

STANISLAUS COUNTY PLANNING COMMISSION

MINUTES

REGULAR MEETING

September 15, 2005

- I. **ROLL CALL:** Meeting called to order at 6:00 p.m.
Present: Chair Andrew Souza, Marie Assali, Annabel Gammon, Allen Layman, Mike Navarro, Jim Poore, and Ray Souza

Absent: Tony Cusenza

Staff Present: Ron E. Freitas, Director; Bob Kachel, Senior Planner; Angela Freitas, Senior Planner; Bill Carlson, Senior Planner; Joshua Mann, Assistant Planner; Edward Burroughs, Deputy County Counsel; Paul Saini, Public Works Department; Michael Newton, Department of Environmental Resources; Eva Rosa, Planning Commission Clerk
- II. **PLEDGE OF ALLEGIANCE**
- III. **CITIZEN'S FORUM**
 - A. No one spoke
- IV. **APPROVAL OF MINUTES**
 - A. September 1, 2005
R. Souza/Poore, 6-0, **APPROVED**
Mike Navarro abstained
- V. **CORRESPONDENCE**

Director Freitas informed the Commissioners on various correspondence mailed in their agenda packet or placed before them this evening:

 - A. Letter dated September 15, 2005 from Petrulakis Jensen & Friedrich regarding Item VII-D, Ordinance Amendment No. 2005-01
 - B. Letter dated September 15, 2005 from County Counsel regarding Item VII-D, Ordinance Amendment No. 2005-01
 - C. Memo received September 7, 2005 from Department of Environmental Resources regarding Conditions of Approval for Item VII-C, Use Permit Application No. 2004-31 - Trombetta Electric
- VI. **CONFLICT OF INTEREST**
 - A. Commissioner Poore is acquainted with Mr. Trombetta, Item VII-C, but this will not have an impact on his decision.

- B. Commissioner Andrew Souza has used Azevedo Farm Service, Item VII-F, and will recuse himself from the hearing for this item.

VII. PUBLIC HEARINGS (* - Consent Items)

Commissioner Souza informed the public of the consent items and procedure.
Public hearing opened.
Public hearing closed.

*** CONSENT ITEMS**

- *A. STREET NAME CHANGE** - Request to officially name a private road "Saratoga Hills Drive," located off Rancheria Drive, in the Oakdale area. This project is exempt from CEQA.
Staff Report: Sara Lytle-Pinhey Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: No one spoke.
FAVOR: No one spoke.
Public hearing closed.
R. Souza/Assali, Unanimous (7-0), **APPROVED**.
- *B. USE PERMIT APPLICATION NO. 2005-20 - LENGEL RESIDENCE** - Request to construct a single family residence on a 5.0 acre property located in the A-2-40 (General Agriculture) zoning district. The property is located at 15271 Mellor Road, east of Meikle Road, in the Hickman area. This project is exempt from CEQA.
APN: 019-012-027
Staff Report: Bob Kachel Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: No one spoke.
FAVOR: No one spoke.
Public hearing closed.
R. Souza/Assali, Unanimous (7-0), **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT**.
- *C. USE PERMIT APPLICATION NO. 2004-31 - TROMBETTA ELECTRIC** - Request to expand retail space at an existing legal non-conforming electrical supply business located in the A-2-10 (General Agriculture) zoning district. The site is located at 3941 Roselle Avenue within the Sphere of Influence of the City of Modesto. This project is exempt from CEQA.
APN: 083-004-081
Staff Report: Bob Kachel Recommends **APPROVAL WITH ADDED CONDITIONS OF APPROVAL**.
Public hearing opened.
OPPOSITION: No one spoke.
FAVOR: No one spoke.
Public hearing closed.
R. Souza/Assali, Unanimous (7-0), **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT INCLUDING NEW CONDITIONS OF APPROVAL:**

25. THIS PROJECT BEING WITHIN THE SPHERE OF INFLUENCE OF THE CITY OF MODESTO WILL NEED TO CONNECT TO CITY UTILITIES, SUCH AS FOR THE WATER AND SEWER. A "WILL SERVE" LETTER IS REQUIRED FROM THE CITY OF MODESTO IF THE SEWER AND WATER WILL BE PROVIDED. OTHERWISE, THIS PROJECT IS SUBJECT TO MEASURE X. "THE ON-SITE SEWAGE DISPOSAL SHALL BE BY INDIVIDUAL PRIMARY AND SECONDARY WASTEWATER TREATMENT UNITS, OPERATED UNDER CONDITIONS AND GUIDELINES ESTABLISHED BY MEASURE X."
26. WATER SUPPLY FOR THE PROJECT IS DEFINED BY STATE REGULATIONS AS A PUBLIC WATER SYSTEM. WATER SYSTEM OWNER MUST SUBMIT PLANS FOR THE WATER SYSTEM CONSTRUCTION OR ADDITION; AND OBTAIN APPROVAL FROM THIS DEPARTMENT, PRIOR TO CONSTRUCTION. PRIOR TO FINAL APPROVAL OF THE PROJECT, THE OWNER MUST "APPLY FOR" AND OBTAIN A WATER SUPPLY PERMIT FROM THIS DEPARTMENT. "THE WATER SUPPLY PERMIT APPLICATION MUST INCLUDE A TECHNICAL REPORT THAT DEMONSTRATE COMPLIANCE WITH STATE REGULATIONS AND INCLUDE THE TECHNICAL AND FINANCE CAPABILITIES OF THE OWNER TO OPERATE A PUBLIC WATER SYSTEM." CONTACT DER AS SOON AS POSSIBLE TO REVIEW THE INFORMATION REQUIRED TO BE SUBMITTED.

