



**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

**PLANNING COMMISSION AGENDA  
REGULAR MEETING OF AUGUST 27, 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 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. 1ST MODIFICATION NO. 03017 TO MAJOR SUBDIVISION NO. 99009 MODIFICATION - Sahota Brother Clinton** - To remove condition of approval No. 16 requiring a signature block for Merced Irrigation District on the Final Map. The project site is a 26 one-acre lot subdivision located on the east side of Franklin Road and one quarter mile north of Dan Ward Road, designated as Franklin-Beachwood Rural Residential Center Agricultural land use in the General Plan and zoned A-R (Agricultural Residential). **TO MAKE AN ENVIRONMENTAL FINDING AND APPROVE, DISAPPROVE OR MODIFY THE APPLICATION.** Project Planner Dan Skidmore

**B. 2ND EXTENSION NO. 03004 TO MAJOR SUBDIVISION 99008 - Sierra View Meadows** - The applicant has submitted a request for a one-year extension to Major Subdivision Application No. 99008 also known as Sierra View Meadow North. On June 14, 2000, the Planning Commission approved this subdivision of 17.4 acres into 90 residential lots located north of West Fir Avenue, at the extension of Cowden Avenue, on a site designated as Franklin-Beachwood Specific Urban Development land use and zoned R-1 (Single Family Residential). **TO MAKE AN ENVIRONMENTAL FINDING AND APPROVE, DISAPPROVE OR MODIFY THE APPLICATION.** Project Planner Dan Skidmore

**STRIVING FOR EXCELLENCE**

- C. **ADMINISTRATIVE PERMIT APPLICATION NO. 03013 – Harold Alexander** – To consider raising chickens (" 150 roosters and hens) on property located on the north side of Carmellia Avenue approximately 1/10 mile east of Center Avenue in the Dos Palos area which is designated as Agricultural land use in the General Plan. The zone is A-1 (General Agricultural) (.59 acres). **TO MAKE AN ENVIRONMENTAL FINDING AND APPROVE, DISAPPROVE OR MODIFY THE APPLICATION. Project Planner Robert King**
- D. **ZONE VARIANCE NO. 03005 AND MINOR SUBDIVISION APPLICATION NO. 03026 – Esther Ratzlaff** – To vary from the minimum parcel size (160 acres) in the A-2 (Exclusive Agricultural) zone and divide a 35.2 acre parcel of land into 2 parcels: Parcel No. 1 = 12.1 acres; Parcel No. 2 = 23.1 acres on property located in the Winton area which is designated as Agricultural land use in the General Plan. **TO MAKE AN ENVIRONMENTAL FINDING AND APPROVE, DISAPPROVE OR MODIFY THE APPLICATION. Project Planner Robert King**
- E. **ZONE VARIANCE NO. 03007 AND MINOR SUBDIVISION APPLICATION NO. 03043 – Hansen/Overholtzen** – To vary from the minimum parcel size (20 acres) in the A-1 (General Agricultural) zone and divide a 45 acre parcel into two parcels: Parcel 1 = 4.17 acres and Parcel 2 = 40.83 acres on property located west of the intersection of State Highway 33 and South Ave. in the Gustine area which is designated as Agricultural land use in the General Plan. The zone is A-1 (General Agricultural). **TO MAKE AN ENVIRONMENTAL FINDING AND APPROVE, DISAPPROVE OR MODIFY THE APPLICATION. Project Planner Robert King**
- F. **MAJOR SUBDIVISION APPLICATION NO. 03004 – (HARMONY RANCH III) Marks/Florsheim Brothers** – To create 148 lots of approximately 5,000 square feet each northwest of the intersection of Harmony Ranch Drive and Shanks Road which is designated as Delhi Specific Urban Development Plan Medium Density Residential and zoned R-1-5000 (Single Family Residential) (30.4 acres). **TO APPROVE THE NEGATIVE DECLARATION AND APPROVE, DISAPPROVE OR MODIFY THE APPLICATION. Project Planner Robert King**
- G. **ADMINISTRATIVE PERMIT APPLICATION NO. 03058 – Randy Lundell & Della Garrett-Lundell** –The applicant is asking for a waiver of the animal confinement regulations. The waiver is for the ability to replace the existing dwelling with a larger dwelling. The property is located on the south side of Geer Ave and approximately 1338 feet east of Tegner Road, in the Hilmar area, which is designated as Agricultural in the Merced County General Plan and zoned A-1 (General Agricultural) (18.4 acres). **TO MAKE AN ENVIRONMENTAL FINDING AND APPROVE, DISAPPROVE OR MODIFY THE APPLICATION. Project Planner Mark Hamilton**

