

STANISLAUS COUNTY PLANNING COMMISSION

AGENDA

February 7, 2019

6:00 P.M.

CHAMBERS – BASEMENT LEVEL
TENTH STREET PLACE
1010 10TH STREET, MODESTO
www.stancounty.com/planning

The Planning Commission welcomes you to its meetings which are regularly scheduled the first and third Thursday of each month, and your interest is encouraged and appreciated.

The agenda is divided into two sections:

CONSENT CALENDAR: These are items on this agenda designated by an asterisk (*) next to the item number, requiring a Planning Commission public hearing but which, following an initial evaluation by staff, have been found to be consistent with existing County policy and the County General Plan and are, therefore, recommended for "routine" approval. Prior to actual Planning Commission consideration, the Chair will open the public hearing and ask if anyone present wishes to discuss any of the items. If you want a particular agenda item removed from "Consent", please speak up and advise the Chair. That item will then be withdrawn from "Consent" and reviewed in detail as scheduled. The remaining "Consent" items for which there are no voice objections will be handled by a single action of the Commission.

NON-CONSENT CALENDAR: These items will be individually discussed and reviewed in detail.

ANY MEMBER OF THE AUDIENCE DESIRING TO ADDRESS THE PLANNING COMMISSION REGARDING A MATTER ON THE AGENDA: While the Planning Commission welcomes and encourages participation in the Commission meetings, it would be appreciated if comments are limited to five minutes so that everyone may be heard.

PUBLIC COMMENT PERIODS: Matters under the jurisdiction of the Commission, and not on the posted agenda, may be addressed by the general public at the beginning of the regular agenda and any off-agenda matters before the Planning Commission for consideration; however, California law prohibits the Commission from taking any action on any matter which is not on the posted agenda unless it is determined to be an emergency by the Board of Supervisors. Any member of the public wishing to address the Commission during the "Citizen's Forum" period will be limited to a maximum of 5 minutes.

New agenda items will not be heard after 11:00 p.m. If agenda item is not fully discussed by 12:30 a.m., it will be continued at the discretion of the Chair.

PLANNING COMMISSION AGENDAS AND MINUTES: Commission Agendas, Minutes, and copies of items to be considered by the Planning Commission are typically posted on the internet on Friday afternoons preceding the meeting at the following website: <http://www.stancounty.com/planning/>. All materials, including materials related to an item on this Agenda, submitted to the Commission after distribution of the agenda packet are available for public inspection in the Planning Department at 1010 10th Street, Suite 3400, Modesto, during normal business hours.

NOTICE REGARDING NON-ENGLISH SPEAKERS: Planning Commission meetings are conducted in English and translation to other languages is not provided. Please make arrangements for an interpreter if necessary.

REASONABLE ACCOMMODATIONS: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Commission Clerk at (209) 525-6330. Notification 72 hours prior to the meeting will enable the Clerk to make arrangements to ensure accessibility to this meeting.

1. **ROLL CALL:** Chair Scott Hicks, Marjorie Blom, Kenneth Buehner, Marc Etchebarne, Thomas Maring, Wayne Mott, Perfecto Munoz, Wayne Zipser
2. **PLEDGE OF ALLEGIANCE**
3. **CITIZEN'S FORUM**

4. **MINUTES**

- A. January 17, 2019 [\[View Item\]](#)

5. **CORRESPONDENCE**

6. **CONFLICT OF INTEREST DECLARATION**

7. **PUBLIC HEARINGS (*Consent Items)**

***CONSENT ITEMS** - None.

NON-CONSENT ITEMS

- A. **VESTING TENTATIVE PARCEL MAP AND EXCEPTION APPLICATION NO. PLN2018-0072 – ODOM – MORRISON ROAD** - Request to subdivide a 15.21± acre parcel into two parcels of 9.4± and 5.8± acres in the A-2-5 (General Agriculture) zoning district. An exception to the Subdivision Ordinance is requested to create a parcel without frontage on a County-maintained road. Proposed Parcel “1” will take access to Frymire and Morrison Roads via existing road easements. The project is located at 16300 Morrison Road, between Orange Blossom and Frymire Roads, north of the Stanislaus River, in the Knights Ferry area. The Planning Commission will consider adoption of a CEQA Negative Declaration for this project. APN: 002-043-024. [\[View Item\]](#)

- B. **USE PERMIT AND DEVELOPMENT AGREEMENT APPLICATION NO. PLN2018-0110 – PREM GEN CORP – 536 EL ROYA AVE.** - Request to establish an indoor commercial cannabis cultivation, nursery, and distribution operation in three phases within three existing 5,000 square-foot warehouses in the M (Industrial) zoning district. A Development Agreement is included in the project request. The project is located at 536 El Roya Avenue, South of Yosemite (HWY 132) Blvd, in the Modesto area. The Planning Commission will consider finding that no further analysis under CEQA is required pursuant to CEQA Guidelines Section 15183 (Consistency with a General Plan or Zoning for which an EIR was certified). APN: 036-008-033.

For a copy of this item please contact the Planning Department at (209) 525-6330 or send an email to Planning@stancounty.com

- C. **USE PERMIT AND DEVELOPMENT AGREEMENT APPLICATION NO. PLN2018-0097 – LEGACY NURSERY, LLC – 5737 CALIFORNIA AVE.** - Request to establish a mixed-light commercial cannabis nursery operation within an existing 2,500 square foot agricultural storage barn in the A-2-40 (General Agriculture) zoning district. A Development Agreement is included in the project request. The project is located at 5737 California Avenue, between Stone and Texas Avenues, south of Maze Boulevard (HWY 132), in the Modesto area. The Planning Commission will consider finding that no further analysis under CEQA is required pursuant to CEQA Guidelines Section 15183 (Consistency with a General Plan or Zoning for which an EIR was certified). APN: 012-055-011.

For a copy of this item please contact the Planning Department at (209) 525-6330 or send an email to Planning@stancounty.com

D. USE PERMIT AND DEVELOPMENT AGREEMENT APPLICATION NO. PLN2018-0098 – LEGACY NURSERY, LLC – 6812 CALIFORNIA AVE. –

Request to establish a mixed-light commercial cannabis nursery operation, in phases within three 10,080 square foot greenhouses in the A-2-40 (General Agriculture) zoning district. A Development Agreement is included in the project request. The project is located at 6812 California Avenue, on the southeast corner of S. Hart Road and California Avenue, south of Maze Boulevard (HWY 132), in the Modesto area. The Planning Commission will consider finding that no further analysis under CEQA is required pursuant to CEQA Guidelines Section 15183 (Consistency with a General Plan or Zoning for which an EIR was certified). APN: 017-003-020.

For a copy of this item please contact the Planning Department at (209) 525-6330 or send an email to Planning@stancounty.com

8. OTHER MATTERS (Not Public Hearings)
9. REPORT OF THE PLANNING DIRECTOR
10. ADDITIONAL MATTERS AT DISCRETION OF THE CHAIR
11. ADJOURNMENT

ALL ACTIONS OF THE STANISLAUS COUNTY PLANNING COMMISSION CAN BE APPEALED TO THE BOARD OF SUPERVISORS BY 5 P.M., February 19, 2019. THE FEE FOR APPEAL IS \$1,270.00.