

STANISLAUS COUNTY PLANNING COMMISSION

MINUTES

REGULAR MEETING

May 21, 2020

1. **ROLL CALL:** Meeting called to order at 6:00 p.m.

Present: Chambers: Marjorie Blom, Erika Durrer, Thomas Maring, Wayne Mott, Lars Willerup

Teleconference: Kenneth Buehner, Perfecto Munoz, Wayne Zipser

Absent: Scott Hicks

Staff Present: The following Planning & Community Development staff were present: Angela Freitas, Director; Kristin Doud, Principal Planner; Jeremy Ballard, Associate Planner, Emily Basnight, Assistant Planner and Jennifer Akin, Planning Commission Clerk. The following Stanislaus County staff was present by teleconference: Michael Ziman, Deputy County Counsel.

2. **PLEDGE OF ALLEGIANCE**

3. **CITIZEN'S FORUM** – No one spoke.

4. **APPROVAL OF MINUTES**

6:13 p.m. – Recess

6:15 p.m. – Reconvene

- A. April 16, 2020
Mott/Maring (6/0) **APPROVED.**

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

Commissioners Buehner and Zipser lost connection to the teleconference call, and were therefore absent for a roll call vote.

5. **CORRESPONDENCE**

Director Freitas informed the Commissioners that there was no correspondence.

6. **CONFLICT OF INTEREST** – None.

6:21 p.m. – Recess

6:28 p.m. – Reconvene

Due to technical difficulties, Commissioners Buehner, Munoz and Zipser were no longer able to continue to participate by teleconference. A second roll call was conducted to reflect the Commissioners still participating in the meeting.

ROLL CALL:

Present: Chambers: Marjorie Blom, Erika Durrer, Thomas Maring, Wayne Mott, Lars Willerup

Absent: Kenneth Buehner, Scott Hicks, Perfecto Munoz, Wayne Zipser

7. PUBLIC HEARINGS (* - Consent Items)

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

*** CONSENT ITEMS**

- *A. TIME EXTENSION FOR PARCEL MAP APPLICATION NO. PLN2016-0032 - KRUM** - Request for a one-year time extension of an approved parcel map which subdivided a 9.74 acre parcel into two parcels 6.74 and 3 acres in size in the A-2-3 (General Agricultural) zoning district. The property is located at 7643 Langworth Road, south of State Highway 108, between the Cities of Riverbank and Oakdale. This request is considered Exempt from the California Environmental Quality Act. APN: 062-032-009.
Staff Report: Emily Basnight, Assistant Planner, Recommends **APPROVAL**.
Maring/Mott (5/0) **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF MEMO.**

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

- *B. USE PERMIT APPLICATION NO. PLN2020-0004 – NORTH MCHENRY RV & BOAT STORAGE POLE SIGN – Application Withdrawn** - Request to install a 21.5 foot-tall by 10-foot-wide pole sign at a RV and Boat Storage facility located on an 11.51± acre parcel in the P-D (327) (Planned Development) zoning district. The property is located at 5537 McHenry Avenue, between St. Francis Avenue and Crawford Road, in the Modesto area. This request is considered Exempt from the California Environmental Quality Act under CEQA Guidelines Section 15311 (Accessory Structures). APN: 004-070-011.

This application was withdrawn and as reflected in the May 21, 2020 Planning Commission Memo, no further action by the Planning Commission was required.

