



**PLANNING AND COMMUNITY  
DEVELOPMENT DEPARTMENT**

**Robert A. Lewis**  
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**PLANNING COMMISSION AGENDA  
REGULAR MEETING OF FEBRUARY 8, 2006, 9:00 A.M.  
2222 "M" STREET, ROOM 310, 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. 05078 - Plagenza / Silva** - To divide 2 adjacent parcels totaling 100.62 acres into 2 parcels and 1 remainder parcel; Parcel A = 40.28 acres, Parcel B = 20.12 acres, and a Remainder Parcel = 40.22 acres. The property is located on the north side of Wardrobe Avenue and 3300 feet east of Gurr Road in the Merced Area on land designated as Agricultural in the General Plan and zoned A-1 (General Agricultural). **TO APPROVE, DISAPPROVE OR MODIFY THE APPLICATION. Project Planner Gene Barrera**
- B. MINOR SUBDIVISION APPLICATION No. 05067 - Vincent Plagenza** - To divide 92.84 acres of agricultural land into four parcels; Parcel 1 = 20 acres, Parcel 2 = 20 acres, Parcel 3 = 26.42 acres, and Parcel 4 = 26.42 acres. The project site is located at the north side of Highway 140 and 1350 feet west of Franklin Road in the Merced area, on land designated Agricultural land use in the General Plan and is zoned A-1 (General Agricultural). **TO APPROVE, DISAPPROVE OR MODIFY THE APPLICATION. Project Planner Gene Barrera**

- C. EXTENSION No. 05014 TO MAJOR SUBDIVISION APPLICATION No. 03001 - Ranchwood Homes** - To extend for one year the deadline for recording the final subdivision map of the McPherson Subdivision. The project is located on south side of Savanna Road and 580 feet west of Santa Fe Avenue. The site is designated as Le Grand SUDP Low Density Residential in the General Plan, and Zoned R-1 (Single Family Residential). **TO APPROVE, DISAPPROVE OR MODIFY THE APPLICATION. Project Planner Gene Barrera**
- D. MAJOR SUBDIVISION APPLICATION No. 02018 – ‘Vista Del Lago’ Tim Razzari and Don Stewart Jr.** - To divide a 147 acre parcel into 58 one-acre residential lots and a 71-acre remainder parcel. The project site is located southeast of the intersection of Golf Road and Old Lake Road, west of the University of California Campus, designated Merced Rural Residential Center (RRC) No. 1 in the General Plan and zoned Agricultural-Residential (A-R). **TO ADOPT THE ENVIRONMENTAL IMPACT REPORT AND APPROVE, DISAPPROVE OR MODIFY THE APPLICATION. Project Planner James Holland**

**VI. CORRESPONDENCE**

**VII. GENERAL BUSINESS**

- A. Incompatible Office Provisions – New State Law

**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 FEBRUARY 8, 2006**

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A recording on tape and original minutes (for reference purposes only) of the Merced County Planning Commission meeting of February 8, 2006, 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 9:09 a.m., on February 8, 2006, 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, Assistant Development Services Director  
   Kim Lewallen, Recording Secretary  
   Gene Barrera, Planner I  
   James Holland, Planner III

Legal Staff:                        Ruben Castillo, 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 JANUARY 25, 2006.**

**IV. CITIZEN COMMUNICATIONS**

Ruben Castillo of County Counsel introduced the new Deputy County Counsel Walter Wall to the Planning Commissioners.

**V. PUBLIC HEARINGS**

**A.      MINOR SUBDIVISION APPLICATION No. 05078 - Plagenza / Silva - To divide 2 adjacent parcels totaling 100.62 acres into 2 parcels and 1 remainder parcel; Parcel A = 40.28 acres, Parcel B = 20.12 acres, and a Remainder Parcel = 40.22 acres. The property is located on the north side of Wardrobe Avenue and 3300 feet east of Gurr Road in the Merced Area on land designated as Agricultural in the General Plan and zoned A-1 (General Agricultural). **TO APPROVE, DISAPPROVE OR MODIFY THE APPLICATION. Project Planner Gene Barrera****

Planner Gene Barrera presented the Staff Report and Recommendation dated February 8, 2006.

The public hearing opened at 9:21 a.m.

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Larry Bowers, BCA, asked if Condition #6 can be deleted since you it shouldn't apply to the remainder parcel.


