

MERCED COUNTY PLANNING COMMISSION
MINUTES FOR MEETING OF DECEMBER 16, 2015

The agenda, original minutes, video, and all supporting documentation (for reference purposes only) of the Merced County Planning Commission meeting of December 16, 2015, are available online at www.co.merced.ca.us/planning/plancomarchive.html.

I. CALL MEETING TO ORDER

The regularly scheduled meeting of the Merced County Planning Commission was called to order at 9:00 a.m., on December 16, 2015, in the Board Chambers located at 2222 "M" Street, Third Floor, Merced, California.

II. ROLL CALL OF COMMISSIONERS

Commissioners Present: Commissioner Mark Erreca - Chairman
 Commissioner Greg Thompson - Vice Chairman
 Commissioner Jack Mobley
 Commissioner Rich Ford
 Commissioner Robert Acheson

Staff Present: Mark Hendrickson, Director
 Oksana Newmen, Deputy Director Planning
 Jennifer Borobia, Planner I
 Brian Guerrero, Planner III
 Kim Lewallen, Recording Secretary

Legal Staff: Michael Linden, Deputy County Counsel

Commissioners Absent: None

III. APPROVAL OF MINUTES

None

IV. CITIZEN COMMUNICATIONS

None

V. PUBLIC HEARINGS

A. **CONDITIONAL USE PERMIT No. CUP15-016 - Roberto & Jovita Torres - To establish an outdoor recreational facility to host rodeo style events. The project site is located on the North side of Second Avenue South and 550 feet East of N. Petaluma Avenue in the Delhi area. The property is designated Agricultural land use and zoned A-1 (General Agricultural). **JB****

Recommendations: The actions requested are to:

- 1) Determine that Conditional Use Permit No. CUP15-016 is exempt from CEQA Review under section 15061(b)(3) of the CEQA Guidelines, and;
- 2) Approve Conditional Use Permit No. CUP15-016 based on the project findings and subject to the recommended conditions of approval listed in the staff report.

Planner Jennifer Borobia presented the Staff Report and recommendations of approval dated December 16, 2015.

Commissioner Greg Thompson asked if anything will be effected if the applicant is allowed 10 events per year.

Ms. Borobia responded that permanent restrooms will be needed if more than 8 events.

Commissioner Robert Acheson asked if there will be dust and traffic problems.

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Ms. Borobia said the water trucks will apply water to the ground as needed to prevent dust. There is on-site free parking so vehicles won't be parked on the street.

The public hearing opened at 9:09 a.m.

No one spoke in favor or opposition to this application.

The public hearing closed at 9:10 a.m.

MOTION: M/S THOMPSON – MOBLEY, AND UNANIMOUSLY CARRIED, THE PLANNING COMMISSION EXEMPTS CONDITIONAL USE PERMIT NO. CUP15-016, FROM CEQA.

MOTION: M/S THOMPSON – MOBLEY, AND UNANIMOUSLY CARRIED, THE PLANNING COMMISSION CONCURS WITH THE STAFF REPORT AND RECOMMENDATIONS DATED DECEMBER 16, 2015 AND MAKES THE 6 PROJECT FINDINGS SET FORTH IN THE STAFF REPORT AND APPROVES SUBJECT TO THE 15 CONDITIONS SET FORTH IN THE STAFF REPORT AS FOLLOWS:

Conditions:

Community and Economic Development Department:

1. Conditional Use Permit Application No. CUP15-016 is approved to establish a private outdoor recreational facility to host up to eight (8) rodeo style events per calendar year, at a maximum of 200 occupants per event. The project site consists of an arena and bleacher seats.
2. For the purpose of conditions monitoring, an inspection fee in the amount of **\$162.00** shall be required. This fee shall be paid within 30 days of the approval date. Should additional inspections be required, inspection time shall be billed to the applicant/ property owner at the established hourly rate at the time of the inspection. This permit will not be considered valid until the conditions monitoring fee has been paid.
3. The Community and Economic Development Department shall be notified prior to each of the events as part of conditions monitoring.
4. The applicant shall comply with all applicable County, State and Federal regulations.
5. The facility shall comply with the standards for temporary events as outlined in Section 18.47.270 of the Zoning Code for each event.

Environmental Health Division:

6. Food (including water and any other beverage)
 - a. Any mobile food facility must have a permit from MCDEH to operate in Merced County.
 - b. Each food vendor at any community event must have a permit from MCDEH to operate at the event. If more than one food vendor is involved, the event organizer must obtain an organizer permit from

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MCDEH. Organizer and vendor permit applications must be submitted to MCDEH at least 14 days prior to the start of the event.

- c. A food facility at a community event must be operated within 200 feet travel distance of an approved, readily available toilet and hand washing station for use by employees.

7. Porta-Potties:

- a. Shall have a self-closing door – tightly fitted to the door frame when closed. All other openings shall be screened to minimize fly access.
- b. Shall be accompanied by an adequate number of hand washing stations, provided with clean, running water (either pumped or gravity fed), hand soap, and paper towels. Hand washing wastewater shall drain to a sewer, on-site septic system or appropriate holding tank. If a separate hand washing wastewater tank is used, the waste water tank capacity shall exceed the capacity of the freshwater tank.
- c. Porta-potties and any associated hand washing stations shall be lighted between sunset and sunrise if the porta-potties are available for use during that time.
- d. Fresh water in the hand washing station tank shall have a free chlorine concentration of 1 to 10 ppm at the time of filling or refilling the tank. Adding 1 teaspoon of 5% household bleach to every 5 gallons of water will provide the desired concentration.

8. No water from the on-site well shall be made available to attendees.

9. Water supplied for hand washing:

- a. Should undergo quarterly testing for bacteria.
- b. Stored water should be maintained with a chlorine residual of no less than 25 ppm.
- c. A routine testing and record maintenance program will be needed.

Department of Public Works Building and Safety Division

- 10. All areas must be in compliance with regulations for disabled access, including parking, path of travel, viewing areas, restroom, service counters, etc. and must be detailed on the drawings submitted for permit.
- 11. You must hire an architect or engineer licensed in the state of California to draw plans and provide any structural calculations for any proposed structures. The plans must be submitted to the Building Division for approval and permit before any construction can begin.

Department of Roads Division

- 12. The applicant shall provide sufficient and free on-site parking to discourage visitors from stopping or parking on Second Avenue South.

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Merced County Fire Department

13. An application for an Annual Event Center Permit shall be submitted at the time of permit application.
14. The applicant shall install reflective address identification signage that meets Fire Department design specifications. Contact the Prevention Bureau for additional information.
15. If security gates are installed, they shall be approved by the Fire Department.
 - a. As required, the applicant shall install and maintain a Merced County Coded “Knox” key switch or “Knox” padlock, whichever is most appropriate in relation to your needs.

VI. COMMISSION ACTION ITEM (S)

None

VII. DIRECTOR'S REPORT

None

VIII. COMMISSIONERS COMMENTS

None

IX. ADJOURNMENT

There being no further business, the meeting adjourned at 9:11 a.m.