

STANISLAUS COUNTY PLANNING COMMISSION

MINUTES

REGULAR MEETING

October 19, 2017

- I. ROLL CALL:** Meeting called to order at 6:00 p.m.
Present: Chair Marc Etchebarne, Marjorie Blom, Kenneth Buehner, Richard Gibson, Scott Hicks, Tom Orvis, Bobby Yamamoto
Absent: Katherine Borges and Steve Boyd
Staff Present: Angela Freitas, Director; Miguel Galvez, Deputy Director; Rachel Wyse, Senior Planner; Kristin Doud, Senior Planner; Jeremy Ballard, Assistant Planner; Denzel Henderson, Assistant Planner; Thomas E. Boze, Assistant County Counsel; Angie Halverson, Senior Land Development Coordinator, Public Works; Bella Badal, Senior Environmental Health Specialist, Department of Environmental Resources; Jennifer Akin, Planning Commission Clerk
- II. PLEDGE OF ALLEGIANCE**
- III. CITIZEN'S FORUM** – No one spoke.
- IV. APPROVAL OF MINUTES**
- A. October 5, 2017
Hicks/Yamamoto (7/0) **APPROVED**
- V. CORRESPONDENCE**
Director Freitas informed the Commissioners of various items of correspondence placed before them this evening:
- A. Letter received October 16, 2017, from Hickman Municipal Advisory Council, regarding item VII-C – Variance Application No. PLN2017-0064 – Hickman Market
- B. Memo dated October 19, 2017, from Stanislaus County Planning & Community Development regarding item VII-D – Ordinance Amendment No. PLN2017-0119 – Commercial Cannabis Activities
- VI. CONFLICT OF INTEREST**
- VII. PUBLIC HEARINGS (* - Consent Items)**
Commissioner Etchebarne informed the public of the consent items and procedure.

*** CONSENT ITEMS**

- *A. **USE PERMIT APPLICATION NO. PLN2016-0029 – GREWAL TRUCK PARKING** – *Requesting indefinite continuance* - Request to establish and operate a truck parking facility for up to twelve tractor-trailer combinations, on approximately 1.5 acres of a 4.77± acre parcel in the A-2-10 (General Agriculture) zoning district. The property is located at 515 E. Greenway Avenue, east of Lander Avenue and south of State Highway 99, south of the City of Turlock. The Planning Commission will consider adoption of a CEQA Negative Declaration for the project. APN: 044-026-011.
Staff Report: Denzel Henderson, Assistant Planner, Recommends **APPROVAL**.
Orvis/Buehner (7/0) **APPROVED THE STAFF RECOMMENDATION FOR AN INDEFINITE CONTINUANCE.**

NON-CONSENT ITEMS

Items heard out of order - Item VII-D was heard prior to the remaining Non-Consent Items.

- B. **USE PERMIT APPLICATION NO. PLN2016-0085 – VARGAS CUSTOM LANDSCAPING, INC.** – Request to establish and operate a wholesale nursery with an accessory landscape contracting business on a 9.74 net acre parcel in the A-2-40 (General Agriculture) zoning district. The property is located at 1500 Saint Francis Avenue, between Carver and Tully Roads, north of the city of Modesto. The Planning Commission will consider adoption of a CEQA Negative Declaration for the project. APN: 004-017-004
Staff Report: Denzel Henderson, Assistant Planner, Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: None.
FAVOR: JD Hightower, applicant's representative; Rich Holmer, neighbor; Roger Haney, neighbor
Public hearing closed.
Blom/Yamamoto (7/0) **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT.**
- C. **VARIANCE APPLICATION NO. PLN2017-0064 – HICKMAN MARKET** – Request for a Variance from the Stanislaus County Zoning Ordinance Section 21.52.040(E), which requires construction of an 8-foot high masonry wall, as required for reconstruction of the existing neighborhood market, along property lines where the commercially zoned property abuts residential zoned properties to the north and east. The property is located at 13135 Lake Road, east of Montpelier Road, east of Hickman Road, in the Hickman area. This project is considered EXEMPT from the California Environmental Quality Act (CEQA). APN: 080-046-010.
Staff Report: Rachel Wyse, Senior Planner, Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: Melinda King, neighbor; Sean King, neighbor
FAVOR: John Price, applicant's representative; Saranjit Kaur, family member
Public hearing closed.
Buehner/Orvis (7/0) **BASED ON THE INABILITY TO MAKE THE NECESSARY FINDINGS TO APPROVE THE VARIANCE, VARIANCE DENIED.**

- D. ORDINANCE AMENDMENT NO. PLN2017-0119 – COMMERCIAL CANNABIS ACTIVITIES – *Requesting continuance to November 2, 2017.*** Request to amend Chapter 21.08 – General Provisions, Chapter 21.12 Definitions, Chapter 21.20 General Agriculture District (A-2), Chapter 21.42 Planned Industrial District (PI), Chapter 21.56 General Commercial District (C-2), Chapter 21.60 Industrial District (M), and Chapter 21.64 Limited Industrial District (LM) of the Stanislaus County Title 21 Zoning Ordinance to allow for commercial cannabis activities, subject to obtaining a discretionary land use permit. This project is considered EXEMPT from the California Environmental Quality Act (CEQA) APN: Countywide.
Staff Report: Kristin Doud, Senior Planner, Recommends **CONTINUANCE**.
Orvis/Yamamoto (7/0) **APPROVED CONTINUANCE TO NOVEMBER 2, 2017, PLANNING COMMISSION MEETING.**

VIII. OTHER MATTERS (NOT PUBLIC HEARINGS) - None

IX. REPORT OF THE PLANNING DIRECTOR

BOARD OF SUPERVISORS ACTIONS

October 17, 2017: Approved the Planning Commission's Recommendation for Approval of Ordinance Amendment Application No. PLN2017-0055 – Small Livestock Farming with two exclusions:

- The exclusion of the amendment to Section 21.24.080(D) adding "pens, coops, cages, or similar housing used"; and
- The exclusion of the language "except for commercial dairy, poultry, or hog operations" as added to Section

Planning Commission

November 2, 2017: One Use Permit in the Oakdale area. One Ordinance Amendment, item continued from October 19, 2017

November 16, 2017: One General Plan Amendment and Rezone in the Modesto area, One Rezone in the Modesto area, and One Parcel Map in the Oakdale area.

X. ADDITIONAL MATTERS AT DISCRETION OF CHAIRMAN – None

XI. ADJOURNMENT

The meeting was adjourned at 7:11 p.m.

Signature on file.

Angela 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 Department.)