

STANISLAUS COUNTY PLANNING COMMISSION

MINUTES

REGULAR MEETING

November 16, 2006

- I. ROLL CALL:** Meeting called to order at 6:00 p.m.
- Present: Chair Ray Souza, Marie Assali, Tony Cusenza, Annabel Gammon, Robert Hardie, and Michael Navarro
- Absent: Allen Layman, Arsenio Mataka, Jim Poore
- Staff Present: Ron E. Freitas, Director; Kirk Ford, Deputy Director; Bob Kachel, Senior Planner; Bill Carlson, Senior Planner; Sara Lytle-Pinhey, Assistant Planner; Javier Camarena, Assistant Planner; Juan Gonzalez, Assistant Planner (CDBG); Jack Doering, Assistant County Counsel; Ron Cherrier, Senior Land Development Coordinator, Public Works Department; Bella Badal, Senior Environmental Health Specialist, 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. November 2, 2006
Assali/Cusenza, 6-0, **APPROVED**
- V. CORRESPONDENCE**
- Director Freitas informed the Commissioners on various correspondence mailed in their agenda packet or placed before them this evening:
- A. Memo dated November 16, 2006, from Planning Department, correcting Owner/Applicant information on the Staff Report for Item VII-B, Parcel Map Application No. 2006-24 - Michael Lara Farms.
- B. Memo dated November 16, 2006, from Planning Department, correcting Conditions of Approval Numbers 28-34 on the Staff Report for Item VII-F, Use Permit Application No. 2006-05 - Maring Agricultural Processing Facility - Conditions of Approval No. 28-34.

VI. CONFLICT OF INTEREST

- A. Commissioner Assali knows Allen Martin, Item VII-A, and the owner of Bright Development, Item VII-E, but this won't cause a conflict.

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. PARCEL MAP APPLICATION NO. 2006-13 - ALLEN MARTIN** - Request to create parcels of approximately 40.1 and 41.9 acres in the A-2-40 (General Agriculture) zoning district, located at 742 Charles Street, adjacent to the Tuolumne River, in the Hughson area. The Planning Commission will consider a Mitigated Negative Declaration on this project.
APN: 009-029-017
Staff Report: Sara Lytle-Pinhey Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: No one spoke.
FAVOR: No one spoke.
Public hearing closed.
Cusenza/Gammon, Unanimous (6-0), **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT.**
- *B. PARCEL MAP APPLICATION NO. 2006-24 - MICHAEL LARA FARMS** - Request to divide the current 182.19 acre property into four parcels, ranging in size from 40.5 to 50.7 gross acres, in the A-2-40 (General Agriculture) zoning district. The property is located at 12213 Raines Road, west of Donkin Road, in the Patterson area. The Planning Commission will consider a Mitigated Negative Declaration on this project.
APN: 021-019-005
Staff Report: Javier Camarena Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: No one spoke.
FAVOR: No one spoke.
Public hearing closed.
Cusenza/Gammon, Unanimous (6-0), **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT.**

- *C. **PARCEL MAP APPLICATION NO. 2006-25 - LE ROY DEL DON - HIGHWAY 33 -**
Request to divide a 193.25 acre parcel, in the A-2-40 (General Agriculture) zoning district, under Williamson Act Contract No. 76-2112, into four (4) parcels of 42.5, 47.91, 53.47, and 49.23 acres. The property is located on the west side of State Highway 33 immediately adjacent to the town of Westley. The Planning Commission will consider a Negative Declaration on this project.
APN: 016-019-015
Staff Report: Bob Kachel Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: No one spoke.
FAVOR: No one spoke.
Public hearing closed.
Cusenza/Gammon, Unanimous (6-0), **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT.**
- *D. **PARCEL MAP APPLICATION NO. 2006-26 - LE ROY DEL DON - COX ROAD -**
Request to divide a 199.30 acre parcel, in the A-2-40 (General Agriculture) zoning district, under Williamson Act Contract No. 85-4039, into four (4) parcels of 56.4, 56.6, 46.2, and 41.0 acres. The property is located on the southwest side of Cox Road in the Grayson area. The Planning Commission will consider a Negative Declaration on this project.
APN: 016-031-009
Staff Report: Bob Kachel Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: No one spoke.
FAVOR: No one spoke.
Public hearing closed.
Cusenza/Gammon, Unanimous (6-0), **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT.**
- *E. **PARCEL MAP APPLICATION NO. 2006-35 - BRIGHT DEVELOPMENT (ARAKELIAN)** - Request to divide a 78.3 acre parcel into three parcels (15.0, 15.0 and 20.0 acres) and a 28.3 acre remainder, in the A-2-10 (General Agriculture) zoning district. The property is located at 644 Frazine Road, in the east Modesto area. The Planning Commission will consider a Negative Declaration on this project.
APN: 009-004-001
Staff Report: Javier Camarena Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: No one spoke.
FAVOR: No one spoke.
Public hearing closed.
Cusenza/Gammon, Unanimous (6-0), **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT.**

