



ADMINISTRATIVE REPORT

File #: 25-096

Meeting Date: 2/5/2025

Planning Commission Staff Report

Report Prepared by: Diana Lowrance, Deputy Director, Development Services, Francisco Mendoza-Gonzalez, Senior Planner, Development Services, and Rincon Consulting

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).

DISCUSSION

Project Description

The strategic changes to the land use and zoning designation of 27 of the 30 sites (listed in Exhibit B of Planning Commission Resolution #4149 (Attachment A) - Housing Element Rezone Sites are essential to expand housing opportunities and meet the City's remaining share of the RHNA (see Attachment C). Updates to the *Merced Vision 2030 General Plan* Land Use Map and the Zoning Map to reflect these changes are necessary to obtain certification of the draft 6th cycle Housing Element by the California Housing and Community Development Department (HCD). These sites are proposed to be rezoned from Low-Density Residential (R-1-5, R-1-6, R-1-10, R-2), General Commercial (C-G), and Planned Development [RP-D, P-D, PD (CO)] to High-Density Residential [R-4, P-D (VR), P-D (HD), P-D (HMD)] or Central Commercial (C-C). The land use designation of these sites will also be redesignated from Low-/Low Medium-Density Residential, General Commercial, Office Commercial, and Open Space to primarily High Density Residential or Regional/Community

Commercial. No development projects are proposed as part of the Housing Element rezoning efforts.

The zoning and land use changes are enumerated in the draft 6th cycle Housing Element programs to incentivize and allow for increased development density to meet the City's remaining share of the RHNA. The sites selected for rezoning are underutilized and/or vacant and meet HCD's criteria for inclusion in the site inventory. Additionally, by rezoning the sites, the City will be able to meet state requirements to plan for its share of the regional housing need. Government Code § 65583.2 establishes a minimum density of 20 units per acre, a minimum site size to permit at least 16 units on site, and zoning to allow ownership and rental housing by right, and in which at least 20 percent of the units could be made affordable to lower-income households. The land use and zoning changes will make these lands suitable and available for the future development of approximately 1,898 low-income units and 1,017 moderate-income units. Facilitating development of sufficient lower-income units is essential ensure that residents have access to safe and affordable housing.

Pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15164, California Code of Regulation, Title 14, the City prepared an Addendum to the General Plan EIR for Merced Housing Element Update and Rezoning, attached as Attachment E. The Housing Element, and land use and zoning changes as described will not cause any significant environmental effects. The Project involves modifications to the City's General Plan and Zoning Map to implement the City's Housing Element and allow for HCD certification, in compliance with State law, and no specific development projects are included in the project. An addendum is the appropriate environmental document under CEQA because the proposed project would not require revisions to the certified 2012 General Plan EIR due to the involvement of any new significant environmental effects or substantial increases in the severity of significant effects previously identified in the General Plan EIR. Additionally, any future development on the sites affected by the Project will require individual environmental review under CEQA to assess potential impacts related to each specific proposal.

Background

The Housing Element contains goals, policies and programs to address the future housing needs of the region during the 6th housing cycle, which runs from 2024-2032. As part of the comprehensive update to the Housing Element, the City is responsible for zoning sufficient land to accommodate its share of the RHNA, a unit count by income level established by the regional government pursuant to State Housing Element Law. When there is a shortfall in sites with sufficient zoning able to be included in the Site Inventory, the City must rezone or upzone sites in order to incentivize and provide capacity for future units to accommodate the remaining RHNA. In order to meet the RHNA of 10,517 units, the City first reviewed and identified units on opportunity sites that would not require rezoning. However, to accommodate the RHNA shortfall and buffer to comply with No Net Loss Law (California Government Code § 65863), the City identified 30 additional sites that would require rezoning to facilitate development at adequate densities. Of the 30 sites, Planning staff is recommending approval of the changes in land use designation and rezone of 27 sites (totaling 89.13 acres), dispersed across the City to allow for increased housing density.

Findings/Considerations

Please refer to Exhibit A of the Draft Planning Commission Resolution at Attachment A.

ATTACHMENTS

- A) Draft Planning Commission Resolution
 - Exhibit A - Findings/Considerations
 - Exhibit B-Table of Housing Element Rezone Sites
- B) Maps of Each Individual Rezone Site
- C) Public Review Draft Housing Element, Table G6-4 - Remaining Share of RHNA
- D) Public Comments
- E) General Plan EIR Addendum
- F) Presentation
- G) 1-31-2025 PC Memo - Conflict of Interest Maps for Item E.1 HE Rezones

CITY OF MERCED
Planning Commission

Resolution #4149

WHEREAS, the Merced City Planning Commission at its regular meeting of February 5, 2025, held a public hearing and considered **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 twenty-seven (27) sites, totaling approximately 89.13 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 Accessory Dwelling Unit (ADU) development is considered as outlined in the Draft Multi-Jurisdictional Housing Element for Merced. 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. The proposed City-initiated General Plan Amendment and Zone Changes for the thirty (30) sites are described in Exhibit B; and,

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) Section 15164, California Code of Regulation, Title 14, the City prepared an Addendum to the General Plan EIR for the Merced Housing Element Update and Rezoning in which it was determined that the Housing Element rezoning as described will not cause any significant environmental impacts. An addendum is the appropriate environmental document under CEQA as the proposed project would not require revisions to the 2012 General Plan EIR; and

WHEREAS, the Merced City Planning Commission concurs with Findings A through I of Planning Commission Staff Report #25-096 as outlined in Exhibit A.

NOW THEREFORE, after reviewing the City’s Draft Environmental Determination, and discussing all the issues, the Merced City Planning Commission does resolve to hereby take independent action and recommend approval or denial to the City Council for each of the following thirty (30) sites being considered and listed in Exhibit B of this Resolution, otherwise known as Sites A through DD.

PLANNING COMMISSION RESOLUTION #4149

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A. After reviewing the City’s Draft Environmental Determination, and discussing all the issues, the Merced City Planning Commission does resolve to hereby adopt the General Plan EIR Addendum regarding Environmental Review #24-42, and recommend approval of General Plan Amendment #24-17-A from Low-Medium Density (LMD) Residential to High Density Residential (HD) and Zone Change #436-A from Low Medium Density Residential (R-2) to High Density Residential (R-4) for approximately 2.07 acres of land more particularly described as Assessor’s Parcel Number (APN) 035-140-016 (Site A on Exhibit B).

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

AYES: Commissioner(s)

NOES: Commissioner(s)

ABSENT: Commissioner(s)

ABSTAIN: Commissioner(s)

B. After reviewing the City’s Draft Environmental Determination, and discussing all the issues, the Merced City Planning Commission does resolve to hereby adopt the General Plan EIR Addendum regarding Environmental Review #24-42, and recommend approval of General Plan Amendment #24-17-B from General Commercial (CG) to Regional/Community Commercial (RC) and Zone Change #436-B from General Commercial (C-G) to Regional/Central Commercial (C-C) for approximately 0.52 acres of land more particularly described as Assessor’s Parcel Number (APN) 035-160-016 (Site B on Exhibit B).

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

AYES: Commissioner(s)

NOES: Commissioner(s)

ABSENT: Commissioner(s)

ABSTAIN: Commissioner(s)

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C. After reviewing the City’s Draft Environmental Determination, and discussing all the issues, the Merced City Planning Commission does resolve to hereby adopt the General Plan EIR Addendum regarding Environmental Review #24-42, and recommend approval of General Plan Amendment #24-17-C from Low Density (LD) Residential to High Density Residential (HD) and Zone Change #436-C from Low Density Residential (R-1-6) to High Density Residential (R-4) for approximately 0.68 acres of land more particularly described as Assessor’s Parcel Number (APN) 032-054-003 (Site C on Exhibit B).

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

AYES: Commissioner(s)

NOES: Commissioner(s)

ABSENT: Commissioner(s)

ABSTAIN: Commissioner(s)

D. After reviewing the City’s Draft Environmental Determination, and discussing all the issues, the Merced City Planning Commission does resolve to hereby adopt the General Plan EIR Addendum regarding Environmental Review #24-42, and recommend approval of General Plan Amendment #24-17-D from Low Density (LD) Residential to High Density Residential (HD) and Zone Change #436-D from Low Density Residential (R-1-5) to High Density Residential (R-4) for approximately 0.99 acres of land more particularly described as Assessor’s Parcel Number (APN) 059-270-008 (Site D on Exhibit B).

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

AYES: Commissioner(s)

NOES: Commissioner(s)

ABSENT: Commissioner(s)

ABSTAIN: Commissioner(s)

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E. After reviewing the City’s Draft Environmental Determination, and discussing all the issues, the Merced City Planning Commission does resolve to hereby adopt the General Plan EIR Addendum regarding Environmental Review #24-42, and recommend approval of General Plan Amendment #24-17-E from General Commercial (CG) to RC Regional/Community Commercial (RC) and Zone Change #436-E from General Commercial (C-G) to Regional/Central Commercial (C-C) for approximately 0.86 acres of land more particularly described as Assessor’s Parcel Number (APN) 032-072-011 (Site E on Exhibit B).

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

AYES: Commissioner(s)

NOES: Commissioner(s)

ABSENT: Commissioner(s)

ABSTAIN: Commissioner(s)

F. After reviewing the City’s Draft Environmental Determination, and discussing all the issues, the Merced City Planning Commission does resolve to hereby adopt the General Plan EIR Addendum regarding Environmental Review #24-42, and recommend approval of General Plan Amendment #24-17-F from Low Density (LD) Residential to High Density Residential (HD) and Zone Change #436-F from Residential Planned Development (RP-D) #40 to High Density Residential (R-4) for approximately 4.93 acres of land more particularly described as Assessor’s Parcel Number (APN) 061-710-016 (Site F on Exhibit B).

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

AYES: Commissioner(s)

NOES: Commissioner(s)

ABSENT: Commissioner(s)

ABSTAIN: Commissioner(s)

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G. After reviewing the City’s Draft Environmental Determination, and discussing all the issues, the Merced City Planning Commission does resolve to hereby adopt the General Plan EIR Addendum regarding Environmental Review #24-42, and recommend denial of General Plan Amendment #24-17-G from Open Space-Park Recreation (OS-PK) to High Density Residential (HD) and Zone Change #436-G from Residential Planned Development (RP-D) #40 to High Density Residential (R-4) for approximately 4.41 acres of land more particularly described as Assessor’s Parcel Number (APN) 061-710-015 (Site G on Exhibit B).

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

AYES: Commissioner(s)

NOES: Commissioner(s)

ABSENT: Commissioner(s)

ABSTAIN: Commissioner(s)

H. After reviewing the City’s Draft Environmental Determination, and discussing all the issues, the Merced City Planning Commission does resolve to hereby adopt the General Plan EIR Addendum regarding Environmental Review #24-42, and recommend approval of General Plan Amendment #24-17-H from Low Density (LD) Residential to High Density Residential (HD) and Zone Change #436-H from Low Density Residential (R-1-6) to High Density Residential (R-4) for approximately 1.03 acres of land more particularly described as Assessor’s Parcel Number (APN) 030-163-008 (Site H on Exhibit B).

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

AYES: Commissioner(s)

NOES: Commissioner(s)

ABSENT: Commissioner(s)

ABSTAIN: Commissioner(s)

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I. After reviewing the City’s Draft Environmental Determination, and discussing all the issues, the Merced City Planning Commission does resolve to hereby adopt the General Plan EIR Addendum regarding Environmental Review #24-42, and recommend approval of General Plan Amendment #24-17-I from Low Density (LD) Residential to High Density Residential (HD) and Zone Change #436-I from Low Density Residential (R-1-6) to High Density Residential (R-4) for approximately 3.79 acres of land more particularly described as Assessor’s Parcel Number (APN) 033-060-024 (Site I on Exhibit B).

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

AYES: Commissioner(s)

NOES: Commissioner(s)

ABSENT: Commissioner(s)

ABSTAIN: Commissioner(s)

J. After reviewing the City’s Draft Environmental Determination, and discussing all the issues, the Merced City Planning Commission does resolve to hereby adopt the General Plan EIR Addendum regarding Environmental Review #24-42, and recommend approval of General Plan Amendment #24-17-J from Low Density (LD) Residential to High Density Residential (HD) and Zone Change #436-J from Low Density Residential (R-1-6) to High Density Residential (R-4) for approximately 2.23 acres of land more particularly described as Assessor’s Parcel Number (APN) 033-210-062 (Site J on Exhibit B).

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

AYES: Commissioner(s)

NOES: Commissioner(s)

ABSENT: Commissioner(s)

ABSTAIN: Commissioner(s)

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K. After reviewing the City’s Draft Environmental Determination, and discussing all the issues, the Merced City Planning Commission does resolve to hereby adopt the General Plan EIR Addendum regarding Environmental Review #24-42, and recommend approval of General Plan Amendment #24-17-K from Low Density (LD) Residential to High Density Residential (HD) and Zone Change #436-K from Low Density Residential (R-1-6) to High Density Residential (R-4) for approximately 0.63 acres of land more particularly described as Assessor’s Parcel Number (APN) 034-021-002 (Site K on Exhibit B).

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

AYES: Commissioner(s)

NOES: Commissioner(s)

ABSENT: Commissioner(s)

ABSTAIN: Commissioner(s)

L. After reviewing the City’s Draft Environmental Determination, and discussing all the issues, the Merced City Planning Commission does resolve to hereby adopt the General Plan EIR Addendum regarding Environmental Review #24-42, and recommend approval of General Plan Amendment #24-17-L -from Low Density (LD) Residential to High Density Residential (HD) and Zone Change #436-L from Low Density Residential (R-1-10) to High Density Residential (R-4) for approximately 0.55 acres of land more particularly described as Assessor’s Parcel Number (APN) 034-072-030 (Site L on Exhibit B).

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

AYES: Commissioner(s)

NOES: Commissioner(s)

ABSENT: Commissioner(s)

ABSTAIN: Commissioner(s)

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M. After reviewing the City’s Draft Environmental Determination, and discussing all the issues, the Merced City Planning Commission does resolve to hereby adopt the General Plan EIR Addendum regarding Environmental Review #24-42, and recommend approval of General Plan Amendment #24-17-M from General Commercial (CG) to Regional/Community Commercial (RC) and Zone Change #436-M from General Commercial (C-G) to Regional/Central Commercial (C-C) for approximately 0.69 acres of land more particularly described as Assessor’s Parcel Number (APN) 031-251-030 (Site M on Exhibit B).

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

AYES: Commissioner(s)

NOES: Commissioner(s)

ABSENT: Commissioner(s)

ABSTAIN: Commissioner(s)

N. After reviewing the City’s Draft Environmental Determination, and discussing all the issues, the Merced City Planning Commission does resolve to hereby adopt the General Plan EIR Addendum regarding Environmental Review #24-42, and recommend approval of General Plan Amendment #24-17-N from Low Density (LD) Residential to High Density Residential (HD) and Zone Change #436-N from Low Density Residential (R-1-5) to High Density Residential (R-4) for approximately 2.11 acres of land more particularly described as Assessor’s Parcel Number (APN) 059-330-021 (Site N on Exhibit B).

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

AYES: Commissioner(s)

NOES: Commissioner(s)

ABSENT: Commissioner(s)

ABSTAIN: Commissioner(s)

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O. After reviewing the City’s Draft Environmental Determination, and discussing all the issues, the Merced City Planning Commission does resolve to hereby adopt the General Plan EIR Addendum regarding Environmental Review #24-42, and recommend approval of General Plan Amendment #24-17-O from Low Density (LD) Residential to High Density Residential (HD) and Zone Change #436-O from Residential Planned Development (RP-D) #54 to High Density Residential (R-4) for approximately 1.62 acres of land more particularly described as Assessor’s Parcel Number (APN) 061-310-006 (Site O on Exhibit B).

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

AYES: Commissioner(s)

NOES: Commissioner(s)

ABSENT: Commissioner(s)

ABSTAIN: Commissioner(s)

P. After reviewing the City’s Draft Environmental Determination, and discussing all the issues, the Merced City Planning Commission does resolve to hereby adopt the General Plan EIR Addendum regarding Environmental Review #24-42 , and recommend approval of General Plan Amendment #24-17-P from General Commercial (CG) to High Density Residential (HD) and Zone Change #436-P from General Commercial (C-G) to High Density Residential (R-4) for approximately 3.77 acres of land more particularly described as Assessor’s Parcel Number (APN) 031-231-005 (Site P on Exhibit B).

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

AYES: Commissioner(s)

NOES: Commissioner(s)

ABSENT: Commissioner(s)

ABSTAIN: Commissioner(s)

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Q. After reviewing the City’s Draft Environmental Determination, and discussing all the issues, the Merced City Planning Commission does resolve to hereby adopt the General Plan EIR Addendum regarding Environmental Review #24-42, and recommend approval of General Plan Amendment #24-17-Q from General Commercial (CG) to High Density Residential (HD) and Zone Change #436-Q from General Commercial (C-G) to High Density Residential (R-4) for approximately 0.73 acres of land more particularly described as Assessor’s Parcel Number (APN) 031-094-005 (Site Q on Exhibit B).

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

AYES: Commissioner(s)

NOES: Commissioner(s)

ABSENT: Commissioner(s)

ABSTAIN: Commissioner(s)

R. After reviewing the City’s Draft Environmental Determination, and discussing all the issues, the Merced City Planning Commission does resolve to hereby adopt the General Plan EIR Addendum regarding Environmental Review #24-42, and recommend denial of General Plan Amendment #24-17-R General Commercial (CG) to High Density Residential (HD) and Zone Change #436-R from General Commercial (C-G) to High Density Residential (R-4) for approximately 0.82 acres of land more particularly described as Assessor’s Parcel Number (APN) 031-171-001 (Site R on Exhibit B).

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

AYES: Commissioner(s)

NOES: Commissioner(s)

ABSENT: Commissioner(s)

ABSTAIN: Commissioner(s)

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S. After reviewing the City’s Draft Environmental Determination, and discussing all the issues, the Merced City Planning Commission does resolve to hereby adopt the General Plan EIR Addendum regarding Environmental Review #24-42, and recommend denial of General Plan Amendment #24-17-S General Commercial (CG) to High Density Residential (HD) and Zone Change #436-S from Thoroughfare Commercial (C-T) to High Density Residential (R-4) for approximately 0.60 acres of land more particularly described as Assessor’s Parcel Number (APN) 031-094-006 (Site S on Exhibit B).

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

AYES: Commissioner(s)

NOES: Commissioner(s)

ABSENT: Commissioner(s)

ABSTAIN: Commissioner(s)

T. After reviewing the City’s Draft Environmental Determination, and discussing all the issues, the Merced City Planning Commission does resolve to hereby adopt the General Plan EIR Addendum regarding Environmental Review #24-42, and recommend approval of General Plan Amendment #24-17- T from Low Density (LD) Residential to High Density Residential (HD) and Zone Change #436-T from Low Density Residential (R-1-6) to High Density Residential (R-4) for approximately 4.73 acres of land more particularly described as Assessor’s Parcel Number (APN) 231-040-010 (Site T on Exhibit B).

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

AYES: Commissioner(s)

NOES: Commissioner(s)

ABSENT: Commissioner(s)

ABSTAIN: Commissioner(s)

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U. After reviewing the City’s Draft Environmental Determination, and discussing all the issues, the Merced City Planning Commission does resolve to hereby adopt the General Plan EIR Addendum regarding Environmental Review #24-42, and recommend approval of General Plan Amendment #24-17-U from Low Density (LD) Residential to High Density Residential (HD) and Zone Change #436-U from Residential Planned Development (RP-D) #54 to High Density Residential (R-4) for approximately 1.91 acres of land more particularly described as Assessor’s Parcel Number (APN) 061-600-001 (Site U on Exhibit B).

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

AYES: Commissioner(s)

NOES: Commissioner(s)

ABSENT: Commissioner(s)

ABSTAIN: Commissioner(s)

V. After reviewing the City’s Draft Environmental Determination, and discussing all the issues, the Merced City Planning Commission does resolve to hereby adopt the General Plan EIR Addendum regarding Environmental Review #24-42, and recommend approval of General Plan Amendment #24-17-V from Low Medium Density (LMD) Residential to High Density Residential (HD) and Zone Change #436-V from Low Medium Density Residential (R-2) to High Density Residential (R-4) for approximately 2.28 acres of land more particularly described as Assessor’s Parcel Number (APN) 058-110-044 (Site V on Exhibit B).

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

AYES: Commissioner(s)

NOES: Commissioner(s)

ABSENT: Commissioner(s)

ABSTAIN: Commissioner(s)

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W. After reviewing the City’s Draft Environmental Determination, and discussing all the issues, the Merced City Planning Commission does resolve to hereby adopt the General Plan EIR Addendum regarding Environmental Review #24-42, and recommend approval of General Plan Amendment #24-17-W and Site Utilization Plan Revision #19 to Planned Development (P-D) #4. The General Plan Amendment would change the General Plan designation from Commercial Office (CO) to High Density Residential (HD). The Site Utilization Plan Revision would change the Site Utilization Plan designation from Commercial Office to High Density Residential for approximately 1.23 acres of land more particularly described as Assessor’s Parcel Number (APN) 007-250-029 (Site W on Exhibit B).

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

AYES: Commissioner(s)

NOES: Commissioner(s)

ABSENT: Commissioner(s)

ABSTAIN: Commissioner(s)

X. After reviewing the City’s Draft Environmental Determination, and discussing all the issues, the Merced City Planning Commission does resolve to hereby adopt the General Plan EIR Addendum regarding Environmental Review #24-42, and recommend approval of General Plan Amendment #24-17-X and Site Utilization Plan Revision #8 to Planned Development (P-D) #46. The General Plan Amendment would change the General Plan designation from Commercial Office (CO) to High Density Residential (HD). The Site Utilization Plan Revision would change the Site Utilization Plan designation from Commercial Office to High Density Residential for approximately 10.00 acres of land more particularly described as Assessor’s Parcel Number (APN) 206-040-020 (Site X on Exhibit B).

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

AYES: Commissioner(s)

NOES: Commissioner(s)

ABSENT: Commissioner(s)

ABSTAIN: Commissioner(s)

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Y. After reviewing the City’s Draft Environmental Determination, and discussing all the issues, the Merced City Planning Commission does resolve to hereby adopt the General Plan EIR Addendum regarding Environmental Review #24-42, and recommend approval of General Plan Amendment #24-17-Y and Site Utilization Plan Revision #14 to Planned Development (P-D) #42. The General Plan Amendment would change the General Plan designation from Neighborhood Commercial (CN) to Regional/Community Commercial (RC). The Site Utilization Plan Revision would change the Site Utilization Plan designation from Neighborhood Commercial to Central Commercial (C-C) for approximately 8.69 acres of land more particularly described as Assessor’s Parcel Number (APN) 230-010-016 (Site Y on Exhibit B).

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

AYES: Commissioner(s)

NOES: Commissioner(s)

ABSENT: Commissioner(s)

ABSTAIN: Commissioner(s)

Z. After reviewing the City’s Draft Environmental Determination, and discussing all the issues, the Merced City Planning Commission does resolve to hereby adopt the General Plan EIR Addendum regarding Environmental Review #24-42, and recommend approval of General Plan Amendment #24-17-Z and Site Utilization Plan Revision #14 to Planned Development (P-D) #42. The General Plan Amendment would change the General Plan designation from High Medium Density Residential (HMD) to High Density Residential (HD). The Site Utilization Plan Revision would change the Site Utilization Plan designation from High Medium Density Residential to High Density Residential for approximately 10.00 acres of land more particularly described as Assessor’s Parcel Number (APN) 224-020-006 (Site Z on Exhibit B).

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

AYES: Commissioner(s)

NOES: Commissioner(s)

ABSENT: Commissioner(s)

ABSTAIN: Commissioner(s)

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AA. After reviewing the City’s Draft Environmental Determination, and discussing all the issues, the Merced City Planning Commission does resolve to hereby adopt the General Plan EIR Addendum regarding Environmental Review #24-42, and recommend approval of General Plan Amendment #24-17-AA and Site Utilization Plan Revision #14 to Planned Development (P-D) #42. The General Plan Amendment would change the General Plan designation from High Medium Density Residential (HMD) to High Density Residential (HD). The Site Utilization Plan Revision would change the Site Utilization Plan designation from High Medium Density Residential to High Density Residential for approximately 10.00 acres of land more particularly described as Assessor’s Parcel Number (APN) 224-020-008 (Site AA on Exhibit B).

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

AYES: Commissioner(s)

NOES: Commissioner(s)

ABSENT: Commissioner(s)

ABSTAIN: Commissioner(s)

BB. After reviewing the City’s Draft Environmental Determination, and discussing all the issues, the Merced City Planning Commission does resolve to hereby adopt the General Plan EIR Addendum regarding Environmental Review #24-42, and recommend approval of General Plan Amendment #24-17-BB and Site Utilization Plan Revision #14 to Planned Development (P-D) #42. The General Plan Amendment would change the General Plan designation from High Medium Density Residential (HMD) to High Density Residential (HD). The Site Utilization Plan Revision would change the Site Utilization Plan designation from High Medium Density Residential to High Density Residential for approximately 8.11 acres of land more particularly described as Assessor’s Parcel Number (APN) 170-060-050 (Site BB on Exhibit B).

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

AYES: Commissioner(s)

NOES: Commissioner(s)

ABSENT: Commissioner(s)

ABSTAIN: Commissioner(s)

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CC. After reviewing the City’s Draft Environmental Determination, and discussing all the issues, the Merced City Planning Commission does resolve to hereby adopt the General Plan EIR Addendum regarding Environmental Review #24-42, and recommend approval of General Plan Amendment #24-17-CC and Site Utilization Plan Revision #14 to Planned Development (P-D) #42. The General Plan Amendment would change the General Plan designation from High Medium Density Residential (HMD) to High Density Residential (HD). The Site Utilization Plan Revision would change the Site Utilization Plan designation from High Medium Density Residential to High Density Residential for approximately 5.16 acres of land more particularly described as Assessor’s Parcel Number (APN) 170-060-051 (Site CC on Exhibit B).

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

AYES: Commissioner(s)

NOES: Commissioner(s)

ABSENT: Commissioner(s)

ABSTAIN: Commissioner(s)

DD. After reviewing the City’s Draft Environmental Determination, and discussing all the issues, the Merced City Planning Commission does resolve to hereby adopt the General Plan EIR Addendum regarding Environmental Review #24-42, and recommend approval of General Plan Amendment #24-17-DD and Site Utilization Plan Revision #14 to Planned Development (P-D) #42. The General Plan Amendment would change the General Plan designation from High Medium Density Residential (HMD) to High Density Residential (HD). The Site Utilization Plan Revision would change the Site Utilization Plan designation from High Medium Density Residential to High Density Residential for approximately 6.09 acres of land more particularly described as Assessor’s Parcel Number (APN) 170-060-052 (Site DD on Exhibit B).

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

AYES: Commissioner(s)

NOES: Commissioner(s)

ABSENT: Commissioner(s)

ABSTAIN: Commissioner(s)

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February 5, 2025

Adopted this 5th day of February 2025

Chairperson, Planning Commission of
the City of Merced, California

ATTEST:

Secretary

Exhibits:

Exhibit A – Findings/Considerations

Exhibit B – Housing Element Potential Rezone Sites

Findings and Considerations
Planning Commission Resolution #4149
General Plan Amendment #24-17/Zone Change #436/Site Utilization Plan
Revisions #19 (P-D #4), #8 (P-D #46), and #14 (P-D #42)

FINDINGS/CONSIDERATIONS:

General Plan Compliance and Policies Related to This Application

- A) The proposed Zone Changes and General Plan Amendments comply with the current and Draft 6th Cycle Housing Elements of the *Merced Vision 2030 General Plan*.

Government Code Section 65583(c)(7) requires the identification of means by which consistency will be achieved across all general plan elements. The rezoning of the 30 sites identified in Attachment B of Planning Commission Staff Report #25-096 align with the goals and policies of the *Merced Vision 2030 General Plan* Housing Element and are integral to meeting the City’s Regional Housing Needs Allocation (RHNA).

The Merced Vision 2030 General Plan Housing Element includes policies supporting increased housing opportunities, including housing affordable to lower income families, and increasing allowable densities to facilitate affordable housing development. Housing Element goals and policies include but are not limited to:

Policy H-1.1 Support Increased Density in Residential Zoning Districts

The proposed rezoning and land use changes would allow for development at increased densities and for the development of residential units in some areas where not previously permitted. Approximately 61 percent of the acreage to be rezoned is located in District 6, the area within City boundaries north of Buena Vista Drive, and identified by the Tax Credit Allocation Committee as a high-resource area, near jobs, high-performing schools, a healthy environment, and other amenities.

Policy H-1.2 Support Development of Affordable Housing

In areas that have a higher maximum density, residential units are more likely to be affordable to lower- and moderate-income households. Increases to the housing supply and providing more flexible and efficient design of buildings, will reduce construction costs per unit, resulting in more affordable homes.

The proposed Zone Changes and General Plan Amendments also comply with the proposed 2024-2032 Housing Element Update goals and policies as well as applicable state housing law requirements.

Zoning Ordinance Compliance—General Plan Amendment/Zone Change Findings

- B) Chapters 20.80 (Zoning Ordinance Amendments) and 20.82 (General Plan Amendments) of the Merced Municipal Code outline procedures for considering Zone Changes and General Plan Amendments. However, unlike other Planning permits, there are no specific findings spelled out in the Code that must be made in order to approve said amendments. However, good Planning practice would be to provide objective reasons for approval or denial, but these can take whatever form deemed appropriate by the Planning Commission and City Council. However, based

on State law and case law, the following findings are recommended:

1. *The proposed amendment is deemed to be in the public interest.*

The proposed amendments are deemed to be in the public interest because it will allow for adequate units in the Housing Element to meet the City's share of the 6th housing cycle RHNA.

2. *The proposed amendment is consistent and compatible with the rest of the General Plan and any implementation programs that may be affected.*

The rezoning of sites identified in the Housing Element is consistent with the General Plan's vision and objectives, ensuring that all elements work together cohesively to achieve the city's long-term goals and maintain compliance with state law requirements for internal consistency.

3. *The potential impacts of the proposed amendment have been assessed and have been determined not to be detrimental to the public health, safety, or welfare.*

There are no developments proposed as part of the rezoning and land use designation changes. The amendments are recommended to allow for and incentivize development on the sites that were identified as part of the 6th cycle Housing Element update. The proposed project and any uses that would be enabled by the project, would not be detrimental to the public health, safety, and welfare of the City.

4. *The proposed amendment has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA).*

Pursuant to the California Environmental Quality Act (CEQA) California Environmental Quality Act (CEQA) Section 15164, California Code of Regulation, Title 14, the City prepared an Addendum to the General Plan EIR for the Merced Housing Element Update and Rezone (Attachment E of Planning Commission Staff Report #25-096) in which it was determined that the Project as described will not cause any significant environmental impacts. An Addendum is the appropriate environmental document under CEQA as the proposed project would not require revisions to the 2012 General Plan EIR. The Housing Element rezoning involves modifications to the City's General Plan and Zoning Map to meet the City's RHNA and to receive certification on the 6th cycle Housing Element draft, in compliance with State law. No specific development projects are included in the Housing Element Rezoning Efforts.

Proposed General Plan Amendments and Zone Changes

- C) Because General Plan Amendment #24-17 and Zone Change #436 involves 30 separate locations, Staff has added a letter (i.e. "General Plan Amendment #24-17-A" and "Zone Change #436-A") to the application number in order to make it easier to identify each individual site. Also, there are several sites that involve Planned Developments, and in those cases, the Zoning is not actually changed from Planned Development, but the Site Utilization Plan (SUP) land use designation for the site is changed, which is equivalent to a Zone Change within a Planned Development.

EXHIBIT A OF PLANNING COMMISSION RESOLUTION #4149

Therefore, for those sites, you will see a Site Utilization Plan (SUP) Revision number to a particular Planned Development number (i.e. “SUP Revision #___ to P-D #___”). The Table in Exhibit B of the Planning Commission Resolution identifies each location by the application numbers involved and a map of all the locations is also included. Planning staff also recognizes that due to the number of locations, each owned by different individuals, and possible conflicts/recusals for individual Planning Commissioners due to the locations of these sites in proximity to the residences of each Planning Commissioner that there may need to be several separate votes taken in order to make recommendations on all the proposed sites. By having the separate identifier, it is hoped that that will help in the making of motions for Commissioners and also help members of the public or property owners testifying to identify specific locations. Finding D below spells out all the individual changes proposed, and more detailed maps of each individual location are also included at Attachment B of Planning Commission Staff Report #25-096.

- D) Here is a list of all the proposed changes involved for each individual site:
- A. General Plan Amendment #24-17-A from Low-Medium Density (LMD) Residential to High Density Residential (HD) and Zone Change #436-A from Low Medium Density Residential (R-2) to High Density Residential (R-4) for approximately 2.07 acres of land more particularly described as Assessor’s Parcel Number (APN) 035-140-016 (owned by Melgosa Lisa Trustee).
 - B. General Plan Amendment #24-17-B from General Commercial (CG) to Regional/Community Commercial (RC) and Zone Change #436-B from General Commercial (C-G) to Regional/Central Commercial (C-C) for approximately 0.52 acres of land more particularly described as Assessor’s Parcel Number (APN) 035-160-016 (owned by Faithful Heritage Holdings West Inc).
 - C. General Plan Amendment #24-17-C from Low Density (LD) Residential to High Density Residential (HD) and Zone Change #436-C from Low Density Residential (R-1-6) to High Density Residential (R-4) for approximately 0.68 acres of land more particularly described as Assessor’s Parcel Number (APN) 032-054-003 (owned by Rojas-Flores Felipe).
 - D. General Plan Amendment #24-17-D from Low Density (LD) Residential to High Density Residential (HD) and Zone Change #436-D from Low Density Residential (R-1-5) to High Density Residential (R-4) for approximately 0.99 acres of land more particularly described as Assessor’s Parcel Number (APN) 059-270-008 (owned by Soto Alma A).
 - E. General Plan Amendment #24-17-E from General Commercial (CG) to RC Regional/Community Commercial (RC) and Zone Change #436-E from General Commercial (C-G) to Regional/Central Commercial (C-C) for approximately 0.86 acres of land more particularly described as Assessor’s Parcel Number (APN) 032-072-011 (owned by T & E Property Group, LLC).
 - F. General Plan Amendment #24-17-F from Low Density (LD) Residential to High Density Residential (HD) and Zone Change #436-F from Residential Planned Development (RP-D) #40 to High Density Residential (R-4) for approximately

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- 4.93 acres of land more particularly described as Assessor's Parcel Number (APN) 061-710-016 (owned by Carreon Adrian E.).
- G. General Plan Amendment #24-17-G from Open Space-Park Recreation (OS-PK) to High Density Residential (HD) and Zone Change #436-G from Residential Planned Development (RP-D) #40 to High Density Residential (R-4) for approximately 4.41 acres of land more particularly described as Assessor's Parcel Number (APN) 061-710-015 (owned by City of Merced). This site is recommended for denial as Planning staff determined (late in the process) that this site was slated long ago for a park. While undeveloped, this site should be reserved for park use given development in that area of the city.
 - H. General Plan Amendment #24-17-H from Low Density (LD) Residential to High Density Residential (HD) and Zone Change #436-H from Low Density Residential (R-1-6) to High Density Residential (R-4) for approximately 1.03 acres of land more particularly described as Assessor's Parcel Number (APN) 030-163-008 (owned by Cardenas Audel V& Maria L).
 - I. General Plan Amendment #24-17-I from Low Density (LD) Residential to High Density Residential (HD) and Zone Change #436-I from Low Density Residential (R-1-6) to High Density Residential (R-4) for approximately 3.79 acres of land more particularly described as Assessor's Parcel Number (APN) 033-060-024 (owned by Liu Tai Ho Le Trustee).
 - J. General Plan Amendment #24-17-J from Low Density (LD) Residential to High Density Residential (HD) and Zone Change #436-J from Low Density Residential (R-1-6) to High Density Residential (R-4) for approximately 2.23 acres of land more particularly described as Assessor's Parcel Number (APN) 033-210-062 (owned by Liu Tai Ho Lee Trustee).
 - K. General Plan Amendment #24-17-K from Low Density (LD) Residential to High Density Residential (HD) and Zone Change #436-K from Low Density Residential (R-1-6) to High Density Residential (R-4) for approximately 0.63 acres of land more particularly described as Assessor's Parcel Number (APN) 034-021-002 (owned by Farr Billy Francis & Defarr Betsabe Kuri).
 - L. General Plan Amendment #24-17-L -from Low Density (LD) Residential to High Density Residential (HD) and Zone Change #436-L from Low Density Residential (R-1-10) to High Density Residential (R-4) for approximately 0.55 acres of land more particularly described as Assessor's Parcel Number (APN) 034-072-030 (owned by Flanagan Square LLC).
 - M. General Plan Amendment #24-17-M from General Commercial (CG) to Regional/Community Commercial (RC) and Zone Change #436-M from General Commercial (C-G) to Regional/Central Commercial (C-C) for approximately 0.69 acres of land more particularly described as Assessor's Parcel Number (APN) 031-251-030 (owned by Bear Creek Land Company LP).
 - N. General Plan Amendment #24-17-N from Low Density (LD) Residential to High Density Residential (HD) and Zone Change #436-N from Low Density Residential (R-1-5) to High Density Residential (R-4) for approximately 2.11 acres of land more particularly described as Assessor's Parcel Number (APN) 059-330-021 (owned by Ornelas Michael).

