

PLANNING COMMISSION SPECIAL MEETING AGENDA



THURSDAY, SEPTEMBER 19, 2019 – 6:00 PM
City of Turlock, Yosemite Community Room
156 South Broadway
Turlock, California

Commission Chair
Geoff Powers

Commission Members
Constance Anderson
Matthew Davis
Jim Reape
Vice Chair

Anokeen Varani
Elvis Dias
Ray Souza

Deputy Director of Development Services/
Planning Manager
Katie Quintero

NOTICE REGARDING NON-ENGLISH SPEAKERS: The Turlock Planning Commission meetings are conducted in English and translation to other languages is not provided. Please make arrangements for an interpreter if necessary.

EQUAL ACCESS POLICY: If you have a disability which affects your access to public facilities or services, please contact the Planning Division at (209) 668-5640. The City is committed to taking all reasonable measures to provide access to its facilities and services. Please allow sufficient time for the City to process and respond to your request.

NOTICE: Pursuant to California Government Code Section 54954.3, any member of the public may directly address the Planning Commission on any item appearing on the agenda, including Consent Calendar and Public Hearing items, before or during the Planning Commission's consideration of the item.

AGENDA PACKETS: Prior to the Planning Commission meeting, a complete Agenda Packet is available for review on the City's website at www.cityofturlock.org and at the Planning Division office at 156 S. Broadway, Suite 120, Turlock, CA during normal business hours. Materials related to an item on this Agenda submitted to the Commission after distribution of the Agenda Packet are also available for public inspection in the Planning Division Office. Such documents may be available on the City's website subject to staff's ability to post the documents before the meeting.

A. 1. CALL TO ORDER

2. SALUTE TO THE FLAG

B. APPROVAL OF MINUTES

1. Regular Meeting of August 1, 2019
2. Special Meeting of August 19, 2019

[View Item](#)
[View Item](#)

C. ANNOUNCEMENTS

D. PUBLIC PARTICIPATION

This is the time set aside for members of the public to directly address the Planning Commission concerning any item that has not been described in the notice for this meeting, including Consent Calendar items. You will be allowed five (5) minutes for your comments. If you wish to speak regarding an item on the agenda, you may be asked to defer your remarks until the Commission addresses the matter.

E. 1. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS

2. DISCLOSURE OF EX PARTE COMMUNICATIONS

Planning Commission should disclose the following information for each item listed below:

- *State, for the public record, the nature of the communication;*
- *Identify with whom the ex parte communication was made; and*
- *Provide a brief statement as to the substance of the communication.*

The following agenda items are subject to the requirement for disclosure of Ex Parte Communications:

Planning Commissioners will disclose Ex Parte Communications immediately following the introduction of each of these items by the Planning Commission Chair, as they appear on the agenda below.

- **G.1 CONDITIONAL USE PERMIT 2019-02 (CUP 19-02) – JESSICA’S HOUSE**
- **G.2 Ordinance approving a Development Agreement by and between the City of Turlock and Kings Happy Farm.**
- **G.3 Ordinance approving a Development Agreement by and between the City of Turlock and JDI Farms.**

F. CONSENT CALENDAR

Information concerning the consent items listed herein below has been forwarded to each Commissioner prior to this meeting for study. Unless the Chair, a Commissioner or member of the audience has questions concerning the Consent Calendar, the items are approved at one time by the Commission. The action taken by the Commission in approving the consent items is set forth in the explanation of the individual items.

G. PUBLIC HEARINGS

1. *Continued from September 5, 2019:* **CONDITIONAL USE PERMIT 2019-02 (CUP 19-02) – JESSICA’S HOUSE:** The request for approval to construct one new 15,600 square foot building and one 400 square foot storage building for Jessica’s House on the vacant portion of the property located at 4105 Crowell Road (Stanislaus County APN 071-001-011).(Quintero) [View Item](#)
 - a. Planning Commission determination on the proposed Mitigated Negative Declaration of Environmental Effect, declaring that the project will not have a significant effect on the environment, incorporating the mitigation measures identified in the Initial Study, and adopting the Mitigation Monitoring and Reporting Program.
 - b. Planning Commission action on Conditional Use Permit 2019-02-Jessica’s House.
2. Recommending City Council adopt an Ordinance approving a Development Agreement by and between the City of Turlock and King Happy Farm, Inc. to operate a commercial cannabis cultivation, manufacturing and distribution business located at 680 D Street within the City of Turlock. (White) [View Item](#)
 - a. Planning Commission will not consider this item, it has been pulled from consideration.

