



AGENDA
NEWMAN PLANNING COMMISSION
REGULAR MEETING OF OCTOBER 20, 2011
CITY COUNCIL CHAMBERS, 7:00 P.M., 1200 MAIN STREET

1. **Call To Order.**
2. **Pledge Of Allegiance.**
3. **Roll Call.**
4. **Commission Reorganization.**
 - a. Election Of Chairperson
 - b. Election Of Vice Chairperson
 - c. Election Of Architectural Review Committee Member
5. **Approval Of The Agenda.**
6. **Approval Of Minutes From The August 18, 2011 Meeting. ([View Minutes](#))**
7. **Items From The Public.**
8. **New Business**
 - a. **Stanislaus County Mayor's Agriculture Preservation Map 2050**

Applicant: City Of Newman
Description: The Newman City Council Has Requested That The Planning Commission Review And Provide A Recommendation On The Potential Newman Area Boundaries For The Agricultural Preservation Plan 2050.
Location: Newman 2030 General Plan Planning Area.
([View Report](#))
9. **Items From Commissioners.**
10. **Items From Director And Staff.**
11. **Adjournment.**

MINUTES
NEWMAN PLANNING COMMISSION
REGULAR MEETING OF AUGUST 18, 2011
CITY COUNCIL CHAMBERS, 7:00 P.M., 1200 MAIN STREET

1. **Call To Order** - 7:01 P.M.
2. **Pledge Of Allegiance.**
3. **Roll Call PRESENT:** Sloan, Coleman (Arrived At 7:05 P.M.), Allan and Maurer.
ABSENT: None.
4. **Oath of Office - New Commissioner.**

City Attorney Hallinan Administered The Oath Of Office To New Commissioner Vicki Lucas.

5. **Approval Of The Agenda.**

ACTION: On Motion By Allan Seconded By Sloan And Unanimously Carried, The Agenda Was Approved.

6. **Approval Of Minutes From The April 21, 2011 Meeting.**

ACTION: On Motion By Sloan Seconded By Allan And Unanimously Carried, The Minutes From The April 21, 2011 Meeting Were Approved.

7. **Items From The Public** - None.

8. **New Business**

- a. **Public Hearing**

- Site Plan Review No. 11-01**

- Applicant:** AutoZone

- Description:** Conduct A Site Plan Review For The Development Of A 6,660 Square Foot Automotive Retail Store.

- Location:** 1641 "N" Street, At The Northwest Corner Of Inyo Avenue And "N" Street (Highway 33); More Specifically Described As Assessor's Parcel Number 128-009-013.

Assistant Planner Ocasio Reviewed And Presented Site Plan Review No. 11-01.

Commissioner Maurer Opened The Public Hearing At 7:05 P.M.

Scott P. Sehm, Program Manager CEI Engineering Associates, Inc., 7543 N. Ingram Ave., Ste. 107 Fresno, CA 93711, Explained That He Was The Civil Engineer For The Project And That He Would Be Representing AutoZone. Sehm Noted That AutoZone Had Been Working With City Staff For The Previous Eight Months To Achieve An Acceptable Project. Sehm Reported That AutoZone Was Very Happy With The The Final Design And That They Were Pleased With The Conditions. He Mentioned That They Had No Complaints Or Recommendations Other Than They Were Requesting Approval. Sehm Stated That He Was Willing Answer Any Questions.

John Pires, Napa Auto Parts, 1262 Main Street, Stated That He Had Been Working In The Auto-Parts Business For Almost Thirty Years And In His Opinion He Does Not Think That This City Can Support Three Auto Parts Stores. He Noted That He Does Not Think That The City Will Realize Any Gain In Sales Tax Revenues Or An Increase In Jobs; He Clarified That If AutoZone Comes To Town, He And His Current Competitor Would Just Lose Business And Be Forced To Lay Employees Off.

