

# STANISLAUS COUNTY PLANNING COMMISSION

## MINUTES

REGULAR MEETING

January 18, 2024

1. **ROLL CALL:** Meeting called to order at 6:02 p.m.  
  
Present: Dale Boucher, Becky Campo, Thomas Maring, Carmen Morad, Wayne Pacheco, Jose Sabala, Wayne Zipser  
  
Absent: Neill Callis and Lars Willerup  
  
Staff Present: The following Planning & Community Development staff were present: Angela Freitas, Director; Jeremy Ballard, Senior Planner; Teresa McDonald, Associate 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; and Parminder Dhillon, Senior Environmental Health Specialist, Department of Environmental Resources.

Per the Planning Commission Rules and Regulations, Article 2, Section 3, Paragraph C, Commissioner Pacheco was elected Chair pro-tem. Morad/Boucher (7/0)

2. **PLEDGE OF ALLEGIANCE**
3. **CITIZEN'S FORUM** – No one spoke.
4. **MINUTES**
  - A. December 7, 2023  
Morad/Maring (7/0) **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.

At the request of the Planning Director, Chair Pacheco made the decision to hear the Non-Consent items out of order due to a staff scheduling conflict with another meeting. Non-Consent items were heard in the following order: 7.C., 7.D., 7.E., 7.A., and 7.B.

**NON-CONSENT ITEMS**

- C. **DEVELOPMENT AGREEMENT APPLICATION NO. PLN2023-0157 – LYFTED FARMS, INC. – 5266 JERUSALEM COURT** – Request to adopt a new Development Agreement (DA) for Use Permit No. PLN2018-0095, a previously permitted commercial cannabis indoor nursery and distribution operation. The new DA will extend the allowable operating period by one year and will include several amendments to previous DA provisions. The project site is located at 5266 Jerusalem Court, north of Kiernan, 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: 004-065-018.  
Staff Report: Jeremy Ballard, Senior Planner, Recommends **APPROVAL**.  
Public hearing opened.  
**OPPOSITION:** None.  
**FAVOR:** Zach Drivon, Applicant Representative.

The following correspondence was provided to the Planning Commission during the public hearing by Zach Drivon:

1. Email dated January 10, 2024, from Lyfted Farms, Inc., regarding Public Hearing item 7.C. – Development Agreement Application No. PLN2023-0157 – Lyfted Farms, Inc. – 5266 Jerusalem Court.
2. Letter dated December 14, 2023, from Lyfted Farms, Inc., regarding Public Hearing item 7.C. – Development Agreement Application No. PLN2023-0157 – Lyfted Farms, Inc. – 5266 Jerusalem Court.

At 6:21 p.m. recess was called to allow the Planning Commissioner time to review correspondence that was provided by Zach Drivon.

At 6:27 p.m. the meeting was called to order and the public hearing for Development Agreement Application No. PLN2023-0157 – Lyfted Farms, Inc. – 5266 Jerusalem Court was reopened and Zach Drivon resumed his public comment.

Public hearing closed.

Maring/Zipser (7/0) **RECOMMENDED APPROVAL TO THE BOARD OF SUPERVISORS AS OUTLINED IN THE STAFF MEMO.**

**Roll Call Vote:** Ayes – Boucher, Campo, Maring, Morad, Pacheco, Sabala, Zipser

Noes – None

Abstaining – None

Absent – Callis, Willerup

- D. **DEVELOPMENT AGREEMENT APPLICATION NO. PLN2023-0158 – LYFTED FARMS, INC. – 5271 JERUSALEM COURT** – Request to adopt a new Development Agreement (DA) for Use Permit No. PLN2018-0094, a previously permitted commercial cannabis indoor cultivation operation. The new DA will

extend the allowable operating period by one year and will include several amendments to previous DA provisions. The project site is located at 5271 Jerusalem Court, north of Kiernan, 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: 004-065-023.

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

Public hearing opened.

