



PLANNING COMMISSION MINUTES OF MAY 21, 2026

The San Joaquin County Planning Commission met in regular session on May 21, 2026 at 6 p.m., in the San Joaquin County Administration Building, 44 N. San Joaquin St., #640 (Board of Supervisors Chambers), Stockton, California.

The meeting was called to order by Donald Ruhstaller, Chair.

The Pledge of Allegiance to the flag was given.

Roll Call:

(present)

Commissioners

Donald Ruhstaller, Chair
Chris Meehleis, Vice-Chair
Gloryanna Rhodes
Jass Sangha

County Staff

Kirin Virk, County Counsel

Shayan Rehman, Department of Public Works

Steven Shih, Environmental Health Department

Community Development Department Staff

Jennifer Jolley, Director
Eric Merlo, Assistant Director
Corinne King, Deputy Director of Planning
Megan Aguirre, Principal Planner
Stephanie Stowers, Principal Planner
Jacob Pahule, Associate Planner
Michael Allen, Administrative Assistant II
Gerardo Altamirano, Office Assistant Specialist
Sean Cardenas, Office Assistant Specialist

(absent)

APPROVAL OF PREVIOUS MEETING MINUTES:

1. Minutes from 04/03/2025.

MOTION:

It was moved, seconded (Sangha / Meehleis), and passed by a vote (3-0) to:

1. Approve and accept the minutes.

VOTE:

AYES: Donald Ruhstaller, Chris Meehleis, Jass Sangha

ABSTAIN: Gloryanna Rhodes

2. Minutes from 03/05/2026.

MOTION:

It was moved, seconded (Rhodes / Meehleis), and passed by a vote (4-0) to:

1. Approve and accept the minutes.

VOTE:

AYES: Gloryanna Rhodes, Donald Ruhstaller, Chris Meehleis, Jass Sangha

ACTION ITEMS:

1. **CONDITIONAL USE PERMIT NO. PA-2600014 OF JORDAN W JONES (C/O CALSOLAR)** for a 4,043.52-kilowatt (kW) ground-mounted photovoltaic system occupying approximately 14.47 acres. Site access will be provided via an existing driveway located at the south end of East Lone Tree Road, a County-maintained roadway, as well as a proposed fire access road. The facility will be unmanned. The parcel is currently subject to a Williamson Act Contract. The project site is on the south side of East Lone Tree Road, approximately 2,025 feet west of South Due Road, west of Escalon. (Supervisory District: 4)

Environmental Determination: A Mitigated Negative Declaration for this project has been prepared and is proposed for adoption.

NON-CONTESTED

MOTION:

It was moved, seconded (Meehleis / Sangha), and passed by a vote (4-0) to:

1. Approve action Item #1 and Item #2 on non-contested agenda.

VOTE:

AYES: Gloryanna Rhodes, Donald Ruhstaller, Chris Meehleis, Jass Sangha

2. VARIANCE AND ZONING COMPLIANCE REVIEW NO. PA-2500358 AND PA-2500407 OF MONTEZUMA FIRE DISTRICT (C/O DOMINGUEZ CONSTRUCTION INC.) is a project comprised of two components, a Variance and a Zoning Compliance Review:

Variance Application No. PA-2500358 requests to reduce the minimum setbacks in the R-L (Low Density Residential) zone for the expansion of an existing fire station. The proposed reductions are as follows: Rear Setback – From 10 feet to 0 feet, Side Setback – From 5 feet to 0 feet. No reductions are proposed for the front or street side setbacks.

Zoning Compliance Review Application No. PA-2500407 proposes an 823.5-square-foot addition to the existing fire station under the 25% expansion provision (Development Title Section 9-200.020(a)). This addition includes a 250 square-foot locker room, a 240 square-foot bunkhouse, a 573.5 square-foot expansion to an existing covered patio.

Access to the site will be provided via the existing driveways from the county-maintained roads of South B Street and East 10th Street. The project site is served by the City of Stockton for sewage, California Water Service for water, and a public storm drain system. The project site is on the Southwest corner of East 10th Street and South B Street, Stockton. (Supervisory District: 1)

Environmental Determination: This project is exempt from CEQA pursuant to Section 15303. A Notice of Exemption will be filed if the project is approved.

NON-CONTESTED

MOTION:

It was moved, seconded (Meehleis / Sangha), and passed by a vote (4-0) to:

1. Approve action Item #1 and Item #2 on non-contested agenda.

VOTE:

AYES: Gloryanna Rhodes, Donald Ruhstaller, Chris Meehleis, Jass Sangha

3. **GENERAL PLAN AND DEVELOPMENT TITLE TEXT AMENDMENT NO. PA-2600004 OF SAN JOAQUIN COUNTY (C/O SAN JOAQUIN COUNTY COMMUNITY DEVELOPMENT DEPARTMENT)** to allow parcels smaller than 2 acres in size to be redesignated to the Warehouse Industrial General Plan land use designation and zoning in specific cases. The proposed amendments also include language to ensure coordination with cities during the review process for Warehouse Industrial projects, where applicable. This application is being reviewed concurrently with a General Plan Map Amendment/Zone Reclassification No. PA-2500411 and Administrative Use Permit No. PA-2500412. The project is Countywide. (Supervisory District: Countywide)

Environmental Determination: This project is exempt from CEQA pursuant to Section 15061 (b)(3). A Notice of Exemption will be filed if the project is approved.

MEGAN AGUIRRE, PRINCIPAL PLANNER, introduced the staff report into the record.

PUBLIC HEARING OPENED:

PROPOSERS:

Mr. Robert Beadles, owner of the 1.01-acre property at 5440 E. Harney Lane and the applicant for Item No. 4, spoke in support of Item No. 3. He expressed concern that three opposition letters were submitted at the last minute, calling it unprofessional. He stated that the County had already met with city planning directors and revised the Text Amendment to apply only to specific cases and to include required coordination with cities. He noted that the City of Ripon's May 21st letter confirmed its participation in that meeting and offered multiple options for moving forward. Mr. Beadles urged the Planning Commission to follow City of Ripon's second option, recommending approval while directing continued development of a coordination framework, emphasizing that both actions can proceed in parallel.

Addressing the San Joaquin Farm Bureau's May 21st letter, Mr. Beadles argued that its concerns about farmland conversion do not apply because his parcel had not been farmland for nearly 50 years, was legally established in 1976 for commercial office use, and had an existing commercial building. He also highlighted that the Farm Bureau's own letter suggested an alternative approach, using a project-specific finding instead of a broader text amendment, an option he stated he would accept if needed. He further stated that his project qualifies for the CEQA exemption under section 15061(b)(3), given its existing developed condition.

