



CITY OF MERCED ZONING ORDINANCE UPDATE FOCUS GROUP MINUTES

Merced Civic Center
First Floor Sam Pipes Room

678 W. 18th Street
Thursday, October 31, 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 8:15 a.m.

B. ROLL CALL

Members Present: Jim Abbate, Christina Alley, Ann Andersen, Todd Bender, Kenra Bragonier, Loren Gonella, Jack Lesch, Bruce Logue, Elmer Lorenzi, Guy Maxwell, Michelle Paloutzian, Garth Pecchenino, Joe Ramirez, and Mike Salvadori

Members Absent: Adam Cox, Tony Dossetti, Ron Ewing, Forrest Hansen, Flip Hassett, Carole McCoy, Stan Thurston, Brandon Williams, and Jim Xu

Staff Present: Director of Development Services David Gonzalves, Planning Manager Kim Espinosa, Recording Secretary Vicci Lane, and City Manager John Bramble

C. APPROVAL OF ACTION MINUTES

M/S LORENZI-MAXWELL, and carried by unanimous voice vote (9 absent), to approve the Minutes of October 17, 2013, as submitted.

D. ITEMS

1. Review of Modified Ordinance for Residential, Commercial, and Industrial Zoning Districts

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Planning Manager ESPINOSA continued the discussion from the last meeting regarding the above item.

The Focus Group discussed if Colleges and Trade Schools should be allowed with a Conditional Use Permit (CUP) in the C-G zone instead of not allowed at all. The consensus was that they should be allowed with a CUP since depending on the curriculum, it might be appropriate in the C-G zone.

The Focus Group considered if Day Care Centers should be a conditional use in the B-P zone instead of permitted. Since the state has adequate regulations with regard to this use, the consensus was to lean towards less regulation.

The Group debated whether Emergency Shelters should remain not allowed in the C-C zone or should be allowed with a CUP. Planning Manager ESPINOSA explained that the state law requires that cities have at least one zone where Emergency Shelters are principally permitted. The City of Merced has proposed to permit them in the C-G zone as a permitted use and allow them in the C-T zone as a conditional use. Several members thought the Rescue Mission should not set a precedent for use in that location (a C-C zone), but could be grandfathered in. Some thought that allowing shelters in other commercial zones may deter businesses from wanting to locate in those particular zones. The consensus was to allow the Emergency Shelters to be principally permitted in the C-G zone and to not allow them in other commercial zones.

The Group discussed if Government Offices should be a permitted use in the B-P zone instead of not allowing them at all. The consensus was to continue to not allow them in the B-P zone to preserve those zones for traditional business park uses.

The Group deliberated about if Parks, which are proposed as conditional uses in C-O, C-N, and C-C, should be allowed with a CUP in other commercial zones. Since there are plenty of zones that allow Parks and because commercial development is a desirable use in the commercial zones, the consensus was to not allow Parks in other commercial zones.

The Group reviewed whether Public Safety Facilities should be allowed with CUPs in all commercial zones instead of only being allowed with a CUP in the C-T and C-G zones. The Group concurred it would be

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beneficial to allow Public Safety Facilities with a CUP in all commercial zones.

The Group pondered the consultant's proposal that CUPs be required for all businesses wishing to sell alcohol. Currently, CUPs for alcohol sales are only required for businesses whose buildings are 20,000 square feet or less, since that would be a larger part of their business. Since the result would be a marked increase in CUPs and a lot more restrictiveness, the consensus was to continue the current process.

The Group debated whether Bail Bond Businesses should continue to be permitted in the C-C zone (but prohibited in the City Center) and allowed with a CUP in the C-O zone or should changes be made. Mention was made that most Bail Bond Businesses were so low key that most businesses were not even aware that they were located near them. It was also noted that they are required to follow our sign code and get a sign permit. The consensus was to continue the current process.

Check Cashing Establishments would be allowed in all commercial zones with a CUP as proposed; the Group considered if there were some zones where they should not be permitted. The consensus was that overall, they should be treated like any other business and not be overregulated, but C-O zones are supposed to be for office uses, the Check Cashing Establishments really aren't a business park use so should not be in the B-P zone, and the C-SC zones would not be appropriate locations either.

The Group briefly discussed if Flea Markets should be allowed anywhere other than with a CUP in the C-T zone. The consensus was that they should be allowed with a CUP in the C-T and C-G zones and not in the C-O, C-N, or C-C zones.

The Group reviewed Funeral Parlor and Mortuary uses and agreed that they should be principally permitted in the C-G zone, and allowed as CUPs in all other commercial zones.

The Group conversed about Gas and Service Stations. It is proposed that they be principally permitted in C-T and C-G zones and allowed with a Site Plan Permit in the C-N, C-C, and C-SC zones. The consensus was that the proposal was fine except in the C-N zone, they should be permitted with a CUP so that neighbors would get notified if a Gas or Service Station was going into their neighborhood. Planning Manager ESPINOSA added that

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the use table would be reviewed for the C-SC zone to make sure it was consistent with the newly-adopted standards for that zone.

The Group discussed if Hotels and Motels should be allowed with a CUP in the B-P zone. It was noted that other cities have successfully allowed this type of development. The consensus was to keep our options open and allow Hotels and Motels in the B-P zone with a CUP.

For the next meeting, the Group was asked to review the last six questions in the Commercial section and try to get through the Industrial Zoning Districts and the Public Use and Agricultural Zoning Districts sections.

E. ADJOURNMENT

The meeting was adjourned at 9:32 a.m. to the next meeting on Thursday, November 14, 2013, at 8:15 a.m.

Respectfully submitted,

/s/ David Gonzalves

David Gonzalves, Secretary
Zoning Ordinance Update

APPROVED:

Bruce Logue, Chairperson
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