



CITY OF MERCED

City Council Chamber
Merced Civic Center
678 W. 18th Street
Merced, CA 95340

Minutes Planning Commission

Wednesday, February 5, 2025

6:00 PM

A. CALL TO ORDER

Chairperson GONZALEZ called the meeting to order at 6:00 PM.

A.1. Moment of Silence

A.2. Pledge of Allegiance to the Flag

Commissioner DELGADILLO led the Pledge of Allegiance to the Flag.

B. ROLL CALL

Clerk's Note: The Planning Commission has 1 vacancy at this time. Senior Planner MENDOZA-GONZALEZ, Associate Planner RENTERIA, and Development Services Technician LEE were present to translate for the public.

Present: 6 - Member Jose Delgadillo, Chair Anthony Gonzalez, Member Yang Pao Thao, Member Walter Smith, Member Emanuelle Ochoa, and Vice Chair Jeremiah Greggains

Absent: 0

C. PUBLIC COMMENT

There were no public comments.

D. CONSENT CALENDAR

D.1 **SUBJECT:** Planning Commission Minutes of January 22, 2025

ACTION:

Approving and filing the Planning Commission Minutes of January 22, 2025

A motion was made by Vice Chair Greggains, seconded by Member Ochoa and carried by the following vote, to approve the Consent Agenda.

Aye: 6 - Member Delgadillo
 Chair Gonzalez
 Member Pao Thao
 Member Smith
 Member Ochoa
 Vice Chair Greggains

No: 0

Absent: 0

E. PUBLIC HEARINGS AND ACTION ITEMS

E.1

SUBJECT: General Plan Amendment #24-17, Zone Change #436, Site Utilization Plan Revision #19 to Planned Development #4, Site Utilization Plan Revision #14 to Planned Development #42, and Site Utilization Plan Revision #8 to Planned Development #46 - , initiated by the City of Merced, to change the General Plan and Zoning designations for thirty (30) sites totaling approximately 94.96 acres. The general plan amendment and zone change of these sites is necessary to accommodate the Regional Housing Needs Allocation (RHNA) shortfall. The RHNA shortfall is the remaining RHNA once planned and approved units (pipeline projects) and projected ADU development is considered. Pursuant to California Housing Law, the City must demonstrate the availability of enough sites (with appropriate zoning) to allow for the development of the RHNA shortfall. **PUBLIC HEARING**

ACTION:

PLANNING COMMISSION:

Recommendation to City Council
 Approve/Disapprove/Modify

- 1) Environmental Review #24-42 (*General Plan EIR Addendum*) (Sites A through DD)
- 2) General Plan Amendment #24-17 (Sites A through DD)
- 3) Zone Change #436 (Sites A through V)
- 4) Site Utilization Plan Revision #19 to P-D #4 (Site W)
- 5) Site Utilization Plan Revision #8 to P-D #46 (Site X)
- 6) Site Utilization Plan Revision #14 to P-D #42 (Sites Y, Z, AA, BB, CC, & DD)

CITY COUNCIL:

Approve/Disapprove/Modify

- 1) Environmental Review #24-42 (*General Plan EIR Addendum*) (Sites A through DD)
- 2) General Plan Amendment #24-17 (Sites A through DD)

- 3) Zone Change #436 (Sites A through V)
- 4) Site Utilization Plan Revision #19 to P-D #4 (Site W)
- 5) Site Utilization Plan Revision #8 to P-D #46 (Site X)
- 6) Site Utilization Plan Revision #14 to P-D #42 (Sites Y, Z, AA, BB, CC, & DD)

SUMMARY

The City of Merced's 6th cycle Housing Element update includes a commitment to rezone sites to accommodate the City's share of the regional housing need pursuant to State law. Thirty (30) sites were considered for rezoning. Ultimately, Planning staff is recommending approval of the changes in land use designation and rezone of twenty-seven (27) sites (totaling 89.13 acres), dispersed across the City to allow for increased housing density.

RECOMMENDATION

Planning staff recommends the Planning Commission recommend approval to the City Council of the Addendum to the General Plan Environmental Impact Report (EIR) (Environmental Review #24-42) for Sites A through DD, General Plan Amendment #24-17 for Sites A through DD with the exception of Sites G, R and S (totaling 5.83 acres) which are recommended for denial, Zone Change #436 for Sites A through V with the exception of Sites G, R and S which are recommended for denial, Site Utilization Plan Revision #19 to Planned Development #4 for Site W, Site Utilization Plan Revision #8 to Planned Development #46 for Site X, and Site Utilization Plan Revision #14 to Planned Development #42 for Site Y (as modified herein) and Sites Z, AA, BB, CC, and DD.