VI. **CORRESPONDENCE**

None

VII. **GENERAL BUSINESS**

None

VIII. **DIRECTOR'S REPORT**

None

IX. **ADJOURNMENT**



**PLANNING AND COMMUNITY  
DEVELOPMENT DEPARTMENT**

**William Nicholson**  
*Director*

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**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 AUGUST 27, 2003

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A recording on tape and original minutes (for reference purposes only) of the Merced County Planning Commission meeting of August 27, 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 9:11 a.m., on August 27, 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 David Wager

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

Legal Staff: James Tarhalla, Deputy County Counsel

Commissioners Absent: Commissioner Tanner, absent

### **III. APPROVAL OF MINUTES**

**M/S WAGER - WHITNEY, AND CARRIED BY A VOTE OF 4 - 0, THE PLANNING COMMISSION APPROVED THE MINUTES OF AUGUST 13, 2003.**

### **IV. CITIZEN COMMUNICATIONS**

None

### **V. PUBLIC HEARINGS**

**A. 1ST MODIFICATION NO. 03017 TO MAJOR SUBDIVISION NO. 99009 MODIFICATION - Sahota Brother Clinton - To remove condition of approval No. 16 requiring a signature block for Merced Irrigation District on the Final Map. The project site is a 26 one-acre lot subdivision located on the east side of Franklin Road and one quarter mile north of Dan Ward Road, designated as Franklin-Beachwood Rural Residential Center Agricultural Residential land use in the General Plan and zoned A-R (Agricultural Residential). **TO MAKE AN ENVIRONMENTAL FINDING AND APPROVE, DISAPPROVE OR MODIFY THE APPLICATION. Project Planner Dan Skidmore****

Deputy Director Desmond Johnston presented the Staff Report and Recommendation dated August 27, 2003.

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

No one spoke in favor or opposition to the project.

**The applicant has requested that this project be continued to the September 10, 2003 Planning Commission meeting.**

- B. 2ND EXTENSION NO. 03004 TO MAJOR SUBDIVISION 99008 - Sierra View Meadows** - The applicant has submitted a request for a one-year extension to Major Subdivision Application No. 99008 also known as Sierra View Meadow North. On June 14, 2000, the Planning Commission approved this subdivision of 17.4 acres into 90 residential lots located north of Fir Avenue, at the extension of Cowden Avenue, on a site designated as Franklin-Beachwood Specific Urban Development Plan Low Density land use and zoned R-1 (Single Family Residential). **TO MAKE AN ENVIRONMENTAL FINDING AND APPROVE, DISAPPROVE OR MODIFY THE APPLICATION. Project Planner Dan Skidmore**

Deputy Director Desmond Johnston presented the Staff Report and Recommendations dated August 27, 2003 and presented a letter from Merced Irrigation District with additional conditions to be added to the staff report.

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

John McCullough, engineer, had no comments and also asked for approval of this project.

Commissioner Wager asked Mr. McCullough if he has any comments regarding the conditions brought forth by Merced Irrigation District. Mr. McCullough stated that the conditions are standard requests and they have to meet with MID to meet all the requirements.

Bill Nicholson, Planning Director, stated that staff is uncomfortable adding the conditions by MID. He also indicated that MID has full authority to impose their own conditions without Planning Staff to add it. James Tarhalla, County Counsel agrees with Mr. Nicholson and stated that by adding these conditions, it would only complicate things.

The public hearing closed at 9:24 a.m.

**MOTION: M/S WAGER - WHITNEY, AND CARRIED BY A VOTE OF 4 - 0, THE PLANNING COMMISSION REAFFIRMS THE PREVIOUS NEGATIVE DECLARATION PREPARED FOR 2ND EXTENSION NO. 03004 TO MAJOR SUBDIVISION 99008.**

**MOTION: M/S WAGER - WHITNEY, AND CARRIED BY A VOTE OF 4 - 0, THE PLANNING COMMISSION CONCURS WITH THE STAFF REPORT AND RECOMMENDATION DATED AUGUST 27, 2003, AND MAKES THE 11 FINDINGS SET FORTH IN THE STAFF REPORT AND, BASED ON THOSE 11 FINDINGS, APPROVES 2ND EXTENSION NO. 03004 TO MAJOR SUBDIVISION 99008 WITH CONDITION #7 MODIFIED TO REFLECT RECENT ADOPTION OF THE FRANKLIN-BEACHWOOD MAJOR BRIDGES AND THOROUGHFARES FEE ORDINANCE, 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.