Bonifacio Garcia, BG Auto Parts, 1441 "N" Street, Stated That He Agreed With Mr. Pires And That He Also Thought That The Community Would Not Be Able To Support Three Auto Part Dealers. Garcia Concluded By Telling The Commission That Approving AutoZone Would Make Things Difficult For The Existing Auto Parts Stores.

Linda Pires, Napa Auto Parts, 1262 Main Street, Reminded The Commission Of The Importance Of Supporting Local People Who Live In And Support The Community. Pires Asserted That Big Box Stores Make A Big Splash In The Beginning But They Have More Staff Turnover And They Won't Have The Commitment To The Community That The Existing Stores Have. She Asked The Commission To Think About The Long-Term Impacts. Pires Thanked The Commissioners For Their Time And For Their Service On The Planning Commission.

Ashok Mehta, 1459 "M" Street, Asserted That He Diligently Worked With The City To Remodel And Preserve His Historic Building And Now If AutoZone Is Approved It Will Likely Be Sitting Next To An Empty Building. Mehta Reinforced That The Empty Building Would Become Blight And That It Is Situated Right Next Door To A Historic Building That The City Was So Adamant About Preserving. He Questioned Who Would Shop At The Auto Zone Store And Stated That He Thought That Only Newman And Gustine Residents Would Patronize The Store. Mehta Speculated That AutoZone May Export Sales Taxes From Newman To City Where Their Corporation Is Based. He Noted That He Thought That The Notices For The Public Hearing Should Have Been Done Earlier And That The Sign At The Project Site Should Have Been Larger.

Commissioner Maurer Clarified That This Public Hearing Was For A Site Plan Review And Not A Use Permit.

Commissioner Sloan Stated That She Sympathized With Those Making Public Comments But Noted That The Commission's Job Is Only To Review The Site Plan For Consistency With The General Plan.

Commissioner Coleman Questioned What The Remainder Of The Process Would Be If The Site Plan Were Approved.

Assistant Planner Ocasio Stated That The Business Would Be Approved Ministerially Provided That They Met All Other Code Requirements.

There Being No Further Public Comment, Commissioner Maurer Closed The Public Hearing At 7:29 P.M.

ACTION: On Motion By Sloan Seconded By Allan And Carried By The Following Roll Call Vote, The Planning Commission Approved Variance No. 11-01. AYES: Allan, Lucas, Sloan, And Maurer; NOES: Coleman; ABSENT: None; NOT PARTICIPATING: None.

9. Items From Commissioners.

Commissioner Maurer Asked About The Status Of The Old Patchett Building. Maurer Congratulated City On The Purchase Of The I.O.O.F. Building And Thought It Was A Wonderful Use Of A Historic Building.

Commissioner Coleman Asked If The Restrooms At The Plaza Were Completed.

10. Items From Director And Staff.

Assistant Planner Ocasio Reported That The City Had Purchased The I.O.O.F. Building To Be Utilized As The Future City Hall. Ocasio Noted That The Veterans Administration Would Be Hosting A Service Appreciation For Veterans And Their Families On Saturday, August 20th In The Council Chambers. She Mentioned That Staff Was Working On Environmental Review OF The Current Year's CDBG Projects. Ocasio Notified The Commission That The City Had Reapplied For The Proposition 84 State Grant To Construct An Aquatic Center But Stated That The Project Had To Be Scaled Back Due To A Lack Of Redevelopment Funds. She Reminded The Commission That They Would Need To Reorganize At Their Next Meeting As A Result Of Chairperson Applegate's Resignation. Ocasio Mentioned That She Had Provided Each Of Them With A Copy Of The Planning Commissioner's Book.

11. Adjournment.

ACTION: On Motion By Allan Seconded By Sloan And Unanimously Carried, The Meeting Was Adjourned At 7:34 P.M.

**CITY OF NEWMAN
COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT**

PLANNING COMMISSION MEETING DATE: October 20, 2011

AGENDA ITEM: 8.a.