Planning Commission Options

The Planning Commission will be holding a public hearing and voting separately on the above applications for each individual site. The Planning Commission has the option to recommend approval or denial of the proposed General Plan and Zoning changes for each of the thirty (30) sites. For those Planning Commissioners who may have a conflict of interest regarding any of the sites, the Planning Commissioner will need to recuse himself when that site's public hearing is called and exit the Chambers for the duration of that item. City staff will be providing guidance to the Commission regarding these conflicts prior to the meeting.

There may be suggestions from the public regarding rezoning additional sites. Because of the public noticing requirements, the Planning Commission cannot take any action on such rezones, but can recommend

to the City Council that staff be directed to consider additional sites in the future. The same can be said for recommending programs, like making residential uses allowed uses in commercial zones and other suggestions that may be raised at the hearing(s).

Principal Planner LAN reviewed the report on this item. For further information, refer to Staff Report #25-096.

There was no one present wishing to speak regarding the project; therefore, public testimony was opened and closed at 6:15 PM.

A motion was made by Member Thao, seconded by Member Ochoa and carried by the following vote to recommend to the City Council the approval of Rezone A.

- Aye:** 6 - Member Delgadillo
- Chair Gonzalez
- Member Pao Thao
- Member Smith
- Member Ochoa
- Vice Chair Greggains

No: 0

Absent: 0

Public Testimony was opened at 6:18 PM.

Speaker from Audience in Opposition

ASHLEY MARIE SUAREZ, Leadership Counsel for Justice and Accountability, Merced, CA

There were no speakers in favor of the project.

Public Testimony was closed at 6:22 PM.

A motion was made by Member Ochoa, seconded by Member Delgadillo and carried by the following vote to recommend to the City Council the approval of Rezone B.

- Aye:** 6 - Member Delgadillo
- Chair Gonzalez
- Member Pao Thao
- Member Smith
- Member Ochoa
- Vice Chair Greggains

No: 0

Absent: 0

There was no one present wishing to speak regarding the project; therefore, public testimony was opened and closed at 6:26 PM.

A motion was made by Member Ochoa, seconded by Vice Chair Greggains and carried by the following vote to recommend to the City Council the approval of Rezone C.

Aye: 6 - Member Delgadillo
Chair Gonzalez
Member Pao Thao
Member Smith
Member Ochoa
Vice Chair Greggains

No: 0

Absent: 0

There was no one present wishing to speak regarding the project; therefore, public testimony was opened and closed at 6:28 PM.

A motion was made by Chairperson Gonzalez, seconded by Member Ochoa and carried by the following vote to recommend to the City Council the approval of Rezone D.

Aye: 6 - Member Delgadillo
Chair Gonzalez
Member Pao Thao
Member Smith
Member Ochoa
Vice Chair Greggains

No: 0

Absent: 0

There was no one present wishing to speak regarding the project; therefore, public testimony was opened and closed at 6:30 PM.

A motion was made by Member Ochoa, seconded by Chairperson Gonzalez and carried by the following vote to recommend to the City Council the approval of Rezone E.

Aye: 6 - Member Delgadillo
 Chair Gonzalez
 Member Pao Thao
 Member Smith
 Member Ochoa
 Vice Chair Greggains

No: 0

Absent: 0

There was no one present wishing to speak regarding the project; therefore, public testimony was opened and closed at 6:32 PM.

A motion was made by Member Ochoa, seconded by Member Delgadillo and carried by the following vote to recommend to the City Council the approval of Rezone F.

Aye: 6 - Member Delgadillo
 Chair Gonzalez
 Member Pao Thao
 Member Smith
 Member Ochoa
 Vice Chair Greggains

No: 0

Absent: 0

There was no one present wishing to speak regarding the project; therefore, public testimony was opened and closed at 6:34 PM.

A motion was made by Vice Chair Greggains, seconded by Chairperson Gonzalez and carried by the following vote to recommend to the City Council the denial of Rezone G.

Aye: 6 - Member Delgadillo
 Chair Gonzalez
 Member Pao Thao
 Member Smith
 Member Ochoa
 Vice Chair Greggains

No: 0

Absent: 0

At 6:35 PM, Commissioner Ochoa announced for the record that he possessed a conflict of interest based on his financial interest in his

personal residence. After the announcement, Commissioner Ochoa left the Planning Commission Chambers and did not participate in the discussions or decision regarding Rezone H.

There was no one present wishing to speak regarding the project; therefore, public testimony was opened and closed at 6:36 PM.

