

STANISLAUS COUNTY PLANNING COMMISSION

MINUTES

REGULAR MEETING

September 1, 2016

- I. ROLL CALL:** Meeting called to order at 6:00 p.m.
Present: Marjorie Blom, Steve Boyd, Katherine Borges, Marc Etchebarne, Richard Gibson, Scott Hicks, Tom Orvis, Bobby Yamamoto
- Absent: Kenneth Buehner
- Staff Present: Angela Freitas, Director; Miguel Galvez, Deputy Director; Rachel Wyse, Associate 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. August 18, 2016
Hicks/Orvis (7/0) **APPROVED.**
Commissioner Borges abstained.
- V. CORRESPONDENCE**
Director Freitas informed the Commissioners of items of correspondence mailed in their agenda packet or placed before them this evening:
- A. Letter dated August 25, 2016, from California Rural Legal Assistance, Inc. regarding Non-Consent item VII-C, Use Permit Application No. PLN2013-0078 – Central Valley Recycling
- B. Farmland Working Group Newsletter – Summer 2016
- VI. CONFLICT OF INTEREST** – None.
- VII. PUBLIC HEARINGS (* - Consent Items)**
Commissioner Ethchebarne informed the public that there were no consent items.
- * CONSENT ITEMS** – None.

NON-CONSENT ITEMS

- A. USE PERMIT APPLICATION NO. PLN 2016-0040 – JOHN & CATHERINE MUNDT** - Request to establish a walnut storage facility, including the construction of four (4) 52,000 square foot partially enclosed agriculture storage buildings, on a 16.26 acres property in the A-2-40 (General Agriculture) zoning district. The project site is located at 5820 Pioneer Road, at the northeast corner of Pioneer and E. Keyes Road, east of State Highway 99, in the Keyes area. The Planning Commission will consider adoption of a CEQA Negative Declaration for the project. APN: 045-035-056
Staff Report: Miguel Galvez, Deputy Director Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: None.
FAVOR: None.
Public hearing closed.
Orvis/Gibson (8/0) **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT.**
- B. PARCEL MAP APPLICATION NO. PLN2016-0023 – EO TRUCK AND TRAILER**
– Request to create a 2.2± acre parcel and a 14 acre remainder parcel from a 16.2 acre parcel in the A-2-40 (General Agriculture) zoning district. The property is located at 7831 Crows Landing Road, between Zeering Road and Monte Vista Avenue, in the Ceres area. The Planning Commission will consider adoption of a CEQA Negative Declaration for this project. APN: 022-008-026
Staff Report: Rachel Wyse, Associate Planner, Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: None.
FAVOR: Robert Braden, Engineer, Robert Braden Consulting, P.M.B. 185 – 2900 Standiford Ave, Suite 16-B, Modesto, CA
Public hearing closed.
Orvis/Gibson (8/0) **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT.**
- C. USE PERMIT NO. PLN2013-0078 – CENTRAL VALLEY RECYCLING** - Consideration of a recommendation of revocation of Use Permit No. PLN2013-078 to the Board of Supervisors. The Use Permit allows for the intensification of a California Redemption Value (CRV) and scrap metal recycling on a 2.2 acre parcel in the (C-2) General Commercial zoning district. The property is located at 522 and 524 S. 9th Street, on the east side of S. 9th Street, north of Hosmer Avenue, in the Ceres area. This project is exempt from CEQA pursuant to Section 15061(b)(3). APN: 038-012-008 & 038-012-009
Staff Report: Miguel Galvez, Deputy Director, **RECOMMEND PLANNING COMMISSION CHOOSE ONE OF THE FOLLOWING TWO OPTIONS, AS OUTLINED IN THE STAFF MEMO: 1) MAKE CERTAIN FINDINGS AND AMEND THE CONDITIONS OF APPROVAL OF THE USE PERMIT. 2) RECOMMEND THAT THE BOARD OF SUPERVISORS REVOKE THE USE PERMIT.**

At the request of Deputy Director, Miguel Galvez, Karl Quinn, Code Enforcement Manager, Stanislaus County Department of Environmental Resources; addressed the Commissioners regarding complaints that were submitted.

Public hearing opened.

OPPOSITION: Richard Francis, Applicant representative, Central Valley Recycling; Donald Francis, Property/business owner, Central Valley Recycling, 2220 Millcreek Drive, Modesto, CA

FAVOR: Marisol Aguilar, California Rural Legal Assistance, 1111 I Street, Modesto, CA; Rebecca Harrington, 522 Bystrum Road, Modesto, CA; Matthew Harrington, 522 Bystrum Road, Modesto, CA

Public hearing closed.

Gibson/Boyd (8/0) **RECOMMENDED TO THE BOARD OF SUPERVISORS REVOCATION, OPTION TWO, AS OUTLINED IN THE STAFF MEMO.**

D. CAPITAL IMPROVEMENT PLAN (CIP) GENERAL PLAN CONFORMITY

FINDING: A County-initiated request to consider a General Plan conformity finding for the recommended 2015-2017 CIP Report in accordance to California Government Code Section 65401. This project is exempt from CEQA pursuant to Section 15061(b)(3).

Staff Report: Miguel Galvez, Deputy Director Recommends **A FINDING OF CONSISTENCY AS OUTLINED IN THE STAFF MEMO.**

Public hearing opened.

OPPOSITION: None.

FAVOR: Tim Fedorchak, Senior Management Consultant, Stanislaus County/CEO-Capital Projects Division.

Public hearing closed.

Blom/Orvis (8/0) **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF MEMO.**

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

IX. REPORT OF THE PLANNING DIRECTOR

BOARD OF SUPERVISORS ACTIONS

August 23, 2016: Approved the Planning Commission's recommendation for Williamson Act Contract Cancellation, General Plan Amendment and Rezone Application No. PLN2016-00113, Findlay Automotive Group and General Plan Amendment Application No. PLN2014-0051 – General Plan Update.

MISCELLANEOUS & ON THE HORIZON

Planning Commission

September 15, 2016: Vesting Tentative Subdivision Maps Nos. PLN2015-0101 & PLN2015-0102 – Keyes 19 North & South, in the Keyes area. Applicants are C Valley Properties, LLC & KD Land & Cattle Investments, LLC. Property owners are Jap C. Mitchell Trust, Vernon D., Donald L., Daniel R. & Marilyn Christopher.

Ordinance Amendment PLN2016-0005 – Events & Use
Compatibility, County wide. Applicant is Stanislaus County.

October 6, 2016: One Staff Approval in the Turlock area.

Airport Land Use Commission

September 15, 2016: Airport Land Use Compatibility Plan Update.

X. ADDITIONAL MATTERS AT DISCRETION OF CHAIRMAN – None.

XI. ADJOURNMENT

The meeting was adjourned at 7:39 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.)