

# STANISLAUS COUNTY PLANNING COMMISSION

## MINUTES

REGULAR MEETING

January 16, 2020

1. **ROLL CALL:** Meeting called to order at 6:00 p.m.  
  
Present: Marjorie Blom, Kenneth Buehner, Erika Durrer, Scott Hicks, Thomas Maring, Wayne Mott, Perfecto Munoz, Lars Willerup, Wayne Zipser  
  
Absent: None.  
  
Staff Present: The following Planning & Community Development staff were present: Angela Freitas, Director; Kristin Doud, Senior Planner; Jeremy Ballard, Associate Planner; Kristen Anaya, Assistant Planner; Emily Basnight, Assistant Planner; and Jennifer Akin, Planning Commission Clerk. 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; Bella Badal, Senior Environmental Health Specialist; and Parminder Dhillion, Environmental Health Specialist, Department of Environmental Resources.
2. **PLEDGE OF ALLEGIANCE**  
  
Following the Pledge of Allegiance, the Oath of Office was administered by Rob Taro, Assistant County Counsel, to Commissioner Erika Durrer.  
  
*Item 8-A was heard out of order.*
3. **CITIZEN'S FORUM** – No one spoke.
4. **APPROVAL OF MINUTES**  
  
A. December 19, 2019  
Buehner/Munoz (8/0) **APPROVED**.  
Commissioner Durrer abstained.
5. **CORRESPONDENCE**  
Director Freitas informed the Commissioners that there was no correspondence.
6. **CONFLICT OF INTEREST** – None.
7. **PUBLIC HEARINGS (\* - Consent Items)**  
Commissioner Blom informed the public that there were no consent items.  
  
\* CONSENT ITEMS – None.

**NON-CONSENT ITEMS**

- A. **USE PERMIT APPLICATION NO. PLN2018-0001 – PACIFIC COAST COMMODITIES** – Request to establish a nut shelling, sizing, sorting, bulk packaging, and storage facility on a 9.35± acre parcel is in the A-2-40 (General Agriculture) zoning district. The operation will utilize an existing 1,600 square-foot office and three existing barn structures totaling 60,000± square feet. The property is located at 7224 Faith Home Road, between East Taylor and West Zeering Roads, in the Turlock area. The Planning Commission will consider adoption of a California Environmental Quality Act Negative Declaration for this project. APN: 023-001-021.  
Staff Report: Kristen Anaya, Assistant Planner, Recommends **APPROVAL**.  
Public hearing opened.  
**OPPOSITION:** None.  
**FAVOR:** None.  
Public hearing closed.  
Buehner/Maring (9/0) **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT.**
- B. **USE PERMIT AND DEVELOPMENT AGREEMENT APPLICATION NO. PLN2018-0096 – TRULEAF, INC. – Continued from December 19, 2019 -** Request to operate an 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. A Development Agreement is included in the project request. 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.  
Staff Report: Jeremy Ballard, Associate Planner, Recommends **APPROVAL**.  
Public hearing opened.  
**OPPOSITION:** None.  
**FAVOR:** Zach Drivon, applicant representative

*At the request of Commissioner Zipser, Stanislaus County Sheriff, Jeff Dirkse was invited to address the Commission regarding updates to security measures within the County.*

Public hearing closed.

Willerup/Zipser (9/0) **RECOMMENDED APPROVAL TO THE BOARD OF SUPERVISORS AS OUTLINED IN EXHIBIT A OF THE JANUARY 17, 2019 PLANNING COMMISSION STAFF REPORT, AND, WITH DELETION OF CONDITIONS OF APPROVAL 15, 16, 17, AND 20, AND THE ADDITION OF CONDITION OF APPROVAL 40 AS OUTLINED IN THE JANUARY 16, 2020 PLANNING COMMISSION MEMO, TO READ AS FOLLOWS:**

- ~~15. Applicant shall provide a characterization of all process wastewater to Stanislaus County Public Works prior to the issuance of a commercial cannabis permit, building permit, grading permit, or tenant improvement permit. Characterization to include quantity of process wastewater in~~

~~gallons per day, and composition of pollutant loadings; i.e. the physical, chemical, and biological constituents present in the process wastewater.~~

- ~~16. Applicant shall provide a plan to separate process wastewater from domestic wastewater to Stanislaus County Public Works prior to the issuance of a commercial cannabis permit, building permit, grading permit, or tenant improvement permit. Plan to include details for the storage and disposal of process wastewater. Process wastewater shall not be discharged to the on-site septic system.~~
- ~~17. Applicant shall maintain process wastewater disposal manifests on-site. Manifests shall be made available for inspection by Stanislaus County Public Works staff during regular business hours.~~
- ~~20. Any wastewater generated from business operation that does not meet the definition of residential strength wastewater as defined in the Decentralized Wastewater Glossary shall not be disposed into the OWTS.~~

