



ALL PERSONS REQUESTING DISABILITY- RELATED MODIFICATION OR ACCOMMODATION, INCLUDING AUXILIARY AIDS OR SERVICES MAY CONTACT THE COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT – PLANNING DIVISION AT (559) 675-7821, 72 HOURS PRIOR TO THE PUBLIC MEETING.

**AGENDA
For REGULAR MEETING
MADERA COUNTY PLANNING COMMISSION
Tuesday, December 6, 2022, 6:00 p.m.**

**MEETING LOCATION
Madera County Government Center
200 W. 4th Street, Madera, CA 93637
Board of Supervisors Chambers**

This meeting will be open to the public and accessible via GOTOMEETING at the following link:

<https://meet.goto.com/272583733>

You can also dial in using your phone.

United States: +1 (872) 240-3412

Access Code: 272-583-733

Chairman – Thomas Hurst
Vice Chairman – Pete Nijjar
Commissioner – Emlen Miles-Mattingly
Commissioner – Jeff Dal Cerro
Commissioner – Tom Burdette

TURN OFF ALL CELL PHONES

CALL TO ORDER
INVOCATION
PLEDGE OF ALLEGIANCE
INTRODUCTION OF COUNTY STAFF
PLANNING COMMISSION MEETING PROCEDURES
RULES FOR PRESENTING TESTIMONY
ADMINISTER OATH FOR QUASI JUDICIAL ITEMS



All persons wishing to give testimony on quasi-judicial items (noted with an *) must sign an oath as supplied by the Planning Commission Secretary.

BUSINESS

Supporting documents relating to the items on this agenda that are not listed as “Closed Session” are available through the Madera County Planning Division website at <https://www.maderacounty.com/government/community-economic-development-department/divisions/planning-division/planning-commission-agenda>. The documents are also available at the Community and Economic Development Department - Planning Division, 200 West Fourth Street, Madera, CA 93637. Please note that supporting documents may be submitted after the posting of the agenda; please visit the website or the Planning Division for updates.

Noticed Public Hearings: For noticed public hearings, all public comments must be received by the beginning of the public hearing period. Comments may be mailed to: Planning Division 200 W 4th Street, Madera CA 93637 or emailed to mc_planning@maderacounty.com. All written comments received by the beginning of the public hearing period will be read aloud by a staff member during the applicable agenda item, provided that such comments may be read within three (3) minutes allotted to each speaker. Any portion of your comment extending past three (3) minutes may not be read aloud due to time restrictions but will be included in the record of proceedings. If a comment on a public hearing item is received after the beginning of the public hearing, such comment will be treated like a general public comment and made part of the record of proceeding, provided that such comment is received prior to the end of the meeting.

INTRODUCTION OF COUNTY STAFF

REQUEST FOR COMMENTS FROM THE AUDIENCE

This portion of the meeting is set aside for members of the public to comment on any item within the jurisdiction of the Commission, but not appearing on the agenda. Items presented under public comment may not be discussed or acted upon by the Commission at this time. For items appearing on the agenda, the public is invited to comment at the time the item is called for consideration by the Commission. Any person addressing the Commission under public comment will be limited to a 3-minute presentation to ensure that all interested parties have an opportunity to speak. Also, all persons addressing the Commission must state their name and County of residence for the record.



ALL MATTERS LISTED UNDER CONSENT CALENDAR ARE CONSIDERED TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION.

CONSENT CALENDAR

Approval of the agenda.

Approval of the minutes of October 4, 2022.

PUBLIC HEARINGS:

***1. RPCA SOLAR 1 LLC – CONDITIONAL USE PERMIT (CUP #2022-001) CHOWCHILLA (DISTRICT 2) LEAD PLANNER: ANNETTE KEPHART**

Hearing to consider approval of Conditional Use Permit (CUP #2022-013) to construct an approximately 8MWac solar photo-voltaic energy generating facility on approximately 49-acres of a 319-acre parcel. The property is owned by SCHUH GARY & MARCIA FAMILY TRUST 2007, SCHUH ROGER TRUST AGREEMENT, SCHUH, GARY R., SCHUH, MARCIA E., SCHUH, ROGER. and is located on the south side of Avenue 26 approximately 3/4 mile west of its intersection with Road 21 (no situs) Chowchilla. A draft Mitigation Negative Declaration (MND #2022-14) has been prepared in compliance with provisions of the California Environmental Quality Act (CEQA) The property is zoned ARE-40 (Agricultural, Rural, Exclusive) District. Size: 318.48 acres. APN: 030-161-001

2. FAGUNDES DAIRY – DEVELOPMENT AGREEMENT (S #2014-001) BASS LAKE (DISTRICT 5) LEAD PLANNER: JAMIE BAX

Hearing to consider approval of Development Agreement (S# 2014-001) to the Board of Supervisors, for a previously approved residential subdivision project to span over a 10-year time period. The property is owned by Fagundes Dairy and is located on the east side of Rd 432, approximately 280 feet south of its intersection with Road 331 (no situs) Bass Lake. The property is zoned RUS (Residential Urban Single Family) District. Size: 9.62 acres. APN: 059-200-020.

PLANNING COMMISSION COMMENTS:

PLANNING DIRECTOR COMMENTS:

TENTATIVE MEETING DATES AND LOCATIONS:

Tuesday, January 3, 2023 @ 6:00 p.m. - Regular Meeting – Madera County Government Center 200 West Fourth Street, Madera, California.



PLANNING COMMISSION MEETING PROCEDURES

Planning Commission meetings are conducted under the direction of the Chairman. Each item scheduled for public hearing at a Planning Commission meeting will be announced by the Chairman, and the hearing will be conducted as follows:

1. The Planning staff will present their report and recommendation on the matter being heard. Commission members will be provided an opportunity to question staff.
2. The Chairman will first ask the project applicant or proponent to present any points they feel the Commission should understand about their proposal. The Commission may ask questions.
3. The Chairman will ask those in support and then those opposed to the application to come to the podium and present any testimony they wish to give regarding the proposal being considered.
4. The Chairman will offer the project applicant an opportunity for rebuttal of any testimony against the proposal or to clarify information previously presented.
5. The public comment portion of the hearing will be closed, and the matter will be deliberated by the Commission and a decision will be rendered.
6. Persons wishing to appeal a decision must present a written notice of appeal together with the fee to the planning commission secretary whose office is located at the Madera County Government Center 200 West 4th Street, 3rd floor, Madera CA. The notice and fee must be received within 15 days of the date the decision is rendered.

RULES FOR PRESENTING TESTIMONY



All persons who wish to present testimony to the Planning Commission in a public hearing must observe the following rules:

1. All testimony must be presented from the podium. When beginning to speak, first identify yourself, County of residence, and interest in the matter. This is required for the public record. Since all meetings are recorded, please speak clearly, and use the microphone provided.
2. All remarks must be addressed to the Chair. Conversation or debate between a speaker at the podium and a member of the audience or staff is not permitted.
3. Please keep your remarks as brief as possible. Focus your testimony on the most important facts you wish to be considered. Avoid duplicating testimony provided by others.
4. Planning Commission hearings can involve highly emotional issues, so it is important that all participants conduct themselves with courtesy, dignity, and respect.
5. Whenever possible, written testimony should be presented as well as oral. Written testimony should be submitted for Planning Commission consideration in advance of the actual hearing date.