

# STANISLAUS COUNTY PLANNING COMMISSION

## MINUTES

REGULAR MEETING

November 21, 2019

1. **ROLL CALL:** Meeting called to order at 6:00 p.m.  
  
Present: Chair Scott Hicks, Marjorie Blom, Marc Etchebarne, Wayne Mott, Lars Willerup, Wayne Zipser  
  
Absent: Kenneth Buehner, Thomas Maring, and Perfecto Munoz  
  
Staff Present: The following Planning & Community Development staff were present: Angela Freitas, Director; Rachel Wyse, Senior Planner, Jeremy Ballard, Associate Planner, Kristen Anaya, Assistant Planner, Teresa McDonald, Assistant Planner, and Jennifer Akin, Planning Commission Clerk. The following Stanislaus County staff were also present: Rob Taro, Assistant County Counsel; Daniel Solish, Deputy 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. October 17, 2019  
Etchebarne/Willerup (6/0) **APPROVED.**
5. **CORRESPONDENCE**  
Director Freitas informed the Commissioners that there was no correspondence.
6. **CONFLICT OF INTEREST**
  - A. Commissioner Etchebarne – Non-Consent item 7-E – General Plan Amendment, Rezone, Use Permit, and Development Agreement Application No. PLN2018-0101 – Natural Remedies Consulting.
  - B. Assistant County Counsel, Rob Taro – Consent item 7-D – Vesting Tentative Parcel Map Application No. PLN2017-0067 – John Kenney Trust.
7. **PUBLIC HEARINGS (\* - Consent Items)**  
Commissioner Hicks informed the public of the consent items and procedure.

**\* CONSENT ITEMS**

- \*A. TIME EXTENSION FOR VESTING TENTATIVE SUBDIVISION MAP (VTSM) APPLICATION NO. PLN2015-0101 - KEYES 19 NORTH** - Request for a one-year time extension. The approved VTSM allows for the subdivision of four parcels totaling 13.2± acres into 64 single-family residential lots of at least 5,000 square feet in the Low-Density Residential Urban Services (R-1 US) zoning district. The project is located at 4707, 4713, and 4805 Norma Way, between Lucinda Avenue and Norma Way, in the Community of Keyes. The project is considered Exempt from the California Environmental Quality Act. APNs: 045-021-003, 045-021-008, 045-021-023, 045-021-024.  
Staff Report: Teresa McDonald, Assistant Planner, Recommends **APPROVAL**.  
Etchebarne/Mott (6/0) **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF MEMO.**
- \*B. TIME EXTENSION FOR VESTING TENTATIVE SUBDIVISION MAP (VTSM) APPLICATION NO. PLN2015-0102 - KEYES 19 SOUTH** - Request for a one-year time extension. The approved VTSM allows for the subdivision of a 6.7± acre parcel into 27 single-family residential lots of at least 5,000 square feet in the Low-Density Residential Urban Services (R-1 US) zoning district. The project is located at 5819 Washington Road, between Norma Way and Nunes Road, in the Community of Keyes. The project is considered Exempt from the California Environmental Quality Act. APN: 045-071-005.  
Staff Report: Teresa McDonald, Assistant Planner, Recommends **APPROVAL**.  
Etchebarne/Mott (6/0) **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF MEMO.**
- \*C. VESTING TENTATIVE PARCEL MAP APPLICATION NO. PLN2019-0051 – ORESTIMBA VENTURES** - Request to subdivide two 121± acre parcels into four parcels ranging in size from 59± to 62± acres in the A-2-40 (General Agriculture) zoning district. The project is located at 3030 Orestimba Road, on the southwest corner of Orestimba and Eastin Roads, in the Newman 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 Environmental Impact Report was prepared). APNs: 026-020-031 and 026-020-032.  
Staff Report: Kristen Anaya, Assistant Planner, Recommends **APPROVAL**.  
Etchebarne/Mott (6/0) **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT.**
- \*D. VESTING TENTATIVE PARCEL MAP APPLICATION NO. PLN2017-0067 – JOHN KENNEY TRUST** - Request to subdivide an 89.7 acre parcel into two parcels of 44.8 and 44.9 acres in the A-2-40 (General Agriculture) zoning district. The project is located at 613 South Dakota Avenue, south of Maze Boulevard (State Route 132), in the Modesto area. The Planning Commission will consider adoption of a California Environmental Quality Act Negative Declaration for this project. APN: 007-053-010.  
Staff Report: Rachel Wyse, Senior Planner, Recommends **APPROVAL**.  
Etchebarne/Mott (6/0) **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT.**

**6:03 p.m. Assistant County Counsel Taro entered Chambers. Deputy County Counsel Solish and Commissioner Etchebarne left Chambers.**

**NON-CONSENT ITEMS**

- E. GENERAL PLAN AMENDMENT, REZONE, USE PERMIT, AND DEVELOPMENT AGREEMENT APPLICATION NO. PLN2018-0101 – NATURAL REMEDIES CONSULTING** - Request to amend the general plan and zoning designation of a 1.01-acre property from Planned Industrial to Planned Development, and to obtain a Use Permit and Development Agreement, to allow indoor commercial cannabis cultivation, manufacturing (non-volatile), retail, and distribution in an existing 12,000 square-foot warehouse building. A Development Agreement is included in the project request. The project is located at 5272 Jerusalem Court, north of Kiernan Avenue, in the Modesto Area. The Planning Commission will consider adoption of a California Environmental Quality Act Negative Declaration for this project. APN: 004-065-019. Staff Report: Jeremy Ballard, Associate Planner, Recommends **APPROVAL**. Public hearing opened.  
**OPPOSITION:** None.  
**FAVOR:** None  
Public hearing closed.  
Blom/Willerup (5/0) **RECOMMENDED APPROVAL TO THE BOARD OF SUPERVISORS AS OUTLINED IN THE STAFF REPORT.**

**6:19 p.m. Commissioner Etchebarne returned to Chambers.**

- 8. OTHER MATTERS (NOT PUBLIC HEARINGS) – None.**
- 9. REPORT OF THE PLANNING DIRECTOR**

**BOARD OF SUPERVISORS ACTIONS**

- October 22, 2019: Approved Use Permit and Development Agreement Application No. PLN2018-0115 – Empire Health and Wellness, request to establish a commercial cannabis retail business with delivery services located at 4725 Yosemite Boulevard, between A and B Streets, in the Community of Empire.
- November 5, 2019: Approved Ordinance Amendment Application 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.
- November 19, 2019: Approved to set the Public Hearing on December 10, 2019, to consider Planning Commission’s recommendation of denial of Use Permit and Development Agreement Application No. PLN2018-0103 – The People’s Remedy, request to establish a commercial cannabis retail storefront and distribution operation located at 1350 Lone Palm Avenue, north of Woodland Avenue, in the Modesto area.

**MISCELLANEOUS & ON THE HORIZON**

Planning Commission

December 5, 2019: One Time Extension in the Modesto area, and one General Plan Amendment, Rezone, Use Permit and Development Agreement in the Modesto area.

Assistant County Counsel Taro provided a status of the litigation between Stanislaus County and Central Valley Recycling.

**10. ADDITIONAL MATTERS AT DISCRETION OF THE CHAIR – None.**

**11. ADJOURNMENT**

The meeting was adjourned at 6:22 p.m.

Signature on file.

Angela Freitas, Secretary

(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>.)