**OPPOSITION:** None.

**FAVOR:** Zach Drivon, Applicant Representative.

The following correspondence was provided to the Planning Commission during the public hearing by Zach Drivon:

1. Letter dated December 14, 2023, from Lyfted Farms, Inc., regarding Public Hearing item 7.D. – Development Agreement Application No. PLN2023-0158 – Lyfted Farms, Inc. – 5271 Jerusalem Court.
2. Letter dated December 29, 2023, from Lyfted Farms, Inc., regarding Public Hearing item 7.D. – Development Agreement Application No. PLN2023-0158 – Lyfted Farms, Inc. – 5271 Jerusalem Court.
3. By reference, correspondence email dated January 10, 2024, from Lyfted Farms, Inc., that was provided during the public hearing for item 7.C. – Development Agreement Application No. PLN2023-0157 – Lyfted Farms, Inc. – 5266 Jerusalem Court.

At 6:45 p.m. recess was called to allow the Planning Commissioner time to review correspondence that was provided by Zach Drivon.

At 6:53 p.m. the meeting was called to order and the public hearing for Development Agreement Application No. PLN2023-0158 – Lyfted Farms, Inc. – 5271 Jerusalem Court was reopened and Zach Drivon resumed his public comment.

Public hearing closed.

Maring/Campo (7/0) **RECOMMENDED APPROVAL TO THE BOARD OF SUPERVISORS AS OUTLINED IN THE STAFF MEMO.**

**Roll Call Vote:** Ayes – Boucher, Campo, Maring, Morad, Pacheco, Sabala, Zipser

Noes – None

Abstaining – None

Absent – Callis, Willerup

- E. **DEVELOPMENT AGREEMENT APPLICATION NO. PLN2023-0159 – PREM GEN CORP** – Request to adopt a new Development Agreement (DA) for Use Permit No. PLN2018-0110, a previously permitted commercial cannabis indoor cultivation, distribution, and nursery operation. The new DA will extend the allowable operating period by one year and will include several amendments to

previous DA provisions. The project site is located at 536 El Roya Avenue, south of Yosemite Avenue (HWY 132), 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: 036-008-033.

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

Public hearing opened.

**OPPOSITION:** None.

**FAVOR:** DeAnn Edwards, Applicant Representative.

Public hearing closed.

Boucher/Zipser (7/0) **RECOMMENDED APPROVAL TO THE BOARD OF SUPERVISORS AS OUTLINED IN THE STAFF MEMO.**

**Roll Call Vote:** Ayes – Boucher, Campo, Maring, Morad, Pacheco, Sabala, Zipser

Noes – None

Abstaining – None

Absent – Callis, Willerup

- A. **STREET NAME APPLICATION NO. PLN2023-0103 – HOFFMAN RANCH – Continued from December 7, 2023.** Request to assign the names “Hunter Way”, “Nolan Way”, “Gertrude Court”, “Kilpatrick Court”, and “Corona Court” to the road network of a 76 lot residential subdivision, approved under Rezone and Vesting Tentative Map No. PLN2021-0101 – Hoffman Ranch, located at 4325 Arnold Road and 4302 Riopel Avenue, on the north side of East Zeering Road, between Riopel and Arnold Roads, in the Community of Denair. This project is exempt from the California Environmental Quality Act. APN: 024-022-027.  
Staff Report: Kristen Anaya, Associate Planner.  
Public hearing opened.  
**OPPOSITION:** None.  
**FAVOR:** None.  
Public hearing closed.

Following the close of the Public Hearing, Commissioner Campo shared concerns regarding the use of “Corona” in two street names, “Corona Way” and “Corona Court”. Director Freitas explained that all proposed street names had been reviewed by Stanislaus Regional 911 and that no concerns were identified. Following receipt of feedback from the Planning Commission, Director Freitas made the decision to approve the street names as outlined in the Staff Memo.

At 7:29 p.m. recess was called.

At 7:33 p.m. the meeting was called to order and Non-Consent item 7.B. Street Name Application No. PLN2023-0127 – Monte Vista Collection was presented.

