

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Planning and Community Development

BOARD AGENDA # *D-1

Urgent Routine

AGENDA DATE March 31, 2009

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval to Set a Public Hearing for April 21, 2009 at 6:50 p.m. to Consider General Plan Amendment Application #2007-04, Rezone Application #2007-04, Parcel Map Application #2008-11 and Williamson Act Cancellation #2007-03, Sun Dry Products / Jim Davis

STAFF RECOMMENDATIONS:

Set a Public Hearing for April 21, 2009 at 6:50 p.m. to consider General Plan Amendment Application #2007-04, Rezone Application #2007-04, Parcel Map Application #2008-11 and Williamson Act Cancellation #2007-03, Sun Dry Products a request to amend the General Plan and rezone 114.8 acres of a 200± acre parcel from Agriculture/A-2-40 (General Agriculture) to P-D (Planned Development) to allow the continued operation of the reclamation and recycling of agricultural products and add an industrial hauler, processing of commercial feed products and construction debris (such as pallets, and sulfur and gypsum wall board).

(Continued on page 2)

FISCAL IMPACT:

There are no fiscal impacts associated with this item.

BOARD ACTION AS FOLLOWS:

No. 2009-198

On motion of Supervisor Monteith, Seconded by Supervisor Grover

and approved by the following vote, Ayes: Supervisors: O'Brien, Chiesa, Grover, Monteith, and Chairman DeMartini

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

- 1) X Approved as recommended
- 2) _____ Denied
- 3) _____ Approved as amended
- 4) _____ Other:

MOTION:

Christine Ferraro

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No. ORD-55-J-8

Approval to Set a Public Hearing for April 21, 2009 at 6:50 p.m. to Consider General Plan Amendment Application #2007-04, Rezone Application #2007-04, Parcel Map Application #2008-11 and Williamson Act Cancellation #2007-03, Sun Dry Products / Jim Davis

Staff Recommendation: (Continued)

A parcel map is being requested to subdivide the total 200±acre parcel into four parcels (63.69, 51.11, 42.87, and 42 acres respectively). The two larger parcels require a Williamson Act Cancellation. The two proposed smaller parcels will continue in agricultural uses. The project is located at 3401 Gaffery Road, on the north side of Gaffery Road, east of Koster Road, adjacent to the Delta Mendota Canal, in the Westley area. The project is also located in San Joaquin County, which splits the property, leaving a small amount in San Joaquin County. APN: 016-003-009 (San Joaquin County APN: 265-001-009)

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on April 21, 2009, at 6:50 p.m., or as soon thereafter as the matter may be heard, the Stanislaus County Board of Supervisors will meet in the Basement Chambers, 1010 10th St., Modesto, CA, to conduct a public hearing to consider General Plan Amendment Application #2007-04, Rezone Application #2007-04, Tentative Parcel Map Application #2008-11, and Williamson Act Cancellation Application #2007-03, Sun Dry Products / Jim Davis, a request to amend the General Plan and rezone 114.8 acres of a 200± acre parcel from Agriculture/A-2-40 (General Agriculture) to P-D (Planned Development) to allow the continued operation of the reclamation and recycling of agricultural products and add an industrial hauler, processing of commercial feed products and construction debris (such as pallets, and sulfur and gypsum wall board). A parcel map is being requested to subdivide the total 200± acre parcel into four parcels (63.69, 51.11, 42.87, and 42 acres, respectively). The two larger parcels require a Williamson Act Cancellation. The two proposed smaller parcels will continue in agricultural uses. The project is located at 3401 Gaffery Road, on the north side of Gaffery Road, east of Koster Road, adjacent to the Delta Mendota Canal, in the Westley area. The project is also located in San Joaquin County, which splits the property, leaving a small amount in San Joaquin County. APN: 016-003-009 (San Joaquin County APN: 265-001-009). A Mitigated Negative Declaration will be considered.


NOTICE IS FURTHER GIVEN that at the above said time and place interested persons will be given the opportunity to be heard. Material submitted to the Board for consideration (i.e., photos, petitions, etc.) will be retained by the County. If a challenge to the above application is made in court, persons may be limited to raising only those issues they or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board. For further information call (209) 525-6330.

BY ORDER OF THE BOARD OF SUPERVISORS

DATED: March 24, 2009

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk of
the Board of Supervisors
of the County of Stanislaus,
State of California.

BY:


Elizabeth A. King,
Assistant Clerk to the Board

PROOF OF PUBLICATION

(2015.5 C.C.P.)

