

STANISLAUS COUNTY PLANNING COMMISSION

AGENDA

December 19, 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 That item will then be withdrawn from "Consent" and reviewed in detail as scheduled.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: Agendas, Minutes, and copies of items to be considered by the Planning Commission are available at least 72 hours prior to the scheduled meeting date on the Planning Commission's Agenda & Minutes web page (www.stancounty.com/planning/agenda/index.shtm). 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, Lars Willerup, Wayne Zipser
2. **PLEDGE OF ALLEGIANCE**
3. **CITIZEN'S FORUM**

4. **MINUTES**

- A. November 21, 2019 [\[View Item\]](#)
- B. December 5, 2019 [\[View Item\]](#)

5. **CORRESPONDENCE**

6. **CONFLICT OF INTEREST DECLARATION**

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

***CONSENT ITEMS**

- *A. **VESTING TENTATIVE PARCEL MAP APPLICATION NO. PLN2019-0084 – LYONS LAND MANAGEMENT – GATES ROAD** - Request to subdivide a 108.1± acre parcel into 54.2± and 53.9± acre parcels in the A-2-40 (General Agriculture) zoning district. The project site is located at 1949 Gates Road, on the southwest corner of Shoemake Avenue and Gates Road, in the Modesto area. The Planning Commission will consider finding that no further analysis is required pursuant to California Environmental Quality Act Guidelines Section 15183 (Consistency with a General Plan or Zoning for which an EIR was prepared). APN: 012-044-016. [\[View Item\]](#)
- *B. **PARCEL MAP APPLICATION NO. PLN2019-0038 – DAVID E POTTER INVESTMENTS – Requesting indefinite continuance** - Request to subdivide a 13.46 acre parcel into two parcels of 2.24 and 11.22 acres in the A-2-20 (General Agriculture) zoning district. The property is located at 151 Pomelo Avenue, on the northeast corner of Highway 33 and Pomelo Avenue, in the Patterson area. The Planning Commission will consider finding that no further environmental analysis is required pursuant to the California Environmental Quality Act Guidelines Section 15183 (Consistency with a General Plan or Zoning for which an Environmental Impact Report was prepared). APN: 048-016-022. [\[View Item\]](#)
- *C. **USE PERMIT AND DEVELOPMENT AGREEMENT APPLICATION NO. PLN2018-0096 – TRULEAF, INC. – Requesting continuance to January 16, 2020** - Request to obtain a Use Permit and Development Agreement to allow indoor commercial cannabis cultivation, manufacturing (non-volatile), and distribution activities within an existing 22,000 square foot warehouse building in the P-I (17) (Planned Industrial) zoning district. The project is located at 4622 Glass Court, between Glass Lane and Galaxy Way, south of Kiernan Avenue, in the Modesto area. The Planning Commission will consider finding that no further environmental analysis is required pursuant to the California Environmental Quality Act Guidelines Section 15183 (Consistency with a General Plan or Zoning for which an Environmental Impact Report was prepared). APN: 046-011-049. [\[View Item\]](#)

NON-CONSENT ITEMS

- D. **USE PERMIT APPLICATION NO. PLN2019-0028 – KEYES COMMUNITY SERVICE DISTRICT** - Request to construct a new wastewater lift station and

supporting facilities on 4,356 square foot vacant parcel in the A-2-10 (General Agriculture) zoning district. The project site is located south of the intersection of Foote Road and the Union Pacific Railroad, north of East Keyes Road in the Community of Keyes. The Planning Commission will consider adoption of a California Environmental Quality Act Mitigated Negative Declaration for this project. APN: 045-049-018. [\[View Item\]](#)

- E. USE PERMIT AND DEVELOPMENT AGREEMENT APPLICATION NO. PLN2019-0086 – LYFTED FARMS – DALY AVENUE** - Request to obtain a Use Permit and Development Agreement to allow indoor commercial cannabis cultivation, manufacturing (volatile), and distribution activities within an existing 170,751 square-foot warehouse in the (M) Industrial zoning district. The project is located at 217 Daly Avenue, south of Yosemite Blvd. (SR 132), in the Modesto Area. The Planning Commission will consider finding that no further environmental analysis is required pursuant to the California Environmental Quality Act Guidelines Section 15183 (Consistency with a General Plan or Zoning for which an Environmental Impact Report was prepared). APN: 036-017-016.
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)**
- A. Assignment of Nuisance Abatement Hearing Board Members
9. **REPORT OF THE PLANNING DIRECTOR**
10. **ADDITIONAL MATTERS AT DISCRETION OF THE CHAIR**
11. **ADJOURNMENT**

DECISIONS OF THE STANISLAUS COUNTY PLANNING COMMISSION, EXCLUDING RECOMMENDATIONS, ARE APPEALABLE TO THE BOARD OF SUPERVISORS IF FILED WITH THE CLERK OF THE BOARD WITHIN TEN DAYS OF THE DATE OF THE PLANNING COMMISSION MEETING AT WHICH THE DECISION IS MADE (COUNTY CODE SECTION 21.112.040 – PLANNING COMMISSION DECISIONS). THE APPEAL FEE IS \$1,307.00.