A motion was made by Member Thao, seconded by Vice Chair Greggains and carried by the following vote to recommend to the City Council the approval of Rezone H.

Aye: 5 - Member Delgadillo
Chair Gonzalez
Member Pao Thao
Member Smith
Vice Chair Greggains

No: 0

Absent: 0

Recused: 1 - Member Ochoa

After the conclusion of the vote, at 6:39 PM, Commissioner Ochoa returned to the Planning Commission dais.

There was no one present wishing to speak regarding the project; therefore, public testimony was opened and closed at 6:39 PM.

A motion was made by Vice Chair Greggains, seconded by Member Delgadillo and carried by the following vote to recommend to the City Council the approval of Rezone I.

Aye: 6 - Member Delgadillo
Chair Gonzalez
Member Pao Thao
Member Smith
Member Ochoa
Vice Chair Greggains

No: 0

Absent: 0

There was no one present wishing to speak regarding the project; therefore, public testimony was opened and closed at 6:39 PM.

A motion was made by Vice Chair Greggains, seconded by Member Thao and carried by the following vote to recommend to the City Council the approval of Rezone J.

Aye: 5 - Member Delgadillo
 Chair Gonzalez
 Member Pao Thao
 Member Smith
 Vice Chair Greggains

No: 1 - Member Ochoa

Absent: 0

There was no one present wishing to speak regarding the project; therefore, public testimony was opened and closed at 6:43 PM

A motion was made by Member Ochoa, seconded by Member Delgadillo and carried by the following vote to recommend to the City Council the approval of Rezone K.

Aye: 6 - Member Delgadillo
 Chair Gonzalez
 Member Pao Thao
 Member Smith
 Member Ochoa
 Vice Chair Greggains

No: 0

Absent: 0

There was no one present wishing to speak regarding the project; therefore, public testimony was opened and closed at 6:45 PM.

A motion was made by Member Thao, seconded by Chairperson Gonzalez and carried by the following vote to recommend to the City Council the approval of Rezone L.

Aye: 6 - Member Delgadillo
 Chair Gonzalez
 Member Pao Thao
 Member Smith
 Member Ochoa
 Vice Chair Greggains

No: 0

Absent: 0

There was no one present wishing to speak regarding the project; therefore, public testimony was opened and closed at 6:46 PM.

A motion was made by Member Ochoa, seconded by Member Thao and carried

by the following vote to recommend to the City Council the approval of Rezone M.

Aye: 6 - Member Delgadillo
Chair Gonzalez
Member Pao Thao
Member Smith
Member Ochoa
Vice Chair Greggains

No: 0

Absent: 0

At 6:47 PM, Chairperson Gonzalez announced for the record that he possessed a conflict of interest based on his financial interest in his personal residence. After the announcement, Chairperson Gonzalez left the Planning Commission Chambers and did not participate in the discussions or decision regarding Rezone N.

There was no one present wishing to speak regarding the project; therefore, public testimony was opened and closed at 6:48 PM.

Clerk's note: The Roll Call vote for Chairperson Gonzalez was Vice Chair Greggains.

A motion was made by Member Delgadillo, seconded by Member Thao and carried by the following vote to recommend to the City Council the approval of Rezone N.

Aye: 4 - Member Delgadillo
Member Pao Thao
Member Smith
Vice Chair Greggains

No: 1 - Member Ochoa

Absent: 0

Recused: 1 - Chair Gonzalez

After the conclusion of the vote, at 6:51 PM, Chairperson Gonzalez returned to the Planning Commission dais.

Public Testimony was opened at 6:52 PM.

Speaker from Audience in Opposition

ASHLEY MARIE SUAREZ, Leadership Counsel for Justice and

Accountability, Merced, CA

MARIA DE JESUS CALDERON, Resident, Merced, CA

There were no speakers in favor of the project.

Public Testimony was closed at 6:56 PM.

A motion was made by Member Ochoa, seconded by Vice Chair Greggains and carried by the following vote to recommend to the City Council the approval of Rezone O.

Aye: 5 - Member Delgadillo
Chair Gonzalez
Member Pao Thao
Member Ochoa
Vice Chair Greggains

No: 1 - Member Smith

Absent: 0

There was no one present wishing to speak regarding the project; therefore, public testimony was opened and closed at 6:58 PM.

A motion was made by Member Ochoa, seconded by Chairperson Gonzalez and carried by the following vote to recommend to the City Council the approval of Rezone P.

