

# STANISLAUS COUNTY PLANNING COMMISSION

## MINUTES

REGULAR MEETING

March 19, 2020

1. **ROLL CALL:** Meeting called to order at 6:02 p.m.  
  
Present: Chambers: Marjorie Blom, Scott Hicks, Thomas Maring, Wayne Mott, and Lars Willerup  
  
Teleconference: Kenneth Buehner, Erika Durrer, and Wayne Zipser  
  
Absent: Perfecto Munoz  
  
Staff Present: The following Planning & Community Development staff were present: Angela Freitas, Director; Kristin Doud, Senior Planner; Kristen Anaya, Assistant Planner; Teresa McDonald, Assistant Planner; Christine Smith, Assistant Planner; and Jennifer Akin, Planning Commission Clerk. The following Stanislaus County staff were also present by teleconference: Michael Ziman, Deputy County Counsel.
2. **PLEDGE OF ALLEGIANCE**
3. **CITIZEN'S FORUM** – No one spoke.
4. **APPROVAL OF MINUTES**
  - A. February 20, 2020  
Hicks/Maring (6/0) **APPROVED.**  
Commissioners Mott and Zipser abstained.
5. **CORRESPONDENCE**

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

  - A. Memo dated March 19, 2020 from Stanislaus County Department of Planning and Community Development regarding Non-Consent Item 7-B – Vesting Tentative Parcel Map Application No. PLN2018-0075 – T & L Partnership.
  - B. Memo dated March 19, 2020 from Stanislaus County Department of Planning and Community Development regarding Non-Consent Item 7-D – General Plan Amendment & Rezone Application No. PLN2019-0077 – Derrel's Mini Storage.
6. **CONFLICT OF INTEREST** – None.

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

Commissioner Blom informed the public of the consent items and procedure.

**\* CONSENT ITEMS**

**\*A. TIME EXTENSION FOR USE PERMIT NO. PLN2017-0113 – ROSSINI HULLER**

- Request for a one-year time extension for Use Permit No. PLN2017-0113 – Rossini Huller, which approved the operation of a walnut hulling, drying, and storage facility on a 35.7± acre parcel in the A-2-40 (General Agriculture) zoning district. The project is located at 5261 Highway 108, between Walker Road and Mondo Lane, in the Oakdale area. This request is considered Exempt from the California Environmental Quality Act. APN: 062-002-006.

Staff Report: Emily Basnight, Assistant Planner, Recommends **APPROVAL**.

Maring/Mott (8/0) **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF MEMO.**

**NON-CONSENT ITEMS**

**B. VESTING TENTATIVE PARCEL MAP APPLICATION NO. PLN2018-0075 – T & L PARTNERSHIP**

- Request to create a 5.1± acre and a 40.6± acre parcel from a 45.7± acre parcel in the A-2-40 (General Agriculture) zoning district. The proposed 5.1± acre parcel will conform to the boundaries of Use Permit No. 2011-9 – T & L Partnership, which approved the operation of a custom contract harvesting business. The project site is located at 3312 S. Blaker Road, at the southeast corner of W. Harding and S. Blaker Roads, in the Turlock 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 Ordinance for which an EIR was prepared) and that the project is CEQA Exempt under CEQA Guidelines Section 15061 (Common Sense Exemption). APN: 058-027-017.

Staff Report: Kristen Anaya, Assistant Planner, Recommends **APPROVAL**.

Public hearing opened.

**OPPOSITION:** None.

**FAVOR:** None.

Public hearing closed.

Maring/Hicks (8/0) **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT AND MEMO DATED MARCH 19, 2020, INCLUDING THE AMENDMENT TO FINDING NO. 3 TO READ AS FOLLOWS:**

3. Order the filing of a Notice of Exemption with the Stanislaus County Clerk Recorder's Office pursuant to CEQA Guidelines Section 15061–and–Section 15304.

*After the Planning Commission approved the project, Randy La Follette, owner/applicant, thanked the Commissioners.*

**C. VESTING TENTATIVE PARCEL MAP APPLICATION NO. PLN2019-0038 – DAVID E. POTTER INVESTMENTS**

- Request to create a 11.22± acres parcel and a 2.24± acre parcel, from a 13.46± acre parcel, in the A-2-20 (General

Agriculture) zoning district. The 2.24± acre parcel will conform to the boundaries of Use Permit No. 97-05 – David Potter, which approved the operation of an apricot drying and processing facility. 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 Ordinance for which an Environmental Impact Report was prepared) and that the project is CEQA Exempt under CEQA Guidelines Section 15061 (Common Sense Exemption). APN: 048-016-022.

Staff Report: Christine Smith, Assistant Planner, Recommends **APPROVAL**.

Public hearing opened.

**OPPOSITION:** None.

**FAVOR:** None.

Public hearing closed.

