

**CITY OF MERCED**  
**Planning Commission**

**Resolution #4183**

**WHEREAS**, the Merced City Planning Commission at its regular meeting of May 20, 2026, held a public hearing and considered a Staff Report prepared by the Planning Division regarding food trucks operation in fixed locations pursuant to Merced Municipal Code (MMC) Chapter 20.44.020; and

**WHEREAS**, MMC Chapter 20.44.020 regulates food trucks operating in fixed locations within the City of Merced; and

**WHEREAS**, since adoption of MMC Chapter 20.44.020, the Planning Commission has approved thirty-four (34) food truck entitlements, including twenty-six (26) single-use trucks and eight (8) multi-use locations; and

**WHEREAS**, a significant number of approved food truck locations are concentrated within the downtown and central-city areas, particularly between 16th Street and 18th Street from R Street east to Martin Luther King Jr. Way; and

**WHEREAS**, on May 6, 2026, Acting Chair Jerimiah Greggains requested that the matter be brought forward for formal discussion due to concerns related to concentration, compatibility with surrounding land uses, and potential nuisance impacts on existing brick-and-mortar businesses; and

**WHEREAS**, the Planning Commission reviewed data indicating that eighteen (18) of the thirty-four (34) permitted food truck locations are located within a 2.5-mile radius centered around the 16th Street and Main Street area, while only three (3) permitted locations exist north of 24th Street within a ten-mile radius; and

**WHEREAS**, this concentration indicates a significant imbalance, resulting in overconcentration, traffic concerns, congestion and parking concerns that may result in increased risk to pedestrian and motorized traffic, and a limited distribution of access to food trucks across the community; and

**WHEREAS**, the Planning Commission finds that the current ordinance does not sufficiently address geographic distribution, land-use compatibility, operational standards, nuisance considerations, separation requirements, or long-term economic development impacts associated with food trucks operating in fixed locations; and

**WHEREAS**, these conditions constitute a current and immediate threat to the public health, safety, and welfare by impairing safe and coordinated use of the public right-of-way; and

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**WHEREAS**, the Planning Commission finds that a temporary moratorium would provide the City sufficient time to evaluate and prepare comprehensive amendments to MMC Chapter 20.44.020 to better address evolving operational practices and community impacts as well as reducing the current and immediate threat to the public health, safety, and welfare; and

**WHEREAS**, *California Government Code Section 65858* authorizes a city to adopt an interim ordinance as an urgency measure to protect the public health, safety, and welfare related to general plan, specific plan, or zoning code proposals being considered or studied within a reasonable time; and

**WHEREAS**, pursuant to the California Environmental Quality Act (“CEQA”), the Planning Commission finds that recommending the City Council consider a temporary moratorium to allow for the study of ordinance amendments is not a “project” pursuant to CEQA Guidelines Section 15378; and

**WHEREAS**, the Planning Commission further finds that future ordinance amendments will need to be reviewed for consistency with the Economic Development, Land Use, and Community Design Elements of the General Plan.

**NOW THEREFORE**, after reviewing the Planning Commission Staff Report, the Merced City Planning Commission does resolve recommending the City Council of the City of Merced hold a noticed public hearing and consider adopting an Urgency Notice to establish a temporary moratorium prohibiting food trucks in fixed locations pursuant to *California Government Code Section 65858*.

Upon motion by Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, and carried by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Adopted this 20<sup>th</sup> day of May 2026

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Chairperson, Planning Commission of  
the City of Merced, California

ATTEST:

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Secretary