

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

DEPT: Planning and Community Development BOARD AGENDA #: *D-3

AGENDA DATE: September 20, 2016

SUBJECT:

Approval to Set a Public Hearing on October 18, 2016 at 6:35 p.m. to Consider the Planning Commission's Recommendation for Revocation of Use Permit No. PLN2013-0078, Central Valley Recycling, Inc., Located at 522 and 524 South 9th Street, North of Hosmer Avenue, in the Ceres Area

BOARD ACTION AS FOLLOWS:

No. 2016-482

On motion of Supervisor Withrow, Seconded by Supervisor O'Brien
and approved by the following vote,

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

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) Approved as recommended

2) Denied

3) Approved as amended

4) Other:

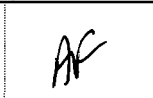
MOTION:

ATTEST: 
ELIZABETH A. KING, Clerk of the Board of Supervisors

File No.

**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
AGENDA ITEM**

DEPT: Planning and Community Development BOARD AGENDA #: *D-3
Urgent Routine AGENDA DATE: September 20, 2016



CEO CONCURRENCE: 4/5 Vote Required: Yes No

SUBJECT:

Approval to Set a Public Hearing on October 18, 2016 at 6:35 p.m. to Consider the Planning Commission's Recommendation for Revocation of Use Permit No. PLN2013-0078, Central Valley Recycling, Inc., Located at 522 and 524 South 9th Street, North of Hosmer Avenue, in the Ceres Area

PLANNING COMMISSION AND STAFF RECOMMENDATIONS:

1. Set a public hearing on October 18, 2016 at 6:35 p.m. to consider the Planning Commission's recommendation for revocation of Use Permit No. PLN2013-0078, Central Valley Recycling, Inc., located at 522 and 524 South 9th Street, North of Hosmer Avenue, in the Ceres area.
2. Authorize the Clerk of the Board to publish notice of hearing as required by law.

DISCUSSION:

On May 7, 2015, the Planning Commission approved Use Permit Application No. PLN2013-0078, Central Valley Recycling, Inc., and adopted a Mitigated Negative Declaration for this project on a 5-1 vote. The Use Permit allows for the intensification of an existing California Redemption Value (CRV) and scrap metal recycling facility on a 2.2 +/- acre property in the C-2 (General Commercial) zoning district. The project site is located at 522 and 524 South 9th Street, north of Hosmer Avenue in the Ceres area (APNs: 038-012-008 and 038-012-009).

On May 18, 2015, an appeal of the Planning Commission's approval of the use permit was submitted by Ms. Rebecca Harrington. On June 16, 2015, the Board of Supervisors considered and denied the appeal request and voted to uphold the Planning Commission's decision, subject to findings and amended Conditions of Approval.

On August 12, 2016, planning staff provided written notification to the applicant/operator that a number of Use Permit Conditions of Approval, which included specific performance deadlines, have not been completed, and that failure to complete these Conditions of Approval in the time required is grounds for consideration of revocation of the Use Permit.

On September 1, 2016, the Planning Commission considered, and on a vote of 8-0, voted to recommend revocation of Use Permit No. PLN2013-0078, Central Valley Recycling, Inc., to the Board of Supervisors.

Approval to Set a Public Hearing on October 18, 2016 at 6:35 p.m. to Consider the Planning Commission's Recommendation for Revocation of Use Permit No. PLN2013-0078, Central Valley Recycling, Inc., Located at 522 and 524 South 9th Street, North of Hosmer Avenue, in the Ceres Area

POLICY ISSUE:

Chapter 21.104 of the Zoning Ordinance prescribes the process for consideration of revocation of approved land use permits. The Board of Supervisors is required to act on the Planning Commission's recommendation within sixty days after receipt of the recommendation of the Planning Commission.

FISCAL IMPACT:

Costs associated with processing of the revocation, including setting of public hearing, publishing of required notices, and conducting the hearing, will be covered by the General Fund.

BOARD OF SUPERVISORS' PRIORITY:

The recommended actions are consistent with the Board's priorities of a Well Planned Infrastructure System and A Strong Local Economy by providing a land use determination consistent with the overall goals and policies of the Stanislaus County General Plan.

STAFFING IMPACT:

Planning and Community Department staff is responsible for preparing all reports associated with request and there are no staffing impacts associated with this item.

