

STANISLAUS COUNTY PLANNING COMMISSION

MINUTES

REGULAR MEETING

February 6, 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

Absent: Wayne Zipser

Staff Present: The following Planning & Community Development staff were present: Angela Freitas, Director; Kristin Doud, Senior Planner; Kristen Anaya, Assistant Planner; and Jennifer Akin, Planning Commission Clerk. The following Stanislaus County staff were also present: Rob Taro, Assistant County Counsel; Ramon Salinas, Assistant Engineer/Surveyor, Department of Public Works; Bella Badal, Senior Environmental Health Specialist, Department of Environmental Resources; and Parminder Dhillion, Environmental Health Specialist, Department of Environmental Resources.
2. **PLEDGE OF ALLEGIANCE**
3. **CITIZEN'S FORUM – No one spoke; however, the Chair did reopen the Citizen's Forum prior to Item 9 – the Report of the Director at the request of a public member.**

Item 3 - was heard out of order prior to the Report of the Planning Director.
4. **APPROVAL OF MINUTES**
 - A. January 16, 2020
Hicks/Mott (8/0) **APPROVED.**
5. **CORRESPONDENCE**

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

 - A. Letter received February 6, 2020 from Jesse L. Pena regarding Non-Consent Item 7-A – Use Permit Application No. PLN2019-0018 – Grower Direct Nut.
 - B. Memo dated February 6, 2020 from Stanislaus County Department of Planning and Community Development regarding Non-Consent Item 7-A – Use Permit Application No. PLN2019-0018 – Grower Direct Nut.
6. **CONFLICT OF INTEREST – None.**

7. **PUBLIC HEARINGS (* - Consent Items) – None.**
Commissioner Blom informed the public that there were no consent items.

NON-CONSENT ITEMS

- A. **USE PERMIT APPLICATION NO. PLN2019-0018 – GROWER DIRECT NUT –**
Request to expand an existing walnut storage facility by constructing 305,500± square feet of structures for: storage facilities, offices, walnut shelling, sorting, grading, pasteurizing, packaging, and fumigation on a 26± acre parcel in the A-2-40 (General Agriculture) zoning district. The project site is located at 8133 East Service Road, on the northeast corner of Geer and East Service Roads, in the Hughson area. The Planning Commission will consider adoption of a CEQA Negative Declaration for this project. APN: 018-056-007.
Staff Report: Kristen Anaya, Assistant Planner, Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: Jesse Pena, resident; Jerry Riggs, resident; Lisa Riggs, resident; Tom Anderson, representing the residents of 4306 Aldrich Road.

Handout - Tom Anderson provided the Commissioners with six photos of the project site.

FAVOR: Jim Freitas, applicant's representative
Public hearing closed.

Maring/Willerup (8/0) **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT AND STAFF MEMO DATED FEBRUARY 6, 2020, ADDING CONDITION OF APPROVAL NO. 39 TO READ AS FOLLOWS:**

39. **Prior to issuance of a building permit for “future processing building No. 4” on the submitted site plan, verification shall be submitted to the Planning Department of either (i) the relocation of the existing TID irrigation easement and the accompanying pipeline, or (ii) the abandonment of the existing TID irrigation easement by TID and its replacement with an agreement between Applicant and the owner of the parcel identified as Assessor’s Parcel Number 018-056-008 (“Pena Property”) that establishes a private easement for the existing pipeline and identifies the party responsible for the repair, maintenance and/or replacement of the existing pipeline to ensure continued water delivery to the Pena Property.**

Additionally, in the event the pipeline is not relocated, prior to issuance of a building permit for “future processing building No. 4” on the submitted site plan, Applicant shall provide County with a separate indemnification agreement that provides for the defense, indemnification and release of the County by the Applicant in the event of any dispute, claim, action or proceedings involving or connected with Applicant’s construction of building “No. 4” over the existing pipeline.

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

8. OTHER MATTERS (NOT PUBLIC HEARINGS) – None

Item 3 – Citizen’s’ Forum was re-opened by Chair Blom to allow Tom Anderson to ask the Commission questions regarding State Route 99 and Service and Mitchell Roads Diverging Diamond Interchange. Mr. Anderson was directed to contact the City of Ceres.

9. REPORT OF THE PLANNING DIRECTOR

BOARD OF SUPERVISORS ACTIONS

January 28, 2020: Continued to the April 28, 2020 Board of Supervisors meeting consideration of Planning Commission’s recommendation for Denial of Use Permit and Development Agreement Application No. PLN2018-0103 – The People’s Remedy a request to establish a commercial Cannabis retail storefront and distribution operation located at 130 Lone Palm Avenue, north of Woodland Avenue in the Modesto area. As part of the item, a Temporary Land Use and Transition Agreement was approved.

February 4, 2020: Approved to set the Public Hearing for February 25, 2020 to consider the Planning Commission recommendation of Approval for Use Permit and Development Agreement Application No. PLN2018-0096 – Truleaf, Inc., a request to allow indoor commercial Cannabis cultivation, manufacturing, and distribution activities within an existing warehouse located at 4622 Glass Court in the Modesto area, and recommendation for Denial of Use Permit and Development Agreement Application No. PLN2018-0163 – Blue Oak Naturals, LLC., a request to operate a commercial Cannabis cultivation business in the A-2-40 (General Agriculture) zoning district located at 778 Albers Road in the Modesto area.

MISCELLANEOUS & ON THE HORIZON

Planning Commission

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

March 5, 2020: One Parcel Map in the Patterson area.

Director Freitas introduced and welcomed Michael Ziman, Deputy County Counsel, who was present to observe the meeting, and will be assuming the role of Counsel to the Planning Commission.

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

11. ADJOURNMENT

The meeting was adjourned at 6:56 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>.)

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