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- O. General Plan Amendment #24-17-O from Low Density (LD) Residential to High Density Residential (HD) and Zone Change #436-O from Residential Planned Development (RP-D) #54 to High Density Residential (R-4) for approximately 1.62 acres of land more particularly described as Assessor's Parcel Number (APN) 061-310-006 (owned by Makinson BL & Shirley).
- P. General Plan Amendment #24-17-P from General Commercial (CG) to High Density Residential (HD) and Zone Change #436-P from General Commercial (C-G) to High Density Residential (R-4) for approximately 3.77 acres of land more particularly described as Assessor's Parcel Number (APN) 031-231-005 (owned by Pacific Gas & Electric Co.).
- Q. General Plan Amendment #24-17-Q from General Commercial (CG) to High Density Residential (HD) and Zone Change #436-Q from General Commercial (C-G) to High Density Residential (R-4) for approximately 0.73 acres of land more particularly described as Assessor's Parcel Number (APN) 031-094-005 (owned by Prasad Avinesh Ashnil).
- R. General Plan Amendment #24-17-R General Commercial (CG) to High Density Residential (HD) and Zone Change #436-R from General Commercial (C-G) to High Density Residential (R-4) for approximately 0.82 acres of land more particularly described as Assessor's Parcel Number (APN) 031-171-001 (owned by Golden State Realty Association). This site is recommended for denial as Planning staff received correspondence from the property owner indicating that there is an active permit to build a new office building on the property.
- S. General Plan Amendment #24-17-S General Commercial (CG) to High Density Residential (HD) and Zone Change #436-S from Thoroughfare Commercial (C-T) to High Density Residential (R-4) for approximately 0.60 acres of land more particularly described as Assessor's Parcel Number (APN) 031-094-006 (owned by Cordes Richard A & Suzanne M Trustee). This site is recommended for denial as Planning staff received correspondence from the property owners indicating that additional properties surrounding their parcel needed to be included in the proposed rezoning, to allow for high density residential development. Given that surrounding sites were not part of the notification, Staff is recommending that the Planning Commission, deny the General Plan Amendment and Zone Change Site S.
- T. General Plan Amendment #24-17- T from Low Density (LD) Residential to High Density Residential (HD) and Zone Change #436-T from Low Density Residential (R-1-6) to High Density Residential (R-4) for approximately 4.73 acres of land more particularly described as Assessor's Parcel Number (APN) 231-040-010 (owned by Chang Jeanne Trustee).
- U. General Plan Amendment #24-17-U from Low Density (LD) Residential to High Density Residential (HD) and Zone Change #436-U from Residential Planned Development (RP-D) #54 to High Density Residential (R-4) for approximately 1.91 acres of land more particularly described as Assessor's Parcel Number (APN) 061-600-001 (owned by BMP Properties Inc).
- V. General Plan Amendment #24-17-V from Low Medium Density (LMD) Residential to High Density Residential (HD) and Zone Change #436-V from Low Medium Density Residential (R-2) to High Density Residential (R-4) for

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approximately 2.28 acres of land more particularly described as Assessor's Parcel Number (APN) 058-110-044 (owned by 1379 N Bear Creek LLC).

- W. General Plan Amendment #24-17-W and Site Utilization Plan Revision #19 to Planned Development (P-D) #4. The General Plan Amendment would change the General Plan designation from Commercial Office (CO) to High Density Residential (HD). The Site Utilization Plan Revision would change the Site Utilization Plan designation from Commercial Office to High Density Residential for approximately 1.23 acres of land more particularly described as Assessor's Parcel Number (APN) 007-250-029 (owned by Thomason Colburn & Valdene).
- X. General Plan Amendment #24-17-X and Site Utilization Plan Revision #8 to Planned Development (P-D) #46. The General Plan Amendment would change the General Plan designation from Commercial Office (CO) to High Density Residential (HD). The Site Utilization Plan Revision would change the Site Utilization Plan designation from Commercial Office to High Density Residential for approximately 10.00 acres of land more particularly described as Assessor's Parcel Number (APN) 206-040-020 (owned by TRS OPS LLS).
- Y. General Plan Amendment #24-17-Y and Site Utilization Plan Revision #14 to Planned Development (P-D) #42. The General Plan Amendment would change the General Plan designation from Neighborhood Commercial (CN) to Regional/Community Commercial (RC). The Site Utilization Plan Revision would change the Site Utilization Plan designation from Neighborhood Commercial to Central Commercial for approximately 8.69 acres of land more particularly described as Assessor's Parcel Number (APN) 230-010-016 (owned by Merced QB Club LLC).
- Z. General Plan Amendment #24-17-Z and Site Utilization Plan Revision #14 to Planned Development (P-D) #42. The General Plan Amendment would change the General Plan designation from High Medium Density Residential (HMD) to High Density Residential (HD). The Site Utilization Plan Revision would change the Site Utilization Plan designation from High Medium Density Residential to High Density Residential for approximately 10.00 acres of land more particularly described as Assessor's Parcel Number (APN) 224-020-006 (owned by Bellevue Apartments North LP).
- AA. General Plan Amendment #24-17-AA and Site Utilization Plan Revision #14 to Planned Development (P-D) #42. The General Plan Amendment would change the General Plan designation from High Medium Density Residential (HMD) to High Density Residential (HD). The Site Utilization Plan Revision would change the Site Utilization Plan designation from High Medium Density Residential to High Density Residential for approximately 10.00 acres of land more particularly described as Assessor's Parcel Number (APN) 224-020-008 (owned by Bellevue Apartments North LP).
- BB. General Plan Amendment #24-17-BB and Site Utilization Plan Revision #14 to Planned Development (P-D) #42. The General Plan Amendment would change the General Plan designation from High Medium Density Residential (HMD) to High Density Residential (HD). The Site Utilization Plan Revision would change

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the Site Utilization Plan designation from High Medium Density Residential to High Density Residential for approximately 8.11 acres of land more particularly described as Assessor's Parcel Number (APN) 170-060-050 (owned by Stonefield Home Inc.).

CC. General Plan Amendment #24-17-CC and Site Utilization Plan Revision #14 to Planned Development (P-D) #42. The General Plan Amendment would change the General Plan designation from High Medium Density Residential (HMD) to High Density Residential (HD). The Site Utilization Plan Revision would change the Site Utilization Plan designation from High Medium Density Residential to High Density Residential for approximately 5.16 acres of land more particularly

described as Assessor's Parcel Number (APN) 170-060-051 (owned by Stonefield Home Inc.).

DD. General Plan Amendment #24-17-DD and Site Utilization Plan Revision #14 to Planned Development (P-D) #42. The General Plan Amendment would change the General Plan designation from High Medium Density Residential (HMD) to High Density Residential (HD). The Site Utilization Plan Revision would change the Site Utilization Plan designation from High Medium Density Residential to High Density Residential for approximately 6.09 acres of land more particularly described as Assessor's Parcel Number (APN) 170-060-052 (owned by Stonefield Home Inc.).

Reasons for the Proposed Changes

- E) The strategic changes to the land use and zoning designation of 30 sites (listed in Exhibit B of Planning Commission Resolution #4149 (Attachment A) – Housing Element Rezone Sites are essential to expand housing opportunities and meet the City's share of the RHNA. Updates to the Merced Vision 2030 General Plan Land Use Map and the Zoning Map to reflect these changes are necessary to obtain certification of the draft 6th cycle Housing Element by the California Housing and Community Development Department (HCD). These sites are proposed to be rezoned from Low-Density Residential (R-1-5, R-1-6, R-1-10, R-2), General Commercial (C-G), and Planned Development [RP-D, P-D, PD (CO)] to High-Density Residential [R-4, P-D (VR), P-D (HD), P-D (HMD)] or Central Commercial (C-C). The land use designation of these sites will also be redesignated from Low-/Low Medium-Density Residential, General Commercial, Office Commercial, and Open Space to primarily High Density Residential or Regional/Community Commercial. No development projects are proposed as part of the Housing Element rezoning efforts.

- F) The zoning and land use changes are enumerated in the draft 6th cycle Housing Element programs to incentivize and allow for increased development density to meet the City's share of the RHNA. The sites selected for rezoning are underutilized and/or vacant, and meet HCD's criteria for inclusion in the site inventory. Additionally, by rezoning the sites, the City will be able to meet state requirements to plan for its share of the regional housing need. Government Code § 65583.2 establishes a minimum density of 20 units per acre, a minimum site size to permit at least 16 units on site, and zoning to allow ownership and rental housing by right, and in which at least 20 percent of the units are affordable to lower-income households. The land use and zoning changes will make these lands suitable and available for the future development of 1,898 low-income units and 1,017 moderate-income units. Facilitating development of sufficient lower-income units is essential ensure that residents have access to safe and affordable housing.

Public Notices and Comments

- G) Planning staff has provided notice of these rezones and offered the public several opportunities to comment on these rezones prior to the Planning Commission public

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hearing. First of all, the list of sites proposed to be rezoned was included in the Draft Housing Element published on May 13, 2024. The list of sites was refined by staff and the consultants a few times over the last few months as more information became available. For instance, three sites were removed because they had already been rezoned in 2024 at the request of the property owners. More recently, on January 10, 2025, letters were sent out to each property owner that had a site that was proposed to be rezoned, giving them information about why their properties were chosen, and notifying them of the Planning Commission public hearing and the City Council and Planning Commission workshops to be held on January 21, 2025, and January 22, 2025, respectively. On January 15, 2025, a public hearing notice was published in the Merced County Times and Merced Sun-Star which provided notice of the Planning Commission public hearing and the various locations involved. The City's Municipal Code (MMC 20.70.020-B-2) and State law allow for an alternative to mailing public hearing notices if the number is above 1,000 addresses. In this case, there were over 1,000 addresses. Therefore, on January 23, 2025, a display ad of 5 by 10 inches in size was published in the Merced County Times and in the Merced Sun-Star on January 26, 2025, giving notice of the hearing and referring the public to the web page where the City has published details on the proposed rezones:

<https://www.cityofmerced.org/departments/planning-division/rezoning-required-to-meet-rhna>.

- H) At the January 21, 2025, City Council workshop on the rezones, no property owners and one (1) member of the public provided comments on the rezones. In general, the comments were neutral. At the January 22, 2025, Planning Commission workshop on the rezones, no property owners and one (1) member of the public provided comments on the rezones. In general, the comments were neutral. Planning staff has also received five (5) phone calls and two (2) emails/letters in response to the notices. In general, four (4) of the callers were not opposed to the rezones and one (1) caller expressed that additional properties be included. However, the two (2) emails on the rezones were not in favor of their properties being rezoned. Copies of the emails and letters and a log of the comments received prior to the issuance of this staff report can be found at Attachment D.

Environmental Clearance

- I) The Planning staff has conducted an environmental review (#24-42) of the project in accordance with the requirements of the California Environmental Quality Act (CEQA), an Addendum is the appropriate environmental document under CEQA Section 15264 because the proposed project would not require revisions to the certified 2012 General Plan EIR due to the involvement of new significant environmental effects or substantial increases in the severity of significant effects previously identified in the General Plan EIR. The Addendum to the General Plan EIR (Environmental Review #24-42) is included as Attachment E of Planning Commission Staff Report #25-096

CITY OF MERCED
Housing Element Potential Rezone Sites

Site Address or Street	APN	Current Land Use	Proposed Land Use	Existing Zoning District	Proposed Zoning District	Min Density	Max Density	PHN Letter
125 N Parsons Ave	035-140-016	LMD	HD	R-2	R-4	20	43.56	A
Crist Ave	035-160-016	CG	RC	C-G	C-C	20	36	B
832 W 11th St	032-054-003	LD	HD	R-1-6	R-4	20	43.56	C
259 S N St	059-270-008	LD	HD	R-1-5	R-4	20	43.56	D
1075 Martin Luther King Jr Wy	032-072-011	LD/CG	HD/RC	R-1-6/C-G	R-4/C-C	20	36	E
2850 E Gerard Ave	061-710-016	LD	HD	RP-D	R-4	20	43.56	F
2890 E Gerard Ave	061-710-015	LD	HD	RP-D	R-4	20	43.56	G
O St	030-163-008	LD	HD	R-1-6	R-4	20	43.56	H
N Parsons Ave	033-060-024	LMD	HD	R-1-6	R-4	20	43.56	I
N Parsons Ave	033-210-062	LMD	HD	R-1-6	R-4	20	43.56	J
205 E 23RD ST	034-021-002	LD	HD	R-1-6	R-4	20	43.56	K
8 E 21ST ST	034-072-030	LD	HD	R-1-10	R-4	20	43.56	L
160 W 15TH ST	031-251-030	CG	RC	C-G	C-C	20	36	M
1536 Massasso St	059-330-021	LD	HD	R-1-5	R-4	20	43.56	N
Baker Dr	061-310-006	LD	HD	RP-D	R-4	20	43.56	O
564 W 15th St	031-231-005	CG	HD	C-G	R-4	20	43.56	P
1407 W 16th St	031-094-005	CG	HD	C-G	R-4	20	43.56	Q
1500 W 16th St	031-171-001	C-G	HD	C-G	R-4	20	43.56	R
1401 W 16th St	031-094-006	GC/CT	HD	C-T & C-G	R-4	20	43.56	S
Paulson Rd	231-040-010	LD	HD	R-1-6	R-4	20	43.56	T
1600 N Coffee Rd	061-600-001	LD	HD	RP-D	R-4	20	43.56	U
NW Bear Creek Dr	058-110-044	LMD	HD	R-2	R-4	20	43.56	V
Rambler & College Green	007-250-029	CO	HD	P-D (CO)	R-4	20	43.56	W
Pacific Dr and R St	206-040-020	LD	HMD	P-D	R-4	20	36	X
Cardella & M	230-010-016	CN	HD	P-D	R-4	20	43.56	Y
BRE V 22 E (Lot W)	224-020-006	HMD	HD	P-D (HMD)	R-4	20	43.56	Z
BRE V 22 E (Lot X)	224-020-008	HMD	HD	P-D (HMD)	R-4	20	43.56	AA
BRN 36 A	170-060-050	LMD	HD	P-D	R-4	20	43.56	BB
BRN 36 B	170-060-051	LMD	HD	P-D	R-4	20	43.56	CC
BRN 36 C	170-060-052	LMD	HD	P-D	R-4	20	43.56	DD



Ellen Ct

Faith Christian

Golden Valley High

Parsons Ave

E Childs Ave

S Parsons Ave

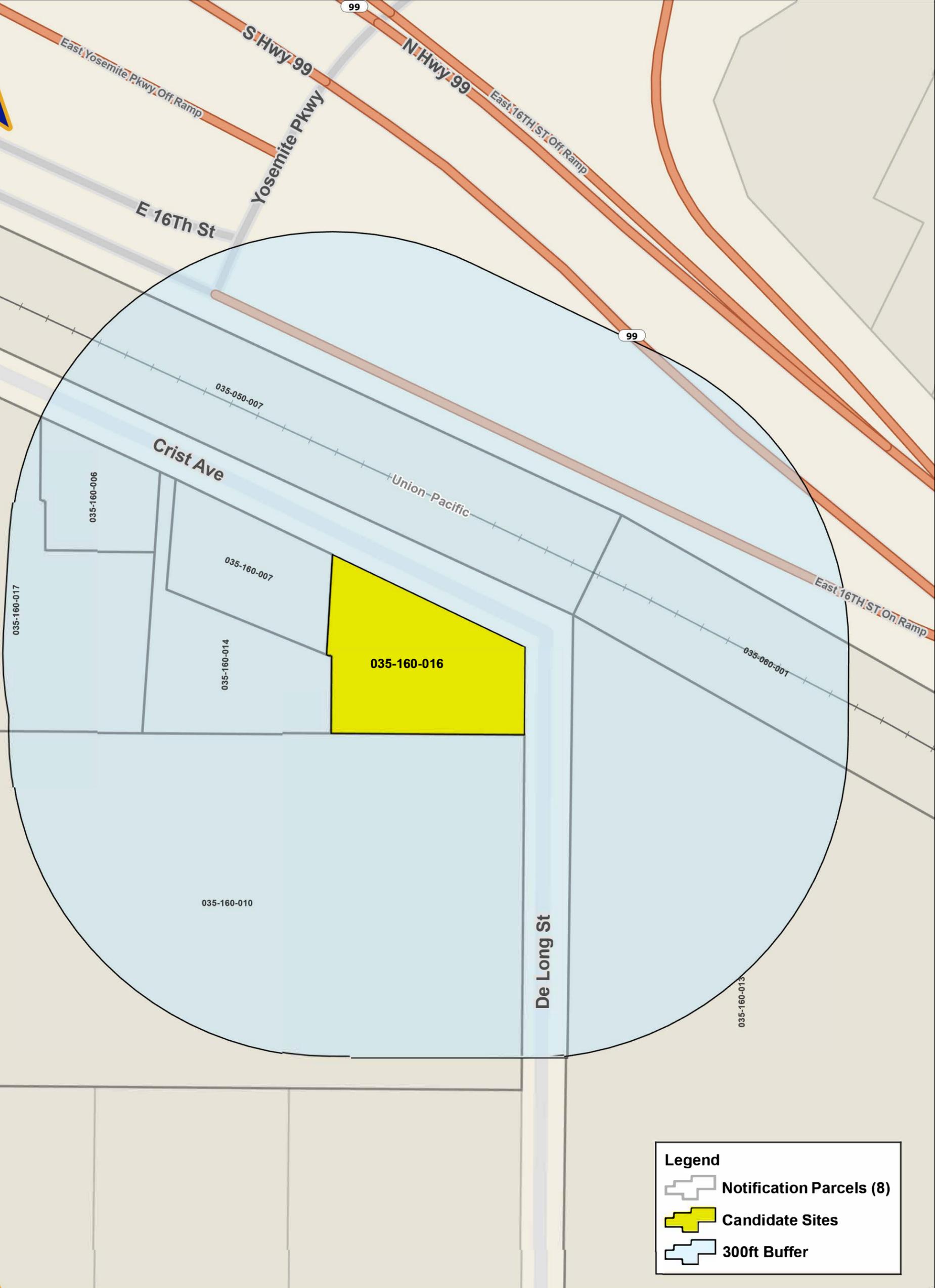
Legend

-  Notification Parcels (20)
-  Candidate Sites
-  300ft Buffer



Notification of Zone Change - 035-140-016

A. General Plan Amendment #24-17-A; Zone change #436-A



Notification of Zone Change - 035-160-016

B. General Plan Amendment #24-17-B; Zone Change #436-B



Diego
Rivera Park

Legend

-  Notification Parcels (45)
-  Candidate Sites
-  300ft Buffer



Notification of Zone Change - 032-054-003

C. General Plan Amendment #24-17-C; Zone Change #436-C



Alicia Reyes Elementary

Seville Dr

Cartmell Dr

059-263-009

059-240-078

059-263-010

059-240-072

059-270-006

059-270-007

059-270-008

059-240-073

059-270-012

059-270-011

SN St

Olivia Ct

John St

059-482-001

059-482-002

059-482-003

059-482-013

059-482-014

059-482-015

059-482-012

059-482-016

059-482-011

059-482-017

059-482-010

059-482-018

059-670-009

059-670-008

059-670-007

059-670-006

059-670-005

059-670-004

059-670-003

059-670-002

059-670-001

059-485-001

059-485-002

059-485-003

059-485-004

059-485-005

059-621-001

059-621-002

059-621-003

059-621-004

Trudy Wy

059-240-011

Taryn Ct

Christine St

Suzanne Ct

Legend

Notification Parcels (40)

Candidate Sites

300ft Buffer



Notification of Zone Change - 059-270-008

D. General Plan Amendment #24-17-D; Zone Change #436-D



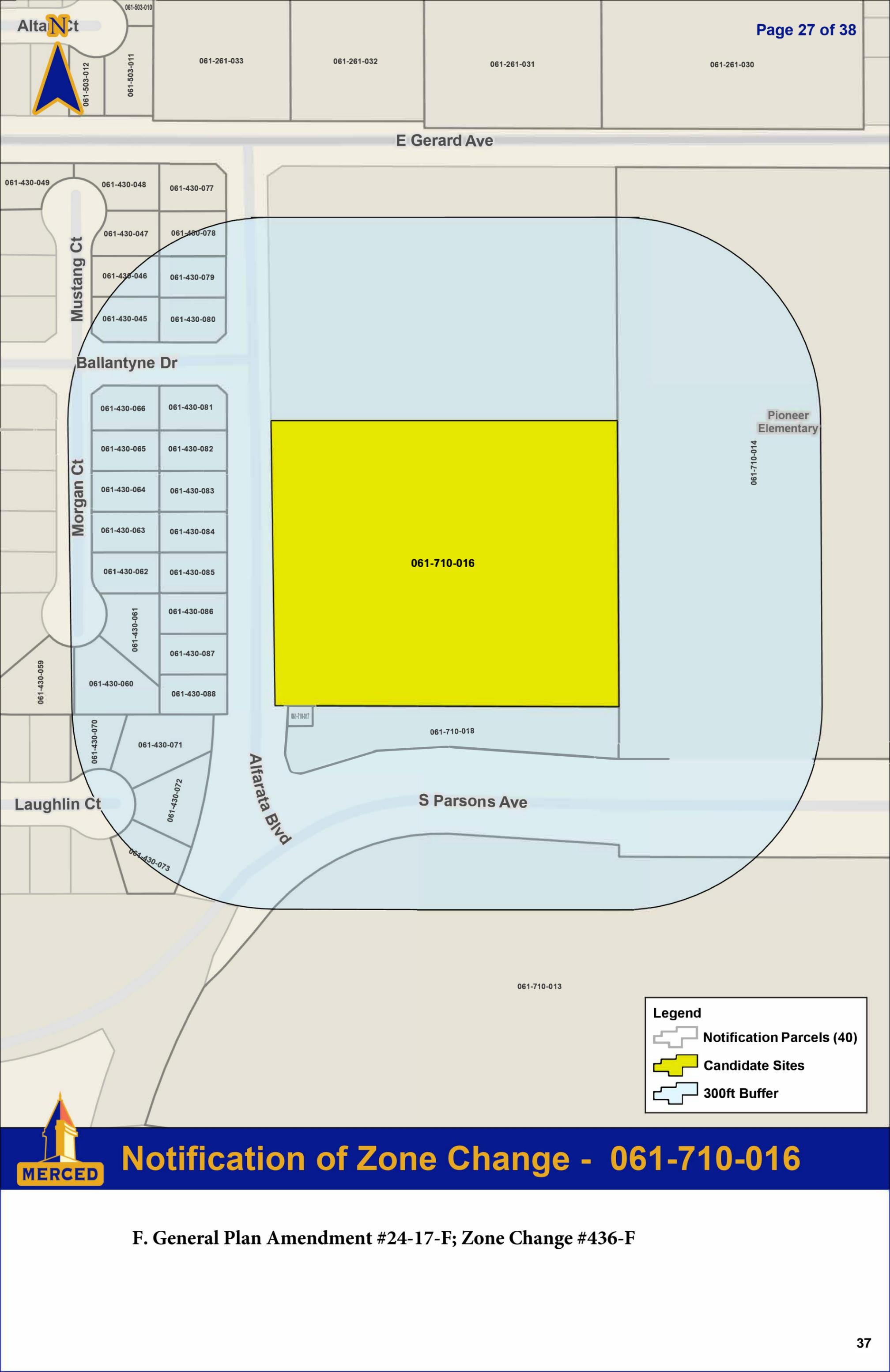
Legend

-  Notification Parcels (34)
-  Candidate Sites
-  300ft Buffer



Notification of Zone Change - 032-072-011

E. General Plan Amendment #24-17-E; Zone Change #436-E



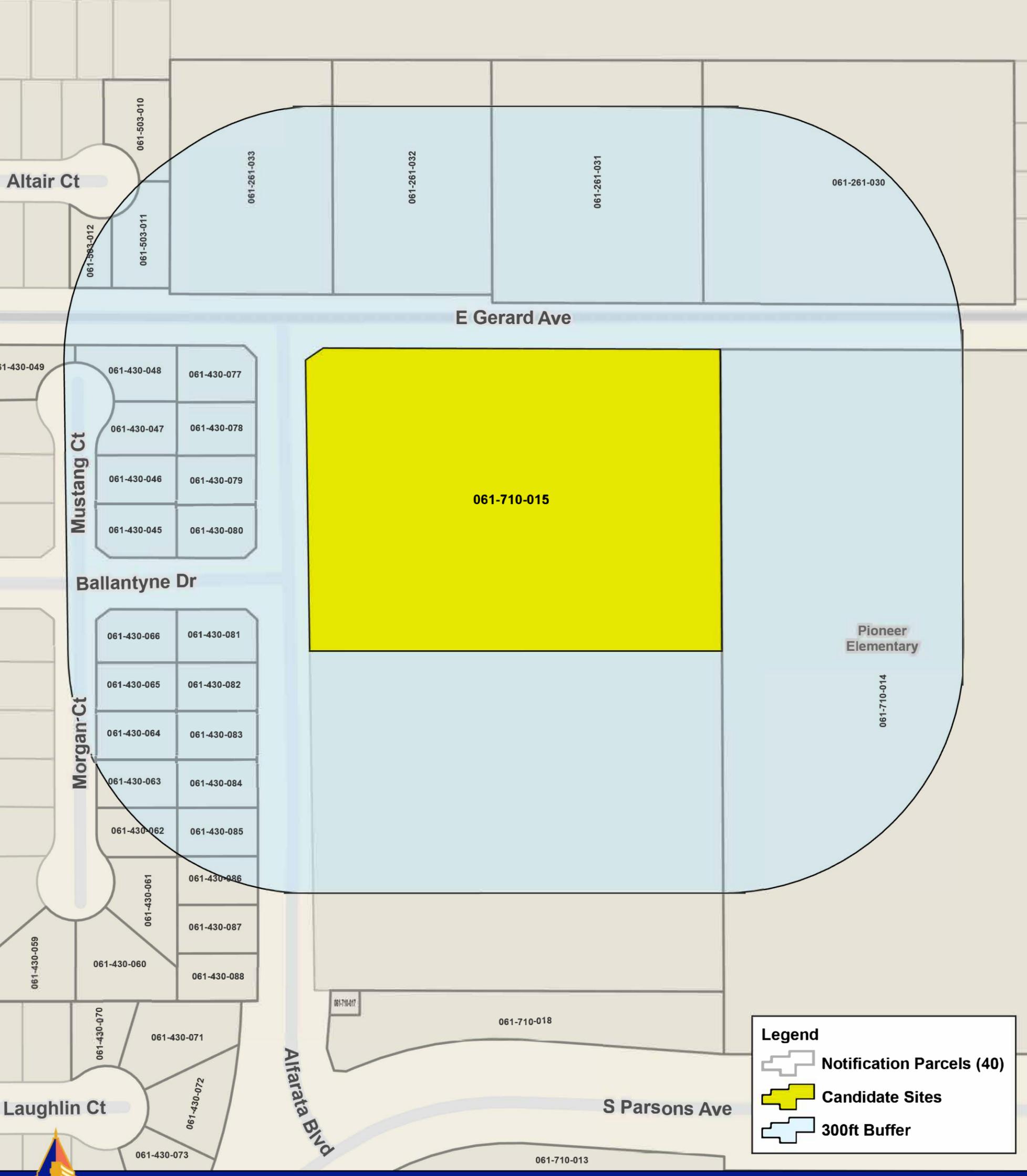
Legend

-  Notification Parcels (40)
-  Candidate Sites
-  300ft Buffer



Notification of Zone Change - 061-710-016

F. General Plan Amendment #24-17-F; Zone Change #436-F



Legend

-  Notification Parcels (40)
-  Candidate Sites
-  300ft Buffer



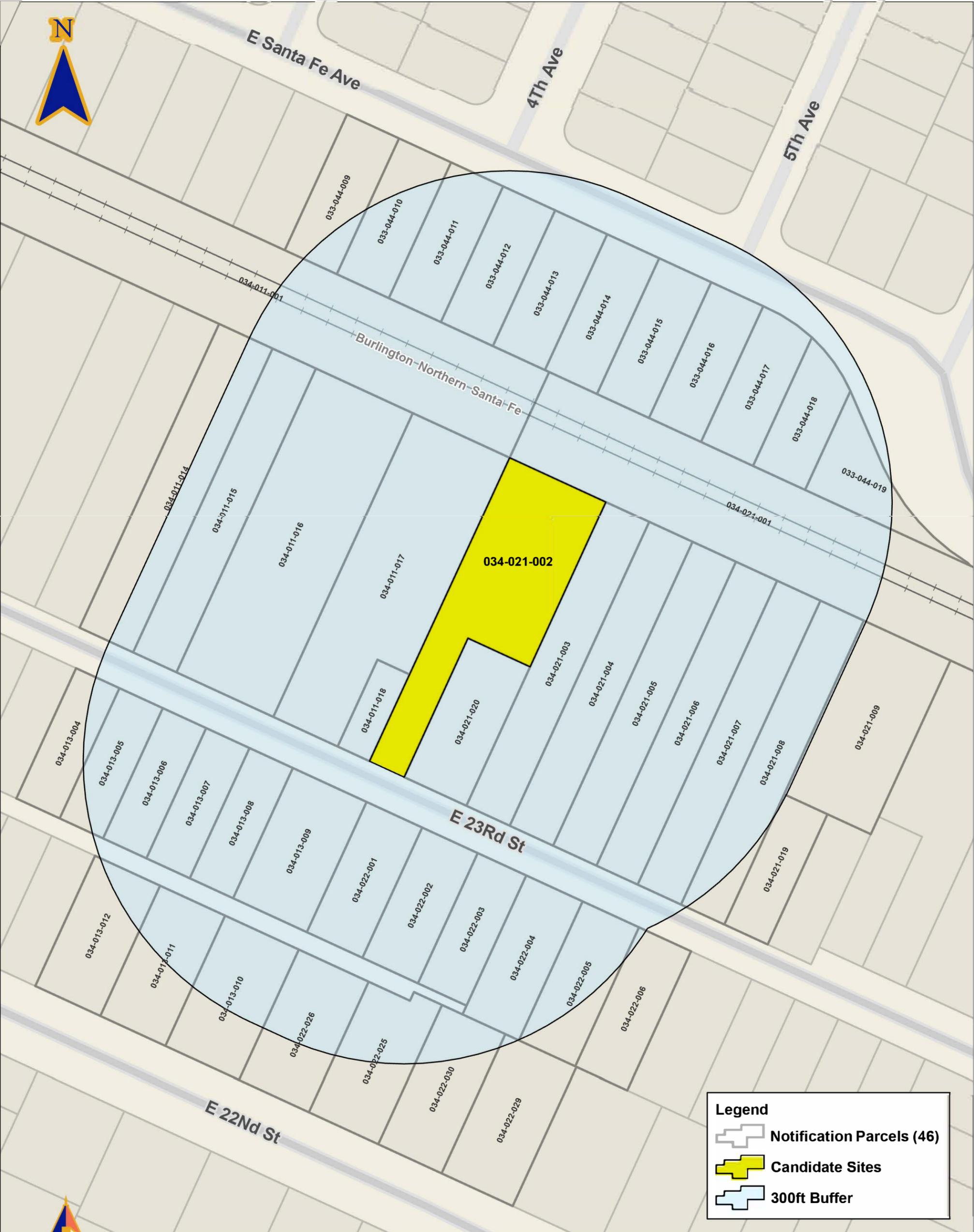
Notification of Zone Change - 061-710-015