NON-CONSENT ITEMS

- D. **ORDINANCE AMENDMENT NO. 2005-01** - The Department of Environmental Resources is requesting to add Chapter 21.78 - Subdivision Signs to the Stanislaus County Zoning Ordinance. The chapter will address the allowable locations, general requirements, time limits, removal, and application process for subdivision signs within the unincorporated area of Stanislaus County. The request will also amend various Chapters of the County Zoning Ordinance to insure overall consistency regarding subdivision signs. This project is exempt from CEQA. **(Continued from September 1, 2005.)**
Staff Report: Michael Newton, Code Enforcement Unit Manager, Recommends **APPROVAL TO THE BOARD OF SUPERVISORS.**
Public hearing opened.
OPPOSITION: No one spoke.
FAVOR: No one spoke.
Public hearing closed.
Assali/Layman, Unanimous (7-0), **RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT, ALONG WITH CHANGES IN LETTER DATED SEPTEMBER 15, 2005 FROM COUNTY COUNSEL.**

E. USE PERMIT APPLICATION NO. 2005-09 - SANCHEZ HORSE TRAINING -

Request to operate a horse training business to be developed and operated in two phases on a 1.33 acre parcel in the A-2-40 (General Agriculture) zoning district, located at 5500 Christofferson Road, in the Turlock area. **Phase One:** Construction of a tack room, six horse stalls, restroom facilities, and concrete block wall on the east/west property line. Phase One will include a hot walker, round pen, and riding area for training purposes. Phase One will allow for a total of six horses on-site and the hours of operation will be Monday-Friday 3:00 p.m. to 8:00 p.m. and Saturday 8:00 a.m. to 8:00 p.m. **Phase Two:** Construction of additional six horse stalls, a second hot walker and round pen, and two pole barns for trailer and hay storage. The hours of operation will be Monday-Saturday 8:00 a.m. to 5:00 p.m. The Planning Commission will consider a Negative Declaration on this project.

APN: 057-016-019 **(Continued from August 18, 2005.)**

Staff Report: Joshua Mann Recommends **APPROVAL OF ONLY PHASE ONE (1) OF THIS PROJECT.**

Public hearing opened.

OPPOSITION: No one spoke.

FAVOR: No one spoke.

Public hearing closed.

Assali/R. Souza, 6-1 (Poore) **APPROVED PHASE ONE (1) AS RECOMMENDED AND OUTLINED IN THE STAFF REPORT.**

6:15 p.m. Chair Andrew Souza left the chambers and Vice Chair Ray Souza chaired the hearing.

F. USE PERMIT APPLICATION NO. 2005-17 - STEVE AZEVEDO (FJS HARVESTING) - Request to allow a harvesting contractor business to continue operation, including the construction of a 8400 square foot pole barn to be used for storage of applicant's agricultural equipment on a 3.51 acre property. The property is located in the A-2-40 (General Agriculture) zoning district, at 17055 Crows Landing Road in the Crows Landing area. This project is exempt from CEQA.

APN: 049-006-005

Staff Report: Carole Maben Recommends **APPROVAL.** *Staff Report Presented by Bill Carlson.*

Public hearing opened.

OPPOSITION: No one spoke.

FAVOR: Ron West; Steve Azevedo

Public hearing closed.

Poore/Assali, Unanimous (6-0) **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT, ALONG WITH AMENDED CONDITION OF APPROVAL NO. 6 TO READ:**

6. THE HOURS OF OPERATION FOR ON-SITE MAINTENANCE AND REPAIR WILL BE 6:00 A.M. TO 6:00 P.M., MONDAY THROUGH SATURDAY.

6:50 p.m. Commissioner Andrew Souza returned to chambers.

VIII. OTHER MATTERS (NOT PUBLIC HEARINGS)

- A. None.

IX. REPORT OF THE DIRECTOR

BOARD OF SUPERVISORS' ACTIONS OF SEPTEMBER 6, 2005

- A. The Board did not meet this date.

BOARD OF SUPERVISORS' ACTIONS OF SEPTEMBER 13, 2005

- A. The Board adopted the final budget for Fiscal Year 2005-2006.

MISCELLANEOUS & ON THE HORIZON

October 6, 2005

1. Two Use Permits
2. One Time Extension
3. Seven Parcel Maps

October 20, 2005

1. Two Parcel Maps
2. One Time Extension

X. ADDITIONAL MATTERS AT DISCRETION OF CHAIRMAN

- A. Chairman Andrew Souza reminded all the commissioners to be sure and speak directly into the microphones. While he was out of the chambers during the hearing for Item VII-F, he noted the tendency to move away from the microphones and therefore not everything could be heard clearly.

XI. ADJOURNMENT

The meeting was adjourned at 6:55 p.m.



Ron E. Freitas, Secretary

(The above is a summary of the minutes of the Planning Commission. Complete tape(s) of the meeting are available from the Planning Director.)