Aye: 5 - Member Delgadillo
Chair Gonzalez
Member Pao Thao
Member Smith
Member Ochoa

No: 1 - Vice Chair Greggains

Absent: 0

There was no one present wishing to speak regarding the project; therefore, public testimony was opened and closed at 7:00 PM.

A motion was made by Vice Chair Greggains, seconded by Member Thao and carried by the following vote to recommend to the City Council the approval of Rezone Q.

Aye: 5 - Chair Gonzalez
Member Pao Thao
Member Smith
Member Ochoa
Vice Chair Greggains

No: 1 - Member Delgadillo

Absent: 0

There was no one present wishing to speak regarding the project; therefore, public testimony was opened and closed at 7:02 PM.

Clerk's Note: Commissioner Delgadillo initially voted "No" in error. He verbally confirmed his vote should be "Aye"

A motion was made by Vice Chair Greggains, seconded by Member Delgadillo and carried by the following vote to recommend to the City Council the denial of Rezone R.

Aye: 5 - Member Delgadillo
Chair Gonzalez
Member Pao Thao
Member Ochoa
Vice Chair Greggains

No: 1 - Member Smith

Absent: 0

There was no one present wishing to speak regarding the project; therefore, public testimony was opened and closed at 7:04 PM.

A motion was made by Member Ochoa, seconded by Member Thao and carried by the following vote to recommend to the City Council the denial of Rezone S.

Aye: 6 - Member Delgadillo
Chair Gonzalez
Member Pao Thao
Member Smith
Member Ochoa
Vice Chair Greggains

No: 0

Absent: 0

There was no one present wishing to speak regarding the project;

therefore, public testimony was opened and closed at 7:06 PM.

A motion was made by Vice Chair Greggains, seconded by Member Ochoa and carried by the following vote to recommend to the City Council the approval of Rezone T.

Aye: 6 - Member Delgadillo
Chair Gonzalez
Member Pao Thao
Member Smith
Member Ochoa
Vice Chair Greggains

No: 0

Absent: 0

Public Testimony was opened at 7:09 PM.

Speaker from Audience in Opposition

ASHLEY MARIE SUAREZ, Leadership Counsel for Justice and Accountability, Merced, CA

MARIA DE JESUS CALDERON, Resident, Merced, CA

There were no speakers in favor of the project.

Public Testimony was closed at 7:12 PM.

A motion was made by Vice Chair Greggains, seconded by Chairperson Gonzalez and carried by the following vote to recommend to the City Council the approval of Rezone U.

Aye: 6 - Member Delgadillo
Chair Gonzalez
Member Pao Thao
Member Smith
Member Ochoa
Vice Chair Greggains

No: 0

Absent: 0

Public Testimony was opened at 7:15 PM.

Speaker from Audience in Opposition

ASHLEY MARIE SUAREZ, Leadership Counsel for Justice and Accountability, Merced, CA

There were no speakers in favor of the project.

Public Testimony was closed at 7:16 PM.

A motion was made by Member Ochoa, seconded by Vice Chair Greggains and carried by the following vote to recommend to the City Council the approval of Rezone V.

Aye: 6 - Member Delgadillo
Chair Gonzalez
Member Pao Thao
Member Smith
Member Ochoa
Vice Chair Greggains

No: 0

Absent: 0

There was no one present wishing to speak regarding the project; therefore, public testimony was opened and closed at 7:18 PM.

A motion was made by Chairperson Gonzalez, seconded by Member Ochoa and carried by the following vote to recommend to the City Council the approval of Rezone W.

Aye: 6 - Member Delgadillo
Chair Gonzalez
Member Pao Thao
Member Smith
Member Ochoa
Vice Chair Greggains

No: 0

Absent: 0

There was no one present wishing to speak regarding the project; therefore, public testimony was opened and closed at 7:20 PM.

A motion was made by Member Ochoa, seconded by Vice Chair Greggains and carried by the following vote to recommend to the City Council the approval of Rezone X.

Aye: 6 - Member Delgadillo
 Chair Gonzalez
 Member Pao Thao
 Member Smith
 Member Ochoa
 Vice Chair Greggains

No: 0

Absent: 0

There was no one present wishing to speak regarding the project; therefore, public testimony was opened and closed at 7:26 PM.

A motion was made by Vice Chair Greggains, seconded by Member Delgadillo and carried by the following vote to recommend to the City Council the approval of Rezone Y.

Aye: 6 - Member Delgadillo
 Chair Gonzalez
 Member Pao Thao
 Member Smith
 Member Ochoa
 Vice Chair Greggains

No: 0

Absent: 0

There was no one present wishing to speak regarding the project; therefore, public testimony was opened and closed at 7:28 PM.