Mr. Beadles reaffirmed his support for requiring written city consent in any final amendment, noting that the City of Lodi had already provided consent. He stated that if Item No. 3 were continued or denied, he would request that Item No. 4 be forwarded with conditional findings tied to the Board's later action or with a project-specific finding consistent with the Farm Bureau's suggestion. He stressed that staff recommended approval, the record supported approval, and he asked the Commission to move the item forward under the second option offered by the City of Ripon, or as written so that small business projects are not delayed by broader regional discussions. He concluded by clarifying that his proposal was not for truck parking but for a traffic-control company with minimal impacts, and he believed the revised text adequately prevented unintended uses such as the expansion of truck parking.

Mr. Daniel Barnes, the civil engineer for the project contracted by Mr. Beadles, stated that this matter closely mirrors the issues discussed at the Planning Commission's April 16th meeting, including the late submission of letters from local agencies. He noted that additional letters were again received just before the current hearing, making it difficult for the project team to respond, particularly since he is based in the Turlock area.

Mr. Barnes explained that after the previous meeting, staff and city attorneys met to address the concerns raised, and he emphasized that the latest letters reiterate the same points cities had already been given the opportunity to comment on during the revision of the proposed ordinance language. He expressed support for following the approach outlined in the City of Lathrop's letter, specifically

conclusion point two, which would allow staff to further amend the General Plan language before the item proceeds to the Board of Supervisors, while still allowing the project to move forward.

Regarding Housing Element concerns raised in the letters, Mr. Barnes argued that these points are not applicable because the project site lies outside both city limits and city spheres of influence, and Housing Element obligations apply within city boundaries. In regard to concerns about impacts to agricultural areas, he noted that the amendment already requires that developments have no negative effects on surrounding properties and that CEQA review would address issues such as traffic, noise, and dust control.

Mr. Barnes concluded by stating that sufficient work has already been completed to allow the item to move forward to the Board of Supervisors and that cities have already had adequate opportunity to comment. He urged the Commission not to delay the project further, noting the impact on Mr. Beadles as the applicant.

OPPONENTS:

Mr. Ken Zuidervaart, Planning Director for the City of Ripon, stated that the City was not opposed to the applicant's project and did not wish to impede its progress. He noted that the City participated in a coordinated meeting with county staff and appreciated the opportunity but believed the current revisions do not go far enough. Mr. Zuidervaart explained that Ripon, along with other cities reflected in recent letters, is seeking a more formalized and codified coordination process consistent with goals and policies in the County's adopted General Plan regarding projects within city spheres of influence.

Mr. Zuidervaart stated that the City is asking for the establishment of an ordinance-based process with clearer steps and stronger requirements to ensure meaningful coordination between the County and affected cities. He added that while the applicant appeared to support Ripon's second recommendation, the City requested that if the Planning Commission moved the project forward, it include a condition recommending that the Board of Supervisors direct County staff to work with the cities to develop such a formal process.

Mr. Zuidervaart acknowledged that the current project site is already developed and may not raise significant concerns for most jurisdictions. However, he emphasized the importance of having a detailed and consistent coordination process when future projects involve vacant land or potentially impactful uses.

Mr. Andrew Genasci, Executive Director of the San Joaquin Farm Bureau Federation, stated that the Farm Bureau had no objection to the applicant's underlying project. He noted that the property was already surrounded by industrial uses, and the proposed zoning change through a variance appeared to be an appropriate approach for a site already functioning as industrial. Mr. Genasci explained the Farm Bureau's concern with the broader General Plan amendment and stated that they would like to see stronger guardrails to ensure protection of farmland, particularly given the number of small, unincorporated parcels across the County. He suggested limiting the amendment to properties already adjacent to or surrounded by industrial uses to ensure the policy change remained narrowly focused on situations similar to the applicant's site. Mr. Genasci concluded by requesting clearer and stronger language to ensure the amendment was tightly and specifically tailored to protect agricultural land while accommodating appropriate site-specific projects.

REBUTTAL:

Director Jennifer Jolley stated that it was important to clarify why the County was pursuing the proposed policy change and to address the Farm Bureau's concern that the amendment appeared to be motivated by the applicant's project. She acknowledged that the County initiated the Text Amendment partly because an applicant-driven amendment was not best practice; policy changes should originate from staff so that the County retains appropriate control over countywide policy.

Director Jolley explained that staff identified a legitimate policy issue while reviewing Mr. Beadles' situation: parcels under two acres that are already developed with commercial or industrial type uses may not qualify for consideration, and the existing General Plan language did not fully address this situation. She clarified that with the revised language, any parcel under two acres must already be developed with a commercial or industrial use, noting that Mr. Beadles' property includes a former agricultural office.

Director Jolley stated that staff met with the cities, listened to their concerns, and made thoughtful revisions that significantly tightened the criteria. She emphasized that the County already has strong General Plan policies requiring coordination with cities and an additional codified or ordinance-based coordination process is not necessary. She acknowledged the earlier notification error but described it as an isolated human mistake rather than a recurring problem.

Director Jolley stressed that the County has no intention of undermining housing efforts or city planning within and near spheres of influence. She explained that not all sites are suitable for development even with the proposed amendment, and staff regularly advised applicants against pursuing inappropriate proposals. She also noted that approval of the amendment does not mean every sub-two-acre parcel near a city would become industrial, as CEQA review, staff discretion, and Board of Supervisors authority remain in place. Director Jolley concluded by stating that the County was implementing a new requirement for a preapplication process for all General Plan and zoning amendment requests to allow for earlier coordination with agencies such as cities, water districts, and the Farm Bureau. She reiterated that the recommended changes meaningfully strengthened the regulations.

PUBLIC HEARING CLOSED.

Commissioner Rhodes asked Director Jolley to clarify the date of the County's meeting with the cities.

Director Jolley confirmed the meeting occurred on April 22nd.

Commissioner Rhodes noted that although several cities submitted letters, none appeared to oppose the project outright but instead requested better coordination. Commissioner Rhodes acknowledged the county's notification error but observed that similar issues also happen within cities. She added that cities request coordination from the County but do not always reciprocate when updating their own General Plans. She stated she simply wanted to ensure she had not misunderstood any concerns raised in the latest letter.

Commissioner Sangha stated she supported handling the applicant's request as a project-specific matter but expressed broader concerns about farmland loss and the need for guardrails in County policy. She shared that she discussed the issue with Tracy's Assistant City Manager and emphasized that cities want meaningful involvement when projects fall within their spheres of influence. Commissioner Sangha described examples from Tracy where mismatched county-city land uses created infrastructure and planning challenges, noting the importance of language that protected agricultural land and required coordination. She reiterated support for Mr. Beadles' project but urged stronger requirements for city notification.