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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
3. 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.
4. 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.
5. The applicant shall provide centerline stripping for the first 200 feet for those new roads, which intersect the peripheral street.
6. 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.
7. Development shall be subject to the Franklin-Beachwood Bridge and Major Thoroughfare Fees and Developer/Property Owner shall pay the fee that is currently in place at the time that the building permit is issued.
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.
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 the Tentative Map, and prior to recordation of the Final Map, 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.

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- C. ADMINISTRATIVE PERMIT APPLICATION NO. 03013 – Harold Alexander – To consider raising chickens (" 150 roosters and hens) on property located on the north side of Carmellia Avenue approximately 1/10 mile east of Center Avenue in the Dos Palos area which is designated as Agricultural land use in the General Plan. The zone is A-1 (General Agricultural) (.59 acres). **TO MAKE AN ENVIRONMENTAL FINDING AND APPROVE, DISAPPROVE OR MODIFY THE APPLICATION.** Project Planner Robert King**

**Planner Robert King told the Commission the applicant has requested this application be continued to the September 10, 2003 Planning Commission meetings. The Commission agreed.**

- D. ZONE VARIANCE NO. 03005 AND MINOR SUBDIVISION APPLICATION NO. 03026– Esther Ratzlaff – To vary from the minimum parcel size (160 acres) in the A-2 (Exclusive Agricultural) zone and divide a 35.2 acre parcel of land into 2 parcels: Parcel No. 1 = 12.1 acres; Parcel No. 2 = 23.1 acres on property located in the Winton area which is designated as Agricultural land use in the General Plan. **TO MAKE AN ENVIRONMENTAL FINDING AND APPROVE, DISAPPROVE OR MODIFY THE APPLICATION.** Project Planner Robert King**

**The Planning Director informed the Commission that this application has been Withdrawn, as a Variance is not needed for the application.**

- E. ZONE VARIANCE NO. 03007 AND MINOR SUBDIVISION APPLICATION NO. 03043– HansenOverholtzen – To vary from the minimum parcel size (20 acres) in the A-1 (General Agricultural) zone and divide a 45 acre parcel into two parcels: Parcel 1 = 4.17 acres and Parcel 2 = 40.83 acres on property located west of the intersection of State Highway 33 and South Ave. in the Gustine area which is designated as Agricultural land use in the General Plan. The zone is A-1 (General Agricultural). **TO MAKE AN ENVIRONMENTAL FINDING AND APPROVE, DISAPPROVE OR MODIFY THE APPLICATION.** Project Planner Robert King**

**Planner Robert King requested this application be continued to the September 24, 2003 Planning Commission meeting because there are some past actions of this project needing further review.**

- F. MAJOR SUBDIVISION APPLICATION NO. 03004 – (HARMONY RANCH III) Marks/Florsheim Brothers – To create 148 lots of approximately 5,000 square feet each northwest of the intersection of Harmony Ranch Drive and Shanks Road which is designated as Delhi Specific Urban Development Plan Medium Density Residential and zoned R-1-5000 (Single Family Residential) (30.4 acres). **TO APPROVE THE NEGATIVE DECLARATION AND APPROVE, DISAPPROVE OR MODIFY THE APPLICATION.** Project Planner Robert King**

**Planner Robert King presented the Staff Report and Recommendation dated August 27, 2003 and passed out a letter from Mid-Valley Engineering that requests changes to Conditions #14, 16 & 26 and the deletion of Condition #23 & #24.**

**The public hearing opened at 9:39 a.m.**

**Sean Tobin, representative for the Florsheim Bros., thanked the staff and he concurs with the staff report and asked for approval of this project.**

**The public hearing closed at 9:40 a.m.**

**Commissioner Wager stated that the Delhi MAC did not want the block wall. Planner King stated that while correct, they did recommend approval of this project.**

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Commissioner Clauss asked if there would be landscaping done? Planner King responded yes they would be putting in landscaping to prevent graffiti as soon as possible.