CONTACT PERSON:

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

ATTACHMENTS:

None

STANISLAUS COUNTY
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on October 18, 2016 at 6:35 p.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 the approval of:

PLANNING COMMISSION'S RECOMMENDATION FOR REVOCATION OF USE PERMIT APPLICATION NO. PLN2013-0078 – CENTRAL VALLEY RECYCLING. The Use Permit allowed the intensification of a California Redemption Value (CRV) and scrap metal recycling on property located in the C-2 (General Commercial) zoning district, at 522 and 524 S. 9th Street, on the east side of S. 9th Street, north of Hosmer Avenue, in the Ceres area.

The property is further identified as Assessor Parcel Number: 038-012-008 and 038-012-009.

This project is exempt from further CEQA review pursuant to Section 15321 (a) (2). All documents are available for review at 1010 10th Street, Suite 3400, Modesto and online at: www.stancounty.com/planning/.

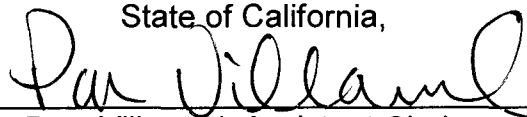
NOTICE IS FURTHER GIVEN that at the said time and place, interested persons will be given the opportunity to be heard. Interested persons may also submit written comments to Stanislaus County regarding the program to Angela Freitas, Director of the Stanislaus County Department of Planning and Community Development at the below-referenced address. Any materials submitted to the Board for consideration (i.e. photos, petitions, etc.) will be retained by the County.

If you have any questions, please call Angela Freitas, Director of the Planning and Community Development Department at (209) 525-6330 between the hours of 8:30 a.m. and 4:30 p.m. or visit the offices at 1010 10th Street, Suite 3400, Modesto, CA 95354.

BY ORDER OF THE BOARD OF SUPERVISORS

DATED: September 20, 2016

ATTEST: ELIZABETH KING
Clerk of the Board of Supervisors
of the County of Stanislaus,
State of California,

BY: 
Pam Villarreal, Assistant Clerk

**DECLARATION OF PUBLICATION
(C.C.P. S2015.5)**

**COUNTY OF STANISLAUS
STATE OF CALIFORNIA**

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 entitle matter. I am a printer and Principal clerk of the publisher of THE MODESTO BEE, printed in the City of MODESTO, County of STANISLAUS, State of California, daily, for which said 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 February 25, 1951, Action No. 46453; that the notice of which the annexed is a printed copy, has been published in each issue there of on the following dates, to wit:

Oct 07, 2016

STANISLAUS COUNTY
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on October 18, 2016 at 6:35 p.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 the approval of: PLANNING COMMISSION'S RECOMMENDATION FOR REVOCATION OF USE PERMIT APPLICATION NO. PLN2013-0078 - CENTRAL VALLEY RECYCLING. The Use Permit allowed the intensification of a California Redemption Value (CRV) and scrap metal recycling on property located in the C-2 (General Commercial) zoning district, at 522 and 524 S. 9th Street, on the east side of S. 9th Street, north of Hosmer Avenue, in the Ceres area.

The property is further identified as Assessor Parcel Number: 038-012-008 and 038-012-009.

This project is exempt from further CEQA review pursuant to Section 15321 (a) (2). All documents are available for review at 1010 10th Street, Suite 3400, Modesto and online at: www.stancounty.com/planning/

NOTICE IS FURTHER GIVEN that at the said time and place, interested persons will be given the opportunity to be heard. Interested persons may also submit written comments to Stanislaus County regarding the program to Angela Freitas, Director of the Stanislaus County Department of Planning and Community Development at the below-referenced address. Any materials submitted to the Board for consideration (i.e. photos, petitions, etc.) will be retained by the County.

If you have any questions, please call Angela Freitas, Director of the Planning and Community Development Department at (209) 525-6330 between the hours of 8:30 a.m. and 4:30 p.m. or visit the offices at 1010 10th Street, Suite 3400, Modesto, CA 95354. BY ORDER OF THE BOARD OF SUPERVISORS. DATED: September 20, 2016. ATTEST: ELIZABETH KING, Clerk of the Board of Supervisors of the County of Stanislaus, State of California. BY: Pam Villarreal, Assistant Clerk. Pub Dates Oct 7, 2016

I certify (or declare) under penalty of perjury That the foregoing is true and correct and that This declaration was executed at

MODESTO, California on

October 7th, 2016

(By Electronic Facsimile Signature)

