

STANISLAUS COUNTY PLANNING COMMISSION

MINUTES

REGULAR MEETING

September 1, 2022

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

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

Absent: Matt Beekman

Staff Present: The following Planning & Community Development staff were present: Angela Freitas, Director; Kristy Doud, Deputy Director; Emily Basnight, Assistant Planner; and Casse White, Planning Commission Clerk. The following Stanislaus County staff were also present: Rob Taro, Deputy County Counsel; Isael Ojeda, Assistant Engineer/Surveyor, Department of Public Works; and Parminder Dhillon, Senior Environmental Health Specialist, Department of Environmental Resources.
2. **PLEDGE OF ALLEGIANCE**
3. **CITIZEN'S FORUM** – None.
4. **MINUTES**
 - A. August 18, 2022
Maring/Pacheco (6/0) **ACCEPTED.**
Commissioner's Buehner and Willerup abstained.
5. **CORRESPONDENCE**

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

 - A. California Environmental Quality Act Referral Response received August 26, 2022 from the Knights Ferry Municipal Advisory Council for Consent Item 7-A – Time Extension for Vesting Tentative Map Application No. 2006-06 – Knights Ferry Overlook.
 - B. Email dated August 27, 2022 from Brad Johnson for Non-Consent Item 7-D – Use Permit Application No. PLN2022-0003 – FM Ingredients.
6. **CONFLICT OF INTEREST**
 - A. Commissioner Erika Durrer – Non-Consent Item 7-D, Use Permit Application No. PLN2022-0003 – FM Ingredients.

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

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

*** CONSENT ITEMS**

- *A. TIME EXTENSION FOR VESTING TENTATIVE MAP (TM) APPLICATION NO. 2006-06 – KNIGHTS FERRY OVERLOOK** - Request for a one-year time extension. The approved TM subdivided a 33.70 acre parcel into eight lots ranging from 0.50 to 5 acres in size and a 12.03 acre remainder parcel in the General Agricultural (A-2-5) and Historical Site (H-S) zoning districts. The project is located at the southeast corner of Cemetery and Frymire Roads, in the Knights Ferry area. This request is considered Exempt from the California Environmental Quality Act. APNs: 002-044-003 and 002-044-004. Staff Report: Jeremy Ballard, Assistant Planner, Recommends **APPROVAL**. Buehner/Durrer (8/0) **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF MEMO.**
- *B. TIME EXTENSION FOR VESTING TENTATIVE MAP (TM) APPLICATION NO. PLN2017-0058 – ORANGE GROVE ESTATES** - Request for a one-year time extension. The approved TM subdivided a 2.11± acre parcel into nine parcels ranging between 7,000 and 15,155 square feet in size in the Single-Family Residential – Urban Services (R-1 US) zoning district. This project is located at 5537 Washington Road, on the north side of Kim Drive, between Tanya Way and Washington Road, in the Community of Keyes. This request is considered Exempt from the California Environmental Quality Act. APN: 045-021-041. Staff Report: Emily Basnight, Assistant Planner, Recommends **APPROVAL**. Buehner/Durrer (8/0) **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF MEMO.**
- *C. REZONE AND TENTATIVE MAP APPLICATION NO. PLN2022-0026 – ELMWOOD ESTATES** – *Request continuance to September 15, 2022.* Request to rezone a 4.82± acre parcel from Rural Residential (R-A) to Planned Development (P-D) to increase the maximum building site coverage from 40 to 50 percent, and to create 17 single-family residential lots ranging in size from 8,000 to 10,594 square feet, and a 13,098 square-foot stormwater basin. The property is located at 3700 Story Road, between Zeering Road and Walton Street, in the Community of Denair. The Planning Commission will consider adoption of a CEQA Negative Declaration for this project. APN: 024-055-060. Staff Report: Emily Basnight, Assistant Planner, Recommends **APPROVAL**. Buehner/Durrer (8/0) **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF MEMO.**

6:06 p.m. – Commissioner Durrer left the Chambers.

NON-CONSENT ITEMS

- A. USE PERMIT APPLICATION NO. PLN2022-0003 – FM INGREDIENTS** – Request to operate an animal feed mineral blending business on a 39.64± acre parcel in the General Agriculture (A-2-40) zoning district. The property is located at 10924 Hilmar Road, between Hugin Road and South Central Avenue, in the

Turlock area. The Planning Commission will consider adoption of a California Environmental Quality Act Negative Declaration for this project.
Staff Report: Emily Basnight, Assistant Planner.

Staff did not provide a recommendation for this project, but findings and actions required for project approval (Exhibit A of the staff report) were provided in the staff report and presented at the public hearing. During the staff's presentation during the public hearing a new Condition of Approval requested by County Public Works, seeking a per ton fee to offset traffic impacts, was verbally introduced into the record. A hardcopy of the new Condition of Approval language was provided to each Planning Commission member, the applicant, and members of the public following staff's presentation. The new Condition of Approval was not part Exhibit A.

Public hearing opened.

OPPOSITION: None.

FAVOR: Justin Gioletti, applicant; Johnny Machado, applicant.

Public hearing closed.

Zipser/Buehner (7/0) **APPROVED THE STAFF RECOMMENDATIONS FOR APPROVAL AS OUTLINED IN EXHIBIT A – FINDINGS AND ACTIONS REQUIRED FOR PROJECT APPROVAL OF THE STAFF REPORT.**

6:28 p.m. – Commissioner Durrer returned to the Chambers.

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

9. **REPORT OF THE PLANNING DIRECTOR**

BOARD OF SUPERVISORS ACTIONS

August 30, 2022: No Planning Commission items on the agenda.

MISCELLANEOUS AND ON THE HORIZON

Planning Commission

September 15, 2022: One Use Permit in the Crows Landing area. One Rezone and Tentative Map in the Denair area. One Variance in the Modesto area.

October 6, 2022: One Parcel Map in the Modesto area. One Use Permit in the Turlock area.

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

11. **ADJOURNMENT**

The meeting was adjourned at 6:29 p.m.

Signature on file.

Angela Freitas, Secretary

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(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>.)

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