A motion was made by Member Ochoa, seconded by Member Thao and carried by the following vote to recommend to the City Council the approval of Rezone Z.

Aye: 6 - Member Delgadillo
 Chair Gonzalez
 Member Pao Thao
 Member Smith
 Member Ochoa
 Vice Chair Greggains

No: 0

Absent: 0

There was no one present wishing to speak regarding the project; therefore, public testimony was opened and closed at 7:30 PM.

Clerk's Note: Chairperson Gonzalez initially voted "No" in error. He verbally confirmed his vote should be "Aye"

A motion was made by Member Thao, seconded by Chairperson Gonzalez and carried by the following vote to recommend to the City Council the approval of Rezone AA.

- Aye:** 6 - Member Delgadillo
- Chair Gonzalez
- Member Pao Thao
- Member Smith
- Member Ochoa
- Vice Chair Greggains

No: 0

Absent: 0

There was no one present wishing to speak regarding the project; therefore, public testimony was opened and closed at 7:31 PM.

A motion was made by Chairperson Gonzalez, seconded by Member Ochoa and carried by the following vote to recommend to the City Council the approval of Rezone BB.

- Aye:** 6 - Member Delgadillo
- Chair Gonzalez
- Member Pao Thao
- Member Smith
- Member Ochoa
- Vice Chair Greggains

No: 0

Absent: 0

There was no one present wishing to speak regarding the project; therefore, public testimony was opened and closed at 7:33 PM.

A motion was made by Chairperson Gonzalez, seconded by Member Ochoa and carried by the following vote to recommend to the City Council the approval of Rezone CC.

- Aye:** 6 - Member Delgadillo
- Chair Gonzalez
- Member Pao Thao
- Member Smith
- Member Ochoa
- Vice Chair Greggains

No: 0

Absent: 0

There was no one present wishing to speak regarding the project; therefore, public testimony was opened and closed at 7:35 PM.

A motion was made by Member Thao, seconded by Chairperson Gonzalez and carried by the following vote to recommend to the City Council the approval of Rezone DD.

Aye: 6 - Member Delgadillo
Chair Gonzalez
Member Pao Thao
Member Smith
Member Ochoa
Vice Chair Greggains

No: 0

Absent: 0

E.2

SUBJECT: Cancellation of February 19, 2025, Planning Commission Meeting due to a lack of items and March 5, 2025, Planning Commission Meeting due to the League of California Cities Planning Commissioners Academy

ACTION:

Cancel the Planning Commission Meetings of February 19, 2025 and March 5, 2025

A motion was made by Vice Chair Greggains, seconded by Member Ochoa and carried by the following vote to cancel the Planning Commission Meeting of February 19, 2025, due to a lack of items and March 5, 2025, due to the League of California Cities Planning Commissioners Academy.

Aye: 6 - Member Delgadillo
Chair Gonzalez
Member Pao Thao
Member Smith
Member Ochoa
Vice Chair Greggains

No: 0

Absent: 0

F. INFORMATION ITEMS

F.1

SUBJECT: Report by Temporary Director of Development Services of

Upcoming Agenda Items

ACTION

Information only.

Temporary Director of Development Services ESPINOSA went over items for the next several Planning Commission meetings.

F.2

SUBJECT: Calendar of Meetings/Events

- Feb. 3 City Council, 6:00 p.m.
- 5 Planning Commission, 6:00 p.m.
- 18 City Council, 6:00 p.m. **(Tuesday)**
- 19 Planning Commission, 6:00 p.m. **(To Be Cancelled)**
- 25 Bicycle and Pedestrian Advisory Committee, 4:00 p.m.

- Mar. 3 City Council, 6:00 p.m.
- 5 Planning Commission, 6:00 p.m. **(To Be Cancelled)**
- 17 City Council, 6:00 p.m.
- 19 Planning Commission, 6:00 p.m.

G. ADJOURNMENT

Clerk's Note: The Regular Meeting adjourned at 7:39 PM.

A motion was made by Vice Chair Greggains, seconded by Member Ochoa and carried by the following vote, to adjourn the Regular Meeting.

Aye: 6 - Member Delgadillo
 Chair Gonzalez
 Member Pao Thao
 Member Smith
 Member Ochoa
 Vice Chair Greggains

No: 0

Absent: 0

BY:

APPROVED:

KIM ESPINOSA, SECRETARY
MERCED CITY PLANNING COMMISSION

ANTHONY GONZALEZ, CHAIRPERSON
MERCED CITY PLANNING COMMISSION