



CITY OF MERCED ZONING ORDINANCE UPDATE FOCUS GROUP MINUTES

Merced Civic Center
First Floor Sam Pipes Room

678 W. 18th Street
Thursday, October 3, 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 8:21 a.m.

B. ROLL CALL

Members Present: Jim Abbate, Ann Andersen, Todd Bender, Kenra Bragonier, Adam Cox, Tony Dossetti, Loren Gonella, Jack Lesch, Bruce Logue, Elmer Lorenzi, Carole McCoy, Michelle Paloutzian, and Mike Salvadori

Members Absent: Christina Alley, Ron Ewing, Forrest Hansen, Flip Hassett, Guy Maxwell, Garth Pecchenino, Joe Ramirez, Stan Thurston, Brandon Williams, and Jim Xu

Staff Present: Director of Development Services David Gonzalves, Planning Manager Kim Espinosa, Associate Planner Julie Sterling, and City Manager John Bramble

C. APPROVAL OF ACTION MINUTES

M/S Gonella-Andersen, and carried by unanimous voice vote (10 absent), to approve the Minutes of September 26, 2013, as submitted.

D. ITEMS

1. Follow-up Items from Last Meeting

The Focus Group asked for information about Permit requirements, State Laws on Residential Care Facilities, and the “Purpose” Section of the Zoning Ordinance.

Planning Manager Espinosa briefly discussed each of the handouts that were distributed prior to the start of the meeting regarding permit requirements, residential care facilities, the “Purpose” section of the Zoning Ordinance, and Cottage Food Permits.

Director of Development Services David Gonzalves explained that the goal is to focus on Residential and Commercial parts of the Code such as design standards and protecting neighborhoods. He advised that staff will be creating an agriculture/residential (or Rural Residential) zone for those properties that are currently in the County of Merced (correlating with UC Merced area) but are within our sphere of influence. He added that this is intended to ease the “fear” of annexation for those concerned with a possible change to their lifestyle with regard to the keeping of animals or hooking up to sewer and water.

Ms. Espinosa explained that she’s currently working with the consultants on this new zone to balance issues, and added that the closest zone that we currently have is an R-1-20 (for 20,000 square-foot lot minimum). Ms. Espinosa discussed the process of annexation noting that the properties must be contiguous and answered questions regarding acre lots, City services, etc. She emphasized the need to find a way to make people comfortable with the annexation process rather than to protest the process. An example was given where a neighborhood blocked a prospective annexation by protesting the annexation.

2. Review of Modified Ordinance for Residential, Commercial, and Industrial Zoning Districts (Continued from September 26)
Focus Group Comments on the “Homework” Assignment, starting with the Residential and Commercial (and maybe the Industrial) sections.

Ms. Espinosa asked if the Focus Group had questions or concerns with the previous homework assignment. There was discussion that the “purpose” of the zones is there, however, the “intent” of the zone is not, and that there may be inconsistency from the old ordinance to the new with terms such as “high quality development” for example relating to mobile home parks. Ms. Espinosa indicated that we need to know how readable the document is so if it is confusing we need to correct it. She explained that the consultants were tasked with streamlining the ordinance so there’s not a lot of cross-referencing, but that is something that can be fixed by adding cross references. She advised that the nuts and bolts for what land uses are allowed and what permits are needed are found in Tables on Pages 1 and 2, whereas the design standards are on Pages 6 and 7.

There was a suggestion to add “Home Occupation” in Table A, of Page 1, under the residential section. The Focus Group discussed daycares and the impacts on the neighborhood, the difference between permitted use and minor conditional use permit, and the difference between a “group home” and “dwelling groups” and restrictions within each. Ms. Espinosa explained that some uses like daycares are State regulated and gave the definition of a “household” and “family.” In response to using the term Community Uses and Community Assembly instead of “public” and “quasi-public” terminology Ms. Espinosa said that we are attempting to use more current or up-to-date terminology. However, with regards to “colleges” they need to be defined similarly to “schools.”

There was discussion on single-room occupancy where students could rent a room in a home, but the way the code is written, it’s not allowed. Ms. Espinosa indicated we would check the glossary to make sure it is clear as to what is allowed. Also, some neighbors are not receptive to having student housing in the neighborhood. With a second unit on a single-family residential lot, one of the two units must be owner-occupied.

Residential care facilities are exempt from local zoning as long as there are 6 or fewer people in a house. If there are more than six, we can require a process and impose reasonable standards such as spacing, concentration, and parking through a non-discretionary permit. Ms. Espinosa explained that the State would allow a staff level process granted by the Director where neighbors within 100 feet of the site are notified 10 days prior to the hearing date.

While a few people felt large family daycares should be regulated, others felt there were too many regulations and if there haven't been many complaints, why do so. At this time, Chairperson Logue asked for a voice vote of those present and the consensus was not to regulate large family daycares. The consensus of the Group was, however, in favor of regulating residential care facilities if allowed under State law.

For the next meeting the Focus Group was asked to continue reading through the Residential and Commercial Zoning sections and the standards to see if it is readable and easier to understand.

E. ADJOURNMENT

The meeting was adjourned at 9:30 a.m. to the next meeting on Thursday, October 17, 2013, at 8:15 a.m.

Respectfully submitted,

/s/ David Gonzalves

David Gonzalves, Secretary
Zoning Ordinance Update

APPROVED:

Bruce Logue, Chairperson
Zoning Ordinance Update