annual assessment shall be approved. The formation process may take up to 5 to 6 months or more and will require LAFCO approval. Please contact Public Works at (209) 525-4130 for additional information regarding CSA formation requirements.~~

**Prior to the recording of the final map, to finance the maintenance of the storm drainage system, park facilities, block wall, and any landscaped areas, the developer shall annex the property into County Service Area (CSA) 26. The applicant shall provide all necessary documents and pay all the costs associated with the annexation process. Please be aware that this process may take approximately 4 to 6 months. If annexation fails, the developer shall form a County Service Area.**

*Dan Nickels, KD Land and Cattle Investments, LLC, applicant for Vesting Tentative Subdivision Map Application No.'s PLN2015-0101 and PLN 2015-0102 approached the podium during the start of the staff report for Ordinance Amendment Application No. PLN2016-0008, to thank the Planning Commission and Planning Department staff.*

**C. ORDINANCE AMENDMENT APPLICATION NO. PLN2016-0008 – EVENTS AND USE COMPATIBILITY REGULATIONS**

Request to amend the following Chapters of the Stanislaus County Zoning Ordinance – Title 21:

- Chapter 21.08 - General Provisions: proposed amendment adds language clarifying that no operation shall be conducted in a manner as to cause a nuisance condition.

- Chapter 21.16 - Districts Generally: proposed amendment clarifies that no use prohibited under local, state, or federal law shall be allowed in any zoning district within the unincorporated area of the county.
- Chapter 21.20 - General Agriculture District (A-2): proposed amendment will permit weddings, and other similar events, provided they are not located on Williamson Act Contracted land, subject to a Tier Three Use Permit (Section 21.20.030(C)). Each use permit application will be evaluated individually, in terms of environmental review and required operating standards, and will go through a separate public review period, and public hearing process.
- Chapter 21.104 - Revocation of Permits: proposed amendment establishes a process for amending conditions of any permit or variance granted in accordance with Title 21 in order to address nuisance concerns. Chapter title also proposed to be amended to Amendment and Revocation of Permits.
- Chapter 21.108 – Amendments: Chapter title is proposed to be amended to Ordinance Amendments for purposes of consistency.

This project is exempt from CEQA. APN: Countywide

Staff Report: Kristin Doud, Associate Planner, Recommends **APPROVAL**

Public hearing opened.

**OPPOSITION:** None.

**FAVOR:** None.

Public hearing closed.

Ethchebarne/Gibson (7/0) **APPROVED THE STAFF RECOMMENDATION TO THE BOARD OF SUPERVISORS AS OUTLINED IN THE STAFF MEMO.**

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

**IX. REPORT OF THE PLANNING DIRECTOR**

**BOARD OF SUPERVISORS ACTIONS**

September 6 & September 13, 2016: No meetings held.

**MISCELLANEOUS & ON THE HORIZON**

Airport Land Use Commission

October 6, 2016: Airport Land Use Compatibility Plan Update, Countywide. Applicant is Stanislaus County.

Planning Commission

October 6, 2016: Time Extension for Use Permit No. PLN2014-0076 – The Morning Star Company, in the Newman area. Applicant is Chris Rufer. Property owners are The Morning Star Company.

Staff Approval Application No. PLN2014-0041 – R.A.M. Farms Inc, in the Turlock Area. Applicants are Ron and Karen Macedo. Property owners are Albert B. and Belit A. Warda.

October 20, 2016: No items scheduled at this time.

Director Freitas introduced and welcomed, Denzel Henderson, new Assistant Planner to the Planning Department.

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

**XI. ADJOURNMENT**

The meeting was adjourned at 6:52 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.)