G. General Plan Amendment #24-17-G; Zone Change #436-G



Notification of Zone Change - 033-060-024

I. General Plan Amendment #24-17-1: Zone Change #436-I



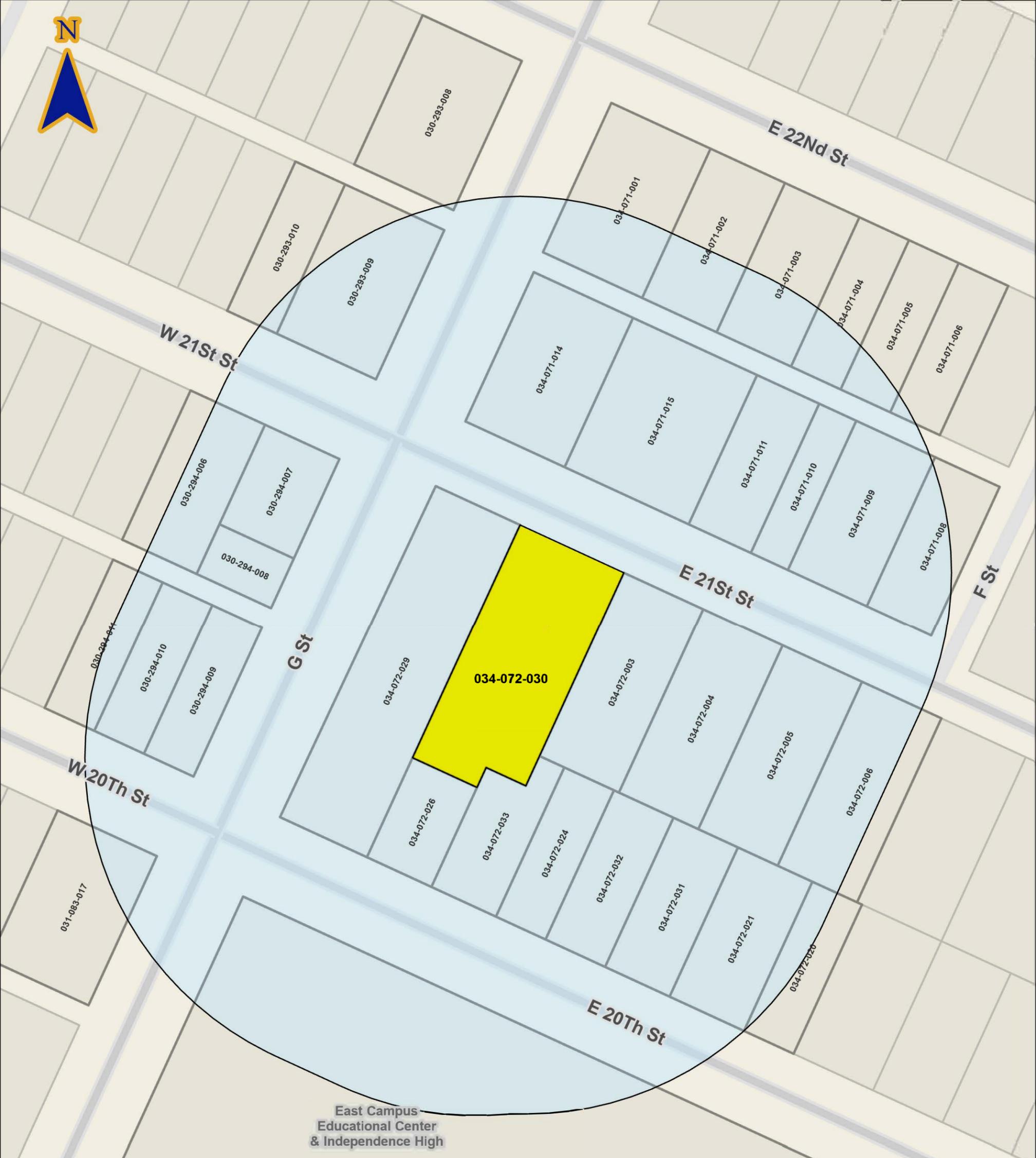
Legend

-  Notification Parcels (46)
-  Candidate Sites
-  300ft Buffer



Notification of Zone Change - 034-021-002

K. General Plan Amendment #24-17-K; Zone Change #436-K



East Campus
Educational Center
& Independence High
034-130-001

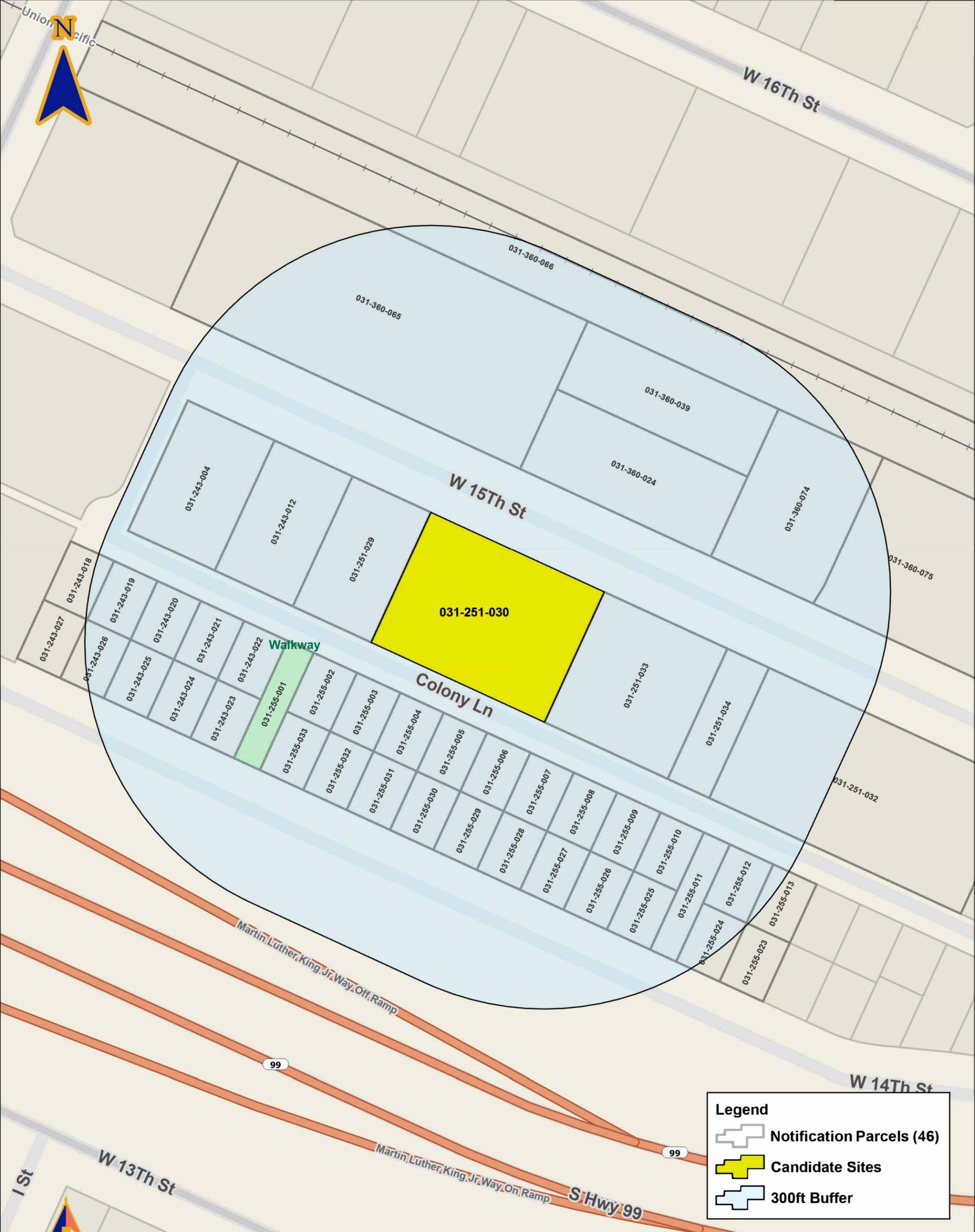
Legend

-  Notification Parcels (35)
-  Candidate Sites
-  300ft Buffer

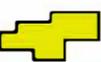


Notification of Zone Change - 034-072-030

L. General Plan Amendment #24-17-L; Zone Change #436-L



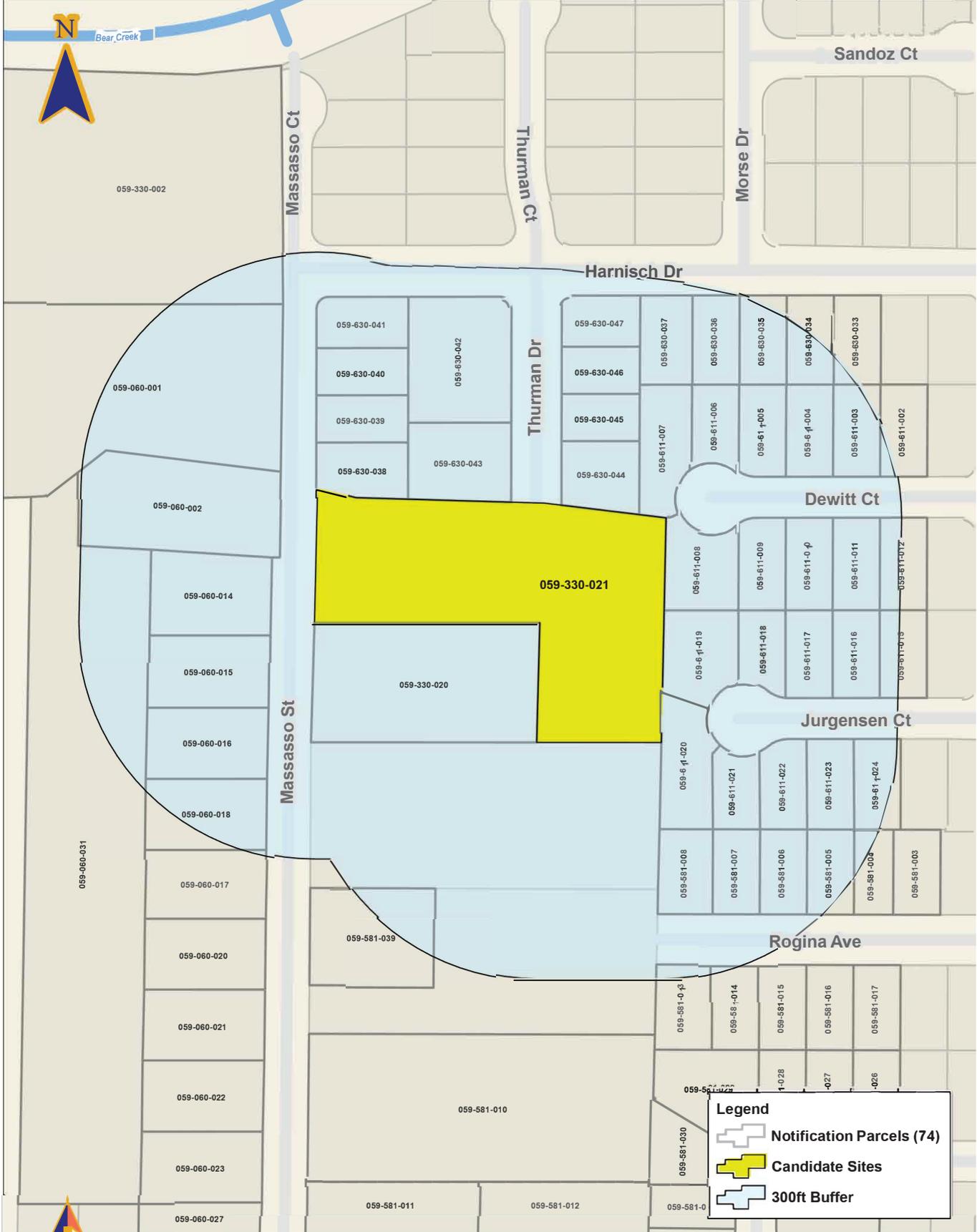
Legend

-  Notification Parcels (46)
-  Candidate Sites
-  300ft Buffer



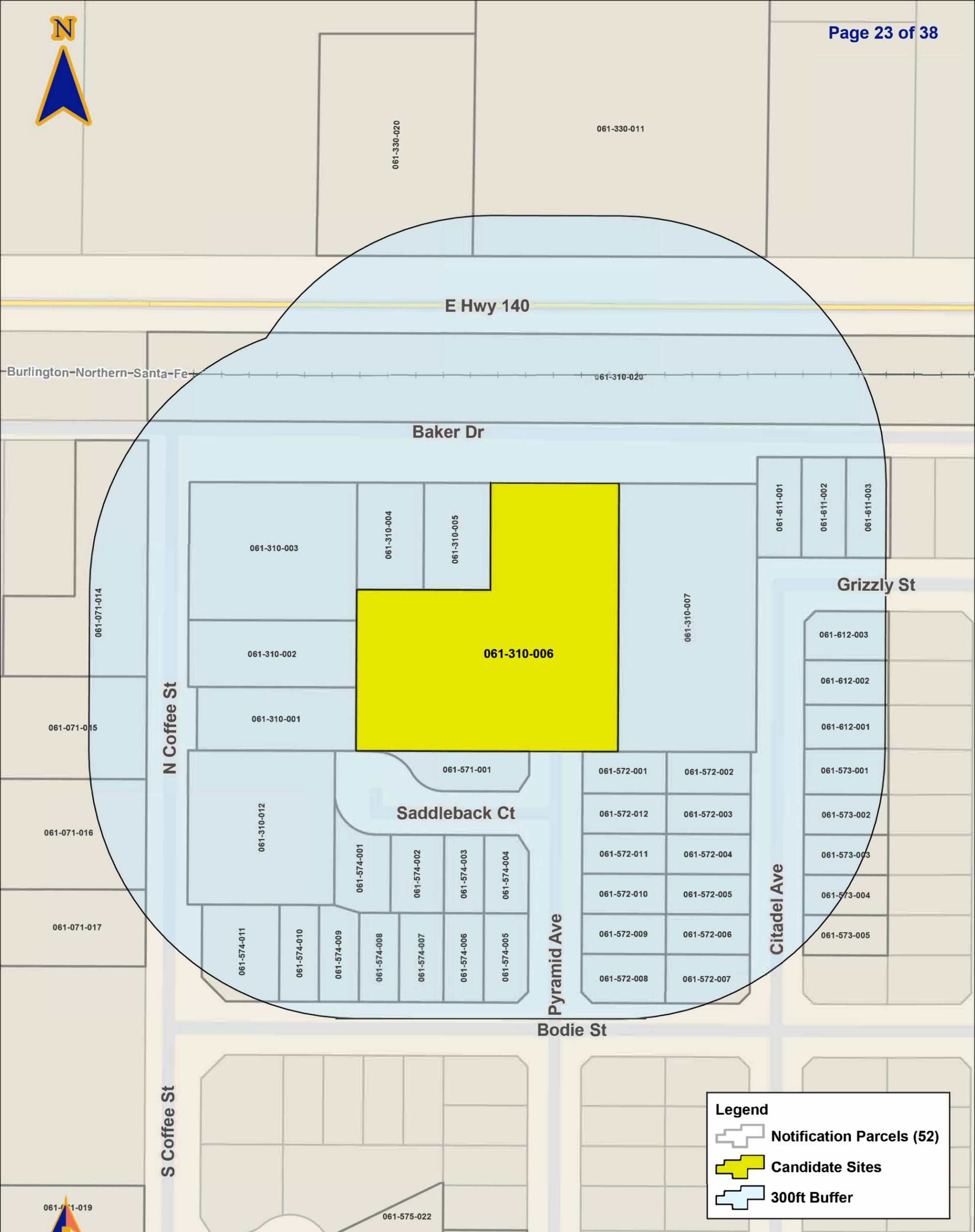
Notification of Zone Change - 031-251-030

M. General Plan Amendment #24-17-M; Zone Change #436-M



Notification of Zone Change - 059-330-021

N. General Plan Amendment #24-17-N; Zone Change #436-N



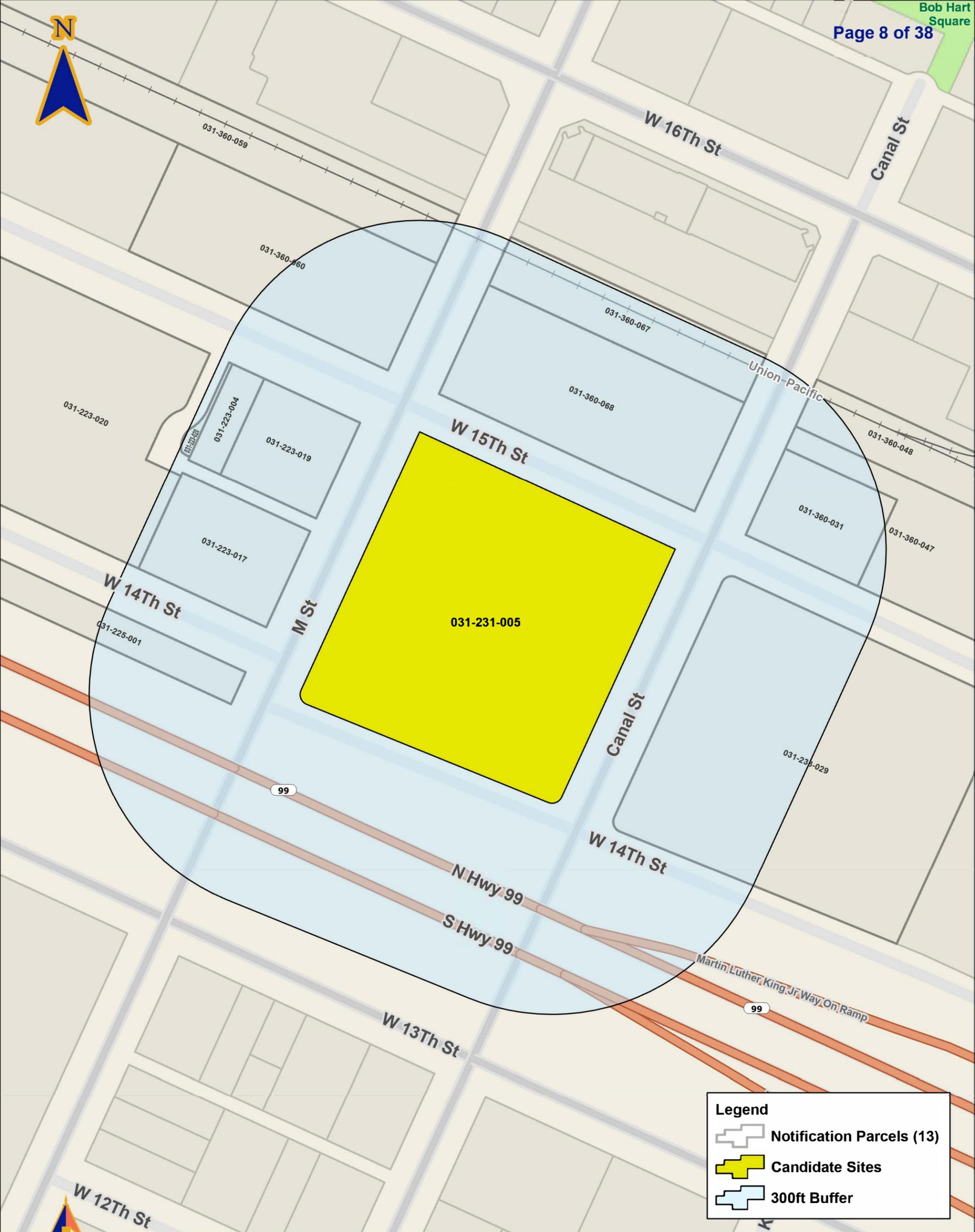
Legend

-  Notification Parcels (52)
-  Candidate Sites
-  300ft Buffer



Notification of Zone Change - 061-310-006

O. General Plan Amendment #24-17-O; Zone Change #436-O



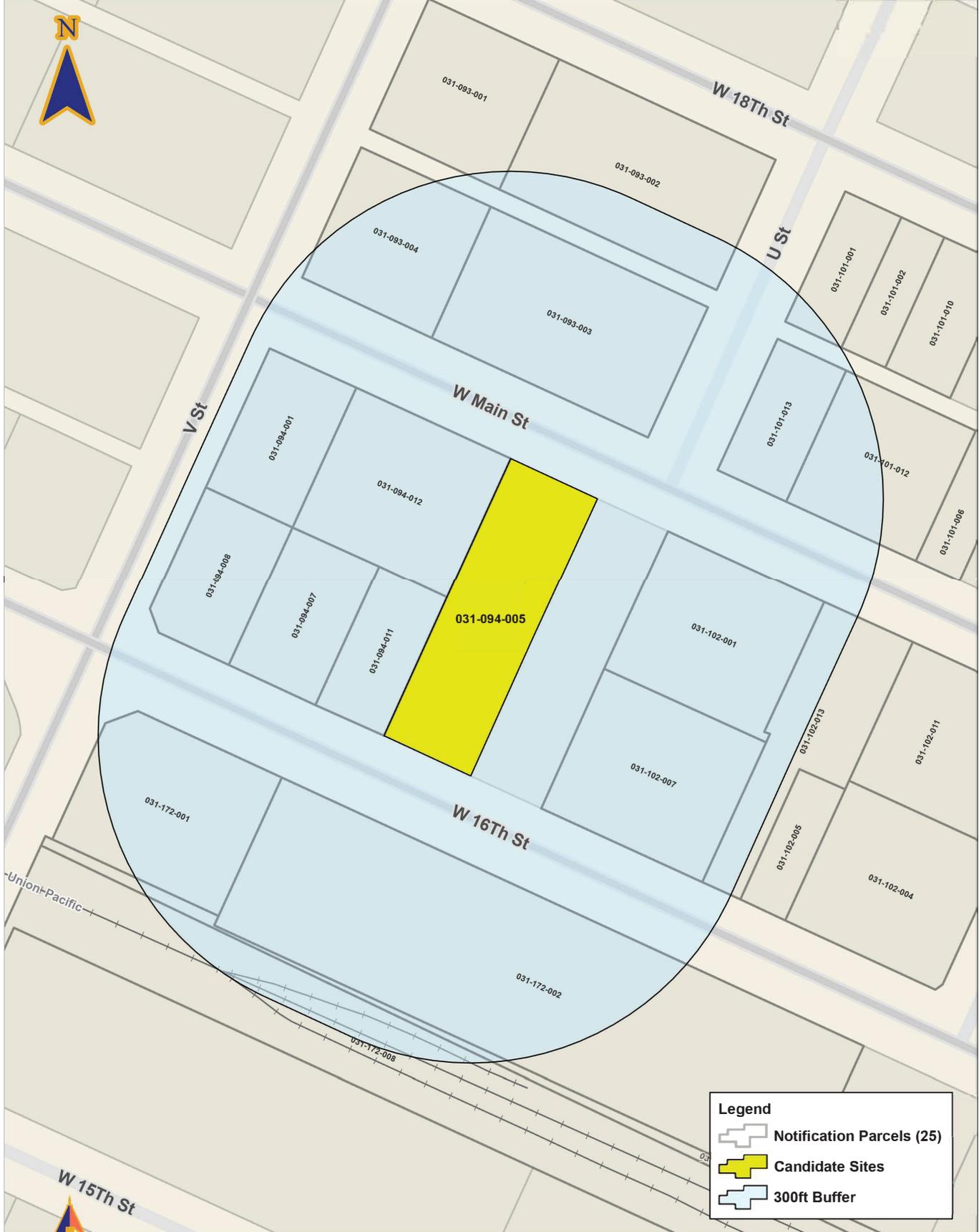
Legend

-  Notification Parcels (13)
-  Candidate Sites
-  300ft Buffer



Notification of Zone Change - 031-231-005

P. General Plan Amendment #24-17-P; Zone Change #436-P



Legend

-  Notification Parcels (25)
-  Candidate Sites
-  300ft Buffer

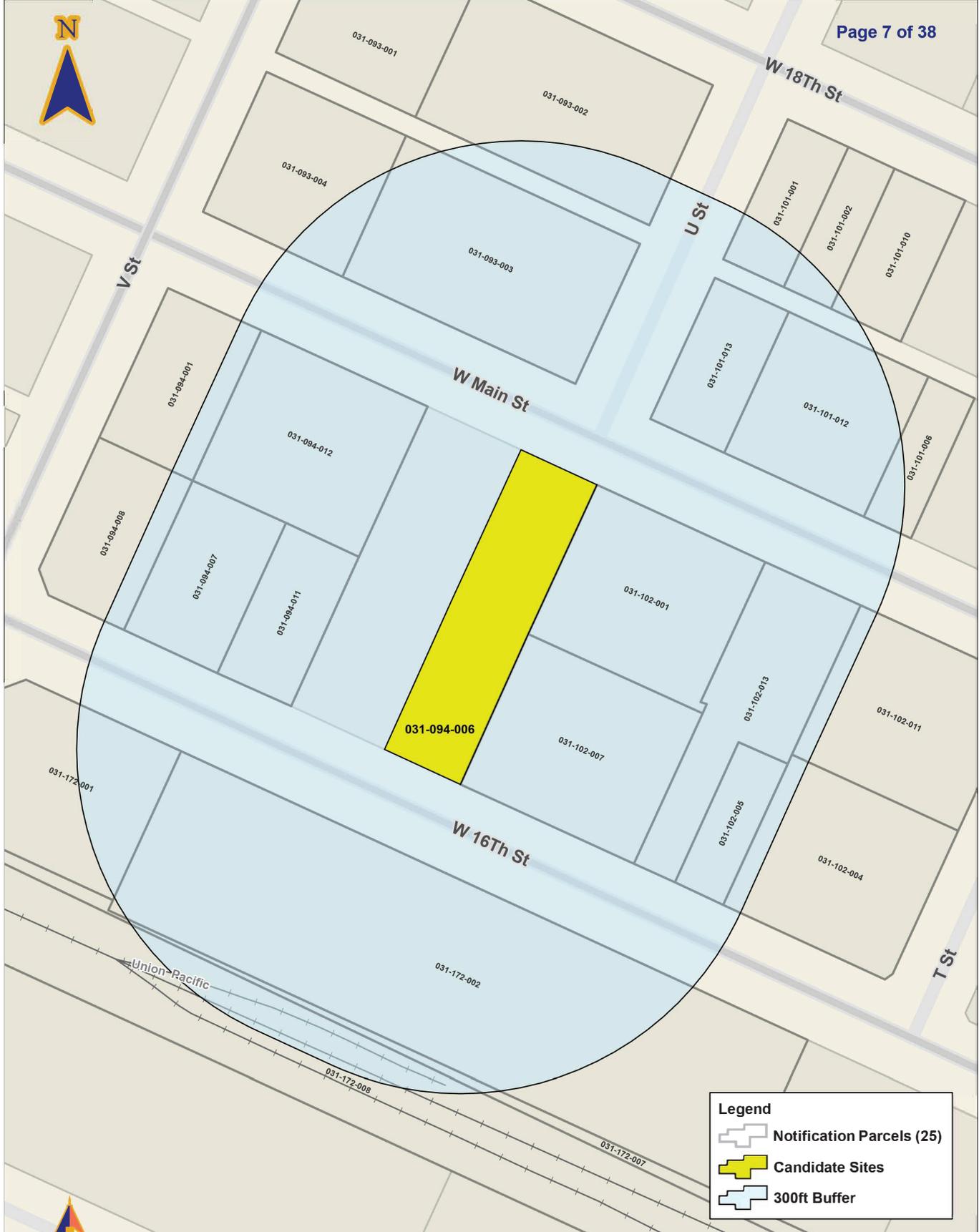


Notification of Zone Change - 031-094-005

Q. General Plan Amendment #24-17-Q; Zone Change #436-Q



R. General Plan Amendment #24-17-R; Zone Change #436-R



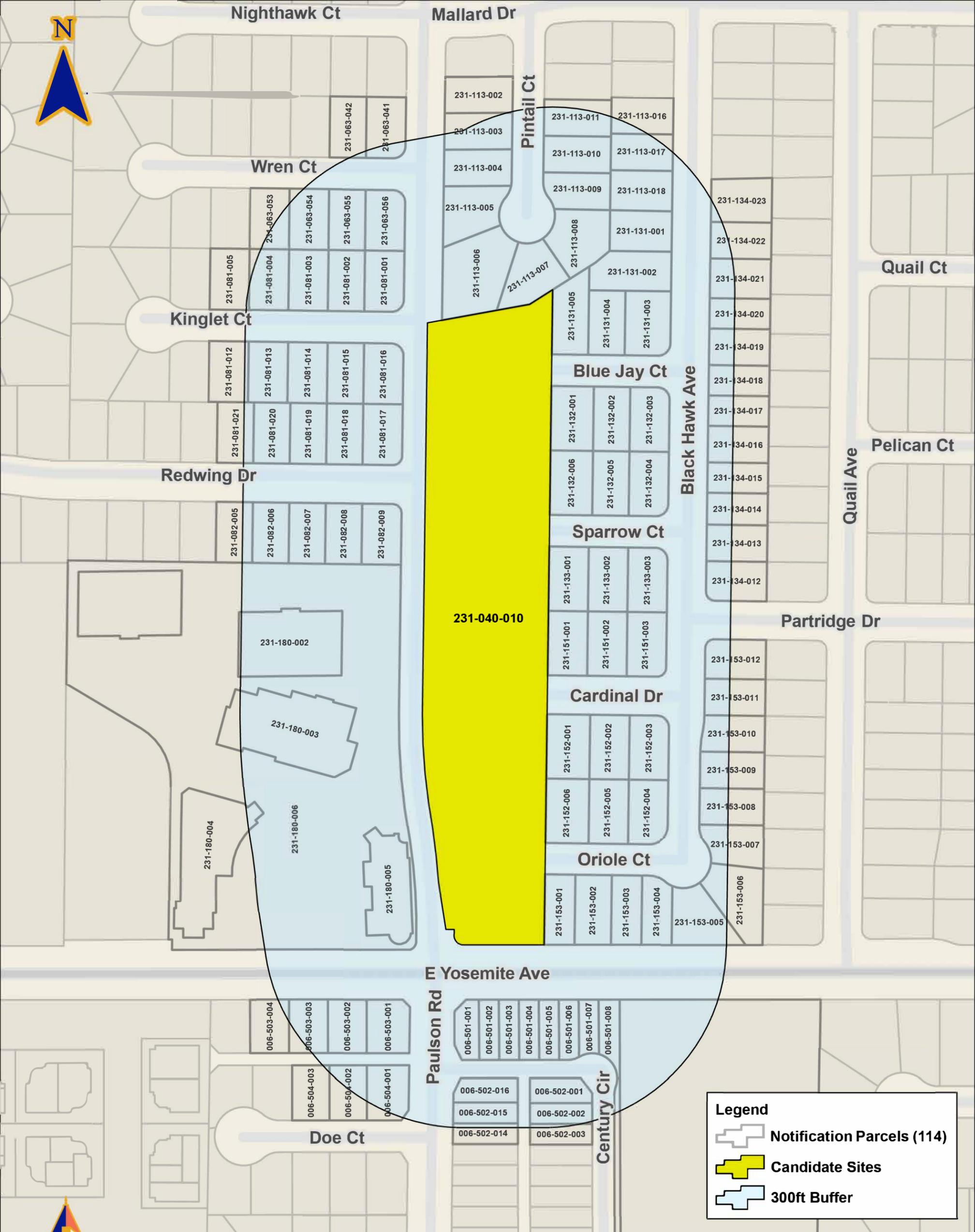
Legend

-  Notification Parcels (25)
-  Candidate Sites
-  300ft Buffer



Notification of Zone Change - 031-094-006

S. General Plan Amendment #24-17-S; Zone Change #436-S



Legend

-  Notification Parcels (114)
-  Candidate Sites
-  300ft Buffer



Notification of Zone Change - 231-040-010

T. General Plan Amendment #24-17-T; Zone Change #436-T



S Coffee St

Inyo Ct

Pyramid Ave

Merced Ave

N Coffee St

Pyramid Ct

Weaver Middle
061-340-025

061-071-019

061-071-020

061-090-062

061-090-037

061-090-036

061-090-063

061-575-020

061-575-019

061-575-018

061-575-017

061-575-016

061-575-015

061-575-021

061-575-022

061-575-010

061-575-011

061-575-012

061-575-013

061-575-014

061-576-014

061-576-013

061-576-012

061-576-011

061-576-009

061-576-010

061-600-001

061-600-002

061-600-003

061-600-004

061-600-005

061-600-006

061-600-007

061-600-013

061-600-014

061-600-012

061-600-015

061-600-011

061-600-016

061-600-010

061-600-017

061-600-009

061-600-018

061-600-008

061-600-019

Legend

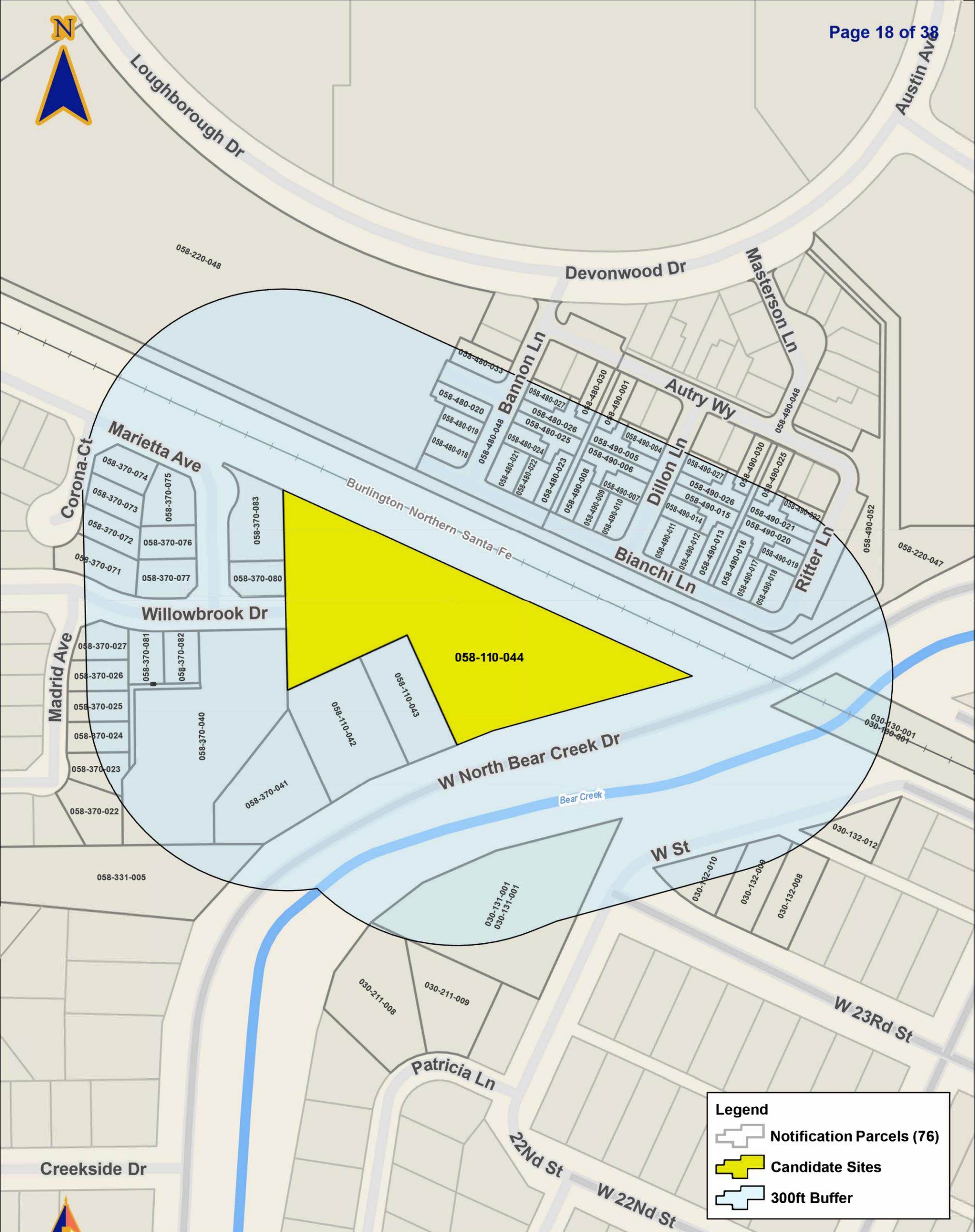
-  Notification Parcels (45)
-  Candidate Sites
-  300ft Buffer