NON-CONSENT ITEMS

- C. **USE PERMIT AND DEVELOPMENT AGREEMENT APPLICATION NO. PLN2019-0092 – PACIFIC BOTANICAL LABORATORIES, LLC.** – Request to obtain a Use Permit and Development Agreement, to operate a commercial cannabis and hemp testing lab within an existing suite of a two-story building on a 2.28 acre parcel in the P-D 180 (Planned Development) zoning district. The project site is located at 4100 Bangs Avenue, east of Sisk Road, between Pelandale and Kiernan Avenue, in the Community of Salida. The Planning Commission will consider finding that no further analysis under the California Environmental Quality Act is required pursuant to CEQA Guidelines Section 15183 (Consistency with a General Plan or Zoning Ordinance for which an EIR was certified) and that the project is Exempt from CEQA under CEQA Guidelines Section 15061 (Common Sense Exemption). APN: 135-043-031. Staff Report: Jeremy Ballard, Associate Planner, Recommends **APPROVAL**. Public hearing opened.
OPPOSITION: None.
FAVOR: Mike Wolf, applicant
Public hearing closed.
Willerup /Maring (5/0) **RECOMMENDED APPROVAL TO THE BOARD OF SUPERVISORS AS OUTLINED IN THE STAFF REPORT.**

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

- D. **GENERAL PLAN AMENDMENT, REZONE, USE PERMIT, AND DEVELOPMENT AGREEMENT APPLICATION NO. PLN2018-0093 – THE GENEZEN PROJECT** - Request to amend the general plan and zoning designation of a 1.53-acre property from Planned Industrial (P-I) to Planned Development (P-D), and to obtain a use permit and development agreement to allow indoor commercial cannabis cultivation, manufacturing (volatile), distribution, and potential future retail activities in an existing 25,758 square-foot warehouse building. The project is located at 485 Bitritto Way, between Charity Way and Kiernan Avenue, in the Modesto area. The Planning Commission will consider adoption of a California Environmental Quality Act Negative Declaration for this project. APN: 004-094-017. Staff Report: Jeremy Ballard, Associate Planner, Recommends **APPROVAL**. Public hearing opened.
OPPOSITION: None.
FAVOR: Jim Gonzales, applicant representative
Public hearing closed.
Maring/Willerup (5/0) **RECOMMENDED APPROVAL TO THE BOARD OF SUPERVISORS AS OUTLINED IN THE STAFF REPORT WITH THE AMENDMENT OF DEVELOPMENT STANDARD NO. 2 AS PRESENTED BY STAFF TO READ AS FOLLOWS:**

2. Pursuant to Section 711.4 of the California Fish and Game Code (effective January 1, 2019), the applicant is required to pay a

California Department of Fish and Wildlife (formerly the Department of Fish and Game) fee at the time of filing a “Notice of Determination.” Within five days of approval of this project by the Planning Commission or Board of Supervisors, the applicant shall submit to the Department of Planning and Community Development a check for ~~\$2,411.75~~, \$2,463.75 made payable to Stanislaus County, for the payment of California Department of Fish and Wildlife and Clerk Recorder filing fees.

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

8. **OTHER MATTERS (NOT PUBLIC HEARINGS – None.**

9. **REPORT OF THE PLANNING DIRECTOR**

BOARD OF SUPERVISORS ACTIONS

April 28, 2020: Approved the Planning Commission’s recommendation of approval for General Plan Amendment and Rezone Application No. PLN2019-0045 – Beeler Development, located at 4731 Kiernan Court in the Community of Salida.

Approved the Planning Commission’s recommendation of approval for General Plan Amendment and Rezone Application No. PLN2019-0077 – Derrel’s Mini Storage, located at 5024, 5038, and 5118 Tunson Road and 907 Kiernan Avenue in the Modesto area.

May 12, 2020: Approved the Planning Commission’s recommendation of approval of Rezone Application No. PLN2019-0093 – Tenaya Banquet Hall located at 2206 Tenaya Drive in the Modesto area.

MISCELLANEOUS & ON THE HORIZON

Planning Commission

June 18, 2020: One Time Extension in the Keyes area, one Use Permit in the Oakdale area, and one Parcel Map in the Modesto area.

July 2, 2020: No items scheduled at this time.

Director Freitas informed the Planning Commission that it is anticipated that Planning Commission meetings will continue to be held without members of the public present in the Chambers, in response to COVID 19 and the Governors Orders, through the month of June.

Commissioner Willerup inquired if we were at maximum capacity for Commissioners present in Chambers.

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

11. ADJOURNMENT

The meeting was adjourned at 7:09 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>.)