Stanislaus County Mayor’s Agriculture Preservation Map 2050

Location: Newman GP Planning Area **Applicant:** City of Newman

CEQA: Exempt

REQUEST:

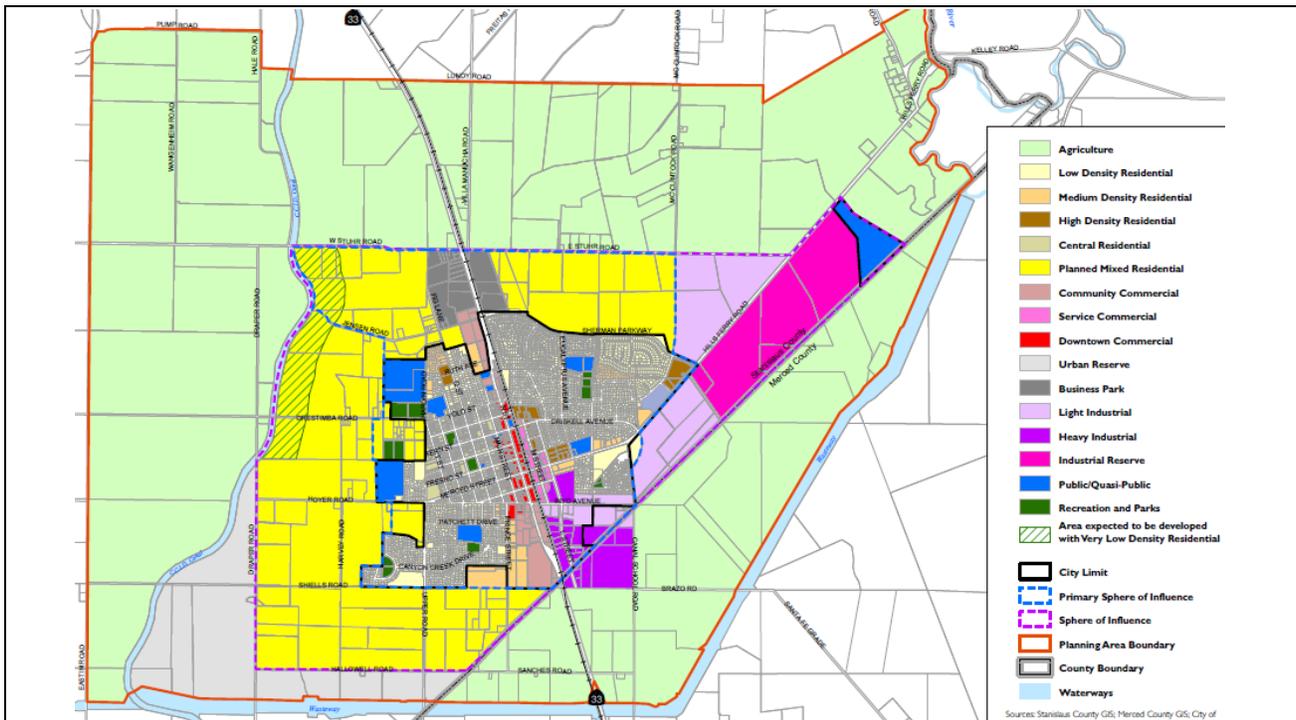
Review and provide recommendation on the potential Newman area boundaries for the Mayor’s Agricultural Preservation Plan 2050.

LOCATION:

Newman 2030 General Plan Planning Area

ENVIRONMENTAL ASSESSMENT:

The action being contemplated does not fall under the definition of a “Project” as defined in CEQA Guidelines Section 15378. Accordingly, no further assessment will be undertaken.