061-340-003



Notification of Zone Change - 061-600-001

U. General Plan Amendment #24-17-U; Zone Change #436-U



Legend

-  Notification Parcels (76)
-  Candidate Sites
-  300ft Buffer



Notification of Zone Change - 058-110-044

V. General Plan Amendment #24-17-V and Zone Change #436-V



Merced High

W Olive Ave

007-250-024

007-250-031

007-250-032

007-250-033

007-250-034

007-250-027

007-250-028

007-350-019

007-250-030

College Green Dr

007-250-003

007-250-029

007-350-016

007-250-007

007-250-006

007-250-005

007-250-004

007-250-017

007-250-016

007-250-015

007-250-014

007-250-018

007-243-001

007-243-002

007-244-001

Brian Ct

007-241-006

007-241-007

007-241-008

007-243-004

007-243-003

007-244-002

007-350-017

Eric Ct

Gail Ct

Rambler Rd

Diane Ct

Legend

 Notification Parcels (32)

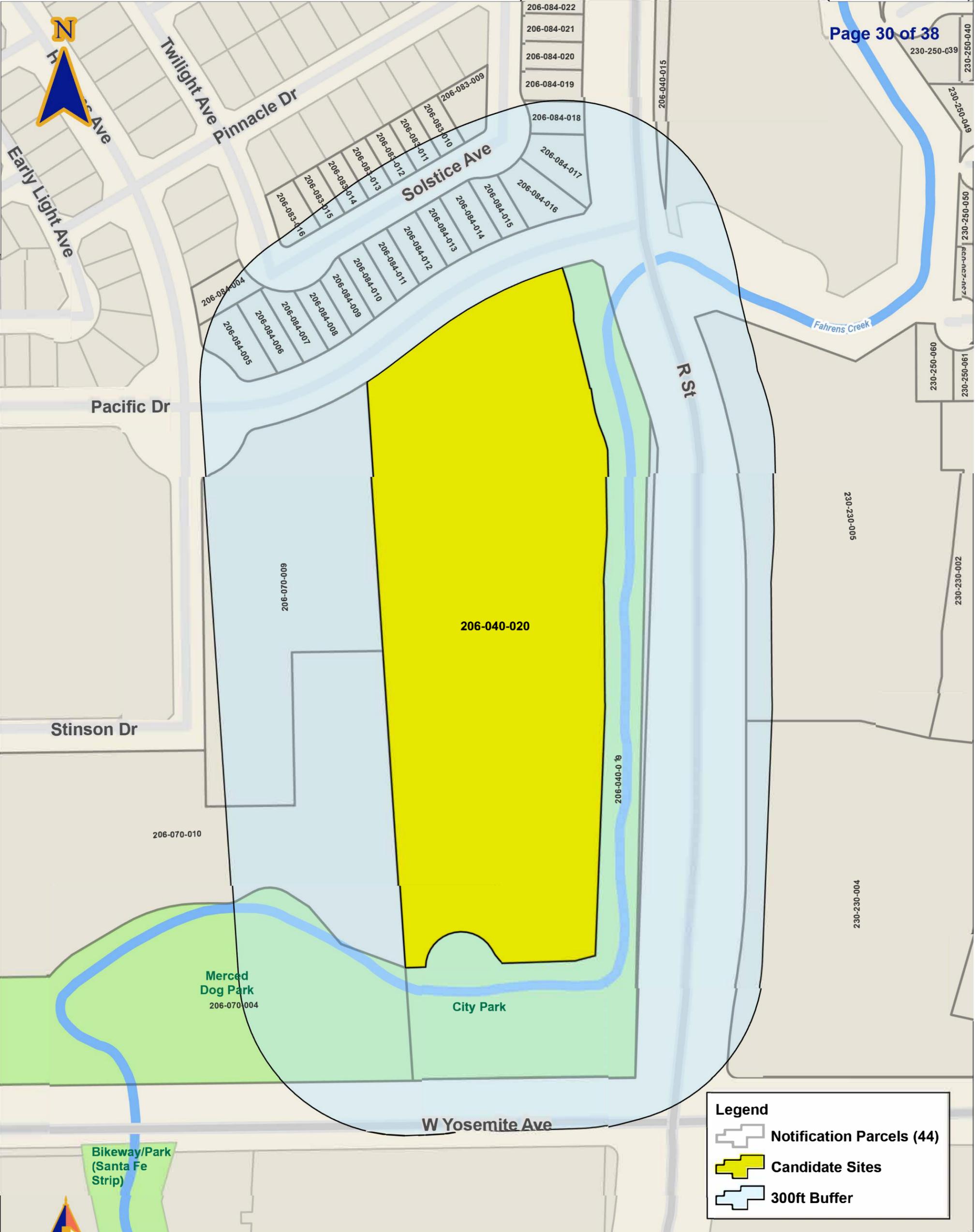
 Candidate Sites

 300ft Buffer



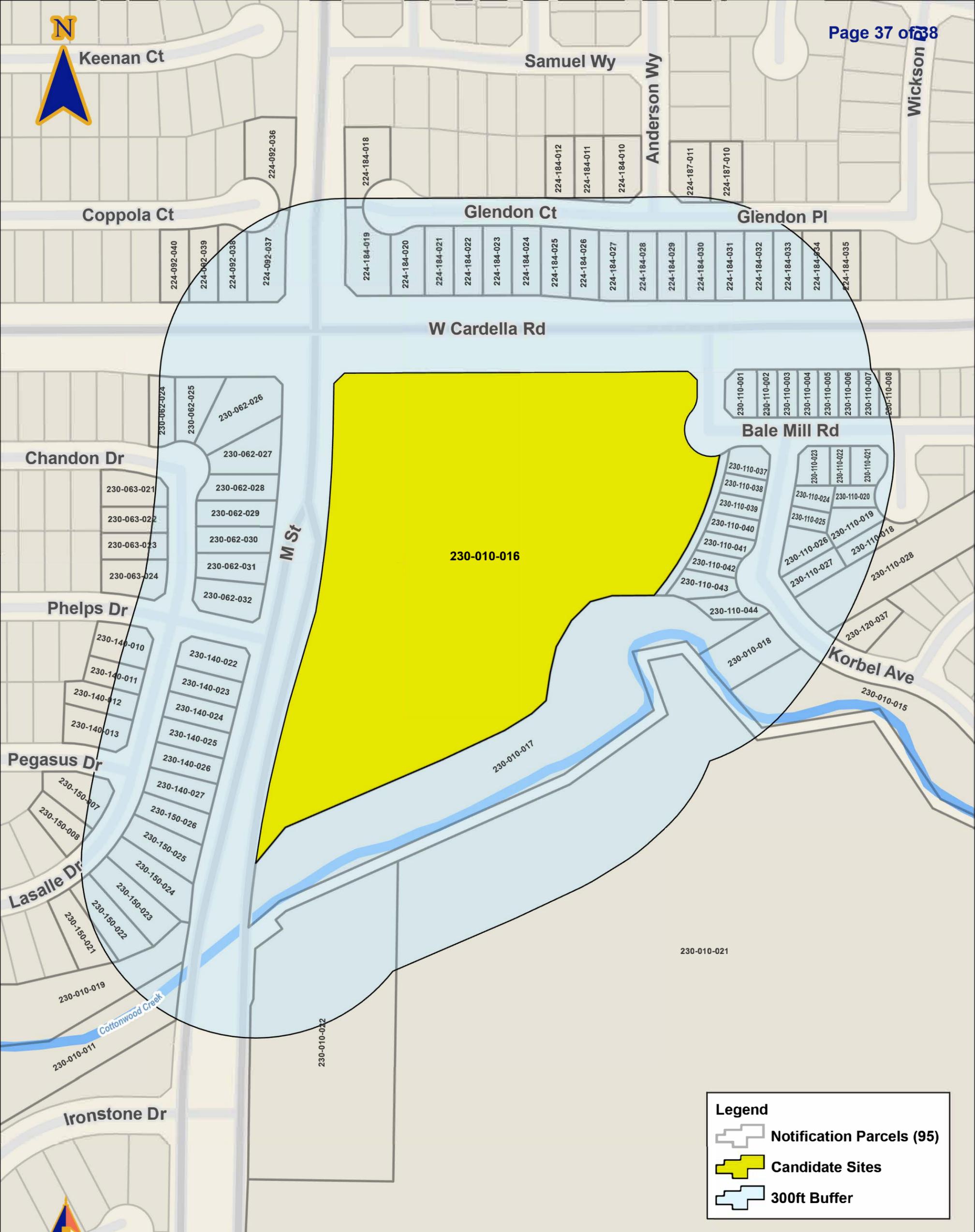
Notification of Zone Change - 007-250-029

W. General Plan Amendment #24-17-W and Site Utilization Plan Revision #19 to Planned Development (P-D) #4



Notification of Zone Change - 206-040-020

X. General Plan Amendment #24-17-X and Site Utilization Plan Revision #8 to Planned Development (P-D) #46



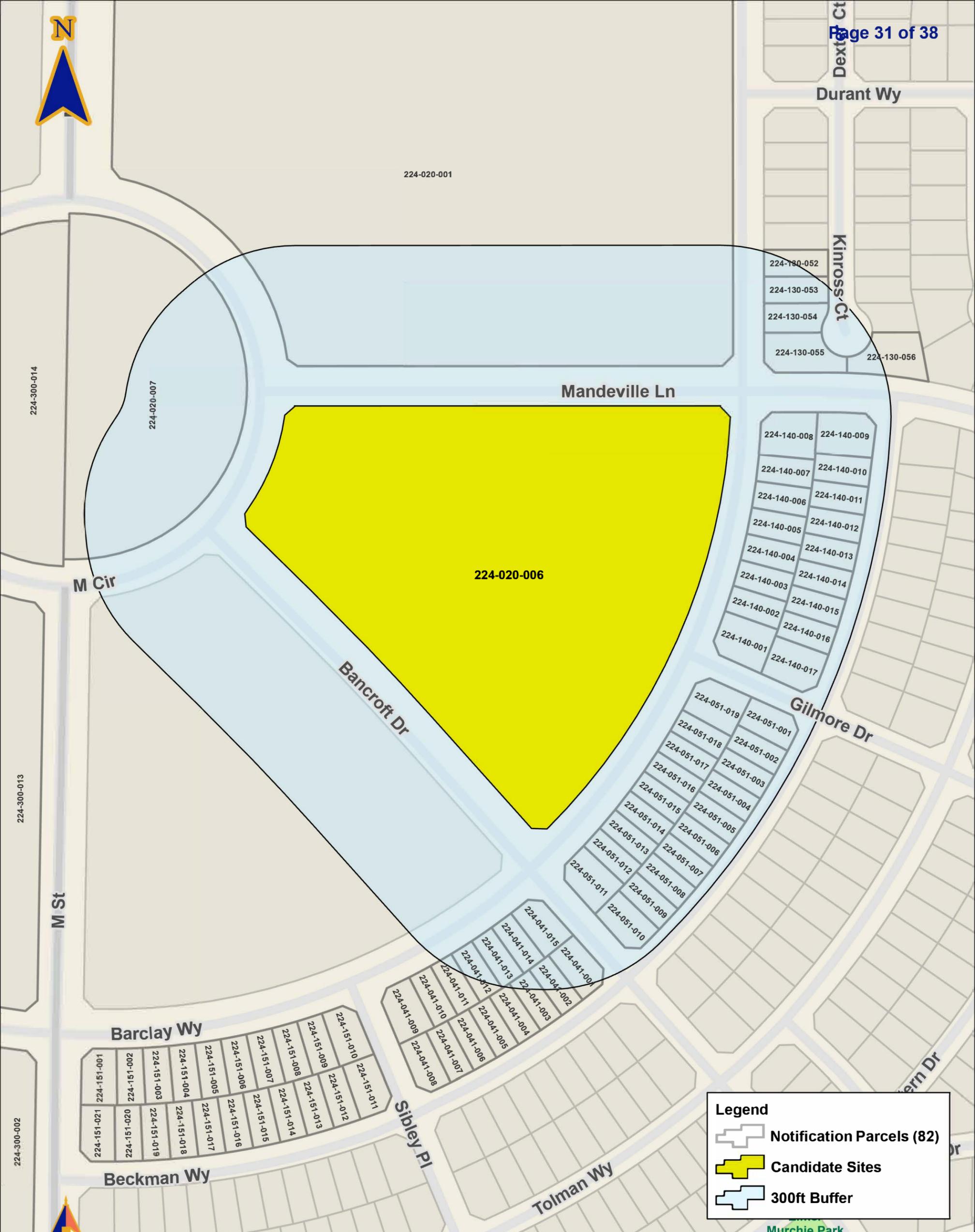
Legend

-  Notification Parcels (95)
-  Candidate Sites
-  300ft Buffer

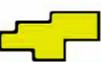


Notification of Zone Change - 230-010-016

Y. General Plan Amendment #24-17-Y and Site Utilization Plan Revision #14 to Planned Development (P-D) #42



Legend

-  Notification Parcels (82)
-  Candidate Sites
-  300ft Buffer



Notification of Zone Change - 224-020-006

Z. General Plan Amendment #24-17-Z and Site Utilization Plan Revision #14 to Planned Development (P-D) #42

224-300-010



224-020-001

224-300-014

224-020-007

Mandeville Ln

M Cir

Bancroft Dr

224-020-008

224-300-013

M St

Jema Wy

Barclay Wy

Beckman Wy

Tolman Wy

Sibley Pl

Legend

-  Notification Parcels (64)
-  Candidate Sites
-  300ft Buffer



Notification of Zone Change - 224-020-008

AA. General Plan Amendment #24-17-AA and Site Utilization Plan Revision #14 to Planned Development (P-D) #42

14 E., M.D.B.&M.

Tax Rate Area 5-153
5-154
5-155
83-009
83-002

170-06



Notification of Zone Change

APNs 170-060-050, 170-060-051, and 170-060-052

Site BB. (8.11 acres) ; Site CC. (5.16 acres); and Site DD. (6.09 acres).

General Plan Amendment #24-17-BB; SUP Rev. #14 to Planned Development (P-D) #42. The General Plan Amendment would change the General Plan designation from High Medium Density Residential (HMD) to High Density Residential (HD). The SUP Rev. would change the Site Utilization Plan designation from High Medium Density Residential to High Density Residential.

Table G6-4 Remaining Share of RHNA

Affordability Category (Percent of AMI)	RHNA Allocation	Units Pending or Approved or under Construction	Estimated ADUs	Remaining RHNA
Very-Low	2,543	374	0	2,169
Low	1,742	295	0	1,447
Moderate	1,838	0	0	1,838
Above Moderate	4,394	3,633	16	745
Total	10,517	4,302	16	6,199

Date	Name	Company	APN	In Favor	Not in Favor	Issues Expressed
1/14/2025	Terry Priest	Flanagan Square LLC	034-072-030	Potentially		Wants Mixed Use and to include APN 034-072-029
1/13/2025	Rojas-Flores Felipe	N/A	032-054-003			Currenty Splitting lots
1/13/2025	Robert Dylina	BuildCo	031-171-001		Not in favor	staff to remove property from consideration Upset about the late notice. Meeting w/ on 1/16/25 to answer questions.
1/15/2025	Michael Thomason		007-250-029	Potentially		
1/14/2025	Demartini and Rick Cordes		031-094-006		Not in favor	Rezone is not viable unless it is at least 8 acres.
1/16/2025	Alma Soto		059-270-008	Not opposed		Will talk to husband and call if questions
1/16/2025	Jeanne Chang		231-040-010	In favor		

From: [McBride, Scott](#)
To: [Lowrance, Diana](#); [Brown, Leah](#); [Lan, Jonnie](#)
Subject: Fwd: City Letter - 1500 W 16th St
Date: Tuesday, January 14, 2025 4:06:21 PM
Attachments: [1500 W 16th St, Rezoning.pdf](#)

Sent from my iPad

Begin forwarded message:

From: Robert Dylina
Date: January 13, 2025 at 11:37:42 PM PST
To: "Espinosa, Kim" <ESPINOSAK@cityofmerced.org>, "McBride, Scott" <McBrideS@cityofmerced.org>, Moe Jawad <mjawad@kw.com>, "Serratto, Matthew" <serrattom@cityofmerced.org>
Subject: City Letter - 1500 W 16th St

Good evening City Manager McBride, Mayor Serrato and Director Espinosa,

We received the attached letter regarding the property on the corner of V and 16st street. We have several concerns relating to your interest in identifying this site as part of your sixth cycle housing element. Most notably the following:

1. The site in question is not undeveloped. It is an active business location with an active permit to construct a new office building to replace the building that was destroyed in a fire. There has been continuous movement to bring the already developed site back online for daily business as evidenced by a recent CUP that went through planning commission to approve a digital illuminated sign within the last 2 years and the active permit application for construction of a new office building currently with the building department.
2. The location in general does not seem to meet the needs of the city for the housing element. Per HCD, an important part of adding a property to the site inventory of the housing element requires that the development be possible/feasible from multiple perspectives including infrastructure, zoning, interface, etc.

This location is surrounded by extremely high arterial traffic and businesses on all sides. It is immediately bordered to the BNSF railroad on the south and abutted directly to a rail crossing on the east. All of these are insurmountable interface issues for which no reasonable mitigation would be available to construct multistory housing.

3. Given the prime natural of the commercial uses for this property this would unequivocally be considered a value reduction in use and enjoyment of the property. As such this rezone would be considered a regulatory taking by virtue of government action taken that deprived the property owner of use or value without

formal eminent domain proceedings. These types of issues are addressed in length in favor of property owners in the California Constitution, California Government Code, the California Code of Civil Procedure (in relation to inverse condemnation and eminent domain), and there are a number of cases regarding regulatory taking at the federal level that would also be applicable.

For the reasons above we formally protest the rezone of this property without just compensation. Please feel free to reach out to discuss in more detail.

Best,
Robert Dylina, CEO/COO
BuildCo Contractors LLC

----- Forwarded message -----

From: **Moe Jawad** <>
Date: Mon, Jan 13, 2025, 12:32 PM
Subject: City letter
To: Robert Dylina <>

Sent from my iPhone

[NOTICE: This message originated outside of City of Merced -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]



CITY OF MERCED

MERCED

January 8, 2025

Golden State Realty Association
3319 M St.
Merced, CA 95348-2735

Dear Golden State Realty Association,

This letter is to inform you that your undeveloped property located at: 1500 W 16th Street, also known as Assessor's Parcel Number 031-171-001-000 is one of several properties throughout the City of Merced chosen to be rezoned as part of the city's Sixth Cycle Housing Element Update. If approved by the City Council, the rezone of your property will provide you with additional development capacity.

Your property listed above is currently zoned: C-G with a General Plan designation of: CG.

The proposed zone is: R-4 and General Plan designation is: HD.

As you may know, the city participated in the creation of a Multi-Jurisdictional Housing Element (MJHE) for the sixth cycle housing element update. This effort was coordinated by the Merced County Association of Governments. As a result of that effort, a Public Review Draft of Merced's Sixth Cycle Housing Element was released on May 13, 2024. That draft document (City of Merced Appendix G) may be found at the following link:

<https://mercedmjhe.com/wp-content/uploads/2024/05/Appendix-G-City-of-Merced-Housing-Element.pdf>

One of the legal requirements of a Housing Element is for a jurisdiction to have enough land, zoned appropriately, throughout the City to meet the required Regional Housing Needs Allocation (RHNA). The RHNA is the number of housing units at a variety of affordability levels (determined by the state) needed for each jurisdiction. Merced's RHNA is 10,517 units. Cities are not required to build housing; however, they are required to have sufficient land zoned appropriately to allow for such housing to be built.

To meet the City's RHNA shortfall, the City is proposing the rezone of thirty-three, undeveloped, properties located throughout the City. These properties are proposed to be rezoned to allow for the



CITY OF MERCED

MERCED

development of high-density residential land uses, including single-family dwellings, duplexes and/or multifamily dwellings.

There will be public workshops to present the zone changes at City Council on Tuesday, January 21, 2025, at 5:00 p.m. and at the Planning Commission on Wednesday, January 22, 2025, at 6:00 p.m., both in the City Council Chambers of the Merced Civic Center at 678 West 18th Street, Merced. Then on February 5, 2025, at 6:00 p.m. at the same location above, there will be a Public Hearing held by the Planning Commission in which you and the public may make comments on the proposed changes. After the public hearing, the Planning Commission will make recommendations to the City Council about adopting the zone changes. Following that recommendation, a Public Hearing will be scheduled before City Council. You will receive a separate hearing notice for that hearing.

After the adoption of the zone changes by City Council, staff will proceed with the remaining steps necessary for Housing Element completion, including obtaining certification by the State of California Housing and Community Development Department (HCD), recommendation from the Planning Commission, and adoption by the City Council. For questions about the Merced's Sixth Cycle Housing Element or the proposed rezones, please contact Leah Brown, brownl@cityofmerced.org or at (209) 385-6928.



R. General Plan Amendment #24-17-R; Zone Change #436-R

NOTICE OF PUBLIC HEARING
FOR GENERAL PLAN AMENDMENT #24-17, ZONE CHANGE #436, SITE UTILIZATION
PLAN REVISION #19 TO PLANNED DEVELOPMENT (P-D) #4), SITE UTILIZATION
PLAN REVISION #8 TO PLANNED DEVELOPMENT (P-D) #46, and SITE UTILIZATION
PLAN REVISION #14 TO PLANNED DEVELOPMENT (P-D) #42; AND NOTICE OF
INTENT TO ADOPT AN ADDENDUM TO THE MERCED VISION 2030 GENERAL PLAN
ENVIRONMENTAL IMPACT REPORT (EIR)

A public hearing will be held by the Merced City Planning Commission on Wednesday, February 5, 2025, at 6:00 p.m., or as soon thereafter as may be heard in the Council Chambers of City Hall, 678 W. 18th Street, Merced, CA, concerning General Plan Amendment #24-17, Zone Change #436, and various Site Utilization Plan (SUP) Revisions described below that are equivalent to zone changes within Planned Development (P-D) zones, 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. The proposed City-initiated general plan amendments and zone changes, are described as follows and the locations are shown on the attached map:

- A. General Plan Amendment #24-17-A from Low-Medium Density (LMD) Residential to High Density Residential (HD) and Zone Change #436-A from Low Medium Density Residential (R-2) to High Density Residential (R-4) for approximately 2.07 acres of land more particularly described as Assessor's Parcel Number (APN) 035-140-016 (owned by Melgosa Lisa Trustee).
- B. General Plan Amendment #24-17-B from General Commercial (CG) to Regional/Community Commercial (RC) and Zone Change #436-B from General Commercial (C-G) to Regional/Central Commercial (C-C) for approximately 0.52 acres of land more particularly described as Assessor's Parcel Number (APN) 035-160-016 (owned by Faithful Heritage Holdings West Inc).
- C. General Plan Amendment #24-17-C from Low Density (LD) Residential to High Density Residential (HD) and Zone Change #436-C from Low Density Residential (R-1-6) to High Density Residential (R-4) for approximately 0.68 acres of land more particularly described as Assessor's Parcel Number (APN) 032-054-003 (owned by Rojas-Flores Felipe).
- D. General Plan Amendment #24-17-D from Low Density (LD) Residential to High Density Residential (HD) and Zone Change #436-D from Low Density Residential (R-1-5) to High

- Density Residential (R-4) for approximately 0.99 acres of land more particularly described as Assessor's Parcel Number (APN) 059-270-008 (owned by Soto Alma A).
- E. General Plan Amendment #24-17-E from General Commercial (CG) to RC Regional/Community Commercial (RC) and Zone Change #436-E from General Commercial (C-G) to Regional/Central Commercial (C-C) for approximately 0.86 acres of land more particularly described as Assessor's Parcel Number (APN) 032-072-011 (owned by T & E Property Group, LLC).
 - F. General Plan Amendment #24-17-F from Low Density (LD) Residential to High Density Residential (HD) and Zone Change #436-F from Residential Planned Development (RP-D) #40 to High Density Residential (R-4) for approximately 4.93 acres of land more particularly described as Assessor's Parcel Number (APN) 061-710-016 (owned by Carreon Adrian E.).
 - G. General Plan Amendment #24-17-G from Open Space-Park Recreation (OS-PK) to High Density Residential (HD) and Zone Change #436-G from Residential Planned Development (RP-D) #40 to High Density Residential (R-4) for approximately 4.41 acres of land more particularly described as Assessor's Parcel Number (APN) 061-710-015 (owned by City of Merced).
 - H. General Plan Amendment #24-17-H from Low Density (LD) Residential to High Density Residential (HD) and Zone Change #436-H from Low Density Residential (R-1-6) to High Density Residential (R-4) for approximately 1.03 acres of land more particularly described as Assessor's Parcel Number (APN) 030-163-008 (owned by Cardenas Audel V& Maria L).
 - I. General Plan Amendment #24-17-I from Low Density (LD) Residential to High Density Residential (HD) and Zone Change #436-I from Low Density Residential (R-1-6) to High Density Residential (R-4) for approximately 3.79 acres of land more particularly described as Assessor's Parcel Number (APN) 033-060-024 (owned by Liu Tai Ho Le Trustee).
 - J. General Plan Amendment #24-17-J from Low Density (LD) Residential to High Density Residential (HD) and Zone Change #436-J from Low Density Residential (R-1-6) to High Density Residential (R-4) for approximately 2.23 acres of land more particularly described as Assessor's Parcel Number (APN) 033-210-062 (owned by Liu Tai Ho Lee Trustee).
 - K. General Plan Amendment #24-17-K from Low Density (LD) Residential to High Density Residential (HD) and Zone Change #436-K from Low Density Residential (R-1-6) to High Density Residential (R-4) for approximately 0.63 acres of land more particularly described

- as Assessor's Parcel Number (APN) 034-021-002 (owned by Farr Billy Francis & Defarr Betsabe Kuri).
- L. General Plan Amendment #24-17-L -from Low Density (LD) Residential to High Density Residential (HD) and Zone Change #436-L from Low Density Residential (R-1-10) to High Density Residential (R-4) for approximately 0.55 acres of land more particularly described as Assessor's Parcel Number (APN) 034-072-030 (owned by Flanagan Square LLC).
 - M. General Plan Amendment #24-17-M from General Commercial (CG) to Regional/Community Commercial (RC) and Zone Change #436-M from General Commercial (C-G) to Regional/Central Commercial (C-C) for approximately 0.69 acres of land more particularly described as Assessor's Parcel Number (APN) 031-251-030 (owned by Bear Creek Land Company LP).
 - N. General Plan Amendment #24-17-N from Low Density (LD) Residential to High Density Residential (HD) and Zone Change #436-N from Low Density Residential (R-1-5) to High Density Residential (R-4) for approximately 2.11 acres of land more particularly described as Assessor's Parcel Number (APN) 059-330-021 (owned by Ornelas Michael).
 - O. General Plan Amendment #24-17-O from Low Density (LD) Residential to High Density Residential (HD) and Zone Change #436-O from Residential Planned Development (RP-D) #54 to High Density Residential (R-4) for approximately 1.62 acres of land more particularly described as Assessor's Parcel Number (APN) 061-310-006 (owned by Makinson BL & Shirley).
 - P. General Plan Amendment #24-17-P from General Commercial (CG) to High Density Residential (HD) and Zone Change #436-P from General Commercial (C-G) to High Density Residential (R-4) for approximately 3.77 acres of land more particularly described as Assessor's Parcel Number (APN) 031-231-005 (owned by Pacific Gas & Electric Co.).
 - Q. General Plan Amendment #24-17-Q from General Commercial (CG) to High Density Residential (HD) and Zone Change #436-Q from General Commercial (C-G) to High Density Residential (R-4) for approximately 0.73 acres of land more particularly described as Assessor's Parcel Number (APN) 031-094-005 (owned by Prasad Avinesh Ashnil).
 - R. General Plan Amendment #24-17-R General Commercial (CG) to High Density Residential (HD) and Zone Change #436-R from General Commercial (C-G) to High Density Residential (R-4) for approximately 0.82 acres of land more particularly described

- as Assessor's Parcel Number (APN) 031-171-001 (owned by Golden State Realty Association).
- S. General Plan Amendment #24-17-S General Commercial (CG) to High Density Residential (HD) and Zone Change #436-S from Thoroughfare Commercial (C-T) to High Density Residential (R-4) for approximately 0.60 acres of land more particularly described as Assessor's Parcel Number (APN) 031-094-006 (owned by Cordes Richard A & Suzanne M Trustee).
- T. General Plan Amendment #24-17- T from Low Density (LD) Residential to High Density Residential (HD) and Zone Change #436-T from Low Density Residential (R-1-6) to High Density Residential (R-4) for approximately 4.73 acres of land more particularly described as Assessor's Parcel Number (APN) 231-040-010 (owned by Chang Jeanne Trustee).
- U. General Plan Amendment #24-17-U from Low Density (LD) Residential to High Density Residential (HD) and Zone Change #436-U from Residential Planned Development (RP-D) #54 to High Density Residential (R-4) for approximately 1.91 acres of land more particularly described as Assessor's Parcel Number (APN) 061-600-001 (owned by BMP Properties Inc).
- V. General Plan Amendment #24-17-V from Low Medium Density (LMD) Residential to High Density Residential (HD) and Zone Change #436-V from Low Medium Density Residential (R-2) to High Density Residential (R-4) for approximately 2.28 acres of land more particularly described as Assessor's Parcel Number (APN) 058-110-044 (owned by 1379 N Bear Creek LLC).
- W. General Plan Amendment #24-17-W and Site Utilization Plan Revision #19 to Planned Development (P-D) #4. The General Plan Amendment would change the General Plan designation from Commercial Office (CO) to High Density Residential (HD). The Site Utilization Plan Revision would change the Site Utilization Plan designation from Commercial Office to High Density Residential for approximately 1.23 acres of land more particularly described as Assessor's Parcel Number (APN) 007-250-029 (owned by Thomason Colburn & Valdene).
- X. General Plan Amendment #24-17-X and Site Utilization Plan Revision #8 to Planned Development (P-D) #46. The General Plan Amendment would change the General Plan designation from Commercial Office (CO) to High Density Residential (HD). The Site Utilization Plan Revision would change the Site Utilization Plan designation from Commercial Office to High Density Residential for approximately 10.00 acres of land more

particularly described as Assessor's Parcel Number (APN) 206-040-020 (owned by TRS OPS LLS).

- Y. General Plan Amendment #24-17-Y and Site Utilization Plan Revision #14 to Planned Development (P-D) #42. The General Plan Amendment would change the General Plan designation from Neighborhood Commercial (CN) to High Density Residential (HD). The Site Utilization Plan Revision would change the Site Utilization Plan designation from Neighborhood Commercial to High Density Residential for approximately 8.69 acres of land more particularly described as Assessor's Parcel Number (APN) 230-010-016 (owned by Merced QB Club LLC).
- Z. General Plan Amendment #24-17-Z and Site Utilization Plan Revision #14 to Planned Development (P-D) #42. The General Plan Amendment would change the General Plan designation from High Medium Density Residential (HMD) to High Density Residential (HD). The Site Utilization Plan Revision would change the Site Utilization Plan designation from High Medium Density Residential to High Density Residential for approximately 10.00 acres of land more particularly described as Assessor's Parcel Number (APN) 224-020-006 (owned by Bellevue Apartments North LP).
- AA. General Plan Amendment #24-17-AA and Site Utilization Plan Revision #14 to Planned Development (P-D) #42. The General Plan Amendment would change the General Plan designation from High Medium Density Residential (HMD) to High Density Residential (HD). The Site Utilization Plan Revision would change the Site Utilization Plan designation from High Medium Density Residential to High Density Residential for approximately 10.00 acres of land more particularly described as Assessor's Parcel Number (APN) 224-020-008 (owned by Bellevue Apartments North LP).
- BB. General Plan Amendment #24-17-BB and Site Utilization Plan Revision #14 to Planned Development (P-D) #42. The General Plan Amendment would change the General Plan designation from High Medium Density Residential (HMD) to High Density Residential (HD). The Site Utilization Plan Revision would change the Site Utilization Plan designation from High Medium Density Residential to High Density Residential for approximately 8.11 acres of land more particularly described as Assessor's Parcel Number (APN) 170-060-050 (owned by Stonefield Home Inc.).
- CC. General Plan Amendment #24-17-CC and Site Utilization Plan Revision #14 to Planned Development (P-D) #42. The General Plan Amendment would change the General Plan designation from High Medium Density Residential (HMD) to High Density

Residential (HD). The Site Utilization Plan Revision would change the Site Utilization Plan designation from High Medium Density Residential to High Density Residential for approximately 5.16 acres of land more particularly described as Assessor’s Parcel Number (APN) 170-060-051 (owned by Stonefield Home Inc.).

DD. General Plan Amendment #24-17-DD and Site Utilization Plan Revision #14 to Planned Development (P-D) #42. The General Plan Amendment would change the General Plan designation from High Medium Density Residential (HMD) to High Density Residential (HD). The Site Utilization Plan Revision would change the Site Utilization Plan designation from High Medium Density Residential to High Density Residential for approximately 6.09 acres of land more particularly described as Assessor’s Parcel Number (APN) 170-060-052 (owned by Stonefield Home Inc.).

An Addendum to the *Merced Vision 2030 General Plan Environmental Impact Report (EIR)* for the City of Merced’s Sixth Cycle Housing Element Update (H.E. Update) and the related rezoning has been prepared under the California Environmental Quality Act. The Addendum concluded that the H.E. Update and related rezoning would not result in significant new or substantially more severe environmental impacts than described in the previously adopted *Merced Vision 2030 General Plan Environmental Impact Report (EIR)* (adopted January 2012). A copy of this Addendum is available for public inspection at the City of Merced Planning Department or City Clerk’s office during regular business hours at 678 W. 18th Street, Merced, CA, or on the City’s website at www.cityofmerced.org. A copy may also be requested by emailing planningweb@cityofmerced.org.

All persons in favor of, opposed to, or in any manner interested in the General Plan Amendment, Zone Change, and Site Utilization Plan Revisions described above are invited to attend the meeting in person or comment via email (see instructions below). The public review period for the environmental determination begins January 16, 2025, and ends on February 5, 2025. Please call the Planning Department at (209) 385-6858 for additional information. If you challenge the action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City of Merced at, or prior to, the public hearing.

After the Planning Commission makes a recommendation on this matter, the matter will be considered at a public hearing before the City Council. A separate notice of that public hearing will also be given.

You may submit your public comment to the Planning Commission electronically no later than 1:00 PM on the day of the meeting. Comments received before the deadline will become part of the record. Material may be emailed to planningweb@cityofmerced.org and should be limited to 300 words or less. Please specify which portion of the agenda you are commenting on, i.e. item # or Public Comment. Your comments will be provided to the Planning Commission at the appropriate time. Any correspondence received before, during, or after the meeting will be distributed to the Planning Commission and retained for the official record.

