

STANISLAUS COUNTY PLANNING COMMISSION

AGENDA

April 4, 2019

6:00 P.M.

*CHAMBERS – BASEMENT LEVEL
TENTH STREET PLACE
1010 10TH STREET, MODESTO
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 That item will then be withdrawn from "Consent" and reviewed in detail as scheduled.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 10th 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. March 21, 2019 [\[View Item\]](#)

5. **CORRESPONDENCE**

6. **CONFLICT OF INTEREST DECLARATION**

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

***CONSENT ITEMS**

*A. **USE PERMIT AND DEVELOPMENT AGREEMENT APPLICATION NO. PLN2018-0115 – EMPIRE HEALTH & WELLNESS – Request indefinite continuance** – Request to establish a commercial cannabis retail operation within an existing 3,875 square-foot building in the C-2 (General Commercial) zoning district. A Development Agreement is included in the project request. The project is located at 4725 Yosemite Boulevard, between A and B Streets, in the Community of Empire. 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: 133-012-005. [\[View Item\]](#)

*B. **USE PERMIT AND DEVELOPMENT AGREEMENT APPLICATION NO. PLN2018-0149 – BYNATE – Request indefinite continuance** – Request to establish a commercial cannabis retail business, within an existing 625 square-foot building in the C-2 (General Commercial) zoning district. A Development Agreement is included in this project request. The project is located at 21931 State Highway 33, between Fink Road and East Ike Crow Road, in the Crows Landing 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: 027-012-055. [\[View Item\]](#)

NON-CONSENT ITEMS

C. **USE PERMIT APPLICATION NO. PLN2015-0097 – ART SILVA DAIRY** – This is a request to increase the number of permitted cows from 643 mature cows to 1,100 mature cows (consisting of 920 milking cows and 180 dry cows) and from 390 support stock to 861 support stock. The project also proposes to construct four free-stall barns to cover existing open pens (totaling approximately 185,900 square feet), an additional commodity barn (7,200 square feet in size), and three additional hay barns (each 9,600 square feet in size). The project is located at 5201 Milnes Road, on the north side of Milnes Road, between Langworth and Claus Roads, east of the City of Modesto. The Planning Commission will consider adoption of a CEQA Negative Declaration for the project. APN: 014-015-003. [\[View Item\]](#)

8. **OTHER MATTERS (Not Public Hearings)**
 - A. 2019 Community Health Assessment Findings, Presented by Stanislaus County Health Services Agency
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.