

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

DEPT: Planning and Community Development

BOARD AGENDA: 6.D.2
AGENDA DATE: October 30, 2018

SUBJECT:

Approval to Set a Public Hearing on November 6, 2018 at the 9:00 a.m. Meeting to Consider the Planning Commission's Recommendation for Approval of General Plan Amendment and Rezone Application No. PLN2018-0087, Empire Migrant Center Housing Project, Located at 5132 South Avenue, on the South Side of South Abbie Street and South Avenue, East of Santa Fe Avenue, in the Community of Empire

BOARD ACTION AS FOLLOWS:

RESOLUTION NO. 2018-0542

On motion of Supervisor Withrow, Seconded by Supervisor Chiesa
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
ELIZABETH A. KING, Clerk of the Board of Supervisors

File No. ORD-56-D-3

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

DEPT: Planning and Community Development

BOARD AGENDA:6.D.2
AGENDA DATE: October 30, 2018

CONSENT:

CEO CONCURRENCE:

4/5 Vote Required: No

SUBJECT:

Approval to Set a Public Hearing on November 6, 2018 at the 9:00 a.m. Meeting to Consider the Planning Commission's Recommendation for Approval of General Plan Amendment and Rezone Application No. PLN2018-0087, Empire Migrant Center Housing Project, Located at 5132 South Avenue, on the South Side of South Abbie Street and South Avenue, East of Santa Fe Avenue, in the Community of Empire

STAFF RECOMMENDATION:

1. Set a Public Hearing on November 6, 2018 at the 9:00 a.m. meeting to consider the Planning Commission's recommendation for approval of General Plan Amendment and Rezone Application No. PLN2018-0087, Empire Migrant Center Housing Project, located at 5132 South Avenue, on the south side of South Abbie Street and South Avenue, east of Santa Fe Avenue, in the Community of Empire.
2. Authorize the Clerk of the Board to publish a notice of public hearing as required by law.

DISCUSSION:

This is a request to amend the general plan and zoning designation of a 7.63 acre site from Low Density Residential (LDR) and Rural Residential (R-A) to Planned Development (PD), to utilize the Empire Migrant Farm Worker Center, operated by the Housing Authority of the County of Stanislaus (HACS), as a cold weather emergency shelter (less than 6 months) to temporarily house homeless families. The site is currently improved with 90 housing units, a paved parking lot, fencing, common greenspace area with a playground and basketball court, laundry room, community center, office, and caretaker unit. The project will utilize 22 of the site's existing housing units, with the potential to utilize up to all 90 units in the future, during the off-season, between mid-November to the end of April, when migrant farm worker households are not occupying the site.

The Planning Commission considered this item at a public hearing on October 4, 2018, and on a 7-0 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 an amendment to the General Plan and a rezone request, the Board of Supervisors must hold a public hearing. In order to approve an amendment to the General Plan, the decision making body must find that the amendment will maintain a logical land use pattern without detriment to existing and planned land uses; that the County and other affected governmental agencies will be able to maintain levels of service consistent with the ability of the governmental agencies to provide a reasonable level of service; and that the amendment is consistent with the General Plan goals and policies. Additionally, in order to approve a rezone, it must be found to be consistent with the General Plan. In this case, provided the General Plan designation is amended to Planned Development, the proposed Planned Development zoning designation would be consistent.

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 General Plan Amendment and Rezone application.

CONTACT PERSON:

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



CLERK OF THE BOARD OF SUPERVISORS
Elizabeth A. King

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

**STANISLAUS COUNTY
NOTICE OF PUBLIC HEARING FOR
GENERAL PLAN AMENDMENT AND REZONE APPLICATION NO. PLN2018-0087
EMPIRE MIGRANT CENTER HOUSING PROJECT**

NOTICE IS HEREBY GIVEN that on November 6, 2018, at 9:00 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 General Plan Amendment and Rezone Application No. PLN2018-0087 – Empire Migrant Center Housing Project, a request to amend the general plan and zoning designation of a 7.63 acre site, from Low Density Residential (LDR) and Rural Residential (R-A) to Planned Development (PD), to allow the Empire Migrant Farm Worker Center, operated by the Housing Authority of the County Stanislaus (HACS), to be utilized as a cold weather emergency shelter (less than 6 months) to temporarily house homeless families. The project is located at 5132 South Ave., on the south side of South Abbie St. and South Ave., east of Santa Fe Ave., in the Community of Empire. APN: 009-020-028. The project is considered Exempt from the California Environmental Quality Act.

