

# STANISLAUS COUNTY PLANNING COMMISSION

## MINUTES

REGULAR MEETING

October 1, 2020

1. **ROLL CALL:** Meeting called to order at 6:00 p.m.  
  
Present: Marjorie Blom, Kenneth Buehner, Thomas Maring, Wayne Mott, Wayne Pacheco, Lars Willerup, Wayne Zipser  
  
Absent: Erika Durrer, Perfecto Munoz  
  
Staff Present: The following Planning & Community Development staff were present: Angela Freitas, Director; Rachel Wyse, Senior Planner, Jeremy Ballard, Associate Planner, Kristen Anaya, Assistant Planner, and Jennifer Akin, Planning Commission Clerk. The following Stanislaus County staff were also present: Tera Chumley, Management Consultant, Chief Executive Office; Frederic Clark, Deputy Director, Department of Public Works; Parminder Dhillon, Senior Environmental Health Specialist, Department of Environmental 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. September 17, 2020  
Willerup/Maring (6/0) **APPROVED.**  
Commissioner Zipser abstained.
5. **CORRESPONDENCE**

Director Freitas informed the Commissioners of various items of correspondence placed before them this evening:

  - A. Memo dated October 1, 2020 from Stanislaus County Department of Planning and Community Development regarding Non-Consent Item 7-A – Use Permit Application No. PLN2018-0104 – Monte Vista Farms
  - B. Email dated October 1, 2020 from Jonathan Hoff regarding Non-Consent Item 7-A – Use Permit Application No. PLN2018-0104 – Monte Vista Farms
  - C. Email dated October 1, 2020 from Kenneth Roost regarding Non-Consent Item 7-A – Use Permit Application No. PLN2018-0104 – Monte Vista Farms

**6. CONFLICT OF INTEREST**

- A. Commissioner Zipser – Non-Consent item 7-B, Use Permit and Development Agreement Application No. PLN2019-0133 – Legacy Nursery – S. Daubenberger

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

Commissioner Blom informed the public that there were no consent items.

**\* CONSENT ITEMS** – None.

**NON-CONSENT ITEMS**

- A. USE PERMIT APPLICATION NO. PLN2018-0104 – MONTE VISTA FARMS** – Request to expand an existing almond hulling facility by constructing five warehouses totaling 204,000 square feet and a 30,000 square-foot addition to an existing shipping building, and conversion of an existing 9,000 square-foot building to almond storage on a 52± acre parcel in the A-2-40 (General Agriculture) zoning district. The property is located at 5043 N. Montpelier Road, between E. Keyes Road and E. Monte Vista Avenue, in the Denair area. The Planning Commission will consider adoption of a California Environmental Quality Act Negative Declaration for the project. APN: 019-041-061. Staff Report: Kristen Anaya, Assistant Planner, Recommends **APPROVAL**.

***Recess – 6:13 p.m.***

***Recess was taken to allow the Planning Commission and Staff to review the correspondence.***

***Reconvened – 6:20 p.m.***

Public hearing opened.

**OPPOSITION:** None.

**FAVOR:** Rod Hawkins, and Jonathan Hoff

Public hearing closed.

Willerup/Mott (7/0 **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE OCTOBER 1, 2020 PLANNING COMMISSION STAFF REPORT, WITH MODIFICATION TO CONDITIONS OF APPROVAL NOS. 20 AND 22 AS OUTLINED IN THE OCTOBER 1, 2020 PLANNING COMMISSION MEMO TO READ AS FOLLOWS:**

20. Prior to the final of ~~any~~ **the second** building or grading permit **for any new building or addition to an existing building covered under PLN2018-0104-Monte Vista Farms, or two years from the date of approval of PLN2018-0104-Monte Vista Farms, whichever comes first**, the applicant shall make road frontage improvements on Montpelier Road. These improvements shall include asphalt road widening, bringing the existing road up to 12' wide paved vehicle lane and a 4' wide paved asphalt shoulder southeast of the centerline of Montpelier Road. The length of the improvements will be the frontage of Montpelier Road.

22. An acceptable financial guarantee for the ~~phased~~ road improvements shall be provided to the Department of Public Works prior to the issuance of any building or grading permit. ~~The financial guarantee will be phased to the required improvements.~~ This shall be waived if the work in the right-of-way is done prior to the issuance of any building or grading permit.

**6:35 p.m. - Commissioner Zipser left Chambers.**

- B. USE PERMIT AND DEVELOPMENT AGREEMENT APPLICATION NO. PLN2019-0133 – LEGACY NURSERY, LLC – S. DAUBENBERGER ROAD –**  
Request to obtain a Use Permit and Development Agreement to establish a commercial cannabis nursery business, in three phases, on a 38.1-acre parcel in the M (Industrial) zoning district. The project site is located at 2201 S. Daubenberger Road, north of the Paulson and S. Daubenberger Roads intersection, east of S. Golden State Boulevard, in the Turlock area. 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: 044-036-006.  
Staff Report: Jeremy Ballard, Associate Planner, Recommends **APPROVAL**.  
Public hearing opened.  
**OPPOSITION:** None.  
**FAVOR:** Marc Etchebarne, and Jennina Chiavetta  
Public hearing closed.  
Buehner/Mott (6/0) **RECOMMENDED APPROVAL TO THE BOARD OF SUPERVISORS AS OUTLINED IN THE OCTOBER 1, 2020 PLANNING COMMISSION STAFF REPORT.**

**7:01 p.m. – Commissioner Zipser returned to Chambers.**

8. **OTHER MATTERS (NOT PUBLIC HEARINGS) – None.**
9. **REPORT OF THE PLANNING DIRECTOR**

**BOARD OF SUPERVISORS ACTIONS**

September 29, 2020: Approved to set the Public Hearing on October 13, 2020 to consider the Planning Commission's recommendation of denial for Use Permit and Development Agreement Application No. PLN2019-0095 – Central Valley Growers, LLC – Howard Road III, a request to obtain an Use Permit and Development Agreement to establish a mixed-light commercial cannabis cultivation, nursery, processing, and distribution operation in phases on a 49 acre parcel in the A-2 (General Agriculture) zoning district. The project site is located at 3735 Howard Road, between the California Aqueduct and the Delta Mendota Canal, north of Interstate Highway 5, in the Westley area.

**MISCELLANEOUS & ON THE HORIZON**

Planning Commission

October 15, 2020: One Parcel Map in the Patterson area and one Use Permit in the Ceres area.

November 5, 2020: One Ordinance Amendment

**10. ADDITIONAL MATTERS AT DISCRETION OF THE CHAIR**

A. Commissioner Willerup thanked his wife, who was in attendance, for 26 years of marriage.

**11. ADJOURNMENT**

The meeting was adjourned at 7:04 p.m.

Signature on file.  
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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>.)