

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

DEPT: Planning and Community Development *AK*

BOARD AGENDA # *D-1

Urgent Routine

AGENDA DATE April 23, 2013

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval to Set a Public Hearing for May 7, 2013, at 9:05 a.m. to Consider Planning Commission's Recommendation of Approval for Use Permit Application No. PLN2012-0006 - Maring Private Airport

STAFF RECOMMENDATIONS:

1. Set a public hearing for May 7, 2013, at 9:05 a.m. to consider Planning Commission's recommendation of approval for Use Permit Application No. PLN2012-06 - Maring Private Airport, a request to establish a private airport, including three (3) airplane hangars and a 2,800± foot runway.
2. Authorize the Clerk of the Board to publish notice of hearing as required by law.

FISCAL IMPACT:

There are no fiscal impacts associated with setting the public hearing. Impacts associated with the Use Permit application will be evaluated and included in the subsequent report for the public hearing on May 7, 2013.

BOARD ACTION AS FOLLOWS:

No. 2013-176

On motion of Supervisor Withrow, Seconded by Supervisor Monteith

and approved by the following vote,

Ayes: Supervisors: O'Brien, Withrow, Monteith, De Martini and Chairman Chiesa

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

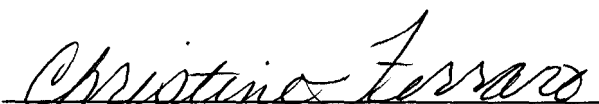
1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

4) _____ Other:

MOTION:



ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

DISCUSSION:

This Use Permit application is a request to establish a private airport including three (3) airplane hangars totaling 7,300± square feet and a 2,800± foot runway. The project site is located on Cox Road, southeast of Frank Cox Road, northwest of Condit Avenue, near the communities of Grayson and Westley. As proposed, the airport would be situated across two separate assessor parcels (38± & 59± acres for a total of 97± acres) each enrolled under a Williamson Act Contract. The site is currently designated as "Agriculture" in the Stanislaus County General Plan and is within the A-2-40 zoning district (General Agriculture - 40 acre minimum for newly created parcels).

The Stanislaus County Zoning Ordinance, Section 21.20.040 (A-2 - General Agriculture) allows for both public and private airports upon the granting of a use permit and with review by the Stanislaus County Airport Land Use Commission, Stanislaus County Planning Commission and the approval of the Board of Supervisors. A proposed airport/helipad, such as this project, may be approved if found to be consistent with the General Plan and with adopted County policies, including the guidelines, adopted by the Board of Supervisors on March 6, 1984, *"Establishing Policies for the Siting of New Airports, Agricultural Service Airports, and Temporary Agricultural Service Airports"*. (Airport Siting Standards – Appendix 5-B of Safety Element, Stanislaus County General Plan.)

This project was reviewed by the Stanislaus County Airport Land Use Commission at a regularly scheduled meeting on November 1, 2012. On April 4, 2013, the Stanislaus County Planning Commission held a public hearing and on a 7-0 (Buehner/Crabtree) vote recommended the Board of Supervisors approve the Use Permit application as proposed.

At this time, this item simply sets the date and time for a public hearing on the matter before the Board of Supervisors to consider the proposed request.

POLICY ISSUES:

The Board of Supervisors should determine if setting a public hearing for the proposed amendment furthers the goals of the Efficient Delivery of Public Services.

STAFFING IMPACT:

There are no staffing impacts associated with this item.

CONTACT PERSON:

Angela Freitas, Planning and Community Development Director.
Telephone: (209) 525-6330



CLERK OF THE BOARD OF SUPERVISORS

Christine Ferraro Tallman

1010 Tenth Street, Suite 6700, Modesto, CA 95354
Phone: 209.525.4494 Fax: 209.525.4420

**NOTICE OF PUBLIC HEARING FOR
USE PERMIT APPLICATION NO. PLN2012-0006
MARING PRIVATE AIRPORT**

NOTICE IS HEREBY GIVEN that on May 7, 2013, at 9:05 a.m., or as soon thereafter as the matter may be heard, the Stanislaus County Board of Supervisors will meet in the Basement Chambers, Lower Level, 1010 10th St., Modesto, CA, to consider Planning Commission's recommendation of approval for a request to establish a private airport, including three (3) airplane hangars totaling 7,300 square feet and a 2,800 foot runway, on two (2) parcels totaling 97± acres. The site is located within the A-2-40 (General Agriculture) zoning district, on Cox Road, southeast of Frank Cox Road, northwest of Condit Avenue, near the communities of Grayson and Westley, APN: 016-043-004 & 005.

This NOTICE also serves as a NOTICE OF INTENT to adopt a Negative Declaration on this project.

NOTICE IS FURTHER GIVEN that at the 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: April 23, 2010

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

BY:

Elizabeth A. King, Assistant Clerk

PROOF OF PUBLICATION
(2015.5 C.C.P)

STATE OF CALIFORNIA
County of Stanislaus

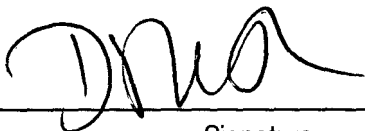
I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of the Patterson Irrigator, a newspaper of general circulation, printed and published once a week on Thursdays, 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:

4/25

all in the year 2013

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

Dated at Patterson, California, this 25
day of April, 2013



Signature

This space is for the County Clerk's Filing stamp

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TALLMAN, Clerk of the Board of Supervisors of the County of Stanislaus, State of California

BY: Elizabeth A. King, Assistant Clerk

4/25/13