

STANISLAUS COUNTY PLANNING COMMISSION

MINUTES

REGULAR MEETING

February 15, 2024

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

Present: Dale Boucher, Carmen Morad, Wayne Pacheco, Lars Willerup, Wayne Zipser

Absent: Neill Callis, Becky Campo, Thomas Maring, and Jose Sabala

Staff Present: The following Planning & Community Development staff were present: Angela Freitas, Director; Kristy Doud, Deputy Director; Jeremy Ballard, Senior Planner; and Angelica Duenas, Planning Commission Clerk. The following Stanislaus County staff were also present: Rob Taro, Assistant County Counsel; Erica Inacio, Deputy Executive Officer, Chief Executive Office; Andy Johnson, Director, General Services Agency; Sam Churn, Deputy Director, Public Works; Isael Ojeda, Engineer II, Department of Public Works; and Parminder Dhillon, Senior Environmental Health Specialist, Department of Environmental Resources.

2. **PLEDGE OF ALLEGIANCE**

3. **CITIZEN'S FORUM** – No one spoke.

4. **MINUTES**

- A. January 18, 2024
Morad/Willerup (5/0) **ACCEPTED**

5. **CORRESPONDENCE** – None.

6. **CONFLICT OF INTEREST** – None.

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

Chair Pacheco informed the public that there were no consent items.

*** CONSENT ITEMS** – None.

NON-CONSENT ITEMS

- A. **CANCELLATION OF THE DEVELOPMENT AGREEMENT FOR USE PERMIT AND DEVELOPMENT AGREEMENT NO. PLN2020-0036 – THE PEOPLE'S REMEDY** – *Requesting a continuance to March 7, 2024.* Request to cancel the adopted Development Agreement for a commercial cannabis retail business,

located at 1119 Lone Palm Avenue, between Woodland and Kansas Avenues, west of State Route 99, in the Modesto area. This request is considered Exempt from California Environmental Quality Act. APN: 029-011-075.

Staff Report: Jeremy Ballard, Senior Planner, Recommends **APPROVAL**.

Public hearing opened.

OPPOSITION: None.

FAVOR: None.

Public hearing closed.

Willerup/Boucher (5/0) **APPROVED THE CONTINUANCE TO MARCH 7, 2024, AS RECOMMENDED IN THE STAFF MEMO.**

B. **CANCELLATION OF THE DEVELOPMENT AGREEMENT FOR USE PERMIT AND DEVELOPMENT AGREEMENT NO. PLN2018-0149 – BYNATE** – Request

to cancel the adopted Development Agreement for a commercial cannabis retail business, located at 21931 State Highway 33, between Fink Road and Ike Crow Road, in the Crows Landing area. This request is considered Exempt from California Environmental Quality Act. APN: 027-012-055.

Staff Report: Jeremy Ballard, Senior Planner, Recommends **APPROVAL**.

Public hearing opened.

OPPOSITION: Pete Cicinato.

FAVOR: None.

Public hearing closed.

Willerup/Zipser (5/0) **RECOMMENDED APPROVAL TO THE BOARD OF SUPERVISORS AS OUTLINED IN THE STAFF MEMO.**

Roll Call Vote: Ayes – Boucher, Morad, Pacheco, Willerup, and Zipser

Noes – None

Abstaining – None

Absent – Campo, Callis, Maring, and Sabala

C. **GENERAL PLAN AMENDMENT AND REZONE APPLICATION NO. PLN2023-0031 – SECURED SPACE SELF STORAGE** – Request to amend the

Community Plan designation from Medium-Density Residential to Commercial and the zoning designation from General Agriculture (A-2-10) to Planned Development (P-D) to allow for the operation of an existing mini-storage facility on a 4.67± acre parcel. The project is located at 5024, 5028, and 5030 Rohde Road, between Esmar and Faith Home Roads, in the community of Keyes. The Planning Commission will consider adoption of a California Environmental Quality Act Mitigated Negative Declaration for the project. APN: 041-059-001 and 041-059-002.

Staff Report: Kristy Doud, Deputy Director, Recommends **APPROVAL**.

Public hearing opened.

OPPOSITION: None.

FAVOR: Steven Morrow, member of Keyes Municipal Advisory Council and neighbor; and Biren Patel, property owner.

Public hearing closed.

Willerup/Boucher (5/0) **RECOMMENDED APPROVAL TO THE BOARD OF SUPERVISORS AS OUTLINED IN THE STAFF MEMO.**

Roll Call Vote: Ayes – Boucher, Morad, Pacheco, Willerup, and Zipser
Noes – None
Abstaining – None
Absent – Campo, Callis, Maring, and Sabala

8. OTHER MATTERS (NOT PUBLIC HEARINGS)

- A. **GENERAL PLAN CONSISTENCY FINDING FOR STANISLAUS COUNTY 2024-2028 CAPITAL IMPROVEMENT PLAN (CIP)** – A request to consider consistency of the proposed Stanislaus County 2024-2028 Capital Improvement Plan (CIP) with the Stanislaus County General Plan.

Presentation of the General Plan Consistency Finding for the Stanislaus County 2024-2028 Capital Improvement Plan (CIP) was given by Kristy Doud, Deputy Director. Following staff's presentation, the matter was opened for discussion. Andy Johnson, Director of General Services Agency and Sam Churn, Deputy Director of Public Works provided the Commission with additional CIP project details.

Zipser/Boucher (5/0) **FOUND THE CIP CONSISTENT WITH THE GENERAL PLAN AS OUTLINED IN THE STAFF MEMO.**

9. REPORT OF THE PLANNING DIRECTOR

BOARD OF SUPERVISORS ACTIONS

February 13, 2024

Continued to February 27, 2024 three public hearings for consideration of the Planning Commission's recommendation of approval to adopt three new development agreements for: Lyfted Farms, Inc. – 5266 Jerusalem Court, Lyfted Farms, Inc. – 5271 Jerusalem Court, and Prem Gen Corp.

The items were continued in response to action taken on an item, on the same agenda, to establish a tax on cannabis business activity. The Board directed County Counsel, in coordination with the CEO's office, to prepare proposed amendments to allow for flexibility to calculate the method for tax for cultivation and to bring those amendments back to the Board on February 27, 2024.

The continuation of the three public hearing items also included approval of a 30-day extension for the current development agreements.

MISCELLANEOUS AND ON THE HORIZON

Planning Commission

March 7, 2024: One use permit in the Crows Landing area; one parcel map in the Waterford area; and one development agreement revocation in the Modesto area.

March 21, 2024: One use permit in the Turlock area; two new development agreements in the Modesto area; and a presentation on the South 9th Street Corridor Plan.

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

11. ADJOURNMENT

The meeting was adjourned at 6:51 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>.)