Commissioner Ruhstaller responded that the revised language already required coordination with cities and stated that he does not believe the item should be voted down. Commissioner Ruhstaller expressed appreciation for public input but noted that the County must have authority over County lands. He indicated he would vote in favor of moving the item forward.

County Counsel Kirin Virk clarified that while cities have requested a more formal or codified coordination process, there are legal limits on what the County can adopt. County Counsel Virk explained that the county cannot delegate or give away its police power, nor can it apply city development standards in place of its own ordinances. She noted that although the County cannot

legally bind itself to city authority, it can still coordinate, notify, and engage in discussions with cities and applicants to seek mutually agreeable outcomes. County Counsel Virk emphasized that these legal constraints are well established in case law and she encouraged cities to consult their own legal counsel as needed. She concluded by stating this clarification was important to place on the record.

MOTION:

It was moved, seconded (Meehleis / Rhodes), and passed by a vote (4-0) to:

1. Forward to the Board of Supervisors with a recommendation to adopt the Findings for General Plan Text Amendment (Attachment C, Findings),
2. Forward to the Board of Supervisors with a recommendation to adopt the Findings for Development Title Text Amendment (Attachment D, Findings), and
3. Forward to the Board of Supervisors with a recommendation to adopt General Plan and Development Title Text Amendment No. PA-2600004 (Attachment B, Draft Ordinance).

VOTE:

AYES: Gloryanna Rhodes, Donald Ruhstaller, Chris Meehleis, Jass Sangha

4. GENERAL PLAN MAP AMENDMENT, ZONE RECLASSIFICATION, AND ADMINISTRATIVE USE PERMIT NO. PA-2500411 AND PA-2500412 OF ROBERT D. BEADLES FAMILY TRUST (C/O POWER SAFETY SERVICE LLC) This project is comprised of 2 applications:

- General Plan Map Amendment/Zone Reclassification No. PA-2500411 to change the General Plan map designation and zoning of a 1.01-acre parcel from General Agriculture (A/G | AG-40) to Warehouse Industrial (I/W | I-W).
- Administrative Use Permit No. PA-2500412 to establish a traffic control business on the 1.01-acre parcel. The project includes converting an existing 5,498-square-foot farm services building to an office for administrative functions and construction of a 4,000-square-foot building for equipment storage and minor repairs. Equipment stored on-site will include light towers, arrow boards, cones, barricades, signage, and related equipment. The project will be served by an onsite private well, onsite septic system for wastewater treatment and onsite stormwater drainage. The project will utilize the existing driveway on the south side of E. Harney Lane for access. The property is not under Williamson Act Contract.

This application is being reviewed concurrently with a County-initiated General Plan & Development Title Text Amendment (PA-2600004).

The project site is on the south side of E. Harney Lane, 0.6 miles east of State Route 99, Lodi. (Supervisory District: 4)

Environmental Determination: This project is exempt from CEQA pursuant to Section 15061 (b)(3). A Notice of Exemption will be filed if the project is approved.

MEGAN AGUIRRE, PRINCIPAL PLANNER, introduced the staff report into the record.

PUBLIC HEARING OPENED:

PROPOSERS:

None.

OPPOSERS:

None.

REBUTTAL:

None.

PUBLIC HEARING CLOSED.

MOTION:

It was moved, seconded (Rhodes / Sangha), and passed by a vote (4-0) to:

1. Forward the Findings for General Plan Map Amendment to the Board of Supervisors with a recommendation to adopt (Attachment D),
2. Forward the Findings for Zone Reclassification to the Board of Supervisors with a recommendation to adopt (Attachment E),
3. Forward General Plan Map Amendment/Zone Reclassification No. PA-2500411 to the Board of Supervisors with a recommendation to approve,

4. Forward the Findings for Administrative Use Permit (Attachment F) to the Board of Supervisors with a recommendation to adopt, and
5. Forward Administrative Use Permit No. PA-2500412 with the attached Conditions of Approval to the Board of Supervisors with a recommendation to approve (Attachment G).

VOTE:

AYES: Donald Ruhstaller, Chris Meehleis, Jass Sangha, Gloryanna Rhodes

5. **CONDITIONAL USE PERMIT NO. PA-2600027 OF JORDAN W JONES (C/O CALSOLAR)** for a 4,199.04-kilowatt (kW) ground-mounted photovoltaic system occupying approximately 10.59 acres. Site access will be provided via an existing driveway located at the east of Harrold Avenue, a County-maintained roadway, as well as a proposed fire access road accessed off of South Harrold Avenue and East Lemon Avenue. The facility will be unmanned. The parcel is currently subject to a Williamson Act Contract. The project site is on the Southeast corner of East Lemon Avenue and South Harrold Avenue, east of Escalon. (Supervisory District: 5)

Environmental Determination: A Mitigated Negative Declaration for this project has been prepared and is proposed for adoption.

JACOB PAHULE, ASSOCIATE PLANNER, introduced the staff report into the record.

PUBLIC HEARING OPENED:

Commissioner Rhodes asked planning staff if the site had an alarm system or protection against vandalism.

Deputy Director of Planning Corinne King responded that it would be best for the applicant of the project to respond to that question.

PROPOSERS:

Robert Chandler, project representative, stated that he was presenting on behalf of applicant Jordan Jones, who became seriously ill upon returning early from his long-postponed honeymoon and was taken to a hospital by ambulance. Mr. Chandler conveyed Mr. Jones's apologies for his absence and proceeded with the presentation.

In response to Commissioner Rhodes' question regarding system monitoring, Mr. Chandler clarified that the solar facility would be remotely monitored with redundancy, alarms, and notification protocols in place. Any system malfunction, vandalism, or abnormal conditions would trigger immediate alerts.

Mr. Chandler thanked staff, particularly project planner Jacob Pahule, for a balanced review of the project. He also acknowledged neighbors who submitted comment letters, noting that the applicant team read and took every concern seriously. He then provided an overview of the project, describing it as a 4.2-megawatt, ground-mounted photovoltaic solar facility located on approximately 10 acres of a 20-acre parcel. He emphasized that nearly half of the parcel would remain in agricultural use during the system's operational life.

Mr. Chandler underscored that the project does not result in permanent agricultural land loss. The installation uses driven piles with no concrete pads, permanent foundations, or industrial paving. At the end of the 25 to 30-year operational period, all components, including panels, racking, fencing, and electrical equipment, would be removed, and the property would be restored to agricultural production. He emphasized this restoration requirement is a condition of approval and legally binding on the applicant and any future property owner. He stated that this alone addresses the primary concern raised in opposition letters, that the proposal was a permanent conversion of farmland, clarifying that it was a temporary, reversible, agriculturally compatible use.

