

# STANISLAUS COUNTY PLANNING COMMISSION

## MINUTES

REGULAR MEETING

December 3, 2020

1. **ROLL CALL:** Meeting called to order at 6:00 p.m.  
  
Present: Kenneth Buehner, Erika Durrer, Thomas Maring, Wayne Mott, Perfecto Munoz, Wayne Pacheco, Lars Willerup, Wayne Zipser  
  
Absent: None.  
  
Staff Present: The following Planning & Community Development staff were present: Miguel Galvez, Deputy Director; Kristin Doud, Principal Planner; and Jennifer Akin, Planning Commission Clerk. The following Stanislaus County staff were also present: Rob Taro, Deputy County Counsel; Ramon Salinas, 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** – No one spoke.
4. **APPROVAL OF MINUTES**
  - A. November 19, 2020  
Buehner/Willerup (7/0) **APPROVED.**  
Commissioner Munoz abstained.
5. **CORRESPONDENCE**

Deputy Director Galvez informed the Commissioners of various items of correspondence placed before them this evening:

  - A. Letter dated November 30, 2020 from Bobby S. Yamamoto, regarding Other Matters Item 8-B - Use Permit PLN2016-0055 – Recology Blossom Valley Organics – North – 2020 Annual Compliance Review
  - B. Letter dated December 1, 2020 from West Stanislaus Irrigation District, regarding Other Matters Item 8-B - Use Permit PLN2016-0055 – Recology Blossom Valley Organics – North – 2020 Annual Compliance Review
  - C. Letter dated December 1, 2020 from Nisra Farms, LLC, regarding Other Matters Item 8-B – Use Permit PLN2016-0055 – Recology Blossom Valley Organics – North – 2020 Annual Compliance Review

- D. Letter dated December 3, 2020 from Del Puerto Water District, regarding Other Matters Item 8-B – Use Permit PLN2016-0055 – Recology Blossom Valley Organics – North – 2020 Annual Compliance Review

**6. CONFLICT OF INTEREST – None.**

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

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

**\* CONSENT ITEMS**

- \*A. ORDINANCE AMENDMENT NO. PLN2020-0105 – HEMP CULTIVATION – Requesting continuance to December 17, 2020** - Request to amend Chapter 6.85 Hemp Cultivation and Chapter 21.20 - General Agriculture District (A-2), of the Stanislaus County Code. The amendment will adopt a permanent ordinance for the cultivation of hemp in the A-2 (General Agriculture) zoning district of the unincorporated areas of Stanislaus County. The permanent ordinance will set standards for registration, nuisance, revocation, and payment of fees. Chapter 21.20 is proposed to be amended to include the hemp cultivation regulations by reference. APN: County-wide.

Staff Report: Jeremy Ballard, Associate Planner, Recommends **CONTINUANCE.**

Pacheco/Buehner (8/0) **APPROVED CONTINUANCE TO DECEMBER 17, 2020 AS OUTLINED IN THE STAFF MEMO DATED DECEMBER 3, 2020.**

- \*B. CONDITION OF APPROVAL MODIFICATION FOR PARCEL MAP NO. 2006-19 & EXCEPTION NO. 2006-02 – LANDS OF SHATSWELL – Requesting indefinite continuance** - The approved parcel map allowed for a 2.85 acre parcel to be subdivided into a 2.24± acre parcel (Parcel 1) and a 0.61± acre remainder in the R-A (Rural Residential) zoning district. This is a request for a modification to approved Condition of Approval No. 10 requiring an East Oakdale Specific Plan be adopted prior to development of Parcel 1. The applicant is requesting Parcel 1 be allowed to develop in accordance with R-A standards prior to a specific plan being adopted. The project site is located on the south side of Atlas Road, east of River Ranch Court and north of Foxborough Drive, in the East Oakdale area. This request is considered Exempt from the California Environmental Quality Act. APN: 010-075-046.

