



**PLANNING AND COMMUNITY
DEVELOPMENT DEPARTMENT**

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**PLANNING COMMISSION AGENDA
REGULAR MEETING OF MAY 14, 2003, 9:00 A.M.
2222 "M" STREET, BOARD ROOM, THIRD FLOOR,
MERCED, CALIFORNIA**

I. CALL MEETING TO ORDER

II. ROLL CALL OF COMMISSIONERS

Larry Whitney; Kimberly Clauss; Steve Sloan, Chairman; Lynn Tanner; David Wager.

III. APPROVAL OR MINUTES

IV. CITIZEN COMMUNICATIONS

Public opportunity to address the Planning Commission on items of interest over which the Planning Commission has jurisdiction.

SPEAKERS

If you would like to address the Planning Commission on any item on the agenda, please pick up a 3" x 5" card in the foyer, fill it out with your name, address, and item you wish to speak on, and give it to someone at the staff table (to the left of the podium) prior to speaking.

V. PUBLIC HEARING

- A. ADMINISTRATIVE PERMIT NO. 00044 – Bonanza Enterprises** – To consider revocation of a permit for an existing pheasant operation for failing to comply with previous conditions of approval on property located on the south side of Bloss Avenue approximately ¼ mile west of Golf Links Rd., east of the unincorporated community of Hilmar, designated as Agricultural in the Merced County General Plan and zoned A-1 (General Agricultural). (17.2 acres) **TO CONSIDER REVOCATION OR MODIFICATION OF THE USE. Project Planner Robert King. Continued from the April 9, 2003 meeting.**

STRIVING FOR EXCELLENCE

- B. ZONE VARIANCE APPLICATION NO. 03001 AND MINOR SUBDIVISION APPLICATION NO. 03003 - David Reece** - To vary from the minimum 20-acre parcel size in the A-1 (General Agricultural) zone and to divide a 11.2-acre parcel of land into two parcels: Parcel 1 = 1.7 acres and Parcel 2 = 9.50 acres, on property located on the north side of Bradbury Road and 1,000 feet east of Pepper Street in the Ballico area. The property is designated as Agricultural land use in the General Plan and zoned A-1 (General Agricultural). **TO MAKE AN ENVIRONMENTAL FINDING AND APPROVE, DISAPPROVE OR MODIFY THE APPLICATION.**
Project Planner Desmond Johnston

VI. CORRESPONDENCE

None

VII. GENERAL BUSINESS

Study Session on the Bettencourt Ranch Aggregate Mine Draft EIR (CUP 01019). Receive presentation from consultants and receive public comment.

VIII. DIRECTOR'S REPORT

None

IX. ADJOURNMENT

APPEALS

Any person may appeal any action of the Planning Director or Planning Commission within five (5) calendar days after the day the action is made. [Within ten (10) calendar days of action 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. Please note that appeals may not be submitted on days that the County is officially closed.

Appeals of Planning Director's actions may be filed with the Planning Department and 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 appeal. A filing fee set by Resolution of the Board of Supervisors must be submitted with the written appeal.

MERCED COUNTY PLANNING COMMISSION

MINUTES FOR MEETING OF MAY 14, 2003

A recording on tape and original minutes (for reference purposes only) of the Merced County Planning Commission meeting of May 14, 2003, are available in the Merced County Planning and Community Development Department, 2222 "M" Street, Second Floor, Merced, California.

I. CALL MEETING TO ORDER

The regularly scheduled meeting of the Merced County Planning Commission was called to order at 9:15 a.m., on May 14, 2003, in the Board Chambers located at 2222 "M" Street, Third Floor, Merced, California.

II. ROLL CALL OF COMMISSIONERS

Commissioners Present: Commissioner Larry Whitney
 Commissioner Kimberly Clauss
 Commissioner Steve Sloan-Chairman
 Commissioner Lynn Tanner

Staff Present: William R. Nicholson, Planning and Community Development
 Director
 Desmond Johnston, Deputy Director
 Robert King, Planner III
 Kim Lewallen, Recording Secretary

Legal Staff: James Tarhalla, Deputy County Counsel

Commissioners Absent: Commissioner Wager, absent, excused

III. APPROVAL OF MINUTES

M/S WHITNEY - CLAUSS, AND CARRIED BY A VOTE OF 4 - 0, THE PLANNING COMMISSION APPROVED THE MINUTES OF APRIL 23, 2003.

