



# CITY OF MERCED

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

## Minutes Planning Commission

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Wednesday, May 20, 2026

6:00 PM

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### A. CALL TO ORDER

Chairperson GONZALEZ called the meeting to order at 6:01 PM.

A.1. Moment of Silence

A.2. Pledge of Allegiance to the Flag

Commissioner OCHOA led the Pledge of Allegiance to the Flag.

### B. ROLL CALL

**Clerk's Note:** The Commission has 1 vacancy at this time. Commissioner SWIGGART was absent, excused.

**Present:** 5 - Chair Anthony Gonzalez, Member Walter Smith, Member Emanuelle Ochoa, Vice Chair Jeremiah Greggains, and Member Jerry Vue

**Absent:** 1 - Member Conchita Swiggart

### C. PUBLIC COMMENT

There were no public comments.

### D. PUBLIC HEARINGS

D.1. **SUBJECT:** Minor Modification #26-0008 and Environmental Review #26-0061

#### REPORT IN BRIEF

Staff recommends that this item be continued to the Planning Commission meeting of June 3, 2026, to allow staff additional time to conduct research.

#### RECOMMENDATION

Planning staff recommends that the Planning Commission continue this item to the Planning Commission meeting of June 3, 2026, at 6:00 p.m., or soon thereafter, in the City Council of Chambers.

Planner ABARCA informed the Commission that staff needs more time to conduct more research into the project.

There was no one present wishing to speak regarding the project; therefore, public testimony was opened and closed at 6:05 PM.

**A motion was made by Vice Chair Greggains, seconded by Chairperson Gonzalez and carried by the following vote, to continue the public hearing to the Planning Commission Meeting of June 3, 2026.**

**Aye:** 5 - Chair Gonzalez  
 Member Smith  
 Member Ochoa  
 Vice Chair Greggains  
 Member Vue

**No:** 0

**Absent:** 1 - Member Swiggart

**E. ACTION ITEMS**

**E.1.**

**SUBJECT:** Annual Review of the Five-Year (2026-2031) Capital Improvement Program (CIP), Determination of Whether the Individual Projects are Consistent with the General Plan Maps, Policies, and Principles and Recommendation to the City Council Regarding the Consistency with the Merced Vision 2030 General Plan

**ACTION** Adopt a finding that the CIP is consistent with the General Plan

**SUMMARY**

A function of the Planning Commission is the annual review of the Capital Improvement Program (CIP). The CIP is a list of the physical improvements the City plans on funding and constructing over the next five years. The Planning Commission’s role is to determine whether the individual projects are consistent with the General Plan maps, policies, and principles. The Draft Project List for the 2026-2027 Capital Improvement Program document is provided at Attachment A with the entire 2026 -2031 CIP provided at Attachment B. Please note that the budget numbers are still being finalized so they are subject to change prior to City Council consideration.

**RECOMMENDATION**

Staff recommends that the Planning Commission recommend to the City Council that the Draft Five- Year Capital Improvement Program is consistent with the “*Merced Vision 2030 General Plan*” and related master plans.

**The Commission tabled this item.**

**E.2.**

**SUBJECT:** Recommendation to City Council to adopt an Urgency

Ordinance Establishing a Temporary Moratorium on Food Trucks in Fixed Locations Pursuant to Government Code Section 65858 to Consider Amending Merced Municipal Code (MMC) Chapter 20.44.020 - Food Trucks in Fixed Locations

**ACTION:**

Approve/Disapprove/Modify

- 1) Resolution to recommend the Merced City Council adopt an Urgency Ordinance Establishing a Temporary Moratorium on Food Trucks in Fixed Locations Pursuant to California Government Code Section 65858

**RECOMMENDATION**

Planning Staff recommends that the Planning Commission adopt a Resolution recommending that the City Council:

- Adopt an urgency notice to establish a temporary moratorium on new approvals under Merced Municipal Code (MMC) Chapter 20.44.020, Food Trucks in Fixed Locations; and
- Direct staff to prepare comprehensive amendments to MMC Chapter 20.44.020 to address concentration, location, land-use compatibility, and community impacts associated with food trucks operating in fixed locations.

Planning Manager RASHE reviewed the report on this item. For further information, refer to Staff Report #26-435.

There was no one present wishing to speak regarding the project; therefore, public testimony was opened and closed at 6:17 PM.

**A motion was made by Vice Chair Greggains, seconded by Member Ochoa and carried by the following vote to recommend approval of an Urgency Ordinance Establishing a Temporary Moratorium on Food Trucks in Fixed Locations to City Council.**

**Aye:** 5 - Chair Gonzalez  
Member Smith  
Member Ochoa  
Vice Chair Greggains  
Member Vue

**No:** 0

**Absent:** 1 - Member Swiggart

**F BUSINESS**

**F.1.**SUBJECT: Report by Planning Manager of Upcoming Agenda Items

**ACTION**

Information only.

Planning Manager RASHE went over items for the next several Planning Commission meetings.

**F.2.**SUBJECT: Calendar of Meetings/Events

May	18	City Council, 6:00 p.m.
	20	Planning Commission, 6:00 p.m.
Jun.	1	City Council, 6:00 p.m.
	3	Planning Commission, 6:00 p.m.
	15	City Council, 6:00 p.m.
	17	Planning Commission, 6:00 p.m.
July	6	City Council, 6:00 p.m.
	8	Planning Commission, 6:00 p.m.

**G. ADJOURNMENT**

**Clerk's Note:** The Regular Meeting adjourned at 6:24 PM.


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

**Aye:** 5 - Chair Gonzalez  
Member Smith  
Member Ochoa  
Vice Chair Greggains  
Member Vue

**No:** 0

**Absent:** 1 - Member Swiggart

BY:

A handwritten signature in blue ink, appearing to read 'S. Rashe', with a long horizontal flourish extending to the right.

SAM RASHE, SECRETARY  
MERCED CITY PLANNING COMMISSION

APPROVED:

ANTHONY GONZALEZ, CHAIRPERSON  
MERCED CITY PLANNING COMMISSION

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

**Resolution #4183**

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

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

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

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

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

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

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

**WHEREAS**, the Planning Commission finds that a temporary moratorium would provide the City sufficient time to evaluate and prepare comprehensive amendments to MMC Chapter 20.44.020 to better address evolving operational practices and community impacts; and

**WHEREAS**, pursuant to the California Environmental Quality Act (“CEQA”), the Planning Commission finds that recommending the City Council consider a

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temporary moratorium and ordinance amendments is not a “project” pursuant to CEQA Guidelines Section 15378; and

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

**NOW THEREFORE**, after reviewing the Planning Commission Staff Report, the Merced City Planning Commission

does resolve recommending to the City Council to establish a temporary moratorium and amend the Merced Municipal Code (MMC) Chapter 20.44.020.

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

AYES:

NOES:

ABSENT:

ABSTAIN:

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



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Chairperson, Planning Commission of  
the City of Merced, California

ATTEST:



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Secretary