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**MERCED COUNTY PLANNING COMMISSION  
MINUTES FOR MEETING OF DECEMBER 21, 2022**

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The agenda, original minutes, video, and all supporting documentation (for reference purposes only) of the Merced County Planning Commission meeting of December 21, 2022 are available online at <https://www.countyofmerced.com/411/Planning-Commission>.

**I. CALL MEETING TO ORDER**

The regularly scheduled meeting of the Merced County Planning Commission was called to order at 9:00 a.m., on December 21, 2022, in the Board Chambers located at 2222 "M" Street, Third Floor, Merced, California.

**II. PLEDGE OF ALLEGIANCE**

**III. ROLL CALL OF COMMISSIONERS**

Commissioners Present:      Commissioner Robert Acheson  
   Commissioner Kurt Spycher  
   Commissioner Mark Erreca (Chairman)

Staff Present:                      Mark Hendrickson, Director  
   Brian Guerrero, Development Services Coordinator  
   Danielle Bettencourt, Recording Secretary

Legal Staff:                        Jeff Grant, Chief Deputy County Counsel  
   Michael Profant, Deputy County Counsel

Commissioners Absent:        Commissioner Fernando Aguilera  
   Commissioner Jack Mobley (Vice Chairman)

**IV. APPROVAL OF MINUTES**

Approval of minutes from the December 7, 2022 meeting.

**MOTION: M/S SPYCHER / ACHESON AND CARRIED BY A VOTE OF 3- 0, THE PLANNING COMMISSION APPROVES MINUTES FROM THE DECEMBER 7, 2022 MEETING.**

**V. CITIZEN COMMUNICATIONS**

None.

**VI. PUBLIC HEARINGS**

**MERCED COUNTY PLANNING COMMISSION**

**Minutes – December 21, 2022**

**Page 2**

- A. CONDITIONAL USE PERMIT No. CUP21-014 / SITE PLAN AND DESIGN REVIEW No. SPR21-006 – RPCA SOLAR 7 LLC – EAST CLEVELAND SOLAR PROJECT** - A request to construct a 3-megawatt (MW), small-scale utility solar generating and energy storage facility on approximately 18.3 acres of a 40.47-acre parcel. The project involves construction of a ground-mounted, photovoltaic, single-axis tracking solar array featuring 8,316 PV panels and 24 string converters. The project site is generally located on the southwest corner of East Cleveland Road and South Arbor Way in the El Nido area, identified as Assessor's Parcel Number (APN) 075-072-008. The property is designated as Agricultural land use in the General Plan and zoned A-1 (General Agricultural). CEQA: Staff recommends the Planning Commission adopt the Mitigated Negative Declaration for the project pursuant to Section 15074 ("Consideration and Adoption of a Negative Declaration or Mitigated Negative Declaration") of the CEQA Guidelines. **TSH**

**RECOMMENDATION(S):**

- 1) Open/close the public hearing;
- 2) Adopt the proposed Mitigation Negative Declaration for the project pursuant to Section 15074 ("Consideration and Adoption of a Negative Declaration or Mitigated Negative Declaration") of the CEQA Guidelines; and,
- 3) Approve Conditional Use Permit No. CUP21-014 and Site Plan and Design Review No. SPR21-006 based on the findings included in the staff report and subject to the recommended conditions of approval.

Development Services Coordinator, Brian Guerrero presented the staff report and recommendations for approval with conditions.

The public hearing opened at 9:08 a.m.

Ms. Erin Takata, project representative, provided background on the solar project and expressed her support.

The public hearing closed 9:10 a.m.

**MOTION: M/S SPYCHER - ACHESON, AND CARRIED BY A VOTE OF 3 - 0, THE PLANNING COMMISSION ADOPTS THE PROPOSED MITIGATED NEGATIVE DECLARATION FOR THE PROJECT PURSUANT TO SECTION 15074 ("CONSIDERATION AND ADOPTION OF A NEGATIVE DECLARATION OR MITIGATED NEGATIVE DECLARATION") OF THE CEQA GUIDELINES; AND,**

**MOTION: M/S SPYCHER - ACHESON, AND CARRIED BY A VOTE OF 3 - 0, THE PLANNING COMMISSION APPROVES CONDITIONAL USE PERMIT No. CUP21-014 AND SITE PLAN AND DESIGN REVIEW No. SPR21-006 BASED ON THE FINDINGS INCLUDED IN THE STAFF REPORT AND SUBJECT TO THE RECOMMENDED CONDITIONS OF APPROVAL.**

- B. EXTENSION APPLICATION No. EXT22-012 – 9<sup>TH</sup> EXTENSION TO MAJOR SUBDIVISION APPLICATION No. MAS06-008 – WINN RANCH** - A request to extend the expiration date of the tentative map for Major Subdivision Application No. MAS06-008 for two (2) years from December 26, 2022 to December 26, 2024. The project site is located at the southeast corner of North Winton Way and West Doris Avenue, between Winton Way and Santa Fe Drive in the Winton area, identified as Assessor Parcel Numbers (APN's) 147-200-002, 147-200-003, 147-200-005, 147-200-006, and 147-200-007. The project site is designated Winton Urban Community Low Density Residential land use and zoned R-1 (Single-Family Residential). CEQA: Staff recommends the Planning Commission find that no further environmental review is required pursuant to Section 15162 ("Subsequent EIRs and Negative Declarations") of the CEQA Guidelines. **VD**

**RECOMMENDATION(S):**

- 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. EXT22-012 based on the findings included in the staff report.

Development Services Coordinator, Brian Guerrero presented the staff report and recommendations for approval with conditions.

**Public comment opened 9:16 a.m.**

Mr. Steve Maxey, representative for the applicant, thanked staff for their work on the project and provided explanation for Commissioner Kurt Spycher in regards to the request to extend the expiration date.

**Public comment closed 9:18 a.m.**

**MOTION: M/S SPYCHER - ACHESON, AND CARRIED BY A VOTE OF 3 - 0, THE PLANNING COMMISSION ADOPTS AND DETERMINE NO FURTHER ENVIRONMENTAL REVIEW IS REQUIRED PURSUANT TO SECTION 15162 ("SUBSEQUENT EIRS AND NEGATIVE DECLARATIONS") OF THE CEQA GUIDELINES; AND**

**MOTION: M/S SPYCHER - ACHESON, AND CARRIED BY A VOTE OF 3 - 0, THE PLANNING COMMISSION APPROVES EXTENSION APPLICATION No. EXT22-012 BASED ON THE FINDINGS INCLUDED IN THE STAFF REPORT.**

**VII. COMMISSION ACTION ITEM (S)**

None

**VIII. DIRECTOR'S REPORT**

Director Mark Hendrickson thanked Mr. Guerrero for filling in for staff and acknowledged Planner III, Tiffany Ho and Planner I, Valerie Dalley for their work. Director Hendrickson acknowledged Commissioners for the work year of 2022, welcoming 2023 and wished staff and Commission a Merry Christmas.

IX. **COMMISSIONER'S COMMENT**

None

X. **ADJOURNMENT**

There being no further business, the meeting adjourned at 9:20 a.m.