



**Mark J. Hendrickson**  
Hearing Officer

2222 "M" Street  
Merced, CA 95340  
(209) 385-7654  
(209) 726-1710 Fax  
[www.co.merced.ca.us](http://www.co.merced.ca.us)

Equal Opportunity Employer

## **HEARING OFFICER AGENDA**

### **Regular Meeting of Monday, May 11, 2020, 9:00 A.M.**

**IMPORTANT NOTICE:** DUE TO THE ONGOING COVID-19 CRISIS, AND AS AUTHORIZED BY THE GOVERNOR'S EXECUTIVE ORDER N-29-20, THIS MEETING WILL BE HELD 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 MAY DO SO VIA TELEPHONE BY CALLING (712)432-6135 AND ENTERING MEETING ID NUMBER 740720 ON THE DAY OF THE MEETING. 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.

Merced County Administration Building  
Development Resource Center, Second Floor  
2222 M Street  
Merced, California 95340  
Phone: 209.385.7654 Fax: 209.726.1710

#### ***The Hearing Officer 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 Hearing Officer on any item on the agenda, please fill it out with your name, street address, phone number, email address and the application number on the sign-in sheet. Each speaker will be limited to five (5) minutes.

**AGENDAS and MINUTES:** Hearing Officer agendas, minutes, and copies of items to be considered are published on the County's Website no later than the Wednesday, but generally on the Monday, preceding each Commission meeting and may be viewed at [www.co.merced.ca.us/planning/hearingoffcomarchive.html](http://www.co.merced.ca.us/planning/hearingoffcomarchive.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 Hearing Officer will review and discuss at the 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 Hearing Officer 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.

**REASONABLE ACCOMMODATIONS:** In compliance with the Americans with Disabilities Act (ADA), the Merced County Hearing Officer meeting facility is accessible to persons with disabilities. If you need special assistance to participate in this meeting, please contact the Planning and Community Development Department 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.

**APPEAL NOTICE:** Any person aggrieved by the decision of the Hearing Officer 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 Hearing Officer actions, excluding subdivisions, is 5:00 p.m. on the Monday following the Hearing Officer meeting, and for subdivisions, the deadline is the following Thursday at 5:00 pm. Please note that appeals may not be submitted on days that the County is officially closed.

Appeals of Hearing Officer actions may be filed with the Planning and Community Development Department. 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 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 Hearing Officer meeting.***



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**CONFERENCE CALL MEETING PARTICIPATION: (712)432-6135, MEETING ID NUMBER: 740720**

**I. CALL TO ORDER**

**II. CITIZEN COMMUNICATIONS**

Public opportunity to address the Hearing Officer on any item of interest over which the Planning Commission has jurisdiction that is not on the agenda.

**III. PUBLIC HEARING(S)**

- A. MINOR SUBDIVISION APPLICATION MS20-003: Christopher Bertuccio:** A request to divide a 197 acre parcel into two parcels resulting in parcel sizes of: Parcel A = 94 acres and a reminder parcel of 103 acres. The project site is located approximately 175 feet east of Healy Road, south of Mariposa Way in the Merced area identified by Assessor Parcel Number (APN) 066-110-035. The property is designated Agricultural in the General Plan and zoned A-1 General Agricultural. CEQA: No further environmental review is required pursuant to CEQA Section 15162 – "Subsequent EIRs and Negative Declarations". **DL**

**RECOMMENDATION(S):**

- 1) Open/Close the public hearing;
- 2) Determine that no subsequent environmental review is required in compliance with Section 15162 "Subsequent EIRs and Negative Declarations" of the CEQA Guidelines based upon the analysis in the 2030 Merced County General Plan Program Environmental Impact Report, and the CEQA Section 15162 Findings and Analysis prepared as an attachment to the Staff Report; and,
- 3) Approve Minor Subdivision Application No. MS20-003 based on the findings included in the staff report and subject to the conditions of approval.