

City of Merced
PLANNING COMMISSION
Agenda

SEMIMONTHLY REGULAR SESSION

Assisted Listening Devices Available
Please Contact the Recording Secretary

CALL TO ORDER

Merced City Council Chambers
Wednesday, October 11, 2017
7:00 p.m.

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL

1. APPROVAL OF AGENDA

2. MINUTES: September 20, 2017

S P E A K E R S

Please be brief and to the point - preferably 3 to 5 minutes.

Max Time Limit prior to Agendized items: 15 minutes. Once the maximum has been reached, remaining speakers will be asked to wait until the end of the meeting to make their comments.

To address the Planning Commission, complete a Request to Speak Form and place in the drop box located to the right of the speaker podium prior to the opening of the public hearing or the announcement of the item by the Chairperson. Speakers will be called up, 3 to 5 at a time, in the order in which the forms are received.

Please use the microphone and state your name and city of residence for the record.

Information/instruction on how the meeting will be run appears on the reverse side of this page.

PUBLIC HEARINGS/REPORTS:

Permits, license, and other entitlements:

Applicant's Representative – 15 minutes (including rebuttal)

Appellant's Representative – 15 minutes (including rebuttal)

All other speakers will have 5 minutes each.

All other issues:

3 or less speakers: 5 minutes each

Over 3 speakers: Maximum of 3 minutes each

A timer clock is located directly across from the podium, illuminating the speaker's remaining time. Once the time is exhausted, a buzzer sounds. Please be courteous and conclude your discussion promptly.

For further information on citizen participation and placing an item on the Planning Commission Agenda, please refer to the handout provided outside the Council Chambers.

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GENERAL INFORMATION

The Planning staff can assist you with other planning questions on matters such as annexation to the city, land subdivision, downtown Merced projects, home occupation permits, zoning, population and housing. (Phone 385-6858) 678 West 18th Street, Merced, CA 95340. Prior to each regular Commission Meeting, a complete agenda packet is available for review in the Planning Department at 678 West 18th Street, Merced, and on the City's website at www.cityofmerced.org. Any documents provided to a majority of the Commissioners after this agenda is posted will be available for public inspection in the Planning Department during normal business hours.

THE PLANNING COMMISSION

The citizens of Merced elect the members of the City Council. They in turn appoint seven advisors, the Planning Commission, to make recommendations on planning matters. The Commissioners are civic-minded citizens who serve an average of 35 meetings a year with no pay. Meetings are normally held at 7:00 p.m. on the Wednesday nights following the first and third Mondays of the month, in addition to special meetings as called.

The staff assists the Commission but does not vote. The City Attorney provides legal assistance and assists the Commission on procedural matters; the Planning Director and his staff prepare the agenda, provide reports, etc. Other City staff members such as the Civil Engineer also serve as advisors to the Commission.

PLANNING COMMISSION MEETINGS

The Commissioners are interested in your views and want to hear them. Information on a proposed action is publicized before it is brought before the Planning Commission. For example, on a proposed zoning action, mailers are sent to all property owners within a 300-foot radius and a notice appears in the legal advertisement section of the Merced Sun-Star. Important pending items will also often be mentioned in pre-meeting references in the local newspaper.

Consent Items

Items noted as "(CONSENT)" are considered routine and will normally be approved without a staff presentation or discussion by the Planning Commission unless a Commissioner or member of the audience has a question(s) or wishes to make a statement or discuss an item. If so, please approach the microphone at the time the particular item is reached.

Public Hearings

The Commission will ask those who are for* or against** a proposal to speak at all public hearings. The sequence of events is:

1. Staff report of facts and a recommendation.
2. Applicant's statement.
3. Proponents* of the proposal.
4. Opponents** of the proposal.
- (5. If necessary, a summary statement or rebuttal from the applicant.)

If you decide to speak, please submit a "Request to Speak" form prior to the start of the public hearing. You will be called up to speak at the appropriate time by the Recording Secretary. Please start by giving your name and city of residence, then tell the Commissioners your concern. We want your views; don't worry about how to say them. If several people have spoken, try not to be repetitious. If there are several in your area with concerns, why not appoint a spokesman. The Commission is particularly interested in the specific reasons you are for or against a proposal because their decision has to be based on specific reasons.

A Commission denial of a request or proposal is final in the case of Conditional Use Permit Applications (unless appealed to City Council within five days) and Tentative Subdivision Maps (unless appealed to City Council within 10 days). On many other items, the Commission RECOMMENDS ACTION to the Council. If your item is passed on to the City Council, be sure to follow up by attending the Council hearings and expressing your point of view.

You may also find that the Commission may not get to your item - set for 7:00 p.m. public hearing - until 10:00 p.m. for instance. We regret you having to wait. Experience has shown that setting hearings 1/2 - 1 hour apart is unwise, however. Sometimes matters are withdrawn or are resolved quickly leaving the commission and public in a position of waiting for an appointed time to arrive.

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3. COMMUNICATIONS

At this time, any member of the audience may comment on any matter which is not listed on the agenda. Please submit a “Request to Speak” form prior to the announcement of the item by the Chairperson.

4. ITEMS

Any matters listed as (“CONSENT”) in the descriptions below are considered routine by the Planning Commission and will be adopted by one action of the Commission unless any citizen submits a “Request to Speak” form or Commission member has any question or wishes to make a statement or discuss an item. In that event, the Chairperson will remove that item from the Consent Calendar and place it for separate consideration.

