

STANISLAUS COUNTY PLANNING COMMISSION

MINUTES

REGULAR MEETING

March 21, 2024

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

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

Absent: Neill Callis, Becky Campo, and Jose Sabala

Staff Present: The following Planning & Community Development staff were present: Angela Freitas, Director; Jeremy Ballard, Senior Planner; Kristen Anaya, Associate Planner, Emily DeAnda, Associate 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; Isael Ojeda, Assistant Engineer/Surveyor, Department of Public Works; and Alondra Estrada, Environmental Health Specialist III, Department of Environmental Resources.
2. **PLEDGE OF ALLEGIANCE**
3. **CITIZEN'S FORUM** – No one spoke.
4. **MINUTES**
 - A. March 7, 2024

Morad/Willerup (6/0) **ACCEPTED**
5. **CORRESPONDENCE**
 - A. Campaign Disclosure (Levine Act) form, received March 18, 2024, from Zach Drivon, regarding Non-Consent Item 7.C. – Development Agreement Application No. PLN2023-0160 – Medallion Wellness.
 - B. Memo, dated March 21, 2024, from the Stanislaus County Planning and Community Development Department, regarding Non-Consent item 7.A. – Development Agreement Application No. PLN2023-0161 – Irish City Farms.
 - C. Campaign Disclosure (Levine Act) form, received March 21, 2024, from Luis Borba, regarding Non-Consent Item 7.B. – Use Permit Application No. PLN2023-0042 – Aemetis Biogas, LLC.
6. **CONFLICT OF INTEREST** – None.
7. **PUBLIC HEARINGS (* - Consent Items)**

* **CONSENT ITEMS** - None.

NON-CONSENT ITEMS

- A. **DEVELOPMENT AGREEMENT APPLICATION NO. PLN2023-0161 – IRISH CITY FARMS** – *Requesting a continuance to May 2, 2024.* Request to adopt a new Development Agreement (DA) for Use Permit No. PLN2018-0162, a previously permitted commercial cannabis operation. The project site is located at 304 Motor City Court, between Detroit Lane and McHenry Avenue, in the Modesto area. The Planning Commission will consider finding that the request is exempt from the California Environmental Quality Act pursuant to CEQA Guidelines 15061 (Common Sense Exemption). APN: 046-008-018.
Staff Report: Jeremy Ballard, Senior Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: None.
FAVOR: None.
Public hearing closed.
Willerup/Boucher (6/0) **APPROVED THE CONTINUANCE TO APRIL 18, 2024 AS OUTLINED IN THE MARCH 21, 2024 MEMO PROVIDED TO THE PLANNING COMMISSION AT THE MEETING AS CORRESPONDENCE TOO LATE FOR THE AGENDA.**
- B. **USE PERMIT APPLICATION NO. PLN2023-0042 – AEMETIS BIOGAS, LLC.** – Request to operate a methane digester on a 157.56± acre parcel located in the General Agriculture (A-2-40) zoning district. The methane digester will process dairy waste produced from the on-site dairy and from three off-site dairies, which will be piped via underground pipelines located across private property and within County road rights-of-way. The methane digester site is located at 7123 and 7215 South Prairie Flower Road, and 7190 South Mitchell Road, between Bradbury and August Roads, near the border of Stanislaus County and Merced County. The Planning Commission will consider adoption of a California Environmental Quality Act Negative Declaration for this project. APNs: 057-014-001 and 057-013-015.
Staff Report: Emily DeAnda, Associate Planner, Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: None.
FAVOR: None.
Public hearing closed.
Zipser/Maring (6/0) **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT.**
- C. **DEVELOPMENT AGREEMENT APPLICATION NO. PLN2023-0160 – MEDALLION WELLNESS** – Request to adopt a new Development Agreement (DA) for Use Permit No. PLN2018-0111, a previously permitted commercial cannabis operation. The project site is located at 4213 McHenry Avenue, on the northwest corner of the McHenry/Pelandale Avenue intersection, in the Modesto area. The Planning Commission will consider finding that the request is exempt from the California Environmental Quality Act pursuant to CEQA Guidelines 15061 (Common Sense Exemption). APN: 046-008-013.
Staff Report: Jeremy Ballard, Senior Planner, Recommends **APPROVAL**.

Public hearing opened.

OPPOSITION: None.

FAVOR: Zach Drivon, Applicant Representative.

Public hearing closed.

Boucher/Willerup (6/0) **RECOMMENDED APPROVAL TO THE BOARD OF SUPERVISORS AS OUTLINED IN THE STAFF MEMO.**

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

Noes – None

Abstaining – None

Absent – Callis, Campo, and Sabala

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

9. **REPORT OF THE PLANNING DIRECTOR**

BOARD OF SUPERVISORS ACTIONS

March 12, 2024: Approved the Planning Commission's recommendation of approval to adopt three new for Development Agreement (DA) for Lyfted Farms, Inc. – 5266 Jerusalem Court, Lyfted Farms, Inc. – 5271 Jerusalem Court, and– Prem Gen Corp.

MISCELLANEOUS AND ON THE HORIZON

Planning Commission

April 4, 2024: No items currently scheduled.

April 18, 2024: One development agreement in the Modesto area.

May 2, 2024: Four items currently scheduled.

Director Freitas shared with the Planning Commission an overview of the week's activities relating to the South 9th Street Corridor Plan efforts and was joined by Kristen Anaya, Associate Planner, in sharing an overview of the Plan's focus and upcoming efforts in finalizing the plan.

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

11. **ADJOURNMENT**

The meeting was adjourned at 6:48 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>.)

AF/ad