



CITY OF MERCED ZONING ORDINANCE UPDATE FOCUS GROUP MINUTES

Merced Civic Center
First Floor Sam Pipes Room

678 W. 18th Street
Thursday, September 12, 2013
8:15 a.m.

Mission of Focus Group

Update the Zoning Ordinance to be more user-friendly and easier to understand for the Community.

A. CALL TO ORDER

Chairperson Logue called the meeting to order at 8:17 a.m.

B. ROLL CALL

Members Present: Jim Abbate, Ann Andersen, Kenra Bragonier, Adam Cox, Tony Dossetti, Ron Ewing, Forrest Hansen, Flip Hassett, Bruce Logue, Elmer Lorenzi, Guy Maxwell, Carole McCoy, Michelle Paloutzian, Mike Salvadori, Stan Thurston, Brandon Williams, and Jim Xu

Members Absent: Christina Alley, Todd Bender, Loren Gonella, Jack Lesch, Garth Pecchenino, and Joe Ramirez

Staff Present: Director of Development Services David Gonzalves, Planning Manager Kim Espinosa, Associate Planner Julie Sterling, and Development Associate Maria Mendoza

C. APPROVAL OF ACTION MINUTES

M/S Cox-Williams, and carried by unanimous voice vote (6 absent), to approve the Minutes of August 22, 2013, as submitted.

D. ITEMS

1. Schedule Additional Meeting Dates – Director of Development Services David Gonzalves explained how important the Zoning Ordinance Update is and that there was a need for additional meetings, noting they each were given a “revised” meeting schedule.
2. Follow-Up Items from Last Meeting – There were no follow-up items for discussion.
3. A Planner’s Confessions...The Top Ten Things about the Zoning Ordinance That Drive Me Crazy - A.K.A. “Do These Zoning Regulations Still Reflect Our Community Standards or Should We Consider Changing them?” (Continued from July 31 and August 22, 2013.)

Planning Manager Kim Espinosa continued the discussion from the previous meeting and touched on varying topics outlined below.

Driveway Carports

Ms. Espinosa provided examples of front yard carports and explained that they are illegal if within the 20-foot front yard setback in a residential zone. She advised that there are concerns, but if the Group was favorable to allow them, minimum standards are needed such as carport materials, anchoring, location, and the requirement for a building permit.

The Focus Group discussed safety issues such as blocking visibility of oncoming vehicles or pedestrians for someone backing out of their driveway, and possible issues with not properly anchoring the carport. Other concerns were that streets could appear cluttered or blighted without specific standards or if outdoor storage were to accumulate in driveways. Some felt that enforcement was the issue with existing illegal carports; however, with the City budget and

current staffing levels, there are competing priorities. Mr. Gonzalves asked the Focus Group to not make decisions regarding the Zoning Ordinance based on current budget or staffing levels as a Zoning Ordinance has at least a 20-30 year life.

Front Yard Fences

Ms. Espinosa explained the current ordinance, requests from the public to increase fence heights due to young children, dogs, safety purposes, potential issues with gates across driveways, and fence materials. After requesting feedback on whether or not fence heights in the front yards should be increased, the consensus was to keep the code as it is.

Backyard Fences

With regards to increasing backyard fences to 8-feet in height, the Focus Group discussed having standards to exclude barbed or razor wire and electrical fences, fences in areas that have grade differences (one side of the fence is 6-feet and the other side is 8-feet due to lot elevations), the use of lattice or compatible materials, and concerns for public safety. The Focus Group was favorable to increasing the backyard fences to 8-feet. Ms. Espinosa explained that a building permit would be required for an 8-foot fence.

Home Occupations (Home-Based Businesses)

Ms. Espinosa explained the eight conditions associated with a home occupation, concerns with having employees (vehicles parking on streets), along with issues with businesses such as a car repair operation that on the one hand should be prevented in a residential neighborhood (due to noise, traffic, oils and other storage issues) and requests for piano lessons (1 appt. per hour) where the ordinance is inflexible. Examples of home based businesses were discussed such as yard sales, repairing vehicles, daycares, cottage food operations (regulated by the

State and Merced County Health Department), and public agencies being able to exempt themselves. In response to concerns regarding enforcement on current and future home-based businesses, Ms. Espinosa explained the process of elevated enforcement where sometimes complaints can be handled with a phone call but others require involving the City Attorney's Office. She also explained that the Consultants have proposed having two categories for home occupations, a minor (allowed by right) and major (requires a minor conditional use permit). The consensus of the Focus Group was that the current code is fine as long as complaints from home occupations are enforced.

Food Trucks

Ms. Espinosa explained the difference between Street and Sidewalk Vendors and Food Vendors at Fixed Locations and asked the Group to read through their copies of the slides so that a discussion could occur at the next meeting.

[Secretary's Note: Due to the time, discussion of Food Trucks will continue on September 26, 2013].

4. Homework – Review of Modified Ordinance for Residential, Commercial, and Industrial Zoning Districts

Ms. Espinosa explained that each group member was given a copy of a portion of the DRAFT Modified Zoning Ordinance for their review (homework assignment) that includes residential, commercial, industrial, other zones, a glossary and copy of the existing ordinance and her notes. She requested everyone to review the material and to think about the questions posed by staff so that discussions can take place and input be given during the next few meetings.

E. ADJOURNMENT

The meeting was adjourned at 9:35 a.m. to the next meeting on Thursday, September 26, 2013, at 8:15 a.m.

Respectfully submitted,

/s/ David Gonzalves

DAVID GONZALVES, Secretary
Zoning Ordinance Update

APPROVED:

Bruce Logue, Chairperson
Zoning Ordinance Update