

STANISLAUS COUNTY PLANNING COMMISSION

AGENDA

September 7, 2023

6:00 P.M.

CHAMBERS – BASEMENT LEVEL
TENTH STREET PLACE
1010 10TH STREET, MODESTO
www.stancounty.com/planning

The Planning Commission welcomes you to its meetings which are regularly scheduled the first and third Thursday of each month, and your interest is encouraged and appreciated.

The agenda is divided into two sections:

CONSENT CALENDAR: These are items on this agenda designated by an asterisk (*) next to the item number, requiring a Planning Commission public hearing but which, following an initial evaluation by staff, have been found to be consistent with existing County policy and the County General Plan and are, therefore, recommended for "routine" approval. Prior to actual Planning Commission consideration, the Chair will open the public hearing and ask if anyone present wishes to discuss any of the items. If you want a particular agenda item removed from "Consent", please speak up and advise the Chair. That item will then be withdrawn from "Consent" and reviewed in detail as scheduled. The remaining "Consent" items for which there are no voice objections will be handled by a single action of the Commission.

NON-CONSENT CALENDAR: These items will be individually discussed and reviewed in detail.

ANY MEMBER OF THE AUDIENCE DESIRING TO ADDRESS THE PLANNING COMMISSION REGARDING A MATTER ON THE AGENDA: While the Planning Commission welcomes and encourages participation in the Commission meetings, it would be appreciated if comments are limited to five minutes so that everyone may be heard.

PUBLIC COMMENT PERIODS: Matters under the jurisdiction of the Commission, and not on the posted agenda, may be addressed by the general public at the beginning of the regular agenda and any off-agenda matters before the Planning Commission for consideration; however, California law prohibits the Commission from taking any action on any matter which is not on the posted agenda unless it is determined to be an emergency by the Board of Supervisors. Any member of the public wishing to address the Commission during the "Citizen's Forum" period will be limited to a maximum of 5 minutes.

New agenda items will not be heard after 11:00 p.m. If agenda item is not fully discussed by 12:30 a.m., it will be continued at the discretion of the Chair.

PLANNING COMMISSION AGENDAS AND MINUTES: Agendas, Minutes, and copies of items to be considered by the Planning Commission are available at least 72 hours prior to the scheduled meeting date on the Planning Commission's Agenda & Minutes web page (www.stancounty.com/planning/agenda/index.shtm). All materials, including materials related to an item on this Agenda, submitted to the Commission after distribution of the agenda packet are available for public inspection in the Planning Department at 1010 10th Street, Suite 3400, Modesto, during normal business hours.

AUDIO/VIDEO BROADCAST: All Planning Commission meetings are normally broadcast live and replayed on local cable television. A list of cable channels and broadcast times are available at the following website: www.stancounty.com/board/broadcasting-schedule.shtm. In addition, a live audio/video broadcast of this meeting can be heard/seen via the World Wide Web at: www.stancounty.com/sclive.

NOTICE REGARDING NON-ENGLISH SPEAKERS: Planning Commission meetings are conducted in English and translation to other languages is not provided. Please make arrangements for an interpreter if necessary.

REASONABLE ACCOMMODATIONS: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Commission Clerk at (209) 525-6330. Notification 72 hours prior to the meeting will enable the Clerk to make arrangements to ensure accessibility to this meeting.