Addressing repeated references to the Williamson Act in public comments, Mr. Chandler stated unequivocally that the project site was not under a Williamson Act contract. He noted that staff confirmed this in writing and that confusion arose from an early agency referral error. As such, since no contract applies and compatibility findings under the Williamson Act are not required for this site. He contrasted this with another nearby project (Jones Brothers Solar Farm No. 1), where such findings were required because that parcel is under a Williamson Act contract.

Mr. Chandler next responded in detail to concerns about agricultural compatibility, including those

raised in a letter from Frank Bellino, which he acknowledged were legitimate questions any neighboring farmer would ask, such as questions about pollination impacts. He stated the project would use pollinator-friendly ground cover consistent with CDFW and "Bees Love Solar" program guidance, which increases foraging resources for local bee colonies. In regard to construction dust and spore migration, he stated that dust control measures, including soil watering, covered trucks, reduced vehicle speeds, and stabilized construction entrances, are mandated by the San Joaquin Valley Air Pollution Control District and stormwater requirements, which will protect workers and neighboring orchards.

Regarding the photovoltaic "heat-island effect," Mr. Chandler stated that peer-reviewed scientific research shows no measurable off-site thermal impact from a 10-acre solar installation, especially with the inclusion of required setbacks and dense landscape screening. He acknowledged local panel heating occurs, but emphasized that this does not translate into orchard damage.

In response to stormwater concerns, he noted that the design incorporates vegetative ground cover beneath and around panels to reduce erosion, and the Department of Public Works had reviewed the stormwater design and conditioned additional retention capacity, if needed.

Regarding weeds and pests, he stated that ongoing vegetation management was a condition of approval, preventing the "abandoned industrial lot" scenario described in one letter.

In terms of fire risk, Mr. Chandler explained that the Deputy Fire Warden reviewed the project and found it compliant. Fire-mitigation features include a 20-foot perimeter access road, multiple gates, safety shut-offs, and continuous vegetation management. The site is flat agricultural land outside any high fire-hazard zones.

Turning to visual impacts, Mr. Chandler emphasized that aesthetic preference is not the legal standard; the question is whether the project causes a substantial adverse effect on scenic vistas or the area's visual character. He stated that staff determined the project would not have a substantial adverse effect based on the use of low-profile panels, anti-reflective coatings, and dense landscape screening which the applicant had accepted as Conditions of Approval.

Regarding construction traffic, Mr. Chandler explained that heavy construction truck activity would be limited to a short period, a matter of weeks, not months, and that operational traffic would be minimal, consisting mainly of periodic maintenance visits. The applicant committed to scheduling deliveries to avoid school bus and harvest traffic periods.

Addressing CEQA concerns raised in the letter from Alexis Munoz, Mr. Chandler explained that the California Environmental Quality Act (CEQA) allows a Mitigated Negative Declaration (MND) when all potentially significant impacts can be reduced to less-than-significant levels through enforceable measures. The Initial Study and Mitigation Monitoring and Reporting Program (MMRP) meet that standard, and the project's participation in the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan ensures regional biological resource mitigation, including protections for species such as the Burrowing Owl and San Joaquin Kit Fox.

Mr. Chandler then described the project's broader benefits. He noted California's legally mandated transition to 100% zero-carbon electricity under SB 100 by 2045 and stated that such goals are only achievable through individual projects like this, sited where the grid needs them. The project's 4.2-megawatt output, located near existing PG&E distribution infrastructure, would reduce transmission losses, support local grid resilience, and contribute to statewide climate targets. Locally, the project would generate construction jobs, permit revenue, transportation fees, and ongoing property tax payments, all while preserving farmland beneath and around the panels.

Mr. Chandler emphasized that unlike subdivision or industrial development, which permanently eliminate agricultural land, this solar project protects soils, limits grading, and preserves the majority of the parcel in agricultural use throughout its life.

Closing on a personal note, Mr. Chandler stated that the Jones brothers were raised in the community, live near the project area, and were raising their own families there. He indicated that they take neighbors' concerns seriously and would not propose a project that harms the community they call home. He reiterated that the applicant agreed to all Conditions of Approval without requesting any modifications that would weaken them. He stated that the project represents the most agriculturally compatible form of renewable energy available and is being placed on the family's own land because they believe in its value and compatibility.

Mr. Chandler respectfully asked the Commission to adopt the MND, approve the MMRP and associated findings, and approve Conditional Use Permit No. PA-2600277 with the recommended Conditions of Approval.

OPPONENTS:

Frank Bellino, neighbor, states that he lives approximately one mile from the project site and that several of the staff's photos were taken from his property, underscoring his proximity to the proposal. He shared that he and his family have farmed in the Escalon area their entire lives and expressed deep concern that the solar project is incompatible with the surrounding agricultural community. Mr. Bellino argued that the project occupies prime farmland valued at approximately \$50,000 per acre and questioned why it was not located on lower-value rangeland instead. He stated that the facility would devalue his nearby parcels, asserting that no one would want to build a home facing a solar installation.

Mr. Bellino also noted that the property owner does not live on the land and would not be personally impacted. He disputed the claim that 52% of the parcel would remain farmable, explaining that irrigation water is only available at the north end of the property and cannot be run through the solar array without damaging equipment. He asserted that the remaining acreage on the south end is effectively unusable for farming, resulting in a loss of agricultural land despite statements to the contrary. Mr. Bellino said he is passionate about preserving farmland for his family's farming business and emphasized that opposition is broad, citing approximately 86 signatures against the project. While acknowledging the applicant's efforts to follow requirements, he stated the project is fundamentally the wrong fit for the area and urged the Commission to reject it.

Alexis Munoz, neighbor, introduced herself as a resident of 19522 South Harrold Avenue and stated she has lived in Escalon since 1996. She explained that her home is a Victorian historical property located about ten acres from the proposed project site and noted that she gathered over one hundred petition signatures within the last several days, describing the short timeframe as unreasonable.

Ms. Munoz shared the history of her property and recounted that her family previously attempted to establish a wedding-venue business but was denied due to agricultural zoning, which she contrasted with the approval process for the current project. She raised concerns regarding impacts on local wildlife, including owls and hawks, and the quality-of-life effects on residents. She referenced a neighboring family with a five-year-old child who she believes would have solar panels located within five feet of their home.

Ms. Munoz also stated that she is concerned about a constant buzzing sound from solar equipment, and how this could negatively affect a neighbor who is a soldier with post-traumatic stress disorder. She further noted that only five households received notification letters and argued that all residents on Harrold Avenue should have been informed. She described long emergency-response times because the area is outside city limits and stated that residents must protect their properties themselves, which she believes is unsafe.

