

STANISLAUS COUNTY PLANNING COMMISSION

MINUTES

REGULAR MEETING

June 18, 2020

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

Present: Kenneth Buehner, Erika Durrer, Scott Hicks, Thomas Maring, Wayne Mott, Perfecto Munoz, Lars Willerup, Wayne Zipser

Absent: Marjorie Blom

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 were also present: Ramon Salinas, Assistant Engineer/Surveyor, Department of Public Works; Parminder Dhillon, Senior Environmental Health Specialist, Department of Environmental Resources; Karl Quinn, Environmental Health Manager, Department of Environmental Resources; Rachel Riess, Senior Environmental Health Specialist, Department of Environmental Health Resources; and by teleconference, Michael Ziman, Deputy County Counsel.
2. **PLEDGE OF ALLEGIANCE**
3. **CITIZEN'S FORUM** – No one spoke.
4. **APPROVAL OF MINUTES**
 - A. June 4, 2020
Hicks/Willerup (6-0) **APPROVED.**

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

Director Freitas informed the Commissioners of one item of correspondence placed before them this evening:

 - A. Memo dated June 18, 2020 from Stanislaus County Department of Planning and Community Development regarding Non-Consent Item 7-C – Rezone Application No. PLN2017-0098 – Best RV Center.
6. **CONFLICT OF INTEREST** – None.

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

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

*** CONSENT ITEMS**

- *A. **TIME EXTENSION FOR VESTING TENTATIVE SUBDIVISION MAP APPLICATION NO. PLN2017-0058 – ORANGE GROVE ESTATES** - Request for a one-year time extension of an approved Vesting Tentative Subdivision Map, which subdivided a 2.11± acre parcel into nine parcels ranging in size between 7,000 and 15,155 square feet in size in the R-1 US (Single-Family Residential – Urban Services) zoning district. This project is located at 5537 Washington Road, on the north side of Kim Drive, between Tanya Way and Washington Road, in the Community of Keyes. This request is considered Exempt from the California Environmental Quality Act. APN: 045-021-041.
Staff Report: Jeremy Ballard, Associate Planner, Recommends **APPROVAL**.
Buehner/Hicks (8/0) **APPROVED THE TIME EXTENSION AS OUTLINED IN THE STAFF MEMO.**

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

- *B. **PARCEL MAP AND EXCEPTION APPLICATION NO. PLN2019-0083 LOPEZ – MONTAGUE COURT** – *Request indefinite continuance.* - Request to subdivide a 24,899± square-foot parcel into four parcels at least 5,685± square feet in size in the R-1 (Single-Family Residential) zoning district. An Exception to the Subdivision Ordinance is included to allow Proposed Parcel 3 to take access from a 20-foot-wide access easement. The project site is located at 844 and 846 River Road, between Montague Court and Avon Street, in the Ceres 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: 038-008-060.
Staff Report: Teresa McDonald, Assistant Planner, Recommends **INDEFINITE CONTINUANCE**.
Buehner/Hicks (8/0) **APPROVED INDEFINITE CONTINUANCE AS OUTLINED IN THE STAFF MEMO.**

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

NON-CONSENT ITEMS

- C. **REZONE APPLICATION NO. PLN2017-0098 – BEST RV CENTER** - Request to rezone eight parcels to expand and reorganize an existing recreational vehicle

(RV) sales business by allowing the expansion of RV storage in two phases. The project site is located at 5100, 5340, 6424 and 6460 Taylor Court and 4318 W. Warner Road, between E. Keyes Road and E. Taylor Road, in the Turlock area. The Planning Commission will consider adoption of a California Environmental Quality Act Mitigated Negative Declaration for the project. APNs: 045-050-005, 009, and 013; 045-053-040, 042, 043, 044; and 045-062-001.

Staff Report: Jeremy Ballard, Associate Planner, Recommends **APPROVAL**.

Public hearing opened.

OPPOSITION: None.

FAVOR: Nader Ammari, applicant/owner

Public hearing closed.

Willerup/Mott (8/0) **RECOMMENDED APPROVAL TO THE BOARD OF SUPERVISORS AS OUTLINED IN EXHIBIT A OF THE JUNE 18, 2020 PLANNING COMMISSION STAFF REPORT, WITH DELETION OF DEVELOPMENT STANDARDS NO. 13 & 14 AND AMENDMENT TO DEVELOPMENT STANDARDS NO. 15 & 26 AS OUTLINED IN THE JUNE 18, 2020 PLANNING COMMISSION MEMO TO READ AS FOLLOWS:**

- ~~13. Within three months of project approval, the applicant shall apply for an Out-of-Boundary Service Agreement Application through the Stanislaus Local Area Formation Commission (LAFCO). If approved, the applicant shall implement all work related to the connection to the Keyes Community Service District for potable water within one year of project approval.~~
- ~~14. Within one year of project approval, the applicant shall have connected to the Keyes CSD for water service or shall meet all requirements of Compliance Order DER-19R-004.~~
- ~~15. An extension may be granted for implementation of Development Standards 9 through 14 if the Planning Director finds that the need for the extension is due to an unforeseen or unavoidable condition that was outside of the applicant's control.~~

An extension may be granted for implementation of Development Standards 9 through 12 if the Planning Director finds, in its sole discretion, that both (i) the need for the extension is due to an unforeseen or unavoidable condition that was outside of the applicant's control, and (ii) that the applicant was and is diligently pursuing the satisfaction of the Development Standards. Applicant shall provide evidence or documentation of the unforeseen or unavoidable condition, and applicant shall demonstrate its diligence by providing invoices, work orders, receipts of accepted applications, or other documentation of applicant's efforts to satisfy the Development Standards.

- ~~26. Without a connection to the Keyes Community Service District, the project site remains an existing, non-conforming public water system in violation of the State of California Regulation of a Public Water System (PWS) and the applicant must comply with all requirements and revisions to Compliance Order No. DER-19R-004.~~

The project site shall comply with all requirements and revisions to Compliance Order No. DER-19R-004. The site will remain a non-conforming public water system in violation of State of California Regulations of a Public Water System (PWS) until all requirements and revisions to the Compliance Order are met.

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

8. OTHER MATTERS (NOT PUBLIC HEARINGS)

A. Assignment to the Nuisance Abatement Hearing Board Members

Commissioner Mott appointed as a member.
Commissioner Zipser appointed as a member.
Commissioner Munoz appointed as an alternate member.

9. REPORT OF THE PLANNING DIRECTOR

BOARD OF SUPERVISORS ACTIONS

No Planning Commission items considered.

MISCELLANEOUS & ON THE HORIZON

Planning Commission

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

July 16, 2020: One Use Permit in the Keyes area; and one Use Permit and Development Agreement and one Parcel Map both in the Modesto area. Appointment to a Special Subcommittee for the annual site visit to Recology.

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

11. ADJOURNMENT

The meeting was adjourned at 7:08 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>.)