**MOTION: M/S WAGER - WHITNEY, AND CARRIED BY A VOTE OF 4 - 0, THE PLANNING COMMISSION APPROVES THE MITIGATED NEGATIVE DECLARATION PREPARED FOR MAJOR SUBDIVISION APPLICATION NO. 03004 – (HARMONY RANCH III) WITH 2 MITIGATION MEASURES.**

**MOTION: M/S CLAUSS - WHITNEY, AND CARRIED BY A VOTE OF 4 - 0, THE PLANNING COMMISSION CONCURS WITH THE STAFF REPORT AND RECOMMENDATION DATED AUGUST 27, 2003, AND MAKES THE 8 FINDINGS SET FORTH IN THE STAFF REPORT AND, BASED ON THOSE 8 FINDINGS, APPROVES MAJOR SUBDIVISION APPLICATION NO. 03004 – (HARMONY RANCH III) SUBJECT TO THE 27 CONDITIONS SET FORTH IN THE STAFF REPORT AND MODIFICATIONS TO CONDITIONS #14, 16 & 26 AND THE DELETION OF CONDITION #23 & 24 AS FOLLOWS:**

**Conditions:**

1. The Final Map shall be recorded within two years of the Planning Commission approval date.
2. Water and sewer improvements shall be constructed and applicable user fees paid as per the specifications and requirements of the Delhi County Water District.
3. The Merced County Fire Department shall review and approve the water system as per NFPA 24 and County Ordinances prior to the issuance of residential building permits.
4. The proposed park on Lots 133 and 134 shall be designed to the satisfaction of the Merced County Department of Public Works, Parks and Recreation Division for use as a "Vest Pocket\Tot Lot."
5. The developer shall enter into an Improvement Agreement with Merced County to provide necessary improvements to the satisfaction of the Merced County Department of Public Works, Parks and Recreation Division.
6. The County Parkland Dedication Fee (Ordinance No. 1090) shall credited to the costs of the developer dedicating and constructing the proposed park. Expenses over and above the Parkland Dedication Fee shall be borne and be the sole responsibility of the developer.
7. The subdivider shall inform, in writing, all contractors and subcontractors for the project of the potential discovery of significant archaeological and historical resources below the ground surface in the project area. If any cultural resources are found or disturbed during project activities, all work must be halted within the area and the Merced County Planning and Community Development Department and a qualified archaeologist must be contacted to evaluate the find.
8. The 3.03-acre Future Commercial parcel shall be designated a Remainder parcel on the final map or be designated by lot number. A designated Remainder parcel shall be exempt from requirements except the property shall be included in a storm drainage maintenance zone of benefit. If designated by lot number, the property shall be subject to Improvement Level 1 requirements



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pursuant to Chapter 16.08, Improvement Requirements, of the Merced County Code.

9. Satisfy Improvement Level 1 requirements as set forth in Chapter 16.08 of the Merced County Code, which generally includes dedication of right-of-way and public utilities easements, roadway construction and installation of matching pavement along existing roadways, street lighting, storm drainage system and underground or relocate utilities and irrigation facilities, including utilities located within the 10' x 20' PG & E Easement located at the southwest corner of the subdivision that may interfere with proposed improvements.
10. A solid masonry shall be required rather than wooden fences adjacent to Shanks Road along with sufficient landscaping to deter vandalism of these structures. In addition, the developer shall release and relinquish all abutters' rights of access to and from the entire Shanks Road frontage of Lots 1, 82, 83, 116, 117, and 150 .
11. The storm drainage basin shall be designed to include the runoff from the 3.03-acre Future Commercial parcel located at the north boundary of the Harmony Ranch III subdivision.
12. O'Hara Street shall be designated Avenue. Sheffield Court is a duplication of an existing road name and shall be renamed to the satisfaction of the Department of Public Works and Fire Department. Sheffield Court may be a through road on the final map with the designation of Street. Bacall Street and Bogart Court shall be one road name and designated Court east of the intersection with O'Hara Street. Gable Court shall be designated south of the intersection of Darlington Street.
13. The storm drainage basin shall be designed with maximum 4:1 (horizontal: vertical) side slopes beginning 10 feet from the fence line and with an 8:1 ramp to the bottom of the basin from the access point at a publicly maintained road.
14. The storm drain easement and pedestrian access between Lots 65 and 66, providing access from Lancaster Street and the 3.03-acre Future Commercial property north of the subdivision boundary, shall be 15 feet in width. A 6-foot high masonry wall shall be constructed at the easement boundary and landscaping with irrigation system shall be provided within the easement area.
15. The owner shall form a landscaping and park maintenance zone of benefit prior to recordation of the final map of Harmony Ranch III to include as a minimum the pedestrian access between Lots 65 and 66, the Park on Lots 133 and 134.
16. Shanks Road shall be reconstructed from centerline with a Traffic Index of 6.0 used for the pavement structural section.
17. All storm drain easement widths shall be located all on one property pursuant to Section 5.06.A.5 of the Merced County Department of Public Works Improvement Standards and Specifications.
18. All lot and street grading shall be completed prior to the issuance of any building permits. The developer shall enter into an agreement with Public Works that no occupancy shall take place until such time as all improvements are completed.
19. Provide centerline striping for those new roads, which intersect the existing peripheral streets.