Ms. Munoz emphasized high taxes and utility bills for rural households, stating she pays approximately \$2,000 per month for PG&E service, and questioned the fairness of allowing the project applicant to proceed. She claimed the applicant is profiting from the project and stated this is the fourth property the applicant had purchased in San Joaquin County. Ms. Munoz reiterated her concern that her venue

request was denied while the project appeared to face fewer restrictions. She argued the project is incompatible with rural living and suggested that solar facilities be placed in cities instead of residential county areas. She reported that the City of Escalon could not assist because the property is outside city limits and asked the Planning Commission for support, stating that local residents do not want the project. While acknowledging the environmental benefits of clean energy, she maintained that this location was inappropriate.

Ms. Munoz also questioned whether any Planning Commissioner or County staff-person would personally want to open their door and see solar panels five feet away and expressed frustration over fencing regulations, noting her own eight-foot fence request was denied while the project includes an eight to ten-foot fence. She concluded by questioning the decision-making process and raising suspicions about the applicant's influence before the Chair asked her to conclude her remarks.

Dave Berg, neighbor, stated he has lived adjacent to the project site his entire life and believes the land should remain agricultural. He argued the project could be placed on cheaper land elsewhere without harming profitability. Mr. Berg expressed concern about heat generated by the solar panels, noting they can reach approximately 150 degrees. He questioned where that heat would disperse and worried it could drift over his property. Mr. Berg explained that he grows walnuts, which are highly susceptible to sunburn and temperature increases, and stated that any rise in temperature could negatively affect his orchard. Mr. Berg concluded that the project is not appropriate for the area and would not be beneficial for his farm.

Andrew Genasci, Executive Director of the San Joaquin Farm Bureau Federation, stated that the organization is concerned about the loss of irrigated agricultural land. He noted that properties with reliable water access are increasingly rare, especially as pumping restrictions expand in areas to the south. Mr. Genasci emphasized that even a 25 to 30-year solar project removes decades of agricultural production, and land taken out of farming rarely returns to its original use. He raised concerns about potential impacts to the South San Joaquin Irrigation District pipeline infrastructure and the broader loss of irrigated acres across the county. Mr. Genasci stated that solar projects are better suited for non-irrigated lands that will soon face additional regulatory limitations. He warned that cumulative conversions reduce agricultural jobs in production, processing, and transport, while construction jobs on such projects are temporary. Mr. Genasci concluded by urging that the project be rejected.

Ernesto Ronconi, neighbor, thanked the Commission for holding the hearing and stated he resides at 19052 South Harrold Avenue. He expressed concern about the use of the phrase "reduced to less than significant levels," stating he does not understand how that standard reflects lived experience for nearby residents. Mr. Ronconi argued that no one, including members of the Planning Commission, would want to live next to solar panels visible every day from their homes. He described the Escalon area, including Harrold and Lemon Avenues, as a traditional farming community with single-family homes, ranches, and crops such as almonds, walnuts, and alfalfa. Mr. Ronconi stated the parcel in question was long farmed and was recently purchased, reportedly by Mr. Jones. He argued that the project would be detrimental to the surrounding community and encouraged the Planning Commissioners to visit the site. Mr. Ronconi expressed agreement with earlier speakers and urged the Planning Commission to deny the conditional approval request.

Sarah Calcagno, neighbor, stated she lives at 28536 Lemon Avenue and had lived on this street her entire life. She expressed strong opposition to the proposed solar project, emphasizing that families choose this rural area for its open farmland, quiet roads, wildlife, and agricultural surroundings. Ms. Calcagno argued that converting productive farmland into an industrial solar facility would permanently alter the character of the community and set a harmful precedent for future development. She noted that Escalon has long worked to preserve its rural identity by limiting annual housing growth.

Ms. Calcagno also questioned why certain environmental review items were deferred until after installation and raised concerns about fire risk, impacts to birds and wildlife, drainage, weed growth, and long-term visual effects. She described her family's connection to the land, including bike riding

near the fields, cleaning roadside garbage, and caring for the neighborhood. Ms. Calcagno stated that replacing alfalfa fields and wild sunflowers with fencing and industrial equipment would be heartbreaking and incompatible with the community's agricultural setting. She concluded that such infrastructure belongs in parking lots or on rooftops, not in the middle of a small rural town, and reaffirmed her opposition to the project.

REBUTTAL:

Robert Chandler, project representative, acknowledged the concerns expressed by nearby residents, stating that he and his team understand the sentiments of those who have lived in the community their entire lives. He explained that PG&E studies regional grid needs and identified this location as one where added grid support and stability were necessary for the local community and the State. Mr. Chandler noted that the property had long been for sale and historically produced alfalfa, which he indicated would continue to be grown in the areas where farming remains possible. He added that other crops can thrive with minimal water use and the project aims to balance agricultural productivity with community benefit. Mr. Chandler asserted that most residents would not see panels from their windows due to the project's relatively small footprint and cited studies indicating heat would not have a significant impact. He emphasized that the land remains high-value and farmable and that agricultural use can resume once the system is decommissioned.

Mr. Chandler asked the Planning Commission to evaluate the project based on established requirements rather than emotion and stated that the project complies with all applicable guidelines. He affirmed support for all proposed conditions intended to minimize impacts and expressed a commitment to being a good neighbor during construction and operation. Mr. Chandler concluded by asking the Planning Commission to accept the MND, adopt the related Findings, and approve the Conditional Use Permit.

PUBLIC HEARING CLOSED.

Commissioner Ruhstaller asked if Mr. Jones had made any previous efforts to speak to any of the residents who spoke in opposition.

Mr. Chandler responded that he could not confirm because although he knew Mr. Jones had visited the property several times, he had not asked him directly about outreach.

Commissioner Rhodes stated that she thoroughly reviewed all staff reports and related documents. She emphasized that, as a Planning Commissioner, her role is to follow planning laws and established guidelines, regardless of her personal feelings. Commissioner Rhodes reported that she found no issues with the Mitigated Negative Declaration or the Mitigation Monitoring and Reporting Program. She asked staff whether they were comfortable with the Findings outlined in Attachment F and requested additional background on the process. Commissioner Rhodes noted that while she personally would not want to live in front of solar panels, she had found no legal basis to reject the project under Planning Law. She stated that the Board of Supervisors, not the Planning Commission, is the body with authority to deny a project based on broader policy concerns. Commissioner Rhodes expressed appreciation for Escalon's agricultural character and acknowledged concerns about farmland loss but reiterated that the Planning Commission must adhere strictly to legal requirements. She concluded that, based on her review, the project appears to meet those requirements.

