

**CITY OF MERCED
Planning Commission**

MINUTES

Merced City Council Chambers
Wednesday, July 6, 2016

Chairperson COLBY called the meeting to order at 7:00 p.m., followed by a moment of silence and the Pledge of Allegiance.

ROLL CALL

Commissioners Present: Kurt Smoot, Kevin Smith, Bill Baker, Jill McLeod, Robert Dylina, and Chairperson Travis Colby

Commissioners Absent: Peter Padilla (excused)

Staff Present: Planning Manager Espinosa, Senior Deputy City Attorney Rozell, and Recording Secretary Davis

1. **APPROVAL OF AGENDA**

M/S SMOOT-SMITH, and carried by unanimous voice vote (one absent), to approve the Agenda as amended.

2. **MINUTES**

M/S BAKER-SMITH, and carried by unanimous voice vote (one absent), to approve the Minutes of June 8, 2016, as submitted.

3. **COMMUNICATIONS**

None.

4. **ITEMS**

4.1 Zoning Ordinance Amendment #16-01, initiated by the City of Merced. This application involves the adoption of a new Zoning

Ordinance for the City of Merced (Title 20 of the Merced Municipal Code). This is the first comprehensive update of the Zoning Ordinance since its adoption in the early 1960's and represents a complete redesign, update, and modernization of the Zoning Ordinance. The Zoning Ordinance addresses such issues including, but not limited to, allowed land uses in each zoning district, development standards (setbacks, minimum lot sizes, maximum heights of buildings and fences, etc.), procedures for development permits, and land use definitions.

Planning Manager ESPINOSA reviewed the report on this item. She noted a memo from staff which showed a revised table of the overview of the purposed changes to the ordinance. Ms. ESPINOSA also noted 4 letters from the public. For further information, refer to Staff Report #16-16.

Public testimony was opened at 7:27 p.m.

Speakers from the Audience in Favor:

NECOLA ADAMS, Merced
MONIKA GRASLEY, Merced
CHAUNTEL NUGENT, Merced
MARYAM GROGMAN, Merced
ALYSSA CASTRO, Merced
STEVE ROUSSOS, Merced
SHANE ROSS, Merced
CHANEL WEAVER, Merced

Speakers from the Audience in Opposition:

KATIE BUTTERFIELD, Merced
ZACK VAN HOUTTEN, Merced
KATILYN McINTIRE, Merced
BARBARA RICHEY, Merced
CLAUDIA G. CORCHADO, Merced

Speakers from the Audience (Neutral):

STEPHANIE RUSSELL, Merced
BRITTANY OAKES, Merced
DAISY AGUAYO, Merced
STEPHANIE NATHAN, Madera
MARIE PICKNEY, Merced
AARON LEGUIA, Merced
STEPHANIE MILLER, Merced
CHRIS MEDINA, Merced

Speakers from the audience voiced their appreciation for the efforts made by Planning staff and related parties and they voiced their support for the addition of community gardens in the ordinance and expressed how beneficial it would be to Merced and its residents. However, they voiced their concern regarding the application fees for conditional use permits for community gardens in residential zones, as purposed in the amended Zoning Ordinance, and asked for a reduction in fee costs, especially for non-profits.

Public testimony was completed at 8:21 p.m.

The Commission discussed the project, they stated the necessity for community gardens to be under the scope of a Conditional Use Permit, which would require input from residents of the surrounding area on how the purposed garden should be regulated. Commissioner SMOOT purposed that there could be other avenues that would be available to groups interested in starting community gardens that would alleviate some of the application costs.

M/S COLBY-SMITH, and carried by the following vote, to recommend to the City Council adoption of a Negative Declaration regarding Environmental Review #16-20, and approval of Zoning Ordinance Amendment #16-01, as shown in Attachment A, in addition to the changes presented by staff at the meeting, subject to the Findings set forth in Staff Report #16-16 (RESOLUTION #3071):

AYES: Commissioners Baker, Dylina, McLeod, Smith, Smoot, and Chairperson Colby

NOES: None

ABSENT: Commissioner Padilla

ABSTAIN: None

4.2 Election of Planning Commission Chairperson and Vice-Chairperson

Chairperson COLBY nominated Commissioner McLEOD to be Chairperson. Commissioner McLEOD accepted the nomination. There were no other nominations for Chairperson.

