

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

DEPT: Planning and Community Development BOARD AGENDA #: *D-1

AGENDA DATE: November 21, 2017

SUBJECT:

Approval to Set a Public Hearing for December 12, 2017, at 9:05 a.m. to Consider the Planning Commission's Recommendation for Approval of Use Permit Application No. PLN2017-0059, Ag-Air, Inc., Located at 5420 Dodds Road, on the South Side of Dodds Road, West of 26 Mile Road, Near the Community of Valley Home and the City of Oakdale, and Adoption of a Negative Declaration

BOARD ACTION AS FOLLOWS:

No. 2017-666

On motion of Supervisor Olsen , Seconded by Supervisor DeMartini

and approved by the following vote,

Ayes: Supervisors: Olsen, Monteith, DeMartini, and Chairman Chiesa

Noes: Supervisors: None

Excused or Absent: Supervisors: Withrow

Abstaining: Supervisor: None

1) X 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
Urgent Routine

BOARD AGENDA #: *D-1

AGENDA DATE: November 21, 2017

AF

CEO CONCURRENCE:

4/5 Vote Required: Yes No

SUBJECT:

Approval to Set a Public Hearing for December 12, 2017, at 9:05 a.m. to Consider the Planning Commission's Recommendation for Approval of Use Permit Application No. PLN2017-0059, Ag-Air, Inc., Located at 5420 Dodds Road, on the South Side of Dodds Road, West of 26 Mile Road, Near the Community of Valley Home and the City of Oakdale, and Adoption of a Negative Declaration

STAFF RECOMMENDATIONS:

1. Set a public hearing for December 12, 2017, at 9:05 a.m. to consider the Planning Commission's recommendation for approval of Use Permit Application No. PLN2017-0059, Ag-Air, Inc., located at 5420 Dodds Road, on the south side of Dodds Road, west of 26 Mile Road, near the community of Valley Home and the City of Oakdale.
2. Authorize the Clerk of the Board to publish notice of public hearing as required by law.

DISCUSSION:

This is a request to establish a crop dusting business and private heliport on a 49.97 acre parcel in the A-2-40 zoning district. A maximum of two helicopters are proposed to be stored in an existing 6,434 square foot agricultural storage building. A 5,445 square foot concrete landing pad (helipad) will be located on the west side of the agricultural storage building. The property also includes a 2,400 square foot covered parking area. Pesticides are either delivered in sealed containers to the project site and then loaded (still sealed) onto nurse trucks for delivery to specific job sites or they are directly delivered to job sites. Equipment associated with the business, stored on-site, includes two helicopters, two nurse trucks (California Class "C" 2000 gallon water tender mix trucks, classified as agricultural support vehicles), a small 400 gallon mix trailer, a pick-up truck, and two forklifts. General maintenance and minor repairs on equipment associated with the business will be conducted in the agricultural storage building. All fueling will be done off-site. The operation will employ a total of two pilots and one seasonal employee. The operation serves farms in: Stanislaus, San Joaquin, Merced, Calaveras, Tuolumne, and Sacramento Counties. On average, the business operates 100-150 days per year, which includes a maximum of 2-3 spray jobs per day, and one to two flights to and from the project site per day.

This item was scheduled to be heard by the Planning Commission on September 21, 2017. The item was continued to the November 2, 2017, Planning Commission meeting, at the request of the applicant, to allow the applicant additional time to review the Conditions of Approval for the project. The Planning Commission considered this item at a public hearing on November 2, 2017, and on a 8-0 vote, recommended the Board of Supervisors approve the request as proposed, including amended conditions of approval. This item will set the date

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and time for a public hearing to consider the Planning Commission's recommendation before the Board of Supervisors.

POLICY ISSUE:

In order to consider a request for the siting of a new public or private airport, the Board of Supervisors must hold a public hearing. Additionally, in order to approve a new public or private airport, it must be found to be consistent with the General Plan, consistent with any adopted county policies, and found that the proposed airport will not, under the circumstances of the particular case, be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood of the use and that it will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the county.

FISCAL IMPACT:

Costs associated with processing the application, setting the public hearing, publishing of required notices, and conducting the hearing will be covered by the application fee.

BOARD OF SUPERVISORS' PRIORITY:

Approval of this action supports the Board of Supervisor's priority of A Well Planned Infrastructure 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 Development Department staff is responsible for reviewing all applications, preparing all reports, and attending meetings associated with the proposed Use Permit application.

CONTACT PERSON:

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

ATTACHMENT(S):

None



The Modesto Bee

modbee.com



AFFIDAVIT OF PUBLICATION

Account #	Ad Number	Identification	PO	Cols	Lines
341787	0003404407	HEARING PLN2017-0059AG-AIR PAM VILLARREAL	PLN2017-0059AG-AIR PAM VILL	1	42

Attention:

CO STAN BOARD OF SUPERVISORS
 1010 10TH ST STE 6700
 MODESTO, CA 95354

**Declaration of Publication
 C.C.P. S2015.5**

STATE OF CALIFORNIA)
) ss.
 County of Stanislaus)

STANISLAUS COUNTY
 NOTICE OF PUBLIC HEARING
 USE PERMIT APPLICATION NO.
 PLN2017-0059AG-AIR, INC.
 NOTICE IS HEREBY GIVEN that on December 12, 2017, 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, 1010 10th St., Modesto, CA, to consider the Planning Commission's recommendation for approval of Use Permit Application No. PLN2017-0059 - Ag-Air, Inc., a request to establish a crop dusting business and private heliport on a 49.97 acre parcel in the A-2-40 zoning district. The project is located at 5420 Dodds Road, on the South Side of Dodds Road, West of 26 Mile Road, Near the Community of Valley Home and the City of Oakdale. APN: 002-003-021. A CEQA Negative Declaration will be considered.

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: November 21, 2017. ATTEST: Elizabeth A. King, Clerk of the Board of Supervisors of the County of Stanislaus, State of California. BY: Pam Villarreal, Assistant Clerk.
 MOD-3404407 12/1

I am a citizen of the United States; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am a printer and principal clerk of the publisher of the The Modesto Bee, which 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. The notice of which the annexed is a printed copy has been published in each issue thereof on the following dates, to wit:

December 01, 2017

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:

Date: 1st, day of December, 2017

Cynthia A. Mohammed

Signature