

# STANISLAUS COUNTY PLANNING COMMISSION

## AGENDA

March 7, 2019

6:00 P.M.

CHAMBERS – BASEMENT LEVEL  
TENTH STREET PLACE  
1010 10<sup>TH</sup> STREET, MODESTO  
[www.stancounty.com/planning](http://www.stancounty.com/planning)

The Planning Commission welcomes you to its meetings which are regularly scheduled the first and third Thursday of each month, and your interest is encouraged and appreciated.

The agenda is divided into two sections:

**CONSENT CALENDAR:** These are items on this agenda designated by an asterisk (\*) next to the item number, requiring a Planning Commission public hearing but which, following an initial evaluation by staff, have been found to be consistent with existing County policy and the County General Plan and are, therefore, recommended for "routine" approval. Prior to actual Planning Commission consideration, the Chair will open the public hearing and ask if anyone present wishes to discuss any of the items. If you want a particular agenda item removed from "Consent", please speak up and advise the Chair. That item will then be withdrawn from "Consent" and reviewed in detail as scheduled. The remaining "Consent" items for which there are no voice objections will be handled by a single action of the Commission.

**NON-CONSENT CALENDAR:** These items will be individually discussed and reviewed in detail.

**ANY MEMBER OF THE AUDIENCE DESIRING TO ADDRESS THE PLANNING COMMISSION REGARDING A MATTER ON THE AGENDA:** While the Planning Commission welcomes and encourages participation in the Commission meetings, it would be appreciated if comments are limited to five minutes so that everyone may be heard.

**PUBLIC COMMENT PERIODS:** Matters under the jurisdiction of the Commission, and not on the posted agenda, may be addressed by the general public at the beginning of the regular agenda and any off-agenda matters before the Planning Commission for consideration; however, California law prohibits the Commission from taking any action on any matter which is not on the posted agenda unless it is determined to be an emergency by the Board of Supervisors. Any member of the public wishing to address the Commission during the "Citizen's Forum" period will be limited to a maximum of 5 minutes.

New agenda items will not be heard after 11:00 p.m. If agenda item is not fully discussed by 12:30 a.m., it will be continued at the discretion of the Chair.

**PLANNING COMMISSION AGENDAS AND MINUTES:** Commission Agendas, Minutes, and copies of items to be considered by the Planning Commission are typically posted on the internet on Friday afternoons preceding the meeting at the following website: <http://www.stancounty.com/planning/>. All materials, including materials related to an item on this Agenda, submitted to the Commission after distribution of the agenda packet are available for public inspection in the Planning Department at 1010 10<sup>th</sup> Street, Suite 3400, Modesto, during normal business hours.

**NOTICE REGARDING NON-ENGLISH SPEAKERS:** Planning Commission meetings are conducted in English and translation to other languages is not provided. Please make arrangements for an interpreter if necessary.

**REASONABLE ACCOMMODATIONS:** In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Commission Clerk at (209) 525-6330. Notification 72 hours prior to the meeting will enable the Clerk to make arrangements to ensure accessibility to this meeting.

1. **ROLL CALL:** Chair Scott Hicks, Marjorie Blom, Kenneth Buehner, Marc Etchebarne, Thomas Maring, Wayne Mott, Perfecto Munoz, Lars Willerup, Wayne Zipser
2. **PLEDGE OF ALLEGIANCE**
3. **CITIZEN'S FORUM**

4. **MINUTES**

- A. February 21, 2019 [\[View Item\]](#)

5. **CORRESPONDENCE**

- A. Email dated February 26, 2019, from Al Vieux, regarding Non-Consent Item 7-D – Use Permit and Development Agreement Application No. PLN2018-0113 – Central Valley Growers – West Fulkerth Road. [\[View Item\]](#)

6. **CONFLICT OF INTEREST DECLARATION**

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

**\*CONSENT ITEMS**

- \*A. **USE PERMIT AND DEVELOPMENT AGREEMENT APPLICATION NO. PLN2018-0111 – MEDALLION WELLNESS – Request continuance to March 21, 2019** - Request to establish a commercial cannabis retail, delivery, and distribution operation within three suites of an existing building located within the P-D 155 (Planned Development) zoning district. A Development Agreement is included in the project request. The project is located at 4213 McHenry Avenue, northwest of McHenry and Pelandale Avenues, in the Modesto area. The Planning Commission will consider finding that no further analysis under CEQA is required pursuant to CEQA Guidelines Section 15183 (Consistency with a General Plan or Zoning for which an EIR was certified). APN: 046-008-013. [\[View Item\]](#)

