



**PLANNING AND COMMUNITY  
DEVELOPMENT DEPARTMENT**

**William Nicholson**  
*Director*

2222 "M" Street  
Merced, CA 95340  
(209) 385-7654  
(209) 726-1710 Fax  
[www.co.merced.ca.us](http://www.co.merced.ca.us)

**PLANNING COMMISSION AGENDA  
REGULAR MEETING OF JULY 27, 2005, 9:00 A.M.  
2222 "M" STREET, BOARD ROOM, THIRD FLOOR,  
MERCED, CALIFORNIA**

**I. CALL MEETING TO ORDER**

**II. ROLL CALL OF COMMISSIONERS**

Jack Mobley; Steve Sloan, Chairman; Lynn Tanner; Gloria Bettencourt; Rudy Buendia

**III. APPROVAL OF 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. MINOR SUBDIVISION APPLICATION No. 05032 - Juan Pulido - To divide 40.8 acres of agricultural land into two 20.4 acre parcels. The project is located at the southwest corner of Pepper Street and El Capitan Way in the Delhi area. The project site is designated Agricultural land use in the General Plan and zoned A-1 (General Agricultural). **TO APPROVE, DISAPPROVE OR MODIFY THE APPLICATION.** Project Planner Dave Gilbert**

**B. 4<sup>th</sup> EXTENSION No. 05007 TO MAJOR SUBDIVISION APPLICATION No. 99008 - Sierra View Meadows - To extend for one year an approved tentative map for 90 residential lots on property located north of Fir Avenue, at the extension of Cowden Avenue. The project site is designated Franklin-Beachwood Low Density Residential land use in the General Plan and zoned R-1 (Single Family Residential). **TO APPROVE, DISAPPROVE OR MODIFY THE APPLICATION.** Project Planner Dave Gilbert**

VI. **CORRESPONDENCE**

VII. **GENERAL BUSINESS**

VIII. **DIRECTOR'S REPORT**

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 JULY 27, 2005**

---

A recording on tape and original minutes (for reference purposes only) of the Merced County Planning Commission meeting of July 27, 2005, 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 9:10 a.m., on July 27, 2005, in the Board Chambers located at 2222 "M" Street, Third Floor, Merced, California.

**II. ROLL CALL OF COMMISSIONERS**

Commissioners Present:     Commissioner Jack Mobley  
                                  Commissioner Steve Sloan-Chairman  
                                  Commissioner Lynn Tanner  
                                  Commissioner Gloria Bettencourt  
                                  Commissioner Rudy Buendia

Staff Present:                 William Nicholson, Planning and Community Development  
                                  Director  
                                  Kim Lewallen, Recording Secretary  
                                  Dave Gilbert, Planner III

Legal Staff:                 Dave Olsen, Deputy County Counsel

Commissioners Absent:     None

**III. APPROVAL OF MINUTES**

**M/S MOBLEY - BUENDIA, AND CARRIED BY A VOTE OF 5 - 0, THE PLANNING COMMISSION APPROVED THE MINUTES OF JULY 13, 2005.**

**IV. CITIZEN COMMUNICATIONS**

None

**V. PUBLIC HEARINGS**

**A.     MINOR SUBDIVISION APPLICATION No. 05032 - Juan Pulido - To divide 40.8 acres of agricultural land into two 20.4 acre parcels. The project is located at the southwest corner of Pepper Street and El Capitan Way in the Delhi area. The project site is designated Agricultural land use in the General Plan and zoned A-1 (General Agricultural). **TO APPROVE, DISAPPROVE OR MODIFY THE APPLICATION. Project Planner Dave Gilbert****

Planner Dave Gilbert presented the Staff Report and Recommendation dated July 27, 2005.

The public hearing opened at 9:13 a.m.

Duane Andrews, Golden Valley Engineering, stated that this property will be split between two brothers. He accepts the conditions listed in the staff report and is available for any questions.

**MERCED COUNTY PLANNING COMMISSION**

**Minutes – July 27, 2005**

**Page 2**

Commissioner Tanner asked how the property is currently irrigated. Mr. Andrews replied that the irrigation won't change and he believes it's irrigated with sprinklers.

The public hearing closed at 9:15 a.m.

**MOTION: M/S TANNER - BUENDIA, AND CARRIED BY A VOTE OF 5 - 0, THE PLANNING COMMISSION EXEMPTS MINOR SUBDIVISION APPLICATION No. 05032, FROM CEQA.**

**MOTION: M/S TANNER - BUENDIA, AND CARRIED BY A VOTE OF 5 - 0, THE PLANNING COMMISSION CONCURS WITH THE STAFF REPORT AND RECOMMENDATION DATED JULY 27, 2005, AND MAKES THE 15 FINDINGS SET FORTH IN THE STAFF REPORT AND, BASED ON THOSE 15 FINDINGS, APPROVES MINOR SUBDIVISION APPLICATION No. 05032 SUBJECT TO THE 4 CONDITIONS SET FORTH IN THE STAFF REPORT AS FOLLOWS:**

**Conditions:**

1. A parcel map, including all parcels involved, shall be recorded within two (2) years of the Planning Commission approval date as required by the Subdivision Map Act and Merced County Subdivision Code.
2. A Right-to-Farm Certificate shall be placed on the parcel map notifying the potential buyers of the resulting parcels that the subject property is in the vicinity of active farming operations and residents may be subject to inconveniences or discomforts resulting from the pursuit of agricultural operation.
3. The property owners shall dedicate to the County of Merced, annotated on the parcel map, an additional 10-foot width of right-of-way along the entire frontages of the project on Pepper Street and El Capitan Way with a 50-foot radius fillet (curve) at the southwest corner of Pepper Street and El Capitan Way intersection.
4. The two easements, noted in the Turlock Irrigation District (TID) letter, dated July 1, 2005 shall be preserved and the property owner shall provide access to existing irrigation sources for each of the proposed parcels.

