



PLANNING COMMISSION MEMBERS

Greg Thompson District 1 (Vice-Chairperson)
Robert Acheson District 2
Jack Mobley District 3
Rich Ford District 4
Mark Erreca District 5 (Chairperson)

Mark Hendrickson, Secretary
www.co.merced.ca.us

AGENDA PLANNING COMMISSION

Regular Meeting of Wednesday, February 10, 2016 - 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 (three 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 a 2-hour time limit for customer parking in designated areas is strictly enforced by the City of Merced. You can request a one-day parking pass from County Administration prior to the Commission meeting, which must be displayed on the dashboard of your vehicle.

Please turn off all pagers, cellular telephones and any other communication devices.



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- I. **CALL TO ORDER**
- II. **ROLL CALL OF COMMISSIONERS**
- III. **APPROVAL OF MINUTES**
- IV. **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.

V. **PUBLIC HEARING(S)**

- A. **CONDITIONAL USE PERMIT No. CUP13-008 - Silveira Brothers Dairy #1 Expansion** - To expand an existing dairy from 1,784 cows (1,254 milking and 530 support stock) to 3,530 cows (3,000 milking and 530 support stock) on a 52 acre portion of a 258 acre farm. The project site is located on the northeast corner of Brazo Road and Santa Fe Grade, approximately one mile southeast of Newman. The property is designated Agricultural land use and zoned A-1 (General Agricultural). **BG**

Recommendations: The actions requested are to:

- 1) Certify the Environmental Impact Report, adopt the Environmental Findings of Fact, Mitigation Monitoring Program and Statement of Overriding Considerations, and;
- 2) Approve Conditional Use Permit No. CUP13-008 based on the findings and subject to the conditions of approval and mitigations measures presented in the Staff Report.

- B. ZONE CODE TEXT AMENDMENT No. ZCTA16-001 – County of Merced** – To amend Title 18 (Zoning Code) Section 18.26.020 Table 18-10 (Allowable Land Uses and Permit Requirements) of the Merced County Code to list emergency shelters as an allowed use without the approval of a discretionary permit in the Light Manufacturing (M-1) and General Manufacturing (M-2) zoning designations subject to specific criteria (to include separation distance from residential areas, maximum number of beds, management on-site, security as approved by the Sheriff’s Office). An emergency shelter is housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person, where no individual or household may be denied emergency shelter because of an inability to pay. ZCTA16-001 also proposes to amend Section 18.56 (Definitions and Construction of Words and Phrases) by revising the emergency shelter definition and to add transitional housing and supportive housing definitions. The provisions of this text amendment would be effective in all unincorporated areas of the County of Merced. The proposed text is available at <http://www.co.merced.ca.us/index.aspx?nid=2169>. **SS**

Recommendations: The actions requested are to:

- 1) Recommend the Board of Supervisors determine Zone Code Text Amendment No. ZCTA16-001 is exempt from environmental review pursuant to Section 15061(b)(3) of the CEQA Guidelines under the general rule that CEQA only applies to projects which have the potential for causing a significant effect on the environment; and
- 2) Recommend that the Board of Supervisors approve Zone Code Text Amendment No. ZCTA16-001 adopting the revisions to Title 18 (Zoning Code) Section 18.26.020 Table 18-10 and Section 18.56 based upon the findings presented in the staff report.

VI. NON-HEARING ITEM

- A. HOUSING ELEMENT UPDATE STUDY SESSION** – The County is currently working on an update to its Housing Element for the 2016 to 2024 planning period, as required by State law. The County must plan for its fair share of the region’s housing needs of all economic segments of the community, as identified by the Merced County Association of Governments (MCAG). Specifically, of the 15,580 housing units for all jurisdictions within and including Merced County, the County is required to accommodate its fair share of 4,445 units across varying income levels. Upon adoption, the 2016 Housing Element will become a part of the Merced County General Plan. Proposed goals, policies, and programs have been prepared, along with the required housing needs assessment, constraints, and resources to be considered by the Planning Commission, and subsequently by the Board of Supervisors. The purpose of the study session is to engage in discussion with the Planning Commission on the proposed goals, policies, and programs. **No action is being sought; this is an informational item. There will be an opportunity for the public to make comment as part of this study session.**

VII. COMMISSION ACTION ITEM(s)

VIII. DIRECTOR’S REPORT

IX. COMMISSIONER’S COMMENT

X. ADJOURNMENT