

**PLANNING COMMISSION MEMBERS** Fernando Aguilera District 1 Robert Acheson District 2  
Jack Mobley District 3 (Chairperson) Kurt Spycher District 4 (Vice Chairperson) Mark Erreca District 5  
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## **AGENDA**

### **PLANNING COMMISSION**

#### **Regular Meeting**

**Wednesday, March 25, 2020 - 9:00 a.m**

Merced County Administration Building  
Board Room, Third Floor 2222 M Street  
Merced, California 95340

Phone: 209.385.7654 Fax: 209.726.1710 **IMPORTANT NOTICE:** DUE TO THE ONGOING COVID-19 PANDEMIC, WE ARE CANCELING THE MEETING.

1. CALL TO ORDER
2. ROLL CALL OF COMMISSIONERS
3. APPROVAL OF MINUTES
  - 3.I. DRAFT PC MINUTES 2-26-20

Documents:

[DRAFT PC MINUTES 2-26-20.PDF](#)

4. CITIZEN COMMUNICATIONS
5. PUBLIC HEARING(S)
  - 5.I. CONDITIONAL USE PERMIT No. CUP20-001

**NEW CINGULAR WIRELESS** - A request to erect a new 150' lattice communication tower with equipment cabinet and standby generator on property. The project site is located on the north side of east Merced Falls Road, approximately 3 miles east of north LaGrange Road in the Snelling area, identified as Assessor's Parcel Number (APNs) 043-150-018. The property is designated Agricultural land use in the General Plan and is zoned A-2 (Exclusive Agricultural). CEQA: Staff recommends that the Planning Commission find that the project is exempt from environmental review pursuant to Section 15303(c) – "New Construction of Conversion of Small Structures".  
**ST**

#### **RECOMMENDATIONS:**

- 1) Open/close the Public Hearing;
- 2) Determine the project can be found exempt from environmental review pursuant to Section 15303(c) – "New Construction of Conversion of Small Structures" of the CEQA Guidelines; and,
- 3) Approve CUP20-001 based on the findings and subject to the recommended conditions of approval.

Documents:

[ITEM A. CUP20-001 - ATT MOBILITY.PDF](#)  
[CUP20-001 PC POWERPOINT.PDF](#)

- 5.II. 1st EXTENSION APPLICATION No. EXT20-002 TO MAJOR SUBDIVISION No. MAS17-002  
**"Rancho Prosperidad" – Coy Stark** – A request to extend the expiration date of the tentative map for Major Subdivision No. MAS17-002 by one year FROM: April 11,

2020 TO: April 11, 2021. The project site is located at the southeast corner of North Merced Avenue and West Letteau Ave, identified as Assessor's Parcel Number (APN) 009-310-001. The property is designated Delhi Urban Community - Low Density Residential land use in the General Plan and is zoned R-1 (Single Family Residential). CEQA: Staff recommends that the Planning Commission find that no further environmental review is required pursuant to Section 15162 of the CEQA Guidelines – "Subsequent EIRs and Negative Declarations." **ST**

**RECOMMENDATIONS:**

- 1) Open/close the public hearing;
- 2) Determine no further environmental review is required pursuant to Section 15162 – "Subsequent EIRs and Negative Declarations" of the CEQA Guidelines; and,
- 3) Approve Extension Application No. EXT20-002 based on the findings identified in the Staff Report and subject to the recommended conditions of approval.

Documents:

[ITEM B. 1ST EXT 20-002 TO MAS17-002 - RANCHO PROSPERIDAD.PDF](#)  
[PC POWERPOINT - EXT20-002 - RANCHO PROSPERIDAD 2.PDF](#)

5.III. ZONE CODE TEXT AMENDMENT No. ZCTA20-001

**MERCED COUNTY** - A request to amend Chapters: 18.10 (Agricultural Zones); 18.12 (Residential Zones); 18.14 (Commercial Zones); 18.18 (Castle Commerce Center and Airport Special Planning Zone); 18.22 (Fox Hills Community Specific Plan Zone); 18.36 (Landscaping); 18.44 (Sign Regulations); 18.60 (Standards for Specific Land Uses); 18.62 (Accessory Dwelling Units); 18.112 (Application Processing Procedures); 18.114 (Administrative Permits); and 18.122 (Site Plan and Design Review) of Title 18 (Zoning) of the Merced County Code. The purpose of the amendment is to make the code consistent with recent State statues regarding second units in single-family and multifamily residential zones and statues regarding a streamlined ministerial approval process for multifamily developments; to improve clarity; and to correct minor errors found by staff since Title 18 (Zoning) was updated in 2019. The provisions of this Zone Code Text Amendment would be effective in all unincorporated areas of the County. CEQA: The proposed amendments are consistent with those analyzed in the adopted 2019 addendum to the Final Program Environmental Impact Report for the 2030 Merced County General Plan and may therefore be found exempt from environmental review under section 15162 of the CEQA guidelines. In addition, the specific amendments regarding second units in single-family and multifamily residential zones can be found statutorily exempt from environmental review pursuant to Public Resources Code Section 21080.17. **DL**

