

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

DEPT: Planning and Community Development

BOARD AGENDA:6.D.2
AGENDA DATE: July 31, 2018

SUBJECT:

Approval to Set a Public Hearing for August 21, 2018, 6:30 p.m. Meeting to Consider the Planning Commission's Recommendation for Approval of Rezone and Parcel Map Application No. PLN2018-0017, Linde Group, LLC, Located on Faith Home Road, on the Northeast Corner of Faith Home and Jessup Roads, West of Highway 99, in the Community of Keyes, and Adoption of a Mitigated Negative Declaration

BOARD ACTION AS FOLLOWS:

RESOLUTION NO. 2018-0404

On motion of Supervisor Monteith, Seconded by Supervisor Olsen
and approved by the following vote,

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

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. ORD-56-C-7

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

DEPT: Planning and Community Development

BOARD AGENDA:6.D.2
AGENDA DATE: July 31, 2018

CONSENT:

CEO CONCURRENCE:

4/5 Vote Required: No

SUBJECT:

Approval to Set a Public Hearing for August 21, 2018, 6:30 p.m. Meeting to Consider the Planning Commission's Recommendation for Approval of Rezone and Parcel Map Application No. PLN2018-0017, Linde Group, LLC, Located on Faith Home Road, on the Northeast Corner of Faith Home and Jessup Roads, West of Highway 99, in the Community of Keyes, and Adoption of a Mitigated Negative Declaration

STAFF RECOMMENDATION:

1. Set a public hearing for August 21, 2018, 6:30 p.m. meeting to consider the Planning Commission's Recommendation for Approval of Rezone and Parcel Map Application No. PLN2018-0017, Linde Group, LLC, located on Faith Home Road, on the northeast corner of Faith Home and Jessup Roads, west of Highway 99, in the Community of Keyes, and adoption of a Mitigated Negative Declaration.
2. Authorize the Clerk of the Board to publish a notice of public hearing as required by law.

DISCUSSION:

This is a request to rezone 5.2 acres of a 28.7 acre parcel currently zoned P-D (123), which is expired, to a new P-D (Planned Development) to allow the development of a liquid carbon dioxide (CO₂) purification and liquefaction plant. A tentative parcel map is included with the project to create a 5.2 acre parcel and a 23.5 acre remainder. The area proposed to be rezoned will be contained on the 5.2 acre parcel.

The Planning Commission considered this item at a public hearing on July 19, 2018, and on a 6-0 vote, recommended the Board of Supervisors approve the request as proposed. 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 rezone request, the Board of Supervisors must hold a public hearing. Additionally, in order to approve a rezone, it must be found to be consistent with the General Plan. In this case, the General Plan designation is Planned Development, which is consistent with the proposed Planned Development zoning designation.

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 *Developing a Healthy Economy and Delivering Efficient Public Services & Community Infrastructure* 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 Rezone application.

CONTACT PERSON:

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



STANISLAUS COUNTY
NOTICE OF PUBLIC HEARING FOR
REZONE AND PARCEL MAP APPLICATION NO. PLN2018-0017
LINDE GROUP, LLC

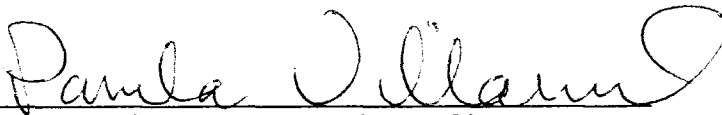
NOTICE IS HEREBY GIVEN that on August 21, 2018, at 6:30 p.m., or as soon thereafter as the matter may be heard, the Stanislaus County Board of Supervisors will meet in the Basement Chambers, 1010 10th St., Modesto, CA, to consider the Planning Commission's recommendation for approval of Rezone and Parcel Map Application No. PLN2018-0017 – Linde Group, LLC, a request to Rezone 5.2 acres of a 28.7 acre parcel currently zoned P-D (123), which is expired, to a new P-D (Planned Development) to allow the development of a liquid carbon dioxide (CO2) purification and liquefaction plant. A tentative parcel map is included with the project to create a 5.2 acre parcel, which will contain the proposed project, and a 23.5 acre remainder. The project site is located on Faith Home Road, on the northeast corner of Faith Home and Jessup Roads, west of Highway 99, in the Community of Keyes. APN: 045-026-040. A CEQA Mitigated 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: July 31, 2018

ATTEST: Elizabeth A. King, Clerk of
the Board of Supervisors
of the County of Stanislaus,
State of California

BY: 
Pamela 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:

Aug 10, 2018

STANISLAUS COUNTY
NOTICE OF PUBLIC HEARING FOR
REZONE AND PARCEL MAP APPLI-
CATION NO. PLN2018-0017

LINDE GROUP, LLC
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BY ORDER OF THE BOARD OF SUPERVISORS. DATED: August 10, 2018.
ATTEST: Elizabeth A. King, Clerk of the Board of Supervisors of the County of Stanislaus, State of California. BY: Pamela Villarreal, Assistant Clerk.
Pub Dates Aug 10, 2018

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

August 10th, 2018

(By Electronic Facsimile Signature)

Cynthia A. Villarreal