To view video (if available) or listen to the Planning Commission meeting live, go to the City's website www.cityofmerced.org, Facebook Live, or Comcast Public Access Channel 96.

Publication Date:
January 16, 2025


Kim Espinosa,
Temporary Director of Development
Services

From:
To: [Lowrance, Diana](#); [Brown, Leah](#)
Cc: [Bret DeMartini](#)
Subject: 1401 W 16th Street (APN# 031-094-006-000)
Date: Tuesday, January 14, 2025 6:16:34 AM
Attachments: [image006.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image001.png](#)

Hi Diana,

It was nice to speak with you yesterday regarding the letter we received on your Sixth Cycle Housing Element Update, and specifically our vacant lot referenced above.

As we expressed, while we believe that R-4 is the correct zoning designation for this 'corridor' going forward, we would be opposed to a spot zoning on our lot unless the adjacent parcels APN#s 031-102-001, 007, 005 & 013 to the South, and 031-094-001, 007, 008, 011 and 012 to the North, were also included in this rezoning to create enough acreage for a feasible residential development. Our parcel is only .60 acres and the dimensions are long and skinny, and with required front and side-yard setbacks, there would be very little land to develop. The parcels in this area need to be assembled together to create a market appropriate sized project. Most national multi-family developers look for a 250-350 unit development size. With your maximum density at 36 units per acre, 8 to 10 acres would be required to build a contemporary development with today's expected amenities.

Currently we use our vacant lot for overflow parking for our commercial businesses across W. Main St. at APN #031-093-002 & 003, aka 1405 W. Main St. You may recall the prior use of Courtesy Cadillac & Chevrolet, and they used our vacant lot for used car sales for several decades, as it is allowed under the current zoning. We would not consider rescinding this right and our current zoning unless we were certain that the City was rezoning the entire corridor R-4 to accommodate quality residential complexes, and there was willingness from all owners to pursue such projects.

Bret and I together have over 80 years of real estate investment and development experience, and we are hopeful to work with the City of Merced to make this corridor a thriving mixed-use district. Rezoning one or two parcels may help you to meet your R-4 land quota, but it won't work for us unless there is a bigger picture for the district. We would recommend that the City do a study to design the most impactful master plan for the future of this area.

We look forward to continuing this dialogue with you, and please feel free to call us anytime to discuss.

Respectfully,

Rick Cordes and Bret DeMartini

Richard Cordes

THOROUGHBRED CLASSICS LLC

2665 N Atlantic Ave., Suite 212

[Daytona Beach FL 32118](#)

Bret DeMartini, ccm

Executive Vice President | Walnut Creek

1850 Mt. Diablo Blvd., Suite 200 | Walnut Creek, CA 94596 | USA



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Merced Housing Element Update and Rezone

General Plan EIR Addendum
State Clearinghouse Number 2008071069

prepared by

City of Merced

Development Services

678 West 18th Street

Merced, California 95340

Contact: Leah Brown, Management Analyst

prepared with the assistance of

Rincon Consultants, Inc.

4589 North Marty Avenue, Suite 102

Fresno, California 93722

January 2025



RINCON CONSULTANTS, INC. SINCE 1994

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Abbreviations and Acronyms

AB	Assembly Bill
ADU	Accessory Dwelling Unit
AMI	Area Median Income
CCR	California Code of Regulations
CEQA	California Environmental Quality Act
DOF	California Department of Finance
EIR	Environmental Impact Report
HCD	California Department of Housing and Community Development
LOS	Level of Service
MCAG	Merced County Association of Governments
NAHC	Native America Heritage Commission
RHNA	Regional Housing Needs Assessment
SB	Senate Bill
SR	State Route
VMT	Vehicle Miles Traveled

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1 Introduction and Project Summary

1.1 Project Title

City of Merced 2024-2032 Housing Element Update and Rezone

1.2 Lead Agency Name and Address

City of Merced
Development Services
678 West 18th Street
Merced, California 95340

1.3 Contact Person and Phone Number

Leah Brown, Management Analyst
209-385-6928

1.4 Project Location

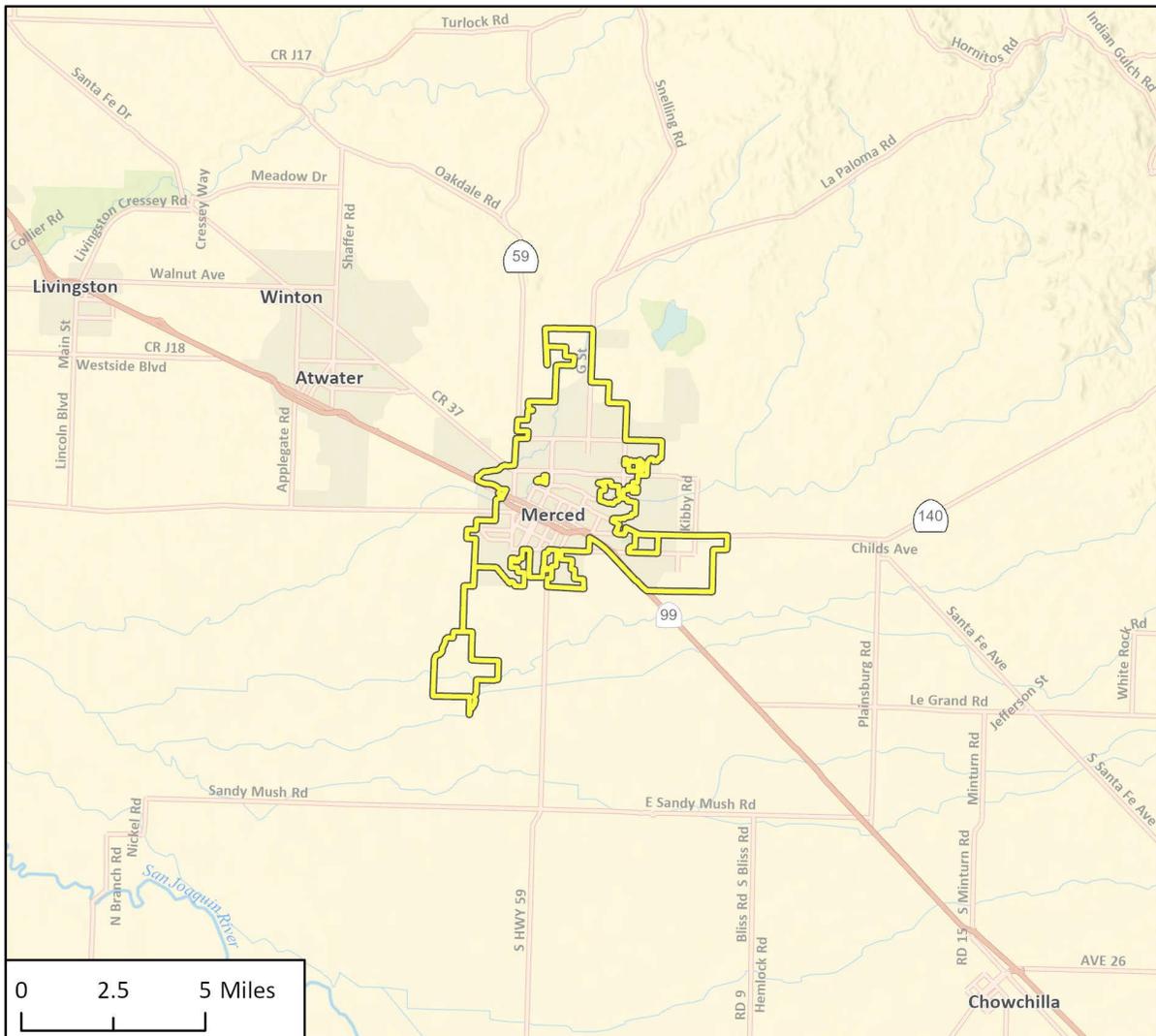
The City of Merced is located along State Route 99 (SR 99) in eastern Merced County. Figure 1 shows a regional map of the City's relationship to nearby cities, communities, and the regional transportation system, and Figure 2 shows the city's limits. SR 99, a major north-south interstate transportation artery, traverses the City along with the Southern Pacific Railroad. The Housing Element Update and Rezone applies to all lands within the City's limits.

1.5 Project Description

The project consists of a comprehensive update to the City of Merced Housing Element (herein referred to as "Housing Element Update and Rezone" or "project") of the 2012 General Plan ("General Plan"). The General Plan underwent environmental review in the form of an Environmental Impact Report (EIR), which was certified in January 2012 by the City Council (State Clearinghouse No. 2008071069). The EIR for the Merced General Plan is a comprehensive document and includes discussion of alternatives and growth inducing impacts associated with urban development in the city at the time it was developed.

State law requires that housing elements be updated every eight years (California Government Code Sections 65580 to 65589.8). The Housing Element Update identifies residential sites adequate to accommodate a variety of housing types for all income levels and needs of special population groups, defined under State law (California Government Code Section 65583). It analyzes governmental constraints to housing maintenance, improvement, and development; addresses conservation and improvement of the condition of existing affordable housing stock; and outlines policies that promote housing opportunities for all persons. The City of Merced Housing Element is

Figure 1 Regional Location



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22-13497.EPS
 Fig 1 Regional Location - City of Merced

 Project Location

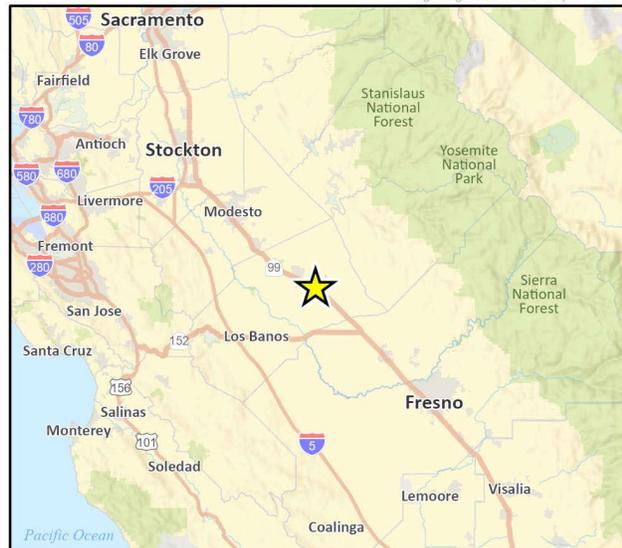
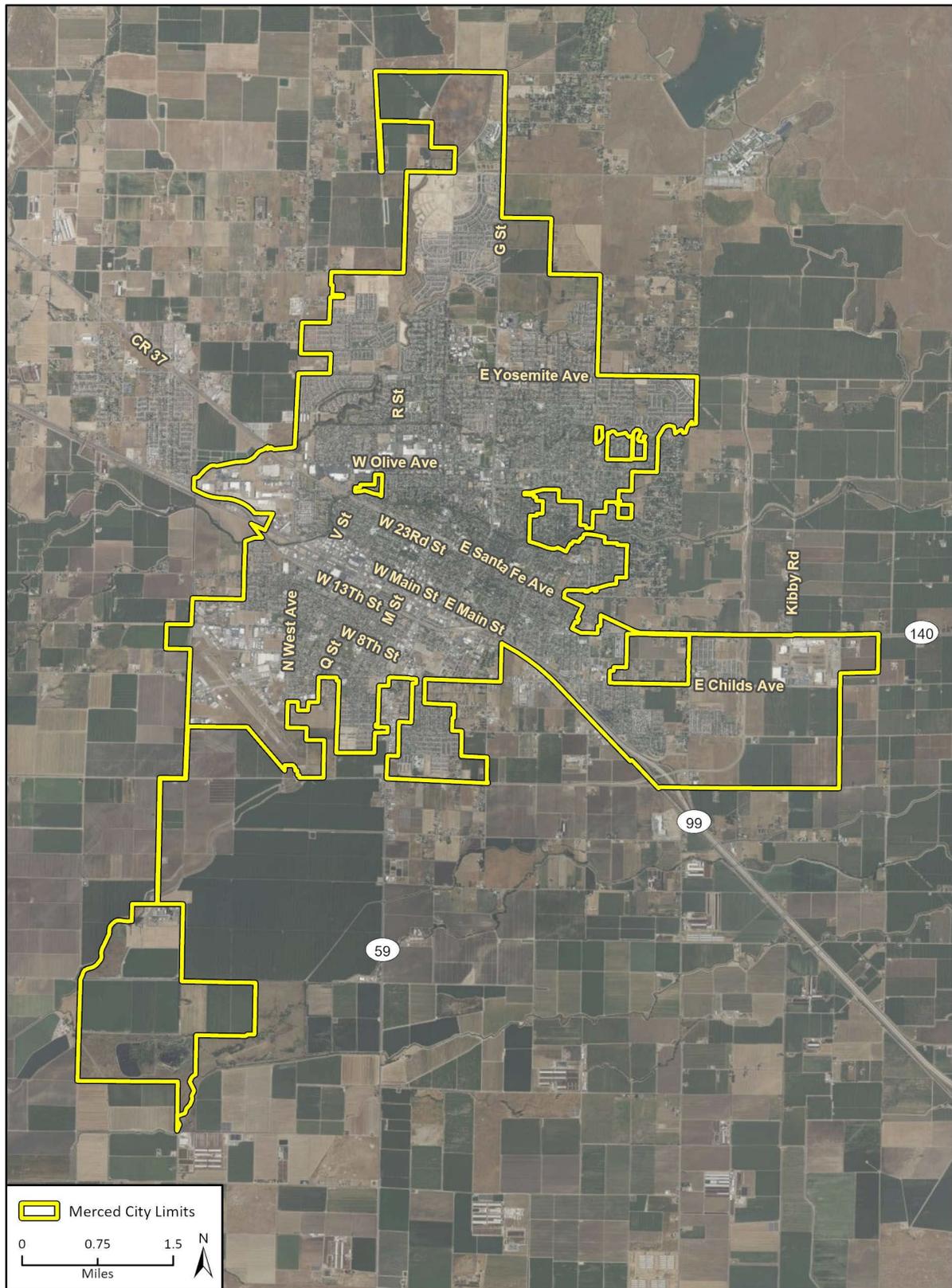


Figure 2 City Limits



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22-13497 EPS
Fig 2 City Limits - Merced

being updated as part of the State’s 6th Cycle Regional Housing Needs Assessment (RHNA) allocation. For the City of Merced, the planning period runs from January 2024 through January 2032.

The project would bring the City’s Housing Element into compliance with State legislation passed since the publication of the previous (5th Cycle) Housing Element (adopted in 2016). The Housing Element Update includes a housing sites inventory (Section 3 of the Housing Element) that demonstrates how the City plans to meet its 6th Cycle RHNA allocation. However, no formal physical development is proposed at the time of adoption of the Housing Element.

The Housing Element Update would not, in and of itself, result in environmental impacts, as it does not propose to develop any projects. Rather, it establishes objectives and policies designed to guide future development as the City works to achieve State-mandated housing goals. The City’s implementation of these policies and programs includes the rezoning of sites in the inventory of potential sites for meeting the City’s RHNA obligation. No formal physical development is proposed at this time, and future changes would require project-specific review as potential impacts are location-specific.

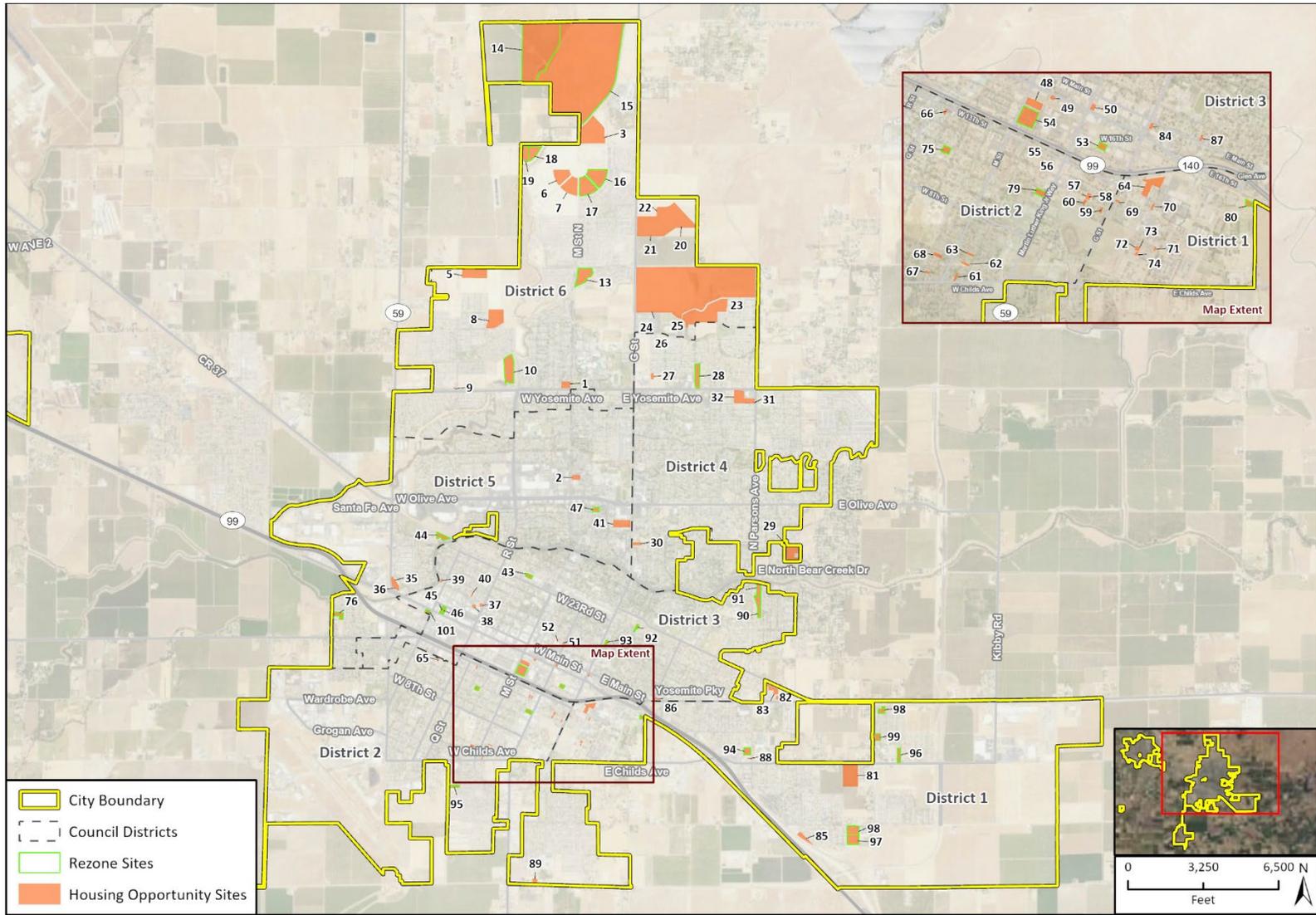
When a specific development proposal is considered for approval, that project would be subject to adopted development guidelines and standards and it must comply with the General Plan policies and actions listed in the certified 2012 General Plan EIR in accordance with California Environmental Quality Act (CEQA) Guidelines Section 15168(c)(3). If a subsequent activity (in this case a specific development proposal) would have effects not identified in the EIR (including both the General Plan EIR and all subsequent Addendums), the lead agency must prepare additional CEQA documentation prior to project approval.

The Housing Element Update’s Site Inventory includes 30 sites¹ that would be rezoned to facilitate additional residential development as shown in Figure 3. The sites would be rezoned from low density residential, general commercial, and planned development to high-density residential, central commercial, and planned development for higher density. These sites encompass 91.4 acres and can accommodate a total of 1,898 low-income units and 1,017 moderate-income units. This rezone would accommodate population growth, facilitate multi-family housing development, and ensure alignment with the State RHNA accommodation, which is being contemplated in the upcoming 6th Cycle Housing Element (anticipated to be completed in 2025). The growth associated with the redesignations on the 30 sites was not contemplated as part of the 2012 General Plan and thus would be a net increase in the number of housing units at those parcels compared to the analysis in the 2012 General Plan EIR.

This Addendum, therefore, analyzes the changes and potential impacts related to the adoption of the Housing Element Update and Rezone. This Addendum is intended to demonstrate the consistency of the project with the General Plan to comply with CEQA. This Addendum compares the buildout of the proposed project with the full-buildout scenario presented in the 2012 General Plan EIR. This Addendum assesses whether the project would result in impacts not addressed or previously analyzed in the General Plan EIR.

¹ City’s Site Inventory lists three additional sites as rezone sites (APNs: 170-060-018-000, 224-300-007-000, 224-300-008-000). As of January 2025, rezoning of the three sites have already been completed, therefore it is not analyzed as part of this Addendum.

Figure 3 Housing Opportunity Sites and Rezone Sites



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22-13497.EPS
Fig X Housing Opportunity Sites and Rezone Sites - Merced

1.6 Discretionary Action

Implementation of the Housing Element would require the following discretionary actions by the City of Merced Planning Commission/City Council:

- Approval of a General Plan Amendment to incorporate the 2024-2032 Housing Element Update
- Rezone of 30 sites as identified in the Housing Element Update
- Consideration of this Addendum

The California Department of Housing and Community Development (HCD) reviews and certifies that the proposed Housing Element complies with State law. Aside from HCD, no other approvals by outside public agencies are required.

1.7 Prior Environmental Document(s)

City of Merced, General Plan Environmental Impact Report (2012 General Plan EIR). State Clearinghouse Number 2008071069, certified January 2012.

1.8 Location of Prior Environmental Document(s)

City of Merced, 2012 General Plan EIR:

<https://www.cityofmerced.org/departments/development-services/planning-division/merced-vision-2030-general-plan-adoption/-folder-1177>

2 Project Context

The California Legislature has identified the attainment of a decent home and suitable living environment for every resident as the State’s major housing goal. Recognizing the important role of local planning programs in pursuing this goal, the legislature mandated that all cities and counties prepare a housing element as part of their comprehensive general plans. Government Code Sections 65580 to 65589.8 set forth the specific components to be contained in a community’s housing element.

2.1 Purpose of the Housing Element

The Housing Element is designed to provide the city with a coordinated and comprehensive strategy for promoting the production of safe, decent, and affordable housing within the community. A priority of both State and local governments, Government Code Section 65580 states that “the availability of housing is of vital statewide importance, and the early attainment of decent housing and a suitable living environment for every Californian family is a priority of the highest order.”

Pursuant to the State law, the Housing Element has two main purposes:

1. To provide an assessment of both current and future housing needs and constraints in meeting these needs; and
2. To provide a strategy that establishes housing goals, policies, and programs.

The Housing Element is one of the ten General Plan elements the State mandates in Government Code Section 65302. The Housing Element serves as an integrated part of the General Plan but is updated more frequently to ensure its relevancy and accuracy. The Housing Element identifies strategies and programs that focus on:

1. Conserving and improving existing affordable housing;
2. Maximizing housing opportunities throughout the community;
3. Assisting in the provision of affordable housing;
4. Removing governmental and other constraints to housing investment; and
5. Promoting fair and equal housing opportunities.

The residential nature of the city of Merced is largely characterized by a mix of single-family residences, multi-family units, and residential neighborhoods. The Housing Element is an official response to the need to provide housing for all economic segments of the population, establishing goals, policies, and programs that will guide City decision-making and set forth an action plan to implement these housing programs through the established planning period.

The Housing Element must identify residential sites adequate to accommodate a variety of housing types for all income levels and to meet the needs of special population groups as defined under State law (California Government Code Section 65583). The Housing Element analyzes market and governmental constraints to housing maintenance, improvement, and development; addresses conservation and improvement of the condition of existing affordable housing stock; and outlines policies that promote housing opportunities for all persons.

2.2 Regional Housing Needs Allocation (RHNA)

The RHNA reflects the California Department of Housing and Community Development’s determination of the projected housing needs in a region by household income level as a percent of the Area Median Income (AMI). The Merced County Association of Governments (MCAG) was tasked with allocating this regional housing need among the jurisdictions in the MCAG region, which includes the City of Merced. Table 1 shows the breakdown of the RHNA for Merced during the 2024-2032 planning period.

Table 1 2024-2032 Regional Housing Need Allocation

Income Group	City of Merced Unit Needs	Percentage of Merced Units	Regional Unit Needs (Merced County)	Percent of Regional Units
Extremely Low (<30% of AMI) and Very low (30 to 50% AMI)	2,543	24.1%	5,516	24.1%
Low (51 to 80% AMI)	1,742	16.6%	3,780	16.6%
Moderate (81 to 120% AMI)	1,838	17.5%	3,930	17.5%
Above Moderate (>120% AMI)	4,394	41.8%	9,394	41.8%
Total	10,517	100%	22,620	100%

AMI = Area Median Income (established annually by the Department of Housing and Urban Development)
 Source: MCAG 2022

The City had 31,997 housing units as of June 2024 (California Department of Finance [DOF] 2024). As of 2024, 67.5 percent were single-family units, which included 20,523 single-family detached units and 1,070 single-family attached units; 30.3 percent were multi-family dwelling units; and the remaining 2.2 percent were mobile homes (DOF 2024).

2.3 Changes in State Law

The following items represent substantive changes to State housing law since the City’s last Housing Element was adopted and certified in 2016. The Housing Element Update has incorporated and addressed all pertinent housing law changes.

- Affordable Housing Streamlined Approval Process: Senate Bill (SB) 35 (2017)
- Additional Housing Element Sites Analysis Requirements: Assembly Bill (AB) 1397 (2017)
- Affirmatively Furthering Fair Housing: AB 686 (2017)
- No-Net-Loss Zoning: SB 166 (2017)
- By Right Transitional and Permanent Supportive Housing: AB 2162 (2018) and AB 101 (2019)
- Accessory Dwelling Units: AB 68 (2019), and AB 671 (2019)
- Housing Crisis Act of 2019: SB 330 (2019)

2.4 City of Merced General Plan

State law mandates that each city and county in California adopt "a comprehensive, long-term general plan," the purpose of which is to plan for important community issues such as new growth, housing needs, and environmental protection. Furthermore, the General Plan is used to project future demand for services such as sewer, water, roadways, parks, and emergency services.

The Merced General Plan, adopted in January 2012, is a long-term document with text and diagrams that express the goals, objectives, and policies necessary to guide the community toward achieving its vision over an 18-year period (2012 to 2030). The General Plan reflects the priorities and values of the community.

City decision-makers (e.g., City Council and Planning Commission), rely on the General Plan as the basis for making decisions on matters such as land use, and the provision of public facilities (e.g., roads, parks, fire stations). It is also a policy document that guides decisions related to protecting, enhancing, and providing open space, habitat conservation, arts and recreation programming, and community character.

State law requires that every General Plan, at a minimum, address certain subject categories (called "elements"), which include land use, circulation, housing, conservation of natural resources, environmental justice, open space, noise, and safety. A General Plan may also address other subjects that are of importance to the community" future, such as sustainability, community design, and public art. The 2012 General Plan includes the following elements (City of Merced 2012a):

- Urban Expansion
- Land Use
- Transportation and Circulation
- Public Services and Facilities
- Urban Design
- Open Space, Conservation, and Recreation
- Sustainable Development
- Housing
- Noise
- Safety

2.5 Merced General Plan Update EIR

The 2012 General Plan EIR addressed the potential environmental effects of the planned buildout of the City of Merced through 2030 and concluded that General Plan implementation would result in levels of environmental impacts as detailed in Table 2.

Table 2 Summary of Areas of Potential Impact under the 2012 General Plan EIR

Issue Area	Level of Significance After Mitigation	Mitigation Measures
Aesthetics and Visual Resources	Less than Significant	3.1-4 (related to lighting)
Agricultural Resources	Significant and Unavoidable	3.2-1 (related to Important Farmland)
Air Quality	Significant and Unavoidable	3.3-1a (related to construction emissions), 3.3-1b (related to construction emissions), 3.3-2 (related to criteria pollutants)
Biological Resources	Less than Significant	3.4-1a (Vernal Pools and Vernal Pool Associates), 3.4-1b (Special -Status Plants), 3.4-1c (Valley Elderberry Longhorn Beetle), 3.4-1d (Burrowing Owls), 3.4-1e (Special-Status Birds), 3.4-1f (Special-Status Amphibians), 3.4-1g (Special-Status Reptiles), 3.4-1h (Special-Status Fish), 3.4-1i (Special-Status Mammals), 3.4-2 (Streambed Alteration Agreement), 3.4-3a (Conduct a delineation of Waters of the U.S. and Wetlands [WOUS/Wetlands] and Obtain Permits), 3.4-3b (related to replacement or rehabilitation of jurisdictional water)
Cultural Resources	Less than Significant	None required
Geology and Soils	Less than Significant	None required
Hazards and Hazardous Materials	Less than Significant	None required
Hydrology and Water Quality	Significant and Unavoidable	None available
Land Use and Planning	Less than Significant	None required
Mineral Resources	No Impact	None required
Noise	Significant and Unavoidable	3.11-4 (related to vibration)
Population and Housing	Less than Significant	None required
Recreation	Less than Significant	None required
Public Services	Less than Significant	None required
Transportation	Significant and Unavoidable	3.15-1a (related to traffic congestion), 3.15-1b (related to traffic analyses)
Utilities/Services	Less than Significant	None
Greenhouse Gas Emissions	Significant and Unavoidable	None available
Cumulative Impacts	Significant, Cumulative Considerable, and Unavoidable	See above mitigation measures.

Source: City of Merced 2012a

2012 General Plan Buildout Assumptions

The 2012 General Plan has a planning horizon year of 2030, but it does not specify or anticipate exactly when buildout would occur, as long-range demographic and economic trends are difficult to predict. The designation of a site in the 2012 General Plan for a certain use does not necessarily mean that the site will be developed or redeveloped with that use during the planning period, as most development depends on property owner initiative.

As described in Chapter 2.4.3, *Assumptions and Considerations*, of the 2012 General Plan EIR, during the 18-year time frame, the General Plan is intended to accommodate a projected growth within the City of 155,000 residents by 2030 (City of Merced 2010).

2.6 Housing Element Update and Rezone

The 2024-2032 Housing Element Update has the following major components:

- A **Review of Past Accomplishments** to review the housing programs adopted in the 2012-2024 Housing Element (5th cycle) and evaluate the effectiveness of these programs in delivering housing services and assistance. (Chapter G1)
- Documentation of **Public Participation** efforts Merced made to engage the public and gather input to inform development of this Housing Element Update and Rezone. (Chapter G2)
- An individual **Assessment of Housing Needs** for the City of Merced, summarizing demographic, employment, and housing characteristics. (Chapter G3)
- A **Housing Constraints Analysis** analyzing constraints to the development of adequate and affordable housing including market, governmental, infrastructure, and environmental factors. (Chapter G4)
- An analysis of issues related to **Affirmatively Furthering Fair Housing (AFFH)** for the City of Merced. (Chapter G5)
- **Merced Housing Resources**, including documentation of methodology and results of the Site Inventory Analysis conducted to demonstrate the City of Merced's ability to meet its share of the 6th cycle RHNA. (Chapter G6)
- A **Housing Plan**, which is comprised of the Goals, Policies, and Programs that the City intends to implement over the next 8-year planning cycle. (Chapter G7)

Goals, Policies, and Programs

The primary objective of the Housing Element is to encourage the production of new housing units to meet the RHNA and housing for special needs populations. This is done by adopting a series of goals and policies that facilitate the development of all housing types, explore innovative housing solutions, address the needs of the City's residents, and affirmatively further fair housing. The 2024-2032 Housing Element Update goals, policies, and programs are summarized below and referenced throughout this Addendum as appropriate.

- **Regional Collaboration.** The 2024-2032 Housing Element Update includes policies and programs to foster collaboration with jurisdictions within Merced County to address housing issues.

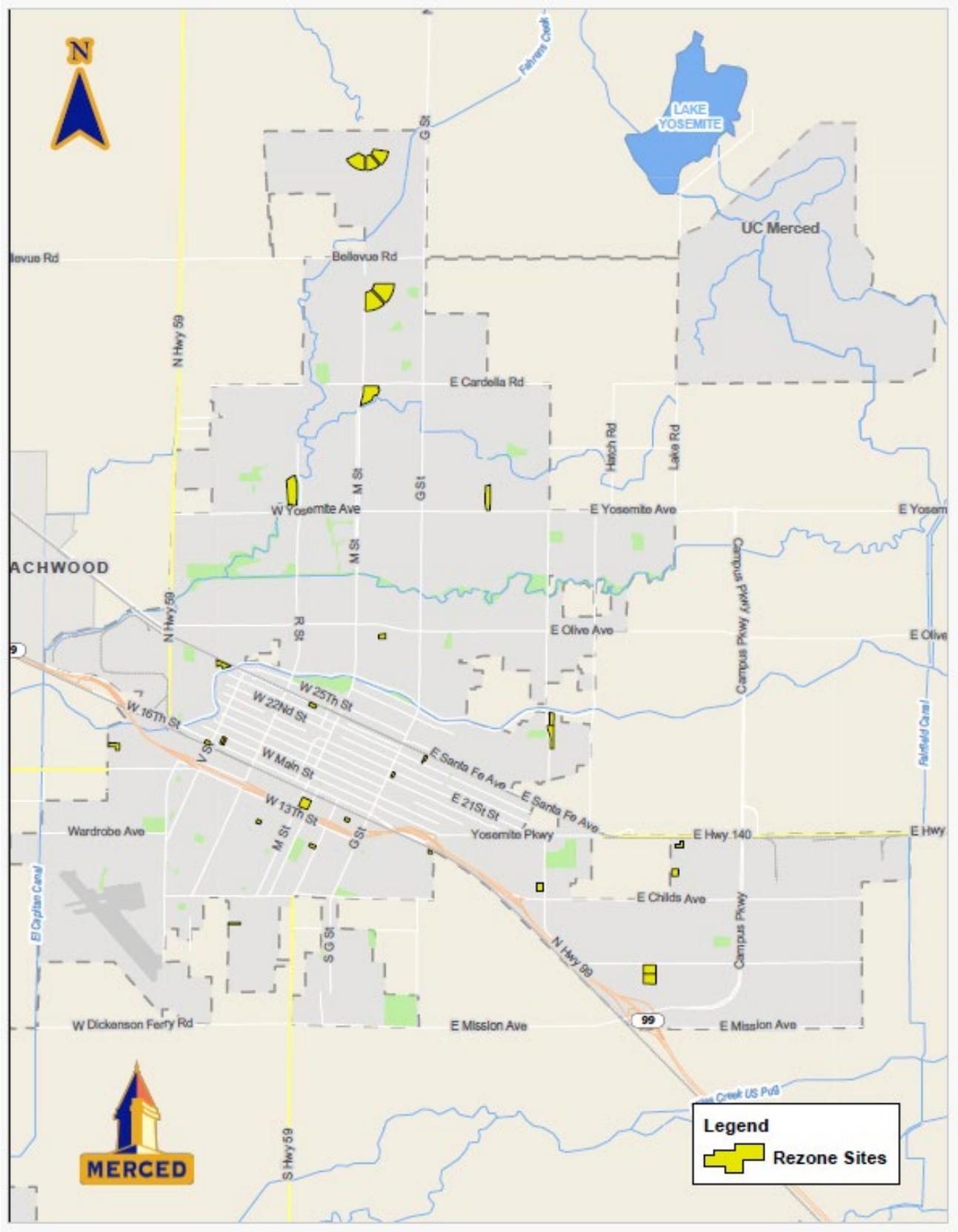
Merced Housing Element Update and Rezone

- **Housing Development.** State law requires that the goals and policies of the housing element encourage and facilitate the production of a range in types of housing affordable to households of varied income levels. The 2024-2032 Housing Element Update includes policies and programs to provide an adequate supply and range of housing types to meet the diverse needs of residents.
- **Affordable Housing.** The 2024-2032 Housing Element Update includes policies and programs to facilitate the development of affordable housing and protect the existing supply of affordable housing to extremely low-, very low-, low- and moderate-income households.
- **Housing and Neighborhood Preservation.** The 2024-2032 Housing Element Update includes policies and programs to preserve and improve the City’s existing housing stock.
- **Housing for Persons with Special Needs.** The 2024-2032 Housing Element Update includes policies and programs to support and provide housing and services for people with special needs in the community, including seniors, families with children, people with disabilities, single-parent families, farmworkers, and people who are experiencing homelessness or at risk of becoming homeless.
- **Resource Conservation and Sustainable Development.** The 2024-2032 Housing Element Update includes policies and programs to ensure development of energy efficient and sustainable new housing.
- **Affirmatively Furthering Fair Housing.** The 2024-2032 Housing Element Update includes policies and programs to promote housing opportunities and access for residents regardless of age, race, religion, sex, marital status, ancestry, national origin, color, disability, or economic level in compliance with local, State, and federal fair housing laws.