IV. CITIZEN COMMUNICATIONS

None

V. PUBLIC HEARINGS

A. ADMINISTRATIVE PERMIT NO. 00044 – Bonanza Enterprises – To consider revocation of a permit for an existing pheasant operation for failing to comply with previous conditions of approval on property located on the south side of Bloss Avenue approximately ¼ mile west of Golf Links Rd., east of the unincorporated community of Hilmar, designated as Agricultural in the Merced County General Plan and zoned A-1 (General Agricultural). (17.2 acres) **TO CONSIDER REVOCATION OR MODIFICATION OF THE USE. Project Planner Robert King. Continued from the April 9, 2003 meeting.**

Planner Robert King presented the Staff Report and Recommendation dated May 14, 2003.

The public hearing opened at 9:20 a.m.

Craig Larkins, neighbor at 19314 Bloss Avenue, stated that Mr. Sawyer has done a nice job cleaning up even though it took him 5 years to do so. There is still stuff on the levee that needs to be cleaned up, but it does look better.

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The public hearing closed at 9:22 a.m.

Commissioner Clauss stated that there should only be 500 birds allowed in the cages.

Commissioner Tanner asked when will Code Enforcement do the inspections of the property and is there a monitoring fee?

Planner Robert King responded that there is a monitoring fee of \$300 a year and they will do random inspections throughout the year.

MOTION: M/S TANNER - WHITNEY, AND CARRIED BY A VOTE OF 4 - 0, THE PLANNING COMMISSION APPROVES THAT THE PREVIOUS CONDITIONS BE SET AND NO FURTHER ACTION IS NECESSARY AND THE APPLICATION WILL BE REFERRED BACK TO STAFF.

- B. ZONE VARIANCE APPLICATION NO. 03001 AND MINOR SUBDIVISION APPLICATION NO. 03003 - David Reece -** To vary from the minimum 20-acre parcel size in the A-1 (General Agricultural) zone and to divide a 11.2-acre parcel of land into two parcels: Parcel 1 = 1.7 acres and Parcel 2 = 9.50 acres, on property located on the north side of Bradbury Road and 1,000 feet east of Pepper Street in the Ballico area. The property is designated as Agricultural land use in the General Plan and zoned A-1 (General Agricultural). **TO MAKE AN ENVIRONMENTAL FINDING AND APPROVE, DISAPPROVE OR MODIFY THE APPLICATION. Project Planner Desmond Johnston**

Planner Desmond Johnston presented the Staff Report and Recommendation dated May 14, 2003.

The public hearing opened at 9:30 a.m.

The following person(s) spoke in favor of the project:

Larry Bowers, B.C.A, representing the applicant, stated that the bees are in various places throughout California. The 1.7 acres on the property is houses and out buildings and vacant grounds. 9.3 acres is a vineyard and both parcels have homes on them. The special privileges regarding the application are that there are smaller parcels in the surrounding area.

No one spoke in opposition to the project.

The public hearing closed at 9:32 a.m.

MOTION: M/S CLAUSS - WHITNEY, AND CARRIED BY A VOTE OF 4 - 0, THE PLANNING COMMISSION DENIES ZONE VARIANCE APPLICATION NO. 03001 AND MINOR SUBDIVISION APPLICATION NO. 03003, DUE TO THE INABILITY TO MAKE THE FINDINGS LISTED IN THE STAFF REPORT.

VI. CORRESPONDENCE

None

VII. GENERAL BUSINESS

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A Study Session on the Bettencourt Ranch Aggregate Mine Draft EIR (CUP 01019) was held and a presentation was received from consultants and public comments were heard.

VIII. DIRECTOR'S REPORT

- A follow-up presentation by MCAG staff on the PIP process and setting goals for spending transportation dollars over the next 20 years will be heard at the Planning Commission Meeting of May 28th
- A General Plan Steering Committee will be held on May 28th following the regularly scheduled Planning Commission meeting.
- The Fox Hills ribbon cutting ceremony will be held on May 15th.

IX. ADJOURNMENT

There being no further business, the meeting adjourned at 12:00 p.m.