

STANISLAUS COUNTY PLANNING COMMISSION

MINUTES

REGULAR MEETING

October 6, 2022

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

Present: Dale Boucher, Erika Durrer, Perfecto Munoz, Lars Willerup, Wayne Zipser

Absent: Matt Beekman, Kenneth Buehner, Thomas Maring, Wayne Pacheco

Staff Present: The following Planning & Community Development staff were present: Angela Freitas, Director; Kristy Doud, Deputy Director; Jeremy Ballard, Associate Planner; Kristen Anaya, Associate Planner; Avleen K. Aujla, 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. September 15, 2022
Durrer/Willerup (5/0) **ACCEPTED.**
5. **CORRESPONDENCE**

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

 - A. Memo dated October 6, 2022, from the Stanislaus County Planning and Community Development Department for Non-Consent Item 7-B – Use Permit Application No. PLN2021-0030 – Silva's Holsteins Dairy.
 - B. Letter received October 6, 2022, from Richard and Ruth Bettencourt for Non-Consent Item 7-C – Use Permit Application No. PLN2021-0102 – Darling Ingredients, Inc.
6. **CONFLICT OF INTEREST** – None.

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

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

*** CONSENT ITEMS**

- A. **PARCEL MAP APPLICATION NO. PLN2022-0052 – MOTOR CITY COURT –**
Request to subdivide a 37,960± square-foot parcel into two parcels, 17,639 and 20,321 square feet in size, in the Planned Development (P-D) (143) zoning district. The project site is located at 308 and 312 Motor City Court, between Bangs and Pelandale Avenues, in the Modesto area. The Planning Commission will consider that the project is Exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15315 (Minor Land Divisions). APN: 046-008-023.
Staff Report: Jeremy Ballard, Associate Planner, Recommends **APPROVAL**.
Zipser/Boucher (5/0) **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT DATED OCTOBER 6, 2022.**

NON-CONSENT ITEMS

- B. **USE PERMIT APPLICATION NO. PLN2021-0030 – SILVA’S HOLSTEINS DAIRY – Requesting indefinite continuance.** Request to expand an existing dairy facility, operating on two parcels totaling 128.32± gross acres, in the General Agriculture (A-2-40) zoning district, by increasing the herd size from 1,095 to 2,200 mature cows and from 885 to 1,900 support stock, and to allow the construction of four shade barns totaling 146,650 square feet. The property is located at 6706 Elaine Road and 6612 South Faith Home Road, southwest and east of the Elaine and Faith Home Roads intersection, in the Turlock area. The Planning Commission will consider adoption of a California Environmental Quality Act Mitigated Negative Declaration for the project. APNs: 057-013-019 and 057-022-012.

Prior to considering the request for an indefinite continuance, Chair Munoz allowed Manny Souza, the applicants representative, and Joe Ramos, a consultant representing various dairies with use permit applications on file with the County, to address the Planning Commission. Both Mr. Souza and Mr. Ramos expressed support for the project and concern with the Central Valley Regional Water Quality Control Boards late response to the project. Mr. Souza provided to Planning staff a letter dated February 1, 2022 from the Environment Law Foundation to the Executive Officer of the Central Valley Regional Water Quality Control Board. Following the testimony provided by Mr. Souza and Mr. Ramos, Commissioner Munoz (Chair) requested a staff report be provided.

Staff Report: Avleen Aujla, Assistant Planner, Recommends **INDEFINITE CONTINUANCE.**

Public hearing opened.

OPPOSITION: None.

FAVOR: None.

Public hearing closed.

Durrer/Willerup (5/0) **APPROVED CONTINUANCE OF THE PROJECT TO THE NOVEMBER 3, 2022 PLANNING COMMISSION MEETING.**

- C. USE PERMIT APPLICATION NO. PLN2021-0102 – DARLING INGREDIENTS –**
Request to expand an existing legal non-conforming (LNC) animal rendering plant, operating on a 9± acre portion of a 74± acre parcel in the General Agriculture (A-2-40) zoning district, by allowing an increase in the permitted daily processing throughput from 1,650,000 to 1,850,000 pounds per day and for construction of a new 2,160± square-foot loadout building, an 800± square-foot boiler room addition, a 23,300± square-foot shell building, and installation of 10,780± square feet of exterior equipment. The property is located at 11946 South Carpenter Road, between Ruble Road and the TID Lateral No. 5, in the Crows Landing area. The Planning Commission will consider adoption of a California Environmental Quality Act Negative Declaration for the project. APN: 058-022-005.
Staff Report: Kristen Anaya, Associate Planner, Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: Ruth Bettencourt, resident.
FAVOR: George Petrulakis, applicant representative.
Public hearing closed.

Following Commissioner Munoz (Chair) closing the public hearing, Richard Bettencourt, a resident, was permitted to address the Planning Commission.

7:20 p.m. – Recessed.

A recess was provided to allow staff time to develop the wording for a “Good Neighbor Policy” condition of approval being requested by the Planning Commission.

7:26 p.m. – Reconvened.

Durrer/Zipser (5/0) **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF MEMO DATED OCTOBER 6, 2022 AND WITH THE ADDITION OF CONDITIONS OF APPROVAL NO. 29, TO READ AS FOLLOWS:**

- 29. A “Good Neighbor Policy” shall be developed and approved by the Planning Department and circulated to all landowners and residents of property (based on property site address) located between Crows Landing, Carpenter, and Ruble Roads.**

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

9. REPORT OF THE PLANNING DIRECTOR

BOARD OF SUPERVISORS ACTIONS

September 20, 2022: No Planning Commission items on the agenda.

October 4, 2022: Removed from the agenda, with no action taken, an item to Set a Public Hearing for the Planning Commission’s recommendation of approval for Rezone and Vesting Tentative Map Application No. PLN2022-0026 – Elmwood Estates, a request to

rezone a 4.82 acre parcel from Rural Residential to Planned Development, to create 17 single-family residential lots, located at 3700 Story Road, between East Zeering Road and Walton Street, in the community of Denair.

MISCELLANEOUS AND ON THE HORIZON

Planning Commission

October 20, 2022: No items scheduled.

November 3, 2022: One Parcel Map, and one Use Permit in the Modesto area. The Planning Commission will also be considering the continued Use Permit Application No. PLN2021-0030 – Silva's Holsteins Dairy.

10. ADDITIONAL MATTERS AT DISCRETION OF THE CHAIR

11. ADJOURNMENT

The meeting was adjourned at 7:30 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>.)