

STANISLAUS COUNTY PLANNING COMMISSION

MINUTES

REGULAR MEETING

October 6, 2005

- I. ROLL CALL:** Meeting called to order at 6:03 p.m.
Present: Chair Andrew Souza, Marie Assali, Annabel Gammon, Allen Layman, Jim Poore, and Ray Souza
Absent: Tony Cusenza and Mike Navarro
Staff Present: Ron E. Freitas, Director; Bob Kachel, Senior Planner; Debra Whitmore, Senior Planner; Angela Freitas, Senior Planner; Bill Carlson, Senior Planner; Joshua Mann, Assistant Planner; 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. September 15, 2005
Ray Souza/Assali, 6-0, **APPROVED**
- V. CORRESPONDENCE**
Director Freitas informed the Commissioners on various correspondence placed before them this evening:
- A. Memo requesting continuance to November 3, 2005 for Item VII-D, Parcel Map Application No. 2005-13 - Gregory Jackson.
- B. Memo requesting indefinite continuance of Item VII-J, Parcel Map Application No. 2005-17 and Exception No. 2005-03, Truhett Parcel Map.
- VI. CONFLICT OF INTEREST**
- A. None.

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. USE PERMIT APPLICATION NO. 2005-18 - PETROGULF CORPORATION - BETTENCOURT** - This is a request to drill and operate a natural gas well on a small portion of a 93.54 acre site in the A-2-40 (General Agriculture) zoning district, located at the southwest corner of Maze Boulevard (State Route 132) and River Road, in the Vernalis area. A Negative Declaration will be considered.
APN: 016-002-059
Staff Report: Bob Kachel Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: No one spoke.
FAVOR: No one spoke.
Public hearing closed.
Poore/Layman, Unanimous (6-0), **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT.**
- *B. PARCEL MAP APPLICATION NO. 2005-10 - LE ROY DEL DON - RIVER ROAD** - This is a request to divide 83.1 acres, under Williamson Act Contract No. 73-1325, into two parcels of 41.3 and 41.9 acres in the A-2-40 (General Agriculture) zoning district, located on the southwest side of River Road, north of Burkhard Road, in the Grayson area. A Negative Declaration will be considered on this project.
APN: 016-011-003
Staff Report: Joshua Mann Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: No one spoke.
FAVOR: No one spoke.
Public hearing closed.
Poore/Layman, Unanimous (6-0), **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT.**
- *C. PARCEL MAP APPLICATION NO. 2005-11 - LE ROY DEL DON - FRANK COX ROAD** - This is a request to divide 122.3 acres, under Williamson Act Contract No. 72-1122, into three parcels of 42.3, 40.0 and 40.0 acres in the A-2-40 (General Agriculture) zoning district, located on the southwest corner of Frank Cox Road and Highway 33, in the Westley area. A Negative Declaration will be considered.
APN: 016-019-052
Staff Report: Joshua Mann Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: No one spoke.
FAVOR: No one spoke.

Public hearing closed.

Poore/Layman, Unanimous (6-0), **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT.**

- *D. PARCEL MAP APPLICATION NO. 2005-13 - GREGORY JACKSON** - This is a request to divide a 153.27 acre site into parcels of 48.85, 48.80 and 55.62 acres in the A-2-40 (General Agriculture) zoning district, located on the north side of Claribel Road, east of Tim Bell Road, in the Oakdale area. There is an abandoned airstrip on this parcel which will remain abandoned. A Negative Declaration will be considered. **This item is being continued to November 3, 2005.**

APN: 011-005-014

Staff Report: Carole Maben Recommends **CONTINUE TO NOVEMBER 3, 2005.**

Public hearing opened.

OPPOSITION:

FAVOR:

Public hearing closed.

