

CITY OF MERCED
Planning & Permitting Division

STAFF REPORT: #18-03

AGENDA ITEM: 4.2

FROM: Kim Espinosa,
Planning Manager

PLANNING COMMISSION
MEETING DATE: Feb. 7, 2018

PREPARED BY: Francisco Mendoza-Gonzalez,
Planner

CITY COUNCIL
MEETING DATE: March 5, 2018
(Tentative)

SUBJECT: **Zoning Ordinance Amendment #18-01**, initiated by the City of Merced. This application involves changes to the Merced Zoning Ordinance (Title 20 of the Merced Municipal Code) which would modify the Commercial Shopping Center (C-SC) Zone to allow the following uses with a Site Plan Review Permit: Community Gardens, Colleges & Trade Schools, Commercial Recreation Indoor, Commercial Recreation Outdoor, and Drive-Through/Drive-Up Sales. In addition, the following uses would be changed from requiring a Conditional Use Permit to requiring a Site Plan Review Permit: Gas and Service Stations/Car Washes, Offices/Professional Uses, and Restaurants. All of these uses, except for a Community Garden, would be allowed only as a part of a development that requires a grocery store of over 20,000 square feet as the main anchor to a shopping center. A Community Garden would be allowed as a temporary use until a shopping center is developed. *PUBLIC HEARING*.

ACTION: PLANNING COMMISSION:

Recommendation to City Council

- 1) Environmental Review #18-01 (Categorical Exemption)
- 2) Zoning Ordinance Amendment (ZOA) #18-01

CITY COUNCIL:

Approve/Disapprove/Modify

- 1) Environmental Review #18-01 (Categorical Exemption)
- 2) Zoning Ordinance Amendment (ZOA) #18-01

SUMMARY

There is currently only one parcel within the entire City of Merced that is zoned Commercial Shopping Center (C-SC) and it is located at the southeast corner of Childs Avenue and Canal Street (Attachment A). This vacant 6-acre lot used to belong to the City of Merced Redevelopment Agency (RDA) before being taken over by the State of California around 2013 when the RDA was dissolved. Since then, the City has not received many inquiries to develop this site. Economic Development staff reached out to developers to find ways to make this site more attractive to

investors. Developers reported that the limited interest in this site could be attributed to the development options with its zoning designation. Developers recommend broadening the CS-C Zone land use policy to allow for additional uses that could complement a grocery store. According to developers, doing this would make it more financially feasible to develop a shopping center with a variety of uses at 112 S. Canal Street.

To encourage economic development and the construction of a new grocery store in South Merced, the City of Merced is proposing to modify the Commercial Shopping Center (C-SC) Zone to allow the following uses with a Site Plan Review Permit: Community Gardens, Colleges & Trade Schools, Commercial Recreation Indoor, Commercial Recreation Outdoor, and Drive-Through/Drive-Up Sales. In addition, the following uses would change from requiring a Conditional Use Permit to requiring a Site Plan Review Permit: Gas and Service Stations/Car Washes, Offices/Professional Uses, and Restaurants. All of these uses, except for a Community Garden, would be allowed only as part of a development that requires a grocery store of over 20,000 square feet as the main anchor to a shopping center. A Community Garden would be allowed as a temporary use until a shopping center is developed.

RECOMMENDATION

Planning staff recommends that the Planning Commission recommend approval of Environmental Review #18-01 (Categorical Exemption) and Zoning Ordinance Amendment #18-01 (including the adoption of the Resolution at Attachment E) as proposed in Findings A through G below.

BACKGROUND AND DISCUSSION

Site Selection

There is currently only one lot within the entire City of Merced that is zoned Commercial Shopping Center. This vacant 6-acre lot is located at the southeast corner of Childs Avenue and Canal Street (112 S. Canal Street). The City of Merced Redevelopment Agency (RDA) purchased this site several years ago with the intention of reserving it for a grocery store in an effort to spur economic development and provide access to fresh produce in an area that had been identified as a “food desert” by the *Martin Luther King Jr. Way Revitalization Plan*. This site is surrounded by high-density residential uses and is located along a major arterial road, Childs Avenue, that is close to Highway 99, Highway 59, and Highway 140 allowing for good vehicle access and a regional clientele.