BACKGROUND:

In December 2010 (at the request of then chair Jim DeMartini) the Local Agency Formation Commission (LAFCO) discussed agricultural preservation strategies; including those of other LAFCO's across California. Based on the input received at that meeting, LAFCO decided to send a letter to the Mayors' Group to attend a future meeting to discuss their efforts to develop a Stanislaus County Growth Management Plan. That was deferred until the July 27, 2011 LAFCO meeting where Riverbank Mayor Virginia Madueño presented a draft map. That map outlined a long-term (i.e. 2050) growth boundary outside of which the mayors felt comfortable designating as agricultural preservation areas. Mayor Madueño emphasized that the map was very preliminary and needed more input from the Cities, County and the public. No action was taken by LAFCO.

The Mayor's group requested that the aforementioned information be taken to each City Council and the Board of Supervisors for public input to create a map. A preliminary county-wide map was prepared in consultation with all of the cities and the County (Exhibit A). The map for the Newman area (Exhibit B) is very basic and has only recently been approved for release to the public for discussion and input. On September 27, 2011, the City Council referred the map to the Planning Commission for review and recommendation.

The County map is proposed to serve as the basis for a county-wide agricultural conservation strategy and is subject to the decisions made by each City Council and the County Board of Supervisors regarding their specific jurisdictional areas. The goal is to create a map that can serve as the centerpiece for a county-wide agricultural preservation ballot initiative that may be taken to voters as early as summer 2012. As of this point, the details of any ballot initiative have not been drafted.

ANALYSIS:

The draft Newman Area Mayor's Map was crafted through the utilization of the City's adopted 2030 General Plan Land Use Map. The draft Newman Area Map is consistent with the Planning Area Boundaries identified in the General Plan that was adopted in 2007. In addition to its consistency with adopted land uses, the map is also consistent with General Plan Goal NR-1 "promote the continued productivity of agricultural land surrounding Newman and prevent the premature conversion of agricultural land to urban uses."

CONCLUSION:

Staff is seeking input on the proposed growth boundaries from the public and a recommendation from the Planning Commission to the City Council.

ATTACHMENTS:

1. Exhibit A, Draft Mayor's Map – Stanislaus County
2. Exhibit B, Draft Mayor's Map – City of Newman
3. Exhibit C, City of Newman 2030 General Plan Land Use Map (Figure LU-3)

DRAFT

Agriculture Preservation/Urban Growth Strategy 2050

NOTES:

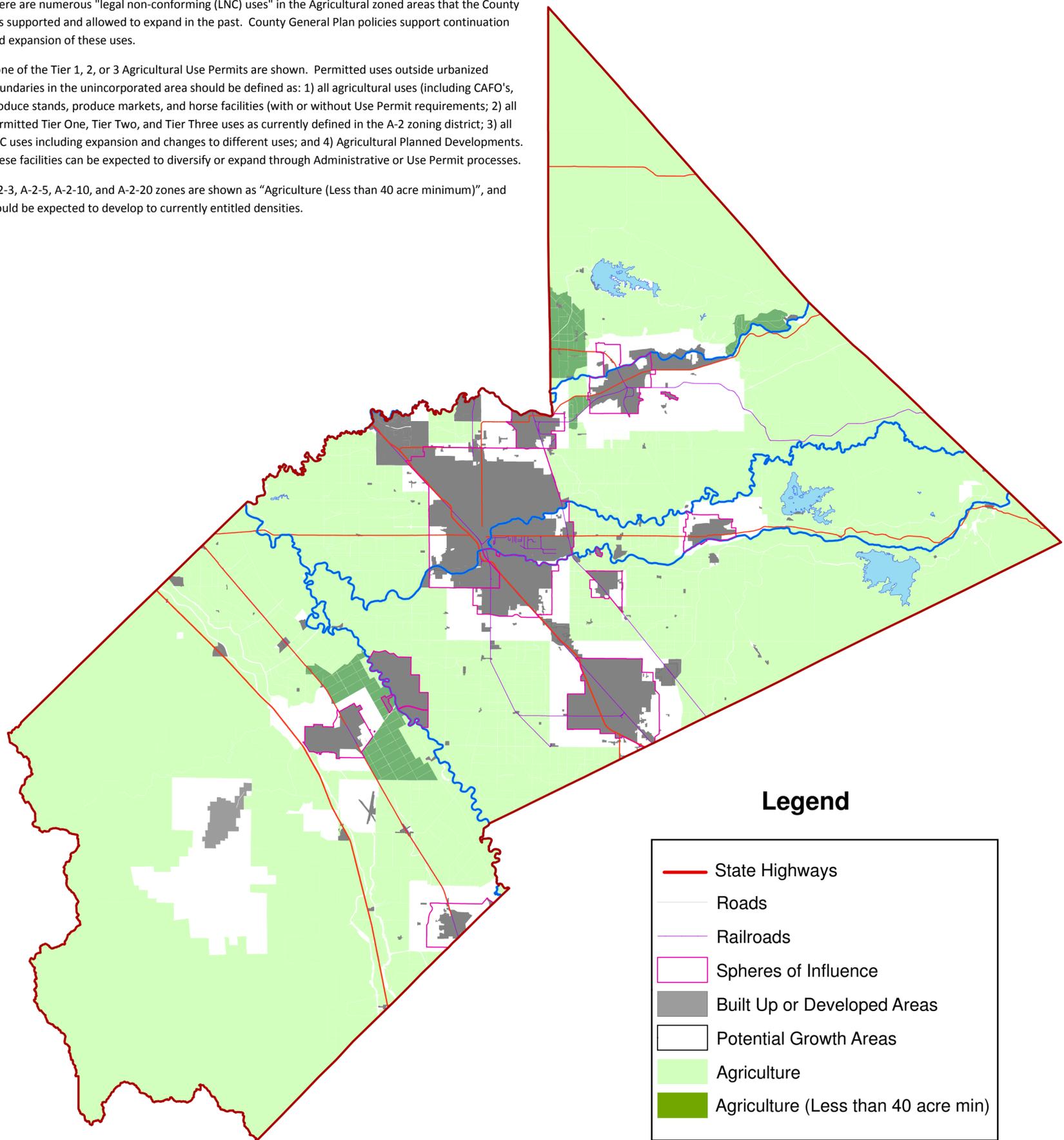
Unincorporated County Communities are shown, as well as isolated areas currently zoned for commercial and/or industrial development.

Non-residential development can be expected to be proposed (and perhaps approved) at many interchanges and major intersections along major transportation corridors (State Highways, Railroads, North and South County Corridors and Major Expressways) regardless of whether these interchanges/intersections are within Incorporated Cities or unincorporated areas.

There are numerous "legal non-conforming (LNC) uses" in the Agricultural zoned areas that the County has supported and allowed to expand in the past. County General Plan policies support continuation and expansion of these uses.

None of the Tier 1, 2, or 3 Agricultural Use Permits are shown. Permitted uses outside urbanized boundaries in the unincorporated area should be defined as: 1) all agricultural uses (including CAFO's, produce stands, produce markets, and horse facilities (with or without Use Permit requirements); 2) all permitted Tier One, Tier Two, and Tier Three uses as currently defined in the A-2 zoning district; 3) all LNC uses including expansion and changes to different uses; and 4) Agricultural Planned Developments. These facilities can be expected to diversify or expand through Administrative or Use Permit processes.

A-2-3, A-2-5, A-2-10, and A-2-20 zones are shown as "Agriculture (Less than 40 acre minimum)", and would be expected to develop to currently entitled densities.