-
3. Recommending City Council adopt an Ordinance approving a Development Agreement by and between the City of Turlock and JDI Farms to operate a commercial cannabis cultivation, manufacturing and distribution business located at 600 D Street within the City of Turlock. *(White)* [View Item](#)
 - a. Planning Commission to determine if the project is “Categorically Exempt” from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section §15061(b)(3) of Title 14 of the California Code of Regulations.
 - b. Planning Commission action on the proposed Development Agreement for JDI Farms.

H. OTHER MATTERS

I. COMMISSIONER’S CONSIDERATION

J. STANISLAUS COUNTY PLANNING REFERRAL ITEMS

This section allows staff to update the Commission on proposed projects in the unincorporated area within or surrounding the City of Turlock. These items are presented for information only. No action will be taken on these items. Members of the public interested in these projects should contact the County Planning and Community Development Department at (209) 525-6330 to obtain information or provide comments.

K. COMMISSIONERS COMMENTS

Commissioners may provide a brief report on notable topics of interest. The Brown Act does not allow discussion or action by the Commission.

L. STAFF UPDATES

M. ADJOURNMENT

AT THE ABOVE TIME AND PLACE ALL INTERESTED PARTIES WILL BE GIVEN AN OPPORTUNITY TO BE HEARD. ANYONE MAY PRESENT HIS OR HER VIEWS ON THESE MATTERS IN PERSON, BY WRITING, OR BY REPRESENTATIVE. CHALLENGES IN COURT TO ANY OF THE ITEMS LISTED ABOVE MAY BE LIMITED TO ONLY THOSE ISSUES RAISED AT THE PUBLIC HEARING DESCRIBED IN THIS NOTICE, OR IN WRITTEN CORRESPONDENCE DELIVERED TO THE TURLOCK PLANNING COMMISSION AT, OR PRIOR TO, THE PUBLIC HEARING. ANY MATERIALS SUBMITTED TO THE PLANNING COMMISSION FOR CONSIDERATION (PHOTOGRAPHS, SLIDES, PETITIONS, LETTERS, ETC.) BECOME THE PROPERTY OF THE CITY OF TURLOCK AND WILL BE RETAINED AS PART OF THE PUBLIC RECORD AND ARE AVAILABLE FOR PUBLIC INSPECTION AT THE CITY OF TURLOCK PLANNING DIVISION, CITY HALL, 156 SOUTH BROADWAY, TURLOCK. INFORMATION MAY ALSO BE OBTAINED BY CALLING THE CITY OF TURLOCK PLANNING DIVISION AT (209) 668-5640. WRITTEN CORRESPONDENCE MAY BE MAILED TO THE CITY OF TURLOCK PLANNING DIVISION, 156 SOUTH BROADWAY, SUITE 120, TURLOCK, CA 95380-5456.

--APPEAL--

Anyone who is dissatisfied with the action(s) of the Planning Commission may file an appeal within **TEN (10) DAYS** following the decision of the Planning Commission. The appeal must be written and filed with the Turlock City Clerk. Appeal Application Forms are available in both the City Clerk and Planning Division Offices, 156 South Broadway,

Turlock. There is a \$125.00 filing fee for the Appeal Application. If an Appeal Application is filed, a Public Hearing will be scheduled by the City Council to consider the appeal.

**--CONTINUANCE--
-- APPLICANT REQUESTS--
EFFECTIVE NOVEMBER 27, 1989**

An applicant may request the continuance of a pending application or scheduled matter set for consideration by the Planning Commission by filing a request for a continuance not less than three (3) hours prior to the scheduled consideration of the application pursuant to City Council Resolution No. 89-248. The request must be written and filed with the City of Turlock Planning Division. Continuance Request Application Forms are available in both the City Clerk and Planning Division Offices, 156 South Broadway, Turlock. There is a \$390.00 Filing Fee Deposit for the Continuance Request Application. **The granting of a request for a continuance of a pending application is discretionary on the part of the City of Turlock. The applicant's compliance with the regulations does not imply, guarantee, or otherwise supersede the City of Turlock's authority to deny the request.**