Hicks/Willerup (8/0) **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT.**

**D. GENERAL PLAN AMENDMENT & REZONE APPLICATION NO. PLN2019-0077 – DERREL’S MINI STORAGE**

- Request to amend the General Plan and zoning designation of a 9.77 acre parcel from Agriculture and A-2-40 to Planned Development (P-D) and amend the zoning designation of three parcels totaling 3 acres from expired P-D (202) to a new P-D to allow expansion of an existing mini storage and RV storage business in phases. The project site is located at 5024, 5038, and 5118 Tunson Road, and 907 Kiernan Avenue, on the north side of Kiernan Avenue, in the Modesto area. The Planning Commission will consider adoption of a CEQA Negative Declaration for the project. APNs: 004-057-001, 004-057-003, 004-057-004, and 004-057-005.

Staff Report: Teresa McDonald, Assistant Planner, Recommends **APPROVAL**.

Public hearing opened.

**OPPOSITION:** None.

**FAVOR:** Dennis Wilson, applicant representative

Public hearing closed.

Willerup/Buehner (8/0) **RECOMMENDED APPROVAL TO THE BOARD OF SUPERVISORS AS OUTLINED IN THE STAFF REPORT AND MEMO DATED MARCH 19, 2020, INCLUDING THE REVISION OF DEVELOPMENT STANDARD NO. 32 AS FOLLOWS:**

32. ~~Prior to the relocation of the~~ The Brown ID No. 37 pipeline **shall be relocated, as approved by the Modesto Irrigation District.** ~~the following shall be required:~~

A. ~~The proposed pipeline shall conform to ASTM C 361 Rubber Gasketed Reinforced.~~

~~Concrete Pipeline (RGRCP) with appropriate wall thickness for the pressure and traffic loads.~~

B. ~~Thirty (30) inches minimum cover shall be provided over the pipeline or as directed by MID Engineer.~~

~~C. Pressure manholes must be installed per MID Standard Detail C-20 and located no more than five hundred (500) feet apart.~~

~~D. MID's Civil Engineering Department recommends a pre-consultation meeting to discuss MID irrigation requirements. MID irrigation standard details will be provided upon request.~~

**AND THE ADDITION OF THE FOLLOWING AGRICULTURAL LAND CONVERSION FINDING AS OUTLINED IN THE REVISED EXHIBIT A – FINDINGS AND ACTIONS REQUIRED FOR PROJECT APPROVAL ATTACHED TO THE MEMO DATED MARCH 19, 2020:**

**The Agricultural Land Conversion Findings can be made, as outlined in Policy 2.7 of the General Plan's Agricultural Element.**

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

A. Presentation – Stanislaus County Pilot Hemp Program

*Director Freitas informed the Commissioners that the Presentation has been postponed and will be rescheduled to a future Planning Commission meeting.*

**9. REPORT OF THE PLANNING DIRECTOR**

**BOARD OF SUPERVISORS ACTIONS**

February 25, 2020: Approved Use Permit and Development Agreement Application No. PLN2018-0096 – Truleaf, Inc. a request to allow indoor commercial cannabis cultivation, manufacturing (non-volatile), and distribution activities within an existing 20,724 square-foot building located at 4622 Glass Court, between Glass Lane and Galaxy Way, south of Kiernan, in the Modesto area. The Planning Commission recommended approval

Approved 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, between Yosemite Boulevard (SR 132) and Dusty Lane in the Modesto area. The Planning Commission recommended denial.

March 3, 2020: Approved Use Permit and Development Agreement Application No. PLN2019-0086 – Lyfted Farms, Inc. – Daly Avenue, a request to establish an indoor commercial cannabis cultivation, manufacturing (volatile), distribution operation within an existing 170,751 square-foot warehouse, located at 217 Daly Avenue, south of Yosemite Boulevard, (SR 132), in the Modesto area. The Planning Commission recommended approval

## **MISCELLANEOUS & ON THE HORIZON**

### **Planning Commission**

April 2, 2020: One project in the Salida, and three projects in the Modesto area. Projects are a combination of General Plan Amendments, Rezones, Use Permits and Development Agreements.

April 16, 2020: One Use Permit and Development Agreement in the Westly area, and one Parcel Map in the Modesto area.

Director Freitas informed the Commissioners that the format, in person or by teleconference, for the April 2, 2020 Planning Commission meeting is uncertain due to the Coronavirus and the need to limit person to person contact. The Commissioners were informed that they would be notified of the format as the time approaches. Director Freitas stated that it is the intent to keep projects moving forward and before the Commission for consideration.

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

- A. Commissioner Blom shared the StanEmergency website to receive updated information regarding Coronavirus.

### **11. ADJOURNMENT**

The meeting was adjourned at 6:45 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>.)