Director Jolley explained that seven Findings must be affirmed in order for staff to recommend approval of a discretionary Conditional Use Permit. She stated that staff reviewed all submitted information and provided a recommendation based on their professional judgment. Director Jolley noted that Finding Nos. 3 and 4, were more open to interpretation. She explained that Finding No. 3 concerns whether the site is physically suitable for the type and intensity of the proposed development, and staff concluded it was, though the Planning Commission was free to disagree. She also explained that Finding 4 concerns whether the project's location, design, and operating characteristics are compatible

with the surrounding neighborhood, which staff also supported, but which remains subject to the Planning Commission's interpretation. Director Jolley added that discretionary applications could be appealed by either side to the Board of Supervisors, as part of the normal process. She emphasized that while some findings are interpretive, others, such as compliance with applicable ordinances, are more objective and were clearly met. Director Jolley concluded by reaffirming that Commissioners were allowed to use their own decision-making judgment on discretionary matters.

Commissioner Ruhstaller stated that he agreed with Commissioner Rhodes, noting that the Commission is obligated to review the staff report, follow the ordinances and rules, and determine whether the applicant has satisfied the required criteria. He acknowledged that, because the permit is discretionary, the Planning Commission also had a responsibility to listen to public testimony. Commissioner Ruhstaller observed that only one individual spoke in favor of the project, while six speakers and numerous petition signatures were submitted in opposition. He stated that this imbalance raised significant concerns for him. Commissioner Ruhstaller also asked whether the applicant had pursued similar projects on three other parcels, noting he had no recollection of such items coming before the Planning Commission. Director Jolley responded that she was unaware of that information. Commissioner Ruhstaller concluded by stating that the decision was difficult but that he would be in opposition to the project.

Commissioner Rhodes stated that she would also be in opposition to the project and wanted to ensure her vote would not place the County at risk. She explained that her earlier question about alarms and safety stemmed from awareness of the strong public opposition and concern that anger could lead to vandalism, emphasizing the need for timely response. Commissioner Rhodes added that the decision about the project's location should not be guided primarily by PG&E's siting preferences, but by what best serves the broader community. She acknowledged that Escalon would benefit from improved grid reliability but noted that Escalon also preserves the historic agricultural character that reflects the origins of San Joaquin County. Commissioner Rhodes concluded by reaffirming her opposition to the project.

Commissioner Sangha stated that she is familiar with the Escalon area, noting that it is a beautiful, green, countryside setting with homes spaced far apart. She disclosed that she has considered purchasing land in Escalon but emphasized that this personal interest does not influence her decision-making, as she aimed to remain transparent. Commissioner Sangha described the area's appeal as its rural character, free of unnecessary industrial development such as warehouses or solar installations, and said this character reflects the identity of San Joaquin County and the Central Valley as a whole. She added that, in discretionary matters, the ability to approve a project does not necessarily mean it should be approved. Relying on her discretionary judgment, Commissioner Sangha stated that she would oppose the project.

Commissioner Ruhstaller called for a motion either approving or denying the item.

Commissioner Sangha stated she would make a motion to deny. County Counsel Kirin Virk intervened and advised that any motion to deny must specify which Findings the Planning Commission is unable to make and the reasoning behind it.

Commissioner Rhodes asked for Finding Nos. 3 and 4 to be displayed, and staff explained they were included in Attachment F of the Staff Report packet.

Commissioner Sangha asked Director Jolley to confirm which findings were subject to discretion.

Director Jolley responded that all seven Findings require affirmative support, and if any one of them cannot be made, the Commission may deny the permit. She explained that Finding Nos. 3 and 4 are particularly open to interpretation but emphasized that Planning Commissioners must articulate which Findings they cannot support and why.

Commissioner Sangha then asked whether the Planning Commission could simply read the standard approval motion and vote "no." County Counsel Virk clarified that for a denial, the motion must explicitly state which Finding or Findings cannot be made.

Commissioner Ruhstaller asked that Finding Nos. 3 and 4 be read aloud again, and Director Jolley read both Findings into the record.

Commissioner Rhodes then made a motion to deny the Conditional Use Permit, identifying Finding Nos. 3 and 4 as the Findings the Commission could not make. She began to summarize her reasoning but asked Director Jolley to restate the suggested wording.

Director Jolley advised phrasing the motion as a recommendation to deny the project based on the inability to make Finding Nos. 3 and 4.

Commissioner Rhodes agreed and clarified she wanted the public to understand the basis of the denial.

MOTION:

It was moved, seconded (Rhodes / Sangha), and passed by a vote (4-0) to:

1. Deny the Item based on the inability to make Finding Nos. 3 and 4 in the affirmative.

VOTE:

AYES: Gloryanna Rhodes, Chris Meehleis, Jass Sangha, Donald Ruhstaller

6. **CONDITIONAL USE PERMIT NO. PA-2400506 OF VISWAPRASAD KRISTIPATI (C/O JOE HOLASEK)** to establish a religious assembly facility under the Use Type: Assembly, Religious. The project is proposed to be completed in two phases, over five (5) years. Phase 1 includes the conversion of an existing 4,765 square foot agricultural building to a temple. Phase 2 includes the conversion of an existing 2,642 square foot agricultural building to a meditation hall. A maximum attendance of 70 is proposed, with the exception of six (6) annual religious events with a maximum of 600 attendees per day, not to exceed 150 persons at any one time. Daily operating hours are proposed as follows: 8:30 a.m. to 12:30 p.m. and 5:30 p.m. to 8:30 p.m., Monday through Friday, and 8:00 a.m. to 9:00 p.m., Saturday through Sunday. A maximum of five (5) staff members are anticipated. The project will be served by an on-site well for water, an on-site septic system for wastewater disposal, and on-site storm drainage. Primary access to the religious assembly facility will be provided via a new proposed dedicated driveway to Lammers Road. Access to the religious assembly facility from Nancy Emilia Court is prohibited. The project is at the southeast corner of South Lammers Road, South Nancy Emilia Court, Tracy. (Supervisory District: 5)

Environmental Determination: This project is exempt from CEQA pursuant to Section 15183. A Notice of Exemption will be filed if the project is approved.

JACOB PAHULE, ASSOCIATE PLANNER, introduced the staff report into the record.

PUBLIC HEARING OPENED:

PROPOSERS:

Mike Hakeem, attorney, stated he was representing the applicant for the Conditional Use Permit to establish a religious temple and provided an overview of the proposed operations. He explained that the temple would operate seven days a week, with weekday hours from 8:30 a.m. to 12:30 p.m. and 5:30 p.m. to 8:30 p.m., and weekend hours from 8:00 a.m. to 9:00 p.m. Daily attendance would be limited to a maximum of 70 individuals, consistent with conditions in the staff report. Mr. Hakeem noted that the applicant was requesting six accessory events per year, with a maximum of 150 attendees at any given time, even though total daily attendance for those events could reach 600 due to staggered participation. He emphasized that temple worship differs from traditional church services, as attendees come and go throughout the day rather than arriving and leaving simultaneously.