Public Participation

The plan to bring a new grocery store to South Merced was a community-wide effort under the direction of previous City Council Members with the collaboration of several non-profit organizations and community groups, like the Citizens for the Betterment of South Merced. Through several workshops, community meetings, and public hearings it became apparent that the neighborhood desired to have a new grocery store in South Merced. These residents collected over 1,200 signatures showing their support and commitment to shop at the future grocery store at 112 S. Canal Street.

Establishment of the CS-C Zone

Around 2013, the State announced that they were dissolving the RDA and requiring the City of Merced to transfer 112 S. Canal Street to them. The City of Merced was subsequently in a position where they could lose control of the development at 112 S. Canal Street as the State could sell this site to a developer who did not want to construct a grocery store. The City Council and the community did not want to lose an opportunity to have a grocery store at a desired location, so they created a new zoning designation specifically designed for 112 S. Canal Street, called the “Commercial Shopping Center (C-SC) Zone.” This zone requires the construction of a grocery store (of over 20,000 s.f.), but significantly limits the types of secondary businesses that could be part of the shopping center.

112 S. Canal Street has remained vacant for approximately 6 years and there has been minimal interest to develop a grocery store there. To encourage development, Planning and Economic Development staff reached-out to developers to find ways to make this site more attractive to investors. Developers reported that this site would be much more attractive if the CS-C Zone allowed for “packaged-development” that would require a grocery store (as desired by the previous City Council/the neighborhood) and allow for other profitable developments like drive-through restaurants, gasoline stations, and car washes. Broadening the CS-C Zone land use policy in this manner would make development more financially feasible for investors. Since preparing this Zoning Ordinance Amendment, City staff has received interest from one anonymous developer looking to construct a 40,000-square-foot grocery store with two out-parcels for a drive-thru restaurant and a shell building.

General Plan Policies Related to This Application

- A) The General Plan “Land Use” goals and policies related to this proposal include:
- General Plan Implementing Action L-2.6.b states that special emphasis should be placed on encouraging the development of neighborhood commercial center(s) in the general vicinity of the South Highway 59 corridor to serve the needs of South Merced residents.
 - General Plan Implementing Action UE-1.2.a calls for encouraging development on in-fill sites by amending the Zoning Ordinance to better accommodate such request.
 - General Plan Implementing Action L-2.3.d calls for reviewing and updating the City’s Zoning Ordinance in order to streamline and make the development process more business-friendly.

Permit Review Process

- B) In order to purchase 112 S. Canal Street, the State would like to know that a developer can obtain entitlement approvals from the City within a matter of weeks. To help developers meet this deadline, staff is recommending that development within the CS-C Zone be streamlined with a Site Plan Review Permit instead of a Conditional Use Permit. This would help developers meet the State’s deadline because a Site Plan Review Permit can be processed in half the time that it takes to process a Conditional Use Permit (4-6 weeks compared to 7-10 weeks). The Site Plan Review Permit process allows City staff to expedite the development review process without sacrificing the ability to require

conditions of approval addressing specific impacts to traffic, access (pedestrian/vehicle/bike), parking, noise, lighting, landscaping, aesthetics, etc. Because 112 S. Canal Street is adjacent to residential zones, the adjacent property owners would receive a 10-day Public Hearing Notice before the Site Plan Review Committee takes action on a proposal for a shopping center.

Land Use Table

C) The proposed Zoning Ordinance Amendment would modify the Merced Municipal Code Table 20.10-1- Permitted Land Uses in the Commercial Zoning Districts, as shown at Attachment B, and as summarized below:

- The following uses would change from being prohibited to being allowed with a Site Plan Review Permit: Community Gardens, Colleges & Trade Schools, Commercial Recreation Indoor, Commercial Recreation Outdoor, and Drive-Through/Drive-Up Sales.
- The following uses would change from requiring a Conditional Use Permit to requiring a Site Plan Review Permit: Gas and Service Stations/Car Washes, Offices/Professional Uses, and Restaurants.

All of the uses shown above, except for a Community Garden, would be allowed only as part of a development that requires a grocery store of over 20,000 square feet as the main anchor to a shopping center. A Community Garden would be allowed as a temporary use until a shopping center is developed.

Development Standards

D) The Development Standards for the CS-C Zone would not be changed with this request. Standards regarding lot size, yard requirements, building height, and signage will remain the same as shown at Attachment C under Table 20.10-2 – Development Standards for Commercial Zones.

Neighborhood Impact/Interface

E) This request involves a change to the City's zoning regulations. Such regulations by themselves do not have a direct impact on the environment as there is no physical change to the environment proposed at this time.