Project related documents are available for review at the Planning Department, located at 1010 10th Street, Modesto, CA, 95354, and online at:
<http://www.stancounty.com/planning/pl/act-projects.shtm>.

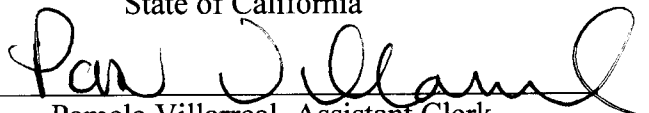
A copy of the Board of Supervisor meeting agenda will be available for review 72 hours prior to the scheduled meeting date on the Board of Supervisors' website:
<http://www.stancounty.com/bos/agenda/2018>.

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 (e.g., 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: October 26, 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 MAILING

IN RE: NOTICE OF PUBLIC HEARING RE: EMPIRE MIGRANT CENTER HOUSING PROJECT

I, Pam Villarreal, declare that I am a citizen of the United States, over 18 years of age, a resident of Stanislaus County, and not a part to the within action; that my business address is 1010 10TH St., Ste. 6700, Modesto, California; that I served a copy of the attached notice by placing said copy in an envelope addressed to the following:

Barbara Kauss, Housing Authority of Stanislaus County PO Box 581918 Modesto, CA 95358	Jim Kruse, Housing Authority of Stanislaus County Email: jkruse@stancoha.org PO Box 581918 Modesto, CA 95358
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which envelope was then sealed and postage fully prepaid thereon and thereafter, on October 22, 2018, deposited in the United States Mail at Modesto, California; that there is delivery service by United States Mail at the place so addressed or regular communication by United States Mail between the place of mailing and the place so addressed.

I declare under penalty of perjury that the foregoing is true and correct.



**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 26, 2018, Nov 01, 2018

STANISLAUS COUNTY
NOTICE OF PUBLIC HEARING FOR
GENERAL PLAN AMENDMENT
AND VESTING TENTATIVE
SUBDIVISION MAP APPLICATION
NO. PLN2017-0013 GOLD STAR
INVESTMENTS, LLC

NOTICE IS HEREBY GIVEN that on November 6, 2018, at 9:00 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 General Plan Amendment and Vesting Tentative Subdivision Map Application No. PLN2017-0013 - Gold Star Investments, LLC, a request to create 28 residential lots, ranging in size from 5,100± square feet to 8,500± square feet, and a 4± acre remainder parcel from a 9.54± acre lot zoned R-1 US (Single-Family Residential Urban Service) zoning district. The request includes an amendment to a portion of the site's Keyes Community Plan Designation from Commercial to Low Density Residential. The property is located at 4827 Nunes Rd., south of Norma Way and west of Washington Rd., in the Community of Keyes, APN: 045-071-006. The Board of Supervisors will consider a CEQA Mitigated Negative Declaration for this project.

Project related documents are available for review at the Planning Department, located at 1010 10th Street, Modesto, CA, 95354, and online at: <http://www.stancounty.com/planning/pl/a> A copy of the Board of Supervisor meeting agenda will be available for review 72 hours prior to the scheduled meeting date on the Board of Supervisors' website: <http://www.stancounty.com/bos/agenda/2018>.

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 (e.g., 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: October 26 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 Oct 26, Nov 1, 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

November 1st, 2018

(By Electronic Facsimile Signature)

Cynthia A. Villarreal