



PLANNING COMMISSION MEMBERS

Fernando Aguilera District 1
Robert Acheson District 2 (Vice Chairperson)
Jack Mobley District 3
Kurt Spycher District 4
Mark Erreca District 5 (Chairperson)

Mark Hendrickson, Secretary
www.co.merced.ca.us

AGENDA PLANNING COMMISSION

Regular Meeting of Wednesday, November 14, 2018 - 9:00 a.m.

Merced County Administration Building
Board Chambers, Third Floor
2222 M Street
Merced, California 95340
Phone: 209.385.7654 Fax: 209.726.1710

The Planning Commission welcomes you and encourages your participation.

CITIZEN COMMUNICATIONS: If you wish to speak on a matter that does NOT appear on the agenda, you may do so during the citizen communications period. Please state your name and address for the record. Each speaker will be limited to five (5) minutes.

PUBLIC COMMENT: If you would like to address the Planning Commission on any item on the agenda, please pick up a speaker card in the foyer; fill it out with your name, street address, phone number, email address and the item number you wish to speak on. Please hand the speaker card to the staff member to the left of the podium once the Commission Chairman opens the public hearing for the agenda item. Each speaker will be limited to five (5) minutes.

AGENDAS and MINUTES: Planning Commission agendas, minutes, and copies of items to be considered are published on the County's Website no later than the Friday, but generally on the Wednesday, preceding each Commission meeting and may be viewed at www.co.merced.ca.us/planning/plancomarchive.html. All proposed agenda items with supportive documents are available for viewing at the Merced County Planning and Community Development Department between the hours of 8:30am and 4:30pm, Monday - Friday (except holidays). This is the same packet that the Planning Commissioners will review and discuss at the Commission meeting. In addition, if you would like a copy of any record related to an item on the agenda, please contact the Department and copies will be provided for the direct cost of duplication or emailed at no cost.

PUBLIC RECORDS: As required by Government Code Section 54957.5, any public record distributed to the Planning Commission less than 72 hours prior to this meeting in connection with any agenda item shall be made available for public inspection at the Merced County Administration Building, 2222 M Street, Merced, CA 95340. Public records distributed during the meeting will be available for public inspection at the meeting if prepared by the County. If the public record is prepared by some other person and distributed at the meeting it will be made available for public inspection following the meeting at the Planning and Community Development Department.

AUDIO/VIDEO BROADCAST: All Planning Commission meetings are normally broadcast live and replayed on local cable television. In addition, a live audio/video broadcast of this meeting may be heard/viewed at: www.co.merced.ca.us/planning/index.html, via live audio or live video. All meetings are archived for audio/video replay following the meeting.

REASONABLE ACCOMMODATIONS: In compliance with the Americans with Disabilities Act (ADA), the Merced County Planning Commission meeting facility is accessible to persons with disabilities. If you need special assistance to participate in this meeting, please contact the Planning Commission Secretary at (209) 385-7654. Notification 48 hours prior to the scheduled meeting will enable the County to make reasonable arrangements to ensure accessibility to this meeting.

COMMISSION QUORUM AND ACTION: A Quorum of the Planning Commission shall consist of three (3) members. Actions by the Commission shall require a majority vote (three votes or more) of the total membership of the Commission. When an action by the Planning Commission results in a tie vote the action shall be deemed denied. In the case of a tie vote, the applicant may request that the application be reconsidered at another meeting of the Commission.

APPEAL NOTICE: Any person aggrieved by the decision of the Planning Commission may appeal the decision within five (5) calendar days after the day the action is made. [Within ten (10) calendar days after the day the action is made on subdivisions]. The deadline for appeals of Planning Commission actions, excluding subdivisions, is 5:00 p.m. on the Monday following the Planning Commission meeting, and for subdivisions, the deadline is the following Monday at 5:00 pm. Please note that appeals may not be submitted on days that the County is officially closed. Appeals of Planning Commission actions may be filed with the Clerk of the Board of Supervisors. Appeals must state appellant's name, action appealed and reasons for the appeal. A filing fee set by Resolution of the Board of Supervisors must be submitted to the Board Clerk with the written appeal.

Members of the public are advised that a 2-hour time limit for customer parking in designated areas is strictly enforced by the City of Merced. You can request a one-day parking pass from County Administration prior to the Commission meeting, which must be displayed on the dashboard of your vehicle.

Please turn off all pagers, cellular telephones and any other communication devices.