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20. Developer/Applicant is advised that he/she may be obligated to comply with Federal Regulations for storm water runoff issued by the U.S. EPA on November 16, 1990 (40 Code of Federal Regulations Parts 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.
21. Improvement Plans shall be subject to review and approval by the Turlock Irrigation District (TID). If irrigation facilities are impacted or to be modified the developer shall enter into an Irrigation Improvement Agreement with TID.
22. The developer shall apply and receive approval from the Turlock Irrigation district for any relocation or change to poles or electrical facilities of TID.
23. The developer shall request TID to remove the project site from the Improvement District and quitclaim irrigation easements no longer necessary.
24. The project shall control dust in compliance with all applicable requirements of the San Joaquin Valley Air Pollution Control District.
25. Construction activities disturbing five or more acres are required by the State Water Resources Control Board (SWRCB) to obtain a General Construction Activity Stormwater Permit and a National Discharge Elimination System (NPDES) permit. Prior to the initiation of grading, the project sponsor shall prepare and implement a Storm Water Pollution Prevention Plan (SWPPP) designed to reduce potential impacts to water quality during construction of the project. (MM-1)
26. This project shall comply with the Standard Conditions in Planning Commission Resolution No. 97-1.
27. For the purpose of mitigation and/or condition monitoring, a fee in the amount of **\$240.00** shall be required. The fee shall be paid prior to recordation of the Final Map.

- G. ADMINISTRATIVE PERMIT APPLICATION NO. 03058 – Randy Lundell & Della Garrett-Lundell** –The applicant is asking for a waiver of the animal confinement regulations. The waiver is for the ability to replace the existing dwelling with a larger dwelling located within 1,000 feet of a dairy. The property is located on the south side of Geer Ave and approximately 1338 feet east of Tegner Road, in the Hilmar area, which is designated as Agricultural in the Merced County General Plan and zoned A-1 (General Agricultural) (18.4 acres). **TO MAKE AN ENVIRONMENTAL FINDING AND APPROVE, DISAPPROVE OR MODIFY THE APPLICATION. Project Planner Mark Hamilton**

Planner Mark Hamilton presented the Staff Report and Recommendation dated August 27, 2003.

The public hearing opened at 9:48 a.m.

Della Lundell, applicant, stated that her family is growing and she needs more room in the home. She asked for approval of this project.

The public hearing closed at 9:49 a.m.

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**MOTION: M/S WHITNEY - CLAUSS, AND CARRIED BY A VOTE OF 4 - 0, THE PLANNING COMMISSION EXEMPTS ADMINISTRATIVE PERMIT APPLICATION NO. 03058 FROM CEQA.**

**MOTION: M/S WHITNEY - CLAUSS, AND CARRIED BY A VOTE OF 4 - 0, THE PLANNING COMMISSION CONCURS WITH THE STAFF REPORT AND RECOMMENDATION DATED AUGUST 27, 2003, AND MAKES THE 6 FINDINGS SET FORTH IN THE STAFF REPORT AND, BASED ON THOSE 6 FINDINGS, APPROVES ADMINISTRATIVE PERMIT APPLICATION NO. 03058 SUBJECT TO THE 6 CONDITIONS SET FORTH IN THE STAFF REPORT AS FOLLOWS:**

**Conditions:**

1. Administrative Permit No. 03058 is granted to demolish the current home and construct a new single-family residence on the subject property as shown on the approved plot plan.
2. The application shall comply with all applicable regulations administered by the County. These regulations shall include, but not be limited to standards administered by the County Fire, Health, Planning, and Public Works Departments.
3. The property owner signs and records a Right-to-Farm Certificate before issuance of a building permit.
4. This Administrative Permit No. 03058 is not transferable to another residence nor does it allow additional residences on APN# 045-200-016.
5. The owner shall dedicate 10 feet of right of way from the centerline of Geer Ave. for road purposes. The applicant shall retain a licensed land surveyor to prepare the legal description and exhibit map for the deed. Dedication of right of way shall occur prior to the issuance of any building permit.
6. For the purpose of mitigation and/or condition monitoring, an inspection fee for \$92.00 shall be required. This fee shall be paid before issuance of a building permit.

**VI. CORRESPONDENCE**

None

**VII. GENERAL BUSINESS**

**The Commission voted no to the broadcasting of the future Planning Commission meetings.**

**VIII. DIRECTOR'S REPORT**

None

**IX. ADJOURNMENT**

There being no further business, the meeting adjourned at 10:20 a.m.