Public Participation

F) Because the Citizens for the Betterment of South Merced played a role in establishing the CS-C Zone in 2012, staff wanted to make sure that they were involved with this zoning ordinance amendment. Staff met with this community group during the months of November 2017 and January 2018 to solicit their comments. During those meetings, the Citizens for the Betterment of South Merced recognized the need to modify the C-SC Zone land use table to encourage the development of a shopping center. They also noted that

they appreciate that this ordinance amendment streamlines the development of professional and recreational uses.

Environmental Clearance

- G) Planning staff conducted an environmental review (Initial Study # 18-01) of the project in accordance with the requirements of the California Environmental Quality Act (CEQA), and a Categorical Exemption is being recommended (Attachment D).

Attachments:

- A) Location Map - 112 S. Canal St.
- B) Proposed Ordinance with changes to Table 20.10-1 – Permitted Land Uses in the Commercial Zoning Districts
- C) Table 20.10-2 Development Standards for Commercial Zones
- D) Categorical Exemption
- E) Draft Planning Commission Resolution

High-Density Residential

112 S. Canal St.
(CS-C Zone)

Kellogg's Supply

BlueLine Rentals

Single-Family Homes

ATTACHMENT A



N

M

6TH

7TH

8TH

K

CANAL

JONATHAN

6TH

5TH

K

CHILD'S

CHILD'S

STRATFORD

SEVILLE

Kellogg's Supply

BlueLine Rentals

Single-Family Homes

CARTMELL

CANAL

HOFFMAN

59

JOHN

CONE



FOR PLANNING COMMISSION CONSIDERATION
(P.C.MTG. 2/7/2018)

20.10.010 Land Use Regulations for Commercial Zoning Districts

A. Permitted Uses. Table 20.10-1 identifies land uses permitted in commercial zoning districts.

TABLE 20.10-1 PERMITTED LAND USES IN THE COMMERCIAL ZONING DISTRICTS

Key	Zoning District ^[1]							Additional Regulations
	C-O	C-N	C-C	C-SC	C-T	C-G	B-P	
P Permitted Use								
M Minor Use Permit Required								
SP Site Plan Review Permit Required								
C Conditional Use Permit Required								
X Use Not Allowed								
RESIDENTIAL USES								
Group/Transitional/Supportive Housing	X	X	P [3]	X	X	X	X	
Live/Work Units	C	C	P [2]	X	X	X	X	Sec. 20.44.080
Multiple-Family Dwellings	C	C	P	X	X	X	X	
Residential Care Facilities, Small (6 or Less)	X	X	P [3]	X	X	X	X	
Residential Care Facilities, Large (More than 6 residents)	X	X	P [3]	X	X	X	X	
Single-Room Occupancy	X	X	P [3]	X	X	X	X	Sec. 20.44.120
COMMUNITY USES								
Community Assembly	C	C	C	X	C	C	C	
Community Garden	SP	SP	SP	SP	X	SP	X	Sec. 20.44.050
Colleges and Trade Schools	C	C	C	SP	X	C	C	
Convalescent or Nursing Homes	C	C	C	X	X	X	X	
Cultural Institutions	C	C	C	X	C	C	C	
Day Care Centers (Children & Adults)	M	M	M	X	X	X	SP	
Emergency Shelters	X	X	C	X	C	P	X	Sec.20.44.150
Government Offices	P	P	P	X	C	C	C	
Hospitals and Surgery Centers	C	C	C	X	X	X	C	
Instructional Services	P	P	P	X	X	X	SP	
Medical Offices and Clinics	P	P	P	X	X	X	C	
Parks and Recreational Facilities	C	C	C	X	X	X	C	