Poore/Layman, Unanimous (6-0), **CONTINUED TO NOVEMBER 3, 2005.**

- *E. PARCEL MAP APPLICATION NO. 2002-01 AND EXCEPTION APPLICATION NO. 2005-01 - JIM AND KAREN BRADFORD** - This is a request to create two 10-acre parcels in the A-2-10 (General Agriculture) zoning district, located at 12545 Lambuth Road, between Lambuth and Valley Home Roads, in the Valley Home / Oakdale area. An Exception to the Stanislaus County Subdivision Ordinance is being requested due to the fact that both parcels do not front on a County-maintained road. A Negative Declaration will be considered. **This item is being continued to October 20, 2005.**

APN: 002-057-031

Staff Report: Carole Maben Recommends **CONTINUE TO OCTOBER 20, 2005.**

Public hearing opened.

OPPOSITION: No one spoke.

FAVOR: No one spoke.

Public hearing closed.

Poore/Layman, Unanimous (6-0), **CONTINUED TO OCTOBER 20, 2005.**

- *F. PARCEL MAP APPLICATION NO. 2005-16 - LILLIAN COLOMBO** - This is a request to create parcels of 9.24, 9.24, and 4.30 acres from a 22.79± acre site in the R-A (Rural Residential) zoning district, located at 11500 Rodden Road, east of Gibbs Road, in the Oakdale area. This project is Exempt from CEQA.

APN: 010-001-060

Staff Report: Bob Kachel Recommends **APPROVAL.**

Public hearing opened.

OPPOSITION: No one spoke.

FAVOR: No one spoke.

Public hearing closed.

Poore/Layman, Unanimous (6-0), **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT.**

- *G. TIME EXTENSION 2005-02 - UGO & SALLY LEA AND MARY KRUSE** - This is a request to grant a one-year time extension for implementation of Tentative Map No. 2002-20 and Exception No. 2002-04 - Ugo P. & Sally A. Lea and Mary Krause. The property is in a R-A (Rural Residential) zoning district and is located on the east side of Sterns Road about 120 feet north of Oakhurst Drive, in the Oakdale area. This project is Exempt from CEQA.
APN: 064-014-001
Staff Report: Bill Carlson Recommends **APPROVAL TIME EXTENSION TO OCTOBER 4, 2005.**
Public hearing opened.
OPPOSITION: No one spoke.
FAVOR: No one spoke.
Public hearing closed.
Poore/Layman, Unanimous (6-0), **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT GRANTED TIME EXTENSION TO OCTOBER 4, 2006.**
- *H. PARCEL MAP APPLICATION NO. 2005-05 - MARK KEATON** - This is a request to create parcels of 4.0 and 4.9 (net) acres in the M (Industrial) zoning district, located on the east side of Beard Avenue, between El Roya Drive and the MID Lateral No. 1, in the Modesto area. The parcels will be served by the City of Modesto for water and sewer. This project is Exempt from CEQA.
APN: 036-008-001

Item VII-H is removed from the Consent Calendar and will be heard under Non-Consent Calendar, per request from Commissioner Assali.

- *I. USE PERMIT APPLICATION NO. 2005-22 - TUCKER RESIDENCE** - This is a request to construct a single-family dwelling on a 9.78 acre parcel in the A-2-40 (General Agriculture) zoning district, located on the west side of S. Roselawn Avenue, south of East Avenue and north of Linwood Avenue, in the Turlock area. This project is Exempt from CEQA.
APN: 024-046-038

Item VII-I is removed from the Consent Calendar and will be heard under Non-Consent Calendar, per request of Commissioner Assali.

NON-CONSENT ITEMS

Items VII-H and VII-I were removed from Consent Calendar.

- H. PARCEL MAP APPLICATION NO. 2005-05 - MARK KEATON** - This is a request to create parcels of 4.0 and 4.9 (net) acres in the M (Industrial) zoning district, located on the east side of Beard Avenue, between El Roya Drive and the MID Lateral No. 1, in the Modesto area. The parcels will be served by the City of Modesto for water and sewer. This project is Exempt from CEQA.
APN: 036-008-001

Staff Report: Bob Kachel Recommends **APPROVAL**.