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- 40. All creation, collection, and disposal of process wastewater shall be done in accordance with the latest requirements from the State Water Resources Control Board Guidelines and County's Department of Public Works requirements in effect at the time of wastewater disposal. Prior to issuance of a CCA Permit, the applicant shall demonstrate compliance with these requirements to the Department of Public Works.**

**Roll Call Vote:** Ayes – Commissioners Blom, Buehner, Durrer, Hicks, Maring, Mott, Munoz, Willerup, and Zipser  
Noes – None.  
Abstaining – None.  
Absent – None.

- C. USE PERMIT AND DEVELOPMENT AGREEMENT APPLICATION NO. PLN2018-0163 – BLUE OAK NATURALS, LLC – Request to operate a mixed-light commercial cannabis cultivation business, to allow up to 22,000 square feet of cultivation canopy in greenhouses and processing activities in phases, in the A-2-40 (General Agriculture) zoning district. A Development Agreement is included in the project request. The project is located at 778 Albers Road, between Yosemite Boulevard (SR 132) and Dusty lane, 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: 009-014-025. Staff Report: Jeremy Ballard, Associate Planner, Recommends **APPROVAL**. Public hearing opened.  
**OPPOSITION:** Bill O'Brien, resident; Michelle Stagno, resident; Catherine Brown, resident  
**FAVOR:** Brad Coleman, property owner/applicant; Robert Mendes, resident  
Public hearing closed.**

Willerup/Munoz (3/6) **A MOTION WAS MADE TO RECOMMEND APPROVAL TO THE BOARD OF SUPERVISORS, THE MOTION FAILED DUE TO A LACK OF MAJORITY VOTE. AS SUCH, THE PLANNING COMMISSION RULES AND REGULATIONS STIPULATE THAT THE RECOMMENDATION OF THE PLANNING COMMISSION TO THE BOARD OF SUPERVISORS SHALL BE TO DENY THE PROPOSAL.**

**Roll Call Vote:** Ayes – Commissioners Blom, Munoz, and Willerup  
Noes – Commissioners Buehner, Durrer, Hicks, Maring, Mott, and Zipser  
Abstaining – None.  
Absent – None.

## **8. OTHER MATTERS (NOT PUBLIC HEARINGS)**

*Item 8-A – Election of Chair and Vice-Chair for 2020 was heard out of order, prior to Item 3 - Citizen's Forum.*

### **A. Election of Chair and Vice-Chair for 2020**

Upon motion of Commissioner Zipser, seconded by Commissioner Buehner, the Planning Commission unanimously voted (9/0) to appoint Commissioner Blom as Chair and Commissioner Maring as Vice-Chair for the 2020 calendar year.

### **B. Appointment of Commissioners to the General Plan Update Committee for 2020**

Commissioner Blom appointed Commissioner Munoz (member), Commissioner Buehner (member), and Commissioner Hicks (alternate).

## **9. REPORT OF THE PLANNING DIRECTOR**

### **BOARD OF SUPERVISORS ACTIONS**

January 7, 2020: Appointed Erika Durrer to the Stanislaus Planning Commission.

January 14, 2020: Approved the decision of the Nuisance Abatement Hearing Board regarding properties located at 1762 Olympia Street and 700 Avon Street, Modesto.

### **MISCELLANEOUS & ON THE HORIZON**

Director Freitas informed the Planning Commission of two water reservoir projects in the unincorporated area that are exempt from local zoning and building code requirements and not required to undergo any general plan consistency review prior to acquisition of the property for development. The two projects are:

- Modesto Irrigation District's Main Canal Reservoir project located on Church Street, between Milnes and Parker, in the east Modesto area. The project proposes the construction of a 265± gallon reservoir on 45 acres to manage mismatches in supply and demand within the Districts existing conveyance system and to control water levels.

- Del Puerto Canyon Reservoir Project located in Del Puerto Canyon west of Patterson. The project proposes to construct an 800-acre reservoir with a 260-foot high earthen dam and three saddle dams; with storage space for up to 82,000 acre-feet of water.

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February 6, 2020: One Use Permit in the Hughson area.

February 20, 2020: One Use Permit in the Modesto area.

Director Freitas thanked Commissioner Hicks for his service and outstanding work in serving as Chair for 2019.

**10. ADDITIONAL MATTERS AT DISCRETION OF THE CHAIR**

Commissioner Blom welcomed Commissioner Durrer allowing her to introduce herself.

**11. ADJOURNMENT**

The meeting was adjourned at 7:30 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>.)