To accommodate this shortfall of capacity, the City is obligated to rezone land suitable to facilitate the development of the required housing units. The Site Inventory identifies 30 sites to be rezoned to facilitate additional residential development. The sites will be rezoned from low density residential, general commercial, and planned development to high-density residential and central commercial. These sites encompass 111.95 acres and can accommodate a total of 2,216 low-income units and 1,135 moderate-income units. Rezone sites are seen throughout the city with the most units in District 6, as shown in Figure 4. The rezone sites shall include the following components pursuant to Government Code Section 65583.2(i):

- Permit owner-occupied and rental multi-family uses by-right for developments in which 20 percent or more of the units are affordable to lower-income households. By-right means approval without discretionary review.
- Permit the development of at least 16 units per site.
- Establish a minimum density of 20 units per acre and a maximum density of at least 20 units per acre for all rezone sites to accommodate lower-income RHNA.
- Ensure that either: a) at least 50 percent of the shortfall of low- and very-low-income regional housing need can be accommodated on sites designated for exclusively residential uses; or b) if accommodating more than 50 percent of the low- and very-low-income regional housing need on sites designated for mixed uses, all sites designated for mixed uses must allow 100 percent residential use and require that residential uses occupy at least 50 percent of the floor area in a mixed-use project.

Figure 4 Merced Site Inventory (Proposed Zoning)



2.7 Buildout of Proposed Project and Comparison to the 2012 General Plan EIR

The proposed project is expected to result in a net increase of 3,351 units (see Table 3) compared to what is currently allowed under the 2012 General Plan land use designations. The Housing Element Update must address the City’s obligation to meet its fair share of regional housing needs, as well as specific State-mandated requirements outlined in the RHNA. The RHNA sets the baseline for the minimum number of housing units that the City must plan for in its Housing Element. This involves providing sufficient sites through the General Plan and zoning. Therefore, the projected growth aligns with expectations outlined in the RHNA, and can be considered anticipated growth, as evidenced by the MCAG-assigned RHNA for the City of Merced. Consequently, the Housing Element Update and Rezone is not directly responsible for increasing the population but rather aims to prepare for the growth that is already anticipated within the region.

Table 3 shows the City’s RHNA and housing unit yield per site category.

Table 3 Housing Unit Yield per Site Category

	Lower-Income	Moderate-Income	Above Moderate-Income	Total
City’s Share of RHNA	4,285	1,838	4,394	10,517
Planned and Approved Units	938	60	5,624	6,622
ADUs Anticipated	0	0	16	16
Remaining RHNA	3,347	1,778	0	3,879
R-1-5	0	0	1,097	1,097
R-1-6	0	0	725	725
R-4	0	30	0	30
R-3-1.5	133	95	0	228
C-C	44	40	0	84
C-O	179	47	0	226
R-2	0	8	0	8
RP-D	155	40	0	195
P-D (CO)	471	285	0	756
P-D (HMD)	253	65	0	318
P-D (LMD)	0	90	0	90
P-D (VR)	0	2	0	2
Rezone Sites	2,216	1,135	0	3,351
Total Units on Opportunity and Rezone Sites	3,451	1,837	1,822	7,110
Total Unit Surplus	104	59	3,068	3,231
Percent Buffer over RHNA	2%	3%	70%	31%
Total Buildout (Planned and Approved Units plus ADUs Anticipated plus Total Units on Opportunity and Rezone Sites)	4,389	1,897	7,462	13,748

As shown in Table 3, the Site Inventory identifies 3,451 lower-income units, 1,837 moderate-income units, and 1,822 above moderate-income units on opportunity and rezone sites.

All 61 opportunity sites are vacant. All 30 rezone sites would be rezoned to allow for higher density residential, central commercial, or planned development at a higher density.

With rezoning, the Site Inventory, along with planned and approved units and anticipated ADUs, includes a surplus of 104 lower-income units, providing a 2 percent buffer above the RHNA requirement for this income category. Additionally, there is a surplus of 59 moderate-income units, providing a 3 percent buffer; and a surplus of 3,068 above moderate-income units, providing a 70 percent buffer. The total buildout for the Housing Element Update and Rezone would be 13,748 units, including planned and approved units, anticipated ADUs, all opportunity sites, and all rezone sites. Of these, approximately 10,397 units (planned and approved units, ADUs, and opportunity sites) would be consistent with the 2012 General Plan and existing zoning, and therefore within the scope of the 2012 General Plan EIR. Growth not anticipated in the General Plan would occur on the rezone sites (approximately 3,351 units); therefore, this Addendum analyzes the net new increase in units compared to the 2012 General Plan EIR, as discussed under Section 2.5.

The Housing Element Update and Rezone would be consistent with State requirements for the RHNA to plan adequately to meet existing and projected housing needs for all economic segments of the community. The Housing Element Update and Rezone would also be submitted to HCD for review and approval to ensure that it adequately addresses the housing needs and demands of the City.

As mentioned in the 2012 General Plan EIR and as shown in Table 4, Merced had a population of 80,985 in 2010 (City of Merced 2012b). As of 2024, Merced has a population of 91,837 (DOF 2024). Therefore, the actual population growth since the 2012 Housing Element is 10,852 residents. The additional net residential units allowed by the proposed project would increase the population by up to 21,401 residents, based on a residential unit increase of 7,110 multiplied by 3.01 persons per household (DOF 2024). Therefore, the proposed project could increase the City's population to 113,238 residents. As shown in Table 4, the proposed project would not exceed the projected growth anticipated in the 2012 General Plan (116,800 total residents). In addition, as shown in Table 4, although the proposed project (opportunity sites plus rezoning sites) would include 7,110 net new units and 21,401 residents above what was analyzed under the 2012 General Plan EIR, this increase would still be within the remaining projected buildout under the 2012 General Plan EIR of 24,963 new residents. Growth within the City has occurred at a slower rate than was anticipated in the 2012 General Plan EIR. As such, the Housing Element Update and Rezone would not exceed the buildout projections considered in the 2012 General Plan EIR. Because the project would not exceed 2012 General Plan buildout projections, and because the 2012 General Plan EIR analyzed impacts associated with full General Plan buildout, the project would not be expected to result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects. A full analysis of the potential for new or substantially more severe environmental effects is provided in Section 6 of this addendum.

Table 4 Total Development Evaluated in the 2012 General Plan EIR Compared to the Housing Element Update and Rezone

	2010 Actual Population and Housing (a)¹	2024 Actual Population and Housing (b)²	Actual Growth from 2010 to 2024 (c=b-a)	Buildout Assumed under 2012 General Plan EIR (d)³	Buildout Remaining under 2012 General Plan EIR (e=d-b)	Buildout under Proposed Housing Element Update and Rezone (f)
Housing Units	28,106	31,997	+3,891	- ⁴	- ⁴	7,110
Population	80,985	91,837	+10,852	116,800	24,963	21,401 ⁵

¹ Source: City of Merced 2012b.

² Source: DOF 2024.

³ Source: City of Merced 2012a.

⁴ The General Plan EIR does not provide a projection for housing units at buildout.

⁵ Based on Merced persons per household of 3.01 (DOF 2024).

3 Overview of CEQA Guidelines Sections 15162 and 15164

CEQA Guidelines Sections 15162 and 15164 set forth the criteria for determining the appropriate additional environmental documentation, if any, to be completed when a project has a previously certified EIR.

CEQA Guidelines Section 15164 states that a lead agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary, but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred. *CEQA Guidelines* Section 15162(a) states that no Subsequent or Supplemental EIR shall be prepared for a project with a certified EIR unless the lead agency determines, based on substantial evidence in the light of the whole record, one or more of the following:

1. Substantial changes are proposed in the project that will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:
 - A. The project will have one or more significant effects not discussed in the previous EIR.
 - B. Significant effects previously examined will be substantially more severe than shown in the previous EIR.
 - C. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative.
 - D. Mitigation measures or alternatives that are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

The analysis pursuant to Section 15162 demonstrates whether the lead agency can approve the activity as being within the scope of the existing certified EIR, that an addendum to the existing EIR would be appropriate, and no new environmental document, such as a new EIR, would be required. The addendum need not be circulated for public review but can be included in or attached to the final EIR, and the decision-making body shall consider the addendum with the final EIR prior to deciding on the project.

According to *CEQA Guidelines* Section 15164, an addendum to a previously certified EIR is the appropriate environmental document in instances when “only minor technical changes or additions are necessary” and when the new information does not involve new significant environmental

effects or a substantial increase in the severity of a significant effect beyond those identified in the previous EIR. *CEQA Guidelines* Section 15164 states that:

- a. The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.
- b. An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR have occurred.
- c. An addendum need not be circulated for public review but can be included in or attached to the final EIR.
- d. The decision-making body shall consider the addendum with the final EIR prior to making a decision on the project.
- e. A brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR, the lead agency's findings on the project, or elsewhere in the record.

The City has prepared this Addendum, pursuant to *CEQA Guidelines* Sections 15162 and 15164, to evaluate whether the project's environmental impacts are covered by and within the scope of the 2012 General Plan EIR (January 2012, State Clearinghouse No. 2008071069). This Addendum details any changes in the project, changes in circumstances under which the project is undertaken, and/or "new information of substantial importance" that may trigger the need for a Subsequent or Supplemental EIR pursuant to *CEQA Guidelines* sections 15162(a).

The analysis herein substantiates and supports the City's determination that development facilitated by the project is within the scope of the 2012 General Plan EIR, does not require subsequent review under *CEQA Guidelines* Section 15162 and, in conjunction with the EIR, this Addendum adequately analyzes potential environmental impacts.

4 Environmental Effects and Determination

4.1 Environmental Areas Determined to Have New or Substantially More Severe Significant Effects Compared to Those Identified in the Previous EIR

The subject areas checked below were determined to be new significant environmental effects or to be previously identified effects that have a substantial increase in severity either due to a change in project, change in circumstances, or new information of substantial importance, as indicated by the checklist and discussion on the following pages.

- None
- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Energy |
| <input type="checkbox"/> Geology and Soils | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards and Hazardous Materials |
| <input type="checkbox"/> Hydrology and Water Quality | <input type="checkbox"/> Land Use and Planning | <input type="checkbox"/> Mineral Resources |
| <input type="checkbox"/> Noise | <input type="checkbox"/> Population and Housing | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation | <input type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Utilities and Service Systems | <input type="checkbox"/> Wildfire | <input type="checkbox"/> Mandatory Findings of Significance |

4.2 Determination

Based on this analysis:

- Substantial changes are proposed in the project or there are substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous EIR due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Or, there is "new information of substantial importance," as that term is used in *CEQA Guidelines* Section 15162(a)(3). Therefore, a SUBSEQUENT or SUPPLEMENTAL EIR is required.
- No substantial changes are proposed in the project and there are no substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous EIR due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects.

Merced Housing Element Update and Rezone

Also, there is no "new information of substantial importance" as that term is used in *CEQA Guidelines* Section 15162(a)(3). Therefore, the previously certified EIR is adequate and this evaluation serves as an ADDENDUM to the City of Merced, General Plan Environmental Impact Report (General Plan EIR). State Clearinghouse Number 2008071069 certified January 2012.

Signature

Date

Printed Name

Title

5 Addendum Evaluation Methodology

5.1 General Plan Consistency

The Housing Element is a component of the 2012 General Plan and is periodically updated pursuant to state law. Therefore, the Housing Element Update and Rezone is consistent with the vision of the General Plan and is supported by goals and policies of the other General Plan Elements. The General Plan Elements and policies that correspond with the goals and policies of the Housing Element are summarized below:

- The **Urban Expansion Element (Chapter 2)** includes goals, objectives, policies, and standards for ensuring orderly urban growth while preserving resource lands, protecting open space, and encouraging energy conservation.
- The **Land Use Element (Chapter 3)** includes goals, objectives, policies, and standards for residential, commercial, industrial, public, and institutional development within Merced.
- The **Transportation and Circulation Element (Chapter 4)** includes goals, objectives, policies, and standards for establishing a safe and efficient transportation system that provides adequate access throughout the city.
- The **Public Services and Facilities Element (Chapter 5)** includes goals, objectives, policies, and standards for improving public facilities and providing high quality government facilities and services to the public.
- The **Urban Design Element (Chapter 6)** includes goals, objectives, policies, and standards for building a sustainable city that is designed, constructed, and operated to efficiently use land and other natural resources, minimize waste, and manage and conserve resources for the use of present and future generations.
- The **Open Space, Conservation, and Recreation Element (Chapter 7)** includes goals, objectives, policies, and standards for preserving agricultural land, protecting natural resources, and providing recreational opportunities for the community.
- The **Sustainable Development Element (Chapter 8)** includes goals, objectives, policies, and standards for facilitating sustainable growth within the City.
- The **Housing Element (Chapter 9)** includes goals, objectives, policies, and standards for facilitating housing within the city and ensuring the city satisfies its RHNA numbers.
- The **Noise Element (Chapter 10)** includes goals, objectives, policies, and standards for protecting residents from exposure to excessive noise. It also includes tables showing acceptable exterior noise exposure levels and maximum noise levels not to be exceeded for transportation sources and stationary sources.
- The **Safety Element (Chapter 11)** includes goals, objectives, policies, and standards for protecting residents against natural and manmade hazards and ensuring fire and police services are sufficient and effective.

Adoption of the Housing Element Update and Rezone would require the City to amend Chapter 9 of the General Plan, which contains the current 2016 Housing Element.

Accommodation of the RHNA

Merced’s RHNA for the current planning period is 10,517 units, consisting of 2,543 very low income housing units, 1,742 low-income housing units, 1,838 moderate-income housing units, and 4,394 above moderate-income housing units. The City must demonstrate the availability of sites with appropriate zoning and development standards that can facilitate and encourage the development of such units. The Housing Element Update and Rezone includes a housing plan that accommodates the RHNA plus a buffer of additional housing units as recommended by the HCD. The City has identified enough units through RHNA Credits (including planned and approved projects and Accessory Dwelling Units [ADU]) to meet some of the 6th Cycle RHNA requirements.

5.2 Preliminary Environmental Constraints

State housing law requires the city to review both governmental and non-governmental constraints to the maintenance and production of housing for all income levels. Since local governmental actions can restrict the development and increase the cost of housing, State law requires the Housing Element to “address and, where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing” (Government Code Section 65583[c][3]). Several factors can constrain residential development. These include market constraints, such as development costs and interest rates, and governmental constraints, which include land use controls, fees, processing times, and development standards, among others. In addition, environmental and infrastructure constraints can also impede residential development. For purposes of the Addendum, only the potential environmental constraints, as they relate to CEQA, were evaluated.

Environmental constraints to residential development typically relate to the presence of sensitive habitat, flooding, topography, and other natural and physical characteristics that can limit the amount of development in an area or increase the cost of development. The Housing Element Update and Rezone, in and of itself, does not propose specific development projects, but rather puts forth goals, policies, and programs that support housing efforts in Merced. Future housing development projects would be subject to developmental review to determine potential impacts specific to that project site.

6 Addendum Evaluation

6.1 Introduction

As discussed in Section 2.7, above, the total buildout for the Housing Element Update and Rezone would be 13,748 units. Of these, approximately 10,397 units (planned and approved projects, anticipated ADUs, and opportunity sites) would be consistent with the 2012 General Plan and existing zoning, and therefore would be within the scope of the 2012 General Plan EIR. Growth not anticipated in the General Plan would occur on the rezone sites (approximately 3,351 units); therefore, this Addendum analyzes the net increase compared to the 2012 General Plan EIR. Even with the net increase of buildout on the rezone sites included in the proposed project, the number of units proposed under the Housing Element Update and Rezone would still be within the total remaining buildout of the 2012 General Plan EIR as shown in Section 2.7, Table 4, since growth within the City has occurred at a slower rate than was anticipated by the 2012 General Plan. Therefore, growth anticipated and evaluated under the 2012 General Plan is applicable to the proposed project. General Plan EIR findings and analysis of the proposed project's impacts are included for each *CEQA Guidelines* Appendix G section below.

6.2 Aesthetics

General Plan EIR Findings

Aesthetics is discussed in Chapter 3.1 of the General Plan EIR. The General Plan EIR determined that impacts related to scenic vistas and visual character would be less than significant and found no impact to scenic resources. Impacts related to the generation of light and glare were determined to be less than significant with the implementation of Mitigation Measure 3.1-4, which requires outdoor lighting to be directed downward and away from adjacent properties.

Addendum Analysis

The Housing Element Update and Rezone would rezone 30 parcels within the city to higher density residential or central commercial to accommodate anticipated population growth associated with the City's RHNA allocation. This would result in a net increase of 3,351 units above what was previously analyzed in the General Plan EIR.

Rezoning of 30 parcels would result in the construction of denser and taller development which could potentially result in impacts to aesthetics. However, future development facilitated by the proposed project would undergo project-specific developmental review, including design review, and would be subject to adopted development regulations, including standards that govern visual quality and community design, including Mitigation Measure 3.1-4, as included in the General Plan EIR, which would reduce light and glare impacts.

Because the Housing Element and Rezone would not facilitate development beyond what was considered in the General Plan EIR, the project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects. On the rezone sites, there will be increased density and different types of developments. However, The Housing Element Update, in and of itself, does not propose specific projects but puts forth goals and policies that regulate various aspects of new housing development in Merced. Future developments

resulting from the Housing Element Update would be consistent with the buildout anticipated by the General Plan. Because it is a policy document, the Housing Element Update would not, in and of itself, result in impacts to scenic vistas, scenic resources, or visual character, and would not create new sources of substantial light or glare which could adversely affect views.

Conclusion

The project would not result in aesthetic impacts beyond those addressed or analyzed in the General Plan EIR, nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the project and no additional environmental assessment of aesthetics is required.

6.3 Agriculture and Forestry Services

General Plan EIR Findings

Agricultural and forest resources are discussed in Chapter 3.2 of the General Plan EIR. The General Plan EIR determined that impacts related to Important Farmland would be significant and unavoidable despite the implementation of Mitigation Measure 3.2-1, which encourages continued agricultural production until urban conversion occurs, requires collaboration with land trusts to preserve agricultural land, and prioritizes infill and contiguous development. The General Plan EIR also found significant and unavoidable impacts to existing zoning for agricultural use and Williamson Act contracts with no identified mitigation. The General Plan EIR also found no impacts to existing zoning for forest land, timberland, or timberland production; loss or conversion of forest land; and other conversions of farmland or forest land to non-agricultural uses.

Addendum Analysis

The Housing Element Update and Rezone would rezone 30 parcels within the city to higher density residential or central commercial to accommodate anticipated population growth associated with the City's RHNA allocation. As discussed in Section 2.7, *Buildout of Proposed Project and Comparison to the 2012 General Plan EIR*, buildout of the proposed project is within the buildout projections analyzed in the General Plan EIR.

While the General Plan EIR identified potentially significant agricultural and forestry impacts, the proposed project would not rezone any lands currently designated as farmland, forest land, or timberland within the city. Additionally, the project would be consistent with goals and policies included in the General Plan intended to reduce impacts to agricultural lands such as Policies OS-2.1 and OS-2.2 included in the Open Space, Conservation, and Recreation Element, which call for the City to protect agricultural resources outside of the Specific Urban Development Plan/Sphere of Influence. The Housing Element Update and Rezone would increase residential densities on 30 parcels within the city thereby reducing the need for conversion of agricultural land to accommodate additional housing units.

Future development facilitated by the proposed project would undergo project-specific developmental review, including design review; would be subject to adopted development regulations, including Mitigation Measure 3.2-1, as included in the General Plan EIR; and would be required to comply with existing general plan policies and land use designations. Because the Housing Element and Rezone would not facilitate development beyond what was considered in the General Plan EIR, the project would not result in new significant environmental effects or a

substantial increase in the severity of previously identified significant effects. The Housing Element Update, in and of itself, does not propose specific projects but puts forth goals and policies that regulate various aspects of new housing development in Merced. Because it is a policy document, the Housing Element Update would not, in and of itself, result in impacts to the conversion of Important Farmland, forest land, or timber land to non-agricultural uses.

Conclusion

The proposed project would not result in agricultural and forestry impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the proposed project and no additional environmental assessment of agriculture and forestry is required.

6.4 Air Quality

General Plan EIR Findings

Air quality is discussed in Chapter 3.3 of the General Plan EIR. The General Plan EIR determined that future development under the General Plan would result in construction emissions that exceed the threshold of significance for the generation of fugitive dust. However, implementation of Mitigation Measures 3.3-1a and 3.3-1b, which require dust control measures, erosion prevention, speed limits, and wind breaks for construction disturbing over 22 acres on any one day; and require adoption of an ordinance that minimizes idling times and operational hours, using alternative fuels, employing properly maintained equipment to reduce emissions, and other emission-reducing construction equipment practices, respectively, were found to reduce construction exhaust emissions to a less than significant level. The General Plan EIR found significant and unavoidable impacts on criteria air pollutants in a non-attainment area, despite Mitigation Measure 3.3-2, which requires the implementation of Best Available Control Technology measures for discretionary permits. The General Plan EIR found impacts to exposing sensitive receptors to pollutant concentration and odor to be less than significant.

Addendum Analysis

Because the Housing Element and Rezone would not facilitate development beyond what was considered in the General Plan EIR, the project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Furthermore, as stated in Section 2.7, *Buildout of Proposed Project and Comparison to the 2012 General Plan EIR*, the number of units proposed under the Housing Element Update and Rezone would still be within the total remaining buildout of the 2012 General Plan EIR. In addition, future development facilitated by the proposed project would undergo project-specific developmental review and would be required to comply with existing policies and regulations, including Mitigations Measures 3.3-1a, 3.3-1b, and 3.3-2. Because the proposed project is a policy document consistent with the General Plan and in and of itself does not propose specific projects but puts forth goals and policies that regulate various aspects of new housing development, it would have no impact to air quality.

Conclusion

The project would not result in air quality impacts beyond those addressed or analyzed in the General Plan EIR, nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the project and no additional environmental assessment of air quality is required.

6.5 Biological Resources

General Plan EIR Findings

Biological resources are discussed in Chapter 3.4 and Chapter 2.9 of the General Plan EIR. The General Plan EIR determined that future development facilitated by the General Plan would result in less than significant impacts to special-status species and their habitats with the implementation of Mitigation Measures 3.4-1a through 3.4-1i, which require surveys and avoidance measures for vernal pools, plants, elderberry bushes, Valley elderberry longhorn beetle, burrowing owls, birds, amphibians, reptiles, fish, and mammals. The General Plan EIR also found less than significant impacts to riparian habitats and sensitive natural communities with the implementation of Mitigation Measure 3.4-2, which requires avoidance or no-net-loss to riparian habitat and other sensitive natural communities. Implementation of Mitigation Measures 3.4-3a and 3.4-3b, which require the delineation, agency permitting, and the no-net-loss replacement or rehabilitation of any jurisdictional waters, were found to reduce impacts to wetlands to a less than significant level in the General Plan EIR. The General Plan EIR determined impacts to wildlife corridors would be less than significant with Mitigation Measure 3.4-1e. The General Plan EIR found no impact to local policies or ordinances protecting biological resources, and habitat conservation plans or natural community preservation plans.

Addendum Analysis

The Housing Element Update and Rezone would rezone 30 parcels within the city to higher density residential or central commercial to accommodate anticipated population growth associated with the City's RHNA allocation. The proposed rezoning would not conflict with any local policies or ordinances protecting biological resources as the rezone sites are currently zoned for urban development. Furthermore, by increasing density on infill sites within the city, the proposed project would reduce potential impacts to biological resources by limiting urbanization of natural and undeveloped areas. Future development proposed as a result of the Housing Element Update and Rezone would be subject to project-specific environmental review and would be required to adhere to policies in the General Plan. Furthermore, future development would be required to comply with adopted federal, state, and local regulations protecting biological resources, including Mitigation Measures 3.4-1a through 3.4-1i, 3.4-2, 3.4-3a, and 3.4-3b.

Because the Housing Element and Rezone would not facilitate development beyond what was considered in the General Plan EIR, the project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

Conclusion

The project would not result in biological resource impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant

than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the project and no additional environmental assessment of biological resources is required.

6.6 Cultural Resources

General Plan EIR Findings

Cultural resources are discussed in Chapter 3.5 of the General Plan EIR. The General Plan EIR determined that future development facilitated by the General Plan would not have a significant impact on historical or archaeological resources, or human remains.

Addendum Analysis

The Housing Element Update and Rezone would rezone 30 parcels within the city to higher density residential or central commercial to accommodate anticipated population growth associated with the City's RHNA allocation. The proposed rezoning would not increase potential impacts to cultural resources as the rezone sites are currently zoned for urban development, and could be developed under existing zoning. The increase in density on these sites would not result in an increase in the potential development footprint, thereby expanding potential cultural resource impacts into new areas. Future development facilitated by the Housing Element Update and Rezone would undergo project-specific developmental review and be required to adhere to all state and federal regulations to reduce impacts to cultural resources. Furthermore, because the Housing Element and Rezone would not facilitate development beyond what was considered in the General Plan EIR, the project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

Conclusion

The project would not result in cultural resource impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the proposed project and no additional environmental assessment of cultural resources is required.

6.7 Energy

General Plan EIR Findings

The General Plan EIR does not include a separate section regarding energy since it was not required under the *CEQA Guidelines* Appendix G checklist at the time the report was prepared; however, energy is discussed in Section 5.2, *Significant Irreversible Environmental Changes*, of the General Plan EIR. The General Plan EIR found that General Plan policies prioritize energy conservation. A discussion of energy impacts is provided herein to supplement the General Plan EIR.

Addendum Analysis

The Housing Element Update and Rezone proposes rezoning 32 parcels within the city to higher-density residential or central commercial to accommodate anticipated population growth associated with the City's RHNA allocation. Future development facilitated by the Housing Element Update and Rezone would involve the consumption of non-renewable energy resources such as electricity, natural gas, propane, gasoline, and diesel. However, future projects would be required to adhere to

applicable regulations and General Plan policies and actions related to energy resources and energy consumption with new residential construction, including California Code of Regulations (CCR) Title 20, Division 2, Chapter 4, Energy Conservation; CCR Title 24, Part 6, *California Energy Code*; and CCR Title 24, Part 11, *California Green Building Standards Code*, Tier 1. These regulations include requirements for the use of more energy-efficient design and technologies as well as the incorporation of more renewable energy resources into building design than were in place during the General Plan EIR analysis.

Because the Housing Element and Rezone would not facilitate development beyond what was considered in the General Plan EIR, the project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects. The Housing Element Update, in and of itself, does not propose specific projects but puts forth goals and policies that regulate various aspects of new housing development in Merced. Because it is a policy document, the Housing Element Update would not, in and of itself, result in impacts to energy resources. With compliance with existing regulations, impacts related to wasteful, inefficient, or unnecessary consumption of energy resources would be less than significant.

Conclusion

The proposed project would not result in energy impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the proposed project and no additional environmental assessment of energy is required.

6.8 Geology and Soils

General Plan EIR Findings

Geology and soils are discussed in Chapter 3.6 and paleontological resources are discussed in Chapter 3.5 of the General Plan EIR. The General Plan EIR determined that impacts from seismic hazards, erosion, unstable geologic units, landslide, lateral spreading, subsidence, liquefaction, collapse, expansive soils, and soils unsuitable for septic tanks or alternative wastewater systems were less than significant. The General Plan EIR found less than significant impacts to paleontological resources.

Addendum Analysis

The Housing Element Update and Rezone would rezone 30 parcels within the city to higher density residential or central commercial to accommodate anticipated population growth associated with the City's RHNA allocation. The proposed rezoning would not increase potential impacts related to geology and soils as the rezone sites are currently zoned for urban development and could be developed under existing zoning. The increase in density on these sites would not result in an increase in the potential development footprint, thereby expanding potential geology and soils impacts into new areas. Individual projects under the Housing Element Update and Rezone would undergo project-specific developmental review, including design review, and would be subject to adopted development regulations such as the California Building Code and International Building Code's regulations and standards regarding seismic safety of buildings and structures. Because the Housing Element and Rezone would not facilitate development beyond what was considered in the General Plan EIR, the project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

Conclusion

The project would not result in geology and soils impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the proposed project and no additional environmental assessment of geology and soils is required.

6.9 Greenhouse Gas Emissions

General Plan EIR Findings

Greenhouse gas emissions are discussed in Chapter 3.17 of the General Plan EIR. The General Plan EIR determined that impacts related to incremental contribution to climate change would be significant and unavoidable, despite the implementation of General Plan policies that would reduce emissions. The General Plan EIR found that impacts related to plans, policies, or regulations intended to reduce greenhouse gas emissions would be less than significant.

Addendum Analysis

The Housing Element Update and Rezone is a policy document consistent with the General Plan. Because it is a policy document, the Housing Element Update and Rezone would not, in and of itself, result in impacts to greenhouse gas emissions or adopted plans for the purpose of reducing greenhouse gases. Future development consistent with the Housing Element Update and Rezone would be required to adhere to applicable climate and greenhouse gas emissions policies and regulations including consistency with targets established by SB 32, AB 32, SB 97, and SB 375. Furthermore, the proposed project would increase density within the city to accommodate planned growth which would reduce vehicle miles travelled (VMT) and therefore reduce greenhouse gas emissions by promoting the creation of housing in areas near transit and other necessary services. With compliance with existing regulations, impacts related to greenhouse gas emissions would be less than significant. Future development facilitated by the project would undergo project-specific developmental review and would be required to adhere to State and City building standards and policies designed to reduce greenhouse gas emissions with new residential construction, such as CCR Title 20, Division 2, *State Energy Resources Conservation and Development Commission*; and CCR Title 24, Part 11, *California Green Building Standards Code*, Tier 1.

Conclusion

The project would not result in greenhouse gas emission impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the proposed project and no additional environmental assessment of greenhouse gas emissions is required.

6.10 Hazards and Hazardous Materials

General Plan EIR Findings

Hazards and hazardous materials are discussed in Chapter 3.7 of the General Plan EIR. The General Plan EIR determined that impacts related to routine transport, use, or disposal of hazardous materials; upset and accident conditions resulting in the release of hazardous materials; emission of

hazardous materials near schools; Government code 65962.5 hazardous material sites; airports; emergency response or evacuation plans; and wildland fires would be less than significant.

Addendum Analysis

The Housing Element Update and Rezone would rezone 30 parcels within the city to higher density residential or central commercial to accommodate anticipated population growth associated with the City's RHNA allocation. The proposed rezoning would not increase potential impacts related to hazard and hazardous materials as the rezone sites are currently zoned for urban development and could be developed under existing zoning. The increase in density on these sites would not result in an increase in the potential development footprint on sites with identified hazardous materials concerns. Individual projects under the Housing Element Update and Rezone would undergo project-specific developmental review, including design review, and would be subject to adopted federal, state, and local regulations. Furthermore, because the Housing Element and Rezone would not facilitate development beyond what was considered in the General Plan EIR, the project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

Conclusion

The project would not result in hazards and hazardous materials impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the proposed project and no additional environmental assessment of hazards and hazardous materials is required.

6.11 Hydrology and Water Quality

General Plan EIR Findings

Hydrology and water quality is discussed in Chapter 3.8 of the General Plan EIR. The General Plan EIR determined that impacts related to water quality, groundwater supplies and recharge, drainage patterns, erosion or siltation, surface runoff, and flood hazards would be less than significant.

Addendum Analysis

The Housing Element Update and Rezone would rezone 30 parcels within the city to higher density residential or central commercial to accommodate anticipated population growth associated with the City's RHNA allocation. The proposed rezoning would not increase potential impacts related to hydrology and water quality as the rezone sites are currently zoned for urban development and could be developed under existing zoning. The increase in density on these sites would not result in an increase in the potential development footprint, thereby expanding potential hydrology and water quality impacts into new areas. Individual projects under the Housing Element Update and Rezone would undergo project-specific developmental review, including design review, and would be subject to adopted regulations including Section 15.50.120 of the Merced Municipal Code which sets requirements for construction and development in order to minimize water pollution from stormwater. Future developments that result from the implementation of the proposed project would be subject to existing General Plan policies as well, such as Policies P-4.1 and 4.2, which encourage adequate wastewater collection, treatment, and disposal in the City. The Housing Element Update and Rezone would also be subject to requirements of applicable permits such as

the NPDES and MS4 permits. The proposed project would not result in new hydrology and water quality impacts from new development as evaluated in the certified EIR.

Conclusion

The project would not result in hydrology and water quality impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the proposed project and no additional environmental assessment of hydrology and water quality is required.

6.12 Land Use and Planning

General Plan EIR Findings

Land use and planning is discussed in Chapter 3.9 of the General Plan EIR. The General Plan EIR concluded that implementation of the General Plan would have less than significant impacts with regards to the division of an established community or related to conflicts with applicable land use plans.

Addendum Analysis

The Housing Element Update and Rezone would rezone 30 parcels within the city to higher density residential or central commercial to accommodate anticipated population growth associated with the City's RHNA allocation. Future development facilitated by the Housing Element Update and Rezone would undergo project-specific developmental review, including design review, and would be subject to adopted development standards and policies including those in the Land Use Element of the General Plan. The rezone sites would not result in inconsistencies with current land use plans or divide communities because the rezone sites are located in infill development areas, and would be rezoned from low density residential, general commercial, and planned development to high-density residential and central commercial.