NON-CONSENT ITEMS

- F. USE PERMIT APPLICATION NO. 2006-05 - MARING AGRICULTURAL PROCESSING FACILITY** - Request to construct three new storage buildings (3,783, 9,900, and 9,900 square feet each) on a 154.9 acre site, in the A-2-40 (General Agriculture) zoning district, currently in production agriculture and also supporting an existing storage and processing facility. The property is located at 9843 Cox Road, in the Patterson area. The Planning Commission will consider a Negative Declaration on this project.
APN: 016-031-012
Staff Report: Bob Kachel Recommends **APPROVAL, AND DELETING CONDITIONS OF APPROVAL NUMBERS 28 THROUGH 34.**
Public hearing opened.
OPPOSITION: No one spoke.
FAVOR: Jon Maring, 980 Cox Road
Public hearing closed.
Navarro/Assali, Unanimous (6-0), **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT, AND DELETED CONDITIONS OF APPROVAL NUMBERS 28 THROUGH 34.**
- G. GENERAL PLAN AMENDMENT NO. 2006-03, REZONE APPLICATION NO. 2006-08 - FLORY INDUSTRIES** - Request to rezone and amend the General Plan to PD (Planned Development) zoning district, to allow an existing equipment manufacturer to expand, for outdoor storage and employee parking, onto an additional 10.8 acres (currently zoned A-2-40, General Agriculture). The parcel is currently 39.25 acres and has divided zoning. The developed portion is 16.55, zoned PI-13 (Planned Industrial), and the remaining 11.9 acre portion of the property will remain in agricultural production. The A-2-40 (General Agriculture) zoned portion is 22.70 acres. The parcel is located at 4737 Toomes Road, in the Salida area. The Planning Commission will consider a Negative Declaration on this project.
APN: 135-052-037
Staff Report: Bill Carlson Recommends **APPROVAL TO THE BOARD OF SUPERVISORS.**
Public hearing opened.
OPPOSITION: Aurora Macawile, Toomes Road
FAVOR: Darin Denlinger
Public hearing closed.
Assali/Navarro, Unanimous (6-0), **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT AND RECOMMEND APPROVAL TO THE BOARD OF SUPERVISORS.**

VIII. OTHER MATTERS (NOT PUBLIC HEARINGS)

- A. None.

IX. REPORT OF THE DIRECTOR

BOARD OF SUPERVISORS' ACTIONS OF NOVEMBER 7, 2006

- A. The Board approved Rezone Application No. 2006-04, Best RV Center. This was a request to rezone a 10-acre parcel with an expired PD to a new PD to allow construction operation of a recreational vehicle sales and service business on Taylor Court, in the Community of Keyes.

BOARD OF SUPERVISORS' ACTIONS OF NOVEMBER 14, 2006

- A. The Board set a public hearing for December 19, 2006 at 6:40 p.m. to consider General Plan Amendment Application No. 2005-09, Community Plan Amendment Application No. 2005-02, Rezone Application No. 2005-09, and Tentative Map Application No. 2005-05, Park View Estates.
- B. The Board set a public hearing for December 19, 2006 at 6:45 p.m. to consider General Plan Amendment Application No. 2006-01, Rezone Application No. 2006-03, Johnny & Ninwa Decker.
- C. The Board set a public hearing for December 5, 2006 at 9:20 a.m. to consider Rezone Application No. 2006-01, Amirkhas Vehicle Storage Facility.

MISCELLANEOUS & ON THE HORIZON

December 7, 2006

1. One Ordinance Amendment
2. One Subdivision Map
3. One Parcel Map
4. One Time Extension
5. Revocation of Zoning & Use Permit for El Rematito Marketplace
6. Nominations for Nuisance Abatement Hearing Board members

December 21, 2006

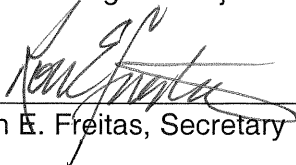
1. Two Use Permits
2. Parcel Map and Exception

X. ADDITIONAL MATTERS AT DISCRETION OF CHAIRMAN

- A.** Commissioners Assali, Gammon, and Cusenza reported on the California County Planning Commissioners Association Conference held in Sonoma on October 27 and 28, 2006.

XI. ADJOURNMENT

The meeting was adjourned at 7:10 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 Commission Clerk.)