



## 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

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

## AGENDA PLANNING COMMISSION

**Regular Meeting of Wednesday, May 27, 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, 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.**

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 three (3) 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 three (3) 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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**AGENDA  
PLANNING COMMISSION**

**Regular Meeting  
Wednesday, May 27, 2020 - 9:00 a.m.**

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Merced, California 95340  
Phone: 209.385.7654 Fax: 209.726.1710

- 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. **CONDITIONAL USE PERMIT No. CUP19-006 - Godinho Dairy LP** - A request to bring an existing dairy heifer facility into compliance and modify the facility to allow the facility to increase the number of animals housed from 2,004 to 3,501 (1,103 Animal Units). The modification includes the construction of three freestall barns and a loafing barn within and adjacent to the existing heifer ranch footprint, over the course of two phases. The project site is located at the southeast corner of South Johnson Road and West Henry Miller Avenue in the Los Banos area, identified as Assessor's Parcel Numbers (APN) 081-020-008 and 081-020-019. The property is designated Agricultural land use in the General Plan and is zoned A-1 (General Agricultural). CEQA – Staff has prepared an Initial Study and Mitigated Negative Declaration for this project. **TSH**

**RECOMMENDATION(S):**

- 1) Open/close public hearing;
- 2) Certify the Project Environmental Impact Report and adopt the Findings of Fact, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program; and,
- 3) Approve Conditional Use Permit No. CUP19-006 based on the findings included in the staff report and subject to the recommended conditions of approval.

- B. CONDITIONAL USE PERMIT No. CUP19-010 – Merced Rescue Mission -** A request to establish and construct a 45,000 square foot community care/adult recovery facility with interim supportive housing and residential rehabilitation programs for homeless persons, including families and veterans. The facility will include respite care, administrative offices, classroom, kitchen and dining facilities, and recreational facilities. The project site is located on the north side of Cone Avenue, approximately 800 feet east of Martin Luther King Jr. Way in the Merced Area, identified as Assessor Parcel Numbers (APNs) 259-060-004 and 259-060-005. The property is designated Merced Urban Community Low Density Residential land use in the General Plan and is zoned R-2 (Two Family Residential). CEQA – Staff recommends the Planning Commission find that the project is exempt from environmental review pursuant to Section 21159.25 of the CEQA Guidelines – “Unincorporated County Infill Mixed-Use Residential.” **TSH**

**RECOMMENDATION(S):**

- 1) Open/close public hearing;
- 2) Determine that the project can be found exempt from environmental review pursuant to Section 21159.25 – “Unincorporated County Infill Mixed-Use Residential” of the CEQA Guidelines; and,
- 3) Approve Conditional Use Permit No. CUP19-010 based on the findings included in the staff report and subject to the recommended conditions of approval.

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

**VIII. DIRECTOR’S REPORT**

**IX. COMMISSIONER’S COMMENT**

**X. ADJOURNMENT**