

STANISLAUS COUNTY PLANNING COMMISSION

MINUTES

REGULAR MEETING

October 3, 2019

1. **ROLL CALL:** Meeting called to order at 6:00 p.m.

Present: Chair Scott Hicks, Marjorie Blom, Kenneth Buehner, Thomas Maring, Wayne Mott, Perfecto Munoz, Lars Willerup, and Wayne Zipser.

Absent: Commissioner Etchebarne

Staff Present: The following Planning & Community Development staff were present: Angela Freitas, Director; Kristin Doud, Senior Planner; Jeremy Ballard, Associate Planner, and Angelica Dueñas, Confidential Assistant IV. The following Stanislaus County staff were also present: Rob Taro, Assistant County Counsel; Tera Chumley, Management Consultant, Chief Executive Office; Ramon Salinas, Assistant Engineer/Surveyor, Department of Public Works; and Bella Badal, Senior Environmental Health Specialist, Department of Environmental Resources.

2. PLEDGE OF ALLEGIANCE

3. CITIZEN'S FORUM - No one spoke.

4. APPROVAL OF MINUTES

- A. September 5, 2019
Buehner/Munoz (6/0) **APPROVED.**
Commissioners Blom and Zipser abstained.

5. CORRESPONDENCE

Director Freitas informed the Commissioners of correspondence placed before them this evening:

- A. Farmland Working Group Newsletter – Fall 2019

6. CONFLICT OF INTEREST – None.

7. PUBLIC HEARINGS (* - Consent Items)

Chair Hicks informed the public that there were no consent items.

* CONSENT ITEMS – None.

NON-CONSENT ITEMS

- A. **ORDINANCE AMENDMENT NO. PLN2018-0037 – COMMERCIAL CANNABIS ORDINANCES** – Request to amend Chapter 6.78 – Commercial Cannabis Activities and Chapter 21.20 - General Agriculture District (A-2) of the Stanislaus

County Code. The proposed ordinance amendments apply to commercial cannabis activities in unincorporated Stanislaus County and include the following: minor technical amendments for the purposes of clarity and consistency with state regulations; minor amendments to the operating procedures of retail and cultivation activities; an amendment to the definitions of cultivation and youth center; updates to the procedural processes for the suspension, revocation, or non-renewal of Commercial Cannabis Activity Permits; updates to the procedural processes for the enforcement, declarations of public nuisance, and abatement procedures of commercial cannabis activities. All commercial cannabis projects will continue to be subject to obtaining a discretionary land use permit and development agreement prior to obtaining a Stanislaus County Commercial Cannabis Activity Permit. This project is exempt from the California Environmental Quality Act. APN: County-wide

Staff Report: Kristin Doud, Senior Planner, Recommends **APPROVAL**.

Public hearing opened.

OPPOSITION: Kristin Johns.

FAVOR: Zach Drivon, Drivon Consulting, attorney for Lyfted Farms, Medallion Wellness, and Truleaf Inc.

Public hearing closed.

Buehner/Zipser (5/3) **RECOMMENDED DENIAL TO THE BOARD OF SUPERVISORS.**

Roll Call Vote: Ayes – Commissioners: Buehner, Hicks, Mott, Willerup, and Zipser.

Noes – Commissioners: Blom, Maring, and Munoz.

Abstaining – None.

Absent – Commissioner Etchebarne.

8. **OTHER MATTERS (NOT PUBLIC HEARINGS)** – None.

9. **REPORT OF THE PLANNING DIRECTOR**

BOARD OF SUPERVISORS ACTIONS

September 24, 2019: Set public hearing for 10/22/2019 to consider the Planning Commission's recommendation for denial of Use Permit and Development Agreement application No. PLN2018-0115, Empire Health & Wellness, request to establish a commercial cannabis retail business with delivery services, located at 4725 Yosemite Boulevard (State Route 132), between A and B Streets, in the Community of Empire.

Approved Use Permit and Development Agreement Application No. PLN2018-021, All Season Organics, LLC, request to operate a mixed-light commercial cannabis cultivation, nursery, and distribution business, located at 1054 Merriam Road, between Riverview and Blue Gum Roads, in the Hickman area.

October 1, 2019: Accepted the report of the Planning Commission's September 5, 2019, decision of approval of Vesting Tentative Subdivision Map application No. PLN2017-0053, Adam & Diane Schwartz, a request to subdivide a 30.13

acre parcel into six parcels of at least five acres, in the A-2-5 (General Agriculture) zoning district, located at 14291 Orange Blossom Road, between Stone Avenue and Orange Blossom Court, in the Oakdale area.

Adopted the recommended decision of the Nuisance Abatement Hearing Board regarding a property located at 716 Turner Street, Modesto, CA, Dangerous Building Abatement Case No. DNB2018-0005.

Approved Use Permit and Development Agreement application No. PLN2018-0129, Mission Nurseries, LLC, request to operate a mixed-light commercial cannabis cultivation and nursery business, located at 2306 Almond Avenue, between Elm Avenue and San Joaquin River, in the Patterson area.

MISCELLANEOUS & ON THE HORIZON

Planning Commission:

October 17, 2019: Two Use Permits; one in the Ceres area and one in the Westly area. One Use Permit and Development Agreement in the Modesto area and one Parcel Map in the Newman area.

10. ADDITIONAL MATTERS AT DISCRETION OF CHAIRMAN

11. ADJOURNMENT

The meeting was adjourned at 6:53 p.m.

Signature on file.

Angela Freitas, Secretary
Planning and Community Development

(The above is a summary of the minutes of the Planning Commission. Complete audio recordings and videos of the meeting are available from the Planning Department or on our website: <http://www.stancounty.com/planning/agenda/index.shtm>.)