

AGENDA

PLANNING COMMISSION

Regular Meeting

Wednesday, September 26, 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

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL OF COMMISSIONERS
4. APPROVAL OF MINUTES
5. CITIZEN COMMUNICATIONS
6. PUBLIC HEARING(S)
 - 6.I. MINOR SUBDIVISION No. MS18-014

E E B Properties – A request to divide a 307.63 acre parcel into 3 parcels, resulting in parcel sizes of: Parcel 1 = 217.69 acres, Parcel 2 = 49.63 acres and Parcel 3 = 40.31 acres, on property located on the south side of East Le Grand Road, 400 feet west of South Plainsburg Road in the Le Grand area, identified as Assessor's Parcel Number (APN) 067-120-022. The property is designated Agricultural land use in the General Plan and zoned A-1 (General Agricultural). CEQA: Project is exempt from CEQA under Section 15162 "Subsequent EIRs and Negative Declarations." **BG**

RECOMMENDATION(S):

- 1) Open/Close the public hearing;
- 2) Determine that no subsequent environmental review is required in compliance with Section 15162 "Subsequent EIRs and Negative Declarations" of the CEQA Guidelines based upon the analysis in the 2030 Merced County General Plan Program Environmental Impact Report, and the CEQA Section 15162 Findings and Analysis prepared as an attachment to the Staff Report; and,
- 3) Approve Minor Subdivision Application No. MS18-014 based on the findings included in the staff report and subject to the recommended conditions of approval.

Documents:

[ITEM A. MS18-014 - EEB PROPERTIES LLC.PDF](#)

- 6.II. CONDITIONAL USE PERMIT No. CUP18-005

Mapleton Communications - A request to erect a 133 foot tall radio broadcast tower and install a portable communications equipment building on a site containing an existing nonconforming 150 foot communications tower. The project site is located on the west side of North Coffee Street, approximately 961 feet south of Highway 140, in the Merced area, identified as Assessor's Parcel Number (APN) 061-071-019. The property is

designated Residential Reserve land use in the General Plan and zoned A-R (Agricultural-Residential). CEQA: The project can be found exempt from environmental review under CEQA guidelines Section 15301 - "Existing Facilities". **DL**

RECOMMENDATION(S):

- 1) Open/Close the public hearing;
- 2) Determine the project is exempt from CEQA review under Section 15301 - "Existing Facilities"; and,
- 3) Approve Conditional Use Permit CUP18-005 based on the findings included in the staff report and subject to the conditions of approval.

Documents:

[ITEM B. CUP18-005 MAPLETON COMM.PDF](#)

6.III. FIRST EXTENSION APPLICATION NO. EXT18-012 TO MINOR SUBDIVISION APPLICATION NO. MS16-003

Laxman Iyer - A request to extend the expiration date of the approved tentative map for Minor Subdivision Application No. MS16-003 by 1 year from July 13, 2018 to July 13, 2019. The project site is located on the east side of Whitworth Road, 4,000 feet north of Fentem Road in the Gustine area, identified as Assessor's Parcel Number (APN) 063-050-032. The property is designated Agricultural land use in the General Plan and zoned A-1 (General Agricultural). The southern portion of the project site is located within the City of Gustine's Planning area, and Sphere of Influence. CEQA: No subsequent environmental review required in compliance with CEQA guidelines Section 15162 - "Subsequent EIRs and Negative Declarations". **PN**

RECOMMENDATION(S):

- 1) Open/close public hearing;
- 2) Determine that no subsequent environmental review is required in compliance with Section 15162 "Subsequent EIRs and Negative Declarations" of the CEQA Guidelines based upon the analysis in the 2030 Merced County General Plan Program Environmental Impact Report, and the CEQA Section 15162 Findings and Analysis prepared as an attachment to the Staff Report; and,
- 3) Approve Extension Application No. EXT18-012 to Minor Subdivision Application No. MS16-003 based on the findings included in the staff report and subject to the conditions of approval.

Documents:

[ITEM C. 1ST EXT.18-012 TO MS16-003 LAXMAN IYER.PDF](#)

6.IV. 7th EXTENSION APPLICATION No. EXT18-013 TO MAJOR SUBDIVISION APPLICATION No. MAS06-006

"SANTA NELLA VILLAGE - WEST" - Sandhu Brothers - A request to extend the expiration date of the tentative map for Major Subdivision No. MAS06-006 for one year FROM: Aug. 9, 2018 TO: Aug. 9, 2019. The project site is located .25 miles west of South Highway 33, and .8 Miles south of West Henry Miller Road in the Santa Nella area, identified as Assessor's Parcel Numbers (APN's) 373-020-003, 078-080-019, 078-130-032, 373-020-002, 373-020-004, and 373-020-013. The property is designated Santa Nella Urban Community- Low Density Residential land use in the General Plan and zoned R-1 (Single-Family Residential). CEQA: Project can be found exempt from further environmental review under CEQA Section 15182 "Residential Projects Pursuant to a Specific Plan". **MT**

RECOMMENDATION(S):

- 1) Open/close the public hearing;
- 2) Determine the application can be found exempt from further environmental review under CEQA Section 15182 "Residential Projects Pursuant to a Specific Plan" of the CEQA Guidelines; and,
- 3) Approve Extension Application No. EXT18-013 based on the findings included in the staff report and subject to the proposed conditions of approval.

Documents:

[ITEM D. 7TH EXT 18-013 TO MAS06-006- SANTA NELLA VILLAGE WEST.PDF](#)

7. COMMISSION ACTION ITEM(S)

7.I. PLANNING COMMISSION DIRECTION ON CONDITIONAL USE PERMIT No. CUP13-013

Blue Sky Dairy - Based on observed operating conditions that resulted in failure to comply with the conditions of permit approval, staff is requesting direction from the Planning Commission. The project site is located on the east side of Fox Road, .25 miles north of Santa Fe Drive in the Atwater area. The property is designated Agricultural land use in the General Plan and zoned A-1 (General Agricultural). CEQA: Staff direction is not a project defined by CEQA. Enforcement actions by regulatory agencies are exempt under §15321 of the CEQA guidelines. **BG**

RECOMMENDATION(S):

- 1) Staff is requesting Planning Commission direction to take one of the following actions;
- 2) Proceed with Code Enforcement action on the applicant/property owner(s) for violations related to the existing dairy operation and failure to comply with the approved conditions for Conditional Use Permit No. CUP13-013; or,
- 3) Initiate an action to revoke Conditional Use Permit No. CUP 13-013 in the manner prescribed by Merced County Code §18.53.020(G), and order the applicant/property owner(s) to immediately cease all activities related to Conditional Use Permit No. CUP13-013.

Documents:

[ITEM VII. A. PC DIRECTION ON CUP13-013 BLUE SKY DAIRY.PDF](#)
[COMMISSION ACTION ITEM-SUPPLEMENT TO ITEM VII.PDF](#)

8. DIRECTOR'S REPORT

9. COMMISSIONER'S COMMENT

10. ADJOURNMENT

11. PRINTABLE (PDF) AGENDA

11.I. PLANNING COMMISSION AGENDA 09-26-18

Documents:

[PLANNING COMMISSION AGENDA 9-26-18.PDF](#)