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- I. **CALL TO ORDER**
- II. **PLEDGE OF ALLEGIANCE**
- III. **ROLL CALL OF COMMISSIONERS**
- IV. **APPROVAL OF MINUTES**
- V. **CITIZEN COMMUNICATIONS**

Public opportunity to address the Planning Commission on any item of interest over which the Planning Commission has jurisdiction that is not on the agenda.

VI. **PUBLIC HEARING(S)**

- A. **MINOR SUBDIVISION APPLICATION No. MS18-010 – Jose & Carmen Torrez -**
A request to section off a 4 acre homesite parcel from a 33.8 acre parcel and convey the remaining 29.8 acre parcel with an adjacent parcel, creating a 72.27 acre parcel. The property is located on the southeast corner of Westside Boulevard and Weir Avenue in the Livingston, identified as Assessor's Parcel Numbers (APNs) 049-030-012 and 049-030-014. The property is designated Agricultural land use and zoned A-1 (General Agricultural).CEQA: No further environmental review required under Section 15162 – “Subsequent EIRs and Negative Declarations.” **PN**

RECOMMENDATION(S):

- 1) Open/close public hearing;
- 2) Determine no further environmental review is required pursuant to Section 15162 – “Subsequent EIRs and Negative Declarations” of the CEQA Guidelines; and,
- 3) Approve Minor Subdivision Application No. MS18-010 based on the findings included in the staff report and subject to the recommended conditions of approval.

- B. ADMINISTRATIVE APPLICATION No. AA18-015 - Kulbirinderpal Singh - A** request to operate a semi mobile food vendor at an existing convenience store located at the northwest corner of North Lander Avenue & West Third Avenue, identified as Assessor's (APN) Parcel number 055-190-064. The property is designated Stevinson Urban Community - Commercial land use and zoned C-2 (General Commercial). CEQA: Exempt from CEQA pursuant Section 15311(c) – "Accessory Structures". **BG**

RECOMMENDATION(S):

- 1) Open/close the Public Hearing;
- 2) Determine the project is exempt from CEQA pursuant to Section 15311(c) - "Accessory Structures" of the CEQA Guidelines; and,
- 3) Approve Administrative Application No. AA18-015 based on the findings and subject to the recommended conditions of approval.

- C. MAJOR MODIFICATION No. MM18005 to MINING & RECLAMATION No. CUP99-012 – Calaveras Materials - A** request to allow for an alternate temporary ingress/egress truck route and to modify the existing reclamation plan in regards to phases and timing of reclamation; reclaimed slope ratio; and, proposed end use (open space vs. agriculture). The project site is located on the west side of North Highway 59, 0.6 miles south of West Turlock Road in the Merced area, identified as Assessor's Parcel Number (APN) 042-200-056. The property is designated Agricultural land use and zoned A-2 (Exclusive Agricultural). CEQA: No further environmental review is required pursuant to Section 15162 "Subsequent EIRs and Negative Declarations" and exempt from CEQA pursuant to Section 15301 – "Existing Facilities". **BG**

RECOMMENDATION(S):

- 1) Open/close public hearing;
- 2) Determine no further environmental review is required pursuant to Section 15162 – "Subsequent EIRs and Negative Declarations" and can also be found exempt from CEQA pursuant to Section 15301 - "Existing Facilities" of the CEQA Guidelines; and,
- 3) Approve Major Modification No. MM18-005 based on the findings included in the staff report and subject to the proposed conditions of approval.

- D. CONDITIONAL USE PERMIT No. CUP18-003 - AT & T Mobility - A** request to construct a new unmanned telecommunications facility consisting of a 110 foot tall monopole (with 12 panel antennas), a walk-in equipment cabinet, and an emergency standby power generator. The project site is located just north of the intersection of Romero Road and State Highway 140/33, approximately ¾ of a mile north of the Urban Community of Santa Nella, identified as Assessor's Parcel Number (APN) 070-070-014. The property is designated Agricultural land use in the General Plan and zoned A-1 (General Agricultural). CEQA: The project may be found exempt pursuant to Section 15303 of the CEQA Guidelines – "New Construction or Conversion of Small Structures". **DL**

RECOMMENDATION(S):

- 1) Open/Close the public hearing;
- 2) Determine the project can be found exempt from environmental review pursuant to Section 15303 "New Construction or Conversion of Small Structures" of the CEQA Guidelines; and,
- 3) Approve Conditional Use Permit CUP18-003 based on the findings included in the staff report and subject to the conditions of approval.

- VII. COMMISSION ACTION ITEM(s)
- VIII. DIRECTOR'S REPORT
- IX. COMMISSIONER'S COMMENT
- X. ADJOURNMENT