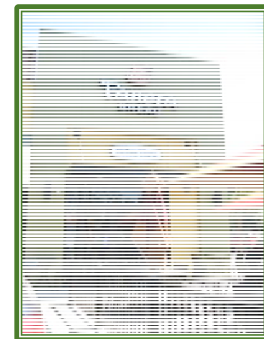
Key	Zoning District ^[1]							Additional Regulations
	C-O	C-N	C-C	C-SC	C-T	C-G	B-P	
P Permitted Use								
M Minor Use Permit Required								
SP Site Plan Review Permit Required								
C Conditional Use Permit Required								
X Use Not Allowed								
Public Safety Facilities	SP	SP	P	C	SP	SP	SP	
Rehabilitation Centers	P	P [6]	P[10]	X	X	C	C	
Social Assistance Services	C	C	C	X	SP	P	X	
COMMERCIAL USES								
Alcoholic Beverage Sales [7]	X	P [7][8]	P [7]	C [7][8]	P [7]	P [7]	SP [7]	Sec.20.44.010
Bail Bond Businesses	C	X	C [10]	X	C	C	C	
Bars and Nightclubs	X	C	C	X	C	C	C	
Banks, Retail	P	P	P	P [9]	SP	SP	SP	
Bed and Breakfast	X	X	C	X	C	C	X	Sec.20.44.030
Building Supplies/Home Improvement	X	X	C	X	SP	P	SP	
Business Support Services	X	C	M	X	P	P	SP	
Cardrooms [5]	X	X	C [5]	X	C [5]	C [5]	X	Chapter 9.08
Cemeteries and Mausoleums	X	X	C	X	C	P	X	
Check Cashing/Payday Loan Establishments	C	X	C [10]	X	C	C	C	Sec.20.44.040
Commercial Cannabis Businesses	Refer to Table 20.44-1 in Section 20.44.170							
Commercial Recreation, Indoor (Except Below)	X	SP	SP	SP [9]	P	SP	C	
Multi-Screen (6 or More) Movie Theaters	X	C	P	X	C	X	C	
Commercial Recreation, Outdoor	X	X	X	SP [9]	P	C	C	
Drive-Through and Drive-Up Sales	C	C	SP	SP [9]	P	P	SP	
Equipment Sales and Rental	X	X	X	X	P	P	SP	
Farmer’s Market	C	SP	SP	SP	SP	SP	SP	Sec.20.50.030B
Flea Market	X	X	X	X	C	C	C	
Funeral Parlors and Mortuaries	C	C	C	X	C	P	C	
Gas and Service Stations/Car Washes	X	C	SP	SP [9]	P	P	SP	Sec.20.44.070
Hotels and Motels	X	X	P	X	P	C	C	
Hookah Lounges	X	C	C	X	C	C	C	
Kennels	X	X	X	X	C	P	C	
Maintenance and Repair Services	X	X	X	X	P	P	SP	
Massage Establishments	C [16]	C [16]	C [16]	X	C [16]	C [16]	X	Chapter 5.44
Massage Therapy—Sole Practitioner	P[17]	P[17]	P[17]	X	C [16]	C [16]	X	Chapter 5.44

Key	Zoning District ^[1]							Additional Regulations
P Permitted Use M Minor Use Permit Required SP Site Plan Review Permit Required C Conditional Use Permit Required X Use Not Allowed	C-O	C-N	C-C	C-SC	C-T	C-G	B-P	
Mobile Food Vendors	C	C	C [10]	X	SP [11]	SP	C	Sec. 5.54 & 20.44.020
Mobile Home Sales	X	X	X	X	P	P	SP	
Office, Professional	P	P	P	SP [9]	SP	SP	SP	
COMMERCIAL USES (Continued)								
Pawn Shops	X	X	C [10]	X	X	P	X	
Personal Services	SP	P	P	P [9]	SP	SP	SP [12]	
Retail, General	SP[12]	P	P	SP [9]	P	SP	SP	
Restaurants	C [13]	P [8]	P	SP [9]	P	M	SP [12] [13]	
Tattoo Parlors	X	SP	M	X	M	M	SP	
Tobacco Retailers [18]	X	P [18]	P [18]	P [18]	P [18]	P [18]	SP[18]	Sec.20.44.160
Vehicle Parts and Accessories Sales	X	P	P	X	P	P	SP	
Vehicle Rentals	X	X	M	X	P	P	SP	
Vehicle Repair and Maintenance, Major	X	X	X	X	C	P	C	
Vehicle Repair and Maintenance, Minor	X	SP	P	X	P	P	C	
Vehicle Sales	X	X	P [10] [14]	X	P	P	C	
INDUSTRIAL USES								
Manufacturing and Processing, General	X	X	X	X	X	M	C	
Manufacturing and Processing, Light	X	X	X	X	X	P	SP	
Research and Development	C	X	C	X	SP	SP	P	
Warehousing, Wholesaling, and Distribution	X	X	SP[15]	X	P	P	SP	
Wrecking & Salvage Establishments	X	X	X	X	C	C	X	Sec.20.44.140
TRANSPORTATION, COMMUNICATION, AND UTILITY USES								
Airports	X	X	X	X	C	C	C	
Freight Terminals	X	X	X	X	C	C	C	
Heliports	C	X	C	X	C	C	C	
Parking Facilities	P	P	P	P[9]	P	P	P	
Public/Mini Storage	X	X	X	X	M	M	SP	
Recycling Collection Facilities								Sec.20.44.090
Reverse Vending Machines	P	P	P	M[9]	P	P	P	
Small Collection Facilities	SP	SP	SP	SP[9]	SP	SP	SP	
Large Collection Facilities	X	X	X	X	C	C	C	

