



## PLANNING COMMISSION MEMBERS

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

Mark Hendrickson, Interim Secretary  
[www.co.merced.ca.us](http://www.co.merced.ca.us)

## AGENDA PLANNING COMMISSION

**Regular Meeting**  
**Wednesday, March 27, 2013 - 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 (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. **GENERAL PLAN AMENDMENT No. GPA11-001, ZONE CHANGE No. ZC11-001 and CONDITIONAL USE PERMIT No. CUP11-011 – Ibrahim Alwareeth** -To change the General Plan land use designation from Agricultural to Highway-Interchange-Center, to change the zoning from A-1 (General Agricultural) to H-I-C (Highway Interchange Center) Commercial, and to bring into conformance an existing truck stop which includes a mini-mart, gas station, restaurant, overnight parking and to construct a building to establish a 5,000 square foot tire repair shop. The project site is located on the southeast corner of Harvey Pettit Road and Highway 99 in the Chowchilla area of Merced County. **JF**

**Recommendation:** The requested actions are to:

- 1) Recommend the Board of Supervisors adopt the CEQA Initial Study and Mitigated Negative Declaration prepared for the project; and,
- 2) Recommend the Board of Supervisors approve General Plan Amendment No. GPA11-001, Zone Change No. ZC11-001 and Conditional Use Permit No. CUP11-011 based upon the project findings and subject to the conditions of approval recommended in the Staff Report.

- B. CONDITIONAL USE PERMIT No. CUP13-002 – Shayne Heine** - To bring into conformance a hide skinning business in an existing 6,000 square foot agricultural processing building and construct a related 2,500 square foot building. The property is located on the north side of Clausen Road, 1,500 feet east of Griffith Avenue in the Delhi area. The project site is designated Agricultural land use and zoned A-1 (General Agricultural). **JF**

**Recommendation:** The requested actions are to:

- 1) Determine Conditional Use Permit No. CUP13-002 is exempt from CEQA review under Sections 15301, *Existing Facilities*, and 15303(c), *New Construction or Conversion of Small Structures*, of the CEQA Guidelines; and,
- 2) Approve Conditional Use Permit Application No. CUP13-002 based upon the project findings and subject to the conditions of approval recommended in the Staff Report.

- C. CONDITIONAL USE PERMIT No. CUP13-003 - Merced County Mosquito Abatement District** – To demolish a number of existing structures totaling 12,210 square feet and construct a new 5,200 square foot administrative office and chemical storage building on a 4.1 acre parcel. The project is located at the southeast corner of Beachwood Drive and Belcher Avenue in the Franklin-Beachwood SUDP. The property is designated Industrial land use in the General Plan and zoned M-1 (Light Manufacturing). **DG**

**Recommendation:** The requested actions are to:

- 1) Make the determination that the project is categorically exempt from CEQA review under Section 15302, Replacement or Reconstruction, of the CEQA Guidelines; and,
- 2) Approve the project based on the project findings and subject to the conditions of approval presented in the Staff Report.

- D. CONDITIONAL USE PERMIT No. CUP11-005 - Templo la Hermosa** -To construct and operate a 10,620 square foot church facility located on the north side of Highway 140, approximately one quarter mile west of Kibby Road within the Celeste SUDP. The property is designated Celeste SUDP - Residential land use in the General Plan and zoned R-1 (Single Family Residential). **JH**

**Recommendation:** The requested actions are to:

- 1) Adopt the CEQA Initial Study and Mitigated Negative Declaration prepared for the project; and,
- 2) Approve Conditional Use Permit Application No. CUP11-005 based upon the project findings and subject to the conditions of approval recommended in the Staff Report.

**VI. COMMISSION ACTION ITEM(s)**

**VII. DIRECTOR'S REPORT**

**VIII. COMMISSIONER'S COMMENT**

**IX. ADJOURNMENT**