Bill Nicholson, Assistant Planning Director, stated that the condition is based on Caltrans standards and an encroachment permit is needed but Condition #6 can be taken out.

The public hearing closed at 9:33 a.m.

**MOTION: M/S TANNER – MOBLEY, AND CARRIED BY A VOTE OF 5 - 0, THE PLANNING COMMISSION EXEMPTS MINOR SUBDIVISION APPLICATION No. 05078, FROM CEQA.**

**MOTION: M/S TANNER - MOBLEY, AND CARRIED BY A VOTE OF 5 - 0, THE PLANNING COMMISSION CONCURS WITH THE STAFF REPORT AND RECOMMENDATION DATED FEBRUARY 8, 2006, AND MAKES THE 15 FINDINGS SET FORTH IN THE STAFF REPORT AND, BASED ON THOSE 15 FINDINGS, APPROVES MINOR SUBDIVISION APPLICATION No. 05078 SUBJECT TO THE 13 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 project shall comply with the standard conditions of approval as adopted in Planning Commission Resolution No. 97-1 
4. The applicant shall comply with all applicable County, State and Federal regulations.
5. The entrance to the parcels shall meet Public Road connection standards in accordance with those adopted by the California State Department of Transportation and the Merced County Public Works Department Road Division.
6. In order to access the northern portion of Parcel "A", an ingress/egress access easement will be required for the benefit of Parcel "A".
7. Any future crossings over Merced Irrigation District (MID) facilities will require the applicant to obtain an "Ingress/Egress Easement" from MID including a "Driveway License Agreement" to hold MID harmless.
8. A "Construction Agreement" between the owner and the Merced Irrigation District (MID) shall be executed for any work associated with MID Facilities.

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9. Lands previously receiving Merced Irrigation District irrigation water will continue to do so, and irrigation water delivery shall be ensured to all new parcels. An irrigation easement shall also be provided from the existing irrigation delivery gate currently serving the whole property if there is not an irrigation delivery gate located within each new parcel.
10. The applicant shall not discharge any agricultural drainage water from the property into MID laterals.
11. A Right-to-Aviate 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 aviation operations and residents may be subject to inconveniences or discomforts resulting from the pursuit of aviation operation.
12. The proposed parcels shall be subject to the land use restrictions as outlined in the April 1999 Merced County Airport Land Use Compatibility Plan for parcels located within Compatibility Zones “B-2” and “C”.

**B. MINOR SUBDIVISION APPLICATION No. 05067 - Vincent Plagenza - To divide 92.84 acres of agricultural land into four parcels; Parcel 1 = 20 acres, Parcel 2 = 20 acres, Parcel 3 = 26.42 acres, and Parcel 4 = 26.42 acres. The project site is located at the north side of Highway 140 and 1350 feet west of Franklin Road in the Merced area, on land designated Agricultural land use in the General Plan and is zoned A-1 (General Agricultural). **TO APPROVE, DISAPPROVE OR MODIFY THE APPLICATION. Project Planner Gene Barrera****

Planner Gene Barrera presented the Staff Report and Recommendation dated February 8, 2006. He also handed out a letter from the McSwain MAC to the Commissioners.

The public hearing opened at 9:32 a.m.

Duane Andrews, Golden Valley Engineering, stated that he has an issue with Condition #6. He states that CalTrans never mentioned the additional right of way and he asked that Condition #6 be removed.

Bill Nicholson, Assistant Planning Director, explained the condition is a standard by CalTrans but is not recommended.

Curt Royer, Public Works/Road Division, stated that Condition #6 is a recommendation, but not a requirement.

Chairman Steve Sloan stated that wording on Condition #6 should be modified. Duane Andrews replied that working with CalTrans is difficult and could take up to 6 months and will be costly for the applicant.

Luis Bandoni, resident on Franklin Road, asked why the property is already up for sale. He feels the property will not be split off for family purposes. He also handed out a letter from the Merced County Farm Bureau and spoke on behalf for the

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Bureau. The letter states that the General Plan needs to be updated. Water quality is an issue. They suggested the Planning Commission and the Board of Supervisors to update the General Plan before approving minor subdivision applications.

Ezio Sansoni, resident on Franklin Road, stated that he is also concerned about the for sale sign on the property. He feels if the parcel is sold off, the new owner will probably be non-agricultural.

Duane Andrews, Golden Valley Engineering, stated that there is no intent to take out of farming.

