

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

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

AGENDA DATE: November 21, 2017

SUBJECT:

Approval to Set a Public Hearing for December 19, 2017, at 6:35 p.m. to Consider the Planning Commission's Recommendation of General Plan Amendment and Rezone Application No. PLN2017-0081, Mistlin Honda, Located East of the Existing Mistlin Honda Dealership on McHenry Avenue, Between Bangs Avenue and Claribel Road in the Modesto Area, and Adoption of a Negative Declaration

BOARD ACTION AS FOLLOWS:

No. 2017-668

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
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-3

AGENDA DATE: November 21, 2017



CEO CONCURRENCE:

4/5 Vote Required: Yes No

SUBJECT:

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STAFF RECOMMENDATIONS:

1. Set a public hearing for December 19, 2017, at 6:35 p.m. to consider the Planning Commission's Recommendation for Approval of Rezone Application No. PLN2017-0081, Mistlin Honda, located east of the existing Mistlin Honda dealership on McHenry Avenue, between Bangs Avenue and Claribel Road in the Modesto area.
2. Authorize the Clerk of the Board to publish notice of public hearing as required by law.

DISCUSSION:

This is a request to amend the General Plan designation on a 2.28± acre portion of a 50.26± acre parcel, Assessor's Parcel Number 082-006-072, from Urban Transition to Planned Development and to change the zoning district from General Agriculture (A-2-10) to Planned Development. The Planned Development is requested to expand the existing Mistlin Honda car dealership facility which will expand their vehicle storage area by developing an additional 288 paved and marked parking spaces. The expansion will be graded and paved and security fenced. This project will not require the expansion of existing infrastructure and no new structures are being proposed. The hours of operation and the number of employees will not increase.

This project includes a lot line adjustment to incorporate the 2.28± acre project site into the 7.45± acre Mistlin Honda dealership, Assessor's Parcel Numbers 082-006-055 and 070. The lot line adjustment, submitted as a part of this request, will be processed independently upon project approval of the proposed amendment to the General Plan and zoning designation.

The Stanislaus County Planning Commission considered this item at a public hearing on November 16, 2017. This item will set the date 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 general plan amendment and rezone request, the Board of Supervisors must hold a public hearing. The project includes a request to amend the General Plan from

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Urban Transition to Planned Development. In this case, if the requested change for the General Plan designation is approved, the zoning designation of Planned Development would subsequently be consistent with the General Plan.

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 deposit plus revenue from additional invoicing at project end. Final calculations will determine if additional invoicing to the applicant is needed.

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 General Plan Amendment and Rezone application.

CONTACT PERSON:

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

ATTACHMENT(S):

None

**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:

Dec 08, 2017

STANISLAUS COUNTY
NOTICE OF PUBLIC HEARING
FOR GENERAL PLAN AMEND-
MENT & REZONE APPLICATION NO.
2017-0081 MISTLIN HONDA
NOTICE IS HEREBY GIVEN that on
December 19, 2017, 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 a request to
amend the General Plan Designation on
a 2.28± acres of a 50.26± acre parcel,
from Urban Transition to Planned Deve-
lopment and to rezone from A-2-10 to a
new Planned Development District (P-
D) to allow for expanded vehicle storage
for an existing dealership. The lot line
adjustment will add the 2.28 +/- acres to
the adjoin 2.28 +/- acre parcel used by
the dealership. The project site is located
east of the existing Mistlin Honda deal-
ership on McHenry Avenue, between
Bangs Avenue and Claribel Road in the
Modesto area. APN: 082-006-072.
This NOTICE also serves as a NOTICE
OF INTENT to adopt a Negative Decla-
ration for the project.
NOTICE IS FURTHER GIVEN that at
the said time and place, interested per-
sons 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 some-
one else raised at the public hearing de-
scribed in this notice, or in written corre-
spondence delivered to the Board. For
further information call (209) 525-6330.
BY ORDER OF THE BOARD OF SU-
PERVISORS. 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.
Pub Dates Dec 8, 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

December 8th, 2017

(By Electronic Facsimile Signature)

Cynthia A. Villarreal