M/S COLBY-SMOOT, and carried by the following vote, to elect Commissioner McLEOD as Chairperson:

AYES: Commissioners Baker, Dylina, McLeod, Smoot, Smith and Chairperson Colby

NOES: None

ABSENT: Commissioner Padilla

ABSTAIN: None

Commissioner SMITH nominated Commissioner SMOOT to be Vice-Chairperson. Commissioner SMOOT declined the nomination. Commissioner SMOOT nominated Commissioner DYLINA to be Vice-Chairperson, Commissioner DYLINA accepted the nomination. There were no other nominations for Vice-Chairperson.

M/S SMOOT-COLBY, and carried by the following vote, to elect Commissioner DYLINA as Vice-Chairperson:

AYES: Commissioners Baker, McLeod, Smoot, Smith and Chairperson Colby

NOES: None

ABSENT: Commissioner Padilla

ABSTAIN: Commissioner Dylina

5. **INFORMATION ITEMS**

5.1 Calendar of Meetings/Events

Planning Manager ESPINOSA briefed the Planning Commission on items for the next few Planning Commission meetings. She announced that, due to her upcoming vacation, Principal Planner KING or Director of Development Services GONZALVES will be at the next meeting in her place. Ms. ESPINOSA also mentioned the possible cancellation of both upcoming meetings in August due to a lack of items. Commissioner SMOOT announced that he will be absent from the meeting of July 20, 2016, due to vacation.

6. **ADJOURNMENT**

There being no further business, Chairperson COLBY adjourned the meeting at 8:46 p.m.

Respectfully submitted,



KIM ESPINOSA, Secretary
Merced City Planning Commission

APPROVED:



~~TRAVIS COLBY~~, Chairperson
Merced City Planning Commission

CITY OF MERCED
Planning Commission

Resolution #3071

WHEREAS, the Merced City Planning Commission at its regular meeting of July 6, 2016, held a public hearing and considered **Zoning Ordinance Amendment #16-01**, initiated by the City of Merced. This application involves the adoption of a new Zoning Ordinance for the City of Merced (Title 20 of the Merced Municipal Code). This is the first comprehensive update of the Zoning Ordinance since its adoption in the early 1960's and represents a complete redesign, update, and modernization of the Zoning Ordinance. The Zoning Ordinance addresses such issues including, but not limited to, allowed land uses in each zoning district, development standards (setbacks, minimum lot sizes, maximum heights of buildings and fences, etc.), procedures for development permits, and land use definitions; and,

WHEREAS, the Merced City Planning Commission concurs with Findings A through H of Staff Report #16-16; and,

NOW THEREFORE, after reviewing the City's Draft Environmental Determination, and fully discussing all the issues, the Merced City Planning Commission does resolve to hereby recommend to City Council adoption of a Negative Declaration regarding Environmental Review #16-20, and approval of Zoning Ordinance Amendment #16-01, as set forth in the Public Review Draft Zoning Ordinance (dated September 2015) with the proposed changes as described in Attachment A of Staff Report #16-16.

Upon motion by Chairperson Colby, seconded by Commissioner Smith, and carried by the following vote:

AYES: Commissioners Baker, Dylina, McLeod, Smith, Smoot, and Chairperson Colby

NOES: None

ABSENT: Commissioner Padilla

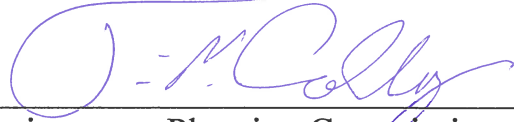
ABSTAIN: None

PLANNING COMMISSION RESOLUTION #3071

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July 6, 2016

Adopted this 6th day of July 2016



Chairperson, Planning Commission of
the City of Merced, California

ATTEST:



Secretary