**B. 4<sup>th</sup> EXTENSION No. 05007 TO MAJOR SUBDIVISION APPLICATION No. 99008 - Sierra View Meadows** - To extend for one year an approved tentative map for 90 residential lots on property located north of Fir Avenue, at the extension of Cowden Avenue. The project site is designated Franklin-Beachwood Low Density Residential land use in the General Plan and zoned R-1 (Single Family Residential). **TO APPROVE, DISAPPROVE OR MODIFY THE APPLICATION. Project Planner Dave Gilbert**

Planner Dave Gilbert presented the Staff Report and Recommendation dated July 27, 2005.

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

John McCullough, BCA, stated that he is available for any questions.

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

**MERCED COUNTY PLANNING COMMISSION**

**Minutes – July 27, 2005**

**Page 3**

**MOTION: M/S TANNER - BUENDIA, AND CARRIED BY A VOTE OF 5 - 0, THE PLANNING COMMISSION REAFFIRMS THE PREVIOUS NEGATIVE DECLARATION PREPARED FOR 4<sup>th</sup> EXTENSION No. 05007 TO MAJOR SUBDIVISION APPLICATION No. 99008.**

**MOTION: M/S TANNER - BUENDIA, AND CARRIED BY A VOTE OF 5 - 0, THE PLANNING COMMISSION CONCURS WITH THE STAFF REPORT AND RECOMMENDATION DATED JULY 27, 2005, AND MAKES THE ORIGINAL FINDINGS SET FORTH IN THE STAFF REPORT AND, BASED ON THOSE ORIGINAL FINDINGS, APPROVES 4<sup>th</sup> EXTENSION No. 05007 TO MAJOR SUBDIVISION APPLICATION No. 99008 SUBJECT TO THE 14 CONDITIONS SET FORTH IN THE STAFF REPORT AS FOLLOWS:**

**Conditions:**

1. A final map shall be recorded within two (2) years of the Planning Commission approval date as required by the County Subdivision Code and the State Subdivision Map Act.
2. The subdivider shall satisfy Improvement Level I requirements as set forth in Chapter 16.08 of the Merced County Code which generally includes dedication of road rights-of-way, public utility easements, roadway construction and installation of matching pavement along the existing roadways, street lighting, storm drainage system and under grounding or relocating utilities and irrigation facilities. Improvement plans shall be prepared to correspond exactly to the approved vesting tentative map.
3. All lot and street grading shall be completed prior to the issuance of any building permits. The developer shall enter into an agreement with the Public Works Department that no occupancy shall take place until such time that all improvements are completed.
4. The applicant shall provide centerline stripping for the first 200 feet for those new roads, which intersect the peripheral street.
5. The developer is advised that he/she may be obligated to comply with Federal Regulations for storm water run-off issued by the U.S. EPA on November 16, 1990(40 Code of Federal Regulations Part 122,123, and 124). For information and direction, contact the State water Resources Control Board's Construction Activity Storm Water Hotline at (916) 657-1146.
6. The developer shall provide a signature block on the Sierra View Meadows North improvement plans for Merced Irrigation District (MID).
7. The developer shall pay the \$1,514.00 traffic impact fee per single family dwelling at the building permit stage.
8. The subdivider shall pay a recreational parkland space and improvement fee as required by Merced County Ordinance No. 1090. Said fee is payable prior to or concurrent with the recording of the Final Map.
9. Any relocation, removal or under grounding of PG&E facilities shall be done at developer's expense.

**MERCED COUNTY PLANNING COMMISSION**

**Minutes – July 27, 2005**

**Page 4**

10. Right to Farm Certificate shall be placed on the Final Map in compliance with Ordinance No. 1213.
11. The developer shall comply with all the standard conditions of approval listed in the Planning Commission Resolution No. 97-1, and development standards in section 18.08.03 of the Zoning Code.
12. Prior to recording of the Final Map, a landscape plan for the street trees in conformance with the Landscaping Chapter of the County Zoning code shall be submitted to the Planning and Community Development Department for review and approval. Approved street trees shall be installed prior to occupancy of each house. The general location of the street trees shall be shown on the improvement plans.
13. For the purpose of condition monitoring, a fee in the amount of **\$250.00** shall be required. The fee shall be paid prior to recordation of the Final Map.
14. Area for dedication of a 0.72 acre neighborhood park shall be reserved on Final Map, at which time the County Public Works Director shall determine whether an onsite park is needed. Such park shall require street frontage on a minimum of two streets.

**VI. CORRESPONDENCE**

None

**VII. GENERAL BUSINESS**

There will be a Joint Board of Supervisor/Planning Commissioners meeting on August 24th.

**VIII. DIRECTOR'S REPORT**

None

**IX. ADJOURNMENT**

There being no further business, the meeting adjourned at 9:37 a.m.