Public hearing opened.

OPPOSITION: No one spoke.

FAVOR: John Miller, Hawkins & Associates Engineering

Public hearing closed.

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

6. Road right-of-way shall be deeded to Stanislaus County to provide for:
 - A. Thirty five (35) feet east of the centerline of Beard Avenue adjacent to Parcel "1";
 - B. Thirty five (35) feet north of the centerline of El Roya Avenue adjacent to Parcel "2"; and,
 - C. The chord distance of a ~~35-foot~~ **50-foot** radius at the Beard/El Roya intersection.

This dedication shall be shown on the final parcel map to be recorded.

- I. **USE PERMIT APPLICATION NO. 2005-22 - TUCKER RESIDENCE** - This is a request to construct a single-family dwelling on a 9.78 acre parcel in the A-2-40 (General Agriculture) zoning district, located on the west side of S. Roselawn Avenue, south of East Avenue and north of Linwood Avenue, in the Turlock area. This project is Exempt from CEQA.
APN: 024-046-038
Staff Report: Joshua Mann Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: No one spoke.
FAVOR: Gerald Tucker; Harvey Crivelli
Public hearing closed.
Layman/Assali, Unanimous (6-0), **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT.**
- J. **PARCEL MAP APPLICATION NO. 2005-17 AND EXCEPTION APPLICATION NO. 2005-03 - OLYMPIA M. TRUHETT** - This is a request to create three (3) parcels of 5.01 acres and one (1) 8.18 acre parcels in the A-2-5 (General Agriculture) zoning district from a 22.81± acres site, located at 13243 Orange Blossom Road, in the Oakdale area. There is a request for an Exception to the Stanislaus County Subdivision Ordinance because one of the parcels does not front on a County-maintained road. This project is Exempt from CEQA. **This item is being continued indefinitely.**
APN: 010-048-033
Staff Report: Bob Kachel Recommends **APPROVAL OF INDEFINITE CONTINUANCE**.
Poore/Gammon, Unanimous (6-0), **CONTINUED INDEFINITELY.**

VIII. OTHER MATTERS (NOT PUBLIC HEARINGS)

- A. None.

IX. REPORT OF THE DIRECTOR

BOARD OF SUPERVISORS' ACTIONS OF SEPTEMBER 20, 2005

- A. The Board set a public hearing for October 25, 2005 at 9:25 a.m. to consider an appeal of Planning Commission's denial of Use Permit Application No. 2004-23, The Lighthouse Church.
- B. The Board considered the adoption of the 2004-2005 Consolidated Annual Performance Evaluation Report of the Community Development Block Grant Program and approved that.

BOARD OF SUPERVISORS' ACTIONS OF SEPTEMBER 27, 2005

- A. The Board honored Jim Duval, Deputy Director of Planning and Community Development, and also the head of the County Redevelopment Program, for 25 years of service.
- B. The Board approved a response to the US Fish and Wildlife Service Final Rules Designating Critical Habitat for the California Tiger Salamander and Vernal Pool Species.

BOARD OF SUPERVISORS' ACTIONS OF OCTOBER 4, 2005

- A. The Board did not meet this date.

MISCELLANEOUS & ON THE HORIZON

October 20, 2005

- 1. Three Parcel Maps, one with an Exception
- 2. One Time Extension

November 3, 2005

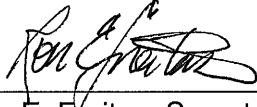
- 1. Two General Plan Amendments, both with Rezone Applications
- 2. One Use Permit
- 3. Two Parcel Map

X. ADDITIONAL MATTERS AT DISCRETION OF CHAIRMAN

- A. None.

XI. ADJOURNMENT

The meeting was adjourned at 6:25 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.)

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