



PLANNING COMMISSION MEMBERS

Rudy Buendia District 1
Lynn Tanner District 2
Jack Mobley District 3
Cynthia Lashbrook District 4
Mark Erreca District 5

Robert A. (Bobby) Lewis, Secretary
www.co.merced.ca.us

PLANNING COMMISSION AGENDA

Regular Meeting of Wednesday, January 28, 2009, 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 (3 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 all pagers, cellular telephones and any other communication devices are to be turned off upon entering the Board Chambers.



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I. CALL TO ORDER

II. ROLL CALL OF COMMISSIONERS

III. APPROVAL OF MINUTES

IV. GENERAL BUSINESS

A. RESOLUTION OF APPRECIATION FOR STEVE SLOAN FOR 20 YEARS OF SERVICE AS PLANNING COMMISSIONER.

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. Conditional Use Permit Application No. CUP07-023 - Sumpter Farm Sand Mine - To excavate and remove approximately 250,000 cubic yards of sand from a 28.2 acre portion of a 32.2 acre property for a maximum of 10 years, and to reclaim the disturbed land to agricultural production. The property is located on the southeast corner of W. Sunset Dr and N. Central Avenue in the Atwater area. The project site is designated Agricultural land use in the General Plan and zoned A-1 (General Agricultural). **THE ACTION REQUESTED IS TO APPROVE, DISAPPROVE OR MODIFY THE APPLICATION. ON**

B. Administrative Application No. AA08-054 - Ernesto Monarrez - To permit (legalize) the raising of up to 40 roosters as a hobby and occasional sales. The property is located on the north side of Third Avenue, approximately 1/8 mile west of Cemetery Road in the Stevenson area. The project site is designated Agricultural land use in the General Plan and zoned A-1 (General Agricultural). **THE ACTION REQUESTED IS TO APPROVE, DISAPPROVE OR MODIFY THE APPLICATION. JF**

- C. Zone Variance Application No. ZV08-004 - Church of Jesus Christ of Latter Day Saints** - To vary from the 40 foot height limit by 28 feet to allow the construction of a church steeple for a maximum height of 68 feet. The property is located on the south east corner of McKee Road and Tuscany Ave in the Merced area. The project site is designated Merced Rural Residential Center land use in the General Plan and zoned A-R (Agricultural-Residential). **THE ACTION REQUESTED IS TO APPROVE, DISAPPROVE OR MODIFY THE APPLICATION. BG**

VII. CORRESPONDENCE

VIII. DIRECTOR'S REPORT

IX. COMMISSIONER'S COMMENT

X. ADJOURNMENT