STATE OF CALIFORNIA
County of Stanislaus

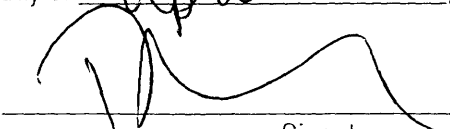
I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of the Patterson Irrigator, a newspaper of general circulation, printed and published twice a week on Wednesdays and Saturdays, in the city of Patterson, California, County of Stanislaus, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court, of the County of Stanislaus, State of California, under the date of June 23, 1952, Case Number 47304; that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

4/18

all in the year 2009.

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Patterson, California, this 8
day of April, 2009.


Signature

This space is for the County Clerk's Filing Stamp

Proof of Publication of

2009 APR 15 11:15 AM
BOARD OF SUPERVISORS

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on April 21, 2009, at 6:50 p.m. or as soon thereafter as the matter may be heard, the Stanislaus County Board of Supervisors will meet in the Basement Chambers, 1010 10th St., Modesto, CA, to conduct a public hearing to consider General Plan Amendment Application #2007-04, Rezone Application #2007-04, Tentative Parcel Map Application #2008-11, and Williamson Act Cancellation Application #2007-03, Sun Dry Products, Jim Davis, a request to amend the General Plan and rezone 114.8 acres of a 200± acre parcel from Agriculture/A-2-40 (General Agriculture) to P-D (Planned Development) to allow the continued operation of the reclamation and recycling of agricultural products and add an industrial hauler, processing of commercial feed products and construction debris (such as pallets, and sulfur and gypsum wall board). A parcel map is being requested to subdivide the total 200± acre parcel into four parcels (63.69, 51.11, 42.87, and 42 acres, respectively). The two larger parcels require a Williamson Act Cancellation. The two proposed smaller parcels will continue in agricultural uses. The project is located at 3401 Gaffery Road, on the north side of Gaffery Road, east of Koster Road, adjacent to the Delta Mendota Canal, in the Westley area. The project is also located in San Joaquin County, which splits the property, leaving a small amount in San Joaquin County. APN: 016-003-009 (San Joaquin County APN: 265-001-009). A Mitigated Negative Declaration will be considered.

NOTICE IS FURTHER GIVEN that at the above said time and place interested persons will be given the opportunity to be heard. Material submitted to the Board for consideration (i.e., photos, petitions, etc.) will be retained by the County. If a challenge to the above application is made in court, persons may be limited to raising only those issues they or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board. For further information call (209) 525-6330.

BY ORDER OF THE BOARD OF SUPERVISORS

DATED: March 24, 2009

ATTEST: CHRISTINE FERRARO
TALLMAN, Clerk of
the Board of Supervisors
of the County of Stanislaus,
State of California.

BY: Elizabeth A. King, Assistant
Clerk to the Board



April 10, 2009

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT the Stanislaus County Board of Supervisors will hold a public hearing on **Tuesday, April 21, 2009**, starting at **6:50 P.M.** in the Joint Chambers, 1010 10th Street, Basement Level, Modesto, California, to consider the following:

Planning Commission's recommendation for approval of General Plan Amendment Application No. 2007-04, Rezone Application No. 2007-04, Parcel Map Application No. 2008-11 and Williamson Act Cancellation No. 2007-03 - Sun Dry Products - a request to amend the General Plan and rezone 114.8 acres of a 200± acre parcel from Agriculture/A-2-40 (General Agriculture) to P-D (Planned Development) to allow the continued operation of the reclamation and recycling of agricultural products and add an industrial hauler, processing of commercial feed products and construction debris (such as pallets, and sulfur and gypsum wall board). A parcel map is being requested to subdivide the total 200± acre parcel into four parcels (63.69, 51.11, 42.87, and 42 acres respectively). The two larger parcels require a Williamson Act Cancellation. The two proposed smaller parcels will continue in agricultural uses. The project is located at 3401 Gaffery Road, on the north side of Gaffery Road, east of Koster Road, adjacent to the Delta Mendota Canal, in the Westley area. The project is also located in San Joaquin County, which splits the property, leaving a small amount in San Joaquin County.

The property is further identified as Assessor's Parcel No. 016-003-009 (San Joaquin County APN: 265-001-009)

The Board of Supervisors will also consider approval of a Mitigated Negative Declaration for this item.

At the above noticed time and place, all interested persons will be given an opportunity to speak.