Key	Zoning District ^[1]							Additional Regulations
	C-O	C-N	C-C	C-SC	C-T	C-G	B-P	
P Permitted Use								
M Minor Use Permit Required								
SP Site Plan Review Permit Required								
C Conditional Use Permit Required								
X Use Not Allowed								
Utilities, Major	C	C	C	X	C	C	C	
Utilities, Minor	P	P	P	P[9]	P	P	P	
Wireless Communications Facilities	See Chapter 20.58							

Notes:

- [1] A Site Plan Review Permit may be required per Chapter 20.32 (Interface Regulations) regardless of the uses shown in Table 20.10-1.
- [2] Residential use on the ground floor is prohibited unless it is located on the back of the property where it is not visible or approved with a Conditional Use Permit.
- [3] Prohibited as a single use. Permitted as part of a residential mixed-use project.
- [4] Use shall not exceed 20,000 square feet.
- [5] 24 hour operations limited to C-T and C-C zones per Chapter 9.08 (Gaming).
- [6] Rehabilitation centers for drug, methadone, and alcohol are prohibited.
- [7] A Conditional Use Permit is required for establishments smaller than 20,000 square feet.
- [8] A Conditional Use Permit is required for alcoholic beverage sales for on-site consumption.
- [9] Permitted only as part of a shopping center or other retail establishment with a minimum of 5,000 square feet of floor area devoted to the sale of groceries.
- [10] Prohibited in the City Center area between 19th and 16th Streets and O Street and Martin Luther King, Jr. Way, including properties fronting on either side of each of the above streets, except vehicle sales showrooms can be allowed.
- [11] Includes refreshment stands.
- [12] Permitted only as an ancillary use to serve employees, not to occupy more than 5,000 square feet.
- [13] Conditional Use Permit required unless the use is ancillary to a principal permitted use. For restaurants, Conditional Use Permit is required unless the uses are conducted in and entered from within the building with no outside advertising.
- [14] A Site Plan Review Permit is required for used vehicle sales.
- [15] Temporary warehousing and storage only is allowed per the requirements of Section 20.10.030(D).
- [16] Provided that a massage establishment permit has not been revoked at that location within 12 months of the application for a conditional use permit and a massage establishment permit is obtained pursuant to Chapter 5.44.
- [17] Must have valid certificate from State of California as a massage therapist or massage practitioner pursuant to the Massage Therapy Act (Business and Professions Code Section 4600 *et seq.*).
- [18] Prohibited within 1,000 feet of schools and other uses per Sec. 20.44.160, unless building over 20,000 square feet.



FOR PLANNING COMMISSION CONSIDERATION (P.C.MTG. 2/7/2018)

TABLE 20.10-2 DEVELOPMENT STANDARDS FOR COMMERCIAL ZONES

	Figure Label	Standard by Zone						
		C-O	C-N	C-C	C-SC	C-T	C-G	B-P
LOT AND INTENSITY STANDARDS (MINIMUMS)								
Parcel Area		7,500 sq. ft.	7,500 sq. ft.	7,500 sq. ft.	35,000 sq. ft.	10,000 sq. ft.	10,000 sq. ft.	20,000 sq. ft.
PRIMARY BUILDING STANDARDS								
Setbacks (min.)								
Exterior	A	10 ft.	20 ft. [2]	0 ft. [2]	20 ft. [2]	0 ft.	0 ft.	25 ft.[2]
Interior	B	5 ft.	0 ft. [1]	0 ft. [1]	0 ft. [1]	0 ft.	0 ft.	20 ft.[1]
Height (max.) [3]	C							
Feet		40 ft.[3]	35 ft.[3]	60 ft.[3]	35 ft.[3]	40 ft.[3]	40 ft.[3]	40 ft.[3]
OTHER STANDARDS								
Accessory Structure Standards		See Chapter 20.28						
Separation Between Structures		As required by the California Building Code						
Off-Street Parking		See Chapter 20.38						

Notes:

- [1] Minimum of 20 feet required when abutting a residential zoning district.
- [2] Minimum of 35 feet required when across from a residential zoning district.
- [3] Only applies when directly adjacent to residential zones. Exceptions to the height limitations in those cases may be granted by the Site Plan Review Committee.