Marshall Krupp, representative for the School Districts in the County, feels that the General Plan is out of date and the effects of subdivisions are not being considered. He feels the environmental analysis is not in compliance with the State Law. He asked the Commission to look at the issues.

Richard Cervantes, neighbor, stated that he is in favor of this application. He is an advocate for 1 acre lots.

The public hearing closed at 10:05 a.m.

Commissioner Gloria Bettencourt stated that there is a need to protect the farmers and she has a problem with approving this property split.

Commissioner Lynn Tanner agreed with Commissioner Bettencourt.

**MOTION: M/S TANNER - BETTENCOURT, AND CARRIED BY A VOTE OF 4 – 1, NAY BY CHAIRMAN SLOAN, THE PLANNING COMMISSION DENIES MINOR SUBDIVISION APPLICATION No. 05067 DUE TO THE INABILITY TO MAKE FINDINGS #4 AND #12 IN THE STAFF REPORT.**

- C. EXTENSION No. 05014 TO MAJOR SUBDIVISION APPLICATION No. 03001 - Ranchwood Homes - To extend for one year the deadline for recording the final subdivision map of the McPherson Subdivision. The project is located on south side of Savanna Road and 580 feet west of Santa Fe Avenue. The site is designated as Le Grand SUDP Low Density Residential in the General Plan, and Zoned R-1 (Single Family Residential). **TO APPROVE, DISAPPROVE OR MODIFY THE APPLICATION. Project Planner Gene Barrera****

Planner Gene Barrera presented the Staff Report and Recommendation dated February 8, 2006.

The public hearing opened at 10:20 a.m.

Duane Andrews of Golden Valley Engineering stated that there is no water currently on the property and they are waiting to start building the homes.

The public hearing closed at 10:21 a.m.

**MOTION: M/S TANNER - MOBLEY, AND CARRIED BY A VOTE OF 5 - 0, THE PLANNING COMMISSION REAFFIRMS THE PREVIOUS NEGATIVE DECLARATION PREPARED FOR EXTENSION No. 05014 TO MAJOR SUBDIVISION APPLICATION No. 03001.**

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**MOTION: M/S TANNER - MOBLEY, AND CARRIED BY A VOTE OF 5 - 0, THE PLANNING COMMISSION CONCURS WITH THE STAFF REPORT AND RECOMMENDATION DATED FEBRUARY 8, 2006 AND MAKES THE ORIGINAL 13 FINDINGS SET FORTH IN THE STAFF REPORT AND, BASED ON THOSE ORIGINAL 13 FINDINGS, APPROVES EXTENSION No. 05014 TO MAJOR SUBDIVISION APPLICATION No. 03001 SUBJECT TO THE 29 CONDITIONS SET FORTH IN THE STAFF REPORT 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 Le Grand Community Services District.
3. Any phasing of the proposed subdivision shall be subject to review by the Merced County Fire Department.
4. The minimum fire hydrant flow of 1,000 gallons per minute for residential areas shall be required by the Merced County Fire Department for final acceptance of the subdivision.
5. The project proponents shall submit a current “can and will” serve letter from the Le Grand Community Services District prior to recordation of the final map.
6. All abandoned wells and septic tanks must be properly destroyed in accordance with Merced County standards and under permit and inspection from the Division of Environmental Health.
7. The project proponents shall 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.
8. The developer shall be financially responsible for all costs associated with upgrading the existing storm drain pump station located within the American Heritage Homes No. 1 Major Subdivision No. 898 with the inclusion of stormwater runoff from the McPherson Subdivision.
9. The project proponents shall obtain a letter from M.I.D. accepting storm drainage water from this proposed development into their facilities prior to recording the final map.
10. The owner shall convey and combine the substandard Remainder parcel with the property to the east prior to the recordation of the final map for McPherson Subdivision No. 03001, or shall complete a property line adjustment prior to final map recordation to effect elimination of a substandard Remainder parcel.