Adherence to the goals and policies included in the Land Use Element of the General Plan would ensure that the future development would not conflict with a land use plan or policy. Additionally, because the project would facilitate the development of housing primarily on infill sites within the city, development facilitated by the proposed project would not divide an established community.

Conclusion

The project would not result in land use and planning impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the proposed project and no additional environmental assessment of land use and planning is required.

6.13 Mineral Resources

General Plan EIR Findings

Mineral resources are discussed in Chapter 3.10 of the General Plan EIR. The General Plan EIR determined that there would be no impact to mineral resources.

Addendum Analysis

As discussed in the General Plan EIR, there are no known significant mineral resources or mining operations in the city. Because the project would result in infill development and rezone of sites within the city, the project would have no impact on mineral resources, similar to the General Plan EIR.

Conclusion

The project would not result in mineral resource impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the proposed project and no additional environmental assessment of mineral resources is required.

6.14 Noise

General Plan EIR Findings

Noise is discussed in Chapter 3.11 of the General Plan EIR. The General Plan EIR determined that implementation of the General Plan would result in a significant and unavoidable impacts from operational traffic noise with no mitigation feasible of reducing this impact available. The General Plan EIR determined that impacts from construction noise would be less than significant. The General Plan EIR found that construction vibration impacts could be reduced to a less than significant level through the implementation of Mitigation Measure 3.11-4, which requires additional analysis of vibration when construction would use pile drivers or large vibratory compactors. Additionally, the General Plan EIR determined that the General Plan would result in less than significant impacts from stationary noise sources.

Addendum Analysis

The Housing Element Update and Rezone would rezone 30 parcels within the city to higher density residential or central commercial to accommodate anticipated population growth associated with the City's RHNA allocation. Future development facilitated by the project would undergo project-specific developmental review, including design review, and would be subject to adopted development standards and policies including those in the Noise Element of the general plan and Mitigation Measure 3.11-4. The rezone sites would allow for higher density development on certain sites but would not result in overall greater total development than was envisioned by the General Plan. Because the project would not facilitate development beyond what was considered in the General Plan EIR, the project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

Conclusion

The project would not result in noise impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the proposed project and no additional environmental assessment of noise is required.

6.15 Population and Housing

General Plan EIR Findings

Population and housing are discussed in Chapter 3.12 of the General Plan EIR. The General Plan EIR determined that impacts from unplanned population growth and displacement of people or existing housing would be less than significant.

Addendum Analysis

The Housing Element Update and Rezone would rezone 30 parcels within the city to higher density residential or central commercial to accommodate anticipated population growth associated with the City's RHNA allocation. As discussed in Section 2.7 of this document, the proposed project would promote the development of housing to meet the city's RHNA requirement and ensure that the Housing Element is in compliance with state law to accommodate anticipated population growth within the city. Future development facilitated by the Housing Element Update and Rezone would undergo project-specific developmental review, including design review, and would be subject to adopted development regulations. Furthermore, because the Housing Element and Rezone would not facilitate development beyond what was considered in the General Plan EIR, the project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

Conclusion

The project would not result in population and housing impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the proposed project and no additional environmental assessment of population and housing is required.

6.16 Public Services

General Plan EIR Findings

Public Services is discussed in Chapter 3.14 of the General Plan EIR. The General Plan EIR determined that development facilitated by the General Plan would have a less than significant impact on police protection services, fire protection services, school services, libraries, and government and health services.

Addendum Analysis

The Housing Element Update and Rezone would rezone 30 parcels within the city to higher density residential or central commercial to accommodate anticipated population growth associated with the City's RHNA allocation. As discussed in Section 2.7 of this document, the proposed increase in growth can be considered as anticipated growth as evident by accommodating the City's State RHNA goal. The Housing Element Update and Rezone would not result in an increase in buildout above the buildout assumed in the General Plan EIR. The proposed project would update the zoning map as a result of the proposed rezoning of the rezone sites. Additionally, the fundamental regulations and requirements of the General Plan and Zoning Code, such as meeting design standards, would still apply to all projects in the City, including the proposed project. Goals and

policies in the Safety Element of the General Plan would enhance public services such as police and fire protection and ensure effective emergency access. These goals, policies, and measures would continue to be required with implementation of the proposed project.

Future development facilitated by the Housing Element Update and Rezone would undergo project-specific developmental review, including design review, and would be subject to adopted development regulations, including General Plan policies and community public facilities fees established in the City's Municipal Code. Furthermore, Because the Housing Element and Rezone would not facilitate development beyond what was considered in the General Plan EIR, the project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

Conclusion

The project would not result in public services impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the proposed project and no additional environmental assessment of public services is required.

6.17 Recreation

General Plan EIR Findings

Recreation is discussed in Chapter 3.13 of the General Plan EIR. The General Plan EIR determined that impacts related to increased use of parks and recreational facilities would be less than significant.

Addendum Analysis

The Housing Element Update and Rezone would rezone 30 parcels within the city to higher density residential or central commercial to accommodate anticipated population growth associated with the City's RHNA allocation. As discussed in Section 2.7, the Housing Element Update and Rezone would not result in an increase in buildout above the buildout assumed in the General Plan EIR, thereby resulting in no increase in recreation impacts as compared to the General Plan. Additionally, goals and policies in the Land Use Element of the General Plan, such as Policy OS-3.1, which requires the City to provide high quality park and open space facilities to serve the needs of a growing population, would continue to apply to future development.

Future development facilitated by the Housing Element Update and Rezone would undergo project-specific developmental review, including design review, and would be subject to adopted development regulations, including General Plan policies and community park and recreation fees established in the City's Municipal Code. Furthermore, because the Housing Element and Rezone would not facilitate development beyond what was considered in the General Plan EIR, the project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

Conclusion

The project would not result in recreation impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than

those described in the General Plan EIR. Therefore, the General Plan EIR applies to the proposed project and no additional environmental assessment of recreation is required.

6.18 Transportation

General Plan EIR Findings

Transportation is discussed in Chapter 3.15 of the General Plan EIR. The General Plan EIR analyzed Level of Service (LOS) as the methodology to assess significance and found that traffic impacts would be significant and unavoidable, despite implementation of Mitigation Measures 3.15-1a and 3.15-1b, which require roadway improvements and traffic studies to be conducted. The General Plan EIR found that impacts associated with air traffic patterns, roadway hazards and incompatible uses, and emergency access were less than significant; and no impact would occur related to conflicts with policies supporting alternative transportation.

Since certification of the EIR and pursuant to SB 743, transportation impacts are evaluated using VMT instead of LOS.

Addendum Analysis

No specific developments are being approved as part of the project; therefore, the project would not directly or indirectly result in transportation impacts. The rezone sites would allow for higher density development on certain sites but would not result in overall greater total development than was envisioned by the General Plan. Furthermore, the proposed project would increase density within the city to accommodate planned growth which would reduce VMT by promoting the creation of housing in areas near transit and other necessary services within the city. Future development facilitated by the project would undergo project-specific developmental review and would be subject to adopted policies and programs identified in the General Plan EIR, including Mitigation Measures 3.15-1a and 3.15-1b.

Because the Housing Element and Rezone would not facilitate development beyond what was considered in the General Plan EIR, the project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

Conclusion

The project would not result in transportation impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the proposed project and no additional environmental assessment of transportation is required.

6.19 Tribal Cultural Resources

General Plan EIR Findings

Tribal Cultural Resources was added to the 2016 *CEQA Guidelines* as a separate environmental issue area. Thus, the General Plan EIR (certified January 2012) does not include a chapter or section dedicated to analysis of impacts to tribal cultural resources. However, it does analyze general impacts to historical and cultural resources (including archeological resources that may originate from Native American tribes) in Chapter 3.5. As the Notice of Preparation for the General Plan EIR

was published before July 1, 2015, tribal consultation pursuant to Assembly Bill (AB) 52 was not required.

Addendum Analysis

In accordance with the requirements of SB 18, the City requested a tribal contact list from the California Native America Heritage Commission (NAHC) on July 24, 2024. NAHC responded to the City's request on July 29, 2024, providing a list of twelve contacts from Native American tribal organizations that should be invited to consult with the City. The contact list included the following tribal organizations: the Amah Mutsun Tribal Band, the North Fork Rancheria of Mono Indian, Northern Valley Yokut/Ohlone Tribe, Picayune Rancheria of the Chukchansi Indians, Southern Sierra Miwuk Nation, Tule River Indian Tribe, and the Wuksachi Indian Tribe/Eshorn Valley Band.

On August 30, 2024, the City sent letters inviting the tribes listed about to consult with the City under the provisions SB 18. The invitations advised the tribes that if consultation was desired, then they must formally accept the invitation in writing within 90 days of receipt of the City's letter pursuant to SB 18. The City received zero responses and no requests for consultation.

The proposed project, in and of itself, would not propose or authorize specific development. Because the project is a policy document, the proposed project would not, in and of itself, result in impacts to tribal cultural resources such as causing a substantial adverse change in the significance of a tribal cultural resource. The proposed rezoning would not increase potential impacts to tribal cultural resources as the rezone sites are currently zoned for urban development and could be developed under existing zoning. The increase in density on these sites would not result in an increase in the potential development footprint, thereby expanding potential tribal cultural resource impacts into new areas. Future development facilitated by the project would undergo project-specific developmental review, including design review, and would be subject to adopted development regulations and possibly subject to AB 52 compliance. Therefore, impacts would be less than significant.

Conclusion

The project would not result in tribal cultural resource impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the proposed project and no additional environmental assessment of tribal cultural resources is required.

6.20 Utilities and Service Systems

General Plan EIR Findings

Utilities and service systems are addressed in Chapter 3.16 of the General Plan EIR. The General Plan EIR determined that impacts related to wastewater treatment requirements, expansion of water or wastewater infrastructure, stormwater drainage facilities, water supply entitlements, solid waste services, and compliance with regulations related to solid waste would be less than significant. Impacts to electricity and gas were addressed in the General Plan EIR's Cumulative Impacts Analysis in Section 5.7. Impacts related to electricity and gas were determined to be cumulatively significant and unavoidable. Telecommunications resources are mentioned briefly in the General Plan EIR in

Impact 3.14-4. However, the impact level on this service is unclear, thus it is discussed further below.

Addendum Analysis

As described above, the proposed project would result in a net increase of 3,351 units compared to the General Plan EIR, however, this net increase of units and population would not exceed the buildout projections considered as part of the 2012 General Plan EIR. Because the proposed project would not exceed the buildout identified in the General Plan EIR, it would not result in an increase in demand for water supply, wastewater, or solid waste services. Future development facilitated by the project would undergo project-specific developmental review, including design review, and would be subject to adopted development regulations. The proposed project would not result in new utilities impacts not discussed in the General Plan EIR or an increase in the severity of utilities impacts.

The proposed project, in and of itself, would not propose or authorize specific development. Because the project is a regulatory update, the proposed project would not, in and of itself, result in impacts to electricity and telecommunications utilities. Future development facilitated by the project would undergo project-specific developmental review, including design review, and would be required to comply with General Plan goals and policies related to utilities and service systems. Therefore, impacts would be less than significant.

Conclusion

The project would not result in utilities and service systems impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the proposed project and no additional environmental assessment of utilities and service systems is required.

6.21 Wildfire

General Plan EIR Findings

Wildland fires are discussed in Section 3.7 of the General Plan EIR. Impacts regarding potential to expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands were determined to be less than significant.

Addendum Analysis

The City of Merced is in an area where the wildland fire risk is considered minimal. There are no State Responsibility Areas or Very High Fire Hazard Severity Zones within the city of Merced (California Department of Forestry and Fire Protection 2024). The nearest Very High Fire Hazard Severity Zone is approximately 3 miles northeast of the city. Additionally, the Safety Element contains policies to support and facilitate fire protection while the Open Space Element contains policies addressing weed abatement. These policies from the General Plan would minimize loss of life and property from wildland fires. Because it is a policy document, the Housing Element Update and Rezone would not, in and of itself, result in impacts to wildfire. Future development facilitated by the project would undergo project-specific review and would be subject to adopted development

standards including Chapter 17.32 of the Merced Municipal Code which includes fire prevention measures, General Plan Policies S-4.1 and S-4.2 which would reduce impacts associated with wildfire hazards, and the California Fire Code. With implementation of these standards, impacts would be less than significant.

Conclusion

The project would not result in wildfire impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the proposed project and no additional environmental assessment of wildfire is required.

7 Cumulative Impacts

In addition to the specific impacts of individual projects, CEQA requires consideration of potential cumulative impacts of the proposed project. CEQA defines “cumulative impacts” as two or more individual impacts that, when considered together, are substantial or will compound other environmental impacts. Cumulative impacts are the combined changes in the environment that result from the incremental impact of development of the proposed project and other past, present, and probable future projects producing related or cumulative impacts. For example, noise impacts of two nearby projects may be less than significant when analyzed separately but could have a significant impact when analyzed together. The cumulative impact analysis provides a reasonable forecast of future environmental conditions and can more accurately gauge the effects of a series of projects.

CEQA Guidelines Section 15130 requires cumulative impact analysis in EIRs to consider either a list of planned and pending projects that may contribute to cumulative effects or a summary of projections contained in an adopted planning document such as a general plan.

7.1 General Plan EIR Findings

Section 5.5 of the General Plan EIR discusses cumulative impacts. The cumulative setting for the analysis in the General Plan EIR is explained in Section 5.6, *Cumulative Setting*. As stated in that section, cumulative impacts of the General Plan were considered based on regional boundaries, projected regional or area-wide conditions, or based on development anticipated within the vicinity of the city. The cumulative analysis considered development allowed by existing general plan documents for adjacent jurisdictions.

The General Plan EIR determined that cumulative impacts related to aesthetics, biological resources, cultural resources, geology and soils, hazards and hazardous materials, land use and planning, mineral resources, noise, population and housing, recreation, and utilities and service systems would be considered less than significant or there would be no cumulative impact. Impacts related to agriculture and forestry resources, hydrology and water quality, and transportation were determined to be cumulatively considerable. Impacts related to air quality, public services, and greenhouse gas emissions were determined to be significant and unavoidable cumulative impacts.

7.2 Addendum Analysis

Since certification of the 2012 General Plan EIR, there has been no new development proposed within the City that was not considered as part of the 2012 General Plan EIR. There are no new substantial cumulative projects in the City or adjacent jurisdictions that were not previously considered in the 2012 General Plan EIR cumulative impact analysis. The cumulative conditions in the 2012 General Plan EIR have not substantially changed; therefore, the cumulative setting in the 2012 General Plan EIR remains the same for the purposes of this analysis.

The proposed project would not result in new impacts compared to the previous 2012 General Plan EIR as analyzed in this Addendum. While the project would result in the potential future development of a greater number of housing units in the City than analyzed in the 2012 General Plan EIR, the physical development area of the City would not be modified. Therefore, no new or

additional cumulatively considerable contributions to a significant cumulative impact would occur as a result of the project.

7.3 Conclusion

The proposed project would not result in new or more severe cumulatively considerable impacts than were identified in the 2012 General Plan EIR. No new or substantially more severe significant effects would occur to cumulative impacts, and no new mitigation measures are required. No substantial changes have occurred that require major revisions to the 2012 General Plan EIR. There is no new information indicating that the proposed project would have new significant impacts or substantially more severe significant impacts with respect to cumulative impacts than were identified in the 2012 General Plan EIR. None of the conditions listed in *CEQA Guidelines* Section 15162 requiring preparation of a subsequent EIR have been met.

8 Conclusion

The City of Merced, acting as the lead agency, determined that an addendum is the appropriate environmental document under CEQA because the proposed project would not require revisions to the certified General Plan EIR due to the involvement of new significant environmental effects or substantial increases in the severity of significant effects previously identified in the General Plan EIR.

There are no changed circumstances or new information that meets the standard for requiring further environmental review under *CEQA Guidelines* Section 15162. Thus, these circumstances and information would not result in new or more severe impacts beyond what were addressed in the General Plan EIR and would not meet any other standards under *CEQA Guidelines* Section 15162(a)(3). No additional analysis is required based on the discussions throughout this addendum. The proposed Housing Element Update and Rezone would not involve development in areas not assumed for development in the General Plan EIR, nor would it result in population growth and density beyond what was analyzed in the General Plan EIR. The project would not result in significant or substantially more severe impacts that were not discussed in the General Plan EIR. Also, there are no previously identified significant effects which, as a result of substantial new information that was not known at the time of the previous environmental review, would be substantially more severe than discussed in the General Plan EIR. Accordingly, no additional CEQA review is required.

CEQA Guidelines Section 15164 states that “[t]he lead agency or a responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in *CEQA Guidelines* Section 15162 calling for preparation of a subsequent EIR have occurred.” An addendum is therefore appropriate because, as explained above, none of the conditions calling for preparation of a subsequent EIR have occurred.

9 References

9.1 Bibliography

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_____. 2024. E-5 Population and Housing Estimates for Cities, Counties, and the State, 2020-2024. May 2024. <https://dof.ca.gov/Forecasting/Demographics/Estimates/e-5-population-and-housing-estimates-for-cities-counties-and-the-state-2020-2024/> (accessed September 2024).

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_____. 2012a. Merced Vision 2030 General Plan. Adopted January 2012.

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<https://www.cityofmerced.org/departments/development-services/planning-division/merced-vision-2030-general-plan-adoption/-folder-1177> (accessed October 2024).

Merced County Association of Governments (MCAG). 2022. Final Regional Housing Needs Allocation Plan: Merced County Region. Adopted November 17, 2022.

https://www.mcagov.org/DocumentCenter/View/3863/MCAG-RHNA-Plan_FINAL-_11172022?bidId= (accessed September 2024).

9.2 List of Preparers

Rincon Consultants, Inc. prepared this EIR Addendum under contract to the City of Merced. Persons involved in data gathering analysis, project management, and quality control are listed below.

Rincon Consultants, Inc.

Matthew Maddox, AICP, Principal

Megan Jones, AICP, Principal

Aileen Mahoney, Senior Environmental Planner

Michael Huang, Environmental Planner

Nichole Yee, Environmental Planner



City of Merced

Housing Element

Proposed Rezoning

February 2025





Agenda

- Introduction
- Why Rezones are Required
- Opportunity Sites
- Rezones
- Q&A

Introduction



The State of California requires our City adopt a Housing Element: a Chapter of our General Plan



The State tells the Region how many units we must provide for – MCAG assigns us our allocation



We are required to accommodate our allocation which is 10,517 units



Units have to be spread among all income categories to accommodate all residents

Introduction Continued



The City has been working with the State, MCAG and the community to complete our Element



The City has held public meetings and received comments in writing and in person



Some of those meetings were recent workshops for the Planning Commission and City Council



The City also held a lunch time meeting about the programs, which garnered great input

**To accommodate the required
units rezoning existing properties
is required**

Rezoning will



Align with the Housing Element Updates



Support the City's ability to meet its Regional Housing Needs Assessment (RHNA)



Allow for housing development where housing is currently not permitted



Reduce constraints to housing development and to accommodate special housing needs

Rezoning



33 rezone sites across the city (3 sites rezoned in 2024 already)



Assessed by TCAC Opportunity area which range from areas of *High Segregation and Poverty* to *Highest Resource Areas*



No sites have fire hazards

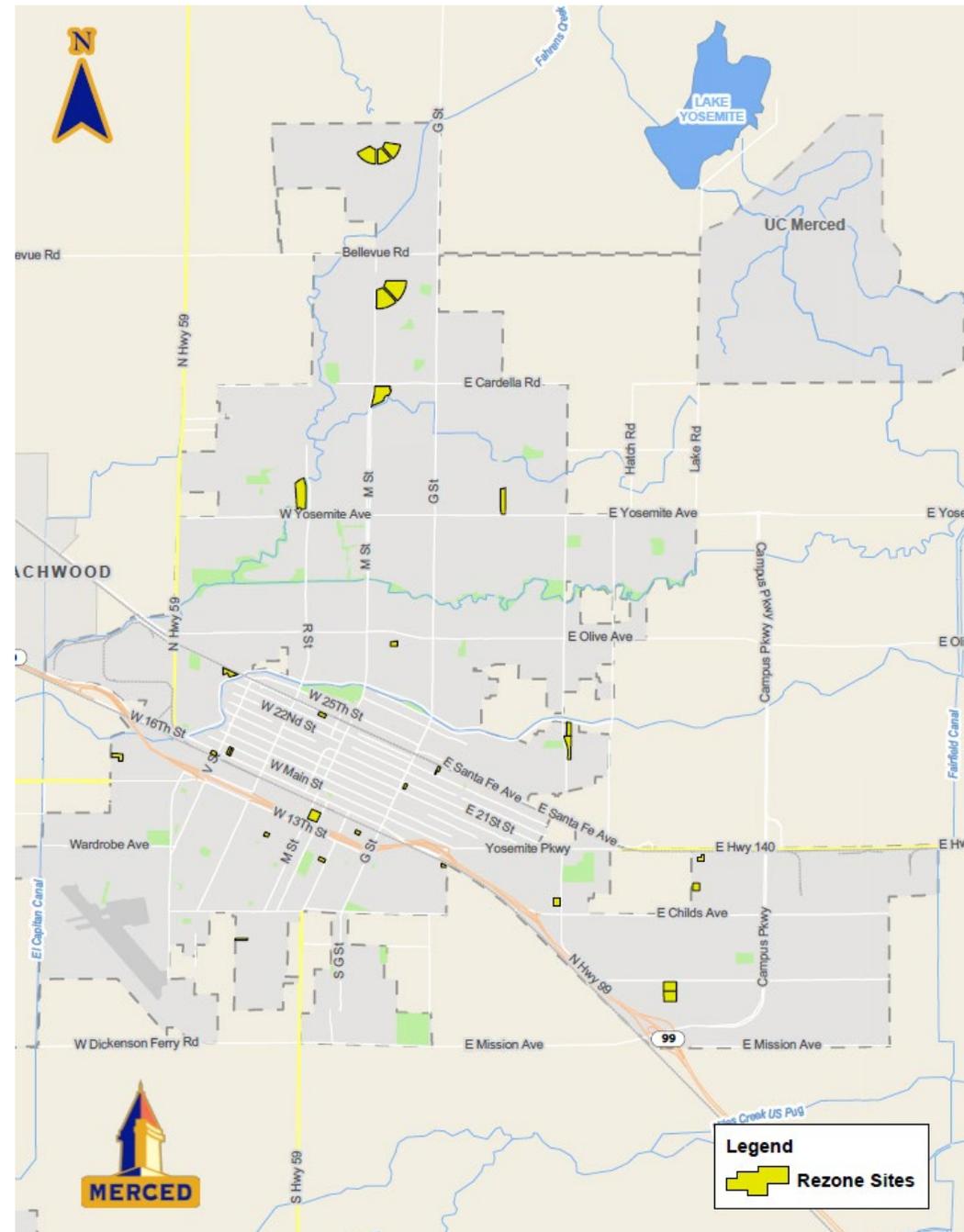


All districts are within minimal to moderate flood hazard zones



All sites include vacant lots

Rezone Sites



Noticing

- **Normally Rezones Require 300-foot notice**
- **There is an exception**
- **If the notices rise to over 1000 properties (those properties within 300 feet of rezone sites) staff may generally notice through publication and other means**
- **Staff advertised in our Merced County Times and Merced Sun-Star and online with social media.**

The Next Steps:

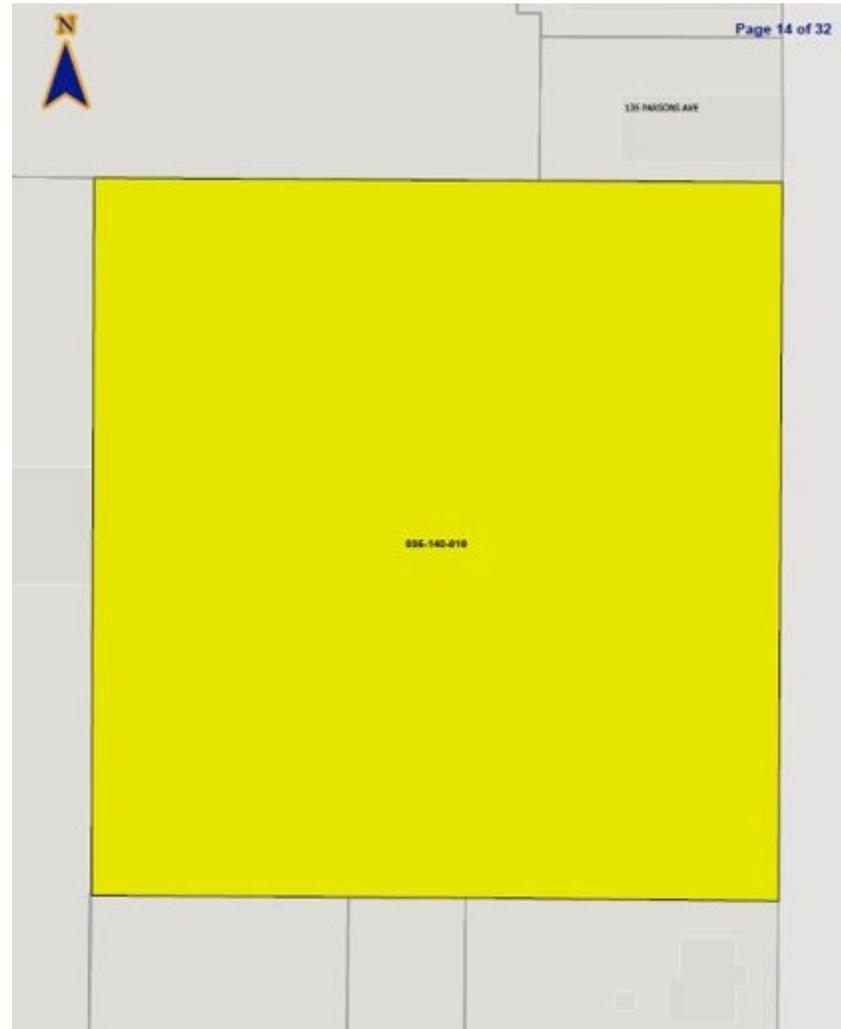
- **Staff will introduce each Opportunity Site to be rezoned and the recommendation.**
- **Planning Commission will open public hearing.**
- **After public comment, Planning Commission will close the Public Hearing and discuss Opportunity Site zoning item with themselves and/or staff.**

The Next Steps:

- **Planning Commission make recommendation (separate actions) to City Council to Approve/Disapprove/Modify each site.**
- **The Planning Commission will need to adopt General Plan EIR Addendum – Environmental Review #24-42 with each Zoning Action**

Questions?

A



Map A Info

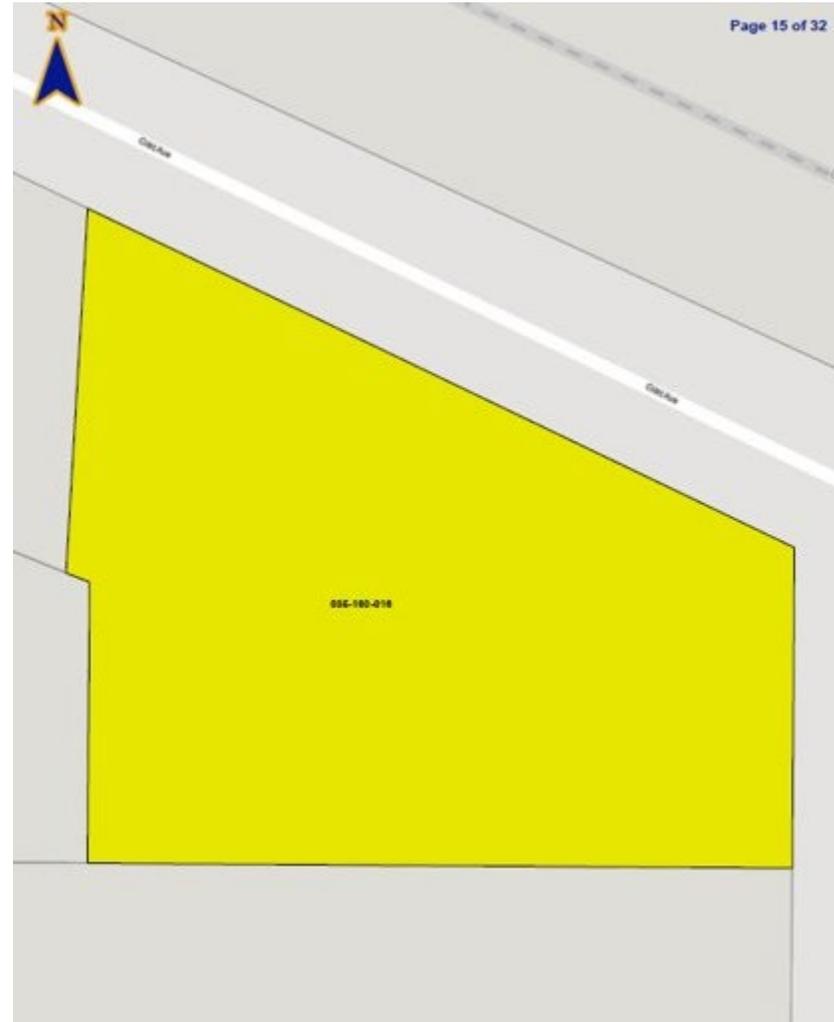
- 2.07 acres of land
- Assessor's Parcel Number (APN) 035-140-016
- Listed owner: Melgosa Lisa Trustee
- Notice of change went out to property owner(s)
- Property owner(s) had no comment

Recommend to City Council

Approve/Disapprove/Modify:

General Plan Amendment #24-17-A from Low-Medium Density (LMD) Residential to High Density Residential (HD) and Zone Change #436-A from Low Medium Density Residential (R-2) to High Density Residential (R-4)

B



Map B Info

- 0.52 acres of land more
- Assessor's Parcel Number (APN) 035-160-016
- Listed owner: Faithful Heritage Holdings West Inc.
- Notice of change went out to property owner(s)
- Property owner(s) had no comment

Recommend to City Council

Approve/Disapprove/Modify:

General Plan Amendment #24-17-B from General Commercial (CG) to Regional/Community Commercial (RC) and Zone Change #436-B from General Commercial (C-G) to Regional/Central Commercial (C-C)

C



Map C Info

for approximately 0.68 acres of land more particularly described as Assessor's Parcel Number (APN) 032-054-003 (owned by Rojas-Flores Felipe)

Notice of change went out to property owner(s)
Property owner(s) were concerned that they had commenced a project to split the lot.

Recommend to City Council

Approve/Disapprove/Modify:

General Plan Amendment #24-17-C from Low Density (LD) Residential to High Density Residential (HD) and Zone Change #436-C from Low Density Residential (R-1-6) to High Density Residential (R-4)

D



Map D Info

for approximately 0.99 acres of land more particularly described as Assessor's Parcel Number (APN) 059-270-008 (owned by Soto Alma A)

Notice of change went out to property owner(s)
Property owner(s) came into the office to clarify changes with staff. They were not opposed.

Recommend to City Council

Approve/Disapprove/Modify:

General Plan Amendment #24-17-D from Low Density (LD) Residential to High Density Residential (HD) and Zone Change #436-D from Low Density Residential (R-1-5) to High Density Residential (R-4)

E



Map E Info

for approximately 0.86 acres of land more particularly described as Assessor's Parcel Number (APN) 032-072-011 (owned by T & E Property Group, LLC)

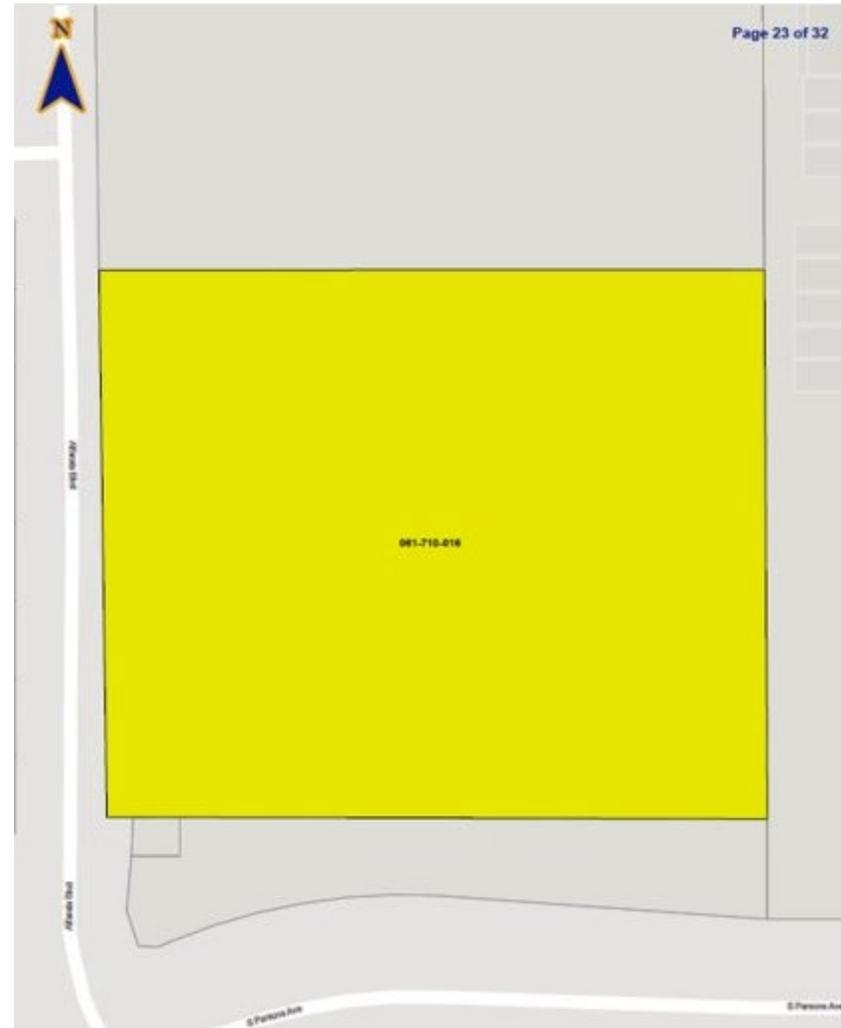
Notice of change went out to property owner(s)
Property owner(s) had no comment

Recommend to City Council

Approve/Disapprove/Modify:

General Plan Amendment #24-17-E from General Commercial (CG) to RC Regional/Community Commercial (RC) and Zone Change #436-E from General Commercial (C-G) to Regional/Central Commercial (C-C)

F



Map F Info

for approximately 4.93 acres of land more particularly described as Assessor's Parcel Number (APN) 061-710-016 (owned by Carreon Adrian E.)

