



PLANNING COMMISSION MEMBERS

Greg Thompson District 1
Lynn Tanner District 2 (Chairman)
Jack Mobley District 3 (Vice-Chair)
Cynthia Lashbrook District 4
Mark Erreca District 5

Robert A. (Bobby) Lewis, Secretary
www.co.merced.ca.us

AGENDA PLANNING COMMISSION

Regular Meeting of Wednesday, July 14, 2010 - 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. **ZONE CODE TEXT AMENDMENT NO. ZCTA09-003 – Model Water Efficient Landscape Standards** - To review a proposed ordinance amendment that incorporates the State Model Water Efficient Landscape Standards (California Code of Regulations, Title 23, Division 2, Chapter 2.7). The purpose of the Model Efficient Landscape Standards is to promote the efficient use of water in landscaping throughout California. The ordinance amendment proposes necessary revisions to Section 18.38 of the Zoning Code (Landscaping Standards) to provide compliance with the State Model Water Efficient Landscape Standards. **DG**

Recommendation: The actions requested are to:

- 1) Recommend the Board of Supervisors determine the project is categorically exempt from CEQA review under Section 15307 of the CEQA Guidelines, and
- 2) Recommend the Board of Supervisors adopt the ordinance adopting the Model Water Efficient Landscape Standards and revising Section 18.38 of the Merced Zoning Code, based upon the findings presented in the Staff Report.

- B. MINOR SUBDIVISION APPLICATION No. MS07-027 AND ADMINISTRATIVE PERMIT No. AA08-033 - Blohm Road Joint Venture (George Simmons & Don Chapin Company) -** Minor Subdivision No. MS07-027 proposes to subdivide 26.9 acres into four parcels: Parcel 1 = 15.0 acres, Parcel 2 = 3.46 acres, Parcel 3 acres = 3.46 acres and Parcel 4 = 5.0 acres. Administrative Permit No. AA08-033 proposes to construct a concrete batch plant on a 4.03 acre portion of proposed Parcel 1 (15.0 acres). The project site is located at the southeast corner of Henry Miller Avenue and Volta Road in the Volta area. The property is designated 'Industrial' and 'Neighborhood Commercial' in the Volta SUDP and zoned M-1 (Light Industrial) and C-1 (Neighborhood Commercial). **JF**

Recommendation: The actions requested are to:

- 1) Adopt the Mitigated Negative Declaration in conformance with CEQA Guidelines; and
- 2) Approve Minor Subdivision No. MS07-027 and Administrative Permit No. AA08-033 based on the project findings, and subject to the conditions of approval and mitigation measures presented in the Staff Report.

- C. TIER 1 DEVELOPMENT AGREEMENT – Villages 189, LLC –** To recommend to the Board of Supervisors adoption of an ordinance thereby entering into a Tier 1 Development Agreement between Merced County and the property owners (Villages 189, LLC, Brian Vail of River West Investments) regarding the development of 1,822.66 acres within the Villages of Laguna San Luis Community Plan (Application No. CP07-002 and ZC07-006). The properties are located on the north and south sides of Highway 152 and west of Interstate 5 in the Villages of Laguna San Luis SUDP and contain a variety of residential, commercial, mixed use, industrial and public land use and zoning designations. **DG**

Recommendation: The actions requested are to:

- 1) Recommend the Board of Supervisors determine the project is consistent with the Environmental Impact Report (EIR) certified for the Villages of Laguna San Luis Community Plan and Zone change and that no subsequent EIR is required in accordance with Section 15162(a) of the CEQA Guidelines.
- 2) Recommend the Board of Supervisors adopt an ordinance thereby entering into a Tier 1 Development Agreement between Villages 189, LLC and Merced County based on the project findings presented in the Staff Report.

VI. COMMISSION ACTION ITEM(s)

VIII. DIRECTOR'S REPORT

- A. PLANNING COMMISSION TRAINING PROGRAM –** Regional Planning and Climate Change, Understanding SB 375. To be held in Room 301 following public hearing items on this agenda. **RAL/MG**

IX. COMMISSIONER'S COMMENT

X. ADJOURNMENT