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11. The owner shall dedicate a 1-foot non-access strip across the Santa Maria Drive dead-end street.
12. The developer shall reconstruct Savanna Road from centerline. The developer shall share in the cost to reconstruct the north half of Savanna Road. The developer shall reconstruct the Savanna Road and Sante Fe Avenue intersection.
13. 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.
14. The developer shall provide centerline striping for those new roads, which intersect the existing peripheral streets.
15. The 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.
16. A Right-To-Farm statement shall be placed on the face of the Final Map consistent with County Ordinance No. 1213
17. The developer shall design the proposed stormwater drainage detention basin (Lot A) to maximize the amount of land available for seasonal and permanent recreational use.
18. The developer shall provide the portion of Lot A that is identified as suitable for permanent recreational use (not subject to inundation), with park equipment (benches, playground equipment and the like) suitable for the use and enjoyment of residents of the McPherson Subdivision.
19. The cost of the land in Lot A made available for seasonal and permanent recreation, together with the cost of the equipment required under Condition 18, shall be deducted from the Parks and Recreation fees ordinarily charged under Ordinance No. 1080.
20. The owner shall form a landscaping and park maintenance zone of benefit prior to recordation of the final map of the McPherson Subdivision to include the park space created in response to Approval Conditions 17 and 18.
21. In order to preserve and enhance the aesthetic quality of the area, the developer shall, to the maximum extent feasible, vary building setback and design features for the homes to be constructed on Lots 5 – 22 and Lot 96 of the McPherson Subdivision.
22. Construction equipment used at the site shall be equipped with catalysts/particulate traps to reduce particulate and NOx emissions unless demonstrated to be infeasible by project contractors.
23. Construction activities disturbing five or more acres are required by the State



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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.

24. Street trees shall be provided in the front yard of each lot. The tree species shall be accepted by the County Department of Public Works Parks and Recreation Division and Planning Department as part of the improvement plan approval process.
25. This project shall comply with the Standard Conditions in Planning Commission Resolution No. 97-1.
26. For the purpose of mitigation and/or condition monitoring, a fee in the amount of \$276.00 shall be required. The fee shall be paid prior to recordation of the Final Map.
27. The project proponents shall submit a final Water and Sewer Commitment Notice from the Le Grand Community Services District to the County prior to recordation of the Final Map.
28. Water and sewer improvements shall be constructed and applicable user fees paid as per the specifications and requirements of the Le Grand Community Services District.
29. The Developer shall pay \$500.00 per lot at the building permit state as a proportionate share of the cost to finance a comprehensive traffic and circulation study of Le Grand, or to finance improvements, until such time as the Board of Supervisors adopts Bridge and Major Thoroughfare fees for Le Grand. The Developer shall pay adopted Bridge and Major Thoroughfare fees at the building permit state.

**D. MAJOR SUBDIVISION APPLICATION No. 02018 – ‘Vista Del Lago’ Tim Razzari and Don Stewart Jr. - To divide a 147 acre parcel into 58 one-acre residential lots and a 71-acre remainder parcel. The project site is located southeast of the intersection of Golf Road and Old Lake Road, west of the University of California Campus, designated Merced Rural Residential Center (RRC) No. 1 in the General Plan and zoned Agricultural-Residential (A-R). **TO ADOPT THE ENVIRONMENTAL IMPACT REPORT AND APPROVE, DISAPPROVE OR MODIFY THE APPLICATION. Project Planner James Holland****

Planner James Holland presented the Staff Report and Recommendation dated February 8, 2006.

The public hearing opened at 10:35 a.m.

Garth Pecchenino of Fremming, Parsons & Pecchenino, stated that he received further information on the onsite wetland areas, the swale has been reduced in size to the Golf Link Road area only. He is ok with the conditions in the staff report.

Marshall Krupp, representative for the City and High School Districts, stated that the General Plan is in need of an update. The purpose of the General Plan is to plan for

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the future. He asked why the County only replied to the High School letter and not the City Schools letter that was mailed with their concerns. He feels the County is not addressing the problems with the School District. He feels that this project should be continued or denied.

The public hearing closed at 10:45 a.m.

Bill Nicholson, Assistant Planning Director, stated that they did not receive a copy of the letter from the High School so there was no response to it made. They did however respond to all the High School District's issues in the Final Environmental Impact Report. He also stated that the County is in the process of updating the General Plan.

Commissioner Tanner asked if the Commission is obligated to reply to the comment letters regarding this project. Ruben Castillo, County Counsel, replied that it is not needed for the Commission to respond.