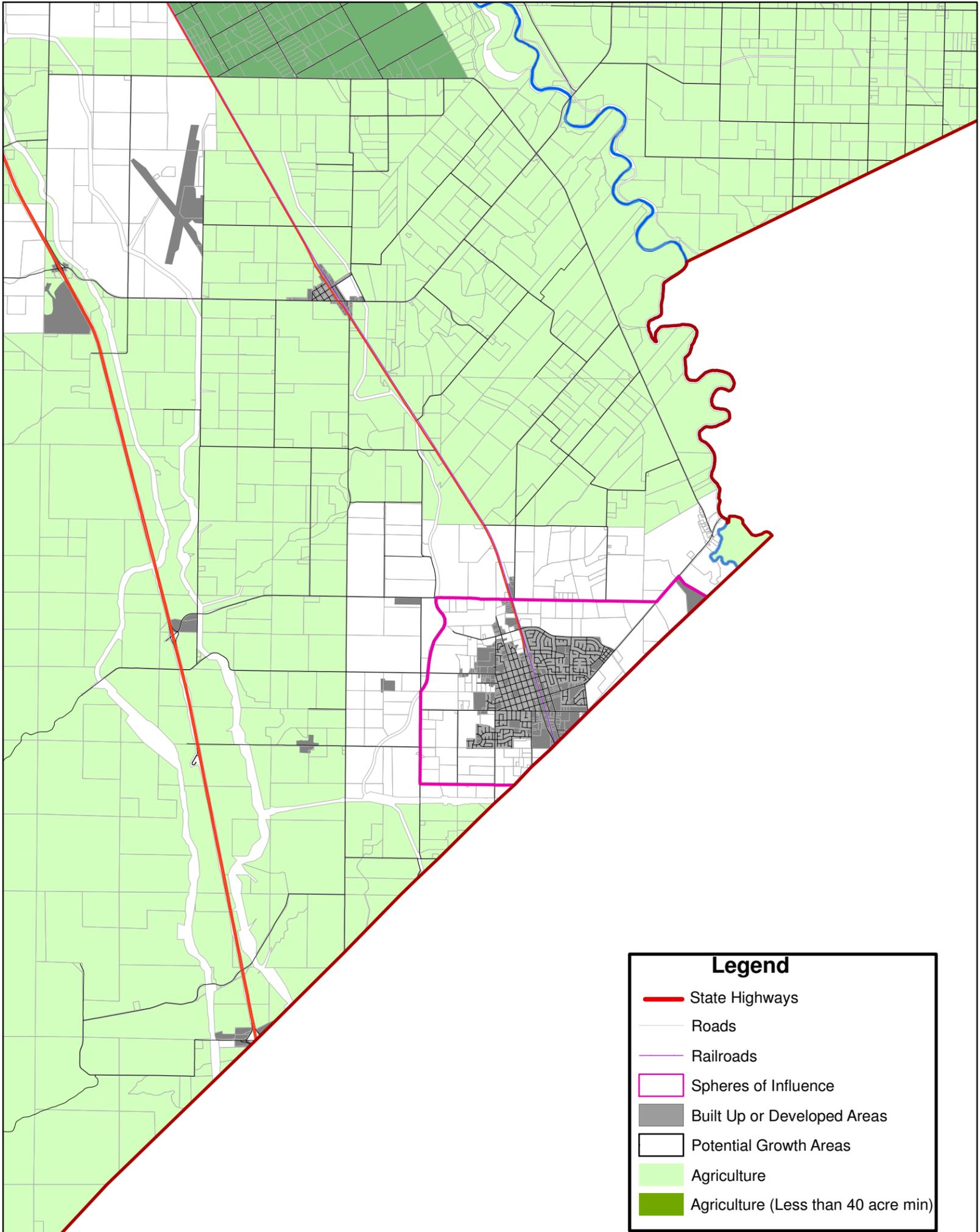
0 1.5 3 6 9 12 15 Miles



NEWMAN AREA

DRAFT

Agriculture Preservation/Urban Growth Strategy 2050



