

STANISLAUS COUNTY PLANNING COMMISSION

MINUTES

REGULAR MEETING

April 4, 2019

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

Present: Chair Scott Hicks; Marjorie Blom; Kenneth Buehner; Marc Etchebarne; Thomas Maring; Wayne Mott; Perfecto Munoz; Lars Willerup; and, Wayne Zipser.

Absent: None.

Staff Present: The following Planning & Community Development staff were present: Angela Freitas, Director; Rachel Wyse, Senior Planner; Jeremy Ballard, Associate Planner; Teresa McDonald, Assistant Planner; and Angelica Duenas, Confidential Assistant IV. The following Stanislaus County staff were also present: Rob Taro, Assistant County Counsel; Angie Halverson, Senior Land Development Coordinator, Public Works; Bella Badal, Senior Environmental Health Specialist, Department of Environmental Resources.
2. **PLEDGE OF ALLEGIANCE**
3. **CITIZEN'S FORUM** – No one spoke.
4. **APPROVAL OF MINUTES**
 - A. March 21, 2019

Blom/Mott (7/0) **APPROVED.**
Commissioners Etchebarne and Maring abstained.
5. **CORRESPONDENCE** - None.
6. **CONFLICT OF INTEREST** – None.
7. **PUBLIC HEARINGS (* - Consent Items)**

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

* 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.

Staff Report: Jeremy Ballard, Associate Planner, Recommends **INDEFINITE CONTINUANCE**.

Zipser/Buhner (9/0) **APPROVED INDEFINITE CONTINUANCE**.

- *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. Staff Report: Kristin Doud, Senior Planner, Recommends **INDEFINITE CONTINUANCE**. Zipser/Buhner (9/0) **APPROVED INDEFINITE CONTINUANCE**.

6:04 p.m. – Recessed.

6:10 p.m. – Reconvened.

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. Staff Report: Kristin Doud, Senior Planner, Recommends **APPROVAL**. Public hearing opened. **OPPOSITION:** None. **FAVOR:** Art Silva, applicant. Public hearing closed. Blom/Etchebarne (9/0) **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT**.

8. OTHER MATTERS (NOT PUBLIC HEARINGS)

- A. 2018 Community Health Assessment Findings, Presented by Titus Oyeladun, Stanislaus County Health Services Agency.

9. REPORT OF THE PLANNING DIRECTOR

BOARD OF SUPERVISORS ACTIONS

April 2, 2019: Adopted the Recommended Decision of the Nuisance Abatement Hearing Board regarding the costs accounting to abate the nuisance at 316 Empire Avenue, Modesto CA 95354; and authorized the recovery of costs associated with abatement of the property.

Set Public Hearing for April 16, 2019 to consider the Planning Commission's Recommendation for Approval of General Plan Amendment and Rezone application No. PLN2017-0134, Mo's Oasis, located at 8000 E. Whitmore Avenue, on the southeast corner of E. Whitmore Avenue and Geer Road, in the Hughson area.

Set Public Hearing for April 16, 2019 to consider the Planning Commission's Recommendation for Approval of Williamson Act Cancellation and Use Permit application No. PLN2015-0081, Sullivan Road Solar, located approximately .5 miles west of Interstate 5, north and west of Sullivan Road, and bisected by Pete Miller Road, in the Newman area; and adoption of a Mitigated Negative Declaration.

Set Public Hearing for April 16, 2019 to consider the Planning Commission's Recommendation for Approval of Use Permit and Development Agreement application No. PLN2018-0111, Medallion Wellness, located at 4213 McHenry Avenue, northwest of McHenry and Pelandale Avenues, in the Modesto area.

Approved the Planning Commission's Recommendation for approval of Rezone application No. PLN2016-0071, Wells Avenue RV & Self-Storage, located at 418 Wells Avenue.

Approved the Planning Commission's Recommendation for approval of Use Permit and Development Agreement application No. PLN2018-0108, MDF Farms, located at 16218 Sycamore Avenue.

Adopted the updated County Public Facilities Fees (PFF) program to add a new Accessory Dwelling Unit fee component and amend PFF Administrative Guidelines.

MISCELLANEOUS & ON THE HORIZON

Training Opportunity:

On April 17, 2019, from 6:30 p.m. to 8:30 p.m., in the Tenth Street Place Chambers, County Counsel will be hosting an AB 1234 Ethics training.

Planning Commission

April 18, 2019: Two Use Permits and Development Agreement applications.

10. ADDITIONAL MATTERS AT DISCRETION OF CHAIRMAN – None.

11. ADJOURNMENT

The meeting was adjourned at 7:36 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>.)