



## Legislation Details (With Text)

**File #:** 23-253      **Version:** 1      **Name:**  
**Type:** Public Hearing Item      **Status:** Agenda Ready  
**File created:** 3/3/2023      **In control:** Planning Commission  
**On agenda:** 3/22/2023      **Final action:** 3/22/2023  
**Title:** SUBJECT: Conditional Use Permit #1270, initiated by Hamid Yahya, property owner. This application involves a request to establish a food truck parking area to allow two food truck vendors within a parking lot located at 1150 Martin Luther King Jr. Way, generally located at the southeast corner of W. 12th Street and Martin Luther King Jr. Way, within a zoning classification of General Commercial (C-G), and a General Plan designation of General Commercial (CG). **\*\*PUBLIC HEARING\*\***

**ACTION:** Approve/Disapprove/Modify  
1) Environmental Review #23-04 (Categorical Exemption)  
2) Conditional Use Permit #1270

### SUMMARY

Hamid Yahya is requesting conditional use permit approval to establish a food truck parking area to allow two food truck vendors, located at 1150 Martin Luther King Jr. Way. Food truck parking areas are considered a conditional use within a General Commercial (C-G) Zone. The proposed parking area is shared with the Merced Food Center. The Planning Commission will be reviewing this proposal to ensure that the provided site plan is designed in a manner that minimizes negative impacts to the existing site and promotes compatible and orderly development. Staff is recommending approval with conditions.

### RECOMMENDATION

Planning staff has reviewed this request and recommends that the Planning Commission approve Environmental Review #23-04 (Categorical Exemption) and Conditional Use Permit #1270, including the adoption of the Draft Resolution at Attachment A subject to the conditions in Exhibit A and the findings/considerations in Exhibit B.

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. A - Draft PC Resolution.pdf, 2. B - location map.pdf, 3. C-Site Maps.pdf, 4. D-WQCD Best Management Practices Brochure.pdf, 5. E-Categorical Exemption.pdf, 6. F-PC Presentation.pdf

Date	Ver.	Action By	Action	Result
3/22/2023	1	Planning Commission	approved	Pass

## Planning Commission Staff Report

*Report Prepared by: Stephani Davis, Development Services Technician II, Development Services Department*

**SUBJECT:** Conditional Use Permit #1270, initiated by Hamid Yahya, property owner. This application involves a request to establish a food truck parking area to allow two food truck vendors within a parking lot located at 1150 Martin Luther King Jr. Way, generally located at the southeast corner of W. 12<sup>th</sup> Street and Martin Luther King Jr. Way, within a zoning classification

of General Commercial (C-G), and a General Plan designation of General Commercial (CG).  
**\*\*PUBLIC HEARING\*\***

**ACTION:** Approve/Disapprove/Modify

- 1) Environmental Review #23-04 (*Categorical Exemption*)
- 2) Conditional Use Permit #1270

## SUMMARY

Hamid Yahya is requesting conditional use permit approval to establish a food truck parking area to allow two food truck vendors, located at 1150 Martin Luther King Jr. Way. Food truck parking areas are considered a conditional use within a General Commercial (C-G) Zone. The proposed parking area is shared with the Merced Food Center. The Planning Commission will be reviewing this proposal to ensure that the provided site plan is designed in a manner that minimizes negative impacts to the existing site and promotes compatible and orderly development. Staff is recommending approval with conditions.

## RECOMMENDATION

Planning staff has reviewed this request and recommends that the Planning Commission approve Environmental Review #23-04 (Categorical Exemption) and Conditional Use Permit #1270, including the adoption of the Draft Resolution at Attachment A subject to the conditions in Exhibit A and the findings/considerations in Exhibit B.

## DISCUSSION

### Project Description

The applicant is proposing to establish a food truck parking area to allow two food truck vendors within the parking lot of the Merced Food Center. The proposed site plan shows the locations of the proposed food trucks to be positioned in a way that does not interfere with the circulation of the parking lot (Attachment C). Each food truck shall be oriented in a way that does not block any driving aisles, fire lanes, or interfere with the customers of the Merced Food Center.

### Surrounding Uses

Surrounding Land	Existing Use of Land	City Zoning Designation	City General Plan Land Use Designation
North	Vacant Building (across 12 <sup>th</sup> Street)	General Commercial (C-G)	General Commercial (CG)
South	Rides Merced Auto Body & Paint (across the alley)	General Commercial (C-G)	General Commercial (CG)
East	Residential	R-4	High-Density Residential (HD)
West	Vacant Building (across Martin Luther King Jr. Way)	General Commercial (C-G)	General Commercial (CG)

### Background

Food truck parking areas are considered a fairly new land use option in Merced. In 2016, the City of Merced prepared a comprehensive update to the Zoning Ordinance for the first time in over 50 years. The revised Zoning Ordinance now allows food truck parking areas with a conditional use permit within most commercial and industrial zones. The Zoning Ordinance Focus Group modeled the food truck parking area concept after examples found throughout the Central Valley in communities like Modesto and Fresno. Food truck parking areas differ from the City's traditional food truck projects, as they allow for multiple food truck vendors with outdoor seating on one parcel. The Planning Commission has approved two locations for food truck parking areas since 2018, neither are currently in operation.

### Findings/Considerations

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

## **ATTACHMENTS**

- A. Draft Planning Commission Resolution #4107
- B. Location Map
- C. Site Plan
- D. Water Quality Control Division Best Management Practices Brochure
- E. Categorical Exemption
- F. Presentation