

STANISLAUS COUNTY PLANNING COMMISSION

MINUTES

REGULAR MEETING

May 5, 2022

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

Present: Matt Beekman, Dale Boucher, Kenneth Buehner, Perfecto Munoz, Thomas Maring, Wayne Pacheco, Lars Willerup, Wayne Zipser

Absent: Erika Durrer

Staff Present: The following Planning & Community Development staff were present: Angela Freitas, Director; Kristin Doud, Deputy Director; and Casse White, Planning Commission Clerk. The following Stanislaus County staff were also present: Todd James, Deputy County Counsel; Isael Ojeda, Assistant Engineer/Surveyor, Department of Public Works; and Alondra Estrada, Environmental Health Specialist, Department of Environmental Resources.
2. **PLEDGE OF ALLEGIANCE**
3. **CITIZEN'S FORUM** – None.
4. **MINUTES**
 - A. March 17, 2022
Maring/Beekman (8/0) **APPROVED.**
 - B. April 21, 2022
Willerup/Pacheco (8/0) **APPROVED.**
5. **CORRESPONDENCE**
 - A. Non-Consent Item 7-B – Amendment to Use Permit PLN2015-0130 – The Fruit Yard.
 - i. Email with attached Rebuttal Statement No. 1 dated May 3, 2022 from Richard and Barbara Heckendorf.
 - ii. Email with attached Rebuttal Statement No. 2 dated May 3, 2022 from Richard and Barbara Heckendorf.
 - iii. Memo dated May 5, 2022, from the Stanislaus County Planning and Community Development Department.

6. **CONFLICT OF INTEREST** – None.

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

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

*** CONSENT ITEMS**

- *A. **USE PERMIT AND DEVELOPMENT AGREEMENT APPLICATION NO. PLN2020-0010 – STANCO FAMILY FARMS** – *Request continuance to May 19, 2022.* Request to operate a commercial cannabis cultivation, nursery, and distribution business on a 35.8-acre parcel in the General Agriculture (A-2-40) zoning district. The project proposes to construct eight, 3,920 square foot greenhouses and one 1,500 square-foot warehouse for processing activities. A Development Agreement is included in the project request. The project is located on Sullivan Road, abutting the California Aqueduct to the east, and the County of Merced to the south, in the Newman area. The Planning Commission will consider a CEQA Mitigated Negative Declaration. APN: 028-015-026. Staff Report: Jeremy Ballard, Associate Planner, Recommends **APPROVAL**. Maring/Buehner (8/0) **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF MEMO DATED MAY 5, 2022.**

NON-CONSENT ITEMS

- B. **AMENDMENT TO USE PERMIT NO. PLN2015-0130 – THE FRUIT YARD** – Request to amend Mitigation Measures No. 5 and 6, which specify the on-site noise monitoring for both A-weighted and C-weighted noise measurements for The Fruit Yard Amphitheater. The outdoor amphitheater is located on a 31.12 acre parcel zoned Planned Development (P-D) (317). The parcel is located at 7824 Yosemite Boulevard (Hwy 132), at the southwest corner of Yosemite Boulevard and Geer Road, between the Cities of Modesto and Waterford. APN: 009-027-011. Staff Report: Kristin Doud, Deputy Director, Recommends **APPROVAL**. Public hearing opened. **OPPOSITION:** Michelle Bell, resident; Richard Heckendorf, resident; Barbara Heckendorf, resident. **FAVOR:** Dave Romano, applicant representative. Public hearing closed. Willerup/Beekman (6/2) **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF MEMO DATED MAY 5, 2022.**

Roll Call Vote: Ayes – Commissioners Boucher, Buehner, Maring, Munoz, Willerup, and Zipser
Noes – Commissioners Beekman and Pacheco
Abstaining – None
Absent – Commissioner Durrer

8. **OTHER MATTERS (NOT PUBLIC HEARINGS)** – None.

9. REPORT OF THE PLANNING DIRECTOR

BOARD OF SUPERVISORS ACTIONS

- April 26, 2022: No Planning Commission items on the agenda.
- May 3, 2022: Set the Public Hearing on May 24, 2022 to consider the Planning Commission's Recommendation of Approval of Rezone Application No. PLN2021-0098 – A&R Mortuary Services, a Request to Rezone a 9,486± Square-Foot Parcel from Planned Development (P-D) (276) to a New Planned Development, to Allow a Mortuary Establishment in Addition to the Low-Traffic Generating Light Industrial Uses Currently Permitted, Located at 5434 & 5436 Pirrone Road, Between the MID Lateral No. 8 Canal and Pirrone Court, in the Community of Salida.

MISCELLANEOUS AND ON THE HORIZON

Planning Commission

- May 19, 2022: Two Use Permits in the Modesto area. Presentation from California Fish and Wildlife (CDFW) on California Environmental Quality Act (CEQA) Filing fees.
- June 2, 2022: No items scheduled.

Regional Planning Commissioner Training

- May 20, 2022 Regional Planning Commissioner training for Stanislaus County will be held on May 20, 2022 from 9:00 a.m. to 4:00 p.m. in Stockton, CA. Register online at www.ca-ilg.org/pctrainings. Informational flyers placed on dais.

10. ADDITIONAL MATTERS AT DISCRETION OF THE CHAIR

- A. Commissioner Munoz welcomed Planning Commissioner Boucher to the Stanislaus County Planning Commission.

11. ADJOURNMENT

The meeting was adjourned at 7:38 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>.)