Materials submitted to the Board of Supervisors for consideration (i.e., photos, slides, petitions, letters, etc.) will be retained by the County and cannot be returned.

If you challenge the above item in court, you may be limited to raising only those issues raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors, at or prior to, the public hearing.

For further information, please call (209) 525-6330, or email: planning@mail.co.stanislaus.ca.us.

PROOF OF SERVICE BY MAIL - CCP 1013a, 2015.5

I declare that: I am employed in the County of Stanislaus, California.

I am over the age of eighteen years and not a party to the within entitled cause; my business address is:

Stanislaus County Administration Building
Department of Planning & Community Development
1010 10th Street, Suite 3400
Modesto, CA 95354

On April 10, 2009, I served the attached Notice of Public Hearing
(Date)

PLANNING COMMISSION'S RECOMMENDATION FOR APPROVAL OF GENERAL PLAN
AMENDMENT APPLICATION NO. 2007-04, REZONE APPLICATION NO. 2007-04, PARCEL MAP
APPLICATION NO. 2008-11 AND WILLIAMSON ACT CANCELLATION NO. 2007-03 - SUN DRY
PRODUCTS on the parties listed below in said cause, by placing a true copy thereof enclosed in
a sealed envelope with postage thereon fully prepaid, in the United States mail at Modesto,
California, addressed as follows:

SEE ATTACHED LIST

I declare under penalty of perjury that the foregoing is true and correct, and that this
declaration was executed on April 10, 2009, at Modesto, California.
(Date)

Crystal D Rein
(Type or print name)


Signature

**GENERAL PLAN AMENDMENT APPLICATION NO. 2007-04, REZONE APPLICATION NO. 2007-04,
 PARCEL MAP APPLICATION NO. 2008-11, WILLIAMSON ACT CANCELLATION APPLICATION NO.
 2007-03 - SUN DRY PRODUCTS INC.**

Attachment A

Distribution List

X	AGRICULTURE COMMISSIONER		NATURAL RESOURCES CONSERVATION
	AIRPORT LAND USE COMMISSION	X	PACIFIC GAS & ELECTRIC
	ALLIANCE	X	PARKS & FACILITIES
X	BUILDING PERMITS DIVISION - DENNIS WISTER	X	PUBLIC WORKS - ANGIE HALVERSON JUDY LINDSAY - DRAINAGE BILL CARDOZA - MORGAN RD TRAFFIC
X	CAL TRANS DISTRICT 10	X	PUBLIC WORKS - TRANSPORTATION
	CENTRAL VALLEY FLOOD PROTECTION		REDEVELOPMENT
X	CHIEF EXECUTIVE OFFICE	X	REGIONAL WATER QUALITY CONTROL
	CITY OF:		RISK MANAGEMENT
X	DER - CODE ENFORCEMENT - TOD WOODWARD	X	SAN JOAQUIN VALLEY APCD
	COMMUNITY SERVICES / SANITARY DIST	X	SCHOOL DIST 1: PATTERSON
X	COOPERATIVE EXTENSION		SCHOOL DIST 2:
X	CORPS OF ENGINEERS	X	SHERIFF
X	COUNTY COUNSEL	X	StanCOG
X	COUNTY OF: SAN JOAQUIN	X	STAN CO ERC
X	DEPARTMENT OF CONSERVATION Land Resources (cert.)	X	STAN CO FARM BUREAU
	DEPT OF FORESTRY	X	STANISLAUS FIRE PREVENTION BUREAU
X	ENVIRONMENTAL RESOURCES	X	STATE CLEARINGHOUSE
X	FIRE PROTECTION DIST: WEST STANISLAUS	X	STATE LANDS COMMISSION
X	FISH & GAME	X	SUPERVISOR DIST 5: DeMARTINI
X	HAZARDOUS MATERIALS	X	SURROUNDING LAND OWNERS (on file w/the Clerk to the Board of Supervisors)
X	HOSPITAL DIST: DEL PUERTO	X	TELEPHONE COMPANY: AT&T
	IRRIGATION DIST:	X	TRIBAL CONTACTS
	LAFCO		TUOLUMNE RIVER TRUST
X	MOSQUITO DIST: TURLOCK	X	UNITED STATES MILITARY AGENCIES (SB 1462) (5 agencies)
X	MOUNTAIN VALLEY EMERGENCY MEDICAL SERVICES	X	US FISH & WILDLIFE
	MUNICIPAL ADVISORY COUNCIL:	X	WATER DIST: DEL PUERTO