

STANISLAUS COUNTY PLANNING COMMISSION

MINUTES

REGULAR MEETING

March 4, 2021

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

Present: Matt Beekman, Kenneth Buehner, Erika Durrer, Thomas Maring, Wayne Mott, Perfecto Munoz, Wayne Pacheco, Wayne Zipser

Absent: Lars Willerup

Staff Present: The following Planning & Community Development staff were present: Angela Freitas, Director; Kristin Doud, Principal Planner; Emily Basnight, Assistant Planner; and Jennifer Akin, Planning Commission Clerk. The following Stanislaus County staff were also present: Michael Ziman, Deputy County Counsel; Ramon Salinas, Assistant Engineer/Surveyor, Department of Public Works; and Parminder Dhillon, Senior Environmental Health Specialist, Department of Environmental Resources.

Deputy County Counsel, Michael Ziman, and Senior Environmental Health Specialist, Parminder Dhillon, participated remotely.

2. **PLEDGE OF ALLEGIANCE**

3. **CITIZEN'S FORUM**

- A. Robert Cushing, resident, spoke regarding development occurring at the corner of Wamble and Sierra Roads, in the Oakdale area, by the Sierra Northern Railroad (RR) company. He discussed concerns with the impacts the RR's activities are having on the area and that the RR had not applied for any land use or building permits with the County for the work already being done on the property.

Director Freitas provided a brief back ground on the RR's activities on the property and why the development has not been presented to the Planning Commission. Railroad facilities are federally exempt from local zoning, but must still comply with local health and safety regulations. The County has been in contact with the RR and has asked for documentation needed to establish an exemption from local regulations. The County has also requested that all construction activities and uses not permitted by County building permit or land use regulations immediately cease until documentation demonstrating federal pre-emption are submitted.

4. **APPROVAL OF MINUTES**

- A. February 18, 2021
Maring/Buehner (7/0) **APPROVED.**
Commissioner Munoz abstained.

5. CORRESPONDENCE

Director Freitas informed the Commissioners that there was no correspondence.

6. CONFLICT OF INTEREST – None.

7. PUBLIC HEARINGS (* - Consent Items)

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

*** CONSENT ITEMS** – None.

NON-CONSENT ITEMS

A. USE PERMIT APPLICATION NO. PLN2020-0088 – FIX AUTO – GALAXY WAY

– Request to amend the Development Plan of Planned Development (P-D) (311), to allow for construction of a 13,600± square-foot building for auto body and engine repair and parts fabrication and distribution, on a 1± acre parcel. The site is located west of McHenry Avenue and south of Kiernan Avenue, at the southwest corner of Galaxy Way and Spyres Way within the LAFCO adopted Sphere of Influence of the City of Modesto. The Planning Commission will consider adoption of a California Environmental Quality Act Negative Declaration for the project. APN: 046-011-074.

Staff Report: Emily Basnight, Assistant Planner, Recommends **APPROVAL**.

Public hearing opened.

OPPOSITION: None.

FAVOR: Michael Murphy, applicant representative

Public hearing closed.

Buehner/Durrer (8/0) **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT.**

Items 9 and 10 were heard out of order prior to Other Matters – Item 8-A – Planning Commission Workshop

8. OTHER MATTERS (NOT PUBLIC HEARINGS)

A. PLANNING COMMISSION WORKSHOP – NOISE ANALYSIS PRESENTATION PROVIDED BY LUKE SAXELBY, PRINCIPAL CONSULTANT, SAXELBY ACOUSTICS

9. REPORT OF THE PLANNING DIRECTOR

BOARD OF SUPERVISORS ACTIONS

March 2, 2021: Approved to set the Public Hearing on March 16, 2021 to consider the Planning Commission's Recommendation of Approval of Ordinance Amendment Application No. PLN2020-0105 – Hemp Cultivation, a request to amend Chapter 6.85 Hemp Cultivation and Chapter 21.20 – General Agriculture District (A-2), of the Stanislaus County Code. The amendment will adopt a permanent ordinance for the cultivation of hemp in the A-2 (General Agriculture) zoning district of the unincorporated areas of Stanislaus County. The permanent ordinance will set standards for hemp cultivation, registration, nuisance, revocation, and

payment of fees. Chapter 21.20 is proposed to be amended to include the hemp cultivation regulations by reference.

MISCELLANEOUS & ON THE HORIZON

Planning Commission

March 18, 2021: No items scheduled.

April 1, 2021: Two Use Permits, one in the Turlock area and one in the Crows Landing area. One Parcel Map in the Modesto area.

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

6:32 p.m. – Recessed

6:36 p.m. – Reconvened to Other Matters – Item 8-A – Planning Commission Workshop – Noise Analysis Presentation Provided by Luke Saxelby, Principal Consultant, Saxelby Acoustics

11. ADJOURNMENT

The meeting was adjourned at 7:40 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>.)