

AGENDA

PLANNING COMMISSION

Regular Meeting

Wednesday, August 12, 2020 - 9:00 a.m

Merced County Administration Building

Board Room, Third Floor 2222 M Street

Merced, California 95340

Phone: 209.385.7654 Fax: 209.726.1710

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL OF COMMISSIONERS
4. APPROVAL OF MINUTES
 - 4.I. DRAFT PC MINUTES 07-08-20

Documents:

[DRAFT MINUTES 07-08-20.PDF](#)

- 4.II. DRAFT PC MINUTES 07-22-20

Documents:

[DRAFT MINUTES 07-22-20.PDF](#)

5. CITIZEN COMMUNICATIONS
6. PUBLIC HEARING(S)
 - 6.I. CONDITIONAL USE PERMIT No. CUP19-001

TOSTE DAIRY - A request to expand an existing dairy facility, with an increase in herd size from 4,650 animals (1,950 mature cows and 2,700 support stock) to 5,950 animals (3,000 mature cows and 2,950 support stock). Approximately 375,500 square feet of new structures are proposed, including two freestall barns, two shade barns, and an addition to an existing milking parlor. A new wastewater retention pond, feed storage area, manure storage area, mechanical separator, and manure separator pad are also proposed. Approximately 42,440 square feet of existing structures will be removed. The project site is located at the southwest corner of N. Santa Fe Grade and W. Brazo Road in the Newman area, identified as Assessor's Parcel Number (APN) 054-090-001. The property is designated Agricultural land use and zoned A-1 (General Agricultural). CEQA: An Initial Study and Mitigated Negative Declaration has been prepared for the project. **BP**

RECOMMENDATION(S):

- 1) Open/close public hearing;
- 2) Determine the project will not have a significant effect on the environment and adopt the proposed Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the project pursuant to Section 15070 - "Decision to Prepare a Negative or Mitigated Negative Declaration" of the CEQA Guidelines; and,

3) Approve Conditional Use Permit No. CUP19-001 based on the findings identified in the Staff Report and subject to the recommended Conditions of Approval.

Documents:

[ITEM A - CUP19-001 - TOSTE DAIRY.PDF](#)

6.II. MINOR MODIFICATION NO. MM20-013 TO CONDITIONAL USE PERMIT NO. CUP98-003, INTERIM MANAGEMENT PLAN

CENTRAL VALLEY RESOURCES - Request to extend the previously approved Interim Management Plan expiration date to January 25, 2022 to allow for the management of an idle aggregate mine. The project site is located on the south side of Paul Negra Road and 1,600 feet west of I-5 in the Los Banos area. The property is designated Agricultural and Foothill Pasture and zoned A-2 (Exclusive Agricultural) and HIC (Highway Interchange Center). CEQA: Staff recommends that the Planning Commission determine the review and approval of the IMP is not considered a project for the purposes of CEQA in accordance with Public Resources Code Section 2770(h)(1) and therefore no environmental review is required. **BG**

RECOMMENDATION(S):

- 1) Open/close the public hearing;
- 2) Determine the review and approval of the IMP is not considered a project for the purposes of CEQA in accordance with Public Resources Code Section 2770(h)(1) and therefore no environmental review is required; and,
- 3) Approve Minor Modification No. MM20-013 to Conditional Use Permit No. CUP 98-003 based on the findings identified in the Staff Report.

Documents:

[ITEM B - MM20-013 TO CUP98-003 - CENTRAL VALLEY RESOURCES.PDF](#)

6.III. MINOR MODIFICATION NO. MM20-014 TO CONDITIONAL USE PERMIT NO. CUP 3509, INTERIM MANAGEMENT PLAN

F.S. ROD - A Request to extend a previously approved Interim Management Plan to June 27, 2022 to allow for the management of an idle aggregate mine. The project site is located 0.6 miles west of South Canyon Road, 0.25 miles north of West Alvarado Trail Road in the Los Banos area, identified as APN 088-070-081. The property is designated Agricultural land use in the General Plan and is zoned A-1 (General Agricultural). CEQA: Staff recommends that the Planning Commission determine the review and approval of the IMP is not considered a project for the purposes of CEQA in accordance with Public Resources Code Section 2770(h)(1) and therefore no environmental review is required. **BG**

RECOMMENDATION(S):

- 1) Open/close the public hearing;
- 2) Determine the review and approval of the IMP is not considered a project for the purposes of CEQA in accordance with Public Resources Code Section 2770(h)(1) and therefore no environmental review is required; and,
- 3) Approve Minor Modification No. MM20-014 to Conditional Use Permit No. CUP 3509 based on the findings identified in the Staff Report.

Documents:

[ITEM C - MM20-014 TO CUP3509 - FS ROD.PDF](#)

6.IV. ZONE CODE TEXT AMENDMENT No. ZCTA20-002

MERCED COUNTY - A request to amend Chapter 18.10 (Agricultural Zones) of Title 18 (Zoning) of the Merced County Code. The purpose of the amendment is to

implement Merced County General Plan Agricultural Element Policy, AG-3.5 (Home Site Clustering) which requires the clustering of homes on agricultural parcels to minimize interference with agricultural operations; and to address issues with regard to the implementation of the agricultural buffer requirement. The provisions of this Zone Code Text Amendment would be effective in all unincorporated areas of the County. CEQA: The proposed amendments are consistent with those analyzed in the adopted 2019 addendum to the Final Program Environmental Impact Report for the 2030 Merced County General Plan and may therefore be found exempt from environmental review under section 15162 of the CEQA guidelines. **DL**

RECOMMENDATION(S):

- 1) Open/Close the public hearing; and
- 2) Recommend the Board of Supervisors find the proposed amendments to Title 18 (Zoning) regarding: Chapter 18.10 (Agricultural Zones) are exempt from further environmental review under Section 15162 – “Subsequent EIRS and Negative Declarations” of the CEQA Guidelines based on findings included in the staff report for the proposed amendments, together with the analysis in the 2019 Addendum to the Certified Final Program Environmental Impact Report (FPEIR) prepared for the 2030 Merced County General Plan Update (together with the FPEIR), evidence in the record before the Planning Commission, the Board’s findings in certifying the FPEIR, and the adopted Mitigation Monitoring and Reporting Plan; and,
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- 3) Adopt a resolution recommending the Board of Supervisors adopt the proposed ordinance amending portions of Title 18 (Zoning) of the Merced County Code.

Documents:

[ITEM D - ZCTA20-002 - MERCED COUNTY.PDF](#)

7. COMMISSION ACTION ITEM(S)
8. DIRECTOR'S REPORT
9. COMMISSIONER'S COMMENT
10. ADJOURNMENT
11. PRINTABLE (PDF) AGENDA
 - 11.I. PLANNING COMMISSION AGENDA 08-12-20

Documents:

[PLANNING COMMISSION AGENDA 08-12-20.PDF](#)