Mr. Hakeem highlighted that no new buildings would be constructed; instead, the applicant plans to reuse two existing agricultural buildings—one as the temple in Phase 1 and the other as a meditation hall in Phase 2. He stated that the project is consistent with the General Plan and development title and qualifies for a CEQA 15183 exemption because it conforms to adopted General Plan policies and environmental analysis. He addressed concerns raised in opposition regarding land use compatibility, traffic, services, and noise, noting that a traffic study evaluated access routes and recommended avoiding Emilia Court. As a result, all traffic would use Lammers Road.

Mr. Hakeem emphasized that no outdoor amplified noise was proposed and that all regular activities would occur indoors. Mr. Hakeem explained that the Environmental Health Department and the Department of Public Works would oversee on-site well, septic, and stormwater requirements. He also noted that the County Agricultural Commissioner had submitted a rare letter recommending conditions, including a 40-foot vegetative buffer along the eastern property line and a 100-foot buffer from the southern property line. He addressed concerns about unpaid property taxes by explaining the applicant's nonprofit religious exemption, which required an approved use permit.

Mr. Hakeem stated the applicant respected the County's Right-to-Farm Ordinance and would participate in the Habitat Conservation Plan, despite the significant per-acre mitigation cost. He noted there were 74 conditions placed on the project and that it had been reviewed by numerous County departments, State and Federal agencies, and local districts. He asked the Planning Commission to follow staff's recommendation for approval and invited supporters to stand. Mr. Hakeem concluded by

reserving the opportunity for rebuttal and introduced architect Joe Holasek to address site plan questions.

Joe Holasek thanked the Commission for hearing the application and expressed appreciation for staff's extensive work with the applicant to address multiple project issues. He stated that suitable temple sites are difficult to find and often face opposition, but he believed this location is especially appropriate due to its frontage on a well-traveled road, strong access, and large parcel size. Mr. Holasek noted that the proposed temple area is situated toward the rear of the property. He described temples as generally very quiet places, emphasizing that activities are primarily indoors and non-amplified, with only occasional low-volume vocal meditations. He stated that he does not believe the project would create any noise impacts for neighbors.

Mr. Holasek added that the previous property owner had used the existing buildings as a party venue with large speakers, a bar, and a full sound system, yet the site generated no noise complaints due to the distance between residences. In contrast, he asserted the proposed temple use would be significantly quieter. He explained that the applicant was completing extensive upgrades to the site, including permitting previously unpermitted structures and hiring multiple professional consultants, mechanical, plumbing, electrical, civil, structural, and architectural, to ensure compliance with all County requirements and to improve safety and functionality.

Chaitanya Praveen Pratury, a representative for the temple supporters present at the meeting, addressed the Planning Commission in support of the project, stating it would serve as more than a place of worship and would provide cultural and spiritual education to the community. Mr. Pratury emphasized the value of teaching children and families the deeper meanings found in sacred Hindu texts, explaining that such teachings connect individuals to nature, the cosmos, and personal purpose. He also highlighted the expertise of Pandit Vishwamji, describing him as a rare and highly knowledgeable scholar of the Vedas capable of guiding both youth and adults. The supporter explained that temple activities foster a positive environment, create a sense of wellbeing, and encourage personal growth and community enrichment. The speaker stated that Hindu temples offer meaningful rituals, meditation, and learning experiences rather than loud or disruptive activity. Concluding, the supporter affirmed that the proposed temple would bring positive energy and benefits to the surrounding area and respectfully asked the Commission to approve the project.

OPPONENTS:

George Hartmann, attorney, stated he was appearing on behalf of Nanette Martin, the majority landowner of the Tracy Garden Farms subdivision, and requested that his previously submitted written comment letters be incorporated into the administrative record. He disclosed that he serves on the Advisory Water Commission for San Joaquin County but did not believe this created a conflict. Mr. Hartmann said he wished to focus on two mandatory legal requirements he asserted were missing from the staff report: flood-hazard compliance and findings required under Government Code Section 65962 (SB 5).

Mr. Hartmann stated that on April 2, 2025, Public Works memorandum identified the parcel as FEMA Zone AE with a base flood elevation of approximately 13 feet (NAVD88). He explained that the County Development Title requires Floodplain Administrator review, technical data demonstrating the project will not increase the 100-year flood water surface elevation by more than one foot, and confirmation that the site was reasonably safe from flooding. Mr. Hartmann asserted that none of these requirements appeared in the staff report.

Mr. Hartmann further stated that SB 5 prohibits discretionary approvals in flood hazard zones without making certain findings, which he said were also absent. He argued the project would dramatically increase occupancy, from nearly zero in agricultural storage use to 70 daily users and up to 150 people at a time during events, and therefore, requires full compliance with both Development Title 9-1605 and SB 5. He stated that without these findings and technical data, the Planning Commission lacked

authority to approve the project.

Mr. Hartmann also addressed the Covenants, Conditions, and Restrictions (CC&Rs) referenced in the staff report, explaining that he drafted them 34 years ago. He asserted they remain valid, have not reached the 35-year threshold for amendment, and cannot be terminated without notice to all affected owners; therefore, they remain enforceable regardless of Planning Commission action.

He requested that the Planning Commission continue the matter until the Floodplain Administrator review is completed, the required technical data is provided, and the SB 5 findings are made and added to the record. He further recommended that any approval require floodproofing or raising the building pad to at least 14 feet, one foot above the 13-foot base flood elevation. Mr. Hartmann emphasized that these requirements apply regardless of whether the buildings already exist because the proposed change in use increases occupancy. He additionally disputed the applicant's explanation regarding unpaid property taxes, stating a property owner cannot retroactively cure a tax default by later obtaining nonprofit status.

Mr. Hartmann concluded by stating that additional concerns were included in his written submissions and offered to answer questions from the Planning Commission.

Nanette Martin, neighbor, stated that she is opposed to Conditional Use Permit No. PA-2400506. She noted that her attorney, Mr. Hartmann, had submitted several detailed letters outlining their concerns and hoped the Planning Commission had reviewed them. Ms. Martin explained she had lived in Tracy for 83 years and was a third-generation agriculturist. She stated that the rural subdivision surrounding the project site was created by her after the unexpected death of her husband in 1987, both to preserve part of the family ranch and to provide families with country living, open land, and space for animals and crops. She added that the cul-de-sacs were named after her children, Philip Martin Court and Nancy Emelia Court, and that significant care went into creating the subdivision and its CC&Rs. Ms. Martin stated she was offended by a notice she recently received regarding the attempted termination of the CC&Rs, explaining that the action was taken without transparency and without notifying all landowners. She asserted that the CC&Rs cannot be terminated until 35 years have passed, which has not occurred, and even then they may only be amended, not abolished.