- B. **STREET NAME APPLICATION NO. PLN2023-0127 – MONTE VISTA COLLECTION – Continued from December 7, 2023.** Request to assign the names “Elder Drive”, “Perch Drive”, “Jake Way”, and “Dillion Way” to the road network of a 72 lot residential subdivision, approved under General Plan Amendment, Rezone, and Vesting Tentative Map No. PLN2021-0040 – Lazares

Companies, located at 3531 East Monte Vista Avenue, between North Waring and Lester Roads, in the Community of Denair. This project is exempt from the California Environmental Quality Act. APN: 024-012-009.  
Staff Report: Emily DeAnda, Associate Planner.  
Public hearing opened.  
**OPPOSITION:** None.  
**FAVOR:** None.  
Public hearing closed.

Following the close of the public hearing and after receipt of feedback from the Planning Commission, Director Freitas made the decision to approve the street names as outlined in the Staff Memo.

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

- A. Use Permit PLN2016-0055 – Recology Blossom Organics – North – 2023 Annual Compliance Report

Presentation of the 2023 Annual Compliance Review was given by Teresa McDonald, Associate Planner. Following staff's presentation, Chair Pacheco opened the item for Planning Commission and public comment. Speaking on behalf of Recology Blossom Organics was Rod Olson, representative for Recology Blossom Organics, and Tim Hester, General Manager for Recology Blossom Organics.

- B. Election of Chair and Vice-Chair for 2024 Calendar

Upon the motion of Commissioner Sabala, seconded by Commissioner Zipser, the Planning Commission voted (7/0) to elect Commissioner Pacheco as Chair for the 2024 calendar.

Upon the motion of Commissioner Boucher, seconded by Commissioner Maring, the Planning Commission voted (7/0) to elect Commissioner Boucher as Vice-Chair for the 2024 calendar.

- C. Assignment of Nuisance Abatement Hearing Board Members

The following assignments were made by Chair Pacheco: Commissioners Pacheco and Willerup as members, and Commissioner Maring as an alternate member.

- D. Appointment of Commissioners to the General Plan Update Committee for 2024

The following appointments were made by Chair Pacheco: Commissioners Zipser and Morad as members, and Commissioner Campo as an alternate member.

**9. REPORT OF THE PLANNING DIRECTOR**

**BOARD OF SUPERVISORS ACTIONS**

December 12, 2023: Approved the Planning Commission's recommendation of approval for Stanislaus County Williamson Act Uniform Rules update and Ordinance Amendment application number PLN2023-0121 - Lot Line Adjustment and Agricultural Preserve Update.

December 19, 2023: Reappointment of Becky Campo to the Stanislaus County Planning Commission.

Approved the Planning Commission's recommendation of cancellation of the adopted Development Agreement for PLN2018-0101 – Natural Remedies Consulting, Inc., which allowed for a commercial cannabis retail, distribution, manufacturing, and indoor cultivation operation, located at 5272 Jerusalem Court, north of Kiernan Avenue, in the Modesto area, APN: 004-065-019.

January 9, 2024: Appointed Jose Sabala to the Stanislaus County Planning Commission.

Director Freitas welcomed Commissioner Sabala to the Planning Commission and thanked former Planning Commissioner Durrer for her service. Commissioner Durrer served on the Planning Commission since January 7, 2020, was a member of the General Plan Update Committee during her term, and served as Vice-Chair in 2023.

**MISCELLANEOUS AND ON THE HORIZON**

Planning Commission

February 1, 2024: No items currently scheduled.

February 15, 2024: General Plan consistency finding for Stanislaus County Fiscal Years 2024-2028 Capital Improvement Plan (CIP); two development agreement revocations for existing commercial cannabis operations, one in the Crows Landing area and one in the Modesto area; and one general plan amendment and rezone in the Keyes area.

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

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

Chair Pacheco gave Commissioner Sabala an opportunity to introduce himself to the Planning Commission.

**11. ADJOURNMENT**

The meeting was adjourned at 8:05 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