NOTICE OF EXEMPTION

To: _____ Office of Planning and Research
P.O. Box 3044
Sacramento, CA 95812-3044

From: (Public Agency)
City of Merced
678 West 18th St.
Merced, CA 95340

X County Clerk
County of Merced
2222 M Street
Merced, CA 95340

Project Title: ZOA #18-01 (Environmental Review #18-01)

Project Applicant: City of Merced

Project Location (Specific): City of Merced (City wide)

Project Location - City: Merced

Project Location - County: Merced

Description of Nature, Purpose, and Beneficiaries of Project: This application involves changes to the Merced Zoning Ordinance (Title 20 of the Merced Municipal Code) which would modify the Commercial Shopping Center (C-SC) Zone to allow the following uses with a Site Plan Review Permit: Community Gardens, Colleges & Trade Schools, Commercial Recreation Indoor, Commercial Recreation Outdoor, and Drive-Through/Drive-Up Sales. In addition, the following uses would be changed from requiring a Conditional Use Permit to requiring a Site Plan Review Permit: Gas and Service Stations/Car Washes, Offices/Professional Uses, and Restaurants. All of these uses, except for a Community Garden, would be allowed only as a part of a development that requires a grocery store of over 20,000 square feet as the main anchor to a shopping center. A Community Garden would be allowed as a temporary use until a shopping center is developed.

Name of Public Agency Approving Project: City of Merced

Name of Person or Agency Carrying Out Project: City of Merced

Exempt Status: (check one)

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State Type and Section Number: 15301 (a)
- Statutory Exemptions. State Code Number: _____.
- X General Rule (Sec. 15061 (b)(3))

Reasons why Project is Exempt: As defined under the above referenced Section, the proposed project is exempt from CEQA by the general rule that if it can be seen with certainty that there is no possibility that the activity in question can have a significant effect on the environment. This project involves a change to the City's zoning regulations as described above. Such regulations by themselves do not have a direct effect on the environment as there is no physical change to the environment proposed at this time.

Lead Agency: City of Merced

Contact Person: Francisco Mendoza-Gonzalez **Area Code/Telephone:** (209) 385-6858

Signature:  **Date:** 1-17-2018 **Title:** Planner

X Signed by Lead Agency Date Received for Filing at OPR: _____
(If applicable)

Authority Cited: Sections 21083 and 21110. Public Resources Code
Reference: Sections 21108, 21152, and 21152.1. Public Resources Code

CITY OF MERCED
Planning Commission

Resolution #_____

WHEREAS, the Merced City Planning Commission at its regular meeting of February 7, 2018, held a public hearing and considered **Zoning Ordinance Amendment #18-01**, initiated by the City of Merced. This application involves changes to the Merced Zoning Ordinance (Title 20 of the Merced Municipal Code) which would modify the Commercial Shopping Center (C-SC) Zone to allow the following uses with a Site Plan Review Permit: Community Gardens, Colleges & Trade Schools, Commercial Recreation Indoor, Commercial Recreation Outdoor, and Drive-Through/Drive-Up Sales. In addition, the following uses would be changed from requiring a Conditional Use Permit to requiring a Site Plan Review Permit: Gas and Service Stations/Car Washes, Offices/Professional Uses, and Restaurants. All of these uses, except for a Community Garden, would be allowed only as a part of a development that requires a grocery store of over 20,000 square feet as the main anchor to a shopping center. A Community Garden would be allowed as a temporary use until a shopping center is developed; and,

WHEREAS, the Merced City Planning Commission concurs with Findings A through G of Staff Report #18-03; and,

NOW THEREFORE, after reviewing the City's Draft Environmental Determination, and discussing all the issues, the Merced City Planning Commission does resolve to hereby recommend to City Council adoption of a Categorical Exemption regarding Environmental Review #18-01, and approval of Zoning Ordinance Amendment #18-01, as set forth in Attachment B of Staff Report #18-03:

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)

ATTACHMENT E

February 7, 2018

Adopted this 7th day of February 2018

Chairperson, Planning Commission
of the City of Merced, California

ATTEST:

Secretary