Ms. Martin noted that letters opposing the Conditional Use Permit were submitted by nearby residents, farmers, and landowners with valid concerns, while many of the letters in support were from individuals who do not live near Nancy Emelia Court, despite stating otherwise. She questioned how the applicant's amended request for six annual events with up to 150 people at a time, totaling up to 600 in a day, would be monitored and asked why the permit was not simply limited to 150 attendees. Ms. Martin stated she had observed other assemblies fail to follow imposed conditions.

Ms. Martin expressed concern that the quiet and peace of residents on Nancy Emelia Court would be disrupted and that surrounding farmers would be affected. Ms. Martin stated she was saddened by recent development pressures in rural north Tracy and noted that at least eight religious assemblies already existed within a few miles. She emphasized that her objection is not to religious assemblies in general, but to placing them on agricultural land where they could interfere with the Right-to-Farm Act, and she concluded that the proposed temple does not belong in a rural housing subdivision.

Philip Martin stated he resides at 12183 West Platte Road and respectfully requested denial of the Conditional Use Permit. He disagreed with the staff report's conclusion that the proposed religious assembly would be compatible with the surrounding agricultural area, stating that several concerns remained inadequately addressed. Mr. Martin argued that the County Agricultural Commissioner's letter should not be interpreted as supportive, noting that it explicitly stated strong opposition to the project. He also sought clarification that the application is solely for a temple and not a school, as educational uses would introduce additional farming restrictions that could severely affect neighboring agricultural operations.

Mr. Martin raised concerns about agricultural compatibility related to field-reentry restrictions, debris from large gatherings, and the potential for fugitive trash entering nearby fields. As an alfalfa and hay farmer, he explained that garbage incorporated into hay bales would damage his business, as his product was used for horses and must remain clean. He stated that protections included in this application were significantly less stringent than those required in the Conditional Use Permit for the nearby Data Yoga Center on Bethany Road, which included greater buffers, parking attendants, and indemnification measures.

Mr. Martin added that the proposed project lacks a substantial perimeter barrier and stated that a continuous masonry wall should be required to protect both neighboring properties and temple attendees, noting safety risks from children accessing Lammers Road during dusk events. Mr. Martin also expressed concern about the lack of specificity regarding staggered attendance assumptions, noting that temple events typically include scheduled ceremonies and cultural programming that could result in concentrated arrival times. He argued that the parking calculations relied heavily on maintaining attendance below 150 people at one time, which he believes may not be realistic. He referenced the applicant's social media, stating that a May 11th event appeared to show significantly more than 70 attendees at 8:23 p.m., past the stated end time for weekday operations. He stated this discrepancy undermines the validity of the traffic study and other analyses used by staff. He further compared project impacts to the Bethany Road temple, which is larger at build-out and required approximately \$20,000 in traffic mitigation, while the current project requires none.

Mr. Martin also asked a question regarding the site plan and property taxes, noting uncertainty about whether only the highlighted area was included in the Conditional Use Permit and whether this meant taxes would still apply to the residential areas, but not the temple location.

Andrew Genasci, Executive Director of the San Joaquin Farm Bureau Federation, stated that his concerns follow a consistent theme regarding the placement of non-agricultural uses in agricultural zones and the potential impacts these uses create. He noted that the California Department of Pesticide Regulation adopted a rule approximately seven years ago restricting pesticide application within a half-mile of public schools. He explained that the agency is now working on expanding those restrictions to include private schools, all daycares, and other "sensitive receptors" in their own terminology. Mr. Genasci cautioned that while the current temple applicants may be willing to accept the implications of the Right-to-Farm Ordinance, future regulatory restrictions could limit surrounding farmers' ability to conduct normal agricultural operations within a half-mile radius. He stated that this concern extends beyond the current project and applies to all non-agricultural uses proposed on agriculturally zoned lands. Mr. Genasci concluded by encouraging continued opposition to non-agricultural activities on agricultural property.

REBUTTAL:

Mike Hakeem, applicant's attorney, provided a brief rebuttal, addressing issues raised during public testimony. He stated that after consulting with Shayan Rehman of the Department of Public Works during the hearing, the SB 5 flood-hazard requirements were determined to apply only to communities of 10,000 or more residents and therefore do not apply to this project. He reiterated the applicant's position that the proposal complies with the County Development Title and all relevant flood-related regulations.

Mr. Hakeem further stated there is no requirement for public notice or a public hearing to terminate the CC&Rs. He cited language in the original CC&Rs indicating that 51 percent or more of landowners may terminate the document at any time. He asserted that this threshold was met and that the CC&Rs have been legally terminated, though he acknowledged that CC&R enforcement is not within the Planning Commission's authority.

Mr. Hakeem also explained that recent activities observed at the site were conducted under special permits, addressing concerns about unauthorized events. He concluded by referencing a prior Board

of Supervisors hearing where the San Joaquin Farm Bureau Federation brought forward concerns about the appropriateness of religious facilities in agricultural zones. He stated the Board of Supervisors ultimately affirmed the appropriateness of such uses through discretionary review. Mr. Hakeem asked the Planning Commission to rely on staff's professional recommendations and to find that the required Findings for approval can be made in the affirmative.

PUBLIC HEARING CLOSED.

MOTION:

It was moved, seconded (Rhodes / Sangha), and passed by a vote (3-1) to:

1. Adopt the Findings for Conditional Use Permit and the Findings for CEQA §15183 Exemption Compliance; and,
2. Approve Conditional Use Permit No. PA-2400506 due to the ability to make required Findings.

VOTE:

AYES: Gloryanna Rhodes, Donald Ruhstaller, Jass Sangha
NOES: Chris Meehleis

OTHER BUSINESS:

Director Jennifer Jolley informed the Planning Commission that staff intended to bring forward updated Rules of Procedure, noting that the current version had not been revised in 24 years.

Director Jolley also announced that a new Planning Commissioner, Lawrence Wight, was appointed at the most recent Board of Supervisors meeting. She noted that she, County Counsel Kirin Virk, and Deputy Director of Planning Corinne King plan to meet with him for onboarding and that he is expected to join the Planning Commission in June.

The meeting adjourned at 8:35 P.M.

Donald Ruhstaller, Chair

Jennifer Jolley, Secretary