Notice of change went out to property owner(s)
Property owner(s) had no comment

Recommend to City Council

Approve/Disapprove/Modify:

General Plan Amendment #24-17-F from Low Density (LD) Residential to High Density Residential (HD) and Zone Change #436-F from Residential Planned Development (RP-D) #40 to High Density Residential (R-4)

G



Map G Info

for approximately 4.41 acres of land more particularly described as Assessor's Parcel Number (APN) 061-710-015 (owned by City of Merced)

Notice of change went out to property owner(s)
Property owner(s) expressed concern that this is a dedicated park site and are opposed to the rezone

Recommend to City Council

Approve/Disapprove/Modify:
Staff recommends to deny rezoning and remove from consideration

General Plan Amendment #24-17-G from Open Space-Park Recreation (OS-PK) to High Density Residential (HD) and Zone Change #436-G from Residential Planned Development (RP-D) #40 to High Density Residential (R-4)

H



Map H Info

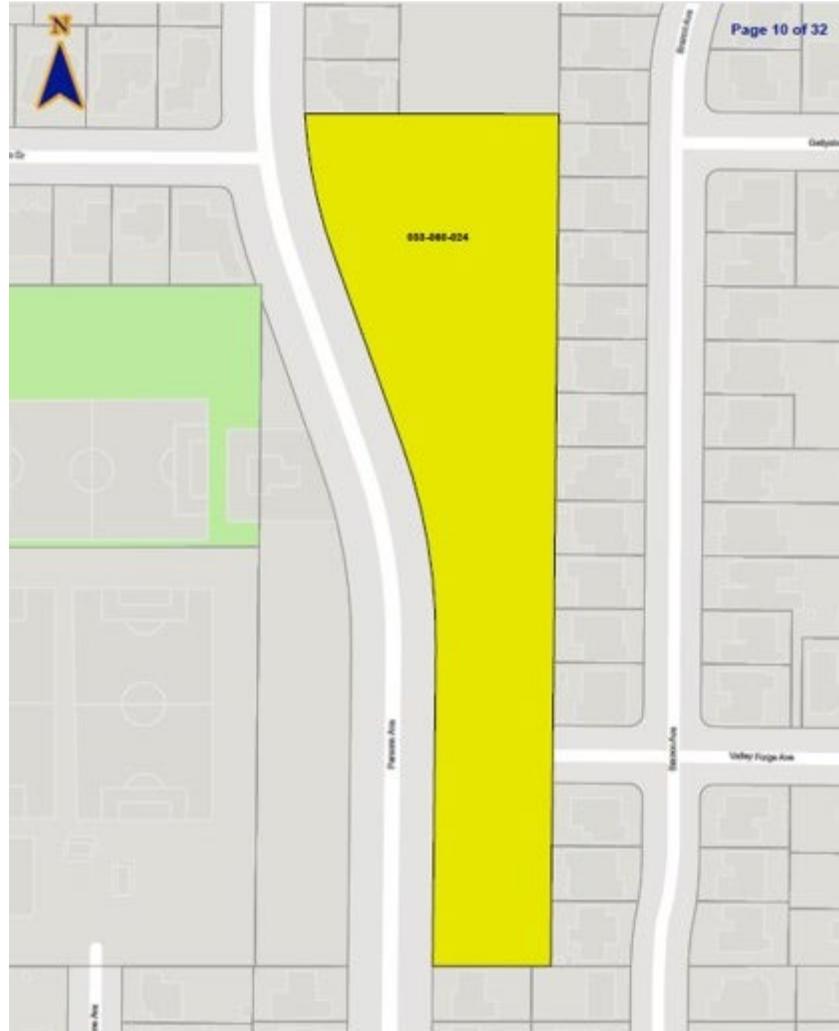
for approximately 1.03 acres of land more particularly described as Assessor's Parcel Number (APN) 030-163-008 (owned by Cardenas Audel V& Maria L)

Notice of change went out to property owner(s)
Property owner(s) had no comment

Recommend to City Council

Approve/Disapprove/Modify:

General Plan Amendment #24-17-H from Low Density (LD) Residential to High Density Residential (HD) and Zone Change #436-H from Low Density Residential (R-1-6) to High Density Residential (R-4)



Map I Info

for approximately 3.79 acres of land more particularly described as Assessor's Parcel Number (APN) 033-060-024 (owned by Liu Tai Ho Le Trustee)

Notice of change went out to property owner(s)
Property owner(s) had no comment

Recommend to City Council

Approve/Disapprove/Modify:

General Plan Amendment #24-17-I from Low Density (LD) Residential to High Density Residential (HD) and Zone Change #436-I from Low Density Residential (R-1-6) to High Density Residential (R-4)

J



Map J Info

for approximately 2.23 acres of land more particularly described as Assessor's Parcel Number (APN) 033-210-062 (owned by Liu Tai Ho Lee Trustee)

Notice of change went out to property owner(s)
Property owner(s) had no comment

Recommend to City Council

Approve/Disapprove/Modify:

General Plan Amendment #24-17-J from Low Density (LD) Residential to High Density Residential (HD) and Zone Change #436-J from Low Density Residential (R-1-6) to High Density Residential (R-4)

K



Map K Info

for approximately 0.63 acres of land more particularly described as Assessor's Parcel Number (APN) 034-021-002 (owned by Farr Billy Francis & Defarr Betsabe Kuri)

Notice of change went out to property owner(s)
Property owner(s) had no comment

Recommend to City Council

Approve/Disapprove/Modify:

General Plan Amendment #24-17-K from Low Density (LD) Residential to High Density Residential (HD) and Zone Change #436-K from Low Density Residential (R-1-6) to High Density Residential (R-4)



Map L Info

for approximately 0.55 acres of land more particularly described as Assessor's Parcel Number (APN) 034-072-030 (owned by Flanagan Square LLC)

Notice of change went out to property owner(s)
Property owner(s) were potentially in favor. Would like a zone that would allow for Mixed Use Development and to include parcel APN 034-072-029 in the rezone effort.

Recommend to City Council

Approve/Disapprove/Modify:

General Plan Amendment #24-17-L -from Low Density (LD) Residential to High Density Residential (HD) and Zone Change #436-L from Low Density Residential (R-1-10) to High Density Residential (R-4)

M



Map M Info

for approximately 0.69 acres of land more particularly described as Assessor's Parcel Number (APN) 031-251-030 (owned by Bear Creek Land Company LP)

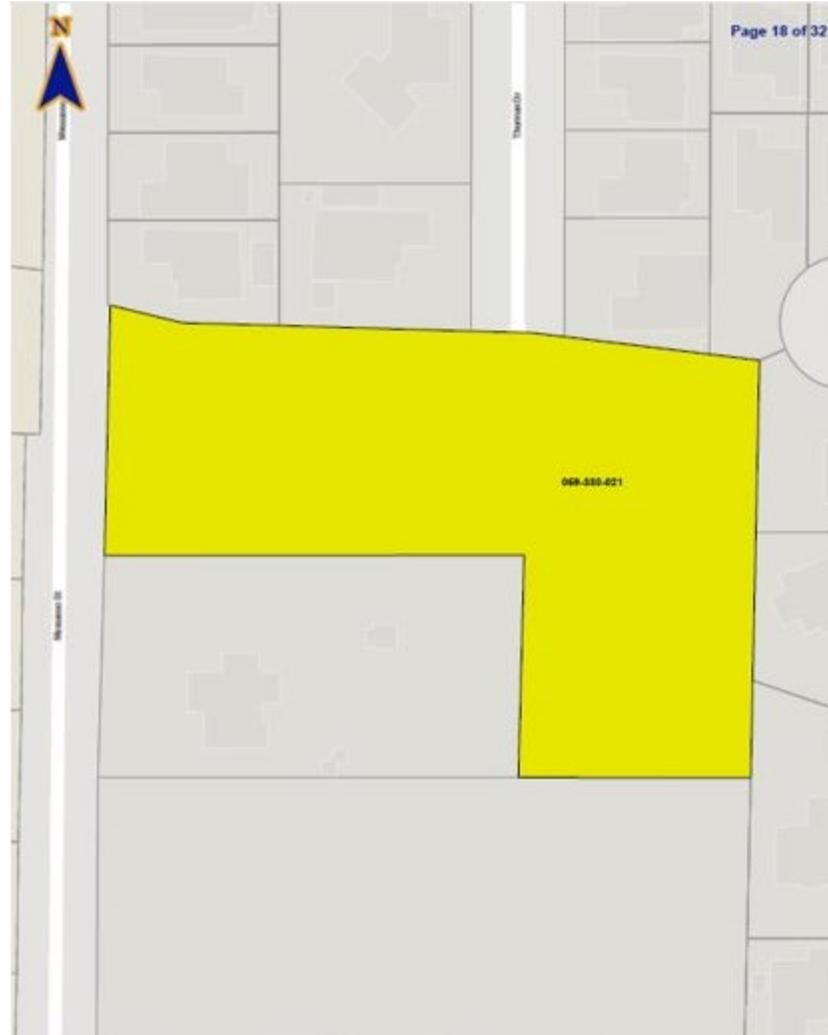
Notice of change went out to property owner(s)
Property owner(s) had no comment

Recommend to City Council

Approve/Disapprove/Modify:

General Plan Amendment #24-17-M from General Commercial (CG) to Regional/Community Commercial (RC) and Zone Change #436-M from General Commercial (C-G) to Regional/Central Commercial (C-C)

N



Map N Info

for approximately 2.11 acres of land more particularly described as Assessor's Parcel Number (APN) 059-330-021 (owned by Ornelas Michael)

Notice of change went out to property owner(s)
Property owner(s) had no comment

Recommend to City Council

Approve/Disapprove/Modify:

General Plan Amendment #24-17-N from Low Density (LD) Residential to High Density Residential (HD) and Zone Change #436-N from Low Density Residential (R-1-5) to High Density Residential (R-4)

O



Map O Info

for approximately 1.62 acres of land more particularly described as Assessor's Parcel Number (APN) 061-310-006 (owned by Makinson BL & Shirley)

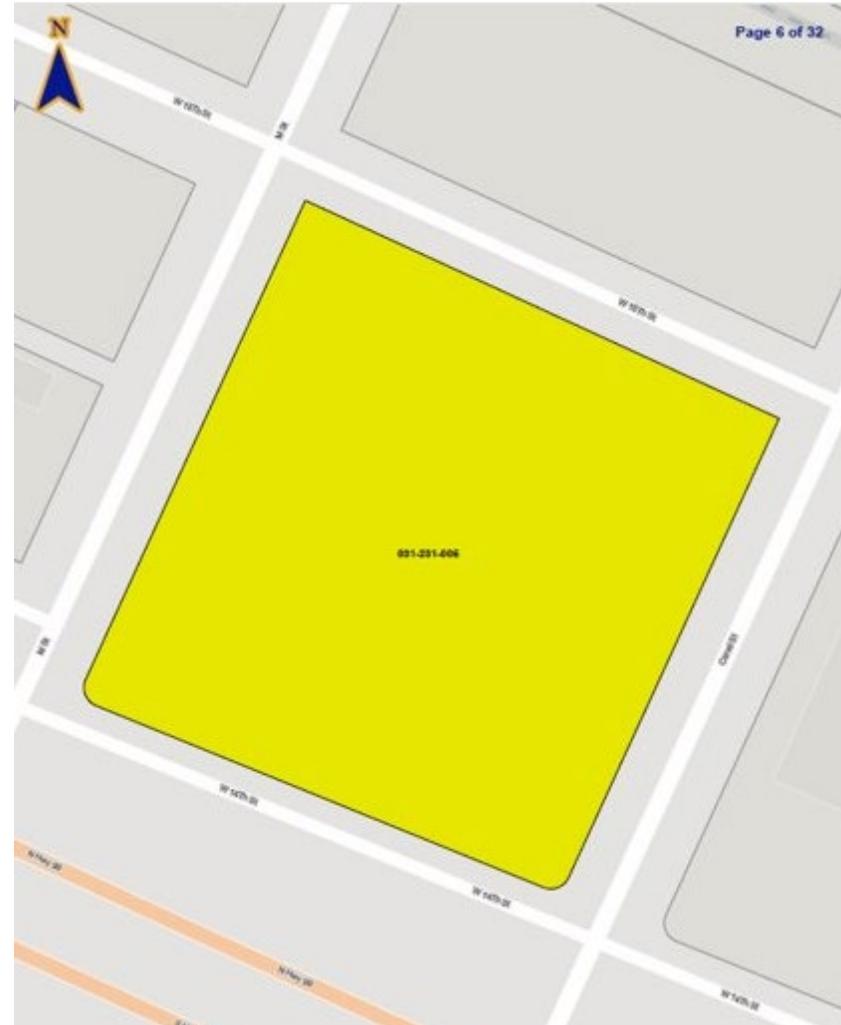
Notice of change went out to property owner(s)
Property owner(s) had no comment

Recommend to City Council

Approve/Disapprove/Modify:

General Plan Amendment #24-17-O from Low Density (LD) Residential to High Density Residential (HD) and Zone Change #436-O from Residential Planned Development (RP-D) #54 to High Density Residential (R-4)

P



Map P Info

for approximately 3.77 acres of land more particularly described as Assessor's Parcel Number (APN) 031-231-005 (owned by Pacific Gas & Electric Co.)

Notice of change went out to property owner(s)
Property owner(s) had no comment

Recommend to City Council

Approve/Disapprove/Modify:

General Plan Amendment #24-17-P from General Commercial (CG) to High Density Residential (HD) and Zone Change #436-P from General Commercial (C-G) to High Density Residential (R-4)

Q



Map Q Info

for approximately 0.73 acres of land more particularly described as Assessor's Parcel Number (APN) 031-094-005 (owned by Prasad Avinesh Ashnil)

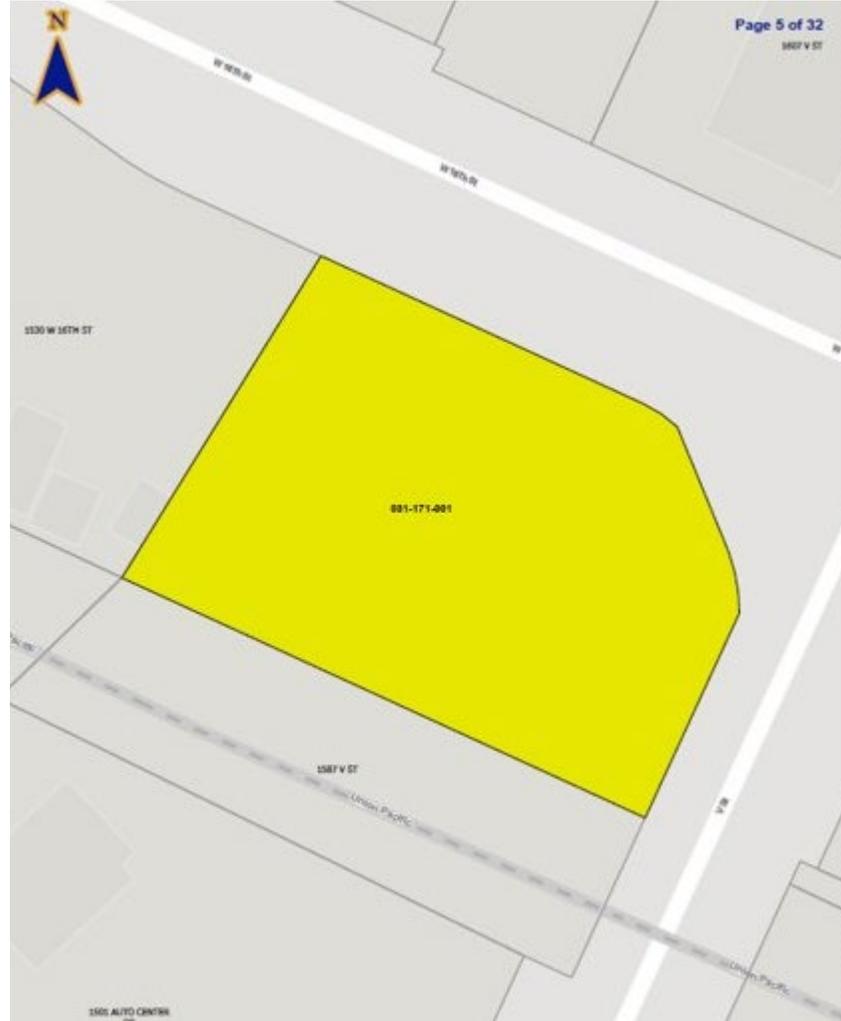
Notice of change went out to property owner(s)
Property owner(s) had no comment

Recommend to City Council

Approve/Disapprove/Modify:

General Plan Amendment #24-17-Q from General Commercial (CG) to High Density Residential (HD) and Zone Change #436-Q from General Commercial (C-G) to High Density Residential (R-4)

R



Map R Info

for approximately 0.82 acres of land more particularly described as Assessor's Parcel Number (APN) 031-171-001 (owned by Golden State Realty Association)

Notice of change went out to property owner(s)
Property owner(s) were not in favor. Property already being developed as car lot. Is next to other car lots.

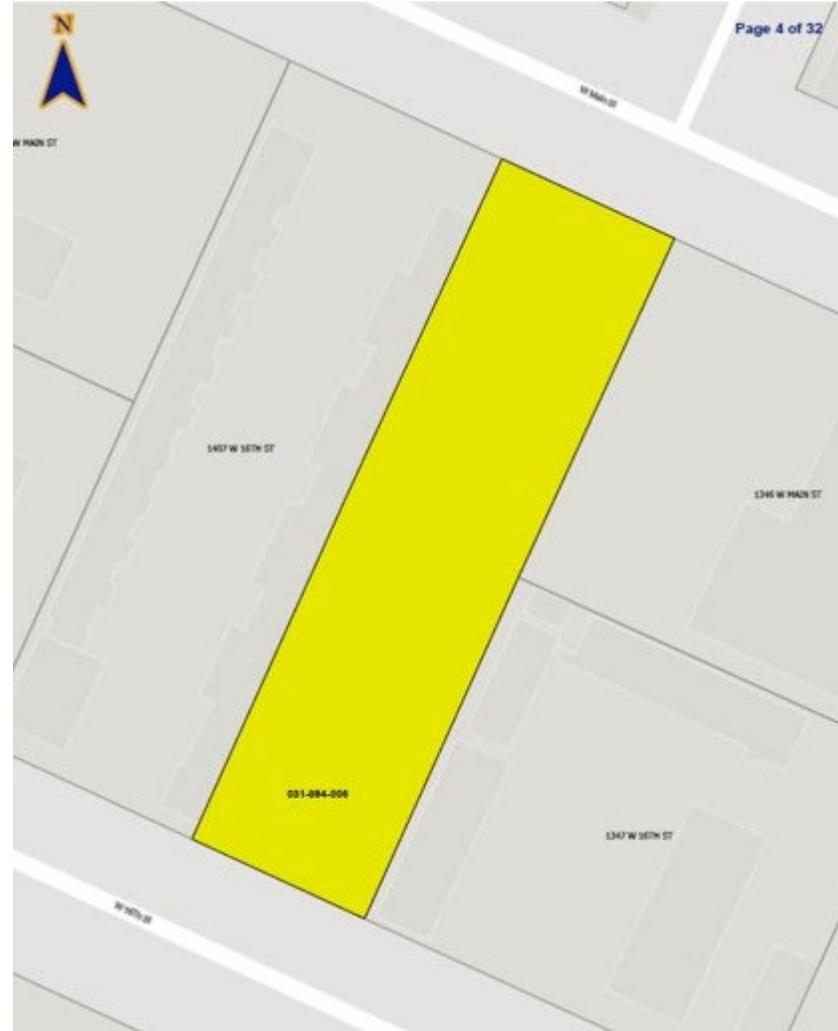
Recommend to City Council

Approve/Disapprove/Modify:

Staff Recommends to deny rezone and remove from consideration

General Plan Amendment #24-17-R General Commercial (CG) to High Density Residential (HD) and Zone Change #436-R from General Commercial (C-G) to High Density Residential (R-4)

S



Map S

for approximately 0.60 acres of land more particularly described as Assessor's Parcel Number (APN) 031-094-006 (owned by Cordes Richard A & Suzanne M Trustee)

Notice of change went out to property owner(s).
Property owner(s) are not in favor. Doesn't believe development would be viable unless it is at least 8 acres.

Recommend to City Council

Approve/Disapprove/Modify:

General Plan Amendment #24-17-S General Commercial (CG) to High Density Residential (HD) and Zone Change #436-S from Thoroughfare Commercial (C-T) to High Density Residential (R-4)

T



Map T Info

for approximately 4.73 acres of land more particularly described as Assessor's Parcel Number (APN) 231-040-010 (owned by Chang Jeanne Trustee).

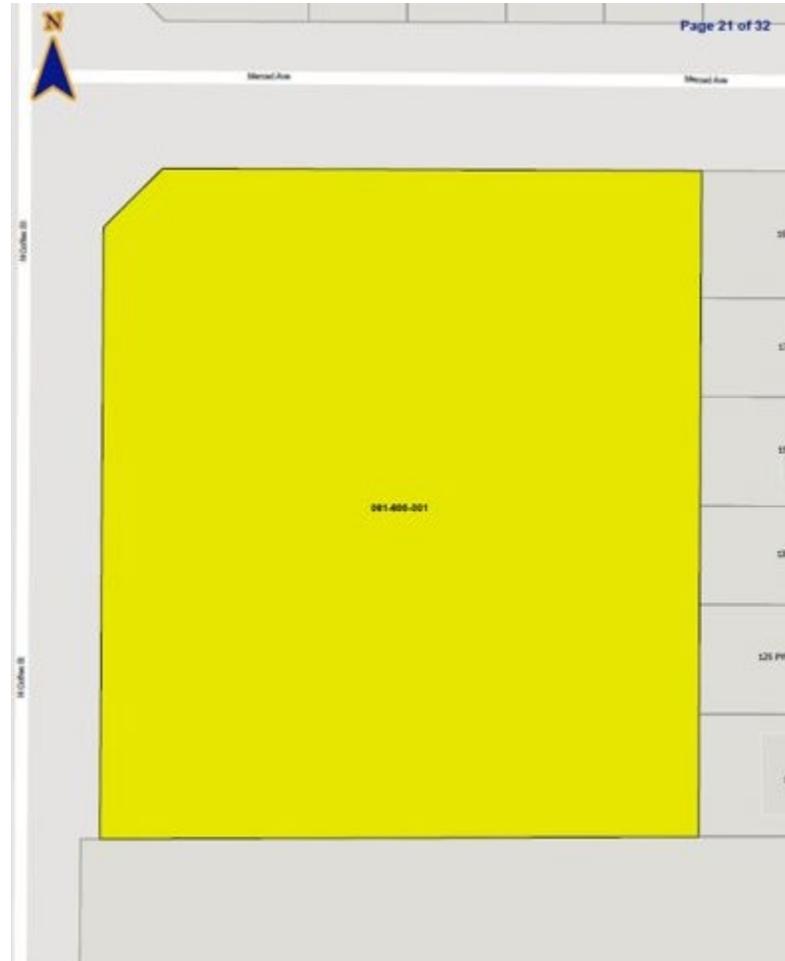
Notice of change went out to property owner(s)
Property owner(s) is in favor.

Recommend to City Council

Approve/Disapprove/Modify:

General Plan Amendment #24-17- T from Low Density (LD) Residential to High Density Residential (HD) and Zone Change #436-T from Low Density Residential (R-1-6) to High Density Residential (R-4)

U



Map U Info

for approximately 2.28 acres of land more particularly described as Assessor's Parcel Number (APN) 058-110-044 (owned by 1379 N Bear Creek LLC)

Notice of change went out to property owner(s)
Property owner(s) had no comment

Recommend to City Council

Approve/Disapprove/Modify:

General Plan Amendment #24-17-V from Low Medium Density (LMD) Residential to High Density Residential (HD) and Zone Change #436-V from Low Medium Density Residential (R-2) to High Density Residential (R-4)

V



Map V Info

for approximately 2.28 acres of land more particularly described as Assessor's Parcel Number (APN) 058-110-044 (owned by 1379 N Bear Creek LLC)

Notice of change went out to property owner(s)
Property owner(s) had no comment

Recommend to City Council

Approve/Disapprove/Modify:

General Plan Amendment #24-17-V from Low Medium Density (LMD) Residential to High Density Residential (HD) and Zone Change #436-V from Low Medium Density Residential (R-2) to High Density Residential (R-4)

W



Map W Info

for approximately 1.23 acres of land more particularly described as Assessor's Parcel Number (APN) 007-250-029 (owned by Thomason Colburn & Valdene)

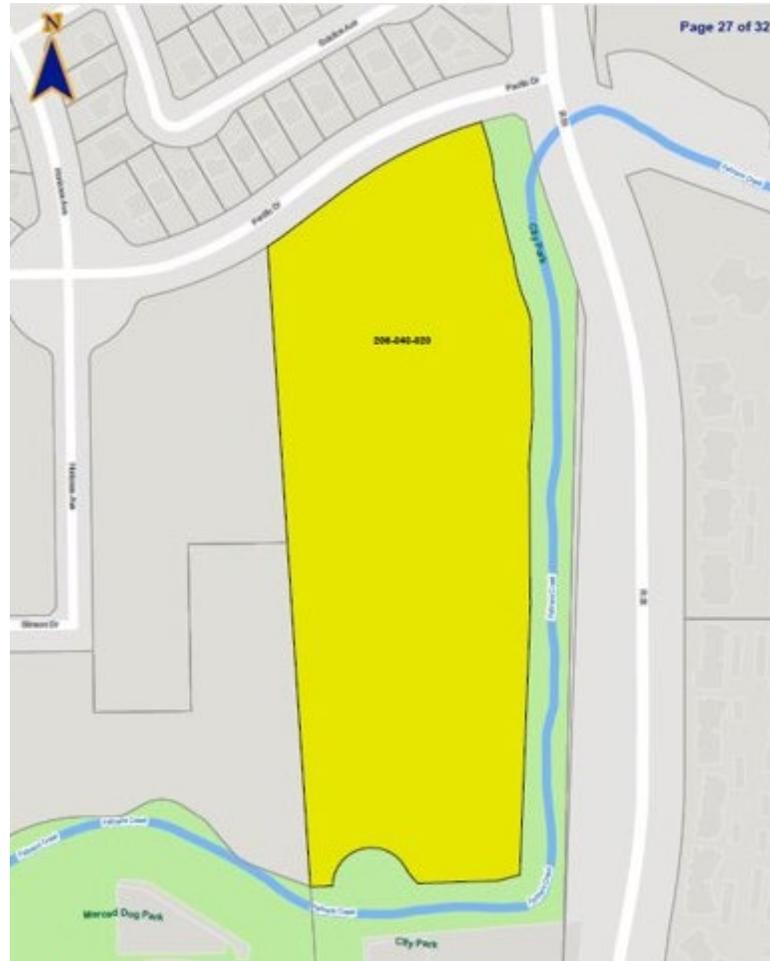
Notice of change went out to property owner(s)
Property owner(s) were potentially in favor. They were not happy with the late notice. Staff met with them and answered their questions.

Recommend to City Council

Approve/Disapprove/Modify:

General Plan Amendment #24-17-W and Site Utilization Plan Revision #19 to Planned Development (P-D) #4. The General Plan Amendment would change the General Plan designation from Commercial Office (CO) to High Density Residential (HD). The Site Utilization Plan Revision would change the Site Utilization Plan designation from Commercial Office to High Density Residential

X



Map X Info

for approximately 10.00 acres of land more particularly described as Assessor's Parcel Number (APN) 206-040-020 (owned by TRS OPS LLS)

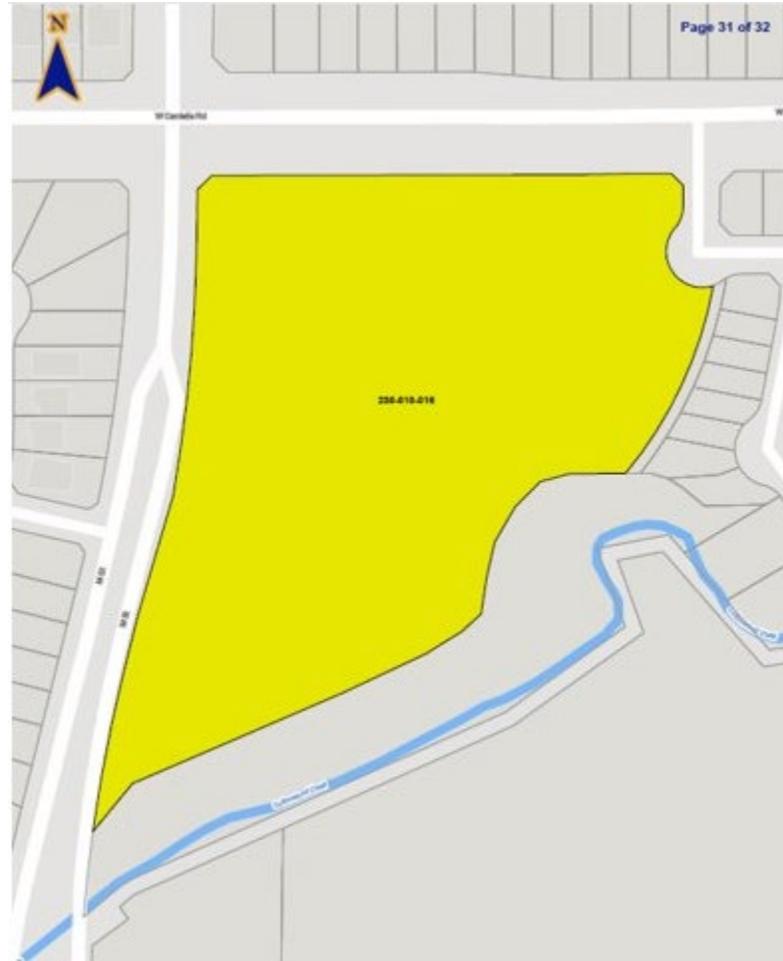
Notice of change went out to property owner(s)
Property owner(s) had no comment

Recommend to City Council

Approve/Disapprove/Modify:

General Plan Amendment #24-17-X and Site Utilization Plan Revision #8 to Planned Development (P-D) #46. The General Plan Amendment would change the General Plan designation from Commercial Office (CO) to High Density Residential (HD). The Site Utilization Plan Revision would change the Site Utilization Plan designation from Commercial Office to High Density Residential

Y



Map Y Info

for approximately 8.69 acres of land more particularly described as Assessor's Parcel Number (APN) 230-010-016 (owned by Merced QB Club LLC)

Notice of change went out to property owner(s)
Property owner(s) had concerns about a project that had been planned with the City's input.
Were ready to submit application.

Recommend to City Council

Approve/Disapprove/Modify:

Staff recommends the Planning Commission Recommend to the City Council a modified action.

Original:

General Plan Amendment #24-17-Y and Site Utilization Plan Revision #14 to Planned Development (P-D) #42. The General Plan Amendment would change the General Plan designation from Neighborhood Commercial (CN) to High Density Residential (HD). The Site Utilization Plan Revision would change the Site Utilization Plan designation from **Neighborhood Commercial to High Density Residential**

Map Y Info Continued

Recommend to City Council

Modified Action:

General Plan Amendment #24-17-Y and Site Utilization Plan Revision #14 to Planned Development (P-D) #42. The General Plan Amendment would change the General Plan designation from Neighborhood Commercial (CN) to **Regional/Community Commercial (RC)**. The Site Utilization Plan Revision would change the Site Utilization Plan designation from Neighborhood Commercial to **Central Commercial (C-C)**

Z



Map Z Info

for approximately 10.00 acres of land more particularly described as Assessor's Parcel Number (APN) 224-020-006 (owned by Bellevue Apartments North LP)

Notice of change went out to property owner(s)
Property owner(s) had no comment

Recommend to City Council

Approve/Disapprove/Modify:

General Plan Amendment #24-17-Z and Site Utilization Plan Revision #14 to Planned Development (P-D) #42. The General Plan Amendment would change the General Plan designation from High Medium Density Residential (HMD) to High Density Residential (HD). The Site Utilization Plan Revision would change the Site Utilization Plan designation from High Medium Density Residential to High Density Residential

AA



Map AA Info

for approximately 10.00 acres of land more particularly described as Assessor's Parcel Number (APN) 224-020-008 (owned by Bellevue Apartments North LP)

Notice of change went out to property owner(s)
Property owner(s) had no comment

Recommend to City Council

Approve/Disapprove/Modify:

General Plan Amendment #24-17-AA and Site Utilization Plan Revision #14 to Planned Development (P-D) #42. The General Plan Amendment would change the General Plan designation from High Medium Density Residential (HMD) to High Density Residential (HD). The Site Utilization Plan Revision would change the Site Utilization Plan designation from High Medium Density Residential to High Density Residential

BB



Map BB Info

for approximately 8.11 acres of land more particularly described as Assessor's Parcel Number (APN) 170-060-050 (owned by Stonefield Home Inc.)

Notice of change went out to property owner(s)
Property owner(s) had no comment

Recommend to City Council

Approve/Disapprove/Modify:

General Plan Amendment #24-17-BB and Site Utilization Plan Revision #14 to Planned Development (P-D) #42. The General Plan Amendment would change the General Plan designation from High Medium Density Residential (HMD) to High Density Residential (HD). The Site Utilization Plan Revision would change the Site Utilization Plan designation from High Medium Density Residential to High Density Residential

CC



Map CC Info

For approximately 5.16 acres of land more particularly described as Assessor's Parcel Number (APN) 170-060-051 (Owned by Stonefield Home Inc)

Notice of change went out to property owner(s)
Property owner(s) had no comment

Recommend to City Council

Approve/Disapprove/Modify:

General Plan Amendment #24-17-CC and Site Utilization Plan Revision #14 to Planned Development (P-D) #42. The General Plan Amendment would change the General Plan designation from High Medium Density Residential (HMD) to High Density Residential (HD).

DD



Map DD Info

For approximately 6.09 acres of land more particularly described as Assessor's Parcel Number (APN) 170-060-052 (owned by Stonefield Home Inc)

Notice of change went out to property owner(s)

Recommend to City Council

Approve/Disapprove/Modify:

General Plan Amendment #24-17-DD and Site Utilization Plan Revision #14 to Planned Development (P-D) #42. The General Plan Amendment would change the General Plan designation from High Medium Density Residential (HMD) to High Density Residential (HD).



The End

City of Merced

MEMORANDUM

DATE: January 31, 2025
TO: Planning Commission
FROM: Kim Espinosa, Temporary Director of Development Services
SUBJECT: Conflict of Interest Maps for Item E.1 – Housing Element Rezones

DISCUSSION

City staff prepared maps showing 500-foot and 1,000-foot buffers from each of the thirty (30) sites proposed for rezoning. The purpose of these buffer maps was to determine whether any Planning Commissioners reside within either 500-foot or 1,000-feet of any of the proposed rezone sites, as this would indicate a conflict of interest.

Based on those maps, staff has determined:

1. The leading edge of Chair Gonzalez’s property is within 500-feet of the corner of the parcel located at 1536 Massasso Street, also known as (APN) 059-330-021 (PHN Letter “N”).
2. Commissioner Ochoa’s home is within 500-feet of the O Street parcel, also known as (APN) 030-163-008 (PHN Letter “H”).

ACTION RECOMMENDED

Chair Gonzalez and Commissioner Ochoa recuse themselves from the vote on PHN Sites “N” and “H,” respectively.