**MOTION: M/S TANNER - BUENDIA, AND CARRIED BY A VOTE OF 5 - 0, THE PLANNING COMMISSION ADOPTS THE ENVIRONMENTAL IMPACT REPORT, FINDINGS OF FACTS AND THE MITIGATION MONITORING PROGRAM PREPARED FOR MAJOR SUBDIVISION APPLICATION No. 02018.**

**MOTION: M/S TANNER - BUENDIA, AND CARRIED BY A VOTE OF 5 - 0, THE PLANNING COMMISSION CONCURS WITH THE STAFF REPORT AND RECOMMENDATION DATED FEBRUARY 8, 2006, AND MAKES THE 12 FINDINGS SET FORTH IN THE STAFF REPORT AND, BASED ON THOSE 12 FINDINGS, APPROVES MAJOR SUBDIVISION APPLICATION No. 02018 SUBJECT TO THE 21 CONDITIONS SET FORTH IN THE STAFF REPORT AS FOLLOWS:**

**Conditions:**

1. The Final Map shall be recorded within two years of the Planning Commission approval date.
2. The project shall comply with all applicable regulations administered by the County Fire, Health, Planning and Public Works Departments.
3. All mitigation measures identified in the Environmental Impact Report are adopted and incorporated by reference as project conditions.
4. 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, streetlighting, storm drainage system and underground or relocate utilities and irrigation facilities.
5. Provide a letter from MID accepting storm drainage water from this proposed development into the 'Tower Lateral' prior to recording the final map.
6. All lot grading shall be completed, all underground improvements shall be installed and aggregate base material on all new streets shall have been rough graded and compacted, prior to the issuance of any building permits.

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The developer shall enter into an agreement with Public Works that no occupancy shall take place until such time as all improvements are completed.

7. The developer shall provide centerline striping for those new roads which intersect the existing peripheral streets. This striping shall extend for a minimum of 200 feet from the intersection, or continue to the next intersection, as deemed appropriate.
8. The developer shall acquire, and shall dedicate to the County, additional right-of-way at the intersection of each proposed access onto Golf Road and Old Lake Road, sufficient to provide a 35 foot fillet radius for each turn.
9. 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) 341-5537, e-mail: [stormwater@swrcb.ca.gov](mailto:stormwater@swrcb.ca.gov), or visit their website at [www.swrcb.ca.gov](http://www.swrcb.ca.gov).
10. The existing barbed wire fence along the eastern property boundary (abutting Yosemite Dam) shall be replaced, with a chain link fence or block wall of at least six feet in height, for health and safety purposes.
11. No subdivision roads shall be constructed within Merced Irrigation District (MID) fee strips, except perpendicular crossings over canals, under license agreements with the MID.
12. Any crossings over or under MID facilities will require the applicable agreements or easements between MID and the property owner.
13. A signature block for MID shall be placed on the development's Improvement Plans.
14. The developer shall meet and confer with representatives of the MID regarding MID easements that impact the subject property and methods of mitigating their impact on the project.
15. The developer shall perform soils analysis and percolation tests for each proposed lot. The tests shall be conducted at each proposed septic system location and the results submitted to the Division of Environmental Health prior to recording the final map.
16. The use of specially designed onsite sewage treatment systems, which the property owner must operate/maintain, is required. These systems shall release an effluent concentration of less than 10 mg/l of total nitrogen.
17. A Zone of Benefit shall be formed to monitor the operation and maintenance of the new onsite sewage treatment systems.
18. Prior to the commencement of construction, the applicant shall submit a

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Dust Control Plan to the San Joaquin Valley Air Pollution Control District. Information on this requirement, together with information on any other rules or regulations that may apply to this proposal, can be obtained from the District's Small Business Assistance Office at (209) 557-6446.

19. The applicant shall pay the Parkland Dedication and/or Improvement fees consistent with Ordinance No. 1090 prior to recording the Final Map.
20. The applicant shall make all other site improvements and comply with the lot development standards provided in the Merced County Zoning Code.
21. For the purpose of mitigation and/or condition monitoring, a fee in the amount of **\$490** shall be required. This fee shall be paid prior to recordation of the Final Map.

**VI. CORRESPONDENCE**

None

**VII. GENERAL BUSINESS**

Ruben Castillo of County Counsel stated that there is a new State Law regarding Section 1099 to the Government Code effective January 1, 2006 that makes the Commission members incompatible to serve on two offices that are incompatible to each other.

**VIII. DIRECTOR'S REPORT**

None

**IX. ADJOURNMENT**

There being no further business, the meeting adjourned at 11:10 am