0 0.5 1 2 3 4 5 Miles



Modified September 22, 2011 - v2

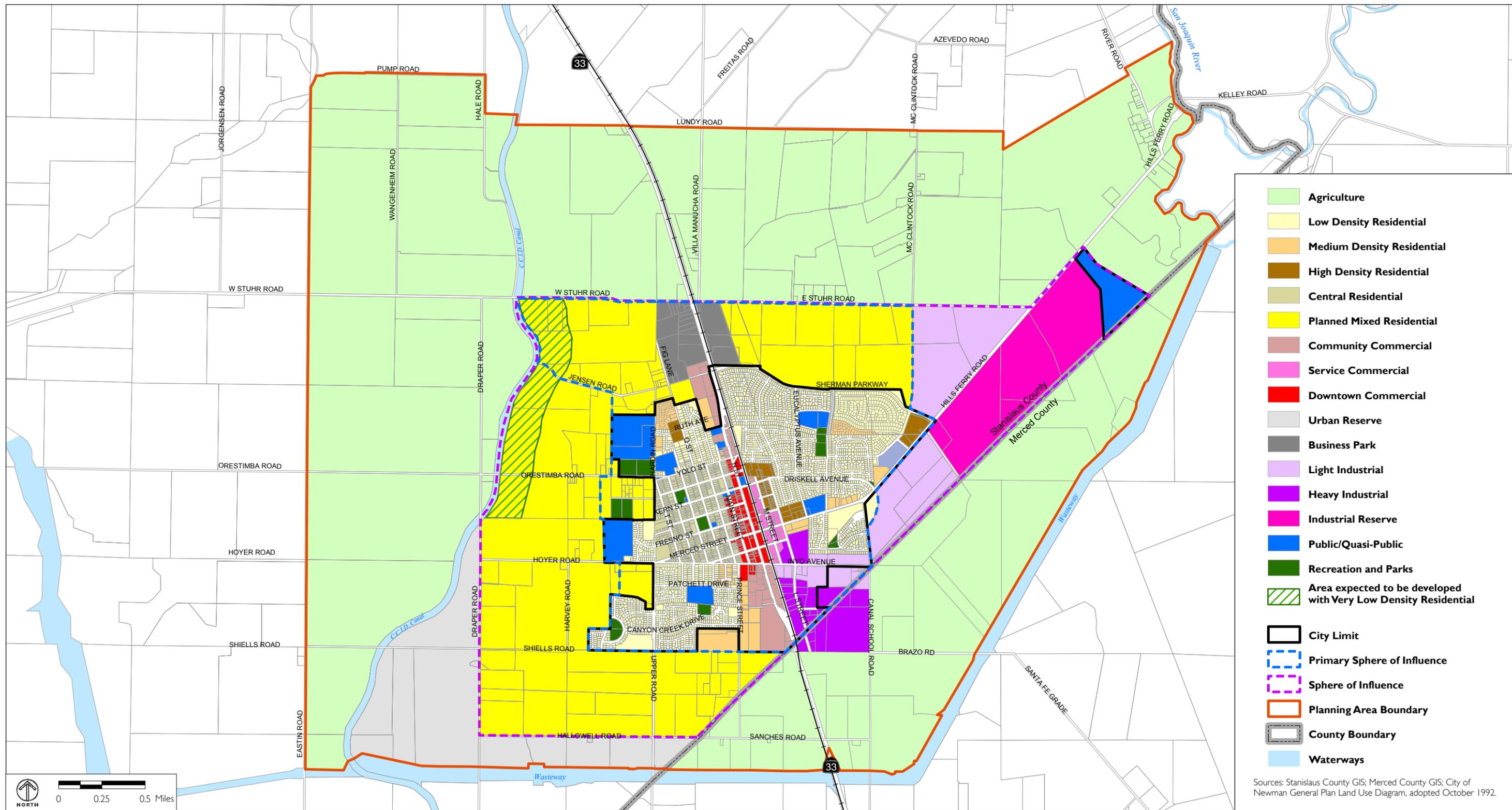


FIGURE LU-3
LAND USE DESIGNATIONS