**NON-CONSENT ITEMS**

- B. **USE PERMIT AND WILLIAMSON ACT CANCELLATION APPLICATION NO. PLN2015-0081 – SULLIVAN ROAD SOLAR** – Request to construct a 40-megawatt (MW) solar facility on 214± acres of three parcels totaling 1,049± acres in the A-2-40 (General Agriculture) zoning district. Project implementation includes interconnection to the existing Miller (electrical) Substation located on a separate parcel within the project site. The project would operate for approximately 35 years, after which the facilities would be decommissioned and removed, and the project site reclaimed to grazing land. A Williamson Act Cancellation is being requested for parcels 028-015-001 and 028-007-020 which contain the solar arrays. A power line connecting the facility to the Miller Substation will cross parcel 028-007-054. The project site is located east of Sullivan Road and bisected by Pete Miller Road, west of Interstate 5, in the Newman area. The Planning Commission will consider a CEQA Mitigated Negative Declaration for this project. APNs: 028-015-001, 028-007-020, and 028-007-054. [\[View Item\]](#)
- C. **USE PERMIT AND DEVELOPMENT AGREEMENT APPLICATION NO. PLN2018-0100 – 37 NORTH VENTURES, LLC** – Request to establish a commercial cannabis mixed-light cultivation operation to allow a 10,000 square-foot canopy within a 20,160 square-foot greenhouse building in the A-2-40

(General Agriculture) zoning district. A Development Agreement is included in the project request. The project is located at 437 Goodwin Road, between Yosemite Boulevard (Hwy 132) and Dry Creek, in the Modesto area. The Planning Commission will consider finding that no further analysis under CEQA is required pursuant to CEQA Guidelines Section 15183 (Consistency with a General Plan or Zoning for which an EIR was certified). APN: 009-012-017.

***For a copy of this item please contact the Planning Department at (209) 525-6330 or send an email to [Planning@stancounty.com](mailto:Planning@stancounty.com)***

**D. USE PERMIT AND DEVELOPMENT AGREEMENT APPLICATION NO. PLN2018-0113 – CENTRAL VALLEY GROWERS, LLC – WEST FULKERTH ROAD**

– Request to establish a commercial cannabis mixed-light cultivation operation to allow a 22,000 square foot canopy within a 29,880 square foot greenhouse building, and office, storage, and processing activities within a 7,470 square foot agricultural storage building, in the A-2-40 (General Agriculture) zoning district. A Development Agreement is included in the project request. The project is located at 1301 West Fulkerth Road, between Crows Landing and Carpenter Roads, in the Turlock area. The Planning Commission will consider finding that no further analysis under CEQA is required pursuant to CEQA Guidelines Section 15183 (Consistency with a General Plan or Zoning for which an EIR was certified). APN: 022-030-014.

***For a copy of this item please contact the Planning Department at (209) 525-6330 or send an email to [Planning@stancounty.com](mailto:Planning@stancounty.com)***

**E. USE PERMIT AND DEVELOPMENT AGREEMENT APPLICATION NO. PLN2018-0114 – CENTRAL VALLEY GROWERS, LLC – HOWARD ROAD**

– Request to establish a commercial cannabis mixed-light cultivation operation to allow a 20,000 square foot canopy within a 29,880 square foot greenhouse building, and office, storage, and processing activities within a 7,470 square foot agricultural storage building, in the A-2-40 (General Agriculture) zoning district. A Development Agreement is included in the project request. The project is located at 3501 Howard Road, between CA Interstate 5 and CA Highway 33, in the Westley area. The Planning Commission will consider finding that no further analysis under CEQA is required pursuant to CEQA Guidelines Section 15183 (Consistency with a General Plan or Zoning for which an EIR was certified). APN: 016-019-036.

***For a copy of this item please contact the Planning Department at (209) 525-6330 or send an email to [Planning@stancounty.com](mailto:Planning@stancounty.com)***

8. OTHER MATTERS (Not Public Hearings)
9. REPORT OF THE PLANNING DIRECTOR
10. ADDITIONAL MATTERS AT DISCRETION OF THE CHAIR
11. ADJOURNMENT

**DECISIONS OF THE STANISLAUS COUNTY PLANNING COMMISSION, EXCLUDING RECOMMENDATIONS, ARE APPEALABLE TO THE BOARD OF SUPERVISORS IF FILED WITH THE CLERK OF THE BOARD WITHIN TEN DAYS OF THE DATE OF THE PLANNING COMMISSION MEETING AT WHICH THE DECISION IS MADE (COUNTY CODE SECTION 21.112.040 – PLANNING COMMISSION DECISIONS). THE APPEAL FEE IS \$1,270.00.**