



## PLANNING COMMISSION MEMBERS

**Rudy Buendia** District 1  
**Lynn Tanner** District 2  
**Jack Mobley** District 3  
**Cynthia Lashbrook** District 4  
**Steve Sloan** District 5 (Chairman)

Robert A. (Bobby) Lewis, Secretary  
[www.co.merced.ca.us](http://www.co.merced.ca.us)

## MEETING CANCELED

### PLANNING COMMISSION AGENDA

Regular Meeting of Wednesday, October 22, 2008, 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](http://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](http://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. **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. **Minor Subdivision Application No. MS08-010 – MANROOP PUREWAL** - To subdivide a 240.8 acre parcel into six parcels, each being approximately 40 acres in size. The project is located at the southeast corner of Plainsburg Rd & Mission Ave in the Planada area, 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. JH (Continued from the August 13, 2008 meeting) (THIS ITEM IS CONTINUED TO THE MEETING OF NOVEMBER 5, 2008)**
- B. **Minor Subdivision Application No. MS07-048 – Lawrence Cattle Company** -To re-divide two existing parcels totaling 179.66 acres into six parcels. Parcels 1, 2 and 3 = 23.5 acres in size, Parcel 4 = 41 acres, Parcel 5 = 43 acres and Parcel 6 = 25.2 acres. The project is located on Deep Well Rd, one mile south of Henry Miller Ave in the Los Banos area. The property 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. JH (Continued from the August 27, 2008 meeting.) (THIS ITEM IS CONTINUED TO THE MEETING OF NOVEMBER 5, 2008)**
- C. **Minor Subdivision Application No. MS08-016 - Livingston Farmers Association** - To re-divide two existing parcels totaling 73.87 acres into two parcels and a remainder parcel. Parcel 1 = 22 acres, Parcel 2 = 2.71 acres and Remainder Parcel = 49.87 acres. The project is located at the southwest corner of Eucalyptus Ave & Sultana Dr in the Livingston area. The property 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. JH (Continued from the August 27, 2008 meeting.) (THIS ITEM IS CONTINUED TO THE MEETING OF NOVEMBER 5, 2008)**

- D. Minor Subdivision Application No. MS08-017- Art Ramos / Steve LaSalvia / Robert Teicheira** - To divide 80 acres into two parcels, being 40 acres each. The project is located west of Ortigalita Rd., approximately 1/4 mile north of Cactus Dr. in the Los Banos area. The property 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 (Continued from the August 27, 2008 meeting.) (THIS ITEM IS CONTINUED TO THE MEETING OF NOVEMBER 5, 2008)**
- E. Minor Subdivision Application No. MS08-019 - Joseph F. Brantley** - To create a 2.18 acre homesite parcel from a 20.01 acre parcel, and to convey and combine the remaining 17.83 acres with an adjacent 40.96 acre parcel, creating a new 58.79 acre parcel under the same ownership. The entire 2.18 acre homesite is located outside the Williamson Act Agricultural Preserve. The project site is located on the southwest corner of Fruitland Avenue and Central Avenue in the Atwater area. The site is designated Agricultural land use in the General Plan and zoned A-1 (General Agricultural) in the Zoning Code. **THE ACTION REQUESTED IS TO APPROVE, DISAPPROVE OR MODIFY THE APPLICATION. BG (THIS ITEM IS CONTINUED TO THE MEETING OF NOVEMBER 5, 2008)**
- F. Minor Subdivision Application No. MS08-022 - Earthwise Organics** - To divide a 420 acre parcel into two parcels: Parcel 1 = 385 acres and Parcel 2 = 35 Acres. The project is located on the west side of Harmon Road, approximately one mile north of Highway 152 in the El Nido area. The property 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. BG (THIS ITEM IS CONTINUED TO THE MEETING OF NOVEMBER 5, 2008)**
- G. Minor Subdivision Application No. MS08-020 - Frank Azevedo:** To re-divide three existing parcels totaling 139.7 acres into four parcels and a remainder of: Parcel 1 = 20.0 acres, Parcel 2 = 23.0 acres, Parcel 3 = 23.0 acres, Parcel 4 = 39.6 acres, and Remainder Parcel = 34.1 acres. The project is located on the east side of Whitworth Road, 2,600 feet south of Gun Club Road in the Gustine area. The property is designated Agricultural in the General Plan and zoned A-1 (General Agricultural). **THE ACTION REQUESTED IS TO APPROVE, DISAPPROVE OR MODIFY THE APPLICATION. DG (THIS ITEM IS CONTINUED TO THE MEETING OF NOVEMBER 5, 2008)**
- H. Zone Variance Application No. ZV08-002 - Maria Gil** - To vary from the required front and rear yard setbacks from 20 ft. and 15 ft. to 6 ft. and 10 ft. respectively. The project is located at the northwest of the intersection of Second St & Eldorado St, in the Volta area. The property is designated as Residential in the General Plan, and zoned R-1 (Single Family Residential). **THE ACTION REQUESTED IS TO APPROVE, DISAPPROVE OR MODIFY THE APPLICATION. BK (THIS ITEM IS CONTINUED TO THE MEETING OF NOVEMBER 19, 2008)**

**B. CORRESPONDENCE**

**C. GENERAL BUSINESS**

**D. DIRECTOR'S REPORT**

**E. COMMISSIONER'S COMMENT**

**F. ADJOURNMENT**