**RECOMMENDATION(S):**

- 1) Open/Close the public hearing; and
- 2) Recommend the Board of Supervisors find the proposed amendments to the Zone Code regarding: Chapters: 18.10 (Agricultural Zones); 18.12 (Residential Zones); 18.14 (Commercial Zones); 18.18 (Castle Commerce Center and Airport Special Planning Zone); 18.22 (Fox Hills Community Specific Plan Zone); 18.36 (Landscaping); 18.44 (Sign Regulations); 18.60 (Standards for Specific Land Uses); 18.62 (Accessory Dwelling Units); 18.112 (Application Processing Procedures); 18.114 (Administrative Permits); and 18.122 (Site Plan and Design Review) are exempt from further environmental review under Section 15162 – "Subsequent EIRS and Negative Declarations" of the CEQA Guidelines based on findings included in the staff report for the proposed amendments, together with the analysis in the 2019 Addendum to the Certified Final Program Environmental Impact Report (FPEIR) prepared for the 2030 Merced County General Plan Update (together with the FPEIR), evidence in the record before the Planning Commission, the Board of Supervisors findings in certifying the FPEIR, and the adopted Mitigation Monitoring and Reporting Plan; and
- 3) Recommend the Board of Supervisors determine that the amendments to Chapter

18.62 (Accessory Dwelling Units) to bring the Title 18 (Zoning) of the Merced County Code in-line with recent State statutes regarding second units in single-family and multifamily residential zones can be found statutorily exempt from environmental review pursuant to Public Resources Code section 21080.17; and,  
4) Adopt a resolution recommending the Board of Supervisors adopt the proposed ordinance amending portions of Title 18 (Zoning) of the Merced County Code.

Documents:

[ITEM C. ZCTA20-001 MERCED COUNTY.PDF](#)  
[PC POWERPOINT - ZCTA20-001\\_03232020.PDF](#)  
[REVISED EXHIBIT A\\_ZCTA20-001.PDF](#)

## 6. COMMISSION ACTION ITEM(S)

### 6.I. GENERAL PLAN ANNUAL PROGRESS REPORT GUIDANCE

**General Plan Annual Progress Report Guidance** – as required by Government Code Section 65400, the County must present an annual report on the status of the General Plan and progress in its implementation. The Community and Economic Development Department has prepared the required annual report. The action requested is to review and approve the General Plan Annual Progress Report, and instruct staff to present the report to the BOS to seek direction for forwarding the report to the Governor's Office of Planning and Research and Housing and Community Development as required by Government Code Section 65400.

Documents:

[GP ANNUAL PROGRESS REPORT 2019 - PC STAFF REPORT.PDF](#)  
[2019 GENERAL PLAN PROGRESS REPORT.PDF](#)

## 7. DIRECTOR'S REPORT

## 8. COMMISSIONER'S COMMENT

## 9. ADJOURNMENT

## 10. PRINTABLE (PDF) AGENDA

### 10.I. PLANNING COMMISSION AGENDA 3/25/2020

**IMPORTANT NOTICE:** DUE TO THE ONGOING COVID-19 CRISIS, AND AS AUTHORIZED BY THE GOVERNOR'S EXECUTIVE ORDER N-29-20, COMMISSIONERS OF THE COUNTY OF MERCED PLANNING COMMISSION WILL PARTICIPATE IN THIS MEETING OFFSITE VIA CONFERENCE CALL. PUBLIC ACCESS TO A MEETING LOCATION WILL BE UNAVAILABLE. FOR THE SAFETY OF COUNTY STAFF AND THE PUBLIC, MEMBERS OF THE PUBLIC WHO WISH TO PARTICIPATE ELECTRONICALLY AND/OR OBSERVE A LIVE BROADCAST OF THE MEETING ARE ENCOURAGED TO REVIEW THE GUIDANCE DOCUMENT INCLUDED WITH THIS AGENDA. IF YOU HAVE ANY ISSUES VIEWING OR PARTICIPATING IN THIS MEETING OR REQUIRE REASONABLE ACCOMMODATION FOR YOUR PARTICIPATION, PLEASE CONTACT PLANNING STAFF AT (209)385-7654.

Documents:

[MARCH 25, 2020 PLANNING COMMISSION AGENDA.PDF](#)  
[032520 COVID-19-MEETING PROTOCOL\\_FINAL\\_SM.PDF](#)