4.1 **Study Session on Cannabis Businesses in Merced and the Upcoming Ordinance**, initiated by the City of Merced, to give the Planning Commission an opportunity to ask questions about the Draft Zoning Ordinance regarding Commercial Cannabis Businesses before action at their regularly scheduled meeting of October 18, 2017.

ACTION: Discussion/Questions

5. INFORMATION ITEMS

5.1 Calendar of Meetings/Events (see below)

6. ADJOURNMENT (Traditionally no later than 11:00 p.m.)

CALENDAR OF MEETINGS/EVENTS

Oct.	4	City Council Special Meeting, 6:00 p.m.
	11	Planning Commission, 7:00 p.m. (<i>Wednesday, Rescheduled from Oct. 4</i>)
	16	City Council, 6:00 p.m.
	18	Planning Commission, 7:00 p.m.
	24	Bicycle Advisory Commission, 3:00 p.m.
Nov.	6	City Council, 6:00 p.m.
	8	Planning Commission, 7:00 p.m.
	20	City Council, 6:00 p.m.
	22	Planning Commission, 7:00 p.m. (<i>To Be Cancelled</i>)
Dec.	4	City Council, 6:00 p.m.
	6	Planning Commission, 7:00 p.m.
	12	Bicycle Advisory Commission, 3:00 p.m.
	18	City Council, 6:00 p.m.
	20	Planning Commission, 7:00 p.m. (<i>To Be Cancelled</i>)



**NOTICE AND CALL OF SPECIAL MEETING
OF THE PLANNING COMMISSION
OF THE
CITY OF MERCED**

NOTICE AND CALL OF SPECIAL MEETING OF THE PLANNING
COMMISSION TO THE MEMBERS OF THE PLANNING
COMMISSION OF THE CITY OF MERCED AND TO THE CITY
CLERK:

NOTICE IS HEREBY GIVEN that a special meeting of the Planning Commission of the City of Merced is hereby called to be held on October 11, 2017, commencing at 7:00 PM in the Civic Center, City Council Chambers, 2nd Floor, 678 West 18th Street, Merced, California.

Said special meeting shall be for the purpose of a Study Session regarding Cannabis businesses in Merced and the upcoming Commercial Cannabis Ordinance.

Dated: October 3, 2017

Robert Dylina, Chairperson

City of Merced

MEMORANDUM

DATE: October 11, 2017
TO: Planning Commission
FROM: Kim Espinosa, Planning Manager
SUBJECT: Study Session on Cannabis Businesses in Merced and the Upcoming Ordinance

DISCUSSION

The purpose of the study session is to give the Planning Commissioners a chance to ask questions of staff about the proposed changes to the Zoning Ordinance regarding Commercial Cannabis Businesses before considering action at their regularly scheduled meeting of October 18, 2017. Staff will provide a detailed overview of the Draft Ordinance and copies of the Draft Ordinance will be distributed at the meeting. Although this is not a Public Hearing, the Commission may choose to hear public comments about the Draft Ordinance as well. The official public hearing on the Ordinance is scheduled for October 18, 2017.

ACTION REQUIRED: Discussion/ Questions

**CITY OF MERCED
Planning Commission**

MINUTES

Merced City Council Chambers
Wednesday, September 20, 2017

Commissioner Colby called the meeting to order at 7:03 p.m., followed by a moment of silence and the Pledge of Allegiance.

ROLL CALL

Commissioners Present: Mary Camper, Travis Colby, *Robert Dylina, Peter Padilla, and Kevin Smith

*Chairperson Dylina arrived at 7:08 p.m.; Commissioner Colby acted as Chairperson until his arrival.

Commissioners Absent: None (two vacancies)

Staff Present: Director of Development Services McBride, Planning Manager Espinosa, Principal Planner Hren, Chief Deputy City Attorney Fincher, and Recording Secretary Davis

1. **APPROVAL OF AGENDA**

M/S PADILLA-CAMPER, and carried by unanimous voice vote (one absent, two vacancies), to approve the Agenda as submitted.

2. **MINUTES**

M/S PADILLA-SMITH, and carried by unanimous voice vote (one absent, two vacancies), to approve the Minutes of June 21, 2017, as submitted.

3. **COMMUNICATIONS**

None.

4. **ITEMS**

4.1 **Special Presentation by the Merced County Department of Public Health Regarding Access to Healthy Foods in Three Merced Neighborhoods**

Stephanie Russell, Merced County Department of Public Health, gave a presentation regarding access to fresh produce and other healthy food in low-income neighborhoods. She answered questions from the Commission.

4.2 **Update on Active Transportation Plan / Safe-Routes-to-School Plan (ATP/SRTSP)**

Secretary's Note: At this time, Planning Manager ESPINOSA introduced the newly hired Development Services Director SCOTT McBRIDE and Principal Planner MICHAEL HREN to the Commission.

Principal Planner HREN, gave a brief presentation providing an update of the ATP/SRTSP to the Commission and answered questions from the Commission.

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.

6. **ADJOURNMENT**

There being no further business, Chairperson DYLINA adjourned the meeting at 7:30 p.m. to the Planning Commission Study Session on Cannabis Businesses in Merced and Upcoming Ordinance on October 4, 2017, at 7:00 p.m. in the City Council Chambers.

Respectfully submitted,

 for
KIM ESPINOSA, Secretary
Merced City Planning Commission

APPROVED:

ROBERT DYLINA, Chairperson
Merced City Planning Commission