1. **ROLL CALL:** Dale Boucher, Neill Callis, Becky Campo, Erika Durrer, Thomas Maring, Carmen Morad, Wayne Pacheco, Lars Willerup, Wayne Zipser

2. PLEDGE OF ALLEGIANCE
3. CITIZEN'S FORUM
4. MINUTES [\[View Item\]](#)
 - A. August 17, 2023
5. CORRESPONDENCE
6. CONFLICT OF INTEREST DECLARATION
7. PUBLIC HEARINGS (*Consent Items)

***CONSENT ITEMS**

- *A. **TIME EXTENSION FOR USE PERMIT (UP) PLN2006-10061 – 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. [\[View Item\]](#)

NON-CONSENT ITEMS

- B. **USE PERMIT AND PARCEL MAP APPLICATION NO. PLN2022-0078 - GILLUM** – Request to legalize an existing horse exercising facility, and to subdivide a 161.56± acre parcel, into three parcels and a remainder, consisting of two 40± acre parcels, a 41.56± acre parcel, and a 40± acre remainder, in the General Agriculture (A-2-40) zoning district. The property is located at 17480 26 Mile Road, between Sonora and Carter Roads, in the Oakdale area. The Planning Commission will consider adoption of a California Environmental Quality Act Mitigated Negative Declaration for the project. (APN: 001-011-039). [\[View Item\]](#)
- C. **USE PERMIT APPLICATION NO. PLN2018-0080 – CENTRAL VALLEY CRESCENT** – Request to establish a place of worship by converting a 720± square-foot garage into a prayer hall on a 2.71± acre parcel in the General Agriculture (A-2-40) zoning district. The property is located at 5043 Tully Road, on the northeast corner of Kiernan Avenue and Tully Road, in the Modesto area. The Planning Commission will consider adoption of a California Environmental Quality Act Negative Declaration for this project. APN: 004-069-033. [\[View Item\]](#)
- D. **CANCELLATION OF DEVELOPMENT AGREEMENTS FOR NON-OPERATING COMMERCIAL CANNABIS PROJECTS** – Request to cancel the adopted Development Agreements for eight commercial cannabis operations of various types located throughout the unincorporated area of Stanislaus County. The

Planning Commission will consider finding that the requests are exempt from the California Environmental Quality Act pursuant to CEQA Guidelines 15061 (Common Sense Exemption). Request includes the following sites: APN 004-094-017, located at 485 Bitritto Way, in the Modesto area (GPA REZ UP & DA No. PLN2018-0093 – The Genezen Project); APN 048-014-009, located at 2036 Almond Avenue, in the Patterson area (UP & DA No. PLN2018-0129 – Mission Nurseries); APN 036-008-052, located at 2841 Nathan Avenue, in the Modesto area (UP & DA No. PLN2018-0151 – Prem Gen Corp – Nathan Avenue); APN 016-004-028, located at 1837 Welty Road, in the Vernalis area (UP & DA No. PLN2018-0159 – Stockton Business Strategies); APN 009-014-025, located at 778 Albers Road, in the Modesto area (UP & DA No. PLN2018-0163 – Blue Oak Naturals); APN 135-043-031, located at 4100 Bangs Avenue, in the Community of Salida (UP & DA No. PLN2019-0092 – Pacific Botanicals, LLC.); APN 016-037-039, located at 3735 Howard Road, in the Westley area (UP & DA No. PLN2019-0095 – Central Valley Growers, LLC – Howard Road III); APN 044-036-006, located at 2201 S. Daubenberger Road, in the Turlock area (UP & DA No. PLN2019-0133 – Legacy Nursery – S. Daubenberger Road). [\[View Item\]](#)

8. **OTHER MATTERS (Not Public Hearings)**
9. **REPORT OF THE PLANNING DIRECTOR**
10. **ADDITIONAL MATTERS AT DISCRETION OF THE CHAIR**
11. **ADJOURNMENT**

DECISIONS OF THE STANISLAUS COUNTY PLANNING COMMISSION, EXCLUDING RECOMMENDATIONS, ARE APPEALABLE TO THE BOARD OF SUPERVISORS IF FILED WITH THE CLERK OF THE BOARD WITHIN TEN DAYS OF THE DATE OF THE PLANNING COMMISSION MEETING AT WHICH THE DECISION IS MADE (COUNTY CODE SECTION 21.112.040 – PLANNING COMMISSION DECISIONS). THE APPEAL FEE IS \$1,597.00.