Staff Report: Kristen Anaya, Assistant Planner, Recommends **INDEFINITE CONTINUANCE.**

Pacheco/Buehner (8/0) **APPROVED INDEFINITE CONTINUANCE AS OUTLINED IN THE STAFF MEMO DATED DECEMBER 3, 2020.**

**NON-CONSENT ITEMS** – None.

**8. OTHER MATTERS (NOT PUBLIC HEARINGS)**

- A. Election of Vice-Chair

Upon motion of Commissioner Mott, the Planning Commission unanimously voted (8/0) to appoint Commission Zipser as Vice-Chair for the 2020 calendar year.

- B. Use Permit Application PLN2016-0055 – Recology Blossom Valley Organics – North – 2020 Annual Compliance Review

Staff provided a report of the August and September 2020 independent follow-up site visits. Members of the Subcommittee, Commissioners Buehner, Mott, and Willerup, all agreed on the areas in need of improvement: 1) Road repairs along Gaffery Road, 2) Litter containment on-site, 3) Improvement to dust and fire control measures, and 4) Fencing and Landscaping replacement from fire damage. The Commission asked questions of the operator, Joe Lizarraga, and Recology's representative, Rod Olsen. The Planning Commission did not identify any need to amend or revise the project's conditions of approval. Their recommendation was to have Staff meet with both Recology and California Soils representatives to discuss repair of Gaffery Road.

Willerup/Mott (8/0) **APPROVED THE STAFF MEMO DATED DECEMBER 3, 2020, AS WRITTEN.**

***Deputy County Counsel Taro asked the Commission to confirm the nomination and vote for Vice-Chair, as there was not a second to the nomination prior to the vote.***

***Commissioner Mott nominated Commissioner Zipser as Vice-Chair. The motion was confirmed by Commissioner Buehner, seconded by Commissioner Pacheco. On a unanimous vote (8/0), Commissioner Zipser was elected Vice-Chair for the remainder of the 2020 calendar year.***

## **9. REPORT OF THE PLANNING DIRECTOR**

### **BOARD OF SUPERVISORS ACTIONS**

November 24, 2020: Approved to adopt the recommendation of the Nuisance Abatement Hearing Board regarding the property at 3628 Hemlock Avenue, Ceres.

December 1, 2020: Approved the 2021 Williamson Act Contracts.

Approved to set the Public Hearing for December 15, 2020 to consider the Planning Commission's recommendation of approval for General Plan Amendment and Rezone Application No. PLN2020-0016 – Bricchetto – River Road, a request to amend the General Plan Designation of a 3.9± acre parcel and the zoning designation of two parcels totaling 7.8 acres in size to Planned Development to allow for the storage of recreational vehicles (RVs), located at 9919 Valley Home Road (SR 120) and 7420 River Road, between Rodden and Jackson Roads, north of the Stanislaus River, in the Oakdale area.

Approved to set the Public Hearing for December 15, 2020 to consider the Planning Commission's recommendation of denial for Use Permit and Development Agreement Application No. PLN2019-0095 – Central Valley Growers, LLC – Howard Road III, a request to establish a mixed-light commercial cannabis

cultivation, nursery, processing, and distribution operation in phases on a 49 acre parcel in the A-2 (General Agriculture) zoning district, located at 3735 Howard Road, between the California Aqueduct and the Delta Mendota Canal, east of Interstate Highway 5, in the Westley area.

December 2, 2020: Swearing-In Ceremony for Mani Grewal, County Supervisor, District 4.

### **MISCELLANEOUS & ON THE HORIZON**

#### **Planning Commission**

December 17, 2020: One County-wide Ordinance Amendment, one Rezone in the Turlock area, and assignment of Nuisance Abatement Hearing Board Members.

January 7, 2021: No items scheduled.

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

#### **11. ADJOURNMENT**

The meeting was adjourned at 7:00 p.m.

Signature on file.

Miguel Galvez, Deputy Director, for  
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>.)